

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

RE: Minutes of the Common Council Meeting held September 3, 1997.

The meeting was called to order at 7:40 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT - Scalzo, Abrantes, McAllister, Coladarci, Boynton, Buzaid, Machado, Shuler, Setaro, Esposito, Levy, Charles, Basso, Fox, Gallagher, Mead, Nolan

ABSENT - Arconti, Valeri, Gomez, Butera

17 Present - 4 Absent

Mr. Valeri was working and Mrs. Butera was out of town on vacation.

PUBLIC SPEAKING - Lynn Waller, 83 Highland Avenue; Betsy McDonough, Director of Danbury Library; Dan DeFlumeri, 16 Brushy Hill Road. (at 7:40 P.M. Mr. Arconti arrived and was marked present)

MINUTES - Minutes of the Common Council Meeting held August 5, 1997. Mr. Setaro made a motion that the minutes be adopted as submitted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the Consent Calendar:

- 5 - Approve Resolution and application for State Local Substance Abuse Prevention Council grant funds for Stand Together Make a Difference - \$5,675.00
- 6 - Approve Resolution for tax abatement from State Department of Economic Development for Beaver Street Apartments Cooperative Inc. - \$31,500.00
- 7 - Receive communication regarding acquisition of utility easements on Concord Street and refer to Planning Commission
- 9 - Approve Resolution and application for State Department of Social Services Before and After School grants in the amount of \$26,368 for FY 1997/98 and \$22,700 for FY 1998/99
- 12 - Confirm appointment of Gene Eriquez as representative and Kathleen Gleason as alternate to the Housatonic Resource Recovery Authority
- 13 - Confirm appointment of Daniel Sellner to the Aviation Commission
- 14 - Confirm appointment of Fil Cerminara to the Conservation Commission
- 18 - Receive positive Planning Commission report of August 20, 1997 for lease for Leinert Industries, Inc.
- 19 - Receive communication and approve appropriation of \$4,910 from the Commission on Aging Revenue Account to the Commission on Aging Regular Salaries Account for upgrade of Senior Center Coordinator position
- 23 - Receive communication and approve reappropriation of \$507.00 from Elderly Services Donations Revenue Account to the Commission on Aging Budget for office supplies
- 25 - Receive communication from Office of Corporation Counsel regarding wheelchair requirements and take no action at this time
- 27 - Receive communication and approve reappropriation of \$223,013.65 to the Water Fund accounts and \$22,716.91 to the Sewer Fund Accounts
- 30 - Receive communication and approve Workers' Compensation Stipulation and Release regarding George Gomez - \$95,000.00

- 31 - Receive communication and approve reappropriation of \$3,029.00 from Highway State Aid to Maintenance of Highways, Curbs and Walks Account
- 38 - Receive report and approve recommendations regarding request to review Luicci Property/9 Sherry Lane
- 39 - Receive report and approve recommendations regarding water drainage problem on Laurel Street
- 40 - Receive report and approve recommendations regarding request for water extension - Lot #12, Kevin Drive
- 41 - Receive report and approve recommendations regarding surplus property on Rowan Street

Mr. Setaro made a motion to amend the consent calendar pertaining to item 18, by adding the wording "and approval of the lease". Seconded by Mr. Mead. Motion to amend carried unanimously. Motion to adopt the Consent Calendar, as amended, carried unanimously.

1 - ORDINANCE - Section 18-25(b) Deferral of Assessment Increases Attributable to Construction or Improvements. Mr. Arconti asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - RESOLUTION - Payment In Lieu of Taxes - Moderate Rental Developments.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to Local Housing Authorities, Municipalities and Non-profit Corporations; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of PAYMENT-IN-LIEU-OF-TAXES and to execute an Assistance Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes.
2. That the filing of an application by the City of Danbury in an amount not to exceed \$269,574.22 is hereby approved and that Mayor Gene F. Eriquez is hereby authorized and directed to execute and file such application with the Commissioner of Housing to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance, if such an Agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Danbury.
3. That in consideration of said Assistance Agreement, applicant does hereby waive any Payments-in-Lieu-of-Taxes by the Housing Authority to the City of Danbury under the provisions of Section 8-71 of the Connecticut General Statutes.
4. That the current established mill rate is 19.13 and the current assessment is \$14,091,700.00.
5. It is also resolved that any prior actions taken by Mayor Gene F. Eriquez with respect to this Agreement are also approved.

Mr. Setaro made a motion that the communication be received and the resolution be adopted. Seconded by Mr. Levy. Motion carried unanimously.

3 - RESOLUTION - Landfill Closure

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Department of Environmental Protection has made grants in aid not to exceed six million (\$6,000,000) available to municipalities under Connection Special Act 97-1 § 13(c)(6) for landfill closure; and

WHEREAS, the City of Danbury is desirous of utilizing such grant funding for the purposes of the closure of the Danbury Landfill.

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

Mr. Boynton made a motion to receive the communication and adopt the Resolution. Seconded by Mr. Setaro. Motion carried unanimously.

4 - RESOLUTION - Connecticut Drug Enforcement Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management will make available to the City of Danbury grant funding in the amount of \$469,750.00 pursuant to Public Act 89-390, an act concerning prevention and treatment of substance abuse and enforcement of drug laws; and

WHEREAS, 50% of the funding, or 234,875.00 is to be designated for law enforcement, 40% of the total amount, or \$187,900.00 is to be applied to drug education, and the remaining 10%, \$46,975.00 is to be used for crime prevention programs; and

WHEREAS, the grant period is effective July 1, 1997 through September 30, 1998 and no local cash match is required;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to apply for said grant on behalf of the City of Danbury, to accept the grant award, if made, subject to the terms and conditions established in connection therewith by the State of Connecticut, to execute any contracts/agreements therefor and to take any additional actions necessary to effectuate the purposes hereof.

BE IT FURTHER RESOLVED THAT any past actions of Mayor Gene F. Eriquez to effectuate the purposes of this grant award are hereby ratified.

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

5 - RESOLUTION - Local Substance Abuse and Prevention Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Stand Together Make A Difference has requested that the City of Danbury, acting solely as its fiduciary agent, apply to the State of Connecticut Local Substance Abuse Prevention Council for a grant amount of \$5,675; and

WHEREAS, the grant funds, if awarded, will be used for the Student Assistance Programs for substance abuse prevention and intervention currently offered at Danbury High School, the Alternative Center for Education, Broadview Middle School and Rogers Park Middle School; and

WHEREAS, the grant will cover the period from October 1, 1997 through September 30, 1998;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the City of Danbury, acting through its Mayor, Gene F. Eriquez, is hereby authorized to apply for said grant funds on behalf of Stand Together Make A Difference and that Mayor Gene F. Eriquez is authorized to sign the Letter of Award and accept said grant, if approved, in the capacity of its fiduciary, to sign all documents and do all things necessary to effectuate the purposes of said program.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Beaver Street Apartments Cooperative, Inc. Abatement from the State of Connecticut

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under §8-215 of the Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257,000; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1996.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and rescissions of said contract in the name of and on behalf of the City of Danbury.

3. That the real property taxes abated on the subject property are \$31,500 for the Grand List of October 1, 1996;

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of §12-167 of the Connecticut General Statutes as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Economic and Community Development.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Condemnation of Concord Street

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury Common Council, in 1996, approved the extension of water on Concord Street; and

WHEREAS, it is in the best interest of both the users and the City of Danbury to improve the water line serving the users; and

WHEREAS, due to the inability to ascertain present title to the property in question and in order to complete the water line extension in the Concord Street and Lombardi Street area, it is necessary for the City of Danbury to acquire easement interests in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings may be necessary in order to acquire said easement interests.

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests as set forth in Exhibit A attached hereto and made a part hereof by March 3, 1998, by eminent domain through the institution of suit against the interested property owners and the holders of mortgages or other encumbrances affecting the properties, if any.

The communication was received and referred to the Planning Commission on the Consent Calendar.

8 - RESOLUTION - Food Service Establishment Fees

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury has enacted a Food Service Establishment ordinance designated as Chapter 8A of the Danbury Code of Ordinances; and

WHEREAS, Section 8A-6 of said ordinance provides for the establishment of an annual schedule of fees to be collected to defray the expense of Food Service Establishment licensing;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY, THAT:

The Director of Health is hereby authorized and empowered to impose the following fees for all licenses issued from July 1 through June 30 of each fiscal year.

1. All Food Service Establishments, except food stores and markets, having a seating capacity of from zero to seventy-four (74) seats shall pay an annual fee of Fifty Dollars (\$50.00).
2. All Food Service Establishments, except food stores and markets, having a seating capacity of seventy-five (75) or more seats shall pay an annual fee of One Hundred Dollars (\$100.00).
3. All food stores and markets shall pay an annual fee of Fifty Dollars (\$50.00).
4. Any Food Service Establishment which fails to renew its license in accordance with the provisions of Section 8A-7 of the Danbury Code of Ordinances prior to August 1 of the applicable fiscal year shall be subject to a late payment fee of Fifty Dollars (\$50.00).
5. The fees established in paragraphs 1 through 3 hereof are intended to defray the costs associated with routine periodic inspections with routine periodic inspections of Food Service Establishments. All such establishments requiring additional inspections due to the existence of conditions observed during routine inspections, which require correction and therefore reinspection, shall pay a fee of Fifty Dollars (\$50.00) per reinspection.
6. Any plan review and inspection required pursuant to Section 8A-2 and 8A-3 of the Danbury Code of Ordinances in connection with the construction, alteration or remodeling of Food Service Establishments shall be performed by the Director of Health or his designee upon payment of a fee of One Hundred Dollars (\$100.00).

7. All Food Service Establishments requiring more than one preoperational inspection pursuant to Section 8A-3 of the Danbury Code of Ordinances due to the existence of conditions observed during the first preoperational inspection which require correction and therefore reinspection, shall pay a fee of Fifty Dollars (\$50.00).

8. Any temporary Food Service Establishment may obtain a license for its operations pursuant to Section 8A-8 of the Danbury Code of Ordinances upon payment of a Twenty Dollar (\$20.00) license fee.

9. No license fee shall be required of a not-for-profit agency operating a Food Service Establishment where no fee is charged for the food.

Mr. Levy made a motion that the communication be received and the Resolution adopted. Seconded by Mr. Charles. Motion carried unanimously.

9 - RESOLUTION - Before and After School Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Social Services has made grants available in the amounts of \$26,368 and \$22,700; and

WHEREAS, these funds, if awarded, would be used for the Before and After School Program for the 1997-98 school year and the 1998-99 school year respectively; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez as Mayor of the City of Danbury is hereby authorized to apply for said grant funds and to sign all documents necessary and do all things necessary to effectuate the purposes of said program.

The Resolution was adopted on the Consent Calendar.

10 - RESOLUTION - Palace Walk

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury desires to construct a walkway in the area of the former Palace Theatre to be known as Palace Walk; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedules A, B, C and D 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 March 2, 1998 property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suites against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

Mr. Setaro made a motion the communication and adopt the resolution. Seconded by Mr. Levy. Motion carried with Council Members Basso, Mead and Nolan voting in the negative.

- 11 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of the appointment of Police Office Peter Gantert to the position of Sergeant within the Danbury Police Department. Mr. McAllister made a motion to receive the communication and approve the appointment. Seconded by Ms. Fox. Motion carried unanimously.
- 12 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of the appointments of Gene F. Eriquez as the designated representative to the HRRA and the designated alternate, Kathleen Gleason. The appointments were confirmed on the Consent Calendar.
- 13 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting the confirmation of Daniel Sellner to the Aviation Commission for a term to expire July 1, 1999. The appointment was confirmed on the Consent Calendar.
- 14 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of Fil Cerminara to the Conservation Commission for a term to expire July 1, 1999. The appointment was confirmed on the Consent Calendar.
- 15 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of the promotional appointment of Fire Fighter Robert B. Blantin to the position of Lieutenant within the Danbury Fire Department. Mr. Boynton made a motion to receive the communication and approve the appointment. Seconded by Miss Fox. Motion carried unanimously.
- 16 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$277.00. Miss Fox made a motion that the communication be received, the donations accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Boynton. Motion carried unanimously.
- 17 - COMMUNICATION - Letter from Elizabeth McDonough, Director of Danbury Library, requesting permission to accept donations in the amounts of \$256.24 and \$240.00. Miss Fox made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.
- 18 - COMMUNICATION - Report from Planning Commission regarding Leinert Industries Lease. The positive report was received and the lease approved on the Consent Calendar.
- 19 - COMMUNICATION & CERTIFICATION - Request from the Director of Elderly Services that \$4,910 from the Commission on Aging revenue account be used for the upgrade of the Senior Center Coordinators position. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.
- 20 - COMMUNICATION & CERTIFICATION - Request from Police Chief Robert Paquette requesting the sum of \$12,500 be transferred from the Contingency Account to the Police Department Professional Services-Fees Account and authorize the selection of IBM to provide consulting services and report as it relates to recent computer upgrade and technology changes. Mr. McAllister made a motion to receive the communication and authorize the transfer of funds. Seconded by Mrs. Coladarci. Motion carried unanimously.
- 21 - COMMUNICATION & CERTIFICATION - Request from Police Chief Robert Paquette requesting that the sum of \$112,000 be transferred from the Contingency to the Police Department Leased Equipment Account and approval for a lease/purchase of a minimum of 16 1997 Ford Crown Victorias. This would be a three year lease with an interest rate of 5.20% with a dollar buy-out for each vehicle at the end of the three year term. A certification of funds was attached. A waiver of bid was also requested. Mr. Levy made a motion to approve a 3 year lease, appropriate the sum of \$112,000 and approve a waiver of bids, and authorize any monies received on trade-ins to be used to purchase equipment for the new vehicles. Seconded by Miss Fox and passed unanimously.

- 22 - COMMUNICATION & CERTIFICATION - Police Department and Animal Control Contract, with a certification of \$254,852.00. Miss Fox made a motion to approve the Memorandum of Agreement and authorize the transfer of funds. Seconded by Mr. Boynton. Motion carried unanimously.
- 23 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath requesting a transfer of funds in the amount of \$507 from the Elderly Services donations account to the Commission on Aging Budget for the Office Supplies account. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.
- 24 - COMMUNICATION & CERTIFICATION - Request from City Engineer Jack Schweitzer requesting the sum of \$49,850 be appropriated in order to begin the demolition of the castro building on Rowan Street. The original funds appropriated totaled \$305,500 and the bid price was \$353,350. A certification of funds was attached. Mr. Setaro made a motion to receive the communication and authorize the transfer of funds to begin the demoliton of the Castro Building. Seconded by Mr. Levy. Motion carried unanimously.
- 25 - COMMUNICATION - Report from Assistant Corporation Counsel Laszlo Pinter regarding the creation of a wheelchair ordinance. The item was received on the Consent Calendar and no action taken.
- 26 - COMMUNICATION - Letter from the Registrars of Voters requesting permission to accept the donation of two desks from the Nutmeg Federal Savings and Loan. Mr. McAllister made a motion that the communication be received and the donations be accepted and a letter of thanks sent. Seconded by Miss Fox. Motion carried unanimously.
- 27 - COMMUNICATION - Request from Director of Finance Dominic Setaro that the sum of \$223,013.65 be reappropriated to the Water Fund and \$22,716.91 be reappropriated to the Sewer Fund. The reappropriations were approved on the Consent Calendar.
- 28 - COMMUNICATION - Wastewater Treatment Facility Service Agreement, City of Danbury and U. S. Filter Operating Services, Inc. Mr. Setaro asked that this be referred to a committee of the whole for an informational meeting. Mayor Eriquez so ordered.
- 29 - COMMUNICATION - Request from Mayor Eriquez for a transfer of property at the corners of Union Avenue, Maple Avenue and Garamella Boulevard for Habitat for Humanity. Mr. Scalzo asked that this be referred to an ad hoc committee, the Planning Director, the Planning Commission, the Corporation Counsel and representatives of the Danbury Preservation Trust and Habitat for Humanity. Mayor Eriquez so ordered and appointed Council Members Buzaid, Setaro and Mead to the committee.
- 30 - COMMUNICATION - Request from Corporation Counsel Eric Gottschalk that approval be given to an agreement for a Workers' Compensation claim by George Gomez. The communication was received and approval given to the Workers' Compensation Stipulation and Release on the Consent Calendar.
- 31 - COMMUNICATION - Request from Director of Finance Dominic Setaro that the sum of \$3,029 be reappropriated to the Maintenance of Highways, Curbs and Walks Account. This sum is an increase in the allocation by the State of Connecticut for Highway State Aid. The request was granted on the Consent Calendar.
- 32 - COMMUNICATION - Request for permission to improve site lines on Long Ridge Road which has been designated a scenic road. Mrs. Abrantes asked that this be referred to the Planning Director and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.
- 33 - COMMUNICATION - Request for sewer and water services by Cornell Hills Association homeowners. Mr. McAllister asked that this be referred to the City Engineer for a report back within thirty days. Mayor Eriquez so ordered.

34 - COMMUNICATION - Request for Sewer and Water Extension on Mill Plain Road. Miss Fox asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Valeri, Coladarci and Mead to the committee.

35 - COMMUNICATION - Request for Sewer and Water Extensions at 53-55 Sand Pit Road. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Coladarci, Fox and Nolan to the committee.

36 - COMMUNICATION - Request for reimbursement for sewer line expenses at 76 Deer Hill Avenue. Mr. Levy asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Public Utilities and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Buzaid, Valeri and Basso to the committee.

37 - DEPARTMENT REPORTS - Welfare Department, Public Utilities, Fire Chief, Fire Marshall, Elderly Services, Health and Housing, Engineering. Mr. Setaro made a motion that the department reports be approved as submitted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

38 - REPORT - Request to Review Luicci Property/9 Sherry Lane

Mrs. Abrantes submitted the following report:

The Common Council Committee appointed to review the request to review the Luicci Property/9 Sherry Lane met on March 25, 1997 at 6:00 P.M. in Room 432 in City Hall. In attendance were committee members Abrantes, McAllister and Basso. Also in attendance were City Engineer Jack Schweitzer and the petitioners John and Josephine Luicci.

Mr. Luicci spoke and informed the committee of the problem he is encountering due to the non-maintenance of the swale located on the property of Barclay Commons which borders his property. Mr. Luicci had spoken to the President of the Association of Barclay Commons on several occasions in order for this problem to be remedied. Until today he had not received a response. Mr. Schweitzer stated that this is a problem between the land owners and the City. Mr. McAllister made a motion to adjourn in order to discuss this situation with the Corporation Counsel.

The committee reconvened on June 24, 1997 at 6:00 P.M. in Room 432 in City Hall. Due to a prior commitment, Mr. Schweitzer was unable to attend. After prior discussion with Corporation Counsel, the committee advised the Luiccis that this is not a situation in which the City has any involvement. Should they not be able to resolve this issue with the landowners then a possible avenue for them would be through civil means.

Mr. McAllister made a motion that due to the information found by the Chairman that this will be handled by the landowners through civil means, should it be required, and a letter is to be sent to Barclay Commons noting their commitment to the City in order to construct Barclay Commons. Seconded by Mrs. Basso and passed unanimously.

The report was adopted on the Consent Calendar.

39 - REPORT - Water Drainage Problem on Laurel Street

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the water problem on Laurel Street met in Room 432 at 7:30 P.M. on August 26, 1997. In attendance were committee members Boynton, Charles and Basso. Also attending were City Engineer Jack Schweitzer, Highways Superintendent Frank Cavagna and Ken Post.

After several meetings which date back to October, 1996, the committee has discovered that the water problem has been created in part from the blockage of a drainage ditch through the backyards of the neighborhood. Efforts to reopen this drainage ditch proved unsuccessful according to Mr. Cavagna because the drainage ditch had, over the years, been covered over and built upon, i.e. garages, swimming pools and lawns. The only alternate is to install a new drainage system within the street which will require a system designed to overcome the topographical problems, i.e. the water must go up a 48 foot incline; therefore, a deeper system must be designed. Mr. Schweitzer said he will design the project and Mr. Cavagna will assist. The project will be scheduled when the funds are available and moves through the drainage list.

The committee recommends to the Common Council to approve the correction of the water/drainage problem on Laurel Street and place this item along with funding on the City's priority list.

The report was adopted on the Consent Calendar.

40 - REPORT - Request for Water Extension, Lot #12 Kevin Drive

Miss Fox submitted the following report:

The Common Council Committee appointed to review the request for a water extension at Kevin Drive Lot #12 met on Monday, August 11, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Fox and Boynton. Mr. Nolan had a previous commitment. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, the applicant Charles Williams and several residents of Kevin Drive.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. Williams outlined his request for the committee. Mr. Buckley and Mr. Schweitzer foresaw no problems with the request as proposed. Several residents of Kevin Drive questioned the impact of this water extension on the rest of Kevin Drive as they all have wells and have no need for City water at this time. Mr. Buckley and Mr. Schweitzer told them that there would no impact on their properties with this water extension.

Mr. Boynton made a motion to approve the water extension subject to the usual eight steps. The motion was seconded by Ms. Fox. Motion carried unanimously.

The report was adopted on the Consent Calendar.

41 - REPORT - Surplus Property on Rowan Street

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review surplus property on Rowan Street met on July 28, 1997 at 7:40 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid, Valeri and Nolan. Also in attendance were Director of Planning Dennis Elpern, Mary West and Melanie Goodrow and Council Members Christopher Setaro, ~~ex-officio~~ ex-officio.

Mr. Elpern advised that these lots were acquired by the City through foreclosure. The City has no benefit in retaining them. Declaring them surplus with the intent to sell them is recommended. Mr. Valeri led a discussion exploring the potential of these lots for use as a park or a site for a daycare facility. Mr. Elpern explained that zoning and the less than ½ acre size of the lots combined deter any serious consideration of these uses.

Mr. Valeri made a motion to declare these parcels surplus. Seconded by Mr. Nolan. Motion carried 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 9:00 P.M. for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk