

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

RE: Minutes of the Common Council Meeting held December 5, 1995

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 - Levy, Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Esposito, Buzaid, Valeri, Machado, Charles, Gomez, Basso, Buter Carboni, Fox, Mead, Setaro

ABSENT - Shuler, DaSilva

19 Present - 2 Absent

PUBLIC SPEAKING

1. Lynn Waller, 83 Highland Avenue - Spoke regarding item 4, Consent Order. Has a lot of questions. A lot of information needs to be checked on. Concerned about the money to close the landfill. Regarding item 2, will this add 10 more officers. Neighborhoods around the projects need to be protected.

(At 7:37 P.M. Mr. Shuler arrived and was marked present)

NOTICES

The Mayor welcomed the new members of the Common Council, as well as returning members.

December 10th - Council Member Val Machado and his wife will celebrate their wedding anniversary  
December 13th - Council Member Harry Scalzo will celebrate his birthday

December 6th - Lion's Club CRIS breakfast at 7:30 a.m.  
December 6th - American Cancer Society Open House  
December 7th - Pearl Harbor Remembrance Day  
December 8th - Kwaanza Celebration  
December 9th - Arthritis Jingle Bell Walk  
December 9 & 10 - Danbury Music Center will present The Nutcracker  
December 14th - Chamber of Commerce Leadership Luncheon  
December 18th - Hanukkah  
December 19th & 20th - The Messiah at St. Peter's Church  
December 25th - Christmas Day. City Hall will be closed  
December 31st - First Night  
January 1st - New Year's Day - City Hall will be closed

MINUTES - Minutes of the Common Council Meeting held November 9, 1995. Mr. Esposito made a motion that the minutes be adopted as present 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. Boynton. Motion carried unanimously.

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

- 9 - Approve reappropriation of donated funds for the Department of Elderly Services - \$100
- 10 - Approve reappropriation of donated funds for the Department of Elderly Services - \$578.20
- 12 - Approve request for funds for Health Department - \$380.00
- 14 - Approve waiver of bid on Rogers Park Recreation Building
- 17 - Approve acquisition storm drainage easement, Sunset Ridge and Westwood Drive
- 19 - Approve report and recommendation regarding 1995 Wood Sale
- 20 - Approve citation ordinance 12-34(b) Amendment to section 10-1
- 21 - Approve report and recommendation regarding request to renumber Point Driftwood
- 22 - Approve request to renumber Royal Road
- 23 - Approve report and recommendation regarding a request for sewer and water extension at 60 Forest Avenue

Mr. Setaro made a motion that the Consent Calendar be adopted as read. Seconded by Mr. Scalzo. Motion carried unanimously.

1 - RESOLUTION - 1995-96 Local Prevention Council Program Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, "STAND TOGETHER/MAKE A DIFFERENCE", a coalition of local agencies and individuals, formed to address substance abuse problems and to develop programs and projects for the prevention of substance abuse, and acting as the Local Prevention Council, has requested that the City of Danbury, acting solely as its fiduciary agent, apply to the State of Connecticut Department of Mental Health and Addiction Services under the Department's 1995-96 Local Prevention Council Program for a grant in the amount of \$5,675; and

WHEREAS, the grant will cover the period of October 1, 1995 through September 30, 1996 with no local cash match required; and

WHEREAS, these funds are to be considered "pass through" funds for said coalition;

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.

Mr. Esposito made a motion that the communication be accepted, the Resolution adopted and the Mayor authorized to sign the Letter of Award. Seconded by Mr. Charles.

Mr. Mead asked about expenses for motivational speakers. The Mayor explained this includes police for such events as the Taste of Danbury, Post Prom Party and speakers that arrive the night before. These are typical fees for programs that are permitted.

Motion carried unanimously.

2 - RESOLUTION - Safe Neighborhood Program 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 a grant in the amount of \$225,000 to be used for a Safe Neighborhoods Program upon receipt and approval of an application therefor, and

WHEREAS, this grant will subsidize 10 police officer positions at \$200,000 plus \$25,000 for crime prevention programs thus allowing increased police presence in targeted neighborhoods, especially areas where there has been increased firearms use; and

WHEREAS, the grant period will extend May 1, 1996 through October 26, 1996 and is part of a four-year State program;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez and Chief Nelson F. Macedo, or his authorized representative, are hereby empowered to apply for said grant, to accept the funds, if approved, and the Mayor is further authorized to execute any contracts/agreements therefor and to do all things necessary to effectuate the purposes thereof.

Mr. Boynton made a motion to accept the communication and adopt the Resolution. Seconded by Mrs. Coladarci.

Mayor Eriquez stated that this will be for 10 police officers to be established within the community program. Three new officers would be hired with a portion of the funds. Mr. McAllister asked if \$85,000 is enough for that time period. Mayor Eriquez stated that it would be because of backfilling - assigning experienced officers to community roles and filling their positions with other officers. Mr. McAllister stated that if the sum needed to be increased, then increase it. Mrs. Basso asked how the \$20,500 will be spent. Mayor Eriquez explained that it is used to establish such programs as Neighborhood Watch, etc.

3 - COMMUNICATION - Appointments to the Fire Department  
WITHDRAWN

4 - COMMUNICATION - Letter from Corporation Counsel Eric Gottschal outlining the key elements of a Consent Order proposed by the Commissioner of the Department of Environmental Protection. The key elements are the approved disposal of an additional 200,000 tons of demolition debris above the previously permitted amount; cessation of all disposal activity by December 31, 1996; completion of landfill capping and closure by July 31, 1997; required post-closure maintenance and monitoring; acquisition of areas within the "zone of influence" of landfill leachate; environmental monitoring of landfill groundwater; and establishment of a landfill gas collection system.

Mr. Boynton made a motion to accept the communication and authorize acceptance of the Consent Order. Seconded by Mrs. Coladarci. The Mayor explained that the Consent Order was received on December 4, 1995. Additional discussions have afforded some modification in this form. The Corporation Counsel, the Public Works Director and the Director of Finance have all reviewed the order. The State would like this returned by December 15, 1995.

Mr. Setaro asked about the "moms and pops". Are there any plans to allow them to continue bringing their waste to the landfill. The Mayor stated that they can continue to bring their trash and the rates will be frozen through 2003. Mrs. Basso asked if more money will be put into the enterprise fund. Mayor Eriquez stated that there is no enterprise fund. Any money goes into the general fund. Mr. Mead asked gas collection will be methane. The Mayor said it would. Mrs. Carboni asked if the Mayor had any knowledge where the trash would go and what will the cost be. Mr. Eriquez explained about the HRRRA. The tip fee is stagnant and should remain so. Mrs. Basso asked about the height of 425 feet. Mr. Buckley explained that anything over 400 feet has to have a synthetic cover.

Motion carried unanimously.

5 - COMMUNICATION - Letter from Chief of Police Nelson Macedo requesting permission to accept a donation of \$100 from the Portuguese American Club. Mrs. Coladarci made a motion to accept the communication credit the appropriate line item and send a letter of thanks. Seconded by Mr. Gomez. Motion carried unanimously.

6 - COMMUNICATION - Letter from Mayor Eriquez requesting permission to accept a donation in the amount of \$11,374 from the United Way of Northern Fairfield County for the Model Neighborhood Program. Mr. Boynton made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Mrs. Carboni asked if this sum is enough for a full time officer? Mayor Eriquez stated that it is about one-third. This is a commitment for one year and then will be reviewed. Motion carried unanimously.

7 - COMMUNICATION - Request for Jack S. Kozuchowski for permission to accept a donation of software (ArcView 2.1) from Environmental Systems Research Institute, Inc. to allow the Health Department to implement and monitor the City's stormwater management plan. Mr. Setaro made a motion to accept the donation and send a letter of thanks. Seconded by Mr. Mead. Motion carried unanimously.

8 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting to accept donations in the amount of \$100.00 from Boehringer Ingelheim, \$25 from Filosa Care Center, Inc., \$150 from Paul and Elaine Dinto; \$163.20 from Disabled American Veterans; \$100 from the Senior Network; and \$140 from Perritt Laboratories, Inc. Mrs. Butera made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Setaro. Motion carried unanimously.

9 - COMMUNICATION - Request from Director of Elderly Services Leo McIlrath to transfer the sum of \$100 from the Elderly Services donations account to the Commission on Aging Office Supplies account. The request was granted on the Consent Calendar.

10 - COMMUNICATION - Request for Department of Elderly Services Director Leo McIlrath to transfer the sum of \$578.20 from the Elderly Services Donations Account to the Commission on Aging budget for the Parttime services account. The transfer was authorized on the Consent Calendar.

11 - COMMUNICATION & CERTIFICATION - Request from the Town Clerk's Office for the sum of \$4,700.00 for a new copier. A certification of funds was attached. Mr. Levy made a motion to authorize the transfer of funds. Seconded by Mr. Charles. Motion carried unanimously.

12 - COMMUNICATION & CERTIFICATION - Request from Director of Health William Campbell for the sum of \$380 to cover the cost of printing forms relating to the implementation of Section 12-34 of the Code of Ordinances. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

13 - COMMUNICATION - Report from Corporation Counsel Eric Gottscha regarding the request of the late George Wright who requested a hearing regarding the status of Special Constables in the City of Danbury. The report states that the Mayor has sole discretion and authority to appoint to such number of Special Constables as he deems necessary. Mr. Levy made a motion to accept the report and take no action. Seconded by Mr. Boynton. Motion carried unanimously.

14 - COMMUNICATION - Letter from Assistant Corporation Counsel Les Pinter asking for a waiver of bid in the event that the present contractor on the Rogers Park Recreation Building fails to meet the completion deadline so that the City can immediately retain its own firm and/or its own services to finish the work. The request for a waiver of bid was granted on the Consent Calendar.

15 - COMMUNICATION - Request to renumber Candlewood Vista. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Police and Fire Chiefs, the Post Office and the Planning Director. Mayor Eriquez so ordered and appointed Council Members Arconti, Coladarci and Carboni to the committee.

16 - COMMUNICATION - The Village Bank and Trust Company, Correira Drive. Mr. Setaro asked that this be referred to an ad hoc committee, the City Engineer, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members DaSilva, Butera and Mead to the committee.

17 - COMMUNICATION-& RESOLUTION - Storm Drainage Easement, Sunset Ridge and Westwood Drive

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in order to improve highway drainage in the area of Sunset Ridge and Westwood Drive, the City of Danbury intends to install storm drainage piping on property of Richard A. Drake and Lynn R. Drake; and

WHEREAS, the installation of said piping is in the best interests of said residents and of the City; and

WHEREAS, said project will require the acquisition of a certain permanent construction easement, as set forth and described in the attached Schedule;

NOW, THEREFORE, BE IT RESOLVED that the Corporation Counsel of the City of Danbury is hereby authorized to obtain the property interests as set forth in Schedule A attached hereto from the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrancers, if any.

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

18 - DEPARTMENT REPORTS - Health and Housing, Police, Highways, Parks and Recreation, Public Buildings, Trees, Engineering, Public Utilities, Fire Marshall, Fire Chief.

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. Boynton. Mr. Mead complimented the Fire Chief on his report. The motion carried unanimously.

19 - REPORT - 1995 Wood Sale

Mrs. Coladarci submitted the following report:

The subcommittee to review the proceeds of the Common Council Wood Sale met at 7:00 P.M. in Room 432 in City Hall on November 21, 1995. In attendance were committee members Coladarci and Scozzafava. Also in attendance were Council Members Esposito and Arconti, ex-officio.

Mrs. Coladarci explained that there was no wood cut as of that afternoon for the sale. She was told by Bill Buckley, Superintendent of Public Utilities, that if the Common Council were to have the annual wood sale, it would be at an expense to the City, both to cut the wood and to clear an area to have the sale since the previous location is too muddy.

After discussion as to the benefits of the donation versus the expense of cutting the wood for the sale, Mr. Scozzafava made a motion that we do not have the wood sale this year due to circumstances beyond our control and the added expense to the City taxpayers if we did hold the sale. The motion was seconded by Mrs. Coladarci and passed unanimously.

The report was adopted on the Consent Calendar.

20 - REPORT - Citation Ordinance 12-34(b) Amendment to Add Section 10-10

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for an amendment to Citation Ordinance 12-34(b) met on November 21, 1995 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Levy, Valeri and Nolan. Also in attendance were Health Director William Campbell, Paul Schierloh of the Health and Housing Department, Corporation Counsel Eric Gottschalk, Director of Finance Dominic Setaro and Council Members Scalzo and Arconti, ex-officio.

Mr. Levy stated the meeting by giving a short review of the Health Department request to amend the citation ordinance. The amendment was to add certificate of occupancy requirements to the list of existing violations the Health Department can issue citations for. Mr. Levy's review also included a report from the Corporation Counsel on the financial implications of providing for enforcement with out the citation system.

The committee was concerned that the citation system would only add another layer of administrative cost and delay to the system. Mr. Campbell said he has not used the citation system in his department to date. He believes it will encourage compliance in a more cost effective way then they are currently limited to. The current system in use would add the warning of a citation to it. This would not cause any additional time to what is now done. Mr. Gottschalk explained the problems with the Court system we now use exclusively. We are at the mercy of the docket and the court clerk when it come to violation compliance and city staff time. With the citation system a judgment may be issued by the city citation hearing officers in accordance with Sec. 12-35. This would be a much faster process and at less cost to the City than the court system. He also stated that this would not eliminate the use of the court system. He believed it would greatly reduce its use.

Mr. Valeri made a motion to recommend that the Common Council amend Ordinance 12-34(b) to add Section 10-10 to the citations. Seconded by Mr. Nolan and passed unanimously.

The report was adopted on the Consent Calendar.

21 - REPORT - Request to Renumber Point Driftwood

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the request to renumber Point Driftwood met on November 1, 1995 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Arconti, and Gallagher. Also in attendance were Fire Chief Carmen Oliver, Police Lt. James King, Planning Director Dennis Elpern and several residents of Point Driftwood.

The petitioner described a recent problem regarding an emergency response to this area. Discussion ensued regarding the lack of street signs in this area and the need for sequential numbering. The residents present were in general agreement that improvements should be made. Questions arose as to the City's authority and obligations in this matter as this may be a private community.

Mr. Gallagher moved to recommend that the Common Council refer this matter to the Planning Department and other departments as necessary, to conduct a full survey of the Point Driftwood area and recommend a plan to the Common Council for street identification and renumbering of properties. The motion was seconded by Mr. Arconti and passed unanimously.

The report was adopted on the Consent Calendar.

22 - REPORT - Request to Renumber Royal Road

Mr. Arconti submitted the following report:

The Common Council Committee to review the request to renumber Royal Road met on November 1, 1995 at 7:30 P.M. in City Hall. In attendance were committee members Arconti and Gallagher. In attendance also were Fire Chief Carmen Oliver, Police Lt. James King, Planning Director Dennis Elpern and several residents of Royal Road.

The Planning Department has reviewed the numbering situation on this road and conducted a survey of the residents with the following results: 4 in favor; 11 not in favor; and 7 no response. The Planning Department also submitted a recommendation to renumber the road in sequential order. Discussion ensued regarding the inconvenience and expenses involved in changing street numbers. Several alternate remedies were discussed to try to find the least disruptive solution. While most residents present expressed their desire to avoid changing street numbers, they also acknowledged the over-riding issue of safety.

Chief Oliver and Lt. King explained that E911 response procedures and the benefits of sequentially numbered streets. Both expressed their support of a permanent solution by renumbering the street.

Stating the need for a long-term solution and the residents' safety, Mr. Gallagher moved to recommend that the Common Council approve the renumbering of Royal Road as proposed by the Planning Department. The motion was seconded by Mr. Arconti and passed unanimously.

The report was adopted on the Consent Calendar.

23 - REPORT - Request for Sewer and Water Extension, 60 Forest Avenue.

Mr. Trocolla submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension at 60 Forest Avenue met at 6:30 P.M. on November 27, 1995 in Room 432 in City Hall. In attendance were committee members Trocolla and Beck. Also in attendance were Superintendent of Public Utilities William Buckley and City Engineer Jack Schweitzer. Miss Beck made a motion to suspend the rules.

Based on a review of the map by Mr. Buckley and Mr. Schweitzer, no extensions are needed. Miss Beck made a motion to have the water department investigate and notify the owner that the property (I11172) is served by water and sewer. Seconded by Mr. Trocolla and passed un-animously.

The report was adopted on the Consent Calendar.

24 - COMMUNICATION - Request for Water Extension, 81 Newtown Road. Mr. Levy made a motion to add this item to the agenda. Seconded by Mr. Setaro. Motion carried with Mrs. Butera voting in the negative.

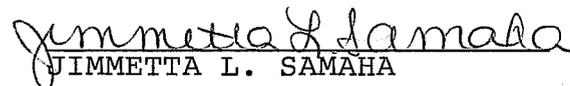
Letter from Attorney Lawrence Riefberg request water extension for Chili's Restaurant at 81 Newtown Road. Mr. Levy asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Esposito, Boynton and Basso to the committee.

Mayor Eriquez extended all committees.

Mayor Eriquez wished the Common Council and all citizens a safe, happy holiday season.

There being no further business to come before the Common Council a motion was made at 8:41 P.M. by Mr. Setaro for the meeting to be adjourned.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk