

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

Re: Minutes of the Common Council Meeting held October 6, 1992

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

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

ABSENT - Gallo, Arconti, Gogliettino, Dean Esposito, Cassano, Butera

15 Present - 6 Absent

Mrs. Gogliettino is sick and Mr. Cassano and Mr. Arconti are out of town on business.

PUBLIC SPEAKING

1. Barbara Monsky, 14 Shepard Road - Would like someone from the Conservation Commission appointed to any committee regarding item 31, offer to sell land on Bear Mountain Road.

2. Lynn Waller, 83 Highland Avenue - Spoke regarding renewal of Paramedic Services Contract. Danbury Ambulance would offer same services for less money. All paramedics are certified by the state. Hoped the Common Council would switch carriers.

ANNOUNCEMENTS

October 2 - Council Member Joe Scozzafava's birthday
October 14- Council Member Anthony Cassano's birthday

Lions Club and Kiwanis Club celebrated their 50th anniversaries
Danbury Industrial Softball League celebrated its 30th anniversary
The "Parade of Pride" was held on Sunday, October 4th and the Mayor thanked everyone, especially Donald Melillo, who worked so hard to make it a success.

Yom Kippur will be celebrated beginning at sundown on October 6th
National Hispanic Heritage Month until October 15th
Danbury Railroad Days - October 10th and 11th

(At 7:37 P.M. Mr. Gallo arrived and was marked present)

October 10th - Richter Park Juried Art Show
October 10th - Columbus Day Community Ball at the Amber Room
October 11th - St. Paul's Church 90th Anniversary
October 12th - Columbus Day - All City offices will be closed
October 12th - Columbus 500 Committee closing ceremonies
October 24th - Past Commanders Dinner at CWV
October 25th - 10th Anniversary of Danbury-New Fairfield Womens Club
October 26th - AIDS Interfaith Ministry Candlelight vigil
October 28th - Inauguration of West Conn President James Roach
October 28th - World of Difference Small Business Conference
October 30th - State NAACP Convention

October 10th - Flagraising and breakfast sponsored by the Americo Vespucci Lodge in honor of Columbus Day

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

- 2 - Approve application for Meserve Memorial Grant for Senior Center \$1,667.00
- 3 - Approve application for grant for Emergency Shelter Services -\$92,625.
- 4 - Approve appointment of Alan Densmore to the Aviation Commission
- 5 - Approve appointment of Lawrence Rinaldo to Environmental Impact Comm.
- 6 - Approve appointment of Ann Williams to the Richter Park Authority
- 7 - Approve reappointments of Sigried Benyei, Raymond Gomoll and Elizabeth McKee to the Commission on Aging
- 8 - Approve reappointments of William Hajj and Marion Smith to the Board of Tax Review
- 9 - Approve appointment of Jack Green to the Redevelopment Agency
- 10 - Approve appointment of Norman Winnerman to the Parks and Recreation Commission
- 11 - Approve reappointments of Richard Erb, Robert Pettersen and Felix Merante to the Fair Rent Commission
- 12 - Approve appointments of John Murphy, Susan Affleck-Childs, Frank Caracansi and Mary Ann Frede to the Economic Development Commission
- 13 - Approve appointments of Karen Warhit, Jane Davis, John Gentile and Dr. Larry Cohen to the Commission on Persons with Disabilities
- 20 - Approve request for \$17,780 for Registrar of Voters
- 21 - Approve request for transfer of \$100,000 for Board of Education
- 22 - Approve \$25,000 for Fire Department Special Services Account
- 23 - Approve appropriation of \$3,860 for computer assisted legal research data base
- 24 - Approve authorization for temporary borrowing of \$1.5 million on School Bond Issue
- 25 - Approve Household Hazardous Waste Collection Day contract
- 34 - Approve receipt of reports regarding land for sale on Scuppo Road and deny purchase
- 35 - Approve receipt of reports regarding land for sale at 20 Main Street and deny purchase
- 36 - Approve receipt of regarding donation of property at 3-5 Beach Street and deny request
- 38 - Approve appointments of Special Assistant Corporation Counsels for Tax Foreclosures
- 40 - Approve receipt of progress report on restriction on use of athletic fields
- 41 - Approve receipt of report regarding paramedic and ambulance options
- 42 - Approve net ground lease on Backus Avenue to General Mills Restaurants
- 43 - Approve proposed changes in lease at Old Quarry Nature Center
- 44 - Approve proposed procedure for determining tenants for Tarrywile Park rentals
- 45 - Approve water line extension on Liberty Street
- 46 - Approve water line extension on Kohanza Street
- 47 - Approve water line extension at 109/115 Mill Plain Road
- 48 - Approve sewer extension at 31 Mill Plain Road
- 49 - Approve report and recommendation regarding rabies-quarantine of dogs
- 50 - Approve Quail Run Drive as a City highway

Mr. Gallo made a motion that the Consent Calendar be adopted as read. Seconded by Mrs. Outlaw. Mr. Scälzo stated that he would abstaining from item 20. Motion carried with Mr. Boughton voting in the negative.

MINUTES - Minutes of the Common Council Meeting held September 1, 1999. Mr. DaSilva made a motion that the minutes be accepted as presented and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Setaro. Motion carried unanimously.

1 - ORDINANCE - Food Service Establishments. Mr. Gallo asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - RESOLUTION - Meserve Memorial Fund Grant for Senior Center

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Danbury Senior Center Outreach Program of the Department of Elderly Services is in need of funds for the purchase of equipment for the continuation of its beneficial purposes; and

WHEREAS, the Meserve Memorial Fund, Norwalk Connecticut has made grant funds available for said purpose; and

WHEREAS, the City of Danbury wishes to obtain such grant in the amount of \$1,667.00 to cover the costs of said equipment; and

WHEREAS, it is in the best interests of the City of Danbury that said funds be obtained and that no local match is required;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application for said grant to the Meserve Memorial Fund; 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.

3 - RESOLUTION - Emergency Shelter Services

WHEREAS, pursuant to Chapters 133 and 300a of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resource development agencies; and

WHEREAS, it is desirable and in the public interest that the City Welfare Department of the City of Danbury make application to the State in the amount of \$92,625.00 as may be made available for undertaking a Program for the provision of Emergency Shelter Services and, to execute a Grant Action Request therefore.

NOW, THEREFORE, BE IT RESOLVED BY THE Common Council of the City of Danbury, that it is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.

That it recognizes the responsibility for the provision of local grant-in-aids to the extent that they are necessary and required for said program.

That the filing of an application by the Danbury Department of Welfare is hereby approved and that the Mayor of the City of Danbury is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, 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, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the Local Agency.

The Resolution was adopted on the Consent Calendar.

4 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Alan C. Densmore to the Aviation Commission for a term to expire July 1, 1994. The appointment was confirmed on the Consent Calendar.

5 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Lawrence E. Rinaldo to the Environmental Impact Commission for a term to expire December 1, 1993. The appointment was confirmed on the Consent Calendar.

6 - COMMUNICATION - A letter from Mayor Eriquez seeking confirmation of the reappointment of Ann Williams to the Richter Park Authority for a

Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Sigred Benyei, Raymond Gomoll and Elizabeth McKee to the Commission on Aging for terms to expire October 1, 1995. The reappointments were confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of William Hajj and Marion Smith to the Board of Tax Review for terms to expire June 30, 1997. The reappointments were confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Jack Green to the Redevelopment Agency for a term to expire January 1, 1995. The appointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments to the Fair Rent Commission for terms to expire July 1, 1995 of Richard Erb, Robert Petterson, and Felix Merante. The reappointments were confirmed on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Norman Winnerman to the Parks and Recreation Commission for a term to expire December 1, 1993. The appointment was confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of John Murphy to the Economic Development Commission for a term to expire September 1, 1997 and the reappointment of Susan Afflect-Childs, Frank Caracansi and Mary Ann Frede for terms to expire September 1, 1997. The appointment and reappointments were confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointments of Karen Warhit for a term to expire March 1, 1994, Jane Davis and John Gentile for terms to expire March 1, 1995 and the reappointment of Dr. Larry Cohen for a term to expire March 1, 1995 to the Commission on Persons with Disabilities. The appointments and reappointment were confirmed on the Consent Calendar.

14 - COMMUNICATION - Letter from Library Director Betsy McDonough seeking permission to accept a donation in the amount of \$35 from Priscilla T. Zacaroli. Mrs. Coladarci made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

15 - COMMUNICATION - Letter from Leo McIlrath, Director of the Department of Elderly Services seeking permission to accept donations in the amount of \$865.20. Mr. Setaro made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

16 - COMMUNICATION - Letter from New Fairfield First Selectman Cheryl Reedy making a donation in the amount of \$1,000 for the homeless shelter. Mr. Boynton made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

17 - COMMUNICATION - Letter from Attorney Hugh A. Burrell offering to donation a 1989 Lanier copier to the City. Mr. Boynton made a motion that the copier be accepted and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

(At 7:52 P.M. Mrs. Butera arrived and was marked present)

18 - CERTIFICATION - Fire Department Overtime and Paramedic Services.

Letter from Director of Finance Dominic Setaro requesting the transfer of \$205,259 from the Contingency Account to the Fire Department budget. \$62,405 will go to the Professional Services and Fees account for paramedic services and \$142,854 to the overtime account. Mr. DaSilva made a motion that the communication be received and \$205,259 be transferred as stated. Seconded by Mr. Gallo.

Mr. Boynton asked for a breakdown of salaries and overtime expended in the Fire Department. Mayor Enriquez stated that he would provide same. Mr. Trocolla stated that it would have been less expensive to keep the six firefighter laid off as of July 1, 1992 working than to pay overtime. The Mayor explained why it was not less expensive to do. Motion carried with Mr. Trocolla voting in the negative.

19 - COMMUNICATION - Letter from Town Clerk Michael Seri certifying signatures on petitions seeking a Charter Revision Commission. Mr. Gallo asked that this be referred to an ad hoc committee, Corporation Counsel and the Town Clerk. Mayor Enriquez so ordered and appointed Council Member DaSilva, John Esposito and Scozzafava to the committee.

20 - COMMUNICATION & CERTIFICATION - Request from the Registrars of Voters for the sum of \$17,780 to cover the cost of the primary and additional expenses for the November election. A certification of funds was attached. The request was granted and the appropriation made on the Consent Calendar.

21 - COMMUNICATION - Letter from Board of Communication Chairman Matthew Gallagher requesting that \$100,000 be reappropriated to the Board of Education due to successful contract negotiations with Laidlaw for school buses. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

22 - COMMUNICATION - Letter from Fire Chief Antonio Lagarto requesting funds in the amount of \$25,000 for the Special Services Account. This is a wash item. The request was granted on the Consent Calendar.

23 - COMMUNICATION & CERTIFICATION - Letter from Corporation Counsel Eric Gottschalk requesting the sum of \$3,860 to enable his office to switch from WestLaw to a new system for legal research called CaseBase. A certification of funds was attached. The transfer was authorized on the Consent Calendar.

24 - COMMUNICATION - A letter from Director of Finance Dominic Setaro requesting that the Common Council increase its authorization to borrow \$500,000 to \$1.5 million for the School Bond Issue. The reason for this request is that while we are waiting to borrow funds in the form of Bond Anticipation Notes, we would have the ability to use General Fund cash so contractors and vendors are paid in a timely fashion. The request was granted on the Consent Calendar.

25 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley seeking permission to participate in a joint Household Hazardous Waste Collection Day with the Towns of Ridgefield and Redding. The request was granted on the Consent Calendar.

26 - COMMUNICATION - Letter from Corporation Counsel Eric Gottschalk requesting approval of a three month extension of the Paramedic Agreement between the City and BSI. This is necessary due to the circumstances surrounding the provision of paramedic services in the City. Mr. Boynton made a motion that the communication be accepted and the Mayor authorized to enter into a three month extension of the contract with BSI. Seconded by Mr. Gallo.

Mr. Charles asked if there was money in the budget to cover this. Mayor Enriquez stated that item 18 appropriated the funds. He also stated that the contract be extended until a new contract is in hand. Mr. Boughton stated that \$300,000 of the taxpayers money has been blown in six months. Why do people ride around in the wagons? Why can't they ride in the ambulance? The Mayor stated that the cost for the six month period was \$102,500. The issue is not as simple as it appears on the surface. Once there is a contract settlement all avenues will be explored.

Motion carried with Mr. Boughton voting in the negative.

27 - COMMUNICATION - A letter from the Police Athletic League requesting to enter into an agreement for land to enable them to build a sports/activities building. Ms. Dennehy asked that this be referred to an ad hoc committee, the Director of Parks and Recreation, the Director of PAL, the Director of Finance and the Planning Commission. Mayor Enriquez so ordered and appointed Council Members Coladarci, Cipriani and Fazio to the committee.

28 - COMMUNICATION - Redevelopment Parcel 8

Letter from Corporation Counsel Eric Gottschalk asking the Common Council to consider the sale of parcel 8 to the Davon Development Corp and also to consider the transfer to the Davon Development Corporation rights to use an adjacent area for parking. Mr. DaSilva asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Planning, the Redevelopment Agency, the Director of Finance and the Planning Commission. Mayor Eriquez so ordered and appointed Council Member Setaro, Arconti and Scozzafava to the committee.

29 - COMMUNICATION - Request to purchase City property on Golden Hill Road. Ms. Dennehy asked that this be referred to an ad hoc committee, the Director of Planning, the City Engineer, the Tax Assessor, and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, Outlaw and Boughton to the committee.

30 - COMMUNICATION - Request to purchase City owned land on Alexander D Avenue. Mr. Setaro asked that this be referred to an ad hoc committee, the Director of Planning, the City Engineer, the Tax Assessor and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Trocolla, Charles and Fazio to the committee.

(At 8:10 P.M. Dean Esposito arrived and was marked present).

31 - COMMUNICATION - Offer to sell property on Bear Mountain Road to the City. Mr. DaSilva asked that this be referred to the Director of Planning, the City Engineer, the Director of Parks and Recreation, the Planning Commission and the Conservation Commission. Mayor Eriquez so ordered.

32 - COMMUNICATION - Request for sewer extension on Golden Hill Road. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Director of Health, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Gallo, Dennehy and Boughton to the committee.

33 - COMMUNICATION - Zoning Violations at 84 Franklin Street. Dean Esposito make a motion to receive the communication and recommend that the petitioner go to the Zoning Board of Appeals. Mayor Eriquez so ordered.

34 - COMMUNICATION - Reports regarding land for sale on Scuppo Road. The reports were accepted and the request was denied on the Consent Calendar.

35 - COMMUNICATION - Reports regarding land for sale at 20 Main Street. The reports were accepted and the request denied on the Consent Calendar.

36 - COMMUNICATION - Reports regarding proposed charitable donation at 3-5 Beach Street. The reports were accepted and the request denied on the Consent Calendar.

37 - COMMUNICATION - Reports regarding Lot #12, Hillandale Road. Mr. Setaro 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 Boynton, Butera and Scozzafava to the committee.

38 - COMMUNICATION - Letter from Asst. Corporation Counsel Daniel Casagrande listing local law firms who have expressed an interest in prosecuting foreclosure lawsuits for the City. The names were approved on the consent calendar.

39 - DEPARTMENT REPORTS - Public Utilities, Health and Housing, Police, Highways, Department of Elderly Services, Fire Chief, Fire Marshall, Parks and Recreation. 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.

40 - PROGRESS REPORT - Restrictions on Use of Athletic Fields to Residents/Taxpayers.

Mr. Arconti submitted the following report:

Re: Restrictions on Use of Athletic Fields to Residents/Taxpayers

The committee appointed to review possible restrictions on the use of athletic fields to residents and taxpayers met on September 21, 1992 at 7:30pm in Room 432 at City Hall. In attendance were councilmembers Arconti, DaSilva, and Fazio, Asst. Corporation Counsel Les Pinter, Director of Parks & Recreation Robert Ryerson, Lynn Waller, and councilmembers Coladarci, Charles and D. Esposito, ex-officio.

The rules were waived to allow all those present to speak. Discussion ensued regarding perceived problems relating to schedule conflicts for use of fields, field maintenance, and the need for additional athletic facilities. It was agreed that further information was needed and that Bob Ryerson would obtain and provide the following at a future meeting:

1. a profile of all league membership
2. an inventory of all fields with notes on their use and condition
3. survey area towns regarding restriction policies
4. identify federal grants that have been issued to the City for park improvements

The committee will meet again within the next thirty days.

The Progress Report was accepted on the Consent Calendar.

41 - REPORT - Paramedic and Ambulance Options

Dean Esposito submitted the following report:

The Common Council Committee appointed to review the options for Paramedic and Ambulance options for the City as per request from Council Member Donald Boughton met on September 15, 1992 at 7:30 P.M. in Room 432 in City Hall. In attendance were Committee Members Dean Esposito, DaSilva and Scozzafava. Also in attendance were Director of Finance Dominic Setaro, Dean Moss and Joe DeSimone of the Danbury Ambulance Service, Chief Lagarto, Michael Esposito, Fred Visconti and other members of the Danbury Fire Department and members of the public. Mr. Scozzafava made a motion to waive the rules. Seconded by Mr. DaSilva. Motion carried unanimously.

Mr. Moss explained his proposal for paramedic services. The proposal would monetarily benefit the City without reduction in the level of service offered. The proposal offers the City 24 hour coverage at a flat cost of \$51,000. Mr. DaSilva questioned how Danbury Ambulance could offer such a low cost in comparison to the current City paramedic program of \$200,000.

After discussion with members of the Fire Department and members of the public, Mr. DaSilva made a motion to take no action at this time until the City and the Fire Department have reached an agreement in their contract negotiations. Seconded by Mr. Scozzafava. Motion carried unanimously.

The report was accepted on the Consent Calendar.

42 - REPORT - Proposed Net Ground Lease - Backus Avenue - General Mills Restaurants.

Mr. Arconti submitted the following report:

The Common Council Committee appointed to consider the proposed lease of City property on Backus Avenue to General Mills Restaurants Inc., met on September 16, 1992, at 7:50pm in Room 432 in City Hall. In attendance were committee members Arconti and Gogliettino; Asst. Corp. Counsel Les Pinter; John Scarfi of the Aviation Commission, and Neil Terwilliger and George Williams of General Mills Restaurants, Inc.

The rules were waived to allow all those present to speak.

Chairman Arconti reported that the Planning Commission, at its Sept, 2, 1992 meeting passed a negative recommendation regarding this lease, citing their preference to sell the land. He also advised that this topic however, was back on the Planning Commission's agenda for this evening's (9/16) meeting, to be reconsidered.

Neil Terwilliger gave a brief description of his Company's interest in the Backus Ave. property and their enthusiasm for investing in the Danbury community. He also presented a preliminary site plan for the parcel. Discussion followed regarding these early plans, however, it was acknowledged that General Mills will have to go through normal procedures with the City's land use boards upon approval of this lease by the Common Council.

Mr. Scarfi stated that the Aviation Commission remains in favor of this lease. He explained that FAA regulations would permit revenue from the lease to be used in the City's General Fund, but that profits from the sale of the land would be placed in escrow and restricted to capital improvements at the Airport, at the FAA's discretion.

Corporation Counsel stated that this lease did go out to bid and that this proposed lease with General Mills Restaurants represents the best opportunity for the City. While attempts were made to meet all of the guidelines suggested by the previous council committee, this lease contains a notable difference in that it provides for fixed increases in rent at predetermined intervals. The guidelines suggested annual increases in rent based on the Consumer Price Index.

Corp. Counsel reaffirmed that this was the best offer received from an open bid process, and Chairman Arconti stated that the City's Director of Finance told him in previous discussions, that the proposed lease provides for a fair amount of rent to be paid on that property as valued by the City Tax Assessor.

Councilwoman Gogliettino moved to recommend the approval of both leases with General Mills Restaurants, Inc. Seconded by Councilman Arconti; passed unanimously.

The report was accepted on the Consent Calendar.

43 - REPORT - Lease at Old Quarry Nature Center

Miss Dennehy submitted the following report:

The Common Council Committee appointed to review the lease at the Old Quarry Nature Center met at 7:30 P.M. on September 10, 1992 at 7:30 P.M. In attendance were committee members Dennehy, Setaro and Boughton, Also in attendance were Assistant Corporation Counsel Les Pinter, Barbara Monsky and Lorraine Herger from the Conservation Commission and Lynn Waller.

Mr. Setaro made a motion to waive the rules. Seconded by Mr. Boughton. Motion carried unanimously. Ms. Herger gave an overview and the committee reviewed the suggestion. Mr. Boughton made a motion to recommend the following changes in the lease:

1. To reduce the rent \$100. Total amount due per month will be \$424. The additional duties will be to take seasonal care of the paths on the property (the same language adopted in the Bear Mountain lease).
2. Add to Exhibit B (duties):

Provide a written or oral report to the Conservation Commission at least twice each year regarding the status of the property and the buildings.

Seconded by Mr. Setaro. Motion carried unanimously.

The report was accepted on the Consent Calendar.

Mr. Setaro submitted the following report:

The committee appointed to review the proposed procedure for determining tenants for Tarrywile Park residential dwellings met at 7:00 P.M. on September 28, 1992 in the Fourth Floor Lobby of City Hall. In attendance were committee members Setaro, Dennehy and Boughton. Also in attendance were Acting Corporation Counsel Eric Gottschalk, Gerald Daly and Chairman Robert Lovell on behalf of the Tarrywile Park Authority, Common Council members Scalzo and Boynton, ex-officio, and Mrs. Lynn Waller.

Mr. Boughton moved that the rules be waived. Seconded by Ms. Dennehy. Motion passed unanimously.

Mr. Setaro stated that the Planning Commission motioned a positive recommendation for the proposed procedure for determining residential tenants at Tarrywile Park. The proposal establishes a Tenant Review Committee composed of members of the Common Council, Tarrywile Park Authority, and the City Property Review Board. The function of this committee is to recommend to the Tarrywile Park Authority proposed tenants, extensions of leases, minor modifications to the terms and conditions of the leases, and rental values based upon an independent property appraisal. An Addendum to the Basic Lease addressing traditional landlord/tenant issues of use and maintenance of the property was also before the committee for review.

Mr. Setaro questioned whether the procedure involving the proposed Tenant Review Committee was prohibited by the City ordinance granting the Common Council authority over leases at Tarrywile Park. Mr. Gottschalk stated that the ordinance in question requires approval of leases by the Council. However, so long as the Council approves a procedure by which issues regarding a tenancy can be addressed (i.e. tenant selection, framework for establishing rents), the role of the Tenant Review Committee is limited

and therefore permitted. He also stated that where a question exists as to whether modifications to leases are considered major or minor, the modification to the lease should be reviewed by the Council. Mr. Daly stated that the Common Council would review the basic lease for all residential properties at Tarrywile Park as well as any major changes to the lease, such as the use of the property and the rental amount upon extension of a lease.

Mr. Boughton moved that the committee recommend to the Common Council approval of the proposed procedure to determine tenants for Tarrywile Park residential dwellings and the addendum to the basic lease. Seconded by Ms. Dennehy. Motion passed unanimously.

The report was accepted on the Consent Calendar.

45 - REPORT- Water Line Extension - Liberty Street

Mr. Gallo submitted the following report:

The Common Council Committee appointed to review the water line extension on Liberty Street met at 7:00 P.M. on September 29, 1992 in Room 432 in City Hall. In attendance were committee members Gallo and Charles. Mr. Fazio had a previous commitment. Also in attendance were William Buckley and Jack Schweitzer for the City and Ralph Gallagher representing the petitioner.

Mr. Charles moved to suspend the rules. Seconded by Mr. Gallo. Motion carried unanimously. Mr. Gallagher explained the route of the proposed water line and the number of units the line would service. Mr. Buckley and Mr. Schweitzer both voiced their approval of the proposed project. The Planning Commission also motioned a positive recommendation.

Mr. Charles moved to recommend to the full Council approval of the petitioner's request, subject to the eight steps for sewer and water. Seconded by Mr. Gallo. Motion carried unanimously.

The report was accepted on the Consent Calendar.

Mr. Gallo submitted the following report:

The Common Council Committee appointed to review the request for a water line extension on Kohanza Street on September 29, 1992 in Room 432 in City Hall at 7:30 P.M. In attendance were committee members Gallo and Charles. Mr. Fazio had a previous committment. Also in attendance were Jack Schweitzer and William Buckley for the City. Petitioners T. Clark Hull and Brian Fielding were also in attendance.

Mr. Charles moved to suspend the rules. Seconded by Mr. Gallo. Motion carried unanimously. Mr. Hull and Mr. Fielding explained the problems they are having with their wells since Kohanza Reservoir was lowered. Mr. Buckley then told the committee that he and Mr. Schweitze had looked this over carefully and both concluded that the problem was created by the City.

Mr. Charles moved to recommend to the full Council approval of the petitioners request with the City installing the water line course as the City created the problem with the lowering of the Kohanza Reservoir. The petitioners will still pay the connection fees. Second by Mr. Gallo. Motion carried unanimously.

The report was accepted on the Consent Calendar.

47 - REPORT - Request for Water Extension - 109/115 Mill Plain Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for water extension at 109/115 Mill Plain Road met on September 17, 1992 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Trocolla and Fazio. Also in attendance were Superintendent of Public Utilities William Buckley, Attorney Paul Jaber and Jim Ryan representing the Joan Meyers Consulting and Engineering Firm.

The reason for the request is to extend the existing water line along the front of property located at 109/115 Mill Plain Road (the former Colonial Truck Stop). Mr. Buckley stated that both he and Jack Schweitzer were in agreement with this request, subject to the normal safeguard of the eight steps as attached. The Planning Commission issued a favorable recommendation at its August 24, 1992 meeting.

Mr. Trocolla made a motion to approve this request subject to the normal eight steps. Seconded by Mr. Boynton. Motion carried unanimously.

The report was accepted on the Consent Calendar.

48 - REPORT - Request for Sewer Extension - 31 Mill Plain Road

Mr. Cipriani submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 31 Mill Plain Road met on September 28, 1992 at 7:00 P.M. in City Hall. In attendance were committee members Cipriani, Boynton and Boughton. Also in attendance were City Engineer Jack Schweitzer, Assistant Corporation Counsel Les Pinter, Albert Salame and D. Ashmore.

After receiving the plans and being assured by Mr. Schweitzer that no problems for the City were pending, Mr. Boynton made a motion to approve the plans subject to the normal eight steps. Seconded by Mr. Boughton and carried unanimously.

The report was accepted on the Consent Calendar.

Ms. Dennehy submitted the following report:

The Common Council Committee assigned to review rabies - quarantine of dogs met on September 10, 1992 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Dennehy, Falzone and Fazio. Also in attendance were Assistant Corporation Counsel Les Pinter, Police Chief Nelson Macedo, Council Members Setaro and Boughton, ex-officio, Lynn Waller, B. Monsky, Lorraine Herger and Ellen Farrah.

Mr. Falzone made a motion to waive the rules. Seconded by Mr. Fazio and passed unanimously. Chief Macedo reviewed the rabies fine situation. He would like to see a flat rate for quarantine be set that would be affordable to most dog owners. Currently it is \$5 per day and the period of quarantine is six months. The cost, at this rate, is \$900.

Mr. Falzone made a motion to keep the \$5 per day rate and limit the total amount due by a dog or cat owner to \$180.00. This is in the form of a recommendation to the dog warden. Seconded by Mr. Fazio. Motion carried unanimously.

The report was accepted on the Consent Calendar.

50 - COMMUNICATION - Reports regarding Quail Run Drive. The reports were accepted on the Consent Calendar and Quail Run Drive was accepted as a City highway on the Consent Calendar.

51 - COMMUNICATION - Request to purchase City land on Lyons Street. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Corporation Counsel, the Tax Assessor and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Coladarci and Fazio to the committee.

Mayor Eriquez announced that the next Common Council Meeting will be held on Thursday, November 5th due to Election Day on Tuesday, November 3, 1992.

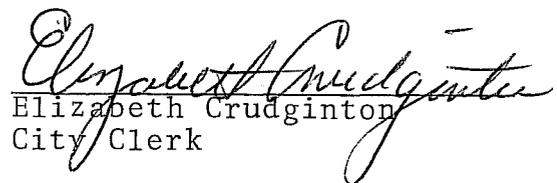
Mayor Eriquez extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Falzone for the meeting to be adjourned at 8:15 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk