

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut.  
RE: Minutes of the Common Council Meeting held on August 5, 1986.

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 Common Council Prayer was offered by Councilman John Esposito.

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

PRESENT: Council Members - Johnson, Sollose, Philip, Torcaso, Godfrey, Zotos, Hadley, Cassano, McManus, Gallo, Esposito, Charles, Boynton, DaSilva, Eriquez, Smith, Torian.

ABSENT: Council Members - Flanagan, Rotello, Butera, Farah.

17 Members Present -- 4 Members Absent.

It was reported by Council President C. McManus that the members absent were out of town and unable to attend.

#### NOTICES FROM MAYOR DYER

Mayor Dyer announced that on August 24th at 4:00 P.M. there will be a memorial service for Alfred Zega being held at the First Congregational Church in Danbury.

On August 20th the Annual Golf Tournament will be held.

On August 22nd, the Annual St. George Festival will be held through the weekend.

Neighborhood Watch Program will be held on August 12th "National Night Out"

Mayor Dyer extended Birthday Wishes to the following:

Len Sedney for August 6th.

Councilman Joe DaSilva - August 1st.

Town Clerk M. Seri for August 14th.

Councilman Nick Zotos - August 18th.

Atty. S. Leheny - August 20th

Councilman Boynton - August 15th.

#### CONSENT CALENDAR

Councilman Gallo submitted the following items to be accepted on the Consent Calendar:

03 - Resolution - Application for a Grant to reconstruct Post Office Street as a Pedestrian Way.

04 - Resolution - Tax Abatement for Beaver St. Apts.

05 - Resolution - Grant Application for Danbury Commission on Aging.

06 - Resolution - Hayestown Avenue Road Widening Project.

07 - Communication - 1986-1987 State Aid Road Funds.

015 - Communication - William E. Hull - Drainage Easement - 49 Stadley Rough Road.

029-1 - D.M.E.A. Employee's Association Agreement.

031 - Report - Progress Report - Trees on Barnum Road.

032 - Report - Progress Report - Request to purchase property on Hakim St. Ext.

033 - Report - Request of Brady Travel Center to purchase property at White and National Place.

034 - Report & Resolution - Request of Union Carbide Corporation for the City to abandon a portion of Serre Road.

035 - Report & Resolution - East Franklin St. Bridge.

036 - Report & Resolution - Thorpe St. Bridge.

037 - Report - Connecticut Neighborhood Assistance Act.

038 - Report & Ordinance - Regional Resource Recovery Authority.

Consent Calendar continued:

- 039 - Report - Request from Amerigo Vespucci Lodge.
- 040 - Report - Tarrywile Lake Road.
- 041 - Report & Certification - Household Hazardous Waste Days.
- 042 - Report - Request from the Redevelopment Agency to purchase the Jackson-Hanson Property on Main St.
- 044 - Report - Progress Report - Improvements to Bear Mountain Road.
- 045 - Report - Request of Emilio Plante to extend water to 13 Belmont Circle.
- 046 - Report - Request of James & Theresa Collingham for sewer & water extension - corner of Lombardi & Short Streets.
- 047 - Report - Request for sewers to 32 Padanaram Rd.
- 048 - Report - Request for water to Blueberry Lane.
- 049 - Report & Resolution - To join the Conn. Interlocal Risk Management Agency and its Worker's Compensation Pool.

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

MINUTES - Minutes of the Common Council Meetings held on June 3, 1986, June 12, 1986 and July 1, 1986 & July 22, 1986.

A motion was made by Councilman DaSilva and seconded by Councilman Boynton to waive the reading of the Minutes as all members have copies and for the Minutes to be accepted as submitted. Motion carried unanimously.

01 - COMMUNICATION - Appointment to the position of Assistant City Clerk.

In accordance with the Merit Selection Process, Mayor Dyer provided the Council Members with the Number One candidate for Assistant City Clerk, in accordance with Civil Service testing.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Communication to be accepted and the Number One Candidate, Jimetta Samaha, be appointed to the position of Assistant City Clerk.

Councilman DaSilva asked for clarification of the appointing authority for this position.

Mayor Dyer replied that the Mayor and Common Council should act upon a candidate from the top three on the list. The list was sent to the Mayor and forwarded to the Common Council.

Atty. Goldstein noted some ambiguity in the interpretation of the appointing authority.

Councilman DaSilva requested that the Common Council members interview the top five candidates.

Common Council President McManus explained that it has been policy to appoint the number one candidate and that candidate, Jimetta Samaha, has already met with the leadership of the Council, McManus, Gallo & Esposito.

Councilman DaSilva pursued his request for referral to committee. Mayor Dyer so ordered and referred the matter to Council Members: McManus, Gallo and Esposito.

02 - CLAIMS - Mark P. Cosentino - Marlene Caprilozzi - Mary Rooke - Mark Cimino - Mildred Novella - William J. Cioffi - Estate of Wendy Hadden - Ethan Allen Inn re: Joseph H. Bumsted.

Councilwoman McManus requested referral to the Corporation Counsel to report back within 30 days. Mayor Dyer so ordered.

03 - RESOLUTION - Application for a Grant to reconstruct Post Office Street as a Pedestrian Way.

Whereas, the Office of Policy and Management has made available grant funds for a Mixed Use Historic Preservation and Revitalization Program under Section 4-66c of the Connecticut General Statutes and Public Act 86-396;

Whereas, the City of Danbury wishes to revitalize Post Office Street in order to encourage development that will compliment the predominant character of the Main Street Historic District and to provide a major pathway to and from the Downtown Redevelopment Project Area;

Now Therefore, Be It Resolved That Mayor James E. Dyer and the Danbury Planning Department be and hereby are authorized to make application for said grant, and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

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

04 - RESOLUTION - Tax Abatement for Beaver St. Apts.

Whereas, it is desirable and in the public interest that the City of Danbury abate taxes under Section 8-215, Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street, in Danbury, known as Beaver Street Apartments; and

Whereas, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Contract with Beaver Street Apartments (9-25-73) and a Tax Abatement Assistance Agreement with the State of Connecticut on 9/30/1973; and

Whereas it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1985;

Now, Therefore, Be It Resolved By The Common of The City of Danbury that:

1. The real property taxes abated on the subject property are \$31,500 for the Grand List of Oct. 1, 1985;
2. The Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax, so abated, was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in his Annual Report, in accordance with the provisions of Section 12-167 of the Connecticut General Statutes, as amended;
3. The Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;
4. The Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives, in connection herewith, to the extent that said funds are reimbursable by the State of Connecticut through its Department of Housing.

05 - RESOLUTION - Grant Application for Commission on Aging.

Whereas The Administration on Aging of the U.S. Department of Health and Human Services through the Connecticut Department on Aging has made available funds to public agencies in accordance with Title III of the Older Americans Act and Section 17-137 et seq. of the Connecticut General Statutes; and

Whereas, the Commission on Aging has developed an elderly day care program which will include: activities, meals, medical attention, volunteer assistance, and outreach; and

Whereas, a grant application of \$17,476.90 with a local cash match of \$11,848 has been processed by the Danbury Commission on Aging;

Now, Therefore, Be It Resolved 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 Commission on Aging and Mayor James E. Dyer necessary to effectuate the purposes hereof be and hereby are authorized.

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

06 - RESOLUTION - Hayestown Avenue Road Widening Project.

Whereas, the Common Council has duly voted to approve the Hayestown Avenue Road Widening Project; and

Whereas, the purposes of said project oblige the City of Danbury to acquire interest in and to real property hereinafter set forth; and

Whereas, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owner hereinafter named upon the amount if any, to be paid for his respective interest 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 interest as hereinafter set forth either by negotiation or by eminent domain through the institution of suits against the following named property owner, his successors and assigns and his respective mortgage holders and encumbrancers, if any, the affected property being indicated by Tax Assessor's Lot Number: I 11035 - 20 Hayestown Avenue; Mehta, Om

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

06-1 - COMMUNICATION - Moratorium on Sewer & Water Extensions to Neighboring Towns.

The City has received a request for extension of water from Ridgeland Development Associates, and a request for sewer and water from Peter Friedman. If granted, these two requests would permit development on approximately two-hundred and thirty-three (233) acres of corporate zoned land in Ridgefield. This is in addition to plans presently being developed by Union Carbide for further development of their six-hundred and forty (640) acre site.

Mayor Dyer is requesting that the Common Council consider a moratoria on sewer and water extensions to neighboring towns, until such time that the full extent of Union Carbide's Plans are known, and a comprehensive evaluation of the City's ability to provide services to this area of the City is completed. This moratoria should not affect the current agreement to accept from Ridgefield twenty-thousand (20,000) gallons of sewer.

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

Councilman Godfrey requested that this matter be reviewed in six months.

Mayor Dyer so ordered and suggested that Councilman Godfrey pursue the request in six months.

07 - COMMUNICATION - 1986-1987 State Aid Road Funds.

Request from Basil Friscia, Director of Public Works, to increase the 1986-1987 Highway State Aid Budget by \$39,253.00 which will give us a total of \$409,947.00. This will be our allotment for 1986/87 for which we recently received notice from the State of Connecticut, Town Aid Department.

The Comptroller indicates that no certification is needed. He will make the necessary adjustments to the revenue and budget.

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

07-1 - COMMUNICATION - Request for a committee to review Ambulance Service and Paramedic Service

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Torian, Cassano, McManus.

08 - COMMUNICATION - Request of Seymour R. Powers and Commerce Park, Inc. for acceptance of Augusta Drive, Finance Drive, Finance Drive Ext. and Commerce Drive.

Councilman Gallo requested referral to the City Engineer and Planning Commission to report back within 30 days. Mayor Dyer so ordered.

08-1 - COMMUNICATION - Request of Joseph R. Genovese to accept Royal Pine Drive and Fairway Drive.

Councilman Hadley requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Cassano, Johnson, Butera and Planning Commission.

09 - COMMUNICATION - Application of Fair Realty Co. for extension of water to Federal Road.

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

010 - COMMUNICATION - Request from Somers Village, Inc. to use sewer line on Somers Street solely for Building "A"

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

011 - COMMUNICATION - Application of A & K Associates to extend water line in Lake Kenosia to 44 Lake Avenue Ext.

Councilman Hadley requested referral to an ad hoc committee and Planning Commission. Mayor Dyer so ordered and appointed the following committee members: Gallo, Zotos, Philip.

012 - COMMUNICATION - Request by Danbury Suburban Residential Corporation for sewers to Breezy Hill Road - Terrace Heights Subdivision.

Councilman Gallo requested referral to an ad hoc committee and Planning Commission. Mayor Dyer so ordered and appointed the following committee members: Gallo, Zotos, Philip.

013 - COMMUNICATION - Drainage problem - Richard Calsetta, Sr. property at 17 Hillside Street.

Councilman Hadley requested referral to ad hoc committee.  
Mayor Dyer so ordered and appointed the following committee members:  
Esposito, Sollose, Rotello.

014 - COMMUNICATION - Request of Mrs. Mary Corey for an easement on Aunt Hack Road.

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

Mayor Dyer so ordered and appointed the following committee members:  
Torcaso, Eriquez and Charles.

015 - COMMUNICATION - Drainage easement to the City of Danbury from William E. Hull, 49 Stadley Rough Road

The Communication and Easement were accepted by the Common Council on the Consent Calendar.

016 - COMMUNICATION - Request from Alexandria Moffa for a road to be extended from Tomlinson Ave./Morris Street to Benedict Avenue.

Councilwoman McManus requested referral to an ad hoc committee and Planning.  
Mayor Dyer so ordered and appointed the following committee members:  
Cassano, Butera, Smith.

017 - COMMUNICATION - Request from "Message Center Beepers" to lease space on the Beacon Tower on the Mountain East of Danbury Airport.

Councilman Torian requested referral to an ad hoc committee and Planning Commission.  
Mayor Dyer so ordered and appointed the following committee members:  
Cassano, Hadley, Esposito.

018 - COMMUNICATION - Request from Motorola Communications & Electronics, Inc. for permission for Antenna site use at the Spruce Mountain Tower.

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

Mayor Dyer so ordered and appointed the following committee members:  
Cassano, Hadley, Esposito.

019 - LEASE - Rental of Carriage House - Tarrywile Park to Robert Ryerson and Karla Ryerson for \$500 per month. It was recommended by B.J. Friscia, Director of Public Works, that this lease be approved. It will serve a dual purpose of having a city employee occupy the building and act as an overseer reporting any condition or problem that occurs which will do harm to the total property as shown on exhibit "A" of this lease.

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

Mayor Dyer so ordered and appointed the following committee members:  
Sollose, Hadley, Rotello.

020 - COMMUNICATION - Request by Ofie Trespalacios for a solution to the conditions in the Eden Drive Area.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Smith, Farah, Eriquez.

021 - COMMUNICATION - Request from David Coelho for the Water Tax Rate structure to be included with the Water Tax Bills.

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

022 - COMMUNICATION - Request from Robert Wolsch, Ed.D - Professor of Communication & Education at Western Connecticut State University, for the Common Council to consider Noise and Hearing Damages.

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

023 - COMMUNICATION - Request from Dominic A. Setaro, Jr., Acting Director of Finance/Comptroller for Common Council approval to borrow funds (not more than \$200,000) temporarily from the General Fund to pay for preliminary costs of the Recreation and Cultural Bond Issue.

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

024 - COMMUNICATION - Request from Michael Baldasare, President of the Danbury Cemetery Association, Inc. for additional funds in the amount of \$1,590.20.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Flanagan, Smith and Charles.

025 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$10,000 for the Charter Revision Commission. The funds will be used to cover such expenses as postage, services of a stenographer, publications, and possibly, legal assistance.

CERTIFICATION #5 - was submitted by Dominic A. Setaro, Jr., Acting Director of Finance - Comptroller in the amount of \$10,000 available to be transferred from the Contingency Account to a new budget for Charter Revision.

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

Councilman Philip expressed concern about authorizing \$10,000 as a blank check. It was decided that the Charter Revision Commission should submit a monthly financial report to the Council.

Mayor Dyer noted that the Common Council receives a monthly print-out from the Comptroller's Office of the Statement of the condition of appropriations for all Departments, which lists the total expenditures for the month.

The motion carried unanimously, to authorize the funds for the Charter Revision Commission.

026 - COMMUNICATION - Request from Community Action Committee of Danbury for additional funds in the amount of \$182,000 to supplement the 1986-1987 approved Budget, to be allocated towards Program functions.

A motion was made by Councilwoman McManus and seconded by Councilman Boynton for the Communication to be accepted and request denied.

A motion was made by Councilman Boynton and seconded by Councilman Eriquez to suspend rules to allow George A. Coleman, the Executive Director of Community Action to address the Council Members.

Mr. Coleman spoke on the services provided by their Youth Center who served 9,000 residents last year.

Mr. Coleman noted that the Common Council granted Community Action, \$137,000 in the 1986-1987 Budget, out of the over \$200,000 requested.

It was noted that the Three Million Dollar Budget was reduced by the Federal and State Governments and not by the City of Danbury.

Councilman Boynton remarked that at Budget time Mr. Coleman stated that he could live with the Budget approved by the Common Council.

The request was denied by a roll call vote of 11 Ayes and 6 Nays. Council Members Johnson, Sollose, Hadley, Eriquez, Smith, Torian. voted Nay. (6 votes) All other members present voted Aye (11). 4 members were absent.

027 - COMMUNICATION - Request from Community Action Committee of Danbury for additional funds in the amount of \$25,000, for Youth Programs.

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Communication to be accepted and request denied.

Motion carried by a roll call vote of 14 Ayes and 3 Nays. Council Members Hadley, Smith and Torian voted Nay (3) votes. All other members present voted Aye (14) votes. 4 Members absent.

028-029 - Withdrawn.

029-1 - DANBURY MUNICIPAL EMPLOYEES ASSOCIATION AGREEMENT .

Approval of Collective Bargaining Agreement between the City of Danbury and the Danbury Municipal Employees Association. Negotiations for a successor contract between the City and the Danbury Municipal Employees Association have resulted in a two-year agreement beginning July 1, 1986 and ending June 30, 1988.

CERTIFICATION #4 - was submitted by Dominic A. Setaro, Jr., Acting Director of Finance - Comptroller. in the amount of \$158,407.20 to be transferred from the Contingency Account to accounts listed to cover the cost of the D.M.E.A. contract.

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

#### 030 - DEPARTMENT REPORTS

|                              |                         |
|------------------------------|-------------------------|
| Fire Chief                   | Housing Inspector       |
| Fire Marshal                 | Blood Pressure Program  |
| Health Inspector             | Airport Administrator   |
| Occupational Health Services | Municipal Agent for the |
| Building Inspector           | Elderly.                |

A motion was made by Councilman DaSilva and seconded by Councilman Charles to dispense with reading of the 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.

AD HOC COMMITTEE REPORTS

031 - REPORT - Progress Report - Trees on Barnum Road.

Councilman Hadley submitted a report stating that the committee has received the section of the State Statutes pertaining to tree removal from the Tree Warden. A letter has been sent to Engineering requesting that the line be marked to indicate ownership of the trees. This has been done and the trees have been found to be on City Land.

The trees have been posted for pruning and this should be accomplished within the next week unless there is an appeal. The neighbor whose house is shielded by the trees hopes that they will not have to be completely removed and has offered to assist in the placement of a mirror across the street from the Lipsi driveway to help with the vision problem.

Following the pruning of the trees the committee will meet on site to review the situation again. Although progress on this matter has been slow, it is the desire of the committee to avoid any unnecessary litigation and to treat the parties involved fairly.

If any Council Member wishes to discuss the progress of this matter with the Tree Warden, he has offered to do so and is usually in his office between 3:00 & 4:00 P.M.

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

032 - REPORT - Request of K. Lorentz to purchase property at 46 Hakim Street Extension.

Councilman Farah submitted a report that the committee appointed to review the above request met on July 24, 1986. Committee members Farah, Flanagan and Sollose were present. Also attending was Mr. Lorentz, who explained to the committee the reasons for his request.

However, since the Planning Commission had not acted on the same request, Mr. Sollose moved that the committee postpone any decision until it hears from the Commission. Mr. Flanagan seconded the motion which passed unanimously.

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

033 - REPORT - Request of Brady Travel Center to purchase property at White Street and National Place.

Councilman Farah submitted a report stating that the committee appointed to review the above request met on July 24, 1986. Committee members Farah, Flanagan and Sollose were present. Mr. Joseph Brady of the Travel Center was also present.

Since the lot which is requested by Brady Travel is part of the Downtown Redevelopment Project and because the Planning Commission had rejected the request, the committee recommended to Mr. Brady to contact Mr. Sullivan of the Downtown Redevelopment to explore with him the possibilities of incorporation a travel center into future phases of the Redevelopment.

Mr. Flanagan moved to deny the request, seconded by Mr. Sollose. The motion passed unanimously.

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

034 - REPORT & RESOLUTION - Request of Union Carbide Corporation for the City to abandon a portion of Serre Rd.

Councilman Farah submitted a report that the committee met on 7/24/86. Committee members present were Farah, Flanagan and Sollose. Also attending were Mr. Ron Baumann of Union Carbide and Atty. Bobby Payne.

Mr. Payne made a presentation explaining Union Carbide's reasons for the request. In a letter, the City's Public Works Director indicated that the City has not been maintaining the portion of the road in question. Furthermore, the Planning Commission had approved the request.

After discussion, Mr. Sollose moved to recommend the approval of the request, seconded by Mr. Flanagan and passed unanimously.

RESOLUTION - Whereas, the Union Carbide Corporation has requested that the Common Council of the City of Danbury discontinue a portion of an old highway, commonly known as Serre Road; and

Whereas, said portion of Serre Road has not been used by the public as a roadway for many years; and

Whereas, the discontinuance of said Serre Road is in the best interest of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT a portion of Serre Road as described in the attached Exhibit A and shown on the map hereto as Exhibit B be and hereby is discontinued.

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

035  
REPORT & RESOLUTION - East Franklin St. Bridge.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the East Franklin Street Bridge, on July 29, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

Following the public hearings, the Council met as a committee of the whole and unanimously recommends that the Common Council adopt the Resolution as read.

RESOLUTION - East Franklin St. Bridge.

Whereas, the East Franklin Street Bridge is in need of reconstruction; and

Whereas, the total cost of such reconstruction is \$483,550; and

Whereas, the eligible grant percentage is 29.9% equating to a State Project Grant of \$144,581; and

Whereas, the local match in the amount of \$338,969 is available through bond authorization adopted by the Common Council on August 25, 1983, approved by Mayor James E. Dyer on August 26, 1983 and approved at referendum on November 8, 1983;

Now Therefore Be It Resolved That Mayor James E. Dyer be and hereby is authorized to make application and contract for said funds and to take any additional steps necessary to accomplish the purposes hereof.

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

036 - REPORT & RESOLUTION - Thorpe St. Bridge.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the above Resolution, on July 29, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

Following the public hearings the Council met as a committee of the whole and unanimously recommends that the Common Council adopt the Resolution as submitted.

RESOLUTION - Thorpe Street Bridge.

Whereas, the Thorpe Street Bridge is in need of reconstruction; and

Whereas, the total cost of such reconstruction is \$275,400; and

Whereas, the eligible grant percentage is 29.9% equating to a State Project Grant of \$82,344; and

Whereas, the local match in the amount of \$193,056 is available through bond authorization adopted by the Common Council on August 25, 1983, approved by Mayor James E. Dyer on August 26, 1983 and approved at referendum on November 8, 1983;

Now, Therefore Be It Resolved That Mayor James E. Dyer be and hereby is authorized to make application and contract for said funds and to take any additional steps necessary to accomplish the purposes hereof.

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

037 - REPORT - Connecticut Neighborhood Assistance Act.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the above Resolution on July 29, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

Following the Public Hearing, the Council met as a committee of the whole and unanimously recommends that the Common Council adopt the Resolution as submitted.

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

038 - REPORT & ORDINANCE - Regional Resource Recovery Authority.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the above Ordinance on July 29, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

Following the Public Hearing, the Council met as a committee of the whole and unanimously recommends that the Common Council adopt the Ordinance as read.

ORDINANCE - Regional Resources Recovery Authority,

The Authority is established and created for the purpose of providing solid waste management and disposal services within the region of the Authority, which shall be the region within the jurisdiction of all of the member municipalities of the Authority, and which purpose includes providing for the disposal of residential and commercial solid waste, the financing, construction and operation of one or more solid waste disposal facilities for such purpose, and the delivery of solid waste thereto, including facilities for incineration of solid waste and production of steam, electricity and other by-products for sale to public utilities and others.

038 - continued:

The membership of the Authority shall consist of one member from each member municipality of the Authority. Each such member, including each of the first members of the Authority, shall be appointed in the manner set forth in the concurrent ordinance adopted by each member municipality. Members shall serve for terms of three years, except that the first members of the Authority shall serve terms commencing July 1, 1986 and terminating as follows:

Bethel, June 30, 1987 - Bridgewater, June 30, 1988 -  
Brookfield, June 30, 1989 - Danbury, June 30, 1987 -  
New Fairfield, June 30, 1988 - New Milford, June 30, 1989 -  
Newtown, June 30, 1987 - Redding, June 30, 1988 -  
Ridgefield, June 30, 1989.

Members of the Authority shall serve without compensation but shall be reimbursed for their necessary expenses.

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

039 - REPORT - Request from Amerigo Vespucci Lodge.

Councilman Stanford Smith submitted a report stating that the committee appointed to review the request from Amerigo Vespucci Lodge, met three times. Attending the meetings were Council Members Smith, Chairman, Zotos, and Esposito. Public Works Director B. Friscia also attended.

At the June 19, 1986 meeting a motion was made by Councilman Zotos and seconded by Councilman Esposito for maintenance, repair and snow removal, pending legal answer from Ass't Corporation Counsel E. Gottschalk. Mr. Gottschalk said the City is responsible for the land.

The committee met on July 24th to ratify the motion to accept the responsibility to repair Vespucci Drive and for snow removal. Ratification carried.

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

040 - REPORT - Tarrywile Lake Road.

Leonard G. Sedney, Planning Director, submitted a report stating that the proposed extension of Tarrywile Lake Road was referred to the City Engineer and Mr. Sedney at the July Council meeting. The points of contention are the grade and width of the road. Section 17-24 of the Code of Ordinances limits maximum grades to ten percent. Section 17-24 also requires a paved surface of twenty-six feet. The Code of Ordinances does not permit the Common Council, or any Board or Commission, to waive these standards.

The property owner has submitted plans with a twelve percent road grade and a width of less than twenty-six feet. The City Engineer and Mr. Sedney have no objection to a twelve percent road grade, but the Code prevents this grade from being approved. The Ordinance would have to be amended.

The City Engineer and Mr. Sedney feel that twenty-six feet is a reasonable standard and should remain. The applicant has a fifty foot right-of-way and can provide twenty-six feet, although the number of lots may need to be reduced due to the steep slopes.

Therefore it is recommended that the applicant provide twenty-six feet of pavement and petition the Common Council to amend the Code of Ordinances to permit a maximum grade of twelve percent.

The Report and recommendations were accepted by the Common Council on the Consent Calendar.

041 - REPORT & CERTIFICATION - Household Hazardous Waste Days.

Councilman Esposito submitted a report stating that the committee appointed to review the request for funds for a Household Hazardous Waste Day program, met on July 15th at 7:30 P.M. in City Hall.

Attending were committee members, Esposito and Rotello. Councilman Gallo was unable to attend. Also attending were Jack Kozuchowski from the Danbury Health Department and D. Setaro, Director of Finance for the City.

Mr. Kozuchowski stated that current plans are to hold a Household Hazardous Waste Day in early October. The concept of the collection day was approved by the Council at the February Council Meeting. The cost was estimated to be approximately \$50,000. Also that a State Grant is available for a maximum of fifty percent State reimbursement.

Councilman Rotello moved to recommend that the committee approve the funding of \$40,000 and the approval of permission to apply for a State Grant requesting 50% reimbursement of the necessary funds, pending certification from the Office of the Director of Finance. Motion carried.

CERTIFICATION #3 - was submitted by Dominic A. Setaro, Jr., Acting Director of Finance - Comptroller in the amount of \$20,000 to be transferred from the Contingency Account to the Health Department's Professional Service Fees Account #02-04-101-020100.

Mr. Setaro will also amend its budget by an additional \$20,000 along with the General Fund's revenue account to reflect the State's reimbursement of 50%.

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

042 - REPORT - Request from the Redevelopment Agency to purchase the Jackson-Hanson property on Main St.

Councilwoman C. McManus submitted a report stating that the Common Council committee appointed to review the above request, met on July 8, 1986 at 7:30 P.M. and again on July 17, 1986 at 8:00 P.M. Also present were Len Sedney Acting Director of the Redevelopment Agency and Neil Marcus representing Nancy Jackson who is part owner of the lease on the property.

At the July 8th meeting, Atty. Marcus indicated the willingness of his clients to negotiate an easement on behalf of the City through the property but stated that actual negotiations could not begin until the site of the needed easement was indicated. The committee requested Len Sedney to determine the exact location of the needed easement.

On July 17th, Mr. Sedney reported that Sidney Rapp could not survey the property until the demolition was completed and the safety of his personnel assured. However, Mr. Sedney indicated on a drawing of the property, the approximate location of the easement. The committee requested that Mr. Sedney forward the information to Atty. Marcus and notify the committee of any response.

The committee respectfully requested an extension of time and will meet again when Len Sedney has more information.

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

043 - REPORT & ORDINANCE - Sewer Permit Fees.

Councilwoman C. McManus submitted a report which stated that the Common Council committee appointed to review the sewer permit fees met on June 10, 1986 at 7:30 P.M., again on June 30, 1986 at 7:00 P.M. Also in attendance at the meetings were Public Works Director Basil Friscia, Superintendent of Public Utilities William Buckley, Assistant Corporation Counsel Eric Gottschalk and Comptroller Dominic Setaro.

Atty. Gottschalk was requested by the committee to rewrite the Ordinance in order to assure that those homeowners who are required to pay a sewer assessment would not be required to pay an additional permit fee. The committee unanimously voted to recommend that the amended Ordinance be deferred to public hearing.

A motion was made by Councilwoman McManus and seconded by Councilman Gallo, for the Report to be accepted and Ordinance deferred for Public Hearing. Motion carried and Mayor Dyer so ordered.

044 - PROGRESS REPORT - Improvements to Bear Mountain Road.

Councilman Sollose submitted a report which stated that the Common Council committee appointed to review the above request met on 7/14/86.

In attendance were Councilmen Sollose & Torian with Councilman Gallo having a previous engagement. Also attending were J. Schweitzer, City Engineer and Basil Frisia, Director of Public Works.

The Chairman explained the conditions of Bear Mountain Road and the problems it has caused among the residents in the area. A portion of the road needs widening to allow school buses, trucks and oversize vehicles to pass. (Eight school buses travel this road each day.) Installation of Catch Basins to prevent water run-off which causes ice conditions in the Winter.

J. Schweitzer submitted a preliminary costs estimate of the entire project and the committee raised several questions pertaining to the scope of the estimate. Mr. Schweitzer agreed to come up with an adjustable cost-estimate for further review by the committee.

Mr. Torian moved to request extension of time, pending the City Engineer's revised estimate. The motion was seconded by Councilman Sollose and passed unanimously.

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

045 - REPORT - Request of Emilio Plante to extend water to 13 Belmont Circle.

Councilwoman Carole Torcaso submitted a report which stated that the Sewer & Water Extension Ad Hoc 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 water 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.

045 - continued:

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 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 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 water lines.
8. This project must be completed on or before January 1, 1988.

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

046 - REPORT - Request of James & Theresa Collingham for sewer and water extension - corner of Lombardi and Short Streets.

Councilwoman Carole Torcaso submitted a report which stated that the Sewer & Water Extension Ad Hoc committee of the Common Council has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the usual seven steps with the additional 8th step for the project to be completed on or before January 1, 1988.

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

047 - REPORT - Request for sewers to 32 Padanaram Road.

Councilman Torian submitted a report which stated that the ad hoc committee appointed to review the above request met on July 9, 1986 at 9:00 P.M. In attendance were committee members Torian and Johnson, Supt. of Public Utilities W. Buckley and City Engineer J. Schweitzer.

Mr. J. Scott Henderson, owner of 32 Padanaram Road, an 800 square foot retail facility, just North of the Cracker Barrel Restaurant, is requesting permission to connect to a City sewer line which is located approximately 130 feet in a Northerly direction up Padanaram Road beyond the Covered Bridge Farm Market to Crown Court Apartments. In May 1986, Mr. Henderson was told by both Mr. Buckley and Mr. Schweitzer that this approach was not the most suitable to resolve his problem that there was an alternative which would be less costly and would also minimize the disruption to vehicular traffic on Padanaram Road.

In June, 1986, the Planning Commission voted a negative recommendation to Mr. Henderson's request on the grounds that it is not in the best interest of the City to run parallel sewer lines on Padanaram Road.

047 - continued:

On the advice of Mr. Buckley and Mr. Schweitzer, Councilwoman Johnson motioned that the committee recommend denial of the petitioner's request. Seconded by Councilman Torian. The vote was unanimous.

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

048 - REPORT - Request for water to Blueberry Lane.

Councilman Torian submitted a report which stated that the Sewer and Water Extension Ad Hoc 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 conditions and restrictions listed in the previous reports. ( 7 steps).

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

049 - REPORT & RESOLUTION - Conn. Interlocal Risk Management Agency.

Councilwoman C. McManus submitted a report which stated that the Committee appointed to review the Resolution to join the Connecticut Interlocal Risk Management Agency and its workers' compensation pool, met on July 30, 1986 at 7:30 P.M. with Dom Setaro, Comptroller.

Mr. Setaro explained to the committee that the Resolution is not forcing the City to join CIRMA but rather giving the option if the bids from CIRMA for insurance are the best available at the time. The savings to the City could amount to \$300,000 if current expectations are realized.

The committee unanimously recommends that the Common Council adopt the Resolution as submitted.

RESOLUTION - Be it resolved that the City of Danbury join CIRMA as a member organization, and hereby subscribes to the bylaws, rules and regulations of CIRMA; and

Be it further resolved that the City of Danbury join the interlocal workers' compensation risk management pool of CIRMA and, pursuant thereto, CIRMA shall administer, service and pay all workers' compensation claims of the said City's employees; and

Be It Further Resolved that Mayor James E. Dyer of the City of Danbury be, and hereby is, authorized and empowered to execute a contract with CIRMA to provide for statutory workers' compensation coverage and related risk management services for the City of Danbury for such coverage and services; and he is further authorized to represent said City of Danbury as a member of CIRMA and to designate an alternate representative from time to time.

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

Mayor Dyer continued all committees stating that some are falling behind, but are generally doing well. Memberships stand as they are.

C. McManus, Common Council President stated that the Council Members are not receiving reports from Department Heads as requested.

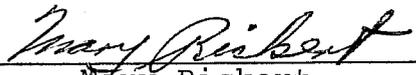
Mayor Dyer replied that the Department Heads are swamped with City Projects and that his office will try to expedite the reports.

PUBLIC SPEAKING SESSION

David Coelho spoke in reference to his request, #21 on the Agenda for a Water Tax Structure to be included with the Water Tax Bills. This might encourage people to conserve and it would only cost the City approximately \$350.

There being no other public speakers and no further business to come before the Common Council, a motion was made by Councilman Godfrey and seconded by Councilman Charles for the meeting to be adjourned at 8:50 P.M.

Respectfully submitted

  
\_\_\_\_\_  
Mary Rickert  
Assistant City Clerk, Acting.

Attest:   
\_\_\_\_\_  
Elizabeth Crudginton