

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

Re: Minutes of the Common Council Meeting held May 1, 1990.

The Meeting was called to order at 8:00 P.M. by Mayor Eriquez. Mr. Regan led the assembly in the Pledge of Allegiance. The Prayer was offered by Mr. Smith. Roll Call was taken with the members being recorded as

Present - Kilcullen, Falzone, Gallo, Coladarci, Mack, Farah, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri

Absent - Fazio, Gogliettino

Mayor Eriquez noted that Mrs. Gogliettino was absent due to illness.

Mayor Eriquez offered birthday wishes to:

Fannie Smith - May 1st
Eric Gottschalk - May 3rd

Mayor Eriquez extended best wishes to Betty and Don Crudginton who will celebrate their 22nd wedding anniversary on May 4th,

Councilman Valeri welcomed back Council Member Smith after his recent illness.

Mayor Eriquez wished a speedy recover to Democratic Registrar of Voters George Schmiedel.

The Mayor announced that May 1st is Law Day and Danbury High School Teacher William Marcy was honored with the Liberty Bell Award at the Superior Court ceremonies.

May 5th is Glad Bag-a-thon Day in Danbury
May 28th is Memorial Day

At the start of the meeting a moment of silence was observed to mourn the passing of Public Works Director Daniel Minahan.

Councilman Fazio arrived and was noted as present.

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

- 8 - Approval of Application for \$60,000 from the Local Capital Improvement Program for rebuilding and repaving of highways
- 9 - Approval of Application for a grant of \$149,850 from the State of Connecticut for the WIC program
- 17 - Approval of Appointment of Donald J. Miloscia to the Zoning Commission
- 18 - Approval of Appointment of Frances L. Hirscher to the Conservation Commission
- 19 - Approval of Appointment of Christine Rotello to the Cultural Commission
- 20 - Approval of Appointment of Sue Rapp to the EIC
- 21 - Approval of Appointment of Lydia Yaglenski to the Fair Rent Commission
- 22 - Approval of Appointment of Steven Zaleta to the Planning Commission
- 23 - Approval of Appointment of Basil Friscia as Alternate to HRRR
- 25 - Approval of Appointment of Council Members Regan and Charles, Attorney Eric Gottschalk, City Engineer Jack Schweitzer and Public Utilities Rep. Paul Galvin to the Intermunicipal Negotiation Committee
- 27 - Approval of transfer of \$1,625 to the Department of Elderly Services
- 29 - Approval of appropriation of \$7,000 for the Charter Revision Commission
- 36 - Approval of Extension of sewer and water extensions on Sand Pit to Morgan Avenue to Beaver Brook area
- 40 - Approval of ordinance for a service charge for checks returned for insufficient funds
- 43 - Approval of report on loitering
- 44 - Approval of report changing name of Rogers Park to Memorial Drive
- 45 - Approval of installation of a sanitary sewer on Abbott Street
- 46 - Approval of report concerning a curfew on Miry Brook Road
- 47 - Approval of report concerning recycling ordinance

Mr. Falzone moved that the Consent Calendar be adopted. Seconded by Mr. Kilcullen. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held April 3, 1990. Mr. DaSilva made a motion to accept the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Charles. Motion carried unanimously.

1 - ORDINANCE - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 1990 and Ending June 30, 1991.

Mr. DaSilva read the ordinance into the record:

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

SECTION 1. That the amounts hereinafter set forth aggregating \$ 107,164,963 , or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several Departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 1990 and ending June 30, 1991.

<u>I. GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
Common Council	\$ 9,900	\$ 9,900
Mayor's Office	218,240	218,240
City Clerk's Office	64,297	64,297
Ordinances	7,500	7,500
Probate Court	11,095	11,095
Jury Committee	1,600	1,600
Registrars & Elections	122,865	122,865
City Treasurer	19,166	19,166
Comptroller's Office	429,340	429,340
Data Processing	462,953	462,953
Independent Audit	55,000	55,000
Bureau of Assessments	254,906	254,906
Board of Tax Review	4,330	4,330
Tax Collector	346,579	346,579
Purchasing	202,596	202,596
Corporation Counsel	319,702	319,702
Town Clerk	263,324	263,324
Annual Report	5,500	5,500
Economic Development Commission	4,000	4,000
Environmental Impact Commission	8,700	8,700
Planning Commission	7,925	7,925
Planning Department	337,029	337,029
Zoning Commission	12,750	12,750
Zoning Board of Appeals	9,400	9,400
Civil Service Commission	97,529	97,529
Conservation Commission	3,990	3,990
Personnel Department	172,397	172,397

<u>GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
Mayor's Discretionary Fund	\$ 9,000	\$ 9,000
Fair Rent Commission	6,300	6,300
City Memberships	44,715	44,715
Lake Authority	27,600	27,600
Retirement Administration	40,000	40,000
Labor Negotiations	30,000	30,000
Public Buildings	526,204	526,204
City Hall Building	279,198	279,198
Library Building	108,724	108,724
Police Station Building	139,310	139,310
Old Library Building	20,190	20,190
Water Use City Departments	80,000	80,000
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$ 4,763,854</u>	<u>\$ 4,763,854</u>

II. PUBLIC SAFETY

Police Department	\$ 7,486,241	\$ 7,486,241
Dog Warden	100,000	100,000
Fire Department	6,145,150	6,145,150
Building Inspector	319,335	319,335
Weights and Measures	19,125	19,125
Dept. Civil Preparedness	63,292	63,292
<u>TOTAL PUBLIC SAFETY</u>	<u>\$14,133,143</u>	<u>\$ 14,133,143</u>

III. PUBLIC WORKS

Director of Public Works	\$ 88,698	88,698
Highways	2,092,366	2,092,366
State Aid Highway Projects	424,367	424,367
Snow and Ice Removal	382,000	382,000
Street Lighting	365,000	365,000
Bridges and Rivers	7,500	7,500
Public Building Maint. Rep.	209,625	209,625
Equipment Maintenance	621,997	621,997
Storm Water Drains	-0-	-0-
Engineering Department	481,049	481,049
<u>TOTAL PUBLIC WORKS</u>	<u>\$ 4,672,602</u>	<u>\$ 4,672,602</u>

<u>IV. HEALTH & HOUSING DEPARTMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
Health & Housing	\$ 609,683	\$ 609,683
<u>TOTAL HEALTH & HOUSING</u>	<u>\$ 609,683</u>	<u>\$ 609,683</u>

V. PUBLIC WELFARE, SOCIAL AGENCIES

Welfare Department	\$ 1,345,685	\$ 1,345,685
Veteran's Advisory Center	34,748	34,748
Danbury Youth Commission	17,900	17,900
Commission on Aging	182,729	182,729
Elderly Transportation	<u>10,000</u>	<u>10,000</u>
<u>TOTAL WELFARE, SOCIAL AGENCIES</u>	<u>\$ 1,591,062</u>	<u>\$ 1,591,062</u>

VI. SCHOOL DEPARTMENT

Schools, Regular	\$ <u>54,556,260</u>	\$ <u>54,556,260</u>
Schools, Health & Welfare	\$ <u>58,979</u>	\$ <u>58,979</u>
<u>TOTAL SCHOOL BUDGET</u>	<u>\$ 54,615,239</u>	<u>\$ 54,615,239</u>

VII. LIBRARIES

Danbury Public Library	\$ <u>1,285,888</u>	\$ <u>1,285,888</u>
Long Ridge Library	\$ <u>6,500</u>	\$ <u>6,500</u>
<u>TOTAL LIBRARIES</u>	<u>\$ 1,292,388</u>	<u>\$ 1,292,388</u>

VIII. PARKS & RECREATION

Parks & Recreation	\$ 1,151,894	\$ 1,151,894
Tarrywile Park Authority	135,000	135,000
Tree Warden/City Forester	206,425	206,425
Cultural Commission	43,400	43,400
Lake Kenosia Commission	<u>3,250</u>	<u>3,250</u>
<u>TOTAL PARKS & RECREATION</u>	<u>\$ 1,539,969</u>	<u>\$ 1,539,969</u>

IX. RECURRENT COSTS

F.I.C.A.	\$ 800,043	\$ 800,043
Pension Expense	6,369,819	6,369,819
Employee Service Benefit	134,451	134,451
Worker's Compensation	257,523	257,523
State Unemployment Comp.	2,500	2,500
Employee Health & Life In.	3,361,338	3,361,338
Union Welfare	470,123	470,123
Insurance & Official Bond Premium	<u>2,226,471</u>	<u>2,226,471</u>
<u>TOTAL RECURRING COSTS</u>	<u>\$ 13,622,268</u>	<u>\$ 13,622,268</u>

X. DEBT SERVICE

MAYOR'S BUDGET

FINAL BUDGET

Interest on Debt	\$ 1,447,113	\$ 1,447,113
Interest on Debt - School	784,770	784,770
Redemption of Debt	1,390,000	1,390,000
Redemption of Debt - School	<u>1,087,089</u>	<u>1,087,089</u>
<u>TOTAL DEBT SERVICE</u>	<u>\$ 4,708,972</u>	<u>\$ 4,708,972</u>

XI. CAPITAL PROGRAM

	\$ <u>587,946</u>	\$ <u>587,946</u>
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<u>XII. TRANSPORTATION</u>		
Danbury Airport	\$ 250,344	\$ 250,344
H.A.R.T.	<u>349,580</u>	<u>349,580</u>
<u>TOTAL TRANSPORTATION</u>	<u>\$ 599,924</u>	<u>\$ 599,924</u>
<u>XIII. CONTINGENCY</u>	<u>\$ 600,000</u>	<u>\$ 600,000</u>
<u>XIV. STATE & FEDERAL SCHOOL PROJECTS</u>	<u>\$ 2,565,373</u>	<u>\$ 2,565,373</u>
<u>XV. GRANTS- HUMAN SERVICES</u>	<u>\$ 1,262,540</u>	<u>\$ 1,262,540</u>
<u>TOTAL BUDGET</u>	<u>\$ 107,164,963</u>	<u>\$ 107,164,963</u>

SECTION 2. That the amount of \$147,212 is appropriated in the same manner as in Section 1 hereof for the DOG LICENSE FUND.

SECTION 3. That the amount of \$6,033,000 is appropriated to the WATER ACCOUNT in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$2,950,000 is appropriated to the SEWER OPERATING BUDGET in the same manner as set forth in Section 1 hereof.

SECTION 5. That a provision for uncollectible taxes reserve is established in the amount of -0-.

SECTION 6. That the amount of \$ 2,445,053. is appropriated to the DANBURY SANITARY LANDFILL ENTERPRISE FUND in the same manner as set forth in Section 1 hereof.

2 - REPORT - General Government I Budget Committee

Mr. Cassano presented the following report:

The General Government I Budget Committee met on April 10, 1990 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Cassano, Charles, Coladarci, Falzone and Regan. Also present were Council Members DaSilva and Boynton, ex-officio and Mayor Gene Eriquez (part-time)

The Chairman review the budget procedures and discussion then centered on the various budget accounts to be reviewed by the committee. The committee conducted a detailed review of each of the following budget accounts:

- 01-100 Common Council
- 01-110 Mayor's Office
- 01-111 City Clerk's Office
- 01-112 Ordinances
- 01-122 Probate Court
- 01-123 Jury Committee
- 01-131 Registrars & Elections
- 01-142 Data Processing
- 01-150 Corporation Counsel
- 01-161 Town Clerk
- 01-162 Annual Report
- 01-177 Economic Development Commission
- 01-178 Environmental Impact Commission
- 01-179 Planning Commission
- 01-180 Planning
- 01-181 Zoning Commission
- 01-182 Zoning Board of Appeals
- 01-183 Civil Service Commission
- 01-184 Danbury Conservation Commission
- 01-185 Personnel Department
- 01-188 Mayor's Discretionary Fund

01-190 Fair Rent Commission
 01-191 City Memberships
 01-192 Lake Authority
 07-101 Danbury Public Library
 07-102 Long Ridge Library
 13-001 Airport
 13-002 HART
 15-100 State & Federal School Projects

Several line items were reviewed in greater detail and discussed with participation from Council President DaSilva and Mayor Eriquez. Committee agreement was reached that the Mayor's Proposed Budget was reasonable and acceptable to the committee.

Mrs. Coladarci made a motion that the committee recommend to the Common Council that the Mayor's Proposed Budget, for the accounts reviewed by the General Government I Budget Committee, be adopted. Seconded by Mr. Falzone and there was unanimous approval.

3 - REPORT - General Government II Budget Committee

Mr. Boynton submitted the following report:

The General Government II Budget Committee met on April 18, 1990 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Boynton, Mack, Valeri, Gogliettino and Scozzafava. Also in attendance was Dominic Setaro, Comptroller and Acting Director of Finance.

The committee reviewed and discussed all departments and budget line items within the General Government II Budget area of supervision. The following are the recommendations regarding the Mayor's proposed budget:

<u>ACCOUNT</u>	<u>BUDGET ITEM</u>	<u>MAYOR'S</u>	<u>COMMITTEE'S</u>
01-140 No Change	City Treasurer	\$ 19,166	\$ 19,166
01-141 No Change	Comptroller	\$429,340	\$429,340
01-143 No Change	Independent Audit	\$ 55,000	\$ 55,000
01-145 No Change	Bureau of Assessments	\$254,906	\$254,906
01-146 No Change	Board of Tax Review	\$ 4,330	\$ 4,330
01-147 No Change	Tax Collector	\$346,579	\$346,579
01-148 No Change	Purchasing	\$202,596	\$202,596
01-200 No Change	Retirement Administration	\$ 40,000	\$ 40,000
01-201 No Change	Labor Negotiations	\$ 30,000	\$ 30,000
09-120 No Change	FICA	\$800,043	\$800,043
09-121 No Change	Pension Expenses	\$6,369,819	\$6,369,819
09-122 No Change	Employee Service Benefit	\$134,451	\$134,451
09-130 No Change	Workers Compensation	\$257,523	\$257,523

09-131 No Change	State Unemployment Comp.	\$ 2,500	\$ 2,500
09-150 No Change	Employee Health & Life Insurance	\$3,361,338	\$3,361,338
09-160 No Change	Insurance and Official Bond Premium	\$2,226,471	\$2,226,471
10-100 No Change	Interest on Debt	\$1,447,113	\$1,447,113
10-101 No Change	Interest on Debt-School	\$784,770	\$784,770
10-110 No Change	Redemption of Debt	\$1,390,000	\$1,390,000
10-111 No Change	Redemption of Debt-School	\$1,087,089	\$1,087,089
11-000 No Change	Capital Program	\$587,946	\$587,946
14-000	Contingency	\$600,000	\$595,000*

recommendation:

*to reduce line item by \$

to accomodate changes within the budget, i.e. grants:

20,000 Grants-Human and Social Welfare \$1,262,540 \$1,267,540

recommendation: To add line item #

"Danbury Dialysis Fund, Inc. " in the amount of \$5,000

TOTALS

Mayor's Budet	\$
Committee's Budget	\$

4 - REPORT - Education Budget Committee

Mr. Smith presented the following report:

The Board of Education Budget Committee convened on Tuesday, April 24, 1990 at 8:00 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Smith, Scozzafava and Farah. Mrs. Mack and Mr. Fazio were absent. Also attending were Superintendent of Schools Anthony Singe, Board of Education Members Gershowitz, Pepe, Marano, Chory and Bundy, Assistant Superintendent Gail Nordmoe, Robert Dylewski, John Heidenreich and DEA Representative Edward Walsh.

The Budget Committee has been meeting on a regular basis since January and has thoroughly analyzed the School Budget requests and requirements for 1990-91 as well as the Mayor's proposed funding level. Initially, the Superintendent's increase request was \$5,725,906 or 11.4%. The Board of Education's request was \$5,522,671 or 11%. The Mayor's increased proposed funding level was \$4,504,646 or 9%. The committee struggled to identify a level of funding to keep the school system operating at a maximum level keeping within the revenue constraints regarding the tax base.

Discussion concerning what restorations was retained from the increase that the Mayor's proposed increase that would be enough for needed programs to exist. The Mayor's proposed funding has provided \$230,000 about the 1990-91 contractual services. The Board's concern was to try and restore much of the needs that were cut last year. The Board of Education requested the Committee to recommend additional funding to support Special Education, namely E.S.L. - three programs that the Board feels are vitally important.

The Common Council Liasion Committee has been meeting with the Board of Education and Superintedent and his staff on a regular basis since Janaury, 1990. The Common Council Committee and the Board of Education has had very good relations in negotiating the Superintendents and the Boards budget. Also, the Mayor's budget for the Danbury School System. The Common Council Committee feels that the City government and the Board of Education has great improvement in their relationship. Communication and dialogue will continue to have a good school system.

Mr. Scozzafava made the following motion: "The committee recommends to the Common Council that the Department of Education of the City of Danbury be funded by an additional \$250,000 added to the Mayor's proposed budget of \$54,806,260 representing an increase of 9.5% over the current funding of \$50,051,614 for fiscal 1990-91. Seconded by Mr. Farah. The motion carried with Mr. Smith and Mr. Scozzafava voting in the affirmative and Mr. Farah voting in the negative.

5 - REPORT - Public Works Budget Committee

Mr. John Esposito submitted the following report:

The Common Council Public Works Budget Committee met on April 16, 1990 at 7:00 P.M. and on April 19, 1990 at 7:00 P.M. in City Hall. Present were committee members John Esposito, DaSilva, Valeri, Fazio and Dean Esposito. Also present representing the various City agencies within the Public Works Budget were Public Works Director Daniel Minahan, Equipment Maintenance Supervisor George Massoud, City Engineer Jack Schweitzer, Robert Ogden representing the Sewer and Water Department along with M. Aisles and Paul Galvin, Manager of Solid Waste Michael Cech, Director of Parks and Recreation Robert Ryerson, Richard Murray, City Forester Richard Smith, Lake Kenosia Commissioner Phil Hadley, Director of the Library Betsy McDonough. Supervisor of Public Buildings Richard Palanzo and Superintendent of Public Utilities William Buckley notified the committee that they would be on vacation the week of April 16th.

Mr. Massoud explained the Equipment Maintenance Budget. He stated that he could work within the proposed budget. However, he has no control over severe weather overtime.

Mr. Minahan went over budget items under his responsibility. He has no problem with the Director of Public Works budget. The Highway Department has payment for leased equipment in lease purchase program. Three new highway trucks are being purchased outright. The Street Sweeper Program is separate. The City has five in service. Three are leased. There is over \$400,000 in the Capital Budget for new equipment. State Aid Highways is set by the State of Connecticut. Snow and Ice Removal reflect the ice control materials is now in the Public Works Budget and not in State Aid as in past years. Street lighting is a set cost. Bridges and Rivers Budget includes dredging the Still River mandated by the U. S. Army Corps of Engineers for 1990. The Public Buildings Budget is workable at this time. However, it does not reflect the requested additional electrician, plumber, H.V.C. Technician and Foreman.

City Hall Building Budget line is no problem. A request for a head custodian was removed from the line. Library Building line was cut \$20,000 for maintenance of curbs and sidewalks. This will be done in the future with State grant money. The Police Station Building line is workable as is the Old Library Building Line.

City Engineer Jack Schweitzer reviewed the Department Budget and stated that he lost two people and a construction inspector. He will shift responsibilities within the budget as needed. The \$15,000 in office equipment is an all time expense for a traffic counter and electronic distance measure device. The proposed budget is workable.

Mr. Hadley of the Kenosia Commission expressed concern over the removal of the requested \$10,000 City share of a state grant for Kenosia study. Mr. DaSilva explained that the funds can be appropriated by the Common Council when the grant is received and that a letter of intent by the City could be had if necessary.

Ms. McDonough, Director of the Library, spoke of the needs of the main building structure. Additional money will be forth coming for additional lighting and cleaning the facade of the building.

Mr. Smith stated that the City Forestry line item is workable. However, a line item of \$19,000 for a replacement pickup was removed and should be considered in the near future.

Mr. DaSilva spoke of the funds to the Tarrywile Park Authority stating the City's obligation to support the funding at this time.

Mr. Ryerson of Parks and Recreation spoke of the increased responsibility of the Department for services at Roger Park and Hatters Park. The proposed budget is workable. However, funding will have to be provided for any future major projects or increased work loads.

Mr. Ogden spoke regarding water and sewer use. All public buildings will be metered in the future. The Water Department Fund Budget was discussed and there is a 6% increase in the water rate projected. The Department is satisfied with the Mayor's proposal. The Sewer Fund anticipates a 20% raise in cost for day to day operating expenses for the Department and the new plant.

Mr. Cech spoke on the landfill fund and the recycling results at the landfill. As a result of the increased awareness of proper direction of waste management, the life of the landfill has been extended as well as the cost effect has been improved.

Dean Esposito moved to recommend no change in the Public Works portion of the budget as proposed by the Mayor. Seconded by Mr. Valeri. The motion carried unanimously.

6 - REPORT - Public Safety, Health & Housing and Social Services Budget.

Mr. Gallo presented the following report:

The Public Safety, Health and Housing and Social Services Budget Committee met on April 24, 1990 at 7:30 P.M. in City Hall. In attendance were committee members Gallo, Zotos, Butera, Farah, Regan, Kilcullen and Smith.

The committee met on April 18, 1990 and April 24, 1990 to discuss the various department budgets as proposed by the Mayor. The committee voted on each department individually and recommends the following:

02-100	Police Department	No Change
02-102	Dog Fund	No Change
02-110	Fire Department	No Change
02-122	Building Inspector	No Change
02-123	Weights and Measures	No Change
02-134	Department of Civil Preparedness	No Change
04-101	Health & Housing Department	No Change
05-100	Welfare Department	No Change
05-160	Veterans Advisory Committee	No Change
05-166	Danbury Youth Commission	No Change
05-167	Commission on Aging	No Change
05-174	Elderly Transportation	No Change

Mr. Boughton made a motion to accept the Ordinance and adopt the Mayor's budget. Seconded by Mr. Cassano.

Mr. Boynton offered an amendment to reduce the contingency account from \$600,000 to \$595,000 and add \$5,000 to the Grants and Human Services line item for the Dialysis Fund. Seconded by Mr. Charles.

Mr. Cassano cautioned the Council to act cautiously on setting this type of precedent. The request can be submitted at the next meeting. Mr. Boughton stated that this shift can be made by the Mayor. Mr. Farah asked Mr. Boynton to withdraw his motion and submit the request next month. Mr. Boynton did so as did Mr. Charles who seconded the motion.

Mr. Gallo made a motion to move the question. Seconded by Mrs. Butera. Motion failed with the members voting as follows:

Yes - Kilcullen, Falzone, Gallo, Farah, Dean Esposito, Zotos, John Esposito, Smith, Cassano, Boughton, Boynton, Butera

No - Fazio, Coladarci, Mack, DaSilva, Charles, Regan, Scozzafava, Valeri

12 yes 8 no - Motion fails (2/3's needed to carry)

Mr. Scozzafava offered an amendment to add the sum of \$250,000 to the Mayor's Education budget. Seconded by Mr. Regan.

Mr. Cassano applauded the Mayor's budget, but was disappointed in the Board of Education as he did not see a sense of cooperation on its part. There is not a sense of fiscal responsibility on the part of the Board.

Mr. Scozzafava spoke in favor of the amendment.

Mr. Fazio spoke in favor of the amendment and stated that a good educational system is the City's biggest asset.

Mr. Farah explained that he seconded the motion in the committee report only for the purpose of opening debate. He feels that the Board of Education must come up with some creative ways to live within its budget.

Mrs. Mack questioned why she is always hearing that the teachers have no supplies. Although she will support the amendment this issue must be addressed.

Mr. Boughton stated that he will not support the amendment and this might be an incentive to the Board to contain costs.

Mr. Boynton stated that in these economic hard times she cannot support the amendment but may consider passing along any additional State grants that become available.

Mrs. Butera stated that although she is an educator she will not support the increase due to the majority of constituent calls she received requesting that she not support any increase.

Motion to amend the Mayor's Education Budget by \$250,000 fails with the members voting as follows:

Yes - Fazio, Coladarci, Mack, DaSilva, Smith, Regan, Scozzafava, Valeri

Dean John
No - Kilcullen, Falzone, Gallo, Farah, Esposito, Zotos, Esposito, Cassano, Charles, Boughton, Boynton, Butera

8 yes - 12 no

Mr. Fazio offered an amendment to removed the sum of \$110,000 to Danbury Hospital and add this sum to the contingency account. Seconded by Mr. Regan. Motion failed with the members voting as follows:

Yes - Fazio, Kilcullen

No - Falzone, Gallo, Coladarci, Mack, Farah, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri.

2 yes - 18 no

The Ordinance as proposed was accepted with the members voting as follows:

Yes - Kilcullen, Falzone, Farah, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Valeri

No - Fazio, Gallo, Coladarci, Mack, Regan, Scozzafava

14 yes 6 no

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991

SECTION 1. The sum of 77 Million 473 Thousand and 495 Dollars (\$ 77,473,495) representing the gross appropriation for the City of Danbury of \$ 107,164,963 for the fiscal year of July 1, 1990 and ending June 30, 1991, minus Indirect Revenue of \$ 29,691,468 and minus Estimated Available "Surplus" of \$ 0 plus uncollectible taxes reserve in the amount of \$ 0 is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1989.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1990 and ending June 30, 1991 shall be as follows:

TAX RATE: 18.21 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1990, October 1, 1990, January 1, 1991 and April 1, 1991 except for taxes levied and assessed on aircraft, boats, mobile homes, motor vehicles and where not in excess of One Hundred Dollars (\$100.00), which taxes shall be paid on July 1, 1990, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 1990 and ending June 30, 1991.

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

8 - RESOLUTION - Local Capital Improvement Program.

RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$60,000.00 to cover the total costs of rebuilding and repaving various roads; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five-year period by the Danbury Planning Commission on February 7, 1989 and February 7, 1990; and

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

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

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for Project Nos. 034-88-010, City Hall roof replacement/repair - \$65,311.00; 034-88-020, replacement of tanks and boilers in City buildings - \$220,875.00 both of which have been completed and reimbursed to date; Project Nos. 034-89-040, repair/replace fire rated ceiling, Tarrywile Park - \$25,500.00; 034-89-020, replace public building roofs - \$200,000.00; 034-89-050, rebuild and repave roads - \$83,617.00 (completed); 034-89-010, replace Cross Street Bridge - Engineering - \$35,775.00; 034-89-030, install water service Tarrywile Park - \$135,000.00; other than stated above, none has been completed nor reimbursed to date;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$60,000.00 for the rebuilding and repairing of various roads, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

9 - RESOLUTION - WIC Supplemental Nutrition Grant.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the U.S.D.A. has made grant funds available from October 1, 1989 through September 30, 1990 to full-time local health departments to be used for the Women, Infants, Children's Supplemental Nutrition Program; and

WHEREAS, the City of Danbury through the Danbury Health Department has formulated a W.I.C. Program for Danbury area residents; and

WHEREAS, a grant award of up to \$149,850.00 has been processed by the Danbury Health Department; and

WHEREAS, the State of Connecticut Department of Health Services has approved the grant proposal;

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

BE IT FURTHER RESOLVED THAT to accomplish said program the Mayor of the City of Danbury is authorized to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Health Services.

The Resolution was adopted on the Consent Calendar.

10 - RESOLUTION - Well Drillers Permit Fees.

Mr. DaSilva asked that this be referred to an ad hoc committee, the Comptroller and the Director of Health. Mayor Enriquez so ordered and appointed Council Members Kilcullen, Butera and Fazio to the committee

Mr. Falzone asked that this be referred to an ad hoc committee, the Director of Health and the Comptroller. Mayor Eriquez so ordered and appointed Council Members Kilcullen, Butera and Fazio to the committee.

12 - RESOLUTION - Fees regarding Food Service Establishments.

Mrs. Mack asked that this be referred to an ad hoc committee, the Director of Health and the Comptroller. Mayor Eriquez so ordered and appointed Council Members Kilcullen, Butera and Fazio to the committee.

13 - ORDINANCES - Changes in the Health Department section of the Code of Ordinances. Mr. DaSilva asked that these be deferred to public hearing. Mayor Eriquez so ordered.

14 - COMMUNICATION - Letter from Grolier, Inc. donating a Replogle Globe valued at \$20 to the City. Mrs. Butera made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

15 - COMMUNICATION & CERTIFICATION - Contract for the Public Buildings Department. Certification of Funds was attached. Mr. Boynton made a motion that the contract be accepted and the expenditure of funds be authorized. Seconded by Mr. Falzone. Motion carried unanimously.

16 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the appointments of Robert J. Ehrhard, 5 Terry Drive, Danbury, Martin J. Lobraico, Jr., 17 Franklin Street, Danbury, and Julio A. Lopez, 6 Terra Glen Road, Danbury as Police Officers. Mr. DaSilva made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Smith. Motion carried unanimously.

17 - COMMUNICATION - Letter from Mayor Eriquez stating that due to the resignation of Albert R. Russo there is a vacancy for an alternate position on the Zoning Commission. Attached was a letter from Republican Town Committee Chairman Robert Yamin recommending that Donald J. Miloscia be appointed to fill this vacancy. The appointment was confirmed on the Consent Calendar.

18 - COMMUNICATION - Letter from Mayor Eriquez asking for the confirmation of Frances L. Hirscher of 43 Hawley Road to fill a vacancy on the Conservation Commission for a term to expire July 1, 1992. The appointment was confirmed on the Consent Calendar.

19 - COMMUNICATION - Letter from Mayor Eriquez appointing Christine Rotello, 42 Pleasant Street to the Cultural Commission for a term to expire February 1, 1993. The appointment was confirmed on the Consent Calendar.

20 - COMMUNICATION - Letter from Mayor Eriquez asking for the confirmation of Sue Rapp of 8 Autumn Drive to the Environmental Impact Commission for a term to expire December 1, 1992. The appointment was confirmed on the Consent Calendar.

21 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the appointment of Lydia Yaglienski of 61 Padanaram Road to the Fair Rent Commission for term to expire July 1, 1990. The appointment was confirmed on the Consent Calendar.

22 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the appointment of Steven Zaleta of 5 Fir Drive to the Planning Commission for a term to expire July 1, 1993. The appointment was confirmed on the Consent Calendar.

23 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the appointment of Basil J. Friscia as Danbury's alternate member of HRRR replacing Michael Cech. The appointment was confirmed on the Consent Calendar.

24 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the reappointment of Paulette Pepin to the Tarrywile Park Authority for a term to expire May 1, 1993. The reappointment was confirmed on the Consent Calendar.

25 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointments of Council Members Regan and Charles, Eric Gottschalk, Esq., City Engineer Jack Schweitzer and Paul Galvin to the Intermunicipal Negotiation Committee. The purpose of this committee will be to negotiate the amendments to the intermunicipal agreement as requested by Ridgefield. The appointments were confirmed on the Consent Calendar.

26 - COMMUNICATION - Letter from Fire Chief Antonio Lagarto seeking an appropriation of \$70,000 for the Fire Department's Overtime Services Account due to a three-fold increase in the Injury and Sick Leave as well as salary increases. Mr. Boynton made a motion to accept the communication and the committee approved the expenditure pending certification. Seconded by Mrs. Butera. Motion carried unanimously.

27 - COMMUNICATION - Letter from Leo McIlrath, Director of the Department of Elderly Services requesting that the Common Council approve a transfer of funds from General Revenue to the Commission on Aging Budget for the mileage account, the printing/binding account and the professional service fees account. No certification of funds is necessary. The transfer was approved on the Consent Calendar.

28 - COMMUNICATION - Letter from Sue Bloomfield of the Danbury High School Post Prom Party Committee seeking an amount of money to help with the expenses of the project. Mr. Boughton asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Coladarci, Dean Esposito and Scozzafava to the committee.

29 - COMMUNICATION & CERTIFICATION - Request from Charter Revision Commission Ben DaSilva requesting the sum of \$7,000 for secretarial services and legal representation for the time period of April 19th through July 1, 1990. Certification of Funds was attached. The communication was accepted and the expenditure approved on the Consent Calendar.

30 - COMMUNICATION - Letter from Catherine Skurat with a detailed list of names and amounts of City taxes which for various reasons she considers uncollectible and recommending that they be transferred to the Suspense List. Mr. Charles made a motion that the Suspense List be approved. Seconded by Mr. Smith. Motion carried unanimously.

31 - COMMUNICATION - Letter from Paulette Pepin, Chairman of the Tarrywile Park Authority seeking to terminate the lease of the Carriage House at Tarrywile Park with Robert and Karla Ryerson on a long term basis and have it exist on a month to month basis. Mr. Smith asked that this go to an ad hoc committee, the Corporation Counsel, the Director of Parks and Recreation and the Director of Tarrywile Park. Mayor Eriquez so ordered and appointed Council Members John Esposito, DaSilva and Regan to the committee.

32 - COMMUNICATION - Request from Sharon Somers of 2 Shepard Road that the name of Shepard Road be changed. Mr. Falzone asked that this be referred to an ad hoc committee, the City Engineer and the Director of Planning. Mayor Eriquez so ordered and appointed Council Members Gallo, Falzone and Boughton to the committee.

33 - COMMUNICATION - Petition for installation of a street light at the intersection of Moody Drive and Hawley Road. Mr. DaSilva asked that this be referred to the Superintendent of Highways for a report back in thirty days. Mayor Eriquez so ordered.

34 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley requesting approval for the City to acquire land necessary to resolve a sanitary and storm sewer problem in the vicinity of McDermott and Sheridan Streets. Mrs. Butera asked that this be referred to an ad hoc committee, the Planning Commission and Mr. Buckley. Mayor Eriquez so ordered and appointed Council Members Farah, Boynton and Regan to the committee.

35 - COMMUNICATION - Letter from City Engineer Jack Schweitzer setting out the results of survey done regarding property owners who would be affected by a Sanitary Sewer Project on Ledgemere Drive. Mr. DaSilva made a motion to approve the communication and authorize the City Engineer to proceed with the installation of a sanitary sewer project on Ledgemere Drive. Seconded by Mr. Charles. Motion carried unanimously.

36 - COMMUNICATION - Letter from Paul J. Valeri requesting an 18 month extensions for proposed sewer and water extensions on Sand Pit Road to Morgan Avenue to the Beaver Brook area. The communication was accepted and the extension granted on the Consent Calendar.

37 - COMMUNICATION - Letter from the Bear Mountain Home Owners Association requesting permission to deed over to the City of Danbury "part C Open Space" described on Dock 864, Page 407. Mrs. Butera asked that this be referred to the Planning Commission, the Corporation Counsel and the City Engineer. Mayor Eriquez so ordered.

38 - DEPARTMENT REPORTS - Police Chief, Fire Chief, Fire Marshall, Welfare, Building, Airport, Public Works, Park and Recreation. Mr. DaSilva made a motion that the Department Reports be accepted as submitted and the reading waived as all members have copies which are on file in the office of the City Clerk for public inspection. Seconded by Mr. Boughton. Motion carried unanimously.

39 - REPORT & ORDINANCE - Group Homes

Mr. DaSilva submitted the following report and Ordinance:

The committee to study a request for an ordinance regarding group homes met at 7:00 P.M. on April 18, 1990 in Room 432 in City Hall. In attendance were committee members DaSilva and John Esposito. Also in attendance was Sydney Lichtenstein, Director of Prelude who explained the workings of the Prelude Home for children.

The Prelude Home has been very successful to date and plans are in hand for further placements in the future.

Mr. Esposito moved to recommend an extension of the emergency ordinance and its adoption as a permanent ordinance. Seconded by Mr. DaSilva. Motion carried unanimously.

BE IT ORDAINED by the Common Council of the City of Danbury:

THAT the first paragraph of Section 10-11 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

No person shall operate a rooming house, dormitory or hotel or shall occupy or let to another for occupancy any unit in any rooming house, dormitory or hotel which is not in compliance with the provisions of every section of this Article except the provisions of sections 10-3, 10-5, 10-9(1) 10-10, and 10-20.

Any facility licensed by the State of Connecticut as a community residence, as defined in Section 19a-507a of the Connecticut General Statutes, or as a private boarding home, group home or other residential facility as described in section 19a-451 of the Connecticut General Statutes or as a child care facility licensed by the Department of Children and Youth Services which is intended to serve as a residential group home shall be exempt from the provisions of this section.

No owner or other person shall occupy or let to another person any rooming unit, dormitory unit or hotel unit unless it is clean and sanitary, and complies with all the applicable requirements of the City of Danbury, including the following:

Mr. John Esposito made a motion to approve the report, adopt the emergency ordinance and defer the ordinance to public hearing. Seconded by Mr. Boughton. Motion carried unanimously.

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:05 P.M. on April 23, 1990 to consider an ordinance change implementing a service charge for checks returned for insufficient funds to the Tax Collector's office. The change was asked by the Tax Collector because of the cost to her office of processing returned checks.

Mr. Boynton moved to recommend approval of the proposed ordinance. Motion was seconded by Mr. Charles and passed unanimously.

BE IT ORDAINED by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-22 which said section reads as follows:

Sec. 18-22. Service Charge Imposed for Checks Returned for Insufficient Funds.

The tax collector of the City of Danbury shall impose a fifteen dollar (\$15.00) service charge upon any taxpayer who offers a check to the said tax collector if said check is returned, without payment, due to the insufficiency of funds within the account upon which the check is to be drawn.

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

41 - REPORT & ORDINANCE - Sewer and Water Rates 1990-91 Fiscal Year

Mr. Gallo submitted the following report:

The committee appointed to review the proposed sewer and water rates for 1990-91 fiscal year met on April 23, 1990 at 6:45 P.M. in Room 432. In attendance were committee members Gallo and Boughton. Mrs. Gogliettino was at another meeting. Also in attendance were Superintendent of Public Utilities William Buckley and Comptroller Dominic Setaro.

Mr. Buckley started by explaining the proposed 6% increase in water rates for customers with water meters, doubling the fees for non-metered customers and the 6% charge for hydrant use. Mr. Buckley stated that the 6% increase in water rates was a normal operating increase. The 6% increase will mean an increase of \$11.04 per year for the average residential customer. Mr. Boughton moved to recommend to approve the 6% increase and defer the Ordinance to public hearing. Seconded by Mr. Gallo. Motion carried unanimously.

Mr. Buckley and Mr. Setaro then explained the 30% increase in sewer rates. The bulk of the 30% increase is due to a court stipulated ruling forcing the City to upgrade its sewer treatment facility. The committee asked if any state monies were available. The committee was told that at this time none has been received and there was no guarantee we would receive any. The 30% increase in sewer rates will mean an increase of \$24.70 per year for the average residential customer. Meeting adjourned at 7:30.

Mrs. Butera asked that the report and ordinance be deferred to public hearing. Mayor Eriquez so ordered.

42 - REPORT & RESOLUTION - HRRRA Bond Resolution

Mr. DaSilva submitted the following report and resolution:

The committee appointed to review a request to approve a guarantee of Danbury's portion of an HRRRA bond authorization of \$825,000 met at 7:30 P.M. on April 24, 1990. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance was Michael Cech, Manager of Solid Waste and Mayor Gene Eriquez.

Mr. Cech explained that the proposed Resolution guarantees Danbury's share of the HRRRA development costs for a regional solution to the disposal of refuse. This solution is being studied now by HRRRA and will be part of the integrated waste management plan. There will be maximum recycling, composting and reduction of waste. He stated that proposals before HRRRA include burning, composting and the manufacture of R.D.F. material for refuse not disposed of as mentioned above. Danbury is no longer eligible to be a site for a burn plant. Any of these facilities will be located out of the district.

Mr. Cech and Mr. Eriquez explained that Danbury is responsible for only its portion of the money expended of the total. If at any time Danbury wishes to withdraw from the project there is no liability for further expenditures by HRRRA, and when the project come to fruition and bonds are sold, all of the \$825,000 comes back to Danbury. Before each portion of the committed funds are spent it must be voted on. In this vote, Danbury has its weighted vote of thirty-three (33) percent. They further explained that this regional solution is the best option available to Danbury at this time. Standing alone may make Danbury hostage to host facilities. This regional approach is also eligible for 35-40 million dollars in tax credits which will greatly reduce capital costs and thereby reduce tipping fees.

After discussion, Mr. Scozzafava moved to recommend approval of the attached Resolution guaranteeing Danbury's portion of the HRRRA bond authorization of \$825,000. Motion was seconded by Mr. Esposito and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

(a) THAT the City of Danbury hereby approves the issue by the Housatonic Resources Recovery Authority of bonds or notes and bond anticipation notes of the Authority in an amount not to exceed \$2,500,000. The bonds or notes shall be general obligations of the Authority. The Authority shall determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; designate a bank or trust company to be a certifying bank, registrar, transfer agent and paying agent for the bonds or notes; sell the bonds at public or private sale; deliver the bonds or notes; designate the person or persons by whom such bonds or notes shall be signed; and perform all other acts which are necessary or appropriate to issue the bonds or notes.

(b) THAT the City of Danbury hereby agrees to guarantee the punctual payment of the principal and interest due on any such bonds, notes or temporary notes of the Authority in a principal amount equal to the lesser of \$825,000 or the City's pro rata share of the bonds or notes, or temporary notes outstanding, plus interest thereon. Said guarantee shall be secured by the pledge of the full faith and credit of the City, and the Mayor is hereby authorized to execute and deliver on behalf of the City any agreement or agreements with the Authority providing for such guarantee.

Mr. John Esposito made a motion to approve the report and adopt the resolution. Seconded by Mr. Kilcullen.

Much discussion followed on the methods being studied by the HRRRA. Full text of the discussion is on tape in the Office of the City Clerk for public inspection.

Motion carried with the members voting as follows:

Yes - Kilcullen, Falzone, Gallo, Coladarci, Mack, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Cassano, Charles, Boynton, Butera, Scozzafava.

No - Fazio, Farah, Boughton, Regan, Valeri

15 yes - 5 no

43 - REPORT - City Loitering Ordinances

Mrs. Gogliettino submitted the following report:

The Common Council Committee assigned to review City Loitering Ordinances 12-13 met on Wednesday March 7, 1990 in Room 432 in City Hall at 7:40 P.M. In attendance Committee Members Gogliettino and Fazio. Mr. Smith was absent due to illness. Also attending was Deputy Police Chief Leo Gantert, State Senator James Maloney and Janet Gershwin. Council Member Boynton attended ex-officio.

The committee discussed the strength of ordinance 12-13 and the enforcement of said ordinance. Deputy Chief Gantert told the committee that ordinance 12-13 was an "infraction" of the law and that an officer had to directly witness an individual loitering over a period of time in order to impose a fine. Senator Maloney stated that he felt the language of ordinance 12-13 needs review by the Corporation Counsel. The committee discussed the problem of implementing fines for loitering with the majority feeling that the fines were too lenient. Janet Gershwin, a resident at 95 Boulevard Drive, discussed the problems in the neighborhood with racing cars and continuous noise throughout the night in the area cul de sacs. Deputy Chief Gantert told Mrs. Gershwin that he felt this activity was breach of peace and not loitering. After continued discussion, Mrs. Gogliettino made the following recommendations that the committee:

1. Request the Corporation Counsel to thoroughly review the language of ordinance 12-13 and review the legal implications of changing the ordinance to require bonding if arrested.

2. Request that the State Legislature work to increase loitering fees from \$100 to \$200.

3. Request that the police be more sensitive to the neighbors concern about neighbor confidentiality when calling in complaints and during interviews.

4. Request that a visible sign be posted in all public parks indicating the closing time of the park.

Mr. Fazio made a motion to accept these recommendations. Mrs. Gogliettino seconded. A motion to adjourn was made by Mr. Fazio, seconded by Mrs. Gogliettino. The meeting was adjourned at 8:30 P.M.

The report was accepted on the Consent Calendar.

44 - REPORT - Request to change name of Rogers Park Road to Memorial Drive.

John Esposito submitted the following report:

The Common Council Committee appointed to review the request by the Danbury Veterans Council to name the center road of Rogers Park to Memorial Drive met on Monday, April 9, 1990 at 7:30 P.M. in City Hall. In attendance were committee members Esposito, Boughton and Charles. Also present were President of the Veterans Council Edward Bernholz, Veterans Affairs Director Patrick Waldron, Graves Registrar James Purcell who is an Officer of the Veterans Council.

Mr. Charles gave a brief history of Rogers Park stating that the park property was deeded to the City by the Cefas B. Rogers family in 1947 and that the naming of the center road to Memorial Drive is not in conflict with the original agreement. Mr. Waldron stated that the purpose of the request is part of a long range plan to further develop the appropriate veterans recognition within Rogers Park. Mr. Bernholz spoke of the future plans to make Rogers Park a center for Veterans recognition of all wars and that the plan has the approval of all the Danbury Veterans Organizations along with plans to improve and refurbish some of the City's memorials and the plan to construct a Korean War Memorial in Rogers Park.

Mr. Boughton moved to recommend to the Common Council that the request by the Veterans Council to name the center road in Rogers Park to Memorial Drive be granted. Seconded by Mr. Charles. Motion carried unanimously.

The report was accepted on the Consent Calendar.

45 - REPORT - Sanitary Sewer Installation - Abbott Street

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:05 P.M. on April 23, 1990 to consider a proposed sanitary sewer installation on Abbot Street. The large majority of property owners requested this sewer line.

Mr. Boynton moved to recommend approval of the installation of a sanitary sewer installation on Abbot Street. Motion was seconded by Mr. Charles and passed unanimously.

The report was accepted on the Consent Calendar.

46 - REPORT - Curfew on Miry Brook Road

Mrs. Gogliettino submitted the following report:

The Common Council Committee assigned to discuss a curfew on Miry Brook Road met on Wednesday, March 19, 1990 in Room 432 at 7:30 P.M. in City Hall. In attendance were committee members Gogliettino, Mack and Boughton. Also present were Frank Ruccia and Peter Anderao from Ward Drive and Assistant Corporation Counsel Laszlo Pinter.

Mr. Boughton moved to suspend the rules to allow members of the public and the Corporation Counsel to speak.

Mr. Ruccia and Mr. Anderao discussed the neighbors concern about the Hawk Truck Stop on Miry Brook Road. The neighbors concerns are focused on continuous obtrusive noise, air pollution and hazardous traffic. Mr. Pinter discussed the City ordinances related to noise and curfews for night activity. He also told the committee members that the City cannot impose a curfew unless there is an extreme condition in the City. Mr. Boughton explained the purpose of the ordinances and the Council's responsibility in creating ordinances, not implementing ordinances.

After further discussion about the problems in the area, a motion was made by Mrs. Mack to take no direct action but to request a traffic and noise study by the Police Department. Seconded by Mr. Boughton.

The report was adopted on the Consent Calendar.

47 - REPORT - Recycling Program

Mr. Cassano submitted the following report:

The Common Council Committee appointed to consider a Danbury recycling program to meet the Connecticut recycling mandate met on April 23, 1990 at 8:30 P.M. in Room 432 in City Hall. In attendance were committee members Cassano, Valeri and Fazio. Also present was General Manager of Solid Waste Michael Cech.

Mr. Cech provided the committee with the outline of a Danbury recycling program designed to meet the Connecticut Mandatory Recycling Law which has been the subject of recent debate by the General Assembly and the Environment Committee. Mr. Cech indicated that the law is likely to be acted on during the present session of the General Assembly and in his opinion, Danbury should be in a position to move toward compliance.

The recycling plan was discussed conceptually and not in ordinance form. Mr. Cech indicated that this petition was made to elicit some form of Common Council direction prior to having the Corporation Counsel's Office put the concepts into legal format. The plan was designed to facilitate compliance with the minimum amount of disruption for residents and businesses, and many of the ideas follow recommendations from the Mayor's Task Force Report on Recycling and from local haulers.

At the meeting Mr. Cech stressed two additional points:

1. Towns must pass local recycling ordinances requiring separation of recyclables from other solid waste.

2. Towns face major problems if, by January 1, 1992, they are still sending recyclables in their trash to a facility. The DEP can order that facility not to accept any waste from the town. However, the town would have had to fail to pass an ordinance, require separation, file an annual report or reduce waste stream by 25 percent to trigger such strong action.

Mr. Valeri made a motion that the committee recommend to the Common Council that the Corporation Counsel's Office prepare a recycling ordinance based on the plan presented to the committee by Mr. Cech. Adoption of the ordinance would be subject to final review by the Common

~~Council~~
~~Common~~ Council following a public hearing. Mr. Fazio seconded the motion and there was unanimous approval.

The report was accepted on the Consent Calendar.

48 - REPORT - Gypsy Moth Control

Mrs. Coladarci submitted the following report:

The Common Council Committee appointed to study gypsy moth control for the 1990 season met for the second time on April 25, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Coladarci, Charles and Fazio. Also attending were Tree Supervisor Richard Smith, Comptroller Dominic Setaro and Dan Dalton.

The survey results from the Connecticut Agricultural Experimental Center show that the City was heavily infested with egg masses. A discussion ensued regarding the fungus that killed the moths last year. Only 70% were killed and due to the length of time taken for the moths to die, viable eggs were laid which will hatch this Spring.

A motion was made by Mr. Charles to recommend that the Council approve appropriations of \$15,000 for the Gypsy Moth Control program. Seconded by Mr. Fazio and passed unanimously.

Since it is imperative that the program is in place and applications are done no later than May 15, 1990, we recommend to the Council that the bids be waived and the Purchasing Agent obtain three or more written quotes.

Mr. Falzone made a motion to accept the report as read, to approve the expenditure of \$15,000 and to waive the bidding process. Seconded by Mr. Charles. Much discussion followed on the pros and cons of spaying trees for gypsy moth control. Mr. Charles made a motion to move the question. Seconded by Mrs. Mack. Motion failed with the members voting as follows:

Yes - Kilcullen, Falzone, Gallo, Coladarci, Mack, Dean Esposito, Zotos, DaSilva, Charles, Boynton, Butera, Scozzafava.

No - Fazio, Farah, John Esposito, Smith, Cassano, Boughton, Regan, Valeri.

12 yes - 8 no (2/3's needed)

Additional discussion followed.

Motion carried with the members voting as follows:

Yes - Falzone, Gallo, Coladarci, Mack, Farah, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Charles, Boynton, Regan, Scozzafava, Regan, Valeri

No - Fazio, Kilcullen, Cassano, Boughton, Butera

15 Yes - 5 No

49 - REPORT & ORDINANCE - Prohibited Materials

Mr. Farah submitted the following report:

The Common Council committee appointed to consider the Solid Waste Manager's proposal to revise City Ordinance Subsection 16A-32(b) which deals with the disposal of "prohibited materials" met at 8:00 PM on April 26, 1990 at the City Hall. Present were Committee members Mounir Farah and Arthur Regan. Thomas Valeri had a prior commitment. Also present was Mr. Michael Cech, General Manager of Solid Waste.

Mr. Cech explained the reason for requesting the revision. He stated that under the present provision only the hauler is held liable for whatever is being dumped. However, in some cases customers should also be held liable if they willingly include prohibited materials in their waste. Sometimes, residents and nonresidents discharge prohibited materials in accessible dumpsters.

The requested amendment in the ordinance makes it possible to extend the liability to customers, if that is deemed necessary. Dr. Farah consulted with assistant corporation counsel, Mr. Gottschalk, about the proposed revision.

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

Mr. Boynton made a motion to accept the report and refer the ordinance to public hearing. Seconded by Mr. Charles. Motion carried unanimously.

50 - COMMUNICATION - Business Aircraft Center, Inc.

Mr. DaSilva made a motion to add this item to the agenda. Seconded by John Esposito. Mr. Boughton objected to items being added to the agenda because late submissions prohibits Council Members from having sufficient time to study the item. Mrs. Butera stated her usual objection.

Motion to add carried with Council Members Cassano, Boughton, Boynton and Butera voting in the negative.

Mr. DaSilva asked that this item be referred to an ad hoc committee, the Planning Commission, City Engineer and Superintendent of Public Utilities. The Mayor so ordered and appointed Council Members Cassano, Kilcullen and Boughton to the committee.

51 - Request for Sewer Extension - 75 Padanaram Road

Mr. DaSilva made a motion to add this item to the agenda. Seconded by John Esposito. Motion carried with Council Members Cassano. Boughton and Butera voting in the negative.

Mr. Gallo asked that this be referred to an ad hoc committee, the Planning Commission, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Gallo, Falzone and Boughton to the committee.

52 - COMMUNICATION - Request for sewer extension - 89 Mill Plain Road.

Mr. DaSilva made a motion to add this item to the agenda. Seconded by John Esposito. Motion carried with Council Members Cassano, Boughton, Boynton and Butera voting in the negative.

Mr. DaSilva asked that this be referred to an ad hoc committee, the Planning Commission, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Gallo, Falzone and Boughton to the committee.

53 - REPORT & RESOLUTION - Proposed Permit and User Fees for the Landfill.

Mr. Kilcullen submitted the following report:

The committee appointed to review the landfill rates for 1990-91 met on April 30, 1990 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Kilcullen and Zotos. Also in attendance were Michael Cech and Dominic Setaro. Mr. Cech provided written proposal showing the proposed fees as well as the current charges. He also explained how he had arrived at the amount of increases.

Mr. Zotos moved to accept and approve the proposed rates. Seconded by Mr. Kilcullen. Motion carried unanimously.

Mr. DaSilva made a motion to add this item to the agenda. Seconded by Mr. John Esposito. Motion carried with Council Members Cassano, Boughton and Butera voting in the negative.

Mr. DaSilva moved to accept the report and send the Resolution to public hearing. Seconded by Mr. Charles. Motion carried unanimously.

54 - COMMUNICATION - Relocation of Soccer Fields at Airport

Mr. DaSilva made a motion to add this item to the agenda. Seconded by Mr. Fazio. Motion carried with Council Members Cassano, Boughton, Boynton and Butera voting in the negative.

Communication from Council Member Fazio seeking to relocate the soccer field at Danbury Airport in light of the recent accident there.

Mr. Boynton asked that this be referred to an ad hoc committee, the Airport Administrator and the Director of Parks and Recreation. Mayor Eriquez so ordered and appointed Council Members Valeri, Gogliettino and Fazio to the committee.

Mayor Eriquez extended all committee that have not completed their work.

PUBLIC SPEAKING SESSION

Robert Fand, 79½ North Street - Spoke in opposition to the sewer and water rate increases necessary due to upgrading the sewage treatment plant. Also spoke in opposition of the HRRR Resolution.

Ronald Blonski, 38 Griffing Avenue - Spoke regarding the Education Budget. Disagreed with the vote not to add \$250,000 but understands it. Also spoke about the problems at Roberts Avenue School.

John Ward, 431 Main Street - Spoke to congratulate the new officers on their appointment to the Police Department

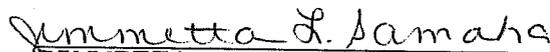
Lori Owen, 22 Staples Street - Explained what the Post Prom Party will be and why the funds are needed.

Patrick Manzo, 41 Kilian Drive - also spoke on the Post Prom Party

Annette Matthews, 5 Lakeside Road - Spoke against the HRRR Resolution

There being no further business to come before the Common Council a motion was made by Council Member Boynton for the meeting to be adjourned at 11:04 P.M.

Respectfully submitted,


DIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk