

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

SUBJECT: Minutes of the Common Council Meeting held on August 2, 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 Torian.

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

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

ABSENT: Council Members - Foti, Eppoliti, White.

18 Members Present - 3 Members Absent. It was reported that Councilman Foti was working.

NOTICES FROM MAYOR DYER

Mayor Dyer thanked the members of the Council and all who served on the committee for the retirement dinner in honor of Fire Chief Joseph J. Bertalovitz.

Mayor Dyer extended Best Wishes and Birthday Greetings to the following:

- August 1st -Councilman Joseph DaSilva
- August 6th -City Planner Len Sedney
- August 10th -Councilwoman Diane Eppoliti
- August 10th -Evonne Morgardo - Intern in Mayor's Office.
- August 14th - Town Clerk Michael Seri.
- August 15th - Councilman Ernest Boynton
- August 16th - Councilman Richard White
- August 18th - Councilman Nicholas Zotos

Mayor Dyer announced that a Labor Day Parade will be held on Sept.5th and urged as many as possible to participate.

Councilman Evans introduced a representative from the D.H.S. Booster Club who presented the Mayor with a cap and shirt from the Athletic Department Booster Club 1983-1984."Hatters D.H.S. Pride"

CONSENT CALENDAR

Councilman DaSilva in the form of a motion submitted the Consent Calendar consisting of the following items listed on the agenda:

- 02 - Resolution - Housing Authority Application for funds concerning payment-in-lieu-of-taxes.
- 03 - Resolution - Contractual Agreement for WIC Program for fiscal year 1982-1983.
- 04 - Resolution - Contractual Agreement for WIC Program for fiscal year 1983-1984.
- 021 - Communication & Certification - Funds for proposed sidewalk & curbing at Roberts Avenue School.
- 022 - Communication - Request from Superintendent of Highways to add funds to the State Aid Account.
- 030 - Communication - Appointment to the Parks & Recreation Commission.
- 032 - Report & Resolution - Runway Lighting at Danbury Airport.
- 033 - Report - Acceptance of a German Shepard Dog for the Police Dept.
- 034 - Report - Intersection of Deer Hill & West Wooster Street.
- 035 - Report - Funds for Labor Negotiator
- 036 - Report - Denial of funds for PAL.
- 037 - Report - Approval of Petition of Dr. Goldberg for sewer extension - Crane Street & Elton Place.
- 038 - Report - Approval of sewer & water for Eden Drive.
- 039 - Report - Approval of sewer & water for Hospital Ave. & Edgewood Dr.
- 040 - Report - Sewer & Water for Lake & Well Avenue.
- 041 - Report - West Redding Road.
- 042 - Report - Weigh Station Corner of Main & Rose Street.
- 043 - Report - Fairmount Drive
- 044 - Report & Resolution - Hatters Park Bowling Alley Lease.

- 046 - Report - Request to block off right of way between Ward Drive & Ward Drive South.
 047 - Report - Sewer Assessment on Beckerle St. & Farm Street.
 048 - Report - Drainage problem on Westville Avenue.
 049 - Report - Land Acquisition Committee.

A motion was made by Councilman Evans and seconded by Councilwoman McManus for the Consent Calendar to be accepted.
 Motion carried unanimously.

MINUTES - Common Council meetings held on July 5, 1983 and July 18, 1983.

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

- 01 - CLAIMS - Karen Traisci - Frank P. Molinaro - Martha Doonan - Peter Wittkamp - Ronald DePelteau - Anthony Joseph Fanelli, Jr. Louise Marble - Athena Saunders - Viola Yacuzzi.

Councilwoman McManus requested referral to the Claims Committee and Assistant Corporation Counsel for Claims. Mayor Dyer so ordered.

- 02 - RESOLUTION - Filing of an application by the City of Danbury in an amount not to exceed \$188,270.46, to the State for financial assistance in order to undertake a program of Payment-in-lieu-of-Taxes.

In consideration of said Assistance Agreement applicant does hereby waive any payments-in-lieu-of-taxes by the Housing Authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes.

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

- 03 - RESOLUTION - WHEREAS, the Connecticut State Department of Health Services makes funds available to local Health Departments in accordance with Sections of the General Statutes; and

WHEREAS, the City of Danbury through the Health Department continues to provide services through the Danbury Women, Infants and Children (W.I.C) Program; and

WHEREAS, the City of Danbury made application for a continuation grant from the State of Connecticut for the Fiscal Year 1982-1983 in an amount not to exceed \$96,000 with no local match; and

WHEREAS, funding has been made available through the State of Connecticut in the amount of \$105,092; and

WHEREAS, said funds have been accepted and the W.I.C. Program budget adjusted in accordance with a Resolution of the Common Council adopted on June 27, 1983; and

WHEREAS, it was the intention of said Resolution to authorize the Mayor to renew the City's contractual agreement with the State of Connecticut Department of Health Services;

NOW, THEREFORE, BE IT RESOLVED THAT any actions taken by Mayor James E. Dyer in furtherance of the purposes of said Resolution of June 27, 1983 be and hereby are ratified and that the City of Danbury accept the funds made available and that the W.I.C. Program budget be adjusted accordingly.

BE IT FURTHER RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to renew the City's contractual agreement with the Conn. State Department of Health Services for the purpose of continuing Danbury's W.I.C. Program into Fiscal Year 1982-1983 in the amount of \$105,092 and to execute said agreement as Contractor.

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

04 - RESOLUTION - Contractual Agreement for W.I.C. Program continuing into Fiscal Year 1983-1984 in the amount of \$105,092.

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

05 - COMMUNICATION - Request from Chief Macedo for the Council to consider proper appropriation for the repair of unsanitary conditions re: Septic System Repair at the Dog Pound.

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

06 - COMMUNICATION - Suggestion from Mayor Dyer that granite name monuments be erected at the Veteran's monument area in Rogers Park and designated as Veteran's Square.

The existing area adjoining the Rose Arbor has been vandalized and the plate name markers have been stolen. Mayor Dyer stated that it is important that we pay appropriate tribute to our veterans and make the appropriation that will be necessary.

Councilman Eriquez requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Councilmen Charles, Zotos and Repole to this committee.

07 - COMMUNICATION - Petition from residents of Chappelle Street, requesting that the Common Council intercede to correct situations at the Marvin's Cafe on Wildman Street.

Residents have complained that patrons of the Cafe have littered their homes and have parked their cars in a haphazard manner preventing them from using their own driveways.

Councilman DaSilva requested referral to committee. Mayor Dyer so ordered and appointed Councilmen Esposito, Eriquez and Boynton to this committee.

08 - COMMUNICATION - Request from the Ridgefield Police & Fire Departments to install an antenna at the Radio Tower on Spruce Mountain Road.

Councilman Elder requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Council Members Gallo, McGarry and Butera to this committee.

09 - COMMUNICATION - Lease of King St. Volunteer Co. Inc. Property by the City of Danbury.

The City of Danbury leases property from the King St. Volunteer Co. on South King Street. The current lease was entered into on the 30th day of March, 1973 and contained a term of ten years, expiring on June 30, 1983.

The Volunteer Company has indicated that they would like to renew the lease subject to terms and conditions as may be agreed upon in negotiation.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Council Members Leopold, Torcaso and Evans to this committee.

010 - COMMUNICATION - Request of Brockett Real Estate for long term lease of City Property behind the Plum Trees Shopping Center.

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

010-A - COMMUNICATION & RESOLUTION - Request from the Non-Profit Development Corporation of Danbury, Inc. to be designated as a Community Housing Development Corporation.

Councilman Torian requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Councilmen Farah, Cassano and Gallo to this committee.

011 - COMMUNICATION - Offer by John J. Addressi of office space available to the City, located on the lower level of the former McCrory Building on Main Street.

Councilman Elder requested referral to the Land Acquisition Committee & to the Planning Commission. Mayor Dyer so ordered.

012 - COMMUNICATION - Offer by Ruth S. Rosenhaus of a donation to the City - land consisting of 4.48 acres landlocked, in the Rockwood Lane Area.

Councilman Boynton requested referral to the Land Acquisition Committee & to the Planning Commission. Mayor Dyer so ordered.

012-A - COMMUNICATION - Request by East Pembroke Associates for clarification on the construction of a water main - East Pembroke Condominiums.

Councilwoman McManus requested referral to the Sewer & Water Extension Committee. Mayor Dyer so ordered.

012-B - COMMUNICATION - Request of Raymond & Norma Zinser for Sewer & Water Extension - Westville Avenue.

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

012-C - COMMUNICATION - Petition for sewers for Terrace & Johnson Drive.

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

013 - COMMUNICATION - Request of Gary Marino to waive interest fees for sewer assessments for property at 8 Berkshire Drive.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Councilmen McGarry, Leopold, and Charles to this committee.

014 - COMMUNICATION - Request from Police Chief Nelson Macedo for approval to accept a monetary award in the amount of \$656.00 from Perkin-Elmer Corporation for the purchase of a Kodak Sound Slide Projector for use in the Crime Prevention and The Elderly Programs at the Danbury Police Department.

A motion was made by Councilwoman McManus and seconded by Councilman DaSilva for the award to be accepted and a note of thanks to Perkin-Elmer Corporation expressing the gratitude of the City of Danbury. Motion carried unanimously.

015 - COMMUNICATION - Request from the Danbury Board of Education that the funds currently established for the maintenance of School Buildings, and this responsibility be expended by City Departments.

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

016 - COMMUNICATION - Request from the Aviation Commission that the City of Danbury modify the Lease between the City and BAC Inc. to reflect the property boundaries and easements shown on the B.A.C. site plan dated 6/27/83.

Councilman Boynton requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Council Members Evans, Torcaso and Eposito to this committee.

017 - COMMUNICATION - Request for funds in the amount of \$9,139.10 - User fees for EMS Communication - Danbury Fire Department.Re: NorthWest Connecticut Public Safety Communication Center, Inc.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Council Members Elder, Farah and Erieguz to this committee.

018 - COMMUNICATION - Request from Arthur LaRoche, Director of the Commission on Equal Rights & Opportunities for Budget Restorations.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed Council Members Boynton, Elder & Foti.

019 - Withdrawn

020 - COMMUNICATION - Request from Rea Lubar, Inc. of a modification of of the presently existing easement to allow construction of a dwelling which is to be situated over the presently existing brook - Franklin St. Ext.

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

021 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$1,500 for proposed sidewalk & curbing replacement at Roberts Avenue School, Project #83-1.

CERTIFICATION #8 was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$1,500.00 available in the Contingency Account for transfer to the Building Maintenance Budget.

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

022 - COMMUNICATION - Request from the Superintendent of Highways to add \$21,019.00 to the State Aid Account #02-03-111-029500 which will give a total of \$271,019.00 This will be the allotment for 1983-1984.

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

023 - COMMUNICATION & CERTIFICATION - Request for \$9,000 to install elevated grandstand seating for 180 people at the DHS/Crotty Stadium. This grandstand allows portability so it can be used at both the football and baseball fields.

Waiving of the bid procedure will be necessary if the Council desires to have the grandstand in place for the first home game in mid-September.

CERTIFICATION #4 was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$9,000.00 available in the Contingency Account for transfer to a Capital Improvement Account.

Councilman Elder requested referral to committee. Councilman Evans asked Mr. Elder to withdraw his referral as there are no bleachers at the High School on the visitors side and stated that these bleachers are portable and can be used for Soccer, baseball as well as football and that the bleachers at Osborne Street Field are unsafe.

Councilman Elder asked why waiver the normal bidding procedure and why this request was not in the budget.

Mayor Dyer then so ordered the referral and appointed the following committee: Cassano, Butera, Foti.

024 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$10,665.82 to be transferred to the Law Firm of Koskoff, Koskoff & Beider
 Re: Gavagan et al vs. Danbury Civil Service Commission et al.

Corporation Counsel Theodore H. Goldstein advised that Consent Decree in the above-captioned matter was ordered entered on July 19, 1983 by Chief Judge T.F. Gilroy Daly of the United States District Court for the District of Connecticut.

Said Consent Decree merely set forth that which had already been accomplished by the Mayor and Common Council, namely, the voiding of the firefighter eligibility list formulated after the examination of Feb. 1982, the repeal of Ordinance 8-18(9) and the noticing of a new competition for the rank of firefighter without preference points. This case is now, therefore, effectively terminated and concluded.

Pursuant to the Civil Rights Attorney's Fees Award Act, counsel for plaintiffs made an application for attorney's fees in the amount of \$13,212.00 together with costs of \$615.82 and filed a brief in support of same. The Office of the Corporation Counsel filed a responsive brief whereupon the Court found plaintiffs counsel to be entitled to an award of fees of \$10,050.00 plus costs in the amount of \$615.82.

Accordingly, a request is submitted for the transfer of the sum of \$10,665.82 from the Contingency Fund to the law Firm of Koskoff, Koskoff & Bieder.

CERTIFICATION #5 was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$10,665.82 as being available in the Contingency Account to be transferred to the Corporation Counsel's Budget for payment of fees and Court costs in the above matter.

A motion was made by Councilwoman McManus and seconded by Councilman Torian for the Communication to be accepted and transfer of funds authorized.

Motion carried by a roll call vote of 13 Ayes and 5 Nays.
 Councilmen Gallo, McGarry, Esposito, Repole, Cassano, voted Nay (5 votes)
 3 Members were absent.

025 - CERTIFICATION #6 was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$261,234.00 available in the Contingency Fund to be transferred to various Departments' Salary Accounts.

The Common Council in June approved the D.M.E.A. Contract and Building Maintenance Contract for 1982-83 and 1983-84 fiscal years. These funds are required to comply with the 1983-84 contracts. All budgeted salaries used in the 1983-84 budget were at 1981-82 rates because the contracts were not approved until after the budget was adopted.

A motion was made by Councilman DaSilva and seconded by Councilman Eriquez for the Communication to be accepted and transfer of funds authorized.

Motion carried unanimously.

026 - COMMUNICATION - Appointment by the Mayor of Chief Charles J. Monzillo as Danbury's new Fire Chief, effective September 15, 1983.

A Biographical sketch and appropriate letters of recommendation were also submitted.

A motion was made by Councilman Eriquez and seconded by Councilman Boynton for the Communication to be accepted and appointment of the new Chief to be confirmed. Motion carried unanimously.

027 - COMMUNICATION - Probationary appointments of the following to the Danbury Fire Department:

Alan Bertrand	6 Grove St. Danbury, Connecticut
Patrick Sniffin	Vista Street, Danbury, Connecticut
Carmen Rao	35 Town Hill Ave. Danbury, Connecticut
Stephen Johnson	81 Nashville Road, Bethel, Connecticut

The appointments will be effective upon swearing-in.

A motion was made by Councilman McGarry and seconded by Councilwoman J. Butera for the Communication to be accepted and probationary appointments confirmed. Motion carried unanimously.

028 - COMMUNICATION - Probationary appointments of the following to the Danbury Police Department:

1) Anthony Maher	30 Southview Avenue, Danbury, Connecticut
2) Lawrence Frinton	44 Huckleberry Hill, Danbury, Connecticut

The appointments will be effective upon swearing-in.

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

029 - COMMUNICATION - Re-appointment of the following to the Aviation Commission, for terms to expire on July 1, 1986:

Peter Green	15 Frandon Drive, Danbury, Connecticut
M. James McManus	11 East Gate Road, Danbury, Connecticut
John Scarfi	Driftway Point Road, Danbury, Connecticut

A motion was made by Councilman Torian and seconded by Councilman Boynton for the Communication to be accepted and re-appointments confirmed. Motion carried unanimously.

030 - COMMUNICATION - Appointment of Helen W. Buzaid, 68 Deer Hill Avenue, Danbury, to the Parks & Recreation Commission for a term to expire on December 1, 1985.

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

031 - DEPARTMENT REPORTS

Police Department	Veterans Advisory Center
Building Inspector	Sealer of Weights
Health Inspector	Housing Inspector
Aviation Commission	Fire Chief
Blood Pressure Program	
Equal Rights & Opportunities Commission	
Coordinator of Environmental & Occupational Health Services.	

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

AD HOC COMMITTEE REPORTS

032 - REPORT & RESOLUTION - Runway Lighting at Danbury Airport.

Councilman Gallo submitted a report stating that the committee appointed to review the request from the Danbury Airport for additional lighting, met on July 11, 1983. In attendance were Council Members, Gallo, Butera and Repole. Also attending the meeting was Aviation Commission chairman Paul Estefan.

Mr. Estefan stated the additional \$100,000 for lighting would not require any additional funding other than \$2,500 from the present Airport Budget. \$97,000 will be paid through State & Federal Funds.

Councilwoman J. Butera made a motion at the committee meeting, seconded by Councilman Repole that a Resolution be passed allowing the City of Danbury to make application for the Federal & State Grants. Motion passed.

032 - continued: Funds for Runway Lighting at Danbury Airport.

RESOLUTION - WHEREAS, the City of Danbury will make application for a Federal and State Grant in the amount not to exceed \$100,000 for the Runway Lighting at Danbury Airport, with a local match of two and one-half percent equalling an amount not to exceed \$2,500,

Now Therefore Be It Resolved That the Mayor of the City of Danbury, Mayor James E. Dyer is hereby authorized to make application for said Grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

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

033 - REPORT - German Shepard dog for Danbury Police Department.

Councilman John Esposito submitted a report stating that the Common Council committee appointed to consider the acceptance of the donation of a german shepard dog (Wilhendorf Von Bernd) to the Canine Department of the Danbury Police Department, by Richard T. Murphy, met on July 20, 1983.

In attendance werethe following committee members: J. Esposito Chairman, B. Gallo and F. Repole. Chief Macedo and Officer Russo also attended. Officer Russo stated that the dog has received basic training and is believed to have the necessary qualifications to be a good police dog, once his training is complete.

The stipulation of the donation is that Officer Russo be assigned as the dog's handler and in the event the dog is found unsuitable for police work and/or upon the retirement of Russo or the dog, he will be relinquished to Officer Russo.

Chief Macedo spoke in favor of the donation and would comply with the requested stipulations.

Based upon its review, Councilman Repole moved to recommend acceptance of the dog, seconded by Councilman Gallo and passed unanimously at the committee meeting. The committee thanked Officer Murphy for the donation.

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

034 - REPORT - Property at the Intersection of Deer Hill Ave. and West Wooster Street.

Council Member Carole Torcaso submitted a report stating that the committee met on July 21, 1983 with Carole Torcaso and John Leopold present. Mr. Evans was out of town on business.

Discussion was favorable of the schematic design submitted by the Planning Department.

Following standard procedures for obtaining an appraisal of the property, a motion was made at the committee meeting, seconded and passed unanimously to request a sum not to exceed \$500.00 to be allocated from the Land Acquisition Appraisal Account #12-000-820017.

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

035 - REPORT - Funds for Labor Negotiator.

Councilman Elder submitted a report stating that the committee appointed to review a request for \$1,500 to fund the Labor Negotiator for the month of July, met on July 25, 1983. Present were Council Members Elder, Foti and Charles. Also present was the Director of Personnel E. Merullo.

Mr. Merullo informed the committee that the additional funds were required to meet contractual obligations between the City of Danbury and Mitchell Associates. Mr. Merullo also stated that Mitchell Associates had provided valuable service and advice during July. Therefore Mitchell Associates has earned the \$1,500 fee.

Considerable discussion ensued about why this amount was not included in the 1983-1984 Budget. Councilman Charles made a motion seconded by Councilman Elder that the request be granted and transfer of funds authorized. Motion at the committee meeting passed 2 to 1 with Councilman Foti voting in the negative. (Certification #2 was submitted July 5, 1983)

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

036 - REPORT - Denial of Funds for P.A.L.

Councilman Cassano submitted a report stating that the committee appointed to study the request for funds for P.A.L. programs, met on July 11, 1983. Committee members Cassano, Foti and Butera were present. Committee members Boynton and Leopold were absent. Mr. Boynton was ill and Mr. Cassano was on vacation.

Sal Enteado PAL President, Kevin Barry, Treasurer and Dave Thibodeau Soccer Board, Equipment Manager also attended the meeting.

It was reported to the committee that PAL soccer enrollment is about 18,000, broken down into 78 teams (60 play in Danbury, 18 are traveling teams). The annual cost of the soccer program is about \$26,000 of which \$17,000 is obtained from registration fees. The major expenses are for uniforms (\$10,300), equipment (\$10,400) and Insurance \$4,500.

Current estimates for calendar year 1983 are \$38,268 income and on hand, and \$40,525 expenses, indicating a deficit of \$2,257. Final income from the recent Bail Day is not included in the above figures and may come close to wiping out the deficit.

The committee was very much impressed by the caliber and extent of the various PAL commitments and the obvious benefit that is provided to such a large number of the youth of our City. However, due to the fact that there are other organizations in Danbury whose financial needs are, in their own minds, equally as great, and that the granting of funds to PAL could establish an undesirable precedent, Councilman Foti moved at the committee meeting that the committee recommend that the petition be denied. Mrs. Butera seconded the motion and there was unanimous approval.

The committee suggested that PAL meet with the Parks & Recreation Department prior to the preparation of the annual budget to allow the department to consider allocation of grant money based on an organization's enrollment and service to larger segments of the population.

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

037 - REPORT - Request of Dr. M. Goldberg for sewer extension to Crane & Elton Place.

Councilman Gallo 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 the committee that the petition be granted with the usual seven steps and conditions listed in the report.

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

038 - REPORT - Request of Apache Garden Corp. for Sewer & Water - Eden Dr.

Councilman Gallo submitted a report stating that the sewer & water extension committee has met to review 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 condition:

1. That a lateral be run from the street to each building not an extension onto the property with two laterals.

Councilman Foti voted in the negative at the committee meeting as he felt that the Planning Commission does not give the Sewer & Water Extension Committee enough information as to how they determine a recommendation for or against.

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

039 - REPORT - Request of Edgewood Associates for sewer & water - Hospital Ave. & Edgewood Drive.

Councilman Gallo submitted a report of the sewer & water extension committee which stated that they have 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 as this office building will be replacing three single family homes and still be under the allocation for this property. The committee vote was unanimous.

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

040 - REPORT - Request of Gary & Dennis Michaels for sewer & water - Lake & Well Avenue.

Councilman Gallo submitted a report of the sewer & water extension committee which stated that they have 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. Requested allocation for this site is 270 G.P.D. over the allotment but the City Engineer has assured the committee that capacity on the Lake Avenue line is no problem at this time. The committee vote was unanimous.

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

041 - REPORT - West Redding Road.

Councilman DaSilva submitted a report of the Public Works Committee who has studied a request to widen West Redding Road. The committee went on an on-site inspection of the road as well as working with the Public Works Dept. & Police Department in its study. Widening the road would entail the acquisition of a substantial amount of property along the road, along with major excavation of rock ledge in some areas, as the landscape beside the road in many places is ledge on one side and a depression on the other.

The approximate cost of this would be One-Million Dollars. The installation of more guard rails was also reviewed. In the areas where the rails might be useful the road is narrow and the placing of guard rails would further decrease the width of the road.

Because of the prohibitive cost of road improvement and the logistical problem in the placing of guard rails, the Public Works Committee regretfully recommends that no action be taken on this request at this time.

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

042 - REPORT - Request to rent the weigh station on Main & Rose Streets.

Councilman DaSilva submitted a report of the Public Works Committee who has reviewed the above request for use as a retail business. The committee ascertained that this small building and property are of no major use to the City and agreed to rent the building at a stipulated price.

There has been no response to the offer of the committee in several months. The committee therefore recommends that no action be taken on this request at this time and the weigh station property be dealt with in further committee action dealing with all surplus property in the City.

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

043 - REPORT - Request to repair Fairmount Drive.

Councilman DaSilva submitted a report of the Public Works Committee who has reviewed the above request. In discussion with D. Garamella, Director of Public Works, and E. Fusek, Supt. of Public Highways, the committee found that the repair work on this road has already been completed. No further action is necessary at this time.

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

044 - REPORT & RESOLUTION - Hatters Park Bowling Alley Lease.

Councilman DaSilva submitted a report of the Public Works Committee who has studied a request to transfer and extend the lease for the bowling alleys at Hatters Park. The present leasee, Charles Trocolla, is asking to transfer his lease to Michael Pane and to extend the lease for an additional five years. The extension of the lease was asked to insure sufficient time for the new tenant to establish his business successfully.

The committee reviewed the financial statement of the prospective leasee and his experience in the field of bowling, and found both to be sufficient. The committee further added to the present lease a clause mandating that the cost of repairs, maintenance and replacement of equipment and bowling lanes be borne by the leasee. The price of the lease would also be increased by \$500.00 per year for the five additional years. The cost would go from \$14,000 per year for the present lease, to \$16,500 at the end of the five year option.

The Public Works Committee recommends approval of the proposed lease to Mr. Michael Pane with the additional stipulation as stated above.

RESOLUTION - WHEREAS, the City of Danbury entered into a lease of property known as the Hatters Community Park Bowling Lanes with Charles J. Trocolla dated August 28, 1981; and

WHEREAS, Charles J. Trocolla wishes to assign his interest in said Lease to Karen L. Pane; and

WHEREAS, Karen L. Pane wishes to retain an option to extend the term of said assigned lease for an additional five (5) years; and

WHEREAS, said assignment and option are in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury does hereby consent to said assignment and does hereby agree to enter into a revised lease, a copy of which is attached hereto as Exhibit A, containing an option to extend the term of said lease for an additional five (5) year period, and does hereby authorize Mayor James E. Dyer to execute said revised lease between the City of Danbury and Karen L. Pane in accordance herewith.

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

45 - REPORT & CERTIFICATION - Request of \$50,000 for architect for Code violations in City Buildings.

Councilman DaSilva submitted a report of the Public Works Committee who has reviewed a request from Mayor Dyer for \$50,000 to pay an architect to draw up plans and make cost estimates for code violations in City Buildings.

Mr. Robert Winkelstern, Supt. of Public Buildings reported that as he is the only person in his department with the ability to do this type of work, the total project would take about five years to complete on a building by building basis.

He also stated that an architect with knowledge in this field would have an easier job of completing the project as well as the ability to coordinate city-city contracts for repairs in specific areas. This would realize a cost savings for the City and would be extremely difficult to accomplish for one person with many other responsibilities. Mr. Winkelstern said he would work with the architect and the Board of Education's maintenance department to cut out the repairs and maintenance citation that can be done by his department and the Board of Education maintenance department. He would further work with the City Fire Marshal to obtain waivers on any citation deemed appropriate.

The Public Works Committee recommends a maximum of \$50,000 be appropriated to the building maintenance account for the acquisition of architectural services to draw plans and make cost estimates for code violations in City Buildings.

CERTIFICATION #7 was submitted by the Comptroller, Mr. John P. Edwards as to the availability of \$50,000 in the Contingency Account to be transferred to the Building Maintenance Department for employment of an architect to review code violations of city buildings.

A motion was made by Councilman Eriquez and seconded by Councilman Leopold for the Report to be accepted and transfer of funds authorized. Motion carried with Councilman Boynton voting in opposition.

046 - REPORT - Request to block off right of way between Ward Dr. & Ward Dr. South.

Councilman DaSilva submitted a report of the Public Works Committee who has studied the above request. The two roads are dead ends with the cul-de-sacs separated by approximately 15 feet of City right of way. It appears that a number of cars drive over the curb and right of way to Ward Dr. and then down Weindorf Lane, a narrow winding road not equipped to handle any additional traffic. An on-site inspection of the area took place on July 26th.

The Public Works committee recommends that the Public Works Department block off with posts, the right of way between Ward Drive and Ward Drive South.

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

047 - REPORT - Sewer Assessment on Beckerle St. & Farm St.

Councilman DaSilva submitted a report of the Public Works Committee who has studied a request to review a sewer assessment on Beckerle and Farm Streets. The public hearing on the sewer assessments for this line was held in March of 1982. State Statutes allow a twenty-one day period in which to file an appeal. This request is long after the appeal period.

The necessity for a limited appeal period can be seen by the fact that if an assessment is changed, all other assessments on the line must also be adjusted. This would be an impossible proposition at this time as other assessments may have already been paid, either in whole or in part.

Because of State Statute limitation on the appeal of assessments, the Public Works Committee recommends that no action be taken on this request at this time.

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

048 - REPORT - Drainage problem on Westville Avenue.

Councilman DaSilva submitted a Public Works Committee report stating that the committee reviewed a request to correct drainage problems on Westville Avenue. Rain water which runs down Westville Avenue in a heavy rainfall drains down to property below street level.

An on-site inspection of the area was conducted on 7/26/83. The committee, through inspection and discussion with Public Works Department personnel, affirmed that no storm drains exist in that vicinity. The installation of such would cost at least \$50,000.

The Public Works Committee realizes that a drainage problem exists in the Westville Avenue area. There are, however, no funds available for a project of this size. Assurance was given that whenever funds become available that this project will be of high priority. The committee regrets that they must recommend that no action can be taken at this time.

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

049 - REPORT - Land Acquisition Committee.

Councilman Evans submitted a progress report of the Land Acquisition Committee stating that the committee met on July 18th to discuss property offered to the City for purchase at the corner of State and Main Street and also 2 pieces of property at Rogers Park.

Present at the meeting were committee members Evans, Repole, Leopold, Charles, and McGarry; Mr. Gallo was absent due to attending another Council meeting. Also in attendance were Councilwoman Torcaso and representing Swampfield Land Trust, Inc. Ed Griswold; Monique Weidel and Elizabeth McKee.

An on-site inspection of the State & Main Street property and the Russo property was held on July 23rd. Representatives of the Police Department took part in the State & Main Street inspection.

Discussion pursued as to various uses of the Parks property and also alternate possibilities for financing the purchase of the property. It was voted at the Committee meeting to request Kingsmark and Environmental non-profit organization to make a no cost survey of the property for the City.

The committee met again on July 25th. Discussion ensued on alternative uses and financing possibilities for the purchase of the Parks property.

Motion was passed unanimously at the committee meeting that an appraisal of the property at State & Main Street be contracted for.

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

050 - REPORT & ORDINANCE - Abandoned Motor Vehicles.

Councilwoman C. McManus submitted a report stating that the committee appointed to review the problem of abandoned cars on private property, met on July 20, 1983 at 7:30 P.M. with Assistant Corporation Counsel, Eric Gottschalk and Attorney James Ryan who represents the Housing Authority. The committee met again on July 27th with Atty. Gottschalk.

The committee, Council Members, McManus, Torian and DaSilva, recommends that the Ordinance be deferred for a public hearing. The proposed ordinance eliminates the storage fees which often surpass the value of the abandoned vehicles and would thereby reduce the reluctance of haulers to remove the cars.

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

051 - REPORT - Request of Parking Authority.

Councilman Farah submitted a report of the Common Council committee appointed to consider the request of the Parking Authority for issuing revenue bonds not to exceed \$1.8 Million dollars to construct a parking garage behind the Old Library. The committee met on July 14, 1983. The Parking Authority, City Trust, The Downtown Development Agency, The Downtown Council and The Ramp Engineering Associates were represented at the meeting.

They were unanimous in their support of the project. This project calls for the construction of a 5-level parking garage on the sites of the present City Trust parking lot (44 spaces) and the Parking Authority lot (24 spaces). The ground level of the proposed parking garage will provide 52 parking spaces for the Bank, including reserved parking for disabled persons, and a drive-in banking facility for City Trust.

The four supported levels will contain 178 parking spaces for the general public which will be operated with parking meters. The committee examined the proposal and the suggested designs, then it discussed the question of financing with representatives of the Parking Authority.

Currently the Authority receives nearly \$60,000 in net annual income. This along with the money which the proposed parking garage will generate, should come within \$7500.00 of meeting the annual cost of the bonds.

After deliberation, the committee voted unanimously to recommend authorization for issuance of city-guaranteed parking revenue bond issue to finance the project, with the understanding that the Parking Authority will follow the general descriptions for the garage as submitted by the Ramp Consulting Service, Inc. on July 14, 1983, and will abide by the normal City bidding procedures for capital projects.

A motion was made by Councilman Evans and seconded by Councilman Eriquez to accept the Report and recommendations of the committee.

Councilman Boynton asked how would we guarantee this bond issue. Mayor Dyer replied that the City would guarantee against default. Councilman Boynton asked if there would be a line item of \$7500.00 in the budget.

Mayor Dyer stated that there would be and that/ ^{they have} constant contact with his office.

The motion for acceptance of the report & recommendation was carried. Councilmen Gallo and Boynton voted Nay.

There being no further business to come before the Common Council, a motion was made by Councilman Evans and seconded by Councilman Elder for the meeting to be adjourned at 8:45 O'Clock P.M.

Respectfully submitted

Mary Rickett
Assistant City Clerk

Attest:

Elizabeth Rudguit
City Clerk

*****- The following residents of Chappelle St. spoke in reference to Item # 7 on the agenda re: situation in the area of Marvins Cafe, and asked for a solution to the problem:

Michael Brill, Mr. & Mrs. J. Jones - Ralph DeRubertis - Ann Machado - Dwaine Deicke -