

TO: Honorable Mayor James E. Dyer - Mayor of the City of Danbury.

SUBJECT: Minutes of the Common Council Meeting, held on January 3, 1980.

The Meeting was called to order at 8:00 O'Clock P.M. by his honor Mayor James E. Dyer, who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Frederick Visconti.

Roll Call was taken by City Clerk Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, Kennedy, White, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Burke, Butera, Evans, Fabiano, Torian.

ABSENT: Councilman Cassano. It was noted that Councilman Cassano was absent due to a death in his family.

20 members present -- 1 member absent.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the reading of the minutes of the previous meeting held on Dec. 4th, be waived and said records adopted. Motion carried.

Mayor Dyer spoke at this time stating that "on behalf of the Council, myself and all city employees, I would like to wish everyone a Happy New Year and that we have a very safe and prosperous year for all our citizens."

Mayor Dyer also took the opportunity to congratulate Councilman Walsh who will be celebrating his 26th wedding anniversary on January 29th.

RESOLUTION - Settlement of Claims.

That the City Clerk be and is hereby authorized and empowered on behalf of the City of Danbury, to draw orders upon the City Treasurer in payment of the following amounts and payable to the following:

The Hartford Insurance Group ----- \$2,500.00

(\$2,500.00 deductible portion of insurance policy re: Claim of Alexandria Moffa v. City of Danbury)

Nancy P. Hayes ----- \$33.61

(In settlement of Nancy P. Hayes v. City of Danbury - Superior Court, Small Claims Session, Docket No. 38716)

A motion was made by Councilman Ryan and seconded by Councilman Murray, that the Resolution be adopted and Claims authorized to be paid. Motion carried.

The Resolution was adopted by a roll call vote of 20 AYES - 1 member, Councilman Cassano, was absent.

Opposition to  
PETITION Re:/Type of obstruction along boundary line between 66 and 68 Jefferson Avenue.

Councilman Murray requested that the Petition be referred to committee.

Mayor Dyer appointed the following members to this committee: Boynton, Scialabba, Butera.

PETITIONS

- Re: Petition of Mildred Wibling to extend sewer line on East side of Route #7 at Danbury Airport.
- Re: Request from homeowners in Topstone Development that the property at the corner of Shelter Rock Road and Woodside Avenue, on the left side leading to Route 6, be cut down. A second hill on Topstone drive, also.
- Re: Request from Frank Scalzo to extend water to corner of Bear Mountain and Pembroke Roads.

Councilman Murray requested referral of the Petitions, to the Public Works Committee and Planning Commission, for their recommendations.

Mayor Dyer referred the matters to the Public Works Committee, with Councilman Fabiano as Chairman.

COMMUNICATION - from Maria C. McGowan re: Hazardous parking conditions on East Franklin Street.

Councilman Murray requested referral to committee.  
Mayor Dyer appointed the following members to this committee: Gallo, Delsin, Rinder.

COMMUNICATION Re: Danbury Airways, Inc. mortgage in the amount of \$250,000.00 from Connecticut Bank & Trust Company.

Councilman Murray requested referral to committee, and Corporation Counsel.  
Mayor Dyer referred the matter to the following committee:  
Councilmembers - Kennedy, Turk, Evans.

COMMUNICATION - Request from Mr. James L. Thompson, Airport Administrator, to up-date the Master Plan for the Danbury Airport.

Councilman Murray requested referral to committee and the Planning Commission.  
Mayor Dyer appointed the following members to this committee: DaSilva, Delsin, Murray.

COMMUNICATIONS

- Re: Request of the Health Director to amend the Housing Maintenance and Occupancy Code.
- Re: Proposed Local Public Health Code for Danbury.
- Re: Proposed Hazardous Waste Ordinance.
- Re: Proposed Watershed District Ordinance.

Councilmen Ryan, Murray and DaSilva requested referral to committee.

Mayor Dyer appointed the following members for this committee: McManus, Walsh, Torian, Ryan, Cassano, Repole, Butera.

CLAIMS - Catherine Vetrano - Barbara, Jason & Matthew Bellone - Ana P. Carvalho - Antoinette Natoli - Rose Murad.

Councilman Evans requested referral to committee.  
Mayor Dyer referred the Claims to the Claims Committee with Councilman DaSilva as Chairman, and the Assistant Corporation Counsel, for Claims.

DEPARTMENT REPORTS

Fire Chief  
 Fire Marshal  
 Police Chief  
 Building Inspector

Housing Inspector  
 Health & Sanitary Inspector  
 Airport Commission  
 Sealer of Weights & Measures

A motion was made by Councilman Ryan and seconded by Councilman Visconti to dispense with reading Department Reports, as all members have copies which are also on file in the office of the City Clerk, for public inspection. Motion carried.

AD HOC COMMITTEE REPORTS

REPORT Re: Legal fees for the services of Attorney Sakellares.

Councilman Turk submitted a report stating that the committee met on December 10, 1979. As the request for \$4,900 payment to Atty. Sakellares was forwarded to the Council with incomplete documentation, it was referred to committee. It was determined that the bill for \$450 had been omitted. This bill was included in the Call for the committee meeting held on Dec. 10, 1979.

Therefore, all the back-up data has been received for the \$4,900 and it is the committee's unanimous recommendation that the Common Council now approve the Mayor's request to pay Attorney Sakellares' bill for \$4900.

Councilman Turk stated that the \$4,900 was certified at last month's meeting. The Certification, submitted by Mr. Edwards, City Comptroller was for \$4,400 from Contingency and \$500 from the Tax Collector's litigation account.

A motion was made by Councilman Walsh and seconded by Councilman Delsin that the report be accepted and bills authorized to be paid. Motion passed by roll call vote of 20 Ayes, 1 member absent.-Councilman Cassano.  
REPORT Re: Request for transfer of funds to Mayor's Office.

Councilman DaSilva submitted a report stating that the request from Mayor Dyer to appropriate \$7,783.00 for a Task Force on Danbury's future, conference on housing, roads and traffic, recreation, historic preservation, and racial harmony and ethnic pride, was referred to committee at the December 4th Council meeting.

The Committee, comprised of Councilmen DaSilva, Delsin and Murray, met on December 18, 1979 at 5:00 P.M. Mayor Dyer also attended, to answer any questions the committee might have.

The committee is satisfied that the magnitude of work involved in the various task forces and conferences warrants the hiring of the support staff requested by the Mayor.

It is therefore the recommendation of the committee that the sum of \$7,783 be appropriated for the purposes mentioned above.

Certification as to the availability of funds was submitted at the December Council meeting.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Report be accepted and transfer of funds authorized.

Councilman Walsh remarked that he had referred this matter to committee stating that there were many commissions and volunteers available.

Councilman Turk asked the committee if they had investigated on local companies supplying volunteer help or loan executives to help out in this situation.

Mayor Dyer replied that all those people participating in the Task force and the Conferences will be volunteers. The Task Force itself will have thirty or more members. Each conference will probably involve a hundred or more delegates each. There is an enormous amount of work involved.

As far as corporate loans, you can get corporate loans in certain instances, that is correct, but to have continuity and to have available the kind of resource I think will be necessary to make the implementation of the recommendations of these conferences and task force significant, I have made these recommendations.

Currently my office staff cannot handle that kind of work. Actually it is a modest sum when we consider the amount of work that will be done, with the help of other volunteers."

The motion to accept the report and authorize transfer of funds, was passed by a roll call vote of 18 AYES - 2 NAYS - Councilmen Walsh and Turk voted Nay and 1 member, Councilman Cassano, was absent.

#### REPORT & ORDINANCE - Voting Districts.

Councilman DaSilva submitted a Report stating that the committee appointed to investigate the establishment of fourteen voting precincts with the seven wards of the City of Danbury, met on Dec. 20, 1979, at 8:30 P.M., together with Registrars George Schmiedel and Robert Tyrell.

After considerable discussion, it was the opinion of the committee that this re-alignment of voting districts during State & National elections would be beneficial to the voters of Danbury. It would set up a pattern for people to vote at the same polling place for every election, eliminate an across town drive for many voters, and reduce traffic problems at the polling places.

Therefore the committee recommends the establishment of fourteen (14) Voting Precincts.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Report be accepted. Motion carried.

Councilman Ryan then requested that the Ordinance be deferred until such time as a public hearing can be scheduled.

#### REPORT Re: Sale of Grand Street Property.- #43 Grand Street.

Councilman Fabiano submitted a Public Works Committee report stating that a request had been made that the Common Council declare this Grand Street property, to be surplus property.

The Planning Commission voted to recommend that this property be placed out to Bid.

The Public Works Committee, after their site inspection and review, is in agreement with the Planning Commission.

It is therefore the recommendation of this committee that the report be accepted and the Resolution be adopted.

A motion was made by Councilman Ryan and seconded by Councilman Visconti to accept the Report. Motion carried.

RESOLUTION- WHEREAS, the City of Danbury presently owns land known as 39-41 and 43 Grand Street; and,

WHEREAS, the Planning Commission and the Public Works Committee of the Common Council recommend that said real estate be sold to the highest bidder; and,

WHEREAS, the sale of said property is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED, THAT the Purchasing Agent be and hereby is authorized to proceed with the sale of said property pursuant to law; and,

BE IT FURTHER RESOLVED, That Mayor James E. Dyer be and hereby is authorized to execute any Quit Claim Deed or other documents deemed necessary to effectuate the sale of said real estate in a form satisfactory to Corporation Counsel's Office.

RESOLUTION - Re: Grand St. property.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 19 AYES - 1 NAY - Councilman Scialabba voted Nay. Councilman Cassano was absent.

A motion was then made by Councilman Ryan and seconded by Councilman Murray that Mr. Rudenko of GoodFellow-Ashmore Agency, Inc. be notified of the action taken in reference to the Grand Street Property, as he had also submitted a request to purchase this property, for a N.Y. Concern Motion carried.

It was also noted that the sale of this property should be guided by the Assessor's Office.

REPORT Re: Martin Luther King Day.

Councilman Torian submitted a report stating that the committee appointed to study making Martin Luther King's Birthday a City Holiday, met on December 13, 1979. Mr. Edwards, City Comptroller, also attended the meeting.

The major areas of concern evolved around the cost to the City of this day were designated an official City Holiday. Mr. Edwards stated that it would not be very costly since about one-third of the 450-500 people already had a Holiday on that day - School Maintenance personnel, Policemen, etc.

Mr. Edwards estimated a day's payroll at \$28,000. Allowing for those who would not be affected any differently, he estimated the out-of-pocket cost to the City, about \$15,000. This figure could be higher if the Department of Public Works had to be called out because of a snowstorm, etc.

Resolution: The Assistant Corporation Counsel is directed to:

1. Draw up a Resolution making January 15, 1980 a City Holiday in honor of Martin Luther King's Birthday.
2. Draw up an Ordinance making Martin Luther King Day, January 15 or the next Monday following, should it fall on a Saturday or Sunday, a City Holiday.
3. Have the City Clerk set a Public Hearing Date for January 14, 1980.

The Committee, Councilmembers, Torian, Turk, McManus, submits these minutes and this Report and recommends approval of Martin Luther King Day as a City Holiday.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva that the Report be accepted. Motion carried.

RESOLUTION - That the 15th day of January, 1980, shall be known as MARTIN LUTHER KING DAY and shall be a Legal Holiday in and for the City of Danbury.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva that the Resolution be adopted.

An amendment made by Councilman Delsin and seconded by Councilman Scialabba that in the event of a snowstorm on that date, the employees have an alternative day off, was defeated by a roll call of 7 AYES - 13 NAYS. 1 member, Councilman Cassano, was absent.

Councilmembers - Delsin, Gallo, Walsh, Scialabba, Repole, Turk, Evans, voted AYE. (7 votes).

Councilmembers - McManus, Rinder, Kennedy, White, Murray, Ryan, Visconti, DaSilva, Boynton, Burke, Butera, Fabiano, Torian, voted NAY (13 votes).

On the discussion for the original motion to adopt the Resolution, Councilman Kennedy stated that at this point we have to look at the intent and the objectives of having the day commemorating Martin Luther King.

The intent is to commemorate, the objective is to perpetuate his ideals, in our community. There is probably a significant, but probably a small part of our community that currently does commemorate his memory in the ideals of inter-personal relations of individual freedom and his peace objectives.

I think our objectives therefore should be to perpetuate and expand that part of the community that does observe and commemorate his memory. To do so by declaring a holiday, I don't think will achieve that objective.

I think the best way to commemorate his memory and to carry forth his ideals is to have a day where we sponsor in our community, memorial activities, workshop sessions, seminars and the like so it is more of an active day than a passive day such as those days honoring Washington and Lincoln, and other national heroes."

Referring to Councilman Torian's report and remarks, <sup>that it was the best possible solution,</sup> Councilman Walsh stated that he would like to point out that the Holiday will only allow people in City Hall and the school people to have the day off and the vast majority of the population will have to go to work.

Councilman Ryan replied that under Section 1-4 that Attorney Goldstein referred to earlier, school employees now have the day off anyway and are not effected by our consideration here this evening.

Mr. Ryan reemphasized Councilman Torian's report and committee recommendations stating that "certainly there are any number of people who are worthy of being honored by a holiday, but I think Mr. King stands as someone who, in the course of history was quite remarkable, and I think it is quite fitting that tonight we are considering honoring him and going to give people a day off."

Secondly, if you will look into the last twenty years at the declaration of holidays, governments on the Federal, State and Municipal levels have led the way in holidays. I realize that the concern is that people who work in factories etc. will not have the day off immediately, but I believe that private industries will go that route very soon. Government takes the lead honoring those that should be honored and very soon thereafter, Industry does follow."

Councilman Kennedy stated that the State of Connecticut does have it as a Holiday but that it went before the Congress in Washington in December to have it declared a holiday and was not approved, but it was recommended that the third Sunday in January be a day to commemorate Martin Luther King.

Councilman Walsh pointed out that the previous Common Council came to a similar conclusion that we should wait to see what the Federal Government is going to do.

As there was no further discussion, a roll call vote was taken by the City Clerk, Elizabeth Crudginton on the original motion for adoption of the Resolution, declaring Martin Luther King Day, a holiday on January 15, 1980.

The Resolution was adopted by a roll call vote of 15 AYES - 5 NAYS. 1 member, Councilman Cassano, was absent.

Councilmembers - Delsin, McManus, Gallo, Rinder, Repole, White, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Butera, Fabiano, Torian, voted AYE (15 votes).

Councilmembers - Walsh, Scialabba, Kennedy, Burke and Evans, voted NAY. (5 votes).

ORDINANCE - Martin Luther King Day.

In each year, the 15th day of January, or the Monday next following the 15th of January, whenever such day shall occur on a Saturday or on a Sunday, shall be known as MARTIN LUTHER KING DAY and shall be a Legal Holiday in and for the City of Danbury.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Ordinance be deferred until such time as the Common Council can hold a public hearing in compliance with the law. Motion carried.

REPORT - Petition of Mrs. John Bragdon - 5 Cedar Drive.

Councilman Fabiano, Chairman of the Public Works Committee, submitted a report stating that the committee has reviewed this petition concerning drainage problems.

The Committee has a letter from the former Public Works Director, Mr. T. O'Sullivan which has many recommendations for action. He also states that this project could be costly in terms of pipe and other materials. It was his recommendation that this problem be addressed as a part of the overall drainage study and therefore denied at this time.

The committee supports this action and hereby recommends that the Report be accepted and the petition denied.

A motion was made by Councilman Ryan and seconded by Councilman Burke, that the Report be accepted and petition denied. Motion carried.

REPORT - Sewer Assessments for King St. School.

Councilman Fabiano submitted a Public Works Committee report stating, the committee, after reviewing correspondence from the Comptroller, Mr. John Edwards regarding the change of interest rates in the King Street sewer assessments, is in total agreement with his recommendation, and recommends that this Report be accepted and the Resolution to be submitted, adopted.

A motion was made by Councilman Ryan and seconded by Councilman Burke, that the Report be accepted. Motion carried.

RESOLUTION - WHEREAS, the Common Council passed a Resolution dated October 9, 1979 with reference to the installment method of payment of sewer assessments relating to the extension of a sanitary sewer line to the King Street School;

AND, WHEREAS, said Resolution affixed the interest due on the unpaid balance of any such assessment at five (5%) per cent per annum;

AND, WHEREAS, a greater rate of interest is deemed to be in the best interest of the City;

NOW, THEREFORE, be it resolved by the Common Council of the City of Danbury that said Resolution be and hereby is amended to require the payment of interest at a rate of six (6%) percent per annum on the unpaid balance of any such assessment.

A motion was made by Councilman Walsh and seconded by Councilman Murray that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 20 AYES No NAYS - 1 member absent.

REPORT - Sewer Assessments.

Councilman Fabiano submitted a committee report stating that the Public Works Committee, after reviewing the Resolution, recommends that the change from five percent to six percent be approved and hereby recommends the adoption of the Resolution to be submitted.

A motion was made by Councilman Boynton and seconded by Councilman Walsh that the Report be accepted. Motion carried.

RESOLUTION - Method of payment of Sewer Assessments.

WHEREAS, the Common Council passed a Resolution dated November 7, 1979 with reference to the installment method of payment of sewer assessments;

AND, WHEREAS, said Resolution affixed the interest due on the unpaid balance of any such assessment at five percent per annum;

AND, WHEREAS, a greater rate of interest is deemed to be in the best interest of the City;

NOW, THEREFORE, be it resolved by the Common Council of the City of Danbury that the following two paragraphs of said Resolution be and hereby are amended to read as follows:

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.
3. Interest on any deferred payments hereunder shall be due at the rate of six (6%) percent per annum or such lesser sum as results from an average interest figure for all bonds or notes used to finance the project for which assessments are levied. Any person may pay any installment for which he is liable at any time prior to the due date thereof, and no interest on any such installment shall be charged beyond the date of such payment.

A motion for adoption of the Resolution was made by Councilman Walsh, and seconded by Councilman Murray.

The Resolution was adopted by a roll call vote of 20 AYES - No NAYS. 1 member absent.

REPORT - Waiver of Sewer Connection Fees.

Councilman Fabiano submitted a Public Works Committee Report stating that the Housing Authority of the City of Danbury, through their Attorney, has requested that their sewer connection fees be waived.

After review of this petition by the committee, it is recommended that the petition be granted, according to Section 16-4, B-2 of the City of Danbury Code of Ordinances.

A motion was made by Councilman Evans and seconded by Councilman Burke that the Report and recommendation be accepted. Motion carried.

REPORT - Cross Street Bridge.

Councilman Fabiano submitted a report from the Public Works Committee, stating that funds for this project according to a letter from Mayor Dyer, should be changed from monies originally appropriated to the Engineering Department and place them in a continuing capital account so that the funds will not expire at the end of this fiscal year.

The committee reviewed Planning Commission approval and therefore recommends that this report be accepted and the Resolution adopted.

A motion was made by Councilman Evans and seconded by Councilman Burke that the Report be accepted. Motion carried.

RESOLUTION - Cross Street Bridge.

WHEREAS, it is in the best interest of the City of Danbury to reconstruct the Cross Street Bridge, State Project No. 34-177, Federal Project No. BRM 3476 (1) and;

WHEREAS, the State of Connecticut and the Federal Government will provide for the total cost of the installation of said crossings with the exception of TWENTY PER CENT (20%) of the estimated costs of the bridge engineering performed by the State of Connecticut, Department of Transportation, which sum is estimated to be payable by the City of Danbury;

BE IT THEREFORE RESOLVED by the Common Council of the City of Danbury, that Mayor James E. Dyer is hereby authorized and directed to enter into an agreement No. 7.30-01(79) between the City of Danbury and the State of Connecticut for reconstruction of Cross Street Bridge; and,

BE IT FURTHER RESOLVED that the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) is hereby appropriated from the contingency account to an appropriate capital account as the City's share in the design of this project.

BE IT FURTHER RESOLVED that Mayor James E. Dyer is hereby authorized to execute any additional contracts, agreements, documents or amendments thereto.

A motion for adoption of the Resolution was made by Councilman Boynton and seconded by Councilman White.

The Resolution was adopted by a roll call vote of 20 AYES No NAYS. 1 member absent.

REPORT - BERNLOU DRIVE - ROAD ACCEPTANCE.

Councilman Fabiano submitted a report stating that the Public Works Committee has received favorable reports for acceptance of this road, from both the Planning Commission and the City Engineer.

On December 16, 1979 a site inspection was made on this property. At a subsequent meeting of the Public Works Committee, the vote was to accept the road. It is therefore the recommendation of the committee that this report be accepted and the road acceptance be approved.

A motion was made by Councilman Walsh and seconded by Councilman Burke that the Report be accepted. Motion carried.

RESOLUTION - That BERNLOU DRIVE be accepted as a public highway of the City of Danbury, subject to the following:

Receipt of Deed, Certificate of Title and necessary easements in forms satisfactory to the Corporation Counsel's Office.

A motion was made by Councilman Burke and seconded by Councilman Evans that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 20 AYES - No NAYS. 1 member absent.

REPORT Re: Petition complaining about Norbert Mitchell Gas Station at the corner of Balmforth Avenue and North Street.

Councilman Gallo submitted a report stating that the committee, Councilmen Gallo, Torian and Walsh, met on December 18, 1979 at 7:30 P.M. and after speaking with the Chief of Police and Director of Public Health, this committee feels the matter has been handled to the best of everyone's ability. The area in question is zoned Commercial and some noise has to be expected.

Mr. Mitchell, the owner of said Gas Station told Deputy Chief Gantert that he would instruct his drivers to be a little more quiet in making deliveries.

A motion was made by Councilman DaSilva and seconded by Councilman Boynton that the Report be accepted as read. Motion carried.

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REPORT - Land Acquisition - See below.

Councilman Evans, Chairman of the Land Acquisition Committee, requested an extension of time to arrive at proper recommendations by his committee.

The permission was granted by Mayor Dyer.

Councilman Burke, Chairman of the Road Study Committee also requested an extension of time for a report from his committee. The extension of time was granted by Mayor Dyer.

REPORT - Councilman Evans submitted a report stating that the Land Acquisition Committee met on December 11, 1979 to discuss the purchase by the City, of three parcels of land. Lakeview Property; C.D.Parks Property, and Wildman's Landing.

Assistant Corporation Counsel Eric Gottschalk and Mr. Peter Molinaro were also present at the meeting to explain Federal, State and Local Laws as they pertain to this committee and to inform the committee briefly as to what monies were available for land acquisition on federal and state levels.

Mr. Jack Murphy, representing the Planning Commission, was in attendance giving the committee some of the views of the Planning Commission on the three parcels of land.

On Sunday, December 16, 1979, an on-site inspection was made of all three properties, by all members of the Committee. The inspection was made with Mr. Tom Wixted of Realty World, at the Lakeview property.

Mr. Edward Shaughnessy of the Business Investment Group, at Wildman's Landing; and Mr. Emil Morey of Morey Association, Inc. and Mr. Peter Jennings, owner of the C.D. Parks Property.

Because of the Holidays, the committee was not able to schedule another meeting until sometime in January, at which time Mr. Bob Ryerson, the Recreation Director will attend to present ideas as to how this property can be used for future recreational development.

As stated above the Committee was granted permission for an extension of time to report on these three parcels of land.

REPORT - Councilman Ryan, chairman of the Common Council committee to the Board of Education, met on December 13, 1979. Members attending were Councilmembers Ryan, Torian, McManus and Turk. Councilman Evans was away on business.

The President, Vice-President and Finance committee chairman of the Board of Education were also present.

The committee voted to have all members of the Common Council receive minutes of the Board of Education meetings. The Board has agreed to that proposal.

The committee is currently engaged in witnessing the evolution of the Board's budget proposals and will be doing so through February 15. The committee hopes acquisition of information concerning Board financial matters will be helpful to the entire Council, during their own budget deliberations in the Spring.

As the business of this committee is a long way from being completed, an extension of time was requested to facilitate their investigations.

The extension of time was granted by Mayor Dyer.

A motion was then made by Councilman White and seconded by Councilman Delsin for a recess of five minutes before continuing on with the Agenda. Motion carried at 9:00 P.M.

COMMUNICATION & CERTIFICATION - Request from Mayor Dyer to authorize the transfer of \$8,600.00 from the Contingency Account to the Tax Collector's (01-147) Office Equipment Account (060500), as per a request from the Comptroller.

The request from Mr. Edwards stated that during the 1978-79 fiscal year, the Tax Collector's Budget contained an item for cash registers.

The City was unable to purchase a product that would meet its specifications so at year end, the money \$16,000 was lapsed. At this time we would like to revive this project along more modest lines. We believe we can purchase three validating machines that will adequately do the job for not more than about \$8,600. The present equipment is worn out and we have spent considerable money in the past year just nursing it along.

We will have to go through a normal bidding procedure but we hope to have this equipment in place July 1, 1980 when the new tax bills are ready.

Mr. Edwards certified \$8,600 as being available in the Contingency Account.

A motion was made by Councilman Evans and seconded by Councilwoman Janet Butera that the Communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 20 AYES. No Nays. 1 member absent.

COMMUNICATION - Request by Mayor Dyer that the Common Council give consideration to purchasing two bus shelters for Main Street. The anticipated cost for the two shelters would be under \$4,000.00, subject to competitive bidding. The most immediate need for the shelters is at the McCrory's and Library Bus Stops.

Councilman Murray requested referral to committee and the Planning Commission. Mayor Dyer appointed the following members, Torian, Scialabba, Visconti and Repole, to this committee.

COMMUNICATION & CERTIFICATION - Refuse Disposal Dept. Budget.

Request from Mayor Dyer for a transfer of \$33,500.00 from the Contingency Account to the following accounts within the Refuse Disposal Department Budget:

Leased Equipment --	\$7,500.00
Repair Materials, Parts	\$26,000.00

These funds are needed to provide necessary covering and compacting of refuse at the landfill. The use of a leased bulldozer will be continued for a month while the engine and transmission of our own bulldozer is repaired. Due to the pressing need to properly maintain the landfill, Mayor Dyer respectfully requested approval of the Resolution which will appropriate the necessary funds and waive competitive bidding requirements.

The Purchasing Department will instead, solicit informal quotes and will select the lowest responsible estimate for repairs.

CERTIFICATION - Mr. John P. Edwards, City Comptroller, submitted a certification stating that the Contingency Account at this time has encumbrances reducing it to \$33,923.58 which is just adequate to cover the \$33,500 Refuse Disposal Expense transfer. Items pending are: \$4,400 - Atty. Sakellares -- \$7,783 - Mayor's Office and \$8,600 for Cash Registers, Tax Collector's Office.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Communications be accepted. Motion carried.

RESOLUTION - Funds for accounts within the Refuse Disposal Dept. Budget.

WHEREAS, it is necessary that the City of Danbury maintain an environmentally sound landfill, and

WHEREAS, the repair of an existing bulldozer will eliminate the costly rental of a substitute machine, and

WHEREAS, the waiver of competitive bidding is in the best interest of the City of Danbury,

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

That the sum of \$33,500.00 is hereby transferred from the Contingency Account to the following accounts within Refuse Disposal Budget:

03-126-024501 -- Leased Equipment	- \$ 7,500.00
03-126-042600 -- Repair Materials, Parts	26,000.00

BE IT FURTHER RESOLVED: That the Public Notice and sealed Bid requirements of Section 6-6 (d) of the City Charter are hereby waived for the purpose of expediting the repair of the aforementioned equipment.

It was noted that in May of 1979, Mr. O'Sullivan was advised that the bulldozer was inoperable and that it would cost \$22,000 to repair it.

At that time it was decided to lease the equipment. The SCA contract was not forwarded to Planning Commission until October, from Mr. Fusek's request of May.

Mayor Dyer explained that we are forced to lease for one more month. The Landfill must be maintained and there are no funds in this budget to purchase new equipment. Mayor Dyer stated he would appoint an interim committee on this matter.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 19 AYES - 1 NAY. Councilman Evans voted Nay. 1 member was absent - Councilman Cassano.

COMMUNICATION - Home Energy Loan Program.

Mayor Dyer submitted a communication explaining that the previous Council, on November 7, 1979, authorized a \$100,000 Home Energy Loan Program (H.E.L.P.) which was designed to provide short term fuel assistance for families between 125 and 200% of poverty income. Subsequently, the General Assembly enacted legislation (PA- 79-13) which provided grants to municipalities for loans at 5% interest for applicants between 125% and 300% of poverty level. Danbury's share under the State Grant formula is estimated at \$53,637.00.

To date, the City has made only two loans under the HELP, and the months of November and December have passed gratefully with relatively mild weather.

In view of these facts and in anticipation of the State funds to replace some of our local monies, the Mayor respectfully requested that the Common Council release the encumbrance of \$55,000.00 from the HELP program so that said funds may revert to the Contingency Account for other uses. Adoption of the Resolution being submitted, will authorize this action.

A motion was made by Councilman Evans and seconded by Councilwoman Butera that the Communication be accepted. Motion carried.

RESOLUTION - Funds for H.E.L.P. program to be released.

WHEREAS, the Common Council of the City of Danbury, on Nov. 7, 1979, adopted a Resolution authorizing a \$100,000 Home Energy Loan Program for the purpose of providing emergency fuel assistance loans to households between 125% and 200% of poverty level, and

WHEREAS, said program was created due to the absence of State and/or Federal Funds for such purpose, and

WHEREAS, the State of Connecticut, under Public Act 79-13 will now make available to the City approximately \$53,000 for emergency fuel assistance loans to applicants between 125% and 300% of poverty level, now

BE IT THEREFORE RESOLVED: That the Comptroller of the City of Danbury is hereby directed to release the encumbrance of \$55,000 of the \$100,000 originally set aside for said program, and

BE IT FURTHER RESOLVED: That upon the release of said encumbrance, said funds shall become available within the Contingency Fund for uses deemed necessary by the City.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 20 AYES NO NAYS. 1 member absent.

COMMUNICATION - Re: Problem concerning two streets that are named Shepard Road.

Councilman Ryan requested referral to the Public Works Committee. Mayor Dyer referred the matter to the Public Works Committee, with Councilman Fabiano as chairman.

COMMUNICATION - Appointments to the Commission on Aging:

- Mr. Walter Wayman - for a term ending September 30, 1981.
- Mr. Harry Kessler - for a term ending August 1, 1981.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Communication be accepted and appointments confirmed. Motion carried unanimously.

COMMUNICATION - Appointment of Mrs. Joan McLaughlin to the Conservation Commission for a term ending December 5, 1981.

A motion was made by Councilman Ryan and seconded by Councilman Evans that the Communication be accepted and appointment confirmed. Motion carried unanimously.

COMMUNICATION - Re-appointments of the following to the Library Board of Directors: Mr. John Hoffer and Mrs. Mary West for a term ending January 1, 1983.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Communication be accepted and re-appointments confirmed. Motion carried unanimously.

COMMUNICATION - Re-appointment of Mr. Edmund C. DeVeaux to the Planning Commission for a term ending January 1, 1985.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Communication be accepted and re-appointment confirmed. Motion carried unanimously.

There being no further business to come before the Council, Mayor Dyer announced the public portion of the meeting, inviting anyone who wished to speak to the Council, requesting that remarks be confined to those items on this evening's Agenda.

Harry Kessler - 266 Carol Street, suggested making mandatory observances of Martin Luther King Day, for employees.

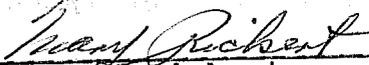
Mr. Kessler also suggested to the Land Acquisition committee that the assessed valuation should be changed to get cost back into normal values.

Mrs. Sharon Somers - 2 Shephard Road - requested a solution to the problems of having two streets named the same, and was advised that the committee would be meeting on January 8, 1980 at 7:30 P.M. in City Hall and that she was welcome to attend at that time.

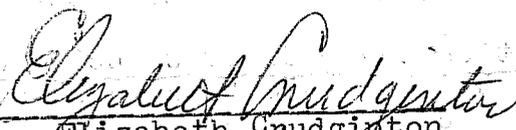
Mrs. Rose Pennel - 68 Jefferson Avenue spoke on the communication previously submitted in reference to fencing on boundary lines. She was advised that she would be notified when the committee is able to schedule a meeting on the matter.

A motion was then made by Councilman Delsin and seconded by Councilman Walsh, that the meeting be adjourned at 9:50 P.M. Motion carried.

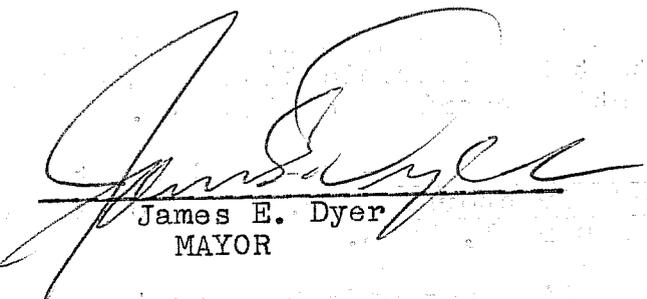
Respectfully submitted

  
Mary Rickert  
Assistant City Clerk

Attest:

  
Elizabeth Crudginton  
City Clerk

Approved:

  
James E. Dyer  
MAYOR