

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

Re: Minutes of the Common Council Meeting held November 8, 1990.

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

PRESENT - Fazio, Scalzo, Falzone, Gallo, Coladarci, Mack, Dean Esposito, Zotos, DaSilva, John Esposito, Smith, Charles, Boughton, Boynton, Butera, Regan, Valeri

ABSENT - Farah, Gogliettino, Cassano, Scozzafava

17 present - 4 absent

Mr. Scozzafava and Mrs. Gogliettino were working late, Mr. Farah was out of town on business and Mr. Cassano is recovering from a back injury.

NOTICES

Mayor Eriquez congratulated the winners of last Tuesday's elections. The Mayor announced that Danbury is the recipient of a \$2,000,000 bond grant from DOT for road improvements

November 10 - Miry Brook Annual Dinner

November 11 - Ceremonies honoring Veterans Day

November 13 - Red Cross Annual Meeting

November 14 - Senior Citizens Day

November 14 - MCAA Awards Dinner

November 15 - Swearing in of Fire Captains and Lts. at Tarrywile Mansion

November 15 - American Heart Association Annual Dinner

November 22 - Thanksgiving Day

November 23 - Christmas Tree Lighting Ceremony at Library

December 1st - Jingle Bell Walk at Danbury Fair Mall

November 8th - Marta Eriquez's Birthday

November 29th - Michael Fazio's Birthday

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

- 2 - Approval of Extension of Approval to Acquire Property for Eagle Road Connector
- 3 - Approval of Resolution to obtain properties for Ledgemere Sanitary Sewer
- 4 - Approval of Resolution to allow the City of Danbury to act in pass-through capacity for a grant of \$7,500 for WeCAHR
- 5 - Approval of leases for Homeless Shelter at 111 and 113 Main Street
- 15 - Approval of adjustment to Capital Budget and Expenditure Account - Library of \$17,000
- 16 - Approval of placement of \$12,396 from Narcotics Task Force Grant into Police Department overtime account
- 19 - Approval of transfer of funds from Housing Authority for Special Police Officers
- 23 - Approval of revised State and Federal Budget for Board of Education of \$487,345
- 25 - Approval of amendment to lease with New England Aircraft Sales
- 35 - Approval of authorization to draft and execute lease for Eagle Road connector
- 36 - Approval of transfer of \$100,000 to Capital Improvements in Sewer Department Budget to resolve Ives Street Sewer Budget
- 38 - Approval of Ordinance naming the Planning Commission as the Danbury Aquifer Protection Agency
- 39 - Approval of Ordinance concerning Danbury Firefighters Pension Deductions
- 40 - Approval of report recommending temporary sewer hookup and the beginning of sewer installation process at 89 Mill Plain Road
- 42 - Approval of report recommending implementation of proposal for Kenmere/Blueberry Lane Water Supply problem
- 43 - Approval of report recommending the disposal of surplus fire equipment
- 44 - Approval of amendments to Danbury/Bethel, Danbury/Brookfield Inter-municipal agreements
- 45 - Approval of cost savings proposal from Northeast Utilities and Ventana Corporation
- 46 - Approval of Progress Report on problems at Park Avenue School Playground

Mr. Boynton made a motion that the Consent Calendar be adopted as read. Seconded by Mr. DaSilva. Mr. Falzone moved that item 5 be removed from the Consent Calendar. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held October 2, 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 - RESOLUTION - Department of Human Resources Grant Application
RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State in the amount of Three Hundred Fifty-Thousand Dollars (\$350,000.00) or in such amount as may be made available for the purpose of undertaking the purchase of land for and construction of a homeless shelter in the City of Danbury and, to execute a Grant Action Request therefore.

NOW, THEREFORE, BE IT RESOLVED BY THE Common Council of the City of Danbury:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the City of Danbury is hereby approved and the Mayor Gene F. Eriquez is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information as the Commissioner may request, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the City of Danbury for all purposes required during the course of said project including the execution of any and all related documents necessary to carry out the purposes herein.

Mr. DaSilva made a motion that the Resolution be adopted and a committee be adopted to oversee this item. Seconded by Mr. Boynton. Motion carried unanimously. Mayor Eriquez appointed Council Members Gogliettino, Smith and Regan to the committee, along with the Director of Welfare Deborah MacKenzie.

2 - RESOLUTION - Commerce Park Access Road/Federal Road a/k/a Eagle Road Connector.

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, a prior resolution approving the acquisition of said properties was approved on May 15, 1990; 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;

WHEREAS, an extension of authority to acquire the aforesaid properties for an additional six (6) month period is required; and

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.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Ledgemere Drive Sanitary Sewer

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council voted on May 15, 1990 to undertake the construction of the Ledgemere sanitary sewer project; and

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

WHEREAS, the properties and the interests therein to be acquired are more particularly described in Exhibits A, B and C attached hereto and made a part hereof; 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 aforementioned properties and owners thereof, their successors and assigns and their respective mortgage holders, if any. The affected properties and property owners are indicated in the attached Exhibits A, B and C.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Independent Advocacy for Persons with Disabilities

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 133 and 330a of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resource development agencies; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State in the amount of \$7,500.00 for the purpose of undertaking an Independent Advocacy for Persons with Disabilities Program in conjunction with WeCAHR for the period of July 1, 1990 to June 30, 1991 and, to execute a Grant Action Request therefore.

NOW, THEREFORE, BE IT RESOLVED BY THE Common Council of the City of Danbury:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the City of Danbury is hereby approved and that Gene F. Eriquez, the Mayor of the City of Danbury, is hereby authorized and directed to execute and file such application with the State of Connecticut Commissioner of Human Resources, to provide such additional information as the Commissioner may request, to execute a Grant Action Request with the State, if agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Danbury.

The Resolution was adopted on the Consent Calendar.

5 - COMMUNICATION - Letter from Mayor Eriquez together with leases for 111 and 113 Main Street for homeless shelters. The new leases are identical to the former leases except that the monthly rent has been adjusted upward by five percent, an option to renew the leases for an additional year has been given pursuant to the same terms and a specific termination provision has been provided to the City.

Mr. Boynton made a motion to accept the communication and approve the leases. Seconded by Mrs. Mack. Upon questioning by Mr. Valeri, Mayor Eriquez explained the terms of the lease. Mr. Boughton stated that the more shelters we provide, the more homeless will come to Danbury. He feels that the outlying towns should contribute. Mayor Eriquez explained the Danbury residents will be given first priority and Connecticut residents given second priority. The motion carried with Council Members Falzone, Boughton and Butera voting in the negative.

6 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the promotions of Edward Vachovetz, Philip Curran and Paul O'Masta to the position of Captain within the Career Fire Department. Mr. Charles made a motion that the communication be accepted and the promotions confirmed. Seconded by Dean Esposito. Motion carried un-animously.

7 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the promotions of Jeffrey R. Herald, Peter D. Hochsprung, Thomas J. McNulty, Jr., Kenneth E. Stilson, Jr., and Randy J. Esposito to the position of Lieutenant within our Career Fire Department. Mrs. Butera made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Smith. Motion carried unanimously.

8 - COMMUNICATION - Appointment as Conflicts Attorney. WITHDRAWN

9 - COMMUNICATION - Letter from Mayor Eriquez asking confirmation of the reappointment of Jerrold Davis to serve as City Historian for a two year term to expire August 30, 1992. Mr. Boughton made a motion that the communication be accepted and the reappointment confirmed. Seconded by Mr. Charles. Mr. Valeri thanked Mr. Davis for preserving memories for future generations. Motion carried unanimously.

10 - COMMUNICATION - Letter from Robert K. Reynolds of UPS donating 1300 surplus 4' F40 fluorescent lamps to the City. Mr. Boynton made a motion to accept the donation and send a letter of thanks. Seconded by Mr. Charles. Motion carried unanimously.

11 - COMMUNICATION - Letter from Police Chief Nelson Macedo asking the City to accept the donation of a canine Falk Von Batu from Police Officer Bruce Bertram. Mr. Falzone made a motion that the donation be accepted. Seconded by Dean Esposito. Motion carried unanimously.

12 - COMMUNICATION - Letter from Director of Veterans Affairs Patrick Waldron asking the City to accept a donation of a World War II Naval Cannon from the Military Museum of Southern New England. Mr. Boynton asked that this be referred to an ad hoc committee, the Director of Veterans Affairs and the Director of Parks and Recreation. Mayor Eriquez so ordered and appointed Council Members John Esposito, Scalzo and Boughton to the committee.

13 - COMMUNICATION - Letter from Richard K. Smith, Tree Supervisor requesting approval to hold the annual Firewood Sale at the Danbury Landfill on December 2, 1990 from 10:00 a.m. to 2:00 P.M. Mrs. Mack made a motion that the communication be accepted and that the Common Council hold its annual firewood sale. Seconded by Mrs. Coladarci. Motion carried un-animously.

14 - COMMUNICATION - Request from Director of Welfare Deborah MacKenzie for permission to accept donations and also to solicit donations on behalf of the homeless shelter and day center. Mrs. Mack made a motion to accept the communication, accept the donations and authorize Mrs. MacKenzie to solicit donations and also send a letter of thanks for the donations already received. Seconded by Mr. Boynton. Motion carried unanimously.

15 - COMMUNICATION - Letter from Betsy McDonough, Library Director, asking that an adjustment be made to the City's capital budget and the City's revenue in the amount of \$17,000 for completion of the work on the Library's exterior lighting and stairs project. The request was approved on the Consent Calendar.

16 - COMMUNICATION - Letter from Comptroller Dominic Setaro requesting approval of \$12,396.00 to be appropriated to the overtime line item in the Police Department budget received from a State grant. The request was granted on the Consent Calendar.

17 - COMMUNICATION - Letter from Communications Supervisor Fred Visconti requesting funding of a Communication Account within the Danbury Fire Department to come into effect under the 1991-92 budget. Mr. DaSilva asked that this be referred to an ad hoc committee, the Supervisor of Communications, Fire Chief Lagarto and Comptroller Dominic Setaro. Mayor Eriquez so ordered and appointed Council Members Gallo, Fazio and Coladarci to the committee.

18 - COMMUNICATION - Request for DAWS for City owned land to be used for a permanent home for DAWS. Mrs. Butera asked that this be referred to the City Engineer and the Director of Planning for a report back in thirty days. Mayor Eriquez so ordered.

19 - COMMUNICATION & CERTIFICATION - Letter from Dominic Setaro requesting that the City accept \$43,000 from the Housing Authority for Special Police and will then amend the appropriate line item in the Police Department budget. Certification of funds was attached. The request was approved on the Consent Calendar.

20 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$92,000 to continue department operations for the balance of the fiscal year 1990-91 for the Department of Public Buildings. Mr. DaSilva asked that this be referred to an ad hoc committee, the Superintendent of Public Buildings and the Comptroller. Mayor Eriquez so ordered and appointed Council Members Boynton, Scalzo and Scozzafava to the committee.

21 - COMMUNICATION - Letter from Mayor Eriquez seeking the establishment of an Education Budget Liasion Committee. Mrs. Mack made a motion to accept the communication and establish an Education Budget Liasion Committee. Seconded by Mr. DaSilva. Motion carried unanimously. Mayor Eriquez appointed Council Members Smith, Mack, Farah, Scozzafava and Fazio to the committee. Council Member Boynton asked if Progress Reports could be submitted through the process to keep Council Members up to date.

22 - COMMUNICATION - Letter from Mayor Eriquez seeking the establishment of an ad hoc committee to entertain the recycling proposal for the City. Mrs. Butera asked that this be referred to an ad hoc committee. The Mayor so ordered and appointed Council Members DaSilva, Gogliettino, Smith, Fazio and Scozzafava to the committee.

23 - COMMUNICATION - Letter from Superintendent of Schools Anthony Singe seeking approval of a revised State and Federal Budget of \$3,052,718. The request was approved on the Consent Calendar.

24 - COMMUNICATION - Request for an ad hoc committee to study the possibility of using the administrative building at Mill Ridge for PAL. Mrs. Butera asked that this be referred to an ad hoc committee, the Director of PAL, Superintendent of Schools Maintenance and the Superintendent of Public Buildings. Mayor Eriquez so ordered and appointed Council Members Valeri, Mack and Fazio to the committee.

25 - COMMUNICATION - Letter from Assistant Corporation Counsel Les Pinter amending a lease between the City of Danbury and New England Aircraft Sales. The amendment clarifies the provision of 9 auto parking places outside N.E. Aircraft's leased acre which is specifically addressed in N.E. Aircraft's lease. The amendment was approved on the Consent Calendar.

26 - COMMUNICATION - Letter from Acting Corporation Counsel Eric Gottschalk stating that Lot #45, 31 Pleasant Drive may be transferred to the petitioners at a price to be determined by the Council. Mr. DaSilva made a motion that the Council transfer the lot to the petitioners at a price to be determined by the Tax Assessor. Seconded by Mr. Charles.

Mr. Regan asked if the neighbors had been notified that this lot would be for sale so that they can bid on it. Mr. Boughton stated that the normal process would be for the Council to declare the land surplus then let it go out for bid. Mr. DaSilva pointed out that this was originally the normal process but for the last several years there has been an ordinance allowing this alternate method. Mrs. Mack stated that in view of the Council being open, she agrees with Mr. Boughton. Mr. Boughton then asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Mack, Coladarci, Boughton.

27 - COMMUNICATION - Letter from Attorney Neil Marcus asking that the Common Council allow him to enter into negotiations with the City for the transfer of Lot #71, Lakecrest Drive to the City in exchange for proper compensation. Mr. Falzone asked that this be referred to the Corporation Counsel for a report back in thirty days.

28 - COMMUNICATION - Letter from Attorney Paul Jaber requesting acceptance of Erive Drive and Laura Drive. Mr. DaSilva asked that this be referred to the City Engineer and the Planning Commission for a report back in thirty days. Mayor Eriquez so ordered.

29 - COMMUNICATION - Letter from Attorney Neil Marcus requesting acceptance of Maplewood Drive by the City. Mrs. Coladarci asked that this be referred to the City Engineer and the Planning Commission for a report back in thirty days.

30 - COMMUNICATION - Letter from Mayor Eriquez requesting that he be authorized to begin formal negotiations with Danbury Hospital regarding the transfer of 9.425 acres of City property adjacent to the hospital. Mr. DaSilva made a motion to accept the communication and authorize the Mayor to enter into negotiations with Danbury Hospital. Seconded by Mr. Smith. Motion carried unanimously.

31 - COMMUNICATION - Letter from Attorney C. Anthony Vournazos requesting approval to deed over two small strips of land regarding Bear Mountain Road Subdivision as well as some easements for drainage purposes. Mr. Valeri asked that this be referred to the Corporation Counsel, the City Engineer and the Planning Commission for a report back in 30 days. Mayor Eriquez so ordered.

32 - COMMUNICATION - Request from Attorney Albert H. Hornig requesting that the City accept Contemporary Drive. Mr. Smith asked that this be referred to the City Engineer, the Corporation Counsel and the Planning Commission for a report back in thirty days. Mayor Eriquez so ordered.

33 - COMMUNICATION - Request from John and Ruth Ashkar for an adjustment on their last quarter water and sewer bills and the present sewer and water bills on property they own at 32 Padanaram Road. Mrs. Mack asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities and the Comptroller. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Falzone and Boughton to the committee.

34 - COMMUNICATION - Letter from Council Member Michael Fazio requesting that an ad hoc committee be appointed regarding speeders on Chambers Road. Mrs. Mack asked that this be referred to the Police Chief and the Traffic Engineer for a report back in thirty days. Mayor Enriquez so ordered.

35 - COMMUNICATION - Letter from Acting Corporation Counsel Eric Gottschalk regarding a lease for an existing roadway location on property owned by Still River Associates, Limited Partnership needed for the Eagle Road Connector. The request was granted on the Consent Calendar.

36 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley requesting approval of the transfer of \$100,000 to the Capital Improvement Line item for Sewer Line Improvement for Ives Street Sewer Project. The request was granted on the Consent Calendar. A certification of funds was attached.

37 - DEPARTMENT REPORTS - Health, Police, Fire Chief, Fire Marshall, Public Works, Parks 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. Smith. Motion carried unanimously.

38 - REPORT & ORDINANCE - Danbury Aquifer Protection Agency.

Mr. DaSilva submitted the following report:

The Committee of a Whole met at 7:50 P.M. on October 16, 1990 in regards to the designation of a Danbury Aquifer Protection Agency.

Mr. Falzone moved to recommend approval of the proposed ordinance. The motion was seconded by Mrs. Butera. The State of Connecticut mandates the designation of an existing land use agency as the Aquifer Protection Agency. City Planner Dennis Elpern has stated that the Planning Commission is the proper agency because it is this agency which most often deals with problems of this nature.

After discussion, the motion 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 2-48, which said section reads as follows:

Sec. 2-48. Danbury Aquifer Protection Agency.

(a) Created. Pursuant to the provisions of Public Act 89-305, the City of Danbury does hereby authorize the Danbury Planning Commission to act as the Danbury Aquifer Protection Agency. Said Agency shall have all the powers and duties conferred upon any such agency by virtue of the provisions of state law.

(b) Membership, Term, Selection, Vacancies. The regular and alternate members of said agency shall be the regular and alternate members of the planning commission duly appointed by the Mayor and confirmed by the common council and as such, shall serve for terms established in section 2-47 of the Danbury Code of Ordinances. Vacancies occurring in the office of any regular member shall be filled by the remaining members of the agency for the unexpired portion of the term. Vacancies occurring in the office of an alternate shall be filled by the mayor for the unexpired portion of the term and approved by the common council.

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

39 - REPORT & ORDINANCE - Firefighters Pension Fund

Mr. DaSilva submitted the following report:

The Committee of a Whole met at 7:50 P.M. on October 16, 1990 to review a proposed ordinance concerning the Firefighters Pension Fund.

Mr. Boynton moved to recommend approval of the proposed ordinance. Mr. Falzone seconded the motion. The ordinance will increase the amount deducted from Danbury firefighters from 4% to 5%. The motion passed unanimously.

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

THAT subsection 14-26(b) of the Code of Ordinances of Danbury, Connecticut hereby is amended to read as follows:

(b) Assessments required under this fund shall be made by the board of directors of said fund on the salaries of such members of said fire department at the rate of five (5) per cent per annum, payable weekly, to be deducted from their salaries by the city treasurer.

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

40 - REPORT - Sewer Extension at 89 Mill Plain Road.

Mr. Gallo submitted the following report:

The committee to review the request for sewer extension at 89 Mill Plain Road met on October 15, 1990 and October 30, 1990. In attendance were committee members Gallo, Falzone and Boughton. Also attending were City Engineer Jack Schweitzer and Director of Public Utilities William Buckley, Attorney Larry Riefberg and the Petitioner Richard Jowdy.

The committee received a positive recommendation from the Planning Commission. Shortly into the first meeting it was clear to the committee that the petitioner was not aware of the proper process to follow for this request. On a motion by Mr. Boughton to table, the committee did so to allow the petitioner more time to prepare himself.

At the second meeting the petitioner was prepared and presented letters from the surrounding property owners requesting sewer assessments be made for the sewer extension and be sent to the property owners. Mr. Boughton made a motion in two parts which the committee voted on as one. The motion is as follows:

1. Mr. Boughton moved to recommend to the full Common Council that we approve City Engineer Jack Schweitzer to go ahead and send out the assessments to the property owners and that a public hearing be held after the results are in.

2. To recommend approval of a temporary hook-up to the force main upon approval of a contract between the petitioner and the City, negotiated by the Corporation Counsel, the City Engineer and the Superintendent of Public Utilities. Copy of said contract to be sent to the Council for information only. Seconded by Mr. Falzone. Motion carried unanimously.

The report was accepted on the Consent Calendar.

41 - REPORT - Drainage Problem at 3 Middle River Road.

Mr. Charles submitted the following report:

The ad hoc committee regarding the drainage problem at 3 Middle River Road met on October 22, 1990 at 7:00 P.M. in City Hall. In attendance were committee members Charles, Gallo and Regan.

In a letter dated July 23, 1990, Mr. Gagon cited all the facts concerning the drainage problem he tried to have resolved in 18 years. He permitted the City to construct a drainage pipe about 70-80 feet through this property. There remains about 100 feet from the end of the pipe that was previously installed. After much discussion, Mr. Cavagna stated that if Mr. Gagon would give the City an easement to construct the additional drainage pipe. Mr. Schweitzer also agreed to the project.

Mr. Gallo moved to recommend to the full Common Council that \$5,000 be appropriated to complete the drainage system on Mr. Gagon's property that was previously installed by the City and in turn Mr. Gagon will grant the City an easement and hold harmless agreement on any damage possibly caused by said installation. Seconded by Mr. Regan. Mr. Gallo and Mr. Charles voted in the affirmative and Mr. Regan voted in the negative.

Mr. Falzone made a motion to accept the report and approve the recommendation. Seconded by Mr. Smith. Mr. Boynton asked if the \$5,000 would come out of the department budget. The Mayor stated that it would come out of the existing drainage account. Mr. Regan stated that Mr. Cavagna has said that there is no money available in the existing drainage account. This is not a priority for drainage and should be budgeted for next year. Mrs. Mack stated that this is a matter of fairness as she has had a number of complaints regarding drainage from constituents and does not feel that approval can be given for one and not others. Mr. Charles stated that Mr. Cavagan and Mr. Schweitzer approved this drainage improvement because the owner could stop the City from entering his property. Mr. Boughton made a motion to table this request. Seconded by Mr. Regan. Motion carried as follows:

Yes - Fazio, Falzone, Coladarci, Mack, Dean Esposito, Nicholas Zotos, John Esposito, Smith, Boughton, Boynton, Butera, Regan, Valeri.

No - Scalzo, Gallo, DaSilva, Charles

13 yes - 4 no

42 - REPORT - Kenmere/Blueberry Lane Water Supply System

John Esposito submitted the following report:

The Common Council Committee appointed to review the Kenmere/Blueberry Lane Water Supply System met on October 15, 1990 in City Hall at 8:00 P.M. In attendance were committee members John Esposito, Smith and Regan. Also in attendance were Superintendent of Public Utilities William Buckley, Director of Health Bill Campbell, Assistant Corporation Counsel Les Pinter and Attorney Peter Hunt representing the Homeowner's Association, Attorney Vounazos representing Lake Place Condominium Association and Attorney Neil Marcus representing Joint Ventures Association. Also, Mr. R. Jarems of the State Health Department.

Mr. Buckley read in detail the letter to Mayor Eriquez dated September 7, 1990. The letter explained the proposal of agreement of the City and the landowners concerns in rectifying the problems of the water supply system. Mr. Campbell and Mr. Jarems both spoke on the urgency of the proposal for health reasons and the inadequacy of the service.

Members of the committee questioned the members of the homeowners present and received an affirmative reply. Mr. Regan moved to recommend to the Common Council the implementation of the proposal agreed by the City and the Homeowners. Seconded by Mr. Smith. Motion carried un-animously.

The report was accepted on the Consent Calendar.

43 - REPORT - Disposal of Surplus Fire Equipment

John Esposito submitted the following report:

The Common Council Committee appointed to review the disposal of surplus fire equipment met at 7:00 P.M. on October 15, 1990 in City Hall. In attendance were committee members John Esposito, Coladarci and Boughton. Also in attendance were Antonio Lagarto, Fire Chief and Richard Tomaino of the Fire Department. Purchasing Agent Warren Platz was unable to attend.

Mr. Tomaino stated that the Fire Department no longer has use for the listed items and pursuant to section 2-153 of the Danbury Code of Ordinances this equipment may be disposed of by the Purchasing Agent with the approval of the Common Council. The space that these items take up is needed for new equipment.

Mr. Boughton moved that the Common Council approve the request to dispose of all the surplus equipment according to section 2-153 of the Danbury Code. Seconded by Mrs. Coladarci. Motion carried unanimously.

The report was accepted on the Consent Calendar.

44 - REPORT - Danbury/Bethel, Danbury/Brookfield Intermunicipal Agreement.

Mr. DaSilva submitted the following report:

The Committee of a Whole met at 7:50 P.M. on October 16, 1990 to review the Danbury/Bethel, Danbury/Brookfield Intermunicipal Agreements.

Amendments to the existing agreements address the cost of the neighboring communities relative to their previously dedicated capacity as a result of the court ordered upgrade to the sewer treatment facility.

Mrs. Butera moved to recommend approval of the proposed amendments to the intermunicipal agreements. The motion was seconded by Mrs. Coladarci and passed unanimously.

The report was accepted on the Consent Calendar.

45 - REPORT - Cost Savings Proposal from Northeast Utilities and Ventana Corporation.

Mr. Valeri submitted the following report:

The Common Council Committee appointed to review an energy conservation and cost savings proposal from Northeast Utilities and their contractor Ventana Corporation met on Tuesday, October 30, 1990 at 8:00 P.M. in City Hall. In attendance were committee members Valeri and Falzone, with Mr. Fazio away on vacation and unable to attend. Also in attendance were Attorney Lazlo Pinter, Comptroller Dominic Setaro, City Engineer Jack Schweitzer, Superintendent of Public Buildings Richard Palanzo, Schools Administration Personnel Tony Paivo and Jack Heidenreich, Ventana Corporation Vice President Kevin O'Connor and Board of Education Member Carlo Merano.

Mr. O'Connor presented an overview of the proposal explaining C. L. & P.'s plan to provide major incentives in the form of subsidy to municipalities that participate in programs designed to reduce electrical consumption with a resultant reduction in energy costs. This initiative on the part of C. L. & P. is ultimately aimed at a lessening of statewide demand for energy thus deferring the need for construction of additional energy production facilities and their associated costs.

As outlined in the proposal, the Energy Action Program (EAP) has targeted all Danbury public schools for a comprehensive upgrading and retrofitting of lighting systems, nine schools for the installation of classroom motion sensors and three schools for the installation of an energy management system. It was further explained that although much is needed in the area of improving the efficiency of the public schools' heating systems, only lighting and cooling improvements would be reimbursable under CL&P's existing plan. Under that plan of the projected \$2.2 million cost to implement the EAP, CL&P would subsidize more than \$1.6 million leaving Danbury with an estimated net expense of slightly less than \$600,000. The anticipated savings associated with this initiative would be nearly \$200,000 annually, thus creating a simple payback break even point for the City of Danbury in three years. Terms of financing would understandably impact the exact length of payback.

The committee expressed concern over the funding mechanism and inquired as to the source and possible terms of funding/financing of this project. Mr. Setaro indicated that monies would probably need to be budgeted over a five year period and that the most reasonable course of financing considering the present economic climate would be via a lease/purchase arrangement.

Mr. Schweitzer, Mr. Palanzò and Mr. Paivo expressed their support of the EAP initiative while echoing the need for systemic thermal improvements in addition to these electrical conservation measures. Mr. Palanzo further indicated that although thermal upgrades are underway as a matter of ongoing capital improvement, further study to enhance the efficiency of the operational and maintenance aspects of these systems is strongly encouraged.

Mr. Falzone made a motion to recommend implementation of the Energy Action Plan as proposed by CL & P and Ventana Corporation, pending appropriate and acceptable funding/financing arrangements to be developed through the Office of the Comptroller and that additional thermal energy conservation measures be studied further. Seconded by Mr. Valeri and passed unanimously.

The report was adopted on the Consent Calendar.

46 - PROGRESS REPORT - Mr. Smith submitted the following Progress Report:

The Common Council Committee appointed to discuss the noise and litter at Park Avenue School Playground met Monday, October 15, 1990 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Smith, Gogliettino and Regan. Also in attendance were Lt. Dennis Cooney of the Police Department and residents of the Park Avenue neighborhood. Mr. Ryerson was absent.

Mr. Smith explained the petitioner's problem and request. Ms. Barrett, a resident of the area, discussed her concern about the deterioration of the school area and playground. There is considerable play and noise in the early morning and into the evening on Sunday. The noise level is very loud especially during the summer. Ms. Barrett felt that the Police Department has been slow to respond. Other members of the neighborhood spoke discussing their concerns about excessive drinking, motor scooter noise and litter in the playground and school area. There were also concerns about having driveways blocked on Winthrop Street from cars parking to use the school grounds.

Lt. Cooney addressed the concerns of the neighbors and asked the neighbors if they knew what groups were actually playing in the playground. He also explained the response time for the police and how priorities are set up.

Mr. Smith asked Lt. Cooney if the Police Department could implement a special code for the area to alert police about disturbances at the playground. Lt. Cooney said that this would be possible for the Spring but it needs to be requested through the Office of the Chief. Mr. Regan suggested that a letter be written to Mr. Ryerson, Director of Parks and Recreation, requesting determination of who is using the playground on Sundays; place signs with rules of use for school grounds and provide written permission to groups with a list of rules. Also, consider assigning adults to supervise the fields. Mr. Ryerson should report back in thirty days.

The Progress Report was adopted on the Consent Calendar.

47 - Mr. DaSilva made a motion to add Tamarack Village Associates, Gaslight Village Condominium Project. Seconded by Mr. Boynton. Mr. Boughton stated his usual objection to adding items, but requested that this not be put to committee. Motion carried with Mr. Boughton and Mrs. Butera voting no.

Letter from Attorney David L. Grogins requesting a limited waiver of the conditions of sewer extension, specifically condition No. 7, in order to permit the City to issue 31 Certificates of Occupancy.

Mr. Boughton made a motion to accept the communication and that Mr. Buckley be granted the right to enter into an agreement with Tamarack Associates. Seconded by Mr. Gallo. Mr. Fazio asked if the City would be held harmless in the future. Mr. Gottschalk explained. Mr. Scalzo asked if there was a completion date for the pump station. Mr. Gottschalk answered. Mrs. Mack asked if every developer would be treated this way. Mr. Gottschalk stated that issuance of the Certificates would add to the tax roll and therefore the City would benefit. Mr. Boughton made a motion to move the question. Seconded by Mr. Boynton. Motion carried unanimously. Main motion carried with Council Members Fazio and Regan voting in the negative.

48 - Mr. Gallo made a motion to add a letter to the State Commission on Fire Prevention and Control requesting funding for previously allocated State funds for a fire truck for Phoenix Hose Volunteer Fire Company. Seconded by Mr. Fazio. Motion carried with Council Members Boughton and Butera voting in the negative.

Mr. Boughton made a motion to accept the communication and authorize the City to accept the sum of \$47,000 for Phoenix Hose Company. Seconded by Mr. Smith. Motion carried unanimously.

Mayor Eriquez stated that due to the Charter Revision Changes the Common Council would need to come to a consensus regarding the one-half hour public speaking session to be held before the start of the meeting.

PUBLIC SPEAKING

Neil Marcus, 158 Deer Hill Avenue - thanked the Council for approving item 47.

Ronald Blonski, 18 Griffing Avenue - spoke on the opportunity for public input. Mayor Eriquez explained the Charter Revision change.

There being no further business to come before the Common Council, a motion was made at 9:50 P.M. by Mr. DaSilva for the meeting to be adjourned.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk