

TO: Mayor Mark D. Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held July 2, 2002

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

**PRESENT** – Nolan, McAllister, Null, Mazzuchelli, Buzaid, Machado, Shuler, Scozzafava, Levy, John Esposito, Saadi, Dittrich, Basso, Furtado, Gallagher, Gogliettino, Moore, Neptune

**ABSENT** – Kelly, Dean Esposito, Darius

18 PRESENT – 3 ABSENT

Mr. Darius was out of town on business

### **PUBLIC SPEAKING**

Lynn Waller, 83 Highland Avenue – spoke on items 35 and 36. The five-year leases disturb her and the lease amount of \$1,700 is too low.

Bertha Johnson, 48 Woodside Avenue – spoke on item 30. What is the time frame for installation? She would like to be able to connect from Topstone Drive.

**MINUTES** – Minutes of the Common Council Meeting held June 4, 2002. Mr. Levy made a motion to accept the minutes as presented and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mr. Gogliettino. Motion carried unanimously.

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

5 – Adopt the Resolution to apply for and accept grant funding from the State of Connecticut to extend the municipal water system to the Ta'Agan Point Water Company as described.

6 – Adopt the Resolution to commence and conclude the process of statutory filing, notification and actual assessment of Richmond Avenue Sanitary Sewer.

7 – Adopt the Resolution authorizing the Corporation Counsel's Office to acquire easements associated with the Ta'Agan Point Water project as described.

8 – Adopt the Resolution to apply for and accept grant funding from the U. S. Department of Justice Assistance in the amount of \$24,233 for various Police Department equipment for the fiscal year 2002.

9 – Adopt the revised Resolution for the airport construction of Taxiway A.

12 – Approve the appointment of Judith Betman Coco as an alternate member to the Youth Commission.

13 – Approve the appointment of Lydia Yaglenski as a member of the Fair Rent Commission.

25 – Receive a report from the Planning Commission regarding equipment lease.

26 – Approve an eighteen-month extension of time for the water main extension at 99 Federal Road subject to the same conditions.

28 – Approve acceptance of a parcel of land for road widening on South King Street subject to conditions as described.

37 – Receive the report and adopt its recommendations regarding a sewer extension at 8 Claremont Terrace.

38 – Receive a report and adopt its recommendations regarding a traffic light on Woodside Avenue and Route 6.

45 – Receive reports from the Police Chief and the Fire Chief regarding street lights in the vicinity of Caye Road and take no action at this time.

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

At 7:45 P.M. Dean Esposito and Jim Kelly arrived and were marked present.

1 – ORDINANCE – Voting Precincts Designated

Mr. Furtado asked that this be deferred to public hearing. Mayor Boughton so ordered.

2 – ORDINANCE – Review and Evaluation of Government Entities

Mr. McAllister asked that this be deferred to public hearing. Mayor Boughton so ordered.

3 – ORDINANCE – Sewer and Water Connection Fees

Mrs. Basso asked that this be deferred to public hearing. Mayor Boughton so ordered.

4 – WITHDRAWN

5 – RESOLUTION – State Grant Ta'Agan Point Water

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury desires to obtain a State of Connecticut grant for water mains and water pollution control facilities:

WHEREAS, the City of Danbury will use these grant funds to extend the municipal water supply to fourteen (14) customers of Ta'Agan Point Water Company by furnishing and installing 2,860 feet on 8-inch ductile iron water mains in Ta'Agan Point Drive, Moody Lane and Ta'Agan Point Road, including service connection to 14 customers, a pressure reducing facility and abandoning the existing well; and

WHEREAS, the water main extension will also provide an additional 30-35 lots in the project area with the ability to connect to the City's water system.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton, be and hereby is authorized to execute and file, on behalf of the City of Danbury, all applications, contracts, instruments and agreements, with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Section 22(a)(6) of Special Act 93-2, June Special Session, of the General Statutes of Connecticut, as amended; to accept payments; and to execute any necessary contracts or amendments thereto should said grant be awarded to the City, and to execute any other required documents or take any other action to effectuate the purposes hereof.

The Resolution to apply for and accept grant funding from the State of Connecticut to extend the municipal water system to the Ta'Agan Point Water Company as described was adopted on the Consent Calendar.

6 – RESOLUTION – Richmond Avenue Sanitary Sewer

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Richmond Avenue Sanitary Sewer; and

WHEREAS, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

WHEREAS, the Common Council has determined the amount of said assessments, after public hearing, all according to law; and

WHEREAS, the Connecticut General Statutes Section 7-253 authorizes the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City.

NOW, THEREFORE BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before September 1, 2002, provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Richmond Avenue Sanitary Sewer:

1. The payment of any benefits by installments hereunder shall be in not more than nineteen (19) equal annual payments.
2. The minimum annual installment payment shall be One Thousand Forty One dollars and 81/100 (\$1,041.81).
3. The interest on any deferred payments hereunder shall be due at a rate per annum of 4.34 percent (4.34%). Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as attached.
5. A listing of the foregoing assessment shall be filed in the Town Clerk's Office on July 11, 2002. An appeal to the Superior Court from such assessment must be taken within 21 days of such filing.

The Resolution to commence and conclude the process of statutory filing, Notification and actual assessment of Richmond Avenue Sanitary Sewer was adopted on the Consent Calendar.

#### 7 – RESOLUTION – Ta'Agan Point Water Main Easements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the residents served by the Ta'Agan Point water supply system have experienced long standing problems associated with the quantity and quality of water drawn from their community well system; and

WHEREAS, the State of Connecticut Department of Public Health has been monitoring the situation for years and appointed a receiver in an attempt to ameliorate the problems; and

WHEREAS, the system remains inadequate, unreliable and at times unsafe; and

WHEREAS, the State of Connecticut has ordered the City of Danbury to acquire the Ta'Agan Point Water Company as a means of insuring that the Ta'Agan Point water supply is adequate, reliable and safe; and

WHEREAS, although the Public Utilities Division of the Danbury Department of Public Works has installed an emergency feed line to provide a temporary source of water, a permanent solution is required; and

WHEREAS, an extension of the Danbury public water supply system to be funded through the assessment of benefits against those properties benefited by the extension is in the best interests of the public; and

WHEREAS, in order to proceed with said project it is necessary to acquire interests in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the property owners hereinafter named upon the amount, if any, to be paid for the interests to be so acquired.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire certain water line easements from the affected property owners on or before January 1, 2003, either by negotiation or by eminent domain through the institution of suits against said property owners, their successors and assigns and their mortgage holders and encumbrancers, if any. Property descriptions describing the affected areas are attached hereto and incorporated herein as exhibits A through C.

The Resolution authorizing the Corporation Counsel's Office to acquire easements associated with the Ta'Agan Point Water project as described.

8 – 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 2002 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 \$24,233.00 under this program with a local cash match of \$2,693.00 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 Mark D. Boughton, 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 this grant.

The Resolution to apply for and accept grant funding from the U. S. Department of Justice Assistance in the amount of \$24,233 for various Police Department equipment for the fiscal year 2002 was adopted on the Consent Calendar.

9 – RESOLUTION – Airport Reconstruction of Taxiway A

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, 276.00 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, Mark D. Boughton, 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 for the airport construction of Taxiway A was adopted on the Consent Calendar.

10 – RESOLUTION – Appraisal of Airport Property

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to apply to the Federal Aviation Administration for grant funding, which if approved will enable it to acquire 10.7 acres of land on Miry Brook Road (Tax Assessor's lots #s E19017, E19024-27, E19031-33 and T. C. 6262); and

WHEREAS, pursuant to the Federal Aviation Administration grant application process, 90% of the grant funds will be committed by the Federal Aviation Administration, 7.5% of the grant funds will be committed by the State of Connecticut and the City will be responsible to fund 2.5% of the total grant amount if the City ultimately decides to acquire the above-mentioned real property.

NOW, THEREFORE BE IT RESOLVED, that the Common Council authorizes Mayor Mark D. Boughton and Paul D. Estefan, Airport Administrator, to apply to the Federal Aviation Administration to obtain grant funding to acquire the above-mentioned real property; to obtain the real property appraisals as are necessary to file the grant application; to hire a consultant to assist in the land acquisition application process; to appropriate the 2.5% of the total grant amount, if the grant is approved; to execute any necessary documents; and to take any additional actions necessary to effectuate the purposes hereof.

Mr. McAllister made a motion to receive the communication and adopt the resolution. Seconded by Dean Esposito. Motion carried unanimously.

11 – COMMUNICATION – Promotion to Fire Lieutenant

Letter from Mayor Boughton requesting confirmation of the promotion of Eric P. Handau to lieutenant in the Fire Department. Mr. McAllister made a motion to receive the communication and confirm the appointment. Seconded by Mrs. Basso. Motion carried unanimously.

12 – COMMUNICATION – Appointment as Alternate to the Youth Commission

Letter from Mayor Boughton requesting confirmation of the appointment of Judith Betman Coco as an Alternate to the Youth Commission for a term to expire June 1, 2005. The appointment was confirmed on the Consent Calendar.

13 – COMMUNICATION – Appointment to the Fair Rent Commission

Letter from Mayor Mark Boughton requesting confirmation of the appointment of Lydia Yaglenski to the Fair Rent Commission for a term to expire July 1, 2005. The appointment was confirmed on the Consent Calendar.

14 – COMMUNICATION – Appointment as Deputy Fire Chief – WITHDRAWN

15 – COMMUNICATION – Request for Committee to Study Unauthorized All-Terrain Vehicles at Tarrywile Park

Mr. Moore asked that this be referred to an ad hoc committee, a representative of Tarrywile Park and the Police Chief. Mayor Boughton so ordered and appointed Council Members Dean Esposito, Gogliettino and Scozzafava to the committee.

16 – COMMUNICATION – Request for Committee to Study Veteran’s Tax Credits

Mrs. Basso asked that this be referred to an ad hoc committee, the Director of Veterans Affairs and the Director of Finance. Mayor Boughton so ordered and appointed Council Members Levy, John Esposito and Basso to the committee.

17 – COMMUNICATION – Request for Committee to Study Leaf and Brush Collection

Mr. McAllister asked that this be referred to an ad hoc committee and the Director of Public Works. Mayor Boughton so ordered and appointed Council Members Mazzuchelli, Furtado and Scozzafava to the committee.

18 – COMMUNICATION – Donations to the Library

Request from Library Director Betsy McDonough for permission to accept donations to the Library in the total amount of \$57.25. Mr. Nolan made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

19 – COMMUNICATION – Proposed Revisions to the Wastewater Treatment Facility Service Agreement

Mr. Saadi asked that this be referred to an ad hoc committee, the Corporation Counsel and the Director of Public Utilities. Mayor Boughton so ordered and appointed Council Members Saadi, Kelly and Basso to the committee.

20 – COMMUNICATION – Pleasant Acres Homeowners Association

Mr. Gogliettino asked that this be referred to an ad hoc committee, the Director of Public Utilities and a representative of Pleasant Acres. Mayor Boughton so ordered and appointed Council Members Kelly, Mazzuchelli and Basso to the committee.

21 – COMMUNICATION – Request for Sewer and Water Extension – Old Shelter Rock Road

Mr. Saadi asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members John Esposito, Furtado and Basso to the committee.

22 – COMMUNICATION – Request for Water Extension – Pembroke Road

Mr. McAllister asked that this be referred to the Director of Public Works for a report back within thirty days. Mayor Boughton so ordered.

23 – COMMUNICATION – Request for Water Extension on Ivy Lane

Mr. Nolan asked that this be referred to the Director of Public Works and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

24 – COMMUNICATION – Request for Sewer Extension at 4 Old Shelter Rock Road

Mr. Gogliettino asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members John Esposito, Furtado and Basso to the committee.

25 – COMMUNICATION – Report regarding Equipment Lease

Report from the Planning Commission giving a negative recommendation on a five-year lease for CDW-G Equipment as they feel it is too long a time period. The report was received on the Consent Calendar.

26 – COMMUNICATION – Report regarding Time Extension – 99 Federal Road

Report from the Director of Public Works recommending that the time extension be approved subject to the required eight steps. An eighteen-month extension for the water main extension at 99 Federal Road was approved, on the Consent Calendar, subject to the same conditions.

27 – COMMUNICATION – Airport Property Acquisition

Request from Airport Administrator Paul Estefan that the sum of \$11,000 to retain the Louis Berger Group, Inc. to handle the land acquisition project at the Airport. A certification of funds was attached. Mr. Saadi made a motion to receive the communication and authorize the transfer of funds. Seconded by Mrs. Basso. Motion carried unanimously.

28 – COMMUNICATION – Report regarding Road Widening Parcel – South King Street

Reports from the Corporation Counsel, the Director of Public Works, the Planning Commission and the Planning Director recommending the road-widening strip be accepted subject to the submittal of acceptable legal documents to the Corporation Counsel's office.

The reports were accepted on the Consent Calendar and the acceptance of a parcel of land for road widening on South King Street accepted subject to described conditions.

29 – COMMUNICATION – Request for Sewer and Water Extensions – 23, 25 & 29 Sugar Hollow Road

Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Machado, Moore and Nolan to the committee.

30 – COMMUNICATION – Request for Sewer Extension – 48 Woodside Avenue

Mr. Levy noted that this was inadvertently left off the Consent Calendar and asked that it be reconsidered. Seconded by Mr. Gogliettino. Motion carried unanimously. Mr. Levy asked that it be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members John Esposito, Furtado and Basso to the committee.

31 – COMMUNICATION – Request for Water Extension – Great Plain Road

Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Neptune, Null and Scozzafava to the committee.

32 – COMMUNICATION – Habitat for Humanity – Oakland Avenue

Mr. Nolan asked that this be referred to the Corporation Counsel, the Director of Public Works, the Planning Director, and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

33 – COMMUNICATION – Spite Strip – Mountainview Terrace and Sunrise Road

Mr. Saadi asked that this be referred to the Corporation Counsel, the Director of Public Works and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

34 – COMMUNICATION – Open Space Acquisition – Terre Haute Road

Mr. Gogliettino asked that this be referred to an ad hoc committee, the Director of Finance, Jack Kozuchowski and a representative of Tarrywile. Mayor Boughton so ordered and appointed Council Members Gallagher, Moore and Nolan to the committee.

35 – COMMUNICATION – Curtiss Aero – Airport Lease

Mr. McAllister asked that this be referred to an ad hoc committee, the Corporation Counsel, Director of Finance, the Planning Commission and a representative of Curtiss Aero. Mayor Boughton so ordered and appointed Council Members Kelly, Moore and Dittrich to the committee.

36 – COMMUNICATION – Sadler Aircraft Service, Inc. – Airport Lease

Mrs. Basso asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance, the Planning Commission and a representative of Sadler Aircraft. Mayor Boughton so ordered and appointed Council Members Kelly, Moore and Dittrich to the committee.

37 – REPORT – Request for Sewer Extension at 8 Claremont Terrace

John Esposito submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 8 Claremont Terrace met at 6:30 P.M. on July 2, 2002 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 and the petitioner, Frank Figueiredo.

Mr. Esposito read the positive recommendation of the Planning Commission. Mr. Buckley pointed out the property on a map. Claremont Terrace is a private road and a dead end cul-de-sac. The rights to the road would have to be obtained in the form of an easement. He recommended approval of the request subject to the normal eight steps.

Mr. Saadi made a motion to recommend approval of the application subject to the required eight steps. Seconded by Mrs. Basso. Motion carried unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

38 – REPORT – Request for Traffic Light on Woodside Avenue and Route 6

Mr. Saadi submitted the following report:

The Common Council Committee appointed to review the request for a traffic light at the intersection of Woodside Avenue and Route 6 met on June 25, 2002 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Saadi, John Esposito and Basso. Also in attendance were Chief of Police Robert Paquette, Director of Public Works William Buckley and members of the public.

Mr. Saadi stated that this issue has a long history. A petition with over 300 signatures was sent to the Department of Transportation. The DOT rejected the idea of a traffic light being placed in this location, but approved the placement of one at the intersection of Old Shelter Rock Road and Route 6. Mr. Saadi read a report from the Chief of Police stating that numerous traffic studies have been completed based on complaints received primarily by residents of the area served by Woodside Avenue as an entrance and egress point. In each case, neither the accident history nor the volume of traffic was sufficient to justify the signalization. It was determined that signalization may increase the seriousness of accidents caused by rear end collisions. The report also outlined the cost, which would be significant because the entire intersection would have to be reconfigured. As an alternative, the DOT felt that it wanted to be accommodating by proposing a traffic signal at the intersection of Shelter Rock Road and Route 6.

Chief Paquette stated that his report is self-explanatory. He reviewed the accident history over the past year and there have been two accidents in that area. Mr. Buckley stated that the State has jurisdiction over that road. His traffic engineer concurs that the best place for the light is at the intersection of Old Shelter Rock Road and Route 6. It will make a difference because it would interrupt the flow of traffic. Mr. Esposito stated that the committee should emphasize Mr. Buckley's point that the State has jurisdiction over this issue.

Members of the public expressed their views that it seems like the State has made its decision, but they still believe that a traffic light is necessary on Woodside and Route 6 to ensure the safety of the residents.

Mr. Saadi stated that a major concern to him is the crosswalk. There is no indication that a crosswalk is coming up. This is the responsibility of the DOT. Mrs. Basso asked Chief Paquette if the light were put upon Shelter Rock Road, would it be possible to put up a Do Not Block sign. The Chief said any signage is the responsibility of the State. Mrs. Basso asked if the State could put up crosswalk signs. He said they could, but he cannot understand why a crosswalk is even there at all.

After further discussion, Mr. Esposito made a motion to recommend to the State that it continue its evaluation of the traffic conditions on Woodside Avenue and Route 6 in light of the residents concerns regarding the crosswalk and traffic safety. Seconded by Mrs. Basso. Motion carried unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

#### 39 – REPORT and RESOLUTION – Blind Brook Playground

Mr. Machado submitted the following report and recommendation:

The Common Council Committee appointed to review the Blind Brook Playground resolution met on June 11, 2002 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Machado and Basso. Also in attendance were Barbara Braquez and Catherine Yagielski of the Blind Brook Association and Council President Warren Levy, ex-officio.

Mr. Machado stated that the charge of this committee is to look into the purchase of land to be used for a playground in the Blind Brook neighborhood. Mrs. Basso asked who owns the property and what is the selling price? Ms. Braquez said that Bill Hogan owns the property and the selling price is not more than \$35,000. Money to purchase playground equipment can be raised through other sources and Mrs. Basso said she is encouraged that grant funds are available.

Mr. Levy asked how this concept came about. Mrs. Braquez stated that it was because the children were playing in the streets. Mrs. Basso stated that if there is no playground available, the kids have no place to go. Mr. Machado said that this is a part of the "Take Back Your Neighborhood" program. Mrs. Basso asked if the property could also serve the people in the senior housing. Ms. Braquez said that they hoped to be able to provide benches. Mr. Levy stated that it was great that everyone was working together on this project and they can take pride in it.

Mrs. Basso made a motion to authorize the City to pursue the purchase of this property to be used for a playground, pending certification by the Finance Department. Seconded by Mr. Machado. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is seeking to purchase property at 6 Williams Street to construct a playground for neighborhood use; and

WHEREAS, in order to accomplish this goal, the City of Danbury will need to acquire said parcel, through negotiation with the property owner identified on the attached Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Corporation Counsel, be and hereby is authorized to negotiate the acquisition of property located at 6 Williams Street and as described on Exhibit A attached hereto, for the purposes of constructing a playground at said location and to take such other and necessary action as may be required to accomplish the purposes thereof.

Mr. Saadi made a motion to receive the report, approve its recommendations, adopt the Resolution and refer it to the Planning Commission. Seconded by Mr. Gogliettino. Motion carried unanimously.

40 – REPORT – Request for Sewer and Water Extensions – Lee Avenue and Victor Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Lee Avenue and Victor Streets met at 7:45 P.M. in the Third Floor Caucus Room on June 27, 2002 in City Hall. In attendance were committee members Machado and Shuler. Also in attendance were Council Members Levy and McAllister, ex-officio, Director of Public Works William Buckley, Ben Doto and the petitioner, Michael Zotos.

Mr. Machado read the positive Planning Commission recommendation for the record. He then asked Mr. Buckley for an overview of the request. Mr. Buckley pointed out the property on a map. These streets are on an incline. Mr. Doto explained his proposal. There is an existing water line on Lee Avenue. They need the sewer extension on both Lee Avenue and Victor Street. He is proposing individual, privately owned pump stations connecting to the City main. They will be designed accordingly and will be part of the City sewer system. They will take into account how the system should be cleaned. The existing house is on a septic system. Mr. Buckley stated that he would recommend approval of this request subject to the required eight steps.

Mr. Shuler made a motion to recommend approval of the request subject to the required eight steps. Seconded by Mr. Machado. Motion carried unanimously.

Mr. Saadi made a motion that the report be received and its recommendations approved. Seconded by Mr. McAllister. Motion carried unanimously.

41 – COMMUNICATION – Sun Healthcare Group, Inc.

Mr. Levy asked that this be deferred to the end of the agenda. Without objection, Mayor Boughton so ordered.

42 – DEPARTMENT REPORTS – Health and Housing, Fire Chief, Police Chief, Fire Marshall, Public Works, Welfare, Department of Elderly Services. Mr. Levy made a motion that the reports be accepted as submitted 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 Dean Esposito. Motion carried unanimously.

43 – COMMUNICATION – Donation to the Fire Department

Request from Fire Chief Peter Siecienski for permission to accept a donation in the amount of \$100 from Helen Grolljahn and an additional check in the amount of \$100 from Joanne Triolo. Mr. Gogliettino made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Mr. Machado. Motion carried unanimously.

44 – COMMUNICATION – Donation of Storage Space to the Fire Department

Letter from Fire Chief Peter Siecienski requesting permission to accept the donation of a 100 square foot storage container from Joe Putnam of the Putnam Self Storage facility. Mr. Furtado made a motion to receive the communication, accept the

donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

45 – COMMUNICATION – Reports regarding Traffic Light at Caye Road

Reports from the Chief of Police and the Chief of the Fire Department stating that this would not be a priority at this time. The reports were received on the Consent Calendar and no action taken at this time.

46 – COMMUNICATION – Request for Funds for the HUSKY Program.

Mr. Moore asked that this be referred to the Director of Welfare and the Director of Health for reports back within thirty days. Mayor Boughton so ordered.

47 – COMMUNICATION – Appointment as Police Officer

Mr. Levy made a motion that this be added to the agenda as item 47. Seconded by Mr. McAllister. Motion carried with Council Members Nolan, Scozzafava, Gallagher and Furtado voting in the negative.

Letter from Mayor Boughton requesting confirmation of the appointment of Harold A. Usher as a police officer. Mr. Levy made a motion to receive the communication and confirm the appointment. Seconded by Mrs. Basso. Motion carried unanimously.

Mayor Boughton extended all committees.

At 8:15 P.M. the Common Council entered into Executive Session

At 8:30 P.M. the Common Council reconvened in public session.

41 – Mr. Levy made a motion to proceed with settlement as presented and authorize the Mayor, the Corporation Counsel and Attorney Berman to execute the necessary documents for purposes of settling the case as discussed. Seconded by Mr. Saadi. Motion carried with Mr. McAllister voting in the negative.

There being no further business to come before the Common Council a motion to adjourn was made at 8:33 P.M. by Mr. Gogliettino.

Respectfully submitted,

---

JIMMETTA L. SAMAHA  
Clerk