

Re: Minutes of the Common Council Meeting held August 7, 1990

The meeting was called to order at 8:00 P.M. Mayor Gene Eriquez. Mrs. Colardarci led the assembly in the Pledge of Allegiance. The Prayer was offered by Mr. Smith. The members were recorded as:

PRESENT - Fazio, Kilcullen, Falzone, Coladarci, Mack, Dean Esposito, Zotos, Gogliettino, DaSilva, John Esposito, Smith, Cassano, Charles, Boynton, Butera, Regan, Scozzafava, Valeri

ABSENT - Gallo, Farah, Boughton

18 Present - 3 Absent

Mr. Gallo had a business commitment
Mr. Farah also had a business commitment

Mayor Eriquez extended following birthday and anniversary wishes to:

August 1 - Joe DaSilva - 50th Birthday
August 13 - Louis Butera
August 24th - Basil and Alice Friscia will celebrate their 33rd
Wedding Anniversary

Mayor Eriquez offered condolences to the Boughtons on their loss. On August 20th, Gene and Marta Eriquez will celebrate their 13th Wedding Anniversary.

August 4th - FCI celebrated its 50th anniversary
August 5th - Housing Authority and the Police Department dedicated a Creative Playscape at the High Ridge Gardens Complex
August 5th - Moose Lodge dedicated its new building
August 6th - Portugese Exchange Students arrived in Danbury
August 6th - First Downtown Farmers Market held
August 10th & 11th - Sports Show at Batting Range
August 11 - Easter Seals Softball Tournament
August 12 - Antique Car Show - Exchange Club
August 15 - Mayor's Cup at Richter Park
August 17 - Toast to Danbury
August 19 - Candlewood Valley Corvette Show
August 26 - Downtown Bike Race
August 29 - Schools Reopen

Mayor Eriquez introduced members of the Danbury Jaycees who were attending the meeting to view parliamentary procedure.

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

- 3 - Approval of Tax Abatement for Beaver Street Apartments - \$31,500
- 4 - Approval of the Per Capita Grant of \$36,759 for Health Department
- 5 - Approval of the grant application of \$5,665 for student assistance program
- 6 - Approval of memorandum of agreement for DEP Delegation of Authority Grant
- 9 - Appointment of Barbara Talarico and Charles Ducibella to the Tarrywile Park Authority
- 10 - Approval of appointment of Louis Najamy to the Parking Authority
- 11 - Approval of appointments of Lydia Yaglenski, Rev. Ruben Bush and Connie Schuler to the Fair Rent Commission
- 12 - Approval of appointment of Helga Jensen to the Candlewood Lake Authority
- 13 - Approval of appointments of Robert Carlson and Mitchell Weston to the Lake Kenosia Commission
- 14 - Approval of appointment of Felix Bonacci to the Richter Park Authority
- 15 - Approval of appointments of John Plecity and Roger LeBlanc to the Building Code of Appeals
- 16 - Approval of appointments of Lucye Boland, Richard Jowdy, Paul Schierloh, Hank Zaccara and Susanna Burak to the Housatonic Valley Tourism Board
- 17 - Approval of appointment of Barbara Flanagan, Irene King, James Esposito and William Murphy to the Board of Ethics
- 18 - Approval of appointments of Barbara Feinson, Sharon Fusco, Robert Ochs, Greg Scailes to the Youth Commission
- 19 - Approval of appointments of Richard Elder as an Alternate to the Planning Commission
- 20 - Approval of appointments of Donald Crudginton, John Sullivan, Lawrence Landermann and Thomas Zarecki to the Aviation Commission

- 3 - Approval of addition of \$20,000 to the Special Services Account for the Police Department
- 4 - Approval of application of grant for \$30,000 for Interweave
- 7 - Approval of Collective Bargaining Agreement for Special Police Officers
- 8 - Approval of Collective Bargaining Agreement for Teamsters Union
- 9 - Approval of \$962.92 for position upgrade in Purchasing Department
- 1 - Approval of transfer of \$27,000 in Airport Account for drainage improvements
- 2 - Approval of reduction of \$1,624 in Highway State Aid Account
- 3 - Approval of transfer of \$5,750 in Airport Account for Front End Loader
- 4 - Approval of Request from Board of Education to enter into a lease for copiers
- 5 - Approval of request for waiver of bids for emergency repairs
- 1 - Approval of lease for Boughton Street Property - Police Department
- 8 - Approval of Ordinance for prohibited materials at landfill
- 2 - Approval of report on traffic situation at Great Plain Road, Candlewood Drive and Harbor Ridge Road
- 3 - Approval of report on permit fees for Sewer Department Upgrading Project
- 4 - Approval of report on modifications to the Existing Danbury/Brookfield Intermunicipal Agreement
- 6 - Approval of Progress Report of leases of City owned structures
- 8 - Approval of Appointment of Sylvester Craig to the Transit District Board of Directors

Mr. DaSilva added the names of Eleanor Powers, William Stevenson, and Edwena Chance to item 18 - Youth Commission Appointments and deleted item 54 as it was withdrawn. Mr. Charles made a motion to adopt the Consent Calendar with the two changes. Seconded by Mr. Boynton. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held July 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. Kilcullen. Motion carried unanimously.

1 - ORDINANCE - Citizenship Requirement and Age Restriction - Appointments to the Police and Fire Departments. Mrs. Gogliettino asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

2 - ORDINANCE - Connection Fees. Mrs. Coladarci asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

3 - RESOLUTION - Tax Abatement - Beaver Street Apartments

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under Section 8-215, Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Contract with Beaver Street Apartments (9-25-73) and a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Assistance Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257,000.00; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1989;

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

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury;

3. That the real property taxes abated on the subject property are \$31,500 for the Grand List of October 1, 1989;

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax, so abated, was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in his Annual Report in accordance with the provisions of Section 12-167 of the Connecticut General Statutes, as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Housing.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Per Capita Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has made funds available to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a program to promote optimal public health quality in the City of Danbury; and

WHEREAS, a continuation grant award request of \$36,759.00 with no local match requirement will be processed by the Danbury Health and Housing Department;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health and Housing Department in applying for the said Grant be and hereby are ratified and that any and all further actions by it required to accomplish said program be and hereby are authorized; and

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

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - State of Connecticut Drug Grant - CADAC

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the prevention of and early intervention in cases of alcohol or drug abuse among high school students is in the best interests of the City of Danbury; and

WHEREAS, the City of Danbury wishes to continue the Student Assistance Program at Danbury High School for that purpose; and

WHEREAS, the State of Connecticut is authorized to make grant funds available for said purpose; and

WHEREAS, the City of Danbury wishes to obtain a grant in an amount not to exceed \$5,665.00 to cover the costs of continuing said program; and

WHEREAS, it is in the best interests of the City of Danbury that said funds be authorized for use by and provided to the Midwestern Connecticut Council on Alcoholism by virtue of an agreement with the Danbury School System for purposes of effectuating this program; and

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application for said grant and to enter into and amend any necessary contract with the State of Connecticut if such a grant is offered to the City of Danbury; and

BE IT FURTHER RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to take any additional action necessary to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Memorandum of Agreement for DEP Delegation of Authority Grant.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Commissioner of the Department of Environmental Protection is authorized under Connecticut General Statutes Section 22a-2a to designate as his agent a municipality or employee thereof and to delegate to such agent authority to undertake various responsibilities in connection with the enforcement of Connecticut Environmental laws as they relate to air and water pollution; and

WHEREAS, for the purposes of said statute the aforesaid designee is the Danbury Director of Health; and

WHEREAS, the duties of said Director of Health established pursuant to this resolution concern the granting of authority to investigate existing or potential sources of water pollution provided and stipulated under provisions of Section 22a-2a of the Regulations of Connecticut State Agencies which duties include the submission of reports describing suspected violations, abatement of violations where required, maintenance of files regarding complaints, reports and results of samplings, as well as coordination of staffing delegations; and

WHEREAS, said Director of Health is desirous of requesting such delegation of authority and designation as agent of the Commissioner of Environmental Protection of the State of Connecticut pursuant to a Memorandum of Agreement between the State of Connecticut Commissioner of Environmental Protection and the City of Danbury Director of Health;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the City of Danbury Director of Health and Mayor Gene F. Eriquez are authorized to enter into a written agreement whereby the Director of Health acts as agent and designee of the State of Connecticut Commissioner of Environmental Protection for the above-mentioned purposes and that the Director of Health and Mayor Gene F. Eriquez be and hereby are authorized to execute any and all necessary related documents pursuant to said program.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Tactical Narcotics Team Grant.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury has made application to the State of Connecticut for grant funding pursuant to Public Act 89-390, An Act Concerning Prevention and Treatment of Substance Abuse and Enforcement of Drug Laws; and

WHEREAS, the State of Connecticut has approved said application and offered the City of Danbury a grant in the amount of \$776,488.00; and

WHEREAS, \$232,946.00 of this grant is to be designated for drug education, the amount of \$465,893.00 is to be designated for law enforcement and \$77,649.00 for crime prevention programs; and

WHEREAS, the acceptance of said grant is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Gene F. Eriquez be and hereby is authorized to accept said grant on behalf of the City of Danbury subject to the terms and conditions established in connection with said grant by the State of Connecticut; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez be and hereby is authorized to take any additional action necessary to effectuate the purposes hereof.

Mr. Boynton made a motion to accept the communication as read and adopt the Resolution. Seconded by Mr. Charles. Motion carried unanimously.

8 - COMMUNICATION - Appointments to the Economic Development Commission
WITHDRAWN

9 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointments of Barbara Talarico and Charles Ducibella to the Tarrywile Park Authority for terms to expire May 1, 1993. The appointments were confirmed on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Louis Najamy to the Parking Authority for a term to expire June 30, 1995. The reappointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Lydia Yaglenski, Rev. Ruben Bush and Connie Shuler to the Fair Rent Commission for terms to expire July 1, 1993. The appointments were confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Helga Jensen to the Candlewood Lake Authority for a term to expire April 1, 1993. The reappointment was confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Robert Carlson and the appointment of Mitchell Weston to the Lake Kenosia Commission for terms to expire May 1, 1993. The appointments were confirmed on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of Felix Bonacci to the Richter Park Authority for a term to expire September 1, 1992. The reappointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments to John Plecity and Roger LeBlanc to the Building Code Board of Appeals for terms to expire January 1, 1994. The reappointments were confirmed on the Consent Calendar.

16 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Lucye Boland, Rick Jowdy, Paul Shierloh and Hank Zaccara to the Housatonic Valley Tourism Commission for terms to expire June 30, 1993 and the appointments of Susannah Burak for a term to expire June 30, 1991 and Anthony Pinto for a term to expire June 30, 1993. The appointments were confirmed on the Consent Calendar.

17 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Barbara Flanagan, Irene King, James Esposito and William Murphy to the Board of Ethics for terms to expire August 1, 1992. The reappointments were confirmed on the Consent Calendar.

18 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Barbara Feinson and Sharon Fusco to the Youth Commission for terms to expire April 1, 1992 and the appointments of Robert Ochs, Greg Scailes and Edwena Chance for terms to expire April 1, 1992 and William Stevenson for a term to expire April 1, 1993. The appointments and reappointments were confirmed on the Consent Calendar.

19 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Richard Elder as Alternate to the Planning Commission for a term to expire January 1, 1992. The appointment was confirmed on the Consent Calendar.

20 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Donald Crudginton, John Sullivan and Lawrence Lander-mann to the Aviation Commission for terms to expire July 1, 1993 and the appointment of Thomas Zarecki for a term to expire July 1, 1991. The appointment and reappointments were confirmed on the Consent Calendar.

21 - COMMUNICATION - Letter from Leo McIlrath seeking permission to accept donations in the amount of \$125 for the Department of Elderly Services. Mrs. Mack made a motion that the donations be accepted and a letter of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

22 - COMMUNICATION - Letter from Ethan Allen, Inc. seeking to donate 3 items of furnishings to the City. Mr. Boynton made a motion that the furniture be accepted and a letter of thanks sent. Seconded by Mrs. Gogliettino. Motion carried unanimously.

23 - COMMUNICATION - Letter from Fire Chief Lagarto requesting the sum of \$22,000 for the Special Services Account. No certification of funds is necessary since this is a wash item. The request was granted on the Consent Calendar.

24 - COMMUNICATION - Letter from Leo McIlrath seeking approval to apply for a Title III-B grant for the operation of Interweave. The permission was granted on the Consent Calendar.

25 - COMMUNICATION - Request from the Richter Park Authority for the sum of \$30,000 to complete the maintenance facility at Richter Park. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the Comptroller and the Director of Richter Park. Mayor Eriquez so ordered and appointed Council Members Valeri, Charles and Boughton to the committee.

26 - COMMUNICATION - Letter from Attorney Paul Jaber petitioning the Common Council to accept the newly constructed roadways in the Landsiedel Estates Subdivision, particularly Ervie Drive and Laura Drive. Mrs. Butera asked that this be referred to the Planning Commission and the City Engineer for reports back in thirty days. Mayor Eriquez so ordered.

27 - COMMUNICATION - Letter from Personnel Director seeking approval of the Collective Bargaining Agreement for Special Police Officers. The agreement was approved on the Consent Calendar.

28 - CERTIFICATION - Letter from Comptroller Dominic Setaro certifying that the sum of \$9,446.12 is available from the Contingency Account for the adjustments to the Public Buildings 1990-91 budget. The certification was approved on the Consent Calendar.

29 - CERTIFICATION - Letter from Comptroller Dominic Setaro certifying that the sum of \$962.92 is available from the Contingency Account for a reclassification of an inventory control clerk in the Purchasing Office. The certification was approved on the Consent Calendar.

30 - CERTIFICATION - Letter from Comptroller Dominic Setaro certifying the availability of \$100,000 to be appropriated to a special line item in the capital budget entitled School Renovations for necessary repairs to various school buildings.

Mr. DaSilva made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Charles. Mr. Scozzafava asked if the repairs will be done before school starts. The Mayor stated that it is anticipated that they will be. Mr. Charles asked how serious the repairs are. Mayor Eriquez stated that the most serious was Broadview Jr. High and explained what work needs to be done on other buildings. Mrs. Mack asked how the repairs will affect the bond issue. Mayor Eriquez stated that the City Engineer and the architect will coordinate the efforts. Motion carried unanimously.

31 - COMMUNICATION & CERTIFICATION - Letter from Airport Administrator Paul Estefan seeking transfer of \$27,000 from funds reserved for airport improvements such as drainage channel, culvert improvements and airport utilities. Certification was attached. The communication was accepted and the transfer authorized on the Consent Calendar.

32 - COMMUNICATION - Letter from Comptroller Dominic Setaro seeking approval of a reduction to the revenue and appropriation for Highway State Aid to reflect a \$422,684 budget. The reduction was approved on the Consent Calendar.

33 - COMMUNICATION & CERTIFICATION - Letter from Airport Administrator Paul Estefan seeking the sum of \$5,750 from Funds Reserved for Airport Improvements for a front end loader. Certification of funds attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

34 - COMMUNICATION - Letter from Superintendent of Schools Anthony Singe requesting authorization to enter into a lease/purchase agreement with Xerox Corporation for a 1065 copier for the Beaver Brook Administration Center. Permission was granted on the Consent Calendar.

35 - COMMUNICATION - Request from Purchasing Agent Warren Platz for waiver of bids for emergency repairs to chimney at Mill Ridge Intermediate School. The request was granted on the Consent Calendar.

36 - COMMUNICATION - Letter from City Engineer Jack Schweitzer requesting that Mayor Eriquez be authorized to execute the State's Commitment to Fund - Local Bridge Program - White Street Bridge over Conrail and that a public hearing be held. Mrs. Butera made a motion to accept the communication and defer to public hearing. Seconded by Mr. Charles. Motion carried unanimously.

37 - COMMUNICATION - Letter from George Strull seeking to ascertain if Danbury Largo is complying with the plans originally filed and is doing what is necessary to maintain the zoning change effected in their behalf. Mrs. Gogliettino asked that this be referred to the Zoning Enforcement Officer for a report back in thirty days. Mayor Eriquez so ordered.

38 - COMMUNICATION - Letter from Joseph Gagon of 3 Middle River Road detailing a drainage problem that has existed for approximately 18 years. Mr. Valeri asked that this be referred to an ad hoc committee, the City Engineer and the Superintendent of Highways. Mayor Eriquez so ordered and appointed Council Members Charles, Kilcullen and Regan to the committee.

39 - COMMUNICATION - Toys R Us Danbury Square Mall Construction Work
WITHDRAWN

40 - COMMUNICATION - Reports from the City Engineer, Planning Director and Planning Commission regarding Request to purchase City owned land at 37 Virginia Avenue. Mr. DaSilva made a motion to authorize the sale of the property with drainage rights with the price to be set by the Tax Assessor in accordance with the fair market value. Seconded by Mrs. Butera.

Mr. Regan asked if this must go out to bid and should adjoining neighbors be notified. The Mayor stated that the Common Council has the authority to sell land. Mr. Regan asked if this procedure is standard. The Mayor stated that it is at the discretion of the Council. Mr. Charles asked if the property is landlocked. Mayor Eriquez stated that it is. Motion carried unanimously.

41 - COMMUNICATION - Letter from Police Chief Nelson Macedo requesting renewal of the lease between AMD Realty Corporation and the City for the property on Boughton Street adjacent to Police Headquarters. The property is used as additional parking for department personnel. The request was granted on the Consent Calendar.

42 - COMMUNICATION - Request from Carolyn and Roger Farrington to purchase City owned land at 31 Pleasant Drive. Mr. Falzone asked that this be referred to the City Engineer, the Planning Director and the Planning Commission for reports back in thirty days. Mayor Eriquez so ordered.

43 - COMMUNICATION - Business Aircraft Center, Inc. - Water Line Extension - Kenosia Avenue to Danbury Airport. Mrs. Gogliettino asked that this be referred to an ad hoc committee, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Cassano, Gogliettino and Boughton to the committee.

44 - COMMUNICATION - Letter from City Engineer Jack Schweitzer outlining the possibility and method of providing sanitary sewer service to Fairlawn Avenue and Myrtle Avenue separately from the Shannon Ridge Road proposed sewer. Engineering and Public Utilities do not recommend the approval of a project which would rely on the construction of a sewage pumping station when a gravity system is feasible. Mr. DaSilva made a motion that the City take no action as per the recommendation. Seconded by John Esposito. Motion carried unanimously.

45 - COMMUNICATION - Request from RSA Corporation for Sewer and Water Extension on Old Sherman Turnpike. Mrs. Butera 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, Dean Esposito and Boughton to the committee.

46 - COMMUNICATION - Request from Julia Gioia for sewer extension at 13 Cook Street. Mr. Falzone 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 Member Farah, Falzone and Scozzafava to the committee.

47 - DEPARTMENT REPORTS - Public Utilities, Parks and Recreation, Health Department, Fire Chief, Fire Marshall. Mr. DaSilva made a motion that the Department Reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Fazio. Motion carried unanimously.

48 - REPORT & ORDINANCE - Certain Materials Prohibited

Mr. DaSilva submitted the following report and ordinance:

The committee of a whole met at 8:00 P.M. on July 23, 1990 to review a proposed ordinance concerning certain prohibited materials at the City landfill. This proposal would allow the City of Danbury to dispose of demolition and renovation materials for City projects.

Mr. Boynton moved to recommend approval of the proposed ordinance 16A-32(b). The motion was seconded by Mr. Charles and passed unanimously.

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

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

(b) Certain materials prohibited. No person, firm, corporation or other entity shall dispose of the following materials at the Danbury Sanitary Landfill site, nor shall any person, firm, corporation or other entity knowingly dispose of said materials in any manner which results in the ultimate disposal thereof at the Danbury Sanitary Landfill site:

- (1) Vehicles or parts thereof.
- (2) Tree Stumps.
- (3) Demolition or renovation materials or debris; provided, however, that material or debris originating from the renovation of owner-occupied residential structures maintained for three (3) families or less shall be accepted at the Danbury Sanitary Landfill site for disposal. In addition, demolition or renovation materials or debris shall be accepted at the Danbury Sanitary Landfill site if said wastes are generated by a non-profit organization during the course of demolition or renovation of one or more structures in furtherance of a plan to provide low or moderate income housing opportunities.
- (4) Hot ashes from coal, wood, charcoal or other combustible materials.
- (5) Metal hydroxide sludges.
- (6) Hazardous wastes. For purposes of this article, the phrase "hazardous wastes" shall have the definition established in Section 9-74 of the Danbury Code of Ordinances for the phrase "hazardous substances."

When acting with the approval of either the Director of the Department of Public Works or, in his absence, the Mayor, the City of Danbury shall not be subject to the provisions of this subsection.

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

49 - REPORT - Amendment to Section 16-30 (Sewer Use Charge) and Amendment to Sec. 16-14 (Septage Treatment Rules, Regulations and Fees)

Mrs. Gogliettino submitted the following report:

The Common Council Committee appointed to review amendments to Section 16-30 (Sewer Use Charge) and Section 16-14 (Septage Treatment Rules, Regulations and Fees) met on July 24, 1990 at 7:45 P.M. In attendance were Committee Members Gogliettino, Dean Esposito and Regan. Also in attendance were William Buckley and Dominic Setaro.

The committee reviewed the Section 16-30 proposed amendment to change the interest rate for delinquent payments from 12 percent per annum to 18 percent per annum from the time it became due and payable until the same is paid. This change reflects consistency with the current State Statutes. The committee also reviewed the Section 16-14 amendment to add section g which addresses the interest rate for delinquent payments from 12 percent per annum to 18 percent per annum for septage fees. This change reflects consistency with the current State Statutes.

In discussion the committee recommended that Mr. Buckley and Mr. Setaro consider future language changes that would indicate automatic deferral to State Statute.

There being no other discussion a motion was made to accept the amendments to Section 16-30 and 16-14(g) by Dean Esposito. Seconded by Mr. Regan. Motion carried unanimously.

Mr. Charles made a motion to accept the report and defer the ordinance to public hearing. Seconded by Mrs. Gogliettino. Motion carried unanimously.

50 - REPORT - Charter Revision Commission Recommendations

Mr. DaSilva submitted the following report:

The Committee of a Whole met at 8:00 P.M. on July 23, 1990 to review the proposed revisions to the Charter of the City of Danbury.

Mr. Gallo moved to present the proposed changes to the voters in three (3) questions. The first to be the changes on minority representation, the second to include all technical changes and the third to be on the proposal on standing committees. The motion was seconded by Mr. Kilcullen and passed unanimously.

A discussion then ensued between the Common Council, members of the Charter Revision Commission, the Mayor, the Comptroller and the Corporation Council. The discussion concerned several items in the proposed changes, including the section on conflict of interest, the raising of the bonding limit and the position of Director of Finance.

Mr. Valeri moved to recommend a change in the proposal on Section 2-2A.b. This change would be reflected in the columns representing the number of members of the same political party that may serve on the Common Council (minority representation). The motion called for the breakdown to be as follows:

<u>COLUMN I</u>	<u>COLUMN II</u>
Members of the same political party elected in seven wards	Maximum number of at large members of the same political party
14	4
13	5
12	6
11 or fewer	7

This motion was seconded by Mrs. Butera and passed following discussion by a vote of 10 to 4. Voting in the negative were Council Members Charles, Boughton, Regan and Scozzafava. If approved by the Common Council at its August meeting, this recommendation will be forwarded to the Charter Revision Commission for its consideration.

Mr. Boynton made a motion to accept the report and forward it to the Charter Revision Commission. Seconded by Mr. Smith. Mr. DaSilva offered the following amendment:

Delete proposed subsections 8-3(a) and (b) and substitute the following:

All elected or appointed officers or employees of the City are prohibited from having an interest in any contract or purchase order for any supplies, materials, equipment or contractual services furnished or to be furnished to or used by the City or any board or agency thereof which is in substantial conflict with the proper discharge of his duties or employment. The Common Council shall determine and define, by ordinance, those interests which are in substantial conflict with the proper discharge of the duties or employment of an officer or employee.

Seconded by Mr. Kilcullen. Motion carried unanimously.

Mr. DaSilva offered an additional amendment to ask the Charter Revision Commission to review Section 6-15 of their proposals regarding Civil Service Commission to make sure this will not be in conflict with State statutes. Seconded by Mr. Kilcullen. Motion carried unanimously.

Motion, as amended, carried with Council Members Fazio, Regan and Scozzafava voting in the negative.

51 - REPORT - Request for Funds for Alzheimers Specialist.

John Esposito submitted the following report:

The Common Council committee appointed to review a request for funds for an Alzheimers Specialist, met on July 17, 1990 at 7:30 P.M. in City Hall.

Present were committee members Esposito, Smith and Regan. Also in attendance were City Comptroller, D. Setaro; Leo McIlrath, Director of Danbury's Elderly Services; Diane Coviello and Cathy Ryan of the Interweave Day Care Center.

Mr. McIlrath stated that the position of a 3 Alzheimer Specialist at the Danbury Interweave Day Center has been funded by the State of Connecticut through the Area Agency on Aging over the past three years. However, due to State Budget constraints, the funding resulted in a short fall of \$8,500.00. He also stated that the Adult Day Care Center generates an amount of money that helps pay for some of the program cost. All extra monies are transferred to the City of Danbury.

Mr. Setaro anticipated that the request would become a wash item and has certified on July 2nd, the availability of \$8,500.00 from the Contingency Fund.

Councilman Regan made a motion, seconded by Councilman Smith to recommend to the Common Council the approval of the request of \$8,500.00 for the Alzheimer Specialist. The vote was unanimous.

Meeting was adjourned at 8:20 P.M.

Mr. Boynton made the motion to accept the report and authorize the expenditure. Seconded by Mr. Charles. Motion carried unanimously.

52 - REPORT - Traffic Situation at the Intersection of Great Plain Road/Candlewood Drive/Harbor Ridge Road

Mrs. Mack submitted the following report:

The ad hoc committee appointed to review the traffic situation at the intersection of Great Plain Road/Candlewood Drive/Harbor Ridge Road met on Thursday, July 19, 1990 at 7:00 P.M. in Room 432 at Danbury City Hall. In attendance were committee members Mack, Coladarci and Regan. Also present were Police Chief Nelson Macedo, Assistant City Engineer Patricia Ellsworth and resident Elliot Mason.

Mr. Mason stated his concern about the above-named intersection, particularly around the time of 5:00 - 6:00 P.M. He reiterated his fear of a very serious fatality occurring due to lack of visibility and cars speeding through the intersection. Chief Macedo stated that he had visited the site for approximately one hour and that although records indicate only one traffic accident since 1985 that there was a need to cut back vegetation and install a stop sign on northbound Great Plain Road. The City Engineer's office will continue to monitor traffic conditions at this location and make recommendations to the Police Chief for further improvements if necessary.

At this time, the Council Committee agreed to take no action and adjourned at 7:20 P.M.

The report was accepted on the Consent Calendar

Mr. DaSilva submitted the following report:

The committee to review a request to exempt the Danbury Building Permit Fees for the Danbury Sewer Department Upgrading Project met at 7:00 P.M. on July 24, 1990. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were William Buckley, Superintendent of Public Utilities, Comptroller Dominic Setaro, Corporation Counsel Eric Gottschalk, Robert Fand, the petitioner and Council Member Charles, ex-officio.

Mr. Gottschalk explained that there is nothing in the Danbury Code of Ordinances that allows a waiver or exemption. This matter came up earlier this year and the Common Council reaffirmed the ordinance requiring all building fees be paid. He further stated that he believes the only way that building fees could be waived is to change the present ordinance.

Mr. Buckley stated that the total building fee for the waste water treatment facility will be approximately \$400,000. Twenty-two percent (22%) of these fees will come from the municipalities of Bethel, Brookfield, Ridgefield and future regional assignees. This amounts to \$89,000. The remaining \$311,000 is loan eligible from the State of Connecticut at two percent (2%) for twenty years. The total cost of interest will be approximately \$65,000 which is substantially less than the monies from outside communities. Mr. Gottschalk said that there is a real cost to the City of Danbury to review plans and specifications for the building of the new waste water treatment facility. This cost is only shared through the payment of building fees.

The petitioner, R. Fand, said that Bethel waives building fees and that the State of Connecticut subsidizes the loan rate. The cost of the total upgrading of the facility will triple sewer rates.

Mr. Scozzafava moved to recommend that no action be taken at this time because of the recent Common Council action on this matter. Seconded by John Esposito. Motion carried unanimously.

The report was accepted on the Consent Calendar.

54 - REPORT - Modification to the Existing Danbury/Brookfield Inter-municipal Agreement. WITHDRAWN

55 - REPORT - Johns-Manville Settlement and Abatement Claim

Mr. Kilcullen made a motion to dismiss the charge of the committee and go into Executive Session at the end of the agenda to discuss this matter and take action on same. Seconded by Mr. DaSilva. Motion carried unanimously.

56 - PROGRESS REPORT - Review of leases on City-owned Structures (Bear Mountain Reservation)

Mrs. Coladarci submitted the following report:

The meeting to review lease policies for the occupancy of City structures met on July 24, 1990 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were Council Members Coladarci, Butera and Regan. Also attending were Council Members Charles & Falzone, ex-officio, Paul Shierloh, Robert Ryerson, Eric Gottschalk, Dominic Setaro and Barbara Monsky, James O'Connell and Frances Hirscher of the Conservation Commission.

The Committee discussed the needs of the Bear Mountain Reservation as well as the tenants at both Bear Mountain and the Old Quarry Nature Center. The caretaker is responsible for surveillance of the residence, parking area, the barn which has since burned, the opening and closing of the park gate and maintenance of the grounds in the vicinity of the cottage.

The committee will meet again when it has received more information from appropriate City Officials assigned by the Mayor to prepare a proper lease.

The Progress Report was accepted on the Consent Calendar.

57 - REPORT - Request for Water Line Easement on Henso Drive

Mr. Kilcullen submitted the following report:

The Common Council Committee appointed to review the City's request for a water line easement on Henso Drive met on June 25, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Kilcullen, and Dean Esposito.

The committee had met on May 7, 1990 and approved the City's request. However, the necessary legal description of the premises to be acquired was not included with the committee report of June 5, 1990 (a copy is attached). As a result, the Common Council at its June 5, 1990 meeting voted to recommit this matter.

Mr. Kilcullen reported that a legal description for the subject property had been provided by the Corporation Counsel's Office. Mr. Esposito moved to approve the City's request. Seconed by Mr. Kilcullen. Motion carried unanimously.

Mr. Regan made a motion to accept the committee report. Seconded by Mr. Fazio.

Mr. Regan asked why Planning rejected this easement. Mr. Kilcullen stated that the committee had had no input on the rationale but Mr. Buckley explained that a private water company was having problems and this would help those customers involved. Also, that a well might possibly be drilled on the Drska Property.

Motion carried with Council Members Mack, Gogliettino and Regan voting in the negative.

58 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Sylvester Craig to the Transit District Board of Directors for a term to expire July 1, 1994. The appointment was confirmed on the Consent Calendar.

59 - Mr. DaSilva made a motion to add this item to the agenda. Seconded by Mr. Charles. Motion carried with Mrs. Butera voting in the negative.

COMMUNICATION - Report regarding co-petition for Sewer and Water and Morgan Avenue and Beaver Brook area. 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 Boynton, Mack and Scozzafava.

PUBLIC SPEAKING

Ruby Anderson, 16B Scuppo Road - read a prepared statement on the Sewer Department Upgrading Project.

At 9:06 P.M. Mr. Boynton made a motion to go into executive session to take action on item 54. Seconded by Mr. Kilcullen. Motion carried unanimously.

At 9:19 P.M. The Common reconvened in open session. Mr. Falzone made a motion to accept the agreement as presented. Seconded by Mr. Kilcullen. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made by Mr. Kilcullen at 9:20 P.M. for the meeting to be adjourned.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk
Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

ATTEST: