

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut  
SUBJECT: Minutes of the Common Council Meeting held on January 4, 1983.

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:

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

ABSENT: Council Members - Eppoliti and Cassano.

19 members present - 2 members absent.

NOTICES FROM MAYOR DYER

Mayor Dyer commended the Council, Public Works Department and all involved in the sale of Firewood which netted funds to provide toys for needy children.

Mayor Dyer extended greetings to the Council and citizens of Danbury for a happy and prosperous New Year.

The Mayor extended birthday greetings to the following:

- Councilman Louis T. Charles - 72nd birthday
- Councilman Mounir Farah on January 11th.
- Councilman Bernard Gallo on January 26th.
- State Rep. Larry Riefberg on January 5th.
- State Rep. J. Walkovich on January 8th.

Mayor Dyer took exception to a comment made by the head officer of the school department who said the Common Council should be at a budget workshop session being held this evening, knowing very well that the Common Council meetings are held on the first Tuesday of every month.

CONSENT CALENDAR

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

- 02 - Communication - Appointment of a Corporation Counsel for Planning & Zoning.
- 03 - Communication - Appointment of a Corporation Counsel for Claims.
- 07 - Communication - Appointment to the Cultural Commission.
- 010 - Communication - Appointments to the Danbury Police Department.
- 029 - Report - Sale of Firewood by the Common Council raising \$774.
- 030 - Report - Approval of water & sewer for Old Brookfield Road.
- 031 - Report - Approval of lateral sewer line for Gas Realty Co. & Colonial Ford - Federal Road.
- 032 - Report - Denial of Woodside Ave. Sewers.
- 033 - Report & Resolution - Acceptance of Deer Run Trail
- 034 - Report - Elizabeth Road.
- 036 - Report & Ordinance - Itinerant Vendors & Peddlers.

The Consent Calendar was adopted unanimously by the Common Council.

MINUTES - Common Council meeting held on December 7, 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 - Edith L. Polley - Judith E. Rollinson - Brian Pickett - Richard Parmalee - Patrick W. Archiere, Jr.

Councilman White requested referral of the Claims to the Claims Committee and Assistant Corporation Counsel for Claims, Terry L. Sachs. Mayor Dyer so ordered.

02 - COMMUNICATION - Appointment of Attorney Thomas G. West as the City of Danbury's Corporation Counsel for Planning and Zoning matters.

The Communication was accepted and appointment confirmed by the Common Council on the Consent Calendar.

03 - COMMUNICATION - Appointment of Attorney Terry L. Sachs as Corporation Counsel for Claims to replace Attorney West.

The Communication was accepted and appointment confirmed by the Common Council on the Consent Calendar.

04 - Withdrawn

05 - COMMUNICATION - Appointments of the following to the Youth Commission :

Patricia Bryant, 3 Delata Ave, for a term to expire on April 1, 1986.

Councilwoman McManus requested referral to committee as there was no biography attached to the appointment.

Mayor Dyer so ordered and appointed the following committee: Council Members - Foti, Boynton, McGarry.

06 - COMMUNICATION - Re-appointments and appointment to the Conservation Commission.

Re-appointment of Bernadette DeMunde - 91 Coalpit Hill  
Re-appointment of Donald Sollose, 5 Pembroke Terrace - for terms to expire on July 1, 1985.

Councilwoman McManus requested referral to committee for attendance records. Mayor Dyer so ordered and appointed Council Members, Foti, Boynton, McGarry.

The appointment of George Goehl, 9 Bittersweet Drive for a term to expire on July 1, 1984 on the Conservation Commission, was confirmed by the Common Council. Mr. Goehl is employed as plant manager for Cowan Engineering Co. and has expressed a willingness to serve on the Conservation Commission.

07 - COMMUNICATION - Appointment of John Cherry, 47 Lincoln Avenue as a member of the Cultural Commission for a term to expire on Feb. 1, 1984. Mr. Cherry is a teacher at Pembroke School.

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

08 - COMMUNICATION - Appointment of Carol P. Lubus, Ironwood Drive to the Equal Rights and Opportunities Commission for a term to expire on 8/1/1984.

Councilwoman C. McManus requested referral to committee as there was no biography attached. Mayor Dyer so ordered and referred the appointment to Council Members Foti, Boynton, McGarry.

