

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

RE: Minutes of the Common Council Meeting held June 1, 1993

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

PRESENT - Scalzo, Falzone, Gallo, Coladarci, Boynton, Dennehy, Setaro, Gogliettino, DaSilva, John Esposito, Dean Esposito, Outlaw, Charles, Butera, Cipriani, Trocolla, Yamin

ABSENT - Fazio, Arconti, Cassano, Scozzafava

17 Present - 4 Absent

The absent members were working

PUBLIC SPEAKING

There were no members of the public wishing to address the Common Council.

ANNOUNCEMENTS

June 2 - Michael and Carol Fazio's Anniversary
June 14- Janet Butera's 53rd Birthday
June 21- City Engineer Jack Schweitzer's Birthday
June 2 - Business Olympics
June 4 - Grand Opening of Liberty Terrace
June 6 - Portuguese Day
June 8 - Immaculate High School Graduation
June 10 - NAACP Art Exhibit
June 11-13 - Greek Festival
June 19 - Henry Abbott Technical School Graduation
June 20 - Soap Box Derby
June 22 - 100th Anniversary of Morris Street School
June 25-27 - Ethnic Festival
June 30 - Danbury High School Graduation
July 4th - Independence Day
July 5th - City Hall Offices Closed

MINUTES - Minutes of the Common Council Meeting held May 4, 1993. Mr. DaSilva made a motion 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.

CONSENT CALENDAR - The following items were presented on the Consent Calendar by John Esposito:

- 3 - Approve application for School Based Health Center Grant - \$4,000
- 5 - Approve appointment of Thomas Devine to Parking Authority
- 6 - Approve reappointment of Nancy Knight to the Tarrywile Park Authority
- 14 - Approve request of \$8,000 to Fire Department Special Services Account
- 23 - Approve Ordinance concerning Ambulance Fee Schedule and Regulations
- 24 - Approve Ordinance concerning refusal to accept unwrapped coins
- 25 - Approve report and recommendations concerning renovations and improvements to Margerie and West Lake Treatment Facilities
- 26 - Approve report and recommendations concerning request to use City Land on Mountain Road
- 27 - Approve request for \$9,900 to purchase 911 Communications Equipment
- 28 - Approve Water and Sewer Extensions on Pocono Lane, Sunrise Road and Federal Road
- 29 - Approve Easement on Maple Avenue
- 30 - Approve appointment of James Panzica to Candlewood Lake Authority

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

1 - ORDINANCES - Government Entities Review and Evaluation. Mrs. Gogliettino asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - ORDINANCE - Underground or Outdoor Storage of Fuel Oil or Chemicals. Mrs. Coladarci asked that this be deferred to public hearing Mayor Eriquez so ordered.

3 - RESOLUTION - School Based Health Center Planning Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for an extension of its School-Based Health Center Planning Grant in an additional amount of \$4,000; and

WHEREAS, the extension will cover the period of July 1, 1993 through September 30, 1993 with no local cash match required; and

WHEREAS, the State's purpose in providing Planning Grant funds is to enable municipal health and housing departments to review and identify unmet health needs of public school students, to develop a plan to coordinate existing services and to apply for funding for a School-Based Health Center;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, and the Danbury Health and Housing Department, acting through William J. Campbell, its Executive Director, are hereby authorized to apply to the State of Connecticut Department of Health Services for said Planning Grant Extension and to accept additional grant funds in the amount of \$4,000 if the application is approved;

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez and Director of Health William J. Campbell are hereby authorized to take any and all actions necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

4 - COMMUNICATION - Letter from Mayor Eriqez seeking confirmation of the promotional appointment of Jeffrey Tierney to the position of Captain in the Career Division of the Fire Department. Mr. DaSilva made a motion to accept the communication and approve the appointment. Seconded by Dean EEsposito. Motion carried unanimously.

5 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Thomas Devine to the Parking Authority for a term to expire June 30, 1995. The appointment was confirmed on the Consent Calendar.

6 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Nancy Knight to the Tarrywile Park Authority for a term to expire May 1, 1996. The reappointment was confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez seeking permission to accept the donation of two paintings from Victor Cascio, one of the Hearthstone Castle and one of the Tarrywile Mansion. Mr. Setaro made a motion that the donation of the paintings be accepted and a letter of thanks sent. Seconded by Mrs. Gogliettino. Motion carried unanimously.

8 - COMMUNICATION - Letter from Thomas G. Osenkowsky, Chief Engineer of WLAD/98Q donating an electric power generator to the City. Miss Dennehy made a motion that the generator be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

9 - COMMUNICATION - Letter from Purchasing Agent Warren Platz seeking permission to accept the donation of a copier from IBM Corporation. Mr. Scalzo made a motion that the copier be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

10 - COMMUNICATION - Letter from Chief of Police Nelson Macedo requesting permission to accept a \$100 donation from the membership of the Danbury War Memorial Dog Obedience Class in recognition of the services of Canine Falk. Mr. Trocolla 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.

11 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath seeking permission to accept donations in the total amount of \$175 for Office Supplies for the Commission on Aging Budget. Mr. Setaro made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Mrs. Gogliettino. Motion carried unanimously.

12 - COMMUNICATION - Letter from AIDS Program Coordinator Susan Durgy seeking permission to accept donations in the amounts of \$25 and \$100 for the AIDS Program. Mrs. Butera made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

13 - COMMUNICATION - Request from Fred L. Baker, Chairman of the Board of Directors of the Hanahoe Memorial Children's Clinic for an emergency grant of \$20,000 to enable the Clinic to continue performing health services. Mr. Falzone asked that this be referred to an ad hoc committee, the Director of Finance and the Hanahoe Clinic Board. Mayor Eriquez so ordered and appointed Council Members Dennehy, Gogliettino and Fazio to the committee.

14 - COMMUNICATION - Request for the sum of \$8,000 for the Fire Department Special Services Account. This is a wash item. The request was granted on the Consent Calendar.

15 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting the sum of \$230,953 for adjustments to the Welfare 1993-94 Budget effective July 1, 1993. The budget adjustment reflects both the salary accounts and the public welfare line items. Mrs. Gogliettino made a motion to accept the communication and authorize the transfer of funds for the budget adjustments. Seconded by Dean Esposito. Motion carried unanimously.

16 - COMMUNICATION - Request from Fire Department Communications Supervisor Fred Visconti permission to encumber funds in the City Fire Alarm Ordinance Account for the purchase of computer equipment. Dean Esposito asked that this be referred to an ad hoc committee, the Fire Chief, the Communications Supervisor, Director of Finance and the Data Processing Manager. The Mayor so ordered and appointed Council Members Scalzo, Dean Esposito and Scozzafava to the committee.

17 - COMMUNICATION - Report from Corporation Counsel Eric Gottschall stating that they are in the process of preparing the necessary paperwork regarding the use of outside seating on City property on Main Street at Seattle Espresso. Mr. DaSilva asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Setaro, Coladarci and Scozzafava to the committee.

18 - COMMUNICATION - Request from Gary DeFlippo for water extension on Lot No, 44, Juniper Ridge Road. Mr. Scalzo asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, Cipriani and Yamin to the committee.

19 - COMMUNICATION - Request from Scope Realty for Sewer and Water Extension on South Street a/k/a 15 Mannion Lane. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, Cipriani and Yamin to the committee.

20 - COMMUNICATION - Offer from H & B Associates to sell 5.8 Acres of land to the City on Scuppo Road. Mrs. Butera asked that this be referred to the Director of Planning, the City Engineer and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered

21 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley asking permission to accept the volunteer services of engineering and survey work from Roald Haestad of Haestad, Inc. for the development of three soccer fields in the City. Mr. Falzone made a motion that the donation of services by Mr. Haestad be accepted. Seconded by Mr. Setaro. Motion carried unanimously.

22 - DEPARTMENT REPORTS - Parks and Recreation, Engineering, Department of Elderly Services, Police, Fire Chief, Fire Marshall, Highways, Department of Public Utilities, Health and Housing. Mr. DaSilva made a motion that the Department Reports be accepted as submitted 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.

23 - REPORT & ORDINANCE - Ambulance Fee Schedule and Regulations

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole on May 17, 1993 at 7:10 P.M. to review a proposed ordinance concerning the repeal of a fee schedule and regulations for the ambulance and rescue division of the Danbury Fire Department.

Corporation Counsel Eric Gottschalk and Director of Finance Dominic Setaro explained that the Ordinance is outdated. It dates from 1968 and deals with the transportation of clients to hospitals out of town. This is no longer done by the City but by private companies.

Mr. Trocolla moved to recommend approval of the proposed repeal of Ordinance 8-22. The motion was seconded by Mr. Charles and passed unanimously.

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

THAT Section 8-22 of the Code of Ordinances of Danbury, Connecticut entitled "Fee schedule and regulations for the ambulance and rescue division of the Danbury Fire Department" be and hereby is repealed.

The report and ordinance were adopted on the Consent Calendar.

24 - REPORT & ORDINANCE - Refusal to Accept Unwrapped Coins

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole on May 17, 1993 at 7:10 P.M. to review a proposed ordinance concerning the refusal to accept unwrapped coins. Tax Collector Catherine Skurat explained that on occasion taxes will be paid in unwrapped coins in totals of hundreds of dollars. This takes personnel in the Tax Collector's Office many hours to count and verify. The proposed ordinance will allow payment of taxes in coins but only in an amount of up to Twenty (\$20.00) Dollars in an unwrapped state.

Mr. Yamin moved to recommend approval of the proposed ordinance 18-24. The motion was seconded by Mrs. Coladarci and passed unanimously.

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-24, which said section reads as follows:

Sec. 18-24. Refusal to accept unwrapped coins.

Neither the tax collector nor any other officer or employee of the finance department of the City of Danbury shall be required to accept unwrapped coins in excess of twenty dollars (\$20.00) in value in payment of any amounts owed to the City for taxes, assessments, use charges or other debts of any kind. All wrapped coins shall be suitable wrapped in standard coin wrappers acceptable to the City of Danbury.

The report and ordinance were adopted on the Consent Calendar.

Mr. DaSilva submitted the following report:

The Common Council Committee appointed to review a request for renovations and improvements to the Marjorie and West Lake Treatment facilities met on May 11, 1993 at 8:00 P.M. in Room 432. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were Superintendent of Public Utilities William Buckley, Assistant Superintendent of Public Utilities M. Rizzo and Director of Finance Dominic Setaro.

Mr. Buckley explained the need for the requested repairs and improvements. He stated that the Marjorie plant was last redone in 1935. There are problems there with water quality and component parts. Because of these problems this plant will probably not meet State and Federal regulations that take effect in July and October, 1993. The clarity of the water (turbidity) specifically will not meet the upcoming specifications. Parts for much of the machinery can no longer be purchased and must be fabricated. Only two million gallons per day out of a capacity of five million gallons per day can be produced because of the condition of the plant.

The West Lake Plant has design problems in its chemical feed systems and its filters. Much of the equipment breaks down often. The plant should, however, meet the new regulations. The Kenosia wells are no longer providing water service because they do not meet regulations. They will be pumped to West Lake when needed.

Mr. Buckley and Mr. Setaro stated that the most expedient method of handling this problem is through a water bond issue which is estimated to cost between twenty and twenty-one million dollars. This would allow for construction of the projects with a completion date of 1997. This would coincide with the termination of payments for the 1979 Water Bond Issue and lessen the impact of charges to water users. Mr. Buckley said that he would like a professional feasibility study done that would be more specific in costs. This would cover all phases of the project and its impact.

The committee then discussed the presentation to the voters of an authorization of water bonds for water installation such as those used in neighborhood sewer projects.

Mr. Scozzafava moved to recommend a feasibility study be conducted with financing from the Water Fund to pin down costs of renovations and improvements to the Marjorie and West Lake Water Treatment Facilities. This report would also reflect the impact on the cost to water users, using various scenarios concerning the amount of work that can be done in-house by the Water Department. It was also recommended that the charge of the committee be expanded to include the possibility of the inclusion of an additional authorization of bonds for water installations similar to the existant provision for sewer installation. The motion was seconded by Mr. Scozzafava. Motion carried unanimously.

The report was adopted on the Consent Calendar.

26 - REPORT - Request to use City land on Mountain Road

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request to use City land on Mountain Road met on May 11, 1993 at 7:40 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, and Scozzafava. Mrs. Gogliettino was away on vacation. Also in attendance was the petitioner, Oliva St. Jean.

Mr. Scalzo reviewed the request and also the positive recommendation from the Planning Commission at its April 21, 1993 meeting. The petitioner stated that the cordwood is stored there for only a short period of time, April-June, while it is being split and hauled up to the house to be used as an alternative source of fuel.

Mr. Scozzafava made a motion to recommend approval for Mr. St. Jean to use the City property on Mountain Road pending the execution of a revocable license agreement and hold harmless agreement with the City. The motion was seconded by Mr. Scalzo. Discussion ensued by Mr. Scozzafava commending Mr. St. Jean for his honesty and also the concern of liability. Mr. St. Jean stated that he would be agreeable to signing the revocable license and hold harmless agreement. Motion carried unanimously.

The report was adopted on the Consent Calendar.

27 - REPORT & CERTIFICATION - Request to purchase 911 Communication Equipment.

Mr. Scalzo submitted the following report (a certification of funds was attached):

The Common Council Committee appointed to review the request to purchase 911 Communications Equipment met on May 18, 1993 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Dean Esposito and Scozzafava. Also in attendance were Communications Supervisor Fred Visconti, Fire Chief Antonio Lagarto, Assistant Chief Tom Morris, Airport Administrator Paul Estefan, Finance Director Dominic Setaro, President of Danbury Volunteer Firemen Council Warren Levy, Council Members Gallo and John Esposito, ex-officio, and Mayor Gene Enriquez.

The committee was given background information on the communications system and its operation by Mr. Visconti and Mr. Estefan. They further informed the committee of the continuous interference with communications from areas in Connecticut and New Jersey which are operating on the same frequency. This has been ongoing since a new antenna was installed on Spruce Mountain. PL is a filtering system to be installed on the numerous pieces of communication equipment which will eliminate the interference. Mr. Visconti has also learned that in the near future all of New London and Middlesex Counties will be operating on the same frequencies creating more interference and probable dangerous situations. He has cost estimates of \$6,500 to update the equipment of the Career Department which is the amount requested. The cost to update the Volunteer Department would be between \$3,200 and \$3,400.

Mr. Gallo and John Esposito and Mr. Levy were emphatic that the entire Fire Department communications equipment should be included in the installation of the PL system, otherwise the Volunteer's equipment would be deemed useless. They also stated that three radios in Car 2 are not made available to the Volunteers at the scene of a disaster. They strongly believed that the entire system should be upgraded at the same time from monies from the Citywide Alarm Ordinance. Chief Lagarto stated that it was only necessary to upgrade the Career Department at this time and the Volunteer Department should pay for their own PL installation out of their own funds.

Mr. Scozzafava inquired as to what would happen to the other funds in the account. Mr. Visconti stated that the money was needed to purchase a new computer with accessories, software and hardware to set up a network with the existing 15 computers in the fire stations. Assistant Chief Morris explained how the computers are being used for reports and storing various information systems and the necessity for purchasing the new equipment and networking with the existing computers.

Chief Lagarto was asked if he would have any monies remaining in any line items on June 30, 1993 and if he would be requesting additional funds between now and June 30th. He replied that there would be no monies left and he would be requesting additional funds between now and June 30th.

Dean Esposito made a motion to approve the amount of \$9,900 for the installation of PL to upgrade the radio systems for the entire Fire Department, Career and Volunteer. The motion was seconded by Mr. Scozzafava and passed unanimously.

The report was adopted on the Consent Calendar.

28 - REPORT - Request for Sewer and Water Extension - Pocono Lane, Sunrise Road and Federal Road.

John Esposito submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension on Pocono Lane, Sunrise Road and Federal Road by Berkshire Industrial Corporation met on May 11, 1993 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members John Esposito and Harry Scalzo. Mr. Fazio was unable to attend. Also in attendance were Council President Joseph DaSilva, ex-officio, Superintendent of Public Utilities William Buckley and Assistant Director of Public Utilities Mario Ricoszi and Attorney Bobby Payne and staff representing Berkshire Industrial Corporation.

The Committee reviewed the petition and plans, as well as the positive recommendation of the Planning Commission dated April 26, 1993 for the reason that the site is within the scope of service set in the comprehensive sewer and water distribution study. Mr. Buckley spoke of his approval of the request to date.

Mr. Scalzo made a motion to recommend to the full Common Council the approval of the petition subject to the eight steps of conditions and restrictions concerning sewer and water extensions. Seconded by John Esposito. Motion carried unanimously.

The report was adopted on the Consent Calendar.

29 - REPORT - Request for Easement on Maple Avenue

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the proposed easement and lease of City property on Maple Avenue met in Room 432 in City Hall at 5:00 P.M. on May 18, 1993. In attendance were Committee Members Arconti and Cipriani. Also in attendance were Assistant Corporation Counsel Les Pinter, Attorney Ward Mazzucco and the petitioner Norman Carvalho.

The Common Council previously approved an easement to allow Mr. Carvalho to cross over City land to gain access to his property. The purpose of this meeting was to review a proposed lease to allow Mr. Carvalho the use of approximately 4,300 square feet of City property adjacent to his. Mr. Arconti read the positive recommendation of the Planning Commission.

Much discussion took place regarding the term and value to be set for this lease. It was agreed to start the lease at an amount equal to twice the annual taxes that would be assessed on this property (2 x \$459 = \$918 per year). The term of the lease will be thirty years and the rent will be adjusted annually based on the CPI.

Mr. Cipriani moved to recommend the approval of the easement and lease subject to final review of the amended lease by the Planning Commission and the Corporation Counsel. The motion was seconded by Mr. Arconti and passed unanimously.

The report was adopted on the Consent Calendar.

30 - COMMUNICATION - Appointment to the Candlewood Lake Authority

Letter from Mayor Eriquez seeking confirmation of the appointment of James Panzica to the Candlewood Lake Authority for a term to expire April 1, 1996. The appointment was confirmed on the Consent Calendar.

31 - COMMUNICATION - Letter from Second Ward Council Member Bernard Gallo resigning his position effective immediately due to business and family obligations. Mr. Falzone made a motion that the resignation be accepted with regret. Seconded by Dean Esposito.

Mr. DaSilva thanked Mr. Gallo on behalf of the leadership for his years of service to the community. Mr. Gallo has been a strong advocate for the community, with a soft voice but strong on positions.

Mr. Falzone, as the junior member of the second ward thanked Mr. Gallo for all he has done for him and for the leadership he has shown. He taught him to have courage and to speak up for what you believe in. Mr. Gallo has been a voice for the Volunteer Firefighters.

Mr. Yamin stated that for him it was poignant to see Mr. Gallo go. During their campaign for the second ward seat Bernie sauntered through it while Mr. Yamin conducted a feverish campaign. The campaign was gentlemanly. Bernie doesn't work up a sweat, but he gets the job done.

Mrs. Coladarci thanked Mr. Gallo for all he has done for her and for his dedication and leadership.

Mr. Scalzo stated that he and Mr. Gallo go back many years, to their old neighborhood. After high school, Bernie went off to the army and Mr. Scalzo to school and he is proud to call him a friend. The people of Danbury were fortunate to have Mr. Gallo on the Common Council. He wished Bernie Good luck.

Mr. Boynton stated that he had served for 12 years with Mr. Gallo and they have had a lot of good times. Mr. Gallo's viewpoint will be missed.

Mrs. Butera stated that she served 14 years with Mr. Gallo and when she needed someone to talk over issues with Mr. Gallo always had the facts to give needed direction. They have had a lot of fun and hard work.

Mr. Trocolla stated that as one of the newer Council Members to him Mr. Gallo is a legend and someone to look up to. He thanked Mr. Gallo for doing a good, honest job for the citizens of Danbury.

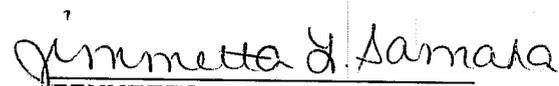
Dean Esposito thanked Mr. Gallo for his service to the City and for the guidance he has given him and wished him the best of luck.

Mayor Eriquez thanked Mr. Gallo on behalf of his own family and all the citizens of Danbury for all of his hard work and dedication and offered best wishes to Bernie and to his son Christopher. Mr. Gallo is a public servant whose objective was the betterment of the City of Danbury.

Mayor Eriquez extended all committees.

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 8:10 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk