

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

Re: Minutes of the Common Council Meeting held November 7, 1991.

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

Present - Scalzo, <sup>Falzone</sup> Coladarci, Mack, Dennehy, Setaro, Gogliettino, DaSilva, Esposito, Cassano, Charles, Boughton, Boynton, Regan, Scozzafava, Valeri

Absent - Fazio, , Gallo, Farah, Smith, Butera

16 Present - 5 Absent

Mr. Fazio and Mr. Gallo were working  
Dr. Farah was teaching school  
Mr. Scozzafava and Mrs. Butera would be late  
Mr. Smith was ill

#### PUBLIC SPEAKING

Ronald Blonski, 18 Griffing Avenue - Stated that he only comes before the Common Council as a constituent. He spoke regarding item 22. He submitted item 21 for the June agenda and feels that this item would take precedence over item 22 because a final report has not been issued by the Corporation Counsel's Office.

(At 7:40 P.M. Mrs. Butera arrived and was marked present)

#### ANNOUNCEMENTS BY THE MAYOR

Congratulations to Harry Scalzo and Patricia Krafick on the birth of their granddaughter, Kori Elizabeth Krafick on October 19th.

November 14 - Millie and Anthony Cassano - 38th Wedding Anniversary  
November 20 - Councilman Art Regan's Birthday  
November 29 - Councilman Mike Fazio's Birthday

Mayor Eriquez presented a proclamation on behalf of National Alzheimer's Disease Month and thanked Councilman John Esposito for his work on behalf of this disease.

November 9 - VFW Dinner  
November 10 - Westconn Walk for Fitness  
November 11 - Veterans Day  
November 15 - MADD Red Ribbon Campaign  
November 28 - Thanksgiving Day  
November 29 - Tree Lighting Ceremony at the Library  
December 1 - New Administration Officials will be sworn in  
December 2 - Special Common Council Meeting  
December 3 - Regular Common Council Meeting

Mayor Eriquez offered congratulations to all those winning election last Tuesday and to all those who were candidates. Mayor Eriquez thanked Council Members Mounir Farah, Joan Mack, Arthur Regan, Stanford Smith and Tom Valeri who are retiring for their time, talent and for volunteering their services to the City of Danbury.

Council President DaSilva thanked Council Member Joan Mack for her caring and dedicated manner and for the unique perspective she brought to the Common Council. He thanked Dr. Farah for his 10 years of service and for his intelligent and thoughtful manner. He stated that Stan Smith will be missed greatly as he is a kind and caring gentleman. Mr. DaSilva stated that Art Regan had been an outstanding Council Member for four years and he always voted his conscience in the best interests of the City of Danbury. He stated that Tom Valeri had made his mark and was aggressive and dedicated.

Council Members Mack, Valeri and Regan stated that it had been a pleasure to serve the City of Danbury as members of the Common Council.

Mayor Enriquez then presented the Mayor's End Hunger Awards to the following people:

Patricia Bartlett - Salvation Army  
Janet Brown - Daily Bread Food Pantry at St. James Church  
Phoebe Haas - Dorothy Day Hospitality House  
Mary Lipsi - Coordinator of Services  
Ken Porter - Protestant Chaplin at WCSU  
Geraldine Worthington - CACD  
Volunteers of the Dorothy Day Hospitality House (Lucille and Ernest Gismano accepting)

MINUTES - Minutes of the Common Council Meeting held October 1, 1991. Mr. DaSilva made a motion that the minutes be accepted as submitted 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 - The Consent Calendar was presented by Mr. Esposito:

- 2 - Approve acquisition of utility easements at National Place and Ives Street
- 3 - Approve grants for Danbury Library
- 5 - Approve authorization to sign documents for reconstruction of runway 8/26
- 6 - Approve grants for homeless services program
- 8 - Approve appointment of Creighton Lee to Parks and Recreation Commission
- 9 - Approve appointments of Gerard Lefebvre and John McGarry to the Parking Authority
- 10 - Approve appointment of William Montgomery to Conservation Commission
- 11 - Approve appointment of Lee Green to Commission on Aging
- 12 - Approve appointment of Sharon Kaufman to the Cultural Commission
- 17 - Approve disposal of Surplus Fire Arms
- 18 - Approve transfer of \$6,050 for Airport Radio Equipment
- 19 - Approve \$14,000 in Capital items for Hatters Park
- 20 - Approve State budget adjustment of \$470,475
- 21 - Approve acceptance of \$25,000 in federal funds for water hookup at Danbury Airport
- 34 - Approve communication of proposed sewer on Mill Plain Road and have Engineering Department send survey with estimates
- 36 - Approve lease extension agreement for Good Neighbor House
- 42 - Approve leases at Old Quarry Nature Center and Bear Mountain Ranger Residences
- 44 - Approve road widening parcel at 3 Old Shelter Rock Road
- 45 - Approve recommendation of Corporation Counsel to deny reimbursement of legal fees for Hillandale Sewer
- 46 - Deny request to waive Section 21-20 of the Code of Ordinances
- 47 - Approve lease between the City of Danbury and Danbury Music Center
- 50 - Approve amendment of various Ordinance sections
- 51 - Approve amendment of Connecticut Basic Building Code
- 52 - Approve Police Pension Article III reports and send to public hearing
- 53 - Approve renumbering of Bear Mountain Road
- 54 - Approve sewer assessment on Abbott Street
- 55 - Approve amendment to Danbury- Ridgefield Interlocal Sewer Service Agreement
- 56 - Approve sale of property of Maple and Balmforth Avenues by bid
- 57 - Approve request to change cul-de-sac portion of Grammer School Drive
- 58 - Approve report on Mobil Oil Corporation
- 60 - Approve report on Seahorse Aviation Lease

Mr. Boynton made a motion that the Consent Calendar be adopted as read. Seconded by Mr. Boughton. Mr. DaSilva noted that regarding item 52, the word no should be inserted before the word effect in the third paragraph. Motion carried unanimously.

1 - ORDINANCE - Amendment to Downtown Special Services District. Mrs. Butera asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - RESOLUTIONS - Utility Easements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to acquire an interest in real property sufficient to permit the placement of a utility line or lines along or through National Place from Ives Street as well as from adjacent properties; and

WHEREAS, said proposal will involve public use of private property, specifically the southerly six feet, more or less, of property known as Assessor's Lot I 14258 located at 42 White Street whose current owner is the Estate of Susan F. Culhane or Benjamin V. Doto, Sr. as evidenced of record, the legal description of said property shown on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owner, his respective encumbrancers and mortgage holders, if any, his heirs, executors and assigns.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to acquire an interest in real property sufficient to permit the placement of utilities along or through National Place from Ives Street as well as from adjacent properties; and

WHEREAS, said proposal will involve public use of private property, specifically the southerly six feet, more or less, of property known as Assessor's Lot I 14257 located at 40 White Street whose current owner is Maria DaSilva, the legal description of said property shown on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owner, her respective encumbrancers and mortgage holders, if any, her heirs, executors and assigns.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to acquire an interest in real property sufficient to permit the placement of a utility line or lines along or through National Place from Ives Street as well as from adjacent properties; and

WHEREAS, said proposal will involve public use of private property, specifically the southerly six feet, more or less, of property known as Assessor's Lot I 14259 located at 46-52 White Street whose current owners are Osmond Y. Ladd, Jr. and Margot Ladd, the legal description of said property shown on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owner, his respective encumbrancers and mortgage holders, if any, his heirs, executors and assigns.

The Resolutions were adopted on the Consent Calendar.

3 See page 3  
4 - RESOLUTION - Railroad Highway Grade Crossing Improvements  
WITHDRAWN

5 - RESOLUTION - Reconstruction of Runway 8/26

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 and Airway Safety and Capacity Expansion Act of 1987; and

WHEREAS, the City of Danbury through the Danbury Municipal Airport intends to Reconstruct Runway 8/26; and

WHEREAS, the City of Danbury will make application for a federal and state grant in the amount not to exceed \$4,029,675 with a local match of two and one-half percent equaling an amount not to exceed \$103,325.

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

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Homeless Services Program

RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, it is desirable and in the public interest that the City of Danbury Department of Welfare make application to the State in such amounts as may be available for undertaking an Emergency Shelter Services Program and to execute a Grant Action Request therefor;

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 133 and 300a of the Connecticut General Statutes.

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

3. That the filing of an application by the Danbury Department of Welfare covering the period of October 1, 1991 through September 30, 1992 for a grant in the amount of \$92,625.00 or such other amount as is offered 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, and to execute any amendments, recisions and revisions thereto, as the authorized representative of the Danbury of Danbury.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTIONS - Grants for the Library

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$7,800 under said Federal Library Services and Construction Act, Title I, which requires an in-kind match of \$3,900 for a total amount of \$11,700; and

WHEREAS, said grant will be used to improve service to library patrons by enabling the library to implement and complete projects that would not otherwise be possible; and

WHEREAS, graduate library students from Southern Connecticut State University would intern at the library without payment from the City;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide an in-kind match of \$3,900, one-half of the amount of the grant.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$7,800 for the funding period of January 1, 1992 through September 30, 1992 to further the purposes of said grant award.

3. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign a Personal Services Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring additional expenditure of City of Danbury funds must receive prior approval of the Common Council.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$10,000 under said Federal Library Services and Construction Act, Title I, which requires an in-kind match of \$5,500 for a total amount of \$15,500; and

WHEREAS, said grant will be used to purchase books, videos, pamphlets, and databases on job and career information and promote its use; and

WHEREAS, Danbury's unemployment rate reached 6.1% in July, 1991, the highest figure in 16 years;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide an in-kind match of \$5,500.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$10,000 for the funding period of January 1, 1992 through September 30, 1992 to further the purposes of said grant award.

3. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign a Personal Services Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring additional expenditure of City of Danbury funds must receive prior approval of the Common Council.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$9,990 under said Federal Library Services and Construction Act, Title I, which requires an in-kind match of \$9,610 for a total amount of \$19,600; and

WHEREAS, said grant will be used to repair and microfilm more than 300 historical and sometimes unique items (books, pamphlets, and periodicals) now in the Library's local history collection and promote its use in the community; and

WHEREAS, these items would be put into a statewide database for access to all Connecticut citizens;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide an in-kind match of \$9,610.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$9,990 for the funding period of January 1, 1992 through September 30, 1992 to further the purposes of said grant award.

3. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign a Personal Services Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring additional expenditure of City of Danbury funds must receive prior approval of the Common Council.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$7,265 under said Federal Library Services and Construction Act, Title I, which requires an in-kind match of \$3,722 for a total amount of \$10,987; and

WHEREAS, said grant would enable all Danbury students in the 5th and 6th grades to visit the library and get a library card; and

WHEREAS, a study conducted by the Danbury Public Library showed only 50% of Danbury students in the 5th grade had a library card; and

WHEREAS, Danbury elementary teachers would be provided with depository collections to supplement their students needs, and encourage reading;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide an in-kind match of \$3,722.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$7,265 for the funding period of January 1, 1992 through September 30, 1992 to further the purposes of said grant award.

3. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign a Personal Services Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring additional expenditure of City of Danbury funds must receive prior approval of the Common Council.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$10,000 under said Federal Library Services and Construction Act, Title I, which requires an in-kind match of \$12,145 for a total amount of \$22,145; and

WHEREAS, the Danbury Public Library has determined the need to improve and expand its use of automation and technology to provide Danbury residents with more comprehensive and convenient access to information; and

WHEREAS, the aid of a professional consultant is necessary to assess the automation marketplace and work with the staff to develop an automation implementation plan;

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide an in-kind match of \$12,145.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$10,000 for the funding period of January 1, 1992 through September 30, 1992 to further the purposes of said grant award.

3. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign a Personal Services Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring additional expenditure of City of Danbury funds must receive prior approval of the Common Council.

The Resolutions were adopted on the Consent Calendar.

7 - COMMUNICATION - Promotions within the Police Department

Letter from Mayor Gene Eriquez seeking the confirmation of the following promotions within the Police Department: to the rank of Captain - Mark C. Rosato; to the rank of Lieutenat William R. Melillo; and to the rank of Sergeant Celcio F. Entead. Also Mayor Eriquez noted that Marcellus Kruijs will be sworn in as a police officer on November 22, 1991. Mr. DaSilva made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Charles. Motion carried unanimously.

Mayor Eriquez introduced Mark Rosato, Bill Melillo and Marcellus Kruijs who were in the audience.

8 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of Creighton W. Lee to the Parks and Recreation Commission for a term to expire December 1, 1994. The appointment was confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Gerard Lefebvre to the Parking Authority for a term to expire June 30, 1993 and the reappointment of John McGarry for a term to expire June 30, 1992. The appointments were confirmed on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of William Montgomery to the Conservation Commission for a term to expire July 1, 1994. The appointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Lee Green to the Commission on Aging for a term to expire January 1, 1992. The appointment was confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Sharon Kaufman to the Cultural Commission for a term to expire February 1, 1994. The appointment was confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Mayor Eriquez asking the Common Council to accept the donation of proceeds from recycled soda cans, etc. from the City employees. Mrs. Gogliettino moved that the donation be accepted and the proper line item credited. Seconded by Mrs. Butera. Motion carried unanimously.

14 - COMMUNICATION - Letter from the Children's Christmas Fund requesting assistance from the Common Council. Mr. Boynton asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Gogliettino, Dennehy and Scozzafava to the committee. Mr. DaSilva announced that the wood sale would be held on December 8, 1991 beginning at 10:00 a.m.

15 - COMMUNICATION - Letter from Library Director Betsy McDonough asking that a donation in the amount of \$100 from David A. Emilia be accepted and credited to the Book Line item account. Mr. Scalzo 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.

16 - COMMUNICATION - Letter from Department of Elderly Services Director Leo McIlrath asking that the Common Council accept donations in the amounts of \$152 for the mailing of SENIORITY, \$75 for holiday party activities. Mrs. Mack made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Boughton. Motion carried unanimously.

17 - COMMUNICATION - Letter from Purchasing Agent Warren Platz requesting permission to dispose of an accumulation of firearms through trade-in or swap after obtaining competitive offers. The request was granted on the Consent Calendar.

18 - COMMUNICATION & CERTIFICATION - Request from Airport Administrator Paul Estefan that \$6,050 be transferred from the Airport escrow account into the capital line item marked for Airport Radio Equipment. A certification of funds was attached. The request was granted on the Consent Calendar.

19 - COMMUNICATION - Letter from Parks and Recreation Director Robert Ryerson requesting that the amount of \$14,000 collected from rentals at Hatters Community Park facilities since July 1, 1991 be appropriated to the line item Improvements at Hatters Community Park. The request was granted on the Consent Calendar.

20 - COMMUNICATION - Request from Director of Finance Dominic Setaro seeking adjustments to the State Budget due to the fact that the Governor's proposed infrastructure program was eliminated and replaced with the old highway state aid program. The request was granted on the Consent Calendar.

21 - COMMUNICATION - Request from Airport Administrator Paul Estefan requesting approval to accept a recent grant agreement under a reimbursable contract with the FAA for \$25,000 to the City to hook into the City water line. The request was granted on the Consent Calendar.

22 - COMMUNICATION - Interlocal Agreement between the City of Danbury and the Town of Newtown. Mrs. Butera asked that this be referred to an ad hoc committee, William Buckley, Jack Schweitzer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Cassano, Setaro and Scozzafava to the committee.

23 - COMMUNICATION - Danbury Railroad Heritage Park. Letter from Councilman Michael Fazio asking the Common Council to adopt a resolution regarding same. Mayor Eriquez stated that the Resolution would be submitted at a later date. Mr. Boynton made a motion that the communication be accepted. Seconded by Mr. Charles. Motion carried unanimously.

24 - COMMUNICATION - Request for an ad hoc committee to review a proposal for donations to the Welfare Department. Mrs. Coladarci asked that this be referred to an ad hoc committee, Deborah MacKenzie and Dominic Setaro. Mayor Eriquez so ordered and appointed Council Members Gogliettino, Scalzo and Fazio to the committee.

- 25 - COMMUNICATION - Delinquent tax bill problem submitted by Mary Waupotic. Mrs. Mack asked that this be referred to the Tax Collector and the Corporation Counsel for a report back in thirty days. Mayor Eriquez so ordered.
- 26 - COMMUNICATION - Request for City land for use by the Youth Soccer Program. Mrs. Butera asked that this be referred to an ad hoc committee and the Director of Parks and Recreation. Mayor Eriquez so ordered and appointed Council Members Falzone, Dennehy and Fazio to the committee.
- 27 - COMMUNICATION - Water run-off problem on King Street. Mrs. Butera asked that this be referred to the Superintendent of Highways and the City Engineer for a report back in thirty days. Mayor Eriquez so ordered.
- 28 - COMMUNICATION - Request to accept Jireh Lane as a City road. Mr. Scalzo asked that this be referred to the Planning Commission and the Superintendent of Public Works for reports back in thirty days. Mayor Eriquez so ordered.
- 29 - COMMUNICATION - Request for sewers on East Pembroke Road. Mrs. Butera 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 Gallo, Charles and Boughton to the committee.
- 30 - COMMUNICATION - Request for sewer extension at 35 Aunt Hack Road. Mrs. Butera asked that this be referred to an ad hoc committee, Mr. Schweitzer, Mr. Buckley and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Boynton, Charles and Fazio to the committee.
- 31 - COMMUNICATION - Request for sewer and water extensions on Tamarack Avenue and Virginia Avenue Extension. Mrs. Butera asked that this be referred to an ad hoc committee, Mr. Buckley, Mr. Schweitzer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Setaro, Falzone, Boughton to the committee.
- 32 - COMMUNICATION - Highfields Land Company, Extension of Grammer School Drive Heritage Estates. Mrs. Butera asked that this be referred to the Planning Commission and the Superintendent of Public Works for a report back in thirty days. Mayor Eriquez so ordered.
- 33 - COMMUNICATION - Offer of property at 8 Boughton Street for sale to the City. Mr. DaSilva asked that this be referred to the Director of Planning for a report back in thirty days. Mayor Eriquez so ordered.
- 34 - COMMUNICATION - Proposed sanitary sewer on Mill Plain Road - Preliminary assessments. The communication was accepted on the Consent Calendar.
- 35 - COMMUNICATION - Danbury Athletic Youth Organization Lease - Osborne Street Field Building Site - Mr. DaSilva asked that this be referred to the Planning Commission for a report back in thirty days. Mayor Eriquez so ordered.
- 36 - COMMUNICATION - Lease Extension Agreement for the Good Neighbor House at 111 Main Street. The agreement was accepted on the Consent Calendar.
- 37 - COMMUNICATION - Hatters Park Bowling Lanes Lease - Mr. DaSilva asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.
- 38 - COMMUNICATION - Interfaith Social Action Corporation Day Care Center. Mr. Boynton made a motion that this be deferred until after item 59. Seconded by Mr. Charles. Motion carried unanimously.
- 39 - COMMUNICATION - Della v. City of Danbury - Mr. Boynton made a motion to move this item until the end of the agenda for Executive Session. Seconded by Mrs. Butera. Motion carried unanimously.

- 40 - COMMUNICATION - DOT Railroad Station Proposal - WITHDRAWN
- 41 - COMMUNICATION - Request to sell Elks Building to City - WITHDRAWN
- 42 - COMMUNICATION - Report from Planning Commission regarding Old Quarry Nature Center and Bear Mountain Ranger Residence Leases issuing a positive recommendation. The reports were accepted on the Consent Calendar.
- 43 - COMMUNICATION - Reports regarding property available for sale to the City at 116 Main Street. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Planning Director, the Chief of Police, Mr. Schweitzer, Dominic Setaro. Mayor Eriquez so ordered and appointed Council Members Coladarci, Butera and Scozzafava to the committee.
- 44 - COMMUNICATION - Reports regarding road widening parcel at 3 Old Shelter Rock Road. The reports were accepted on the Consent Calendar.
- 45 - COMMUNICATION - Report from Corporation Counsel regarding Tielso v. City of Danbury recommending that court costs not be paid by the City. The report was accepted on the Consent Calendar.
- 46 - COMMUNICATION - Reports regarding request for review of Ordinance Section 21-20(a) recommending that the Ordinance not be changed. The reports were accepted on the Consent Calendar.
- 47 - COMMUNICATION - Report from the Planning Commission regarding lease between the City of Danbury and the Danbury Music Center issuing a positive recommendation. The report was accepted on the Planning Commission.
- 48 - COMMUNICATION - Wibling Brothers, Subdivision of Property, Middle River Road - Mrs. Butera asked that this be referred to the City Engineer and the Corporation Counsel for reports back in thirty days. Mayor Eriquez so ordered.
- 49 - DEPARTMENT REPORTS - Parks and Recreation, Equipment Maintenance Highways, Department of Elderly Services. Public Buildings, Police, Fire Chief, Fire Marshall, Health and Housing. Mr. DaSilva made a motion to accept the department reports 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.
- 50 - REPORT & ORDINANCE - Amendment to Various Ordinance Sections

Mr. DaSilva submitted the following report and Ordinance:

The Committee of the Whole met at 9:00P.M. on October 21, 1991 to review the proposed repeal of various ordinance sections. These are a series of outdated ordinances that mostly date to 1925. Mr. Boughton moved to recommend approval of the proposed repeal of the various ordinances. Seconded by Mr. Charles and passed unanimously.

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

THAT the Code of Ordinances of the City of Danbury is hereby amended by the repeal of the following sections and subsections: 8-21, 9-1, 9-2, 9-3, 9-4, 9-5, 11-1, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, 12-11, 12-12, 12-15, 12-16, 12-17, 12-18, 12-19, 12-20, 12-23, 12-25, 12-27, 12-28, 12-29, 13A-5, 15-21, 15-23(c) and all sections of Chapter 22.

AND THAT paragraph (d) of subsection 10-16(6) of the Code of Ordinances of Danbury, Connecticut is hereby amended by the deletion of the phrase, "city clerk" and the substitution of the phrase, "town clerk" in its place.

The report and ordinance were accepted on the Consent Calendar.

Mr. DaSilva submitted the following report and ordinance:

The Committee of the Whole met at 7:00 P.M. on October 21, 1991 to review a proposed amendment of the Connecticut Basic Building Code. The amendment offers the possibility of applicants paying for inspections at times other than regular office hours. Mr. Boughton moved to recommend approval of the proposed amendment to the Connecticut Basic Building Code. The motion was seconded by Mr. Valeri and passed unanimously.

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

THAT division (2) of subsection 6-02(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 6-02. Amendment of Connecticut Basic Building Code.

(a) Fees generally:

(2) The fee established in paragraph 6-02(a)(1) shall cover the eight (8) inspections specified herein or so many thereof as are required on any particular project. Required inspections, to the extent applicable, include:

- a. Soil conditions.
- b. Footing drains and waterproofing.
- c. Rough electrical.
- d. Rough plumbing.
- e. Framing.
- f. Insulation.
- g. Gas or oil burner.
- h. Final; including but not limited to electrical, plumbing, fire divisions and exits.

Additional inspections shall be performed for an additional fee of twenty-five dollars (\$25.00) per inspection. Each separate trip to the site shall be deemed to be a separate inspection. Said additional fees shall be due and payable prior to the issuance of a certificate of occupancy. The holder of a valid building permit may request that some or all of the foregoing inspections be performed outside of normal business hours. The Danbury building official may authorize performance of such inspections outside of normal business hours if appropriate personnel are available to provide such service. No certificate of occupancy shall be issued to any permit holder for whom inspections have been performed outside of normal business hours until said permit holder has paid a fee to cover the additional expense incurred by the City in connection with said inspections. All such fees shall be in an amount equal to the wages paid to personnel performing said inspections.

The report and ordinance were accepted on the Consent Calendar.

52 - REPORTS & ORDINANCE - Police Pension Article III

Mr. DaSilva submitted the following reports:

The Committee of the Whole met at 9:00 P.M. on October 21, 1991 to review a proposed ordinance concerning Police Pension, Article III. Several members of the Danbury Police Department spoke at a preceding public hearing in opposition to the proposal. They are all in the 1983 Pension Plan who have lesser disability plans than previous plans.

Corporation Counsel Eric Gottschalk explained that the 1983 Pension Plan was negotiated and signed by the Mayor of the City of Danbury and the representative of the Police Union. This was subsequently approved by the Common Council. There was a delay in codification of the agreement until 1987 when the Police Union presented a case to the Labor Relations Board claiming the provisions of the agreement were not valid. This body found in 1991 that the agreement was valid and in effect since 1983.

Mr. Gottschalk further stated that the agreement is the result of collective bargaining and Common Council action is a matter of clarification making the Code of Ordinances reflect this latest agreement on Police Pension Plans. A change in these plans can only come through collective bargaining and that if the Common Council fails to pass the ordinance there would be effect on the validity of the agreement.

Mr. Boughton moved to make a negative recommendation on the proposed ordinance on the Police Pension Plan. The motion was seconded by Mr. Regan. Several members expressed their feelings concerning the unfairness of the 1983 Plan and the possible lack of communication of this plan to police officers since 1983. The motion passed unanimously.

The Committee of the Whole met at 7:00 P.M. on October 30, 1991 to review the action of the committee of the whole on the 1983 Police Pension Plan at its meeting on October 21, 1991.

A motion was made by Mr. Charles to reconsider the motion made on October 21st to make a negative recommendation on the proposed ordinance codifying the Police Pension Plan. The motion was seconded by Mr. Scalzo. The motion passed 11-2 with Mr. Boughton and Mr. Regan voting in the negative.

Mr. Boughton withdrew his motion of October 21st and then moved to recommend sending this ordinance to a public hearing following the swearing in of the new Common Council in December. The motion was seconded by Mr. Gallo.

Considerable discussion ensued concerning the need for an additional public hearing so that input can be obtained by the Directors of Finance and Personnel as well as allowing Council Members who missed the October 21st meeting to hear opinions of members of the Police Department. Several members spoke against the motion stating that a tape of the last hearing is available and that another public hearing was not necessary.

The motion passed with 7 affirmative and 6 negative. Council Members Scalzo, Gallo, DaSilva, Esposito, Charles, Boughton and Boynton voting in the affirmative. Council Members Coladarci, Dennehy, Gogliettino, Butera, Regan and Scozzafava voting in the negative.

The reports were accepted on the Consent Calendar.

53 - REPORT - Renumbering of Bear Mountain Road

Mr. DaSilva submitted the following report:

The Committee of the Whole met at 9:00 P.M. on October 21, 1991 to review the proposed renumbering of Bear Mountain Road. Several residents spoke in favor of this at the preceding public hearing. They mainly stressed the safety factor for emergency vehicles. Mr. Falzone moved to accept the recommendations of the Planning Department on the renumbering of Bear Mountain Road. The motion was seconded by Mrs. Gogliettino and passed unanimously.

The report was accepted on the Consent Calendar.

54 - REPORT - Sewer Assessments on Abbott Street

Mr. DaSilva submitted the following report:

The Committee of the Whole met at 9:00 P.M. on October 21, 1991 to review the sewer assessments on Abbott Street. No residents of Abbott Street spoke at the preceding public hearing. City Engineer Jack Schweitz explained that the sewer line is in place and that the assessments are all lower than the original estimates. Mr. Boughton moved to levy the proposed assessments on the Abbott Street sanitary sewer line. Seconded by Mr. Charles and passed unanimously.

The report was accepted on the Consent Calendar.

Mr. DaSilva submitted the following report:

The Committee of the Whole met at 9:00 P.M. on October 21, 1991 to review an amendment to Danbury-Ridgefield Interlocal Sewer Service Agreement. This is an amendment to an agreement first made in 1975.

In response to questions from a resident and several Common Council members, Superintendent of Public Utilities William Buckley stated that the main thrust of negotiations with the Town of Ridgefield was to collect the \$800,000 owed to the City of Danbury for Ridgefield's cost share of the new waste water treatment plant. The agreement does not increase allocation for Ridgefield and is specific to the site producing sewage and the capacity allowed. The agreement is somewhat different than that with Brookfield because of negotiations. Mr. Buckley stated that all provisions were acceptable with his department and beneficial to the City of Danbury including the testing of sewage as dictated by the State of Connecticut permit.

After discussion, Mr. Boughton moved to recommend approval of the proposed amendment to the Danbury-Ridgefield Interlocal Sewer Service Agreement. The motion was seconded by Mr. Charles and passed unanimously.

The report was accepted on the Consent Calendar.

56 - REPORT - Petitions to Purchase Land on Maple and Balmforth Avenues.

Mr. Cassano submitted the following report:

The Common Council Committee appointed to consider the separate petitions of Norman Carvalho and John Ashkar to purchase land on Maple and Balmforth Avenues met on October 28, 1991 at 7:30 P.M. in Room 432 in City Hall. Present at the meeting were committee members Anthony Cassano and Janet Butera. Also present were Assistant Corporation Counsel Les Pinter, City Engineer Jack Schweitzer and the petitioners Norman and Dorothy Carvalho and John Ashkar.

Mr. Cassano reviewed the history of the two petitions and read the committee report accepted by the Common Council at its April 2, 1991 meeting. Mr. Cassano also read a letter from Mr. Carvalho's attorney Nicholas LoRusso dated June 5, 1991 stating that Messrs. Carvalho and Ashkar "have been unable to reach an agreement that is satisfactory to both men concerning their interests in obtaining the Spano property." Attorney Pinter then reviewed the legal issues. The report accepted by the Common Council on April 2, 1991 recommended that the land be declared surplus. The committee may further recommend any sale option it deems appropriate including putting the property out for general bids and putting the property out to specific bidders either single or multiple.

Extensive discussions then followed as both petitioners explained their plans for the property. Mr. Carvalho wants to use the property to expand parking area for his auto business. However, examination of the Engineering Department site plan sketch showed that the property declared surplus at the April 2, 1991 Common Council meeting does not provide access from Mr. Carvalho's existing property. To use the property Mr. Carvalho would have to come back to the Common Council to obtain an additional small access area. Mr. Ashkar wants to use the property to put in a one-way driveway that will allow an exit onto Maple Avenue from his existing property. Mr. Ashkar's driveway plan has been judged acceptable by the City Traffic Engineer and the Engineering Department.

Despite repeated attempts by the committee to have the petitioners come to some form of agreement on joint usage of the property, no common ground could be found. Mr. Carvalho believes that Mr. Ashkar's proposed driveway would create a dangerous traffic situation. Mr. Ashkar offered the use of the driveway to provide Mr. Carvalho with an additional exit onto Maple Avenue but objected to the use of the land as a parking area for Mr. Carvalho's auto business (i.e. tow trucks, wrecked autos, etc.).

When it became obvious to the committee that the petitioners could reach no suitable compromise, Mrs. Butera made a motion that the committee recommend that the Common Council follow the guidelines set forth in Ordinance Section 2-133 for publication of offers to purchase land as indicated and described in action by the Common Council of April 2, 1991 based on subcommittee action of February 26, 1991 and also reserving any necessary access rights to the City of Danbury as may be determined by the City Engineer. Mr. Cassano seconded the motion and there was unanimous acceptance.

Following some additional discussion, Mrs. Butera made a motion that the Purchasing Department notify both Mr. Ashkar and Mr. Carvalho at the time of solicitation. Seconded by Mr. Cassano and passed unanimously.

The report was accepted on the Consent Calendar.

57 - REPORT - Request to Change the Cul-de-sac portion of Grammer School Drive

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the petition to change the name of the cul de sac portion of Grammer School Drive met at 7:10 P.M. on October 9, 1991 in Room 432 in City Hall. In attendance were committee members Scalzo and Butera. Mr. Fazio was unable to attend.

Mr. Scalzo reviewed the petition from all of the property owners who were in favor of the name change. Reports from the Planning Commission and Associate Planner Heidi Tolo both had no objection to the request and make positive recommendations to approve the name change to Woodstone Court since all property owners were in favor and no other street in the City had the name.

Mrs. Butera made a motion to change the name of this portion of Grammer School Drive to Woodstone Court since there were positive recommendations from the Planning Commission, the Planning Department and the residents and property owners and that the necessary procedures be followed for the assignment of new street addresses for Woodstone Court. The motion was seconded by Mr. Scalzo and passed unanimously.

The Associate Planner, Heide Tolo, should be notified of the committee's positive recommendation and of the action taken by the entire Common Council.

The report was accepted on the Consent Calendar.

58 - REPORT - Mobil Oil Corporation

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review a temporary hook-up for Mobil Oil on Padanaram Road met on February 21, 1991 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Falzone and Dean Esposito. Also in attendance was City Engineer Jack Schweitzer.

Mr. Schweitzer stated that Mobil Oil needed a temporary hook-up to open their station until a pumping station could be built which would be completed in a matter of weeks. Mr. Esposito mentioned that no representative from Mobil Oil was in attendance and therefore, no action should be taken at this time. Mr. Schweitzer stated that when the pumping station is open they can open the gas station anyway.

Mr. Esposito made a motion to take no action at this time. Seconded by Mr. Falzone. Motion carried unanimously.

The report was adopted on the Consent Calendar.

59 - REPORT - Danbury Hospital Proposal

Mr. DaSilva submitted the following report:

The committee to review an agreement between the City of Danbury and the Danbury Hospital met at 7:49 P.M. on October 29, 1991. In attendance were committee members DaSilva and Smith. Also in attendance were Corporation Counsel Eric Gottschalk, Director of Parks and Recreation Robert Ryerson, Director of the Interfaith Day Care Center J. Simpson, Administrative Assistant to the Mayor Basil Friscia, CEO of the Danbury Hospital Frank Kelly, Corporation Counsel for Danbury Hospital J. Gregory, Vice President for Community Relations for the Danbury Hospital G. Pawlush, Director of Finance Dominic Setaro and Common Council Members John Esposito and Eileen Coladarci, ex-officio.

Mr. DaSilva reviewed the particulars of the proposed sale of City land to the Danbury Hospital. In exchange for five acres of land, including the Osborne Street Playground and abutting property the City would receive one million three hundred four thousand five hundred (\$1,304,500) dollars over two years. In addition, the hospital will replace the playground and the Interfaith Day Care Center on adjacent City property at no cost to the City. These improvements are estimated at a value of one million six hundred and twenty-five thousand (\$1,625,000) dollars. They are obligated to replace the playground with facilities equal to the present facilities. The Day Care Center replacement will be enlarged bringing the capacity from eighty to one hundred children. The basketball facility at the present playground will be replaced at the Osborne Street Field.

The present plans call for the project to be commenced after five years and completed within ten years. In the interim the City and the Day Care Center will have access to and use of the present facilities.

The Danbury Hospital held a public hearing on October 24, 1991 which outlined all aspects of this proposal. Three hundred and fifty invitations were sent to residents of the vicinity as well as Common Council representatives from the area.

Mrs. Simpson stated that the Day Care officials are in favor of this agreement. They are pleased with the additional capacity, enlarged parking and drive through space for safety. Mr. Ryerson said that the Parks and Recreation Department is also in favor of the project. He is especially in favor of the separate basketball court to the Osborne Street Field.

Mr. Setaro stated that he recommends approval of the sale. He feels that there is an excellent deal for the City. If approved, this transaction will bring an additional \$869,666 to the 1992-93 budget.

Mr. Gottschalk reviewed the two attached documents. The Real Estate Sales and Purchasing Agreement is the sale contract which stipulates all particulars of the sale. The Agreement stipulates all other items in the transaction such as provision for the playground and the Day Care Center.

A communication was submitted by the Lions Club of Danbury, the original founders of the playground. The Lions Club is in full agreement with the proposed transaction.

After discussion, Mr. Smith moved to recommend approval of the proposed sale and that the Mayor be authorized to execute the agreements in a form substantially in accordance with the attached documents, subject to an amendment to the Zoning Regulations of the City of Danbury, allowing a Day Care Center within a RH 5 zone. The motion was seconded by Mr. DaSilva and passed unanimously.

Mr. Boughton made a motion to accept the proposal and authorize the Mayor to execute the agreements in a form substantially in accordance with the attached documents, subject to an amendment to the Zoning Regulations of the City of Danbury. Seconded by Mrs. Butera.

Mrs. Gogliettino asked if an impact study was being done. Hospital President Frank Kelly said it was. Mr. Falzone asked if the Zoning Commission had to approve the amendment. Mayor Eriquez answered that it did. Mr. Scalzo asked if it was a Special Exception. Mayor Eriquez said it was.

Mr. Boughton stated that this is not a new plan. There was much opposition to the proposal in 1979. Mrs. Mack asked if the opposition was to moving the playground or to expansion. Mr. Boughton stated that people wanted the playground left as it was.

Mr. Boynton moved the question. Seconded by Mr. Boughton. Motion carried unanimously. Original motion carried unanimously.

60 - PROGRESS REPORT - Seahorse Aviation Lease

Mr. Setaro submitted the following report:

The Common Council Committee appointed to review the Seahorse Aviation lease met at 7:10 P.M. on October 16, 1991 in Room 432 in City Hall. In attendance were committee members Setaro, Dennehy and Regan. Also in attendance were Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Airport Administrator Paul Estefan, Mr. Brinkman of Seahorse Aviation, Mr. Zahn of BAC Aviation and Ms. Cara Stainfeld representing Bluebird Aviation.

Mr. Setaro stated that the Aviation and Planning Commissions gave positive recommendations to the lease and Corporation Counsel deemed the lease legally sufficient. Initial discussion focused on Corporation Counsel's suggestions for amending the lease which had not been adopted previously.

The Director of Finance stated that several problems existed with respect to the rental structure of the lease. These included the determination of the date the lease would become effective, the rental amount, the effect of a change in the property assessment, and the effect of a tax credit provision for improvements made to the property by Seahorse. Much discussion followed regarding a workable rental structure. The Director of Finance and Mr. Pinter explained that the City is currently in litigation with Business Aircraft Center over the rent structure of another lease of airport property. This litigation precluded specific recommendations regarding a rent structure in the Seahorse lease until the litigation has concluded.

Mr. Brinkman stated that since the lease review process had begun in early 1991, he would be willing to consider reasonable alternatives which the committee could offer. Mr. Pinter explained that questions about the pending litigation could only be discussed in an executive session. An executive session would be permissible since the litigation involved has a bearing on the issue before the committee. After discussion, Mr. Regan moved that the committee enter into executive session at 8:15 P.M. Seconded by Ms. Dennehy and passed unanimously.

Present in the executive session were Council Members Setaro, Dennehy and Regan. Also in attendance were Dominic Setaro, Les Pinter and Paul Estefan.

At 8:35 P.M. Mr. Regan moved that the committee end the executive session. Seconded by Ms. Dennehy and passed unanimously. Mr. Regan then moved that the committee enter into regular session. Seconded by Ms. Dennehy and passed unanimously.

Mr. Regan moved that action on the Seahorse lease be postponed without recommendation until litigation on the issue of permissible rental schedules is concluded. Seconded by Ms. Dennehy and passed unanimously.

The Progress Report was adopted on the Consent Calendar.

Mayor Eriquez extended all committees.

Mayor Eriquez replaced Council Member Arthur Regan with Council Member Joseph Scozzafava on the Interlocal Agreements committee.

38 - COMMUNICATION - Interfaith Social Action Corporation Daycare Center. Mrs. Butera asked that this be referred to an ad hoc committee, the Corporation Counsel, Planning Commission and Interfaith Daycare. Mayor Enriquez so ordered and appointed Council Members DaSilva, Esposito and Scozzafava to the committee.

39 - COMMUNICATION - Della v. City of Danbury

At 8:45 P.M. Mr. Boughton made a motion to enter into Executive Session to discuss this matter. Seconded by Mr. Charles. Motion carried unanimously.

At 9:15 P.M. the Common Council reconvened in public session.

Mr. Boughton made a motion that the Corporation Counsel be authorized to enter into an agreement as proposed in Executive Session and that the amount of \$267,500 be transferred from the General Fund for same. Seconded by Mr. Charles. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made by Mr. Boughton for the meeting to be adjourned at 9:16 P.M.

Respectfully submitted,

*Jimmetta L. Samaha*  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk