

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut.
SUBJECT: Minutes of the Common Council Meeting held on October 2, 1984.

The Meeting was called to order at 8:00 O'Clock P.M. by the honorable Mayor James E. Dyer.

Councilman Robert Godfrey led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Bernard Gallo.

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

PRESENT: Council Members - Johnson, Sollose, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Chianese, Skoff, McManus, DaSilva, Gallo, Cassano, Charles, Butera, Durkin, Eriquez.

ABSENT: Council Members - Foti, Boynton, Farah, Torian.

17 Members Present - 4 Members Absent.

It was reported by C. McManus, Common Council President, that Councilman Foti was working late; Councilman Boynton was not feeling well; Councilman Farah had a previous commitment and Councilman Torian had a death in his family.

NOTICES FROM MAYOR DYER

Mayor Dyer expressed best wishes to the Italian Community of the City of Danbury as Columbus Day approaches.

Mayor Dyer also expressed best wishes to the Jewish members of the community on the Holiday of Yom Kippur.

Mayor Dyer reported that there were no children on board during the bus fire that morning. Evacuation rehearsals do occur and that no one was injured.

The Mayor stressed to the people of Danbury to exercise caution during the Halloween season and to examine door to door gifts received by children, before allowing the children to eat them. Mayor Dyer said that extra police will be on duty for Halloween.

The Mayor announced and offered Best Birthday Wishes to the following:

- Chief Nelson Macedo who will celebrate his birthday on October 7, 1984.
- Former Mayor Charles Ducibella " " " " October 7, 1984.
- Senator Wayne Baker " " " " Oct. 15, 1984.
- Councilman Anthony Cassano " " " " Oct. 15, 1984
- Councilman Flanagan " " " " Oct. 21, 1984
- Councilwoman Carole Torcaso " her " " Oct. 25, 1984
- Councilman Joseph Chianese " his " " Oct. 31, 1984

Mayor Dyer then introduced Keith Colgan being appointed as his Administrative Assistant, stating that he is extremely proud of this appointment and thinks he will serve the City and the Mayor well.

Mayor Dyer announced that a Memorial Mass will be held on Sunday at 10:00 A.M. at the Fire Department Headquarters in observance of National Firefighters Memorials. Joseph Halas and Martin Melody will be memorialized at that time.

CONSENT CALENDAR

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

- 03 - Resolution - To correct storm drainage in the area of Eugene Lane.
- 04 - Resolution - To correct storm drainage in the area of Seneda Road.
- 05 - Resolution - Settlement of Claim.
- 08 - Communication - Improvements at Hatters Community Park.
- 019 - Memorandum of Agreement - Between the City of Danbury and Local 677 International Brotherhood of Teamsters.
- 020 - Memorandum of Agreement - Between the City of Danbury and Local 801 I.A.F.F.
- 021 - Memorandum of Agreement - Dental Plan for Firefighters.
- 023 - Communication - Appointment to the Redevelopment Agency.
- 027 - Report - Sewer Extension for Old Sorrento Restaurant.
- 028 - Report - Request to purchase City property on Bergh St.
- 029 - Report & Resolution - Acceptance of Apple Orchard Drive.
- 032 - Report - Lease with New Fairfield Builders, Inc.

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

MINUTES - Common Council Meetings held on September 5, 1984; Sept. 24, 1984; and September 26, 1984.

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

- 01 - CLAIMS - Alice M. Cossack - Carol Rustice - Modestino Charles Vecchiarino - Robert Scalzo - Wolfgang Moller.

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

- 02 - RESOLUTION - Grant application has been processed by the Danbury Commission on Aging for Interweave, The Adult Day Care Center, to conform with the time limitations for application for said funds; and

Whereas, funds have been approved by the Connecticut Department on Aging in the amount of \$11,704 for the employment of a staff person at Interweave;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the past actions of the Danbury Commission on Aging in applying for said grant be and hereby are ratified and that any and all additional acts by the Danbury Commission on Aging and Mayor James E. Dyer necessary to effectuate the purposes hereof be and hereby are authorized.

A motion was made by Councilman Gallo and seconded by Councilman Charles for the Resolution to be adopted. The Resolution was adopted unanimously.

- 03 - RESOLUTION - To correct storm drainage in the area of Eugene Lane.

WHEREAS, the Common Council approved the acquisition of other private property interests to accomplish said correction on June 5, 1984; and

WHEREAS, site conditions require the acquisition of additional property rights; and

WHEREAS, said proposal will now involve public use of a portion of the property described in Schedule A;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL that the Office of the Corporation Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owners and their respective mortgage holders, if any.

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

04 - RESOLUTION - To correct storm drainage in the area of Seneca Road.

WHEREAS, said proposal may involve public use of portions of private property described in Schedule A;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Office of the Corporation Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owners and their respective mortgage holders, if any.

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

05 - RESOLUTION - Settlement of Claim

RESOLVED by the Common Council that the City Clerk be and is hereby authorized and empowered on behalf of the City of Danbury, to draw and order upon the City Treasurer in payment of the following settlement of claim:

Joseph Dimyan, Trustee	\$4,500.00
In settlement of claim of Frederick Koontz, et al vs. City of Danbury et al.	

The Resolution was adopted by the Common Council on the Consent Calendar, and Claim authorized to be paid.

06 - COMMUNICATION - Appointment of Administrative Assistant to the Mayor.

Appointment of Keith J. Colgan as Administrative Assistant to Mayor Dyer. Keith has been an outstanding city employee since he relocated here three years ago from West Virginia, where he was serving as the Executive Director of the Downtown Development Corporation in Parkersburgh, a city of 70,000 people.

Keith came to Danbury to take the long-range planning position in the Planning Department. Earlier this year he was promoted to the Assistant Planning Director.

Keith has, in a short period of time, established for himself credibility, respect, and recognition as an effective city worker. He has been personally involved in many of this Administration's key projects: The Mill Plain Zone change, The Ives Street revitalization area, Our historic district status, The assessment deferral ordinance, The proposed ice skating rink, The development of Bear Mountain and J.F.K. walking trails, and Danbury's White Paper that served as an effective lobbying tool during last year's legislative session.

Mayor Dyer stated that he is looking to Keith to carry out many on-going projects, oversee the implementation of over \$20,000,000 in Capital projects and to serve as liaison with our various Boards, Commissions, Agencies and Community Groups.

Keith can provide the Mayor with the kind of personal support that is so necessary in this kind of position. Keith is 27 years old and married. He is a graduate of West Virginia University with a B.S. in Landscape Architecture, Design, and Recreation. His emphasis was in Downtown Revitalization and Public Relations.

Keith will be earning \$30,500 a year and is currently working in the position. The Charter indicated that the Mayor must notify the City Clerk and Council President of this appointment. The Council may only reject the appointment by a two-thirds vote.

A motion was made by Councilwoman McManus and seconded by Councilman Gallo and Charles for the Communication to be accepted and appointment confirmed. Motion carried unanimously.

07 - COMMUNICATION - Redevelopment Agency Report.

By action of the Redevelopment Agency Board on September 21, 1984, John A. Errichetti was selected as the successful bidder for the Downtown Revitalization Project.

Mayor Dyer submitted a communication stating that "we are at a very exciting point in our City's rebuilding program. The Redevelopment Agency has decided upon a downtown developer and it is now time for the Council's review". The Mayor urged the Council to give a thorough and expeditious review of the proposed project keeping in mind that this is the first time that an administration has been able to reach this point in our downtown development program.

Councilman Gallo requested referral to an ad hoc committee.

Mayor Dyer so ordered and appointed the following committee:
Council Members - McManus, Esposito, Skoff, Godfrey, Gallo, Torian, DaSilva.

08 - COMMUNICATION - Improvements at Hatters Community Park.

Due to rentals of Hatters Community Park's facilities, there has been \$6,600 collected this fiscal year to date. R. Ryerson, Director of Parks and Recreation has requested that \$6,600 be appropriated to the Capital line item "Improvements at Hatters Community Park."

The revenue account and appropriation account will be increased in a like amount.

The Comptroller's Office has stated that this action will not require any transfer from the contingency fund. This action will allow continued improvements at the park.

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

caibfaw

09 - COMMUNICATION - Petition to extend the water and sewer lines to the South Cove Area.

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

010 - COMMUNICATION - Request of William J. Hennessey Realty for Mrs. Sally Moore, for approval of 11 additional water service connections - 10 South St.

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

011 - COMMUNICATION - Request from Louis T. Cimmino and Susan L. Cimmino for an easement for water supply - 84 East Drive.

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

012 - PETITION - Request for the installation of two catch basins on the East side of Clayton Road.

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

013 - COMMUNICATION - Request from D. Garamella, Director of Public Works for permission to have a wood sale for the purpose of buying Christmas gifts for the needy children and to contribute to worthwhile charities.

In prior years the Council Members graciously gave their time to help in the sale and are requested to help this year.

A motion was made by Councilman Gallo and seconded by Councilwoman McManus for the Communication to be accepted and request granted. Motion carried unanimously.

014 - COMMUNICATION - Request from Alan Stock to operate the Recycling Center in Danbury.

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

015 - COMMUNICATION - Request from John V. Magnano for acceptance of Dogwood Park North.

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

016 - COMMUNICATION - Request of Peter V. Scalzo, President of Scalzo Applicance, Inc. to purchase land at the corner of White And Locust Ave.

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

017 - COMMUNICATION - Request from the Colonna Lodge No. 184, Order Sons of Italy in America, for permission to place a sign at an entrance to the City of Danbury.

A motion was made by Councilwoman Butera and seconded by Councilwoman Skoff for the request to be granted. Motion carried unanimously.

018 - COMMUNICATION - Request from the Ridgewood Country Club for abatement of interest on taxes, due to the loss of a check.

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

018-1 - COMMUNICATION & CERTIFICATION - Request from the Registrar of Voters for an appropriation of \$2,776.00 for expenses incurred in the Democratic Primary of Sept. 11, 1984 in the 109th District.

CERTIFICATION #11 - was submitted by Mr. John P. Edwards, Comptroller in the amount of \$2,776.00 available in the Contingency Account for transfer to the Registrar of Voters Accounts.

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

019 - MEMORANDUM OF AGREEMENT - Between City of Danbury and Local 677 International Brotherhood of Teamsters.

Agreement details those changes agreed upon between the parties to Section 16.0 - Wages of the contract governing hours, wages and conditions of employment for employees in the Department of Public Utilities including Water Division, Sewer Division and Maintenance Division.

These changes shall be incorporated into the present contract as Appendix "A" as soon as practical after ratification by both parties. The wage schedule is for the period July 1, 1984 through June 30, 1985 and makes this contract whole.

The Agreement was approved by the Common Council on the Consent Calendar.

10/2/84

020 - MEMORANDUM OF AGREEMENT - Between the City of Danbury and Local 801 I.A.F.F.

Re: EMT and EMT-I.V. Certifications. - Danbury Fire Department.

The Agreement was approved by the Common Council on the Consent Calendar.

021 - MEMORANDUM OF AGREEMENT - Dental Plan for Danbury Firefighters.

The Agreement was approved by the Common Council on the Consent Calendar.

022 - COMMUNICATION - Promotions in the Danbury Police Department:

To Sergeant - Thomas Mack - Parkwood Terrace.
" " - Joseph Collins - 31 Harrison Street.

Tom Mack is married and has four children. He was appointed on October 4, 1977. He served on the Connecticut Statewide Narcotics Task Force from May 16, 1983 and was appointed to the Detective Division March 26, 1984.

Joseph Collins is married with four children. He was appointed December 5, 1969 and to the Detective Bureau on August 25, 1980.

The appointments will be effective upon swearing in - receiving the oath of office.

A motion was made by Councilman Gallo and seconded by Councilman Eriquez for the Communication to be accepted and promotions confirmed. Motion carried unanimously.

023 - COMMUNICATION - Appointment of Mr. Arthur Roberts, 229 Middle River Road to the Redevelopment Agency for a term to expire on 1/1/1989.

Mr. Roberts is employed by IBM in Danbury, trustee at the King Street Volunteer Fire Company and former Chairman of the Republican Town Committee.

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

024 - COMMUNICATION - Appointment of the following as Hearing Officers for Parking Violations:

Joseph Bertalovitz - Driftway Road and Richard Kilcullen, Kohanza St. for terms to expire on October 1, 1986.

Mr. Bertalovitz is the former Fire Chief for the City of Danbury. Mr. Kilcullen is an attorney with Ventura and Ventura.

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

025 - Withdrawn.

026 - DEPARTMENT REPORTS

Fire Chief	Health Inspector
Fire Marshal	Housing Inspector
Airport Administrator	
Police Department	
Non-Profit Development Corp.	
Coordinator of Environmental & Occupational Health Services.	
Commission on Equal Rights & Opportunities.	

A motion was made by Councilman DaSilva and seconded by Councilman Gallo 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

027 - REPORT - Request of Frank & Maria Avallone for extension of sewer line - Route 6 (Old Sorrento Restaurant).

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 line.
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 line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer 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 lines.

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

028 - REPORT - Request to purchase property on Bergh St.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request to purchase a parcel of city property on Bergh St. An on-site inspection of the site was conducted by the committee as well as Public Works Department personnel. Public Works Director, D. Garamella, recommended that the City retain possession because of City water and sewer lines on this property.

The Public Works Committee, as per recommendation of the Public Works Director, voted to deny the request for the sale of city property on Bergh St.

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

029 - REPORT & RESOLUTION - Acceptance of Apple Orchard Drive.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request to accept Apple Orchard Drive as a City Highway. An on-site inspection was performed. City Engineer Jack Schweitzer reported that the road has met all specifications for acceptance into the City Highway system.

The Public Works Committee, as per the recommendation of the City Engineer, recommends acceptance of Apple Orchard Drive, as a City Highway and adoption of the Resolution.

RESOLUTION - RESOLVED by the Common Council of the City of Danbury; THAT - APPLE ORCHARD DRIVE be accepted as a public highway in the City of Danbury subject to the following conditions:

That a Deed and Certificate of Title, in forms satisfactory to the Office of the Corporation Counsel, be delivered to the City of Danbury.

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

030- REPORT - Request to change the name of High St. at Lake Waubeeka, to Sage Street.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from residents of High Street at Lake Waubeeka to change the name of their road to Sage Road. They stated that another street in the City has the same name and numbers. This causes problems with emergency vehicles for obvious reasons.

The Public Works Committee voted to recommend approval of the petition to re-name High Street at Lake Waubeeka to Sage Road.

A motion was made by Councilman Gallo and seconded by Councilman Eriquez for the Report to be accepted as read. Motion carried unanimously.

031 - REPORT - Property at Deer Hill Avenue and West Wooster Street.

Councilwoman Carole Torcaso submitted a report which stated that the committee members, C. Torcaso, B. Johnson and S. Flanagan, met with Corporation Counsel T. H. Goldstein, on September 24, 1984 at 7:30 P.M.

Attorney Goldstein briefed the committee on the communications and negotiations that have been going on for several months, and suggested that the committee consider the purchase of approximately one-half of the parcel.

After discussion, \$45,000 was considered an affordable price and if the City does not use a portion of the parcel, it would be declared surplus property and made available for the owner to bid on it.

Councilman Flanagan at the committee meeting, made a motion to recommend to the Common Council, that the City purchase the South East Corner of the parcel at 124 Deer Hill Avenue and the allocation of funds be taken from line 11-000 Capital Improvements - Line 0014 Rebuild Intersection of Deer Hill Avenue/West Wooster Street. Councilwoman Johnson seconded the motion which passed unanimously.

A motion was made by Councilman Eriquez and seconded by Councilman Flanagan for acceptance of the Report as submitted. Motion carried unanimously.

032 - REPORT - Lease with New Fairfield Builders, Inc.

Councilman Cassano submitted a report which stated that the Common Council committee appointed to consider the petition of New Fairfield Builders Inc. to assign their current lease for City property in the vicinity of the Airport, met on September 25, 1984 in City Hall.

Present were committee members A. Cassano, T. Skoff and N. Zotos. Also present were Paul Estefan, Airport Administrator, William Sullivan Attorney for New Fairfield Builders and Robert Basher, shareholder in New Fairfield Builders Inc.

The existing lease was reviewed and the following points established:

1. The lease is for 10 years and expires in February of 1988.
2. The rental on the land is \$2100 per year at the present time, seventh year, and will escalate to \$2250 per year for the ninth and tenth year of the lease.
3. The land is approximately one-half acre.
4. Written permission is required of the City before the lease can be assigned.
5. The land must be used for parking only.

The question of Roderstock's financial responsibility was considered. Facts presented by Attorney Sullivan indicated to the committee that Rodenstock should have no trouble assuming the financial responsibility for the remainder of the lease.

The question of this lease and its relation to existing airport leases was discussed. Mr. Estefan pointed out that this lease does not involve an F.B.O. and therefore direct comparisons cannot be made. However, he estimated that the lease rental is higher than is being paid by the F.B.O's for a half acre of land.

Attorney Sullivan also pointed out that Rodenstock has already bought the New Fairfield Builders buildings and the sale is not contingent on the assignment of the lease.

Mr. Estefan requested that the land be cleaned up by New Fairfield Builders, which is using it for certain storage. Mr. Basher agreed to have this done.

Councilman Zotos made a motion at the committee meeting to recommend that the Common Council approve the petition to assign the lease to Rodenstock R.O.W. Properties Inc, and that the proper assignment agreements be prepared. Mrs. Skoff seconded the motion and there was unanimous approval.

The committee requested that financial statements of Rodenstock be supplied to the Comptroller's Office for review and kept on file. Mr. Estefan requested that copies of the existing lease and the assignment agreements be sent to him to be kept in airport files.

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

033 - REPORT - Withdrawn034 - REPORT - Request for Dry Hydrants - King Street.

Councilman Esposito submitted a report which stated that the Common Council committee appointed to review the above request from the King Street Volunteer Fire Company, for the installation of Dry Hydrants for area Fire Protection at the East Lake Water Supply, met at City Hall on September 25, 1984 at 7:00 P.M. Committee members present were John Esposito, Donald Sollose, Joseph DaSilva, Thora Skoff, Ernest Boynton, Joseph Chianese. Also present were City Engineer, J. Schweitzer, Superintendent of Public Utilities, W. Buckley; Assistant Chief of the Danbury Fire Department John Murphy, and R. Dupuis, E. Hanna, W. Levy, J. Ottos of the King Street Fire Department.

After considerable research and an on-site inspection, the committee and all City Departments concerned, agreed that the proposal was a good one and would increase the Fire Protection for the East Lake Area.

Mr. Schweitzer stated that the concept is engineeringly feasible and should be considered while the Lake is at its present level.

Mr. DaSilva suggested that since this project comes under the jurisdiction of the Fire Department, they discuss the matter with the Finance Officer and the Mayor as to the possibility of doing the work and recouping the money at a time when funds are available for Council appropriation.

Mr. Boynton moved at the committee meeting to recommend the Fire Department in cooperation with the King Street Volunteers, install to a maximum of \$4,000 a dry hydrant at East Lake. This would be subject to availability of the funds after discussion with the Finance Department, seconded by Councilwoman T. Skoff. Motion carried.

Mr. Esposito added a note to the report that the King Street Volunteers will use their own funds until the 1985 Budget.

A motion was made by Councilman DaSilva and seconded by Councilwoman McManus to accept the Report. Motion carried unanimously.

Councilwoman Thora Skoff requested that a letter of thanks be sent to the King Street Volunteer Company.

Mayor Dyer so ordered the Council President to do so.

There being no public speakers wishing to address the Council and no further business to come before the Common Council, a motion was made by Councilman Godfrey and seconded by Councilman Gallo, for the meeting to be adjourned at 8:25 O'Clock P.M.

Respectfully submitted

Mary Rickert
Mary Rickert
Assistant City Clerk

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk