

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

Re: Minutes of the Special Common Council Meeting held July 22, 1987.

The meeting was called to order at 7:00 O'Clock 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 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, McManus, Gallo, Esposito, Charles, DaSilva, Eriguez, Smith and Torian.

ABSENT - Council Members Cassano, Boynton, Butera and Farah.

Seventeen Members Present - 4 Members Absent.

Mrs. Butera is ill and Mr. Cassano and Mr. Farah are out of town.

NOTICE OF THE SPECIAL MEETING - To be held on the 22nd day of July, 1987 at 7:00 P.M. in the Common Council Chambers at City Hall, for the purpose of acting upon the following:

1. Resolution - Department of Elderly Services - Transportation Vehicles.
2. Resolution - Department of Transportation - Cost Sharing Agreement Route 53 (Main Street).
3. Ordinance - Sewer Budget.
4. Communication - Amendment to Ethics Ordinance to comply with Freedom of Information.
5. Communication - Old Library Cultural Center Roof.
6. Report - Appointment of Superintendent of Public Buildings.
7. Report - Request for Funds for Two Aides for Department of Elderly Services.
8. Communication - Elderly Rent Stabilization.

RETURN OF SERVICE - Notices were delivered by Police Officers of the Danbury Police Department.

A motion was made by Councilman DaSilva and seconded by Councilman Charles for the Call and the Return of Service to be accepted. Motion carried unanimously.

1. RESOLUTION - Department of Elderly Services - Transportation Vehicles.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation has budgeted certain funds to provide capital improvement grants to municipalities; and

WHEREAS, said funds are for the specific purpose of assisting municipalities in providing specialized transportation needs of elderly persons; and

WHEREAS, the Department of Elderly Services is desirous of obtaining said grants and of entering into an agreement whereby the State of Connecticut Department of Transportation would provide the City of Danbury use and ownership of up to five motor vehicles with certain specialized accessories and equipment in exchange for the City of Danbury undertaking such project of assistance to the elderly; and

WHEREAS, title to said vehicles, responsibility for insurance coverage and costs associated therewith would be borne by the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT the past actions of the City of Danbury Department of Elderly Services in applying for said grants be and hereby are ratified and that any and all additional acts by the Department of Elderly Services and Mayor James E. Dyer necessary to effectuate the purposes be and hereby are authorized.

Mrs. McManus made a motion that the Resolution be adopted. Seconded by Mr. Charles. Motion carried unanimously.

2. - RESOLUTION - Department of Transportation - Cost Sharing Agreement Route 53 (Main Street).

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, by virtue of Cost Sharing Agreement No. 6.25-1(87) with the City of Danbury is willing to provide funds to the Police Department of the City of Danbury for the purpose of traffic signal revision at Route 53 (Main Street) and Liberty Street; and

WHEREAS, the allocation and use of such funds are in the interest of safety and traffic control in the City of Danbury; and

WHEREAS, a funding agreement proposed in the total amount of \$16,000.00 with a local cash match of \$8,000.00 has been processed; and

WHEREAS, said local cash match in the amount of \$8,000.00 was appropriated by the Common Council on June 2, 1987;

NOW, THEREFORE, BE IT RESOLVED THAT the past actions of the Police Department of the City of Danbury in applying for said funds by and hereby are ratified, and that the Mayor of the City of Danbury, James E. Dyer, is hereby authorized to enter into said agreement and any and all additional acts necessary to effectuate said program be and hereby are authorized.

Mr. Gallo made a motion that the Resolution be adopted. Seconded by Mrs. McManus. Motion carried unanimously.

3. - ORDINANCE - Sewer Budget.

Mrs. McManus submitted the following report and ordinance:

The Common Council held a public hearing concerning sewer rates on July 17, 1987 at 7:30 P.M. in the Common Council Chambers in City Hall.

The Common Council met as a committee of the whole following the public hearing and unanimously recommends that the ordinance be adopted.

ORDINANCE

Be it Ordained by the Common Council of the City of Danbury:

THAT subsection (b) of Section 16-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(b) Connection fee. If no prior sewer assessment has been paid on the premises to be connected to said sewer, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following schedule:

(1) Residential: Six hundred dollars (\$600.00) per unit.

(2) All other (nonresidential): One thousand dollars (\$1,000.00) plus forty cents (\$0.40) per square foot of building to be connected. Connection fees may be waived by action of the Common Council, providing the City benefits from this connection by permitting future extensions to said connection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 16-32. Sewer Use Charges.

(a) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers provided with metered city water service. Said charge, established in accordance with criteria contained in section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formula:

$$\text{Annual Sewer Use Charge} = \frac{0.9 \times A \times \$0.80}{1,000 \text{ gallons}}$$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous four (4) billing quarters. Notwithstanding the prior provisions of this section the minimum annual sewer use charge shall be twenty-five dollars (\$25.00).

(b) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers provided with flat rate city water service. Said charge, established in accordance with the criteria contained in section 16-27 of this Code of Ordinances, shall be seventy-six dollars (\$76.00) per unit.

(c) There is hereby established a sewer use charge applicable with respect to all bills rendered on or after the effective date hereof to all sewer customers having no city water service. Said charge, established in accordance with the criteria contained in section 16-27 of this Code of Ordinances, shall be sixty-five dollars (\$65.00 per unit.)

(d) A sewer unit shall represent the annual sewer use for a single-family residence. An additional sewer unit shall be assessed for each additional residence within any dwelling. A fractional sewer unit shall be assessed for a portion of a dwelling which, in the opinion of the Superintendent of Public Utilities, bears with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single-family residence. All non-residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single-family residence.

(e) All sewer use charge bills shall be rendered semiannually.

Mr. Godfrey made a motion to accept the report and adopt the Ordinance. Seconded by Mr. Gallo. Motion carried unanimously.

4. COMMUNICATION - Amendment to Ethics Ordinance to comply with Freedom of Information.

Letter from the Board of Ethics Chairman, Barbara E. Flanagan, regarding Board of Ethics position concerning an apparent conflict between the Code of Ethics and the State Freedom of Information laws.

Mrs. McManus asked that this be referred to an ad hoc committee. The Mayor ordered that the committee shall consist of Council Members Boynton, DaSilva and Torian.

5. COMMUNICATION - Old Library Cultural Center Roof.

Letter from Planning Director Leonard Sedney requesting transfer of \$117,000 to the Old Library account to cover work on the building, together with certification of funds from Comptroller Dominic Setaro.

Mr. Gallo made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mrs. McManus. Motion carried unanimously.

Mr. Eriquez submitted the following report:

The ad hoc committee of the Common Council appointed to consider the confirmation of the appointment of Richard Palanzo to the position of Superintendent of Public Buildings met on Monday, July 13, 1987 at 7:30 P.M. in the Common Council Chambers in City Hall. In attendance were Council Members Eriquez, Boynton and Gallo. Also attending were Director of Public Works Basil J. Friscia; Civil Service Examiner Nicholas Nero; Civil Service Commissioner Edward Ackell and Richard Palanzo.

Upon questioning by the committee, Mr. Nero explained the Civil Service process in detail. He reported that the specifications of the applicable position are made available and those wishing to apply must submit an application/resume by a prescribed deadline. Those applications received are then screened to determine whether those applying have met the minimum qualifications, knowledge, ability and skills requirements. For this position, all applicants met these requirements. The next step in the process is the testing phase. All applicants received the same test administered by Superintendents of Public Buildings from other locales and monitored by the Civil Service Examiner. Upon compilation of the test scores, the applicants are then ranked in test score order. (The list of the candidates in ranking order for this position is attached to this report). This list is then forwarded to the Mayor for his consideration in accordance with the Charter of the City of Danbury. The Mayor can appoint any one of the top six candidates in accordance with Civil Service regulations. In this case, the Mayor selected the number two candidate, Mr. Palanzo.

Mr. Friscia explained that he was provided the opportunity to interview the top three candidates since this position reports directly to him as Director of Public Works. He stated he recommended Mr. Palanzo to the Mayor as a result of those interviews. He also reported that he had received three letters of recommendation from Mr. Palanzo's previous employer, Danbury Hospital, one from the President, one from the Vice-President of Engineering (Mr. Palanzo's past immediate supervisor) and the last from the Risk Manager.

Mr. Nero further explained that every Civil Service employee of the City of Danbury is hired with the understanding that a one year probationary period must be satisfactorily completed before that individual's tenure is considered permanent. Mr. Friscia indicated that he would conduct three evaluations within the first year to measure the employee's progress and performance which will become part of the employee's personnel record.

Mr. Boynton noted that he felt Mr. Palanzo met the qualifications and was impressed with his credentials and past experience. Mr. Gallo indicated that he was satisfied by the probationary period provisions. As a result, Mr. Boynton moved to recommend to the Common Council that Mr. Palanzo's appointment as Superintendent of Public Buildings be confirmed. The motion was seconded by Mr. Gallo and passed unanimously.

Mr. Eriquez indicated that he felt the selection process was conducted in the usual proper fashion and that the probationary period provided safeguards to protect the City's interests. Also, the committee expressed its full faith and confidence in the Director of Public Works' ability to evaluate this position to ensure the needs of the City are being satisfactory met.

Mr. Palanzo told the committee that he would not allow anything to impede his ability to do his best for the City of Danbury. He said he was proud of his credentials, his achievements and the recommendations he received from his former employers.

6-continued:

Mr. Gallo made a motion to accept the report and confirm the appointment. Seconded by Mr. Godfrey.

Mayor Dyer announced that Mr. Zotos would abstain from voting.

Mrs. McManus asked if the number 1 and number 3 candidates had been interviewed.

Mr. Eriquez said that they had not been interviewed because the committee was charged with reporting on the appointment of Mr. Palanzo, not with interviewing candidates.

Mayor Dyer stated that it would have been most inappropriate for the committee to interview candidates.

Mrs. McManus stated that the Charter gives the Common Council authority to confirm appointments.

Mayor Dyer stated that it does not give them that authority in Civil Service positions.

Mr. Godfrey commended the committee on a job well done and supported the Mayor's comments. He stated that the committee had not been charged with anything other than reporting on the appointment of Mr. Palanzo.

Mr. Flanagan stated that the Charter states that the Mayor recommends and the Common Council reviews and the committee did that job. He felt that it would be very dangerous for the Common Council to get into interviews and should not get involved in the Civil Service process.

Mr. Torian asked if the committee reviewed the letters of recommendation submitted by Mr. Palanzo.

Mr. Eriquez stated that he had not seen the letters, but was assured by Director of Public Works Basil Friscia that the letters were submitted and Mr. Eriquez had no reason to doubt his word.

Mayor Dyer stated that he had the letters in his possession in addition to a letter from John Creasy. The Mayor stated that he spoke with Mr. Creasy concerning the allegations against Mr. Palanzo and Mr. Creasy assured him that there was no truth to the allegations. Mayor Dyer stated that there should be no other interferences in the appointments especially not from "sticky fingers reaching out from the dark corridors of political intrigue".

Mr. Rotello asked if it was common practice for the Department Head to put safeguard such as evaluation into appointments. Mayor Dyer explained that it was required of all Civil Service Employees to be on probation for one year with three evaluations.

Mr. Philip asked if the Common Council committee had the authority to question the candidate on his qualifications rather than on the job qualifications as set out by the Civil Service job description.

Mr. Eriquez explained that Mr. Palanzo addressed the committee and stated that he was proud of his qualifications and of the letters of recommendation that he had received.

The Mayor explained the interview process when hiring City employees.

Mr. DaSilva stated that the committee had been given a charge and had a right to ask whatever questions were necessary in carrying out that charge. However, he felt that that could not go beyond that charge in interviewing additional candidates.

Mr. Eriquez stated that the candidate's qualifications met the job requirements as set out by the Civil Service.

Mr. Godfrey stated that if the committee had concerns about the job requirements they should direct their questions to the Civil Service Examiner.

The Mayor then called for a roll call vote with the members being recorded as follows:

AFFIRMATIVE: Council Members Sollose, Philip, Godfrey, Flanagan, Rotello, Gallo, Esposito, Charles, DaSilva and Eriquez.

NEGATIVE: Council Members Johnson, DeMille, Hadley, McManus, Smith and Torian.

Mr. Zotos abstained.

The motion carried and the appointment is confirmed.

7. REPORT - Request from Department of Elderly Services for Two Part-Time Aides.

Mr. Philip submitted the following report:

The Common Council committee appointed to review the request of Leo McIlrath. Director of the Department of Elderly Services for funding for two part-time Senior Aides met at 7:55 P.M. in Room 432 in City Hall. Attending were Council Members Zotos, DeMille and Philip. Also attending were Leo McIlrath and Comptroller Dominic Setaro.

Mr. McIlrath spoke to advise that the funds were necessary to replace federally funded Title V monies which were no longer available. The two senior aides have been working in these positions for eight years. Usually the Title V program would only fund them for two years. Subsequently, the sponsoring group would have to pick up the cost of continuing the program. Thanks to the abilities of Mr. McIlrath the funding was retained for eight years.

The Aides work 20 hours per week each and are paid \$3.92 hourly. This would equate to \$7,370 for the period 8/3/87 to 6/30/88. Mr. Setaro advised that fringe benefits would total an additional 15% which could be absorbed by the City. This funding was mentioned during the budget review process, but it was not known if the Title V funding would still be available. When Mr. McIlrath learned the funding was no longer available he entered this request.

Mr. Setaro and Mr. McIlrath noted that this type of federal funding continues to be eliminated. As it is, programs such as this have to be absorbed by the local municipalities or lost. More than 25% of City and school employees have joined the City of Danbury work force from programs which are no longer funded by the State or Federal Government.

Upon conclusion of discussion, John DeMille made a motion to appropriate \$7,370 from the contingency account to provide for these two part time aides. Seconded by Mr. Zotos. Motion carried unanimously.

Mr. Charles made a motion to accept the report and authorize the transfer of funds. Seconded by Mr. Godfrey. Motion carried unanimously.

Letter from Mayor James E. Dyer, together with certification, asking that \$18,000 be granted to stabilize the rents for elderly residents of the Housing Authority, or apply \$18,000 toward improvements to the five elderly projects laundry rooms.

Mr. Godfrey made a motion to apply the \$18,000 toward improvements to the laundry rooms. Seconded by Mr. Flanagan.

Mrs. McManus asked the Corporation Counsel if by granting this money would this be setting a precedent.

Assistant Corporation Counsel Gottschalk stated any all requests would be reviewed on a case by case basis.

Mr. Flanagan asked if some type of needs test was administered. The Mayor explained how the need was assessed.

Mr. Rotello asked if the 400 elderly tenants were all counted as singles or were some doubles. Mayor Dyer stated that some doubles had been included.

Mr. Philip asked if other work needed to be done. The Mayor stated that he was sure there were, but the laundry room renovations was the most pressing need.

Mr. Philip asked about exact cost and would any excess money be returned to the City. The Mayor stated that he doubted if there would be any excess money, but that he would get an exact breakdown.

Motion carried unanimously.

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

Mr. Godfrey made a motion to adjourn at 7:38 P.M.

Respectfully submitted,

*Jimmie L. Samaha*  
JIMMETTA L. SAMAHA  
City Clerk

ATTEST:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk