

TO: Honorable Mayor James E. Dyer - City of Danbury, Conn.  
SUBJECT: Minutes of the Common Council Meeting held on July 2, 1985.

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 City Clerk Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Council Members - Johnson, Sollose, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Skoff, McManus, DaSilva, Gallo, Cassano, Charles, Boynton, Eriquez, Torian.

Council Members - Butera and Farah arrived after roll call.

ABSENT: Council Members - Chianese and Durkin.

19 Members Present - 2 Members Absent.

It was reported that Councilman Chianese was out of town.

#### NOTICES FROM MAYOR DYER

Mayor Dyer announced that the Postmaster's Convention will be held in Danbury during this month of July;

That a Peace Rally will be held in Rogers Park;

Ives Festival to be held on July 4th;

Ethnic Festival to be held this weekend;

Christening of State Representative & Mrs. Paul Garavel's baby on July 7th.

Mayor Dyer reported the appointment of Anne DeFlumeri as Tax Assessor, and the retirement in August of Edward Fusek, Supt. of Highways.

Mayor Dyer extended congratulations to Councilman Godfrey on his graduation from Law School.

Mayor Dyer extended birthday greetings to the following:

Tom Dyer (Mayor's Father) who is 90 years old today.

Councilman Foti's Birthday - July 7th.

Robert Steinberg - July 7th.

Daniel Garamella - July 13th.

Sandy Salvatore an employee in the Mayor's Office - July 14th.

Mary Rickert - July 31st.

Mayor Dyer also extended Best Wishes and congratulations to Carole Torcaso and her husband for their anniversary on the 27th of July.

Mayor Dyer introduced his new assistant Jacqueline Cruz who was present in the audience.

#### CONSENT CALENDAR

Councilman DaSilva, in the form of a motion, submitted the following items to be accepted on the Consent Calendar:

- 011 - Board of Education State & Federal Budget.
- 012 - Request for transfer of funds for rental of property on Boughton Street behind the Police Dept. Headquarters.
- 013 - Request to restore funds to the Spanish Learning Center.
- 016 - Appointment of Tax Assessor.
- 017 - Appointment of Assistant Corporation Counsel for Claims.
- 018 - Appointments to the Youth Commission.
- 019 - Appointment to the Planning Commission.
- 020 - Appointments to the Commission on the Handicapped.
- 021 - Appointment to the Parking Authority.
- 022 - Appointments to the Conservation Commission.
- 029 - Report & Resolution re: Sewer Use Charge.
- 035 - Report - Bidding Procedures.

Motion made by Councilman DaSilva to accept the Consent Calendar as presented was seconded by Councilman Charles and carried unanimously.

MINUTES - Minutes of the Common Council Meetings held on June 4, 1985, June 20, 1985 and June 26, 1985.

A motion was made by Councilman DaSilva and seconded by Councilman Gallo that the reading of the Minutes be waived as all members have copies which are on file in the office of the City Clerk for public inspection.. Minutes to be accepted as submitted.  
Motion carried unanimously.

01 CLAIMS - Ellen Willing - Patricia Campbell - Alan Waterman - Jacques Laverdure - Elizabeth A. Cahill - Park Brook Condo Assoc. Thomas Hibert, Owner of Maytag Homestyle Laundromat.

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

02 - COMMUNICATION - Request of Trio Assoc. Inc., owner of the Belvedere Restaurant, for an additional four feet for an enclosed "Greenhouse". (corner of Post Office St. & Ives Street).

Councilman Gallo requested referral to an ad hoc committee and Planning Commission.

Mayor Dyer so ordered and appointed the following committee: Esposito, Eriquez and Butera.

03 - COMMUNICATION - Request from the Groveland Corporation for an easement or license to construct a cafe-type enclosure on a portion of Post Office Street.

Councilman Gallo requested referral to an ad hoc committee and Planning Commission.

Mayor Dyer so ordered and appointed the following committee: Esposito, Eriquez and Butera.

04 - COMMUNICATION - Request for "No Parking" signs to be removed from Wildman Street in front of Pintos Market.

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

04-1 - COMMUNICATION - Request from the Special Police Association of Danbury for a committee to act as go-between.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Durkin, Sollose, Godfrey.

05 - COMMUNICATION - Drainage problem on LaMar Road.

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

06 - COMMUNICATION - Drainage problem on Garry Knolls following construction of sewers.

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

07 - COMMUNICATION - Request to straighten curve on Mountainville Road near the Nature Center.

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

08 - COMMUNICATION - Request of C & L Associates for the City to accept parcel of land for road widening purposes on Stadley Rough Rd.

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

09 - COMMUNICATION - Richter Park Boundary Relocation (Property of Isabelle H. Goodman on Aunt Hack Road which adjoins Richter Park.

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

010 - COMMUNICATION - Request from Fire Chief Charles J. Monzillo, for an Automatic Alarm Ordinance.

Councilman Sollose requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Flanagan, Foti, Johnson.

011 - COMMUNICATION - Board of Education State & Federal Budget.

At its June meeting the Board of Education adopted a State and Federal Budget of \$1,871,341.00 for the 1985-1986 fiscal year.

Request from Dr. Irene Lober, Superintendent of Schools to secure necessary Common Council approval of this level of expenditure.

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

012 - COMMUNICATION & CERTIFICATION - Request for transfer of \$9,000.00 for rental of property on Boughton Street, behind the Police Department Headquarters.

CERTIFICATION #2 was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$9,000.00 available in the 1985-1986 Contingency Account to be transferred to the Police Department to compensate for the previous transfer of funds to implement a lease of real estate on Boughton Street.

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

013 - COMMUNICATION - Request from Reverend Alfonso Joseph of Gaylordsville to restore funds to the Spanish Learning Center.

The communication was accepted on the Consent Calendar.

014 - COMMUNICATION - Request for funds for 13 students to attend summer session at the Center for Creative Youth at Wesleyan University.

Councilman Eriquez requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Cassano, Zotos, Torcaso.

014-1 - COMMUNICATION - Sutton-Burns property for sale to the City on Brushy Hill Road.

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

015 - COMMUNICATION - Appointment by Mayor Dyer of Councilman Robert Godfrey as the Liaison from the Common Council to the Danbury Council of Veterans for the establishment of a Vietnam Memorial.

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

016 - COMMUNICATION - Appointment by Mayor Dyer of Mrs. Anne DeFlumeri as Tax Assessor for the City of Danbury. Mrs. DeFlumeri has successfully met all Civil Service requirements and has completed courses at the University of Connecticut for Assessors. She has also taken courses from the International Association of Assessing Officers in Chicago.

Mrs. DeFlumeri is married, has one son and resides in the City of Danbury.

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

017 - COMMUNICATION - Appointment by Mayor Dyer of Lawrence M. Riefberg as Assistant Corporation Counsel for Claims.

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

018 - COMMUNICATION - Appointment by Mayor Dyer of Richard Beck, Long Ridge Road, Danbury to the Youth Commission for a term to expire on April 1, 1986.

Mr. Beck is employed at the Union Trust Company in Danbury. He is also active in Band-aids.

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

019 - COMMUNICATION - Appointment by Mayor Dyer of John Deeb, 12 Del View Drive, Danbury as an Alternate member of the Planning Commission for a term to expire on January 1, 1987. Mr. Deeb is retired. He was formerly employed at Amphenol.

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

020 - COMMUNICATION - Appointments by Mayor Dyer of the following to the Handicapped Commission :

Janice Boretti, 115 Chambers Road, Danbury for a term to expire on March 1, 1988. Ms Boretti is a registered nurse with specialization in rehabilitation.

Ms. Bonnie Corna, 9 Miriyo Road, Danbury for a term to expire on 3/1/1986. Ms. Corna is interested in serving on the Handicapped Commission. She is involved in many handicapped activities.

Gary Seidner, 6 Skyline Terrace, Danbury as an alternate member for a term to expire on March 1, 1988. Mr. Seidner is employed as a vocational rehabilitation counselor.

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

021 - COMMUNICATION - Appointment by Mayor Dyer of Louis Najamy, Lakeview Avenue, Danbury to the Parking Authority for a term to expire on 6/30/1990.

Mr. Najamy is a teacher in the Danbury school system. He is a member of the Executive Board of the Neighborhood Crime Watch and the Board of Directors of the Cedar Heights Association.

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

022 - COMMUNICATION - Appointment by Mayor Dyer of Anthony Ghecas, 15 Wildman Street, Danbury to the Conservation Commission for a term to expire on July 1, 1987. Mr. Ghecas is a law student at the University of Bridgeport.

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

023 - COMMUNICATION & RESOLUTION - Connecticut Neighborhood Assistance Act.

Councilwoman McManus requested referral of the Resolution for a Public Hearing to be held. Mayor Dyer so ordered.

024 - COMMUNICATION - Acquisition of land abutting Segar Street.

As a result of the extension of the City water line and the necessity to secure safety related improvements, Corporation Counsel Theodore H. Goldstein has asked that the Common Council consider the acquisition of certain minimal portions of land abutting Segar Street.

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

025 - COMMUNICATION - Amendment to the General Employee's Pension Plan (Section 14-4 -Retirement Date).

Councilman Sollose requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Farah, Skoff, Charles.

#### 026 - DEPARTMENT REPORTS

Fire Chief  
Fire Marshal  
Health Inspector  
Housing Inspector

Blood Pressure Program  
Equal Rights & Opportunities  
Building Department

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

027 - REPORT - Proposed Library Place Parking Garage.

Councilwoman McManus submitted a report stating that the committee appointed to review the proposed Library Place Parking Garage met on May 30, 1985 at 7:30 P.M. and again on June 18, 1985 at 8:00 P.M.

After extensive discussion with the Parking Authority and its consultants Ramp Consultants, it was determined by the committee that the figures used to estimate usage for the proposed garage did not take into account any parking to be provided by John Errichetti & Associates.

A motion was made by Councilman DaSilva, seconded by Councilman Gallo to recommend to the Common Council that "no action be taken on the proposed parking garage on Library Place until such time as the final plans for the Redevelopment Project in Parcel A have been reviewed so as to ascertain a determination of replacement of public parking as defined in the Invitation for Bid developed by the Redevelopment Agency of Danbury. The motion passed unanimously at the committee meeting.

A motion was made by Councilman Gallo and seconded by Councilman DaSilva for the Report to be accepted as read. Motion carried with Councilman Flanagan voting NAY.

028 - REPORT - Re: Request to improve safety conditions at Fleetwood Drive and Shelter Rock Road.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from residents of Fleetwood Drive to improve safety conditions at the corner of Fleetwood Drive and Shelter Rock Road. The committee performed an on-site inspection and met with residents of the area. The problem is one of sight line at the intersection of the two roads which is very limited, causing a hazard at the school crossing at this point.

The Public Works Committee recognizes the problem and recommends the following action be taken:

1. Request the Police Department install a flashing sign to warn drivers of the crossing.
2. A zebra striped crosswalk be painted at the crossing.
3. The City Engineer study the situation and recommend any long term solution possible.

A motion was made by Councilwoman McManus and seconded by Councilman Godfrey for the Report to be accepted as read.

029 - REPORT & RESOLUTION - Sewer Use Charge.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the sewer use charges, on June 20, 1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and recommends that the Council approve the proposed sewer use charge. Resolution to be adopted as submitted.

RESOLUTION - Resolved by the Common Council that the sewer use charge for the fiscal year commencing July 1, 1985 and ending June 30, 1986 shall be \$42.50 per unit, payable in two equal installments of \$21.25 each and due on September 1, 1985 and March 1, 1986. Each installment shall be payable without penalty if paid on or before October 2, 1985 and April 2, 1986 respectively.

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

030 - REPORT & RESOLUTION - Hillandale Sewer Project.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing in regard to the Hillandale sewer project, on June 24, 1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole after the public hearing and recommends that the Common Council approve the Hillandale Sewer project. Resolution to be adopted as submitted.

RESOLUTION - Resolved by the Common Council that,

WHEREAS, the Mayor of the City of Danbury appointed a committee to conduct a public hearing on the possibility of installing a sanitary sewer line in the Hillandale Road area; and

WHEREAS, said committee conducted a public hearing on the matter on June 24, 1985 at which time there was very limited opposition; and that the accomplishment of this installation is a matter of public convenience and necessity;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

The City of Danbury undertake the installation of a sanitary sewer line within the Hillandale Road area, City Project No. 84-16; and that the Department of Engineering be and hereby is authorized to take all steps necessary to accomplish this project.

AND FURTHER, that the Mayor of the City of Danbury be and hereby is authorized to enter into any and all contracts and other documents necessary to effectuate and further this project.

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Report to be accepted and Resolution adopted. Motion carried unanimously.

031 - REPORT & RESOLUTION - Woodside Avenue Area Sewer Assessments.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing regarding the Woodside Avenue Sewer Assessments, on June 20, 1985 at 7:45 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and recommends that the Council approve the said sewer assessments and related Resolution.

RESOLUTION - Resolved by the Common Council of the City of Danbury:

Whereas, the City of Danbury caused a sewer line to be constructed known as the Woodside Avenue Area Project; and

Whereas, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

Whereas, the Common Council had determined the amount of said assessments, after public hearing, all according to law; and

Whereas, the Connecticut General Statutes § 7-253 authorize the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

Whereas, said installment method of payment is deemed to be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before September 3, 1985 provided however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Woodside Avenue Area Project:

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.
2. The minimum annual installment payment shall be ONE HUNDRED AND EIGHTY (\$180.00) Dollars.
3. The interest on any deferred payments hereunder shall be due at a rate per annum which shall be the rate of interest the City is obligated to pay on its sewer bonds issued for the cost of such improvement. Any person may pay any installment for which eh is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:



033 - Withdrawn

034 - REPORT - Re: Request of Danbury Ambulance.

Councilman Torian submitted a report stating that the committee formed to review the request of the Danbury Ambulance Service, met on Sept. 24, 1984, Oct. 22, 1984, Oct. 29, 1984, Jan. 30, 1985 and May 29, 1985.

In addition to committee members Torian, Skoff and Cassano, invited participants at one or more of the committee meetings were:

A. Bennett - MediChair Inc. Ambulance.

J. DeSimone - Danbury Ambulance Service.

E. Gottschalk - Assistant Corporation Counsel.

N. Marcus - Attorney for Danbury Ambulance Service.

Chief Monzillo - Danbury Fire Department.

D. Setaro - Assistant Comptroller.

G. Terranova M.D. - Chairman Emergency Primary Care - Danbury Hospital.

Councilman Charles attended the Jan. 30th meeting in an ex-officio capacity.

Mr. DeSimone was asked to elaborate on his request concerning the Danbury Fire Department backups.

Mr. DeSimone explained that the Danbury Fire Department had recently selected Medi-Chair Inc. Ambulance as the exclusive backup service to the Danbury Fire Department Ambulance (A-1 and A-2). This action according to Mr. DeSimone was extremely unfair, and essentially meant that his company would only respond to ambulance calls that Medi-Chair could not handle. In the past, a more equitable arrangement had been in place, which allowed for each private ambulance service (Medi-Chair, Inc. Ambulance and Danbury Ambulance) to rotate on a monthly basis or backup to the Danbury Fire Department Ambulance Service, ie one month Medi-Chair Inc. would act as backup to the Danbury Fire Department Ambulance, the next month, Danbury Ambulance would act as backup and the third month Medi-Chair and the fourth month Danbury Ambulance etc.

Mr. DeSimone felt that the quality of ambulance service offered by Danbury Ambulance Service was equal to that of the Danbury Fire Department or Medi-Chair, Inc. Ambulance, and he was hopeful that some Common Council action would provide a remedy to this situation.

The committee is well aware that Danbury residents are quite fortunate to have two private ambulance services operating within the City of Danbury, in addition to the Danbury Fire Department Ambulance and which provide the City with the highest quality of medical service available in the area. The committee lauds the commendable levels of expertise and individual certifications held by Danbury Ambulance Service personnel in the area of EMT-IV service, as stated by Dr. G. Terranova in his letter of 7/11/1984.

The committee also notes that Danbury Ambulance Service, having been in business for approximately seven years is certified by the State of Connecticut, Office of Emergency Medical Services.

In recognition of this impressive list of achievements, Councilwoman Skoff motioned that the committee recommend that Chief Monzillo be authorized to negotiate back-up ambulance service with the Danbury Ambulance Service, pending Common Council approval, seconded by Councilman Cassano and passed unanimously.

Councilman Boynton asked if we are directing the chief or just offering a suggestion. Councilman Torian replied "We are hoping there will be an equitable solution to this request".

A motion was made by Councilman Gallo and seconded by Councilwoman McManus for the Report to be accepted as read. Motion carried with Councilman Boynton voting NAY.

035 - REPORT - Bidding Procedures.

Councilman Farah submitted a report stating that the Common Council committee which was established to examine bidding procedures met on June 25, 1985 at 6:45 P.M. Council Members Farah and Boynton were present. Mrs. Butera was absent due to prior commitment. Also in attendance were Council Member Thora Skoff, Sharon Hamilton and Lt. Charles Gallucci. Previous to this meeting the committee met with the Assistant Corporation Counsel and representatives of all City Departments.

Reasons for the delays in bidding procedures revolve around Section 6-6D of the City Charter. This section requires the solicitation of at least three competitive and formal bids for any item whose price exceeds \$100. and under \$2500. For an item which exceeds \$2500 the bids must be sealed and solicited through a public notice.

Since the approval of the Charter in 1977, prices of various items which are purchased by City Departments have increased substantially. The stated figures require an adjustment to reflect the change. The committee felt that it would have been more appropriate to set bidding requirements in an ordinance rather than in a charter.

Mr. Boynton moved and Mr. Farah seconded a motion to recommend to the Council that a charter commission be established to examine this problem, or when one is established in the future the attention of the members of the said commission be drawn to the problems that Section 6-6D is creating. In the meantime the City Departments will continue to follow the present practice of calling upon the Council to waive bids in cases of emergencies. The motion was passed unanimously.

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

036 - REPORT - Education Liaison Committee.

Councilman Farah, Chairman, submitted a Report stating that the Education Liaison Committee met on June 27, 1985 at 8:30 P.M. Committee members Farah, Torcaso, Sollose, Eriquez, Torian and President McManus attended.

The committee reviewed and discussed the last two financial statements of the Board of Education which were dated June 15 and June 30. The Committee also reviewed all the Board's purchase orders which were issued during the month of June.

The committee noted, for the record, the following observations:

1. The outstanding balance (which had not been spent) in the June 15 statement was \$1,474,399.70. Of this balance \$426,678.95 were still unencumbered or uncommitted.
2. the outstanding balance in the June 30 statement was \$1,190,797.60. Of this balance \$207,769.50 were still unencumbered or uncommitted.
3. The Board of Education reduced its appropriation in the full-time salary account by \$369,093 during the past fiscal year.
4. A large number of the purchase orders which were issued in June may be described as pre-purchases which will alleviate the following year's budgetary burden.

It should be noted that the dates on the statements reflect the financial status of the preceding week. The Committee decided to hold a special meeting to review the final figures after the closing of the accounts in the early part of next Fall.

Following further discussions a motion was made by Councilman Boynton and seconded by Councilman Charles for the Report to be accepted. Motion carried unanimously.

For the Public Speaking Session, Mayor Dyer asked for any resident or taxpayer who wished to address the Council on any matter on this evening's agenda to come forward.

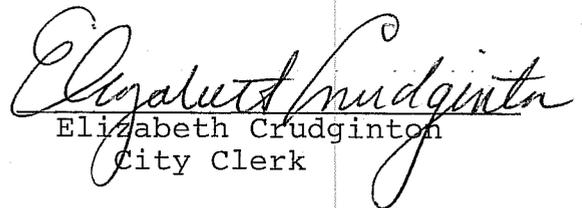
There being no one who wished to speak and there being no further business to come before the Common Council, a motion was made by Councilman Godfrey and seconded by Councilwoman Torcaso for the meeting to be adjourned at 8:35 O'Clock P.M.

Respectfully submitted



Mary Rickert  
Assistant City Clerk

Attest:

  
Elizabeth Crudginton  
City Clerk