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

RE: Minutes of the Special Common Council Meeting held November 29, 1994.

The meeting was called to order at 9:05 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

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

ABSENT - Scalzo, Charles

19 Present - 2 Absent

Mr. Charles had a previous committment

NOTICE OF THE SPECIAL MEETING - To be held on the 29th day of November, 1994 at 8:00 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the items listed below. Mr. DaSilva made a motion to accept the notice of the Special Meeting of the Return of Service. Seconded by Mr. Setaro. Motion carried unanimously.

PUBLIC SPEAKING

1. Bob Carlson, President of the Lake Place Condominium Association Spoke regarding item 10. Passed out a memo outlining their proposal. Explained that the proposal was detailed and why they want to make the change: for safety purposes, consistency for everyone and it is preferre by the Post Office. The Planning Department has already implemented the change. The Board of Directors overwhelmingly voted for this as did a majority of the unit owners.

2. John Vossler, 12-147 Boulevard Drive - He is not in favor of changing the address (item 10). Feels that safety is not an issue. Supports a legal change if the roads would become City roads and not private roads. The change could be to Boulevard Drive North and Boulevard Drive South. People could use a second address line.

3. Regina Ofiero, Lake Place South - Regarding item 10, she has been dealing with the Post Office, 911 personnel, etc. concerning this change. She has had problems with receiving important mail because of the confusing address. For the welfare of everyone the address change should be made.

4. Frank Thomas, 8 West Street - Spoke regarding item 11. Feels it would be fair to reduce the rate to Danbury haulers to make it less than the fee charged to out of town carriers.

5. Raymond Yamin, 29 Fanton Road - Spoke regarding item 14. Spoke regarding the premise of the diversity plan. Addressed such items as homelessness, statistics regarding the minority population. Mentioned the movie "A few good men". A large majority of the population does not want multi-culturalism. Doesn't occur to most immigrants that this Country owes them a job, etc. until government tells them so. This plan is a disservice to the community.

6. Abner Burgos-Rodriques, 8 Corntassle Road - Thanked the Common Council for its efforts. He knew that this plan would be difficult. People are trying to do the best they can in developing this plan. This town is a leader.

7. Lynn Waller, 83 Highland Avenue - Asked who makes the decision as to who decides what parts of the plan we join in on. Who pays? If the State pays, we are the State. We still have empty pockets. The transportation portion concerns her because HART bus may be expanded and the riders do not absorb all the costs. The taxpayers share the cost.

8. Reverend Michael Coburn, 2 Cannondale Drive - Congratulated the Common Council on its efforts and their ability to see through the cynicism. This plan wants to build bridges.

9. Monique LeCoz, 23 Woodbury Drive - Spoke regarding item 10. 911 is in a national crises and changing the address will not help. She also asked where the solid waste and demolition waste were sent before. Will this also take care of asbestos.

NOTICES

December 4th - Common Council Fire Wood Sale, 8:00 A.M. to 12 Noon at Landfill

Congratulations to Danbury Vikings on their regional championships They will leave Danbury on December 8th to compete in the National Championship in California.

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

1 - Approve supplemental agreement with State for Triangle Street Bridge
2 - Approve resolution for Union State Rehabilitation
3 - Approve agreement with State for reconstruction of Coal Pit Hill Road
4 - Approve acquisition of right of way at 215-219 Main Street
7 - Approve appropriation of $4,000 for Building Department
8 - Approve purchase of computer for Fire Department - $250.00
9 - Approve borrowing of $500,000 for Water Bond Issues
11 - Approve ordinances regarding solid waste demolition materials
12 - Approve ordinances regarding septage treatment, rules, regulations and fees
13 - Approve ordinance regarding Youth Commission
15 - Approve installation of sewer of Morgan Avenue
16 - Approve easement for Residence Inn on Segar Street
17 - Approve extension of time for sewer and water on Pocono Lane, Sunrise Road and Federal Road
18 - Approve appropriation of funds from wood sale - Children's Christmas Fund and Hanahoe Clinic
19 - Approve recommendation regarding drainage problem on Delno Drive

Mr. Setaro made a motion that the Consent Calendar be adopted as presented. Seconded by Miss Dennehy. Motion carried unanimously.

1 - RESOLUTION - First Supplemental Agreement to Original Agreement with State - Triangle Street Bridge.

RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized tosign the agreement entitled "First Supplemental Agreement, Project Loan and Project Grant Agreement Between the State of Connecticut and the City of Danbury Under the Local Bridge Program for the Triangle Street Bridge No. 4073.

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - Union Station Rehabiliation

RESOLVED by the Common Council of the City of Danbury:

Description: "Agreement Between the State of Connecticut and the City of Danbury for the Rehabilitation, Inspection and Maintenance of Union Station Utilizing Federal Funds under the Enhancement Component of the Surface Transportation Program."

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, be and hereby is authorized to sign the agreement entitled "Agreement Between the State of Connecticut and the City of Danbury for the Rehabilitation, Inspection and Maintenance of Union Station Utilizing Federal Funds under the Enhancement Component of the Surface Transportation Program."

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Agreement between the State of Connecticut and City of Danbury for Construction, Inspection and Maintenance of Improvements to Coal Pit Hill Road, etc.

Description: Agreement Between the State of Connecticut and the City of Danbury for the Construction, Inspection and Maintenance of Improvements to Coal Pit Hill Road/Lions Way/Rocky Glen Road Intersectio

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, be and hereby is authorized to sign the agreement entitled "Agreement Between the State of Connecticut and the City of Danbury for the Construction, Inspection and Maintenance of Improvements to Coal Pit Hill Road/Lions Way/Rocky Glen Road Intersection Utilizing Federal Funds from the Surface Transportation Program."

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Right of Way at 215-219 Main Street

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is in the best interest of the City of Danbury to acquire an 11 ft., more or less, wide strip of property in the central business district for construction of a pedestrian walkway to be located along the north side of the former Steinbach building running from property of Union Savings Bank of Danbury east to Delay Street; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of the property, formerly the Estate of Fred Straus, on the amount, if any, to be paid for the respective interests of each to be taken in and to the real property as set forth on the attached Schedule A;

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests of the owners and/or trustees as set forth on said schedule either by negotiation or by eminent domain through the institution of suits against said property owners and/or trustees, their heirs, successors or assigns and their respective mortgage holders and encumbrancers, if any.

The Resolution was adopted on the Consent Calendar.

5 - COMMUNICATION - Letter from Director of Parks and Recreation Robert Ryerson requesting permission to accept a donation in the amount of $75.00 from the Connecticut State Employees Association Retirees. Miss Dennehy made a motion that the communication be received, the donation accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Outlaw. Motion carried unanimously.

6 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept a donation of $6,000 from the Library Board of Directors and $6,000 from the FRIENDS of the Danbury Public Library as the City's match to a federal grant to plan an electronic community network. Mr. Falzone made a motion that the communication be received, the donation accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

Letter from Library Director Betsy McDonough requesting permission to accept a donation in the amount of$30.00 from Edyce E. Hornig for the BOOKS line item. Mr. Levy made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Outlaw. Motion carried unanimously.

7 - COMMUNICATION - Letter from Building Inspector Leo P. Null requesting that the sum of $4,000 be transferred from the contingency fund to the part-time services account to cover salaries based on the DMEA contract. A certification of funds was attached. The request was granted and the transfer of funds authorized on the Consent Calendar.

8 - COMMUNICATION & CERTIFICATION - Letter from Fire Chief Carmen Oliver requesting that the Fire Department be allowed to use funds from the Fire Alarm Ordinance Account to purchase a computer monitor for $250.00. A certification of funds was attached. The request was granted and the transfer of funds authorized on the Consent Calendar.

9 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting that the Common Council authorize him to borrow up to a maximum of $500,000 from the Water Fund to meet preliminary expenses of the Water Bond issue. The request was granted on the Consent Calendar.

10 - COMMUNICATION - Request to change the legal address for the Lake Place Condominiums. Mr. Levy asked that this be referred to the ad hoc committee, the Director of Planning, the 911 Co-ordinator and the Fire Chief. Mayor Eriquez so ordered and appointed Council Members Machado, Outlaw and Scozzafava to the committee.

11 - REPORT & ORDINANCES - Solid Waste, Demolition Materials

Mr. DaSilva submitted the following report and ordinances:

The Common Council met as a committee of the whole at 8:08 P.M. on November 21, 1994 to review proposed ordinance revisions regarding solid waste-demolition materials. These revisions will allow the City of Danbury to receive demolition wastes at the City landfill. This action has been proposed because the State of Connecticut is in the process of developing a consent order to close the landfill in 1996. The taking of demolition at this site will allow the City to realize significant revenue until this time. This revenue can be used for landfill closure and for use in the general fund.

After discussion, Mr. Boynton moved to recommend approval of proposed ordinance amendments 16-A-31(b), 16A-32(b), 16-A-32(c), 16-A-32(f) and 16-A-32(j). The motion was seconded by Mr. Yamin and passed unanimously.

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

THAT Subsection 16A-31(b) of the Code of Ordinances of Danbury Connecticut is hereby amended to read as follows:

Sec. 16A-31. **Waste deposits.**

(b) Temporary permits. Notwithstanding the provisions of this or any other section of the Danbury Code of Ordinances, temporary permits authorizing the disposal of permitted wastes at the Danbury Sanitary Landfill site may be issued to Danbury taxpayers and residents upon payment of the permit fee. Said fee shall be ten dollars ($10.00) per vehicle, per day. Upon payment of said permit fee, no additional user fee shall be imposed. Temporary permits shall entitle the holder thereof to dispose of waste on the date specified therein. No taxpayer or resident may obtain more than four (4) temporary permits during any fiscal year. Temporary permits shall neither be assigned nor transferred by the holder thereof. No wastes disposed of under the provisions of this section may originate from a source other than the residence or place of business of the permit holder.

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

THAT Subsection 16A-32(b) of the Code of Ordinances of Danbury Connecticut is hereby amended to read as follows:

Sec. 16A-32. Deposit regulations.

(b) Certain materials prohibited. No person, firm, corporation or other entity shall dispose of the following materials at the Danbury Sanitary Landfill site, nor shall any person, firm, corporation or other entity knowingly dispose of said materials in any manner which results in the ultimate disposal thereof at the Danbury Sanitary Landfill site:

(1) Vehicles or parts thereof.

(2) Tree stumps.

(3) Demolition or renovation materials or debris, unless such demolition or renovation materials meet the requirements of Subsection 16A-32(j) hereof. Provided, however, that the following substances shall be accepted at the Danbury Sanitary Landfill site for disposal without regard to the provisions of Subsection 16A-32(j): (i) demolition or renovation materials or debris originating from the renovation of owner-occupied residential structures located within the City of Danbury, and maintained for three (3) families or less; and (ii) demolition or renovation materials or debris generated by nonprofit organizations during the course of demolition or renovation of one or more structures located with the City of Danbury in furtherance of a plan to provide low or moderate-income housing opportunities.

(4) Hot ashes from coal, wood, charcoal or other combustible materials.

(5) Metal hydroxide sludges.

(6) Hazardous wastes. For purposes of this article, the phrase "hazardous wastes" shall have the definition established in Section 9-74 of the Danbury Code of Ordinances for the phrase "hazardous substances."

(7) Recyclable materials identified in Section 16A-80 hereof.

When acting with the approval of either the director of the department of public works or, in his absence, the mayor, the City of Danbury shall not be subject to the provisions of this Subsection.

THAT Subsection 16A-32(c) of the Code of Ordinances of Danbury Connecticut is hereby amended to read as follows:

Sec. 16A-32. Deposit regulations.

(c) Deposits of wastes from outside corporate limits of city prohibited; exceptions. No person, firm, corporation, business, partnership or other entity shall deposit refuse, garbage or sludge at the Danbury Sanitary Landfill site unless said refuse, garbage or sludge originates or comes from within the corporate limits of the City of Danbury; provided, however, that refuse, garbage or sludge originating outside of the corporate limits of the City of Danbury may be deposited at the Danbury Sanitary Landfill site pursuant to an interlocal agreement between the city and any other municipality as may be authorized by the common council. The foregoing provisions of this subsection notwithstanding, demolition or renovation materials or debris originating outside of the corporate limits of the City of Danbury may be deposited at the Danbury Sanitary Landfill site provided that the provisions of Subsection 16A-32(j) hereof have been met.

THAT Subsection 16A-32(d) of the Code of Ordinances of Danbury Connecticut is hereby amended to read as follows:

Sec. 16A-32. Deposit regulations.

(d) Requirements for nonpassenger permits. In order to obtain a nonpassenger vehicle permit, the owner or lessee, or an officer (identified and authorized as to title) of the owner or lessee, of each nonpassenger vehicle engaged in the disposal of wastes at the Danbury Sanitary Landfill site shall be required to register with the department of public works of the city on a form provided by it, disclosing to said department the information set forth in paragraph (f) below. The applicant shall further be required to sign an affidavit of origin, under penalty of false statement, that all refuse, garbage or sludge hauled to the Danbury Sanitary Landfill site originates or comes from within the corporate limits of the City of Danbury or from a municipality permitted to dispose of refuse, garbage or sludge at the Danbury Sanitary Landfill site pursuant to a duly authorized interlocal agreement; or in the case of demolition or renovation materials or debris originating outside of the corporate limits of the City of Danbury, that the provisions of Subsection 16A-32(j) hereof have been met. No vehicle used commercially to haul permitted wastes to the Danbury Sanitary Landfill site shall be permitted access to the site unless a valid commercial permit sticker is permanently affixed to said vehicle. Such permit stickers may be obtained from the Danbury Department of Public Works after registration and payment of any fees approved by the common council of the city as required by Section 16A-31(a). Such nonpassenger vehicle permits shall neither be assigned nor transferred by the holder thereof.

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of a new Subsection, designated as 16A-32(j), which said Subsection reads as follows:

Sec. 16A-32. Deposit regulations.

(j) Disposal of mechanically processed demolition or renovation materials or debris. No person, firm, corporation or other entity may dispose of demolition or renovation materials or debris at the Danbury Sanitary Landfill site except in accordance with the further provisions hereof. Any person, firm, corporation or other entity wishing to dispose of demolition or renovation materials or debris at the Danbury Sanitary Landfill site shall:

(1) Obtain a permit pursuant to the provisions of Subsection 16A-32(d) hereof.

(2) Mechanically crush said demolition or renovation materials or debris prior to its disposal at the Danbury Sanitary Landfill site such that the largest dimension of any particle of material or debris is smaller than four (4) inches.

(3) Certify that the demolition or renovation materials or debris does not contain hazardous wastes prohibited pursuant to the provisions of Subsection 16A-32(b)(6) and that the disposal of said materials or debris is in compliance with the provisions of Title 40 of the Code of Federal Regulations, Part 258. Upon the request of the manager of the Danbury Sanitary Landfill site, laboratory test analyses confirming compliance with the foregoing requirements shall be provided.

(4) Establish an account with the City of Danbury for the advance payment of charges associated with the disposal of said demolition or renovation materials or debris. The charges associated with the disposal of said materials or debris shall be deducted from the account balance at the rate, per ton, established by the Common Council.

(5) Comply with all regulations promulgated and orders issued by the State of Connecticut or any other lawful authority.

THAT Subsection 16A-32(f) of the Code of Ordinances of Danbury Connecticut is hereby amended to read as follows:

Sec. 16A-32. Deposit regulations.

(f) Registration form; affidavit of origin.

DANBURY SANITARY LANDFILL

DISPOSAL PERMIT APPLICATION

Applicant's Name: _____
Mailing Address: _____
_____ Zip Code_____
Telephone Number: _____

VEHICLE INFORMATION

Make: _____ Model: _____ Year:_____
Body Type: _____ Color: _____ License: _____
Tax Town: _____ Where Vehicle Garaged: _____
Registered To:
Name: _____
Address: _____
_____ Zip Code: _____
Vehicle Identification No.:_____

NONPASSENGER APPLICANTS

A. Additional vehicles, covered under this permit, are subject to an additional application fee. All vehicle information, listed above, must be attached on a separate page.

B. List all principals or officers of your company and their titles:

1._____ 2._____
3._____ 4._____

Any hazardous or toxic substances which have been identified by the Connecticut State Department of Transportation, Health and Environmental Protection as posing a potential threat to the public health, environment or safety must be specifically identified to the Director of Health at this time and a copy of the DEP authorization to transport such substances furnished to the Director of Health within seven (7) days of application for this permit.

The undersigned, being the owner or a duly authorized officer of the owner of the attached listed vehicle or vehicles (HAVING BEEN DULY WARNED OF THE PENALTIES OF FALSE STATEMENT) hereby attests to the truth of the matters contained in this Registration Form and Affidavit of Origin and agrees that neither he/she will by himself/herself nor his/her agent, employee or permitted vehicle operator allow to be deposited in the Danbury Sanitary Landfill site any refuse, garbage, septic waste or sludge which has not originated in or come from within the corporate limits of the City of Danbury, or in the case of demolition or renovation materials or debris originating outside of the corporate limits of the City of Danbury, that the provisions of Subsection 16A-32(j) hereof have been met.

I fully understand that if I make a statement which is untrue and which is intended to mislead a public servant in the performance of his official function, I will be in violation of Section 53a-157 of the Connecticut Penal Code. A false statement is a Class A misdemeanor punishable by up to one (1) year in jail and/or a fine up to $1,000.00

Witnessed by:

_____ _____
Name of Applicant (print)

Date: _____ _____
Signature of Applicant

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

12 - REPORT & ORDINANCES - Septage Treatment, Rules, Regulations and Fees.

Mr. DaSilva submitted the following report and ordinances:

The Common Council met as a committee of the whole at 8:08 P.M. on November 21, 1994 to review proposed ordinances regarding septage treatment, rules, regulations and fees. These ordinance amendments would enable the City of Danbury to accept septage from cities and towns other than Danbury and the towns with which Danbury now has an interlocal agreement. These other cities and towns would pay a fee greater than that paid by Danbury and the towns with an interlocal agreement. The purpose of this would be to give the opportunity to Danbury to gain revenue to offset the sewer user charge to our users. It would have almost no effect on capacity at the sewer treatment plant.

Mr. Boynton moved to recommend approval of proposed ordinances sec. 16-24(a), 16-14(b)(1) and 16-14(c). The motion was seconded by Mr. Gallagher and passed unanimously.

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

THAT Subsection 16-14(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

16-14. Septage treatment rules, regulations and fees.

(a) Applicability. This section shall govern the removal, transporation and disposal of all materials removed from any septic tank, cesspool, privy and/or subsurface sewage disposal system, hereafter known as "septage." This section provides minimum standards for the removal and disposal of septage in accordance with Sections 19-13-B104b and 19-13B104c of the Regulations of Connecticut State Agencies.

THAT Paragraph (1) of Subsection 16-14(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

16-14. Septage treatment rules, regulations and fees.

(b) Permit procedures:

(1) In accordance with subparagraph 19-13-B104c(b)(2)(B) of the Regulations of Connecticut State Agencies, all septic haulers wishing to dispose of septage within Danbury shall first obtain an annual permit from the director of health or his agent. Said permit shall authorize the permit holder to transport septage to and dispose of said materials at the Danbury Sewage Treatment Facility. The permit application shall require presentation of a valid subsurface sewage disposal system cleaner's or installer's license.

THAT Paragraphs (1) and (5) of Subsection 16-14(c) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows

16-14. Septage treatment rules, regulations and fees.

(c) Disposal procedures.

(1) Each municipally authorized septic hauler shall obtain a sticker, issued by the City of Danbury, which shall be displayed upon each vehicle of each such hauler. The stickers shall include the name of the permittee, the date of expiration of the annual permit, the permit number and the current motor vehicle registration number of the permittee's vehicle.

(5) The City of Danbury shall accept only liquid septic waste pumped from tanks or other approved containers.

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

13 - REPORT & ORDINANCE - Youth Commission

The Common Council met as a committee of the whole at 8:08 P.M. on November 21, 1994 to review a proposed ordinance regarding the Youth Commission of the City of Danbury. Mayor Eriquez explained that the proposed revisions would streamline the commission and make it more task oriented. It was discussed that an ordinance such as this should give the parameters of the duties of a commission and not go into finite detail.

Mrs. Coladarci moved to recommend approval of the proposed ordinance, section 2-56.10. The motion was seconded by Mr. Scalzo and passed unanimously.

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

THAT Section 2-56.10 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-56.10. Youth commission.

(a) Created. There shall be, and there is hereby established, a youth commission in the City of Danbury.

(b) Purpose and duties. Said commission shall study, continuously, the conditions and needs of the youth of this community. It may analyze the services provided for the youth by the community both public and private, and it shall make recommendations to the mayor and the common council of the city regarding the development and integration of programs, be they by public or private agencies, in cooperation with state and federal agencies.

It may publicize information of consequence to youth and may hold forums, public hearings and meetings on topics concerning youth. It may also be called upon by other groups as a mediating body when needed in matters concerning youth. It may also seek the advice and cooperation of public and private groups in the promotion of youth programs.

(c) Members, appointments and terms. The commission shall be composed of nine (9) members, appointed by the mayor, subject to confirmation by the common council. Each member shall be a legal resident and elector of the City of Danbury. The terms of office for each member shall be for three (3) years or until his or her successor shall qualify.

(d) Youth advisors. In addition, there shall be a group of nine (9) youth advisors who shall actively participate in the affairs of the commission, all of whom shall be residents of Danbury and who shall be broadly representative of the youth of the community. One such youth advisor shall be elected by the group to serve as a voting member of the youth commission. All other youth advisors shall be members of the youth commission, ex-officio. Youth advisors shall serve at the pleasure of the mayor.

(e) Organization. The commission may elect from its members a chairman, vice-chairman and a secretary and adopt by-laws to govern its actions.

(f) Compensation and expenses. Members shall serve without compensation, but may be reimbursed for any expenses incurred in the performance of their duties. The common council may make appropriations to fund the expenses and programs of the commission.

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

14 - REPORT & RESOLUTION - Region 6 Forum on Diversity and Quality in Education Plan.

Mr. DaSilva submitted the following report and resolution:

The Common Council met as a committee of the whole at 7:05 P.M. on November 29, 1994 to review the proposed Education and Community Improvement Plan. Mrs. Coladarci moved to recommend approval of the proposed plan to propose voluntary programs that will help provide challenging academic experiences for all students, respect and support local control, increase parental choice and build on the many successful interdistrict efforts already in place. The motion was seconded by Miss Dennehy.

The discussion of the plan began with an explanation of it by Abner Burgos-Rodriquez, Co-chair of the Regional Forum, Nancy Marcus, Chairperson of the Danbury Board of Education and Dr. Anthony Singe, Danbury Superintendent of Schools. Extensive discussion from a number of Common Council members ensued.

After discussion, the motion carried 17 in favor, 2 opposed. Mr. Yamin and Mr. Cappiello voting in the negative.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Region 6 Forum on Diversity and Quality in Education has prepared and has submitted its regional plan as required pursuant to Public Act 93-263; and

WHEREAS, public hearings will be held regarding the Regional Plan on November 15, 1994 and November 17, 1994; and

WHEREAS, Danbury is part of the Region 6 Forum;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury approves the Region 6 Forum plan as submitted in accordance with Public Act 93-263.

Mr. Boynton made a motion that the report be accepted and the plan adopted. Seconded by Miss Dennehy.

Mayor Eriquez addressed questions raised during the public speaking session.

Mr. Yamin stated that he has read up on similar plans to learn what the results of these plans were. These programs tend to harm minorities so who is racist. Someone mentioned fear-mongering. When you mis-identify a problem there should be fear. The Country is moving in the opposite direction of this plan. It negatively affects our children.

Mayor Eriquez stated that this plan is about reality and it is voluntary. An affirmative vote indicates your willingness to examine this plan. He is an ardent supporter of local control. No one is looking for another layer of taxation.

Mrs. Coladarci moved the question. Seconded by Mr. Boynton. Motion carried unanimously.

Main motion carried with Mr. Yamin and Mr. Cappiello voting in the negative.

15 - REPORT - Proposed Sanitary Sewer on Morgan Avenue

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 8:08 P.M. on November 21, 1994 to review a proposed sewer installation on Morgan Avenue. Superintendent of Public Utilities William Buckley explained construction aspects of the sewer and Director of Finance Dominic Setaro explained the financing and payment procedures involved. Several people addressed the Council about the sewer at the preceding public hearing.

Mr. Boynton moved to recommend approval of the installation of a sanitary sewer on Morgan Avenue. The motion was seconded by Mr. Charles and passed unanimously.

The report was received on the Consent Calendar.

16 - REPORT - Request for Extension of Time on Pocono Lane, Sunrise Road and Federal Road for Sewer and Water Extension.

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request for extension of time for sewer and water extensions on Pocono Lane, Sunrise Road and Federal Road met at 7:15 P.M. on November 9, 1994 in Room 432 in City Hall. In attendance were committee members Scalzo and Yamin. Council Member John Esposito was working. Also in attendance were City Engineer Jack Schweitzer, Roy Steiner, President of Berkshire Corporate Park, Attorney WilliamSteele representing the petitioner and Council Member Warren Levy, ex-officio.

Attorney Steele explained that the current request expires December 1, 1994 and although work is currently in progress, an extension of time is needed before it is completed. Mr. Schweitzer noted that everything is in order and that the proper course of action would be to grant the extension of time for the project to be completed. Attorney Steele requested an extension for 18 months. The Planning Commission made a positive recommendation on September 27, 1994.

Mr. Yamin made a motion to grant a new 18 month request for sewer and water extension. Seconded by Mr. Scalzo. Motion carried unanimously.

17 - REPORT - Asante, Inc. - Residence Inn on Segar Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request by Asante, Inc., for the dedication and release of utility easements and dedication of road widening strips in connection with the development of a Residence Inn on Segar Street met at 7:30 P.M. on November 17, 1994 in Room 432 in City Hall. In attendance were committee members Machado, Coladarci and Scozzafava. Also in attendance were City Engineer Jack Schweitzer, Carol K. Zaccara and Henry J. Zaccara representing Asante, Inc., and Council Member Roberto Gomez, ex-officio.

The meeting was called to order by Mr. Machado who read the petition. Mr. Scozzafava made a motion to waive the rules. Seconded by Mrs. Coladarci. Motion carried unanimously. Representing Asante, Inc., Mr. Zaccara owner of the property since 1977, using blueprints, explained the issues in greater detail. In 1974 permission was given by the Common Council to build sewer line, easement to be granted to the City of Danbury. A new easement is needed. Asante, Inc. proposes to build and maintain sewer line across the parking lot at no cost to the City. He also owns Chuck's Steak House sited in the same property. He stated that Asante, Inc. will improve road conditions widening it from 21 to 26 feet along with a 4 foot wide concrete sidewalk, using their own land, at their own expense which will be dedicated to the City.

Asante intends, given the approval, to build a "Residence Inn" a 70 unit Hotel. Each unit will have one or two bedrooms, all equipped with a kitchen. A positive recommendation was motioned and passed by the Planning Commission at its meeting on October 19, 1994.

Mr. Schweitzer elaborated on the issues and when asked by Mr. Scozzafava expressed a positive view on the project.

After further discussion, Mrs. Coladarci moved to favorably recommend to the Common Council, the approval of the request by Asante, Inc., to relinquish the old easement and accept the new easement in accordance with the eight steps and accept the widening strips with all departments approval. Seconded by Mr. Scozzafava. The motion passed unanimously.

The report was received on the Consent Calendar.

18 - REPORT - Appropriation of Funds from the 1994 Annual Wood Sale.

Mrs. Coladarci submitted the following report:

The subcommittee to appropriate the funds made during the Common Council Wood Sale held on December 4, 1994 met at 7:15 PM in room 432 of Danbury City Hall on November 17, 1994. In attendance were Coladarci, Gomez and Scozzafava. Also in attendance was Joseph Ubaghs of the Children's Christmas Fund.

Coladarci explained that the meeting was held to decide who receives the proceeds of our annual wood sale. She added that last year the sale brought in a little over $900, which meant the four charities to which the money was appropriated each received under $200. She suggested that we might limit our donation to one or two charities this year because the price of toys has increased again.

A discussion ensued as to who receives the money. Last year the funds went to Danbury Youth Services, Action Day Care, The Hanahoe Clinic and the Children's Christmas fund. Scozzafava asked how the children's needs were determined. Mr. Ubaghs explained that the children who receive gifts from the Children's Christmas Fund are all AFDC recipients and are screened by the CT Department of Social Services and that some foster children served by The Department of Children and Families are also recipients.

Gomez asked if the agencies that might not receive funds would take advantage of the gifts. Mr. Ubaghs explained that the children that are served by the various agencies in the City are most likely to be on the AFDC list. He added that if they have gifts left over, they would donate them to the local agencies. As an example, one year they gave gifts to the Hispanic Cultural Center. He stressed that they like to concentrate on giving the primary gift rather than the stocking stuffers.

Scozzafava made a motion to give the proceeds of the annual wood sale to the Hanahoe Clinic and to the Children's Christmas Fund, the motion was seconded by Gomez and the vote was unanimous.

Mr. Ubaghs added that WINE Radio is having an on-site toy drive at the Hilton on December 11, 1994 and that he would be pleased if we could present the check that night.

The report was approved on the Consent Calendar.

19 - REPORT - Drainage Problem on Delno Drive

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the drainage problem on Delno Drive met at 7:00 P.M. in Room 432 in City Hall on November 9, 1994. In attendanee were committee members Scalzo, Levy and Yamin. Also in attendance was Director of Public Works Jack Schweitzer.

A review of the committee meetings and progress reports filed on March 21, 1994 and September 22, 1994 were made to the committee. On September 27, 1994 an on-site inspection was made of Delno Drive with residents and William Buckley. As a result of that inspection the Highway Department took elevation readings of the roadway and determined that the grade of the roadway had to be corrected. On October 6 and 7, 1994 a crown was paved on the surface of Delno Drive to correct the drainage by allowing the water to flow into the gutters and subsequently into the catch basins. The area will be monitored to determine if this is a permanent solution to the problem. If it is not, further work will have to be done to add additional catch basins in the area of the road. The residents of Delno Drive were very pleased with the actions taken by the committee and City departments.

A motion was made by Mr. Levy to take no further action at this time. Seconded by Mr. Scalzo and passed unanimously.

The report was approved on the Consent Calendar.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 10:00 P.M. by Mr. Setaro for the meeting to be adjourned.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

Attest: Elizabeth Crudginton
Elizabeth Crudginton
City Clerk