

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

RE: Minutes of the Common Council Meeting held February 1, 1994.

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

PRESENT - Levy, Scalzo, Falzone, Yamin, Arconti, Boynton, Dennehy, Gallagher, Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Cappiello, Setaro, Trocolla, Valeri

ABSENT - Scozzafava

20 Present - 1 Absent

PUBLIC SPEAKING

1. Lynn Waller, 83 Highland Avenue - read a prepared statement regarding item 17, which statement is on file in the Office of the City Clerk for public inspection.

2. Joseph Rosato, 7 Long Ridge Road - Spoke regarding item 17. Spoke about getting signatures for the last Charter Revision Commission, but still nothing was done. Unless it is what the Democratic Party wants you have to run the gauntlet. Each party should put up 2 people, all elected from wards. New people elected should be independent thinkers. If you take out minority representation who would he talk to.

3. Barbara Monsky, 14 Shepard Road - spoke regarding items 16 and 17. Asked the last Charter Revision Commission to approve the appointment of an Office of Policy and Management. The new Charter should look at this. Insulted by the fact that 3,000 people couldn't change anything, but this body can do it on a whim.

4. Monique LeCoz, 23 Woodbury Drive - ridiculous to have to speak before the discussion is heard. She keeps an eye on police promotions. Some members of the Police Department have discriminated against her. However, more money may be deserved with these promotions. Also rather than promoting two or three members of the same family, we are now promoting dogs. Taxpayers have to pay for dog food.

ANNOUNCEMENTS

February 4th - Harry and Sandra Scalzo will celebrate their wedding anniversary

February 23rd - 49th Anniversary of the Flag Raising on Iwo Jima

February is Black History Month

February 2nd - 25th anniversary of the Long Ridge Library

February 4th - Catholic Schools Appreciation Day

February 6th - Boy Scout Week

February 9th - Boy Scout Run Your City Day

February 9th - Opening Session of State Legislature

February 11th - City Hall Closed for Lincoln's Birthday

February 12th - Lincoln's Birthday

February 14th - Valentine's Day

February 15th - Remember the Main Celebration at 7:00 P.M.

February 21st - President's Day - City Hall Closed

February 22nd - Washington's Birthday

February 23rd - Connecticut Conference of Municipalities will be in Hartford to discuss urban issues

The City's Emergency Update was completed on February 1st and the Mayor discussed this new plan. Also on February 1st Danbury joins with other municipalities in the State Guns for Goods Program.

MINUTES - Minutes of the Common Council Meeting held January 5, 1994. Mr. DaSilva 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 on the Consent Calendar:

- 3 - Approve Application for AIDS Risk Reduction Outreach Work Grant \$43,689
- 4 - Approve Application for Railroad Highway Grade Crossing - Triangle Street
- 6 - Approve appointment of John Lanczycki to Environmental Impact Commission
- 7 - Approve reappointment of Robert Brunetti to Richter Park Authority
- 8 - Approve reappointment of Frank Malone to the Planning Commission as Alternate
- 9 - Approve reappointment of Millie Siegel as Alternate to the Commission on Aging
- 10 - Approve reappointments of Benjamin DaSilva, Edward Wicks and Harvey Center to the Cultural Commission
- 13 - Approve DMEA Contract certification for \$6,867
- 14 - Approve request for funds for Legal Notices - City Clerk's Office \$2,500
- 16 - Approve appointment of Ernest and Young as Independent Auditors
- 20 - Approve receipt of reports from Planning Commission and City Engineer regarding Woodland Construction Terrace Heights Subdivision Request for Bond Reduction
- 25 - Approve report and recommendation to deny request for funds for Hanahoe Clinic
- 26 - Approve report and recommendation to deny funding for uninsured Latinos and Latino families
- 28 - Approve report and recommendation to deny payment of towing and storage charges
- 31 - Approve recommendations regarding offer to sell property at 45 West Street to the City
- 32 - Approve recommendations regarding funds for Tarrywile Park Authority for a Capital Improvement Project

Mr. Falzone moved that the Consent Calendar be adopted as read. Seconded by Mr. Setaro. Motion carried unanimously.

1 - ORDINANCE - Amendment to Section 16A-95 Penalties imposed for violations of Flow Control and other provisions of the Solid Waste Article. Miss Dennehy asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - ORDINANCE - Revision to Section 16A-51 - Solid Waste Hearing Board. Mr. Scalzo asked that this be deferred to public hearing. Mayor Eriquez so ordered.

3 - RESOLUTION - AIDS Risk Reduction Outreach Work Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health and Addiction Services (DPHAS) has provided an AIDS Risk Reduction (ARROW) Grant to the Danbury Health and Housing Department in the amount of \$43,689 for the time period of January 1, 1994 through December 31, 1994 with no local match required; and

WHEREAS, the grant would be used to provide AIDS prevention/risk reductio education to people who are at highest risk of exposure to HIV, including injection drug users and their partners;

NOW, THEREFORE, BE IT RESOLVED that the actions of the Danbury Health and Housing Department and the Mayor of the City of Danbury in applying for said funds are hereby ratified and authorization is hereby given to the Mayor and the Health and Housing Department to accept said grant and the Mayor is further authorized to sign all required agreements/contracts and to do all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Railroad-Highway Grade Crossing - Triangle Street

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, The Connecticut Department of Transportation through the Division of Traffic Engineering administers the federally funded Rail-Highway Grade Crossing Program providing reimbursement to a municipality for the rehabilitation of an at-grade railroad crossing; and

WHEREAS, the Triangle Street at-grade crossing is in need of rehabilitation and the City of Danbury is desirous of accomplishing the work under the auspices of said program; and

WHEREAS, the City of Danbury would be reimbursed for eligible costs incurred during engineering and construction phases, with an estimated \$40,000.00 to \$70,000.00 front load costs to be expended by the City pending reimbursement by the State;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury be and hereby is authorized to execute such documents and take such actions as are necessary to accomplish the purposes hereof, including the execution of a State Project Agreement encompassing the specific provisions of the program.

The Resolution was adopted on the Consent Calendar.

5 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Sgt. Charles W. Kluge, Sgt. Joseph F. Collins, Jr., and Det. Sgt. Thomas R. Mack to the rank of Lieutenant in the Police Department. Mr. DaSilva made a motion that the communication be accepted and the promotions confirmed. Seconded by Mr. Charles. Mr. Trocolla congratulated the officers and said he was glad that they are all residents of the City of Danbury. Motion carried unanimously.

Mayor Eriquez introduced Sgt. Kluge, Sgt. Collins and Det. Sgt. Mack who were all in the audience. The promotions will be effective upon swearing in.

6 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of John Lanczycki, III as an alternate member of the Environmental Impact Commission for a term to expire December 1, 1995. The appointment was confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Robert Brunetti to the Richter Park Authority for a term to expire September 1, 1996. The reappointment was confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Frank Malone, Ph.D as an alternate on the Planning Commission for a term to expire January 1, 1997. The reappointment was confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Millie Siegel as an alternate to the Commission on Aging for a term to expire January 1, 1997. The reappointment was confirmed on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Benjamin DaSilva, Edward Wicks and Harvey Center for terms to expire February 1, 1997. The reappointments were confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations totaling \$250.00 for the line item for Materials and Supplies Not Listed. Mr. Scalzo made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

12 - COMMUNICATION - Letter from Chief of Police Nelson Macedo requesting permission to accept a donation in the amount of \$1,500 from M.A.D.D. for the purchase of a computer for the Traffic Unit. Mr. Boynton asked that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

13 - CERTIFICATION - Letter from Director of Finance Dominic Setaro requesting approval of the transfer of \$6,867 to the Library Part-Time Services Account in accordance with the DMEA contract. The transfer of funds was authorized on the Consent Calendar.

14 - COMMUNICATION & CERTIFICATION - Request for the sum of \$2,500 for the City Clerk's Office for the publication of legal notices. The transfer of funds was authorized on the Consent Calendar.

15 - COMMUNICATION - Letter from Nancy Marcus, Chairman of the Board of Education and Anthony Singe, Superintendent of Schools requesting that the City reallocate the unused \$5,000 for the 1992-93 school appropriations to be used by Broadview Middle School, Rogers Park Middle School and Danbury High School for extra curricular activities for the remainder of the school year. The Board's \$5,000 would be in conjunction with the matching funds from the City. Mr. DaSilva made a motion that the communication be accepted and the \$5,000 be allocated for extra curricular activities pending certification. Seconded by Mrs. Outlaw. Mr. Levy asked the Mayor to explain where the \$5,000 would come from. Mayor Eriquez did so explaining that by prior Resolution the Board of Education must come to the Common Council to reallocate any unexpended funds. Motion carried unanimously.

16 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting consideration of Ernst and Young to be appointed as Independent Auditors for the fiscal year ending June 30, 1994. The appointment was confirmed on the Consent Calendar.

17 - COMMUNICATION - Request from Council Member Thomas Valeri that a Charter Revision Commission be appointed to review the minority representation clause. Mr. DaSilva asked that this be referred to an ad hoc committee, Corporation Counsel and the Mayor. Mayor Eriquez so ordered and appointed Council Members DaSilva, Esposito and Scozzafava to the committee.

18 - COMMUNICATION - Letter from Richard F. Krieg asking that a City ordinance be enacted regarding mandates of the City. Mr. Boynton made a motion to accept the communication and take no action. Seconded by Miss Dennehy. Motion carried unanimously. Mayor Eriquez stated that there are no City mandates, all come from either the State or Federal Governments.

19 - COMMUNICATION - Letter from Acting Corporation Counsel Eric Gottschalk stating that the January vote to convey city-owned property on Hospital Avenue to Dr. Fry was in error. The vote would require a 2/3 vote of the entire membership and therefore the proposed transfer should be reconsidered and a new vote taken.

Mayor Eriquez explained that there are two ways to proceed. Anyone voting previously in the negative (there were 6) may make a motion to reconsider or any new motion may be put forth. Mr. Levy made a motion to reconsider. Seconded by Mr. Arconti. Motion carried with Mr. Trocolla voting in the negative.

Mr. Levy then made a motion to amend the main motion as stated in the report to reduce the selling price to \$17,200. Seconded by Mr. Capiello. Mr. Boynton stated that the parcel is landlocked, therefore this price is reasonable as it will add to the tax rolls and encourages business. Miss Dennehy will vote against the amendment as she believes it is not the job of the Common Council to negotiate price. Mr. Gallagher stated that he agreed with Miss Dennehy. Mr. Trocolla stated that he is not in favor of selling the property.

Mr. Arconti stated that the Planning Commission approved the sale of the property and that the price set by the Assessor was only a recommendation and it is within the authority of the Common Council to set a price. Mr. Capiello stated that it would be found money for the City and the City would start to collect taxes on it.

Mr. Setaro stated that his previous opposition was based on the way the Common Council came to the price. It is a better course to allow the Corporation Counsel and the Tax Assessor to negotiate the price, not that it should be lower. Opposes the amendment.

Mr. Levy stated that this is no reflection on the Tax Assessor, but the Common Council must consider all information and make a decision based on that. Mr. Machado stated that the original motion should be reconsidered.

Mr. Trocolla asked how the Assessor arrived at the price. Mr. Arconti stated that he did not recall the exact method he used. Mr. Trocolla asked if the price was discounted. Mr. Arconti stated that he believes that he did because it is not a marketable piece of property.

Mr. Gallagher moved the question. Seconded by Mr. Setaro. Motion carried unanimously.

The amendment fails with the members voting as follows:

YES - Levy, Arconti, Boynton, Gomez, Cappiello

NO - Scalzo, Falzone, Yamin, Dennehy, Gallagher, Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Beck, Setaro, Trocolla, Valeri

5 Yes - 15 No

Mr. Charles asked Mr. Buckley if sewer and water would be available to the property. Mr. Buckley said that he is not that familiar with the property. Mr. Trocolla said that this property had been in the hands of the City for a long time. It was a part of the old Town Farm and it abuts the Broadview property. Should be kept as open space. It is a viable piece of property for the City.

Mr. Boynton made a motion to move the questions. Seconded by Mrs. Outlaw. Motion carried unanimously.

Vote on the main motion carried with Mr. Trocolla voting in the negative.

20 - COMMUNICATION - Reports from Planning Commission and City Engineer regarding Woodland Construction Terrace Heights Subdivision Request for bond reduction. The reports were accepted on the Consent Calendar.

21 - COMMUNICATION - Draft lease with the United States Department of the Army requesting permission to park military vehicles in the secure area of the Airport periodically. Miss Dennehy asked that this be referred to an ad hoc committee, the Airport Administrator, the Aviation Commission and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Coladarci, Machado and Cappiello to the committee.

22 - COMMUNICATION - Offer to sell land on Old Brookfield Road to the City. Mrs. Coladarci asked that this be referred to an ad hoc committee, Director of Planning, Planning Commission, Director of Parks and Recreation and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Arconti, Trocolla and Yamin to the committee.

23 - COMMUNICATION - Petition to accept Wilkes Road. Mr. Setaro asked that this be referred to an ad hoc committee, the City Engineer, Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, DaSilva and Cappiello to the committee.

24 - DEPARTMENT REPORTS - Public Utilities, Health and Housing, Parks and Recreation, Police Department, Department of Elderly Services, Highways, Ambulance. Mr. DaSilva 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. Charles. Motion carried unanimously.

25 - REPORT - Request for Funds for Hanahoe Clinic

Miss Dennehy submitted the following report:

The Common Council Committee appointed to review the request for a grant for Hanahoe Clinic met at 7:15 P.M. in Room 432 in City Hall. In attendance were committee members Dennehy, Beck and Cappiello.

Miss Dennehy explained to the committee that this request for \$20,000 was granted via the Community Development Block Grant Policy Board in August, 1993. Miss Dennehy presented a letter from Director of Finance Dominic Setaro's office confirming the money granted to Hanahoe.

Mr. Cappiello made a motion to deny the amount requested because this amount was already granted in 1993. Seconded by Miss Beck. Motion carried unanimously.

The report was adopted on the Consent Calendar.

26 - REPORT - Request for Funding for Latino and Latino Families who are uninsured.

Miss Dennehy submitted the following report:

The Common Council Committee appointed to review a request for funding for Latinos and Latino families who are uninsured met at 7:30 P.M. in Room 432 on January 11, 1994. In attendance were committee members Dennehy, Beck and Cappiello. Also in attendance was Roberto Gomez, ex-officio.

Miss Dennehy explained to the committee members that this committee was appointed in September, 1993 and due to the November elections it was difficult to call this meeting. Miss Dennehy called Jeanette Janik, the program director, and found out that Miss Janik does not work in the Greater Danbury Substance Abuse Project Office. A representative from the office could not attend the meeting and was not at all familiar with the project. Miss Dennehy explained to the office that the City has no excess funds available and she suggested that their office seek funding via the Community Development Block Grant Program. The applications are available in the Office of the Director of Finance and are available in July. Miss Dennehy told the office she would send them a copy of the report.

Miss Beck made a motion to deny the request for funding and inform the office of the Community Development Block Grant. Seconded by Mr. Cappiello. Motion carried unanimously.

The report was adopted on the Consent Calendar.

27 - REPORT - Request for Land at Hatters Park for a Future PAL Youth Center.

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review a request from PAL to lease land at Hatters Park for a future PAL Youth Center met at 7:00 P.M. on January 19, 1994 in City Hall. In attendance were committee members Arconti, Dennehy and Scozzafava. Also in attendance were Director of Parks and Recreation Robert Ryerson, Assistant Corporation Counsel Eric Gottschalk, Executive Director of PAL Nelson Neves and members of the public.

Mr. Arconti stated that the Planning Commission gave a preliminary positive recommendation for this proposal, pending further review of specific plans. Mr. Ryerson and Mr. Neves described this proposal and discussed the benefits of a youth activities center at this location. Mr. Neves stated that PAL would like to construct an approximately 26,000 square foot building at this site. It would primarily accommodate various youth activities, but would also be available for use by other community groups. The proposal is similar to one previously approved by the Common Council, which made City land available at Kenosia Park.

Mr. Scozzafava moved to recommend that the Common Council approve the concept of using City land at Hatters Park to accommodate an approximately 26,000 square foot building for a PAL Youth Center in lieu of its previous agreement to accommodate this project at Kenosia Park and pending all necessary land use approvals and further review an approval of lease agreements by the Common Council. The motion was seconded by Miss Dennehy and passed unanimously.

Mr. DaSilva made a motion to accept the report and the recommendations to accommodate a future PAL Youth Center. Seconded by Miss Dennehy. The Mayor explained the concept for the future of Hatters Park. A steering committee will be appointed shortly. It is hoped that the complex will be started by the end of 1994. Motion carried unanimously.

28 - REPORT - Request for Payment of Towing and Storage Charges

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request for payment of towing and storage charges met on January 24, 1994 at 7:00 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Scalzo, Gallagher and Cappiello. Also in attendance were Police Chief Nelson Macedo, Corporation Counsel Eric Gottschalk and Mr. Charles Perry.

Mr. Scalzo reviewed the information presented by Mr. Perry through a letter from his attorney as well as the information from the police report and the towing service of Westfield, Massachusetts where the car was found. Chief Macedo provided reports from his department as well as stating the responsibilities of individuals according to law. The towing service sent certified letters with return receipt requested which were not complied with by Mr. Perry. A registered letter was sent on December 15th and accepted by Mr. Perry on December 18 1993.

Mr. Perry informed the committee that he was told repeatedly by officers of the Danbury Police Department that he would be called when the vehicle was found. The stolen vehicle report was not posted on the board but was in the computer and reported through NCIC network. It was repeatedly stated that the responsibility was with the towing company and they met their responsibility by sending certified and registered letters at various intervals which were not picked up by Mr. Perry until December 18, 1993.

Mr. Gallagher made a motion to recommend to the Common Council to reject the request for reimbursement of towing and storage fees. The motion was seconded by Mr. Cappiello and passed unanimously.

The report was adopted on the Consent Calendar.

29 - REPORT - Charter Revision Commission Recommendations

Mr. DaSilva submitted the following reports:

The Common Council Committee appointed to review the suggestions of the Charter Revision Commission met at 7:30 P.M. on January 24, 1994 in City Hall. In attendance were committee members DaSilva, Coladarci, and Scozzafava. Also in attendance were Council Members Esposito and Setaro, ex-officio, Mayor Gene Enriquez, Corporation Counsel Eric Gottschalk and several members of the public.

The gist of the suggestions from the Charter Revision Commission were in the area of public participation. Specifically, the recommendations dealt with constituent meetings and more specific to the budget process. After considerable discussion between committee members, Mayor Enriquez and members of the public, the following items were moved by Mrs. Coladarci as recommendations to the Common Council:

CONSTITUENTS MEETINGS

1. Improve publication of all constituent meetings.
2. Make available the Common Council Chambers if needed.
3. Assign a designated number of Council Members to attend meetings to assure sufficient representation while encouraging all members to attend meetings.
4. Have constituent meetings in the various wards to be attended by Ward Representatives and Council Members at large.

5. Make sign up sheets available at all constituent meetings.

PUBLIC INPUT AT BUDGET TIME

1. Have an informational question and answer session on the budget with the Mayor, Director of Finance and selected Department Heads subsequent to the informational meeting with the Council and prior to the Public Hearing on the budget.
2. Recommend budget committees vote on their budget items following the public hearing on the budget.
3. Keep a list of questions at public hearing to be answered at subsequent committee of the whole meeting when possible.

Mr. Scozzafava seconded the motion which passed unanimously.

Mr. Falzone made a motion to adopt the reports and the recommendations contained therein. Seconded by Mr. Gallagher. Motion carried unanimously.

30 - PROGRESS REPORT - Request for funds for Tarrywile Park Authority for an Architectural Study of Hearthstone Castle.

Mr. Setaro submitted the following report:

The Committee appointed to review the request from the Tarrywile Park Authority met on January 25, 1994 at 8:15 P.M. in Room 432 of City Hall. Present were committee members Setaro, Dennehy and Yamin. Also in attendance were Gerald Daly, Tarrywile Park Authority Chairman, Michael Cappiello, Tarrywile Park Director and Warren Levy, ex-officio.

Mr. Setaro explained that the Authority is requesting \$7,150 to supplement an \$1,800 grant for the \$8,950 study. The rationale for the study is to evaluate the Castle in order to facilitate rehabilitation of the Castle. He also stated that no funds are available in Contingency based upon a memo from the Finance Office.

Mr. Cappiello stated that the grant must be expended by October 29, 1994. Ms. Dennehy stated her opposition to the Council's satisfying this request and that the Authority should look to its fiscal year 1993/1994 budget for these funds or, in the alternative, through appropriate planning 1994/1995 funding may also satisfy this request.

Mr. Setaro explained that the Authority should consult with the State Historical Commission and Department of Economic Development for existing grant opportunities which may allow the Authority to utilize its existing budgeted funds. He added that due to the charge of the ad hoc committee, the committee could take no action at this time but continue the committee in order to facilitate any Council review or approval of additional grant applications by the Authority for this project.

Mr. Yamin moved to defer this request and take no action until such time as funds may become available in the contingency fund. Seconded by Mr. Setaro. Motion passed with Miss Dennehy voting in the negative.

Mr. Boynton made a motion to adopt the read as read. Seconded by Mrs. Outlaw. Miss Dennehy explained that she voted no because the City has no money at this point and during these tough economic times, renovations to a castle would not be a priority. Motion carried with Council Members Dennehy, Gallagher, Machado and Outlaw voting in the negative.

31 - PROGRESS REPORT - Offer to sell property at 45 West Street to the City.

Mr. Setaro submitted the following report:

The Committee appointed to review the offer to sell property located at 45 West Street to the City met at 7:30 P.M. on January 19, 1994 in Room 432 of City Hall. In attendance were Council members Setaro and Scozzafava. Also in attendance were City Assessor Robert Coyne, Director of Finance Dominic Setaro, Jr., Superintendent of Public Buildings Richard Palanzo, Building Official Leo Null and Planning Director Dennis Elpern. Also in attendance was Paul Valeri realtor and agent for the sellers of the property at issue.

Mr. Setaro read for the record the Planning Commission report which indicated a positive recommendation for the purchase of the property. Mr. Valeri explained that the purchase price of the property is \$800,000, that the City's purchase could be paid in installments and that the proximity of the property to City Hall is strategic in that it could serve as the site of a future City Hall annex.

The Director of Finance stated that there currently exists a lack of space in City Hall, that this situation is evidenced by the City's leasing office space outside of City Hall in the amount of \$64,000 per year and that the property at issue could be purchased without offering bonds and without impacting the mil rate. Mr. Elpern stated that a 1990 study estimated that the construction of an addition and parking garage onto the present City Hall would cost \$9.7 million, that permit offices could relocate to the property at issue and that the additional parking area which would be made available on this site is significant and necessary.

Mr. Null and Mr. Palanzo offered a written evaluation of the condition of the structure located at 45 West Street. The report illustrated numerous problems associated with the building related to heating, fire sprinklers, plumbing, electrical system, roof replacement and potential

environmental issues due to the existence of underground tanks and the long time use of the building as a garage for automobile repair and servicing. Officials of all departments agreed that the structure would require extensive renovation and that the parcel serves a key purpose to the City solely in its potential for parking but also as the site of a structure to be built at a future time which could serve as a City Hall annex.

Mr. Scozzafava stated his concern that the property may be the site of serious environmental problems as storage tanks are located underground and waste oil may have leached into the soil. Mr. Setaro stated that the inadequate condition of the structure would prevent the City from moving offices currently located at leased locations to the West Street location. He added that since the structure is of no value to the City due to its condition that the purchase price must be negotiated to reflect its actual value, that it is clear that the role of the Council should not include negotiating the purchase of real property, and that the Council may not delegate its authority, mandated by the Charter, to recommend the purchase of property to any other City department. It was the sense of the committee that additional information was critical and need be provided to the committee regarding those issues surrounding the evaluation submitted by the Building Department, outstanding environmental issues and the purchase price.

Mr. Scozzafava moved that there is sufficient interest in the concept of the purchase of 45 West Street by the City to warrant that the Mayor be authorized to appoint a committee of City officials to negotiate the purchase price and address the concerns and issues raised in the evaluation submitted by the Building Department and report back to the committee with its findings. Seconded by Mr. Setaro. Motion passed unanimously.

The Progress Report was adopted on the Consent Calendar.

32 - PROGRESS REPORT - Request for Funds for Tarrywile Park Authority for a Capital Improvement Project

Mr. Setaro submitted the following report:

The Committee appointed to review the request from the Tarrywile Park Authority held its second meeting on January 25, 1994 at 7:00 P.M. in Room 432 of City Hall. Present were committee members Setaro, Dennehy and Yamin. Also in attendance were Gerald Daly, Tarrywile Park Authority Chairman, Michael Cappiello, Tarrywile Park Director and Warren Levy, ex-officio.

Mr. Setaro explained that the committee had met on November 15, 1993 and deferred the request for two months in order to better evaluate the balance of the contingency account and the foreseeable need for supplemental appropriations related to snow, ice and overtime. The Authority had requested \$28,000 to supplement unexpended state grant monies in order to rehabilitate the farm house to produce additional rental income and greater park security. He added that the Director of Finance could not attend this second meeting but that he had requested a memo explaining the status of the contingency account and the committee's options regarding the request for additional funds in light of the fact that the state grant must be expended by December 31, 1994.

The Director of Finance outlined that no funds are available in contingency and that the Authority's request could be satisfied by utilizing Local Capital Improvement Program funds from the state Department of Transportation. Mr. Daly presented the committee with an amended request for \$45,000 due to the fact that the previous request was based upon what was viewed as an extremely favorable bid proposal and that the Purchasing Department is requiring that all of the funds for the project be approved prior to inviting a new round of bidding. He added that he would not want to begin the project only to ultimately fall short of completion due to a lack of funding.

Ms. Dennehy stated that she had serious concerns regarding this expenditure, that the committee does not have adequate information as to whether a \$45,000 appropriation would complete the project and how the request for an additional \$17,000 would impact on the City's other project proposals to be funded under LoCIP.

Mr. Daly stated that if the Council does not approve this request the outstanding grant funds could be applied to either rehabilitating the heating system and installing air conditioning in the Mansion or partially repairing the Castle roof.

Mr. Yamin moved that due to the outstanding questions regarding the bidding procedure and the impact of the request for an additional \$17,000 upon the City's LoCIP application to the Connecticut Department of Transportation, that the committee recommend to the full Common Council that no action be taken until such time as another meeting be held as soon as possible and at which these outstanding questions can be addressed. Seconded by Ms. Dennehy. Motion passed unanimously.

The Progress Report was approved on the Consent Calendar.

The Mayor extended all committees.

The Mayor appointed the following Council Members to the Education Budget Committee:

Christopher Setaro, Chair
Harry Scalzo
Matthew Gallagher
Joseph Scozzafava
David Cappiello

Mr. DaSilva stated that the Mayor will celebrate his 41st birthday on February 9th.

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

Respectfully submitted,

Jimmie L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk