

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

Re: Minutes of the Special Meeting held May 15, 1990.

The meeting was called to order at 8:15 P.M. by Mayor Eriquez. Mr. Falzone led the assembly in the Pledge of Allegiance. Mr. Smith offered the Prayer. The members were recorded as:

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

Absent - Fazio, Kilcullen, Gallo, Zotos, Gogliettino, Cassano

15 present - 6 absent

Mayor Eriquez stated that Mr. Kilcullen and Mr. Gallo had previous committments; Mrs. Gogliettino is on vacation and Mr. Zotos is out of the Country.

NOTICE OF THE SPECIAL MEETING - To be held on the 15th day of May, 1990 at 8:00 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the following

1. RESOLUTION - Bear Mountain Reservation
2. RESOLUTION & COMMUNICATION - Project Grant Fund for East Franklin Street Bridge
3. COMMUNICATION - Police Promotions
4. COMMUNICATION - Appointment of Assistant Corporation Counsel
5. COMMUNICATION - Request from United Way Greater Danbury Substance Abuse Project
6. COMMUNICATION - Construction of Water Line for FAA Air Traffic Control Tower at Danbury Airport
7. COMMUNICATION - Request for Funding for the Danbury Dialysis Fund
8. COMMUNICATION - Housing Partnership
9. COMMUNICATION - Revised Appropriation - Board of Education
10. COMMUNICATION - Parks and Recreation Utilities Account
11. COMMUNICATION & CERTIFICATION - Request for Funds for Planning Comm.
12. COMMUNICATION & CERTIFICATION - Request for Funds for EIC
13. CERTIFICATION - School Health and Welfare
14. CERTIFICATION - School Buildings
15. CERTIFICATION & COMMUNICATION - Request for Funds - Corporation Counsel's Office
16. REPORT & CERTIFICATION - Post Prom Party
17. REPORT - Hatters Yard - Reimbursement of Water and Sewer Fees
18. REPORT - Eagle Road Connector
19. COMMUNICATION - Christian J. Dascano et al vs. City of Danbury (Executive Session)
20. REPORT - Sewer and Water Rates - 1990-91 Fiscal Year
21. REPORT - Landfill Permit Fees

Mr. DaSilva made a motion to accept the call and return of service. Seconded by Mr. Smith. Motion carried unanimously.

1 - RESOLUTION - Bear Mountain Reservation

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Protection has made grant funds available to municipalities for the acquisition and/or development of public outdoor recreation facilities or lands, with required compliance with Connecticut General Statutes Sections 7-131c through 7-131k; and

WHEREAS, the City of Danbury wishes to make application for and obtain financial assistance pursuant to said program for use by the Danbury Conservation Commission for the development of the Bear Mountain Reservation Access Road, as well as for the purchase of lumber for its picnic tables; and

WHEREAS, the total project cost is expected to be Thirty-Five Thousand Dollars (\$35,000.00) with forty (40) percent of said amount obtained from state grant funds applied for herein representing Fourteen Thousand Dollars (\$14,000.00), and sixty (60) percent of said total amount representing the local share from the City of Danbury in amount of Twenty-One Thousand Dollars (\$21,000.00); and

WHEREAS, it is the intent of the City of Danbury that, should its application be selected and approved by the Commissioner of the Department of Environmental Protection, adequate funding for operating and maintaining the property and/or facilities will be provided; and

WHEREAS, the proposed acquisition and/or development is in accordance with the plan of development of the City of Danbury and that, should said grant be made, said land will be retained in accordance with the provisions of Sections 7-131a through 7-131k of the Connecticut General Statutes; and

WHEREAS, the City of Danbury further finds that acceptance of said grant funds, if offered, would also be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT to accomplish the purposes hereof, the Mayor of the City of Danbury, Gene F. Eriquez, be and hereby is authorized to make, execute, and approve on behalf of the City of Danbury any and all applications, contracts or amendments thereto with or to the State of Connecticut Department of Environmental Protection and to take all necessary actions to effectuate the goals of said program.

Mr. Boynton moved that the Resolution be adopted. Seconded by Mrs. Butera. Mr. Boughton asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members John Esposito, Boynton and Boughton to the committee.

2 - RESOLUTION & COMMUNICATION - Project Grant Fund for East Franklin Street Bridge

Letter from Assistant Corporation Counsel Laszlo Pinter explained the necessity for the amended resolution for the above project together with the following resolution:

Project Description:

Municipality: Danbury
Location: East Franklin Street Bridge
Bridge No. 05098

RESOLVED, that Gene F. Eriquez, Mayor of the Town/City of Danbury is authorized to sign the agreement entitled "Project Grant Agreement between the State of Connecticut and the City of Danbury under the Local Bridge Program for the East Franklin Street Bridge No. 05098.

ADOPTED BY THE Common Council of the City of Danbury, Connecticut on May 15, 1990.

Mr. Boynton made a motion to accept the communication and adopt the resolution. Seconded by Mr. Boughton. Motion carried unanimously.

3 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the promotions of Mark Rosato and Mitchell Weston to the rank of Lieutenant. Mr. Falzone made a motion that the communication be accepted and the promotions confirmed. Seconded by Mr. Smith. Motion carried unanimously.

4 - COMMUNICATION - Appointment of Assistant Corporation Counsel

Letter from Mayor Eriquez seeking confirmation of the appointment of Peter N. Buzaid as Assistant Corporation Counsel replacing Sandra Leheny who has been appointed a Superior Court judge.

Mr. Boynton made a motion that the communication be accepted and the appointment confirmed. Seconded by Mr. Charles. Motion carried unanimously.

5 - COMMUNICATION - Request from the United Way Greater Danbury Substance Abuse Project.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management (OPM) has offered to the United Way of Northern Fairfield County a Twenty Thousand Dollar (\$20,000.00) grant for the Greater Danbury Substance Abuse Project (GDSAP); and

WHEREAS, Fifteen Thousand Dollars (\$15,000.00) of said funds are allotted from federal funds with the balance of Five Thousand Dollars (\$5,000.00) in matching grant funds from the State of Connecticut; and

WHEREAS, OPM has advised the United Way of Northern Fairfield County that since it is not permitted to make this allocation directly to a non-profit organization, the City of Danbury has been requested to act as the "facilitator" for purposes of passing these funds through from the State to the United Way of Northern Fairfield County; and

WHEREAS, said funds are to provide and fund a comprehensive survey of students currently being used throughout the state and country to enable the evaluation of efforts to fight substance abuse; and

WHEREAS, the City of Danbury further finds that its role as "facilitator" for these funds would be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT to accomplish the purposes hereof, the Mayor of the City of Danbury, Gene F. Eriquez, be and hereby is authorized to execute and approve on behalf of the City of Danbury any and all documents necessary to permit the passage of these funds from the State of Connecticut OPM to the United Way of Northern Fairfield County.

Mr. Boughton made a motion to accept the communication and adopt the resolution. Seconded by Mrs. Butera. Motion carried unanimously.

6 - COMMUNICATION - Letter from the U. S. Department of Transportation asking that a water line be extended from Backus Avenue to the FAA Tower at Danbury Airport. Mr. DaSilva asked that this be referred to an ad hoc committee, the Planning Commission, Mr. Buckley and Mr. Schweitzer. Mayor Eriquez so ordered and appointed Council Members Falzone, Dean Esposito and Regan to the committee.

7 - COMMUNICATION - Letter from Council Member Ernest Boynton asking that the sum of \$5,000 be appropriated for the Danbury Dialysis Fund, Inc. Mr. Valeri made a motion to accept the communication and authorize the transfer of funds as of July 1, 1990. Seconded by Mr. DaSilva.

Mr. Esposito asked for justification of the request. Mr. Boynton stated that the request came in too late for the budget but the request is from a non-profit agency which serves to improve the quality of life for transplant and dialysis patients. Mr. Farah asked for the figures and Mayor Eriquez stated that he would provide a balance sheet. Mr. Boughton stated that there have been repeated requests from non-profit agencies and that he is not sure that this is the right place for them to come for funds. He also stated that he is not comfortable with non-profit organizations unless he can see a balance sheet. Mr. DaSilva stated that he felt too much was being made of this one request because the City gives to numerous non-profit organizations

Mr. Boughton asked that this be referred to committee. Mayor Eriquez so ordered and appointed Council Members DaSilva, Boynton and Boughton to the committee.

8. COMMUNICATION - Housing Partnership. Mr. DaSilva asked that this item be deferred to item 17A. There was no objection.

9. COMMUNICATION - Letter from Superintendent of Schools Anthony Singe seeking Council authorization for a revised State and Federal budget of \$2,991,416. Mr. Boynton made a motion that the communication be accepted and the authorization granted. Seconded by Mrs. Butera. Mr. Boughton asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Mack, Farah and Scozzafava to the committee.

10. COMMUNICATION & CERTIFICATION - Letter from Director of Parks and Recreation Robert Ryerson asking for the sum of \$5,000 to balance the expenditures for the remainder of the fiscal year. Mrs. Butera made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mr. Charles. Mr. Boughton stated his objection to this type of request and does not like to see the contingency account depleted. Motion carried with Mr. Boughton voting in the negative.

11 - COMMUNICATION & CERTIFICATION - Letter from the Planning Commission requesting the sum of \$2,200 to operate for the remainder of the fiscal year. Mrs. Butera made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mr. Charles. Motion carried with Mr. Boughton voting in the negative.

12 - COMMUNICATION & CERTIFICATION - Request for the sum of \$900 to allow the Environmental Impact Commission to operate for the remainder of the fiscal year. Mrs. Butera made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mr. Charles. Motion carried with Mr. Boughton voting in the negative.

13 - CERTIFICATION - Letter from Comptroller Dominic A. Setaro requesting that the sum of \$500 be authorized to cover invoices that are sent to the City from other municipalities to cover the cost of students who attend private schools in their cities or towns. Mrs. Coladarci moved to accept the communication and authorize the transfer of funds. Seconded by Mr. Smith. Motion carried with Mr. Boughton voting in the negative.

14 - CERTIFICATION - Letter from Comptroller Dominic A. Setaro requesting that the balance in the Contingency Fund of \$26,048.97 be appropriated to a line item in the capital budget entitled School Building Improvements. Mr. Scozzafava asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members DaSilva, John Esposito and Scozzafava to the committee.

15 - COMMUNICATION & CERTIFICATION - Letter from Acting Corporation Counsel Eric Gottschalk requesting that the sum of \$33,258 be transferred from the Contingency Account to Litigation Special Account to cover the cost of remaining work for this fiscal year. Mr. Boynton made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mrs. Butera. Motion carried with Mr. Boughton voting in the negative.

16 - REPORT & CERTIFICATION - Mrs. Coladarci submitted the following report:

The committee appointed to study the reasoning and partial funding of the Danbury High School Post Prom Party met in Room 432 in City Hall at 6:30 P.M. on May 7, 1990. In attendance were committee members Coladarci and Dean Esposito. Mr. Scozzafava had a prior commitment. Also in attendance were Danbury High School Seniors Lori Owen, Maryann Elsaid, Kasey Dovino, Andrea Sunperi and Patrick Manzo, along with their advisor Amy Salvador.

Mr. Esposito asked the group to explain the expenses and their need for additional funds. Although the Brookfield YMCA has donated their facility, in order to have food in the gym the floor must be covered. The various committees have also incorporated a theme to the party entitled "Bon Voyage". They will be renting tables, chairs and gaming tables and will have to pay police, lifeguard and an EMT. They have had all food donated and are hoping to have the punch donated as well. They have worked very hard to make the party a success for the entire Senior Class. The expect participation of 550-600 students with 25 chaperones for each of 2 three hour shifts. The students want to have a variety of activities available to keep the students and their guests in one place for the evening. This idea has been successfully approached in area high schools including Trumbull, Wilton, Brookfield and Enrico Firni. The DHS students hope this party and their ideas will set an example for future Senior parties. They are having difficulty securing funds but feel that once the community sees the success of their evening they will continue to support future efforts.

Mr. Esposito made a motion to grant \$1,500 from the Contingency Fund as a start up cost for a Danbury High School Post Prom Party, 1990 with the goal to prevent classmates from becoming a part of the DWI accident statistics. Seconded by Mrs. Coladarci and motion carried unanimously.

Mr. Boynton made a motion that the report be accepted and the expenditure of funds authorized. Seconded by Mrs. Mack.

Mr. Scozzafava stated that the Mayor's Office had contributed \$500 to this effort. Mrs. Butera stated that she feels that the funds should come from the Board of Education, not the City. Mr. Farah stated that it must be conveyed to the students that they should plan this activity and incorporate it into the activities fund. Mrs. Mack asked if the Board of Education contributed any monies. Mrs. Coladarci stated that it had contributed the sum of \$200 for bus transportation. Mrs. Mack stated that the students should ask the Board of Education to contribute matching funds donated by the City. Mr. Smith stated that he felt that the students had gone way out on a limb on this project.

Mr. Boughton stated that the Taxpayers have spent 12 years educating these students and should not be expected to pay for their party. Each student should contribute \$3. Mr. Boynton stated that he does not want to put a price tag on the safety of our children. Mayor Eriquez noted that the Board of Education has been providing in-kind services to the committee.

Mr. DaSilva made a motion to move the question. Seconded by Mr. Falzone. Motion failed with the members voting as follows:

Yes - Falzone, DaSilva, John Esposito, Smith, Charles, Boynton, Butera.

No - Coladarci, Mack, Farah, Dean Esposito, Boughton, Regan, Scozzafava, Valeri.

7 yes - 8 no motion fails.

Mrs. Mack stated that the Brookfield YMCA donated its facilities for the event and that anyone can participate. Mr. Valeri stated that he supports this proposal reluctantly and stated that the students should look to contain costs in the future.

Main motion carried with Mr. Boughton voting in the negative.

17 - REPORT - Hatters Yard - Reimbursement of Water and Sewer Fees

Mr. Kilcullen submitted the following report:

The Common Council Committee appointed to review the application of the Non-Profit Development Corporation of Danbury, Inc. for reimbursement of sewer and water connection fees met on March 20, 1990 in the Fourth Floor Lobby in City Hall. In attendance were committee members Kilcullen, and Regan. Also in attendance were Comptroller Dominic Setaro, Superintendent of Public Utilities William Buckley and Paul Valeri, President of the Non-Profit Development Corporation of Danbury.

Mr. Valeri stated that approximately \$24,000 was paid in water and sewer connection fees and that his organization was seeking reimbursement of these fees in order that the prices of the units be kept as low as possible. Mr. Buckley opposed reimbursement solely from the Water and Sewer Funds on the grounds that all City taxpayers should participate in the event the committee should act favorably on Mr. Valeri's request. Mr. Setaro suggested that monies might be available from the Community Development Block Grant program. He stated that he would investigate and report back to the committee chairman. Upon receipt of this information another meeting would be scheduled.

The committee reconvened on May 7, 1990 at 7:00 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Kilcullen, Smith and Regan. Also present were Comptroller Dominic Setaro and William Buckley.

Mr. Setaro explained that Community Development Block Grant Funds were not available. However, he did indicate that monies were available from a Housing Partnership Grant provided by Union Carbide. The Mayor has agreed that \$12,000 of these monies could be used to provide partial reimbursement to the Non-Profit Development Corporation.

Mr. Regan moved to approve the sum of \$12,000 in order to reimburse the Non-Profit Development Corporation for Water and Sewer Connection Fees paid to the City. Seconded by Mr. Kilcullen. Motion carried unanimously.

Mr. Charles made a motion to accept the report and authorize the transfer of funds from the Housing Partnership Grant provided by Union Carbide. Seconded by Mr. Regan. Motion carried with Council Members Farah, Boughton and Butera voting in the negative.

17A- COMMUNICATION - Letter from Mayor Eriquez stating that \$12,000 from the Housing Partnership Grant from Union Carbide is available to assist with the reimbursement of fees for Hatters Yard. Mrs. Coladarci made a motion to accept the communication. Seconded by Mr. Scozzafava. Motion carried with Council Members Boughton and Butera voting in the negative.

18 - REPORT & RESOLUTION - Eagle Road Connector.

Mr. DaSilva submitted the following report:

The committee appointed to review a contract between the City of Danbury Still River Associates Limited Partnership for the Eagle Road Connector met at 7:30 P.M. on May 7, 1990 in the Fourth Floor Lobby in City Hall. In attendance were committee members DaSilva, J. Esposito and Regan. Also in attendance were City Engineer Jack Schweitzer, Corporation Counsel Eric Gottschalk, Comptroller Dominic Setaro and Council Member Stan Smith, ex-officio.

Mr. Gottschalk explained that the connector passed through the property of the Still River Associates Limited Partnership which also desires the opening of this road for their purposes. It was discovered that it would be less expensive for the City and the private entity to work together. This would also bring forth a better project for the City.

Discussion of the project explained that City estimates of the cost of its portion to be \$924,000. This money is available at this time from State grants. The total project was estimated by the Still River Associates at \$2.1 million. Danbury's share of \$924,000 equals 44% of this. An earlier estimate by Purcell Associates put the price of the total project at \$2.62 million. If the higher estimate prevails, Danbury will be responsible for only forty-four (44%) percent of the additional \$520,000. This can be appropriated from next year's State grants or capital account. The cap for Danbury's expenditure is \$1,152,800.

The opening of Eagle Road will bring great relief to traffic congestion on Route 6. The City of Danbury will also receive a grand list growth of approximately \$25,000,000 from the development of the national headquarters of P.H.H. Home Equity on the Still River Associates property. This will bring the City over one-half million dollars in tax revenue and provide over 600 jobs. The State of Connecticut Department of Economic Development was instrumental in the procurement of State monies because of the development of this site.

Mr. Regan moved to recommend approval of the contract with the Still River Associates Limited Partnership with a maximum City contribution to facilitate the opening of the Eagle Road Connector of \$1,152,800. Motion seconded by Mr. Esposito and carried unanimously.

RESOLUTION

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council has allocated funds for the construction of a Commerce Park Crossing; and

WHEREAS, this project will oblige the City of Danbury to acquire an interest in and to real property as hereinafter set forth; and

WHEREAS, prior resolutions approving the acquisition of said properties were approved on February 7, 1989 and March 6, 1990; and

WHEREAS, an amendment to these resolutions will be necessary to accomplish the purposes hereof; and

WHEREAS, the property to be acquired is shown and designated on a certain map entitled "Proposed 'Taking' Map Eagle Road Connector Danbury, Connecticut" dated May 4, 1989; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or by eminent domain through the institution of suits with respect to the following properties and owners thereof, their successors and assigns and their respective mortgage holders, if any, the affected properties being indicated by the schedule and map designation annexed hereto.

Mr. Boughton made a motion to accept the committee report and adopt the resolution. Seconded by Mr. Smith. Motion carried unanimously

19 - COMMUNICATION - Christian J. Dascano, et al v. City of Danbury (Executive Session)

Mr. Boughton moved to defer this to the end of the agenda. Seconded by Mr. Charles. Motion carried unanimously.

Mr. DaSilva submitted the following report:

The Common Council met as a Committee of the Whole on May 15, 1990 at 7:40 P.M. to discuss a proposed ordinance setting sewer and water rates.

After discussion with Superintendent of Public Utilities William Buckley, Mr. Boynton moved to recommend approval of the ordinance. The motion was seconded by Mrs. Butera. Mr. Buckley then explained that the six (6%) percent increase in the water rates will be used for normal operating expenses and the raise in the sewer rates are mostly for startup charges for the sewer treatment facility project.

The motion carried 13-1 with Mr. Farah voting in the negative.

ORDINANCE

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

Sec. 16-32. Sewer use charges.

(a) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers provided with metered city water service. Said charge, established in accordance with criteria contained in section 16-27 of this code of ordinances, shall be determined in accordance with the following formula:

$$\text{Quarterly Sewer Use Charge} = \frac{0.9 \times A \times \$1.35}{1,000 \text{ gallons}}$$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Notwithstanding the prior provisions of this section the minimum quarterly sewer use charge shall be ten dollars and fifty cents (\$10.50).

(b) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers provided with flat rate city water service. Said charge, established in accordance with the criteria contained in section 16-27 of this code of ordinances, shall be one hundred and ninety-seven dollars and sixty cents (\$197.60) per unit.

(c) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers having no city water service. Said charge, established in accordance with the criteria contained in section 16-27 of this code of ordinances, shall be one hundred and nine dollars and fifty cents (\$109.50) per unit.

(d) A sewer unit shall represent the annual sewer use for a single-family residence. An additional sewer unit shall be assessed for each additional residence within any dwelling. A fractional sewer unit shall be assessed for a portion of a dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single-family residence. All nonresidential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single-family residence.

(e) All sewer use charge bills shall be rendered semi-annually until September 1990 and thereafter bills shall be rendered quarterly effective with the December 1990 billing.

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in Sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 1990:

- (1) Hydrant use by contractors, per 100 gallons ... \$0.83
- (2) The following quarterly rates shall be charged for water service to premises for fire protection purposes.

Size of Connection (inches)	Charge for Three Months
4 and under	\$ 70.15
6	131.53
8	192.90
10	263.04
12	350.73

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

THAT Section 21-49 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-49. Tank truck loads.

When the superintendent of public utilities determines that water is available for tank truck load sale, water shall be billed at eighty-three cents (\$0.83) per one hundred (100) gallons or a fraction thereof for all such water purchased on or after July 1, 1990.

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

Rates enumerated:

The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Said rates are for quarterly billings rendered on or after July 1, 1990, and are limited to the first fifteen thousand (15,000) gallons of consumption:

Size of Meter (inches)	Minimum Charge for Three Months
5/8	\$ 31.57
3/4	38.58
1	59.61
1 1/2	105.22
2	154.32
3	341.96
4	683.91
6	1,367.82
8	2,735.65
10	5,471.30

For water consumed in excess of fifteen thousand (15,000) gallons the charge shall be: Two dollars and forty-six cents (\$2.46) per one thousand (1,000) gallons.

THAT Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly nonmetered rates.

The following are established as the quarterly nonmetered rates for the use of water which rates shall be in effect for all bills rendered on or after July 1, 1990:

- (1) Automobile washstands, each\$ 292.28
- (2) Bakeshops:
 - a. For the use of one faucet 110.32
 - b. For each additional faucet 38.60
 - c. For each toilet 71.68
- (3) Barbershops:
 - a. Barbershops, including the use of one faucet 88.24
 - b. For each additional faucet..... 38.60
 - c. For each toilet 66.16
- (4) Bottling Works 363.96
- (5) Clubrooms 551.44
- (6) Creameries, minimum rate 1,737.08
- (7) Factories other than hat factories:
 - a. For the use of one wash sink 275.72
 - b. For each toilet 71.68
 - c. For each urinal 110.32
 - d. For each additional faucet 71.68
- (8) Families:
 - a. For each unit, including the use of one faucet and one sink..... 60.64
 - b. For each bathtub 22.04
 - c. For each water closet in home 38.60
 - d. Minimum quarterly rate for each family .. 126.84
- (9) Fish Markets:
 - a. Fish market, including the use of one faucet 143.40
 - b. For each additional faucet 38.60
- (10) Gasoline Stations:
 - a. For the use of one faucet.....\$ 71.68
 - b. For each toilet 71.68
- (11) Hairdressing Parlors:
 - a. For the use of one faucet 110.32
 - b. For each additional faucet 38.60
- (12) Hat Factories:
 - a. Including factories having finishing and trimming departments, etc. per former 1,097.40
 - b. Engaged solely in manufacturing hats in the rough, per former 926.44
- (13) Laundries:
 - a. Laundries, such as "laundromats," for each washing machine 143.36
 - b. Laundries, other than hand laundries and and laundry machines such as "laundromats".....1,014.68

- (14) Diners:
 - a. For the use of two (2) faucets 226.08
 - b. For each toilet 71.68
- (15) Meat Markets:
 - a. For the use of one faucet 71.68
 - b. For each additional faucet 38.60
 - c. For each toilet 71.68
- (16) Photographic galleries:
 - a. For the use of one faucet 71.68
 - b. For each additional faucet 38.60
 - c. For each toilet 66.16
- (17) Public Garages:
 - a. For the use of one faucet 110.32
 - b. For each toilet 71.68
 - c. For each automobile washstand 292.28
- (18) Restaurants:
 - a. Minimum rate, including the use of one faucet 181.96
 - b. For each toilet 71.68
 - c. For each additional faucet 38.60
- (19) Soda Fountains:
 - a. Minimum rate, including the use of one faucet \$143.36
 - b. For each additional faucet 38.60
- (20) Stores and Offices:
 - a. Stores and offices, including the use of one faucet 71.68
 - b. For each additional faucet 38.60
 - c. For each toilet 66.16
- (21) Urinals, each 110.32

Mr. Boughton made a motion to accept the report and adopt the rates as set forth in the ordinance. Seconded by Mrs. Butera. Motion carried with Mr. Farah voting in the negative.

21 - REPORT & RESOLUTION - Landfill Permit Fees

Mr. DaSilva submitted the following report and resolution:

The Common Council met as a committee of the whole at 7:40 P.M. on May 15, 1990 to review a resolution setting landfill permit fees.

Mr. Boughton moved to recommend approval of the proposed fee. The motion was seconded by Mr. Charles. John Esposito proposed an amendment to section b on page 1, lowering the proposed residential per trip rate of \$2.00 to \$1.00. Mr. Boughton seconded the motion. A discussion was held during which Mr. Gervasoni, Manager of the Landfill, explained that the reasoning for this proposal was that some vehicles tend to abuse the \$1.00 fee with large overloads. It was recommended that administrative measures be taken with the Public Works, Finance and Corporation Counsel's Offices to attempt to rectify this problem. He further stated that approximately 1,000 cars make trips to the landfill per week.

The motion passed 15-1 with Mr. Valeri voting in the negative.

WHEREAS, the Danbury Code of Ordinances authorizes the establishment of Passenger and Non-Passenger Vehicle Permit and User Fees for the use of the Danbury Sanitary Landfill site; and

WHEREAS, the following Permit and User Fees represent a fair and equitable means of defraying a portion of the annual cost of operating the Danbury Sanitary Landfill site;

NOW, THEREFORE, BE IT RESOLVED THAT the Non-Passenger Vehicle User Fee for deposition of permitted wastes at the Danbury Sanitary Landfill site be and hereby is fixed at THIRTY (\$30.00) DOLLARS per ton as determined by the weigh scale at the Danbury Sanitary Landfill.

AND BE IT FURTHER RESOLVED THAT in any given trip, regardless of the tonnage delivered by any vehicle except passenger vehicles, in no event shall the fee be less than TWO (\$2.00) DOLLARS per trip.

AND BE IT FURTHER RESOLVED THAT all bills which remain unpaid for more than thirty (30) days after the date when payment is due, shall accrue interest, from the date of billing, at the rate of one and one half (1 1/2) per cent per month; provided, however, that in no event shall any such interest charge be less than TWO (\$2.00) DOLLARS.

AND BE IT FURTHER RESOLVED THAT the Passenger Vehicle User Fee for deposition of permitted wastes at the Danbury Sanitary Landfill site shall be fixed as follows:

(a) For all passenger vehicles displaying an Annual Passenger Vehicle Permit, no User Fee shall be imposed.

(b) For all passenger vehicles displaying a Residential Passenger Vehicle Permit, said User Fee shall be ONE (\$1.00) DOLLAR per vehicle per trip.

AND BE IT FURTHER RESOLVED THAT the Permit Fees for Passenger Vehicle and Non-Passenger Vehicle Permits shall be fixed as follows:

(a) The Permit Fees for Commercial Non-Passenger Vehicle Permits which may be obtained for vehicles bearing Commercial or Temporary Commercial registration plates issued by the Connecticut Department of Motor Vehicles shall be fixed as follows:

(1) For pickup trucks with a rated capacity of three-quarters of a ton or less, said permit fees shall be TWENTY FIVE (\$25.00) DOLLARS per year for each vehicle.

(2) For trucks with a rated capacity of more than three-quarters of a ton, whose owners are not primarily engaged in the business of hauling wastes, said permit fees shall be ONE HUNDRED AND FIFTY (\$150.00) DOLLARS per year for the first vehicle and ONE HUNDRED AND TWENTY-FIVE (\$125.00) DOLLARS per year for each additional vehicle.

(3) For trucks with a rated capacity of more than three-quarters of a ton, whose owners are primarily engaged in the business of hauling wastes, said permit fees shall be THREE HUNDRED (\$300.00) DOLLARS per year for the first vehicle and ONE HUNDRED AND TWENTY FIVE (\$125.00) DOLLARS per year for each additional vehicle.

(b) The Permit Fees for Non-Commercial, Non-Passenger Vehicle Permits which may be obtained for vehicles bearing Trailer, Combination, Farm, Livery, Transporter, Dealer or Dealer Repair registration plates issued by the Connecticut Department of Motor Vehicles shall be fixed as follows:

(1) For any pickup, van, trailer or truck with a rated capacity of three-quarters of a ton or less, said permit fee shall be TWENTY FIVE (\$25.00) DOLLARS per year for each vehicle.

(2) For any pickup, van, trailer or truck with a rated capacity in excess of three-quarters of a ton, said permit fee shall be ONE HUNDRED AND FIFTY (\$150.00) DOLLARS per year for the first vehicle and ONE HUNDRED AND TWENTY FIVE (\$125.00) DOLLARS per year for each additional vehicle.

(c) For Annual Passenger Vehicle Permits, said Fee shall be FIFTY (\$50.00) DOLLARS per vehicle per year.

(d) For Residential Passenger Vehicle Permits, no Permit Fee shall be charged.

(e) All vehicles bearing Disabled Veteran, Handicapped or POW registration plates shall be exempted from the provisions hereof relating to permit fees. The owner of any such vehicle may obtain an Annual Passenger Vehicle Permit upon request.

Mr. Falzone made a motion to accept the report as read and adopt the resolution. Seconded by Mr. Charles. Motion carried unanimously.

21A - COMMUNICATION - Christian J. Dascano, et al v. City of Danbury

Mr. Boynton made a motion to enter into executive session to discuss this matter. Seconded by Mrs. Butera. Motion carried unanimously.

Upon returning from Executive Session Mr. Boughton made a motion to authorize the Corporation Counsel to enter into the agreement as outlined. Seconded by Mr. Charles who congratulated Attorneys Casagrande and Pinter on their fine work. Motion carried unanimously.

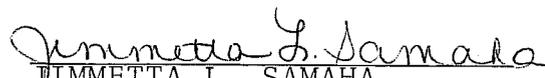
Public Speaking Session

1. Laurie Owen - Spoke on funding for the Post Prom Party. She thanked the Council for the allocation and said she was sorry to put the Council in a position to vote reluctantly. She also explained how the committee arrived at the cost.

2. Ronald Blonski, 18 Griffing Avenue - Spoke on item 17 regarding affordable housing. Also stated that the region must share the burden of growth.

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 10:19 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk