

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

SUBJECT: Minutes of the Special Meeting of the Common Council held on August 13, 1981.

The Meeting was called to order by Council President Richard Murray who led the assembly in the Pledge of Allegiance to the Flag, in the absence of Mayor Dyer who arrived at the meeting shortly thereafter.

Councilman Joseph DaSilva offered the prayer.

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

PRESENT: Councilmembers - Delsin, McManus, Gallo, Walsh, Scialabba, Repole, Eppoliti, White, Cassano, Murray, Zotos, DaSilva, Turk, Boynton, Burke, Butera, Evans, Torian.

ABSENT: Councilmembers - Rinder, Ryan, Farah.
It was noted that Councilman Ryan is on vacation.

NOTICE OF SPECIAL MEETING to be held on the 13th day of August, 1981 at 7:00 O'Clock P.M. for the purpose of acting upon the following:

Reports - Sewer & Water Extension Committee

1. Petition of Haddad for water on Mill Plain Road.
2. Petition of Zenobia for sewer - Hospital Avenue.
3. Water Pollution Control Authority.
4. Petition of Newtown Corp. Park for sewers - Stony Hill Road.
5. Petition of Hasson Agoora for sewers - Whitney Avenue.
6. Petition of Dalessio & Novella for water & sewer - Pocono Lane.
7. Petition of Lola Akins for sewer lateral Oakland Ave.
8. Petition of John Russo for sewer - Forest Ave. (withdrawn)
9. Petition of Westwood Associates - Mill Plain Rd. - Sewer & Water.
10. Petition of Leo S. Ratick for sewers - lower South Street.
11. Town of Bethel - Sewers.

RETURN OF SERVICE - Notices served by Police Officers of the Danbury Police Department.

A motion was made by Councilman DaSilva and seconded by Councilman Delsin for the Call and Return of Service to be accepted. Motion carried.

REPORT - Petition of Haddad for water on Mill Plain Road.

Councilman Gallo, Chairman of the Sewer & Water Extension Committee, submitted a report stating that the committee met on several occasions on the above petition, including an on-site inspection. The committee had several questions for Mr. Haddad but were unable to reach him although numerous efforts were made; therefore the committee recommends denial of this petition.

A motion was made by Councilman Evans and seconded by Councilman Delsin for the Report to be accepted. Motion carried unanimously.

REPORT - Petition of Frank M. Zenobia to be included for sewer hood-up in the Morningside Heights II installation.

Councilman Gallo, Chairman of the Sewer & Water Extension Committee, submitted a report stating that the committee met on Aug. 10, 1981 to review the above petition, with the City Engineer and recommends the petition be denied without prejudice.

The reason for this denial is in order to allow Mr. Zenobia to be included in Morningside Heights II installation. The whole project would have to be reassessed and another public hearing held. Once the project is completed Mr. Zenobia can re-apply to the committee.

A motion was made by Councilman Delsin and seconded by Councilman Evans for the report to be accepted. Motion carried unanimously.

REPORT - Amendment to Section 16-1(15) of the Code of Ordinances concerning a Water Pollution Control Authority.

Councilman Gallo, Chairman of the Sewer & Water Extension committee submitted a report stating that the committee met on August 10, 1981 and recommends the Ordinance be deferred for a public hearing.

A motion was made by Councilman DaSilva and seconded by Councilman White for the Report to be accepted as submitted. Motion carried unanimously. (Ordinance was deferred for public hearing).

REPORT - Request of Newtown Corp. (Mendik Corp) for sewer extension to Newtown Corporation Park.

Councilman Gallo, Chairman of the Sewer & Water Extension committee, submitted a report stating that the committee met on August 10, 1981 and hereby recommends the above petition be denied for the following reasons:

1. The proposed use does not lie in the City of Danbury.
2. The proposed Newtown Corporate Park lies outside of any immediate or long range service area planned by the City of Danbury. If a decision were made to service this parcel, another area presently located within a proposed service area could not be served.
3. The petitioner has at this time, approval from the State of Connecticut and Newtown, Connecticut for a sewage recycling system.

A motion was made by Councilman Murray and seconded by Councilman Evans for the report to be accepted as submitted and the petition denied. Motion carried unanimously.

REPORT - Request of Hasson Agoora for sewer extension on Whitney Avenue.

Councilman Gallo, Chairman of the Sewer & Water Extension committee, submitted a report stating that the committee met on August 10, 1981 and recommends this petition be turned over to the Public Works Committee. The reason for this is Mr. Agoora is asking to be added to the priority list of Sewer Projects which falls under Public Works.

A motion was made by Councilman Murray and seconded by Councilman Delsin for the report to be accepted as submitted. Motion carried unanimously.

REPORT - Request of Russell J. Dalessio and Joseph A. Novella for Sewer & Water Extension - off Pocono Lane.

Councilman Gallo, Chairman of the Sewer & Water Extension Committee, submitted a report stating that the committee met on August 10, 1981 and recommends this petition be sent back to the Planning Commission.

The reason this committee recommends recommittal to Planning, is due to the fact that Planning Commission denied this petition until such time as a response is received from the City Engineer, as to what would happen if that area were to be opened considering the agreement with Brookfield, etc

Neither the City Engineer nor the Petitioner's Attorney have received any correspondence from Planning requesting additional information.

A motion was made by Councilman Delsin and seconded by Councilman Boynton for the report to be accepted as submitted, and petition referred back to Planning. Motion carried unanimously.

REPORT - Request of Lola Akins for a lateral sewer on Oakland Ave.

Councilman Gallo, Chairman of the Sewer & Water extension committee, submitted a committee report stating that the committee met on August 10, 1981 and recommends that no action be taken at this time on the above request, as the problem has been resolved.

A motion was made by Councilman Murray and seconded by Councilman Evans for the report to be accepted as submitted. Motion carried unanimously.

REPORT - Request of Westwood Associates for sewer & water for property located on Mill Plain Road.

Councilman Gallo, Chairman of the Sewer & Water extension committee, submitted a report stating that the committee has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval, from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and specifications are to be approved by the City Engineer and the Superintendent 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 and water 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 all or such portions of the sewer and water lines as the City Engineer's office determines are of potential benefit to other landowners in the City. Should another, other than the petitioner^{or} 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 and water lines.

A motion was made by Councilman Murray and seconded by Councilman Boynton for the report to be accepted as submitted, Motion carried unanimously. and petition granted.

REPORT - Request of Leo S. Ratick for sewer extension on lower South St. Councilman Gallo, Chairman of the Sewer & Water Extension committee, submitted a report stating that the Sewer & Water extension committee has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of this committee that the above petition be granted with the same conditions and restrictions specified in the previous report but for sewer extension only.

A motion was made by Councilman Repole and seconded by Councilman Turk that the reading of the restrictions be waived. Motion carried.

A motion was then made by Councilman Boynton and seconded by Councilman White for the report to be accepted. Motion carried unanimously.

REPORT - Request from Town of Bethel for sewers in the Stony Hill Section.

The Sewer & Water Extension Committee met on August 10, 1981 and hereby recommends that this petition be denied.

The reason for denial of this petition is both communities are currently involved in a Tertiary Treatment Study being conducted by Cahn Engineers. The committee felt the results of this study could have some bearing on this entire subject.

A motion was made by Councilman Delsin and seconded by Councilman Torian for the report to be accepted and petition denied. Motion carried unanimously.

minutes of the Councilman Evans requested a correction in the/Common Council meeting held on August 4, 1981 -- Page 14 - paragraph six to read

"The motion was not carried - by a vote of 14 Nay and 4 Ayes. Councilman Delsin, Councilwomen Rinder and Eppoliti and Councilman Turk, voted Aye. All other members present voted Nay (14)."

In paragraph 8, Mayor Dyer appointed the following members to study the Minimum Standards of the Airport Commission: McManus, Walsh, Cassano, Rinder and Delsin.

There being no further business to come before the Council, a motion was made by Councilman Delsin and seconded by Councilman Gallo to adjourn at 7:25 O'Clock P.M.

There were no members from the public requesting to speak.

Respectfully submitted
Mary Ricket
Assistant City Clerk

Attest: _____
City Clerk