

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

RE: Minutes of the Common Council Meeting held November 4, 1993

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

ABSENT - Gogliettino, Cassano, Butera

18 Present 3 Absent

PUBLIC SPEAKING

1. Barbara Baker, 22 Sleepy Hollow Drive - spoke regarding item 36. Her husband received a ticket for parking on sidewalk as defined by City ordinance. They have been parking there for thirty years. The definition of sidewalk is too broad. She requested that a subcommittee be appointed to study the definition of sidewalk. It was obvious that the Chairman already had her mind made up. The residents of Sleepy Hollow were not looking for any special treatment. Mr. Blonski gave a background of the ordinance to the subcommittee as he was one of the original petitioners. If this piece of property is indeed a "sidewalk" then City should maintain it. The Common Council should investigate this further.

2. Ronald Blonski, 18 Griffing Avenue - spoke regarding item 36 and read a definition of the word "sidewalk". Also spoke regarding item 33. Read from a newspaper article.

ANNOUNCEMENTS

The Common Council will hold its annual wood sale on December 5, 1993 at the landfill from 12:00 noon until 4:00 P.M.

- November 7th - Jaycees Harvest Festival at the Amber Room for Seniors
- November 10th - Davon Development Home Builders Award for Liberty Terrace
- November 11th - Exchange Club will hold at Veterans Appreciation Night at 6:30 P.M. at the Amber Room
City Hall Closed for Veteran's Day
- November 12th - 13th - Youth Conference
- November 16th - Red Cross Annual Dinner
- November 17th - MCAA Annual Awards Dinner
- November 21st - Rededication of Kennedy Memorial Park in honor of the 30th Anniversary of the death of President John F. Kennedy
- November 23rd - Boy Scouts - Good Scout Luncheon
- November 25th - Thanksgiving - City Hall Office Closed
- November 26th - City Hall Offices Closed

MINUTES - Minutes of the Common Council Meeting held October 5, 1993 and of the Special Common Council Meeting held October 12, 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 Mr. Charles. Motion carried unanimously.

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

- 2 - Approve grant application for Activities Specialist from United Way - \$10,000
- 3 - Approve grant application for Department of Social Services Grant - Before and After School Program - \$23,095
- 4 - Approve Resolution concerning State Forfeiture Monies
- 5 - Approve Grant Application for improvements at Airport - \$3,276,500
- 6 - Approve Grant for Hazardous Materials Transportation Act up to \$10,000
- 15 - Approve payment for herbicide treatment at Lake Kenosia - \$3,600
- 16 - Approve request for funding for Homeless Shelter - \$3,800
- 18 - Approve entering into negotiations for Good Neighbor House
- 19 - Approve entering into negotiations for lease with Womens Center lease at 256 Main Street
- 22 - Approve Affordable Housing Fund grant for Liberty Terrace for \$7,600
- 23 - Approve petition for Berkshire Industrial Corporation Easement Riverview Drive
- 24 - Approve acceptance of Colonial Drive, Pilgrim Drive as City Highways
- 32 - Approve amendment to Ordinance 17-34
- 34 - Approve contract between Danbury Library and Innovative Interfaces, Inc.
- 35 - Approve Still River Corporate Park Agreement

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

1 - ORDINANCE - Repeal of Section 11-3. Mr. Arconti asked that this be deferred to a public hearing. Mayor Eriquez so ordered.

2 - RESOLUTION - United Way Grant for Activities Specialist

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, United Way of Northern Fairfield County, Inc. has indicated that the Department of Elderly Services is eligible to apply for Campaign Participation for the calendar year 1994 provided that the Common Council by resolution approves such participation; and

WHEREAS, such Campaign Participation would ensure an opportunity to attain adequate funding to operate the Adult Day Care Program of the Department of Elderly Services;

NOW, THEREFORE, BE IT RESOLVED THAT such participation by the Department of Elderly Services is hereby approved; and

FURTHER, BE IT RESOLVED THAT the Mayor of the City of Danbury and the Director of the Department of Elderly Services are hereby authorized to apply to United Way of Northern Fairfield County, Inc. for a Special Grant of \$10,000 for the calendar year January 1, 1994 through December 31, 1994 to augment funding for the position of Activities Specialist at the Interweave Adult Day Care Center inasmuch as it is expected that Title III-B Grant funds from the Western Connecticut Area Agency on Aging to be used for said position will fall short of the requested amount. It is understood that no City of Danbury matching funds are required for this grant.

IT IS FURTHER RESOLVED, that should such application be approved the Mayor of the City of Danbury and the Director of the Department of Elderly Services are authorized to accept such grant and the Mayor is empowered to sign all agreements therefor and to do all things necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Department of Social Services Grant - Before and After School Program

RESOLVED by the Common Council of the City of Danbury:

RESOLVED That the Mayor, Gene F. Eriquez, is empowered to enter into and amend contractual instruments in the name and on behalf of the City of Danbury with the Department of Social Services of the State of Connecticut for an Elementary School Before and After School Child Care Program, and to affix the corporate seal.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - State Forfeiture Monies

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Comprehensive Crime Control Act of 1984 and Connecticut General Statutes Sections 54-36h and 54-36i provide for the sharing of assets seized in the course of narcotics investigations with the local governments responsible for the seizure; and

WHEREAS, the Police Department of the City of Danbury will benefit from funds returned to the City by the State of Connecticut in accordance with the aforesaid C.G.S. sections;

NOW, THEREFORE, BE IT RESOLVED THAT the following rules and procedures be and hereby are established consistent with the requirements of the C.G.S. Sections 54-36h - 54-36i and State guidelines conforming to the requirements of the United States Department of Justice governing the receipt and disbursement of said funds:

1. State forfeiture monies shall be deposited in a Special Reserve Account created and maintained solely for that purpose - the monies must not be comingled with City General Fund accounts. Said account shall be non-lapsing, e. g. the monies need not be spent in that fiscal year.

2. All funds so received shall be used solely for legitimate law enforcement purposes by the Danbury Police Department as specified by State law and guidelines.

3. All funds so received shall be used to supplement Police Department resources and not to replace existing resources.

4. All proposed expenditures shall be submitted to the Director of Finance for initial review and thereafter to the Mayor for final approval.

5. All legal provisions pertaining to purchasing shall be complied with in the expenditure of funds so received.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Grant for Improvements at Airport

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of transportation make funds available through the Airport Improvement Act of 1987; and

WHEREAS, the City of Danbury intends to make airport drainage channel culvert and utility improvements, reconstruct the taxiway "A" and "B" intersection, acquire a new aircraft rescue and fire fighting vehicle and install security gates, all four of which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$3,276,500.00 with a local match of two and one-half percent (2½%) equalling an amount not to exceed \$84,012.82;

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Hazardous Materials Transportation Act

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut's State Emergency Response Commission (SERC) has received funding from the U. S. Department of Transportation from the "Interagency Hazardous Materials Public Sector Training and Grant Program", which is to be distributed to Local Emergency Planning Committees (LEPC); and

WHEREAS, the SERC has notified LEPC's in Connecticut of the availability of funding for planning projects pertaining to hazardous materials transportation and fixed site facility hazards for grants up to \$10,000 per district; and

WHEREAS, the City of Danbury is eligible to receive such funding for its LEPC for the Danbury Planning District and has prepared a detailed proposal for a project aimed at identifying all sources of hazardous materials in the city and exhibiting such locations on a series of weather resistant "tactical maps" and computerized "planning maps"; and

WHEREAS, this project, if approved and when completed, will increase Danbury's capabilities for planning, analysis, and tactical response to accidental releases of hazardous materials; and

WHEREAS, the Planning Grant term will run from July 1, 1993 through June 30, 1994 with no cash match required from the City of Danbury; and

WHEREAS, Danbury's LEPC is an interdepartmental organization represented by the City's emergency response agencies and industrial facilities which have hazardous materials, chaired by the Coordinator of Environmental and Occupational Health Services of the Danbury Health and Housing Department;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury and the Local Emergency Planning Committee, acting through Jack Kozuchowski, its chairman, are hereby authorized to apply to the State of Connecticut's State Emergency Response Commission for said Planning Grant and to accept such grant if approved; and

BE IT FURTHER RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is authorized to make, execute and approve any and all contracts or amendments thereof with the State of Connecticut State Emergency Response Commission and take any actions necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

7 - COMMUNICATION - Letter from Director of Parks and Recreation Robert Ryerson seeking permission to accept the donation of a usable refrigerator/freezer from Carol Bunday. Mrs. Coladarci made a motion that the donation be accepted and a letter of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

8 - COMMUNICATION - Letter from the Director of the Department of Elderly Services Leo McIlrath seeking permission to accept donations in the total amount of \$210.00. Mr. Setaro made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Health William Campbell seeking permission to accept the donation of a secretarial desk, a file cabinet, shelving and two room dividers from the United Way of Northern Fairfield County to the Department of Health and Housing. Mr. DaSilva made a motion that the donations be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

10 - COMMUNICATION - Letter from Library Director Betsy McDonough seeking permission to accept donations in the total amount of \$120 for the Library. Mr. Scalzo 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.

11 - COMMUNICATION - Letter from Chief of Police Nelson Macedo seeking permission of the donation of K-9 Bear with the usual stipulation that upon retirement of either the canine or Officer Marcellus Kruijs ownership of the canine shall revert to Officer Kruijs. Mr. Boynton made a motion that the donation be accepted with the usual stipulation. Seconded by Miss Dennehy. Motion carried unanimously.

12 - COMMUNICATION - Letter from Joseph J. Ubaghs, Executive Director of the Children's Christmas Fund seeking a donation from the proceeds of the Common Council Annual Wood Sale. Mrs. Coladarci asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Coladarci, Outlaw and Yamin to the committee.

At 8:02 P.M. Mrs. Gogliettino arrived and was marked present.

13 - COMMUNICATION - Letter from Mildred Siegel, Coordinator of the Cultural Commission requesting that the Common Council accept a \$200 match grant from the Connecticut Commission on the Arts to the Cultural Commission. Mr. Setaro made a motion that the grant be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

14 - COMMUNICATION - Letter from Philip Hadley, Chairman of the Lake Kenosia Commission requesting that the Common Council accept grant monies of \$3,500 from the Meserve Foundation and deposit it in the Lake Kenosia Special Account to be used as part of the Historical Land Use Study. Mr. DaSilva made a motion that the \$3,500 be accepted and deposited to the Lake Kenosia Special Account. Seconded by Mr. Charles. Motion carried unanimously.

15 - COMMUNICATION - Letter from Philip Hadley, Chairman of the Lake Kenosia Commission asked for the release of \$3,600 for the final payment to Aquatic Control Technology for the 1993 herbicide treatment of Lake Kenosia. The request was granted on the Consent Calendar.

16 - COMMUNICATION - Letter from Director of Welfare Deborah MacKenzie requesting the sum of \$3,800 to continue the part time position of meals coordinator at the Homeless Shelter. The request was granted on the Consent Calendar.

17 - COMMUNICATION - Letter from Nelson Neves the Executive Director of the Police Athletic League asking permission to lease land at Hatters Park for a future PAL building. Mr. Setaro asked that this be referred to an ad hoc committee, the Director of PAL, the Director of Parks and Recreation, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Arconti, Dennehy and Scozzafava to the committee.

18 - COMMUNICATION - Letter from Mayor Eriquez requesting that the City enter into negotiations with the property owner at 111 Main Street for the Good Neighbor House. Permission was granted on the Consent Calendar.

19 - COMMUNICATION - Letter from Patricia Zachman, Director of the Women's Center stating her desire to retain the space presently occupies by the Women's Center at 256 Main Street and would like another five year lease. The request was granted on the Consent

Calendar.

20 - COMMUNICATION & CERTIFICATION - Request from EMS Coordinator Michael Esposito to use funds from the Special Ambulance Account for the purpose of updating and purchasing new CPR Mannequins. Miss Dennehy asked that this be referred to an ad hoc committee, the EMS Coordinator and the Fire Chief. Mayor Eriquez so ordered and appointed Council Members Scalzo, Trocolla and Scozzafava to the committee.

21 - COMMUNICATION - Request for Fire Chief Antonio Lagarto requesting that \$20,000 be added to the Fire Department Special Services Account for fire watch. This account is a wash item because all fire watch is billed to the party needing the fire watch. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Fire Marshall, the Fire Chief and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Scalzo, Trocolla and Scozzafava to the committee.

22 - COMMUNICATION - Letter from Paul Schierloh, Associate Director for Housing requesting disbursement from the Affordable Housing Fund in the amount of \$7,600 towards Liberty Terrace Project in accordance with Section 1.2:3 of the Partnership's Process and Procedures to Sponsor Proposals for Affordable Housing. The request was granted on the Consent Calendar.

23 - COMMUNICATION - Letter from Director of Public Works Jack Schweitzer requesting that the Common Council authorize the Mayor to petition the State of Connecticut to grant to the City the necessary permanent easement for the construction and maintenance of Riverview Drive. The request was granted on the Consent Calendar.

24 - COMMUNICATION - Letter from Jack Schweitzer recommending that Colonial Drive and Pilgrim Drive be accepted as City roads subject to the receipt of title to said roadways and rights of way in a form acceptable to the Corporation Counsel's Office. The roads were accepted on the Consent Calendar.

25 - COMMUNICATION - Request for sewer extension at 11 Crane Street. Miss Dennehy 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 Falzone, Charles and Yamin to the committee.

26 - COMMUNICATION - Request to purchase City land on Hospital Avenue. Mr. Setaro asked that this be referred to an ad hoc committee, the City Engineer, the Tax Assessor and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Arconti, Scalzo and Yamin to the committee.

27 - COMMUNICATION - Letter from Director of Parks and Recreation Robert Ryerson requesting permission to enter into an agreement to use property on Rowan Street under contract to Gene Wendell. Mr. Arconti asked that this be referred to an ad hoc committee, the Director of Parks and Recreation, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Dennehy, Dean Esposito and Scozzafava to the committee.

28 - COMMUNICATION - Letter from Director of Welfare Deborah MacKenzie requesting permission to enter into a one year lease with Victorian Associates for an additional office at 403 Main Street. Mr. DaSilva asked that this be referred to an ad hoc committee, the Director of Welfare, the Director of Finance, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, Coladarci and Yamin to the committee.

29 - COMMUNICATION - Offer to sell property at 45 West Street to the City. Mr. Scalzo asked that this be referred to an ad hoc committee, the Director of Planning, the Director of Finance and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Setaro, Boynton and Scozzafava to the committee.

30 - COMMUNICATION - Request to lease City property on Backus Avenue for the Christmas season. John Esposito asked that this be referred to an ad hoc committee, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Boynton, John Esposito and Yamin to the committee.

31 - DEPARTMENT REPORTS - Department of Elderly Services, Parks and Recreation, Engineering, Public Utilities, Health and Housing, Highways, Fire Chief, Fire Marshall, Sealer of Weights and Measures. 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 Mrs. Outlaw. Motion carried unanimously.

32 - REPORT & ORDINANCE - Amendment to Ordinance 17-34

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:22 P.M. on October 18, 1993 to review a proposed amendment to Ordinance 17-34. This amendment would add to the present specification, roads to which no bond exists that could be used to indemnify the City for the cost of improving or constructing these roads.

Mr. Boynton moved to recommend approval of the amendment to Ordinance 17-34 as proposed. The motion was seconded by Mr. Charles. Mayor Eriquez explained that unaccepted bonded roads were meant to be public roads as speakers at the preceding public hearing had stated. This ordinance would allow roads to be considered on a case by case basis by the Common Council. There will also need to be a plan put forth by the City to make improvements to those roads that will be accepted. Superintendent of Highways Frank Cavagna stated that non-public roads are in various stages of disrepair. Most, however, would take a final course of pavement to make the roads acceptable.

After considerable discussion, the vote was taken. The motion passed unanimously.

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

THAT section 17-34 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(a) Statement of purpose and intent. It is recognized that there exist in the City of Danbury certain private streets and roads which were constructed prior to the enactment of stringent road ordinances by the City of Danbury and its corporate predecessors as well as other roads with respect to which no bond exists which could be successfully used to indemnify the City of Danbury for the cost of improving or constructing said roads. It is also recognized that these streets and roads are rapidly falling into decay and that the health, welfare and safety of the people living on these roads and streets will be adversely affected by the condition of these streets and roads. It is also recognized that these streets and roads cannot meet the requirements of the current road ordinance of the City of Danbury; but that it is in the best interest of the people living on these streets and roads, and it is in the best interest of the City of Danbury, that said streets and roads be accepted by the City of Danbury as public highways.

(b) Other ordinances not to apply. Any street or road which meets the requirements of this section shall not have to comply with the existing ordinances of the City of Danbury pertaining to road construction, including, but not limited to, sections 17-21 through 17-33 of the Code of Ordinances of the City of Danbury.

(c) General requirements. The Common Council of the City of Danbury shall be authorized to accept streets and roads pursuant to the provisions of this section if, after giving due consideration to the financial impact of said acceptance, the following requirements have been met:

(1) There must not have been posted with the City of Danbury, or its corporate predecessors, a bond which can be successfully used to indemnify the City of Danbury for the cost of improving or constructing said streets or roads;

(2) A majority of the owners of property which abuts the road to be accepted must petition the Common Council of the City of Danbury for acceptance under the provisions of this section.

(3) The right-of-way shall not be less than thirty (30) feet in width and the traveled portion shall not be less than twenty (20) feet in width. The Director of Public Works and the City Engineer must certify that the road is adequate to support the traffic which is expected to use it and that the road is in a condition such that it is reasonably safe for public travel.

(4) Access to said road must be available from either a state highway or accepted city street.

(d) Deed. Before final acceptance, a deed to the road right-of-way and a certificate of title, both in a form satisfactory to the office of the Corporation Counsel must be delivered to the City. Any and all deeds and easements together with appropriate hold harmless agreements required by the City Engineer or the office of the Corporation Counsel shall be provided by the owner or owners involved at no cost to the City of Danbury. In the event that the petitioners are unable to provide the necessary easements or convey title to the road right-of-way to the City, the City may elect to acquire said easements or title through the exercise of its power of eminent domain, provided that one or more of the petitioners have agreed to assume the costs thereof.

(e) Responsibility of city. By accepting a street or road pursuant to this section, the City of Danbury shall not be obligated to construct or reconstruct such a road or street so that it complies with the existing specification of the City, including but not limited to sections 17-21 through 17-33 inclusive of the Code of Ordinances of the City of Danbury. The sole obligation of the City after accepting such a road or street shall be to maintain such a road or street in a condition that will render it reasonably safe for travel.

The report was accepted and the Ordinance adopted on the Consent Calendar.

33 - REPORT - Ridgefield Interlocal Water Negotiations

Mr. Trocolla submitted the following report:

The Common Council Committee appointed to review the Ridgefield Interlocal Water Negotiations met on October 13, 1993 at 7:30 P.M. in City Hall. In attendance were Council Members Trocolla, Gogliettino and Scozzafava. Also in attendance were Corporation Counsel Eric Gottschalk and members of the Public Ronald Blonski and Lynn Waller. Mr. Scozzafava made a motion to suspend the rules.

Mr. Trocolla read the committee charge. Committee Members were not in favor of selling our water. No members felt that they wanted to negotiate with any company or City to give away our precious resource.

Mr. Scozzafava made a motion to recommend that the Common Council not expand the interlocal commission to include the possibility of extending water service to a site in Ridgefield since we do not want to

sell our water. Seconded by Mrs. Gogliettino. Motion carried unanimously.

The report was accepted on the Consent Calendar.

34 - REPORT - Contract between Danbury Library and Innovative Interfaces, Inc.

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review a contract between Danbury Library and Innovative Interfaces, Inc. met on October 18, 1993 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Scalzo and Yamin. Also in attendance were Betsy McDonough, Library Director, Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk and Director of Data Processing Frank Mastriani.

After a lengthy meeting of approximately 2½ hours with the committee being advised by Betsy McDonough and John Hoffer that the existing library system will be terminated effective June 30, 1994 and that unless a contract between the Danbury Library and Innovative Interfaces, Inc. for a new automated library system is signed by early November, 1993, there is a great probability that the library will be unable to function as of July 1, 1994. The reason this has come to pass is that the existing Bibliomation system has become outdated and will cease to operate at the end of June, 1994.

The committee reviewed possibly having our City Data Processing Department devise a system to take over for Bibliomation. However, Mr. Mastriani advised us that:

1. He could not have a system on line by the deadline of July 1, 1994.

2. He would require months to study even if the new system or the old would be compatible with the current hardware.

The Corporation Counsel advised the committee that it could recommend the signing of the new contract subject to his approval of the contract and any and all agreements. After reviewing the various payment options, Mr. Setaro advised the committee to recommend option 11 - 3 year Lease Purchase (all interest waived).

After discussing all options, Mr. Yamin made the following motion:

To recommend that the Common Council approve the signing of the contract between the Danbury Library and Innovative Interfaces, Inc. for its Lease Purchase option #11 - 3 year Lease Purchase (all interest waived), subject to the approval of this contract and any and all agreements, by its Corporation Counsel. Motion was seconded by Mr. Scalzo. After discussion that the Library Board will donate \$38,000 to the City to offset part of its 1994 amount of \$158,022 due July, 1994, the motion carried unanimously.

The report was approved on the Consent Calendar.

35 - REPORT - Still River Corporate Park

Mr. Trocolla submitted the following report:

The Common Council Committee appointed to review the Still River Corporate Park agreement met on October 13, 1993 at 7:00 P.M. in City Hall. In attendance were committee members Trocolla and Outlaw. Also in attendance were Corporation Counsel Eric Gottschalk, City Engineer Jack Schweitzer and William Steel for Still River Corporate Park. A motion was made and passed to suspend the rules. Mr. Gottschalk outlined the changes in the original agreement:

1. They would improve Eagle Road from 3 to 5 lanes at the intersection of Route 7.

2. Change the street name from Eagle Drive to International Drive to make consistent from Route 6 to 7.

3. Construct sign on City property.

Mrs. Outlaw made a motion to recommend acceptance of the agreement. Seconded by Mrs. Trocolla. Motion carried unanimously.

The report was accepted on the Consent Calendar.

36 - REPORT - Research the Definition of "Sidewalk"

Mrs. Coladarci submitted the following report:

The Common Council Committee appointed to research the definition of "sidewalk" met at 7:00 P.M. on October 21, 1993 in Room 432 in City Hall. In attendance were committee members Coladarci and Roth. Also in attendance were Francis Kieras and Paul Estefan, Parking Ticket Hearing Officers and Assistant Corporation Counsel Les Pinter, as well as residents of the City affected by the local ordinance as written. It was moved that those in attendance be allowed to speak.

Ronald Blonski gave a brief history of the Ordinance as passed in 1988 as he was one of the original petitioners at that time. Mrs. Barbara Baker stated that the area in question is a dead end circle and that the home owners clear the piece of land across the street from their homes to provide off-site parking. She added that if it is supposed to be a sidewalk then someone should be taking care of it. She explained that the neighborhood would like this type of land to be redefined so they can continue to park off the road to avoid blocking traffic. Safety issues were discussed as well as various aspects of changing the ordinance.

Mr. Roth moved to recommend to the full Common Council that Section 19-36 of the Code of Ordinances not be changed in order that the health, safety and welfare of the citizens of Danbury be protected, but to also urge the Mayor and the Highway Department to maintain the area in question. Seconded by Mrs. Coladarci and passed unanimously.

Mr. DaSilva made a motion that the report be referred to the Traffic Engineer for a report back within thirty days. Seconded by Mr. Charles. Motion carried unanimously.

37 - REPORT - Cost of Perpetual Care

Mrs. Coladarci submitted the following report:

The Common Council Committee appointed to review the cost of perpetual care of the City's 2,002 gravesites met at 7:00 P.M. on October 4, 1993 in Room 432 in City Hall. In attendance were committee members Coladarci and John Esposito. Also in attendance were Dominic Setaro, Director of Finance, Council Louis Charles, ex-officio and Thayer Bowman, Hollis Whitman and Bob Reynolds of the Danbury Cemetery Association. It was moved that those in attendance be allowed to speak.

John Esposito asked that Mr. Setaro give a report. This subcommittee has met previously to discuss the Associations proposal of \$125.00 per grave. That amount was unacceptable to the committee and negotiations with the Association were continued through Mr. Setaro. Discussions included the possible solution that the City take care of its own graves.

Mr. Setaro reviewed the most recent letter that the City received from the Danbury Cemetery Association. He said that the Association has made a fair offer of a one-time charge of \$50.00 per grave for the perpetual care of the 2,002 gravesites owned by the City. Mr. Setaro has offered that the total amount of \$100,100.00 be paid over a seven year period of which the City would pay \$15,215 for the first six years and \$9,810 for the final year. The cost represents the current amount budgeted in the 1993-94 budget listed in the grant section under the Danbury Cemetery Association. The members of the Danbury Cemetery Association said that they would bring the payment plan back to their Board which meets October 14, 1993 and that they do not foresee any problems with the payment plan.

John Esposito moved that the full Common Council approve the amount pending confirmation of Danbury Cemetery Association Board approval. Seconded by Mrs. Coladarci and passed unanimously.

Mr. Charles made a motion that the report be approved and the recommendations accepted. Seconded by Mr. Boynton. Motion carried unanimously.

38 - REPORT - Request for Sewer Extension at 15 Edgewood Street
Mr. Setaro made a motion to add this item to the agenda. Seconded by Miss Dennehy. Motion carried unanimously.

Mr. Trocolla read the following report:

The Common Council Committee appointed to review the request for sewer extension at 15 Edgewood Street met on October 28, 1993 at 7:00 P. in Room 432 in City Hall. In attendance were committee members Trocolla and Charles. Also in attendance were City Engineer Jack Schweitzer and the petitioner Paul Valeri.

Mr. Trocolla read the Planning Commission's positive recommendation for the request for sewer extension. Mr. Charles made a motion to suspend the rules. Mr. Trocolla indicated a positive recommendation from Mr. Buckley from a discussion with him the morning of October 28th.

Mr. Charles made a motion to approve the extension in accordance with the required eight steps. Seconded by Mr. Trocolla. Mr. Schweitzer indicated that there was no problem with the short extension needed. Motion carried unanimously.

Mr. DaSilva made a motion to approve the extension in accordance with the required eight steps. Seconded by Mr. Charles. Motion carried unanimously.

39 - REPORT - Fairmount Drive, Topfield Road, Fairfield Court

Mr. DaSilva made a motion that this item be added to the agenda. Seconded by Mr. Setaro. Motion carried unanimously.

Dean Esposito read the following report:

The Common Council Committee appointed to review Fairmount Drive, Topfield Road and Fairfield Court met at 7:00 P.M. in Room 432 in City Hall on November 1, 1993. In attendance were committee members Dean Esposito, Charles and Scozzafava. Also in attendance were City Engineer Jack Schweitzer and residents of the area, Jack Nahley, Douglas Wise and Ronnie Boriskin.

Mr. Wise gave a brief overview of what the residents of the area were looking for from the City. He explained how the residents felt it was time for the City to officially accept these roads so that they will be paved and maintained as they should be. Mr. Schweitzer explained that the area must be surveyed to see if they meet the provisions of the City guidelines.

Mr. Scozzafava moved to recommend to the full Common Council that Fairmount Drive, Topfield Road and Fairfield Court be accepted as City road contingent upon compliance with provisions of Ordinance 17-34.

Seconded by Mr. Charles. Motion carried unanimously.

Mr. DaSilva made a motion that the report and recommendations be accepted. Seconded by Mr. Charles. Motion carried unanimously.

Mayor Eriquez extended all committees.

November 14th - Tony and Millie Cassano will celebrate their wedding anniversary

November 14th - Council Member Dorothy Outlaw will celebrate her birthday.

November 29th - Council Member Michael Fazio will celebrate his birthday.

Mayor Eriquez thanked Council Members Janet Butera, Tony Cassano, Al Cipriani, Michael Fazio, Deborah Gogliettino and Marshall Roth for their public service, ideas, talent, decisions, and time that was sacrificed. They have left a mark and will be a part of the history of the City of Danbury. They are admired and are owed a debt of gratitude. The Mayor wished them Godspeed and asked them to continue their involvement in the City.

Mayor Eriquez expressed great appreciation for the trust and confidence of the City voters. It is an honor and an opportunity and he pledges to continue the same for the next two years. Mayor Eriquez congratulated all those of the ballot for offering themselves. He added a special note to Council President Joseph DaSilva. Thanks for his leadership, knowledge, friendship. He will be missed but not forgotten.

Mr. Boynton thanked the voters for his re-election. However, it is bittersweet because the Common Council is losing seven members. He and Mr. DaSilva came on together in 1979 and became close personal friends. Ernie will never forget Joe's speech for him when he lost. They will remain friends.

Mr. Scozzafava thanked his good friends especially Councilman Fazio who treated him with great respect. Mike will be missed especially by the Parks Department. To Mr. Roth - he appreciates your service. To Ms. Gogliettino - she is his favorite Democrat. She is very detailed. He will miss Mr. Cassano but Tony should have stayed where he was. To Mrs. Butera - she is the sweetest person and often protected him from Mr. Boughton. To Mr. Cipriani who taught his daughter in school and whose picture was just replaced by her boyfriend he is a great friend and has been overlooked in the minority representation loss. To Mr. DaSilva who taught him everything, Joe can have his seat if he turns Republican. There is no greater friend. He will be a better person for having known him. He is a man of dignity.

Dean Esposito agreed with everything Mr. Scozzafava said. Joe DaSilva is a great friend and colleague. The Council could not have asked for a better president.

Vittell Walkovich, Former President of the Common Council - Being a former president he knows what Mr. DaSilva has been through. Other Cities have problems that we do not have. Parks and Recreation Department does the best it can with the money it has. He wished Joe the best in the future.

Louie Charles served under eight Mayors and predicted that Mayor Eriquez would be one of the best. Mr. DaSilva was the best Council President he worked with.

Harry Scalzo reminded Mr. DaSilva of Douglas MacArthur's statement, "I shall return".

Betty Crudginton stated that it was hardest to say goodbye to Mr. DaSilva. He worked well with the City Clerk's Office and she knows he will be back.

There being no further business to come before the Common Council a motion was made at 8:39 P.M. by Mrs. Coladarci for the meeting to be adjourned.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk