

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

RE: Minutes of the Common Council Meeting held December 6, 1994

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

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

ABSENT - Boynton, Gallagher, Charles

18 Present - 3 Absent
Mr. Charles was ill

PUBLIC SPEAKING

1. Neil Marcus, 158 Deer Hill Avenue - Spoke regarding item 15. Sewer petitions on Backus Avenue/Miry Brook Road. The residents have taken the initiative for sewer connection. Asked that the petitions be referred to an ad hoc committee so that he can present the facts.

2. Mark Grenier - Spoke regarding item 15. Residents need to hook into the sewer line in case their systems fail. Please refer this to a sub-committee.

3. Lynn Waller, 83 Highland Avenue - Thanked the Common Council for the demolition ordinance. Also thanked Councilman Cappiello for his one year service.

ANNOUNCEMENTS

December 10th - Councilman and Mrs. Val Machado will celebrate their wedding anniversary
December 13th - Harry Scalzo will celebrate his birthday
December 19th - Matt Gallagher's birthday

Danbury Vikings will play a championship game on December 10th in California.

Refurbished West Lake Dam was dedicated
Community Reinforcement Task Force completed its community needs assessment

Railway Museum sponsored trip to New York City
Common Council Wood Sale was held on December 4, 1994
December 6th - Peter Winter Fundraising breakfast

December 10th - Arthritis Foundation Jingle Bell Walk
December 10th - Habitat for Humanity Groundbreaking
December 10th - Danbury Demin Co. Ribboncutting - 261 Main Street
December 10th & 11th - Nutcracker Ballet
December 14th - WLAD Annual Holiday Benefit
December 19th - Sports Authority Groundbreaking
December 26th - City Hall Closed - Christmas Holiday
December 31st - First Night Festivities
January 2 - City Hall Closed - New Year Holiday

The Mayor presented certificates for completion of the Community Leadership Training program. The Mayor stated that these women have seized the opportunity to improve their leadership skills.

A moment of silence was held for former Mayor Gino Arconti who recently passed away. He will be remembered for his contributions to this community.

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

- 1 - Approve application for AIDS Risk Reduction Outreach Worker Grant - \$40,000
- 2 - Approve application for Homesharing Connection Program Grant - \$15,000
- 3 - Approve application for Department of Mental Retardation Homeshare Grant - \$5,000
- 4 - Approve acceptance of FEMA Grant - \$6,180.00
- 11 - Approve Government Entities Review and Evaluation Committee - Ernest Boynton, Eileen Coladarci, Joseph Scozzafava, Rita Godfrey, Ronald Nussle
- 13 - Approve easement for the construction of the Union Station decorative canopy
- 16 - Approve appropriation of \$25,000 for Lions Way/Coal Pit Hill Road
- 17 - Approve reappropriation of \$1,566.80 for Department of Elderly Services
- 18 - Approve request for funds for Probate Court for supplies, roller shelves and chairs - \$1,500
- 20 - Approve request for sewer extension on Willow Street
- 21 - Approve report and recommendations regarding request to purchase City land on Backus Avenue
- 22 - Approve report and recommendation regarding sewer installation on Maplecrest Drive

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

MINUTES - Minutes of the Common Council Meeting held November 1, 1994 and the Special Common Council Meeting held November 29, 1994. Mr. DaSilva moved that the minutes be adopted 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. Setaro. Motion carried unanimously.

1 - RESOLUTION - AIDS Risk Reduction Outreach Worker Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health and Addiction Services (DPHAS) will provide an AIDS Risk Reduction (ARROW) Grant to the Danbury Health and Housing Department in the amount of \$40,000 for the time period of January 1, 1995 through December 31, 1995 upon receipt of an application and approval therefor; and

WHEREAS, no local cash match is required; and

WHEREAS, the grant would be used to provide AIDS prevention/risk reduction 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 Gene F. Eriquez, Mayor, and the Danbury Health and Housing Department are hereby authorized to apply for a grant to DPHAS in the amount of \$40,000 and to accept said grant, if offered; and

BE IT FURTHER RESOLVED THAT the Mayor Gene F. Eriquez is hereby authorized to execute all required agreements/contracts and to do all things necessary to effectuate the purposes hereof,

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - Homesharing Connection Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Department of Elderly Services has requested Common Council approval to apply for a \$15,000 federal grant under Title III-B of the Older Americans Act, administered through the Western Connecticut Area Agency on Aging, in order to continue its Homeshare Connections Program for the period January 1, 1995 through December 31, 1995; and

WHEREAS, this program assists people in managing and maintaining a shared home; and

WHEREAS, no local cash match is required;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Leo McIlrath, Director of the Department of Elderly Services are hereby authorized to apply for said grant, and the Mayor is authorized to execute any agreements/contracts necessary, and any revisions thereof, provided no local cash match is required, to accept the grant award, if offered, including any additional grant funds which may be offered under this application which do not require matching City funds, and to do all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Department of Mental Retardation - Homeshare

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Department of Elderly Services has requested Common Council approval to apply to the State of Connecticut Department of Mental Retardation for grant funds in the amount of \$5,000 for the funding period of January 1, 1995 through September 30, 1995; and

WHEREAS, said grant will be used to partially fund the operational costs of "Homeshare Connections", a division of the Department of Elderly Services;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Leo McIlrath, Director of the Department of Elderly Services are hereby authorized to apply for said grant, and the Mayor is authorized to execute any agreements/contracts necessary, and any revisions thereof, provided no local cash match is required, to accept the grant award, if offered, including any additional grant funds which may be offered under this application that do not require City funds, and is further authorized to do all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - FEMA Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Emergency Management Agency (FEMA), working through the United Way of Northern Fairfield County, Inc., is allocating funds from its Phase XI Program for the greater Danbury area to be used for emergency food and shelter; and

WHEREAS, the Welfare Department of the City of Danbury has applied for funds not to exceed \$6,180.00 from said program to help offset the cost of operating the City's Homeless Shelter at 41 New Street; and

WHEREAS, the grant period extends from October 1, 1994 through September 30, 1995, with no local match required;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of Gene F. Eriquez, Mayor of the City of Danbury, and the Department of Welfare in applying for said grant are hereby ratified; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to accept said funds if offered through the United Way of Northern Fairfield County, Inc., and to execute any agreements or other documents necessary to effectuate the purpose of said grant.

5 - RESOLUTION - License Agreement and Capital Improve Grant

Project Description:

Municipality: City of Danbury
Location: Danbury Rail Yard
Agreement No.: 11.15-02(94)
Rail File No.: (34) 7001-MISC-961

RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign the License and Capital Improvement Grant Agreement entitled "License Agreement for Occupations Within the Danbury Rail Yard Between the State of Connecticut Department of Transportation and the City of Danbury Rail File No. (34)7001-MISC-961.

Mr. DaSilva made a motion that the License Agreement and Capital Improvement Grant be adopted. Seconded by Mrs. Coladarci. Motion carried unanimously.

6 - RESOLUTION - Demolition Rates. Mr. DaSilva asked that this be referred to an ad hoc committee, the Director of Finance, the Corporation Counsel and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members DaSilva, Esposito and Scozzafava to the committee.

7 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the promotions of P.O. Robert J. Myles, III and Detective P.O. James A. Fisher to the position of Sergeant within the Police Department. Mr. Setaro made a motion that the promotions be approved. Seconded by Miss Dennehy. Motion carried unanimously.

8 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the promotions of Detective Sergeant Russell W. Benjamin and Sergeant William R. Barlow to the position of Lieutenant within the Police Department. Miss Dennehy made a motion that the promotions be approved. Seconded by Mrs. Outlaw. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations to the Department of Elderly Services in the amount of \$1,566.80. Mr. Falzone made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Miss Dennehy. Motion carried unanimously.

10 - COMMUNICATION - Letter from Mayor Eriquez requesting approval of the donation of selected volumes of books to the Hispanic Center of Western Connecticut by the Republic of Mexico through the Consul-General. Mr. Yamin made a motion that the donation be accepted and the transfer be authorized. Seconded by Mrs. Outlaw. Motion carried unanimously.

11 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the two residents who have agreed to serve on the Governmental Entity Review and Evaluation Committee, Rita Godfrey, 13 Stillman Avenue and Ronald Nussle, 35 Ward Drive. The appointments were confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Sam & Marie Krizan requesting that a tree at 197 Westville Avenue Ext. be removed. Miss Dennehy requested that this be referred to the City Forester for a report back within thirty days. Mayor Eriquez so ordered.

13 - COMMUNICATION - Letter from Mayor Eriquez requesting approval of the conveyance of a deed from the State of Connecticut conveying to the City an easement required for the construction of the Union Station decorative canopy on the Union Station property. The approval was granted on the Consent Calendar.

14 - COMMUNICATION - Request for easement for road widening on Starr Road. Mr. Setaro asked that this be referred to the Engineer, Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered.

15 - COMMUNICATION - Backus Avenue/Miry Brook Sewer Line - Mr. DaSilva asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Valeri, Levy and Yamin to the committee.

16 - CERTIFICATION - Letter from Director of Finance Dominic Setaro requesting the transfer of \$25,000 from the City's Contingency to the Capital Budget line item entitled, "Lion's Way Intersection Improvements". The transfer was approved on the Consent Calendar.

17 - COMMUNICATION - Request from Director of the Department of Elderly Services for a transfer of funds in the amount of \$1,566.80 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer was authorized on the Consent Calendar.

18 - COMMUNICATION - Request from Probate Judge Dianne Yamin for the sum of \$1,800 for the Probate Court. The request was granted on the Consent Calendar.

19 - DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Parks and Recreation, Highways, Public Utilities, Police, Engineering, Health and Housing. 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 Miss Dennehy. Mr. Scalzo complimented the Volunteer Firefighters and the Water Department for painting the fire hydrants. Motion carried unanimously.

20 - REPORT - Request for Sewer Extension on Willow Street

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for sewer extension on Willow Street met on November 30, 1994 at 8:05 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Gomez and Yamin. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer, Mr. Emil Curran and Council Members John Esposito, ex-officio.

The request was made to extend the sewer approximately 200 feet to lot L12012. Mr. Curran explained that this line would connect with a sewer line on the City Public Works Property as outlined by Mr. Buckley and Mr. Schweitzer.

Mr. Yamin made a motion to approve the request subject to the required eight steps. Seconded by Mr. Boynton. Motion carried unanimously.

The report was adopted on the Consent Calendar.

21 - REPORT - Request to Purchase City Land on Backus Avenue

The Common Council Committee appointed to review the request to purchase land on Backus Avenue met on November 30, 1994 in Room 432 in City Hall. In attendance were committee members Boynton and Levy. Mr. Scozzafava was absent. Also in attendance was Assistant Corporation Counsel Les Pinter and Planning Director Dennis Elpern.

The committee met three times over the past year regarding this request. From the first meeting to the last the following items were investigated and researched by the committee and members of the Mayor's office, Airport Administrator and Corporation Counsel. The land in question is approximately five acres identified as "Parcel One" across the street from the Danbury Fair Mall, bounded by the Danbury Airport. Investigation revealed that this land may be part of the Danbury Airport as stated by Paul Estefan in conversation with Attorney Pinter. Attorney Pinter advised the committee that a title search and a Class 2A Survey would be required to know exactly what the correct property lines are and who holds legal title.

Mr. Levy made a motion that the committee recommend to the Common Council that no action be taken at this time on this request, and that the Mayor's Office draft a letter to the Lechmer Company advising them that if they wished to pursue this matter further that they be required to provide the City with a title search and a Class 2A at which time they could then approach the City to either purchase or lease this property. Seconded by Mr. Boynton and passed unanimously.

The report was adopted on the Consent Calendar.

22 - REPORT - Proposed Sewer Installation on Maplecrest Drive

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 at Maplecrest Drive, Superintendent of Public Utilities William Buckley explained the construction aspects of the project and Director of Finance Dominic Setaro went over the financial and payment procedures.

While most of those addressing the Council at the preceding public hearing were in favor of the project, several wanted a delay before final determination was made. There was a particular problem that was evident concerning the size of one resident's parcel.

After considerable discussion, Mr. Boynton moved to recommend the Common Council conduct another public hearing on this issue in January, 1995. The motion was seconded by Miss Beck and passed 15-2 with Mr. Scalzo and Mr. Yamin voting in the negative.

The report was adopted on the Consent Calendar.

23 - REPORT - Request for Change of Address at Lake Place Condominiums.

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the change of address of Lake Place Condominiums met at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Machado, Outlaw and Scozzafava. Also in attendance were Assistant Planning Director Susan Decina, Fire Chief Oliver, 911 Coordinator Fred Visconti, Postmaster George Fisher and petitioners, Lake Place Association President Bob Carlson, Directors Regina Ofiero and John Vossler. Also in attendance were Common Council Members Nancy Beck, Eileen Coladarci and Warren Levy, ex-officio. Over 20 residents attended.

The meeting was called to order by Mr. Machado to clarify the request for change of address based on residents choice and in their best interest, safety being the main issue he explained. Mr. Vossler stated his preferences for 11/12 Boulevard Drive alleging a great percentage of residents still use it and the system will not improve with the change. Mr. Carlson, using the history of Lake Place, explained that in 1984 George Davon got approval for the Lake Place complex. Defined private roads were known as Lake Place North and Lake Place South. The City requires a legal address to be a City street, such as 11/12 Boulevard Drive.

911, in Danbury, requests that the City improve the address for response time. The Post Office implements the preferred addresses. The City implements private street addresses. Lake Place implements private road address Lake Place North and Lake Place South. 911 begins changeover to new addresses. Reasons for the change according to Mr. Carlson:

1. Safety of the residents. The new address provides the clearest directions and thereby the shortest response time for 911, Fire and Police.
2. A single and consistent address for Lake Place.
3. The Post Office started implementing this change years ago, recommending use of preferred address.

Mr. Carlson also stated that all residents were informed via letter by the Association. The Board of Directors approved the address change with 7 in favor and 2 against. The Board surveyed the residents in a total of 158 units.

contact made with	134	85%
supporting change	129	96%
opposed	3	2%
abstained	2	2%

Based on this overwhelming community support the residents requested immediate approval of the address change by the Common Council, Mr. Carlson stated. Regina Ofiero mentioned some of the problems resulting from the duality of addresses such as loss of mail, confusion on election day, etc.

Mr. Scozzafava made a motion to waive the rules. Seconded by Mrs. Outlaw. Motion carried unanimously.

Many residents expressed the need for a change to a uniform and consistent system to improve safety and minimize confusion. Postmaster George Fisher mentioned that residents have the choice, providing services is not as critical as 911. If preferred address is used mail can be delivered more effectively. Fire Chief Oliver and 911 Coordinator Fred Visconti elaborated on how important it is to get there quickly.

A motion was made by Mr. Scozzafava to change the address for perceived safety reasons and for the 911 Coordinator to work with the association to solve any problems that could arise. Seconded by Mrs. Outlaw. Motion carried unanimously.

Miss Dennehy made a motion that the report be adopted as read. Seconded by Mr. Scalzo. Miss Dennehy, asked the Corporation Counsel through the Chair, why this request went to the Planning Department before it came to the Common Council. Attorney Gottschalk stated that in accordance with State Statutes he wrote a letter to then Council Member Lovie Bourne stating that the Common Council is the body that has the authority to change street addresses. Since then it has come to his attention that individualized name changes have been handled administratively unless there has been opposition. Mr. Gottschalk stated that the Common Council can establish a procedure for future reference. Motion carried with Miss Beck abstaining.

24 - COMMUNICATION - Letter from Councilman at Large David Cappiello submitting his resignation from the Common Council effective immediately. Mr. Yamin made a motion to accept the resignation with some regret but with congratulations on his new position in the General Assembly. Seconded by Miss Dennehy.

Mr. DaSilva offered his congratulations and his thanks for Mr. Cappiello's one year of service.

Mr. Scozzafava stated that Mr. Cappiello has been a good friend and hit him about 30 times asking question, but he did what he wanted to do anyway. Knows that Mr. Cappiello will save us money.

Mrs. Coladarci stated that she knows Mr. Cappiello will do a good job in Hartford.

Mr. Levy stated that now the mailing confusion will end.

Mr. Cappiello stated that it has been an honor and a privilege to serve with this fine group of people. We did disagree but it was forgotten once they left the dias. Please call him if you have any problems.

Mayor Enriquez stated that it has been an honor to have Mr. Cappiello among this group. He offered congratulations on his new role and looks forward to working with him in that capacity.

City Clerk Elizabeth Crudginton stated that David has been a pleasure to work with and knows he will do his best in Hartford.

Motion carried unanimously.

25 - COMMUNICATION - Letter from Republican Town Committee Chairman Tyrone Humes recommending that Vincent P. Nolan, Jr. be named to fill the vacancy for the at-large Common Council seat. Mr. Yamin made a motion that Vincent P. Nolan, Jr. be named to fill the vacancy. Seconded by Mr. Scozzafava. Motion carried unanimously. Mr. Nolan was sworn into office by Attorney Gottschalk at the end of the meeting.

26 - COMMUNICATION - Mr. DaSilva made a motion that an item entitled Danbury Vikings Pop Warner Football League be added to the agenda. Seconded by Mrs. Coladarci. Motion carried unanimously.

A letter from Mayor Eriquez requesting that an appropriation from the Contingency Account be made to the Hat City Youth Association to assist with the trip to California for the Pop Warner Football Team to compete in a championship game. Mr. DaSilva made a motion to accept the communication and authorize the transfer of \$1,500.00. Seconded by Mrs. Coladarci. Miss Dennehy asked how this money would be divided. Mayor Eriquez stated that the cost of participation is \$600 each. Miss Dennehy stated that she would like to see the money evenly distributed to the youths, not the chaperones. Mayor Eriquez stated that this money would be used to cover the costs of the young people. Motion carried unanimously.

27 - COMMUNICATION - Mr. DaSilva made a motion that an item entitled City of Danbury Corporate Retiree Volunteer Program be added to the agenda. Seconded by Mrs. Coladarci. Motion carried unanimously.

Letter from Mayor Eriquez requesting authorization to execute the contract for a grant in the amount of \$25,000 for the two year implementation of the City of Danbury Corporate Retiree Volunteer Program. Miss Dennehy made a motion that the communication be accepted and the Mayor authorized to sign the contract. Seconded by Mrs. Coladarci. Motion carried unanimously.

28 - COMMUNICATION - Mr. DaSilva made a motion that an item entitled Lease Agreement with First Congregational Church for Danbury Schools STEP Program to the agenda. Seconded by Mrs. Coladarci. Motion carried unanimously.

Letter from Corporation Counsel Eric Gottschalk, together with a proposed lease agreement with the First Congregational Church for areas of the church to be used for classroom and instructional purposes by the Board of Education's Western Connecticut Jobs for Youth Partnership Program. Mrs. Coladarci made a motion to accept the communication and enter into the lease. Seconded by Mr. Trocolla.

Miss Dennehy stated that since the lease was just received she would like a summary as to what they are agreeing to. Mayor Eriquez stated that the Board of Education thought they could enter into the lease without the approval of the Common Council which is not the case. Mr. Levy asked what the lease value is. Attorney Gottshalk stated that it is \$7,000 per year. Mr. Levy asked if this come from the Board of Education's Budget. Mayor Eriquez said it would. Motion carried unanimously.

29 - ORDINANCE - Mr. DaSilva made a motion that an item entitled Anti-Dumping Ordinance be added to the agenda. Seconded by Mrs. Coladarci. Motion carried unanimously. Mrs. Coladarci asked that this be deferred to a public hearing. Mayor Eriquez so ordered. Attorney Gottschalk noted that this also includes citation enforcement procedure which will make the process more rapid.

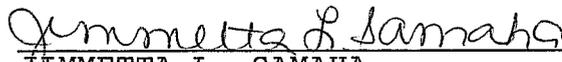
30 - COMMUNICATION - Mr. DaSilva made a motion to add an item entitled Proposed "J" Bridge Over White Turkey Road Extension to entrance to new Duracell Headquarters building. Seconded by Mrs. Coladarci. Motion carried unanimously.

COMMUNICATION - Proposed "J" Bridge over White Turkey Road Extension to entrance to new Duracell Headquarters building. Mr. DaSilva asked that this be referred to an ad hoc committee, the Corporation Counsel and the City Engineer. Mayor Enriquez so ordered and appointed Council Members Arconti, Scalzo and Scozzafava to the committee.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 8:50 P.M. by Mr. Setaro for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk