

TO: Mayor Mark Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held April 1, 2003

The meeting was called to order at 7:30 P.M. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT – Nolan, McAllister, Null, Coladarci, Kelly, Dean Esposito, Machado, Shuler, Scozzafava, Levy, John Esposito, Saadi, Basso, Darius, Furtado, Gogliettino, Moore, Neptune, Setaro

ABSENT – Buzaid, Dittrich

19 Present – 2 Absent

Mr. Buzaid was ill and Mr. Dittrich was out of state of business

PUBLIC SPEAKING

Lorraine Seder – handed out report on sports programs in the school budget

Jean Bowen, WeCahr – in favor of the Real Choice Change Grant

Kathy Jordan, 2 Centennial Drive – endorses the City's participation in the Real Choice Change Grant

Robert Fand, 79 North Street – Spoke on the North Street Traffic Problems

Herb Krate, 4 Alan Road – spoke on item 21 – gave a background on the private water system in Lake Waubeeka. There is no problem now but they want to be prepared

Peter Farmer, 5 Hillcrest Road – spoke on item 49, in favor of the Hawthorne Terrace Water System

Drucilla Sniffen, 5 Shepard Road – supports Real Choice Change Grant

John Gentile, 23 Rose Lane – supports Real Choice Change Grant

Rosty Slabicki, 105 Deer Hill Avenue – spoke on item 50, Long Range School Facilities – accept the report and move forward on the initiatives for bonding

At the point in the meeting, Mayor Boughton presented his budget address.

MINUTES – Minutes of the Common Council Meeting held March 4, 2003. 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:

3 – Adopt the resolution to authorize the Corporation Counsel to acquire property, subject to and only upon prior approval by the Planning Commission and the Redevelopment Agency as described.

4 – Adopt the resolution to apply for and accept grant funding from the Federal Emergency Management Agency in an amount of \$182,700.00 for acquisition of fire equipment and fire school renovations as described.

5 – Adopt the resolution to apply for and accept grant funding from Real Choice Systems Project in an amount of \$75,000 for the inclusion of persons with disabilities program as described.

6 – Adopt the resolution to apply for and accept grant funding from the State of Connecticut Office of Public Records Administrator in the amount of \$12,000 for Historic Document Preservation in the Town Clerk's Office as described.

7 – Adopt the resolution to authorize the Corporation Counsel to acquire Shore Road storm drainage easements, subject to, and only upon, prior approval by the Planning Commission as described.

- 8 – Approve the appointment of Judith Betman Coco as a member of the Youth Commission
- 9 – Approve the appointment of Kenneth Lee, Jr. as an alternate member of the Commission on Persons with Disabilities
- 10 – Approve the appointment of Kevin W. Placella as an alternate member of the Fair Rent Commission
- 18 – Approve the transfer of \$464 from the Elderly Services Donations Account to the Commission on Aging budget as described
- 22 – Approve the request to appropriate \$5,000 for the Fire Department Special Services Account subject to certification by the Finance Director
- 25 – Adopt the resolution authorizing the Corporation Counsel to accept sewer and water facilities related to the magnet school, subject to and only upon prior approval by the Planning Commission and Engineering Department as described.
- 26 – Approve payment of an \$80 towing charge claim subject to certification by the Director of Finance
- 35 – Receive the report and deny a request to lease Rogers Park property abutting 126 South Street
- 36 – Accept Cobblestone Trail as a City road subject to the conditions of the Director of Public Works and the Corporation Counsel
- 37 – Refer request back to petitioner for a division of the request, with maps and legal documents, into three parts – acceptance of road, acceptance of parcels and application for sewer and water extensions
- 38 – Refer North Street Traffic proposal suggestions to the City Traffic Engineer
- 40 – Receive the report regarding final assessments for the Kenosia Park Sanitary Sewer Extension and approve the recommendations
- 41 – Receive a report regarding Vicious Dog Ordinance and approve the recommendations
- 42 – Receive a report regarding Electronic Payment and approve the recommendations
- 43 – Receive a report regarding All- Terrain Vehicles Ordinance and approve the recommendations
- 44 – Receive a report regarding the Application for Permit Ordinance and approve the recommendations
- 46 – Receive a report regarding Candlewood Terrace water extension and approve the recommendations
- 48 – Receive a report regarding request for sewer extension on Shelter Rock Road and approve the recommendations
- 51 – Receive a report regarding Entities Review and Evaluation and defer to public hearing

Mr. Saadi made a motion to accept the consent calendar as presented and also that the resolution with item 40 be adopted. Seconded by Mr. Gogliettino. Motion carried unanimously, noting that Council Member Setaro abstained on item 3.

1 – ORDINANCE and RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year beginning July 1, 2003 and ending June 30, 2004 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2003 and ending June 30, 2004. Mr. Saadi asked that this be deferred to public hearing. Mayor Boughton so ordered.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to meet said Appropriations. Mrs. Basso asked that this be deferred to public hearing. Mayor Boughton so ordered.

3 – RESOLUTION – Yankee Gas Services Company

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, acting through its Redevelopment Agency, has established a Redevelopment Plan which is designed to further the renewal and revitalization of downtown Danbury; and

WHEREAS, a portion of the Redevelopment Plan provides for the improvement of Redevelopment Parcel #9, located on the easterly side of Patriot Drive; and

WHEREAS, in order to implement this portion of the Redevelopment Plan the acquisition of a small triangular parcel of property as well as an additional strip of land, from Yankee Gas Services Company will be necessary; and

WHEREAS, eminent domain proceedings will be required if the City of Danbury cannot agree with Yankee Gas Services Company upon the amount to be paid for its interest in said parcel.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the parcel of property described in Exhibit A attached hereto and made a part hereof, either by negotiation or by eminent domain through the institution of suit against Yankee Gas Services Company, or the present owner, its successors and assigns and the holder of mortgages encumbering the property, if any. Said eminent domain action, if necessary, shall be commenced on or before October 1, 2003.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized, subject to and only upon prior approval by the Planning Commission and the Redevelopment Agency, to acquire the parcel of property described in Exhibit B attached hereto and made a part hereof, either by negotiation or by eminent domain through the institution of suit against Yankee Gas Services Company, or the present owner, its successors and assigns and the holder of mortgages encumbering the property, if any. Said eminent domain action, if necessary, shall be commenced on or before October 1, 2003.

The resolution to authorize the Corporation Counsel to acquire property, subject to and only upon prior approval by the Planning Commission and the Redevelopment Agency as described was adopted on the Consent Calendar.

4 – RESOLUTION – Fire Department Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Emergency Management Agency has made funds available to the Danbury Fire Department for the acquisition of various pieces of fire equipment and fire school renovations; and

WHEREAS, the total amount of said funding for such purposes is \$261,000.00 of which \$182,700.00 is FEMA funds and the balance of \$78,300.00 is the required local share; and

WHEREAS, the Danbury Fire Department would like to apply for and accept said grant and, together with the local share, obtain the needed equipment and material.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, or his designee, Danbury Fire Chief Peter Siecienski, be and hereby are authorized to apply for and accept said grant and to execute such additional documents as may be required to effectuate the purpose thereof.

The Resolution to apply for and accept grant funding from the Federal Emergency Management Agency in an amount of \$182,700.00 for acquisition of fire equipment and fire school renovations as described was adopted on the Consent Calendar.

5 – RESOLUTION –The Real Choice Systems Change Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in October 2002 a federal Real Choice Systems Change grant was awarded to the Connecticut Department of Social Services, and the A. J. Pappanikou Center was selected to administer the grant; and

WHEREAS, this project will collaborate with two other Systems Change grants: the Nursing Facilities Transition grant and the Connect-to-Work Project; and

WHEREAS, the Real Choice Systems Change project is seeking municipalities interested in being selected as a model community for the inclusion of persons with disabilities through the lifespan; and

WHEREAS, the project will supply funding, staff support in implementing the community inclusion plan and collaborative support from state agencies serving persons with disabilities in their communities; and

WHEREAS, the funding period will be from July 1, 2003 through September 30, 2005 with the grant amount of \$25,000 per year (total of \$75,000.00) with an in-kind match consisting of staff and administrative time; and

WHEREAS, this project is in the best interests of the City of Danbury.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Mark D. Boughton be and hereby is authorized to make application to Real Choice Systems Project and that Mayor Boughton be and hereby is authorized to take any additional action that may be necessary to effectuate the purposes hereof.

The Resolution to apply for and accept grant funding from Real Choice Systems Project in an amount of \$75,000 for the inclusion of persons with disabilities program as described was adopted on the Consent Calendar.

6 – RESOLUTION – Historic Document Preservation Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Office of Public Records Administrator will make grant funds available to municipalities through an Historic Documents Preservation Grant; and

WHEREAS, the State of Connecticut Office of Public Records Administrator will award these funds to the City of Danbury Town Clerk's office for use in Historic Document Preservation; and

WHEREAS, the City of Danbury is eligible to receive funds up to \$12,000.00; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, as Mayor of the City of Danbury, or the Town Clerk as his designee, is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

The resolution to apply for and accept grant funding from the State of Connecticut Office of Public Records Administrator in the amount of \$12,000 for Historic

Documents Preservation in the Town Clerk's Office as described was adopted on the Consent Calendar.

7 – RESOLUTION – Shore Road Improvements – Drainage Easements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to correct drainage problems on Shore Road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedules A, B, C, D and E, attached, hereto containing the legal descriptions of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said properties upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said schedules.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to October 1, 2003 property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suit against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

The resolution to authorize the Corporation Counsel to acquire Shore Road storm drainage easements, subject to, and only upon, prior approval by the Planning Commission as described was adopted on the Consent Calendar.

8 – COMMUNICATION – Appointment to the Youth Commission

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

9 – COMMUNICATION – Appointment as Alternate Member of the Commission on Persons with Disabilities

Letter from Mayor Boughton requesting confirmation of the reappointment of Kenneth Lee, Jr. as an alternate member of the Commission on Persons with Disabilities. The appointment was confirmed on the Consent Calendar.

10 – COMMUNICATION – Appointment as Alternate Member of the Fair Rent Commission

Letter from Mayor Boughton requesting confirmation of the appointment of Kevin Placella as an alternate member of the Fair Rent Commission for a term to expire July 1, 2005. The appointment was confirmed on the Consent Calendar.

11 – COMMUNICATION – Donations to the Library

Letter from Library Director Betsy McDonough requesting permission to accept donations in the amount of \$125 to be deposited into the LIBRARYFUND donations account. Mr. Furtado made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Mr. Darius. Motion carried unanimously.

12 – COMMUNICATION – Wal-Mart Grant

Letter from Police Chief Robert Paquette requesting permission to accept a donation in the amount of \$1,000 from the Wal-Mart Foundation. Mr. McAllister 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.

13 – COMMUNICATION – Donation to the Fire Department

Letter from Fire Chief Peter Siecienski requesting permission to accept a donation in the amount of \$50 for the volunteer training account. Mr. McAllister made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Furtado. Motion carried unanimously.

14 – COMMUNICATION – Request for Funds for Police Examinations

Letter from Director of Personnel Carol DeSantie stating that the application process for Police Officer generated approximately \$8,700. She requested that these funds be used for the entry-level police exam. 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.

15 – COMMUNICATION – Request for Funds for Corporate Health Invoices

Request from Director of Personnel Carol DeSantie requesting the sum of \$25,000 to pay outstanding invoices for Corporate Health. A certification of funds was attached. Mr. Gogliettino made a motion to receive the communication and authorize the transfer of funds. Seconded by Mr. Darius. Motion carried unanimously.

16 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$50 for use by the Danbury Senior Center. Mrs. Coladarci made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

17 – COMMUNICATION – LOCIP 2002-2003 Application

Request from Director of Finance Dena Diorio requesting approval of the attached list of projects necessary to make application for LOCIP funds. Mr. Gogliettino made a motion to receive the communication and authorize the projects for application. Seconded by Ms. Neptune. Motion carried unanimously.

18 – COMMUNICATION – Reappropriation of Donated Funds

Request from Director of Elderly Services Leo McIlrath that the sum of \$464 be transferred from the Elderly Services Donation Account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

19 – COMMUNICATION – Sale of Surplus Computers

Request from Purchasing Agent Charles Volpe declaring computer equipment provided by the IT Department surplus. Wade Anderson had notified him that he has had offers to purchase this equipment. The highest offer was in the amount of \$6,500. Because this is in excess of \$2,500 sale would require approval by the Common Council. Mr. Moore made a motion to receive the communication and authorize the sale of the surplus computer equipment for the sum of \$6,500. Seconded by Mrs. Basso. Motion carried unanimously.

20 – COMMUNICATION – 1996 Health Insurance Portability and Accountability Act

Letter from Assistant Corporation Counsel Eric Gottschalk requesting authorization for the Mayor to enter into agreements called Business Associate Agreements in compliance with the 1996 Health Insurance Portability and Accountability Act. Mrs. Basso made a motion to receive the communication and authorize the Mayor to enter into the Business Associate Agreements. Seconded by Mr. Gogliettino. Motion carried unanimously.

21 – COMMUNICATION – Request for the City to take over Lake Waubeeka Water System. Dean Esposito made a motion to refer this to the Director of Public

Works, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

22 – COMMUNICATION – Request for Funds for Fire Department Special Services Account

Request from Fire Chief Peter Siecienski that the sum of \$5,000 be transferred into the Fire Department Special Services Account due to ongoing events. The transfer of funds was authorized on the Consent Calendar.

23 – COMMUNICATION – Request for Sewer and Water Extensions at 17 Mill Plain Road. Mr. McAllister made a motion 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, Buzaid and Scozzafava to the committee.

24 – COMMUNICATION – Request for Sewer and Water Extensions – 40 Old Brookfield Road. Mr. Moore 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 Kelly, Shuler and Basso to the committee.

25 – COMMUNICATION – Magnet School Sanitary Sewer and Water

Letter from Director of Public Works William Buckley requesting that the Common Council authorize acceptance of sanitary sewer and water main extensions from existing facilities on the Western Connecticut State University Westside Campus when construction, legal documents and mapping are satisfactory to the Engineering Department and the Corporation Counsel's office. The resolution authorizing the Corporation Counsel to accept sewer and water facilities related to the magnet school, subject to and only upon prior approval by the Planning Commission and Engineering Department as described was adopted on the Consent Calendar.

26 – COMMUNICATION – Report regarding Towing Charges

Report from Assistant Corporation Counsel Laszlo Pinter recommending that the claim for towing charges for approximately \$80 should be paid because it appears that the private party incurred this expense as a direct result of the presence of the City vehicle. The payment of \$80 was authorized on the Consent Calendar subject to certification by the Director of Finance.

27 – COMMUNICATION – Ratification of Agreements between the City of Danbury and Teamsters Local 677 – Public Buildings and Public Works. Mr. Saadi made a motion to receive the communication and ratify the agreements between the City of Danbury and Teamsters Local 677 – Public Buildings and Public Works. Seconded by Mr. Darius. Motion carried unanimously.

28 – COMMUNICATION – Request to Purchase City Property on Oakland Avenue. Mrs. Coladarci asked that this be referred to the existing Habitat for Humanity committee. Mayor Boughton so ordered.

29 – COMMUNICATION – LaMorte Property, Mill Plain Road.

Request from Zarecki & Associates to perform mitigation work at the Kenosia Town Park property in accordance with the approval from the Danbury Department of Health/Wetland Commission. Mr. Gogliettino made a motion to receive the correspondence and approve the request. Seconded by Mr. Furtado. Motion carried unanimously.

30 – COMMUNICATION – Proposed Consent Order – Underground Storage Tank Removal and Replacement

Request from Public Works Director William Buckley for authorization for Superintendent of Public Utilities Mario Rizzo to execute a Consent Order on behalf of the City for the removal and replacement of underground storage tanks at the public works complex on Newtown Road. Mr. Saadi made a motion to receive the

communication and authorize the Superintendent of Public Utilities to sign the Consent Order. Seconded by Mrs. Basso. Motion carried unanimously.

31 – COMMUNICATION – 146-148 South Street. Mr. Darius asked that this be referred to the Corporation Counsel for a report within thirty days. Mayor Boughton so ordered.

32 – COMMUNICATION – Bear Mountain Ranger Cottage

License Agreement between the City and Detective Sergeant Mark Williams for the lease of the Bear Mountain Ranger Cottage. Detective Williams has agreed to assume the duties of the current tenant. Mr. McAllister made a motion to receive the communication and authorize the Mayor to execute the lease agreement for the Bear Mountain Ranger Cottage. Seconded by Mrs. Basso. Motion carried unanimously.

33 – COMMUNICATION – Drainage Problem – 205 Stadley Rough Road

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

34 – COMMUNICATION – Kenosia Service Center Lease

Mrs. Coladarci asked that this be referred to an ad hoc committee, the Director of Parks and Recreation, the Corporation Counsel and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Furtado, Machado and Scozzafava to the committee.

35 – COMMUNICATION – Reports regarding City Land at 126 South Street

Reports from the Director of Public Works, the Corporation Counsel and the Planning Commission recommending that the city property at 126 South Street not be sold. The reports were received on the Consent Calendar and the request denied.

36 – COMMUNICATION – Reports regarding Cobblestone Trail

Reports from the Director of Public Works, the Corporation Counsel and the Planning Commission stating that the Common Council had approved this request previously, but the conditions of acceptance were never met. Acceptance of Cobblestone Trail as a City Road was approved on the Consent Calendar subject to conditions of the Director of Public Works and the Corporation Counsel.

37 – COMMUNICATION – Reports regarding Tobin's Farm – Crows Nest Lane

This request was referred back to the petitioner for a division of the request with maps and legal documents, into three parts, acceptance of the road, acceptance of the parcels and application for sewer and water extensions on the Consent Calendar.

38 – COMMUNICATION – Information from Dr. Fand on the North Street Traffic Proposal. This information was referred on the Consent Calendar to the Traffic Engineer.

39 – REPORT – Reapportionment of Wards

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole on March 24, 2003 immediately following a public hearing in the Common Council Chambers.

Mr. McAllister made a motion that the reapportionment plan as submitted by the committee be adopted. Seconded by Dean Esposito.

Mr. Nolan rose in strident opposition and offered an amendment to refer the plan back to the committee for a complete review since it is lacking in any substance. Mr. Scozzafava seconded the motion.

Mr. McAllister moved the question. Seconded by Mr. Furtado. Motion carried with Council Members Nolan, Scozzafava, Basso and Setaro voting in the negative.

Motion to amend failed with Council Members Nolan, Scozzafava, Basso and Furtado voting in the affirmative.

At this point in the meeting Council Members Nolan, Scozzafava and Basso left the Chambers, leaving the meeting without a quorum. Mr. Saadi made a motion to adjourn at 10:45 P.M. Seconded by Mr. Setaro. Motion carried unanimously.

John Esposito made a motion that the report be received and the report from March 4th be approved. Seconded by Mr. Saadi.

The following Common Council Members spoke on reapportionment – Paul McAllister, Vincent Nolan, Pauline Basso, Dean Esposito, Joseph Scozzafava, John Darius and Tom Saadi. After discussion, Mr. Saadi moved the question. Seconded by Mrs. Coladarci. Motion carried with Council Members Nolan, Basso and Darius voting in the negative.

Motion to adopt the report carried with Council Members Nolan, Scozzafava and Basso voting in the negative.

40 – REPORT & RESOLUTION – Kenosia Park Sanitary Sewer Extension

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. McAllister made a motion to recommend approval of the final assessments for the Kenosia Park Sanitary Sewer Extension. Seconded by Mr. Furtado. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

KENOSIA PARK SANITARY SEWER EXTENSION

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Kenosia Park Sanitary Sewer Extension; 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 hearings, 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 July 1, 2003, 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 Kenosia Park Sanitary Sewer Extension:

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 Three Hundred Ninety Six Dollars and 74/100 (\$396.74.).
3. The interest on any deferred payments hereunder shall be due at a rate per annum not to exceed five (5) percent (5.0%). 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 assessments shall be filed in the Town Clerk's Office on April 11, 2003. An appeal to the Superior Court from such assessment must be taken within 21 days of such filing.

The report regarding final assessments for the Kenosia Park Sanitary Sewer Extension, its recommendations approved and the resolution adopted on the Consent Calendar.

41 – REPORT & ORDINANCE – Vicious Dog Ordinance

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole on March 24, 2003 immediately following a public hearing in the Common Council Chambers.

Mrs. Basso made a motion to recommend approval of the ordinance. Seconded by Mr. Saadi. Mr. Saadi stated that several people at the public hearing spoke about the enclosure. One specifically stated "secure" enclosure rather than just enclosure. After discussion, Attorney Pinter said that he would make the requested changes.

Motion carried unanimously.

Be it ordained by the Common Council of the City of Danbury:

THAT Section 12-3 of the Code of Ordinances of the City of Danbury, Connecticut is hereby amended to add Subsection 12-3.1.

12-3.1 Regulation of Vicious Dogs

(a) Purpose.

It is hereby declared that:

- (1) Vicious dogs have become a threat to the safety and welfare of the citizens of our community
- (2) Unprovoked attacks by vicious dogs upon persons and animals throughout the country have occurred at an increasing rate.
- (3) The owning, keeping or harboring of vicious dogs is a nuisance.

(b) Definitions.

As used in this Section, the following words and terms shall have the following meaning, unless the context shall indicate another or different meaning or intent:

ENCLOSURE: A fence or structure of at least six (6) feet in height and at least five by ten (5 x 10) feet, forming or causing an enclosure suitable to

prevent the entry of young children and suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of the vicious dog. Such "enclosure" shall be securely enclosed and locked and designed with secure sides, top and bottom, shall be designed to prevent the dog from escaping from the enclosure and shall also provide protection from the elements for the dog.

OWNER/KEEPER: Any natural person or legal entity, including, but not limited to a firm, corporation, organization, partnership or trust, possessing, harboring, having, keeping an interest in or having control or custody of the dog.

VICIOUS DOG:

1. Any dog:

- (a) With a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
- (b) Which, when unprovoked, approaches any person in a threatening fashion; or
- (c) Which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property; or
- (d) Owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

2. Notwithstanding the definition of a "vicious" dog above, no dog may be declared vicious because of an injury or damage sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog or was teasing, abusing or provoking the dog or was committing or attempting to commit a crime.

3. No dog may be declared vicious because of an injury or damage sustained by a domestic animal which, at the time such injury or damage was sustained, was provoking or attacking the dog. No dog may be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

(c) Requirement of proper enclosure.

- (1) Any owner or keeper of any dog who knows or has reason to know that the dog has vicious propensities shall keep the dog in an enclosure.
- (2) Any owner or keeper of any dog who knows or has reason to know that the dog has vicious propensities shall immediately notify the dog warden of such propensities in order that the dog warden may observe and make such orders as may be required pursuant to state law specified in this section.

(d) Determination and enforcement. Local investigation.

The determination and disposition of any dog deemed to have vicious propensities shall be handled by the dog warden in accordance with applicable provisions of the Connecticut General Statutes including, but

not limited to C.G.S. sections 22-355, 22-357, 22-358, 22-362, 22-363, 22-364, 22-364(a), 22-367 and regulations adopted pursuant to 22-367(a), including all penalties and fines specified therein.

(e) Exceptions.

This section shall not apply to:

- (1) Kennels licensed in accordance with Title 22, Chapter 435 of the Connecticut General Statutes.
- (2) K-9 or other dogs owned by the Police Department or any law enforcement officer which are used in the performance of police work.

The report was received and the ordinance adopted on the Consent Calendar.

42 – REPORT & ORDINANCE – Electronic Payments

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. McAllister made a motion to recommend approval of the ordinance. Seconded by Dean Esposito. Mr. Setaro asked Mr. Anderson to address security issues and Dean Esposito asked about the cost. Mr. Anderson said Attorney Gottschalk is now reviewing draft agreements and the cost to the city is nominal. Motion carried unanimously.

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-30, which said section reads as follows:

Sec.18-30. Electronic payments.

- (a) Electronic payment system; authorized. The Tax Collector is authorized to establish and implement an electronic system for the payment of real and personal taxes, utility use charges, and other assessments, fines, fee or charges due the City of Danbury through the use of electronically supplied credit or debit card information, electronic checks or other electronic methods of payment as may be available currently or as may be developed in the future.
- (b) Service fee. The Tax Collector shall impose a commercially reasonable fee for the use of the electronic payment system, which shall be in an amount sufficient to defray the administrative expenses associated with the system. The Tax Collector shall impose a commercially reasonable fee for all electronic checks returned for insufficient funds. Any such fees shall be communicated to residents and taxpayers prior to their use of the system.
- (c) Regulatory Compliance. The Tax Collector shall insure that the electronic payment system is established and operated in conformity with the requirements of federal and state law, in general, and with requirements of the Uniform Commercial Code, the National Automated Clearing House Association and Federal Reserve rules and regulations, in particular,

regarding electronic funds transfers, as the same may be in effect or amended from time to time.

The report regarding Electronic Payment was received on the Consent Calendar and the ordinance adopted.

43 – REPORT & ORDINANCE – All-Terrain Vehicles

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. Setaro made a motion to recommend adoption of the ordinance. Seconded by Mrs. Basso. Dean Esposito asked if this incorporates all city property. Attorney Gottschalk said that it does. The motion carried unanimously.

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 12-6, which said section reads as follows:

Sec. 12-6. All-terrain vehicles; operation prohibited on city property.

- (a) Generally. The purpose of this section is to prohibit the operation of all-terrain vehicles on property owned by the City of Danbury, thereby preventing damage to flora and fauna and to hiking trails, stone walls, and other physical features of the city's parks and public places, promoting the safe use of these areas, and insuring that these areas are protected for the benefit of all users of the city's parks and public places.
- (b) Definitions. As used in this section, the following terms shall have the meanings described herein, unless the context clearly indicates that a different meaning is intended.
 - (1) "All-terrain vehicle" shall mean a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways, which is not eligible for registration under chapter 246 of the Connecticut General Statutes.
 - (2) "Operate" means to ride, control the course of or otherwise use an all-terrain vehicle."
- (c) Prohibited acts. No person shall operate and no owner shall permit the operation of any all-terrain vehicle upon property owned, leased or controlled by the City of Danbury except within areas designated by the city for all-terrain vehicle use. No person operating an all-terrain vehicle on property owned, leased or controlled by the City of Danbury shall refuse to stop his all-terrain vehicle after being requested or signaled to do so by an authorized law enforcement officer or by an authorized agent of the City of Danbury.
- (d) Posting. Notice of the prohibition established by this section shall be given by posting signs at various locations on city owned property warning all-terrain vehicle users that the use of such vehicles on city property is prohibited. Failure to post such signs or failure to post such signs at specific locations shall not be a defense to any prosecution or claim brought based on a violation of this section.
- (e) Exemptions. The provisions of Subsection (c) hereof shall not apply to authorized law enforcement officers or authorized agents of the City of Danbury who operate all-terrain vehicles while in the performance of their official duties.

- (f) Penalties; liability. The provisions hereof may be enforced in the same manner as and in conjunction with the provisions of sections 14-379 to 14-390 of the Connecticut General Statutes. In addition, the operator or owner, or both, of an all-terrain vehicle, shall be responsible and held accountable to the City of Danbury for damage to trees, shrubs, crops, fences or other property caused by operation of such all-terrain vehicle on land of the City of Danbury or where consequential damage has resulted from such operation. In any prosecution or action for damages hereunder, proof of the registration number of the all-terrain vehicle shall be prima facie evidence that the owner was the operator.

The report was received and the ordinance adopted on the Consent Calendar.

44 – REPORT & ORDINANCE – Application for Permit

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers in City Hall.

Mr. McAllister made a motion to recommend adoption of the ordinance. Seconded by Mr. Shuler. Motion carried unanimously.

Be it ordained by the Common Council of the City of Danbury:

Sec. 17-48. Application for permit.

An application for a permit must be filed with the city before a preliminary investigation will be undertaken in connection with the issuance of a permit. Standard application forms for this permit may be secured from the department of public works. Each application form shall be completely filled in, signed and mailed or delivered to the department of public works together with a non-refundable permit fee in the amount of fifty dollars (\$50.00) or three percent (3%) of the total amount of the bond required to be posted pursuant to the requirements of Section 17-55 of the Danbury Code of Ordinances, whichever is greater, said fee not to exceed five hundred dollars (\$500.00); except for public service companies as defined by Section 16-1(4) of the Connecticut General Statutes, which shall be required to submit a non-refundable permit fee in the amount of fifty dollars (\$50.00). An explanation of the application sketches shall be made either in the space provided on the application form or on a separate sheet, in duplicate and which shall be attached to the application. Such diagrams or sketches shall show the character and extent of the work as well as the location of the work to be done in relation to the outstanding features of the road, such as: property lines, intersections, pavement lines, sidewalks, trees, drainage structures and utility poles identified by number. The applicant will be required to disclose, upon request, the methods and materials proposed to be used on projects, which the director of the department of public works, or his designee, in his discretion, deems unusual or complex. The applicant will be required to submit, upon request, engineered sketches or a plot plan, which the director of the department of public works, or his designee, in his discretion deems necessary.

The report was received and the ordinance adopted on the Consent Calendar.

45 – REPORT – Jackson Drive and Great Plain Road Area – Preliminary Assessments

Mr. Levy submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. Saadi made a motion to receive the assessments and related documents for purposes of discussion. Seconded by Mr. Furtado.

Mr. Levy asked Mr. Buckley to comment on the issues brought up during the public hearing. Mr. Buckley stated that these projects begin by petition from the

homeowners to the Common Council. He explained the assessment methodology process. He answered all the questions posed at the public hearing.

Director of Finance Dena Diorio spoke about the payment schedule and interest rates. There is no way to tell what the interest rate will be until the project is bonded.

Mr. McAllister made a motion to amend to send this project to a Common Council committee for redefining. Seconded by Mrs. Basso. After discussion, Mr. Saadi moved the question. Seconded by Mr. Nolan and carried unanimously.

Motion to amend carried unanimously.

Main motion, as amended, carried unanimously.

Mr. McAllister asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Saadi, Coladarci and Basso to the committee.

46 – REPORT – Request for Water Extension – Candlewood Terrace

Mr. Furtado submitted the following report:

The Common Council Committee appointed to review the request for water extension for Candlewood Terrace met on March 19, 2003 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Furtado, Machado and Basso. Also in attendance were Director of Public Works William Buckley, Council President Warren Levy, ex-officio and members of the Board of Directors of Candlewood Terrace.

Mr. Furtado read the positive recommendation from the Planning Commission and then asked Mr. Buckley for an overview. Mr. Buckley said they are looking to abandon the well, extend City water and run service lines off it. This would be done by assessment methodology as per Chapter 21 of the Code of Ordinances. He pointed out that this might also be a water quality issue. Ms. Boylan said that the State told them that they are in violation because of leaks and contamination. Mr. Buckley said if it is a water quality issue they would move the project to the top of the assessment projects list. Mr. Buckley said it would be a City project and the condominium association would have 19 years to pay it off.

Mrs. Basso made a motion to authorize the project to begin under assessment methodology and make it a priority on the project assessment list due to the water quality. Seconded by Mr. Machado. Motion carried unanimously.

The report regarding Candlewood Terrace water extension was received and its recommendations approved on the Consent Calendar.

47 – REPORT – Request for Sewer and Water Extensions – Old Ridgebury Road and Saw Mill Road

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Old Ridgebury Road and Saw Mill Road met on March 26, 2003 at 8:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Levy, Saadi and Nolan. Also in attendance were Director of Public Works William Buckley, Attorney Paul Jaber, the petitioner Tony Lucera and Council Member John Gogliettino, ex-officio.

Mr. Levy read the positive recommendation of the Planning Commission. Members of the committee received a copy of the proposed Master Plan for the reserve. Mr. Buckley gave a presentation using conceptual maps. They have acquired the entire site except for 100 acres that have been retained by Union Carbide. Mr. Buckley asked that a ninth step be approved allowing the project to be approved in phases, which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval.

Mr. Buckley explained the conceptual plans regarding both sewer and water. Mr. Buckley answered questions from the committee regarding improvements to the total system, pump stations, funding, etc.

Mr. Saadi made a motion to approve the request for sewer and water extensions, subject to the required eight steps, with a ninth step allowing the project to be approved in phases, which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval. Seconded by Mr. Nolan. Motion carried unanimously.

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

48 – REPORT – Request for Sewer and Water Extension – Shelter Rock Road

John Esposito submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension on Shelter Rock Road met on March 18, 2003 in the Third Floor Caucus Room in City Hall. In attendance were committee members John Esposito and Thomas Saadi. Also in attendance were Director of Public Works William Buckley, Jeanne Williamson of Consultants and Engineers and Council President Warren Levy, ex-officio.

John Esposito read the positive recommendation from the Planning Commission and asked Mr. Buckley for an overview of the project. The property is known as Arlington Woods and the parcel pointed out to the committee on a vicinity map. Mr. Buckley also pointed out the road configuration. The main concern was the sewer downstream. The existing line flows down Shelter Rock Road. It is an existing line and he wanted the engineer to study its capacity. He is satisfied that it is sufficient to satisfy the needs of the development. His recommendation is to approve both sewer and water extensions subject to the required eight steps and a ninth step allowing the project to be approved in phases which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval.

Mr. Saadi made a motion to recommend approval of the request for sewer and water extensions, subject to the required eight steps and a ninth step allowing this project to be approved in phases, thereby allowing certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval. Seconded by John Esposito. Motion carried unanimously.

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

49 – REPORT – Hawthorne Terrace Water System

Mr. Furtado submitted the following report:

The Common Council Committee appointed to review the request for the City to take over the Hawthorne Terrace Water System met on March 19, 2003 at 7:00 P.M. In attendance were committee members Furtado, McAllister and Basso. Also in attendance were Director of Public Works William Buckley, Council Members Levy and Kelly, ex-officio and residents of the neighborhood.

Mr. Furtado stated that the Planning Commission has not yet acted on this request. He asked Mr. Buckley for an overview of the project. Mr. Buckley stated that this project began as a result of road improvements in the area. The residents asked him if the City would be interested in taking over the system. Homeowners pay between \$350 and \$450 per year. This sum is tied into their beach rights. The city's annual rates run about \$100 per year. He would look at the improvements to this system, do the improvements by assessment methodology and recommend it be put on the assessed project list. The work would be done in the order it was placed on the list. He will be meeting with the State Health Department to better understand the court

case seeking better improvements to the system. He will ask for more time to make the improvements and will have Haestad do an evaluation.

Mr. McAllister made a motion to recommend approval of the request, contingent upon Planning Commission approval and the results of a walk around by the committee. Seconded by Mrs. Basso. Motion carried unanimously.

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

50 – REPORT – Long Range School Facilities

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the long range school facilities report met three times, initially on December 9, 2002, on February 11, 2003 and finally on March 18, 2003. In attendance at the first meeting were committee members Levy, Saadi, Nolan and Basso, as well as Rosty Slabicki and Scott Ferguson. In attendance at the second meeting were committee members Levy, John Esposito, Nolan and Basso, as well as Assistant City Engineer Patricia Ellsworth, Farid Khouri from the Engineering Department, Council Members McAllister and Gogliettino, ex-officio and members of the public. In attendance at the final meeting were committee members Levy, John Esposito, Saadi, Nolan and Basso, as well as Director of Public Works William Buckley, Director of Finance Dena Diorio, Council Members McAllister and Gogliettino, ex-officio and members of the public.

Mr. Levy opened the March 18, 2003 committee meeting by handing out a revised construction renovation paper showing a correction and adjustment in the dollar amount. The projected cost scheduled is made Schedule A and attached hereto. The committee is in concurrence on all the items listed. The question remaining was should renovations be done to the existing middle schools or should a new middle school be constructed. Mr. Levy asked Director of Finance Dena Diorio for comparisons on operating costs. Ms. Diorio stated that five millions dollars per year is to cost to operate Rogers Park Middle School.

Mr. Nolan stated that based on these estimates, these are the things we deem worthy for a bond package if we can afford it. Elements that we suggest may not be included. Mr. Levy said that the Mayor may have other priorities to take into consideration and he would explain that to the Common Council. Mr. Nolan stated is still stuck on whether to renovate or new construction. He was beating the drum on constructing a new middle school. Bonding the amount we would need to do that is probably pie in the sky. He is prepared to move forward with renovations. Mr. Levy said he feels this meets the needs of Danbury and we would not be shortchanging our students. Mrs. Basso said her concern is that we have a problem and this should have been done four or five years ago.

Mr. Saadi made a motion that the committee recommend that the Mayor compile a bond package for the November 2003 ballot for the construction of a new elementary school, additions to the two middle schools and high school and the purchase of the Immanuel Lutheran School as presented in Modified B, Option II. Seconded by Mrs. Basso. Mr. Nolan offered a friendly amendment to encourage the Mayor to explore options to acquire space for a new middle school. Motion carried unanimously.

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

51 – REPORT – Government Entities Review and Evaluation

Mr. Moore submitted the following report:

The Government Entities Review and Evaluation Committee met on March 26, 2003 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Moore, Nolan, Mary Saracino and Mark Chory. Also in attendance were Conservation Commission Chairman Frank Klecha, Director of Planning Dennis

Elpern, Robert Melillo from the Youth Commission, Dennis Keeler, Chairman of the Richter Park Authority and Council Members Levy, McAllister and Gogliettino, ex-officio.

Mr. Moore reviewed the statutory obligations of the committee. The committee is required to submit a report to the Common Council by April 15, 2003. The committee consists of three Common Council Members and two public members.

Economic Development Commission – Director of Planning Dennis Elpern attended the meeting to represent the Economic Development Commission. Mr. Elpern said that this commission has been dormant for years. The general consensus is that this is a worthwhile commission. It should work in conjunction with the Economic Development Task Force. Mr. Chory asked why, in the seventh largest city in the State, it would become dormant? Mr. Elpern said that it was just let go. Before a commission is set up, a program should be developed. We have commissions that rarely meet and others that are overworked. The second thing that needs to be done is to decide on support staff.

Mr. Nolan said that one of the recommendations in the Economic Development Task Force report was the creation of a staff position. This would be in place before we put in a new commission or concurrent with it. Mr. Elpern stated that it should be decided who is going to do the work, what type of expertise is needed, should they have experience in economic development or be a retired realtor, will the position be covered under Civil Service or be appointed? Mr. Nolan said we should keep the structure in place. Ms. Saracino said that the Task Force is now compiling a list of recommendations and the Economic Development Commission would act on those recommendations. Mr. Elpern said that the staff would bring the recommendations into play and the commission would give guidance. Mr. Elpern said that economic development touches on many aspects of government and interfaces with many departments and programs.

Danbury Youth Commission – Mr. Moore noted that the Mayor reconstituted this body when he took office. He asked Mr. Melillo to speak to the goal of a future town hall forum. Mr. Melillo said that the commission has been spinning its wheels trying to figure out the issues facing youth today. A town hall forum would give everyone an opportunity to be in the same place at the same time. They have been trying to get this forum underway. It would meet once on a Saturday at Danbury High School. Mr. Moore asked how many student representatives there are? Mr. Melillo said there are five with four vacancies. Mr. Nolan asked if the efforts made so far are moving in the right direction? Mr. Melillo said they are. Mr. Chory asked if the commission works in conjunction with the Board of Education? Mr. Melillo said they have not figured that out yet. They are trying to balance doing reports and other requirements and to focus on what the Charter says they can do.

Environmental Impact Commission – Mr. Moore stated that EIC meets twice each month. They are charged with the regulations of inlands and wetlands. Ms. Saracino asked if the quorum problems have been solved. Mr. Nolan said that based on interaction with EIC members the quorum problems have not been solved, but have been dramatically improved.

Conservation Commission – Chairman Frank Klecha provided some information on the projects they are working on. Mr. Moore asked about staff support at Bear Mountain and the GIS project. Mr. Klecha said he relies on the help of the Parks and Recreation Department. The Common Council approved a staff person one year ago, but he works in every park. There is no real staff at Bear Mountain. The key person is the one who occupies the City house on the property. That person is usually a very good patrol person. There are new picnic benches, new colprovia and portable toilets.

Mr. Klecha spoke about open space. There will be a presentation on this next week. Jack Kozuchowski has been a tremendous support on this. The object is to keep an open space index. There are four phases to the project. The problem is that they need money. They have been working with the Swampfield Trust and the Meserve Fund to get money, along with the money allocated by the Common Council. There is enough money to complete phase two. Open space is the prime objective, not wetlands. Mr. Chory asked if they have enough resources to accomplish what they want to? Mr. Klecha said they would if they get funding every year.

Richter Park Authority – Mr. Moore asked Mr. Keeler if he could address the payment. Mr. Keeler said that if the Authority has more than \$250,000 unused funds, a percentage goes back into the general fund. The City has not had to give them any money since Mayor Dyer. They purchased the carriage house last year. Ms. Saracino asked if the park generates enough revenue to be self-sustaining? Mr. Keeler said that it does. Rates were kept the same for eight years and have gone up only slightly the past two years. There had been a small decrease in rounds last summer due to more golf courses being built.

Tree Advisory Commission – Mr. Moore said he is not sure how active this is right now. It was appointed to advise on the cutting of trees. This function is now done within Parks and Recreation.

Lake Kenosia Commission – Ms. Saracino said they had been dormant, but have revitalized themselves over the past two or three years.

Mr. Nolan made a motion to extend the Richter Park Authority, the Conservation Commission and the Environmental Impact Commission for a period of five years; the Lake Kenosia Commission, the Youth Commission and the Economic Development Commission for a period of three years and that the Tree Advisory Commission be sunsetted. Seconded by Ms. Saracino. Motion carried unanimously.

The report was received on the Consent Calendar and deferred to public hearing.

52 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Permit Center, Building Department, Public Works, Welfare Department, Health and Housing. Mr. Levy made a motion to receive the department reports and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mr. Saadi. Motion carried unanimously.

Mayor Boughton extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Gogliettino for the meeting to be adjourned at 9:30 P.M.

Respectfully submitted,

JIMMETTA L. SAMAHA
Clerk

ATTEST:

MARK D. BOUGHTON, Mayor