

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

SUBJECT: Minutes of the Common Council Meeting held on December 7, 1982.

The Meeting was called to order at 8:00 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 follows:

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

21 Members Present - None Absent.

NOTICES FROM MAYOR DYER

Mayor Dyer made mention that 2300 lives were lost during the bombing of Pearl Harbor on this date, December 7, in 1941.

Mayor Dyer reported on his trip to California to attend the landing of the Space Shuttle, stating that 150 Mayors attended and that he had briefings with Nasa Officials.

The Mayor offered best wishes for a happy birthday to Councilman E. Torian for December 20, 1982.

Mayor Dyer also extended to the citizens of Danbury, Best Wishes for a very Merry Christmas, a Happy Hannukah and a very happy and prosperous 1983 New Year.

CONSENT CALENDAR

Councilman DaSilva made a motion, seconded by Councilwoman McManus, for the following items listed on the agenda, to be place on the Consent Calendar:

- 02 - Resolution - Environmental Health Grant Program.
- 03 - Resolution - New England Foundation for the Arts Grant Program.
- 04 - Communication - Request from the Charter Revision Commission for an extension of time.
- 015 - Communication - Water Abatements.
- 017 - Communication & Certification - Funds for chair for City Clerk.
- 018 - Communication & Certification - Funds for Charter Revision Commission.
- 020 - Report & Resolution - Refugee Health Assessment Program.
- 021 - Report & Resolution - Acceptance of Sierra Way.
- 022 - Report & Resolution - Acceptance of Deal Dr. - Old Post Road.
- 023 - Report - Sanitary Landfill Fees.
- 024 - Report - Denial of request for funds for the Health Dept. to return copy machine.
- 025 - Report - Surplus buildings at Danbury High School.
- 028 - Report - Denial of Sewer & Water Extension - Barnum Road.
- 030 - Report - Approval of Sewer & Water for South Gate Condominiums.
- 031 - Report - Offer of a canine for the Danbury Police Dept. (Acceptance)
- 032 - Report - Electronic Machine for Personnel.
(Mayor Dyer reported that a reprimand will be submitted to the Purchasing Agent for this transaction).
- 033 - Report & Ordinance - To differentiate between haulers and private use of commercial plates.
- 034 - Report & Ordinance - Temporary Permits at the City Landfill.
- 036 - Report & Ordinance - To establish a Commission for the Handicapped.
- 037 - Report & Ordinance - Sunset Ordinance.

The Consent Calendar was adopted unanimously by the Common Council.

MINUTES of the Common Council meeting held on November 4, 1982.

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the reading of the minutes be waived and accepted as submitted. Motion carried unanimously.

01 - CLAIMS - Raymond D. Finocchio - Nancy Falls - Elsa H. Peterson - Barbara Archiere for Patrick W. Archiere, Jr.

Councilwoman McManus requested referral to the Claims committee and Assistant Corporation Counsel - Thomas G. West. Mayor Dyer so ordered.

02 - RESOLUTION - Environmental Health Grant Program.

Whereas, the Connecticut Department of Health Services has made funds available to municipalities in accordance with Section 19-75b of the General Statutes; and

Whereas, the City of Danbury through the Danbury Health Department has formulated a program to promote optimal environmental quality in the City of Danbury' and

Whereas, a continuation grant request of \$12,144 with no local match requirement will be processed by the Danbury Health Department.

NOW, THEREFORE, BE IT RESOLVED THAT the Danbury Health Department and Mayor James E. Dyer be and hereby are authorized to make application for said grant, and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

The Resolution was adopted by the Common Council on the Consent Calendar.

03 - RESOLUTION - New England Foundation for the Arts Grant Program.

Whereas, the New England Foundation for the Arts has made funds available to cultural organizations in accordance with the National Foundation on the Arts and Humanities Act of 1965, as amended; and

Whereas, the Danbury Cultural Commission will contract the services of the Grumbling Gryphons Traveling Co. to perform an educational/entertainment program to familiarize Danbury School Children with Indian folklore; and

Whereas, a \$3,150 grant with a \$600 local match may be available for this purpose.

NOW, THEREFORE, BE IT RESOLVED THAT the past actions by the Danbury Cultural Commission in applying for said grant be and hereby are authorized, and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

The Resolution was adopted by the Common Council on the Consent Calendar.

04 - COMMUNICATION - Request from the Charter Revision Commission for an extension of a period of 60 days so that a public hearing and final report may be submitted.

The Communication was accepted and request granted by the Common Council, on the Consent Calendar.

05 - COMMUNICATION - Request for the redesignation of \$40,000 available from our Revenue Sharing Account to be used for refurbishing the exterior and grounds of the Richter House. The house is in need of repair and if we do not act now it will result in damage that will result in costly repairs.

The funds will cover the cost of siding, paint, gutters, and some ground improvements. The surplus is from unused project funds.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Merullo, Charles, Eppoliti.

06 - COMMUNICATION - Request from Concerned Nabby Neighbors re: extension of City water and sewers.

Councilwoman McManus requested referral of the request to an ad-hoc committee. Mayor Dyer so ordered and appointed the following committee: Torcaso, Foti, Eriquez.

07 - COMMUNICATION - Request from the Housing Authority to receive a small piece of land back from the City. The Authority deeded a small passway to the City in 1955 by warranty deed. The transfer should have been an easement and not an outright grant.

Councilwoman McManus requested referral of the request to an ad-hoc committee. Mayor Dyer so ordered and appointed the following committee: McManus, DaSilva, Torian.

08 - COMMUNICATION - Request from the Superintendent of the Immanuel Lutheran Cemetery for the City to correct a problem of trespassing at the cemetery.

Councilwoman C. McManus requested referral to the Public Works Committee. Mayor Dyer so ordered.

09 - COMMUNICATION - Request of Cappiello Jewelers to rent the Weigh Station at the corner of Rose and Main St.

Councilman White requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

010 - COMMUNICATION - Proposal from H.A.R.T. re: Parking Problems at City Hall.

Councilwoman Eppoliti requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Foti, Boynton, Cassano.

011 - COMMUNICATION - Request from New Milford to dispose of some septage at the Danbury Plant.

Councilman Torian requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

012 - COMMUNICATION - Request from the Fire Chief for a rank of Ass't Chief for the Drillmaster.

Councilman Boynton requested referral to an ad-hoc committee. Mayor Dyer so ordered and appointed the following committee: Gallo, Butera, Evans, Torian, Boynton.

013 - COMMUNICATION - Connecticut Air Services Inc re: Equipment Lease.

Councilwoman McManus requested referral to an ad-hoc committee. Mayor Dyer so ordered and appointed the following committee members: Eriquez, Esposito, Butera.

014 - COMMUNICATION - Request of Colonial Ford to connect to sewer line on Federal Road (Property of GAS Realty Co.)

Councilman White requested referral to the Sewer & Water Extension Committee and Planning Commission. Mayor Dyer so ordered.

014-A - COMMUNICATION - Request by Attorney Camp for sewer connection for 18 apartments on Golden Hill.

Councilman White requested referral to the Sewer & Water Extension committee and Planning Commission. Mayor Dyer so ordered.

015 - COMMUNICATION - Report of William J. Buckley Jr., Superintendent of Public Utilities in reference to a rebate for the time period of September 1, 1982 to November 30, 1982 in the amount of \$184.00. This rebate has been made as these properties have been vacant for the billing period.

The Communication was accepted by the Common Council, on the Consent Calendar.

016 - Request from the Tax Collector for abatement of property taxes in the amount of \$5,003.30.

Councilman Elder requested referral to an ad hoc committee. Mayor Dyer so ordered, and appointed the following committee members: Boynton, McGarry and Elder.

017 - COMMUNICATION & CERTIFICATION - Request for \$322.10 to be transferred to the Office Equipment Account in the City Clerk's Budget, for the purchase of an Executive Swivel Posture Chair for the City Clerk.

A certification in the amount of \$322.10 available in the Contingency Account to be transferred to Acct. #02-01-111-060500 in the City Clerk's Budget, was submitted by Mr. John P. Edwards, Acting Director of Finance.

The Communication was accepted and transfer of funds authorized by the Common Council, on the Consent Calendar.

018 - COMMUNICATION & CERTIFICATION - Request for a transfer of funds in the amount of \$3,000 for the Charter Revision Commission.

A certification in the amount of \$3,000 in the Contingency account to be transferred to the Charter Revision Commission Acct. #02-01-189-029500, was submitted by Mr. John P. Edwards, Acting Director of Finance.

The Communication was accepted and transfer of funds authorized by the Common Council, on the Consent Calendar.

019 - DEPARTMENT REPORTS

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| Fire Chief | Building Inspector |
| Fire Marshal | Sealer of Weights |
| Police Dept. | Airport Administrator |
| Health Inspector | Aviation Chairman |
| Housing Inspector | High Blood Pressure Program |
| CCoordinator of Environmental & Health Services. | |

A motion was made by Councilman DaSilva and seconded by Councilman Torian for the reports to be accepted as submitted and to dispense with the reading of said reports as all members have copies which are also on file in the office of the City Clerk for public inspection. Motion carried unanimously.

AD HOC COMMITTEE REPORTS

020 - Report & Resolution - Refugee Health Assessment Program.

Councilman Evans submitted a report stating that the committee appointed to review the above resolution, met on November 15, 1982. Committee members Evans, Gallo and Torian were present, together with City Grantsman Brian Graney.

After discussion it was determined that this was a yearly grant that is administered by the Health Department through the Visiting Nurse Association. A motion was made, seconded and passed unanimously at the committee meeting that the Grant be applied for and the VNA use this money to check specifically if possible, into the housing accommodations of the refugees regarding overcrowding, unhealthy and substandard conditions.

12/7/82

RESOLUTION - Whereas, the Connecticut Department of Health Services has made available funds to municipalities for the purpose of providing a Refugee Health Service in accordance with Section 4-8 and Section 19-10 of the Connecticut General Statutes; and

Whereas, the City of Danbury through the Danbury Health Department in cooperation with the Visiting Nurse Association of Danbury has formulated a program to provide a refugee health assessment program within the Greater Danbury area; and

Whereas, a continuation grant of \$4,000 with no local match requirement may be available from the Connecticut Department of Health Services.

NOW, THEREFORE, BE IT RESOLVED that the Danbury Health Department and James E. Dyer, Mayor of the City of Danbury, be authorized to apply for said grant and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

The Report was accepted and Resolution adopted by the Common Council, on the Consent Calendar.

021 - REPORT & RESOLUTION - Acceptance of Sierra Way.

Councilman DaSilva, chairman of the Public Works Committee, submitted a report stating that the committee reviewed a petition for acceptance of Sierra Way. The committee conducted an on-site inspection of the street. A Planning Commission communication was received which has no objection to the acceptance of this street.

Following a study of this petition with the City Engineer and the Superintendent of Highways, the committee voted to recommend acceptance of Sierra Way as a City Highway by adoption of the following Resolution:

RESOLUTION - Resolved by the Common Council that SIERRA WAY be accepted as a Public Highway in the City of Danbury subject to the following condition:

A Deed and Certificate of Title, in form satisfactory to the Office of the Corporation Counsel, to be delivered to the City of Danbury.

The Report was accepted and Resolution adopted by the Common Council on the Consent Calendar.

022 - REPORT & RESOLUTION - Acceptance of Deal Dr. - Old Post Road.

Councilman DaSilva, chairman of the Public Works Committee, submitted a report stating that the committee reviewed the request to accept the above named road. An on-site inspection was performed by the committee. A communication from the Planning Commission was received stating no objection to the acceptance of this road.

After discussion with the City Engineer, the Superintendent of Highways, and the petitioner, the committee voted to recommend acceptance of Deal Drive - Old Post Road, contingent upon the completion of the following stipulations:

1. All work as prescribed by the Engineering Department be completed.
2. A \$2,000 security for work done be posted.
3. All easements, deeds, certificates of title, a save harmless agreement for pillars built on the City right of way, and other documents be provided in a form acceptable to the office of the Corporation Counsel.

RESOLUTION - That Deal Drive - Old Post Road be accepted as a Public Highway in the City of Danbury subject to the conditions listed in the above report.

The Report was accepted and Resolution adopted by the Common Council on the Consent Calendar.

023 - REPORT - Sanitary Landfill fees.

Councilwoman C. McManus submitted a report stating that the Common Council committee appointed to review the fee schedule at the Danbury Sanitary Landfill, met on Nov. 22, 1982 with Public Works Director Daniel Garamella, Acting Director of Finance, John P. Edwards and Assistant Comptroller, Dominic Setaro.

The committee recommends that the Public Works Committee be requested to consider a possible problem with pick-up trucks at the landfill. The committee feels that insufficient data is available after only four months of operation on which to base any recommendation for a rate change. The committee requests an extension of time in order to review future information and report back to the Council.

The Report was accepted by the Common Council on the Consent Calendar.

024 - REPORT - Request for funds for Health Department.

Councilman Torian submitted a report stating that the Health Committee met on Nov. 16, 1982 to review the appropriation request from the Health Department (F. Grasso's letter of Oct. 20, 1982) for approximately \$500.00 to cover the cost of shipping one defective Royal Copier II copying machine from their offices back to the manufacturer. In attendance were committee members Torian, Cassano, Repole, and Esposito.

The Health Department's primary concern was whether the shipping costs should be the responsibility of the Health Department or the Purchasing Department, who, initially had original possession of the copying machine.

A determination had been made by the Comptroller's office that the \$500 shipping charges should be borne by the Health Department exclusively. After careful consideration of this request, this committee concludes that sufficient funds exist in Account 04-101-Line Item 011001 Health Department Part-time services to cover this expenditure.

Councilman Repole motioned for denial of this request, seconded by Councilman Esposito and passed unanimously.

The Report was accepted by the Common Council on the Consent Calendar.

025 - REPORT - Surplus buildings at Danbury High School.

Councilman J. DaSilva submitted a report stating that the committee appointed to recommend the disposition of the "S" building at the D.H.S., met on Nov. 22, 1982. In attendance were committee members DaSilva and McManus and the Purchasing Agent Sharon Hamilton.

Mrs. Hamilton explained that the "S" building is not a modular one. The disassembly of two of the five sections, as well as the moving, would cost between \$4,600 and \$6,000. The re-assembly of the two sections would cost approximately \$20,000. Because of the cost of moving and reconstruction it is not of use to any other City Department. The buildings have been declared surplus by the Board of Education.

The committee voted to recommend that the "S" building at the D.H.S. be declared surplus property because of the prohibitive cost of moving and reconstruction.

The report and recommendation was accepted by the Common Council on the Consent Calendar.

026 - REPORT - Appraisal of Parks Property.

Councilman Evans submitted a Land Acquisition Report stating they had met on Nov. 10, 1982. Committee members present were, Evans, Charles, Repole and Merullo.

After reviewing the prices submitted for the appraisal of the Parks Property from the following Realtors, Wixted, Goodfellow-Ashmore, Masi and Robert Noce, it was voted by the committee unanimously to award the contract to Thomas A. Wixted Agency.

A motion was made by Councilman Gallo and seconded by Councilman McGarry for the Report to be accepted as read. Motion carried with Council members Charles, Eppoliti and Boynton, voting NO.

027 - REPORT - To add new line item to Financial Statement.

Councilman DaSilva submitted a report stating that the committee appointed to study a request from Councilman Evans to add a new line to the financial statement of the City of Danbury entitled "Salary-Merit Increases", met on Nov. 29, 1982. In attendance were committee members DaSilva, McManus and Torian. Also in attendance was Councilman Evans.

Mr. Evans explained his proposal. His intention is that the Common Council should establish a percentage of salary increase to City personnel whose salary is controlled by the Common Council. This would set up a lump sum of money to be given out as raises to these people by the Mayor, based on performance as judged by the Mayor.

In order to present this proposal to the Common Council as a whole for their study and discussion it was moved to recommend approval of this proposal; that the Mayor and the Finance Department be asked to revise the budget as submitted to the Common Council in order to reflect all salary increases for salaried employees in one lump sum, as opposed to individual salary increases.

A stipulation of this proposal is that any funds not expended for salary increases in this line be returned to the General Fund of the City of Danbury.

A motion was made by Councilman White and seconded by Councilman Torian for the Report to be accepted and proposal be approved.

Under discussion, Councilman Boynton remarked and urged the Council to vote the report down and leave things as they are.

Councilman Cassano stated that he did not understand the committee report, and failed to see any difference. Did not see the necessity of a two step process.

Councilman DaSilva explained that the difference is, a two-thirds vote is necessary to change the Mayor's budget, otherwise only a majority vote would be necessary.

The Report and proposal was denied by a roll call vote of 7 Ayes and 14 Nays. Council members - Gallo, McGarry, Foti, Repole, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Butera and Farah voted NAY. Council members - Elder, Torcaso, Eriquez, Esposito, Zotos, Merullo and Evans voted AYE.

028 - REPORT - Request of John Mulqueen for sewer & water - Barnum Road.

Councilman Gallo, chairman of the Sewer & Water Extension committee, submitted a report stating that the committee, at its meeting held on Nov. 8, 1982, voted unanimously to recommend denial of this petition as there are no plans for this area to be served by water in the near future, although the parcel does fall within the long term future West Lake High Service Area, and only about the Southerly six or seven acres of the site fall within the long range expansion area designated, in the City of Danbury's 1967 comprehensive sewerage study.

The Report recommending denial of the petition was accepted by the Common Council on the Consent Calendar.

029 - REPORT - Approval of Sewer & Water for Pembroke Condominiums.

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 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 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.
8. Above mentioned property to be given sewer and water for a maximum of 74 units.

029-A - REPORT - MINORITY REPORT submitted by Councilman Foti stated that this site was originally zoned RA-20 and the Municipal Sewer lines were installed with that rate of development in mind. The developer applied for and was granted a zone change to RB-5 in 1980. This property is eligible to be developed at the rate of 17 units per acre, and the developer has proposed 74 garden apartment condominiums for this property of 5.678 acres, a rate in excess of 13 units per acre. There is proposed 32 one bedroom units and 43 two bedroom units. This converts to 142 occupants.

The amount of water allocated to this property is 4340 gallons per day. Applying the City Engineer's guideline of 100 gallons per capita daily, this site's consumption of water and generation of sewage will be in excess of 14,000 gallons per day, Triple the allocation.

In the debate on the issue, the question was raised as to whether a zone change approval is tantamount to an approval of sewer and water. It was felt that this was indeed so. Mr. Foti does not agree, and interprets a zone change to say that the developer is allowed to develop at the new rate, but must still stay within the allocation of sewer and water for that site.

In the detailed report Councilman Foti stated that it was his opinion this petition with its proposed development is excessive and gives no consideration to the severity of its impact on Municipal utilities.

Councilman Foti suggested to the Common Council that we have no choice but to reject this petition. Not only is it greatly in excess of all regulations of the City Engineer, but by its very approval, we will have set a most dangerous precedent by allowing the abuse and misuse of Municipal utilities, and will throw out City open to over development.

A motion was made by Councilman Elder and seconded by Councilman Torian for the Majority report to be accepted.

Councilman Elder spoke in favor of the petition stating that zone changes are made at the wisdom of the Zoning Commission. The rate of water allocation should also change. Mr. Elder urged the Council to approve the majority report.

Councilwoman Torcaso asked the Council to weigh their decision heavily.

Councilman Foti said he welcomed new businesses and developers, but that the City has a Plan of Development and we must decide whether this Plan is still viable or should it be updated.

Mayor Dyer replied that the Plan of Development is the responsibility of the Planning Commission and just a guide, not a law.

Councilman Farah remarked that we would discriminating against future developing.

Councilman Boynton said that it was amazing for the City Engineer's opinion to be opposed to this petition. He disapproved one project and then approved a larger project.

Councilman White remarked that he can see the concern, but that Danbury is growing and needs affordable housing - not fair to keep people waiting.

Councilman Elder asked the Council to keep in mind the specific proposal. Not vote on what Danbury will or will not do in the future.

A roll call vote on acceptance of the Marjority Report resulted as follows:

12 AYES: Elder, Gallo, Eriquez, Esposito, Repole, Zotos, McManus, DaSilva, Torian, White, Boynton, Merullo.

9 NAYS: McGarry, Foti, Torcaso, Eppoliti, Cassano, Charles, Butera, Evans, Farah.

The Petition for sewer and water for the Pembroke Condominiums was granted. 12 Ayes - 9 Nays.

030 - REPORT - Request of South Gate Condominiums for Sewer & Water - 163 South St.

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 this committee that the petition for Sewer and Water for South Gate Condominiums - 163 South Street, be granted with the usual 7 steps of conditions and restrictions.

The Report was accepted and petition granted by the Common Council, on the Consent Calendar.

031 - REPORT - Acceptance of a canine for the Police Department.

Councilman Esposito submitted a report stating that the Common Council committee formed to consider the acceptance of the dog, offered by Ms. Robin Dyack to the Danbury Police Department Canine Unit, met on November 30, 1982 at 7:30 P.M.

In attendance were the following committee members - Esposito, Chairman, Eriquez and McGarry. Also attending were Dr. Repole, Ms. Robin Dyack, Officer Robert Henry and Chief of Police Nelson Macedo.

Ms. Dyack indicated that she was offering her dog, Kvicks, as a gift to the Danbury Police Department for its use in accordance with the Department's Canine unit policy. That the dog would be suitable for police work, was confirmed by Officer Henry, who on his own initiative, has been pre-training the dog for approximately eight weeks.

Chief Macedo noted that he was in favor of having the dog become a part of Danbury's Police force. He also stated that the dog would be subject to State Police certification. This entails successful completion of a twelve week training course which would qualify the dog for related police activities.

Additionally, Ms. Dyack requested that Officer Henry be solely responsible for the care of the dog when on duty, as well as off-duty time. Officer Henry indicated that he was prepared to accept that responsibility. Chief Macedo stated that he would comply with that request and accept this as a condition of this donation.

The committee informed Ms. Dyack that she would receive, in writing, confirmation of the stipulation she requested, from the Chief of Police.

Councilman McGarry moved, seconded by Councilman Eriquez and passed unanimously to recommend acceptance of this dog with the stipulations noted above. The committee expressed its gratitude to Ms. Dyack for this gift.

The Report and acceptance of the dog was approved by the Common Council on the Consent Calendar.

032 - REPORT - Electronic Typewriter.

Councilman Eriquez submitted a report stating that the Common Council appointed to review the purchase procedure of the Electronic Typewriter for the Personnel Office, met on Nov. 8, 1982 and Nov. 30, 1982.

Members attending the Nov. 8th meeting were Eriquez, Chairman, Evans and Merullo. Sharon Hamilton Purchasing Agent and John Edwards, Acting Director of Finance were also in attendance.

Present at the Nov. 30th meeting were members of the committee and Council members McManus, Torian and Foti, together with S. Hamilton.

Ms. Hamilton explained to the committee that she received a requisition from Catherine Thompson, former Personnel Director, for the purchase of an Exxon Quix System Electronic Typewriter (Word Processor) valued at \$5,607. The date of the requisition was June 23, 1982.

Ms. Hamilton indicated that she had sought the advice of Mr. Edwards as Acting Director of Finance, to determine the proper handling at that time. A purchase order for this equipment was subsequently issued without justification (dated June 25, 1982).

The committee felt, given the manner in which this procurement was made, that an alternate arrangement (i.e. rent, lease, or lease-purchase agreement) be made in lieu of an outright purchase of this machine since Exxon was not willing to terminate the sale.

Ms. Hamilton was directed to pursue such a course of action and report her findings to the chairman of this committee.

The committee also recommended that the Data Processing Steering committee assess the future needs in City Hall for use of this type of equipment by various departments. A plan should be devised to outline the procurement arrangement that would be most financially palatable as well as to identify those vendors or types of machines that would suit the needs of a City Government Operation.

In line with the committee's findings and recommendations outlined above, Mr. Evans motioned to recommend denial of the outright purchase of this Exxon equipment. Seconded by Mr. Merullo and passed unanimously.

A second meeting was deemed necessary by the chairman as a result of information that became available to the committee.

Ms. Hamilton, responding to the committee's directive, indicated that Exxon would not accept the return of this equipment. Furthermore, they were pressing the comptroller's office for payment. She also provided the committee with a cost analysis, outlining the lease vs lease-purchase costs.

The committee felt that both options would not ensure a cost effective resolution or a more proper means for handling this situation.

It was felt, however, that this equipment would have a useful life since it is a quality machine and the need exists for its use. Ms. Hamilton noted that it was now available to us at a reduced purchase price of \$4,189.00.

The committee feels strongly that compliance with proper purchasing procedures must be maintained in accordance with the City Charter.

In order to avoid possible litigation and recognizing the need for this equipment, the committee recommends a waiver of bids be allowed in order to purchase this typewriter.

Again, the committee strongly urges the Data Processing Steering committee to develop a plan for future use of this equipment.

Mr. Evans made a motion in line with the above recommendations, seconded by Mr. Merullo and passed unanimously.

The Report/^{and recommendation} was accepted by the Common Council on the Consent Calendar.

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REPORT & ORDINANCES - Councilwoman McManus submitted a report stating that the Common Council held public hearings for the following ordinances on Nov. 16, 1982 at 7:30 P.M. and recommends that:

- 033. The Ordinance to differentiate between haulers and private use of commercial plates be adopted as written.
- 34. The Ordinance for temporary permits at the City Landfill be adopted as written.
- 035. The Ordinance concerning Hazardous substances & chemicals be adopted with the amendment that "Sections 9-67 and 9-68 read April 1, 1983 instead of Feb. 1, 1983.
- 036. That the Ordinance to establish a committee for the handicapped be adopted as written.
- 037. That the Sunset Ordinance be adopted as written.

The Report was accepted and Ordinances adopted unanimously by the Common Council, on the Consent Calendar.

038 - COMMUNICATION - Re-appointments to the Library Board of Directors:

John W. Hoffer - 10 Oak Ridge Ave. Danbury
 Albert H. Hornig - 9 Dogwood Drive Danbury
 Barbara Susnitzky - 8 Field Road Danbury

All terms to expire on January 1, 1986.

A motion was made by Councilman DaSilva and seconded by Councilman Charles for the Communication to be accepted and appointments confirmed.
 Motion carried unanimously.

039 - COMMUNICATION & CERTIFICATION - Request for \$17,500 for the Labor Negotiations Budget to cover the cost of binding arbitration.

A Certification of funds in the amount of \$17,500 available in the Contingency Account to be transferred to the Labor Negotiations Professional Services and Fees Account, was submitted by the Comptroller Mr. John P. Edwards.

Councilwoman McManus requested referral to an ad hoc committee.
 Mayor Dyer so ordered and appointed the following committee:
 Cassano, Gallo, Butera.

A motion was then made by Councilwoman McManus and seconded by Councilman Boynton to add an item to the agenda, submitted by Mr. D. Garamella.
 Motion carried.

040 - COMMUNICATION - Request from Daniel Garamella, Director of Public Works for authorization from the Common Council to sell firewood at the Landfill on December 12th and December 19th from 10:00 A.M. to 2:00 P.M.

Wood will be sold in bundles of 15 pieces for \$3.00. The proceeds of the sale would be used to purchase toys for needy children to be distributed at Christmas time.

Mr. Garamella asked for volunteers from the Council, the Public Works Department and the Tree Department to man the wood lot for the four hours necessary for the sale.

A motion was made by Councilman White and seconded by Councilman Foti for the communication to be accepted and request authorized.
 Motion carried unanimously.

Mayor Dyer announced that all committees are continued and appointed the following members for the Sunset Ordinance recommendations:
 Torcaso, Butera, Farah and Steven Flanagan & Richard Janey.

Councilman Elder was appointed to the

As there were no public speakers and there being no further business to come before the Common Council, a motion was made by Councilman Foti and seconded by Councilman Evans for the meeting to be adjourned at 9:00 O'Clock P.M. Motion carried unanimously.

Respectfully submitted

Mary Prescott
 Assistant City Clerk

Attest: Elizabeth Mudginton
 City Clerk