

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

RE: Minutes of the Common Council Meeting held October 7, 1997

The meeting was called to order at 7:30 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The Members were recorded as:

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

ABSENT - Boynton, Charles, Butera

18 Present - 3 Absent

Mr. Charles was ill

PUBLIC SPEAKING - Bill Glazier, 13 South Cove Road, Toni Pepe, 42 Ball Pond Road, David Grossman, Brookfield, David Antonmenico, James Street, Kenneth R. Sosnoski, Jr. Cleveland Street, Landon Sock, 30 Hawthorne Cove Road, Joseph Walkovich, 208 Southern Boulevard.

MINUTES - Minutes of the Common Council Meeting held September 3, 1997 and the Special Common Council Meeting held September 11, 1997. Mr. Setaro made a motion that the minutes be accepted as presented and the reading waived as all members have copies and 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:

- 1 - Approve application and resolution for 1998-99 Women, Infants and Children's Grant from Connecticut Department of Health Services - \$232,528
- 2 - Approve application and resolution from Danbury Public Library for Eastern Connecticut Library Grant to provide information on job searching and employment opportunities - \$3,000
- 3 - Approve application and resolution from Danbury Public Library for Connecticut State Library Adoptive Technology Grant - \$4,988.42
- 4 - Approve application and resolution from Danbury Public Library for Connecticut State Library for Collection Development Grant - \$12,238.50
- 5 - Approve resolution and authorize Corporation Counsel to acquire interests in real property related to First Street, Beaver Brook Road and Germantown Road sewer projects.
- 6 - Confirm appointment of Olita Grigors, Katherine Santuro and John Grimes to the Commission on Aging.
- 10 - Approve reappropriation of \$679 from Elderly Services donations account to Commission on Aging budget for office supplies and professional service fees.
- 11 - Approve reappropriation of \$7,294 from contingency fund to Rental Real Estate Account for City lease payment to King Street Volunteer Fire Company.
- 20 - Approve lease between City of Danbury and Citycenter Developers Inc. regarding leasing a portion of Danbury Green and authorize Mayor to execute the agreement
- 22 - Receive survey regarding petition for sanitary sewer and water services Cornell Hill Association, Inc. and take no action at this time.

- 23 - Receive negative Planning Commission report regarding offer to sell land on Scuppo Road to the City and decline offer of sale of property.
- 25 - Receive report, approve recommendations and adopt ordinance regarding deferral of assessment increases attributable to construction or improvements
- 28 - Receive report and approve recommendations regarding renaming of Old Ridgebury Road and a portion of Briar Ridge Road as Old Ridgebury Road and the renumbering of Old Ridgebury Road.
- 29 - Receive report and approve recommendations regarding renumbering of South Cove Road
- 31 - Receive report and approve recommendations regarding request for reimbursement of sewer line expenses at 76 Deer Hill Avenue.
- 32 - Receive report and approve recommendations regarding request for water extension at 47 Beckerle Street
- 33 - Receive report and approve recommendations regarding request for sewer and water extensions - Briar Ridge Road
- 34 - Receive report and approve recommendations regarding request for sewer and water extensions - Mill Plain Road Cut-off.
- 35 - Receive report and approve recommendations regarding request for water extension - Westville Avenue Ext.

Miss Fox moved that the Consent Calendar be adopted as read. Seconded by Mr. Gomez. Motion carried unanimously.

1 - RESOLUTION - 1998-99 Women, Infants and Children's (WIC) Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services has notified the City of Danbury Health and Housing Department of its eligibility to apply for a renewal grant for its Women, Infants and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the Danbury Health and Housing Department's WIC Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women, nursing mothers and children up to age five; and

WHEREAS, the Supplemental Nutrition Grant will be in an amount not to exceed \$232,528 and will cover the grant term from October 1, 1997 through September 30, 1998 and an additional grant year of October 1, 1998 through September 30, 1999 in the amount of \$232,528. and will require no matching funds from the City of Danbury.

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said grant on behalf of the Danbury Health and Housing Department, and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury, is hereby empowered to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Public Health Services and to accept said grant funds, if offered.

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - Eastern Connecticut Libraries

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Eastern Connecticut Libraries has made funds for competitive grants available to public libraries within Connecticut for the purpose of supporting job seekers; and

WHEREAS, the Danbury Public Library has made application to Eastern Connecticut Libraries for a grant of \$3,000, which requires a local cash match of \$1,500; and

WHEREAS, the Information Services Desk at the Danbury Public Library aids a wide variety of patrons seeking jobs, through the use of classified ads in newspapers throughout Connecticut as well as guiding job hunters to information on resume writing and job interview skills; and

WHEREAS, the Danbury Public Library wishes to increase and enhance our resources for job seekers to include Internet access to jobs in Connecticut as well as initiate CD-ROM databases on resume writing and job skills and increase the number of books on these subjects;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$1,500. the sum of which totals at least one half of the amount of the grant.
2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$3,000. upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Adaptive Technology Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made available Library Services and Technology Assistance grants to assist public libraries in purchasing equipment and software to provide services to individuals with disabilities; and

WHEREAS, the Danbury Public Library seeks to upgrade its computer equipment to provide access to customers with disabilities; and

WHEREAS, the Danbury Public Library has prepared an application to the Connecticut State Library for a grant of \$4,988.42, which requires the library to match \$1,247.11 available in the library's 1997-98 operating budget; and

WHEREAS, this grant will enable the disabled members of public to access information resources more fully in their community library.

NOW, THEREFORE, BE IT RESOLVED THAT approval is hereby given for said application and that Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign said application and that the Mayor and the Director of the Danbury Public Library are hereby authorized to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said applications requiring additional expenditure of the City of Danbury funds must receive prior approval by the Common Council.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Collection Development Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made funds for competitive grants available to public libraries within Connecticut for the purpose of assisting Connecticut libraries in providing materials and services which will increase access to information resources for non-English speaking populations; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$12,238.50, which requires a local cash match of \$2,000 and an in-kind match of \$1,108.80; and

WHEREAS, the Danbury Public Library has used documentation from the Danbury schools, Greater Danbury Literacy Volunteers, the Greater Danbury Chamber of Commerce and its own circulation records of ESL materials to determine the need for ESL support in the Spanish and Portuguese speaking communities; and

WHEREAS, the Danbury Public Library wishes to provide increased numbers of books, audiobooks and videos to assist in learning English from Spanish and Portuguese and initiate a two workstation computer center with CD-ROMS for independent learning of English as a Second Language.

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

1. In accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$2,000 and an in-kind match of \$1,108.80, the sum of which totals at least 25% of the amount of the grant.
2. All prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$12,238.50 upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - First Street, Beaver Brook Road and Germantown Road Sewer Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on June 4, 1996, approved the use of the remaining funds within the 1977 bond authorization for the installation of a sanitary sewer in the First Street, Beaver Brook Road area and Germantown Road; and

WHEREAS, it is necessary and in the best interests of the City of Danbury to acquire interests in and to real property as hereinafter set forth in order to proceed with the construction of said sanitary sewer in the Germantown Road/First Street portion of this area; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several property owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property listed below;

WHEREAS, resolutions authorizing the acquisition rights were submitted to and approved by this Council in December 1996 and March 1997; and

WHEREAS, due to the requirement that rights of eminent domain be renewed every six months where the acquisitions have not occurred, re-authorization of the referenced attached acquisitions is now required;

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to April 7, 1998 said property interests as set forth herein either by negotiation or by eminent domain through the institution of suits against the named property owners listed below, their heirs, executors/administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any. Legal descriptions of the easement areas to be acquired are attached as Exhibits 1 through 13.

| <u>Sanitary Sewer Easements</u> |   |                |                              |
|---------------------------------|---|----------------|------------------------------|
| <u>Exhibit No.</u>              | <u>Owner(s)<br/>Now or Formerly</u>                   | <u>Lot No.</u> | <u>Location</u>              |
| 1.                              | Lamson, Annie M.                                      | J10173         | Hawley Ave.                  |
| 2.                              | St. Platons Russian<br>Orthodox Greek Catholic Church | J10171         | Hawley Ave &<br>Shepard Road |
| 3.                              | Ridnert, Mary<br>Cerrone, Jean & Hatstat, Joan M.     | J10176         | Great Plain Rd.              |
| 4.                              | Wanetski, Lucy  | J10175         | Great Plain Rd.              |
| 5.                              | Barry, S. Ray and Gloria                              | J11266         | First Street                 |
| 6.                              | Simao, Joseph & Gail                                  | J11276         | Oak Ridge Gate               |
| 7.                              | Dahl, James and Evelyn                                | J11277         | Oak Ridge Gate               |
| 8.                              | Geraldine A. Rank                                     | J11265         | First Street                 |
| 9.                              | Keever, Pamela  | K10025         | 8 Michaud Rd.                |
| 10.                             | Montesi, William & Donna                              | J10180         | 20 Michaud Rd.               |
| 11.                             | Petruzzelli, Dennis & Pamela                          | K10024         | 6 Michaud Rd.                |
| 12.                             | Robertine, Adam and Anna<br>Parcel A                  | J10178         | 3-7 Great Plain Road         |
|                                 | Parcel B  | J10145         | Michaud Road                 |
| 13.                             | Southern England Telephone                            | K10019         | 1 Rockwell Road              |

The Resolution was adopted on the Consent Calendar.

6 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting approval of the reappointments of Olita Grigors, Katherine Santuro and John Grimes to the Commission on Aging for terms to expire October 1, 2000. The appointments were confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting the sum of \$5,000 for the Danbury Music Center to defray the costs of producing the Nutcracker this Holiday season. The money will be used for the payment of custodial fees at Danbury High School. Mr. Levy made a motion to appropriate a sum not to exceed \$5,000 pending certification, after requesting the Board of Education to defray costs besides labor for production of the Nutcracker. Seconded by Mr. McAllister. Motion carried with Mr. Gallagher and Mr. Mead voting in the negative.

8 - COMMUNICATION - Request from Police Chief Robert L. Paquette requesting permission to accept the donation of a van from Joseph DeSimone for Danbury Police Explorers Post #33. Mr. Levy made a motion to accept the donation and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath asking permission to accept donations in the amount of \$73 for the Danbury Senior Center. Miss Fox made a motion to accept the communication, credit the proper line items and send letters of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

10 - COMMUNICATION & CERTIFICATION - Letter from Leo McIlrath, Director of Elderly Services requesting that the sum of \$679 be transferred from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

11 - COMMUNICATION & CERTIFICATION - Request from Fire Chief Carmen Oliver for the sum of \$7,294.00 from the Contingency Account Rental Real Estate Account for rental payment to King Street Volunteer Fire Company for Engine Company #25 for six months. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting that various traffic signalization equipment made available to the City of Danbury from the State Department of Transportation be donated to our sister City of Jarabacoa, Dominican Republic. Members of the local Dominican community have offered to cover the cost of shipping this equipment. Mrs. Abrantes made a motion to accept the donation from the State of Connecticut and donate the equipment of Jarabacoa. Seconded by Mr. Gomez. Motion carried unanimously.

13 - COMMUNICATION - Request from the Registrars of Voters for funds to purchase two voting machines. Mr. Setaro asked that this be referred to an ad hoc committee, the Director of Finance and the Registrars of Voters. Mayor Eriquez so ordered and appointed Council Members Abrantes, Shuler and Mead to the committee.

14 - COMMUNICATION - Revision of the Consent Order for the Danbury Landfill. The revision is to insure that the decision to cover the landfill with a geosynthetic membrane and the timetable for its implementation are consistent with our contractual obligations as well as with our concern for the environment. Mr. Levy made a motion to adopt the revised Consent Order and authorize the Mayor to execute it on behalf of the City of Danbury. Seconded by Mr. McAllister. Motion carried unanimously.

15 - COMMUNICATION - Report regarding request to alter or improve scenic road site lines. WITHDRAWN.

16 - COMMUNICATION - Request for Hawthorne Cove Road to be accepted as a City Road. Mr. Shuler asked that this be referred to the City Engineer and the Corporation Counsel for reports as it applies under the modified Code of Ordinance Section 17-34. The Mayor so ordered.

17 - COMMUNICATION - Request to purchase City owned land on Deerfield Avenue. Miss Fox asked that this be referred to the City Engineer, the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

18 - COMMUNICATION - Offer to sell property on Rowan Street to the City. Mr. McAllister asked that this be referred to the City Engineer, the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

19 - COMMUNICATION - Lease agreement for space at First Congregational Church for the REACH & REBOUND Programs. Miss Fox asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

20 - COMMUNICATION - Lease for a strip of land 38 feet long by five feet wide on the Danbury Green for 99 years at a fixed rental of \$190.00 per year between the City of Danbury and City Center Developers, Inc. The lease was approved and the Mayor authorized to execute same on the Consent Calendar.

21 - COMMUNICATION - Letter from Attorney Peter C. Hunt stating that the Deer Ridge Condominium Association are concerned with the negotiations between the City to acquire Robin Hill Water Company. Mrs. Abrantes asked that this be referred to the Corporation Counsel. Mayor Eriquez so ordered.

22 - COMMUNICATION - Report from the City Engineer regarding the results of a survey regarding sewer and water services for Cornell Hills Association, Inc. The report was received on the Consent Calendar and no action taken on the Consent Calendar.

23 - COMMUNICATION - Reports regarding offer to sell land on Scuppo Road to the City. The reports were received and the offer declined on the Consent Calendar.

24 - DEPARTMENT REPORTS - Landfill, Public Works, Engineering, Fire Chief, Fire Marshall, Health and Housing, Public Buildings, Elder Services, Police Chief, Highways. Mr. Setaro made a motion to accept the Department Reports 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.

25 - REPORT & ORDINANCE - Section 18-25(b) Deferral of Assessment Increases Attributable to construction or improvements.

Mr. Setaro submitted the following report and ordinance:

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance revision regarding deferral of assessment increases attributable to construction or improvements. Acting Corporation Counsel Eric Gottschalk explained that the proposed revision of Section 18-25 of the Code of Ordinances allows retail to be added to the list of permissible uses which are eligible for deferral of assessment increases in the Redevelopment Area, that the list of property uses which may be made eligible for deferrals such as that at issue are limited by state statute and that the broadening of the ordinance was intended to include uses such as the proposed skating rink which had previously obtained the approval of the Redevelopment Agency. He added that the broadening of the ordinance to include retail uses was meant to be narrowly construed and to apply only to the redevelopment area and that the language of the revision was limited by state statute.

Ms. Fox moved to recommend to the Common Council approval of the revision of Section 18-25 of the Code of Ordinances pertaining to deferrals of assessment increases attributable to construction or improvements as proposed by the Corporation Counsel. Seconded by Mr. Arconti and passed unanimously.

Be it ordained by the Common Council of the City of Danbury:  
THAT Subsection (b) of Section 18-25 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 18-25. Deferral of assessment increases attributable to construction or improvements.**

(b) Application and eligibility. An application to the City for a deferral of assessment increases for real property, air space and all improvements thereon or therein and to be constructed thereon or therein may be made by any party owning or proposing to acquire an interest in real property, or any party owning or proposing to acquire an interest in air space, or any party who is the lessee of, or who proposes to be the lessee of, air space in such a manner that the air space leased or proposed to be leased shall be assessed to the lessee pursuant to section 12-64 of the Connecticut General Statutes. In order to be eligible for the benefits provided by this section, upon receipt of a report from the Planning Department, the Common Council must find that:

- (1) The applicant proposes to use the construction or improvements to real property (or property subject to air rights) for office, manufacturing, or for warehouse, storage or distribution use or, if the real property is located within the Danbury Downtown Redevelopment Area, the applicant proposes to use the construction or improvements to real property (or property subject to air rights) for office, manufacturing, retail or for warehouse, storage or distribution use;

- (2) The property or property subject to air rights is not delinquent in the payment of taxes owed to the City or taxes owed to the Downtown Special Services District at the time of application;
- (3) The applicant proposes to enter into a written agreement with the City fixing the assessment of the real property, air space and all improvements thereon or therein and to be constructed thereon or therein, upon such terms and conditions as are provided for herein and therein.

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

26 - REPORT & ORDINANCE - Department of Permit Coordination

The following report and ordinance were submitted on the Consent Calendar:

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance creating a department of permit coordination. Acting Corporation Counsel Eric Gottschalk explained that the proposed ordinance would designate a director of permit coordination to monitor applications for municipal permits, including prioritizing of projects, that the sense was to give aide to applicants, and that the department will not have the ability to override existing law. The Mayor stated that this initiative was borne out of the CityWorks 2000 project, that the director of permit coordination would set time lines for review, approval and issuance of permits and that this initiative was supported by the Zucker study. Ms. Clarice Osiecki spoke in favor of the ordinance on behalf of the Greater Danbury Chamber of Commerce at the public hearing preceding the meeting.

Mr. Arconti moved to recommend to the Common Council approval of the proposed ordinance section 2-60 creating a department of permit coordination. Seconded by Ms. Fox and passed 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 2-60, which said section reads as follows:

**Sec. 2-60. Department of Permit Coordination.** The Department of Permit Coordination shall be responsible for coordinating action by all municipal departments upon permit applications submitted to them. The Department of Permit Coordination shall monitor the permitting activities of the departments, insuring that each department works in concert with every other department as well as with every land use board and commission, so that to the maximum extent possible, permit applications are handled fairly and efficiently while balancing the needs of the applicants with those of the general public. The Department of Permit Coordination shall meet with the staff of each municipal land use board and commission to coordinate action on pending land use proposals by each such agency with action by municipal departments. Subject to existing provisions of federal, state and local law, the Department of Permit Coordination shall have authority to prioritize and establish timetables and deadlines for review of and action upon permit applications by municipal departments. The Department of Permit Coordination shall be responsible for coordinating and evaluating existing training programs and when necessary, making recommendations to the Mayor regarding training enhancements as they relate to the permit process. The Department of Permit Coordination shall be responsible for public dissemination of information relating to the permit process, thereby promoting public awareness of the process. The Department of Permit Coordination, working in concert with appropriate municipal officials, shall propose and advocate amendments to existing laws relating to municipal permits in an effort to facilitate economic development within the City of Danbury.

A. Director of Permit Coordination. The Director of Permit Coordination shall manage and supervise all activities and employees of the Department. The Director of Permit Coordination shall have a degree from an accredited four year college or university with a Bachelor's degree in architecture, engineering, planning, public administration or a related field, and shall have a minimum of five years experience in a management capacity. The Director of Permit Coordination shall be responsible to the Mayor.

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

27 - REPORT & ORDINANCE - Schedule of Termination of Government Entities

Mr. Setaro submitted the following report and ordinance:

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance regarding government entities review. Acting Corporation Counsel Eric Gottschalk explained that the proposed ordinance incorporates the results of the review of government entities completed last May and sets the termination dates of the City boards and commissions pending review by the committee. Among other commissions, the Lake Kenosia Commission will again face review next year. In response to inquiry by Mrs. Basso, Mr. Gottschalk stated that the Lake Kenosia Commission had had an organizational meeting in June at which officers were elected.

Mr. Arconti moved to recommend to the Common Council approval of the proposed ordinance section 2-176 regarding review and evaluation of governmental entities. Seconded by Mr. Scalzo and passed unanimously.

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

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-176. Schedule of termination of government entities.**

(a) The following governmental entities are terminated, effective June 30, 1998, unless re-established in accordance with the provisions of section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority.
- (2) The Conservation Commission.
- (3) The Environmental Impact Commission.
- (4) The Tree Advisory Commission.
- (5) The Lake Kenosia Commission.

(b) The following governmental entities are terminated, effective June 30, 1999, unless re-established in accordance with the provisions of section 2-184:

- (1) The City of Danbury Cultural Commission.
- (2) The Youth Commission.
- (3) The Commission on the Status of Women.
- (4) The Commission on Aging.
- (5) The Parking Authority of the City of Danbury.

(c) The following governmental entities are terminated, effective June 30, 2000, unless re-established in accordance with the provisions of section 2-184:

- (1) The Redevelopment Agency of the City of Danbury.
- (2) The Housing Site Development Agency.
- (3) The Flood and Erosion Control Board of the City of Danbury.
- (4) The Tarrywile Park Authority.

(d) The following governmental entities are terminated, effective June 30, 2001, unless re-established in accordance with the provisions of section 2-184:

- (1) The Economic Development Commission.
- (2) The Danbury Parks and Recreation Commission.
- (3) The Danbury Housing Partnership.
- (4) The Aviation Commission.

(e) The following governmental entities are terminated, effective June 30, 2002, unless re-established in accordance with the provisions of section 2-184:

- (1) The Commission for Persons with Disabilities.
- (2) The Danbury Aquifer Protection Agency.
- (3) The Fair Rent Commission.
- (4) The Board of Ethics.

Mrs. Coladarci made a motion that the report be accepted and the ordinance adopted. Seconded by Mr. Shuler. Motion carried unanimously.

28 - REPORT - Renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road as Old Ridgebury Road and the Renumbering of Old Ridgebury Road.

Mr. Setaro submitted the following report:

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the renaming and renumbering of Old Ridgebury Road. Assistant City Planner Sharon Calitro explained that the renaming was prompted by area residents, that the public safety of residents was at issue and that nearly all property owners at issue were in favor of the change. Several residents spoke in favor of the changes at the public hearing preceding the meeting.

Mr. Mead moved to recommend to the Common Council approval of the renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road as Old Ridgebury Road and the renumbering of Old Ridgebury Road as proposed by the Planning Department. Seconded by Ms. Abrantes and passed unanimously.

The report was approved on the Consent Calendar.

29 - REPORT - Renumbering of South Cove Road

Mr. Setaro submitted the following report:

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the renumbering of South Cove Road. Assistant City Planner Sharon Calitro explained that the renumbering was prompted by residents of the street at issue and that no survey responses were against the renumbering. No one spoke against the renumbering at the public hearing preceding the meeting.

Mr. Mead moved to recommend to the Common Council approval of the renumbering of South Cove Road as proposed by the Planning Department. Seconded by Mr. Charles and passed unanimously.

The report was approved on the Consent Calendar.

30 - REPORT - Campaign Finance Reform

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review a proposed change to the Code of Ordinances met in Room 432 in City Hall on September 23, 1997 at 7:30 P.M. In attendance were committee members Gallagher, Levy and Nolan. Also in attendance were Common Council Member Christopher Setaro, ex-officio, Assistant Corporation Counsel Laszlo Pinter, Democratic State Central Committee Member Jimmetta Samaha and Democratic Town Committee Chairman Joseph Walkovich.

The meeting began with the petitioner, Councilman Vincent Nolan, explaining the rationale for his proposed change to the Code of Ordinances, Part II, Chapter 2, Article VII, Code of Ethics, Section 2-166 Actions Constituting Unfaithfulness to Public Office. Mr. Nolan explained that during the 1995 municipal election it was reported in the media that certain individuals doing business with the City had made contributions to the campaign of the incumbent Mayor, and that while he knew of no wrongdoing associated with these contributions, nonetheless felt they gave an appearance of impropriety. He further added that the appearance of impropriety was felt by some of his constituents and contributed to cynicism toward the political process. Mr. Nolan's proposed change to the Code was in his opinion similar to a recent State law regarding the office of the State Treasurer, and would help alleviate the perceived impropriety. At this point in the meeting the rules were suspended to allow all present to speak.

Mr. Pinter gave a brief overview on the sections of Danbury's Code of Ordinances already dealing with the duties and responsibilities of candidates and public officials. He also stated that Connecticut law looked unfavorable on local regulation regarding elections.

Mr. Levy, while agreeing with Mr. Nolan's concerns about perceived impropriety and the potential for campaign finance reform felt that this could not and should not be dealt with at the local level. He further questioned Mr. Nolan's timing for addressing his concerns and recommended that we, as public officials, could help remedy the public's cynicism toward the political process by alerting them to the various measures already in place to protect their interests.

Mr. Setaro asked various questions relating to the wording and intent of Mr. Nolan's proposal and the potential problems therein. Mr. Walkovich referenced Sections 7-191a -7-193 of State Statutes which stated that no local ordinance shall be adopted which prohibited acts relating to elections. He also warned about certain ambiguities in the proposed change and suggested we seek an opinion from the State's Attorney General's office if we were intent on pursuing this change.

Mr. Gallagher opined that any regulation such as this must balance the need to guard the public trust and confidence with the rights of individuals to participate in the political process, and felt that the existing practices and regulations adequately balanced those needs.

After a brief discussion, Mr. Levy, while restating his agreement toward reforming existing campaign finance laws but disagreement with the proposed change, moved to take no action at this time. The motion was seconded by Mr. Gallagher and passed by a 2-1 vote with Mr. Nolan dissenting.

Mr. Arconti made a motion to receive the report and take no action at this time. Seconded by Mr. Valeri. After discussion, Mr. McAllister made a motion to move the question. Seconded by Miss Fox. Motion carried unanimously. Main motion carried with Mrs. Basso, Mr. Gallagher, Mr. Mead and Mr. Nolan voting in the negative.

31 - REPORT - Request for reimbursement of sewer line expenses at 76 Deer Hill Avenue.

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the request for reimbursement of expenses involved in connecting his property at 76 Deer Hill Avenue met on September 18, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid and Basso. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Finance Dominic Setaro, Superintendent of Public Utilities William Buckley, Mr. Eanniello and Attorney Grossman.

The petitioner was looking to the City for reimbursement involving expenses in connecting in home at 76 Deer Hill Avenue to the sewer line. The city records had indicated that the sewer was connected and the City had been charging the owners for sewer service, when in fact it was not connected. The petitioner claims to have paid in excess of \$2,500.00 in excavation work to find out that he was not connected. It cost \$5,595.00 to connect, which the petitioner paid. A refund check for sewer services was issued to the petitioner by the City. The petitioner did not cash this check.

Mr. Pinter advised the committee that it would be legally inappropriate to reimburse the petitioner for the connection cost, as Ordinance dictates that the property owner is responsible for connection costs. Mr. Pinter did suggest that the Council can award a sum to the petitioner if it feels that it would be a fair settlement to compensate for hardship and expense incurred due to the discrepancy.

Mrs. Basso made a motion to award \$5,000 to the petitioner for expenses and hardship incurred, as the City records were relied upon for the purchase and maintenance of this property. The motion was seconded by Mr. Buzaid and passed unanimously.

The report was adopted on the Consent Calendar.

32 - REPORT - Request for Water Extension - 47 Beckerle Street

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request for water extension at 47 Beckerle Street met on June 24, 1997 at 7:00 P.M. in City Hall and on September 25, 1997 at 4:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Levy and Basso. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and the petitioner, Nando Casali.

Mr. Scalzo reviewed the discussion of the June 24th meeting and also read a letter from the Planning Commission which gave a positive recommendation. There were questions concerning the amount of water pressure at the site. Both Mr. Schweitzer and Mr. Buckley stated that there would be sufficient pressure at the site and the approval should be granted following the eight steps in the procedure required by the City.

Mr. Levy made a motion to approve the water extension on 47 Beckerle Street (Assessor's Lot #G10132) subject to the usual eight steps. The motion was seconded by Mrs. Basso and passed unanimously.

The Report was accepted on the Consent Calendar.

33 - REPORT - Request for Sewer and Water Extension - Briar Ridge Road

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions at Briar Ridge Road met on September 30, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Machado and Nolan. Mr. Shuler had a prior commitment. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and the petitioners and their attorney Paul Jaber.

A positive recommendation from the Planning Commission was mentioned. Mr. Jaber, with an aerial view photo explained the site where they intend to build 135 multi family rental units. Mr. Buckley, after reviewing the technical aspect of the extensions concluded that it will only benefit future developments in the area. The costs associated with the extensions will be paid by the applicant.

After further discussion, Mr. Nolan made a motion to recommend to the Common Council approval of the applicant's request subject to the normal eight steps. Seconded by Mr. Machado and passed unanimously.

The report was adopted on the Consent Calendar.

34 - REPORT - Request for Sewer and Water Extension - Mill Plain Road Cut-Off

Miss Fox submitted the following report:

The Common Council Committee appointed to review the request for water and sewer extensions on Mill Plain Road cut-off met on Tuesday, September 9, 1997 at 6:00 P.M. in Room 432 in City Hall. In attendance were committee members Fox, Charles and Mead. Also in attendance were Superintendent of Public Utilities William Buckley and Tony DaCunha, agent for the applicant Joe's Hill LLC. Mr. Schweitzer was unable to attend as he was on vacation.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. DaCunha outline the proposal for the committee. The applicant is building six single family residential homes and wants to extend sewer and water to some of them and to an existing single family residential home. Due to several of the lots already having sewer and/or water, the applicant is only requesting sewer extensions to three lots and water extensions to five lots. Mr. Buckley stated that he had conferred with the City Engineer's Office and that he foresaw no problems with the request as proposed.

Mr. Charles made a motion to approve the sewer and water extensions as proposed, subject to the usual eight steps. The motion was seconded by Mr. Mead. The motion passed unanimously.

The report was adopted on the Consent Calendar.

35 - REPORT - Request for Water Extension - Westville Avenue Ext.

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the request for water extension on Westville Avenue Ext. met on September 18, 1997 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid and Basso. Also in attendance were Superintendent of Public Utilities William Buckley and the petitioner, Sal Pandolfi.

Mr. Buckley advised that the request for water extension from Westville Avenue Ext. to Middle River Road via Chelsea Drive is a straight forward operation. However, extra caution must be taken not to interfere with the waterline from West Lake Plant.

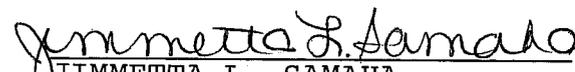
Mrs. Basso made a motion to accept and approve the plans subject to the normal eight steps. Seconded by Mr. Buzaid. Motion carries unanimously.

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. Setaro at 9:45 P.M. for the meeting to be adjourned.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

October 7, 1997