

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

Re: Minutes of the Common Council Meeting held February 6, 1990.

The meeting was called to order at 8:05 P.M. by Mayor Eriquez. Mr. DaSilva led the assembly in the Pledge of Allegiance. The Prayer was offered by Mr. Smith. The Roll Call was taken with the members being recorded as:

Present - Fazio, Kilcullen, Falzone, Gallo, Coladarci, Mack, Farah, D. Esposito, Zotos, Gogliettino, DaSilva, J. Esposito, Smith, Cassano, Boughton, Charles, Boynton, Butera, Regan, Scozzafava, Valeri.

21 Present

NOTICES BY THE MAYOR

Mayor Eriquez noted that the City Clerk was absent due to a medical emergency.

February is Black History Month

Exchange Club Love a Child Benefit Ball - February 10th
45th Anniversary of Iwo Jima of which John Esposito is a
veteran - February 19th

The City has been given a grant by the State of Connecticut
for \$450,000 for the Eagle Road Connector

Mounir and Montez Farah will celebrate their anniversary on
February 17th

February 14th - Heart Association Luncheon

February 28th - Dean Esposito's Birthday

Stan and Fannie Smith celebrated their anniversary on February 4th

Mr. DaSilva announced that on February 9th, Mayor Eriquez will
celebrate his birthday.

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

- 3 - Resolution - Approval of Grant Application for Danbury Youth
Services - \$80,000
- 5 - Resolution & Communication - Approval of Grant Application for
Arrow Grant for \$31,713
- 12 - Communication - Appropriation of \$2,200 for EIC
- 13 - Communication - Appropriation of \$2,800 for Zoning Board of Appeals
- 14 - Communication - Appropriation of \$1,800 for Zoning Commission
- 15 - Communication - Appropriation of \$2,700 for Planning Commission
- 16 - Communication - Funds for Architectural Plans for Improvements to
Danbury Library - \$1,200
- 18 - Communication - Approval of Appointment of Ernest & Young as City
Auditors
- 20 - Communication - Grant permission for temporary borrowing of funds
from General Fund for School Bond Issue - \$1,500,000
- 21 - Communication - Appointment of Cora Hord to the Commission on the
Status of Women
- 22 - Communication - Appointment of Henrique Antonio to the Aviation
Commission
- 23 - Communication - Reappointment of Betty Jane Hull and Mary Nahley
to the Library Board of Directors
- 24 - Communication - Reappointment of John Addressi to Redevelopment Agency
- 25 - Communication - Reappointment of Robert Sweeney to EIC
- 26 - Communication - Reappointment of Sigred Benyei, Raymond Gomoll and
Elizabeth McKee to the Commission on Aging
- 27 - Communication - Reappointment of Carmine Butera to Civil Service
Commission
- 28 - Communication - Appointment of Francis Kieras and Dennis Keeler to
Richter Park Commission
- 29 - Communication - Appointment of Thomas Evans, A. Paul Nichols,
William Lavelle and Edward Walsh to the Parks and
Recreation Commission
- 30 - Communication - Appointment of Alice Hyman to the Planning Commission
- 36 - Communication - Approval of Memorandum of Agreement for promotion
policy with Danbury Fire Fighters Union, Local 801
- 40 - Communication - Approval of \$7,500 for Fire Department Special Service
Account
- 46 - Communication - Accept Communication from Public Works Director Dan
Minahan on Weindorf Lane and notify petitioner

- Communication - Accept Communication from Public Works Director Dan Minahan on the status of Fairmount Drive as a private Road
- Communication - Accept a Planning Commission positive recommendation for sewer line at Federal Road to Beaver Brook
- Communication - Accept Road Widening Strip at DePalma Lane
- Communication - Approval of extension of time for sewer installation on Broad Street
- Report - Approval of Sewer Extension on Third Street
- Report & Ordinance - Granting Fire Marshall and Fire Inspector authority to issue tickets for fire hydrant obstruction
- Report & Ordinance - Approval of Ordinance establishing provisions for the termination of water service
- Report & Ordinance - Approval of Ordinance dealing with Building Code Review to meet State of Connecticut Requirements
- Report & Ordinance - Approval of Ordinance extending bond requirements for roads and installations to two years
- Report & Ordinance - Approval of Ordinance allowing acceptance of demolition material at Danbury Landfill to non-profit low and moderate housing
- Report - Accept report of committee recommending appointment of a commission to review the approval process and funding of sewer and water installations
- Report - Approval of lease between the City and Tisano at Airport
- Report - Approval of Water Extension on Clapboard Ridge Road
- Report - Approval of Water Extension on Old Sherman Turnpike
- Report - Accept Report on College Park Drive, recommending that bond money be used to complete as much as possible
- Report - Approval of Water Extension on South Street
- Report - Approval of Water Extension on Sunset Drive
- Report - Approval of Water & Sewer Extension on Eagle Road
- Report - Accept Report accepting land offer at 103-101 Lakeview Avenue
- Report - Accept report and deny without prejudice the waiving of connection fee at 105 Park Avenue
- Report - Accept report tabling petition until receipt of Planning Commission report
- Report - Accept report establishing a working agreement in the maintenance of school facilities
- Report - Accept report recommending the acceptance of the Haestad Design Report on the West Side Sewer Interceptor
- Report - Approval of Lease between City and the FAA at Danbury Airport
- Report - Approval of Sewer Extension at Gaslight Village Condos.

Mr. Gallo made a motion that the Consent Calendar be accepted as presented. Seconded by Mr. Smith. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held January 3, 1990. 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. Regan. Motion carried unanimously.

1 - ORDINANCE - Ordinance requesting change of name of the Handicapped Commission to the Danbury Commission for Persons with Disabilities. Mr. DaSilva asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 - RESOLUTION - Sister City, Decollatura, Italy.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, through the efforts of The Italian Community Heritage Foundation the Town of Decollatura, Italy, comprised of the villages of Adami, San Bernardo, Praticello, Tomaini, Casa Novi and Cerrici, will send an official delegation from Italy to visit our city in 1990; and

WHEREAS, it is important to establish a socio-economic relationship between our two communities, one a typical, thriving community of southern Italy, and the other typical of the diverse cultures of American life; and

WHEREAS, it is most appropriate that we recognize the cultural and economic contributions of our large Italian-American population and that we promote harmonious relationships with the citizens of Italy with whom we share a significant heritage which has so enriched American life;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY together with Mayor Gene F. Eriquez that Danbury, Connecticut is hereby officially designated as a sister-city to Decollatura, Italy and that The Honorable Eugenio Adamo, its Mayor, the delegates and citizens of Decollatura are hereby officially invited and welcomed to visit their sister-city of Danbury and to enjoy our hospitality.

WE DO FURTHER express our gratitude to The Italian Community Heritage Foundation for its efforts to promote a mutually beneficial relationship between Decollatura and Danbury and between the Italian and American peoples.

Mr. Boughton made a motion that the Resolution be adopted. Seconded by Mrs. Butera. Motion carried unanimously.

3 - RESOLUTION - Youth Services Bureau.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in an amount not to exceed Eighty Thousand (\$80,000) Dollars are available from the State of Connecticut Department of Children and Youth Services for 1989-1990 Youth Services Bureau Operations; and

The continuation of the Youth Services Bureau for a twelfth year is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of the Mayor of the City of Danbury in applying for said funds be and hereby are ratified and that the Mayor of the City of Danbury be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for a state cost-sharing grant not to exceed \$80,000 for a Youth Services Bureau for the fiscal period commencing July 1, 1989.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all related documents, applications or other pertinent instruments pursuant to this program.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - State Payment in Lieu of Taxes.

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to local housing authorities, municipalities and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of Payment-in-Lieu-of-Taxes and to execute an Assistance Agreement therefore;

NOW, THEREFORE, BE IT RESOLVED BY THE Town Council of the

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes.
2. That the filing of an application by the City of Danbury in an amount not to exceed 239,277.07 is hereby approved and that the Mayor of the City of DNBY is hereby authorized and directed to execute and file such application with the Commissioner of Housing to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement 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 City of Danbury.
3. That in consideration of said Assistance Agreement applicant does hereby waive any payments-in-lieu-of-taxes by the housing authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes.
4. That the current established mill rate is 16.98 and the current assessment is 70% of Market value.
5. It is also resolved that any prior action taken by the Mayor of the City of Danbury (Title of Authorized official of Agency) with respect to this Agreement is also approved.

Mrs. Gogliettino made a motion that the Resolution be adopted. Seconded by Mr. Gallo. Mr. Boughton stated that he removed this item from the consent calendar due to the wording "cognizant of Chapters 128, 129, 130 and 133 of the Connecticut General Statutes. Mr. Gottschalk stated that Common Council could be changed to City of Danbury. Motion carried unanimously.

5 - RESOLUTION - Arrow Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Center for Disease Control of the United States Government sponsors an AIDS Prevention Program, making funds available to local agencies and departments of health through the State of Connecticut Department of Health Services and the Connecticut Alcohol and Drug Abuse Commission; and

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has formulated an Acquired Immuno-deficiency Syndrome (AIDS) Outreach Education and Risk Reduction Counseling and Testing Program for the Danbury area; and

WHEREAS, the Connecticut Alcohol and Drug Abuse Commission, an independent agency attached to the Connecticut Department of Mental Health under its AIDS Prevention and Outreach Program has approved the application of the Danbury Health Department for funds in the amount of \$30,400 to fund two part-time Outreach workers to work in the intravenous drug community to provide comprehensive and understandable information on AIDS prevention, testing and substance abuse treatment under the supervision of the Danbury AIDS Program Coordinator; and

WHEREAS, said funding will cover the period from January 1, 1989 to December 31, 1990; and

WHEREAS, the program will serve the City of Danbury and the surrounding communities;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized.

BE IT FURTHER RESOLVED THAT to accomplish said program the actions of the Mayor of the City of Danbury are hereby authorized and ratified to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the Connecticut Alcohol and Drug Abuse Commission.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - The Issuance and Sale of \$3,360,000 General Obligation Bonds of the City of Danbury.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. \$400,000 of the \$2,909,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Appropriating \$2,909,000 For The Planning, Acquisition And Construction Of An Ice Skating Rink And Authorizing The Issuance Of \$2,909,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on May 6, 1986 and approved by the electors at a referendum on June 17, 1986, shall bear an original issue date of February 1, 1990 and mature \$20,000 on February 1 in each of the years 1991-2010, both inclusive.

Section 2. \$2,235,000 of the \$2,355,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements For Recreational And Old Library Facilities Aggregating \$2,355,000 And Authorizing \$2,355,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on May 6, 1986 and approved by the electors at a referendum on June 17, 1986, shall bear an original issue date of February 1, 1990 and mature \$110,000 on February 1 in each of the years 1991-2000, both inclusive, \$115,000 on February 1 in each of the years 2001-2005, both inclusive, \$120,000 on February 1, 2006, and \$110,000 on February 1 in each of the years 2007-2010, both inclusive.

Section 3. \$725,000 of the unissued balance of \$1,675,000 of the \$7,725,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$7,725,000 And Authorizing The Issuance Of \$7,725,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on August 25, 1983 and approved by the electors at a referendum on November 8, 1983, shall bear an original issue date of February 1, 1990 and mature \$40,000 on February 1 in each of the years 1991-2000, both inclusive, \$35,000 on February 1 in each of the years 2001-2005, both inclusive, and \$30,000 on February 1 in each of the years 2006-2010, both inclusive.

Section 4. Said \$400,000, \$2,235,000 and \$725,000 bonds referred to in Sections 1 through 3, inclusive, shall be combined into and issued and sold as a single issue of \$ 3,360,000 City of Danbury General Obligation Bonds, bearing an original issue date of February 1, 1990 maturing \$170,000 on February 1 in each of the years 1991-2006, both inclusive and \$160,000 on February 1 in each of the years 2007-2010, both inclusive, bearing interest payable on February 1 and August 1 in each year until maturity, commencing August 1, 1990 (the "Bonds"). The Bonds maturing on or after February 1, 2001 shall be subject to redemption at the respective prices set forth in the following table together with interest accrued and unpaid to the redemption date:

<u>Redemption Date</u>	<u>Redemption Price</u>
From: February 1, 2000 to January 31, 2001	102%
February 1, 2001 to January 31, 2002	101%
February 1, 2002 and thereafter	100%

Section 5. The Bonds are determined to be issued for General Public Improvement purposes and shall be includible in the City's aggregate indebtedness for purposes of the City's statutory limitation on indebtedness under Section 7-374 of the General Statutes of Connecticut as debt for General Public Improvement projects.

Section 6. The Connecticut National Bank of Hartford, Connecticut, is hereby appointed as agent of the City to act as Registrar and Transfer Agent, Certifying Bank and Paying Agent and with respect to the Bonds.

Section 7. The Bonds shall be issued as book-entry bonds in accordance with the terms and provisions set forth in a Letter of Representations from the City of Danbury to the Depository Trust Company, attached hereto as Exhibit A, which letter is hereby approved and the Mayor and City Treasurer are hereby authorized to execute and deliver such letter on behalf of the City with such changes, insertions and deletions as they shall deem necessary and appropriate.

Section 8. The form of Tax Regulatory Agreement, attached hereto as Exhibit B, is approved and the Mayor and City Treasurer are hereby authorized to execute and deliver such agreement on behalf of the City with such changes, insertions and deletions as they deem necessary and appropriate, and to rebate to the Federal Government such amounts as may be required pursuant to the Tax Regulatory Agreement for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended.

Section 9. The Mayor and City Treasurer are authorized to issue and sell the Bonds in a competitive offering to the bidder or bidders offering to purchase the same at the lowest true interest cost to the City, such sale to be held on a date determined by the Mayor and City Treasurer.

Mr. Falzone made a motion that the Resolution be adopted. Seconded by Mr. Boughton. Motion carried unanimously.

7 - RESOLUTION - Social Services Block Grant Training Funds.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapter 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 of Danbury make application to the State of Connecticut in such amounts as may be made available for undertaking a Training 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 Chapter 133 and 300a of the Connecticut General Statutes;

2. 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.

3. That the filing of an application by the City of Danbury 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 City of Danbury.

Mr. DaSilva made a motion to adopt the Resolution. Seconded by Mr. Gallo. Motion carried unanimously.

8 - COMMUNICATION & RESOLUTION - Federal Emergency Management Assistance

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in the amount of FOUR THOUSAND EIGHT HUNDRED (\$4,800.00) DOLLARS are available from the Federal Emergency Management Assistance (F.E.M.A.) program, in association with the United Way of Northern Fairfield County; and

WHEREAS, the receipt of such monies for purposes of the needs of homeless persons in the City of Danbury and specifically to defray costs associated with the proposed overflow shelter for homeless persons at 113 Main Street is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of Gene F. Eriquez as Mayor of the City of Danbury, in applying for said funds and taking such further actions as may be required including executing such additional documents as may be necessary be and hereby are authorized and ratified.

Mr. Boynton made a motion to adopt the Resolution. Seconded by Mr. Boughton. Motion carried with Mrs. Butera voting in the negative.

9 - RESOLUTION - Grant for Payloader at Airport.

RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, the City of Danbury through the Danbury Municipal Airport intends to purchase a payloader for snow removal; and

WHEREAS, the City of Danbury will make application for a federal and state grant in the amount not to exceed \$292,500.00 with a local match of two and one-half percent equalling an amount not to exceed \$7,500.00.

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.

Mr. Boughton made a motion that the Resolution be adopted. Seconded by Mr. Charles. Motion carried unanimously.

10- COMMUNICATION - Letter from J. C. Penney donating pillows to the City. Mr. Boughton made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Falzone. Motion carried unanimously.

12 - COMMUNICATION & CERTIFICATION - Request for funds for the Environmental Impact Commission in the amount of \$2,200.00. Certification attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

11 - COMMUNICATION - Letter from Deborah MacKenzie, Director of Welfare, for additional funds for general assistance in the amount of \$200,000. Mr. Boughton asked that this be referred to committee. Mayor Eriquez so ordered and appointed Council Members DaSilva, John Esposito, Scozafava to the committee, along with Deborah MacKenzie.

13 - COMMUNICATION & CERTIFICATION - Request for funds for the Zoning Board of Appeals in the amount of \$2,800. Certification attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

14 - COMMUNICATION - Request for funds for the Zoning Commission in the amount of \$1,800. Certification attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

15 - COMMUNICATION & CERTIFICATION - Request for Funds for the Planning Commission in the amount of \$2,700. Certification attached. The communication was accepted and the transfer of funds authorized on the consent Calendar.

16 - COMMUNICATION - Letter from Library Director Betsy McDonough asking for necessary adjustments to the City's capital budget and the City's revenue accounts for improvements to the Library. The request was granted on the Consent Calendar.

17 - COMMUNICATION - Letter from Danbury Exchange Club asking the City to support its efforts in the Youth Baseball League Project by allowing the use of fundraising monies to make various improvements to Rogers Park. This was referred to a committee of Valeri, Dean Esposito and Fazio.

18 - COMMUNICATION - Letter from Comptroller Dominic Setaro asking for confirmation of the appointment of Ernst and Young as independent auditors. The request was granted on the Consent Calendar.

19 - COMMUNICATION - Letter from Council Members DaSilva, John Esposito and Smith requesting action taken by the Common Council establishing a Charter Revision Commission be rescinded. Mr. Falzone moved to grant the request. Seconded by Mrs. Gogliettino. Discussion followed on the issue. Mrs. Gogliettino moved the question, seconded by Mr. Kilcullen. Motion carried with Mr. John Esposito and Mr. Boughton voting in the negative. Motion to rescind carries with Council Members Fazio, Boughton and Regan voting in the negative.

20 - COMMUNICATION - Letter from Comptroller Dominic Setaro requesting permission to borrow funds on a temporary basis from the General Fund to pay for various services that will be rendered to the City in reference to the recently approved school bond issue. The request was granted on the consent calendar.

21 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of Cora Hord to the Commission on the Status of Women for a term to expire April 1, 1992. Confirmation was granted on the Consent Calendar.

22 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Henrique Antonio to the Aviation Commission for a term to expire July 1, 1992. Confirmation was granted on the Consent Calendar.

23 - COMMUNICATION - Letter from Mayor Eriquez reappointing Betty Jane Hull and Mary Nahley to the Library Board of Directors for terms to expire January 1, 1993. Confirmation was granted on the Consent Calendar.

24 - COMMUNICATION - Letter from Mayor Eriquez reappointing John Addressi to the Redevelopment Agency for a term to expire January 1, 1995. Confirmation was granted on the Consent Calendar.

25 - COMMUNICATION - Letter from Mayor Eriquez reappointing Robert Sweeney to the Environmental Impact Commission for a term to expire December 1, 1992. Confirmation was granted on the Consent Calendar.

26 - COMMUNICATION - Letter from Mayor Eriquez reappointing Sigred Benyei, Raymond Gomoll and Elisabeth McKee to the Commission on Aging for terms to expire October 1, 1992. Confirmation was granted on the Consent Calendar.

27 - COMMUNICATION - Letter from Mayor Eriquez appointing Carmine Butera to the Civil Service Commission for a term to expire January 1, 1996. Confirmation was granted on the Consent Calendar.

28 - COMMUNICATION - Letter from Mayor Eriquez appointing Francis J. Kieras and Dennis Keeler to the Richter Park Authority. Mr. Kieras's term will expire September 1, 1991 and Mr. Keeler's term will expire September 1, 1990. Confirmation was granted on the Consent Calendar.

29 - COMMUNICATION - Letter from Mayor Eriquez reappointing Thomas Evan A. Paul Nichols and William Lavelle to the Parks and Recreation Commission for terms to expire December 1, 1992 and appointing Edward Walsh for a term to expire December 1, 1990. Confirmation was granted on the consent calendar.

30 - COMMUNICATION - Letter from Mayor Eriquez appointing Alice Hyman as an alternate to the Planning Commission for a term to expire January 1, 1993. Confirmation was granted on the Consent Calendar.

31 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of Shaun McClogan, Joseph Riolo, Marcellus Kruijs, J. Brian Murphy, Kevin Rafferty and Shawn O'Brien to the Police Department. Mr. Boughton made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Regan. Motion carried unanimously.

32 - COMMUNICATION - Agreement between the City of Danbury and Local 801 IAFF AFL-CIO. Mr. DaSilva made a motion that the agreement be approved and the transfer of funds authorized. Seconded by Mrs. Charles. Motion carried unanimously.

33 - COMMUNICATION - Lease for building at 113 Main Street. Letter from Mayor Eriquez stating that he has investigated many opportunities for providing shelter for the homeless and asked for timely approval of this lease. He also stated that he would be establishing the Mayor's Advisory Committee on the Homeless. Mrs. Gogliettino made a motion that the lease be approved. Seconded by Mrs. Mack. Lengthy discussion followed. The full text is on file in the Office of the City Clerk for public inspection. Mr. Boughton made a motion to move the question. Seconded by Mrs. Gogliettino. Motion failed with 13 members voting in the affirmative and 8 members voting in the negative. The motion carries with the members voting as follows:

Yes - Kilcullen, Coladarci, Mack, Dean Esposito, Zotos, Gogliettino, DaSilva, John Esposito, Smith, Charles, Boughton, Boynton, Regan, Scozzafava Valeri.

No - Fazio, Falzone, Gallo, Farah, Cassano, Butera.

15 yes - 6 no

34 - COMMUNICATION - Letter from Acting Corporation Counsel Eric Gottschalk requesting a Common Council Committee to look into the Charter language regarding conflicts of interest. Mr. Boughton asked that this be referred to an ad hoc committee, the Corporation Counsel and the Comptroller. Mayor Eriquez so ordered and appointed Council Members Kilcullen, Farah and Regan to the committee.

35 - COMMUNICATION - Letter from Council Member Deborah Gogliettino requesting that an ad hoc committee be formed to review and research the City Loitering Ordinance. Mr. Boynton asked that this be referred to an ad hoc committee, the Corporation Counsel and Chief Macedo. Mayor Eriquez so ordered and appointed Council Members Gogliettino, Smith and Fazio to the committee.

36 - COMMUNICATION - A Memorandum of Agreement regarding promotional examinations in the Fire Department. The agreement was accepted on the Consent Calendar.

37 - COMMUNICATION - Letter from Superintendent of Schools Anthony Singe requesting that the Board of Education be authorized to spend the unencumbered funds of \$18,250.65 for the Roberts Avenue School Project to help defray legal expenses that were spent to bring this project in under budget. Mrs. Butera asked that this be referred to an ad hoc committee, Dr. Singe and the Comptroller. Mayor Eriquez so ordered and appointment Council Members Mack, Boynton and Scozzafava to the committee.

38 - COMMUNICATION - Letter from Acting Corporation Counsel Eric L. Gottschalk requesting that an ad hoc committee be formed to look into whether or not building permit fees could legally be waived for various entities such as nonprofit corporations and educational institutions. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Building Inspector and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Falzone, Zotos and Boughton to the committee.

39 - COMMUNICATION - Letter from Tree Supervisor Richard K. Smith regarding a survey to be taken in Danbury regarding Gypsy Moth Control. Mrs. Butera asked that this be referred to an ad hoc committee, the Tree Supervisor, Mr. Minahan, and Dominic Setaro. Mayor Eriquez so ordered and appointed Council Members Coladarci, Charles and Fazio to the committee.

40 - COMMUNICATION - Letter from Fire Chief Antonio Lagarto asking that \$7,500 be transferred into the Special Services Account. The request was granted on the Consent Calendar.

41 - COMMUNICATION - Proposed contract between the City and the Danbury Hospital affiliate, Business Systems, Inc. concerning the paramedic service. Mr. Boynton made a motion to accept the contract. Seconded by Mr. Boughton. Mr. DaSilva offered the following changes. Seconded by Mr. Boynton.

Section B to read: Cause the said paramedics to be trained, certified and supervised both administratively and medically by and under the direction of the Emergency/Primary Care Department of the Danbury Hospital. Said paramedics while on duty for the City of Danbury, Fire Department as a paramedic will also be supervised by the Ambulance Supervisor and any Officer of the Danbury Fire Department.

Section C to read: Assure that continued employment of all paramedics shall be contingent upon their acceptable medical performance as determined by the Emergency/Primary Care Department of the Danbury Hospital. It is also agreed, that continued employment of all paramedics shall be contingent upon their acceptable on the job performance as determined by the Danbury Fire Department and the City of Danbury. Motion to amend carried unanimously. Main motion, as amended, carried unanimously.

42 - COMMUNICATION - Letter from Anthony J. DiPerrio, attorney for the Danbury Preservation Trust asking for acceptance of the proposal from Sullivan Farm Partnership regarding moving the Erickson House. Mr. Boynton asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members DaSilva, Zotos and Scozzafava to the committee.

43 - COMMUNICATION - Letter from Attorney James Mannion requesting permission to relocate current utility easements for Danbury Fair Mall. Mr. Falzone asked that this be referred to an ad hoc committee, Planning and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Valeri, John Esposito and Regan to the committee.

44 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley asking the Common Council to address the acquisition of land necessary to gain access to the Boggs Pond Reservoir and Dam. Mrs. Gogliettino asked that this be referred to an ad hoc committee, Planning, Mr. Buckley and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Boynton and Fazio to the committee.

45 - COMMUNICATION - Acceptance of Centennial Drive. Mrs. Butera asked that this be referred to an ad hoc committee, Planning and Engineering. Mayor Eriquez so ordered and appointed Council Members Cassano, Butera and Boughton to the committee.

46 - COMMUNICATION - Report from Dan Minahan regarding Weindorf Lane and Ward Drive stating that the Police Department does not install convex reflective mirrors for traffic control, nor does the Public Works Department. However, he has no objection to the residents of the area installing and maintaining the mirrors. The report was accepted on the Consent Calendar.

47 - COMMUNICATION - Report from Dan Minahan regarding a petition from residents of Fairmount Drive. He states that he is asking the Planning Department to define the status of the unaccepted road section and supply the Public Works Department with the information. The report was accepted on the Consent Calendar.

48 - COMMUNICATION - Report from Planning Commission voting a positive recommendation regarding property acquisitions for a sewer line from Federal Road to Beaver Brook Road. The report was accepted on the Consent Calendar.

49 - COMMUNICATION - Report from Jack Schweitzer stating that the ownership of a road widening strip on DePalma Lane would be of potential benefit to the City. The report was accepted on the Consent Calendar. The Common Council accepted the Road Widening Strip.

50 - COMMUNICATION - Letter from William Buckley stating that he had no problem with an extension of time for water and sewer approval on Broad Street. The report was accepted on the Consent Calendar, and the extension granted.

51 - COMMUNICATION - Report from Police Chief Nelson Macedo regarding petition from residents of Chambers Road. Mr. Fazio asked that this be referred to an ad hoc committee, the Traffic Engineer and the Police Chief. Mayor Eriquez so ordered and appointed Council Members Kilcullen, Fazio and Gogliettino to the committee.

52 - COMMUNICATION - Reports from Planning and Engineering regarding abandonment and/or discontinuance of Old Neversink Road. WITHDRAWN.

53 - COMMUNICATION - Request for Sewer and Water Extension - 11-13 Mannions Lane. Mrs. Coladarci asked that this be referred to an ad hoc committee, Planning Commission, Engineering and Mr. Buckley. Mayor Eriquez so ordered and appointed Council Members Gallo, D. Esposito and Scozzafava.

54 - COMMUNICATION - Request for Sewer and Water Extension, 22 South Street. Mrs. Gogliettino asked that this be referred to an ad hoc committee, Planning Commission, Jack Schweitzer, William Buckley. Mayor Eriquez so ordered and appointed Council Members Gallo, D. Esposito and J. Scozzafava to the committee.

55 - COMMUNICATION - Request for Sewer and Water Extension - Noteworthy Drive. Mrs. Butera asked that this be referred to an ad hoc committee, Planning Commission, Jack Schweitzer and William Buckley. Mayor Eriquez so ordered and appointed Council Members Gallo, D. Esposito and Scozzafava to the committee.

56 - COMMUNICATION - Request for Water Extension - Edgewood Street. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the Planning Commission, Jack Schweitzer and William Buckley. Mayor Eriquez so ordered and appointed Council Members Cassano, Kilcullen and Boughton to the committee.

57 - COMMUNICATION - Request for Water Extension, Kenosia Avenue. Mrs. Butera asked that this be referred to an ad hoc committee, the Planning Commission, Jack Schweitzer, William Buckley. Mayor Eriquez so ordered and appointed Council Members Cassano, Kilcullen and Boughton to the committee.

58 - REPORT - Request for Sewer Extension - Third Street.

Mr. Cassano submitted the following report:

The committee regarding the above captioned matter met on January 25, 1990. In attendance were committee members Cassano and Falzone. Also present were William Buckley, the Petitioners Carl and Mitchell Will and their attorney William J. McNamara, Jr.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said sewer line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.
8. This approval shall expire eighteen (18) months following the date of Common Council action.

The report was accepted on the Consent Calendar.

59 - COMMUNICATION - Request for Sewer Extension - Southern Boulevard and Terre Haute Road. Mrs. Mack asked that this be referred to an ad hoc committee, the Planning Commission, Jack Schweitzer and William Buckley. Mayor Enriquez so ordered and appointed Council Members Cassano, Kilcullen and Boughton to the committee.

60 - DEPARTMENT REPORTS - Health, Police, Fire Chief, Fire Marshall, Airport, Public Works, Parks and Recreation, Building. 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.

61 - REPORT & ORDINANCE - Local Tax Relief for the Elderly

Mr. DaSilva submitted the following report and ordinance:

Members of the Common Council met as a committee of the whole following the Public Hearing held on January 8, 1990, to review a proposal to amend Ordinance Subsection 18-12(b), to increase City Tax Relief for the elderly.

Discussion was held with Mrs. Anne DeFlumeri, Tax Assessor for the City of Danbury, which outlined the provisions of this proposal. The Ordinance would increase income levels to \$3,000 above the State of Connecticut limits to read \$20,600 for a single person and \$24,600 for a married person.

Following discussions Councilman Boughton moved at the committee meeting to recommend approval of the proposed ordinance. Councilman Charles seconded the motion which passed unanimously. The meeting adjourned at 7:30 P.M.

THAT subsection 18-12(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Any person who owns real property in the City of Danbury or is liable for the payment of taxes thereon, pursuant to Section 12-48 of the Connecticut General Statutes, and who occupies the property as a principal residence shall be entitled to a credit of up to three hundred dollars (\$300.00) if single, or to a credit of up to four hundred dollars (\$400.00) if married, on the real estate tax bill, provided the following conditions are complied with:

(1)(i) Such person is sixty-five (65) years of age or over at the close of the previous calendar year, or his or her spouse is sixty-five (65) years of age or over at the close of the previous calendar year and resides with such person, or such person is sixty (60) years of age or over and the surviving spouse of a taxpayer qualified for tax credit under this section at the time of his or her death; or

(ii) such person is under age sixty-five and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or has not been engaged in employment covered by Social Security and accordingly has not qualified for benefits thereunder, but has become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under Social Security.

(2) Such person must have a principal residence located in Danbury and must have paid taxes in Danbury for one year immediately preceding his or her receipt of tax benefits hereunder.

(3) The property for which the credit is claimed must be the primary legal residence of such person and occupied more than one hundred eighty-three (183) days of each calendar year.

(4) Applications must be filed with the Assessor's office between February 1st and May 15th in the year following the list year with respect to which benefits are claimed hereunder, in triplicate, one copy going to the taxpayer, one to the Tax Collector and one to the Assessor. The applicant must reapply every two (2) years in order to continue eligibility for relief hereunder.

(5) Such person shall not have received qualifying income during the calendar year preceding the fiscal year for which a tax benefit is claimed, in excess of an amount which shall be three thousand dollars greater than the limits as established and adjusted pursuant to Connecticut General Statutes, subsection 12-170aa(b). For purposes hereof, "qualifying income" shall be defined to include total adjusted gross income, tax-exempt interest, realized capital gains, and Social Security payments, as determined under the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended. An application for benefits offered pursuant to state tax relief programs for elderly homeowners may be accepted by the Danbury Tax Assessor as an application for benefits hereunder.

(6) No tax credits shall be given under this section to any persons who owe delinquent taxes to the City of Danbury. The applicant shall submit a certificate from the Tax Collector to the effect that no such delinquent taxes are owed.

(7) No property tax relief authorized hereunder together with any relief received by any such resident under provisions of the Connecticut General Statutes, Sections 12-129b to 12-129d, inclusive, 12-129h, and 12-170aa shall exceed, in the aggregate, seventy five (75) per cent of the tax which would, except for said Sections 12-129b to 12-129d, inclusive, 12-129h, 12-170aa and this section, be laid against the taxpayer.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut

Adopted by the Common Council - February 6, 1990
Approved by Mayor Gene F. Eriquez - February 7, 1990.

The report was accepted and the ordinance adopted on a motion from Mr. Falzone. Seconded by Mr. Charles. Motion carried unanimously.

62 - REPORT & ORDINANCE - Obstructing of Fire Hydrants

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:55 P.M. on January 29, 1990 to discuss a proposed amendment to ordinance 19-33 concerning parking in front of fire hydrants. Fire Marshall Alan Schact explained that the proposal would allow fire marshalls, assistant fire marshalls and fire inspectors to issue tickets for obstructing a fire hydrant in addition to the Police Department.

Mr. Schact was questioned as to markings on the road or fire hydrants that would indicate a ten foot parking restriction. He replied that this is not done anywhere to his knowledge because this restriction is a state law as well as a local law.

Mr. J. Esposito moved to recommend the proposed amendment to Ordinance 19-33. Mrs. Butera seconded the motion which passed un-animously.

Be it ordained by the Common Council of the City of Danbury:
THAT section 19-33 of the Code of Ordinances of Danbury,
Connecticut is hereby amended to read as follows:

(a) No vehicle shall stop at or obstruct any fire hydrant within a distance of ten (10) feet from either side of said hydrant.

(b) Any person violating this section shall be fined not more than twenty-five dollars (\$25.00). The registered owner of a motor vehicle shall be presumed to be the operator of such vehicle.

(c) The fire marshal, any deputy fire marshal or fire inspector and any police officer of the City shall be and hereby is authorized and empowered to issue summonses for violations of this section.

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

63 - REPORT & ORDINANCE - Building Demolitions

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole following the Public Hearing held on the above subject Ordinance, on January 8, 1990, to review the proposed Ordinance by Superintendent of Public Utilities, William Buckley, which adds Section 21-22. This proposal sets forth provisions for the termination of water service from March through November and special provisions from December through February.

Councilman Boughton moved at the committee meeting to recommend approval of the Ordinance. The motion was seconded by Councilman Regan and passed unanimously. The meeting adjourned at 7:30 P.M.

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 21-22, which said section reads as follows:

"Section 21-22. Termination of Service

"(a) The owner of any building who seeks to terminate water service shall be required to physically disconnect the line serving said building from the water main. Physical disconnections shall be performed at the water main in a manner acceptable to the Superintendent of Public Utilities. The costs of said disconnection shall be borne exclusively by such owner. Except in cases of emergency, no service line disconnection work within city streets may be performed between December first of any year and March first of the following year. Termination of water service between December first of any year and the following March first may only be accomplished in accordance with the provisions of subsection (b) of this section.

"(b) Termination of water service between December first of any year and the following March first may be accomplished with the approval of the Superintendent of Public Utilities by disconnecting the service line to the building at the curb valve. As a condition of said approval, the owner shall provide security, in a form and in an amount satisfactory to said Superintendent. Said bond shall be in an amount equal to two and one-half times the estimated value of the work that will be necessary to disconnect the service line from the main at the location of the main and to restore any areas disturbed by said work. The owner shall agree to perform said work on or before the following May first and in the event that the owner

fails or refuses to perform said work within the aforesaid time frame, the Superintendent of Public Utilities shall cause the work to be performed and may resort to the security in order to pay the costs thereof. In the event that said costs are less than the amount of the security provided, any funds remaining shall be returned to the owner; in the event that the costs of disconnection are more than the amount of the security provided, the City may seek reimbursement for said excess costs from the owner."

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

64 - REPORT & ORDINANCE - Building Code Review

Members of the Common Council met as a committee of the whole following the Public Hearing held on January 8, 1990, to review proposed Ordinance changes dealing with the Building Code. In order to be in line with State requirements it is proposed that paragraph 6-02(a) (2) be repealed; paragraph 6-02-(a)(3) be re-designated as 6-02(a)(2), and paragraph 6-02(b)(8) on the fee for a certificate of occupancy be amended to read \$10.00 each.

Councilman Boughton made a motion at the committee meeting to recommend approval of the proposed Ordinance. The motion was seconded by Councilman Boynton and passed unanimously.

THAT Subsection 6-02(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended by the repeal of paragraph 6-02(a)(2) and the redesignation of paragraph 6-02(a)(3) as paragraph 6-02(a)(2); and

THAT paragraph 6-02(b)(8) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

"(8) Certificate of Occupancy \$10.00 each"

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

65 - REPORT & ORDINANCE - Bond Requirements

Mr. Farah submitted the following report and ordinance:

The Common Council committee appointed to review the Public Works proposal to revise City Ordinance, Section 17-55 met at 7:30 on January 30, 1990 at the City Hall. Present were Committee members Mounir Farah and Dean Esposito. Michael Fazio had a prior commitment. Also present was Mr. Daniel Minahan, Public Works Director.

The reason for requesting the revision, according to Mr. Minahan, is the large number of cases where roads and installations built by contractors became deficient a year after their completion. Since the effectiveness of their bonds and assurances expire after a year, the City was left with no recourse but to fix them at its own expense. The proposed revision would extend the period to two years. If during this period a contractor is asked to fix a deteriorating part of what had been constructed, the period would then be extended further for another year. Mr. Esposito inquired about the fate of the money and the nature of its deposit when a contractor or a homeowner has to post a bond. Would the amount be idle for two years? Mr. Minahan explained that the new revision gives the Superintendent of Highways the right to accept a letter of credit or another form of assurance which would yield interest to the contractor or the homeowner while the money is earmarked for two years. Dr. Farah reported that he had consulted with the Comptroller's office and with the assistant corporation counsel, Mr. Pinter, about the proposed revision. The former stated that it was desirable and the latter confirmed that it is legally sound.

Mr. Esposito moved to recommend the approval of the revision. Dr. Farah seconded. The motion passed unanimously.

THAT subsections (a) and (c) of Section 17-55 of the Code of Ordinances of Danbury, Connecticut be and hereby are amended to read as follows:

Sec. 17-55. Bond Requirements.

- (a) Prior to the issuance of a permit, the applicant shall deposit with the city a certified check or such form of other security assuring satisfactory completion in an amount and form as shall be determined by the superintendent of highways. The amount of the security shall be established separately for each permit so that the city shall be protected against loss in the event of the failure of the permit holder to complete the work or make required repairs or restoration of damages involving the work or encroachment authorized by the permit. A cash bond may be required by the tree warden to cover any trees or shrubs in the construction area.

The amount of the security shall be computed by the superintendent of highways on the basis of the cost required to make proper restorations or repairs. This bonding requirement may be waived by the superintendent of highways when the cost of restoration does not exceed one hundred dollars (\$100.00) and when the applicant is the owner-occupant of a residence located adjacent to the work to be performed and when said applicant guarantees performance of the work. Immediately upon approval of an application for permit, the superintendent of highways shall advise the applicant as to the amount of the security required and as to the applicability of the provisions of Danbury Code of Ordinances Section 17-69.

- (c) The security as referenced in subsection (a) hereof shall be released to the permit holder two (2) calendar years after the completion of the permanent restoration or repairs, provided said restoration or repairs has been satisfactorily completed by the applicant. If further restoration or repairs are necessary, the security will be held for an additional one (1) year period from the date the applicant makes those repairs.

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

66 - REPORT & ORDINANCE - Demolition or Renovation Debris.

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:55 P.M. on January 25, 1990 to discuss a proposed ordinance concerning demolition or renovation material 16A-32(b). Mr. Cech explained that the amendment will allow the acceptance of demolition material at the Danbury Sanitary Landfill from a non-profit organization providing low or moderate housing.

Mr. Cech was questioned as to the effect on a landfill that is nearly full. Mr. Cech stated that he did not believe this ordinance would affect a significant change in the capacity of the landfill.

Mr. J. Esposito moved to recommend approval of the proposed amendment to Ordinance 16A-32(b). Mr. Charles seconded the motion which passed 10-1. Mr. Regan voted in the negative.

THAT paragraph (3) of subsection 16A-32(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(3) Demolition or renovation materials or debris; provided, however, that material or debris originating from the renovation of owner-occupied residential structures maintained for three (3) families or less shall be accepted at the Danbury Sanitary Landfill site for disposal. In addition, demolition or renovation materials or debris shall be accepted at the Danbury Sanitary Landfill site if said wastes are generated by a non-profit organization during the course of demolition or renovation of one or more structures in furtherance of a plan to provide low or moderate income housing opportunities.

The Report was accepted and the ordinance adopted on the Consent Calendar.

67 - REPORT - Palanzo Water Service, Middle River Road

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the Palanzo Water Service on Middle River Road met at 7:30 P.M. on January 22, 1990 in City Hall. In attendance were committee members Esposito, Mack and Regan. Also in attendance were Mr. and Mrs. Palanzo, Superintendent of Public Utilities William Buckley and Council President Joseph DaSilva, ex-officio. Attorney Gottschalk did not attend. Also attending was the attorney for the petitioners, James Maloney.

This was the second meeting of the committee as a result of an order to recommit at the January Common Council Meeting. A series of questions was asked in addition to the general information provided by the committee from the first meeting. The following questions were answered by Mr. Buckley:

1. No other homes share this problem.
2. This problem was brought to the Department in 1982-83 when water meters were installed.
3. Amount of water fees paid at this location is unknown.
4. There was no refund offered. The Charter does not allow a refund, it only allows credit.
5. This problem dates back to department records of 1969.
6. Previous owner was promised clean water in the past according to department records.
7. Mr. Palanzo was aware of the untreated water at the time of purchase of the property.

The following are amendments to the first report and clarified by Mr. Buckley:

1. The well will be located on Mr. Palanzo's property.
2. Upgrading electrical services will be done by the property owner.
3. Water flow will be at the standard rate.
4. Water will be provided that meets the public health code.
5. Property will be restored in the normal manner.
6. Exact cost is unknown. However, quotes range to \$100,000 to extend the present line and an estimated cost of \$5,000 to \$7,000 to dig well.
7. The well and all equipment will be owned by the property owners.
8. Counsel for the property owners made a proposal that the City be held responsible for providing well water for at least 10 years.

Since the Superintendent of Public Utilities saw no objection to the proposals, Mr. Regan made a motion that the installation of a well be done and the bidding procedure waived. Seconded by Mrs. Mack. Motion carried unanimously.

Mr. Regan made a motion to accept the report and waive the bidding procedure. Seconded by Mrs. Mack.

Mr. Boynton made a motion to amend the report as to item 8, whereby the City will be responsible for providing well water for at least two years, rather than 10 years. Seconded by Mrs. Butera. Motion to amend carried with the members voting as follows:

Yes - Fazio, Falzone, Farah, Dean Esposito, Gogliettino, J. Esposito, Charles, Boughton, Boynton, Butera, Scozzafava, Valeri.

No - Kilcullen, Gallo, Coladarci, Mack, Zotos, DaSilva, Smith, Cassano, Regan.

12 yes - 9 no

Main motion, as amended, carried with the members voting as follows:

Yes - Fazio, Kilcullen, Falzone, Coladarci, Mack, Farah, D. Esposito, Zotos, Gogliettino, DaSilva, J. Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri.

No - Gallo

20 yes - 1 no

68 - REPORT - Review of Sewer and Water Approvals

Mr. Cassano submitted the following report:

The committee appointed to study the request for a review of sewer and water approvals met on January 16, 1990 at 8:00 P.M. in Room 432 in City Hall. Present were committee members Cassano, Kilcullen and Boughton. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities, Building Inspector Leo Null and Mayoral Assistant Lew Wallace.

Mr. Buckley reviewed the petition and the work done in this area by a previous Common Council Committee. He also stated the petition submitted relative to the West Side Sewer Interceptor Design Report was intended to be addressed as part of this overall review of the question of sewer and water projects and future development activity in Danbury. Mr. Buckley further gave his opinion that the "8 steps" currently used for Common Council approval of sewer and water extension petitions should be left as they are for the present and addressed as part of the overall review mentioned above. The committee concurred with this opinion.

After extensive discussion with those present, the committee was unanimous in its conclusion that an overall review of the subjects of sewer and water projects and future development in Danbury was beyond the expertise and time constraints of the committee, and probably an unwarranted extension of the Common Council's legislative responsibility.

Mr. Boughton moved that the committee recommend to the Common Council that the Mayor consider the appointment of a commission or committee of various disciplines with knowledge and expertise in fields such as engineering (specifically water and sewer), financing of major projects and the law of land use and development. These members may be from both the public and private sectors. This commission or committee is to study the approval process and the funding and construction of sewer and water projects applicable to future development in the City. The findings of this commission or committee shall be presented to the Common Council with recommendations for appropriate action. Mr. Kilcullen seconded the motion and there was unanimous approval.

The report was accepted on the Consent Calendar.

69 - REPORT - Traffic Speed on Chambers Road.

Mrs. Gogliettino asked that this be referred to the same committee as item 51. Mayor Eriquez so ordered.

Mr. Smith submitted the following report:

The ad hoc committee appointed to review the request for a lease between the City and Patrick and Eleanor Tisano met on January 25, 1990 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Smith and Valeri. Mr. Scozzafava was absent. Also attending were Airport Administrator Paul Estefan, Comptroller Dominic Setaro, Mr. Tisano and Attorney Neil Marcus.

Mr. Estefan explained to the committee that the land owned by the City adjacent to the Tisano's is 0.38 acres on Backus Avenue. The Tisano's are requesting to lease the parcel to provide parking for their use and for PAL soccer teams pass and repass over their driveway. Rental will go into the Airport Revenue Account. Furthermore, this land cannot be used by the Airport because it is landlocked.

Mr. Valeri made a motion to recommend to the Common Council to accept the lease between the Tisanos and the City of Danbury. Seconded by Mr. Smith. Motion carried unanimously.

The report was accepted and the lease approved on the Consent Calendar.

71 - REPORT - Request for Water Extension - Clapboard Ridge Road.

Mr. Charles submitted the following report:

~~The committee regarding the above captioned matter~~
met on January 2, 1990 . In attendance were committee members Charles, Coladarci, Regan. Also attending were William Buckley, Jack Schweitzer, M. Kornhaas, R. Giaanni, Royal Schlitter representing the Bright Clouds Church, the petitioners.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended lines.
8. This approval shall expire eighteen (18) months following the date of Common Council action.

It was stated that the petitioners shall obtain from the Planning Commission a special exception for said project.

The report was accepted on the Consent Calendar.

Mr. Cassano submitted the following report:

The committee appointed to study the Old Sherman Turnpike Water Main petition met on January 25, 1990 at 7:30 P.M. in the Common Council Chambers in City Hall. Present were committee members Cassano and Regan. Also present was Superintendent of Public Utilities William Buckley.

The Chairman reviewed the petition from City Engineer Jack Schweitzer for authorization for the City to accept the water main and necessary easements from the present owners. A positive recommendation was received from the Planning Commission via letter dated January 9, 1990.

Mr. Buckley gave the history of the water main. The 12-inch main was put in by Mr. Seymour Powers on Old Sherman Turnpike with City approval. As the buildings on the road were bought, the owners expressed a desire to hook into the line for water and, especially, fire protection. The Engineering and Public Utilities Department think it would be in the best interests of the City and these water customers if the private water main and its fire hydrants were turned over to the City. The owners of the water main and fire hydrants have indicated their willingness to turn the water system and necessary easements over to the City.

Further, City ownership of the system will allow for planned extensions and any expansion required by further development in the area. These improvements would be implemented and funded by petitioners, subject to the 8 standard steps considered for water/sewer extensions.

Mr. Regan moved that the committee recommend to the Common Council that the City accept ownership of the water main and easement rights presently owned by Seymour R. Powers, Pow-Dan Corp. and Sealed Air Corp. The transfer shall take place in a form acceptable to the Corporation Counsel's Office and shall be at no expense to the City. Seconded by Mr. Cassano. Motion carried unanimously.

The report was accepted on the Consent Calendar.

73 - REPORT - Acceptance of College Park Drive

Mr. Cassano submitted the following report:

The committee appointed to study the petition for acceptance of College Park Drive met on January 25, 1990 at 8:00 P.M. in the Common Council Chambers in City Hall. Present were committee members Cassano, Coladarci and Boughton. Also present were City Engineer Jack Schweitzer.

The Chairman reviewed the petition and a Planning Commission vote via letter of January 10, 1990 to table the acceptance of College Park Drive. Mr. Schweitzer presented the background of the petition. The Planning Commission issued a permit to construct the roadway in September, 1974. A bond for \$27,000 (presently \$13,500) was placed with the Planning Commission in July, 1975. The road was started in 1975 and was never finished. One course of pavement was installed, but the second course was never put on. There are other features of the road which do not meet City regulations. The original builder was Saunders and Saunders. In 1978, it was reported to the Planning Commission that the road had not been completed. In February, 1986, the Common Council voted to take no action and in March, 1988 the matter was referred to the Corporation Counsel's office.

No estimate has been made of the cost of bringing the road up to City standards at the present time. The road is approximately 800 feet long. The Corporation Counsel's Office (Laszlo Pinter) has offered the following alternatives:

1. City to pay for finishing the road and then accept the road;
2. Pull the bond and use the money to complete the road, as much as possible;
3. Leave it up to the developer to finish the road.

The committee was of the opinion that the question of bonded, unaccepted roads should be addressed more generally and resolved.

Mr. Boughton moved that the committee recommend to the Common Council that the Corporation Counsel's office recommendation #2, to seek bond money to fix the road, be implemented and the cost of completion of the road, over the bond amount, be sought from the developer. Mrs. Coladarci seconded the motion and there was unanimous approval.

The report was accepted on the consent calendar.

74 - REPORT - Request for Water Extension - 4 South Street.

The committee regarding the above captioned matter met on January 25, 1990. In attendance were committee members Cassano and Falzone. Also present were William Buckley and the petitioners Spendi and Media Jusufi.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said water extension.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

Mr. Falzone moved that the committee recommend to the Common Council that the 4 South Street Water Extension petition be granted subject to an amount of \$4,500 being paid to the Danbury Water Department. His \$4,500 represents 5% of the approximately \$90,000 improvements being put into the two additional units. Mr. Cassano seconded the motion and there was unanimous approval.

The report was accepted on the Consent Calendar.

75 - REPORT - Water Extension - Sunset Drive between Southern Boulevard and Terre Haute Road.

Mr. Gallo submitted the following report:

The committee regarding the above captioned matter met on January 23, 1990. In attendance were committee members Gallo, Boughton and Kilcullen.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said water line.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended water lines.
8. This approval shall expire eighteen (18) months following the date of Common Council action.

The report was accepted on the Consent Calendar.

76 - REPORT - Request for Sewer and Water Extension - Eagle Road.

Mr. Gallo submitted the following report:

The committee regarding the above captioned matter met on January 23, 1990. In attendance were committee members Gallo, Boughton and Kilcullen.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer and water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and waterlines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer & water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

The report was accepted on the consent calendar.

77 - REPORT - Rental of two areas at Tarrywile Park.

Mr. Smith submitted the following report:

The ad hoc committee appointed to review the request for the rental of the Gate House and the cottage at Tarrywile Park met on January 30, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Smith, Valeri and Regan. Also attending were Council Member Eileen Coladarci, ex-officio, Gerald Daly and David Lane of the Tarrywile Park Authority.

Mr. Daly addressed the committee and expressed concern regarding security at the cottage and gate house. The Authority is requesting that the Common Council given them permission to lease the two facilities for a maximum of nine (9) months with the stipulation that the tenants be given authorization to perform some of the decoration and exterior work only. This will establish some presence at the castle and mansion to benefit the Authority and the City regarding protection of the above mentioned facilities.

Mr. Regan express concern pertaining to the person(s) who will be renting the facilities having liability insurance.

Mr. Regan made a motion to recommend to the Common Council that the Tarrywile Park Authority be given the authorization to enter into a lease agreement of nine (9) months maximum and that the Corporation Council draw up a lease agreement with the stipulation that the lessees have liability insurance. Seconded by Mr. Valeri. Motion carried unanimously.

Mr. Valeri made a motion to recommit this report. Seconded by Mr. Boughton. Motion to recommit carried with the members voting as follows:

Yes - Fazio, Kilcullen, Mack, Farah, D. Esposito, Zotos, Gogliettino, DaSilva, J. Esposito, Smith, Charles, Boughton, Scozzafava, Valeri.

No - Falzone, Gallo, Coladarci, Cassano, Boynton, Butera, Regan.

14 yes - 7 no.

78 - REPORT - Land Offer at 103-101 Lakeview Avenue.

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the above matter met on January 23, 1990 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and Butera. Mr. Scozzafava was absent. Also in attendance were William Buckley and Jack Schweitzer.

The Committee reviewed the request to accept land known as 101-103 Lakeview Avenue as offered by Stelco Industries, Inc. Cost to the City would be free and the donor would be allowed to declare a donation in the dollar value as determined by Mr. Edwin Holflicte and approved by our Tax Assessor, Ann DeFlumeri. It was explained that this lot was offered to the City and Lot #103 was accepted last August, 1989. However, through an error the parcel known as lot 101 was not offered or accepted. This committee's response is to correct that oversight.

Mr. Buckley explained that the Public Utilities Department would find a future use for this lot as a possible well to provide drinking water to that area now serviced by a private water company. Should that private company go out of business we would be in a better position to serve the water customers in the area more efficiently by drilling a water well and pump house instead of a costly extension of a water line.

Therefore, it is the recommendation of this committee that the Common Council accept this offer of land and that the Council do this without an Engineering Soil Sample report due to the following reasons:

1. This land is a RA-2U residential lot and contamination is highly unlikely.
2. The lot next to this has an active well and pump which is treated regularly for ground water contamination.
3. The cost estimate of \$2,000 is not needed at this time.

Mr. Buckley and Mr. Schweitzer both agreed that a Soil Sample Report would not be needed at this time for all of the above reasons.

The report was accepted on the Consent Calendar.

79 - REPORT - Water Extension - 13 Belmont Circle.

Mr. Zotos submitted the following report:

The committee appointed to study the above matter met on January 18, 1990 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Zotos and Coladarci. Mr. Fazio was absent. Also in attendance were City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley and ex-officio members Falzone, Charles and Boughton.

Mr. Buckley explained the request to waive costs of materials by Mr. Plant: 1. water approved August 5, 1986; 2. loop completed November, 1989; 3. approximate cost of materials \$4,900.; 4. Mr. Plante's expenses were approximately \$50,000 in engineering and labor; 5. the neighborhood water system is now uniformed.

Mrs. Coladarci made a motion to waive material costs up to \$4,900. Seconded by Mr. Zotos. Motion carried unanimously. Mr. Buckley will supply the bill.

Mr. Charles moved that the report be accepted. Seconded by Mr. Smith. Motion carried unanimously.

80 - REPORT - Waiver of Connection Fee - 105 Park Avenue

Mr. Zotos submitted the following report:

The committee appointed to study the above request met on January 18, 1990 at 8:30 P.M. in Room 432 in City Hall. In attendance were committee members Zotos, Falzone and Boughton. Also in attendance were ex-officio members Coladarci, Gallo and Charles, City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Robert N. Talarico and Richard Finaldi.

Attorney Talarico explained that his concern is that his client is paying double and explained to the committee the developers payment and the potential buyer's cost. Mr. Buckley explained that the developers were buying into the system (Capital-buy-in-Plant System). Both Mr. Buckley and Mr. Schweitzer opposed the waiver of Ordinance 16-4.

Mr. Zotos made a motion to deny, without prejudice. Seconded by Mr. Falzone. Motion carried unanimously.

The report was accepted on the Consent Calendar.

81 - REPORT - Driftway Road Subdivision, Driftway Road

Mr. Zotos submitted the following report:

The committee appointed to review the above matter met on January 18, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Zotos, Falzone and Regan. Also in attendance were ex-officio members Coladarci and Charles, City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Robin Kahn, Ralph Gallagher and John Corey.

Ralph Gallagher gave a presentation on behalf on Davro-Scalzo. This met with the approval of the committee and Mr. Schweitzer and Mr. Buckley.

Awaiting Planning Commission recommendation, the committee voted to table the petition.

The report was accepted on the Consent Calendar.

82 - REPORT - Request for Maintenance Committee.

Mr. Cassano submitted the following report:

The committee appointed to study the request for a committee to "clear up the many gray areas in the maintenance of schools" met on January 16, 1990 at 7:15 P.M. in Room 432 in City. Present were committee members Cassano and Scozzafava. Also present were Director of Public Works Daniel Minahan, Superintendent of Public Buildings Richard Palanzo, Assistant Superintendent of Public Buildings Joseph Molinaro, Director of Sites and Facilities Anthony Paivo, Superintendent of Parks and Recreation Robert Ryerson and Councilman Richard Kilcullen, ex-officio.

Mr. Scozzafava discussed his petition arising from his perception of a need for something "hard" to define maintenance operations involving school facilities. Mr. Minahan distributed copies of his letter dated September 20, 1989 and sent to Dr. Singe, Superintendent of Schools. The letter presents a "draft pilot program for description of respective duties of maintenance of school buildings ... so there are no questionable or gray areas as now exists between the two departments". Mr. Minahan has not yet received a response to this letter.

The program proposed by Mr. Minahan is based on a landlord (City of Danbury) and tenant (Board of Education) relationship. The Department of Public Buildings would be responsible for repair and maintenance in areas that include building envelope/structure and HVAC, plumbing, waste, electrical, fire detection, sprinklers, pumps, and elevator systems. The Board of Education would be responsible for such items as grounds maintenance, furnishings, consumables, utility costs, vandalism damage, custodial, instructional, communications and intrusion protection systems and services.

Following committee discussions with the various City personnel present at the meeting, Mr. Scozzafava concluded that his concerns would be addressed and moved that the committee recommend to the Common Council that maintenance representatives from the Department of Public Works and the Board of Education meet regularly to establish a working agreement on the maintenance of the school facilities. A starting point for this agreement is the letter from Mr. Minahan to Dr. Singe. Further, the committee believes that this agreement should be reached within six months. Mr. Cassano seconded the motion and there was unanimous approval.

The report was accepted on the Consent Calendar.

83 - REPORT - West Side Sewer Interceptor Design Project.

Mr. Cassano submitted the following report:

The committee appointed to study the West Side Sewer Interceptor Design Report met on January 16, 1990 at 6:30 P.M. in Room 432 in City Hall. Present were committee members Cassano, Kilcullen and Scozzafava. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Comptroller Dominic Setaro.

Mr. Schweitzer reviewed the history of the West Side Sewer Interceptor Project which involves a major sewer line running from the West side of Danbury, South of I-84 to the East side. The line is intended to accomodate major (saturated) development on the West side before this development activity results in sewage flaws that exceed the capacities of the exsiting sewage system.

A positive recommendation for the West Side Sewer Interceptor Design Project has been received from the Planning Commission by letter dated April 25, 1989.

The major portion of the committee discussion involved funding for the project. The Roald Haestad Inc. Design Report of March, 1989 recommends that the project be built in two stages and two optional future stages at an estimated total cost of \$9.375 to \$9.875 million in 1988 dollars. The following funding possibilities were discussed:

1. Danbury Sewer Fund pays for the project with bonded money following a referendum;
2. Derive part of the project cost by assessing customers that will be served and have the City pay the balance;
3. Depend upon developer activity to implement the project as needed.

Past sewer projects have been paid for either through assessments or developer funding. The City has no experience with projects that serve both existing customers and future use or development.

The committee was unanimous in its unwillingness to commit the City to a project of this size at this time. The question of developer funding was discussed and the possibility raised that developer funding might be available if costs could be recouped as customers hook into and use the facilities.

Finally, Messrs. Schweitzer, Buckley and Setaro all agreed that the intent of the petition to the Common Council was to include the West Side Sewer Interceptor and similar projects into an overall plan to fund and construct sewer/water projects and facilitate future development throughout the City. Last year, then Mayor Sauer created a committee to study this area. Members of the committee included City officials and outside attorneys, engineers and developers. That committee did not conclude their deliberations in any form suitable for Common Council action.

Mr. Scozzafava moved that the committee recommend to the Common Council that the Haestad Design Report on the West Side Sewer Interceptor be accepted with the understanding that the project financing will be studied at a future time by the appropriate City officials. Seconded by Mr. Kilcullen. Motion carried unanimously.

The report was accepted on the Consent Calendar.

84 - REPORT - Lease between the City of Danbury and the FAA - Weather Observation System.

Mr. Smith submitted the following report:

The ad hoc committee appointed to review the request of the lease between the City and the FAA-Weather Observation System met on January 25, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Smith and Valeri. Mr. Scozzafava was absent. Also attending were Airport Administrator Paul Estefan and Comptroller Dominic Setaro.

Mr. Estefan stated that the purpose of the lease between the City of Danbury and the FAA is to continue to lease a small parcel of land for their instruments at no cost to either party for a weather observation system.

Mr. Valeri made a motion to recommend acceptance of the lease between the City of Danbury and the FAA. Seconded by Mr. Smith. Motion carried unanimously.

The report was accepted on the Consent Calendar.

85 - REPORT - Design Work at Danbury Airport

Mr. DaSilva submitted the following report:

The committee to review a request to use \$100,000 for design work at Danbury Airport met at 7:10 P.M. on January 23, 1990. In attendance were committee members DaSilva and Mack. Also in attendance were Paul Estefan, and Dominic Setaro.

Mr. Estefan explained that the money requested comes from the sale of airport property to the State of Connecticut. The money received from this sale can only be used for airport capital projects. The design work would be done for a new snow removal building, drainage improvements at the airport and the installation of all utilities at various sites on the property. He stated that although the Danbury Airport is not scheduled to receive any funds from the Federal Aviation Commission this year, there is a good chance for Danbury to be funded for this project because area airports often do not execute their contracts for various reasons. If funding is not forth coming this year, Danbury is on top of the list for 1991. When the project is approved 97½% of the \$100,000 will be reimbursed to the City.

Mrs. Mack moved to recommend that the Common Council appropriate \$100,000 from the Airport Reserve Account to do design work for a snow removal building, drainage improvements and installation of utilities at the Danbury Airport. Seconded by Mr. DaSilva. Motion carried unanimously.

The report was accepted on the Consent Calendar.

86 - REPORT - Gaslight Village Condominium Project

Mr. Gallo submitted the following report:

The committee regarding the above captioned matter met on January 31, 1990. In attendance were committee members Gallo, Milcullen and Boughton. Also present were William Buckley, Jack Schweitzer the petitioners Ray and Marius Prezioso, Stu Fried, Attorney Neil Marcus, Dave Williamson and David Grogins.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer line line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

Mr. Boughton made a motion that the report be accepted. Seconded by Mr. Falzone. Mr. Gallo offered the following amendment to the report which was left off the committee report: to approve the routing shown on Consultants and Engineers, Inc. Map titled Conceptual Sewer Plan # 86076 Gaslight Village Project. Seconded by Mr. Boughton. Motion to amend carried unanimously. Main motion, as amended, carried with Mr. Boynton abstaining from voting.

87 - REPORT - Lease between the City and Surburban Communications.

Mr. Esposito made a motion that this item be added to the agenda. Seconded by Mr. Regan. Motion carried with Mrs. Butera voting in the negative.

Mr. Smith submitted the following report:

The ad hoc committee appointed to review the request for a lease between the City of Danbury and Surburban Communications met on January 25, 1990 at 7:45 P.M. in Room 432 in City Hall. In attendance were committee members Smith and Valeri. Mr. Scozzafava was absent. Also attending were Airport Administrator Paul Estefan and Comptroller Dominic Setaro.

Upon review of the lease for Surburban Communications, the City of Danbury gives the right to the lessee to erect and maintain a radio antenna on the tower known as "the Rotating Beacon Site" located on Spruce Mountain Road, Danbury, Connecticut. Mr. Valeri questioned item #10, option base on the \$125.00 monthly rent. The annual rent should read \$1,500.00 instead of \$1,200.00 annually.

A motion was made by Mr. Valeri and seconded by Mr. Smith, with the amendment of item 10, to recommend to the Common Council to accept the recommendation of the committee to lease to Surburban Communications. Motion carried unanimously.

Mr. Boughton made a motion to accept the report and approve the lease. Seconded by Mr. Boughton. Motion carried unanimously.

Mr. Valeri made a motion to reconsider item 77. Seconded by Mr. Regan. Motion to reconsider carried with the members voting as follows:

Yes - Fazio, Kilcullen, Coladarci, Mack, Zotos, DaSilva, J. Esposito, Cassano, Boynton, Butera, Regan, Scozzafava, Valeri.

No - Falzone, Gallo, Farah, Esposito, D., Gogliettino, Smith, Charles, Boughton.

13 yes - 8 no.

Mr. Regan made a motion that the committee report be approved. Seconded by Mr. Kilcullen.

Mr. Cassano offered the following amendment: to recommend that the Common Council give authority to the Tarrywile Park Authority to enter into a lease agreement of nine (9) months maximum and that the Corporation Counsel draw up a lease agreement with the stipulation that the lessees have liability insurance.

It was ascertained that since Mr. Cassano was not a member of the committee he could not make an amendment to the report. Therefore, Mr. Valeri made a motion incorporating Mr. Cassano's motion. Seconded by Mr. Regan. Motion to amend carried unanimously. Main motion, as amended, carried unanimously.

PUBLIC SPEAKING SESSION

Laura Boynton, 4 Liberty Street - Spoke on item 33. Thanked those who voted in favor of the lease for the overflow shelter. Ms. Boynton stated that with all due respect to Mrs. Butera, she could not have dealt with 90% of the homeless as the teams working in the streets with the homeless have not been able to reach that many.

Mayor Enriquez introduced Jason Renaldo who was in the audience earning his boy scout badge.

David Coelho, 15 Jefferson Avenue - spoke on item 33 and stated that the homeless should have to do some work in return for shelter.

John Ward, 431 Main Street - spoke regarding item 33 and stated that loitering ordinances never really work.

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 10:58 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA, Assistant City Clerk