

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

Re: Minutes of the Common Council Meeting held October 1, 1991

The meeting was called to order at 7:35 P.M. by Mayor Eriquez. Mr. DaSilva led the assembly in the Pledge of Allegiance. Mr. Smith offered the Prayer. The members were recorded as:

Present - Scalzo, Falzone, Gallo, Coladarci, Farah, Dennehy, Setaro, Gogliettino, DaSilva, Esposito, Smith, Cassano, Charles, Boughton, Boynton, Regan, Scozzafava, Valeri

Absent - Fazio, Mack, Butera

18 Present - 3 Absent

#### PUBLIC SPEAKING SESSION

Mrs. Flynn, 4 Bear Mountain Road - Spoke on renumbering of Bear Mountain Road. Stated some of the problems she has had due to the present numbering system.

Harry Kessler, 112 Carol Street - Spoke regarding the income tax. Spoke about real estate tax assessments.

Barbara Monsky, 14 Shepard Road - spoke in favor of the resolution asking for repeal of the income tax.

Ronald Blonski, 18 Griffing Avenue - Spoke regarding item #12. How can this be considered when there is still an outstanding item from the June agenda regarding the same subject.

At 7:50 P.M. Mrs. Butera arrived and was marked present.

#### ANNOUNCEMENTS BY THE MAYOR

October 2nd - Council Member Joseph Scozzafava's birthday  
October 14th - Risk Manager Thomas Fabiano and Library Director Betsy McDonough will celebrate birthdays  
October 15th - Council Member Anthony Cassano will celebrate his birthday  
October 21st - Superintendent of Public Utilities William Buckley will celebrate his birthday  
October 26th - Assistant City Engineer Patricia Ellsworth will celebrate her birthday

City Employees Gloria Triasci and Ethel Leahey will retire soon from the Building Department

October 6-12 - National Roller Skating Week  
National Respiratory Week  
October 3th - Eagle Road Connector Groundbreaking Ceremonies  
October 5th - Americo Vespucci and the Colonna Lodge will hold Columbus Day Activities including a Dinner Dance at the Chatham Oaks  
October 5th - Industrial Softball League Banquet  
October 6th - AIDS Walk-a-thon  
October 6th - DAWS Walk-a-thon  
October 9th - March of Dimes Celebrity Breakfast  
October 10th - NAACP Freedom Fund Dinner  
October 12th - Downtown Danbury Dig-it Party  
October 12th - Richter Park Arts Show  
October 14th - Columbus Day Observed. City Hall closed  
October 19-20 - Creative Recreation Table Tennis Tournament  
October 26th - Catholic War Veterans Anniversary Dinner  
November 5th - Election Day  
November 7th - Next Common Council Meeting

MINUTES - Minutes of the Common Council Meeting held September 4, 1991. Mr. DaSilva noted the following changes: Page 3 - Mr. Scalzo asked for item 36 to be removed from the Consent Calendar and Mr. Boughton asked for item 22 to be removed. Also regarding item 34, Mr. Regan voted in the negative. Mr. DaSilva then made a motion for the minutes to be

accepted with the noted changes 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. Boughton. Motion carried unanimously.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the Consent Calendar:

- 1 - Approve State Cost Sharing Agreement for Traffic Signal at Route 53 and Wooster Street
- 2 - Approve Pre-Application for Reconstruction of the North/South Runway 17/35
- 3 - Approve Funds from the FAA for Water Hook-up at Danbury Airport
- 5 - Approve appointment of John Gogliettino to the Environmental Impact Commission
- 6 - Approve appointments of John Dzurik, Mildred Siegal and Betty Moran to the Commission on Aging
- 10 - Approve Funding to connect Library computer to City Hall Database - \$3,212
- 11 - Approve request for funds for Special Services Account for Fire Department - \$30,000
- 17 - Approve water main extension for Bright Cloud Ministries on Clapboard Ridge
- 23 - Approve initiation of procedure for Third Street Sewer installation
- 25 - Approve recommendations of Joint Committee with Aviation Commission regarding leases
- 26 - Approve traffic signals at intersection of Route 53 and Shelter Rock Road
- 27 - Approve easement at 24 Woodside Avenue

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

1 - RESOLUTION - State Cost Sharing Agreement - Installation of Traffic Signal at Route 53 and Wooster Street.

RESOLVED by the Common Council of the City of Danbury:

THAT Gene F. Eriquez, Mayor of the City of Danbury, City Hall, 155 Deer Hill Avenue, Danbury, Connecticut 06810, is authorized to execute Agreement No. 7.22-02(91) between the State of Connecticut and the City of Danbury for the installation of a traffic control signal at the intersection of Route 53 and Wooster Street in the City of Danbury.

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - Pre-Application for the Reconstruction of the North/South Runway 17/35

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 reconstruct runway 17/35; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$3,120,000.00 with a local match of two and one-half (2½) percent equaling an amount not to exceed \$80,000; and

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.

3 - RESOLUTION - Funds from the FAA for Water Hook-up at Danbury 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 has, pursuant to authority granted by Resolution dated September 4, 1991, made application for a federal and state grant in an amount not to exceed \$3,207,750 with a local match of two and one-half percent (2 1/2%) equaling an amount not to exceed \$82,250;

WHEREAS, the Federal Aviation Administration has, since September 4, 1991, made additional, supplementary funding in the amount of \$25,000 available for purposes of installing an eight (8") inch water main along Kenosia Avenue with a correction to the Air Traffic Control Tower; and

WHEREAS, said supplementary funding and project services shall be part of the overall airport improvements herein referenced; and

WHEREAS, it is desirable that said additional work be accomplished;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said additional project funds, 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.

4 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the following candidates to the Fire Department:

Michael Brennan, 70 North Main Street, Beacon Falls, Conn.  
Annette Correard, 35 Rockwell Road, Bethel, Conn.  
Fred Pollard, 53 Old Hawleyville Road, Bethel, Conn.  
Christopher T. Ryan, Old Greenwood Road, Sherman, Conn.  
William J. Lounsbury, 4 Barnard Drive, Danbury, Conn.  
George Gomez, 27 Bear Hill Road, Woodbury, Conn.  
Fernando Ramirez, 84 Silvermine Road, Seymour, Conn.  
Daniel W. Gregory, 136 Pinewood Trail, Trumbull, Conn.

Mr. Gallo made a motion to accept the communication and confirm the appointments to the Fire Department. Seconded by Mr. Smith.

Mr. Valeri stated that he did not mean to demean the qualifications of the candidates, but was disheartened that there were not more Danbury residents appointed. Mayor Eriquez stated that there is no residence clause or age restrictions and those appointed represent those eligible at this time.

Mr. Gallo asked how many passed the test. Mayor Eriquez stated that it was over 100 and that the passing grade was 80.

Motion carried unanimously.

5 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of John C. Gogliettino to the Environmental Impact Commission for a term to expire December 1, 1991. The appointment was confirmed on the Consent Calendar.

6 - COMMUNICATION - Letter to Mayor Eriquez asking confirmation of the appointment of John Dzurik to the Commission on Aging for a term to expire October 1, 1994 and reappointments of Mildred Siegel as an alternate for a term to expire January 1, 1994 and Betty Moran as an alternate for a term to expire January 1, 1993. The appointments were confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Director of the Department of Elderly Services Leo McIlrath asking permission to accept donations in the total amount of \$200 from Helen Kroener, Alfred Ogle, Helen Grolljahn, Mary Dallas, Pope John Paul II Center, New Beginnings Widow/Widower Club, Anonymous Donations towards to the mailing of there monthly newsletter. Mr. Setaro made a motion that the donations be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Boynton. Motion carried unanimously.

8 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath asking permission to accept a donation in the amount of \$375 for activity supplies from The Perkin Elmer Employee Good Neighbor Fund. Mrs. Gogliettino made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Boynton. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Health William Campbell asking permission to accept donations from Boehringer Ingelheim (\$50.00) and Pitney Bowes (\$100) to be used for a luncheon for volunteer workers of the Hypertension Program. Mr. Boynton made a motion that the donations be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

10 - COMMUNICATION - Letter from Library Director Betsy McDonough seeking acceptance of funds from the Library Board of Directors in the amount of \$3,212 to connect the Library computer to the City Hall data base. The request was granted on the Consent Calendar.

11 - COMMUNICATION - Letter from Fire Chief Antonio Lagarto requesting that funds in the amount of \$30,000 be added to the Fire Department Special Services account. The request was granted on the Consent Calendar

12 - COMMUNICATION - Danbury-Ridgefield Interlocal Sewer Service Agreement. Mr. Charles asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

13 - COMMUNICATION - Municipal Recycling Grant Agreement between the HRRRA and the City of Danbury. WITHDRAWN

14 - COMMUNICATION - Municipal Waste Disposal Agreement between HRRRA and the City of Danbury. Mr. DaSilva asked that this be deferred to a committee of the whole. Mayor Eriquez so ordered.

15 - COMMUNICATION - Letter from Stanley Bernstein asking if the City of Danbury would be interested in purchasing 4 acres of land on Mountainville Avenue. Mr. Boynton made a motion to accept the communication and take no action. Seconded by Mr. Gallo. Motion carried unanimously.

16 - COMMUNICATION - Request from Danbury Place Associates for Sewer and Water Extensions on Federal Road. Dr. Farah 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 Boynton, Dennehy and Regan to the committee.

17 - COMMUNICATION - Letter from Bright Clouds Ministries on Clapboard Ridge Road requesting a time extension for the approval granted relative to the water main extension. The request was granted on the Consent Calendar.

18 - COMMUNICATION - Offer from Peter and Christine Setaro of 3 Old Shelter Rock Road asking to convey a portion of their property to the City for road widening purposes. Mrs. Coladarci asked that this be referred to the Corporation Counsel and the Planning Commission for reports back in thirty days. Mayor Eriquez so ordered.

19 - COMMUNICATION - Report from the Planning Department setting out the results of the survey conducted regarding renumbering of Bear Mountain Road. 22 property owners are in favor of renumbering, 12 opposed and 4 undecided. Mr. Falzone asked that this be deferred to a public hearing. Mayor Enriquez so ordered.

20 - COMMUNICATION - Letter from Howard P. Rubinow asking that Ordinance Section 21-20(a) be reviewed. Mrs. Gogliettino asked that this be referred to the Corporation Counsel and the Director of Health for reports back in thirty days. Mayor Enriquez so ordered.

At 8:18 P.M. Mr. Fazio arrived and was marked present.

21 - COMMUNICATION - Letter from residents of Padanaram Road asking the City to reimburse them for costs incurred when they brought a lawsuit against the City. Mr. Boynton asked that this be referred to the Corporation Counsel. Mayor Enriquez so ordered.

22 - DEPARTMENT REPORTS - Public Buildings, Public Works, Fire Chief, Fire Marshall, Department of Elderly Services, Health Department. Mr. DaSilva made 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. Boynton. Motion carried unanimously.

23 - REPORT - Third Street Residents Request for Sewer Extension

Mr. Gallo submitted the following report:

The Common Council Committee appointed to review the request of residents of Third Street for sewer installation met at 7:05 P.M. on September 24, 1991 in the Fourth Floor Lobby in City Hall. In attendance were committee members Gallo and Scozzafava. Mrs. Coladarci had a previous commitment.

Mr. Gallo read a letter from Mr. Buckley in favor of this petition. Mr. Schweitzer also stated that he would be in favor of this request. In view of the fact that eight out of eight property owners signed this request for sewer extension, the following motion was made:

Mr. Scozzafava moved to recommend to the full Common Council that this petition be deferred to public hearing and that the City Engineer's Office be instructed to prepare the necessary costs and preliminary assessments for the property owners. The motion was seconded by Mr. Gallo and passed unanimously.

The report was accepted on the Consent Calendar.

24 - REPORT - Old Quarry Nature Center and Bear Mountain Ranger Residence Leases.

Mr. Gallo submitted the following report:

The Common Council Committee appointed to review the above leases met on June 18, 1991 and September 19, 1991 in Room 432 at 7:30 P.M. in City Hall. In attendance were committee members Gallo, Esposito and Regan. Also attending were Dominic Setaro, Eric Gottschalk, Paul Schierloh and Barbara Monsky, Chairperson of the Conservation Commission.

The first meeting on September 18, 1991 was attended by Les Pinter and the committee only. Several questions were asked at the first meeting which needed to be responded to by the Properties Review Board. This meeting adjourned at 8:10 P.M.

The second meeting, which was attended by the Properties Review Board, yielded satisfactory answers to the questions from the previous meeting. Mr. Regan moved to recommend to the full Common Council the approval of the Bear Mountain Ranger Residence lease at \$616.00 per month and the Old Quarry Nature Center at \$524.00 per month. These property leases will be offered to City employees from a list compiled by the Properties Review Board in the order they recommend. Seconded by Mr. Esposito. Motion carried unanimously.

Mr. DaSilva made a motion to accept the committee report and forward it to the Planning Commission. Seconded by Mr. Boughton. Mr. Gottschalk stated that the motion should read to receive the committee report and refer it to the Planning Commission to report back. This was acceptable to the maker and the person who seconded the motion. Motion carried unanimously.

25 - REPORT - Joint Committee with the Aviation Commission regarding leases.

Mr. Valeri submitted the following report:

The Common Council Committee appointed to study a request by the Aviation Commission to establish mutually acceptable and standardized leasing procedures for non Fixed Based Operators (F.B.O's) outside the fenced boundaries of the Danbury Airport met on Monday, September 23, 1991 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, Boynton and Regan. Also in attendance were Director of Finance Dominic Setaro, Airport Administrator Paul Estefan, Assistant Corporation Counsel Les Pinter and Tax Assessor Anne DeFlumeri.

An immediate ongoing concern expressed by the Chair was the question of what restrictions, if any, the FAA would place on revenues generated by the lease of the properties under consideration. Mr. Estefan explained that although the sale and/or lease of airport property would have to meet FAA approval, the revenue generated by each would be treated differently. Monies acquired by the sale of such property would be held in escrow and dedicated to future capital improvement projects at the airport while lease revenues would be returned to the General Fund with the real potential of positively impacting the City's budget. It was therefore concluded that at this point in time the leasing and not the sale of these properties would be in the best interest of the City of Danbury.

After further discussion, and recognizing the need to adopt certain financial as well as procedural guidelines in establishing criteria for all non FBO leases at the Airport, the committee developed the following suggested standards:

1. All leases on any parcel of airport property located outside the fenced boundaries of the airport should be bid by the Aviation Commission via the Purchasing Agent of the City of Danbury prior to necessary approval and submission to the Common Council.
2. All proposed non FBO lease properties are to be reviewed by the Assessor of the City of Danbury with a resultant written report to the Aviation Commission and Common Council indicating a comparative valuation and a minimally acceptable financial basis for any proposed lease.
3. The Aviation Commission will, prior to the review and acceptance of any lease, determine whether or not revenues generated by the execution of said lease will revert back to the federal and/or state government or directed to the General Fund of the City of Danbury. Additionally, a determination as to whether or not these funds would be dedicated exclusively for either capital improvements at the airport or to offset ongoing airport expenditures must be made.
4. All leases must contain a provision indicating the responsibility of the lessee to pay all taxes, utilities, etc. In other words, all leases will be triple net (NNN.)
5. The financial terms of all leases will indicate increases annually based on the Consumer Price Index for the previous calendar year with the effective increase occurring on the annual anniversary date of inception of said lease.
6. A minimum term of ten (10) years shall be placed on any lease.
7. All Zoning, Planning, EIC, FAA and any additionally applicable City, State and Federal permits and/or approvals will be the lessee's responsibility to secure.
8. The lessee will be responsible for any and all site improvements and the acceptance maintenance thereof.

Mr. Boynton motioned to recommend the adoption of the aforementioned 8 procedural steps as suggested criteria for the Aviation Commission to follow in the development of non FBO leases of airport property. Additionally, prior to the commencement of the process, the Aviation Commission will be required to notify the Common Council for its approval any and all non FBO commercial interest in airport properties. Motion was seconded by Mr. Regan and passed unanimously.

The report was accepted on the Consent Calendar.

26 - REPORT - Traffic Signals at the Intersection of Route 53 and Shelter Rock Road.

Dr. Farah submitted the following report:

The Common Council Committee appointed to review the request to authorize the Mayor to execute an agreement with the State of Connecticut for the installation of the said traffic signals met on September 24, 1991 in Room 432 at the City Hall. Committee members Farah, Esposito, and Boughton were present, as well as Assistant Corporation Counsel Laszlo Pinter, Police Chief Nelson Macedo, and City Engineer John Schweitzer, Jr.

The Committee reviewed the request and examined the map for the proposed light and the road intersection. Council members Farah and Esposito ascertained the neighborhood's support for the project. It was agreed that in the future the City should consider realignment of the corners at the intersection.

Councilman Boughton moved to recommend that the Council authorizes the Mayor to execute the agreement with the State. Councilman Esposito seconded. Passed unanimously.

The report was accepted on the Consent Calendar.

27 - REPORT - Easement at 24 Woodside Avenue

Dr. Farah submitted the following report:

The Common Council Committee appointed to review the request for temporary easement at 24 Woodside Avenue met on September 24, 1991 in Room 432 at the City Hall. Committee members Farah, Falzone, and Boughton were present, as well as Assistant Corporation Counsel Laszlo Pinter and attorney Gerald Daly who represented the petitioner.

Councilman Farah read the positive recommendation of the Planning Commission, then Mr. Daly explained the reasons for the request. The structure on 24 Woodside Avenue was built before the City had acquired a strip of land in front of the building. The situation has existed for more than twenty-five years. Granting the temporary easement will formalize the arrangement. Nevertheless, the City's interest will be protected in case it decides to change or improve the road. Mr. Pinter saw no objectionable legal reason to granting the request.

Councilman Boughton moved to recommend the granting of the temporary easement. Councilman Falzone seconded. Passed unanimously.

The report was accepted on the Consent Calendar.

28 - COMMUNICATION - Letter from Council Member Farah asking that the following statement be adopted "The Common Council of the City of Danbury wishes to express the overwhelming opposition of its constituents to the newly passed State Income Tax law. It also wishes to convey their constituents' desire to repeal the said law. Therefore, the Common Council of the City of Danbury urges Governor Weicker and members of the State Senate and the State House of Representatives to rescind this oppressive law soon."

Mr. Boughton moved to adopt the Resolution as submitted by Dr. Farah. Seconded by Mr. Boynton.

Dr. Farah stated that he submitted this resolution because this tax is affecting everyone. The economy is stagnating. The last thing the government should do is raise taxes. This violates all principles of economics. The tax is not the problem as much as spending. Dr. Farah gave percentages in regards to spending increases. He stated that the government has raided the Rainy Day Fund and then started bonding. This budget has a serious shortfall. He feels that Danbury has been misrepresented by two of our representatives in Hartford. He has collected over 7,000 signatures in three weeks. It is the overwhelming desire of the people to repeal this law.

Mr. Boynton stated that he will vote in favor of this resolution and asked Mr. Setaro (Director of Finance) what effects this budget will have on the City. Mr. Setaro stated that he does not know at this point because the City has not been notified as to what entitlements it will receive from the State. Mr. Boynton stated that this is more than just an income tax package. It is a sales tax package, etc.

Mr. Boughton stated that he supports this resolution and has not had one constituent tell him he is for the income tax. He hopes that Governor Weicker will see the people on Saturday at the Rally in Hartford and will stop saying it is the same 100 people against the tax. Mr. Boughton feels it is the same 100 people that are for the income tax.

Motion carried unanimously with the members voting as follows:

Yes - Fazio, Scalzo, Falzone, Gallo, Coladarci, Farah, Dennehy, Setaro, Gogliettino, DaSilva, Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri.

Mrs. Mack was absent.

29 - COMMUNICATION - Letter from the Board of Education asking for a supplemental budget request for potential funding from the State Aid Restoration Funds that the City will receive. Mr. Scozzafava asked that this be referred to an ad hoc committee, the Board of Education and the Director of Finance. Mayor Enriquez so ordered and appointed Council Members Smith, Mack, Farah, Scozzafava and Fazio to the committee. Mr. Scozzafava asked what the charge of the committee is since funds have not been received as yet. Mayor Enriquez stated that the committee should not meet until funding has been received.

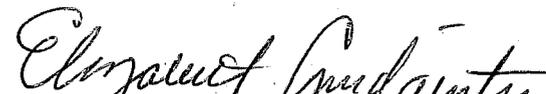
Mayor Enriquez extended all committees.

There being no further business to come before the Common Council, a motion was made by Mr. DaSilva for the meeting to be adjourned at 8:35 P.M.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk