

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

RE: Minutes of the Common Council Meeting held March 4, 1997.

The meeting was called to order at 7:35 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT - Scalzo, Abrantes, McAllister, Arconti, Coladarci, Buzai, Machado, Shuler, Setaro, Esposito, Levy, Charles, Gomez, Basso, Butera, Fox, Gallagher, Mead, Nolan

ABSENT - Boynton, Valeri

19 Present - 2 Absent

ANNOUNCEMENTS

March 3rd - Council Member Basso's Birthday
March 6th - Council Member Tom Arconti's Birthday
City Clerk Elizabeth Crudginton's Birthday
March 17th - Council Member Roberto Gomez Birthday

March 6th - An Evening of Jazz with Sherry Winston
March 7th - Red Cross Celebrity Kick-Off Breakfast
March 10th- Route 7 Improvements Public Hearing - 7:00 P.M.
City Hall
March 11th- Senior Aids Breakfast - 9:00 a.m. Hatters Park
March 12th- Girl Scouts "Know Your City Day"
March 13th- Chamber of Commerce Economic Outlook
7:30 a.m. at Ethan Allan
St. Patrick's Day Party - Senior Center
March 15th- St. Patrick's Day Ball - 7 P.M. Amber Room
Volunteer Firemen's Ball - 8 P.M. Amber Room
March 16th- 100th Anniversary Franciscan Sisters
1 P.M. Sacred Heart Church
St. Patrick's Day Parade - 2 P.M. War Memorial Start
March 17th- Flag Raising at City Hall - 11 a.m.
March 22nd- Danbury High School Scholarship Dance - 7 P.M. at DHS
March 25th- Greek Independence Day Flag Ceremony - 4:30 P.M.
City Hall
March 28th- Good Friday - City Hall Closed
Danbury Youth Services Benefit Basketball Game
7 P.M. at Danbury High School
March 30th- Easter Sunday
March 31st- CDBG Public Hearing - 7 P.M. City Hall

PUBLIC SPEAKING

1. Barbara Jean Falis, 16 Harvest Hill Road - spoke in favor of the Victims of Crime Act Resolution.
2. Pat Zachman, 2 West Street - spoke in favor of the Victims of Crime Act Resolution. Money should be used for an advocate for victims of domestic violence.
3. Leotoria Patton, 41 Highland Avenue - supports using the funds for a victim's advocate. She has been a victim herself and could have used someone to guide her through the process.
4. John Ward, Garamella Boulevard - should think the resolution regarding the train service through as trains will not be here in 50 years. We already have HART and the Connecticut Limousine.

MINUTES - Minutes of the Common Council Meeting February 4, 1997 and the Special Common Council Meeting held February 24, 1997. Mr. Setaro made a motion to accept the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

CONSENT CALENDAR: The following items were presented on the Consent Calendar:

- 5 - Approve Resolution authorizing the Mayor to execute an agreement between the City and State of Connecticut regarding rehabilitation of Old Newtown Road Bridge over Still River - State Project No. 34-271
- 7 - Approve Resolution and application for State grant funds under the Local Capital Improvement Program - \$463,533.63
- 10 - Approve Resolution levying property tax for the Danbury Downtown Special Services District for the 1997/98 Fiscal Year - 1.765 mills
- 13 - Confirm appointment of Manny Furtado as an alternate member to the Fair Rent Commission
- 14 - Confirm appointment of Frederick Visconti as a regular member to the Aviation Commission
- 15 - Confirm appointment of Mark Chory as a regular member of the Parking Authority
- 16 - Confirm appointment of Robert Perez, John Gentile, Gudrun Stirling, and Janet Ross as regular members of the Commission for Persons with Disabilities
- 17 - Confirm appointment of Millie Siegel as an alternate member of the Commission on Aging
- 18 - Confirm appointment of Shailesh Nagarsheth as an alternate member of the Environmental Impact Commission
- 20 - Approve reappropriation of donated funds in the amount of \$573 and authorize transfer of that amount from the Elderly Services donations account to the Commission on Aging Budget for office supplies
- 21 - Approve appropriation of \$3,350 and authorize transfer of that amount from the Employee Group Insurance Account to the Ordinance Printing and Binding Account for copies of the Code of Ordinances
- 30 - Approve acceptance of title to road widening strip designated as "Parcel X" on Map No. 8863 along Birch Road
- 31 - Receive reports from City Engineer and Corporation Counsel regarding water system extension assessment formula, request of Ludwig and Katharina Soder and take no action at this time
- 32 - Approve request for release of a portion of the utility easement held by the City at Silversmith Heights at Sterling Woods
- 33 - Receive positive report from Planning Commission and accept Terrace Street located within the Terrace Heights subdivision as a city road
- 34 - Receive positive Planning Commission report, approve Resolution and authorize Corporation Counsel to obtain easements related to the Germantown/First Street area proposed sanitary sewer extension.
- 35 - Receive communication from Acting Assistant Assessor and authorize sale of City owned property located at 206½ Osborne Street, lot no. J11398 in the amount of \$3,200.
- 37 - Approve report and adopt proposed amendments to Section 2-148 of the Code of Ordinances - Award by Purchasing Agent, Board of Awards
- 38 - Approve report and proposed amendments to Section 6-02 of the Code of Ordinances - Amendments to the Connecticut Basic Building Codes
- 39 - Approve report and recommendations regarding street renumbering - Candlewood Drive, Roxbury Road, Haley Street, Carlton Street, Stratford Street, Overlook Drive, Carlyle Drive, Vista Street and portions of Harbor Ridge Road
- 40 - Approve report and recommendations regarding water extension on Wood Street, refer report to Planning Commission and public hearing

Miss Fox made a motion that the Consent Calender be adopted. Seconded by Mrs. Butera. Mr. McAllister noted regarding item 40, Planning Commission report has been received. Motion carried unanimously.

1 - ORDINANCES - Sewer and Water Service Extensions. Mr. Scalzo asked that this be deferred to public hearing. Mayor Enriquez so order

2 - RESOLUTION - Grant-in-Aid for Landfill Closure

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is currently engaged in the process of permanently closing the Danbury sanitary landfill; and,

WHEREAS, the need for immediate closure of the landfill has increased dramatically as a result of hydrogen sulfide gas odors emanating from the landfill; and,

WHEREAS, City of Danbury officials have worked closely with officials from the State of Connecticut to ensure that the landfill closure is achieved in an expeditious manner consistent with regulatory requirements and environmentally sound management objectives; and,

WHEREAS, legislation has been proposed for the appropriation of state funds in the form of a Grant-In-Aid for landfill closure to the City of Danbury in support of the City's closure efforts and to defray a portion of the costs attributable to that effort;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Danbury that we, the members of the Danbury Common Council, do hereby declare our strong support and the support of the City of Danbury for Grant-In-Aid from the State of Connecticut to be used to defray the costs associated with the Danbury landfill final closure plan.

Mr. Arconti made a motion that the communication be accepted and the Resolution adopted. Seconded by Mr. McAllister. Motion carried unanimously.

3 - RESOLUTION - Opposition to Proposed Elimination of the Danbury Rail Line

WHEREAS, the City of Danbury is committed to the preservation and enhancement of rail service in this area; and,

WHEREAS, the Connecticut Department of Transportation has demonstrated that it too is committed to rail line improvements and to the construction of new train stations in Danbury, Bethel and Redding; and,

WHEREAS, City of Danbury officials have worked closely with officials from the State of Connecticut to ensure that a seamless transition of services from the old to the new train stations is achieved; and,

WHEREAS, the elimination of passenger rail service in the Danbury area has been proposed with the suggestion that the existing highway system could support the increased demand that the elimination of rail service would create; and,

WHEREAS, the north-south highway system in this area cannot support traffic increases that could be expected if passenger rail services in the area are eliminated; and,

WHEREAS, any increase in vehicular traffic will have an unacceptable corresponding effect upon air quality; and,

WHEREAS, no practical, feasible alternative to continued passenger rail services exists and the termination of passenger service on the Danbury rail line will have deleterious effects on the residents of this city and the entire Northern Fairfield County area;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Danbury that we, the members of the Danbury Common Council, do hereby declare our opposition to the proposed elimination of rail service on the Danbury passenger rail line.

Miss Fox made a motion to accept the communication and adopt the Resolution. Seconded by Mrs. Butera. Motion carried unanimously.

4 - RESOLUTION - Executive Air Service, LLC

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 expand/rehabilitate the general aviation apron at Executive Air Service, LLC at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$2,233,000.00 with a local match of two and one-half percent (2 1/2%) equaling an amount not to exceed \$55,825.00.

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

Mr. Esposito made a motion that the communication be accepted the Resolution be adopted and the donation of \$55,825.00 from Joseph S. Montgomery be accepted. Seconded by Mr. Charles. Mr. Arconti asked for more details on the rehabilitation of the apron located at Executive Air Service. Airport Administrator Paul Estefan explained the need for the rehabilitation due to the fact that most of the ramp is not usable. Motion carried unanimously.

5 - RESOLUTION - Old Newtown Road Bridge over Still River

RESOLVED by the Common Council of the City of Danbury:

State Project No.34-371 (Old Newtown Road)

THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to execute the AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DANBURY FOR RIGHTS OF WAY ACTIVITIES IN CONJUNCTION WITH REPLACEMENT OF BRIDGE NO. 05102 ON NEWTOWN ROAD OVER STILL RIVER UTILIZING FEDERAL FUNDS AND A PROJECT GRANT UNDER THE LOCAL BRIDGE PROGRAM, together with such other documents as may be necessary for the accomplishment of the purposes thereof.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Victims of Crime Act

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the federal Victims of Crime Act (VOCA) assistance program has made funding available to states for purposes of providing services to victims of crime; and

WHEREAS, the State of Connecticut, through the Judicial Branch office of Victim Services (OVS) is making available grant funds to Danbury in the amount of \$39,600.00 to be used for such services; and

WHEREAS, pursuant to this program, twenty percent (20%) local, non federal matching funds, either in cash or in kind services may be necessary in the event the State of Connecticut, through the OVS, does not grant permission to Danbury to use State revenue to offset such twenty percent match; and

WHEREAS, in order to obtain such a State match the City of Danbury will be required to submit budget(s) and budget narrative(s) seeking the match reimbursement; and

WHEREAS, the City of Danbury is desirous of utilizing these funds for the period from July 1, 1997 through June 30, 1998, with application renewal options for the periods from July 1, 1998 through June 30, 1999 and from July 1, 1999 through June 30, 2000;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make application for the VOCA funding and make such other and further applications and submittals as may be necessary for the period(s) referenced and in order to accomplish to purposes hereof.

Miss Fox made a motion that the communication be accepted and the Resolution adopted. Seconded by Mrs. Basso. Mr. Nolan asked what work will be performed under this grant. Will the person be a staff member? Lt. Kevin Barry stated that this will be a civilian position in the Police Department and will take the victim through the avenue of relief. Motion carried unanimously.

7 - RESOLUTION - Local Capital Improvement Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$260,000.00 to cover the cost of Renovations of the Technology Center for the Danbury Public Library; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five year period by the Danbury Planning Commission on February 5, 1997; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvements grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

Projects-Completed/Reimbursed

034-88-010	City Hall Roof Replacement	\$ 65,311.00
034-88-020	Replace Tanks/Boilers - City Bldgs	220,875.00
034-89-010	Replace Cross Street Bridge	35,775.00
034-89-020	Repair/Replace Roofs - City Bldgs	176,700.00
034-89-030	Water Services - Tarrywile	123,668.23
034-89-050	Rebuild/Repave Highways	83,617.00
034-89-070	Replace Cross Street Bridge	234,245.00
034-90-010	Rebuild/Repave Highways	59,945.00
034-90-020	Downtown Green Design	35,000.00
034-90-040	Roof-Fire/Police Maintenance Bldgs	81,971.83
034-91-010	Rebuild/Repave Roads	517,828.42
034-92-010	Downtown Green Construction	114,999.54
034-92-020	Library Book Security System	39,807.75
034-92-030	Triangle Street Bridge	109,000.00
034-92-040	Cross Street Bridge	94,320.74
034-92-050	Rebuild/Repave Highways	143,878.00
034-93-010	Rebuild/Repave Highways	318,011.52
034-93-030	Replace/Renovate HVAC-City Hall	60,000.00
034-94-020	Library Cooling Tower	25,127.00
034-94-030	Tarrywile Park Farmhouse	28,000.00
034-95-010	Rebuild/Repave Highways	449,196.95
034-95-020	Rogers Park Field Improvements	14,749.00
034-96-010	Rebuild/Repave Highways	437,352.68

Uncompleted Projects

034-93-020	Replace Triangle Street Bridge	91,000.00
034-94-010	Rebuild/Repave Highways	388,079.71
034-96-020	Field Improvements- Rogers Park	20,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$260,000.00 for Renovations of the Technology Center for the Danbury Public Library to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for State grant in the amount of \$203,533.63 to cover the cost of Rebuilding/Repaving Highways; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five year period by the Danbury Planning Commission on February 5, 1997; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

Projects-Completed/Reimbursed

034-88-010	City Hall Roof Replacement	\$ 65,311.00
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034-92-050	Rebuild/Repave Highways	143,878.00
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034-93-030	Replace/Renovate HVAC-City Hall	60,000.00
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034-94-030	Tarrywile Park Farmhouse	28,000.00
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Uncompleted Projects

034-93-020	Replace Triangle Street Bridge	91,000.00
034-94-010	Rebuild/Repave Highways	388,079.71
034-96-020	Field Improvements- Rogers Park	20,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$203,533.63 for Rebuilding/Repaving Highways to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - Brownfield Site Assessment Pilot Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury acquired the property on 13 Barnum Court through a foreclosure proceeding due to delinquent back taxes by the former owner of the property; and

WHEREAS, the City assumed ownership of the property for the dual purpose of restoring environmental conditions to make it conducive for resale; and

WHEREAS, the commercial rehabilitation and resale of this property is dependent on remediating the subsurface conditions of 13 Barnum Court to conform to Connecticut's Voluntary Cleanup Standards, as required by lending institutions that would be used by potential buyers of the property; and

WHEREAS, the City's environmental consultant, retained to conduct a Phase III environmental site assessment for 13 Barnum Court has identified the contamination problems that need to be remediated and has outlined a final scope of studies to determine the source and extent of migration of the contaminants in soil, groundwater and surface water; and

WHEREAS, the Environmental Protection Agency is offering funding, to be applied for on a competitive basis to provide environmental assessment for focusing the cleanup of contaminated properties that will or have been foreclosed upon by municipalities who intend to redevelop said properties, through their "Brownfield" initiative; and

WHEREAS, the City, if successful in obtaining this EPA Brownfield grant, will be able to complete the final environmental assessment work that is a necessary pre-requisite for site remediation;

NOW, THEREFORE, BE IT RESOLVED THAT the Danbury Common Council hereby authorizes Mayor Gene F. Eriquez to make application for said Brownfield grant and to enter into an agreement with the Environmental Protection Agency to conduct the studies that have been identified in the proposal prepared by the Danbury Health Department entitled "Demonstration of a focused assessment and evaluation of in-situ remediation of contaminants at a central urban site in Danbury, Connecticut."

Mr. Setaro made a motion to receive the communication and adopt the Resolution allowing the Mayor to make application for said Brownfield grant and to enter into an agreement with the Environmental Protection Agency. Seconded by Mr. McAllister.

Mrs. Basso stated that the City spent \$45,000 to clean up this property. Where does the contamination come from. Mr. Kozuchowski of the Health Department explained about the soil contamination. Mrs. Basso asked why this property was put up for sale. Mayor Eriquez asked what did that matter. Mr. Scalzo explained this history of his committee which originally dealt with this property.

Mr. Mead asked if the \$45,000 was fully expended. Mr. Kozuchowski said that it had been. After further discussion, the motion carried unanimously.

9 - RESOLUTION - Community Employment Incentive Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Labor will make grant funds available to municipalities under its Community Employment Incentive Program (CEIP) to continue to fund employment placement projects for recipients of General Assistance; and

WHEREAS, the State of Connecticut Department of Labor and municipal Welfare Departments are working together to advance their mutual goal of assisting recipients of General Assistance to secure employment and attain economic self-sufficiency; and

WHEREAS, the City of Danbury Welfare Department is eligible to receive a grant of \$5,275 for the grant period of March 1, 1997 to March 31, 1997 upon approval of an application therefor;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah A. MacKenzie, Director of Welfare, are hereby authorized to apply for said funds, to accept the grant if approved, and the Mayor is further authorized to execute any contracts therefor and to do all things necessary to effectuate the purposes of the grant award.

Mrs. Colardarci made a motion that the communication be accepted and the Resolution be adopted. Seconded by Mr. Gomez. Motion carried unanimously.

10 - RESOLUTION - Downtown Special Services Tax District
RESOLVED by the Common Council of the City of Danbury:

**A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY
DOWNTOWN
SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING
JULY 1, 1997 AND ENDING JUNE 30, 1998.**

SECTION 1. The sum of One Hundred Twenty Nine Thousand, Eight Hundred and Ninety Nine Dollars (\$129,899) representing the gross appropriation for the City of Danbury Downtown Special Services District of One Hundred Nineteen Thousand, Eight Hundred and Ninety Nine Dollars (\$119,899) for the fiscal year beginning July 1, 1997 and ending June 30, 1998, and minus indirect revenues of \$-0-, and minus estimated available "Surplus" of \$-0-, plus uncollectible taxes reserve in the amount of Ten Thousand Dollars (\$10,000) is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the corrected annual Grand List as of October 1, 1996.

SECTION 2. Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 1997 and ending June 30, 1998 with respect to said property interests within said District shall be as follows:

TAX RATE: 1.765 MILLS

SECTION 3. The taxes levied and assessed as herein provided shall be due and payable in four equal installments on July 1, 1997, October 1, 1997, January 1, 1998, and April 1, 1998 except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 1997, in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning on July 1, 1997 and ending June 30, 1998.

The Resolution was adopted on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the promotional appointment of Fire Fighter Marilynn F. Gillotti to the position of Deputy Fire Marshall. Mr. McAllister made a motion that the communication be accepted and the promotion confirmed. Seconded by Miss Fox. Motion carried unanimously.

Mayor Eriquez introduced Ms. Gillotti.

12 - COMMUNICATION - Promotion in the Police Department - WITHDRAWN

13 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Manny Furtado to the position of alternate on the Fair Rent Commission for a term to expire July 1, 1998. The appointment was confirmed on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez request confirmation of the appointment of Frederick Visconti to the Aviation Commission for a term to expire July 1, 1998. The appointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Mark Chory to the Parking Authority for a term to expire July 1, 1998. The appointment was confirmed on the Consent Calendar.

16 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Robert Perez, John Gentile, Gudrun K. Stirling and Janet Ross to the Commission on Persons with Disabilities for terms to expire March 1, 2000. The reappointments were confirmed on the Consent Calendar.

17 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Millie Siegel to the Commission on Aging for a term to expire January 1, 2000. The reappointment was confirmed on the Consent Calendar.

18 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Shailesh Nagarsheth as an alternate member of the Environmental Impact Commission for a term to expire December 1, 1998. The appointment was confirmed on the Consent Calendar.

19 - COMMUNICATION - Letter from Department of Elderly Services Director Leo McIlrath requesting permission to accept donations in the amount of \$398 to the Senior Center. Miss Fox made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Mead. Motion carried unanimously.

20 - COMMUNICATION & CERTIFICATION - Request for transfer of funds in the amount of \$573.00 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer was granted on the Consent Calendar.

21 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$3,350 for 25 copies of the Code of Ordinances. A certification of funds was attached. The transfer of funds was granted on the Consent Calendar.

22 - COMMUNICATION - Modifications to the Landfill Consent Orders - WITHDRAWN

23 - COMMUNICATION - Qualifications for Public/Private Agreement for Wastewater Treatment Plant - WITHDRAWN

24 - COMMUNICATION - Request to purchase City owned property on Virginia Avenue. Mrs. Butera asked that this be referred to the City Engineer, the Tax Assessor, the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

25 - COMMUNICATION - Request to purchase surplus land on Rowan Street. Mrs. Abrantes asked that this be referred to the City Engineer, the Tax Assessor, the Plannign Director and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

26 - COMMUNICATION - Request to transfer Title on Property at Rose and Main Streets. Mrs. Butera asked that this be referred to the City Engineer, the Tax Assessor, the Planning Director and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

27 - COMMUNICATION - Request for street renumbering of Ford Avenue. Mr. McAllister asked that this be referred to the Director of Planning for a survey. Mayor Eriquez so ordered.

28 - COMMUNICATION - Request for revision of lease. Mr. Arconti asked that this be referred to an ad hoc committee, the Corporation Counsel and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Buzaid, Coladarci and Mead to the committee.

29 - COMMUNICATION - Luicci Property/9 Sherry Lane. Mrs. Abrantes asked that this be referred to an ad hoc committee and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Abrantes, McAllister and Basso to the committee.

30 - COMMUNICATION - Birch Road - Reports regarding Road Widening Parcel. Acceptance of Title to road widening strip designated as "Parcel X" on Map No. 8863 along Birch Road was granted on the Consent Calendar.

31 - COMMUNICATION - Received reports from City Engineer and Corporation Counsel regarding water system extension assessment formula, request of Ludwig and Katharina Soder and no action taken on the Consent Calendar.

32 - COMMUNICATION - Approve request for release of a portion of the utility easement held by the City at Silversmith Heights at Sterling Woods on the Consent Calendar.

33 - COMMUNICATION - Receive positive report from Planning Commission and accept Terrace Street located within the Terrace Heights subdivision as a City road on the Consent Calendar.

34 - COMMUNICATION - Receive positive Planning Commission report, approve Resolution and authorize Corporation Counsel to obtain easement related to the Germantown/First Street area proposed Sanitary Sewer extension on the Consent Calendar.

35 - COMMUNICATION - Receive communication from Acting Assistant Assessor and authorize sale of City owned property located at 206½ Osborne Street, lot no. J11398 in the amount of \$3,200 on the Consent Calendar.

36 - DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Police, Public Utilities, Welfare, Elderly Services, Highways, Public Buildings, Engineering, Health and Housing. Mr. Setaro made a motion to accept the department reports and presented and waive the reading of same as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

37 - REPORT & ORDINANCE - Amendment to Ordinance 2-148 Award by Purchasing Agent, Board of Awards

Mr. Setaro submitted the following report and Ordinance:

The Committee of the Whole met on February 24, 1997 at 7:20 P.M. in the Common Council Chambers in City Hall to review an Ordinance - Award by Purchasing Agent, Board of Awards." Acting Corporation Counsel Eric Gottschalk explained that the proposed ordinance would expand the existing program to allow the City to "piggy back" onto or use requests for proposals and resulting bid lists for state and federal projects for substantially similar municipal projects.

Mr. Boynton moved to recommend to the Common Council the adoption of the proposed amendment to Section 2-148 of the Code of Ordinances entitled Award by purchasing agent, board of awards. Seconded by Mr. Charles and passed unanimously.

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

THAT Section 2-148 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-148. Award by purchasing agent, board of awards.

All awards for projects, materials or services including "piggybacking" on state, federal, educational or other government awarded projects or awards for materials or services, shall be made by the purchasing agent after consultation with the department involved in the purchase and in accordance with the provisions hereof so long as the dollar amount of such projects, materials or services does not exceed fifteen thousand dollars (\$15,000.00). All such awards involving expenditure of greater than fifteen thousand dollars (\$15,000.00) shall be awarded by the board of awards, which board shall be composed of any three (3) of the following individuals: the director of finance, the corporation counsel, the department head whose department is involved with the purchase or the purchasing agent. The duly designated assistant to such individual(s) may act in their place in the event of the absence of the board of awards member involved.

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

38 - REPORT & ORDINANCES - Amendment to Basic Building Code

Mr. Setaro submitted the following report and ordinances:

The committee of the whole met on February 24, 1997 at 7:20 P.M. in the Common Council Chambers of City Hall to review Ordinances - Amendments to the Connecticut Basic Building Code. Assistant Corporation Counsel Eric Gottschalk explained that the proposed amendments established fees charged by the City for review of building permits where an applicant would be entitled to a partial refund of the fee (80%) as long as the refund is applied for within one year of the date of application. He added that the fee structure would account for changes in the scope of a project.

After discussion, Mr. Boynton moved to recommend to the Common Council adoption of the proposed amendments to Section 6-02 of the Code of Ordinances, Amendment of Connecticut Basic Building Code. Seconded by Mr. Mead and passed unanimously.

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

that Subsection 6-02(e) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec.6-02. Amendment of Connecticut Basic Building Code.

(e) Refunds

(1) In the event that an application is withdrawn prior to the issuance of a building permit, the applicant may obtain a refund of eighty (80) percent of the fee paid pursuant to the provisions of subsection (a)(1) hereof. Twenty (20) percent of said fee shall be retained to cover the costs associated with application and plan reviews. No such refund may be made unless the applicant shall apply for the refund within one (1) year of the date of application.

(2) In the event of a change in the work which results in a reduction of the fee required pursuant to the provisions of subsection (a)(1) hereof, the applicant may obtain a refund of eighty (80) percent of said fee. Twenty (20) percent of said fee shall be retained to cover the costs associated with application and plan reviews. No such refund may be made unless the applicant shall apply for the refund within one (1) year of the date of application.

(3) In accordance with the provisions of Connecticut Basic Building Code, any building permit issued by the building official shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit. In the event of the expiration of a permit in accordance with the foregoing, the permittee may obtain a refund of eighty (80) percent of the fee paid pursuant to the provisions of subsection (a)(1) above. Twenty (20) percent of said fee shall be retained to cover the costs associated with application and plan reviews. No such refund may be made unless the permittee shall apply for the refund within one (1) year of the date of issuance of the permit.

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

THAT Subsection 6-02(a)(1) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 6-02. Amendment of Connecticut Basic Building Code.

(a) Fees generally:

(1) In accordance with the provisions of Section 29-252-114.3.1 of the Connecticut Basic Building Code, before receiving a building permit the owner, or his agent, shall pay a fee in accordance with the following schedule and based on the value of the work to be performed:

<u>Valuation of Work</u>	<u>Fee</u>
Below \$1,000.00	\$15.00
1,000.00 and above	\$15.00 for the first \$1,000.00 plus \$10.00 for each additional \$1,000.00 or part thereof

No application for a building permit shall be processed without payment of the foregoing fees. If after the filing of an application for a building permit a change is made to the scope of the work to be performed which affects the value of the work, a new fee shall be calculated. Any increase in fee shall be paid prior to the issuance of a building permit unless a building permit has already issued, in which case said increased fee shall be paid prior to the issuance of a certificate of occupancy. Any decrease in fee resulting from a change in the work shall be refunded in accordance with the provisions of subsection (e) hereof.

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

39 - REPORT - Street Renumbering - Candlewood Drive, Roxbury Road, Haley Street, Carlton Street, Stratford Street, Overlook Drive, Carlyle Drive, Vista Street and portions of Harbor Ridge Road

Mr. Setaro submitted the following report:

The Committee of the Whole met at 7:20 PM on February 24, 1997 in the Common Council Chambers of City Hall to review various street renumberings. Mr. Setaro read correspondence from the Planning Department explaining that a request was made to the Common Council by property owners within the Candlewood Vista community for the renumbering of their streets. Discussion ensued during which Council members indicated their support for the proposed renumbering since it would promote public safety through better response to 911 calls by emergency personnel. Several residents of Harbor Ridge Road spoke against the renumbering of their street at the public hearing preceding the meeting of the Committee of the Whole.

After discussion, Mr. Boynton moved to recommend to the Common Council adoption of the proposed renumbering of Candlewood Drive, Roxbury Road, Haley Street, Carlton Street, Stratford Street, Overlook Drive, Carlyle Road and Vista Street. Seconded by Ms. Fox and passed unanimously. Councilman Boynton then moved to recommend that the issue of the numbering of Harbor Ridge Road be referred to the Planning Department for review and reconsideration. Seconded by Ms. Fox and passed unanimously.

The report was adopted on the Consent Calendar.

40 - REPORT - Request for Water Extension on Wood Street

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request for water extension on Wood Street met on January 20, 1997 at 5:30 P.M. in Room 432 in City Hall. In attendance were committee members McAllister, Abrantes and Basso. Also in attendance were Assistant City Engineer Patricia Ellsworth, Assistant Director of Public Utilities Mario Ricoszi and Health Director William Campbell.

Ms. Ellsworth spoke for the City Engineering Department and reported that the project is feasible and reported favorably on it. Mr. Ricoszi stated that the Public Utilities Department is in favor of this and the infrastructure is there. Mr. Campbell stated that there is a problem with the water and explained the water test results made on May 31, 1996. Another test would be ready by February 21, 1997. A discussion with residents of the street followed with all being in favor of having water extension on Wood Street.

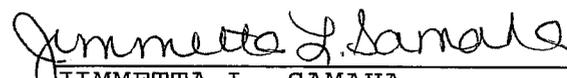
Mrs. Abrantes made a motion to accept the petition pending a positive Planning Commission report and due to the potential health and safety problems that the normal process be expedited and go to a public hearing as soon as possible. Seconded by Mrs. Basso and passed unanimously.

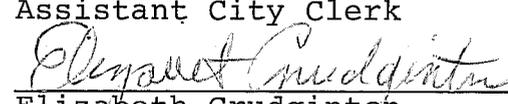
The report was adopted on the Consent Calendar.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Mead at 8:45 P.M. for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk


Elizabeth Crudginton
City Clerk

ATTEST: