

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

Re: Minutes of the Common Council Meeting held April 7, 1987.

The meeting was called to order at 8:00 P.M. by the Honorable James E. Dyer, Mayor, who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman John J. Esposito.

Roll Call was taken by Assistant City Clerk Jimmetta Samaha, with the following members being recorded as:

PRESENT: Council Members - Johnson, Sollose, DeMille, Philip, Godfrey, Flanagan, Zotos, Hadley, Rotello, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Farah, Smith and Torian.

21 Members Present - 0 Members Absent.

NOTICES AND ANNOUNCEMENTS BY MAYOR DYER

Mayor Dyer wished a speedy recovery to City Clerk Elizabeth Crudginton.

The Mayor extended thanks to the City Firefighters on their heroic efforts during last weekend's fire on Main Street, as well as extending thanks to the many citizens who offered their help. The Mayor also thanked the Public Works Department and private citizens for their efforts during the 2 days of flooding during the weekend storm.

The Mayor announced that the Connecticut Supreme Court would be sitting in Danbury on April 8th.

Danbury High School students staged their annual Variety Show this past weekend.

Mayor Dyer extended birthday greetings to Councilman Stanford Smith who will celebrate his birthday on April 7th and to State Representative Paul Garavel who will celebrate his birthday on April 30th.

Mayor Dyer extended Passover and Easter greetings to all citizens of Danbury.

On April 21st former Housing Commission Joseph Canale will be honored at a dinner in New Haven. The City will present a citation.

On April 26th the March of Dimes will sponsor a Walk America fundraiser.

On April 29th there will be a Celebrity Waiter Breakfast to benefit the Luekemia Society.

Mayor Dyer then introduced newly appointed firefighters noting that they include the first woman appointee, who is also a part of the first married couple to be appointed, together with the youngest appointee.

Mayor Dyer asked for a two-thirds vote in order to add the budget and budget committees to the agenda. Mr. Boynton so moved. Seconded by Mr. Hadley. Motion carried unanimously. This becomes item 01-A. The Mayor referred the budget to the committees as stated in his letter submitted with the budget.

CONSENT CALENDAR

Councilman Gallo submitted the following items for the consent calendar:

06 - Communication - Appointments to the Cultural Commission

Consent Calendar Continued:

- 07 - Communication - Appointments to the Commission on the Handicapped.
- 08 - Communication - Appointments to the Library Board.
- 09 - Communication - Appointments to the Youth Commission.
- 010 - Resolution and Report - Interlocal Agreement between the City of Danbury and the Town of Bethel regarding Shelter Rock Road Bridge Reconstruction.
- 011 - Resolution - Updated Wastewater Facilities Plan.
- 012 - Resolution and Agreement - Interlocal Agreement between the City of Danbury and the Town of Bethel for Updated Wastewater Facilities Plan.
- 013 - Resolution - Grant from the Administration on Aging of the U. S. Department of Health and Human Services.
- 014 - Resolution - Lift-Equipped Van from the Department of Transportation.
- 015 - Resolution - Grant for the Acquired Immunodeficiency Syndrome (AIDS) Outreach Education and Risk Reduction Program.
- 016 - ORDINANCE - Amendments to Section 13A-36 and 13A-40 of the Danbury Code of Ordinances.
- 017 - ORDINANCE - Planned Parenthood - Request for Exemption.
- 018 - Communication - Resignation of Susan Thompson Mazzia as an alternate on the Zoning Commission.
- 022 - Communication and Certification - Request for funds for the Planning Commission.
- 023 - Communication - Department of Elderly Services - Grant from Western Area Agency for the Danbury Adult Day Care Center.
- 026 - Communication and Resolution - Report on drainage problems on Brushy Hill Road from Director of Public Works.
- 033 - Communication - Amendment to the 1986-88 Collective Bargaining Agreement between the Danbury Board of Education and NEA-Danbury.
- 035 - Communication - Fire Department - Special Services Account.
- 037 - Communication and Certification - Request for funds from the Environmental Impact Commission.
- 042 - Communication - Report from Director of Public Works on claim of Joseph Braun.
- 050 - Communication - Educational Enhancement Act.
- 053 - Communication - Long Ridge Area Historic Study Committee.
- 057 - Progress Report - Youth Employment Services.
- 058 - Report - Offer to sell land on Hayestown and East Hayestown Roads to the City.
- 059 - Report - Request to buy strip of land (continuation of Glendale Drive).
- 060 - Report - Combining of Engines 23 and 7.
- 061 - Report - Request for extension of sewers at 20 Boulevard Drive.
- 062 - Report - Maple Avenue Extension Property.
- 064 - Report - Request for Teen Center.
- 065 - Report - Request to purchase land on Concord Road.
- 067 - Report - Request for water extension - 97 and 99 Hospital Avenue.
- 068 - Report - Request for sewer extension at 20 Virginia Avenue.
- 069 - Report - Request to purchase land on Princeton Lane.
- 070 - Report - Request for easement on Bank Street.
- 071 - Communication - Municipal Liability Trust Fund Grant.

Mr. Charles moved that the Consent Calendar be adopted as presented. Seconded by Mr. Hadley. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held on March 3, 1987

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

01 - CLAIMS - Jonathan Witsel, Heather Knowles, Gertrude Grabert, Vicky Katzmark.

Mrs. McManus referred all claims to the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

02 - COMMUNICATION - Appointments to the Fire Department.

Letter from Mayor James E. Dyer stating that he is making the following appointments to the Fire Department effective upon swearing-in:

Stephen Williams
Old Litchfield Road
Washington, Conn. 06794

Bart McCleary
11 Bonnie Brae Drive
Newtown, Conn. 06470

Gary Moline
2 Sunny-Side Lane
New Fairfield, Conn. 06812

Lorinda Moline
2 Sunny-Side Lane
New Fairfield, Conn. 06812

Renoldo Rodriguez
457 Shelly Road
Bethel, Conn. 06801

Karl Drentwett
29 Hoyst Street
Danbury, Conn. 06810

Charles Payne
142 Mount Pleasant Road
Newtown, Conn. 06470

David Kirkwood
Tunnel Road
Newtown, Conn. 06470

Mr. Boynton made a motion to accept the communication and approve the appointments. Seconded by Mr. Charles.

Mr. Farah stated that he would be voting in the negative, but that this was no reflection on the candidates. He felt that a 15 or 16 word description of the candidate's qualifications is not enough on which to base approval. He said that he was not trying to impede the process or he would have referred the appointments to a committee.

Mayor Dyer stated that a full biography could have been obtained from his office.

Mr. Farah stated that when they are asked to approve appointments, they should have at least a biographical sketch if not a full biography.

The Mayor said that this is no different than he had been doing for eight years and this was the first time he had heard from Mr. Farah. Mayor Dyer told Councilman Farah that he could contact his office for additional biographical information and he would be pleased to provide it.

The vote passed with 19 affirmative and Council Members Farah and Smith voting in the negative.

03 - COMMUNICATION - Appointments to the Board of Ethics.
WITHDRAWN.

04 - COMMUNICATION - Appointments to the Redevelopment Agency.
WITHDRAWN.

05 - COMMUNICATION - Appointments to the Conservation Commission
WITHDRAWN.

06 - COMMUNICATION - Appointments to the Cultural Commission.

Letter from Mayor James E. Dyer requesting confirmation of the following reappointments to the Cultural Commission:

John W. Cherry, 47 Lincoln Avenue, Danbury
Carole L. Glaser, 4 Oak Ridge Avenue, Danbury
Katherine Santuro, 12 Crofut Place, Danbury

All terms to expire on February 1, 1990.

The appointments were confirmed by the Common Council on the Consent Calendar.

07 - COMMUNICATION - Appointments to the Commission on the Handicapped.

Letter from Mayor James E. Dyer requesting confirmation of the following appointments to the Commission on the Handicapped:

Dorothy Williams, 30 Middle River Road, Danbury for a term to expire on March 1, 1988.

Craig Firmender, West Lake Shores Drive, Danbury for a term to expire on March 1, 1989.

Manuel Macedo, 3 Skyline Terrace, Danbury for a term to expire on March 1, 1990.

The appointments were confirmed by the Common Council on the Consent Calendar.

08 - COMMUNICATION - Appointments to the Library Board.

Letter from Mayor James E. Dyer requesting confirmation of the appointment of Joan Damia, 113 Clapboard Ridge Road, Danbury to the Library Board of Directors for a term to expire on February 1, 1988.

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

09 - COMMUNICATION - Appointment to the Youth Commission.

Letter from Mayor James E. Dyer requesting confirmation of Ann-Marie Falzone, 13 Ivy Lane, Danbury to the Youth Commission for a term to expire on April 1, 1990.

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

010 - REPORT AND RESOLUTION - Interlocal Agreement between the City of Danbury and the Town of Bethel regarding Shelter Rock Road Bridge Reconstruction.

Councilman Gallo submitted the following report and resolution:

The Common Council Committee appointed to review the proposed Agreement between the City of Danbury and the Town of Bethel regarding Shelter Rock Road Bridge Reconstruction met on March 24, 1987 in Room 432 at 7:30 P.M. Council Members Gallo, McManus and Esposito were in attendance. The Revised Agreement dated February 11, 1987 was read and discussed. The only changes from the Agreement dated January 29, 1987 and February 11, 1987 were in paragraphs 5, 6 and 7 and pertained to the projected cost of the project possibly coming in under cost.

A question was asked why there was a prepayment clause in the agreement. A prepayment clause will enable the City to use funds from the Public Improvement Bond Issue for Bridges plus eliminate any interest payments, audit and legal fees.

Mrs. McManus moved to adopt the Resolution and enter into the Interlocal Agreement. Mr. Esposito seconded. Vote was unanimous, Meeting adjourned at 8:30 P.M.

RESOLUTION

WHEREAS, the ^{a Town} Town of Bethel has made application to and obtained assistance from the State of Connecticut pursuant to a loan and grant agreement for the reconstruction of a bridge crossing East Swamp Brook; and

WHEREAS, the current estimated cost of said reconstruction is \$441,046.00 and current estimated grant and loan are in the amounts of \$132,887.00 and \$220,523.00 respectively, and the current estimated local share is \$87,636.00; and

WHEREAS, one-half of said bridge is located in the Town of Bethel and one-half thereof is located in the City of Danbury, it is therefore equitable that the Town of Bethel and the City of Danbury share equally in the costs of said reconstruction; and

WHEREAS, the reconstruction of said bridge is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute the attached agreement between the Town of Bethel and the City of Danbury and to execute any amendments or revisions thereto and to take any additional action which may be deemed necessary to accomplish the purposes hereof.

The report and resolution were adopted by the Common Council on the Consent Calendar.

011 - RESOLUTION - Updated Wastewater Facilities Plan.

WHEREAS, the Common Council of the City of Danbury has appropriated funds for the preparation of an updated Wastewater Facilities Plan intended to evaluate different methods which may be used to minimize ammonia discharge concentrations from said facilities; and

WHEREAS, the current estimated cost of said Plan is \$70,000; and

WHEREAS, said Plan may be eligible for state and federal grant funding in an amount not to exceed \$70,000;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to apply for said funds and to accept any grant funds offered to the City of Danbury and to take any additional action as may be necessary to accomplish the purposes hereof.

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

012 - RESOLUTION and AGREEMENT - Interlocal Agreement between the City of Danbury and the Town of Bethel for Updated Wastewater Facilities Plan.

RESOLUTION

WHEREAS, the Common Council of the City of Danbury has appropriated funds for the preparation of an updated Wastewater Facilities Plan intended to evaluate various methods which may be used to minimize ammonia discharge concentrations from said facilities; and

WHEREAS, said Plan will benefit both the City of Danbury and the Town of Bethel; and

WHEREAS, an Interlocal Agreement establishing the sharing of the costs of said Plan which are not eligible for grant funding is in the best interests of the City of Danbury and the Town of Bethel;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute the attached Interlocal Agreement and any necessary amendments thereto and to take any additional action which may be necessary to accomplish the purposes hereof.

THIS AGREEMENT made this _____ day of _____, 1987, by and between the City of Danbury, Connecticut (hereinafter referred to as "Danbury") and acting herein by James E. Dyer, its Mayor, hereunto duly authorized by action of the Common Council of said City of Danbury, and the Town of Bethel, Connecticut (hereinafter referred to as "Bethel") and acting herein by Clifford J. Hurgin, its First Selectman, hereunto duly authorized by action of the Town Meeting of the Town of Bethel on _____, 1987.

W I T N E S S E T H :

WHEREAS, the Connecticut Department of Environmental Protection has ordered Danbury and Bethel to upgrade their sewage treatment plants to ensure that said facilities adequately protect against pollution to the waters of the State of Connecticut; and

WHEREAS, Danbury and Bethel have performed a study known as the Danbury-Bethel Facilities Plan and now wish to update said plan to assess the impact of revised performance standards established by the Federal Government; and

WHEREAS, the total estimated cost of said updated plan is \$70,000.00; and

WHEREAS, the cost of said updated plan may be eligible for State and Federal financing; and

WHEREAS, completion of said update is in the best interests of Danbury and Bethel;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the respective parties and their successors hereby agree as follows:

1. Danbury agrees to serve as the contracting public agency for purposes of receiving and processing the State of Connecticut loan and grant for which the municipalities may be eligible in connection with said study.

2. Danbury shall keep Bethel informed of the progress of said loan and grant application and shall provide duplicate copies of the documentation with respect to said loan and grant application to Bethel.

3. Danbury shall act as the contracting agency for the purpose of contract negotiation and overall study supervision and shall perform all other acts which may be necessary, desirable or convenient for the completion of said Facilities Plan update. Danbury shall also perform all other acts required by the Connecticut Loan and Grant Agreement, should one be offered to the municipalities by the State of Connecticut.

4. The Danbury City Engineer shall be responsible for informing the Bethel Director of Public Works of the general progress of the study and shall agree to meet with the Bethel Director of Public Works regarding the study as conditions may warrant.

5. Danbury shall cause one or more invoices to be prepared relating to the work performed in updating said Facilities Plan, showing the total costs of the same, the amounts to be paid by the State of Connecticut by grant or loan, if available, and the amount constituting the "local" share. Bethel shall be liable for and shall pay to Danbury a portion of said local share equivalent to 12.0% thereof. Payment shall be made to Danbury within thirty (30) days of the receipt of said invoice or invoices.

6. Danbury agrees to make loan payments to the State of Connecticut in accordance with the terms of said grant and loan agreement if one is offered by the State of Connecticut and accepted by the City of Danbury. Bethel agrees to reimburse Danbury for 12.0% of the same within thirty (30) days of receipt of proof of payment to the State by Danbury. Bethel reserves the right to prepay to Danbury its share of the loan and, in such event, Bethel shall have no further rights or obligations with respect to the loan portion of said project unless the cost thereof either exceeds or is less than the present estimated cost of the same, in which event, the parties shall proceed in accordance with Paragraph 7 of this Agreement.

7. In the event that the cost of said project exceeds the present estimated cost of the same by twenty (20%) percent Danbury agrees to contact Bethel and obtain its approval prior to becoming obligated for said cost. In the event that the cost of said project either exceeds or is less than the present estimated cost thereof, Danbury shall either reimburse or be reimbursed by Bethel for Bethel's share of said increase or decrease, as the case may be. Said reimbursement shall be adjusted to account for and shall be completed after Danbury has either made payment to or received reimbursement from the State of Connecticut, as the case may be, in accordance with the provisions of a contract between the State of Connecticut and the City of Danbury, should one be executed.

8. Danbury, as the contracting agency, shall hold Bethel harmless for any claims arising out of Danbury's default pursuant to the contract concerning the update to the aforementioned Facilities Plan.

9. All claims, demands, disputes, differences, controversies and misunderstandings that may arise between Danbury and Bethel under this Agreement, shall be submitted to and determined and settled by arbitration according to the rules of the American Arbitration Association.

The Resolution and Agreement were adopted and approved by the Common Council on the Consent Calendar.

013 - RESOLUTION - Grant from the Administration on Aging of the U. S. Department of Health and Human Services.

WHEREAS, The Administration on Aging of the United States Department of Health and Human Services in accordance with Title III of the Older Americans Act through the Connecticut Department on Aging in accordance with Sections 17-137(c)(d) of the Connecticut General Statutes and through the Western Connecticut Area Agency on Aging, Inc. have made available funds to public agencies; and

WHEREAS, the Danbury Department of Elderly Services is the recipient of additional funds to be used for Interweave, the Danbury Adult Day Care Center location at 198 Main Street, Danbury, Connecticut, for the period 4/6/87 through 6/30/87, in order that essential programs for the elderly be continued; and

WHEREAS, funds have been approved by the Western Connecticut Area Agency on Aging, Inc. in the amount of \$1,450.00;

NOW, THEREFORE, BE IT RESOLVED THAT the past actions of the Danbury Department of Elderly Services in applying for said funds be and hereby are ratified, and that any and all additional acts by the Danbury Department of Elderly Services 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.

014 - RESOLUTION - Lift-equipped Van from the Department of Transportation.

WHEREAS, the State of Connecticut acting through its Department of Transportation has selected the City of Danbury as one of seven municipalities eligible to receive a lift-equipped van under the \$150,000 Aging Grant administered by said Department; and

WHEREAS, the City of Danbury acting through its Department of Elderly Services and its Commission on Aging wishes to accept said vehicle and thereby enhance transportation services provided to the elderly residents of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to accept title to said vehicle, execute an operating agreement with the State of Connecticut for the receipt and use of said vehicle and take any additional action necessary to accomplish the purpose hereof.

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

015 - RESOLUTION - Grant for the Acquired Immunodeficiency Syndrome (AIDS) Outreach Education and Risk Reduction Program.

WHEREAS, the State of Connecticut Department of Health Services through the Acquired Immunodeficiency Syndrome (AIDS) outreach education and risk reduction program has made grant funds available to full-time local health departments to be used for both residents and non-residents of the City of Danbury; and

WHEREAS, the City of Danbury, through the Danbury Health Department, has formulated an Acquired Immunodeficiency Syndrome (AIDS) outreach education and risk reduction program for the Danbury area; and

WHEREAS, a grant award of up to \$15,000.00 has been processed by the Danbury Health Department; and

WHEREAS, the State of Connecticut Department of Health Services has approved and funded the grant proposal;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health Department required to accomplish said program be and hereby are authorized.

BE IT FURTHER RESOLVED THAT to accomplish said program James E. Dyer, Mayor of the City of Danbury, is hereby authorized to make, execute, and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Health Services.

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

016 - ORDINANCE - Amendments to Section 13A-36 and 13A-40 of the Danbury Code of Ordinances.

THAT Section 13A-36 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Section 13A-36. Camping. Camping on the reservation is not permitted except upon issuance of a permit therefor from the Parks and Recreation Department as authorized in accordance with guidelines prepared by the Director of Parks and Recreation in consultation with the Parks and Recreation Commission and the Danbury Conservation Commission and approved by the Common Council. Except in unusual circumstances and upon the prior approval of the Mayor, permits shall be limited to no more than five days each. Permits shall be limited to only those organizations having as a primary purpose the conservation, promotion, and protection of natural or historical resources. Such groups shall include, without limitation, the Boy Scouts of America and the Girl Scouts of America.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

Section 13A-40 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Section 13A-40. Fires. Fires are prohibited throughout the reservation except upon the issuance of a permit therefor from the Parks and Recreation Department as authorized in accordance with guidelines prepared by the Director of Parks and Recreation in consultation with the Parks and Recreation Commission and the Danbury Conservation Commission and approved by the Common Council.

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

017 - ORDINANCE - Planned Parenthood - Request for Exemption.

THAT subsection (b) of Section 3A-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(b) Alarm system permits may be obtained by completion of a registration form provided by the department and payment of an initial permit and monitoring fee of seventy dollars (\$70.00). Permits shall expire on January 1 of every odd-numbered year unless renewed. Renewal permits shall be issued after payment of a one hundred twenty dollar (\$120.00) renewal permit and monitoring fee. It shall be the responsibility of each permit holder to notify the department in writing within ten (10) days of any change in registration information. Any organization which has been recognized as exempt from the payment of federal income taxes by the Internal Revenue Service shall not be subject to the permit and monitoring fee provisions hereof.

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

018 - COMMUNICATION - Resignation of Susan Thompson Mazzia as Republican Alternate on the Zoning Commission effective March 10, 1987.

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

Letter from Republican Town Committee Chairman Gary A. Kurpiewski recommending Lovie Bourne to fill the alternate vacancy on the Zoning Commission. Also, a letter from Albert S. Meade, Jr. asking to be considered for the alternate vacancy on said Commission.

Mr. Gallo stated that a letter had previously been received asking that the name of Vincent Scialabba be considered for the vacancy on the Zoning Commission. Mr. Gallo placed Mr. Scialabba's name in nomination. Seconded by Mr. Boynton.

Mrs. Johnson placed the name of Lovie Bourne in nomination. Seconded by Mr. Torian.

The following vote was recorded:

Mr. Scialabba - Council Members DeMille, Godfrey, Flanagan, Zotos, Rotello, Cassano, Gallo, Boynton, Butera, DaSilva, Eriquez, Farah.

Ms. Bourne - Council Members Johnson, Sollose, Philip, Hadley, McManus, Esposito, Charles, Smith Torian.

Vote - 12 Members for Mr. Scialabba, 9 Members for Ms. Bourne.

020 - COMMUNICATION - Downtown Parking Garage Request.

Letter from Mayor James E. Dyer requesting that a committee be established to recommend the transfer of City owned land to the Parking Authority to be used to erect a parking garage.

Mr. Gallo asked that this be referred to an ad hoc committee and the Planning Commission.

Mayor Dyer ordered it referred to the Planning Commission and a committee of Council Members Cassano, Flanagan and Eriquez.

020-A - COMMUNICATION - Downtown Council Request.

Letter from Wayne Amber, Chairman of the Special Services Committee of the Danbury Downtown Council setting for additional information needed for the proposed Ordinance on a Special Services District.

Council Member Gallo asked that this be deferred to a Public Hearing. Mayor Dyer so ordered.

Mr. Godfrey asked that the record show that he does not participate in matters pertaining to the Downtown Council.

021 - COMMUNICATION - Danbury Square Box Company, Inc. - John Allen, Parcel of land on Broad Street.

Letter from Attorney William Sullivan asking that a portion of land on Broad Street be deeded to the City for acceptance as a Town Road.

Mr. Gallo referred this to the City Engineer and the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

022 - COMMUNICATION and CERTIFICATION - Request for funds from the Planning Commission.

Letter from Planning Commission Chairman Joseph Walkovich requesting additional funds in the amount of \$2,500 in order to operate and perform their duties for the remainder of the fiscal year. Certification attached.

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

023 - COMMUNICATION - Department of Elderly Services - Grant from Western Area Agency for the Danbury Adult Day Care Center.

Refer to Item 013. Communication was accepted on the Consent Calendar by the Common Council.

024 - COMMUNICATION - Thomas and Kathleen Phillips - Acquisition of Parcel 1, Maple Avenue.

Letter from Attorney Alan Barry asking that Thomas and Kathleen Phillips be allowed to purchase a parcel of land on Maple Avenue from the City of Danbury.

Mr. Gallo asked that this be referred to the Planning Commission and an ad hoc committee.

Mayor Dyer ordered that this be referred to the Planning Commission and a committee consisting of Council Members DaSilva, DeMille and Butera.

025 - COMMUNICATION - Offer to the City to purchase the Viking Wire Building.

Proposal from Scalzo Realty concerning the Viking Wire Building and 30 acres adjoining the town landfill.

Mr. Gallo asked that this be referred to the Planning Commission and the Off-Site Space Committee. Mayor Dyer so ordered.

026 - REPORT and RESOLUTION - Report and Resolution on Drainage Problems on Brushy Hill Road.

Report from Basil J. Friscia, Director of Public Works stating that he had visited the site and that the remedy is to construct a catch basin at the low spot in the road and drain off into the empty lot on the east side of the road. Mr. Friscia requested the Corporation Counsel's Office to proceed with securing drainage easements for this project.

RESOLUTION

WHEREAS, the Common Council wishes to correct a drainage problem on Brushy Hill Road; and

WHEREAS, the purpose of said project obliges the City of Danbury to acquire an interest in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the property owners hereinafter named upon the amount, if any, to be paid for the 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 an interest in the real property set forth either by negotiation or by eminent domain through the institution of suit against Jacinto Furtado III and David Furtado, their successors and assigns and their respective mortgage holders and encumbrancers, if any. The affected property is 166 Brushy Hill Road and bears Tax Assessor's Lot Number J21030.

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

027 - COMMUNICATION - Condition of road on South King Street between Darrell Road and Franklin Street Ext.

Letter from Clarice Osiecki, 9 South King Street, Danbury outlining complaint about the wintertime conditions of South King Street between Darrell Road and Franklin Street Extension.

Council Member Sollose asked that this be referred to the Director of Public Works for a report back in thirty days. Mayor Dyer so ordered.

028 - COMMUNICATION - Request for Funds from the Danbury Music Center to participate in celebration of the 200th birthday of the Constitution.

Letter from Nancy F. Sudik, Executive Director of the Danbury Music Center asking for \$1,440 to cover the cost of transportation to the celebration in Philadelphia of the 200th birthday of the Constitution.

Mr. Boynton made a motion to accept the communication and transfer the funds pending certification from the Comptroller. Seconded by Mr. Godfrey. Motion carried unanimously.

029 - COMMUNICATION - Report from Public Works Director on renaming one of the two Cornell Roads in the City.

Letter from Basil J. Friscia advising that the Cornell Road at Wooster Heights be renamed Cornell Road South.

Mr. Gallo moved to accept the communication. Seconded by Mr. Charles. Motion carried unanimously.

030 - COMMUNICATION - Charter Revision Commission Report.

Report from Chairman of the Charter Revision Commission, Thomas Frizzell setting out recommended changes to the City Charter.

Mr. Gallo asked that this be referred to the Committee of the Whole. Mayor Dyer so ordered.

031 - COMMUNICATION and RESOLUTION - Danbury-Bethel Interlocal Sewer Agreement. WITHDRAWN

Letter from Assistant Corporation Counsel Eric Gottschalk, together with following resolution, amending confusion in bill procedures in 1978 agreement.

RESOLUTION

WHEREAS, the City of Danbury and the Town of Bethel entered into an Interlocal Sewer Agreement on the 24th day of October, 1978 whereby each municipality agreed to serve a group of customers residing within the jurisdiction of the other; and

WHEREAS, confusion in billing has prompted a proposal to amend Paragraph 11 of said Agreement; and

WHEREAS, said amendment is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT James E. Dyer, Mayor of the City of Danbury, be and hereby is authorized to execute the attached amendment to said contract and to take any additional action which may be necessary to accomplish the purposes hereof.

The above Communication and Resolution were withdrawn.

032 - COMMUNICATION - Water Problem on Old Ridgebury Road.

Letter from Michael P. Bracco, Sr., 83 Old Ridgebury Road, stating that since installation of a sewer line on Old Ridgebury Road there has been a drainage problem on Old Ridgebury Road.

Mr. Eriquez moved that this be referred to the Director of Public works for a report back in thirty days. Mayor Dyer so ordered.

033 - COMMUNICATION - Amendment to the 1986-88 Collective Bargaining Agreement between the Danbury Board of Education and NEA-Danbury.

Letter from Chairperson of the Board of Education Barbara Baker enclosing amendment to the 1986-88 collective bargaining agreement.

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

034 - COMMUNICATION - Recommendations for cleaning pond in Rogers Park.

Letter from Robert G. Ryerson, Director of Parks and Recreation, setting forth recommendations for cleaning pond in Rogers Park.

Mr. Gallo asked that this be referred to the Public Works Budget Committee. Mayor Dyer so ordered.

035 - COMMUNICATION - Fire Department - Special Services Account

Letter from Dominic Setaro, Comptroller, together with letter from Fire Chief Charles Monzillo requesting \$40,000 for the Fire Department Special Services Account. These monies will be covered by reimbursement from the Danbury Fair Mall and other contractors which hire the city.

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

036 - COMMUNICATION - Resolution regarding the Educational Enhancement Act.

Letter and following resolution regarding the Education Enhancement Act passed by the Board of Education.

RESOLUTION REGARDING EDUCATION ENHANCEMENT ACT

WHEREAS, the City of Danbury, the Danbury Board of Education and NEA/Danbury have mutually agreed to reopen negotiations under the Education Enhancement Act, and

WHEREAS, the Danbury Board of Education and NEA/Danbury have ratified an amendment to the current contract, and

WHEREAS, said amendment will be filed with the City of Danbury in accordance with the Connecticut General Statute Section 10-153d, and

WHEREAS, the City of Danbury is now eligible to receive funds as provided through the Education Enhancement Act,

BE IT RESOLVED THAT the Danbury Board of Education hereby requests the Common Council of the City of Danbury, in accordance with the understanding reached at the joint meeting of the Common Council and the Danbury Board of Education on December 18, 1986 to appropriate funds received under the Education Enhancement Act in 1986-1987 and 1987-1988 fiscal years for utilization as follows:

1. Implementation of the Amended 1986-1988 Agreement between the Danbury Board of Education and NEA/Danbury as follows:
 - a. 100% of the Section 2 (Minimum Salary Aid), and Section 3 (Salary Aid) to be expended to increase teacher salaries;
 - b. 50% of the Section 4 (General Aid) funds to be expended for increasing teacher salaries.

2. 25% of the Section 4 (General Aid) funds to be expended by the Danbury Board of Education for making one-time capital purchases.

3. 25% of the Section 4 (General Aid) funds to be expended by the City for capital improvements to the schools.

In the 1988-1989 fiscal year, 100% of the Section 4 (General Aid) funds will be available to the City of Danbury for discretionary appropriations.

BE IT FURTHER RESOLVED that the Danbury Board of Education hereby requests supplemental appropriations as outlined above be made by the Danbury Common Council under the provisions of Connecticut General Statute 10-222.

Mrs. McManus moved that the communication be approved with the following stipulation (Item #050):

"the City of Danbury will appropriate the money to the Board of Education's budget and the City's capital budget upon official notification from the State of Connecticut, either in the form of a letter of commitment indicating the total funds which we will receive or the actual monies which may be sent to us before we receive that notification. The Comptroller shall notify the Common Council when these monies are being appropriated to the Board of Education's budget for the fiscal years 1986-87 and 1987-88.

Seconded by Mr. Gallo and passed unanimously.

037 - COMMUNICATION and CERTIFICATION - Request for funds from the Environmental Impact Commission.

Letter from Chairman of the Environmental Impact Commission Mark Massoud, asking for the sum of \$2,990 to cover expenses of operation for the remainder of the fiscal year. Certification attached.

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

038 - COMMUNICATION - Request for water and sewer extensions at 20 Oakland Avenue.

A letter from Attorney Richard Nahley representing H. M. Zotos Realty Corporation requesting water and sewer extensions at 20 Oakland Avenue.

Mr. Gallo asked that this be referred to the Planning Commission and an ad hoc committee.

Mayor Dyer ordered this referred to the Planning Commission and a committee of Council Members Torian, Eriquez, DaSilva.

039 - COMMUNICATION - Acceptance of Claremont Terrace as a City Road.

Letter from Attorney Richard A. Smith, representing Timothy P. Dennehy and Anthony P. DiMauro, Jr., requesting that Claremont Terrace be approved as a City road.

Mr. Sollose referred this to the City Engineer and Planning Commission for a report back in thirty days. Mayor Dyer so ordered.

040 - COMMUNICATION - Offer of space to City on Deer Hill Avenue.

Letter from Morey Agency offering office space in a building to be built at 154 Deer Hill Avenue to the City for municipal offices.

Mrs. Butera asked that this be referred to the Off-Site Space Committee and the Planning Commission. Mayor Dyer so ordered.

041 - COMMUNICATION - Request from the Youth Commission for financial support for a Youth Employment Service.

Letter from John Mahoney, Chairman of the Youth Commission requesting financial support to cover expenses of rent, telephone and office supplies of a Youth Employment Service.

Mr. Philip asked that this be referred to an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members DaSilva, Eriquez and Charles.

042 - COMMUNICATION - Report from Director of Public Works on claim of Joseph Braun.

Letter from Basil J. Friscia, Director of Public Works stating that he had investigated the claim against Joseph Braun and found the charges to be unsubstantiated.

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

043 - COMMUNICATION - Recreation and Cultural Bond Issue.

Letter from Comptroller Dominic Setaro asking that the amount of \$200,000 allowed for expenditures within the bond issue, be raised to \$500,000.

Mr. Boynton made a motion to accept the communication and allow the raise in amount. Seconded by Mr. Philip. Motion carried.

044 - COMMUNICATION - Sementilli and Fogarty - Drainage Problems on Spruce Mountain Road.

Letter from Attorney Ward J. Mazzucco on behalf of Mr. and Mrs. Bruce Sementilli and Claudette Fogarty who have experienced drainage problems as the result of water flowing under Spruce Mountain Road.

Mr. Gallo asked that this be referred to the Director of Public Works for a report back in thirty days. Mayor Dyer so ordered.

045 - COMMUNICATION - "Boot" Ordinance Proposed by the Parking Authority Board.

Letter from Charles Bardo, Executive Director of the Parking Authority asking for the implementation of a "Boot" ordinance for parking downtown.

Mr. Philip asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Hadley, Godfrey and Torian.

046 - COMMUNICATION - Donation of Police Canine Lars.

Letter from Chief of Police Nelson Macedo asking that the Department be allowed to accept the donation of police canine Lars due to the retirement of canine Buzz.

Mr. Boynton made a motion to accept the communication. Seconded by Mr. Charles. Motion carried unanimously.

047 - COMMUNICATION - Donation of Police Canine Quinn.

Letter from Chief of Police Nelson Macedo asking that the Department be allowed to accept the donation of police canine Quinn due to the retirement of canine Ricochet.

Mr. Boynton made a motion to accept the communication. Seconded by Mr. Charles. Motion carried unanimously.

048 - COMMUNICATION - Gorham Fund.

Letter from Comptroller Dominic Setaro asking that a resolution be approved so that stock in the Gorham Fund can be sold since the value of the stock is now substantial.

Mr. Boynton made a motion that the communication be accepted; that the stocks be sold and the money placed in the general fund. Seconded by Mr. Charles.

Mr. Philip asked Mr. Gottschalk and Mr. Setaro what research was done and wasn't it unique for a donation to be made to the City without stipulations. Mr. Setaro stated that it was indeed unique. Mr. Gottschalk stated that they had search Probate Records since the inception of the Probate Court, had check files in the Corporation Counsel's Office and other records and could find no stipulations. Therefore, it is their opinion that the money should go into the general fund.

Motion carried unanimously.

049 - COMMUNICATION - Reconsideration of Item #055 on March Agenda.

Petition from Council Members Sollose, Smith, DeMille, Johnson, Rotello, and Philip asking for the reconsideration of Item 055 on the March agenda since the Common Council inadvertently surrendered its responsibility in weighing the individual property owner's rights versus the needs of the community.

Mr. Eriquez asked that this be referred to committee. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Gallo and Torian.

050 - COMMUNICATION - Educational Enhancement Act.

Letter from Comptroller Dominic Setaro regarding the Educational Enhancement Act. This communication was combined with item 036 and accepted on the Consent Calendar.

051 - COMMUNICATION - Suspense List - Tax Collector.

Letter from Tax Collector Catherine Skurat with a detailed list of names and amounts of uncollectible City taxes.

Mr. Gallo asked that this be referred to an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members Charles, Zotos, Rotello.

052 - COMMUNICATION - Drainage Problem - Stadley Rough Road.

Letter from Mrs. Myrtle L. Morgan, 231 Stadley Rough Road stating the due to many new homes being built in that area, water is undermining her driveway, lawns and basements.

Mr. Gallo asked that this be referred to the Director of Public Works for a report back in thirty days. Mayor Dyer so ordered.

053 - COMMUNICATION - Long Ridge Area Historic Study Committee.

Letter from Council Member Gene Eriquez asking that the citizens committee established in 1985 to study the possibility of designating a local historic district within the Long Ridge area of the City.

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

054 - DEPARTMENT REPORTS

Airport Administrator
High Blood Pressure Screening
Program
Department of Public Works
Police Department

Housing Code Enforcement
Inspector
Sanitarian/Public Health
Inspector
Coordinator of Environmental
and Occupational Health Ser-
vices

A motion was made by Mr. DaSilva and seconded by Mr. Hadley to dispense with the reading of the 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.

055 - REPORT AND ORDINANCE - Updating Public Works Ordinances.

The following report was submitted by Mr. Esposito, together with a proposed Ordinance:

The Common Council Committee appointed to review the request to update ordinances pertaining to Public Works met on March 26, 1987 at 8:00 P.M. in City Hall. Committee Members present were Council Members Esposito, Sollose and Butera. Also attending were Director of Public Works B. J. Friscia, Superintendent of Highways Dan Minahan.

The following sections of the City Ordinances were discussed pertaining to Public Works: Section 17-25; Section 17-29; Section 17-61; Section 17-66 and Section 17-79.

It is in the opinion of the Director of Public Works that the proposed changes would update and streamline the ordinances and will benefit our department and the City of Danbury. The proposed changes were presented and read in Ordinance form presented by Laszlo Pinter, Assistant Corporation Counsel.

A motion to accept the proposed Ordinance changes and refer to Public Hearing was made by Janet Butera, seconded by Don Sollose. Motion carried. Meeting adjourned at 8:40 P.M.

Mr. Boynton made a motion to accept the report and defer the Ordinance to a Public Hearing. Seconded by Mr. Gallo. Mayor Dyer so ordered.

056 - REPORT AND ORDINANCE - Noise and Hearing Damage.

Mr. Hadley submitted the following report, together with a proposed Ordinance:

The Common Council Committee appointed to review the Noise and Hearing Damage met on March 19, 1987 at 7:30 P.M. in City Hall. In attendance were Committee Members Hadley and Cassano. Mr. Boynton was out of town. Also attending was Attorney Tom Beecher representing Automated Waste Disposal, Inc.

Mr. Hadley reviewed the long history of the committee and the general purposes of the Ordinance as being primarily educational and not punitive. The meeting was then turned over to Attorney Beecher who spoke on garbage collection hours, the need for collectors to get in and out during off-peak hours, parking problems and difficulty in getting to dumpsters and restaurant closing hours.

After further discussion of whether or not to include specific collection hours under the Prohibition and Exemption Categories (one being too restrictive, the other implying too much freedom), Mr. Cassano made a motion to drop from the proposed Ordinance the prohibition (item h, page 4) and the exemption (item 5, page 6) and to handle any disturbance as nuisance noise. Seconded by Mr. Hadley and passed.

Mr. Cassano then made a motion to present the Ordinance to the Council at its next meeting. Seconded by Mr. Hadley and passed. Meeting adjourned at 7:50 P.M.

Mr. Gallo made a motion to accept the report and defer the Ordinance to Public Hearing. Seconded by Mr. Godfrey.

Mr. Boynton, who served on this committee, noted that he was out of town when this report was finalized but had made his position clear. Mr. Boynton felt specific times should be noted in the Ordinance during which garbage pickups would be allowed, For instance they should not be able to start in residential neighborhoods before 6:30 a.m. and must cease at 10:30 p.m. on weekdays. On weekends, they should not be able to start until 8:30 a.m. and end at 10:30 p.m.

The motion carried with all members voting in the affirmative, except Mr. Boynton who voted in the negative.

057 - REPORT - Youth Employment Services.

Mrs. Johnson submitted a report stating that the committee appointed to review a request for Youth Employment Services met on March 9, 1987 at 7:55 P.M. in City Hall. In attendance were Committee Members Johnson and Farah. Also in attendance were Bobbie Feinson and Loren Abbe. A proposal was presented for review. Further study was recommended by Mr. Farah.

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

058 - REPORT - Offer to sell land on Hayestown Road and East Hayestown Road to the City.

Mr. Cassano submitted the following report:

The committee appointed to review the offer to sell land on Hayestown and East Hayestown Roads to the City (Agenda Item 012 of the November 1986 meeting) met for the second time on March 17, 1987 at 6:30 P.M. in Room 432 in City Hall. In attendance were Committee Members Anthony Cassano, Louis Charles and Joseph DaSilva. Also present was City Engineer Jack Schweitzer.

Mr. Schweitzer presented the results of his preliminary study of the offered land as a possible parking area for Hatters Park. The land has a 40 foot front yard setback which restricts the allowable number of parking spaces. About 110 parking spaces could be established on the two properties; about 70 on 17 East Hayestown Road and 40 on 29 Hayestown Road. Mr. Schweitzer estimates (very preliminary) that construction costs (stripping, grading, paving, etc.) would be about \$100,000. The two parcels of land have been offered to the City for \$805,000.

Mr. DaSilva moved that the committee recommend to the Common Council that the offer of the land be rejected without prejudice. Although the necessity for additional parking at Hatters Park is evident, the committee concludes that the price of the land does not make this approach cost effective. Mr. Charles seconded the motion and there was unanimous approval.

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

Mr. Cassano submitted the following report:

The committee appointed to review the request to buy a strip of land (continuation of Glendale Drive) met on March 17, 1987 at 7:15 P.M. in Room 432 in City Hall. In attendance were Committee Members Anthony Cassano, Janet Butera and John DeMille. Also present were Director of Public Works Basil Friscia and City Engineer Jack Schweitzer.

The committee reviewed the history of the strip of land and the positive recommendation of the Planning Commission (letter of February 24, 1987). Messrs. Friscia and Schweitzer presented maps and information relative to the property. Original subdivision maps (approved in 1971) show the land completing a loop that would connect Glendale Drive to Stadley Rough Road. However, in September 1971 the parcel of land (about 50 feet wide and 300 feet long) was deeded to the City by Joseph J. Gillotti. In October 1975 the remainder of the original road (Glendale Drive) was deeded to the City following acceptance of the road. The additional parcel was specifically excluded from the acceptance. The parcel is steep (16 percent grade) and extensive grading would be needed to make it a part of Glendale Drive. Mr. Schweitzer estimates that the cost of this work would be about \$40,000.

The committee considered the question of City use of the land. Mr. Friscia stated that there are no present uses planned for the land but the land could be used to extend Glendale Drive to facilitate road maintenance and plowing - and once the land is gone, it's gone.

Mrs. Butera moved that the committee recommend to the Common Council that the petition be denied on the basis that the City may have need of this land sometime in the future to construct a continuation of Glendale Drive to Stadley Rough Road. Mr. DeMille seconded the motion and there was unanimous approval.

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

060 - REPORT - Combining of Engine 23 and 7.

Mr. Esposito submitted the following report:

The Common Council committee appointed to study the request of the Danbury Fire Department to combine the paid Engines of Company No. 23 and Volunteer Company No. 7, met on March 10, 1987 at 7:30 P.M. in City Hall.

Committee members present were Esposito, Gallo, McManus, DeMille. Councilman Philip was absent. Also attending the committee meeting were Deputy Chief Murphy of the Danbury Fire Department, Comptroller Dominic Setaro, President of the Volunteer Fire Dept: Don Colla; and Captain Russ Ferry along with ten other members of the Volunteer Company No. 7.

Chief Murphy stated that it is the consensus of the Department that Engine 23 and Volunteer No. 7 should be housed in one new unit at the old Engine 23 Station on Osborne Street. Engine 23 needs extensive repairs and needs an addition to its present building. Co. No. 7 building is also in need of repairs and in need of a larger truck bay for its anticipated purchase of a new Lighting Unit.

Don Colla spoke for Engine 7, stating that the Volunteer Company was in favor of the merger and the sale of the property at Locust Avenue, to help defray the cost of the new station.

Councilman Gallo questioned if the proper financing is available. Comptroller D. Setaro stated that the Bond money for the addition was used for equipment. The infrastructure money would require 15% local. There is \$145,000 left.

A motion was made by Councilwoman C. McManus and seconded by Councilman B. Gallo to recommend that the Comptroller be authorized to use the funds in the Land Acquisition Account to obtain an appraisal or appraisals for the Locust Avenue Engine #7 property and that the Fire Department be requested to hire an architect without delay so that the Common Council can be informed of the cost for the new building. All members voted in favor of the motion.

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

061 - REPORT - Request for extension of sewers at 20 Boulevard Drive.

Mr. Hadley submitted the following report:

The committee appointed to review the request of Thelma Brussel for a sewer extension to 20 Boulevard Drive met at 7:30 P.M. on March 23, 1987 at City Hall. Committee Members Hadley, Zotos and Flanagan were present. William Buckley, Superintendent of Public Utilities and Nelson Podhauser were also present.

The committee reviewed the petition and the positive recommendation of the Planning Commission (letter of January 22, 1987). The sewer would service a single family home with three bedroom units on lot #15.

Mr. Buckley stated that the petition is within a planned service area of the City and that it is not an unusual petition and recommends that it be subject to the usual sewer/water stipulations.

Mr. Zotos moved that the committee recommend that the Common Council approve the petition subject to the eight stipulations listed below. Mr. Hadley seconded the motion. Mr. Flanagan then made a motion to add a ninth step which would allow only a single family hook-up to the sewer from adjacent lot #14. Seconded by Mr. Zotos. Both the amendment and the motion passed.

1. The petitioner shall bear all costs relative to the installation of said sewer.

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.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

9. Only a single family hook-up to the sewer will be allowed from adjacent lot number 14.

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

062 - REPORT - Maple Avenue Extension Property.

Mrs. McManus submitted the following report:

The Common Council Committee charged to consider the request from John Ashkar that he be allowed to purchase city property on Maple Avenue Extension met on March 19, 1987 at 7:30 P.M. Present at the meeting were committee members Bernard Gallo, Stephen Flanagan and Constance McManus, as well as City Engineer Jack Schweitzer.

Mr. Schweitzer provided the committee with copies of a communication from C. E. McGuire, the firm which designed the Maple/Balmforth Road Project. The letter (see attached) recommends that no curb cuts be made at this section of Maple Avenue. Mr. Schweitzer agreed that the creation of an entrance/exit on Maple Avenue to Mr. Ashkar's property would create problems with the traffic flow.

The committee waited until 7:45 P.M. for Mr. Ashkar or his attorney, Joseph Saffi in order to allow the applicant his input. At 7:45 Mr. Gallo moved to recommend that the Common Council deny the request to purchase city property. Mr. Flanagan seconded the motion which carried unanimously.

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

063 - REPORT - Request of IMS Group for lease at Tarrywile Park

Mr. Hadley submitted a report stating that the committee appointed to review the proposal by Stephen Daum for a long-term

lease for an annual fair at Tarrywile Park has been informed that Stephen Daum has had an initial meeting with Messrs. Setaro and Ryerson concerning the suitability of the Park for a fair and the financial soundness of the offer. Further information is to be submitted by Mr. Daum before Messrs. Setaro and Ryerson notify the committee of their findings.

Mr. Gallo moved to accept the report. Seconded by Mr. Philip. The vote being recorded as follows:

Members voting in the affirmative: Johnson, Sollose, DeMille, Philip, Zotos, Hadley, Rotello, Cassano, McManus, Gallo, Charles, Farah, Torian.

Members voting in the negative: Godfrey, Flanagan, Esposito, Boynton, Butera, DaSilva, Eriquez, Smith.

Thirteen Members voting in the Affirmative and Eight Members voting in the Negative.

064 - REPORT - Request for Teen Center.

Mr. Philip submitted the following report:

The committee appointed to review the request to establish a Teen Center in Danbury met at 7:00 P.M. in City Hall. In attendance were Council Members Hadley, Sollose, Philip and Smith. John Mahoney, Chairman of the Youth Commission, also attended.

On January 20, 1987 the committee met and recommended that the Danbury Youth Commission review the request for a Teen Center and report back to the committee. Mr. Mahoney reported the following:

Mr. Mahoney contacted Jill Sperazza who confirmed she wanted to see Danbury establish a place where kids could safely congregate, dance and talk away from drugs and alcohol. Mr. Mahoney confirmed that the idea for a Teen Center has been considered many times in the past. He quoted from a 1984 United Way survey of the need for such centers throughout the region. Mr. Mahoney and members of the Commission will be visiting teen centers in New Canaan, New Milford and Darien to learn what they are doing and how successful they are.

A discussion followed which confirmed interest and support for the idea of a Teen Center in Danbury. Most likely, more than one to better serve different geographical locations. Teen Centers will be developed only if there is a strong, reliable organization of adults willing to establish, participate and maintain a teen center program.

The committee recommended that the Youth Commission continue to review the community interest for a teen center program. After reviewing existing operations they will sponsor a public meeting, review their findings and see if an organization can be developed from the people attending. The committee confirmed that it would offer additional support for this program as requested from the Danbury Youth Commission.

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

Mr. Philip submitted the following report:

The Common Council Committee appointed to study a request to purchase a City-owned parcel on Concord Road met at 6:30 P.M. on March 31, 1987. On March 16th we determined we had to confirm who owned the property before we could make any decision. In attendance were Committee Members Philip, DaSilva and Smith.

On March 31, 1987 the committee reviewed a communication from Tax Collector Catherine Skurat which showed that the property in question was taken by the City on May 21, 1985. A letter from City Engineer Jack Schweitzer stated that if the property is sold, a fifteen foot easement for a sanitary sewer be retained.

Mr. DaSilva moved to offer the parcel of property on 9 Concord Road for sale to the petitioner, Anthony DaCunha, with the stipulation that a fifteen foot sanitary sewer easement, as prescribed by the City Engineer, be granted. The City Assessor will establish the selling price of the property. Mr. Smith seconded the motion. Motion passed unanimously.

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

066 - REPORT - Sunset Review Committee

Mr. Philip submitted the following report:

The committee appointed to review and evaluate government entities, The Sunset Review Committee, met on March 16, 1987 in Room 432 in City Hall at 8:00 P.M. to examine the Stanley Lasker Richter Memorial Park Authority and the Personnel Appeals Board.

This committee is established by the Danbury Code of Ordinances Section 2-175. In attendance were Committee Members Eriquez, Flanagan and Philip and Public Member Carole Torcaso.

A report was requested and received from the Stanley L. Richter Memorial Park Authority. The well documented, well prepared, thoughtful report was discussed. Councilman Flanagan made a motion to continue the Richter Park Authority in view of the successful operation and outstanding service to the community. Seconded by Mr. Eriquez and passed unanimously.

There are no members of the Personnel Appeals Board. Establishment of a personnel department has eliminated the need for the Board. The Board is not required by State statute. A motion was made by Mr. Flanagan to terminate the Personnel Appeals Board. Seconded by Mrs. Torcaso. The vote was unanimous.

The committee then unanimously approved that the following actions be taken:

1. All remaining Commissions in Section 2-176 have their review dates moved up five (5) years. This will continue the existence of the Sunset Review Committee.
2. The Ordinances be amended to allow the addition of "new" Commissions to the review and evaluation process.
3. With approval of item 2 above, that the Commission on the Handicapped be added to section 2-176.

Mrs. McManus made a motion to accept the report and refer the recommendations to the Corporation Counsel to draft an Ordinance. Seconded by Mr. Godfrey and passed unanimously.

Mr. Eriquez submitted the following report:

The Ad Hoc Committee appointed to review the request from Mr. Harold Bilodeau for a water extension at 97 and 99 Hospital Avenue met on Tuesday, March 31, 1987 in the Fourth Floor Lobby in City Hall. Committee Members Gene Eriquez and Edward Torian were present. City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and the applicant were also in attendance.

Mr. Buckley informed the committee that the application for extension was in order. He noted that he would require engineered plans from Mr. Bilodeau that would include the completion of the loop of the water line (approximately 400 feet) with an 8 inch pipe from the existing end point on Hospital Avenue to the connecting point on First Street.

After discussion and careful review, it was moved to recommend approval of the extension upon satisfactory completion of the requirements noted by the City Engineer and Superintendent of Public Utilities subject to the eight conditions necessary for acceptance of such an extension:

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.
 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 approval shall expire eighteen (18) months following the date of Common Council action.

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

Mr. Eriquez submitted the following report:

The Ad Hoc Committee appointed to consider the request of Waldir Freitas for a sewer extension at 20 Virginia Avenue met on Tuesday, March 31, 1987 in the Fourth Floor Lobby in City Hall. In attendance were Committee Members Eriquez and Torian, City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Mr. Freitas and Mr. David Ryan.

Mr. Buckley reported that the system has the capacity to accept sewerage if this extension is approved. He indicated it would be necessary to extend the line along Virginia Avenue (approximately 250 feet) toward Third Street for the possible placement of a manhole at the Virginia Avenue/Third Street intersection.

It was recommended to approve the request contingent upon the eight conditions listed below being satisfactorily completed and approved by the City Engineer and the Superintendent of Public Utilities:

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.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

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

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the request to purchase land on Princeton Lane met on April 1, 1987 at 7:00 P.M. in City Hall. In attendance were Committee Members Hadley and Zotos. Mr. Boynton was in the hospital. Also attending were Kim and Gary Webb, Assistant Corporation Counsel Les Pinter and Vincent Kroha.

After a presentation of the request to purchase a 50 x 30 plot on Princeton Lane, Mr. Hadley read a negative recommendation regarding the request from the Planning Commission.

After a discussion by Attorney Pinter concerning the original subdivision proposal and the fact that the anticipated completion of the road was not completed, Mr. Zotos made a motion to deny the application without prejudice and requested that the petitioners reapply to the Planning Commission for reconsideration. Seconded by Mr. Hadley and passed.

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

070 - REPORT - Request for easement on Bank Street.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the request for an easement at 9 Bank Street met on April 1, 1987 at 7:30 P.M. in City Hall. In attendance were Committee Members Hadley and Charles. Mr. Boynton was in the hospital. Also attending were Attorney Gary Bachyrycz (representing Dr. Gurski), Laura DeFrancesco (Public Library) and Attorney Les Pinter.

Attorney Bachyrycz reviewed Dr. Gurski's purchase of the property from Francis McCarthy in 1985 with an assumed easement. The property is being restored and will enhance the area.

Miss DeFrancesco spoke in favor of the easement as long as the right of way to the Library will never be blocked, fire lane, etc.

After further discussion of the issue and the need for tenant parking behind 9 Bank Street, Mr. Charles made a motion granting Dr. Gurski a right of way to gain access to parking behind 9 Bank Street while prohibiting any parking or obstruction within the easement area and additionally requiring a new survey of the area by the petitioner. Seconded by Mr. Hadley and passed.

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

071 - COMMUNICATION - Municipal Liability Trust Fund Grant.

Letter from Comptroller Dominic Setaro outlining an application for funds which have been requested by the Health Department under the Municipal Liability Trust Fund Grant Program.

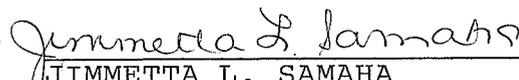
The Communication was accepted by the Common Council on the Consent Calendar.

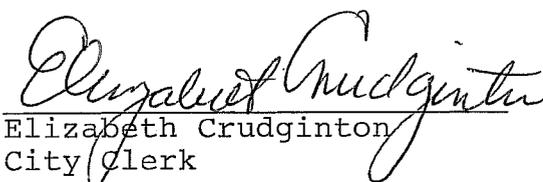
The Mayor extended all ad hoc committees who have not completed their work.

There were no members of the public wishing to address the Common Council.

There being no further business to come before the Common Council a motion was made by Councilman Robert Godfrey to adjourn at 8:54 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST: 
Elizabeth Crudginton
City Clerk