

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

SUBJECT: Minutes of the Common Council meeting held on February 5, 1980.

The Prayer was offered by Councilman Frederick Visconti.
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: Councilmembers - Delsin, McManus, Gallo, Walsh, Rinder, Repole, Kennedy, White, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Burke, Butera, Evans, Fabiano.

ABSENT: Councilmen Scialabba, Cassano, Torian.

18 members present -- 3 members absent.

It was reported that Councilmen Cassano and Torian were out of town on business. Councilman Scialabba was ill with the Flu.

Minutes of the Common Council Meeting held on January 3, 1980.
A motion was made by Councilman Ryan and seconded by Councilman Visconti that the reading of the minutes of the previous meeting held on Jan. 3rd, be waived and said records approved. Motion carried.

NOTICES FROM MAYOR DYER

Mayor Dyer congratulated Councilman Fred Visconti on the celebration of his birthday - February 3rd.

Mayor Dyer also congratulat^{ed}/Councilman Roger Delsin on becoming the newly elected minority leader of the Council.

Mayor Dyer congratulated Mary Rickert, Assistant City Clerk on 24 years of service to the City, as of this date.

Councilman Burke requested that a letter be written to the Prime Minister of Canada extending the thanks and gratitude of the Council and City of Danbury, for their assistance in the escape of Americans from Iran.

RESOLUTION - Settlement of the following Claim:-

The Hartford Insurance Group \$1,000.00
(\$1,000.00 deductible portion of
insurance policy re: Claim of GARY LEMME SR.
v. City of Danbury).

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

Motion carried by a roll call vote of 18 Ayes. 3 members absent.
(Councilmen Scialabba, Cassano and Torian.
The Resolution was adopted.

RESOLUTION & CERTIFICATION - Collective Bargaining Agreement for Dog Warden.

Resolved by the Common Council that Mayor James E. Dyer be and hereby is authorized and empowered to execute a collective bargaining agreement with the Canine Officers of the Danbury Police Union, Local 891 and Council 15 of AFSCME, on behalf of the City of Danbury:

Be it further resolved that the sum of \$2,148.00 is hereby appropriated from the Contingency Account to the Dog Warden Account, No. 02-102-072800 for the purpose of implementing this agreement.

Be it further resolved that the Comptroller is hereby directed to make all necessary adjustments to the Dog License Fund to reflect said agreement.

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, as to the availability of \$2,148 in the Contingency Account to provide a transfer to the City Subsidy of the Dog Fund in order to implement the recent Labor Agreement.

A Communication from Mayor Dyer further explained that the City has negotiated a revised contract with the Dog Wardens which runs through December 31, 1980. This revised agreement encompasses changes in the following areas:

1. A 2 year contract retroactive to January 1, 1979 and expiring December 31, 1980.
2. A provision similar to the Police Department contract entitling individuals to full pay while on leave during injuries which are job connected.
3. A 6% increase in each year in the wages for both full time employees.
4. An increase in the uniform allowance to \$350 consistent with the provisions of the Police Department contract.

The total cost of the 2 year settlement is \$2,862.65. - \$2,148.00 is needed to fund the contract through the end of the fiscal year.

A motion was made by Councilman Repole and seconded by Councilman Evans that the Communications be accepted and Resolution adopted.

The Resolution was adopted by a roll call vote of 18 Ayes - No Nays, 3 members absent.

RESOLUTION - Redevelopment Land Disposition Agreement- small parcel of land on Liberty Street. Offer to purchase and develop Disposition parcel S/20-1 in the MidTown East Neighborhood Development Project, Conn. A-4, from Guilherme F. & Aurora A. Bernardino.

Councilman Murray requested referral to committee. Mayor Dyer referred the Resolution to the following Councilmen; Kennedy, Turk and Burke.

RESOLUTION - Grant for Highway Marking Machine.

WHEREAS, the City of Danbury in cooperation with the Towns of Bethel and Ridgefield has been offered a grant of \$30,000 by the State of Connecticut, Department of Transportation, under the Federal Highway Safety Program, Federal Program Area No. 80-09-02-613, State of Connecticut No. 0183-0259; and

WHEREAS, it is the purpose of this grant to purchase a highway pavement marking machine for use by the aforementioned participating communities;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor James E. Dyer is hereby authorized to accept said grant of \$30,000 and he is hereby further authorized to negotiate and execute any necessary agreements with the Towns of Bethel and Ridgefield for the shared use of a highway safety pavement marking vehicle and to execute any additional contracts, agreements or other documents pursuant to this grant.

BE IT FURTHER RESOLVED that the Director of Finance is directed to adjust his accounts and budget records to properly reflect said grant.

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

The Resolution was adopted by a roll call vote of 18 Ayes No Nays. 3 members absent.

RESOLUTION - Transportation for the Elderly and Handicapped.

WHEREAS, Federal funds are available representing 50% of the eligible funds expended on elderly and handicapped transportation, 2% of which shall be in payment to the Housatonic Regional Area Transit Authority for expenses incurred in processing said grant application;

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL that Mayor James E. Dyer be and hereby is authorized to request that HART prepare and file a Section 5 Operating Assistance Grant on behalf of the City of Danbury to subsidize the elderly and handicapped transportation services for fiscal year 1979 and fiscal year 1980.

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

The Resolution was adopted by a roll call vote of 18 Ayes No Nays. 3 members absent.

RESOLUTION Re: Transfer station for the collection and ultimate disposal of solid wastes

Councilman Murray requested referral to committee. Mayor Dyer referred the Resolution to the Public Works Committee: Councilmembers - Fabiano, Walsh, Murray, McManus, Cassano, White, DaSilva.

COMMUNICATIONS

Re: Request of Louis Haddad to tap into water line on Mill Plain Road. Referral by Councilman White to Public Works Committee.

Re: Petition of D.H. Inn Association to extend water line on Old Ridgebury Road, to the proposed Hilton Hotel site. Request for referral by Councilman Evans to the Public Works Committee

Re: Request of Simone Corporation for acceptance of Bragdon Avenue and Judith Drive (Stonegate Estates). Request for referral by Councilwoman J. Butera, to the Pub.Wks. Comm.

Re: Drainage problem on Grandview Drive - Request for referral by Councilman Repole, to the Public Works Committee.

Re: Petition to close Cross Street Bridge - Request for referral by Councilman Ryan, to the Public Works Committee.

Re: Request for acceptance of Royal Road and Monarch Road. Request for referral by Councilman Murray, to the Public Works Comm.

COMMUNICATION - Offer by Emil Morey of land for sale to the City - along Brushy Hill Road and Southern Boulevard.

Councilman Ryan requested referral to the Land Acquisition committee and the Planning Commission.

Mayor Dyer referred the Communication to the Land Acquisition committee: Councilmembers - Evans, Turk, Butera, Kennedy, Repole, Gallo.

COMMUNICATION - Request of John Grismer to purchase Old Civil Defense Building on Miry Brook Road.

Councilman Murray requested referral to the Public Works Committee and the Planning Commission.

COMMUNICATION - Donation from the Danbury War Memorial Association, Inc, in the amount of \$80,000 to the Parks & Recreation Department for the erection of a community swimming pool.

Councilman Murray requested referral to committee and the Planning Commission.

Mayor Dyer referred the matter to the following members of the Council: DaSilva, Ryan, Delsin.

Re: City of Danbury vs. Oak Land Corporation.

COMMUNICATION / Request from Attorney Eric Gottschalk, Assistant Corporation Counsel, for a committee to be appointed to review the above matter.

A motion was made by Councilman Ryan and seconded by Councilman Murray that the Communication be accepted and committee appointed. Motion carried.

Mayor Dyer appointed the following members to this committee:
Councilwoman L. Rinder and Councilmen Walsh and Cassano.

COMMUNICATION - Re: Fire Zones & Fire Lanes.

Request from Chief Nelson F. Macedo - Danbury Police Department for an amendment to the City Ordinance Section 19-62, Fire Zones and Fire Lanes.

The following amendment was submitted by Chief Macedo:

The Police Department is authorized and empowered to remove any vehicle, or vehicles, parked or standing in the established Fire Zones and Fire lanes. The Police Department is also authorized and empowered to fine the owner of said vehicle, or vehicles, by placing a Fire Zone ticket on said vehicle, or vehicles, in accordance with Section 19-58 of the City Ordinances.

Councilman Murray requested referral to committee.
Mayor Dyer appointed the following members to this committee:
Councilmen Visconti, Scialabba, Gallo.

COMMUNICATION - 911 Emergency number.

Request from Councilman John Turk to create a 911 Emergency Number, to improve response to calls for assistance.

Mayor Dyer submitted a communication stating that the previous administration did not pursue the creation of a 911 Emergency number and it seems appropriate to again explore the feasibility of this project, suggesting that we look at the feasibility of obtaining LEAA funding for the establishment of a 24 hour Crisis Intervention telephone system.

Councilman Evans requested referral to committee.
Mayor Dyer appointed the following members to this committee:
Boynton, Turk, Butera.

COMMUNICATION & CERTIFICATION - Request from Mr. Orlando Salvatore, Director of City Welfare, for an additional \$30,000 funding for the remainder of the fiscal year. Council members should keep in mind that any expenditure by the City will receive a 90% reimbursement from the State Department of Income Maintenance.

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

CERTIFICATION - A certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, that there is an adequate balance to allow a transfer from the Contingency Account to the Welfare Department. Mr. Edwards recommended the estimated Welfare reimbursement revenue account #523100 be increased by the amount of \$27,000 and the total Welfare Budget increased by \$30,000 (Public Welfare Account #026000)

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

Motion carried by a roll call vote of 18 Ayes - No Nays. 3 members absent.

COMMUNICATION & CERTIFICATION - Request from Elizabeth Crudginton, City Clerk, for a transfer of funds from the Contingency Account to the Common Council Contractual Service Account 02-01-100-029500, in the amount of \$500.00. Funds required for Xerox copies which total approximately 2,500 each month.

A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$500 available in the Contingency Account to be transferred to the Common Council Contractual Services Account, as stated above, for Xerox copies.

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

COMMUNICATION & CERTIFICATION - Request from Mr. John P. Edwards, Director of Finance, Acting who submitted a certification in the amount of \$9,925 as being available in the Contingency Account to be transferred to Acct. #02-05-174-072800 for the City's share of Elderly Transportation deleted in error from the budget. There will be some reimbursement from Title XX funds.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva that the Communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 18 Ayes - No nays. 3 members absent.

CLAIMS - Walter Savage - Rose Pennell - Helen Jancewicz - Robert Chernoff
Thomas A. Pura.

Councilman Delsin requested referral to the Claims Committee and Assistant Corporation Counsel for Claims - Attorney Thomas G. West. Councilman DaSilva as Chairman.

RESOLUTION - Women, Infant and Children Program.

WHEREAS, the Common Council authorized the renewal of the City's contractual agreement with the Connecticut State Department of Health Services for the purpose of continuing the Danbury Health Department's Women, Infant and Children Program by resolution dated Sept. 4, 1979; and

WHEREAS, said resolution recognized the amount of State funds to be \$71,709, and

WHEREAS, the approved contract amount has been increased from \$71,709 to \$81,549;

NOW, THEREFORE, BE IT RESOLVED THAT the Danbury Health Department through its Director, Bruce D. Cummings, be and hereby is authorized to renew the City's contractual agreement with the State Department of Health Services which would provide funding in the amount of \$81,549 for the purpose of continuing the Health Department's Women, Infant and Children Program into the next fiscal year and that the Danbury Health Department through its Director, Bruce D. Cummings, be further authorized to take all steps necessary to accomplish said amendment consistent with the above.

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

The Resolution was adopted by a roll call vote of 18 Ayes - No Nays 3 members absent.

COMMUNICATION - Request of Franklin W. Slater and Lillian H. Slater for the Council to review a drainage problem at the intersection of State Highway Route 39 (Clapboard Ridge Road) and Golden Heights Road.

Councilman Murray requested referral to the Public Works Committee.

COMMUNICATION - Connecticut Resource Recovery Authority - Solid Waste Management.

In order to fully explore the options available to the City of Danbury in connection with solid waste management, Mayor Dyer has requested that CRRRA prepare a proposal for review by the Common Council. This proposal will be available to the committee appointed this evening.

Councilman White requested referral to the Public Works Committee and the Planning Commission.

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COMMUNICATION & CERTIFICATION - Davis-Edwards Pharmacel Corporation -
Bankruptcy.

Request from Eric L. Gottschalk, Assistant Corporation Counsel, for the sum of \$500.00 representing fees for the services of Attorney Thomas J. Adams of New York. The billing represents fees for settlement of a bankruptcy case brought in the U.S. District Court in New York City. The settlement of the case was authorized at the November 7th meeting of the Common Council.

Attorney Adams was successful in representing the City against a bankrupt corporation and securing the City's Claim to unpaid taxes.

CERTIFICATION - A certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$500 in the Contingency Account to be transferred to the Corporation Counsel's Budget Acct. 02-01-150-020108 to pay the bill for bankrupt proceedings.

A motion was made by Councilman Evans and seconded by Councilman Delsin that the Communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 18 Ayes and No Nays. 3 members absent.

COMMUNICATION & CERTIFICATION - Re: Agreement between the City of Danbury and Local 801 International Association of Fire Fighters AFL-CIO. July 1, 1978 to June 30, 1981.

Request from Mayor Dyer for approval of the appropriate funding of the Firefighter Contract.

CERTIFICATION - A certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, stating that in order to finance the Fire-fighter working agreement we will require total funds of \$257,928, to be appropriated to the following accounts in the Fire Department:

Regular Salaries	\$235,390.00
Overtime	6,500.00
Holiday Pay	16,038.00

Mr. Edwards certified these funds are available in the unappropriated fund balance of the General Fund.

Councilman Murray asked what the exact responsibility of the Common Council is, in reference to this Agreement.

Attorney Theodore H. Goldstein, Corporation Counsel replied that the Chief Executive has effected this contract which is not up for consideration. The sole function of the Council is for the funding of the Agreement.

Councilman Walsh asked and Mr. Edwards explained the unappropriated funds.

A motion was made by Councilman Walsh and seconded by Councilman Ryan to act on the Agreement and Certification. Motion carried.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Communication be accepted and transfer of funds authorized for the Firefighters Agreement.

Motion carried by a roll call vote of 18 Ayes - No Nays - 3 members absent.

COMMUNICATION & CERTIFICATION - Request from Nicholas Nero Chairman and John M. Hanna, Chief Examiner of the Civil Service Commission, for a transfer of \$3,000 to cover a budget shortfall in the Civil Service Account. The funds are required in the 020100 Professional Services and Fees Account and the 022500 Legal and Public Notices Account.

CERTIFICATION - A Certification of funds was submitted by Mr. John P. Edwards in the amount of \$3,000 in the Contingency Account to be transferred to the following Civil Service Accounts:

Professional Services	02-01-183-020100	\$2,250.00
Legal & Public Notices	02-01-183-022500	750.00

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

Motion carried by a roll call vote of 16 Ayes - 2 Nays (Councilmen Kennedy and Turk, voted Nay) 3 members absent.

COMMUNICATION & CERTIFICATION - Request from Robert Winkelstern - Supt. of Public Buildings for funds in the amount of \$14,860.00 for the following:

\$3,535.00 in the 02-01-224-010100 account to secure Francis Paquette's services until June 30, 1980. Mr. Paquette was employed as a custodian under CETA until Oct. 1979 when funds expired. He was then employed on a part time basis at the Library. A CETA employee has been received at the Library so Mr. Paquette was terminated on Jan. 23, 1980. Mr. Winkelstern requested that a position of custodian be established at City Hall for Mr. Paquette.

In addition, funds in the amount of \$11,000 are needed in the 02-01-224-020300 Account for communications services. This is due to a budget error where the Centrex lines were eliminated and the account under-funded.

Funds in the amount of \$325.00 are needed in the 02-01-224-011001 Part Time Services Account to furnish vital services through June, 1980.

Mr. Winkelstern explained that the above transfers are necessary due to numerous complaints about the cleanliness of City Hall, from both our employees and the public sector. This problem is caused by the loss of CETA employees and the reduction of 2 regular employees from the 79/80 Budget.

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards in the amount of \$14,860 as being available in the Contingency Account to implement the additional funds required by the City Hall Building Accounts.

A motion was made by Councilman Delsin and seconded by Councilman Visconti that the Communications be accepted and transfer of funds authorized. Motion carried by a roll call vote of 18 Ayes - No Nays - 3 members absent.

COMMUNICATION & CERTIFICATION - Request from Robert Winkelstern - Supt. of Public Buildings for funds in the amount of \$25,000.00 for the following:

\$16,000 for Part Time Services in the School Maintenance Budget
9,000 for Maintenance Not Listed Account.

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$25,000 as being available in the unappropriated fund balance for operations in the General Fund that may be used to increase appropriations in the School Maintenance Budget:

Acct. 02-03-116-011001	Part-time services	\$16,000
Acct. 02-03-116-039500	Maintenance Not listed	9,000
		<u>\$25,000.</u>

Councilman Murray requested referral to the Public Works Committee.

COMMUNICATION & CERTIFICATION - Request from Mr. Paul Garofalo, Building Inspector, stating that the Environmental Impact Commission, who shares the Budget with the Building Department, is in need of additional funds to operate until the end of this fiscal year. The Building Department also needs an additional \$300 for automobile maintenance. The requests are as follows:

011001 - Part Time Services	\$1,000.00
022500 - Legal & Public Notices	150.00
040100 - Office Supplies	300.00
035100 - Maintain Auto Equip.	300.00
	<u>\$1,750.00</u>

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$1,750.00 as being available in the Contingency Account for the above transfers.

A motion was made by Councilman Repole and seconded by Councilman Boynton that the Communications be accepted and transfer of funds authorized. Motion carried by a roll call vote of 18 Ayes - No Nays - 3 members absent.

COMMUNICATION & CERTIFICATION - Request from Mayor Dyer, subject to Planning Commission approval of the following Capital project:

Estimated cost to rebuild the Danbury High School Grandstand - \$140,000.

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$140,000 as being available in the General Fund unappropriated fund balance for Grandstand Re-construction.

Councilman White requested referral to the Public Works Committee and the Planning Commission.

COMMUNICATION & CERTIFICATION - Balance of the proceeds of Flood Control Bond Issue Series B of 1964.

Communication from Mr. John P. Edwards, Director of Finance stating that in 1955, the Old City was authorized by Special Act. No. 60 to sell bonds to construct or improve a Flood and Erosion Control System within the City. Particularly mentioned was the Still River and its tributaries.

Funds remaining unspent at this time are \$274,956.38. Mr. Edwards recommended these be lapsed to surplus and used in such manner as may be recommended to the Common Council, by the Mayor.

A motion was made by Councilman Evans and seconded by Councilman DaSilva that the Communication be accepted and transfer of funds authorized.

Councilman Turk requested referral to committee.
Mayor Dyer appointed the following members to this committee: Councilmen Ryan, DaSilva, Delsin.

COMMUNICATION - Solid Waste Management.

Request from Eric L. Gottschalk, Assistant Corporation Counsel for an appropriate committee to review a proposal re: SCA services of Conn. Inc. in connection with the above. Their proposal includes the construction of a transfer station for the collection of refuse, with eventual disposal occurring at the New Milford landfill site.

The present plan also envisions the disposal of refuse originating in Bethel, and to accomplish this, an interlocal agreement between our respective municipalities is also required.

Councilman Evans requested referral to the Public Works Committee.

COMMUNICATION - Request by Mayor Dyer that a Council Committee be established to review the balances of all unexpired funds that may exist throughout various city accounts, bond issues, and grant programs. Mayor Dyer stated that substantial amounts of money may become available to the City by pursuing this course of action.

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

Mayor Dyer appointed the following members to this committee: Councilmen - Murray, Walsh, Cassano, Fabiano, Torian.

COMMUNICATION - Request by Mayor Dyer for the creation of a Council committee to inventory our Motor Vehicle Stock and to assess the related efficiency and use of Motor Vehicles. Mayor Dyer stated that it may be possible to achieve some additional savings for the City by reviewing the current use of Motor Vehicles.

Councilman Murray requested referral to an appropriate committee.
Mayor Dyer appointed the following to this committee: Councilmen Kennedy, Scialabba, Evans.

COMMUNICATION - State of Conn. Land for sale - Route 39.

Section 3-14b of the General Statutes of Connecticut provides that prior to the sale of State owned land, the State Treasurer shall first notify in writing the Chief Executive Officer of the Municipality in which the land is situated of the State's intention to sell such land.

Mr. Henry E. Parker, State Treasurer states that if the Chief Executive Officer or Officers of the Municipality fail to give notice to the State of their desire to purchase said land within forty-five (45) days, the Municipality shall have waived its right to purchase said land.

Councilman Ryan requested referral to the Land Acquisition Committee.
Councilman Evans, Chairman.

COMMUNICATION - Offer of Pine Ledge Corporation of approximately (90) acres of land with approximately 2,500 feet of frontage on Lake Candlewood including two small beaches - for sale to the City of Danbury.

Councilman Ryan requested referral to the Land Acquisition Committee.
Councilman Evans, Chairman.

COMMUNICATION - Golden Hill North Sewer

Recommendation from Theodore H. Goldstein, Corporation Counsel, that the question of the acquisition of the property of Elliott G. Anderson et ux at the intersection of Padanaram Road and Golden Hill Road and known as 52 Padanaram Road, be referred to committee.

Attorney Goldstein has in mind the fact that the City arrange with the Andersons that it acquire a strip of land from them for road widening purposes and that the Anderson House be moved North to a new foundation on the same property and that the Andersons be paid a commensurate sum to effect this.

If in fact the Andersons are not agreeable to this or their house physically cannot be moved to a new foundation, Attorney Goldstein recommends that the City acquire the entire property.

This recommendation derives from the fact that the City must dig along the edge of Golden Hill Road and otherwise utilize a portion of the Anderson property in order to lay a new sewer line in Golden Hill Road. We are going to dig up Golden Hill Road in any event but are not going to effect any traffic improvement.

The money to acquire all or a portion of the Anderson property cannot come from the sewer bond issue but perhaps, Mr. Goldstein stated, we can find some way of justifying the purchase of the property out of said bond issue. Presumably we would have to inquire of Bonding Counsel.

Councilman Murray requested referral to the Land Acquisition Committee.
Councilman Evans, Chairman.

COMMUNICATION - Proposal from Dorothy T. Schling, Director-Curator of the Danbury Scott-Fanton Museum and Historical Society, Inc. to relinquish lease for property on Mountainville Road in exchange for City of Danbury moving Charles Ives Home to 47 Main Street.

Councilman Murray requested referral to the Land Acquisition Committee.
Councilman Evans, Chairman.

COMMUNICATION - Request from the Diocese of Bridgeport and the Portuguese Apostolat of the Greater Danbury Area, to purchase City-owned land, to build a Chapel for the Portuguese speaking citizens of the City of Danbury. The Chapel would be used primarily as a residence for the Parish Portuguese Priest.

Councilman Ryan requested referral to committee.
Mayor Dyer referred the matter to the following committee:
Councilmen Ryan, Delsin and Councilwoman C. McManus.

2/5/80

COMMUNICATION - Amendment to Chapter 16-A - City Ordinances.

Appointment by Mayor Dyer of a committee to consider the following problem:

Danbury Ordinances presently prohibit the use of our landfill except for disposal of wastes generated within the City limits. As a result, consideration of regional solutions to the problem of solid wastes relying in any way on our landfill has been impossible.

In order to allow us to consider these possibilities an amendment to Chapter 16-A of our ordinances is required. If enacted, such an amendment would allow the City of Danbury to enter into interlocal agreements with other municipalities which may be in the best financial and technical interest of the City of Danbury.

Councilman Ryan requested referral to the Public Works Committee. Councilman Fabiano, Chairman.

COMMUNICATION - Appointment of Robert Putnam Jr. to the Parking Authority for a term to commence this date (Feb. 5, 1980) and to expire June 20, 1984.

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

COMMUNICATION - Appointment of the following to the Fair Rent Commission:
Ms. Sally A. Mischico for a term to commence Feb. 5, 1980 and expire 7/1/1982.
Mrs. Dolores Levy for a term to commence Feb. 5, 1980 and expire 7/1/1981.

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

COMMUNICATION - Appointment of Mrs. Sandra Fluskey to the Commission on Aging for a term to commence Feb. 5, 1980 and to expire Oct. 1, 1980.

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

COMMUNICATION - Appointment of the following to the Environmental Impact Commission:

Eugene Eriquez - as a regular member to represent the Zoning Commission, for a term to commence Feb. 5, 1980 and expire December 1, 1980.

James Gilbert - as a regular member to represent the Health Department, for a term to commence Feb. 5, 1980 and expire December 1, 1982.

William McLachlan - as an alternate member to represent the Planning Commission for a term to commence this date and expire December 1, 1980.

James M. Hill - as an alternate member to represent the Conservation Commission for a term to commence this date and expire December 1, 1981.

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

COMMUNICATION - Appointment of the following to the Youth Commission:
John McGarry - John Zamary - Elisa M. Doto, for a term to commence this date and expire April 1, 1982.

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

COMMUNICATION - Appointment of Roseann Penedo to the Conservation Commission for a term to commence this date and expire July 1, 1982.

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

COMMUNICATION - Re-appointment of Dr. Robert A. Wolsch, Dr. Charles Terzo and Mrs. Evelyn Durgy to the Cultural Commission for terms to expire February 1, 1983.

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

COMMUNICATION - Appointment of the following to the Aviation Commission:
Raymond P. Lanzilotta for a term to commence this date and expire 7/1/1982
Ronald C. Beisinger for a term to commence this date and expire 7/1/1982
Leo F. Moore for a term to commence this date and expire 7/1/1983

Re-appointment of Arthur Finkle for a term to expire July 1, 1982.

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

COMMUNICATION - Appointment of the firm of Ernst & Whinney as auditors for the City as recommended by Mr. John P. Edwards, Director of Finance, Acting. Annually the Common Council is required by Section 7-391 of the General Statutes, to appoint a firm of Certified Public Accountants, to audit the City's accounts.

Councilman Ryan requested referral to committee. Mayor Dyer appointed the following Councilmen to this committee: Torian, Delsin, Repole.

DEPARTMENT REPORTS

Police Department	Housing Inspector
Fire Chief	Health Inspector
Fire Marshal	Health Education Coordinator
Sealer of Weights	Building Inspector
Coordinator of Env. & Occupational Health Services.	

A motion was made by Councilman Ryan and seconded by Councilman Murray 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 unanimously.

COMMUNICATION & RESOLUTION - Richard Sporck d/b/a Colonial Truck Stop vs. City of Danbury et als

Attorney Theodore H. Goldstein, Corporation Counsel, submitted and read the following communication in reference to the above subject matter:

"The above is a suit by Richard Sporck d/b/a Colonial Truck Stop against the City of Danbury, its Zoning Board of Appeals, its five members at the time of the activities described in the lengthy summons and complaint, Danbury Gasoline Retailers Association and four members of the latter.

The suit, brought by a current member of the Zoning Commission of the City of Danbury, alleges that Section 17.1 of the Code of Ordinances of the City of Danbury results in an illegal restraint of trade and also that the Zoning Board of Appeals and the Gasoline Retailers Association are seeking to create a monopoly with respect to the sale of gasoline products in the City of Danbury. The matter is returnable to the U.S. District Court for the District of Connecticut in Bridgeport and seeks \$40,000,000 damages.

The suit is unique in character and is, as indicated, returnable to Court in Bridgeport, where all motions will be argued, all pleadings filed, and the matter tried. It is a matter which will be very time consuming and will require special knowledge on the part of a law firm which has its main office in Bridgeport and is often engaged in antitrust work in the Federal Courts. There is no one in the Office of the Corporation Counsel who has this required background.

The last sentence of the first paragraph of Section 6-4 of the Charter of the City of Danbury provides that "If in special circumstances ..., the Council deems it advisable, it, by resolution, may provide, in addition, for the temporary employment of Counsel other than the Corporation Counsel".

Attorney Goldstein has made inquiry throughout the Bridgeport area as to abilities and fees which would be charged to the City of Danbury and recommends to the Mayor and the Common Council the employment of the law firm of Goldstein and Peck, 955 Main Street, Bridgeport, Connecticut, to represent the City, its various agencies, and its various commissions and members thereof because of the specialized nature of this matter. Obviously the Danbury Gasoline Retailers Association and its members will have to obtain counsel of their own.

The firm of Goldstein and Peck has indicated that because of its long relationship in handling matters for the City of Danbury, its charge will not exceed \$100.00 per hour. It will undoubtedly send a retainer statement and funds should be allocated, presumably in our contingency fund for the forthcoming budget year, to satisfy any balance of fees which will become due.

RESOLUTION - Attorney Goldstein also read the following Resolution:

WHEREAS, the City of Danbury, the Zoning Board of Appeals of the City of Danbury, and Paul Shea, Ernest Boynton, Robert Donald Taylor, and Robert Basher, the latter being now or formerly members of the Zoning Board of Appeals of the City of Danbury, have been summoned and required to appear in a matter brought by Richard Sporck, doing business as Colonial Truck Stop, before the United States District Court for the District of Conn. in which suit the sum of FORTY MILLION DOLLARS (\$40,000,000) damages is sought; and

WHEREAS, Section 6-4 of the Charter of the City of Danbury requires the adoption of a resolution by the Common Council for the temporary employment of counsel other than the Corporation Counsel in special circumstances;

NOW THEREFORE, be it resolved that the Corporation Counsel be authorized to engage the law firm of Goldstein and Peck of Bridgeport, Connecticut to represent the City of Danbury, its Zoning Board of Appeals, and its above named members to represent it and them in said action at a charge not to exceed ONE HUNDRED DOLLARS (\$100.00) per hour for legal services rendered.

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

Councilman Ryan asked Attorney Goldstein if this money \$100 per hour would be coming from the Corporation Counsel's account, to which Mr. Goldstein replied that it is not, and that there is a special account set aside in the Corporation Counsel Budget for litigation. To it has been added over the past several years, expenses charged for outside Counsel, as well as for the Attorney who has been appointed by the Council to handle matters where there are conflicts. This is an item which would be difficult to budget for, and it is not within the present budget of the Corporation Counsel's office.

Mr. Ryan then stated that it is assumed that these funds would come from the Contingency Account and asked if the Comptroller has certified as to the availability of the funds.

Attorney Goldstein replied that we have not been billed as yet for any funds in connection with this. It is a matter of engaging a firm to represent the City of Danbury in a matter which is returnable to Court within the next few days. The City of Danbury does have Insurance through the Hartford Group to defend various actions against various departments of the City of Danbury. The Comptroller has reviewed our present Insurance contract, as has the Corporation Counsel's office. The complaint has been submitted to the Hartford Group for their review and reply. The indication we have is that this is not an action which falls within our insurance coverage and therefore Counsel for the insurance company will not come in to defend this action. The Corporation Counsel's office will assist outside Counsel as much as possible to minimize expenses to the City. It is impossible to ascertain the number of hours which will be devoted to this

Councilman Ryan then asked Attorney Goldstein if he would object to an amendment to the Resolution that would read - be it further resolved that the expenditures are not to exceed one-thousand dollars until the Corporation Counsel re-requests funding from this Council.

Attorney Goldstein replied that he did not believe it would be possible to engage a reputable, responsible, experienced and knowledgeable law firm under such conditions. This is a suit for Forty Million Dollars, which is about equivalent to the annual budget of the City of Danbury, and to ask a law firm to undertake to defend such action for One-thousand dollars, is sort of unreasonable.

Following further discussion, Councilman Ryan submitted the following amendment, seconded by Councilman Visconti:

Be it further resolved that any expenditure to be approved or authorized shall not exceed \$2,500 for such retainer, providing however, that if in the opinion of the Corporation Counsel, additional funds are required he may seek supplemental authorization or approval from the Common Council at any regular or special meeting.

The amendment to the Resolution was adopted by a roll call vote of 16 Ayes - 1 Nay (Councilman Evans voted Nay) 1 abstention (Councilman Boynton abstained from voting) 3 members were absent.

Attorney Goldstein then read the Resolution as amended, into the records.

Councilman Delsin noted that the Resolution was not listed on the Agenda and members received copies this evening.

Mayor Dyer stated that the item was on the Agenda as a communication.

Attorney Goldstein advised that the matter could be acted upon by a two-thirds vote of the Council.

The Resolution as amended was then withdrawn and a motion was made by Councilman Ryan and seconded by Councilman Murray that under Section 1-21 of the Freedom of Information Act, that the Council consider both the Communication and a Resolution delivered to the Council members this evening. Motion carried by a roll call vote of 17 Ayes - 1 abstention, Councilman Boynton abstained from voting - 3 members absent.

The Amendment to the Resolution was read again by Councilman Ryan and seconded by Councilman Repole.

The Amendment was adopted by a roll call vote of 16 Ayes 1 Nay - Councilman Evans voted Nay and 1 abstention. Councilman Boynton abstained from voting.

The Resolution as amended was adopted by a roll call vote of 17 Ayes 1 abstention (Councilman Boynton abstained from voting) - 3 members were absent.

AD HOC COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE REPORTS RE:

- A. Request of Hays Jacobs for sewer extension - 6 Woodside Avenue
- B. Petition of Laura Muehlfeld for water and sewer extension to Lots 136 and 137 - Belmont Circle.
- C. Petition of A. A. Canzler Inc. for sewer and water extension on Padanaram Road.
- D. Petition of Herminio Silva for sewer extension for Lot #133 on Belmont Circle.

Councilman Fabiano, Chairman of the Public Works Committee, submitted committee reports on the above petitions stating that the committee has met and reviewed the above petitions with the City Engineer and has also reviewed recommendations received from the Planning Commission, for approval of all petitions.

It is the recommendation of the Public Works Committee that these petitions be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Conn. Land Surveyor, for approval by the City Engineer.
3. Detailed engineering plans and specifications are to be approved by the City Engineer and the Supt. of Public Utilities, prior to the start of construction.
4. If required, a warranty deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said sewer line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to such portions of the sewer line as the City Engineers Office determines are of potential benefit to other landowners in the City. Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer line.

Motions were made and duly seconded by Councilmen Ryan, Murray and Evans that the Reports be accepted and Petitions granted as per the conditions and restrictions specified. Motions carried unanimously.

REPORT Re: Petition of Sharon Somers - 2 Shepard Road.

Councilman Fabiano submitted a Public Works Committee report stating that the committee has met with Mrs. Somers to discuss her petition concerning another road having the same name and another residence having the same house number, which has caused problems with mail and other deliveries. Several recommendations were suggested by the committee, hoping to resolve this problem.

A motion was made by Councilman Ryan and seconded by Councilman Evans to accept the report. Motion carried.

REPORT Re: Petitions for acceptance of the following roads:

1. Westminster Road
2. Mario Drive, Judith Drive, Kilian Drive and Bragdon Avenue.

Councilman Fabiano submitted a Public Works Committee report stating that in reviewing the above petitions, the committee found that two of these roads have already been accepted by the City and one other has been renamed.

To avoid any possible future confusion, the committee recommends that these petitions be denied without prejudice and the petitioner be allowed to resubmit at this meeting or any subsequent meeting of the Council. The petitioner has been notified as to this decision.

A motion was made by Councilman Ryan and seconded by Councilman Murray that the Report be accepted and terms complied with. Motion carried.

REPORT - Road Ordinance Amendment.

Councilman Burke submitted a Road Study Committee report stating that the committee found conflicts existing in Ordinance Section 17-34 and recommends the following amendment:

"That Ordinance Section 17-34.(a) be and hereby is amended by the deletion of the words "Improved and" preceding the word "accepted" in the last paragraph of said Section 17-34 (a).

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Report be accepted and the Ordinance be deferred for a public hearing to be scheduled. Motion carried.

REPORT - Road Study Committee Report on the following:

- CEDAR ROAD - MOODY LANE - TA'AGAN POINT DRIVE - HAWTHORNE COVE ROAD
- ROAD THAT CONNECTS TA'AGAN POINT ROAD WITH MOODY LANE -
- OLD FORTY ACRE MOUNTAIN ROAD

Councilman Burke submitted a Road Study Committee Report recommending denial of the above petitions for acceptances, citing Ordinance Sec. 17-34 (c-7) and(c-6).

Motions were made and duly seconded that the Report be accepted and Petitions denied. Motions carried unanimously.

REPORT - HY-LO and WATERVIEW DRIVES.
GOOS ROAD AND RIDGECREST ROAD.

Councilman Burke, chairman of the Road Study Committee, submitted a report stating that the Committee has conducted an on-site inspection of the above roads and requested an engineering report from the City Engineer. An extension of time was requested and granted by the Mayor to allow the committee time to examine and evaluate the engineering report.

REPORT - Land Acquisition Committee. Wildman Property.

Councilman Evans, Chairman of the Land Acquisition Committee submitted a committee report stating that they had met on Jan. 8, 1980 and Mr. Bob Ryerson was also in attendance. He presented an over-view as to the needs of the City with reference to his department. He stated we are lacking in many areas; ranking lowest in the State for recreational services. He stated a need for developing property we already own, plus the need for recreational area in the Stadley Rough Area.

Mr. Ryerson had no plans for the Wildman Property if purchased by the City, and said his department would not recommend the purchase. The committee then passed a motion to recommend that the City not purchase the Wildman Property. Motion carried by the committee members - 5 Ayes No Nays. 1 absent.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the report be accepted and the Wildman property not be purchased by the City. Motion carried unanimously.

REPORT - Lakeview Property.

Councilman Burke submitted a Land Acquisition Report stating that the committee met on Jan. 22, 1980. In attendance was Ms. Carole Torcaso representing the Conservation Commission and Mr. Alfred Zega of the Cultural Commission. It was reported by a motion of the committee that the Common Council be requested to direct the Purchasing Agent to arrange for the appraisal of said property.

Councilman Evans contacted Mr. Edwards and was told that there was approx. \$4,400 in the Land Acquisition Account.

A motion was made by Councilman DaSilva and seconded by Councilman Visconti to accept the Report and recommendations of the Committee. Motion carried unanimously.

Councilman Evans requested and was granted an extension of time for the Land Acquisition Committee to conduct another on-site inspection of the Parks Property on a day when the weather is more favorable.

REPORT - Master Plan of the Danbury Airport.

Councilman DaSilva submitted a committee report stating that the committee appointed to study a possible revision to the Master Plan of the Danbury Airport, met on January 24, 1980 at 7:30 P.M.

The committee consisted of Councilmen DaSilva, Delsin and Murray. Also in attendance were J. Thompson, Airport Administrator, Douglas Godfrey, chairman of the Airport Commission, Janet Shaefer and William McLaughlin of the Planning Commission and Attorney E. Gottschalk, Assistant Corporation Counsel.

Considerable discussion took place concerning the need for tie-down space at the airport and the accompanying need for a revision of the Master Plan to enable the Airport Commission to apply for Federal and State funds.

It is therefore the recommendation of the committee to authorize the Airport Commission and the Purchasing Agent to seek informal bids for the revision of the Master Plan for the Danbury Airport.

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

REPORT - Mortgage - Danbury Airways, Inc.

Councilman Kennedy submitted a report stating that the committee appointed to review the mortgage for Danbury Airways, met a second time on Jan. 29, 1980 with the following members in attendance: Councilmen Kennedy, Evans, Turk.

After reviewing a letter from Assistant Corporation Counsel, the committee asked the following question: Can Connecticut Bank & Trust lease the Danbury Airways, Inc. building to someone else subject to approval of a) the Aviation Commission b) Common Council c) both. Is the new building covered in the lease or is the old building included?

In order to facilitate this issue the committee passed the following motion: The committee recommends that the Common Council authorize Mayor Dyer to sign a document evidencing the consent of the City of Danbury for Connecticut Bank and Trust to process a mortgage for \$250,000 for Danbury Airways Inc., contingent upon the inclusion in the lease of the new building(s), not the old building(s).

A motion was made by Councilman Evans and seconded by Councilman Burke to accept the Report. Motion carried.

REPORT & ORDINANCE Re: Martin Luther King Day.

Councilman Murray submitted a report stating that the Common Council met as a committee of the whole on Jan. 29, 1980 in room 432 at City Hall. The committee met to consider the proposed Ordinance making Martin Luther King Day a Holiday within the City of Danbury.

The Common Council conducted a public hearing on this ordinance, on 1/14/80. The hearing was called to order by Councilman Ryan at 7:30 P.M. Councilmembers McManus, Delsin, Walsh, Rinder, Ryan, Repole, Kennedy, Turk, Butera, Fabiano, Boynton, Burke, Evans and Torian were in attendance. Councilman Ryan asked that the record indicate that the Council President, Councilman Murray was absent due to family illness.

The committee reviewed the response to the proposal at the public hearing and discussed both the social and economic implications of the ordinance. After its review, the committee on a motion by Mr. Walsh, seconded by Mr. Boynton, voted eleven to two with one abstention, that the ordinance be adopted.

It is therefore the recommendation of the Common Council as a Committee of the whole, that the Ordinance making Martin Luther King Day, a holiday within the City of Danbury, be adopted.

ORDINANCE - Be it ordained by the Common Council of the City of Danbury - 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 Ryan and seconded by Councilman Evans that the Report be accepted and Ordinance adopted.

Motion carried by a roll call vote of 16 Ayes 2 Nays (Councilmen Gallo and Burke, voted Nay) 3 members were absent.

The Ordinance was adopted, as read.

REPORT & ORDINANCE - Voting precincts within the City of Danbury.

Councilman Richard Murray, Common Council President, submitted a report stating that the Common Council as a committee of the whole, met on Jan. 29, 1980 in room 432 at City Hall, to discuss an Ordinance creating fourteen (14) voting precincts within the City of Danbury.

The Common Council conducted a public hearing on the above named Ordinance, on January 14, 1980. The hearing was called to order by Councilman Ryan at 7:30 P.M. in the absence of Council President R. Murray, who was absent due to family illness.

The committee reviewed the rationale advanced in support of the Ordinance, that being the facilitation of more convenient voting procedures for Danbury electors and on a motion made by Mr. Delsin, and seconded by Mr. Walsh, voted to approve the proposed Ordinance.

It is therefore the recommendation of the Common Council as a committee of the whole, that the Ordinance creating fourteen (14) voting precincts within the City, be adopted.

ORDINANCE - Be it ordained by the Common Council of the City of Danbury That hereafter there shall be fourteen (14) voting precincts within the limits of the City of Danbury as designated in the Ordinance.

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

Motion carried by a roll call vote of 18 Ayes - No Nays - 3 members absent. The Ordinance was adopted.

REPORT - Parking on East Franklin St.

Councilman Gallo submitted a report stating that the committee met on Jan. 21, 1980 in reference to the complaint by Mrs. Maria C. McGowan of the parking on East Franklin St. and the illegal loading platform on said street.

Chief Nelson Macedo of the Danbury Police Department assured the committee that the matter would be resolved.

The committee spoke to Mr. Paul Garofalo, Building Inspector and after checking into the matter, Mr. Garofalo acknowledges that the loading platform was illegal and the Building Department was instructing the company to remove the platform.

All receiving and shipping from this building will be done at the rear where they have facilities for this purpose. A railing will also be installed around the front entrance.

The parking of cars on the sidewalk all along East Franklin Street is a matter that can be best handled by the Police Department and the placing of "No Parking" signs along this street should help correct this problem.

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

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RESOLUTION - WHEREAS, present assembly, senatorial and congressional district lines differ from present district lines for municipal elections; and,

WHEREAS, this requires that electors cast ballots at different polling places at different times; and,

WHEREAS, Connecticut General Statute Section 9-16a permits the Registrar of Voters, with the approval of the Common Council, to provide voting machines in the polling places of another voting district in the municipality;

NOW, THEREFORE BE IT RESOLVED, That the Registrar of Voters be and hereby is authorized to provide voting machines for assembly, senatorial and congressional elections in the polling places generally used for municipal elections.

Motion was made by Councilman Walsh and seconded by Councilman Murray, that the Resolution be adopted. Motion carried by a roll call vote of 3 Ayes - 3 members absent.

The Resolution was adopted.

REPORT - Councilman Ryan submitted a progress report of the Educational Liaison committee of the Common Council stating that they have met on Jan. 28 and Jan. 29, 1980. Councilmembers Ryan, McManus, Torian, Turk and Evans were in attendance on both evenings.

Committee members were also present at a variety of meetings conducted by the Board of Education in reference to the Budget proposals for the 1980-1981 fiscal year.

The committee has developed a series of questions concerning the Board of Education Budget. These questions are to be submitted to the Board's Finance committee. The committee will continue its investigation and be prepared to review Educational concerns with the entire Common Council in the not too distant future. The committee requests continuance.

Extension was granted by the Mayor.

REPORT - Boundary Lines - 68 Jefferson Ave.

Councilman Boynton submitted a progress report stating that in the opinion of both Attorney Frizzell and Mr. Garofalo, the recent effective date Nov. 7, 1979, eliminated the only legal office that held jurisdiction over this type of matter. The elimination of the Office of Selectman, under the new revised charter, Conn. General Statutes Chapter 823 - Section 47-43- 47-56 entitled Fences, outlines the duties and responsibilities of Selectmen as "Fence Viewers".

No action can be taken until an opinion is received from Attorney Gottschalk as to Section 47-45 appointees to perform the duties of Selectmen, as to fences. An extension of time until the March, 1980 meeting was requested by the Chairman - Councilman Boynton.

Mayor Dyer granted the extension.

REPORT - Re: Bus Shelter Study.

Councilman Murray submitted a report for Councilman Torian who was absent, stating that the Common Council committee, appointed to study the providing of bus shelters for Main Street, met on Jan. 21, 1980.

In attendance at the meeting were Councilmen Torian and Repole. Mr. Dan Rubenstein of Mass Transit Shelters, Inc., a New Rochelle New York based bus shelter installer, had agreed to appear before the committee and give a brief presentation on bus shelter installation as it would relate to a study the size of Danbury, Conn.

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This presentation, along with other pertinent data recently obtained concerning the bus shelter issue, is presently being reviewed by this committee.

The committee respectfully requests additional time in order to make a more detailed study of these items before arriving at a final recommendation to the Common Council.

Mayor Dyer granted an extension of time to the committee.

REPORT - Health Department Recommendations.

Councilwoman C. McManus submitted a committee report stating that they had met on Jan. 7, 1980. Members attending the meeting were Councilmembers McManus, Walsh, Torian, Cassano, Repole, and Councilwoman Butera. Councilman Ryan was detained in New York City with car trouble. The Director of Health was also present.

The Committee voted to recommend acceptance of the proposed amendments to the Housing Code. The committee recommends that a Public Hearing be set for the Common Council on the proposed amendments.

The committee also voted to table the Hazardous Waste Ordinance as it is superceded by State Statutes.

The Watershed Ordinance was referred to Attorney Gottschalk for an opinion as to who should have the authority to implement and police this Ordinance.

Mr. Cummings was not prepared for discussion on his proposed Health Code.

The Committee requested and was granted an extension of time to facilitate their investigations.

PUBLIC SPEAKERS

Mrs. Sara Rothkopf, representing the Danbury Taxpayers Association, spoke in opposition to the regional plan with Bethel for the Landfill program.

Mr. Harry Kessler requested that taxes be kept down for Sr. citizens. Referring to the Park property, Mr. Kessler asked who would benefit from this purchase - how much would it cost - what is the assessed valuation?

There being no further business to come before the Common Council, a motion was made by Councilman Delsin and seconded by Councilman Murray that the meeting be adjourned at 11:15 O'Clock P.M.

Respectfully submitted

Mary Rickert
Mary Rickert
Assistant City Clerk

Attest: Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

Approved: James E. Dyer
James E. Dyer
Mayor