

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

Re: Minutes of the Common Council Meeting held March 3, 1992.

The meeting was called to order at 7:30 P.M. by Mayor Eriquez. Mrs. Coladarci led the assembly in the Pledge of Allegiance. Dean Esposito offered the Prayer. The members were recorded as:

PRESENT - Fazio, Scalzo, Falzone, Arconti, Coladarci, Boynton, Denne Setaro, Gogliettino, DaSilva, John Esposito, Dean Esposito, Outlaw, Charles Boughton, Scozzafava, Trocolla

ABSENT - Gallo, Cassano, Butera, Cipriani

17 present - 4 absent

PUBLIC SPEAKING

1. Joseph Rosato, Long Ridge Road - spoke in favor of item 14 - appointment of Charter Revision Commission. The people should have the right to a referendum on budgets because they cannot afford these high taxes.

2. Lynn Waller, 83 Highland Avenue - spoke in favor of annual budget referendums. Requested the Charter Revision Commission. Read a prepared statement on high taxes and spending.

3. Tom Verba, Pembroke Road - spoke in favor of automatic budget referendums because it will give people a direct say and direct democracy at the local level will bubble up to State level.

4. Stu Watkins, 3 Whitlock Street - spoke in favor of budget referendums. Chose to move to Connecticut from California because there was no State income tax.

5. Pauline Basso, 8 Hoyt Street - spoke in favor of budget referendums because she would like to have the opportunity to vote on the budget.

6. Ed Tran, 124 Coalpit Hill Road - agrees with the Governor's cuts. Also in favor of referendum.

7. John Lipham, 23 Robin Hood Road - in favor of budget referendums because it would make the jobs of the Mayor and the Common Council easier.

8. John Von Uffel, 23 Spruce Mountain Road - in favor of budget referendums because it would foster direct communication; would force people to face the issue of more services means higher taxes and would provide a leadership opportunity for Danbury.

9. Harry Russell, 4 Glen Road - in favor of budget referendums. People are upset with Board of Education Budget. Common Council Members are not free of bias.

10. Barbara Monsky, 14 Shepard Road - in support of budget referendums. Could line item veto be built in and what is the next step to get on the ballot?

11. Carmen Deicke, Candlewood Park - spoke about R. W. Granger, "As a subcontractor on the Danbury High School project he has not been fully paid for the work he did. Is he going to be paid the balance? Explained the situation between himself and Mr. Granger.

(at 7:53 P.M. Mrs. Butera arrived and was marked present)

12. Paul Pudelka, 3 Hill Meadow Road - He is also a subcontractor on the DHS project and has not been paid anything. He asked when he would be paid. Mayor stated that the remedy provides for this at the end of the contract.

13. Joseph Rosato, Long Ridge Road - Isn't the City obligated to take the lowest responsible bidder. Yes.

ANNOUNCEMENTS

March 6th - City Clerk Betty Crudginton's Birthday
March 6th - Council Member Tom Arconti's Birthday

March 1-8 - National Volunteers Week
March 2-8 - Newspapers in Education Week
March 6th - Red Cross Celebrity Waiters Breakfast
March 10th - CACD Senior Aides Breakfast
March 12th - Firefighters and Police Officers of the Year Dinner at the Ethan Allan Inn
March 14th - Ancient Order of Hibernians St. Patricks Day Dinner Dance
March 17th - St. Patricks Day - Flag Raising at City Hall
March 21st - Womens History Month Dinner
March 21st - Rabies Clinic at Public Works from 2P.M. - 4 P.M.
March 25th - Vienna Boys Choir at St. James Church
April 5th - Super Cities Walk for Multiple Sclerosis
April 7th - Budget message

MINUTES - Minutes of the Common Council Meeting held February 4, 1992. Mr. DaSilva made a motion to accept the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Boughton. Motion carried unanimously.

CONSENT CALENDAR - The Consent Calendar was presented by John Esposito.

- 3 - Approve Local Capital Improvement Program Application
- 4 - Approve application for Department of Children & Youth Services Grant-in-Aid
- 6 - Approve appointments to Interlocal Negotiating Committee - Louis Charles, Joseph Scozzafava, Eric Gottschalk, John Schweitzer and Paul Galvin
- 7 - Approve reappointments of Grace Scire and Richard Hunt to the Commission on Persons with Disabilities
- 8 - Approve reappointment of Lee Green to the Commission on Aging
- 9 - Approve appointment of Kathryn Gleason to the EIC
- 13 - Approve request for transfer of funds - Department of Elderly Services - \$616.00
- 15 - Approve authorization of Mayor to sign DEP Consent Order
- 16 - Approve CADAC Letter of Award grant of \$5,665.00
- 20 - Approve settlement of \$516.75 in City of Danbury v. Murray & Pagni
- 21 - Approve receipt of reports from Corporation Counsel, Planning Commission and Planning Department regarding request to donate open space to City and deny request
- 25 - Approve Ordinance concerning compliance with Parking Violation Regulations
- 26 - Approve Ordinance concerning Civilian Parking Violation Enforcements Officers
- 28 - Approve installation of Third Street Sanitary Sewer
- 29 - Approve receipt of reports on purchase of property at 8 Boughton Street and take no action
- 30 - Approve receipt of reports on Fire Marshalls - Special Events and take no action at this time
- 31 - Approve acceptance of Fitness Equipment to Fire Department
- 32 - Approve agreement with Danbury Cemetery Association for \$14,414.40 for 1992-93
- 33 - Approve receipt of progress report from Education Budget Liasion Committee

Mr. Charles made a motion that the Consent Calendar be adopted as presented. Seconded by Dean Esposito. Motion carried unanimously.

1 - ORDINANCE - Voting Districts for City of Danbury House Districts. Mr. Falzone asked that this be deferred to a public hearing. Mayor Eriquez so ordered.

2 - ORDINANCES - Sewer and Water Extensions. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the Director of Public Works the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Cassano, DaSilva and Scozzafava to the committee.

3 - RESOLUTION - Local Capital Improvement Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$115,000.00 to cover the costs of the Downtown Green Improvements; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five-year period by the Danbury Planning Commission on February 13, 1992; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

034-88-010	City Hall Roof Replacement and/or Repair	\$ 65,311.00
034-88-020	Replacement of Tanks and Boilers in City Buildings	220,875.00
034-88-050	Rebuild and/or Repave Highways	83,617.00
034-89-020	Repair and/or Replace Roofs - City Buildings	176,700.00
034-89-030	Water Services - Tarrywile Park	123,668.23
034-90-010	Rebuild and/or Repave Highways	59,945.00
034-89-010	Cross Street Bridge Replacement	35,775.00
034-91-010	Rebuild/Repave Roads	517,828.42
	Uncompleted Projects:	
034-89-070	Replace Cross Street Bridge	234,245.00
034-90-020	Downtown Green Design	35,000.00
034-90-040	Roof Replacement - Fire Dept./ Police Maintenance	95,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$115,000.00 for the Downtown Green Improvements, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$40,000.00 to cover the costs of the Book Security System at the Library; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five-year period by the Danbury Planning Commission on February 13, 1992; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

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034-90-040	Roof Replacement - Fire Dept./ Police Maintenance	95,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$40,000.00 for the Book Security System at the Library, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

The Resolutions were adopted on the Consent Calendar.

4 - RESOLUTION - Department of Children & Youth Services Grant-In-Aid

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in an amount not to exceed Eighty-Five Thousand (\$85,000) Dollars are available from the State of Connecticut Department of Children and Youth Services for 1992-93 Youth Services Bureau Operations; and

WHEREAS, the continuation of the Youth Services Bureau for a fifteenth year is deemed to be in the best interest of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of Gene F. Eriquez, as Mayor of the City of Danbury, in applying for said funds be and hereby are ratified and that Mayor Gene F. Eriquez be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for a state cost-sharing grant not to exceed \$85,000 for a Youth Services Bureau for the fiscal period commencing July 1, 1992.

BE IT FURTHER RESOLVED THAT the Mayor of the City of Danbury is authorized to execute any and all documents, applications or other pertinent instruments to effectuate the purposes of this program.

The resolution was adopted on the Consent Calendar.

5 - COMMUNICATION - Letter from the Democratic Town Committee Chairman Lawrence Riefberg recommending the name of Anthony DiCaprio to fill the vacancy on the Zoning Commission. Mr. Boynton made a motion that the motion that the communication be accepted and the appointment made. Seconded by Miss Dennehy. Motion carried unanimously.

6 - COMMUNICATION - Letter from Mayor Eriquez naming Council Members Charles and Scozzafava, Attorney Eric Gottschalk, Jack Schweitzer and Paul Galvin to the Interlocal Negotiating Committee with the Town of Newtown. The communication was accepted on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Grace Scire for a term to expire March 1, 1995 and Richard Hunt for a term to expire March 1, 1994 to the Commission on Persons with Disabilities. The appointments were confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Lee Green to the Commission on Aging for a term to expire January 1, 1995. The reappointment was confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Kathryn M. Gleason to the Environmental Impact Commission for a term to expire December 1, 1993. The confirmation was granted on the Consent Calendar.

10 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath asking permission to accept donations in the amount of \$143.70 for the Printing line item of the Commission on Aging budget. Mr. Setaro made a motion that the donations be accepted, the proper line item credited and a letter of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

11 - COMMUNICATION - Letter from Betsy McDonough seeking permission to accept donations to the Library in the amount of \$35.00 for the Book line item account. Mrs. Coladarci made a motion that the donations be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Gogliettino. Motion carried unanimously.

12 - COMMUNICATION - Letter from Director of Welfare Deborah MacKenzie requesting the sum of \$40,000 for general assistance. A certification of funds was attached from the Director of Finance. Mr. Charles made a motion to accept the communication and authorize the transfer of funds. Seconded by Dean Esposito. Motion carried unanimously.

(At 8:15 P.M. Mr. Cipriani arrived and was marked present).

13 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting that the sum of \$616 be transferred from the Commission on Aging's Revenue Account to the Commission on Aging's budget line item for Communication Services. The transfer was granted on the Consent Calendar.

14 - COMMUNICATION - Letter from Lynn Waller requesting the establishment of a Charter Revision Commission for the purpose of reconsidering the idea of an automatic referendum on the annual budget. Mr. DaSilva made a motion to accept the communication and take no action at this time. Seconded by Dean Esposito. Mr. Boynton asked for an ad hoc committee to look into the costs of referendums and the possible benefits of such a referendum. Mayor Eriquez appointed Council Members DaSilva, Dean Esposito and Scozzafava to the committee.

15 - COMMUNICATION - Consent Order from the Department of Environmental Protection for the repair of dams owned by the City. The Consent Order was approved on the Consent Calendar.

16 - COMMUNICATION & RESOLUTION - Letter of Award CADAC

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the prevention of and early intervention in cases of alcohol or drug abuse among high school students is in the best interests of the City of Danbury; and

WHEREAS, the City of Danbury wishes to continue the Student Assistance Program in Danbury schools for that purpose; and

WHEREAS, the State of Connecticut is authorized to make grant funds available for said purpose; and

WHEREAS, the City of Danbury wishes to obtain a grant in an amount not to exceed \$5,665.00 to cover the costs of continuing said program from July 1, 1991 through June 30, 1992; and

WHEREAS, it is in the best interests of the City of Danbury that said funds be authorized for use by and provided to the Midwestern Connecticut Council on Alcoholism by virtue of an agreement with the Danbury School System for purposes of effectuating this program;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application for said grant and to enter into and amend any necessary contract with the State of Connecticut if such a grant is offered to the City of Danbury; and

BE IT FURTHER RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to take any additional action necessary to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

17 - COMMUNICATION - Letter from Carmen K. Deicke regarding R. W. Granger's failure to pay local sub-contractors. Mr. Boynton asked that this be referred to the Corporation Counsel for a report back in thirty days. Mayor Eriquez so ordered.

18 - COMMUNICATION - Letter from John Falvo regarding Zoning Violations at 84 Franklin Street. Mr. DaSilva asked that this be referred to the Zoning Enforcement Officer for a report back in thirty days. Mayor Eriquez so ordered.

19 - COMMUNICATION - Request for an ad hoc committee to study the feasibility of a lease law. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the Canine Officer, the Police Chief and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Falzone, Cirpriani and Scozzafava to the committee.

20 - COMMUNICATION - Letter from the Corporation Counsel's Office regarding a proposed settlement in the amount of \$516.75 in the matter of the City of Danbury v. Curtis Murray and Cynthia Pagni. The settlement was approved on the Consent Calendar.

21 - COMMUNICATION - Reports from the Planning Department, the Planning Commission and the City Engineer regarding the request to donate open space to the City. The request was denied on the Consent Calendar.

22 - COMMUNICATION - Reports from the Planning Department, the Planning Commission and the Corporation Counsel regarding request to purchase land on Middle River Road. Mrs. Butera asked that these reports be referred to the Tax Assessor to set a price. Motion was seconded and passed unanimously.

23 - DEPARTMENT REPORTS - Engineering, Parks and Recreation, Police, Fire Chief, Fire Marshall, Health and Housing, Department of Elderly Services. 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. Charles. Motion carried unanimously.

24 - REPORT & ORDINANCE - Zoning and Planning Commission Alternates. Mr. DaSilva asked that this be withdrawn and deferred to another Public Hearing as additional information had been received after the first public hearing. Mayor Enriquez so ordered.

25 - REPORT & ORDINANCE - Compliance with Permit Parking Regulations

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:18 P.M. on February 18, 1992 to review a proposed ordinance concerning compliance with permit parking violations. Third ordinance would empower the Danbury Parking Authority to enforce violations. This ordinance would empower the Danbury Parking Authority to enforce violations of permits as well as meter violations. Mr. Butera moved to recommend approval of the proposed ordinance. Mrs. Outlaw seconded the motion which carried 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 19-34 which said section reads as follows:

SEC. 19-34. Compliance with permit parking regulations. No person shall park in off-street parking facilities or spaces for which permits are issued by the Danbury Parking Authority unless said person shall have complied with the terms, conditions and regulations established by said Authority for the use of said facilities or spaces.

The Report & Ordinance were adopted on the Consent Calendar.

26 - REPORT & ORDINANCE - Civilian Parking Violations Enforcement Officers

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:18 P.M. on February 18, 1992 to review a proposed ordinance concerning the appointment of civilian parking violation enforcement officers. The Mayor would appoint and the Common Council would confirm such officers. Mr. Boughton moved to recommend approval of the proposed ordinance. The motion was seconded by Mrs. Butera. Motion passed unanimously.

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

THAT Section 19-40 of the Code of Ordinances is hereby redesignated as Subsection 19-40(a) and that the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a Subsection to be numbered 19-40 which said subsection reads as follows:

19-40(b). At the request of the Danbury Parking Authority, the Mayor shall appoint and the Common Council shall confirm one or more civilian parking violation enforcement officers. Said officers shall be employed by and be under the direction and control of the Danbury Parking Authority. Said officers shall have authority to issue notices of violation for any instances of violation of the provisions of this section or of the provisions of section 19-34 hereof.

The report and ordinance were adopted on the Consent Calendar.

27 - REPORT & CERTIFICATION - Overtime Account - Fire Department

Mr. Gallo submitted the following report:

The Common Council Committee appointed to review the overtime needs in the Fire Department met at 7:30 P.M. in Room 432 on February 25, 1992. In attendance were committee members Gallo and Dean Esposito. Mr. Fazio was absent. Also in attendance were Council Member John Esposito, ex-officio, Director of Finance Dominic Setaro, Director of Personnel Manny Merullo, Fire Chief Antonio Lagarto and Members of the Fire Department.

Mr. Gallo opened the meeting by stating that some funds had already been transferred from within the Health and Safety section of the budget to the Fire Department Overtime Account. These funds are \$55,000 from the Police Department, \$23,517.84 from the lapsed salary account, Fire Department and \$25,050 from accounts frozen from within the Fire Department. These funds, in addition to the \$31,299.15 transferred from the Contingency Account at the February Common Council Meeting leave a shortfall of \$109,133.01. Mr. Gallo read a letter to the committee from the Director of Finance Dominic Setaro recommending the accounts from which these funds can be transferred. It was noted that during the last four months of the fiscal year, funds can be transferred from one department to any other department.

Dean Esposito made a motion to recommend to the Common Council the transfer of \$109,133.01 from the following accounts to the Fire Department Overtime Account:

Lake Authority	02-01-192-072807	
	Lake Authority	\$ 1,733.00
Public Works	02-03-109-010100	
	Regular Salaries	5,543.00
Insurance	02-09-130-073600	
	Workers Compensation	
	Claims (uninsured)	20,000.00
Insurance	02-09-150-071100	
	Employees Group Insurance	\$ 66,857.01
Welfare	02-09-151-071002	
	Union Welfare Contributions	15,000.00
		<u>\$109,133.01</u>

Seconded by Mr. Gallo. Motion carried unanimously.

Certification of funds was attached to report. Mr. Boynton made a motion that the report be accepted and the transfer of funds authorized. Seconded by Mr. Charles.

Mr. Boughton asked Dominic Setaro why there were such large surpluses in the insurance and union welfare accounts. Mr. Setaro explained that there were such surpluses due to vacancies, etc. Mr. Trocolla asked if these would take care of the overtime account until the end of the fiscal year. Mayor Eriquez said that it would. Motion carried with Mr. Boughton voting in the negative.

28 - REPORT & CERTIFICATION - Third Street Sewers

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:18 P.M. to review a proposed sanitary sewer installation on Third Street. Several property owners along this proposed line spoke in favor of the sewer at the preceding public hearing. Mr. Falzone moved to recommend approval of the installation of a sanitary sewer on Third Street. The funds for this project to be appropriated from the sewer fund fund balance (surplus) pending certification. There will be a nineteen (19) year payment schedule established for this project. Mrs. Coladarci seconded the motion which passed unanimously.

Certification of Funds was attached to the report.

The report was accepted on the Consent Calendar.

Mrs. Coladarci submitted the following report:

The subcommittee to review the offer to sell property at 8 Boughton Street met February 19, 1992 in Room 432 in City Hall at 7:00 P.M. In attendance were Committee Members Coladarci and Butera. Also in attendance were Lt. Art Sullo, Dan Leppo of the Planning Department and Director of Public Works Jack Schweitzer. Mrs. Butera moved to waive the rules so those in attendance can speak. Seconded by Mrs. Coladarci and passed unanimously.

Lt. Sullo spoke on behalf of Police Chief Nelson Macedo stating that although it was very considerate of the Murphys to offer their house for sale to the City, the Department's primary interest for now is the property at 116 Main Street which the Council had previously cleared for negotiations. The Department would love to have both properties but due to economic constraints it would cost too much money to bring the Murphy house up to commercial code or to demolish the house and use the property as a parking lot.

Mrs. Butera said that after listening to Lt. Sullo's report from the Chief she would like to make a motion to do nothing at the present time. Once the City has a surplus of funds, if the property is still up for sale, the City can again look into the possibility of a purchase. The motion was seconded by Mrs. Coladarci and passed unanimously.

The report was accepted on the Consent Calendar.

30 - REPORT - Fire Marshalls - Special Events

Mr. DaSilva submitted the following report:

The Common Council Committee appointed to review the policy of the Danbury Fire Department regarding the necessity of hiring a Fire Marshall for various events met at 7:30 P.M. on February 18, 1992. In attendance were committee members DaSilva, Gallo and Boughton. Also in attendance were Fire Chief Antonio Lagarto, Fire Marshall Alan Schacht, Deputy Fire Marshalls R. Whitlock, Carmen Rao and Barry Rickert, Director of Finance Dominic Setaro and Council Members Arconti, Trocolla, Scalzo and John Esposito, ex-officio.

Mr. DaSilva explained the reason for requesting this committee. He asked why this policy was instituted within the last two years and why a Fire Marshall is needed at various affairs in City schools on the weekends when none are required at events during the school day or at the many events that occur throughout the City in the many other types of facilities. These would include restaurants, movie theaters, catering halls and hall rental facilities which may attract large crowds.

Mr. Schacht gave a rundown of how and why the procedure took place. He stated that a number of problems have arisen at Danbury High School, Rogers Park Junior High School and Broadview Junior High School. These included overcrowding, blocking of exits, stringing of electrical wire and improper equipment. He, Chief Lagarto and Mr. Rickert said that the principal and teachers are responsible for fire safety in the schools and that the schools are regularly inspected. Movie theaters have fixed seating and therefore do not need a Fire Marshall. Halls and restaurants are inspected. Mr. Rao stated that events in schools are more of a problem than in private places. Mr. Schacht said that Wilton, Ridgefield, Hartford and Waterbury also employ the practice of using Fire Marshalls at events as those discussed.

Chief Lagarto stated that when the problems at school events stop occurring this practice will be stopped, or if the same group was to meet frequently without problems a Fire Marshall would not be mandated for that group.

Mr. Boughton moved to take no action at this time, as a committee has met with Fire officials who explained the reasons for needing a Fire Marshall at the various events with a satisfactory explanation. Seconded by Mr. Gallo and passed unanimously.

The report was accepted on the Consent Calendar.

31 - REPORT - Fitness Equipment Donation to the Fire Department

Mr. Arconti submitted the following report:

The subcommittee appointed to review Mr. Larry Johnson's donation of fitness equipment to the Danbury Fire Department, met February 20, 1992 at 7:30P.M. in Room 432 at City Hall. In attendance were Councilman Thomas Arconti, Councilwoman Deborah Gogliettino, and Councilman Joseph Scozzafava. Also in attendance were Fire Chief Anthony Lagarto, City Risk Manager Thomas Fabiano, City Personnel Director Manny Merullo, City Corporation Counsel Eric Gottschalk, Larry Johnson, Louis DeMici, President Danbury Firefighters Association, Local 801, Danbury Firefighters: Bob Vosburgh, Ray Rodriquez, Ronald Bowers, Pete Siecienski, Stephen Johnson, and Councilmen Bernie Gallo and John Esposito, ex-officio.

Chairperson Arconti thanked the previous sub-committee their thorough work. He then read the written questions submitted by Councilman Scalzo and those submitted by Councilwoman Denehy, and stated that the answers to most of these questions were contained in the minutes of the previous sub-committee meeting. He also reviewed the charge of this sub-committee which was to discuss guidelines on use of this equipment, should it be accepted.

Councilman Scozzafava moved to waive the rules to allow discussion. Councilwoman Gogliettino seconded. Motion passed unanimously. Councilman Arconti stated that there was an issue about the ownership of some pieces of the equipment being donated. Larry Johnson explained that four individuals owned various pieces of equipment which they kept and used at one location. He said there was a mix-up amongst what the other three owners retrieved. Mr. Johnson believes the matter has been straightened out to everyone's satisfaction. Mr Johnson also stated that he is the sole owner of all the fitness machines being considered, and that he would like the City to accept the donation of that equipment to the Danbury Fire Department.

Chief Lagarto distributed a set of proposed guidelines that he and others in the Fire Dept. developed. Mr. Merullo expressed concern about some of the conditions set forth in the guidelines and whether they affect contractual obligations or conditions of employment. Chief Lagarto responded that use of this fitness equipment would be entirely voluntary on an individual basis and these guidelines are proposed in response to concerns raised by CIRMA. He also stated that members of the Union were involved in drafting the guidelines.

Councilwoman Gogliettino asked Corporation Counsel about voluntary use and the possible effects on contractual obligations. Counsel Gottschalk indicated that the City and the Union could formally adopt a set of guidelines and add them to the current contract.

Councilman Esposito stated that he understands that the Common Council can accept the equipment without becoming involved in how it is used and believes the Council should focus on the issue of acceptance only. He also noted a letter from the president of the Fire Union requesting favorable consideration of this donation. Councilman Arconti agreed and stated it is up to the Fire Chief and those with expertise in these areas to decide upon and implement appropriate guidelines for use. He further stated that it is evident that those individuals will do so.

Councilman Scozzafava asked Risk Manager Fabiano for his opinion on this matter, Mr. Fabiano believes the positive aspects will outweigh any negative aspects.

Councilwoman Gogliettino moved to recommend that the Council accept the donation of Larry Johnson's fitness equipment to the Fire Department with the understanding that Chief Lagarto, the City Risk Manager, the City Corporation Counsel and the appropriate Fire Union representatives will review, implement and maintain all guidelines for use of this equipment, as they deem appropriate. Seconded by Councilman Scozzafava. Motion passed unanimously.

The report was accepted on the Consent Calendar.

John Esposito submitted the following report:

The Common Council Committee appointed to review the request of the Danbury Cemetery Association met on February 24, 1992 at 7:30 P.M. in City Hall. In attendance were committee members John Esposito and Boughton. Kathy Dennehy was unable to attend. Also in attendance were W. Montesi Superintendent of Wooster Cemetery, J. Thayer Bowman, member of the Wooster Cemetery Executive Board, Director of Welfare Deborah MacKenzie and Director of Finance Dominic Setaro.

Mr. Bowman spoke of the existing agreement between the Association and the City. The Association maintains over 2,000 graves owned by the City. The Association maintains and preserves the lots. By agreement, the cost of the service is \$5.55 per grave for a total of \$11,111.40 for 1990-91. The Association is willing to continue the agreement for an additional year commencing July 1, 1992 at a cost of \$7.20 per grave for a total cost of \$14,414.40.

Mr. Montesi explained the rising cost of maintenance of the cemetery, thus the increase of the cost of perpetual care of the graves. Ms. MacKenzie stated that it is her responsibility to purchase City owned graves for indigent people of Danbury. The graves presently purchased are done so with perpetual care. However, this was not the case years ago.

Mr. Boughton spoke of understanding the present economic conditions of the present time and the future cost of maintaining the graves. He asked if the City and the Association could possibly come to some agreement that would include a permanent amount for the perpetual care. Both Mr. Setaro and Mr. Bowman agreed that this was a possibility. Mr. Boughton made a motion that the City accept the proposal to extend the agreement with the Danbury Cemetery Association for the year beginning July 1, 1992 through June 30, 1993 in the amount of \$14,414.40. He also recommended that the Cemetery Association come up with a proposal for next year that would include a permanent amount for perpetual care, payable over a period of years which will benefit the City and the Association. The funding for this agreement will be included in the

1992 City budget. The motion was seconded by Mr. Esposito and carried unanimously.

The report was accepted on the Consent Calendar.

33 - PROGRESS REPORT - Education Budget Liasion Committee

Mrs. Gogliettino submitted the following report:

The ad hoc Education Budget Liasion Committee met on Wednesday, February 19, 1992 at 7:50 P.M. In attendance were committee members Gogliettino, Setaro and Scalzo. Also present were Council Members DaSilva, Cipriani and Trocolla, ex-officio. Committee Members Fazio and Scozzafava were absent.

Mrs. Gogliettino asked for a motion to waive the rules of the meeting in order to allow discussion between committee members and ex-officio members. Mr. Setaro made the motion with a second by Mr. Scalzo. Mr. DaSilva discussed the background and role of the liasion committee and all ex-officio members present answered questions from committee members about the supervisory table of organization in the Danbury school system and other items in the school budget.

After a lengthy discussion about potentiation areas for reduction in the school budget, a motion was made by Mr. Scalzo to adjourn. Seconded by Mr. Setaro and unanimously passed. The meeting was adjourned at 10:00 P.M.

The progress report was accepted on the Consent Calendar.

The Mayor extended all committee.

There being no further business to come before the Common Council a motion was made at 8:25 P.M. for the meeting to be adjourned by Mr. Setaro.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk