

To: Mayor Joseph H. Sauer, City of Danbury, Connecticut.

Re: Minutes of the Common Council Meeting held January 3, 1989.

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

Present - Bourne, Connell, Gallo, Moran, Renz, Esposito, Flanagan, Zotos, Cresci, Nimmons, Fazio, Shaw, Cassano, Charles, Bundy, Butera, Danise, DaSilva, Regan.

Absent - Godfrey, Eriquez.

19 Present 2 Absent.

Mayor Sauer stated that he joined with Members of the Common Council and City Employees in mourning the passing of Mr. John Eriquez, father of Minority Leader Gene Eriquez and extended condolences to the Eriquez family.

Mayor Sauer extended birthday wishes to Council Member Louis Charles who turned 78 on January 2; to Council Member Bernard Gallo who will celebrate his birthday on January 26th and to Council Member Roger Bundy who will celebrate his birthday on January 10th.

He also announced that Chief Monzillo will be honored at a retirement party on January 14th at the Hilton; that the City Hall will be closed on January 16th in honor of Dr. Martin Luther King; and that this will be Councilman Robert Godfrey's last Common Council Meeting as he will be assuming duties as a State Representative from the 110th District.

Council Flanagan stated that Rep.-elect Godfrey was attending a caucus in Hartford and that this was the first regular meeting that he had missed. Mr. Flanagan stated that it had been a great pleasure to serve with Bob because he embodies all the qualities that make a good public servant and that he wished him well in his new position.

**CONSENT CALENDAR** - Mr. Fazio offered the following items for the Consent Calendar:

- 1 - Resolution - Financial Assistance to Municipalities to improve municipal assessment and tax collection practices.
- 2 - Communication & Certification - Request for Funds for Ordinance Books.
- 4 - Communication - Donation to the Library (\$10.00).
- 5 - Communication - Grant from Western Connecticut Area Agency on Aging to operate Interweave.
- 12 - Communication - Airport Landing Fees.
- 18 - Communication - Sunrise Lake Association, Boulevard Drive Acceptance of Land.
- 22 - Report & Resolution - Agreement between the City and SB Development Company.
- 25 - Progress Report - Combining Engines 23 and 7.
- 28 - Progress Report - Tarrywile Park Authority.

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

**MINUTES** - Minutes of the Special Common Council Meeting held November 30, 1988, the Common Council Meeting held December 6, 1988 and the Special Common Council Meeting held December 13, 1988. 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. Gallo. Motion carried unanimously.

1 - **RESOLUTION** - Financial Assistance to Municipalities to improve municipal assessment and tax collection practices.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management pursuant to Public Act No. 88-348 has established a state-wide program of financial assistance to municipalities to improve municipal assessment and tax collection practices; and

WHEREAS, said financial assistance is available in the amount of \$50,000 to the City of Danbury; and

WHEREAS, the City of Danbury through the utilization of such grant-in-aid funds would be able to develop or modify a state certified computer assisted mass appraisal system for the purpose of revaluation; and

WHEREAS, such a program would be of substantial benefit to the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Joseph H. Sauer, Jr. be and hereby is authorized to make application for said funds and to take any additional actions necessary to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

2 - COMMUNICATION & CERTIFICATION - Request for Funds for Ordinance Books. Letter from City Clerk Elizabeth Crudginton requesting the sum of \$1,500 for the printing of Ordinance Books. Certification attached. Communication accepted and certification authorized on the Consent Calendar.

3 - COMMUNICATION - Request from Director of Public Works Daniel Minahan that the Greenhouse at Tarrywile Park be dedicated in the memory of the late Bryon T. Johnson. Mr. Esposito made a motion to accept the communication and authorize the dedication of the Greenhouse. Seconded by Mrs. Butera. Mr. Moran offered an amendment that the dedication take place on Arbor Day. Seconded by Mrs. Butera. Motion carried unanimously. Main Motion, as amended, carried unanimously.

4 - COMMUNICATION - Letter from Library Director Betsy Lyke asking that a \$10.00 donation be accepted to be used for storytime activities. The Communication was accepted on the Consent Calendar.

5 - COMMUNICATION - Letter from Leo McIlrath, Director of Elderly Services, asking that a grant in the amount of \$28,000 be accepted to operate Interweave. The communication was approved on the Consent Calendar.

6 - COMMUNICATION - Request from the Lake Kenosia Commission seeking permission to seek a state grant to conduct baseline studies. Mrs. Butera asked that this be referred to an ad hoc committee, the Comptroller and the Lake Kenosia Commission. Mayor Sauer so ordered and appointed Council Members Shaw, Cresci and Butera to the committee.

7 - COMMUNICATION - Letter from Fire Chief Charles Monzillo requesting that the City purchase a Maxim Aerial Ladder from Tarrytown, New York for \$28,500. Mr. Gallo asked that this be referred to an ad hoc committee, the Comptroller and the Fire Chief. Mayor Sauer so ordered and appointed Council Members Nimmons, Connell and Gallo to the committee.

8 - COMMUNICATION - Petition from Pond Crest Road residents asking that potholes be repaired. Mrs. Danise asked that this be referred to an ad hoc committee and the Director of Public Works. Mayor Sauer so ordered and appointed Council Members Fazio, Bourne and DaSilva.

9 - COMMUNICATION - State Project No. 34-185 Construction Change Order Water Main Installation. Mrs. Butera asked that this be referred to the City Engineer and the Superintendent of Public Utilities for a report back in thirty days. Mayor Sauer so ordered.

10 - COMMUNICATION - Request for Intermunicipal Committee to renegotiate a contractual agreement with the Town of Bethel. Mayor Sauer recommended Dominic Setaró, Eric Gottschalk, Dan Minahan, Jack Schweitzer and Paul Galvin. He also added Council Members Charles and Regan, ex-officio. Mr. Bundy made a motion that the communication be accepted and the committee appointed. Seconded by Mrs. Butera. Motion carried un-animously.

11 - COMMUNICATION - Letter from Attorney Richard Kilcullen asking for an additional extension of time (six months) to condemn a strip of land running from Ives Street to Patriot Drive as requested by the Redevelopment Agency. Mr. Moran made a motion to accept the communication and grant the extension of time. Seconded by Mr. Charles. Motion carried with Mrs. Bourne voting in the negative.

12 - COMMUNICATION - Airport Landing Fees. Letter from Assistant Corporation Counsel Les Pinter stating that airport landing fees would have to be set by the Aviation Commission. The communication was accepted on the Consent Calendar.

13 - COMMUNICATION - Letter from Harry F. Russell regarding a problem with the Water Department. Mr. Gallo asked that this be referred to an ad hoc committee and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Moran, Renz and Esposito to the committee.

14 - COMMUNICATION - Request from Davro-Scalzo, Inc. for Water Extension at Driftway Road. Mr. Gallo asked that this be referred to an ad hoc committee, the Planning Commission, City Engineer and Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Connell, Danise and Zotos.

15 - COMMUNICATION - Request for Easement on the property of Stanley Bernstein, Mountainville Avenue. Mr. Fazio asked that this be referred to the City Engineer. Mayor Sauer so ordered.

16 - COMMUNICATION - Request for Sewer Extension, Danbeth Partners. Mr. Bundy asked that this be referred to an ad hoc committee, and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Shaw, Bundy and Flanagan to the committee.

17 - COMMUNICATION - Request for Sewer and Water Extension at 20 and 22 Virginia Avenue. 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 Sauer so ordered and appointed Council Members Regan, Connell and Gallo to the committee.

18 - COMMUNICATION - Request from Sunrise Lake Association to accept land on Boulevard Drive. The communication was accepted on the consent calendar.

19 - DEPARTMENT REPORTS - Water Department, Parks and Recreation, Airport Administrator, Fire Chief, Fire Marshall, Building Department. Mr. DaSilva made a motion to accept the department reports and waive the reading of same as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Moran. Motion carried unanimously.

20 - REPORT & ORDINANCE - Payment of Delinquent Taxes.

Mr. Moran submitted the following report:

The Common Council Committee appointed to review the payment of delinquent taxes met on Monday, December 19, 1988 at 6:30 P.M. in Room 432 in City Hall. In attendance were committee members Moran, Nimmons and Charles. Also present were Comptroller Dominic Setaró, Assistant Corporation Counsel Eric Gottschalk and Council Member John Esposito, ex-officio.

Mr. Setaró explained the need for a procedural change in collecting payment of delinquent taxes on automobiles. He stated that in some case, personal checks were bad and although the numbers were not great, they are substantial enough to warrant a change in procedure.

After a brief discussion, Mr. Charles made a motion to recommend to the Common Council that the Corporation Counsel be authorized to draft an ordinance requiring that all automotive delinquent taxes be paid by cash, bank check, money order or credit card only. Seconded by Mr. Nimmons. Motion carried unanimously.

Mr. Fazio made a motion to accept the report and defer the Ordinance to Public Hearing. Seconded by Mr. Charles. Motion carried unanimously.

21 - REPORT & RESOLUTION - Reconstruction of East Franklin Street Bridge.

Mr. Moran submitted the follow report and resolution:

The Common Council Committee appointed to review the reconstruction of the East Franklin Street Bridge met in Room 432 on December 19, 1988 at 6:45 P.M. in City Hall. In attendance were committee members Moran, Connell and Esposito. Also present were Comptroller Dominic Setaro, Assistant Corporation Counsel Eric Gottschalk and City Engineer Jack Schweitzer.

Mr. Setaro stated that on August 5, 1986, the Common Council approved a resolution for reconstruction of the East Franklin Street Bridge at a cost of \$483,550. The eligible grant from the State was 29.9% or \$144,581. Since that time, the cost has risen to \$502,000 without a pumping station that was required in the original proposal. This is no longer required as stated by Mr. Schweitzer. The State's share is now at 30.48% or \$147,000 leaving the City's share at \$355,000. Mr. Setaro stated that the City has the money to do this work in two (2) separate accounts. There is \$199,000 in one account and \$192,000 in the other for a total of \$391,000.

Mr. Esposito made a motion that this committee recommend to the Common Council that it adopt a resolution with the modification of new figures and that the funds be appropriated. Seconded by Mr. Connell. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation through its Local Bridge Program has made funds available to municipalities; and

WHEREAS, the East Franklin Street Bridge is in need of reconstruction; and

WHEREAS, the total cost of such reconstruction is in the estimated amount of \$502,000.00; and

WHEREAS, on August 25, 1983 a bond authorization was adopted by the Common Council and was subsequently approved through referendum on November 8, 1983 with a then local match for the reconstruction project in the amount of \$338,969.00; and

WHEREAS, the grant from the State of Connecticut is 30.48% of the eligible total cost of said reconstruction resulting in a state project grant of \$147,000.00 leaving a total estimated required local share of \$355,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Joseph H. Sauer, Jr. be and hereby is authorized to make application and contract for said funds and to take any additional actions necessary to accomplish the purposes hereof.

Mr. Gallo made a motion that the report be accepted and the resolution adopted. Seconded by Mr. Flanagan. Motion carried unanimously.

22 - REPORT & RESOLUTIONS - Agreement between the City and SP Development Company.

Mr. Regan submitted the following report and resolutions:

The ad hoc committee appointed to review an agreement between the City of Danbury and SP Development Company for construction of a sewer line through properties of Consolidated Rail Corp. met on December 22, 1988 at 10:00 a.m. in the Engineering Department in City Hall. In attendance were committee members Regan and Bundy. Also present were Jack Schweitzer, City Engineer and Assistant Corporation Counsel Eric Gottschalk.

Mr. Regan stated that the Planning Commission voted a positive recommendation for this agreement at its December 7, 1988 meeting. Mr. Schweitzer stated that the sewer extension that this easement is needed for has already been approved and all that is needed is approval of the agreement to go ahead with the project. Mr. Gottschalk explained that the railroad will not enter into agreements designed to permit construction within the railroad right of way with anyone but the City. What the City has done in the past is to enter into agreements with both the railroad and the ultimate user. The City agrees to be the "licensee" and the petitioner agrees to reimburse the City for any costs. Attached are two resolutions doing this.

Mr. Bundy made a motion to recommend to the Common Council that the Resolutions and Agreement be accepted and executed. Seconded by Mr. Regan. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury desires to install and maintain a sewer line in the area of Federal Road and Beaver Brook Road on property owned by The Consolidated Rail Corporation; and

WHEREAS, the petitioner, SP Development Company desires access to said line; and

WHEREAS, the City of Danbury is required to execute a License Agreement with The Consolidated Rail Corporation in order to install said line, maintain same, and occupy said property;

NOW, THEREFORE, BE IT RESOLVED THAT Joseph H. Sauer, Jr., Mayor of the City of Danbury, be and hereby is authorized to execute the attached License Agreement between the City of Danbury and The Consolidated Rail Corporation.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to install and maintain a sewer line in the area of Federal Road and Beaver Brook Road on property owned by The Consolidated Rail Corporation; and

WHEREAS, the petitioner, SP Development Company desires access to said line; and

WHEREAS, the City of Danbury is required to execute a License Agreement with The Consolidated Rail Corporation in order to occupy said property; and

WHEREAS, said License Agreement imposes certain duties and obligations on the City of Danbury as Licensee; and

WHEREAS, the petitioner, SP Development Company, is willing to reimburse the City of Danbury for all costs incurred pursuant to the License Agreement and otherwise protect the City of Danbury from liability arising by virtue of said license;

NOW, THEREFORE, BE IT RESOLVED THAT Joseph H. Sauer, Jr., Mayor of the City of Danbury, be and hereby is authorized to execute the attached agreement between the City of Danbury and the petitioner, SP Development Company.

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

23 - REPORT - Danbury Brass Band.

Mr. Regan submitted the following report:

The Common Council Committee appointed to review the request of the Danbury Brass Band to be considered the "official" band of Danbury met on December 28, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Regan and Bundy. Also attending were Thomas Fabiano, Risk Manager of the City of Danbury, Alan Raph and Cordalie Benoit from the Danbury Brass Band.

Mr. Raph stated that the Danbury Brass Band had received a one million dollar liability policy also naming the City of Danbury as insured and that the Band would sign a hold harmless agreement with the City.

Mr. Fabiano stated that with the approved insurance policy and hold harmless agreements he had no objection to the band being considered Danbury's "official" band.

Mr. Bundy made a motion to recommend to the Common Council that the Danbury Brass Band be considered Danbury's "official" Band subject to the Corporation Counsel's approval of the insurance certificate and hold harmless agreements. Seconded by Mr. Regan and passed.

Mr. Moran made a motion that the report be accepted. Seconded by Mrs. Butera. Mr. Regan asked that in view of the fact that new information had become available, he would like to have this sent back to committee. Mr. Moran changed his motion to reflect same. Seconded by Mrs. Butera. Motion carried unanimously.

24 - REPORT - Procedures to Defray Costs of Ambulance Service.

Mr. Moran submitted the following report:

The Common Council Committee appointed to review procedures to defray costs of ambulance services met in Room 432 in City Hall on December 19, 1988 at 7:00 P.M. Present were committee members Moran, Connell and Gallo. Also present were Fire Chief Charles Monzillo, Tony Lagarto and Michael Esposito from the Fire Department. Council Members Charles, Esposito, Shaw and Renz attended ex-officio.

Chief Monzillo gave an overview of his ambulance service report and proposal stating that if a provider such as Danbury Ambulance Service or Ace were used, they would charge 100% of the maximum allowable by the State. This year, as of December 18, 566 calls have been given to providers because A-2 was unable to respond. Using a base rate of \$135.20 per call, 342 calls represents a loss to the City of \$46,238.40 and 224 nightcalls (7 p.m. to 7 a.m.) represents a loss of \$36,243.20 for a total of \$82,481.60. Chief Monzillo estimated a gross of between \$775,000 and \$800,000 could be realized by the City and with a 66% collectible, the total net to the City could be \$511,000. He suggested a one year trial period for this proposal. He also stated that this would be a one time billing to the patient's insurance company and no bill would be sent to the patient.

Mr. Connell asked if time would be lost responding to another call while doing paperwork at the hospital. Mr. Esposito said that the paperwork would be done by the hospital and a copy sent to the Fire Department. Mr. Renz stated that the timing may not be right and the public may not receive it well. Mr. Setaro said that a separate line item could be established to control this procedure. Mr. Gottschalk said that this procedure was legal and could be done.

Mr. Connell made a motion that the committee recommend to the Common Council that the ambulance service continue in the same manner as present. Seconded by Mr. Gallo. Motion carried unanimously.

The report was withdrawn.

25 - PROGRESS REPORT - Combining Engines 23 and 7.

Mr. Connell submitted the following report:

The ad hoc committee appointed to study combining Engine Company 23 and Engine Company 7 met on December 8, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Connell, Gallo and Cresci. Also present were Council Members Shaw, Bundy and Bourne, ex-officio, Dominic Setaro, Deputy Fire Chief Jack Murphy and Chief Anthony Lagarto, Dr. Singe, John Pepe and members of the Water Witch Hose Company.

Discussion determined that property was made available by the Board of Education. Said property is located to the left of the entrance to Broadview Junior High School. This property was further accepted by the Fire Department as being suitable to facilitate the proposed merger of the two engine companies. It was further determined that the Engineering Department studied said property and made a recommendation as to its adaptability for use as proposed. Also Corporation Counsel should be involved in as much as the property must be transferred from the Board of Education to the City.

Mr. Cresci made a motion that the committee refer this matter to the Engineering Department for a feasibility study with a report back in thirty days and that an upgraded appraisal be done on both Engine Company 7 and Engine Company 23. The appraisals are to be done for a two bay and a four bay facility. Seconded by Mr. Gallo. Motion carried unanimously. The Board of Education agreed to provide a report back to the committee as soon as possible.

The progress report was accepted on the Consent Calendar.

26 - PROGRESS REPORT - Request for Funds for Overtime Account - Fire Department. WETHDRAWN.

27 - PROGRESS REPORT - Errichetti Downtown Redevelopment Project.

Mr. Bundy submitted the following report:

The Committee appointed to study the Downtown Redevelopment Project met on December 21, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Bundy, Connell, DaSilva and Flanagan. Also in attendance were Robert T. Resha, Corporation Counsel, Assistant Corporation Counsel Eric Gottschalk and Dr. Robert Fand.

The discussion focused on what authority, if any, the Common Council has as regards the Erichetti Project, keeping in mind that the Council did indeed approve two resolutions. The first was on February 5, 1985 wherein the City entered into a Master Agreement with Erichetti Associates and the second on June 3, 1986 which contained three provisions:

1. Development Plan which granted approval for plans regarding parcel A.
2. Mayor and Redevelopment Agency (RDA) grant and convey land to Errichetti.
3. Mayor and RDA can execute all necessary deeds.

All three of the aforementioned provisions were and are subject to the terms and conditions of the Master Agreement and were to be adhered to before any development took place. What happened was Mr. Errichetti began making improvements to the property before the conditions of the June 3, 1986 resolution were met. Errichetti has not yet taken title to the property nor has the City or RDA taken delivery of a performance and payment bond or letter of credit as required in the Master Agreement.

The Phase Agreement for construction was to be implemented within ninety (90) days of the June 3, 1986 resolution and as of this date has still not been done. This is so because a pre-condition of the Phase Agreement is that the City be in receipt of either a bond or letter of credit as described in the Master Agreement.

The committee and Corporation Counsel agreed that the following is an accurate accounting of the chain of events leading to a possible breach of the Master Agreement:

1. Construction and improvements did take place before the provisions of the June 3, 1986 resolution were met which is a violation of the Master Agreement. A question arises as to whether permission was granted from proper authorities that allowed Errichetti to proceed for some reason. If that is the case, who granted the permission and why.

2. The City still does not have a required bond or letter of credit that meets the terms of the Master Agreement.

3. No transfer of property has taken place.

As far as the Council's authority is concerned, it would seem that as long as the two Resolutions and the Master Agreement are not changed in any way, the RDA is the responsible authority to determine whether or not the redeveloper (Errichetti) is in breach or not and, is responsible for acceptance or rejection of the proposed bond.

The committee asked Corporation Counsel to respond in writing as regards the following:

1. The two items found in the December 14, 1988 letter from Councilman Bundy to Attorney Resha (attached).

2. Find and report the approval (either in writing or as contained in any minutes of an RDA meeting) which gave Errichetti the right to begin improvements on the property before meeting the terms of the June 3, 1986 resolution and Master Agreement.

3. A conclusive assessment as to whether or not the bond offered meets the terms of the Master Agreement.

4. Determine whether there is evidence which shows that Errichetti attempted to secure a letter of credit.

This committee will reconvene in January, 1989 after receiving Corporation Counsel's response. However, since it is apparent that there are discrepancies between the intent of the two resolutions and what actually took place, it is the intent of the committee to urge Mayor Sauer to act regarding RDA's planned acceptance of what may be an inferior bond (not meeting the Master Agreement's specifications) and transfer of City owned land to Mr. Errichetti. The committee urges that the Mayor do all he possibly can to protect the rights of our municipality until Corporation Counsel answers our questions.

Mr. Charles made a motion that the progress report be accepted. Seconded by Mr. Connell.

Mr. Bundy stated that he had received a prompt response from the Corporation Counsel, however, the committee needs time to review the response. He asked Mayor Sauer to intervene in any way possible to make sure that nothing takes place until the review is completed.

Mayor Sauer stated that you would need to determine if a breach of the contract has occurred. If a breach has not occurred it would be difficult to break the contract either by the Common Council or by the Mayor. Mr. Bundy stated that a breach had occurred and the Council does have the authority to break the contract. He stated that the Mayor as Chief Executive must intervene and do anything necessary for the good of the City. Mayor Sauer stated that there has never been a time when he has not all he could to protect the City.

Motion carried with Mr. Zotos abstaining.

Mr. Regan submitted the following report:

The ad hoc committee appointed to review the Tarrywile Park Authority met on December 19, 1988 at 8:00 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Regan and DaSilva. Also present were Assistant Corporation Counsel Eric Gottschalk, Planning Director Dennis Elpern, Robert Ryerson, Dick Murray and Tom Evans, Paulette Pepin, Chairman of the Mayor's Task Force on Tarrywile and Council Members Steve Flanagan and Louis Charles, ex-officio.

Mr. Ryerson spoke against the creation of an Authority. He stated that only two parks in the State are set up like this, one being Richter Park. He stated that he was concerned that the Authority would cater to special interests groups rather than to all the citizens of Danbury. Mr. Ryerson also stated that he could not handle the work load if it was assigned to the Parks and Recreation Department. Mr. Evans stated that control should be left with the Parks and Recreation Department. It controls Hatters Park and brings in \$30,000 per year and is rented full time. Parks and Recreation should develop the land into a park. Mr. Evans stated that he was disappointed that no one from the Parks and Recreation Department had been invited to the Task Force Meetings.

Mr. DaSilva questioned where the Authority would get expense money for improvements. He suggested that Mr. Ryerson should be on the Authority in order to have a say in the running of the Park and to insure that all citizens are considered in the decisions of the Authority. Mrs. Pepin stated that the Task Force was working on a budget for next year, but that \$100,000 had been raised in six weeks at the Show House last year and \$3,000 in one day at a tea. These are indications of what is possible.

Mr. Flanagan spoke in favor of an Authority and said that Richter Park is a good example of an Authority becoming self-sufficient. He stated that a lot of damage would not have occurred if one person is in charge and that no Department Head could handle all the work along with all his or her other responsibilities. Another benefit of an Authority would be that it would move the decisions regarding the Park beyond the whim of the Mayor to set priorities. The way the Ordinance is written a lot of power and responsibilities are reserved for the Common Council.

Mr. DaSilva moved to recess until the Task Force has additional information on funding and the proposed changes in the Ordinance are submitted. Seconded by Mr. Regan. Motion carried un-animously.

The progress report was accepted on the Consent Calendar.

29 - COMMUNICATION - Appointments to Committees.

Mr. Fazio made a motion that this be added to the agenda. Seconded by Mr. Gallo. Motion carried unanimously.

Letter from Majority Leader Michael Fazio requesting that an ad hoc committee be appointed to review the procedure of appointments to committees. Mrs. Bourne asked that this be referred to committee. Mayor Sauer so ordered and appointed Council Members Fazio, Bourne and Eriquez to the committee.

30 - COMMUNICATION - Offer of Land, Hampton Court.

Mr. DaSilva made a motion to add this item to the agenda. Seconded by Mr. Charles. Motion carried unanimously.

Letter from Comptroller Dominic Setaro discussing the method to be used to pay the taxes and interest on property accepted as a donation by the City.

Mr. Setaro stated that the amount of \$15,765.16 would be paid by the City to the owner who would in turn give the check back to the City. Mr. Shaw asked Mr. Setaro what the options were. Mr. Setaro said that the City could pay the tax collection or the owner and that the Corporation Counsel would determine the best method. Mr. Gottschalk stated that a real estate closing would be scheduled. Mr. Setaro stated that he would provide certification of funds.

Mr. Bundy made a motion to accept the communication and authorize the transfer of funds. Seconded by Mrs. Butera. Motion carried unanimously.

**31 - COMMUNICATION & RESOLUTION - Social Service Block Grant Training.**

Mr. Gallo made a motion to add the communication and resolution to the agenda. Seconded by Mr. Fazio. Motion carried unanimously.

Letter from Mayor Sauer stating that the City has been invited by the State Department of Human Resource to apply for Social Service Block Grant Training Funds. The funds are being offered for the training and staff development needs of municipal employees. Mayor Sauer asked approval of the following resolution:

**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 such amounts as may be made available for undertaking a Social Service Block Grant Training Program and to execute a Grant Action Request therefor;

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 133 and 300a of the Connecticut General Statutes.

2. That it recognizes the responsibility for the provision of local grant-in-aids to the extent that they are necessary and required for said program.

3. That the filing of an application by the City of Danbury is hereby approved and that the Mayor of the City of Danbury and Training Officer of the Danbury Police Department are hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information as the Commissioner may request, to execute a Grant Action Request with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representatives of the City of Danbury.

Mr. DaSilva made a motion to accept the communication and adopt the Resolution. Seconded by Mr. Charles.

Mr. Gallo asked if there would be any matching funds. Mayor Sauer stated that there would not be. Mr. Shaw asked what the amount was. Diana Burgos stated that the amount was not to exceed \$10,000.

Motion carried with Mr. Shaw voting in the negative.

32 - COMMUNICATION - Site for Trash Incinerator.

Mr. Fazio made a motion to add the communication to the agenda. Seconded by Mrs. Butera. Motion carried unanimously.

Mr. Bundy submitted the following communication:

"I respectfully request that the committee assigned to examine alternatives to municipal solid waste management be reformed with the following as its objective:

Since Mayor Sauer has decided to proceed with the incineration technology, the committee will be charged with identifying a suitable site that meets or exceeds the specifications called for, exclusive of Danbury."

Mrs. Butera made a motion that the communication be accepted and the original committee reappointed. Seconded by Mrs. Danise. Motion carried unanimously. Original committee consists of Council Members Bundy, Renz, Connell, Flanagan and DaSilva.

33 - COMMUNICATION - Garcia/City of Danbury.

Mr. Bundy made a motion to add this communication to the agenda. Seconded by Mr. Fazio. Motion carried unanimously.

At 8:56 P.M. Mr. Bundy made a motion to go into executive session to discuss this item. Seconded by Mr. Fazio. Motion carried unanimously.

Executive Session ended at 9:19 P.M. Mr. Bundy made a motion to accept the recommendation of Attorney Murray regarding the disposition of the Garcia Case pending certification of \$30,000. Seconded by Mrs. Bourne. Motion carried with Mr. Shaw voting in the negative.

Mayor Sauer stated that Councilman Bundy has requested that he be relieved of the Chairmanship duties of the following committees and would replace them as follows:

Sewer Extension, 44 Lake Avenue - Mr. Shaw  
Sewer Extension, 22 South Street - Mr. Moran.  
Farm Street - Mrs. Bourne  
Landfill Ordinances - Mrs. Bourne  
Easements at Tan Mar Drive - Mr. Shaw.

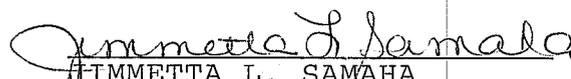
Mr. Sauer extended all committees that have not completed work.

Mr. Bundy stated that there had been unfair disposition of committee chairmanships and that he was not trying to garner all the committee and felt that other members wanted to participate.

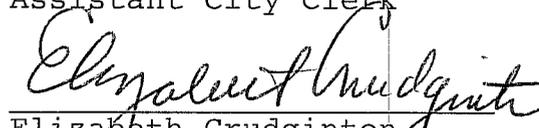
There were no members of the public wishing to address the Common Council.

There being no further business to come before the Common Council a motion was made by Mr. Moran for the meeting to be adjourned at 9:25 P.M.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk