

To: Mayor Joseph H. Sauer, Danbury, Connecticut.

Re: Minutes of the Common Council Meeting held April 5, 1988.

The meeting was called to order by Mayor Sauer who led the assembly in the Pledge of Allegiance. The prayer was offered by Councilman John Esposito.

The roll call was taken with the members being recorded as follows:

Present: Bourne, Connell, Moran, Renz, Esposito, Godfrey, Flanagan, Zotos, Cresci, Nimmons, Fazio, Shaw, Charles, Butera, Danise, DaSilva, Eriquez, Regan, Bundy.

Absent - Gallo, Cassano.

19 Members Present - 2 Members Absent.

Mayor Sauer introduced the new Planning Director, Dennis Elpern and welcomed him to the City.

Councilman DaSilva presented a plaque given to him by the delegation from Gouveia, Portugal to be hung in the Common Council Caucus Room.

CONSENT CALENDAR - Mr. Fazio presented the following items for the Consent Calendar:

- 4 - Resolution - Right-of-Way Agreement for Replacement of Balmforth Avenue Bridge
- 5 - Resolution - Charcoal Ridge South
- 6 - Resolution - Colonial Acres, Colonial Drive and Pilgrim Drive
- 7 - Resolution - Lakecrest Drive Storm Drainage Easements
- 9 - Resolution - Student Assistance Program at Danbury High School
- 10 - Communication - Appointment as Parking Ticket Hearing Officer
- 12 - Communication - Appointment to the Library Board of Directors
- 14 - Communication - Appointment to the Fair Rent Commission
- 27 - Communication - Reports from the Planning Department and the City Engineer regarding donation of Lot 103 Lakevie Avenue
- 37 - Communication & Certification - Request for additional funds for the Environmental Impact Commission
- 39 - Communication & Certification - Request for funds for the Planning Commission
- 44 - Report and Ordinance - Amendment to Paragraph 5 of Subsection 16A-32(b) of the Code of Ordinances
- 46 - Report - Landfill Areas for Scrap Metal
- 47 - Report - Davro-Scalzo - Driftway Road Subdivision - Road Widening Parcel
- 48 - Report - Offer of State Land for Sale on Prindle Lane
- 49 - Report - Youth Services Bureau Resolution
- 50 - Report - Alarm Ordinance
- 51 - Report - Workfare Program for Welfare Recipients
- 52 - Report - SAT Corp. - Road Widening Parcel
- 54 - Report - Request for Easement on Aunt Hack Road
- 55 - Report - Sewer Line on Hillandale Road
- 56 - Report - Street Addresses
- 57 - Progress Report - Saunders - College Park Estates
- 58 - Progress Report - Request to change Rolfs Drive to "permanent cul de sac"
- 60 - Progress Report - Maple Avenue/Complaint of Phyllis Newman
- 61 - Progress Report - Petition for sewers on Oak Lane
- 62 - Progress Report - Change of Name of Eden Drive
- 63 - Progress Report - Drainage Problem/Jerry Sanchez

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

MINUTES - Minutes of the Common Council Meeting held March 1, 1988, and the Special Common Council Meetings held March 8th, March 23rd and March 30, 1988. Mr. Moran made a motion to accept the minutes as presented and to waive the reading as all members have copies and copies are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Connell. Motion carried unanimously.

1 - CLAIMS - Robert H. Showah, Sharon Balbone, Dorothy Walsh, Steven Fradianni, John Pereira. Mrs. Bourne made a motion to refer the claims to the Corporation Counsel for a report back in thirty days. Mayor Sauer so ordered.

2 - ORDINANCE - Making Appropriations for the fiscal year beginning July 1, 1988 and ending June 30, 1989. Mrs. Butera asked that this be deferred to a Public Hearing. Mayor Sauer so ordered.

3. ORDINANCE - Replacing Steel Traffic Drums with plastic. Mr. Shaw asked that this be referred to a public hearing. Mayor Sauer so ordered.

4. RESOLUTION - Right-of-Way Agreement for Replacement of Balmforth Avenue Bridge.

WHEREAS, the City of Danbury wishes to replace the Balmforth Avenue Bridge over Padanaram Brook; and

WHEREAS, the City of Danbury and the State of Connecticut entered into an original Agreement dated January 13, 1984 for the development of contract plans, specifications and estimates for the replacement of said bridge; and

WHEREAS, the State of Connecticut has determined that additional rights-of-way are necessary for the proper operation of the completed project;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Joseph H. Sauer, Jr. be and hereby is authorized to enter into said Agreement with the State of Connecticut and to take any additional action necessary to accomplish said project and the funding thereof.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Charcoal Ridge South.

WHEREAS, the Connecticut Department of Environmental Protection has determined that a well contamination problem exists at 15 Charcoal Ridge Road in Danbury, Connecticut; and

WHEREAS, the Department of Environmental Protection has issued an order to the City of Danbury requiring the City to provide a long-term solution to this problem; and

WHEREAS, the costs associated with such a solution may be eligible for grant funding or reimbursement from the State of Connecticut;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Joseph H. Sauer, Jr. be and hereby is authorized to make application to and enter into agreements with the State of Connecticut to provide grant funding for said solution as authorized pursuant to State law and to take any additional action necessary to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

Drive.

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, the Corporation Counsel of the City of Danbury has successfully negotiated easements from nine(9) of the eleven(11) owners, but has been unsuccessful as to the remaining property owners; 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. F 10040 - 16 Colonial Drive/Cody, Raymond J. & Mary Ann (drainage easement)
2. F 10046 - Lake Shore Drive/Santore, D. Earle (drainage easement)
3. F 10045 - Pilgrim Drive (rear)/Santore, D. Earle (drainage easement)

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Lakecrest Drive Storm Drainage Easements.

WHEREAS, the Common Council on February 4, 1986 duly voted to approve the request to accept Lakecrest Drive and appropriate funding in the amount of \$57,000.00 to bring the road up to specifications for City acceptance; 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, respective mortgage holders and lienors, if any, the affected properties being indicated by Tax Assessor's lot numbers.

Partial Property Acquisitions

- | | |
|-------------------------------|--|
| 1. List #C 12069
(Lot 60) | Robert B. Spremulli and Donna J.
Spremulli |
| 2. List #C 11031
(Lot 61) | Norman F. Buzaid, Jr. and Cindy M.
Buzaid |
| 3. List #C 12081
(Lot 73) | Anthony M. Simonowicz and Maryanna T.
Simonowicz |
| 4. List #C 12082
(Lot 74) | David S. Grossman, Trustee for
Mark Eanniello |
| 5. List #C 12083
(Lot 75) | Dennis W. Daugherty and Christine E.
Louth |
| 6. | Southern New England Telephone Co.
(Utility Easement) |

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - Full-Time Alzheimer's Aide for Interweave.

WHEREAS, the Administration on Aging of the United States Department of Health and Human Services in accordance with Title II 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., has made available funds to public agencies; and

WHEREAS, the Department of Elderly Services of the City of Danbury is processing a grant application for Interweave, the Danbury Adult Day Care Center located at 198 Main Street, Danbury, Connecticut, for the period July 1, 1988 to June 30, 1989, in order that salary and fringe benefits may be provided for a full-time, temporary aide for the victims of alzheimer's disease; and

WHEREAS, application for grant funds to the Western Connecticut Area Agency on Aging, Inc. in the amount of \$20,233 is being made for this purpose;

NOW, THEREFORE, BE IT RESOLVED THAT any and all acts necessary by the Department of Elderly Services of the City of Danbury and by Mayor Joseph H. Sauer, Jr. to effectuate the purposes hereof be and hereby are authorized.

Mr. Godfrey made a motion to adopt the Resolution. Seconded by Mr. Eriquez. Motion carried unanimously.

9 - RESOLUTION - Student Assistance Program at Danbury High School.

WHEREAS, this Council on October 6, 1987 authorized the Mayor of the City of Danbury to make application for grant funding to continue the student assistance program at Danbury High School for the prevention of and early intervention in cases of alcohol or drug abuse among high school students; and

WHEREAS, said funding in the amount of \$5,200.00 to cover the costs of continuing said program has been obtained from the State of Connecticut; and

WHEREAS, it is in the best interests of the City of Danbury that said funds be authorized for use by and provided to the Midwestern Connecticut Council on Alcoholism by virtue of an agreement with the Danbury school system for purposes of effectuating this program; and

BE IT FURTHER RESOLVED THAT said funds in the amount of \$5,200.00 be authorized for use by the Midwestern Connecticut Council on Alcoholism in conjunction with the Danbury school system and the Mayor Joseph H. Sauer, Jr. be and hereby is authorized to take any additional action necessary to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Joseph H. Sauer appointing Lydia Yaglenski, 61 Padanaram Road as Parking Ticket Hearing Officer for a term to expire 4-1-90. The appointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Joseph H. Sauer re-appointing John J. Sullivan, Snug Harbor to the Redevelopment Agency for a term to expire 1-1-93.

Mr. Godfrey moved to confirm the appointment. Seconded by Mrs. Butera. Mr. Flanagan stated that he had no problem with the re-appointment but hoped that the Agency would move more aggressively on the Errichetti Project. Mr. Regan asked if the appointment was confirmed would Mr. Sullivan remain as the Chairman. The Mayor responded that the Agency selects its own Chairman and did not see any reason why Mr. Sullivan would not remain as Chairman. Mayor Sauer stated that he had had several conversations with Mr. Sullivan and based on those conversations he was making the reappointment.

Motion carried with the members voting as follows:

Yes - Connell, Moran, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Charles, Butera, Danise, DaSilva, Eriquez.

No - Bourne, Renz, Cresci, Fazio, Shaw, Regan, Bundy.

12 - COMMUNICATION - Letter from Mayor Joseph Sauer appointing Shirley H. DeMuth, 110 Deer Hill Avenue to the Library Board of Directors for a term to expire 1-1-91, replacing Patricia Fernard. The appointment was confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Mayor Joseph Sauer appointing Patricia VanDeWater, 9 Bank Street for a term to expire 3-1-91, replacing Ernest Goldstein and Peter Wyckoff, 5 Advocate Place for a term to expire 3-1-89. Mr. Esposito asked that this be referred to a committee. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Danise, Bourne and Gallo. Mayor Sauer also stated that in replacing Mr. Goldstein, this was not a sign that Mr. Goldstein was not performing. Mayor Sauer stated that he hoped the committee could correct any mistakes that may have been made.

15 - COMMUNICATION - Letter from Mayor Joseph H. Sauer appointing Officer Thomas P. Wendel to fill the vacancy of Sergeant in the Police Department. Mr. DaSilva made a motion that the appointment be confirmed. Seconded by Mr. Godfrey. Mr. Flanagan asked that in the future the Mayor's Office provide more biographical information on these types of appointments. Motion carried unanimously.

14 - COMMUNICATION - Letter from Mayor Joseph H. Sauer appointment Richard A. Erb, 15 Lakeview Avenue to the Fair Rent Commission for a term to expire 7-1-89. The appointment was confirmed on the Consent Calendar.

16 - COMMUNICATION - Letter from Betsy Lyke, Library Director, asked that a donation of \$25.00 for the purchase of discs be accepted. Mrs. Bourne made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Cresci. Motion carried unanimously.

17 - COMMUNICATION - Letter from Betsy Lyke, Library Director, asking that a donation of \$200 under IBM's Matching Grants Program be

accepted. Mr. Shaw made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mrs. Butera. Motion carried 277 unanimously.

18 - COMMUNICATION - Letter from Purchasing Agent Warren Platz asking that the bid be waived for the purchase of a used 1978 Chevrolet ambulance from the Bethel Volunteer Fire Department for \$7,000. Mr. Godfrey made a motion to accept the communication and authorize the waiver of the bid. Seconded by Mrs. Butera.

Mrs. Bourne asked how many miles that vehicle had and what would the cost of refurbishing be. Chief Machedo stated that he did not know the exact mileage, but the van was in excellent condition. Mr. Renz asked why there was no certification of funds. Mr. Godfrey stated that no certification was necessary because the funds would come out of the Police Department's budget. Mr. Eriquez stated that the Assistant Comptroller confirmed that certification was not necessary. Mrs. Bourne stated that since there were 50,000 miles on the vehicle and since the vehicle was 10 years old, perhaps the City should look into purchasing a new one. Chief Machedo stated that the vehicle would be parked most of the time, because it would not be used as a patrol vehicle, but only as a crime scene vehicle. Motion carried with Mrs. Bourne voting in the negative.

19 - COMMUNICATION - Letter from Councilman Barry Connell requesting that the proposed construction of a combined fire station for the Water Witch Hose Company #7 and Engine Co. #23 of the career department be placed on the agenda and an ad hoc committee be formed to review same. Mrs. Butera asked that this be referred to an ad hoc committee. Mayor Sauer so ordered and stated that the committee would consist of Council Members Connell, Cresci, Renz, Esposito and Gallo.

20 - COMMUNICATION - Letter from Acting Planning Director Susan Steiner asking that street renumbering on East Lake Road take place. Mrs. Bourne asked that this be referred to an ad hoc committee. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Bourne, Cassano and Godfrey.

21 - COMMUNICATION - Sewer Assessments - Golden Hill North. Letter from John Antunovich asking for review of sewer assessments on Golden Hill North. Mr. Connell asked that this be referred to the Corporation Counsel. Mayor Sauer so ordered.

22 - COMMUNICATION - Request from Janet Gershwin, 93 Boulevard Drive for recommendation regarding her tax assessment. Mrs. Butera asked that this be referred to the Tax Assessor. Mayor Sauer so ordered.

23 - COMMUNICATION - Letter from Attorney Lawrence Hirsch, stating their wish to deed Parcel X on Boyce Road to the City of Danbury. Mrs. Danise asked that this be referred to the Planning Commission, the City Engineer and the Corporation Counsel. Mayor Sauer so ordered.

24 - COMMUNICATION - Letter from John J. Burns donating property located in Candlewood Vista to the City. Mr. Connell asked that this be referred to the Planning Commission, the City Engineer and the Corporation Counsel. Mayor Sauer so ordered.

25 - COMMUNICATION - Letter from Tax Collector Catherine Skurat asking that the Suspense List be authorized. Mr. Eriquez moved that the communication be accepted and the Suspense List authorized. Seconded by Mr. Godfrey. Mr. Shaw stated that he felt it would be a good idea to publish the Suspense List in the newspaper. He also felt it would be a good idea to give the names to a collection agency, as he would rather collect 50% than nothing. Mr. Charles stated that it was not the habit of the City to publish the Suspense List, but that the News Time had done it on its own from information gathered from the Town Clerks Office. Motion carried unanimously.

26 - COMMUNICATION - Downtown Special Services District's Amended Budget and Proposed Levy for the Year Ended June 30, 1988. Mr. Moran made a motion that the communication be accepted. Seconded by Mrs. Butera. Motion carried unanimously.

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27 - COMMUNICATION - Reports from the Planning Department and the City Engineer regarding donation of Lot 103 Lakeview Avenue recommending that the lot not be accepted. Reports were accepted on the Consent Calendar.

28 - COMMUNICATION - Reports from the Planning Department and the City Engineer regarding the Estate of Marjorie Aileen Shepard recommending that the City not accept the property. Mr. Bundy moved to accept the reports and not accept the property and to refer it to the Corporation Counsel who should notify the Probate Court. Seconded by Mr. Renz. Motion carried unanimously.

29 - COMMUNICATION - Agreement between the City of Danbury and the Police Union, Council 15, AFL-CIO, for changes to the collective bargaining agreement for Special Police Officers. The agreement is for a two year period - January 1, 1988 to December 31, 1989. The feature of the agreement affecting cost is wage increase from \$7.58 per hour to \$8.50 per hour. Mr. Godfrey made a motion to accept the agreement and authorize the Mayor to execute the same. Seconded by Mr. Charles. Motion carried unanimously.

30 - COMMUNICATION - Request from Richard J. DeSoto for water extension at Clapboard Ridge Road. Mr. Moran asked that this be referred to an ad hoc committee. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Moran, Regan and Butera and the Planning Commission.

31 - COMMUNICATION - Letter from Gerard J. Lefebvre, Chairman of the Parking Authority stating that Citytrust was now asking for 60 parking spaces in the downtown parking garage rather than the original 40 spaces. Mr. Renz made a motion to accept the communication. Seconded by Mr. Fazio. Mr. Eriquez asked the mover of the motion what the intent of the motion was. Mr. Renz answered that the intent was just to accept the communication, as the communication was only providing information. Motion carried with Mr. Esposito voting in the negative.

32 - COMMUNICATION - Letter from Council Members DaSilva, Eriquez, Flanagan and Zotos asking that an ad hoc committee be established to investigate the possibility of the construction of an additional entrance to Brushy Hill Road from Southern Boulevard. Mrs. Butera asked that this be referred to an ad hoc committee, the Public Works Director and the Planning Commission. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Zotos, Flanagan and Bundy.

33 - COMMUNICATION - Letter from Minority Leader Gene Eriquez asking that an ad hoc committee be appointed to look into abuses of handicapped parking spaces. Mrs. Butera asked that this be referred to an ad hoc committee. Mayor Sauer so ordered and stated that the ad hoc committee shall consist of Council Members Cresci, Renz and Eriquez.

34 - COMMUNICATION - Forgiveness of Taxes owed by the Housing Authority - WITHDRAWN.

35 - COMMUNICATION - Letter from Councilman Esposito asking that a committee be established to look into the status of the Cross Street Bridge. Mr. Bundy asked that this be referred to committee. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Shaw, Danise, Esposito, Godfrey and Nimmons and also referred it to the Planning Commission and the City Engineer.

36 - COMMUNICATION - Letter from Councilman Joseph DaSilva asking that an ad hoc committee be established to look into the status of the proposed ice skating rink. Mr. Bundy asked that this be referred to an ad hoc committee. Mayor Sauer ordered that the committee shall consist of Council Members Connell, Bundy and DaSilva.

37 - COMMUNICATION & CERTIFICATION - Letter from the Environmental Impact Commission asking for the sum of \$2,900. for operation of the Commission. Certification of funds attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

38 - COMMUNICATION - Letter from Richard Palanzo asking for approximately \$60,000 to renovate the Probate Court. Mr. Godfrey asked that this be referred to an ad hoc committee, the Judge of Probate and the Probate Court Administrator. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Bundy, Connell and Flanagan.

39 - COMMUNICATION & CERTIFICATION - Letter from Richard A. Durkin, Chairman of the Planning Commission asking for funds in the amount of \$1,500 for continued operation of the Commission. Certification attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

40 - COMMUNICATION - Letter from George Terranova, MD asking the Common Council for a contribution for the Danbury area Driving While Intoxicated Awareness Day. Mr. Renz made a motion to accept the communication. Seconded by Mr. Fazio. Mr. Eriquez offered an amendment in good faith that the City contribute \$1,500 pending certification. Seconded by Mr. Godfrey. Mr. Shaw stated that the City is already contributing i.e. the Police Department. Mr. Renz stated that it was not his intent to belittle the efforts of this organization, but felt it was not right for this request to be before the Common Council due to the tax base problems that the City now faces. Mr. Eriquez felt it was improper to serve warning on the Citizens that Danbury faces a tax crises as the City had a healthy surplus. The amendment carried with the members voting as follows:

Yes - Moran, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Charles, Butera, DaSilva, Eriquez, Regan, Bundy.

No - Bourne, Connell, Renz, Cresci, Shaw, Fazio, Danise.
12 yes - 7 no.

Motion on original amended motion carried 12 yes 7 no as follows:

Yes - Moran, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Charles, Butera, DaSilva, Eriquez, Regan, Bundy.

No - Bourne, Connell, Renz, Cresci, Fazio, Shaw, Danise.

41 - COMMUNICATION - Letter from the Hat City Boxing Club requesting a grant from the City in the amount of \$6,000. Mrs. Butera asked that this be referred to the General Government Budget Committee. Mayor Sauer so ordered.

42 - DEPARTMENT REPORTS - Public Works, Health Department, Fire Chief, Fire Marshall, Police Department, Parks and Recreation, Airport Administrator, Building Department. Mr. DaSilva made a motion that the department reports be accepted and the reading be waived as all members have copies and copies are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Eriquez. Motion carried unanimously.

43 - REPORT and ORDINANCE - Chain of Command in the Police Department. Mr. Renz submitted the following report and ordinance:

The committee appointed to review the Ordinance regarding the Chain of Command in the Police Department met on March 17, 1988 at 7:30 P.M. in Room 432. In attendance were committee members Renz, Charles and Nimmons. Also in attendance were Chief Macedo, Captain Johnson, Captain Lovell, Lt. Sullo and Officer Rogers.

Discussion took place as to how best to write down the proper procedure regarding the devolving of authority in the Police Department. It was apparent that there was a consensus among the members of the department present, so Mr. Renz moved that appropriate officers of the Police Department determine in concert with the Corporation Counsel the status of relevant documents concerning the devolving of command in the Police Department, i.e., the Charter, Ordinances and regulations. Seconded by Mr. Charles. With regard to the motion, it was determined that the committee had no action pending before it.

ORDINANCE

THAT Section 15-10 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

Sec. 15-10. Command of department.

The overall command of the police department shall, in the absence of the chief of police, devolve upon the deputy chief. In the event that both the chief and the deputy chief are absent from duty, overall command of the department shall pass to the detective captain. In the event of the absence from duty of the chief, deputy chief and detective captain, the overall command of the department shall pass to the next senior ranking officer.

Mr. Moran made a motion to accept the report and adopt the Ordinance. After a brief discussion, Mrs. Bourne asked Mr. Moran to withdraw his motion. He complied. Mrs. Bourne moved that the committee report be rejected and that the Police Department be ordered to conform with the Ordinance already on the books. Seconded by Mr. Nimmons. Mr. Nimmons moved the question. Seconded by Mr. Moran. Motion to move the question failed with Council Members Bourne, Connell, Moran, Cresci, Nimmons, Fazio and Bundy voting yes and Council Members Renz, Esposito, Godfrey, Flanagan, Zotos, Shaw, Charles, Butera, Danise, DaSilva, Eriquez and Regan voting no.

Mr. DaSilva asked if the Council rejects the report would this change the regulations. Corporation Counsel stated that there would still be a conflict. Mr. Godfrey asked if this was just a department regulation or part of a contract. The Mayor stated that it was not part of a conflict. A discussion regarding bargaining followed. Mr. Godfrey offered the following amended ordinance:

THAT Section 15-10 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

Sec. 15-10. COMMAND OF DEPARTMENT.

The overall command of the police department shall, in the absence of the Chief of Police, devolve upon the deputy chief. In the event that both the Chief and the Deputy Chief are absent from duty, overall command of the department shall pass in the manner designated by the Chief through regulation.

Seconded by Mrs. Butera.

Mr. Cresci asked the Chief if both he and the Deputy were absent who would be in charge. The Chief responded that the Detective Captain would be in charge. Mr. Cresci asked if this could be changed in the future. Mayor Sauer answered that it could be.

Mrs. Bourne stated that she saw no reason to change the City ordinance because one organization did not conform.

The amendment passed with the members voting as follows:

Yes - Moran, Renz, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Fazio, Shaw, Charles, Butera, Danise, DaSilva, Eriquez, Regan, Bundy. No - Bourne, Connell, Cresci.

Mr. DaSilva asked if the Ordinance would have to go back to Public Hearing due to the change. Mr. Gottschalk replied that it would not.

The vote on the original motion as amended, to reject the committee report and to pass the Ordinance as amended carried with the members voting as follows:

Yes - Moran, Renz, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Fazio, Shaw, Charles, Butera, Danise, DaSilva, Eriquez, Regan, Bundy. No - Bourne, Connell, Cresci.

44 - REPORT and ORDINANCE - Amendment to Paragraph 5 of Subsection 16A-32(b) of the Code of Ordinances.

Mr. Nimmons submitted the following report and ordinance:

The Common Council met as a committee of the whole on March 30, 1988 at 7:45 P.M. in the Common Council Chambers in City Hall, to act on the above matter. A public hearing had previously been held.

Mr. Godfrey made a motion to recommend that the full Common Council approve the amendment. Seconded by Mr. DaSilva. Motion carried unanimously.

Mr. Godfrey made a motion to adjourn at 7:57 P.M. Seconded by Mr. Eriquez. Motion carried.

THAT Paragraph 5 of subsection 16A-32(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

"Metal hydroxide sludges."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Subsection 16A-33(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

"Vehicles displaying a commercial hauler's permit and disposing of permitted wastes at the Danbury sanitary landfill site shall pay, in addition to any permit charges, a user fee based upon the maximum rated capacity of said vehicle; or in the event that the City of Danbury installs weight scales at the Danbury sanitary landfill site, based upon the actual weight of such wastes. Any such user fees shall be established by the Common Council after public hearing. Vehicles displaying a non-commercial hauler's permit and disposing of permitted waste at the Danbury sanitary landfill site shall pay, in addition to any permit charges, such user fees as may be established by the Common Council after public hearing."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 16A-33(b) be and hereby is repealed in its entirety.

The report and ordinance were adopted on the Consent Calendar.

45 - REPORT and Certification - Revisions to Boulevard Drive. Mr. Cresci submitted the following report with certification attached:

The ad hoc committee appointed to review revisions to Boulevard Drive met on March 24, 1988 at 6:30 P.M. in Room 432 in City Hall. In attendance were committee members Cresci, Renz and Godfrey. Also attending were City Engineer Jack Schweitzer, Director of Public Works Dan Minahan and Janet Gershwin.

First, I would like to state the problem for the Council. The intersection desparately needs to be widened. At the moment it is about 33 feet wide. School buses, snow plows, etc. have a difficult time negotiating the intersection. Because the intersection is not wide enough, many citizens have driven up on the curve causing damage to their tires and to the grass. There have been two serious accidents since the intersection has been built. One destroyed a 1988 automobile and the other gentleman has filed suit against the City due to the hazardous conditions.

Mr. Cresci asked Mr. Minahan to give his report to the committee. The report is on a study that took place in preparing the revisions of the Boulevard Drive intersection. Mr. Minahan presented a proposal for the change in construction. It was well received by the committee. The proposed cost is approximately \$16,000 and would widen the road to 55 feet.

A motion was made by Mr. Godfrey to recommend to the Common Council that it accept the plan of the Public Works Department and to authorize the Corporation Counsel to negotiate the acquisition of necessary rights of way. Further, it is requested that the Comptroller determine the appropriate source of funding and provide certification of funds. Motion was seconded by Mr. Renz. Motion carried unanimously.

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

46 - REPORT -Landfill areas for Scrap Metal

Mr. Nimmons submitted the following report:

The committee appointed to study the above subject met at 8:00 P.M. on March 29, 1988 in City Hall. In attendance were Council Members Nimmons and Butera. Mr. Connell was absent.

The committee feels the subject matter was a part of the overall waste management project currently under consideration.

A motion was made by Mrs. Butera to refer this matter to the Public Works Director for further study. Seconded by Mr. Nimmons. Motion carried unanimously.

The report was accepted on the Consent Calendar.

47 - REPORT - Davro- Scalzo - Driftway Road Subdivision - Road Widening Parcel.

Mr. Moran submitted the following report:

The ad hoc committee appointed to review the request of Davro-Scalzo - Driftway Road Subdivision Application for Road Widening Parcel met on March 29, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Moran and Esposito. Also in attendance Robin Kahn and John Corey. Mr. Esposito made a motion to suspend the rules. Seconded by Mr. Moran. Motion carried unanimously.

Ms. Kahn and Mr. Corey explained this request was made in accordance with the City code which requires 50 feet for the acceptance of a road by the City.

Mr. Esposito made a motion that the committee recommend to the Common Council that the request of Davro-Scalzo for a road widening parcel be accepted subject to completion of the subdivision and with the approval of the Planning Department. Seconded by Mr. Moran. Motion carried unanimously.

The Report was accepted on the Consent Calendar.

48 - REPORT - Offer of State Lane for Sale on Prindle Lane.

Mr. Nimmons offered the following report:

The committee appointed to study the above offer met at 8:00 P.M. on March 22, 1988. In attendance were committee members Nimmons, Shaw and Zotos.

The offer for sale of land on Prindle Lane to the City of Danbury was made on January 13, 1988. In this correspondence from Mr. Edward T. Forand, Jr., Deputy Treasurer, paragraph 3 stated that if the municipality fails to give notice to the State of its intention to purchase said land within 45 days of the January 13th notice, it has waived its right to purchase said land.

The Chair advised the committee that under such circumstances no action is required since our meeting is well over the 45 day limit. Meeting adjourned at 8:20 P.M.

The report was adopted on the Consent Calendar.

49 - REPORT - Youth Services Bureau Resolution.

Mr. Nimmons submitted the following report:

The committee appointed to study the above resolution met at 7:30 P.M. on Tuesday, March 23, 1988. In attendance were committee members Nimmons, Cresci and DaSilva. Also attending was James Walsh, Director of the Youth Services Bureau.

The resolution is for the annual grant from the State of Connecticut for approximately \$87,000. A motion was made by Mr. DaSilva and seconded by Mr. Cresci that the Mayor be authorized to apply for said funds. Motion carried unanimously. Meeting adjourned at 7:55 P.M.

The report was adopted on the Consent Calendar.

50 - REPORT - Alarm Ordinance

Mr. Moran submitted the following report:

The ad hoc committee appointed to review complaints regarding Sec. 3A-45 of the Code of Ordinances of the City of Danbury met on February 23, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Moran, Connell and Zotos. Also present was Deputy Fire Chief Jack Murphy, Del Ryan and Fred Visconti, William Doyan of Ethan Allan and Mr. Hans DeMuth of the Danbury Hilton.

Mr. Visconti explained the workability of the code. Mr. Ryan stated that the placement of detectors is such as to give as much protection to human life as possible. My. Doyan and Mr. DeMuth stated that an investigation was not performed at the scene of or at the time of the incident. Mr. Murphy said that a review committee was to be established at the time the ordinance was adopted.

Mr. Connell made a motion to recommend to the Common Council that it request the Mayor to appoint a review board to hear and act upon such complaints regarding Sec. 3A-45 False Alarms - Errors, Mistakes or Malfunctions; and if a penalty is in order to impose same. This committee shall consist of 2 civilian members and 1 representative from the Fire Department acting as a consultant and that an investigation must be made by the officer in charge at the scene of the alarm. Seconded by Mr. Zotos. Motion carried unanimously.

The report was adopted on the Consent Calendar.

51 - REPORT - Workfare Program for Welfare Recipients.

Mr. Flanagan submitted the following report:

The committee appointed to consider Councilman Shaw's request that Danbury's welfare recipients be used to help clean up the central business district met on March 16, 1988 at 7:00 P.M. in Room 432 in City Hall. Present were committee members Flanagan, Gallo and Shaw and also Deborah MacKenzie, Director of Welfare Services for the City of Danbury.

Ms. MacKenzie provided a thorough overview of the current workfare system and review the state regulations which direct the program. Under the State guidelines able-bodied welfare recipients must participate in the workfare program for a length of time determining the benefits they receive. Workers are assigned to one of 39 approved worksites in Danbury including such places of the Public Works Department and the Parks and Recreation Department. Work assignments are made based on requests from the various approved sites for help, availability of qualified participants and at the discretion of the Director of Welfare, Deborah MacKenzie.

A review of the workfare program for the past few years revealed that Danbury's participation rate has ranged from 67%, the minimum State requirement for the program, to 100% which is achieved frequently. Ms. MacKenzie stated that it is her department's policy to place every eligible client deemed capable to work. She further suggested that City departments needing help have only to contact her office, especially when they have special projects such as Spring cleanup.

The committee was very satisfied with Ms. McKenzie's expert and thorough presentation. Mr. Gallo moved that no action be recommended to the Common Council. Seconded by Mr. Shaw. Motion carried unanimously.

The report was adopted on the Consent Calendar.

52 - SAT Corp. - Road Widening Parcel.

Mr. Moran submitted the following report:

The ad hoc committee appointed to review the above request met in Room 432 at 7:00 P.M. on March 22, 1988. In attendance were committee members Moran and Esposito. City Engineer Jack Schweitzer also attended.

Mr. Esposito asked Mr. Schweitzer who is responsible for the maintenance of the road. Mr. Schweitzer stated that it is the City's responsibility. This would complete a soft right of way as required by the City. A brief discussion followed.

A motion was made by Mr. Esposito that the committee recommend to the Common Council that the offer of land by SAT Corp. be accepted. Seconded by Mr. Moran. Motion carried unanimously.

The report was adopted on the Consent Calendar.

53 - REPORT - Request to purchase land at 128 East Liberty Street.

Mr. Charles submitted the following report:

The ad hoc committee appointed to review the request to purchase land at 128 East Liberty Street met on March 23, 1988 at 8:45 P.M. in Room 432 in City Hall. In attendance were committee members Charles, Buter and Moran. Also present were City Engineer Jack Schweitzer, Assistant Corporation Counsel Les Pinter, Edward Blasco and Attorney Neil Marcus.

A map was displayed showing the property to be conveyed to Mr. Blasco, the petitioner and buyer of the land to be sold. A motion was made by Mrs. Butera that the land be declared surplus and be sold exclusively to Edward Blasco. Said land is shown on a map of the City of Danbury to be conveyed to Edward Blasco. The area in question is 6,726 square feet on a Map dated March 16, 1988. Map was prepared by New England Land Survey. Motion was seconded by Mr. Moran. The motion carried unanimously.

Mrs. Butera moved to accept the report. Seconded by Mr. Connell. Mr. Charles offered the following amendment:

"Sale of surplus land located at 128 East Liberty Street, Danbury, Connecticut to Edward Blasco from the City of Danbury shall be referred to the Tax Assessor to determine the price to be paid the City of Danbury".

Mr. Flanagan made a motion to accept the report as amended. Seconded by Mrs. Bourne. Motion carried unanimously.

54 - REPORT - Request for Easement on Aunt Hack Road.

Mr. DaSilva submitted the following report:

The committee to study a request for an easement across City property on Aunt Hack Road met at 7:00 P.M. on March 14, 1988 in City Hall. In attendance were committee members DaSilva, Regan and Bourne. Also in attendance were Director of Public Works Dan Minahan and Councilman Hank Moran, ex-officio.

The petitioner, Dale L. Carlson did not attend the meeting although he was notified. Mrs. Bourne moved to deny the petition without prejudice. Mr. Carlson can petition the Common Council again when he is able to attend a meeting on the subject and provide proper explanation. Mr. Regan seconded the motion. Motion passed unanimously.

The report was adopted on the Consent Calendar.

55 - REPORT - Sewer Line on Hillendale Road.

Mr. Cresci submitted the following report:

The Common Council Committee charged with reviewing the above subject meet on March 7, 1988, at 8 P.M., in Council Chambers. In attendance were Committee members A. Cresci, Chairman, and M. Danise. J. Butera was absent. Also present were: L. Bourne, committee member ex-officio; J. Schweitzer, Engineering; A. Brinson, Foreman Sewer Crew and B. Buckley, Superintendent, Public Utilities Dept.; and approximately 45-55 Hillendale Road residents (see attached "sign-in sheet" for partial listing).

Chairman Cresci called the meeting to order, stating the charge of the Committee and introducing all City personnel to the group. Mrs. Danise moved that Robert's Rules be suspended to allow all present to speak. A. Cresci seconded. Motion passed.

The main crux of the problem seemingly is/was the lack of communication and miscommunication to the Hillendale Road residents from City personnel, Sewer Line workers, and others connected with the project. Residents had been informed by various sources that something was wrong with the new sewer line, that the contractor was being unresponsive to the City to correct the problem, and that the City had no clout to get the contractor to fix the problem.

The meeting began with Mr. Schweitzer bringing the residents up-to-date on the project's status. He explained that yes, there was a problem—not a major one—and that they would not know the extent of the problem until the sewer pipe is cleaned out and "re-TV'd," (there is actually a cylinder-shaped camera with headlights that walks on the bottom of the sewer line and records on tape its' surroundings) probably by Friday of this week. Pointing out that this would not stop the residents from being allowed to hookup. Messrs. Schweitzer and Buckley brought a copy of the latest "TV-ing" (2/8/88) of the sewer line and showed it to residents via a VCR and television set. The presentation given by Mr. Buckley allowed the residents to see what Public Utilities does to determine how the determination is made relating to the acceptability of a sewer line, showing the type of equipment that the sewer department has in, allowing the residents to see the "problem" firsthand, and offering explanation and comments. The "problem" is stagnant water "ponding" and debris in some sections of the line. Until the line is cleaned out, a determination cannot be made as to whether this is caused by a defect or a low spot in the pipe, or just dirt. Neither Messrs. Buckley or Schweitzer saw the problems as critical, as sewage will flow through the pipe. The contractor has been given through April 15th to effect the repairs. Their main concern (especially Mr. Buckley's) was the future maintenance of the piping. Mr. Buckley stated that the problems can be repaired, and repaired without interfering with Public Utilities providing the homeowners with sewer service.

From thereon the meeting was basically a question and answer session. The questions posed were as follows: "We contact people (re: quotations for hookups) and they never return our calls." What are we to do? . How can you tell us that we can hook up if you say that there may be a potential problem? . How does water get into the sewer system? . Will the road have to be dug up again if there is a problem? . How do we get a permit to hookup? . Will we be charged \$500 to hookup? . Will you post a notice if the road must be closed again? . On a weekend while our road was dug up, a fire truck could not get through. Will you take precautions to ensure that this doesn't happen again? . How does the City know that you've hooked all your pipes up to the sewer line? . Will the City ensure that all neighbors who have septic problems hook up to the sewer? . #82 Hillandale—a marshy area in the

front of his property since sewers were installed, would Mr. Schweitzer please inspect it? . What will the assessments be? . Did the contractor post a performance bond? . When can we hook up? . When will the pavement and curbing areas that contractor tore up be repaired? . I've just had a new septic put in, do I have to hook in to the sewer? . Why are you giving us the OK to go ahead and hook up now—issue permits when you don't have a 100% OK clearance—washing the sewing pipe out and inspecting it? Why don't you wait until you're that 100% sure (that sewer is ok)? . In answering this question, Mr. Buckley said, "The situation in your neighborhood is such that people are having problems existing now with septic systems. Our view of this (the problem) is that it is fixable, and it is fixable within the amount of money (\$40,000) that we have from this contractor. So if he doesn't proceed with fixing it by the timetable that we've given him—the deadline that we've given him, we're prepared to go fix it ourselves or hire another contractor to come in and fix it and bill him accordingly without interfering with the service that we're providing you when you connect. So we feel very comfortable that we can fix this and still provide you sewer service. So why would we hold you up, would be a question that would probably be asked of me?"

There were so many questions, and both Mr. Schweitzer and Mr. Buckley answered each question to the satisfaction of the residents. I must compliment both gentleman for the time and courtesy extended.

The committee requested that the following be done:

M. Danise moved that Mr. Schweitzer notify homeowners regarding the possible closing of Hillandale Road, or, have contractor put up a sign to that affect. Seconded by A. Cresci. Motion passed. Mr. Schweitzer agreed to do this.

A. Cresci moved that the Committee ask Health Director, Bill Quinn, to send letters to Hillandale Road residents responding to the following questions: (1) What is expected of homeowners re: what are the requirements for abandonment of a septic. (2) Must homeowners have their septic systems cleaned out prior to hooking up to City sewer system? (3) Does City of Danbury (Health Dept.) ensure that all who have problems with current septic systems hook up to the sewer?

Mr. Buckley encouraged the homeowners if they continue to have problems getting contractors to come out to call him and he will "persuade them to do it."

At the conclusion of the meeting the Chairman asked if the meeting had been beneficial, and if all questions were answered. The response from the residents was excellent. One individual said that this forum was very beneficial and that she was sorry that it wasn't done sooner, and that they had been kept in the dark all this time. Mrs. Bourne responded saying that the residents had their neighbor's Mrs. Green and the Matson's to thank for this meeting. The Committee and Mrs. Bourne expressed thanks to Messrs. Schweitzer, Buckley and Brinson for their presentation and time. They sincerely did an excellent job of answering questions.

The report was adopted on the Consent Calendar.

56 - REPORT - Street Addresses.

Mrs. Bourne submitted the following report:

Common Council Committee appointed to review "Street Addresses" met again Wednesday, March 16th, at 7:30 P.M., in City Hall, Room 432. In attendance were committee members, John Esposito, and Lovie Bourne, Chairman; (Robert Rodfrey was unable to attend) and member ex-officio, Hank Moran. Also present were: Susan Steiner, Planning Department; Ann DeFlumeri, Tax Assessor's Office; Jack Murphy, Deputy Fire Chief; Nelson Macedo, Police Chief; and representing the Post Office, Bill Mead, Letter Carrier, and Bill Doran, Supervisor of Delivery & Collection.

The meeting began with the Chairman introducing all present, stating the charge of the committee, reviewing Corporation Council, Rich Gottschalk's letter (copy attached) which outlines the Common Council's power as granted by State Law to rename and renumber city streets, and reviewing the list (copy attached) of duplicative streets compiled by Chief Macedo's office.

Everyone present felt that street address duplication poses a serious health and safety problem.

In order to correct the problem someone will have to go over the listing of problem streets and come up with a solution. Mr. Esposito stressed that this would be a tremendous job for a committee to undertake. Mrs. DeFlumeri stated that none of the departments that are involved have the personnel who have the expertise to undertake the task of compiling duplicative streets and instituting a renumbering system. She gave an example of roads where residents are using one name and the legal name is something else (Nabby Road vs. McKay Road), which would involve someone having to do a title search. Mrs. DeFlumeri suggested that perhaps it would be worthwhile if the Council could appropriate monies to hire someone from the outside knowledgeable about the City (not a summer intern, or a student) to work under their direction to prepare a report suggesting to the Council what it should do.

Mrs. Bourne asked Chief Macedo how prevalent was this problem. He replied that this a "big problem for the Police Department." He pointed out that some streets have no assigned numbers at all, and that some streets' numbering system is mixed with residents either using lot numbers or assigned numbers which makes things confusing.

Mr. Moran shared his own personal situation—his street address is Tagan Point Road, but his house is on Tagan Point Drive.

Mr. Doran stressed that the Post Office was experiencing the same frustration in mail delivery, especially out at the lake area. He said that the Post Office will begin to give people numbers to use if the situation is not corrected. This sometimes leads to much confusion as an individual could then possibly have more than one address. However, he offered the Post Office's assistance in either working with a committee or working with an individual if the City does hire someone, explaining that the Post Office has people working in their address information system. He stressed that it is very important for homeowners to get their addresses corrected.

Mr. Doran was asked what authority the Post Office has to assign numbers. They don't have the authority, however an individual would simply not receive mail delivery after a specified period.

Mrs. Bourne asked Chief Macedo if a comprehensive renumbering system would interfere with the 911 System. He replied no, and explained that in order to setup the 911 System, the Telephone Company's master lists would be use. Ms. Steiner interjected explaining that the Phone Company is working with her department to ensure that they have the current street addresses. Therefore, instituting a renumbering program would not affect this System.

The Chairman restated the charge of the committee which was established to apprise and determine if a comprehensive street renumbering program should be instituted; and for the Council to give direction to the Planning Department—should it continue with its' current approach to numbering, or take a more comprehensive approach.

Mr. Esposito made the motion "that the representatives of the Engineering Department, Planning Department, and Assessor's Office institute a comprehensive street renumbering program." Seconded by Mrs. Bourne. Motion passed.

Please note that at the previous Committee meeting a Motion passed that an ordinance be established to require developers to submit proposed street names and numbers of the entire project to Engineering and/or Planning before approval by the Planning Department. Corporation Council advises that an ordinance is not necessary to make this change. This can be achieved by an amendment to the Subdivision Regulation. Ms. Steiner will initiate this change with the Planning Commission as Common Council approval is not necessary. This procedure will ensure that future streets will be numbered properly.

The Committee has completed its obligations as stated in the original charge. If Planning, Engineering and/or the Assessor's departments deems it necessary to hire someone from the outside to accomplish this task, then it will be necessary for those departments to come before the Council to ask for funding.

Although it is not necessary for the Common Council to have a public hearing before instituting changes, if it deems a renumbering or renaming of City streets necessary, Corporation Council highly recommends that this is done.

The Chairman thanked all present for coming and participating.

Mr. Esposito moved to adjourn at 8:10 P.M.

The report was adopted on the Consent Calendar.

57 - REPORT - Saunders - College Park Estates.

Mr. Moran submitted the following report:

The ad hoc committee appointed to review the request to accept the road at Saunders - College Park Estates met on March 28, 1988 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Moran, Charles and Renz. Also in attendance were City Engineer Jack Schweitzer and Ralph Gallagher, a resident of College Park Drive.

Mr. Gallagher stated that the warranty deed for this road has not been accepted by the City and there is possibly a bond of \$13,500 existing to cover costs to complete the road. Mr. Schweitzer stated that this matter has been passed by the Planning Commission twice.

Mr. Renz made a motion that this matter be referred to the Corporation Counsel and that they recommend to this committee the procedure to bring this to a successful conclusion. Seconded by Mr. Charles. Motion carried unanimously. Meeting adjourned at 7:28 P.M.

The report was adopted on the Consent Calendar.

58 - PROGRESS REPORT - Request to change Rolf's Drive to permanent cul de sac.

Mr. Moran submitted the following report:

The ad hoc committee appointed to review the request to change Rolfs Drive to a "permanent cul de sac" met on March 28, 1988 in Room 432 in City Hall. In attendance were committee members Moran and Charles. Also attending were City Engineer Jack Schweitzer and a number of residents from Rolfs Drive and Briar Ridge. The rules were suspended with a motion by Mr. Charles, seconded by Mr. Moran and passed unanimously.

Mrs. Black stated that the residents of Rolfs Drive wanted a status for the road to be a "permanent cul de sac". Opening it up to a greater flow of traffic may cause injury to children, animals and the general safety of the residents. People bought their homes because it was a dead end.

Mr. Schweitzer displayed two maps, one of the general area and one of the subdivision which showed possible problems in snow plowing, general maintenance, etc. He suggested that it might be wise to find out from the Planning Department if there is something in the general scheme of things which may affect the recommendation of the committee. Mr. Charles asked several pertinent questions and a discussion followed.

Mr. Charles made a motion that this matter be referred to the Planning Department to ascertain if the City has future plans to develop this area and report back to this committee at its earliest convenience. Seconded by Mr. Moran and carried unanimously.

The report was adopted on the Consent Calendar.

59 - PROGRESS REPORT - Request for Transfer of City owned land for historic preservation. - Withdrawn.

60 - PROGRESS REPORT - Maple Avenue/Complaint of Phyllis Newma

Mr. Cresci submitted the following report:

The ad hoc committee appointed to review Maple Avenue intersection met on March 21, 1988 at 8:00 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Cresci, Moran and Gallo. Also attending were Police Chief Nelson Macedo and Councilman Barry Connell ex-officio.

Mr. Moran asked Chief Macedo if he knew how many children used the intersection and if it was necessary to install walk-light displays. Chief Macedo reponded that by March 28th he expected a crossing guard to be available and would know the traffic flow much better and also, how many children used the intersection.

Mr. Gallo made a motion that the committee contact City Engineer Jack Schweitzer to find out if development in this area would possibly mean changing the lights to accomodate more traffic and pedestrians and to report back to the committee in 30 days. Seconded by Mr. Moran. Motion carried unanimously.

The report was adopted on the Consent Calendar.

61 - PROGRESS REPORT - Petition for Sewers on Oak Lane.

Mr. Moran submitted the following report:

The committee appointed to review the request for sewers on Oak Lane met in Room 432 in City Hall on March 23, 1988 at 7:00 P.M. In attendance were committee members Moran, Regan and Gallo. Also in attendance were City Engineer Jack Schweitzer, Director of Public Utilities William Buckley and Evelyn Dewan.

Mr. Schweitzer stated that Oak Lane is not a City road. Mr. Buckley stated that the road is not wide enough to accomodate sewers and that easements would have to be secured. A discussion followed explaining the costs and problems that can be expected.

Mr. Gallo made a motion to refer this matter to Engineering and it should take its normal course. An estimated cost should be arrived at and should be sent to each homeowner. Seconded by Mr. Regan and passed unanimously.

The report was adopted on the Consent Calendar.

Mr. Moran submitted the following report:

The ad hoc committee to review the request for changing the name of Eden Drive met on February 23, 1988 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Moran and Cassano. Also present were Tom Insinna, Mr. and Mrs. Jose Velez and Ms. Ofie Trespalazios.

Mr. Cassano made a motion to suspend the rules. Seconded by Mr. Moran and carried unanimously. Mr. Insinna stated that he had talked to many of the condominium and home owners regarding this matter. Mr. Cassano asked if he represented the condominium and home owners. The response was affirmative. Mr. Insinna further stated that it is nearly impossible to get vendor service in the area. Such simple things as having pizza delivered or having the boiler serviced without having the service man's truck vandalized is difficult.

The committee acknowledged the frustration of the complainants. However, it was the general feeling of the committee that several avenues must be looked into before a recommendation can be made.

1. Contact the post office to insure that should this recommendation be made in the affirmative normal delivery service will continue and clarify what the proper address on mail to the housing project would be.

2. Contact Housing Authority for their comment; since tenants of the project are transient in nature it was felt that the Housing Authority namely Mr. Fitzpatrick, would be qualified to give an opinion.

3. The members of the Condominium-Homeowners Association select another name for Eden Drive should this committee recommend such change to the Common Council.

The report was adopted on the Consent Calendar.

63 - PROGRESS REPORT - Drainage Problem/Jerry Sanchez.

Mrs. Danise submitted the following report:

The Common Council Committee appointed to review a drainage problem concerning Jerry Sanchez met on March 10, 1988 in the Fourth Floor Lobby in City Hall. In attendance were Committee Members Danise and Renz. Also in attendance were Councilman Barry Connell ex-officio, Jerry Sanchez, Dan Minahan, Jack Schweitzer, William Buckley and P. Galvin.

Discussion centered on two issues. First, the concern for the effect development of this parcel would have on drinking water, specifically Marjorie Reservoir and second, the extent to which the developer is liable for water crossing his property.

Concerning the first point, it was agreed that an engineering plan must be submitted for approval by the City of Danbury. Regarding the second item, it was felt that an onsite inspection would be helpful.

A motion was made by Mr. Renz that an onsite inspection take place at such time an engineering report has been filed with the City Engineering Department, and further, that sufficient time will elapse so that meaningful discussion between engineering professionals may take place onsite.

The report was adopted on the Consent Calendar.

Mr. Eriquez made a motion to add this item to the agenda. Seconded by Mr. Nimmons. Motion carried with Mrs. Butera voting in the negative.

Mrs. Danise submitted the following report:

The committee charged with reviewing proposed settlements in the cases of Danbury v. Fitzsimmons and Fitzsimmons v. Danbury met on Thursday, March 10, 1988 at 7:30 p.m. in the fourth floor lobby at City Hall. In attendance were Councilwoman Mary Ann Danise and Councilman Barry Connell. Also in attendance was Assistant Corporation Counsel Eric L. Gottschalk.

After a discussion of these pending cases, a motion was made and seconded to authorize the Corporation Counsel to finalize settlements in both cases. The City of Danbury will release the property it originally condemned for use as a water tower site and the other parties to these cases will return the proceeds of the condemnation action to the City of Danbury of Danbury. Both cases will then be withdrawn. The motion carried unanimously.

Mr. DaSilva made a motion to accept the report. Seconded by Mrs. Butera. Motion carried unanimously.

65 - COMMUNICATION - Tax Exemptions.

Mr. Charles made a motion to add this item to the agenda. Seconded by Mr. Eriquez. Motion carried unanimously.

Mr. Charles presented a communication asking that an ad hoc committee be appointed to review tax exemptions for veterans, etc.

Mr. Godfrey moved to accept the communication and asked that an ad hoc committee be appointed. Seconded by Mr. Moran. Motion carried unanimously. Mayor Sauer ordered that the committee shall consist of Council Members Nimmons, Moran and Charles.

Mayor Sauer extended all committees that have not as yet finished their work. He also appointed Council Members Connell and Charles to replace former member Weiss and Council Member Zotos on the ad hoc committee regarding request for sewer and water extensions at Tamarack Avenue.

Mayor Sauer presented his budget message to the Common Council (a copy is on file in the Office of the City Clerk).

Mayor Sauer appointed the following budget committees:

GENERAL GOVERNMENT I - Bourne, Danise, Renz, DaSilva, Godfrey
GENERAL GOVERNMENT II- Cresci, Fazio, Bundy, Flanagan, Charles
PUBLIC SAFETY - Connell, Moran, Bundy, Gallo, Butera, Zotos,
Nimmons
PUBLIC WORKS - Shaw, Danise, Bourne, Esposito, Cassano

PUBLIC SPEAKING SESSION

Tony Bruno, 7 Varian Drive - Spoke on tax assessments
Janet Gershwin, 93 Boulevard Drive - spoke on tax assessments
and the budget
Harry Kessler, Lake Waubeeka - spoke against the Downtown
Parking Garage, spoke about re-evaluation and the budget
Nicholas Rambone, Circle Drive - spoke on tax assessments
and the budget
Ernie Goldstein - Spoke about the handicapped
Marilyn Dores, 179 South King Street - Spoke about the
handicapped.

Tom Elefrante, 2 Queen's Court - spoke regarding the budget and tax assessments.

Rory Ahern, Circle Drive - spoke regarding the budget and tax assessments.

Judith Spak, Thaddeus Avenue - spoke about tax assessments

Joan Black, Rolf's Drive - spoke about re-evaluation.

Carolyn O'Boyle, Rolf's Drive - spoke about re-evaluation.

Paul McAllister, 33 Maple Avenue - spoke regarding Sgt. Wendell's promotion. He was in favor of it.

John Eimer, 14 Varian Drive - spoke about taxes and re-evaluat.

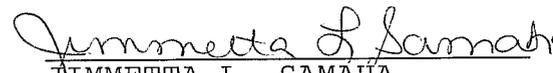
Barbara Shaw, 43 Olympic Drive - spoke about tax assessments.

Jean Natale, Padanaram Road - spoke about tax assessments and the budget.

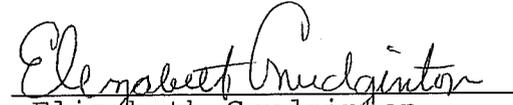
Lydia Yaglienski, 61 Padanaram Road - spoke about taxes and the budget.

There being no further business to come before the Common Council a motion was made by Mr. Moran for the meeting to be adjourned at 10:50 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk