

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

SUBJECT: Minutes of the Common Council Special Meeting held on July 21, 1982.

The Meeting was called to order at 6:00 O'Clock P.M. by the honorable Mayor James E. Dyer who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Edward T. Torian.

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

PRESENT: Council Members - Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Merullo, Butera, Evans, Farah.

ABSENT: Councilman Elder.

20 Members Present - 1 Member Absent.

NOTICE OF SPECIAL MEETING to be held on the 21st day of July, 1982 at 6:00 O'Clock P.M. for the purpose of acting upon the following:

01 - ORDINANCE - Water Rates and Charges.

02 - REPORT - Sewer & Water for Dalessio & Novella - Pocono Road.

RETURN OF SERVICE - Notices delivered by Police Officers of the City of Danbury.

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

01 - REPORT & ORDINANCE - Water Rates and Charges.

Councilman DaSilva submitted a report stating that the Public Works committee has re-examined the proposed Ordinance concerning water rates and charges. We believe the reasons stated in our original report are valid and support the proposed Ordinance with some amendments. The need for an upward revision of water rates and charges is two fold. The first is the necessity of making payments on a nine million dollar bond issue, passed in 1979. This money is used for an upgrading of the City Water System. The second is the need to pay for the completion of the Lake Kenosia skimming project.

The discovery of a two million dollar surplus in the Water Dept. account has caused the committee to recommend the altering of several figures in the original Ordinance.

We recommend that the minimum charges for water consumption be based upon the use of 12,000 gallons per quarter, up from 8,000 gallons per quarter. We also recommend that the minimum charge of a 5/8 inch meter be reduced to \$18.00, down from \$20.00, and the charge for a 3/4 inch meter be reduced to \$22.00, down from \$24.00. These two sized meters service approximately 95% of residential households in the City.

The committee further recommends the amendments as proposed by Assistant Corporation Counsel E. Gottschalk in his communication of June 22, 1982. The first deals with Sec. 21-46(b), clarifying the wording of the application of a surcharge for increased service to a customer. The second deals with Sec. 21-48, changing the charge from new connections to new customers. The third deals with Sec. 21-49, allowing the sale of tank truckloads to out of town customers in times of water abundance.

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In order to facilitate cash flow problems in the Water Department, the committee recommends that work on the Lake Kenosia skimming project not begin until March, 1983.

A motion was made by Councilwoman C. McManus and seconded by Councilman F. Repole for the Report to be accepted. Motion carried unanimously.

ORDINANCE - Water Rates and Charges.

The following Sections of the Code of Ordinances are hereby amended:

Sec. 21-42 - Quarterly non-metered rates.

Sec. 21-43 - Meters - Responsibility of consumer to protect.

Sec. 21-44 - Same - Obligation of owner to have installed.

Sec. 21-45 - Same - Owner to provide access.

Sec. 21-46 - Meter rates generally.

Sec. 21-47 - Additional rates and charges for special uses.

Sec. 21-48 - Connection charges.

Sec. 21-49 - Tank Truckloads.

A motion was made by Councilwoman McManus and seconded by Councilman Repole that the Ordinance be adopted with the following amendment:

"Said rates are for quarterly billing and are limited to the first Fifteen thousand (15,000) gallons (changed from 12,000 gallons)."

The Amendment was adopted by a vote of 19 Ayes and 1 Nay. Councilman Evans voted Nay.

A motion was then made by Councilman Boynton and seconded by Councilman Foti to amend section 21-46 of the proposed ordinance to revert back to the original ordinance.

The motion was defeated by a roll call vote of 6 Ayes and 14 Nays. Council Members Gallo, McGarry, Foti, White, Boynton and Butera voted Aye (6) votes.

The Ordinance, as amended, was adopted by a roll call vote of 18 Ayes and 2 Nays. (Councilmen Gallo and Boynton, voted Nay)

02 - REPORT - Sewer & Water for Dalessio and Novella - Pocono Road.

Councilman Gallo submitted a report stating that the Sewer and Water extension committee of the Common Council 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 the 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 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 Evans and seconded by Councilman White for the Report to be accepted as submitted and the Petition to be granted. Motion carried. Councilwoman Eppoliti abstained from voting.

Councilman Eriquez thanked the committee for meeting with the constituents and residents in the area, who were convinced that this petition would not effect the traffic in their neighborhoods.

Councilwoman C. McManus thanked the Mayor and Common Council for coming out at this early time to attend this special meeting.

There being no public speakers and no further business to come before the Common Council, a motion was made by Councilman Evans and seconded by Councilman White for the meeting to be adjourned at 7:05 O'Clock P.M.

Respectfully submitted

Mary Rebeck  
Assistant City Clerk

Attest:

Elizabeth Cudgerton  
City Clerk m r