09 - COMMUNICATION - Re-appointments of Peter J. Krajc and Fred Visconti, Sr. to the Parks & Recreation Commission for terms to expire on 12/1/1985.

Councilwoman McManus requested referral to committee for attendance records. Mayor Dyer so ordered and referred the re-appointments to the following committee: Foti, Boynton, McGarry.

Appointment of Karlene Anderson, 1 Mendes Road for a term to expire on December 1, 1985 on the Parks & Recreation Commission. Mrs. Anderson is a registered nurse employed at Danbury Hospital.

A motion was made by Councilwoman McManus and seconded by Councilman Enriquez for the appointment to be confirmed. Motion carried.

010 - COMMUNICATION - Appointment of the following police officers:

Probationary Police Appointments:

- Bonnie Henry - Danbury, Connecticut
- Raniero Domenic Ferrante - Danbury, Connecticut
- Herbert Hawkins, Jr. - Danbury, Connecticut
- Charles Victor Eimicke - Danbury, Connecticut
- Michael Patrick Zenobia - Danbury, Connecticut
- Robert Francis Arconti - Danbury, Connecticut
- David Torielli - Danbury, Connecticut

All appointments are conditioned on successful completion of programs at the Police Academy, and successful evaluation during the probationary period. Biographical briefs are attached.

Effective dates of employment are all in January as per arrangement with the Police Department.

The communication was accepted and appointments confirmed by the Common Council, on the Consent Calendar.

011 - COMMUNICATION - Previdi et al vs. Environmental Impact Commission of the City of Danbury.

Request from Theodore H. Goldstein, Corporation Counsel for the Common Council to approve the taking of an appeal in this matter should the E.I.C. at its next meeting determine that it wishes to undertake the same.

In the course of the construction of a driveway laid over wetlands plaintiff made a preliminary application to do said work which was denied. Plaintiff took an appeal which the court sustained in its Memorandum of Decision entered December 16, 1982.

Charter Section 6-4 provides the office of the Corporation Counsel with the power, with approval of the Council, to appeal from any such decision.

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the communication be accepted and petition for appeal be approved. Motion carried unanimously.

012 - COMMUNICATION - Request for authorization from the City of Danbury to sign agreements in reference to the Relocation of Public Utility Facilities, Route 37 (repaving of North Street).

A motion was made by Councilman Merullo and seconded by Councilman Charles for the Mayor to be authorized to delegate the signing of agreements to the Director of Public Works and City Engineer. Motion carried.

013 - COMMUNICATION - Request from the Fire Marshal to repeal Ordinance Re: Installation of oil burning appliances.

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

014 - COMMUNICATION - Request of Joseph Lawlor for waiver of sewer connection fees - Belmont Circle.

Councilman Torian requested referral to the Sewer & Water Extension committee. Mayor Dyer so ordered.

015 - COMMUNICATION - Offer by A M D Realty Corporation (Joel Feinson, President) of property located at 132-134 Main Street and 13 Boughton Street for Lease to the City.

Councilwoman C. McManus requested referral to the Land Acquisition Committee and Planning Commission. Mayor Dyer so ordered.

016 - COMMUNICATION - Request for abandonment of property located between Hawley Avenue and I-84.

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

017 - COMMUNICATION - Petition of Eugene Grenier for acceptance of Westminster Woods Subdivision - Cannonball Dr. & Marc Rd.

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

018 - COMMUNICATION - Request from Mayor Dyer for an ad hoc committee to review a local hiring ordinance.

Mayor Dyer stated that it is important for us to ensure that qualified local people will be used in construction when possible, rather than let local funds be siphoned off to another town or out of State.

The City of Stamford adopted such an ordinance in 1977 and it has worked smoothly since then. With our City's unemployment rising, due to poor National economic policy it is important for all of us to do everything possible to insure jobs for our local citizens.

Councilwoman Torcaso requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Gallo, Esposito, Repole.

019 - COMMUNICATION - Request from Councilman Foti for a committee to discuss "Water rates charged for water service to premises for fire protection".

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

020 - COMMUNICATION & ORDINANCE - Tax Incentives for Historic and Architecturally Significant Properties.

It is requested by Len Sedney, Planning Director that the Common Council consider an appropriate ordinance for Danbury to preserve the City's stock of historic structures. A suggested ordinance titled "Phased Increased Assessment for Historic Properties" was submitted.

Councilman Enriquez requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Cassano, Foti, Elder.

021 - COMMUNICATION & RESOLUTIONS - Request of Dalessio & Novella for a License Agreement between City of Danbury & Conrail Corp.

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

022 - COMMUNICATION - Request for a grant to the Danbury High School Booster Club for costs incurred in the installation of lighting on the D.H.S. football field.

Councilman DaSilva requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Farah, Torcaso, Butera.

023 - COMMUNICATION - Request for \$6,500 for the purchase of T-Shirts which will be given out to volunteers during the "Clean-Up Danbury Project" to be held early in the Spring. The Parks & Recreation Commission has recommended this project and it will be a budgeted item next year.

Councilman Eriquez requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: DaSilva, Esposito, Charles.

024 - COMMUNICATION - Request for \$100,000 to cover overtime wages in the Fire Department until the Courts allow new personnel appointments.

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

025 - COMMUNICATION - Request from Len Sedney, Planning Director for the use of \$7,000 in revenue sharing funds for the purchase of a car.

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

026 - COMMUNICATION - Request from Corporation Counsel T.H. Goldstein for \$1,225.00 for the rental of a copy machine at \$109.38 per month, plus a service contract.

Councilman White requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Evans, Eppoliti, Charles.

027 - COMMUNICATION & CERTIFICATION - Request for an additional \$35,000.00 for some "heavy" settlements involving injured police and fire fighters.

Mr. John P. Edwards, Comptroller, submitted a certification of funds in the amount of \$35,000.00 available to be transferred from the contingency account to the Workmen's Compensation Account #02-09-130-073600. Balance of Contingency Account - \$380,249.90.

A motion was made by Councilman Evans and seconded by Councilman Eriquez that the Communication be accepted and transfer of funds authorized. Motion carried unanimously.

028 - DEPARTMENT REPORTS

Fire Chief	Aviation Commission
Fire Marshal	Sealer of Weights
Police Dept.	High Blood Pressure
Housing Inspector	Planning Commission
Health Inspector	Building Inspector
Commission on Equal Rights & Opportunities	
Coordinator of Environmental & Occupational Health Services	

A motion was made by Councilman White and seconded by Councilman Repole to dispense with the reading of Department Reports as all members have copies which are on file in the Office of the City Clerk for public inspection. Reports to be accepted as submitted. Motion carried.

029 - REPORT - Sale of Firewood.

Council President C. McManus submitted a report stating that in accordance with the resolution passed by the Common Council on December 7, 1982, a sale of firewood was held at the City Landfill. The sale was held on December 19th and 21st.

A total of \$774 was raised, \$316 on Dec. 19th and \$458 on Dec. 21st. All of the firewood was sold. The Council leadership, along with Dan Garamella and Byron Johnson met on December 22, 1982 at 4:00 P.M. and presented \$274 to Leo McIllrath for the Dorothy Day Hospitality House and \$500 to J. Farrell of the Hat City Detachment of the Marine Corps League.

Both organizations were very appreciative and pledged to use the money to purchase Christmas gifts for needy Danbury children.

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

030 - REPORT - Request of Equity Investment Associates for Sewer & Water 148 Old Brookfield Road.

Councilman Gallo submitted a report stating that the Sewer & 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 usual seven steps of conditions and restrictions listed in the report.

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

031 - REPORT - Request of Gas Realty Company and Colonial Ford of Danbury Inc. 92-96-126 Federal Road.

Councilman Gallo submitted a report stating that the Sewer & Water extension committee of the Common Council met on Dec. 13, 1982 at 7:30 P.M. After meeting with the City Engineer and reviewing a recommendation for approval from the Planning Commission, this committee recommends approval of a lateral sewer line for Gas Realty Co. and Colonial Ford of Danbury Inc. for 92-96-126 Federal Road, with the following conditions:

1. The owner shall bear all costs relative to the installation of said line.
2. The exisitn line as well as the proposed line shall remain privately owned and maintained.
3. The owner shall execute and record a written agreement between the owner and the City of Danbury in a form satisfactory to the Corporation Counsel of the City of Danbury providing for all necessary maintenance and replacement of said lines at the expense of the owner.

4. No Certificate of Occupany shall be issued for property to be served by the proposed lines until the Corporation Counsel has approved all documents relative hereto.

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

032 - REPORT - Petition for sewers on Woodside Avenue.

Councilman DaSilva, Chairman of the Public Works Committee submitted a report stating that the committee studied a request to install a sanitary sewer line on a portion of Woodside Avenue. This area had been dropped from the sewer project in this area previously because of the negative response from property owners. The committee instructed the Engineering Department to conduct another survey of the property owners on the proposed route.

The results of this survey again proved to be negative. Fifty-three percent of those responding indicated they would not be in favor of a sewer installation. Twenty-nine percent voted yes, and eighteen percent did not respond.

In light of the results of the latest survey, the Public Works committee voted to recommend that a sanitary sewer not be approved for the Woodside Avenue area at this time.

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

033 - REPORT & RESOLUTION - Acceptance of Deer Run Trail.

Councilman DaSilva submitted a public works committee report stating that the committee reviewed a request to accept Deer Run Trail. The committee held an on-site inspection of this street. A Planning Commission report recommended approval as well as an engineering report which stated all specifications were met.

The Public Works committee therefore recommends the acceptance of Deer Run Trail as a City Highway.

RESOLUTION - Resolved by the Common Council of the City of Danbury that DEER RUN TRAIL be accepted as a Public Highway in the City of Danbury subject to the following conditions:

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

034 - REPORT - Elizabeth Road.

Councilman DaSilva submitted a Public Works Committee Report stating that the committee reviewed a communication from the City Engineer regarding the proper name of Elizabeth Road. It appears that some records indicate the name as Elizabeth Street and some as Elizabeth Road. The most common of these being the latter.

It is therefore the recommendation of the Public Works Committee that the name Elizabeth Road be the official name of the street in question so as to clarify any question that might arise on this issue.

The Report/<sup>and recommendation</sup> was accepted by the Common Council on the Consent Calendar.

035 - REPORT & ORDINANCE - Appointment of a member from the Richter Association to the Richter Park Authority.

Councilman Elder submitted a report stating that the committee appointed to review the Richter Arts Association's request for a permanent seat on the Richter Park Authority, met on Dec. 27, 1982.

Present were Councilmen Elder and Repole. Councilperson Eppoliti was absent. Also present were Rosalie Zurlo, President of the Richter Arts Association and Dino Storoni, Chairman of the Richter Park Authority.

Ms. Zurlo explained that although both the Arts Association and the Park Authority used the park facilities (Particularly the house, grounds and parking lot), there was no written agreement which guaranteed the Arts Association access to these facilities.

Mr. Storoni expressed agreement with the goal of the Arts Association and saw no problem with having one member of the authority be from the Arts Association. He pointed out however, that future policy governing the use of Richter Park facilities would be determined by

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The members of the committee felt that it would be desirable to have formal representation of the Richter Arts Association on the Richter Park Authority so that the long range planning of the two groups could be coordinated. Councilman Repole moved that the committee recommend to the Council that the amended Ordinance be adopted. Councilman Elder seconded the motion which was passed unanimously.

Councilman White made a motion, seconded by Councilman Torian for the Report to be accepted and Ordinance deferred for public hearing. Motion carried unanimously.

036 - REPORT & ORDINANCE - Itinerant Vendors and Peddlers.

Council President C. McManus submitted a report stating that the Common Council held a public hearing on the Itinerant Vendor and Peddler Ordinance, on May 20, 1982 at 8:00 P.M. in the Council Chambers.

The Council met as a committee of the whole on May 20, 1982 after the public hearing and on December 9, 1982 at 8:00 P.M.

The committee recommends that the Ordinance on Itinerant Vendors be adopted as submitted.

The Report was accepted and Ordinance adopted on the Consent Calendar.

As Councilman Farah requested amendments to the Ordinance, a motion was made by Councilman Evans and seconded by Councilman Boynton to reconsider the Consent Calendar. Motion carried.

Councilman DaSilva read the Consent Calendar once again, omitting item number 036 - Itinerant Vendors and Peddlers Ordinance. The Consent calendar was adopted unanimously with 036 being withdrawn.

A motion was then made by Councilman Evans and seconded by Councilman Boynton for the Ordinance to be adopted.

Councilman Farah then read the amendments which were adopted unanimously.

A motion was made by Councilman Evans and seconded by Councilman Boynton for the Ordinance to be adopted as amended. Motion carried unanimously.

037 - REPORT & ORDINANCE - Abandonment of Shopping Carts.

Councilman McGarry submitted a report stating that the committee met on Sept. 22, 1982 and Oct. 13, 1982 to discuss an Ordinance on abandonment and theft of shopping carts.

Meeting with committee members were George Sherwood, FirstNational Store, John Deep, Deep's IGA, Dominic Licursi and John Peterson, Basics, Bob Baldwin, A & P and J. Layok, Layok's IGA.

All store owners and managers were in agreement that a lot of shopping carts are being taken from their stores and a City Ordinance is necessary. All stated carts are valued at \$100 each and some are missing as many as 18-20 a week and have problems keeping carts from leaving store property or parking lots. Each store says they have people patrolling city streets every week and pick up whatever carts belong to them.

A drop off point was discussed for shopping carts picked up by the Public Works Department and it was agreed they be dropped off at the City garage and held for one week and picked up on Mondays by store owners, etc. After that time expires the public works department would take them to the landfill.

All store owners and managers agreed they would have bumper sticker size signs made up and put on each shopping cart, color of signs to be blue and black stating "illegal to remove carts from property" - \$15.00 fine.

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Also, City have police maintenance make up approximately four dozen signs, stop sign size or thereabouts with same words as cart signs and post these on the outside of their property.

A fee of \$2.00 would be charged to the store owners for each cart picked up by the City Public Works Department and a \$15.00 fine to the person or persons taking the shopping carts from store property. Store owners also agreed to put spots in their weekly ads about removal of shopping carts from their property and the penalty involved.

A motion was made at the committee meeting and seconded that a fee of \$2.00 per cart be charged to the store owners whose carts are picked up by the Public Works Department and a \$15.00 fine for persons or person removing carts from store property.

A motion was made by Councilman Foti and seconded by Councilman Elder for the Report to be accepted and the Ordinance deferred for public hearing. Motion carried.

038 - REPORT - Benefits for Non-Union employees.

Councilman Farah submitted a report stating that the Common Council committee appointed to review the request of the professional and administrative non-union city employees, met on Feb. 25, 1982, Oct. 14, 1982 and Nov. 30, 1982. Eleven City employees attended the first meeting and twenty attended the second. (Names attached to report). Councilmen Farah, Evans and Foti were present at the three meetings.

After hearing the views of the employees, the committee deliberated on the merit of dissociating non-union employees from the fringe benefits connection with city union contracts. Since non-union employees have no input in the collective bargaining process which determines their fringe benefits, it was deemed fair to provide them with the following protective statement:

Under no circumstances shall the granted benefits to the non-DMEA professional and administrative staff be lower than those that are stated in the DMEA contract with the city. Nor shall the City reduce the current accumulated benefits of the said non-DMEA employees.

A motion was made by Councilman Evans and seconded by Councilman Charles for the Report to be accepted and recommendations approved.

Councilman Foti then made a motion, seconded by Councilman Eriquez to recommit the matter. Mayor Dyer so ordered.

039 - REPORT - Mr. Phillip Tallman's Request.

Councilman Farah submitted a report stating that the Common Council committee appointed to review Mr. Phillip Tallman's request to organize a program for the employment of young people, met on Oct. 14, 1982 at 7:30 P.M. Council members Farah, Butera and Esposito were in attendance. Mr. Tallman had been notified of the meeting but did not attend. However, the explanations and the documents which he had sent to the Council were sufficient for consideration of the request.

After reviewing the proposal which was attached to the request, the committee arrived at the conclusion that worthy as the proposal may be, the current budget does not allow for the requested expenditure.

Mr. Tallman was commended for his intentions, but his request for \$42,000 to pay for a director, an assistant director and a secretary could not be accommodated, hence the committee voted unanimously to deny his request.

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

Mayor Dyer commended the Common Council, Office of the City Clerk and the committee stating that the Chairman was very fair and forthright.

040 - REPORT - Education Liaison Committee.

Councilman Evans Chairman, submitted a report stating that the Common Council School Board Liaison Committee met on Dec. 27, 1982 at 7:30 P.M. in room 432 at City Hall. The object of the meeting was to discuss the \$40,548 surplus in the School Board's 1981-1982 Budget.

In attendance were Council members Evans, Torcaso, Torian and Eriquez. Also School Board Chairman Philip Fenster and School Board business Manager Walter Skoronski and Mr. Dominic Setaro, Assistant Comptroller.

During the course of discussion it was brought out that this grant money was received approximately July 2, 1982 - too late to spend in the 1981-1982 school year. It was also noted that the School Board received in December, 1981, \$18,443, a portion of the approximately \$60,000 total grant.

It was also brought out by Mr. Setaro that the reason that the School Board had this surplus was because the money had been applied to the School Budget when it was received, but too late for the School Board to spend. It should be pointed out that this is a reimbursement to the Board for monies already expended, in other words - City money.

Mr. Fenster, when questioned as to what the money would be used for, said he did not know of any specific use for the money, and he thought that the teacher situation had been straightened out.

Councilman Eriquez made the motion that the Board of Education Liaison Committee recommend to the Common Council that money received from P.A. 81-432 from State Special Education Funds on July 2, 1982, totaling \$40,584, be added to the Board of Education Budget for School year 1982-1983 with the disposition of these funds to be determined by the Board of Education as mandated by State Law. It is recommended that the Board of Education Liaison Committee be informed of the line item distribution of the \$40,584 for informational purposes. Motion was seconded by Councilman Torian and carried by a vote of 3 to 1, with Chairman T. Evans, voting in the negative.

CERTIFICATION - A Certification of funds in the amount of \$40,584.00 available in the Contingency Account to be transferred to the Education account #02-06-000-072000, was submitted by Mr. John P. Edwards, Comptroller - Balance of Contingency Account \$285,165.90.

A motion was made by Councilman Elder and seconded by Councilwoman Torcaso for the Report to be accepted and transfer of funds authorized.

Councilman Evans spoke in opposition to the grant stating that the funds are not owed to the Board of Education. Funds should be spent on the students for books, paper etc. In November they requested \$28,000 - 6 days after the \$28,000 was authorized there were two new positions. Monthly statements are not available - Director of Sites & Facilities was not in the budget. etc.

Councilman Eriquez spoke in favor of the grant stating that the request before us tonight is for \$40,584 - part of surplus amount and not an unreasonable request. We would not have this request if the State had sent the funds in earlier.

Councilman Elder spoke in favor of the grant also, stating that the money is due to the Board of Education, but arrived late - just a technical matter. Whether the School Board makes right decisions in expending is another matter.

Councilman Boynton noted that we have no control over line items. There was a programmed expenditure of the \$40,584..

Councilman Gallo questioned the use of the funds. Councilwoman Torcaso explained that the funds would be used for supplies, equipment and refuge.

Councilman Farah noted that the funds would be for the classrooms for educational purposes.

Councilman Torian stated that the Board will inform us of the distribution of the funds.

The Report was accepted and transfer of funds authorized by the Common Council by a roll call vote of 14 Ayes - 5 Nays.

Council members - Elder, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, McManus, DaSilva, Torian, Charles, Boynton, Merullo, Farah, voted Aye. 14 Ayes.

Council members - Gallo, McGarry, White, Butera, Evans. voted Nay. 5 Votes. D. Eppoliti and A. Cassano were absent.

041 - COMMUNICATION - Lease - City of Danbury to Business Aircraft Center, Inc.

At a Special Meeting of the Aviation Commission, held on Dec. 29, 1982 the Aviation Commission, by unanimous vote, approved the above referenced Lease (copy of which, marked Draft #17A is included). The Commission simultaneously voted to recommend said Lease to the Common Council for consideration and action.

Councilwoman McManus requested referral to an ad hoc committee and Planning Commission. Mayor Dyer so ordered and appointed the following members to this committee: Cassano, Evans, Torcaso, Elder, Farah.

Mayor Dyer announced the extension of all ad hoc committees.

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 Eriquez for the meeting to be adjourned at 9:05 P.M. Motion carried unanimously.

Respectfully submitted

*Mary Rickert*  
Mary Rickert  
Assistant City Clerk

Attest:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk