

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

SUBJECT: Minutes of the Common Council Meeting held on August 7, 1984.

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 Bernard Gallo.

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

PRESENT: Council Members - Johnson, Sollose, Esposito, Godfrey, Flanagan, Zotos, Chianese, McManus, DaSilva, Gallo, Cassano, Charles, Boynton, Durkin, Eriquez, Farah, Torian.  
Councilwoman Butera arrived after Roll Call.

ABSENT: Council Members - Foti, Torcaso and Skoff.

It was reported that Councilman Foti was working and Councilwomen Skoff and Torcaso were out of town.

18 Members Present - 3 Members Absent.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that Bill Seymour of the News Times will not be covering City Government after September 1st. Mr. Seymour has been accepted for a Public Administration Course in a college in Boston.

Mayor Dyer congratulated Fire Chief C. Monzillo for his appointment on the State Commission on Fire Prevention and Control..

Birthday Greetings were extended to the following:

- August 1st -- Councilman DaSilva
- August 6th -- Len Sedney - Planning Director
- August 14th -- M. Seri - Town Clerk
- August 15th -- Councilman Boynton
- August 18th -- Councilman Zotos

Mayor Dyer announced that the "Mayor's Cup" to benefit the Hanahoe Clinic will be held on August 22nd.

This Thursday, August 9th, a new City Park will be dedicated on Beaver Street.

On August 11, 1984 State Representative L. Riefberg will be getting married. On August 11, 1984 Keith Colgan of the Planning Dept. will be getting married on August 25, 1984 Len Sedney, Planning Director will be getting married.

August 26th, the Padanaram Hose Co. will be celebrating 100 years of service with a parade etc. - All are invited.

Mayor Dyer noted that the Contingency Fund is exactly as it was voted upon - funds to cover contracts listed on this agenda. Financial condition of the City is outstanding with our AA rating.

Mayor Dyer stated that our 1984-85 Budget is a good one which we will have to live with. We did not have a tax increase to create a slush fund and Departments must function on their present appropriations. If an emergency should occur we can transfer from our Capital Budget.

The Mayor also noted that the summer youth employment program will end at the end of this month.

The Mayor announced that Peter Glaser, who was his office intern, will be leaving to go to College and wished him well

CONSENT CALENDAR

Councilman Joseph DaSilva submitted the following items to be listed on the Consent Calendar:

- 03 - Resolution - Housing Site Development Agency to apply for Grant Funds for New & Rowan Street Projects.
- 024 - Communication & Certification - Approval of funds for Xerox machine for Office of City Clerk.
- 025 - Communication - To accept the communication for a request from the Board of Education for funds for Code updating.
- 026 - Communication - Request from the Superintendent of Highways to add funds to the State Aid Account.
- 035 - Report - Request to establish an Electronic Firm.
- 036 - Report - Sewer & Water for Glen Hill.
- 037 - Report - Neighborhood Assistance Program.
- 038 - Report - Salary increase for Municipal Agent.
- 039 - Report - Request for sewers on Dogwood Drive.
- 040 - Report - Use of Rogers Park Softball Fields.
- 041 - Report - Airport Master Plan.
- 046 - Report - Interlocal Septage Agreement.

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

MINUTES - Common Council Meetings held on July 3, 1984 and July 30, 1984.

A motion was made by Councilman DaSilva and seconded by Councilman Charles to waive the reading of the Minutes which are to be accepted as submitted. Motion carried unanimously.

- 01 - CLAIMS - Wayne Kakos - Elizabeth Croasdale - Wendell L. Johnson - Mark Perroti - Wilma Henry.

Councilman Charles requested referral of the Claims to the Claims committee and Corporation Counsel for Claims. Mayor Dyer so ordered.

- 02 - RESOLUTION - Easements for street & sidewalk improvements to Ives Street.

WHEREAS, the Common Council has duly voted to accept easements for the placement of electrical transformers in connection with the Ives Street Revitalization Project; and

WHEREAS, the purposes of said project oblige the City of Danbury to acquire interests in real property more particularly described herein and in the exhibits attached to the Resolution; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners hereinafter named upon the amount to be paid for the respective interests to be taken in, and to, the real properties described herein and in the exhibits attached hereto;

NOW, THEREFORE, BE IT RESOLVED that the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests described either by negotiation or by eminent domain through the institution of suits against the following named property owners and his respective mortgage holders, if any.

Emilia Corporation  
John P. Previdi.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Resolution to be adopted as amended. Motion carried. The Resolution was adopted unanimously.

03 - RESOLUTION - Housing Site Development Agency to apply for Grant Funds for New & Rowan Street Projects.

WHEREAS, pursuant to Chapters 128, 129, 130, 133 and 135 of the Connecticut General Statutes, as amended, the Commissioner of Housing is authorized to extend financial assistance to local housing authorities, municipalities and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the Housing Site Development Agency make application to the State for \$198,650.00 in order to undertake a program of housing site development and, to execute an Assistance Agreement therefore. It is understood that the Housing Site Development Agency will provide a local grant-in-aid in accordance with the requirements of Chapters 128, 129, 130, 133 and 135 of the Connecticut General Statutes, as appropriate.

The filing of an application by the Housing Site Development Agency in an amount not to exceed \$198,650.00 is hereby approved, and that the Executive Director is hereby authorized and directed to execute and file such application with the Commissioner of Housing to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the Housing Site Development Agency.

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

04 - RESOLUTION - Balmforth Ave/Maple Ave and Franklin St./Osborne St. Road Improvement Projects.

WHEREAS, the Common Council has duly voted to approve the Balmforth Ave/Maple Avenue and Franklin Street/Osborne Street Road Improvement Projects; and

WHEREAS, the purposes of said projects oblige the City of Danbury to acquire interest in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in, and to, the real property as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED that the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or by eminent domain through the institution of suits against the following named property owners, their successors and assigns and their respective mortgage holders, if any, the affected properties being indicated by Tax Assessor's lot numbers.

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

04-1 - COMMUNICATION - Request from the Danbury Preservation Trust for an historic district study committee.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Council Members Torian, Flanagan, Sollose, Godfrey, Eriquez.

05 - MEMORANDUM OF AGREEMENT & CERTIFICATION between City of Danbury and the Danbury Municipal Employees Association.

CERTIFICATION #9 - was submitted by the Comptroller, Mr. John P. Edwards certifying the availability of \$170,915.00 in the Contingency Account to fund the working agreement with the D.M.E.A.

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

Motion carried unanimously.

06 - MEMORANDUM OF AGREEMENT & CERTIFICATION - City of Danbury and the Danbury Police Union Local 891.

CERTIFICATION #7 - was submitted by the Comptroller, Mr. John P. Edwards, certifying the availability of \$239,825.00 in the Contingency Account to fund the Police Department working agreement to be distributed as follows:

Police Department Regular Salaries	\$193,405.
Police Department Clothing Allowance	3,420.
Insurance Budget - Dental Plan	43,000.
	<u>\$239,825.</u>

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Agreement to be accepted and transfer of funds authorized.  
Motion carried unanimously.

07 - MEMORANDUM OF AGREEMENT & CERTIFICATION - City of Danbury and Local 677 International Brotherhood of Teamsters.

CERTIFICATION #8 - was submitted by the Comptroller, Mr. John P. Edwards, certifying the availability of \$107,604.00 in the Contingency Account to fund the Teamster working agreement to be distributed as follows:

Highway Regular Salaries	\$ 75,359.
Equipment Maintenance Reg. Salaries	10,305.
Tree Dept. Regular Salaries	6,589.
Parks Dept. Regular Salaries	9,989.
Airport Regular Salaries	5,262.
	<u>\$107,604</u>

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Agreement to be accepted and transfer of funds authorized.  
Motion carried unanimously.

Mayor Dyer thanked the Council and the negotiating teams for their efforts in finalizing the above agreements.

08 - COMMUNICATION - Request from the Assistant Building Inspector Leo P. Null for an appropriation of \$5,000 to remove the steeple from the Union Church on Old Mill Plain Road.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:  
Council Members - Torian, Durkin, & Chianese.

09 - COMMUNICATION - Request from Mayor Dyer for an ad hoc committee to review the staffing needs of the Building Department.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:  
Council Members - Esposito, Farah and Butera.

010 - COMMUNICATION - Donation of a check for \$50.00 from the V.F.X. Auxiliary towards renovation of the Rose Arbor at Rogers Park.

A motion was made by Councilwoman McManus and seconded by Councilman Boynton for the donation to be accepted with many thanks extended to the V.F.W. Auxiliary Members. Motion carried unanimously.

011 - COMMUNICATION - Donation by the Perkin-Elmer "Good Neighbor Fund" of the following to the Commission on Aging:

Danbury Senior Center - \$1,000 for the rental of a Monroe Copier.  
Danbury Adult Day Care - 990 for six recliner chairs.

A motion was made by Councilman Eriquez and seconded by Councilman Torian for the donations to be accepted with a letter of thanks to be sent to Perkin-Elmer. Motion carried unanimously.

410  
012 - COMMUNICATION - Lease to New Fairfield Builders, Inc. with respect to property in the vicinity of the Airport. Now, New Fairfield Builders, Inc is selling the building owned by it in proximity to this leased property to Rodenstock USA, Inc, a present tenant.

Councilman Gallo requested referral to an ad hoc committee.  
Mayor Dyer so ordered and appointed the following committee:  
Council Members - Cassano, Zotos, & Skoff.

013 - COMMUNICATION - Request of Ronald D. Goedel to operate the recycling center.

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

014 - COMMUNICATION - Request of Gary Mead to utilize a parcel of City Property, to be included as part of a roadway known as Contemporary Drive (East Lake Woods).

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

015 - COMMUNICATION - Request from Colonial Builders & Developers for the City to accept property on Manion's Lane.

Councilman Charles requested referral to the Land Acquisition Committee and Planning Commission. Mayor Dyer so ordered.

016 - COMMUNICATION - Request of Joseph Deuschele, Jr. and Alfred Hanson to purchase City property on Bergh Street.

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

017 - COMMUNICATION - Request from Charles E. Williams Inc. for Apple Orchard Drive (Apple Orchard Estates) to be accepted as a city road..

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

018 - COMMUNICATION - Request of Daniel J. & Lillian L. Esposito for permission to extend the sewer line presently ending on the corner of 4th Street to 16 Virginia Avenue, bearing all costs relative to the installation of the sewer line, as they are in extremely desperate need of a sewer.

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

019 - COMMUNICATION - Request of Frank & Maria Avallone for extension of sewer line - Route 6 (Old Sorrento Restaurant)

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

020 - PETITION - Signed by 20 residents, for sewers for Pembroke Terrace and Johnson Drive.

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

020-1 - COMMUNICATION - Road Improvement Program.

Request from the City Engineer J. Schweitzer, that the above referenced subject be referred to the Common Council Public Works Committee for their agenda.

By having this item on the Public Works Committee Agenda it will enable the Public Works Department to report on the status of the various road projects from time to time. This will then enable the Public Works committee to report to the entire Common Council on the various aspects of this bond issue.

By reporting to the Public Works Committee, Mr. Schweitzer stated that they will be able to expedite these various projects by not having to wait for the Common Council to refer these matters to a committee and then having them report back to the entire Common Council.

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

021 - COMMUNICATION - Drainage problems on 14 Grace St. property owned by William Commans.

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

022 - COMMUNICATION - Drainage problems on 18 Olive St. property owned by Saul Mekies.

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

023 - COMMUNICATION - Request from the Purchasing Agent to amend Sec.6-6d of the City Charter.

Councilman Godfrey requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Council Members DaSilva, Gallo and McManus.

024 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$181.80 for transfer to the Leased Equipment Account for the 12th month rental of the Xerox Copier Machine in the Office of the City Clerk. The \$2,000 has been encumbered for eleven months.

CERTIFICATION #10 - was submitted by Mr. John P. Edwards, Comptroller, certifying the availability of \$181.80 in the Contingency Account for transfer to the Leased Equipment Account #024501 in the Office of the City Clerk.

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

025 - COMMUNICATION - Request from the Board of Education for \$5,745,550. for code updating.

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

026 - COMMUNICATION - Request from E. Fusek, Superintendent of Highways to add \$91,070 to the State Aid Account which will give us a total of \$341,070. This will be the allotment for 1984-85 as per notice from the State of Connecticut, Town Aid Department.

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

027 - COMMUNICATION - Request from the Special Police Association for a 10% pay increase.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:  
Council Members - Eriquez, Boynton, Johnson.

028 - COMMUNICATION - Request from Chief Monzillo for the approval of an Assistant Mechanic in the Fire Department.

Councilman Gallo requested referral to the Fire Liaison Committee. Mayor Dyer so ordered.

029 - Withdrawn - 030 - Withdrawn

031 - COMMUNICATION - Appointment of Mark Rosato of 28 Meadow Street as a Sergeant in the Danbury Police Department. Mark placed first on the Civil Service test, has been with the Police Department since October of 1977, and is highly recommended by Chief Macedo. The effective date is upon confirmation.

Councilman DaSilva made a motion, seconded by Councilman Charles for the Communication to be accepted and promotion confirmed. Motion carried unanimously.

032 - Withdrawn - 033 - Withdrawn

#### 034 - DEPARTMENT REPORTS

Fire Chief  
Fire Marshal  
Airport Administrator  
Blood Pressure Program  
Equal Rights & Opportunities  
Non-Profit Corp. of Danbury, Inc.  
Environmental & Occupational Health Services

Building Inspector  
Health Inspector  
Housing Inspector  
Municipal Agent

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

#### AD HOC COMMITTEE REPORTS

035 - REPORT - Establishment of an Electronics Firm.

Councilwoman C. Torcaso submitted a report stating that the committee appointed to review the above request from Mr. Machado, recommends that the Common Council refer the matter to the Commission for the Handicapped whose purpose is specifically designed to address this kind of issue.

The committee wished Mr. Machado well in his effort to establish an electronic firm.

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

036 - REPORT - Request by Glen Hill Corporation for sewer & water for Glen Hill.

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 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 water and sewer 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. The City agrees to accept an 8" sewer line which is already installed in Glen Hill Road and presently owned by Glen Hill Corporation.

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

037 - REPORT - Neighborhood Assistance Program.

Councilwoman C. McManus submitted a report stating that the Common Council held a public hearing for the Neighborhood Assistance Program on July 30, 1984 at 7:45 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole following the public hearing and unanimously voted to recommend to the Common Council that the Neighborhood Assistance Program be adopted as submitted.

The following list of social service organizations are qualified for the Neighborhood Assistance Act:

Danbury Visiting Nurse Assoc.  
 American Red Cross  
 Mid-Fairfield Council of Camp Fire, Inc.  
 Youth Employment Service  
 Danbury Regional Commission on Child Care, Rights & Abuse, Inc.  
 Interlude, Inc.  
 Homemake Service - Family & Children's Aid, Inc.  
 Danbury Youth Services, Inc.  
 Association of Religious Communities  
 Exploring Division, Fairfield County Council  
 Women's Center of Greater Danbury, Inc.  
 Connecticut Legal Services, Inc.

The Report was accepted and Neighborhood Assistance Program adopted by the Common Council on the Consent Calendar.

038 - REPORT - Salary - Municipal Agent.

Councilman Boynton submitted a report stating that the committee met on July 11, 1984. The present salary is \$4.25 per hour and the request would increase this to \$6.50 per hour. Prior to Ms. Michelle Twining, the Municipal Agent's position was held by retired individuals and the salary was intentionally kept low so as not to interfere with Social Security earning limits.

The Commission on Aging regrets the omission of this request during the regular Budget Hearings, but has since voted unanimously to propose a salary of \$6.50 per hour.

A motion at the committee meeting was made by Councilman Torian and seconded by Councilman Boynton to recommend to the Common Council, approval of this request in the amount of \$3,000. Motion carried.

CERTIFICATION #6 was submitted by Mr. John P. Edwards, Comptroller, certifying to the availability of \$3,000 in the Contingency Account to permit a transfer to the Commission on Aging.

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

039 - REPORT - Request for sewers on Dogwood Drive.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request for the installation of a sanitary sewer line on Dogwood Drive. The committee directed the City Engineer to conduct a preliminary survey of property owners who would be affected by this sewer line.

The results of the survey show a favorable response of 25%; an unfavorable response of 62% and no response of 13%.

Because of the results of the survey taken, the committee voted to recommend no action on the request be taken at this time.

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

040 - REPORT - Use of Rogers Park Softball Fields.

Councilman Cassano submitted a report stating that the committee appointed to review possible inequities in the assignment of softball fields between men's and women's teams in Rogers Park, met on July 11, 1984.

Committee members Cassano and Skoff were in attendance. Councilman Farah was absent due to his work schedule. Also in attendance were R. Ryerson, Parks & Recreation Director, Glen Rigney and Jay Waterman (representing the Industrial Softball league, Michael Fazio representing the Women's Softball League and Councilman Foti. Richard Raymond, Commissioner of the Women's Softball League was unable to attend but spoke at length with the committee chairman over the phone prior to the meeting.

There was some confusion created early this season (May). The women's practice schedule was upset when the men's league was assigned field 4 to make up games postponed due to the rainy Spring Season --- a communication breakdown? The women's league thinks that improved communications would be beneficial.

Mr. Ryerson reviewed the field history since 1979. Fields 1,2,3 and 4 and Babe Ruth and Little League Fields have been renovated. One Babe Ruth and one Little League Field remain to be done.

All fields are dragged daily and receive equal maintenance. He also pointed out that the Women's League is the only organization assigned fields for practice time (three weeks in May). The assignment of field four to the men early this year appeared necessary since much league play had been postponed by the rain.

Mr. Ryan expressed sorrow for any misunderstanding and stressed that he has always worked with the men and women leagues under the best of conditions. He also agreed that more general maintenance is needed and more fields are also needed (Hatter's Park will hopefully alleviate this need). He is doing his best under his present budgetary constraints.

The representatives of the Industrial Softball League and the Women's Softball League agreed with the above comments.

The committee was of the opinion that there appeared to be no evidence of discrimination in one way or the other.

Councilwoman Skoff complimented Mr. Ryerson on the work he has done since 1978 and made the observation that Messers Raymond, Waterman and Rigney (along with Mr. Ryerson) have the scheduling well coordinated.

Recognizing this, Mrs. Skoff made a motion that the committee recommend to the Common Council that the softball situation is well coordinated and there is no evidence of discrimination. No Common Council action is recommended. Mr. Cassano seconded the motion which carried unanimously.

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

041 - REPORT - Airport Master Plan.

Councilwoman T. Skoff submitted a progress report stating that a meeting on the Airport Master Plan was held on June 19th at the Airport Administration Building. A presentation was made by Mr. Bryon H. Rakoff of Edwards and Kelcey, Inc. This Firm is in the process of preparing studies for the Danbury Municipal Airport Master Plan Advisory Committee.

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

042 - REPORT - ORDINANCE & RESOLUTION RE: Code Violation Bond Issue.

Councilman J. DaSilva submitted a report stating that the Public Works Committee studied a proposal to correct fire, OSHA and handicapped violations in the public school buildings in Danbury. A report from the architectural Firm of Carlin, Pozzi and Chin was received. Mr. Paul Pozzi of this Firm came to the meeting and discussed his recommendations.

Various aspects of this project were also discussed with Superintendent of Public Buildings, R. Winkelstern, and Director of Public Works D. Garamella.

The committee was assured that completion of this work would bring our school facilities in compliance with fire, safety and handicapped codes of the State of Connecticut. A large majority of the funds expended are to be reimbursed from the State at 56.7%

The Public Works Committee voted to recommend an amount of \$6,610,000 be placed on the ballot on November 6, 1984 to correct fire, OSHA and handicapped violations in the public school buildings in Danbury.

ORDINANCE - An Ordinance Appropriating \$6,610,000 For Code Compliance Work In Various Schools And Authorizing The Issuance of \$6,610,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose.

RESOLUTION Providing For Referendum At Special City Meeting.

RESOLUTION Providing for Polling Places At Special City Meeting On November 6, 1984.

A motion was made by Councilwoman McManus and seconded by Councilman DaSilva for the Report to be accepted and Ordinance deferred for public hearing. Motion carried unanimously.

043 - REPORT & ORDINANCE - Amendments to the Police Pension Ordinance.

Councilwoman C. McManus submitted a report stating that the Common Council held a public hearing in regard to the Police Pension Ordinance, on July 30, 1984 at 7:45 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole on July 30, 1984 and again on August 6, 1984. The committee voted to recommend to the Common Council that the Ordinance be amended to be gender neutral instead of gender specific. The committee further recommends that the Ordinance be amended to ensure retroactive increases to the Police widows who have not received an increase in three years. Both motions passed unanimously.

A motion was made by Councilman Charles and seconded by Councilman Gallo for the Report and revisions to be accepted and Ordinance adopted as amended. Motion carried.

The Ordinance was adopted unanimously as amended.

044 - REPORT & ORDINANCE - Amendments to E.I.C. Commission Ordinance.

Councilwoman C. McManus submitted a report stating that the Ordinance Revision Committee met on Jul 12, 1984 at 7:30 P.M. with Attorney Eric Gottschalk to discuss Ordinance Sec. 2-56-11-G which deals with alternates to the Environmental Impact Commission.

During the previous ordinance revisions by the Common Council, a clerical error was made and 2-56-11G was not revised with the other portions of the E.I.C. Commission Ordinance.

The committee recommends that the Common Council adopt the amendment.

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

045 - REPORT - Sale of Property on the Mill Plain Road Cutoff.

Councilman DaSilva submitted a report stating that the Public Works Committee received a request from property owners on the Mill Plain Road cutoff to purchase three small parcels of city owned land nearby their property. The committee performed an on-site inspection of the area and consulted with Public Works Department personnel as to the usability of the land for city purposes.

Mr. Garamella, Director of Public Works, reported that the parcels are small and of no use to the City. He recommended their sale.

The Public Works committee voted 5 to 1, Mr. Farah in the negative, to recommend the direct sale of these three parcels of property on Mill Plain Road cutoff, to Gary Kurtz and R. J. Gallagher.

A price on this property will be set by the Assessor's Office.

A motion was made by Councilman Eriquez and seconded by Councilwoman McManus for the Report to be accepted and request granted.

Councilman Farah remarked that he objected to the Council bypassing the bidding procedures.

Councilman Boynton asked if the property has to be declared surplus before authorizing the sale.

Councilman DaSilva stated that Section 2-133 of the Code of Ordinances does make it possible for the Common Council to declare surplus property. The Report and recommendation was accepted with Councilman Farah voting in the negative.

046 - REPORT - Interlocal Septage Agreement.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a proposed Inter-local Septage Agreement for the City of Danbury, Brookfield, Newtown, Redding, Bridgewater and New Fairfield. This agreement would allow Danbury to receive septage wastes at its sewer treatment plant in exchange for improvements at this facility to be paid by the Towns sending septage to Danbury.

The Cost of these renovations are estimated to be \$520,000. They not only allow the capability of receiving septage wastes from the various Towns but provide an upgrading of Danbury's plant in its everyday function. In addition, there will be a dumping fee imposed that will cover the cost of treatment plus an administrative fee.

The basis of this interlocal agreement comes from a study by the Firm of Albertson, Sharpe, Ewing Inc. and was sponsored by the H.V.C. E.O. It was accomplished with input from the Connecticut Department of Environmental Protection at all levels.

The actual details of the contract were negotiated for Danbury by Public Works Department personnel and the Assistant Corporation Counsel. There was in addition, citizen committees from all communities which gave input to the study at various phases of development. Danbury's committee consisted of three members of the Common Council and three members of the community.

The Public Works Committee believes this Agreement is of benefit to all the communities involved. It offers relief to neighboring towns who do not have adequate dumping sites. It also offers Danbury needed improvements at its Treatment Plant at no cost. It should be noted that septage received through this Agreement will not significantly affect treatment capacity at the Danbury facility.

The Public Works Committee recommends approval of the Interlocal Septage Agreement between Danbury, Brookfield, Newtown, Redding, Bridgewater and New Fairfield.

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

047-REPORT - withdrawn

048 - REPORT - Appointment of a Deputy Chief - Danbury Fire Department.

Councilman Gallo submitted a report stating that the committee appointed to recommend a Deputy Fire Chief met several times in the deliberations of its charge. The committee met July 25, 1984 with retired Fire Chief Joseph Bertalovitz. It met again on July 31, 1984 with the present Chief Charles Monzillo. On August 2 and August 6, 1984 the committee conducted personal interviews with the five candidates.

The discussions with the present and retired Fire Chiefs were held in order to obtain their opinion of each candidate as a Firefighter and as an Administrator. Each of the candidates were asked the same four questions:

1. Are you an E.M.T.?
2. What do you perceive the position of Deputy Chief to be?
3. What do you feel you offer to this position?
4. How would you describe your relationship with the career men and with the volunteers?

After the discussions, interviews and review of qualifications, Councilman DaSilva moved to recommend to the Mayor the appointment of John F. Murphy as Deputy Fire Chief. Motion was seconded by Councilwoman McManus and voted upon unanimously.

Among the reasons cited for this recommendation were the facts that Captain Murphy is an E.M.T.; he was one of the initiators of the in-house educational program for the Fire Department. He has a broad experience in both the paid and volunteer departments and an excellent relationship with both paid and volunteer firefighters.

A motion was made by Councilman Boynton and seconded by Councilman Godfrey for the Report to be accepted and appointment confirmed.

Councilman Farah asked the committee to explain the relevance for E.M.T. Councilman Gallo replied that presently they are requiring all to be E.M.T.'s. and being that the Deputy is responsible for the ambulance, he should also be an E.M.T.

The Report was accepted and appointment confirmed by the Common Council unanimously, by a vote of 18 Ayes - 3 members absent.

A motion was then made by Councilman Charles seconded by Councilman Boynton and passed unanimously for the following item to be added to the agenda:

049 - REPORT - Vendor Ordinance.

Councilman Eriquez submitted a report stating that the Common Council Ad Hoc Committee appointed to consider a Vendor's Ordinance, met on four occasions during the past several months. In attendance at various times during these meetings were the following: Councilmen Eriquez, Charles, and McGarry (prior to his resignation); Police Chief N. Macedo; Lt. Sullo; and Lt. Gallucci; Town Clerk M. Seri, Chamber of Commerce President Clarice Osiecki, D. Arsenault of the Downtown Council; (prior to his resignation); Joseph Corso and Thomas Fallon of the Hilton Inn; Charles Bosse of the Quality Inn, William Doyon of the Ethan Allen Inn, and Assistant Corporation Counsel E. Gottschalk.

The committee extensively questioned those in attendance to determine the potential need for an Ordinance to regulate vendor's activities.

The committee noted that the intent of such an ordinance would be to provide a mechanism to protect the consumer and secondly, to have vendors pay for their share of the City services they might receive while selling their wares and merchandise within the City's boundaries.

However, representatives from several hotels stated vendors events within their facilities are adjunct to their primary business existence. They explained that the hotel businesses today offer and encourage the use of their space for these purposes.

Furthermore, they felt that since they pay taxes for their share of City services, it would be unfair to additionally "tax" those who do business within their facilities as vendors for the "same" services. The Police Department has not received complaints regarding vendors activities. They noted that they have received complaints about peddlers and the Common Council reacted to those problems by enacting legislation to regulate those businesses. Chief Macedo felt that such an ordinance for vendors was not necessary at this time.

Clarice Osiecki of the Chamber of Commerce told the committee that the Chamber exists to promote free enterprise. Additionally she acknowledged that the Chamber had received "inquiries" about certain vendors events, but would not term them to be complaints.

Town Clerk M. Seri added that it would be difficult to enact legislation that would be truly enforceable.

As a result of its deliberations, the committee made several findings.

No formal complaints were documented or lodged to either the committee or any officials represented at the meetings.

There would be difficulty enacting fair legislation that would be enforceable.

The consumer has the right to request information needed to contact a vendor if he or she has been wronged. Most establishments require vendors to provide them with vital credit information and a history of their business background before they acquire space in their facilities. This information is available to the consumer upon request in most cases.

Given these findings and reasons mentioned, the committee respectfully recommends that the Council not act to propose legislation to regulate vendors' activities at this time.

A motion was made by Councilman Charles and seconded by Councilman Boynton that the Report and recommendations be accepted. Motion carried unanimously.

Mayor Dyer extended all committees that have pending matters before them.

Mayor Dyer appointed Councilman Donald Sollose to the Road Study committee, Land Acquisition Committee, and Fire Liaison committee.

In compliance with the City Charter, Mayor Dyer asked if there were persons who wished to speak to the Common Council on any items listed on the meeting's agenda.

There being no public speakers and no further business to come before the Common Council, a motion was made by Councilman Gallo and seconded by Councilman Charles for the meeting to be adjourned at 8:35 O'Clock P.M.

Respectfully submitted

*Mary Rickert*  
Mary Rickert  
Assistant City Clerk

Attest: *Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk