

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

Re: Minutes of the Common Council Meeting held May 5, 1987.

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

The Prayer was offered by Councilman John J. Esposito.

Roll Call was taken by City Clerk Elizabeth Crudginton, 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 extended condolences on behalf of the City and the Common Council to Corporation Counsel Theodore Goldstein on the recent death of his brother.

On May 25th the Danbury Veterans Council will sponsor the annual Memorial Day Parade. Members of the Common Council are invited to participate.

On May 7th Great Plain School will present the Wizard of Oz.

On May 8th the ROTC will hold its 21st annual awards banquet.

During this past weekend the New Hope Baptist Church held a mortgage burning .

On May 9th, City Clerk Elizabeth Crudginton's daughter will be married.

On May 9th the Danbury Downtown Council will honor outstanding mothers.

On May 15th the Exchange Club will celebrate its 40th anniversary.

On May 16th the Danbury Animal Welfare will hold its annual dinner.

On May 17th the Greek Church will hold a dedication ceremony.

On May 16th Danbury High School will hold its Junior Prom and on May 22 it will hold its Senior Ball.

The Mayor thanked his many friends and supporters for their kind offers of help during his parents recent illness.

The Mayor extended birthday greetings to the following:

May 3rd - Assistant Corporation Counsel Eric Gottschalk
May 14th - Mrs. Mary Dyer
May 21st - Peter Winter
May 25rd - Council President Constance McManus
May 23rd - Sarah Rothkoph
May 28th - Council Member Donald Sollose

The Mayor extended anniversary congratulations to Elizabeth and Don Crudginton on May 4th and Connie and Jim McManus on May 23rd.

The Mayor extended Mother's Day greetings to all mothers in the City of Danbury in honor of Mothers Day on May 10th.

On May 30th the Tarrywile Park Showhouse will be opened.

CONSENT CALENDAR

Council Member Gallo submitted the following items for the consent calendar:

- 04 - Resolution - Agreement between Danbury Airport Traffic Control Tower and the City of Danbury.
- 05 - Resolution - Colonial Acres, Colonial Drive and Pilgrim Drive Road Improvement Project.
- 06 - Resolution - Sexual Disease Prevention Program.
- 08 - Resolution - Grant for AIDS Counseling and HTLV-III Testing.
- 026 - Communication - Request for Funds - Police Department Special Services Account.
- 027 - Communication - Reports from Planning Commission and the City Engineer on Offer of Easement to the City from Candlewood Valley Bus Line.
- 028 - Communication & Certification - Request for funds from the Zoning Board of Appeals.
- 033 - Communication - Report from Director of Public Works on Drainage Problem on Stadley Rough Road.
- 036 - Communication - Report from Director of Public Works on Water Problems on Old Ridgebury Road.
- 044 - Report - Reconsideration of Item #055 from the March Agenda (Post Office Street Ordinance).
- 045 - Report - Request for water extension on Breezy Hill - Terrace Heights.
- 047 - Progress Report - Request for sewer and water extensions - Tamarack Avenue.
- 048 - Progress Report - Sears Building, 129 Main Street.
- 049 - Progress Report - Proposed "Boot" Ordinance.

A Motion to made by Mr. Charles and seconded by Mr. Boynton that the Consent Calendar be adopted as presented. Motion carried un-animously.

MINUTES - Minutes of the Common Council Meeting held April 7, 1988

A Motion was made by Mr. DaSilva and seconded by Mr. Eriquez 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 - ORDINANCE - An Ordinance making appropriations for the Fiscal Year beginning July 1, 1987 and ending June 30, 1988.

A motion was made by Council Member Boynton and seconded by Council Member Gallo for the Ordinance to be adopted.

COMMON COUNCIL BUDGET COMMITTEE REPORTS

EDUCATION BUDGET: Council Member Farah submitted the following report:

The Education Budget Committee met four times with representatives of the Board of Education and the Schools Administration. The Committee examined each account in the proposed education budget with the following criteria in mind: present needs, future needs and the current status of the account.

The Committee recommends that the School Budget for 1987-88 be set at \$42,252,124. This amount represents a 9.15% increase over the current fiscal year's school budget of \$38,711,037. The Committee's recommended figure is identical to the Mayor's recommendation. Moreover, the Committee recommends that the capital budget be amended in order to accommodate badly needed repairs. This recommendation is based on the fact that some of the physical facilities in our schools have been in disrepair for sometime and that their condition will further deteriorate if no action is taken soon.

Therefore, it is moved to amend the capital budget by adding lines:

- 880008 - Replacement Windows at the Alternative Center \$ 50,000
- 880009 - Replace Gym Bleachers at the High School 50,000
- 880010 - Replace Exterior Doors - Park Avenue, Roberts Avenue and High School 50,000
- 880011 - Repair Sidewalks and Curbs - Broadview Jr. High 15,000

An affirmative vote by the Council will constitute another step forward by the City of Danbury to reach for excellence in education.

A motion was made and seconded to approve all amendments as presented. Motion carried unanimously.

PUBLIC WORKS BUDGET: Council Member Esposito submitted the following report:

The Common Council Public Works Committee appointed to review the 1987-88 Budget included the following departments also: Public Works Department, Highway Department, Sewage Treatment, Water Department, Cultural Commission, Richter Park Authority, Tree Department, Parks & Recreation, Engineering Department, Veterans Graves and the Capital Program.

The committee met on April 13, 1987. Members present were Chairman John Esposito, John DeMille, Stephen Flanagan, Louis Rotello and Beverly Johnson. Comptroller Dominic Setaro also attended the meeting as well as representatives from the various departments. Minutes of meetings are on file in the Office of the City Clerk. Mr. Setaro recommended that the committee save final action on the Capital Budget until the other committees have met.

Budgets discussed at this meeting were Cultural Commission, Richter Park, Tree Warden/City Forester, Veterans Graves, Parks & Recreation, Engineering Department, Public Works, Highway Department, Equipment Maintenance, Capital Program.

Mr. Setaro, in response to discussions and questions from committee members explained various line items, including funds for the Capital Program.

The next meeting was held on April 20, 1987. Members Present were Esposito, Flanagan, DeMille and Johnson. Mr. Rotello was absent.

Budgets discussed at this meeting were Sewage Treatment and Water Department. In response to questions from committee members, William Buckley, Basil Friscia and Robert Ogden were available and present at the meeting.

During the two committee meetings, all budgets were discussed in detail.

Following committee deliberations a motion was made by Council Member Beverly Johnson and seconded by Council Member John DeMille to accept the Mayor's Budget as submitted entitled "Public Works Budget" and all Department Budgets assigned to the Public Works Committee listed in this report.

Council Member Flanagan made a motion, seconded by Council Member Johnson to amend the motion by adding a line item:

- 880008 - a Capital Project labeled "Rogers Park Pond Improvement" \$25,000

The amendment was carried unanimously. The original motion to accept the Mayor's Budget as submitted was passed unanimously with the amended motion included.

A motion was made by Council Member Eriguez and seconded to accept the report and approve the amendment. Motion carried unanimously.

GENERAL GOVERNMENT BUDGET: Council Member Torian submitted the following report:

The General Government Budget Committee met twice during the month of April, 1987 in preparation for submitting recommendations on the various items of the 1987-88 Budget for the City of Danbury.

The committee began its deliberations with an overview of the General Government portion of the budget conducted by City Comptroller Dominic Setaro. This was followed by another meeting where various Department Heads were invited to discuss their budget requests and the Mayor's proposed appropriations.

On April 8, 1987 the committee concluded its deliberations with the following recommendations:

Salary Increases for Elected Officials:

The committee recommends a 6% salary increase per year for the next two (2) fiscal years for the elected officials to become effective on November 16, 1987 and July 1, 1988.

		<u>Line Item Changes</u>			
<u>01-110</u>	<u>MAYOR'S OFFICE</u>	<u>FROM</u>	<u>TO</u>	<u>CHANGE</u>	<u>EFFECT</u>
010100	Mayor's Salary	\$50,000	\$53,000	\$1,847.00	11-16-8
	Effective 7-1-88	\$56,180.			
<u>01-111</u>	<u>CITY CLERK'S OFFICE</u>				
010100	C. Clerk's Salary	27,000.	28,620.	997.	11-16-8
	Effective 7-1-88	30,338.			
<u>01-140</u>	<u>CITY TREASURER</u>				
01011	Treasurer's Salary	17,000	18,020	628.	11-16-8
	Effective 7-1-88	19,101.			
<u>01-161</u>	<u>TOWN CLERK'S OFFICE</u>				
010100	Town Clerk's Salary	33,000	34,980.	1,219.	11-16-8
	Effective 7-1-88	37,079.			

The total net change is an increase of \$4,691 to the 1987-88 Budget for the City of Danbury.

Mayor Dyer noted that these salary increases will take effect after the next municipal election and does not affect the current office holders

Motion was made and seconded to accept the report and approve the amendments. Motion carried unanimously.

PUBLIC SAFETY BUDGET: Council Member Hadley submitted the following report:

The Common Council Committee appointed to review the Mayor's proposed Public Safety Budget met at City Hall on April 14, 1987, April 20, 1987 and April 29, 1987. The following budgets were accepted as presented Police Department, Dog Fund, Building Department, Weights and Measures and Department of Civil Preparedness.

The Fire Department Budget was accepted as presented with two changes:

PUBLIC SAFETY BUDGET (continued):

<u>LINE ITEM</u>	<u>MAYOR'S BUDGET</u>	<u>COMMITTEE RECOMMENDATION</u>
024501 - Leased Equipment	12,500.	19,000.
071500 Cont. & Tr Other Town Funds	308,159.	335,950

Each Volunteer Fire Company increases 15% over 1986-87 budget with \$17,500 for fireworks.

The committee wishes to thank the following people for their contributions to the Budget deliberations: Police Chief Macedo, Lt. Sullo, Fire Chief Monzillo, Deputy Chief Murphy, Betty Ingraham, Fred Visconti, Marge Weiss, Richard Tomanio, Felix Tomanio, Michael Esposito, Leo Null, Wilbur Conlea and Charles Farrar.

Any further changes as a result of the investigations of committee members will be handled "from the floor" if necessary, when the budget is presented.

A motion was made and seconded to approve the amendment to line item 024501. The motion carried with all members voting in the affirmative except for Mr. Boynton who voted in the negative.

A motion was made and seconded to approve the amendment to line item 071500. The motion carried with all members voting in the affirmative except Mr. Flanagan who voted in the negative.

HEALTH, HOUSING and SOCIAL SERVICES BUDGET: Mr. Cassano presented the following report:

The committee held meetings to review the 1987-88 budget with selected department heads and organization representatives. The committee reviewed the following fiscal accounts:

04-101	Health and Housing Department
05-100	Welfare Department
05-160	Veterans Advisory Center
05-166	Danbury Youth Commission
05-167	Commission on Aging
05-174	Elderly Transportation
20-000	Grants

The committee recommends that the Common Council approve the following changes to the Mayor's proposed budget:

<u>LINE</u>	<u>TITLE</u>	<u>MAYOR'S PROPOSAL</u>	<u>COMMITTEE RECOMMENDATION</u>
072923	Literacy Vol.	\$ 3,000	\$ 4,000
072926	Reg. Hospice	30,000	40,000
072928	Comm. on Status of Women	-0-	1,500

A motion was made and seconded to approve the amendment to line item 072923. The motion carried with all members voting in the affirmative except Council Member McManus who voted in the negative.

A motion was made and seconded to approve the amendment to line item 072926. The amendment was defeated with the members voting as follows: in the affirmative - Council Members Sollose, DeMille, Philip, Godfrey, Flanagan, Cassano, Esposito, Charles, DaSilva, Butera and Torian; in the negative - Council Members Johnson, Hadley, Zotos, Rotello, McManus, Gallo, Boynton, Eriquez, Farah and Smith.

HEALTH, HOUSING and SOCIAL SERVICES BUDGET (continued):

A motion was made and seconded to approve the amendment to line item 072928. The motion carried with Council Members Godfrey and Butera voting in the negative.

The Mayor asked for additional amendments to the budget.

Council Member Esposito made a motion that \$275,000 be deleted from the Capital Budget for the purchase of new equipment for the Public Works Department. Seconded by Mr. Gallo.

The Mayor explained that this money will be available in July or August from State Grants.

Motion carried unanimously.

Councilman Farah made a motion that the Town Clerk's Salary, Line Item 010100 be amended to read that the salary shall be increased to \$36,980 as of November 16, 1987 and increased to \$39,500 as of July 1, 1988. Seconded by Mr. Gallo. The motion was defeated with the Members voting as follows - in the affirmative: Council Members DeMille, Godfrey, Rotello, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Farah, Smith; in the negative - Council Members Johnson, Sollose, Philip, Flanagan, Zotos, Hadley, Cassano, McManus, Eriquez, Torian.

Mr. Godfrey made a motion for the Appropriation Ordinance to be adopted as amended. Seconded by Mr. Boynton. Motion carried unanimously.

Comptroller Dominic Setaro and Assistant Comptroller Kimberly Redenz left to adjust the figures submitted for the Appropriation Ordinance and for computation of the Tax Levy for 1987-88. Upon returning they submitted the following:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1987 and ENDING JUNE 30, 1987.

SECTION 1. That the amounts hereinafter set forth aggregating \$84,512,009.00 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several Departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 1987 and ending June 30, 1988.

I - Total General Government	\$ 4,123,444.
II - Public Safety	11,633,044.
III - Public Works	3,972,143.
IV - Health and Housing	501,960.
V - Public Welfare, Social Agencies	1,208,257.
VI - School Department	42,252,124.
VII - Libraries	1,056,811.
VIII - Parks and Recreation	1,276,649.
IX - Recurrent Costs	9,204,904.
X - Debt Service	4,233,239.
XI - Capital Program	657,000.
XII - Transportation	505,865.
XIII - Contingency	750,000.
XIV - State and Federal School Projects	1,995,633.
XV - Grants - Human Services	1,140,936.
TOTAL BUDGET	<u>\$ 84,512,009.</u>

SECTION 2. That the amount of One Hundred Twelve Thousand Eight Hundred Thirty Nine Dollars (\$112,839) is appropriated in the same manner as in Section 1 hereof for the DOG LICENSE FUND.

SECTION 3. That the amount of Thirteen Thousand Nine Hundred and Sixty-Five Dollars (\$13,965) is appropriated in the same manner as in Section 1 hereof for the REVENUE SHARING BUDGET in compliance with the State and Local Fiscal Assistance Act of 1972, as amended.

SECTION 4. That the amount of Four Million Seven Hundred and Five Thousand Dollars (\$4,705,000) is appropriated to the WATER ACCOUNT in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of One Million Eight Hundred Ninety-Nine Dollars (\$1,899,332) is appropriated to the SEWER OPERATING BUDGET in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for uncollectible taxes reserve is established in the amount of Five Hundred Thousand Dollars (\$500,000).

SECTION 7. That the amount of One Million Three Hundred Fifteen Thousand and Sixty-Five Dollars (\$1,315,065) is appropriated to the DANBURY SANITARY LANDFILL ENTERPRISE FUND in the same manner as set forth in Section 1 hereof.

The Ordinance was adopted unanimously.

02 - RESOLUTION - A Resolution levying the property tax for the fiscal year beginning July 1, 1987 and ending June 30, 1987.

SECTION 1. The sum of Sixty Million Two Hundred Seventy-Five Thousand and Seventeen Dollars (\$60,275,017.) representing the gross appropriation for the City of Danbury of \$84,512,009. for the fiscal year of July 1, 1987 and ending June 30, 1988, minus Indirect Revenue of \$23,436,992 and minus Estimated Available "Surplus" of \$1,300,000 plus uncollectible taxes reserve in the amount of \$500,000 is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1986.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1987 and ending June 30, 1988 shall be as follows:

TAX RATE: 45.13 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1987, October 1987, January 4, 1988, April 1, 1988, except for taxes levied and assessed on aircraft, boats, mobil homes, motor vehicles and where not in excess of One Hundred Dollars (\$100,00), which taxes shall be paid on July 1, 1987, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 1987 and ending June 30, 1988.

A motion was made by Mr. Boynton and seconded by Mr. Godfrey for the Tax Levy Resolution to be adopted as submitted. Motion carried unanimously.

03 - CLAIMS - Marguerite Fasone, David J. Mulcahey, Mark DeBonis Helen Brewer, Anders Utsogn, Gilbert Fox, Sharon S. Doctorchik, Harold Romer, Virgilio and Filomena Felizardo.

Mr. Gallo asked that the claims be referred to the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

04 - RESOLUTION - Agreement between the Danbury Airport Traffic Control Tower and the City of Danbury.

RESOLVED by the Common Council of the City of Danbury and the U. S. Department of Transportation, Federal Aviation Administration have established procedures for the operation of airport lighting by airport traffic control tower personnel when closing the tower for the night; and

WHEREAS, the agreement establishing said procedures contained a provision holding the United States of America, its agents, employees and designees harmless from claims stating a cause of action in negligence and arising out of the operation of the airport lighting system during periods when the airport traffic control tower was not in operation; and

WHEREAS, the United States of America, acting through its Federal Aviation Administration, wishes to amend the hold harmless provisions contained in said agreement to state that neither party shall hold the other harmless from the consequences of its own negligence; and

WHEREAS, said amendment 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 afore said amendment and to take any additional action which may be deemed necessary to accomplish the purposes hereof.

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

05 - RESOLUTION - Colonial Acres, Colonial Drive and Pilgrim Drive Road Improvement Project.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on January 7, 1986 duly voted to approve the Colonial Acres, Colonial Drive and Pilgrim Road improvement project and appropriated funding in the amount of \$139,000.00 for said purpose; and

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

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

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

Partial Property Acquisitions

1. F10040 - 16 Colonial Drive/Cody, Raymond J. & Mary Ann
(drainage easement)
2. F10030 - 19 Colonial Drive/Wildman, Albert & Kathleen
(drainage easement)
3. F10027 - 13 Colonial Drive/Calgi, Dominic & Marlene H.
(drainage easement)
4. F10007 - 3 Colonial Drive/Magee, Brian H. & Karen E.
(drainage easement)
5. F10029 - 17 Colonial Drive/Hinz, Robert A. & Barbara L.
(drainage easements)
6. F10035 - 2 Pilgrim Drive - 24 Colonial Drive/Dobbert
Douglas A. & Elizabeth A. (drainage easement)
7. F10036 - 6 Pilgrim Drive/Grover, Ronald O. & Sharon W.
(drainage and temporary turnaround easements)
8. F10046 - Lake Shore Drive/Santore, D. Earle
(drainage easement)
9. F10032 - 23 Colonial Drive/Polhamus, Robert L. & Shawn L.
(temporary turnaround easement)

05-continued:

10. F10034 - 3 Pilgrim Drive/Jowdy, Ron & Nancy
(temporary turnaround easement)
11. F10033 - 1 Pilgrim Drive/Ruiz, Rolando G. & Reene Z.
(temporary turnaround easement)
12. F10045 - Pilgrim Drive (rear)/Santore, D. Earle
(drainage easement)

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

06 - RESOLUTION - Sexual Disease Prevention Program.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Department of Health Services makes funds available in accordance with Sections 4-8, 19a-5 and 19a-32 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has provided and intends to continue to provide a Sexual Disease Prevention Program at the Danbury Hospital for the purpose of reducing the incidence and prevalence of sexually transmitted disease; and

WHEREAS, a grant award of up to \$10,000 with no local match has been processed by the Danbury Health and Housing 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 and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized; and

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

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

07 - RESOLUTION - Hayestown Avenue Bridge Reconstruction.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Hayestown Avenue Bridge is in need of reconstruction; and

WHEREAS, the total cost of such reconstruction is \$353,677.50; and

WHEREAS, the eligible grant percentage is 29.8% equating to a State Project Grant of \$105,395.90; and

WHEREAS, the local match in the amount of \$248,282.00 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 Resolution was deferred to Public Hearing by Councilman Gall

RESOLVED by the Common Council of the City of Danbury:

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 from May, 1987 through April, 1988 to full-time local health departments by providing free counseling and human immunodeficiency virus (HIV) antibody testing service for individuals concerned about possible exposure to HIV; and

WHEREAS, this program shall service both residents and non-residents; there are no restrictions on who may be served for AIDS counseling or HIV testing; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated an Acquired Immunodeficiency Syndrome (AIDS) Outreach Education and Risk Reduction Counseling Program for the Danbury area; and

WHEREAS, a grant award of up to \$15,000.00 has been processed by the Danbury Health and Housing 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 and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing 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 authorized to make, execute and approve on behalf of this corporation any and all contracts or amendments thereof with the State of Connecticut Department of Health Services.

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

09 - ORDINANCE - Governmental Entity Review and Investigation Committee (Sunset Review).

Communication and Ordinance from Assistant Corporation Counsel Eric L. Gottschalk revising the governmental entity review and investigation provisions of the Code of Ordinances.

Mrs. Butera deferred the Ordinance to a Public Hearing.

010 - ORDINANCE - Updating City Forestry Ordinances.

Proposed Ordinances submitted on behalf of City Forester, Byron Johnson, intended to clarify many aspects of the function of his office.

Mr. Boynton asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Godfrey and Rotello.

011 - COMMUNICATION - Appointments to the Parks and Recreation Commission - WITHDRAWN.

012 - COMMUNICATION - Appointments to the Commission on the Status of Women - WITHDRAWN.

013 - COMMUNICATION - Reports from the Corporation Counsel and the Planning Commission on Boughton Street Lease.

Report from Corporation Counsel setting forth proposal of new lease and report of the Planning Commission giving a positive recommendation. Mr. Gallo asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Smith, Hadley, Butera.

014 - COMMUNICATION - Michael and Marion Goodman, Dickens Pond Parcel, Franklin Street.

Letter from Attorney Neil R. Marcus requesting an easement from the City to CL&P to install new utility lines.

Mr. Gallo asked that this be referred to the Corporation Counsel and the Planning Commission for reports back in thirty days. Mayor Dyer ordered.

015 - COMMUNICATION - Donation of Funds from the United Way of Northern Fairfield County to Danbury Library.

Letter from Library Director Betsy Lyke asking permission to accept a donation from the United Way in the amount of \$5,625 for the purchase of educational material on substance abuse.

Mr. Godfrey moved to accept the donation with thanks. Seconded by Mr. Charles. Motion carried unanimously.

016 - COMMUNICATION - Sewer Budget.

Letter from Superintendent of Public Utilities William Buckley asking for a committee to be appointed for the purpose of reviewing and establishing sewer rates, septic fees and connection fees.

Mr. Sollose moved that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Farah, Hadley and McManus.

017 - COMMUNICATION and RESOLUTION - Community Development Block Grant Program Year 13 - Projected Use of Funds.

Letter and Resolution from Leonard Sedney, Acting Executive Director of the Community Development Program setting forth the application process of the Public Hearing and Policy Committee allocations, together with a proposed Resolution.

Mr. Boynton made a motion to accept the communication and adopt the Resolution. Seconded by Mr. Gallo. Motion carried unanimously.

018 - COMMUNICATION - Emergency Repairs Easement.

Letter from Attorney Ward J. Mazzucco, requesting an emergency repairs easement for the Sunrise Ridge Condominiums.

Mr. Sollose asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members McManus, Johnson and DaSilva.

019 - COMMUNICATION - Renaming of Cornell Road.

Letter from Corporation Counsel Theodore Goldstein to Director of Public Works Basil J. Friscia regarding renaming of City roads.

Mr. Boynton asked for an explanation regarding last month's change. Mr. Goldstein stated that he had received a communication from Mr. Friscia stating that before the name change occurred there should have been a meeting with those on Cornell Road, Wooster Heights whom this change would affect; and that this change should go to the Planning Commission.

Mr. Boynton then asked if the Council should reconsider its vote. Mr. Goldstein replied that it should, since it was unwise to have made this decision without any input.

Mr. Boynton then moved for a reconsideration of the vote and then that this should be referred to a committee. Seconded by Mr. Gallo.

Mr. Charles asked which street was named Cornell Road for the longest period of time. Mr. Goldstein did not know.

Mr. DaSilva stated that he understood that the City cannot change the name of a private road and there are safety factors involved.

Mr. Goldstein stated that any private developer can name any road the same as one already existing in the City and get preeminence. Mr. DaSilva responded that this is true, but if that developer wants the City to accept the road, the Common Council can mandate the name change.

Roll was called on the motion to reconsider with the members voting as follows:

In the affirmative: Council Members Sollose, Godfrey, Gallo, Esposito, Charles, Boynton.

In the negative: Council Members Johnson, DeMille, Philip, Flanagan, Zotos, Hadley, Rotello, Cassano, McManus, Butera, DaSilva, Eriquez, Farah, Smith and Torian. Motion is denied.

020 - COMMUNICATION - Request for funds from the Clothing Plus Bank.

A letter from Mary J. Hausen on behalf of the Clothing Plus Bank requesting funding in the amount of \$9,600 for rent.

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

021 - COMMUNICATION - Application for Deferral of Property Tax Assessment Increase from Michael P. Ryer.

Letter from Planning Director Leonard Sedney stating that an application had been received for deferral of property tax assessment increase for property located at 103 Mill Plain Road and setting the considerations for deeming if a property is eligible.

Mrs. Butera asked that this be referred to a committee. Mayor Dyer ordered that that committee shall consist of Council Members Cassano, Butera and Charles.

022 - COMMUNICATION - Application for Deferral of Property Tax Assessment Increase from Ronald G. Manoni.

Letter from Planning Director Leonard Sedney stating that an application has been received for deferral of property tax assessment increase for property located at 8 Locust Avenue. Mr. Sedney stated that although the application does meet the technical requirements, it is his recommendation that the application be denied, due to the fact that the application was submitted months after the building was completed and occupied.

Mrs. McManus moved to accept the communication and deny the application. Seconded by Mr. Gallo. Motion carried unanimously.

023 - COMMUNICATION and CERTIFICATION - Needed repairs to Fire Department Apparatus.

Letter to Mayor James E. Dyer from Fire Chief Charles Monzillo requesting funds in the amount of \$10,000 be appropriated to Engine Co. 14 for repairs. Certification attached.

Mrs. McManus moved that the communication be accepted and the transfer of funds authorized. Seconded by Mr. Flanagan. Motion carried unanimously.

024 - COMMUNICATION - Request to purchase land on Indian Head Road from the City.

024-continued:

Letter from Arthur and Elizabeth Maestro asking for permission to purchase 1-2 acres of land on Indian Head Road from the City. Council Member Gallo asked that this be referred to the Planning Commission and a Common Council committee. Mayor Dyer ordered this to the Planning Commission and a Council committee consisting of Messrs. Torian, Sollose and Gallo.

025 - COMMUNICATION - Lease between the City of Danbury and New England Aircraft Sales.

Letter together with Lease stating that the Aviation Commission voted to forward the attached lease to the Common Council for its decision and approval.

Mr. Smith 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 consisting of Council Members Cassano, Farah and Zotos.

026 - COMMUNICATION - Request for Funds - Police Department Special Services Account.

Letter from Chief of Police Nelson Macedo requesting the sum of \$75,000 be appropriated to the Police Department Special Services Account. No certification is necessary because the City will be reimbursed.

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

027 - COMMUNICATION - Reports from the Planning Commission and City Engineer on Offer of Easement to the City from Candlewood Valley Bus Line.

Report of a positive recommendation from the Planning Commission together with an acceptable recommendation from the City Engineer.

The Reports were accepted by the Common Council on the Consent Calendar.

028 - COMMUNICATION & CERTIFICATION - Request for funds from the Zoning Board of Appeals.

Request from Henry C. Schum for the sum of \$1,900 to cover overtime services and legal and public notices for the Zoning Board of Appeals. Certification attached.

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

029 - COMMUNICATION - Signal Revision/Route 53 at Liberty Street

Letter from Police Chief Nelson Macedo, together with an attached letter from the Director of Traffic for the State Department of Transportation approving the signal revision on Route 53.

Mrs. Butera asked that this be referred to a committee. The Mayor ordered that the committee shall consist of Council Members Godfrey, Butera and Charles.

030 - COMMUNICATION - Report from the Charter Revision Commission together with Request for Extension of Time.

Letter from Chairman Thomas Frizzell asking for an extension of time and submitting their report.

Mrs. McManus moved that the extension of time be granted, the report be accepted and deferred to public hearing. Seconded by Mr. Gallo. Motion carried unanimously.

031 - COMMUNICATION - Jackson-Hanson Property.

Letter from Jerry Juretus, Acting Executive Director of the Redevelopment Agency asking for a committee to be appointed to work with the Redevelopment Agency regarding the Jackson-Hanson property.

Mrs. Butera requested that this be referred to a committee. Mayor Dyer ordered that the Committee shall consist of Council Members Cassano, Smith and Eriquez. Also Mayor Dyer referred it to the Planning Commission.

032 - COMMUNICATION - Relocatable Classrooms at Roberts Avenue School.

Letter from Chairperson of the Board of Education Barbara Baker requesting four relocatable classrooms at Roberts Avenue School.

Mrs. Butera 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 consisting of Farah, Torian and Charles.

033 - COMMUNICATION - Report from Director of Public Works on Drainage Problem on Stadley Rough Road.

Letter from Basil J. Friscia explaining the corrective methods that will be undertaken by the Department of Public Works in order to remedy the situation.

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

034 - COMMUNICATION - Report from Director of Public Works on Condition of Roads on South King Street between Darrell Road and Franklin Street Ext.

Report from Basil J. Friscia stating that in order to correct the existing problems approximately \$100,000 is needed.

Mrs. McManus asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Johnson, McManus and DaSilva.

035 - COMMUNICATION - Report from Director of Public Works on Sementilli and Fogarty Drainage Problems.

Letter from Basil J. Friscia stating the history of the existing problems and easements required.

Mr. Gallo asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of DaSilva, Esposito and Boynton.

036 - COMMUNICATION - Report from Director of Public Works on Water Problem on Old Ridgebury Road.

Report from Basil J. Friscia stating that he agrees that a problem does exist and that the work would be accomplished sometime this summer.

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

037 - COMMUNICATION - Water Drainage Problem on King Street and Wedgewood Drive.

Letter from Frank Carter reporting a water drainage problem on King Street.

Mr. Torian asked that this be referred to the Director of Public Works for a report back in 30 days. Mayor Dyer so ordered.

038 - COMMUNICATION - Water Problems on Indian Head Road.

Letter from Council Member Donald Sollose setting forth a water problem on Indian Head Road.

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

039 - COMMUNICATION - Request for water and sewer extensions - 62 Brushy Hill Road.

Request for water and sewer extensions at 62 Brushy Hill Road from John B. Lust, Jr.

Mr. Smith asked that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered that this shall be referred to the Planning Commission and an ad hoc committee consisting of Council Members Flanagan, Philip and DeMille.

040 - COMMUNICATION - Application for sewer and water extensions 109 Park Avenue.

Request from Joseph Russo for sewer and water extensions at 109 Park Avenue. Mrs. Butera 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 consisting of Council Members Flanagan, Philip and DeMille.

041 - COMMUNICATION - Request for sewer extension - Aunt Hack Road.

Request from Richard Ramey for sewer extension on Aunt Hack Road. 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 an ad hoc committee consisting of Council Members Esposito, Zotos and Johnson.

042 - COMMUNICATION - Request for sewer and water extensions for Garamella Boulevard.

Request from Planning Director Leonard Sedney for extensions of water and sewer for Garamella Boulevard. Mrs. Butera asked that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered that the ad hoc committee shall consist of Council Members Esposito, Zotos, Johnson and also ordered it referred to the Planning Commission.

043 - DEPARTMENT REPORTS.

Police Department	Airport Administrator
Public Works Department	Coordinator of Occupational
High Blood Pressure Screening	and Environmental Health
Sanitarian/Public Health	Housing Code Enforcement
Inspector	Inspector
Fire Chief	Fire Marshall
Building Department	

A motion was made by Mr. DaSilva and seconded by Mr. Gallo 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 un-animously.

044 - REPORT - Reconsideration of Item #055 from the March Agenda (Post Office Street Ordinance).

Mr. Eriquez submitted the following report:

The Ad Hoc Committee appointed to reconsider Item 055 on the March 1987 agenda met on Wednesday, April 29, 1987 at 8:00 P.M. in the Fourth Floor Lobby at City Hall. In attendance were Committee Members Eriquez, Torian and Gallo; Council Members Boynton, DaSilva, Godfrey, Johnson, McManus and Sollose (at various times during the meeting in an ex-officio capacity); Leonard Sedney, Attorney Richard Kilcullen on behalf of the City, Attorney Neil Marcus and Robert Feinson, and Mr. Perry Salvagne. Basil Friscia was also in attendance for a brief period during the meeting.

The committee reviewed the charge of the committee as it pertained to the resolution being considered regarding the Post Office Street rehabilitation project. The resolution discussed was that which appeared on the March 1987 agenda. It was reported that this resolution was different than the one the Council approved in December, 1985, for the record and clarification purposes. (March 1987 resolution attached for reference purposes).

Mr. Sedney reported that negotiations had been ongoing with Mr. Marcus and Mr. Feinson regarding the impact of the utility and refuse removal easements as they affected the Feinson property.

The committee and other Council Members present discussed the resolution as it related to the utility easements for the Post Office Street project with particular concern for that portion that affected the rear of the Feinson property on Main Street. After lengthy discussion on the utility easement issue, the members present requested information from Mr. Sedney that included the following:

1. Did CL&P request that Utility Easement Area "C" be completed as designed or did the City require this be done?
2. Is the easement work an upgrade for existing service and/or was it necessary for "interconnection" purposes?
3. What is the cost to the City, including legal work, cost of construction, etc. for Easement Area "C"? (Easement map attached for reference purposes).

Mr. Marcus and Mr. Feinson reported that they had no problem with the easement work for utilities as it affected the Feinson property in accordance with the explanation given by Mr. Sedney. The members present felt there was no problem with other utility easement area work that needed to be completed to conduct the Post Office Street improvement (i.e., other than Utility Easement Area "C").

Discussion followed pertaining to the refuse removal issue and easements necessary to allow for removal to occur. Mr. Sedney presented the City's position during negotiations with Mr. Feinson and Mr. Marcus. Mr. Marcus then referred to his letter of April 14, 1987 addressed to Mr. Sedney (copy attached for reference purposes) explaining the Feinson position.

A lengthy discussion ensued regarding various options for the removal of refuse caused by the Post Office Street closure. Particular items discussed were the concerns raised by Mr. Feinson and Mr. Salvagne as to the impact of various options on their property and business operations. It was felt that since a proposal had been submitted by Mr. Marcus (representing Mr. Feinson's conditions for refuse removal to occur via passage through his driveway/parking area) that it would be appropriate for negotiations to continue between the City and the party or parties involved. It was clear that no condemnation should occur to accommodate this refuse removal issue. The motion was made to recommend to allow negotiations to continue to remedy this refuse removal problem due to the Post Office Street closure. It was seconded and passed unanimously.

Minutes of the meeting highlighting specific items addressed and comments made by individuals present in response to key questions are on file in the Office of the City Clerk.

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

045 - REPORT - Request for Water Extension on Breezy Hill - Terrace Heights.

Mr. Farah submitted the following report:

The Common Council Committee appointed to review water extension on Breezy Hill - Terrace Heights Road met on March 31, 1987 at 7:30 P.M. Council Members present were Farah, Boynton and Gallo. Also attending were Jack Schweitzer, William Buckley and the petitioner, Clifford Reiss.

Mr. Reiss, who represented the Danbury Suburban Residential Corporation showed a map of the subdivision and explained that the sewer extension had been approved and that due to an oversight the petition for water extension was not submitted on time. His corporation agreed to abide by all the City requirements as outlined by the Engineering and Water Departments. City Engineer Schweitzer and Public Utilities Superintendent Buckley concurred with Mr. Reiss.

Councilman Boynton moved to approve the petition. Councilman Gallo seconded the motion. The motion passed unanimously.

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

046 - REPORT - Request for sewer abatement at 68 Abbott Avenue. WITHDRAWN.

047 - PROGRESS REPORT - Request for sewer and water Extensions - Tamarack Avenue.

Mr. Farah submitted the following report:

The Common Council Committee appointed to review sewer and water extensions to the proposed Virginia Avenue Condominiums on Tamarack and Virginia Avenue and Tamarack Avenue met on March 20, 1987 at 9:30 P.M. Present were Council Members Farah and Godfrey, City Engineer Jack Schweitzer, Public Utilities Superintendent William Buckley, Petitioners R. Prescioso and M. Prescioso, Neil Marcus representing R. C. Castleman and Dave Williamson.

The committee reviewed the request for extensions and examined the map and other documents which are associated with it. The extension route from Virginia and Tamarack Avenues intersection to the intersection of Oakland and Second Avenue crosses private properties. The committee suggested to the petitioner that he approach the owners of these properties for easements and return to the committee. The petitioners agreed to do so.

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

048 - PROGRESS REPORT - Sears Building, 129 Main Street.

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the offer to the City to lease the Sears Building at 129 Main Street met at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Rotello, and Godfrey. Also present were Harold Garafalo and Marty Kindgrew from Goodfellow-Ashmore.

Councilman Boynton reported that the Planning Commission had reported in the negative regarding this property. The lack of adequate parking is one of the major drawbacks to this proposal.

Martin Kindgrew made a presentation of adding to the original offer of the Sears Building at 129 Main Street, of the Group W Building at 135 Main Street. The new proposal is as follows:

a. Sears Building - 34,000 square feet @ \$5.15 per square foot at a yearly rental of \$175,000.

b. Group W Building - 8,832 square feet @ \$13.00 per square foot at a yearly rental of \$114,816.

Total 42,832 square feet at \$289,916 per year = \$6.77 square foot average cost per square foot.

Parking - 129 Main Street - 20 parking spaces
135 Main Street - 52 parking spaces

Note: If additional spaces are needed they will be provided by landlord at owners expense.

The Committee reviewed the information and decided to refer this matter back to the Planning Commission for review and report, due to the additional information and expansion of the original proposal.

The committee adjourned the meeting at 8:00 P.M. and will review this proposal again once the Planning Commission reports this matter back to the committee.

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

049 - PROGRESS REPORT - Proposed "Boot" Ordinance.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the proposed "Boot" Ordinance postponed its meeting scheduled for April 20, 1987 until May 11, 1987 at 8:00 P.M. to allow time for materials pertaining to the subject to arrive from the Connecticut Conference of Municipalities and to give the Corporation Counsel time to research due process and hearing provisions.

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

050 - COMMUNICATION AND RESOLUTION - Entitlement City under the Rental and Urban Rehabilitation Program.

Councilman Louis Charles made a motion to add this item to the agend. Seconded by Councilman Godfrey. Motion carried unanimously.

Letter from Associate Housing Director Paul Schierloh submitting program description and asking authorization to apply for available grant. Resolution also submitted.

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

PUBLIC SPEAKING

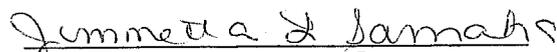
Barbara Baker, Chairperson of the Danbury Board of Education spoke on the education budget. This was the first time that she could remember any additions being made to the budget. She express her appreciation for the time and effort the Council Members put into the budget.

Joseph McCabe - President of the Sunrise Ridge Condominium Association - Asked that the City grant the condemnation easements as soon as possible because of the plight of the 38 families affected by the wall that could fail at any time.

Jackie DeCerbo - President of the Citywide PTO thank the Council for their efforts on the education budget.

There being no further business to come before the Common Council a motion was made by Councilman Godfrey to adjourn at 9:42 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk