

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

RE: Minutes of the Common Council Meeting held August 6, 1996

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

PRESENT - Abrantes, McAllister, Coladarci, Buzaid, Valeri, Shuler, Setaro, Esposito, Levy, Charles, Gomez, Basso, Butera, Fox, Gallagher

ABSENT - Scalzo, Arconti, Boynton, Machado, Carboni, Mead

15 Present - 6 Absent

Council Members Scalzo, Boynton, Machado and Mead were in Portugal. Mrs. Carboni was ill.

#### PUBLIC SPEAKING

1. Eileen Mitchell, 19 Mountainville Avenue - spoke regarding transfer of funds on item 26. Asked that the \$1,050 left over from field improvements go to field improvements, not to the library.

2. Lynn Waller, 83 Highland Avenue - Thanked the administration, members of the interlocal agreement committee and Council Member Warren Levy for the access she was given during negotiations. She read a letter from residents of Ridgefield regarding the agreement. She stated that she is not speaking against the contract.

At 7:38 P.M. Mr. Arconti arrived and was marked present.

#### ANNOUNCEMENTS

- August 10 Council Member Emil Buzaid will celebrate his birthday
- August 15 Council Member Ernest Boynton will celebrate his birthday and his wedding anniversary on August 25
- August 16 Council Members Connie Shuler will celebrate his birthday
  
- August 6 National Night Out at Mt. Pleasant AME Zio Church
- August 10 Ancient Order of Hibernians Picnic  
Independent Hose Co. No. 4 Clambake 12:00 noon
- August 18 Danbury Auto Park Customer Appreciation Day  
Corvette Club Car Show at Danbury Airport  
Victory Christian Church Dedication Ceremony
  
- August 21 Sons of Portugal Golf Tournament at Richter Park
  
- September 2 Labor Day - City Hall & Municipal Offices Closed

Mayor Eriquez announced that Director of Finance Dominic Setaro was honored for the ninth year for excellence in financial reporting

MINUTES - Minutes of the Common Council Meeting held July 2, 1996 and the Special Common Council Meeting held July 22, 1996. Mr. Setaro made a motion that the minutes be accepted as presented 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 Mr. Charles. Motion carried unanimously.

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

- 1 - Approve application and Resolution for WIC Grant - \$2,435.82
- 2 - Approve application and Resolution for March of Dimes Grant \$10,000
- 3 - Approve application and Resolution for HUD 22nd Year Community Development Block Grant funds
- 4 - Approve Resolution and authorize the Mayor to execute agreement between the City of Danbury and State of Connecticut Department of Transportation for Route 6 Traffic Signal
- 5 - Approve updated Resolution between City of Danbury and Connecticut Department of Transportation for Runway Improvements at Danbury Airport
- 6 - Approve application and Resolution for payment in lieu of taxes from State of Connecticut Department of Housing
- 10 - Approve reappointment of Norman Winnerman to the Housatonic Valley Tourism Commission
- 11 - Approve reappointment of Emanuel Merullo to the Board of Directors of the Housatonic Area Regional Transit District
- 12 - Approve reappointment of Steven Zaleta to the Planning Commission
- 13 - Approve reappointment of Francis Kieras and Paul Estefan as Parking Ticket Hearing Officer
- 14 - Approve reappointment of Barbara Flanagan, Irene King, James Esposito, William Murphy and Linda Molinaro to the Board of Ethics
- 21 - Approve reappropriation of donations to the Danbury Library \$5,246.91
- 22 - Approve reappropriation of funds donated to the Commission on Aging - \$367.00
- 23 - Approve request and appropriate \$2,400 from the contingency account to the Planning and Zoning Professional Services Account for temporary personnel
- 29 - Approve renewal of lease agreement with First Congregational Church for Danbury Schools REACH Program
- 33 - Approve the appropriation of \$1,907 to the Candlewood Lake Authority for Fiscal Year 1996/97 Assessment
- 38 - Accept Communication and proceed with renumbering of addresses on Federal Road
- 41 - Accept communication and take no action regarding the request to purchase property at 6 Starr Road
- 49 - Approve report and Resolution regarding final sewer assessments for Morgan Avenue, Beaver Brook Road and Finance Drive
- 50 - Approve report and Resolution regarding final sewer assessments for Maplecrest Drive
- 51 - Approve report and take no action regarding request to swap/acquire land at Kenosia Avenue Extension
- 52 - Approve report and deny request to purchase property located at Rowan Street

Mr. Setaro made a motion that the Consent Calendar be adopted as read, noting that item 1 should read \$243,582. Seconded by Mr. Charles. Motion carried unanimously.

1 - RESOLUTION - 1996-97 Women, Infants and Children 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 W.I.C. 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 \$243,582 and will cover the grant term from October 1, 1996 through September 30, 1997 and will require no matching funds from the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY 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 - March of Dimes Grant 1997

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Northern Metro Chapter, Fairfield County Division of the March of Dimes will accept an application from the Danbury Health and Housing Department for a grant in an amount not to exceed \$10,000 for the period of January 1, 1997 through December 31, 1997 with no local cash match required; and

WHEREAS, this funding will enable the Health and Housing Department to pursue its goal of preventing birth defects and to improve pregnancy outcomes through the implementation of a collaborative outreach and education program whose primary beneficiaries will be the students and staff of Danbury High School;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, are hereby authorized to apply for said funding, to accept the grant award, if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to execute all contracts/documents in connection therewith and to do all things necessary to effectuate the purpose of said grant.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Community Development Block Grant Funds 1996-97

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has allocated funds under Title I of the Housing and Community Development Act of 1987, as amended, which authorized the Community Development Block Grant Program; and

WHEREAS, it is in the best interests of the City of Danbury to apply for a grant under such Act;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for grant funds for the Community Development Program Year commencing August 1, 1996 through July 31, 1997 for the Twenty-Second Year Funding in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Community Development Program Policy Committee.

BE IT FURTHER RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant application

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Traffic Signal at Route 6 and Aunt Hack Road

RESOLVED by the Common Council of the City of Danbury:

THAT Gene F. Eriquez, Mayor, City of Danbury, 155 Deer Hill Avenue, Danbury, Connecticut 06810, is authorized to execute an Agreement between the State of Connecticut and the City of Danbury for the installation of a traffic control signal at the intersection of Route 6 and Aunt Hack Road in the City of Danbury.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Airport Improvement Project - Danbury Municipal Airport

RESOLVED by the Common Council of the City of Danbury:

SUBJECT: State Project No. 34-269  
Federal Aid Project No. 3-09-0006-17

BE IT HEREBY RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, be and hereby is authorized to sign Agreement No. 5.20-01(96) entitled: First Supplemental Agreement to the Original Agreement Dated December 30, 1993 Between the State of Connecticut and the City of Danbury for an Airport Improvement Project at Danbury Municipal Airport

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Payment in lieu of Taxes

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 the Department of Economic and Community Development 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 therefor;

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

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 the Department of Economic and Community Development, 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.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - East Pearl Street Bridge

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation has extended funding in the form of a loan and grant for purposes of the rehabilitation of the East Pearl Street Bridge over Blind Brook, under the Local Bridge Program; and

WHEREAS, the total cost of the rehabilitation project is expected to be \$124,000.00, with the loan and grant funding to total \$99,870.00 local funds in the amount of \$24,130.00 must be appropriated in order to do the work; and

WHEREAS, a Preliminary Application for these purposes must now be executed to fulfill the purposes of this work;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to execute the Commitment to Fund authorization letter in order to effectuate the further purposes of this project, and that local funds in the amount of \$24,130.00 are hereby appropriated for the purposes thereof.

Mr. Shuler made a motion to accept the communication and adopt the Resolution. Seconded by Mr. Buzaid. Motion carried unanimously.

8 - COMMUNICATION - Letter from Democratic Town Committee Chairman Joseph Walkovich recommending that Christal Loubriell fill the vacancy on the Zoning Commission. Mr. Levy made a motion that the communication be accepted and Christal Loubriell be nominated. Seconded by Ms. Fox. Ms. Fox made a motion that the nominations be closed. Seconded by Mr. McAllister. Motion carried unanimously. Motion to elect Christal Loubriell to the Zoning Commission vacancy passed unanimously.

9 - COMMUNICATION - Letter from Mayor Eriquez requesting that a representative to the Fire Pension Board be elected. Mr. Gallagher moved that Mr. Charles be elected to the Fire Pension Board. Seconded by Mrs. Butera. Mr. Setaro moved that the nominations be closed. Seconded by Mrs. Basso. Motion carried unanimously. Motion to elect Louis Charles to the Fire Pension Board passed unanimously. Mr. Charles stated that he has been a volunteer firefighter for many years and is honored to serve in this position.

10 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Norm Winnerman to the Housatonic Valley Tourism Commission for a term to expire July 1, 1999. The reappointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Emanuel Merullo to the Housatonic Area Regional Transit District Board for a term to expire July 1, 2000. The reappointment was confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Steve Zaleta to the Planning Commission for a term to expire January 1, 1999. The reappointment was confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Francis Kieras and Paul Estefan as Parking Ticket Hearing Officers for terms to expire July 1, 1998. The reappointments were confirmed on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Barbara Flangan, Irene King, James Esposito, William Murphy and Linda Molinaro to the Board of Ethics for terms to expire August 1, 1998. The reappointments were confirmed on the Consent Calendar.

15 - COMMUNICATION - Possible Appointment to the Police Department  
WITHDRAWN

16 - COMMUNICATION - Veterans Donation

Request from Veterans Affairs Director Patrick Waldron for a donation made to the Veterans Affairs Office in the amount of \$850.00 be reappropriated into the "Training Courses" line item. Mrs. Coladarc made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. McAllister. Motion carried unanimously.

17 - COMMUNICATION - Letter from Fire Chief Carmen Oliver requesting permission to accept two donations to the fire department and be put into the Training Courses line item. Mr. Levy made a motion to accept the donations, send letters of thanks and credit line item 020100 Professional Service Fees. Seconded by Mr. Shuler. Motion carried unanimously.

18 - COMMUNICATION - Letter from Lise Probst, HIV Prevention Specialist requesting permission to accept a donation in the amount of \$100 from Mr. and Mrs. Joseph Bevan for the AIDS Program. Mrs. Butera made a motion that the donations be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Fox. Motion carried unanimously.

19 - COMMUNICATION - Letter from Leo McIlrath requesting permission to accept donations to the Department of Elderly Services in the total amount of \$222.00. Mrs. Butera made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

20 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept donations to the Danbury Library. Ms. Fox made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mrs. Butera. Motion carried unanimously.

21 - COMMUNICATION - Letter from Director of Finance Dominic Setaro asking authorization to reappropriate the sum of \$5,246.91 to be used for library furnishings. The request was granted on the Consent Calendar.

22 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath for a transfer of funds in the amount of \$367 from the Elderly Services Donations Account to the Commission on Aging budget. A certification of funds was attached. The transfer was authorized on the Consent Calendar.

23 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$2,400 for temporary help in the Planning and Zoning Department. A certification of funds was attached. The appropriation of funds was authorized on the Consent Calendar.

24 - COMMUNICATION - Request from the Mayor of Tbilisi, Georgia for the establishment of a sister city relationship. Mrs. Butera asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Buzaid, Shuler and Basso to the committee.

25 - COMMUNICATION - Request for light at City Hall Flagpole.  
WITHDRAWN.

26 - COMMUNICATION - Request from Director of Finance Dominic Setaro requesting the transfer of \$7,255.90 in uncommitted funds from a 1993 Public Improvement Bond Issue. The transfer amount represents \$2,230.74 for the Fire Department on Osborne Street, \$3,975.16 for the Police Department Main Street property purchase and \$1,050 for field improvements. Mr. Setaro made a motion that the amount of \$6,205.90 be transferred for Library renovations and \$1,050 be used for field improvements. Seconded by Mr. Charles. Motion carried unanimously.

27 - COMMUNICATION - Mutual Fire Aid Agreements with the Towns of Bethel and Redding. Mr. Arconti asked that this be referred to an ad hoc committee, the Fire Chief, the Corporation Counsel, representatives fo Bethel and Redding and the President of the Volunteers. Mayor Eriquez so ordered and appointed Council Members Gallagher, McAllister and Mead to the committee.

28 - COMMUNICATION - Danbury- Ridgefield Interlocal Sewer Agreement. Mrs. Butera asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer, Corporation Counsel, Director of Finance and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Setaro, Esposito and Carboni to the committee.

29 - COMMUNICATION - Lease Agreement with the First Congregational Church and the City of Danbury for the continued use of certain areas of the Church for the School Department's REACH Program. The lease was approved on the Consent Calendar.

30 - COMMUNICATION - Agreement between the Parks and Recreation Department and the Board of Education for the purposes of a program of maintenance of public elementary and secondary school grounds and recreational fields. Mrs. Butera made a motion that the communication be accepted and the agreement approved. Seconded by Mrs. Coladarci. Mr. Levy stated that the Board of Education established the priority of funding for the schools and athletic facilities. The motion carried unanimously.

31 - COMMUNICATION - Central Business District Traffic Signals Modernization Project. This project covers installation of new traffic signals at the intersection of West Street and Division Street, Wildman Street and Chestnut Street, Osborne Street and Hospital Avenue as well as Shelter Rock Road and Lee Mac Avenue, amount other improvements. Miss Fox made a motion that the communication be accepted and the resolution adopted. Seconded by Mrs. Butera. The motion carried unanimously.

32 - COMMUNICATION - Letter from Mayor Eriquez requesting acceptance of a \$25,000 grant from the National Fish and Wildlife Foundation for the design of designated restoration areas along the River Corridor and a donation of \$15,000 for the construction of a footbridge over the Still River in Commerce Park for hiking trail continuity as part of the linear park project. The donation is from the Duracell Green Team. Mrs. Coladarci made a motion to accept the donations and send letters of thanks. Seconded by Mrs. Butera. Motion carried unanimously.

33 - COMMUNICATION & CERTIFICATION - Letter from Director of Finance Dominic Setaro stated that the City has been notified by the Candlewood Lake Authority that we would be required to pay an additional \$1,907.00 as the City's yearly assessment. He certified that the funds were available. The transfer of funds was authorized on the Consent Calendar.

34 - COMMUNICATION - Request for approval of Subordination Agreement at 244-46 Main Street. Mrs. Butera asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

35 - COMMUNICATION - Pleasant Acres Water Company Project. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Corporation Counsel, the Superintendent of Public Utilities, the City Engineer, the Director of Finance, and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Arconti, Coladarci and Carboni to the committee.

36 - COMMUNICATION - Request for refund for overpayment of taxes on 14 Laurel Street. Miss Fox asked that this be referred to an ad hoc committee, the Tax Assessor, the Director of Finance and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Levy, Butera and Mead to the committee.

37 - COMMUNICATION - Letter from Director of Planning Dennis Elpern requesting that a public hearing be held concerning the renumbering of Point Driftwood, The Crest Way, Lake Road, The By Way and The Crow's Nest. Mrs. Butera asked that this be deferred to public hearing. Mayor Eriquez so ordered.

38 - COMMUNICATION - Reports from the Post Office, the Planning Director and the Police and Fire Chiefs regarding the renumbering of Federal Road. Renumbering was recommended. The reports were accepted on the Consent Calendar and renumbering should proceed.

39 - COMMUNICATION - Racing Brook Water Company Acquisition. Mr. Gomez asked that this be deferred to a public hearing and the Planning Commission. Mayor Eriquez so ordered.

40 - COMMUNICATION - Water Problem at 39 and 41 Rolf's Drive. Mrs. Butera asked that this be referred to an ad hoc committee, and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Mead.

41 - COMMUNICATION - Report from Corporation Counsel advising that the owners of the property at 6 Starr Road are no longer interested in purchasing the property adjacent to this property. The report was accepted and no action taken on the Consent Calendar.

42 - COMMUNICATION - Request from Mrs. Patrick Archiere to purchase land on Osborne Street. Mrs. Abrantes asked that this be referred to the Planning Department, the City Engineer and the Planning Commission. Mayor Eriquez so ordered.

43 - COMMUNICATION - Request to purchase City land on Hospital Avenue and Locust Avenue. Mrs. Coladarci asked that this be referred to the Planning Director, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered.

44 - COMMUNICATION - Request for sewer and water hookups at 46 Kenosia Avenue. Ms. 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, Fox and Mead to the committee.

45 - COMMUNICATION - Request for Water Extension on Concord and/or Lombardi Streets. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities, the Planning Commission and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Scalzo, Charles and Basso to the committee.

46 - COMMUNICATION - Petition for sewers on Starr Road. Mrs. Coladarci asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

47 - COMMUNICATION - Request for sewer extension on East Pembroke Road. Mrs. Abrantes asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered. The Mayor appointed Council Members McAllister, Abrantes and Carboni to the committee.

48 - DEPARTMENT REPORTS - Public Utilities, Public Buildings, Tree Department, Public Works, Engineering, Health and Housing, Highways, Police, Fire Chief, Fire Marshall. Mr. Setaro made a motion that the Department Reports be accepted 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 Mr. Buzaid. Mr. Esposito commended the Department Heads. Motion carried unanimously.

49 - REPORT & RESOLUTION - Final Sewer Assessments - Morgan Avenue, Beaver Brook Road and Finance Drive.

The Common Council met as a committee of the whole at 7:00 P.M. on May 29, 1996 to review the final sewer assessment for Morgan Avenue, Beaver Brook Road and Finance Drive. This sewer project has been completed and is in use. Mrs. Basso moved to recommend approval of the final sewer assessment for the above mentioned project. Seconded by Mr. Charles and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Morgan Avenue, Beaver Brook Road and Finance Drive Sanitary Sewer; and

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

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

WHEREAS, the Connecticut General Statutes Section 7-253<sup>4</sup> authorizes the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before September 1, 1996 provided, however, that said assessments may be paid in installments in accordance herewith; and

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

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Morgan Avenue, Beaver Brook Road and Finance Drive Sanitary Sewer:

1. The payment of any benefits by installments hereunder shall be in not more than nineteen (19) equal annual payments.

2. The minimum annual installment payment shall be ONE HUNDRED (\$100.00) DOLLARS.

3. The interest on any deferred payments hereunder shall be due at a rate per annum of 5.50 percent. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.

4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:

CERTIFICATE OF NOTICE OF INSTALLMENT PAYMENT  
OF ASSESSMENT OF BENEFITS

The undersigned Tax Collector of the City of Danbury in the County of Fairfield, State of Connecticut hereby certifies from the date hereof an installment payment plan is in effect for payment of an assessment of benefits for the installation of a sewerage system, in favor of the City of Danbury, upon real property situated in said City, which real property is more fully described in the City Land Records in:

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The notice of such assessment of sewerage benefits herein certified is to \_\_\_\_\_ (owner of property), the principal of which is \$ \_\_\_\_\_ due to said City of Danbury, together with legal interest fees and charges thereon assessed on September 1, 1996 in the name of \_\_\_\_\_, and the same becomes due on September 1, 1996 and may be paid in annual installment payments of \$ \_\_\_\_\_ each plus interest at the rate of 5.50 percent on the unpaid balance and continuing to \_\_\_\_\_.

This certificate is filed pursuant to Section 7-253 of the General Statutes, as amended.

The property assessed is:

Lot \_\_\_\_\_

Street \_\_\_\_\_

Item No. \_\_\_\_\_

\_\_\_\_\_  
Tax Collector

Received \_\_\_\_\_, 19\_\_

At \_\_\_\_\_ M.

Recorded in the Danbury Land Records

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\_\_\_\_\_  
Town Clerk

AND BE IT FURTHER RESOLVED THAT the Assessments of Benefits by virtue of the construction of the sewer project are hereby fixed as follows:

The Report was accepted and the Resolution adopted on the Consent Calendar.

50 - REPORT & RESOLUTION- Maplecrest Drive Final Sewer Assessment

Mr. Setaro submitted the following report:

The Common Council met as a committee of the whole at 7:15 P.M. on July 22, 1996 to review the final sewer assessments for Maplecrest Drive.

Superintendent of Public Utilities William Buckley explained the formula by which sewer assessments are computed, that sewer assessments may be payable over a 19 year period and that the assessments at issue were approximately 40% below the cost anticipated. He added that the sewerage of Maplecrest Drive had been completed in accordance with prior Council action.

Most Maplecrest Drive residents had indicated that they were in favor of the sewerage through previous surveys and public hearings held the Council, however, one resident stated his opposition to the sewerage of his properties at the public hearing held on July 22nd.

After considerable discussion, Mr. Levy moved to recommend that the Common Council approve the final sewer assessments for Maplecrest Drive. Seconded by Mr. Scalzo and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before September 1, 1996 provided, however, that said assessments may be paid in installments in accordance herewith; and

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

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

1. The payment of any benefits by installments hereunder shall be in not more than nineteen (19) equal annual payments.

2. The minimum annual installment payment shall be ONE HUNDRED (\$100.00) DOLLARS.

3. The interest on any deferred payments hereunder shall be due at a rate per annum of 5.50 percent. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.

4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:



The Common Council Committee appointed to review the offer to swap or acquire land on Kenosia Avenue Ext. met on Thursday, July 11, 1996 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Machado and McAllister. Also in attendance were City Engineer Jack Schweitzer and the petitioner Richard Baldwin and his attorney Lawrence Riefberg. Also in attendance were Council Members Levy, Mead and Basso, ex-officio.

Attorney Riefberg representing the petitioner explained in detail his client's motives and validity for the request. But, concluding the fact that the property Mr. Baldwin was interested in was not available he decided to withdraw the request. Mr. Riefberg also stated the intention of his client to pursue, in the future, available property from the City. Mr. Machado expressed his appreciation for the petitioner's withdrawal and stated that the property Mr. Baldwin is looking for on Middle River Road is within the perimeter of protection of West Lake Reservoir and therefore is unavailable.

Mr. McAllister made a motion to recommend to take no action at this time. The motion was seconded by Mr. Machado and passed unanimously.

The report was adopted on the Consent Calendar.

52 - REPORT - Offer to Purchase Land at One Rowan Street

Mrs. Coladarci submitted the following report:

The subcommittee to review the offer to purchase One Rowan Street by Wilfred J. Megin for one (\$1.00) dollar met at 7:45 P.M. in the Fourth Floor Lobby in City Hall on July 11, 1996. In attendance were committee members Coladarci, Buzaid and Mead. Also in attendance were Corporation Counsel Eric Gottschalk and Council Member Warren Levy, ex-officio.

Ms. Coladarci said that the Planning Commission had denied the purchase and that we should probably do the same until we know exactly what can be done with the buildings and properties. Mr. Gottschalk explained that five (5) lots were acquired by the City as a result of tax delinquency. He understands that the Mayor may want to tear down the building because it may be dangerous. He also said that this lot has not been declared surplus.

Mr. Mead motioned that we deny the request as recommended by the Planning Commission and refer the request for purchase to the Planning Department in conjunction with the Mayor's Office for a decision as to the best potential use of this property. The motion was seconded by Mr. Buzaid and passed unanimously.

The report was adopted on the Consent Calendar.

53 - COMMUNICATION & CERTIFICATION - Repairs to Library Roof.

Mr. Levy made a motion to add this item to the agenda. Seconded by Mrs. Butera. Motion carried unanimously.

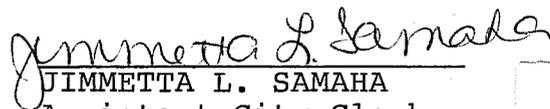
Letter from Jack Schweitzer and Rick Palanzo requesting the sum of \$28,000 to be transferred to the Contingency Account to the Library Building "Maintain Buildings-Structures Account for repairs to the library roof. The money may be recouped from the contractor who originally performed the work. A certification of funds was attached. Mr. Setaro made a motion to appropriate \$28,000 from the Contingency Account to the "Maintain Buildings-Structures Account" for repairs to the library roof. Seconded by Mrs. Coladarci. Mr. Gallagher asked for an explanation concerning recouping the funds. Director of Finance Dominic Setaro stated that the City is making claim that the roof was defective. The Corporation Counsel is working on this. Miss Fox asked if it is a flat roof. Mr. Buckley said that it was. Mr. Basso asked if the insulation was good.

Motion carried unanimously.

Mayor Enriquez extended all committees.

There being no further business to come before the Common Council a motion was made at 8:28 by Ms. Fox for the meeting to be adjourned.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk