

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

RE: Minutes of the Common Council held October 5, 1993

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

PRESENT - Scalzo, Falzone, Roth, Arconti, Coladarci, Boynton, Dennehy, Setaro, DaSilva, John Esposito, Outlaw, Charles, Cipriani, Scozzafava, Trocolla

ABSENT - Fazio, Gogliettino, Cassano, Butera, Yamin

15 Present - 6 Absent

PUBLIC SPEAKING

1. Barbara Monsky, 14 Shepard Road - spoke regarding the report of the Charter Revision Commission. Felt that public input was not addressed. Commended Mrs. Waller on her efforts. In favor of line item veto for the Mayor. (At 7:36 P.M. Mr. Yamin arrived and was marked present)

2. Joseph Rosato, 7 Long Ridge Road - Spoke regarding Charter Revision Commission Report. Requested that the Common Council not end the Charter Revision Commission. Items brought up by the public were not addressed. Once a Commission is formed, the entire charter is open for discussion. People were treated very badly at the commission meetings. Public should be allowed to speak. Referendum has nothing to do with bond rating. Commission Members were very narrow minded.

3. Ronald Blonski, 18 Griffing Avenue - read a prepared statement regarding item 32 Danbury/Ridgefield Negotiating Water Committee. A full copy of the text is on file in the Office of the City Clerk for public inspection.

4. Lynn Waller, 83 Highland Avenue - Spoke regarding the Charter Revision Commission report. Asked that the Common Council not accept the final report. Read from a prepared statement which is on file in the Office of the City Clerk for public inspection. Also spoke regarding the grant from the Department of Justice. Should be looked at carefully as the City will have to fund the entire amount after three years.

(At 7:55 P.M. Dean Esposito arrived and was marked present)

5. Ronnie Boriskin, 26 Fairmount Drive - read from a prepared statement requesting the Fairmount Drive be accepted as a City road.

ANNOUNCEMENTS

Mayor Eriquez offered congratulations to Council Member Thomas Arconti on the birth of his nephew. Ryan James Arconti was born on October 5, 1993 to David and Doreen Arconti. Ryan James is also a cousin to Mayor Eriquez.

- October 14th - Council Member Anthony Cassano will celebrate his birthday
- October 3rd - 9th - Fire Prevention Week
- October 7th - Retirement Dinner for Police Officers Robert Lovell and Elliot Brevard
- October 8th - Mediplex will hold its annual Danbury Fair Day
- October 9th - Richter Park Juried Art Show
- October 9th - Danbury High School Homecoming
- October 10th - AIDS Walk-a-Thon at 9:30 a.m.
- October 11th - Columbus Day - City Hall Closed
- October 14th - Exchange Club Book of Golden Deeds Award Dinner honoring Town Clerk Michael Seri at the Amber Room
- October 16th - Western Connecticut State University Homecoming
- October 20th - Blood Drive at Hatters Park
- October 21st - NAACP Freedom Fund Dinner
- October 23-31 - Red Ribbon Week
- October 23rd - Household Hazardous Waste Collection Day
- October 25th - AIDS Ministry March
- October 29th - Band-aids Jamboree
- October 31st - Halloween

- November 2nd - Election Day
- November 4th - Common Council Meeting

MINUTES - Minutes of the Common Council Meeting held September 8, 1993. Mr. DaSilva made a motion that the Minutes 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 Mrs. Outlaw. Motion carried unanimously.

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

- 2 - Approve Grant Application for Greater Danbury Housesharing Connections-10,850
- 3 - Approve Grant Application for Homeshare Coordinator - \$3,000
- 4 - Approve Grant Application for FEMA Grant - \$12,000
- 5 - Approve Grant Application for two Social Services Block Grants - \$25,781 each
- 6 - Approve Grant Application for Meserve Memorial Fund Grant for School Based Health Center Project - \$10,000
- 7 - Approve Grant Application for Grant from Meserve Memorial Fund for Cultural Enlightening Project - \$10,000
- 8 - Approve Grant Application for Beaver Street Apartments Cooperative Abatement - \$31,500
- 9 - Approve Supplemental Agreement for Union Station Restoration Project - \$158,000
- 10 - Approve Grant Application for Grant from Connecticut State Library to preserve historical local documents - \$5,000
- 18 - Approve request for assistance for Youth Commission
- 23 - Approve Lease extension at Congregational Church for Alternative Center for Education
- 36 - Approve appointments of Thomas Quinn, Olito Grigors and Roland Sorenson to the Commission on Aging
- 38 - Approve acceptance of Coach Hill Road pending compliance with modified Ordinance 17-34
- 39 - Approve Lease between Tarrywile Park Authority and the Anderson Montessori School
- 40 - Approve Progress Report regarding the Health and Housing Department Lease

Mr. Setaro made a motion to adopt the Consent Calendar as read. Seconded by Mr. Boynton. Motion carried unanimously.

1 - ORDINANCE - Amendment to Police Pension Plans. Mrs. Coladarci asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - RESOLUTION - Greater Danbury Homesharing Connections

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Albert Wadsworth and Helen Clark "Meserve Memorial Fund" has made a grant in the amount of \$10,850.00 available to finance portions of the "Homeshare Connections" program at the Department of Elderly Services; and

WHEREAS, the grant would cover the period 1/1/94 through 12/31/94 and would defray the costs of salary and various expenses of the program; and

WHEREAS, there are no local funds or match required;

NOW, THEREFORE, BE IT RESOLVED that Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to execute any agreements or other documents necessary to accomplish the goals hereof.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Homeshare Coordinator

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Mental Retardation is making a grant in the amount of \$3,000.00 available to the Department of Elderly Services which would be used toward the salary of the Department Homeshare Coordinator; and

WHEREAS, said grant is a "Title III-B" grant which the Department of Elderly Services has already been pre-approved to request; and

WHEREAS, there is no local match required for this grant;

NOW, THEREFORE, BE IT RESOLVED, that Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to execute any agreements or other documents necessary to effectuate the intent 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 wishes to make application in an amount not to exceed \$12,000.00 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, 1993 through September 30, 1994 with no local match required.

NOW, THEREFORE, BE IT RESOLVED that Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply for an amount not to exceed \$12,000.00 in said grant funds through the United Way of Northern Fairfield County, Inc., and to accept said funds if offered and is further authorized to sign any applications, agreements or other documents in connection therewith and to do all things necessary to effectuate the purpose of said grant.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Social Services Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 48 and 17-57(b) of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resources development agencies, and

WHEREAS, the State of Connecticut Department of Social Services has made Social Service Block Grant funds available from October 1, 1992 through October 31, 1993; and

WHEREAS, these funds are utilized by the City of Danbury Department of Welfare for Counseling Services; and

WHEREAS, these funds offset a percentage of the cost of salaries for the four caseworkers in the City of Danbury Department of Welfare,

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Danbury that:

1. It recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required by the State for said program; and

2. That the filing of an application by the City of Danbury Department of Welfare covering the period of October 1, 1992 through October 31, 1993 for a grant in the amount of \$25,781.00 or such other amount is offered is hereby approved and that Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized and directed to execute and file such application, to provide such additional information as the Commissioner may request, to execute a Grant Action Request with the State of Connecticut for State financial assistance if such an agreement is offered, and to execute any amendments, rescissions and revisions thereto, as the authorized representative of the City of Danbury.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Application for Meserve Memorial Fund Grant for School-Based Health Center Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Department of Health and Housing of the City of Danbury is eligible to apply for a Meserve Memorial Fund Grant in an amount not to exceed \$10,000.00; and

WHEREAS, the grant will cover the period of November 1, 1993 through June 30, 1994 with no local cash match required; and

WHEREAS, the grant will enable the Health and Housing Department to supplement 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 Director, are hereby authorized to make application for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding this application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez or William J. Campbell, Director of Health are hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts or amendments thereof with the Meserve Memorial Fund regarding said grant and to take all actions necessary to accomplish the purposes of this program.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Grant from the Meserve Memorial Fund for Cultural Enlightening Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Albert Meserve Memorial Fund has made available a grant in the amount of \$10,000.00 for a "Cultural Enlightening Program" at Interweave Adult Day Care Center; and

WHEREAS, said program will utilize local resources, oral and visual presentations as well as trips to museums and programs of a cultural nature; and

WHEREAS, the period of the grant would be 1/1/94 through 12/31/94;

NOW, THEREFORE, BE IT RESOLVED that Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to execute to execute any agreements or other documents required in order to effectuate the intent hereof.

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - Beaver Street Apartments Cooperative Abatement

RESOLVED BY THE COMMON COUNCIL of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under Section 8-215, Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Contract with Beaver Street Apartments (9-25-73) and a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257,000; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1992;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury;

3. That the real property taxes abated on the subject property are \$31,500 for the Grand List of October 1, 1992;

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of Section 12-167 of the Connecticut General Statutes, as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Housing.

The Resolution was adopted on the Consent Calendar.

9 - RESOLUTION - Union Station Restoration Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on March 2, 1993, the Mayor of the City of Danbury was authorized by the Common Council to execute a grant agreement providing federal funds for the restoration of Union Station; and

WHEREAS, in order to cover the cost of such additional expenses as are required for the completion of this project, a Supplemental Agreement between the City of Danbury and the State of Connecticut (as pass-through agent) must be signed; and

WHEREAS, the City is in receipt of a Supplemental Grant Agreement (No. 8.24-07(93) authorizing a revised grant of \$158,000 for preliminary engineering/design expenses; and

WHEREAS, said funds represent a portion of the anticipated eighty percent (80%) federal reimbursement of the restoration project;

NOW, THEREFORE, BE IT RESOLVED that Gene F. Eriquez, Mayor, be and hereby is authorized to sign the agreement entitled FIRST SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT DATED APRIL 13, 1993 BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DANBURY FOR THE DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS AND ESTIMATES FOR ENHANCEMENT IMPROVEMENTS FOR THE REHABILITATION OF HISTORICAL UNION STATION IN THE CITY OF DANBURY. This agreement is identified by agreement No. 8.24-07(93).

The Resolution was adopted on the Consent Calendar.

10 - RESOLUTION - Grant to Preserve Historic Local Documents

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 101-254 (the most recent amendment of the Federal Library Services Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$5,000 under said Federal Library Services and Construction Act, which requires no matching funds and no in-kind funds; and

WHEREAS, use of the materials in the Library's Local History Room has increased 40% in the last two years; and

WHEREAS, the community of Danbury will benefit from conservation measures to insure the survival and accessibility of historic records in the Library; and

WHEREAS, said grant will increase the life of historic materials through the purchase of acid-free boxes and paper; and

WHEREAS, said grant will provide for conservation treatment of oversized atlases to protect them for future generations;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT: approval is hereby given for said application and that Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign said application and that the Mayor and the Director of the Danbury Public Library, Elizabeth McDonough, are hereby authorized to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.

The Resolution was adopted on the Consent Calendar.

11 - RESOLUTION - Federal Department of Justice Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is making funds available to communities for a Police Hiring Supplement Program ("The Program"); and

WHEREAS, The Program will make direct grants to law enforcement jurisdictions permitting the hiring and/or rehiring of additional sworn law enforcement officers as part of an overall plan to address crime and related problems through community policing; and

WHEREAS, said Program is in the best interests of the City of Danbury and it is desirable to obtain the goals thereof; and

WHEREAS, a grant pursuant to this Program would permit the hiring of seven (7) officers for three (3) years at a total grant amount of \$525,000, of which a local match of \$315,000 would be required for those first three (3) years, and 100% local funding subsequent to the initial three (3) year period;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, be and hereby is authorized to make application for said grant funds and take any and all necessary actions in the furtherance of said Program.

Mr. Boynton made a motion to accept the Resolution and allow the grant application to be filed. Seconded by Dean Esposito. Mr. Boynton stated that this is a proactive attempt to combat crime. Motion carried unanimously.

12 - COMMUNICATION - Charter Revision Commission Report. John Esposito asked that this be deferred to public hearing. Mayor Eriquez so ordered.

13 - COMMUNICATION - Letter from Mayor Eriquez requesting approval of up to \$7,500 for modifications to the health area at Danbury High School to facilitate the School Based Health Services for the adolescent student population. Mr. DaSilva made a motion that the communication be accepted and the funding authorized pending certification. Seconded by Mr. Charles.

Mr. Falzone asked why the School Board is not funding this project. Mayor Eriquez explained that it is a partnership between the City and the Schools. Mr. Trocolla asked that since the High School renovations are not completed would there be any bond money available. Mayor Eriquez explained that this was not included in the original bond referendum.

Motion carried unanimously.

14 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath asking permission to accept donations in the amount of \$33.00 to be used toward the printing of the monthly newsletter. Mr. Setaro made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mrs. Outlaw. Motion carried unanimously.

15 - COMMUNICATION - Letter from Police Chief Nelson Macedo seeking permission to accept donations of a windshield and four hubcaps, ammunition and file cabinets. Miss Dennehy made a motion that the donations be accepted and letters of thanks sent. Seconded by Mr. Scalzo. Motion carried unanimously.

16 - COMMUNICATION - Letter from Director of Health William Campbell asking permission to accept the donation of a copier cabinet from the law firm of Secor, Cassidy and McPartland. Mr. Cipriani made a motion that the cabinet be accepted and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

17 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath asking permission to accept a donation in the amount of \$500 from Perkin-Elmer employees for the Interweave Adult Day Care Center. Mr. Setaro made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

18 - COMMUNICATION - Request from Bobbie Feinson requesting permission to approach the Meserve Foundation and the Fairfield County Foundation for funds to support the second annual youth Leadership Conference. Permission was granted on the Consent Calendar.

19 - COMMUNICATION - Letter from Gerald J. Daly, Chairman of the Tarrywile Park Authority requesting supplemental funds for Tarrywile Park in order to permit it to complete a capital improvement project which will renovate the farmhouse located at the entrance to the farm area of the park. The sum of \$28,000 is requested. Mr. Boynton asked that this be referred to an ad hoc committee, the Chairman of Tarrywile Park Authority, and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Setaro, Dennehy and Yamin to the committee.

20 - COMMUNICATION - Request from Fire Chief Lagarto asking that \$20,000 be added to the Special Services Account. This is a wash item because all fire watch is billed to the party requiring same. Mr. Falzone made a motion that the request be approved. Seconded by Dean Esposito. Motion carried unanimously.

21 - COMMUNICATION - Request for a committee to research definition of sidewalk. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Corporation Counsel and the petitioner. Mayor Eriquez so ordered and appointed Council Members Coladarci, Roth and Scozzafava to the committee.

22 - COMMUNICATION - Request for committee regarding Water Supply Protection Districts. Miss Dennehy asked that this be referred to an ad hoc committee, the Corporation Counsel, the Superintendent of Public Utilities and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Arconti, Scalzo and Fazio to the committee.

23 - COMMUNICATION - Amendment to lease dated September 11, 1992 between the First Congregational Church and the City of Danbury extending the lease through June 30, 1994. The amendment was approved on the Consent Calendar.

24 - COMMUNICATION - Request to accept Fairmount Drive, Topfield Road, etc. as City roads. Mr. Setaro asked that this be referred to an ad hoc committee, the Corporation Counsel, the City Engineer and the Planning Commission. The Mayor so ordered and appointed Council Members Dean Esposito, Charles and Scozzafava to the committee.

25 - COMMUNICATION - Request to accept roads in Huntington Farms Subdivision as City roads. Mr. Scalzo asked that this be referred to the City Engineer and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

26 - COMMUNICATION - Request for sewer extension at 13 Sugar Hollow Road. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Cipriani Coladarci and Fazio to the committee.

27 - COMMUNICATION - Request to amend existing agreement with Ceruzzi Properties, owners of the Still River Corporate Park. Mr. DaSilva asked that this be referred to an ad hoc committee, the Corporation Counsel and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Trocolla, Outlaw and Yamin to the committee.

28 - COMMUNICATION - Contract between Danbury Library and Innovative Interfaces, Inc. Mr. Setaro asked that this be referred to an ad hoc committee, the Library Director, the Director of Finance and the Chairman of the Board of Danbury Library. Mayor Eriquez so ordered and appointed Council Members Boynton, Scalzo and Yamin to the committee.

29 - COMMUNICATION - Request from Risk Manager Thomas Fabiano for a transfer of \$68,000 be made to cover the settlement of Robert F. Ehrhards pending uninsured workers' compensation claim under the Heart and Hypertension Act. Dean Esposito asked that this be referred to an ad hoc committee, the Risk Manager, the Director of Finance and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Falzone, DaSilva and Fazio to the committee.

30 - COMMUNICATION - Radio Beacon Tower - Spruce Mountain - WITHDRAWN

31 - COMMUNICATION - State Forfeiture Monies - WITHDRAWN

32 - COMMUNICATION - Reports regarding Danbury/Ridgefield Negotiating Water Committee. Dean Esposito asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Trocolla, Gogliettino and Fazio to the committee.

33 - COMMUNICATION - Melville Corporation v. City of Danbury and Board of Tax Review - WITHDRAWN

34 - COMMUNICATION - POW-DAN II Corporation v. City of Danbury. Mr. Scalzo asked that this be deferred to the end of the agenda for Executive Session. Mayor Eriquez so ordered.

35 - COMMUNICATION - Jasso v. Commissioner of the Department of Income Maintenance and the Director of the City of Danbury Department of Welfare. Mr. Cipriani asked that this be deferred to the end of the agenda for Executive Session. Mayor Eriquez so ordered.

36 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointments of Thomas F. Quinn and Olita Grigors to the Commission on Aging for terms to expire October 1, 1996 and October 1, 1994 and

Roland Sorenson to the Commission on Aging as an alternate member for a term to expire January 1, 1996. The appointments were confirmed on the Consent Calendar.

37 - DEPARTMENT REPORTS - Engineering, Public Utilities, Highways, Department of Elderly Services, Parks and Recreation, Health and Housing, Fire Chief, Fire Marshall. Mr. DaSilva made a motion that the Department Reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Setaro. Discussion followed on the Department Reports. Motion carried with Mr. Yamin voting in the negative.

38 - REPORT - Coach Hill Road

Mrs. Coladarci submitted the following report:

The Common Council Committee appointed to review Coach Hill Road met at 7:30 P.M. in Room 432 in City Hall on September 23, 1993. In attendance were committee members Coladarci, Arconti and Scozzafava. Also in attendance were Mayor Gene Eriquez, Director of Public Works Jack Schweitzer, Corporation Counsel Eric Gottschalk, Director Planning Dennis Elpern as well as residents of the City. Mr. Arconti made a motion to waive the rules. Seconded by Mr. Scozzafava and passed.

Mr. Schweitzer gave a brief history of the bond for Coach Hill Drive explaining that although the amount was raised from \$100,000 to \$135,000 due to construction problems and that the premium was not paid from 1987 to 1991. It was added by the Mayor and Attorney Gottschalk that this cannot happen now due to changes in the bonding process. Questions were brought up regarding the City's attempts at calling the bond and if this Ordinance is being pushed through to legitimize the City. It was again explained that other areas of the City are unfinished for whatever reason and that this would be the cleanest, quickest way to make Coach Hill Drive a City road.

The Mayor explained that the City has a road priority list and that Coach Hill Drive will be added to that list. The problem then becomes a matter of funding. He added that we are fortunate that last year the voters approved a bond that took care of road repairs and drainage problems. The various steps in the Ordinance were reviewed. The residents were informed that all parts of the Ordinance must be taken into account before road acceptance. It was also brought up that this matter can be added to the agenda of a Special Common Council meeting in October.

Mr. Arconti moved to recommend to the full Common Council that Coach Hill Drive be accepted as a City road contingent upon compliance with the provisions of subsections 17-34(c)(3) and 17-34(d) and effective on the effective date of the amendment to section 17-34 which is presently pending before the Common Council.

The report was adopted on the Consent Calendar.

39 - REPORT - Lease between Tarrywile Park Authority and the Anderson-Montessori School - 5 Mountainville Road

Miss Dennehy submitted the following report:

The Common Council Committee appointed to review the lease between the Tarrywile Park Authority and the Anderson Montessori School for 5 Mountainville Road met on September 28, 1993 at 7:30 P.M. in City Hall. In attendance were committee members Dennehy, Scalzo and Scozzafava. Also in attendance were Michael Cappiello and Jenny Daly.

The goal of the committee was to review an extension of the lease to be approved, the changes for the commercial lease and the specific Anderson-Montessori School lease. Mr. Scalzo asked about the CPI factor and the term of the lease. The maximum number of years is five. Ms. Daly said five is usually the minimum number of years for a commercial lease.

After much discussion, Mr. Scalzo made a motion to recommend approval pending approval from Corporation Counsel Eric Gottschalk as to the following:

1. The amended procedures to determine for Tarrywile Park facilities;
2. Approve the basic lease format;
3. The specific lease for the Anderson-Montessori School on 5 Mountainville Road at \$525 Month for a term of five years with annual adjustment based on procedures outlined in "procedure to determine tenants for Tarrywile Park Facilities" or 4.5% whichever shall be greater.

Seconded by Mr. Scozzafava. Motion carried unanimously.

The report was adopted on the Consent Calendar.

40 - PROGRESS REPORT - Health and Housing Department Lease

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the lease for the Health and Housing Department met on April 5, 1993 and on September 21, 1993. The Health and Housing Department now leases space at 20 West Street and the WIC Program is located at 13 Main Street, a City owned property. It is the desire of the Director of the Health and Housing Department to move the WIC Program to a new location because the building at 13 Main Street is no longer adequate for their operation.

There is a proposal under consideration to relocate both 20 West Street and 13 Main Street to a new lease at 30 West Street. However, there are several other options that may be available in the near future such as other properties in the vicinity of City Hall or additional space at 20 West Street.

The committee is continuing to discuss all possibilities with the administration in an effort to recommend the most effective long term solution for the department's space needs.

The Progress Report was adopted on the Consent Calendar.

At 8:37 P.M. Mr. Setaro made a motion to enter into Executive Session. Seconded by Miss Dennehy. Motion carried unanimously.

At 8:54 P.M. Common Council reconvened in public.

34 - POW-DAN II Corporation v. City of Danbury. Mr. DaSilva made a motion that the agreement as presented in Executive Session be accepted. Seconded by Dean Esposito. Motion carried unanimously.

35 - Jasso v. Commissioner of the Department of Income Maintenance and Director of the City of Danbury Department of Welfare. Mr. Boynton made a motion that the settlement as outlined in executive session be accepted. Seconded by Miss Dennehy. Motion carried unanimously.

41 - COMMUNICATION - City of Danbury v. Salame - Water Charge Dispute - 131 West Street. Mr. Setaro made a motion that this be added to the agenda. Seconded by Mr. Boynton. Motion carried unanimously.

Letter from Assistant Corporation Counsel Peter Buzaid requesting approval of a settlement requiring the Defendant to pay the actual amount he disputed, \$3,132.24 plus interest to June 11, 1992 in the amount of \$1,526.98 for a total of \$4,659.22. As part of the settlement, the City of Danbury Department of Public Utilities shall provide Mr. Salame with fire hydrants.

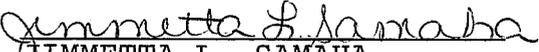
Mr. DaSilva made a motion that the communication be accepted and the settlement approved. Seconded by Mrs. Outlaw.

Mr. Setaro stated that this settlement was virtually the one that had been before his ad hoc committee previously.

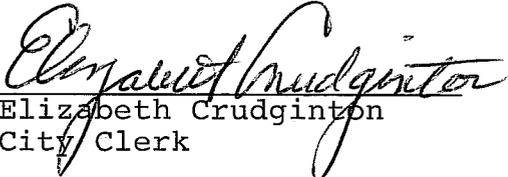
Motion carried unanimously.

Mayor Eriquez extended all committees.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk