

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

Re: Minutes of the May 3, 1988 Common Council Meeting

The Meeting was called to order at 8:00 P.M. by Mayor Joseph H. Sauer who led the assembly in the Pledge of Allegiance. The Prayer was offered by Councilman DaSilva. Roll Call was taken with the members being recorded as

Present: Bourne, Connell, Gallo, Moran, Renz, Godfrey, Flanagan, Zotos, Cresci, Nimmons, Fazio, Shaw, Cassano, Charles, Bundy, Butera, Danise, DaSilva, Eriquez, Regan. Absent: Esposito. Mr. Eriquez noted that Mr. Esposito is out of the State.

20 Members Present - 1 Member Absent.

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

- 1 - Resolution - Agreements between the City of Danbury and the State of Connecticut for the improvements to the Danbury Municipal Airport
- 3 - Resolution - Rental Rehabilitation Program
- 8 - Resolution - Danbury Regional Wastewater Treatment Plant
- 14 - Communication - Appointment to the Aviation Commission
- 15 - Communication - Appointment to the Parking Authority
- 16 - Communication - Appointment to the Commission on Aging
- 17 - Communication - Appointment as Parking Ticket Agent
- 19 - Communication - Appointments to the Housatonic Valley Tourism Commission
- 22 - Communication - Request for Transfer of Funds - Commission on Aging
- 23 - Communication & Certification - Request for Funds - Registrars of Voters
- 33 - Communication - Fire Department Special Services Account
- 38 - Communication - Farm Street Sewer Assessments
- 40 - Communication - Lease Agreement between the City of Danbury and Housatonic Valley Broadcasting Company
- 43 - Report - Hatters Park Bowling Alley Lease with Payne
- 44 - Report - Maple Avenue/Complaint of Phyllis Newman
- 47 - Report - Additional Entrance to Brushy Hill Road
- 48 - Progress Report - Tax Exemptions for Veterans, Etc.

Mr. Charles made a motion to accept the Consent Calendar as presented. Seconded by Mr. Moran. Motion carried unanimously

Mayor Sauer announced that on May 4th, City Clerk Betty Crudginton and her husband, Don, will celebrate their 20th wedding anniversary.

MINUTES - Minutes of the Common Council Meeting held April 5, 1988 and the Special Common Council Meeting held April 28, 1988. Mr. DaSilva made a motion 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. Seconded by Mr. Eriquez. Motion carried unanimously.

1 - RESOLUTION - Agreements between the City of Danbury and the State of Connecticut for the Improvements to the Danbury Municipal Airport

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport and Airway Improvement Act of 1982; and

WHEREAS, the City of Danbury intends to reconstruct the runway intersection of Runways 8/26 and 17/35, this project will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury executed an agreement in this regard on February 11, 1987; and

WHEREAS, the Federal Aviation Administration has determined that the costs for said improvements are insufficient and as a result the federal grant in the original amount of \$514,800.00 is increased to an amount not to exceed \$526,399.09; a state grant in the original amount of \$42,900.00 is increased to an amount not to exceed \$43,866.59; and a local match of two and one-half (2½%) percent in the original amount of \$14,300.00 is to be increased to an amount not to exceed \$14,622.20 as the share of the City of Danbury for project funding.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Joseph H. Sauer, Jr., is hereby authorized to execute a supplemental agreement increasing the local share of the City of Danbury, and any and all additional acts necessary to effectuate said program by and hereby are authorized.

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - AIDS Prevention Program

RESOLVED by the Common Council:

WHEREAS, the State of Connecticut Department of Health Services, through the AIDS Prevention Program, has made grant funds available from May 1, 1988 through June 30, 1989 to full-time health departments by providing health education information, free counseling and human immuno-deficiency virus (HIV) antibody testing services in the Danbury area for both the youth and general public and for individuals concerned about possible exposure to HIV; and

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

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has formulated an Acquired Immuno-deficiency Syndrome (AIDS) Out-Reach Education and Risk Reduction Counseling and Testing Program for the Danbury area; and

WHEREAS, a grant award of up to \$95,900 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 the 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 thereof with the State of Connecticut Department of Health Services.

Mr. Eriquez made a motion to approve the Resolution. Seconded by Mr. Charles. Motion carried unanimously.

3 - RESOLUTION - Rental Rehabilitation Program.

RESOLVED, by the Common Council:

WHEREAS, federal monies are available under the Rental Rehabilitation Program administered by the United States Department of Housing and Urban Development pursuant to Section 17 of the United States Housing Act of 1937 (the Act) which was enacted into law in Section 301 of the Housing and Urban-Rural Recovery Act of 1983, Public Law 98-181, Statute 1153; and

WHEREAS, Danbury has been determined to be an Entitlement City for the Rental Rehabilitation Program; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to Department of Housing and Urban Development for Fifty-seven Thousand Dollars (\$57,000) in order to undertake a Rental Rehabilitation Program and to execute an Assistance Agreement therefor, should one be offered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That it is cognizant of the conditions and prerequisites for federal assistance imposed by Rental Rehabilitation Program regulations recorded at 24 CFR 511;

2. That the filing of an application by the City of Danbury in an amount not to exceed Fifty-seven Thousand Dollars (\$57,000) is hereby approved, and that the Mayor of the City of Danbury is hereby authorized and directed to file such application with the Department of Housing and Urban Development, to provide such additional information as may be necessary, to execute an Assistance Agreement with the Department of Housing and Urban Development for financial assistance if such an Agreement is offered, to execute any amendments, recensions and revisions thereto, and to act as the authorized representative of the City of Danbury;

3. That all prior actions taken by the Mayor of the City of Danbury with respect to this application are hereby ratified.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - A Resolution Levying the Property Tax for the Danbury Downtown Special Services District.

RESOLVED, by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY DOWNTOWN SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 1988 AND ENDING JUNE 30, 1989

SECTION 1. The sum of Ninety-five Thousand, Nine Hundred Dollars (\$95,900) representing the gross appropriation for the City of Danbury Downtown Special Services District of One Hundred Thirty-nine Thousand, Nine Hundred Dollars (\$139,900) for the fiscal year beginning July 1, 1988 and ending June 30, 1989, minus indirect revenue of Sixty Thousand Dollars (\$60,000) and minus estimated available "Surplus" of \$ - 0 - plus uncollectible taxes reserve in the amount of Sixteen Thousand Dollars (\$16,000) is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the corrected annual Grand List as of October 1, 1987.

SECTION 2. Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 1988 and ending June 30, 1989 with respect to said property interests within said District shall be as follows:

SECTION 3. The taxes levied and assessed as herein provided shall be due and payable in four equal installments on July 1, 1988, October 3, 1988, January 3, 1989 and April 3, 1989 except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 1988, in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date 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 on July 1, 1988 and ending June 30, 1989.

Mr. Moran made a motion that the Resolution be approved. Seconded by Mr. Eriquez. Mr. Renz asked Mr. Setaro, through the Chair, what the source of the \$60,000 indirect revenue as stated in the Resolution. Mr. Setaro stated that this is grant money for which the District is applying and if the grants are not received this money will be deducted from their budget. Motion carried unanimously.

5 - RESOLUTION - Community Development Block Grant.

RESOLVED, by the Common Council of the City of Danbury:

THAT the Common Council of the City of Danbury direct the Mayor, as Chief Executive Officer of the City of Danbury, to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for funds allocated under Title I of the Housing and Community Development Act of 1974, as amended which authorized the Community Development Block Grant Program. Such application is for Fourteenth Year Funding and will be in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Policy Committee for the Community Development Program of the City of Danbury.

Mr. Eriquez made a motion that the Resolution be approved. Seconded by Mr. Flanagan. Motion carried unanimously.

6 - RESOLUTION - Storm Drainage Project - South King Street Project.

Mr. Connell asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Bourne, Bundy and DaSilva.

7 - RESOLUTION - Honoring Probate Judge Suzanne Powers.

RESOLVED, by the Common Council of the City of Danbury:

WHEREAS, Judge Suzanne Powers of New Milford has served this City's people in their time of extraordinary need in the Probate District of Danbury; and

WHEREAS, she has shown great human compassion, personal concern, and judicial acumen for those who have required the Court's adjudication;

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council, on behalf of the people of Danbury, conveys their deep appreciation and gratitude to Suzanne Powers.

Mr. Godfrey made a motion to approve the Resolution. Seconded by Mrs. Butera. Motion carried unanimously. Mayor Sauer added his thanks to Judge Powers for a job well done in a very trying time.

8 - RESOLUTION - Danbury Regional Wastewater Treatment Plant.

RESOLVED, by the Common Council of the City of Danbury:

THAT Joseph H. Sauer, Jr., Mayor of the City of Danbury, is hereby authorized to execute and file applications and agreements on behalf of the City of Danbury with the Commissioner of Environmental Protection for project grants and loans pursuant to the provisions of Public Act 86-420 and the provisions of the General Statutes of Connecticut, as amended, and to execute on behalf of the City of Danbury all the applications, instruments and documents and accept payments and do all other things that may be necessary for project grants and loans for: the Facilities Plan Update Project; including, but not limited, to planning, design, acquisition, construction and equipping of improvements to the Danbury Regional Wastewater Treatment System.

The Resolution was adopted on the Consent Calendar.

9 - ORDINANCE - City Historian. Mrs. Butera asked that this be deferred to public hearing. Mayor Sauer so ordered.

10 - ORDINANCE - Parking Violations. Mrs. Butera asked that this be deferred to public hearing. Mayor Sauer so ordered.

11 - COMMUNICATION - Promotion to Deputy Fire Marshall.  
WITHDRAWN.

12 - COMMUNICATION - Promotion to Fire Dispatcher.

Letter from Mayor Joseph Sauer promoting Fire Fighter James A. Leonard to the position of Fire Dispatcher. Mr. Cresci made a motion that the communication be accepted and the promotion confirmed. Seconded by Mrs. Butera. Motion carried unanimously.

13 - COMMUNICATION - Appointments to the Lake Kenosia Commission.

Letter from Mayor Sauer appointing Janet Gershwin, Philip Hadley, David Benson, Robert Carlson, John DeMille, Anthony Ferraiuolo, and Ruth Leuthauser to the Lake Kenosia Commission. Mr. Renz stated that he would like this item to go to committee since these appointments had not come through the Town Committees and therefore did not reflect the will of the community. Mayor Sauer ordered that the committee shall consist of Council Members Fazio, Renz and Eriquez.

14 - COMMUNICATION - Appointment to the Aviation Commission.

Letter from Mayor Sauer appointing Geoffrey R. Nye, 9 Marc Road to the Aviation Commission for a term to expire 7-1-89. The appointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Appointment to the Parking Authority

Letter from Mayor Sauer appointment A. Peter Damia 113 Clapboard Ridge Road to the Parking Authority for a term to expire 6-30-92. The appointment was confirmed on the Consent Calendar.

16 - COMMUNICATION - Appointment to the Commission on Aging.

Letter from Mayor Sauer appointing Seth Sanford, 58 Forty Acre Mountain Road to the Commission on Aging for a term to expire 10-1-90. The appointment was confirmed on the Consent Calendar.

17 - COMMUNICATION - Appointment as Parking Ticket Agent.

Letter from Mayor Sauer appointing Frederick Bourne, 1 Kilian Drive as Parking Ticket Hearing Officer for a term to expire 4-1-90. The appointment was confirmed on the Consent Calendar.

18 - COMMUNICATION - Appointments to the Commission on the Status of Women.

Letter from Mayor Joseph Sauer reappointing Mary McIlvaine, 218 Southern Boulevard for a term to expire 4-1-91 and Anita Lynch, 208 Middle River Road for a term to expire 4-1-91 and appointing Cynthia Zane, 19 Skyline Drive for a term to expire 4-1-89. Mr. Fazio moved that the communication be accepted and the appointments confirmed. Seconded by Mr. Flanagan. Motion carried unanimously.

19 - COMMUNICATION - Appointments to the Housatonic Valley Tourism Commission.

Letter from Mayor Sauer appointment Earl Peterson of the Holiday Inn and Pat Frisaro of the Danbury Fair Mall to the Housatonic Valley Tourism Commission. The appointments were confirmed on the Consent Calendar.

20 - COMMUNICATION - Donation to the Danbury Library.

Letter from Library Director Betsy Lyke stating that Fujitsu Imaging Systems of America would like to donate a Fujitsu DL 3400 24 wire dot matrix printer to the Library. Mrs. Danise moved to accept the donation and send a letter of thanks. Seconded by Mr. Charles. Motion carried unanimously.

21 - COMMUNICATION & CERTIFICATION - Request for Funds for Sealer of Weights and Measures.

Letter from Robert B. Sulliman, Sealer of Weights & Measures asking for \$957.50 for needed equipment. Certification attached. Mr. Moran made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Connell.

Mrs. Bourne asked if it would be appropriate for the Corporation Counsel to review the ordinance dealing with the Sealer of Weights and Measures. Mr. Moran agreed with Mrs. Bourne. Mayor Sauer stated that he would have the Corporation Counsel look into same. Mr. Renz asked where the equipment from previous Sealers went. Mrs. Butera stated that the equipment was loaned to the City from the State. Mr. DaSilva asked that if the City does not have a Sealer, does the State perform this function. If yes, is this not a duplication of services. Mayor Sauer stated that if a City has a population of 75,000 you must have a Sealer of Weights and Measures. Mrs. Bourne stated that Sec. 43 of the State Statutes gives authority to the Legislative Leader to appoint a Sealer if population is under 75,000. Mr. Moran stated that any fine imposed would go to the State. Mrs. Butera stated that this is true only if the fine is imposed on State property. Mr. DaSilva stated that fines do not come close to the budget and would like someone to look into this possible duplication of services. Mayor Sauer stated that he would have the Corporation Counsel look into this. Motion carried unanimously.

22 - COMMUNICATION - Request for Transfer of Funds - Commission on Aging.

Letter from Leo McIlrath, Director of Department of Elderly Services asking that \$1,475 be transferred into the Commission on Aging budget. No certification is necessary. Communication was accepted and transfer authorized on the Consent Calendar.

23 - COMMUNICATION & CERTIFICATION - Request for Funds - Registrars of Voters.

Letter from Registrars of Voters asking for the sum of \$7,255 to cover the expenses of the April 26th referendum. Certification attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

24 - COMMUNICATION & CERTIFICATION - Request for Funds for Parks and Recreation Department.

Letter from Director Robert Ryerson requesting the sum of \$22,000 to cover summer staff. Certification attached. Mr. Moran asked that this be referred to a committee. Mayor Sauer ordered that the committee shall consist of Council Members Bundy, Cresci and Eriquez

25 - COMMUNICATION & CERTIFICATION - Request for funds for the Civil Service Department.

Letter from Director Nicholas Nero requesting the sum of \$15,000 needed to complete police testing. Certification attached. Mrs. Danise made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Moran. Motion carried unanimously. Mayor Sauer stated that he had followed this group through testing and was very happy about the quality of the group and is very serious about filling the positions in the Police Department.

26 - COMMUNICATION & CERTIFICATION - Request for Funds to pave East King Street.

Letter from Council Members at Large Joseph DaSilva and Arthur Regan stating that East King Street is in poor condition and asking for the sum of \$6,000 for paving. Certification attached. Mr. Renz asked that this be referred to a committee. Mayor Sauer ordered that the committee shall consist of Council Members Connell, Regan and DaSilva.

27 - COMMUNICATION & CERTIFICATION - Sporck v. Danbury - Final Statement.

Letter from Corporation Counsel Robert T. Resha asking that the sum of \$3,928.75 be appropriated to pay the final statement from Goldstein and Peck in the Sporck matter. Certification attached. Mr. Godfrey made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Eriquez. Mr. Renz asked if this was the final statement or would there be future charges. Mr. Resha stated that this is the bulk of the expense, and any other charge would be a miscellaneous expense. Motion carried unanimously.

28 - COMMUNICATION - Petition from Property Owners of Abbott Street asking for sewer and water extensions. Mrs. Butera asked that this be referred to an ad hoc committee, Engineering, Planning Commission and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Moran, Renz and Charles to the ad hoc committee.

29 - COMMUNICATION - Request of Beaver Brook Realty Company for Sewer Extension at Beaver Brook Road. Mrs. Butera asked that this be referred to an ad hoc committee, Engineering, Planning Commission and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Moran, Renz and Esposito to the committee.

30 - COMMUNICATION - Request from Dr. Albert Casazza for Water extension at Sand Pit Road. Mrs. Danise asked that this be referred to an ad hoc committee, Engineering, Planning Commission and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Shaw, Nimmons and Cassano to the committee.

31 - COMMUNICATION - Petition from residents of Fairlawn Avenue and Shannon Ridge Road requesting sewer extension. Mrs. Bourne asked that this be referred to an ad hoc committee, Engineering, Planning Commission and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Regan, Danise and Charles to the committee.

32 - COMMUNICATION - Request from Mill/Kenosia Partnership for water extension at 27 Mill Plain Road. Mrs. Butera asked that this be referred to an ad hoc committee, Engineering and Planning Commission and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Shaw, Nimmons and Cassano to the committee.

Letter from Fire Chief Monzillo asking that \$10,000 be added to the Special Services Account. All money expended will be returned to the general fund through a billing procedure. The communication was accepted and the transfer authorized on the Consent Calendar.

34 - COMMUNICATION - Request for use of City Land for Soccer fields for Danbury PAL Youth Soccer. Mr. Bundy asked that this be referred to a committee. Mayor Sauer appointed Council Members Bundy, Cresci and Butera to the Committee, and also ordered it referred to Director of Parks and Recreation Robert Ryerson and the Planning Commission.

35 - COMMUNICATION - Landing Fees at Airport. Mrs. Butera asked that this be referred to an ad hoc committee. Mayor Sauer appointed Council Members Shaw, Connell, Godfrey to the committee, and also ordered it referred to Airport Administrator Paul Estefan and the Aviation Commission.

36 - COMMUNICATION - Well Contamination on East Pembroke Road. Mr. Renz asked that this be referred to an ad hoc committee, the Corporation Counsel and the Superintendent of Public Utilities. Mayor Sauer so ordered and appointed Council Members Moran, Connell and Gallo to the committee.

37 - COMMUNICATION - See Item 6.

38 - COMMUNICATION - Report from Assistant Corporation Counsel Eric Gottschalk regarding Farm Street Sewer Assessments. The Communication was accepted on the Consent Calendar.

39 - COMMUNICATION - Petition from residents of Fairview Drive asking for repairs to the condominium project. Mr. Renz asked that this be referred to an ad hoc committee, the Director of Public Works and the City Engineer. Mayor Sauer so ordered and appointed Council Members Moran, Regan and Zotos to the committee.

40 - COMMUNICATION - Lease Agreement between the City of Danbury and the Housatonic Valley Broadcasting Company changing the date from January 1, 1988 to January 1, 1989. The communication was accepted on the Consent Calendar.

41 - COMMUNICATION - Request for an ad hoc committee to study removal and disposal of construction and demolition debris. Mrs. Butera asked that an ad hoc committee be appointed. Mayor Sauer appointed Council Members Bundy, Renz and Flanagan to the committee.

42 - DEPARTMENT REPORTS - Health Department, Fire Chief, Fire Marshall, Police Department, Parks and Recreation, Building Department, Sewer Department. Mr. DaSilva made a motion to accept the department reports and to waive the reading of said reports as all members have copies and are on file in the office of the City Clerk for public inspection. Seconded by Mr. Moran. Motion carried unanimously.

43 - REPORT - Hatters Park Bowling Alley Lease with Payne.

Mrs. Danise submitted the following report:

The committee appointed to review the lease for the Hatters Park Bowling Alley met on March 9, 1988 at 7:30 P.M. in City Hall. In attendance were committee members Danise, Renz and Charles. Also attending was Director of Parks and Recreation Robert Ryerson, Attorney John Curtas and Gerald Troccola.

Attorney Curtas, representing Mr. Troccola explained that his client desired to buy the existing lease of the bowling alley. Mr. Ryerson stated that he was in favor of assigning the lease to Mr. Troccola.

Mr. Charles made a motion to permit Mr. Troccola to purchase the lease for the Hatters Park bowling alley. Seconded by Mrs. Danise. Motion carried unanimously.

The report was accepted on the Consent Calendar.

Mr. Cresci submitted the following report:

The ad hoc committee appointed to review Maple Avenue/ Complaint of Phyllis Newman met on April 11, 1988 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Cresci and Moran and Police Chief Macedo.

After a discussion with Associate Planner Susan Steiner, she informed me that a building permit had been issued and further development is expected in this area in the near future consisting of ten 1 bedroom units and 14 two bedroom units. A brief discussion with Chief Macedo regarding safety followed.

A motion was made by Mr. Moran that in as much as building permits have been issued for additional housing in this area, and that school buses have warning lights which stop all traffic while picking up or discharging children that this committee recommend that this matter be taken up at a later date. Motion seconded by Mr. Cresci. Motion carried unanimously.

The Report was accepted on the Consent Calendar.

45 - REPORT - Misuse of Handicapped Parking Spaces.

Mr. Cresci submitted the following report:

The committee appointed to review the misuse of handicapped parking spaces met on April 11, 1988 in Room 432 in City Hall. In attendance were Committee Members Cresci, Renz and Eriquez. Also present were Council Members Moran, DaSilva and Charles ex-officio, as well as Police Chief Macedo and Marilynn Dores, Chairperson of the Handicapped Commission.

Mr. Cresci convened the meeting at 7:05 P.M. and had Mr. Eriquez summarize the events that lead to the draft ordinance before the committee. A general discussion ensued whereby it was concluded that this particular type of abuse deserves the absolute maximum degree of punishment allowable under the law. An amendment to the draft ordinance was made by Mr. Renz, relative to subsection 19-35e, increasing the fine per occurrence from \$50 to \$100. The original draft ordinance called for an increase from \$25 to \$50 per occurrence. Seconded by Mr. Cresci. It was noted that the \$100 fine could not be doubled if payment was not made in seven days and that the ordinance would have to be revised to reflect this.

A second motion regarding the "booting" of vehicles was made by Mr. Eriquez to the effect that any vehicle with three or more outstanding violations of section 19-35 may be booted. Deference is made here to the specific wording of the amendment to section 19-65b as contained in draft ordinance dated April 11, 1988. Motion was seconded by Mr. Cresci.

Mr. Renz made a motion to accept the report. Seconded by Mr. Moran. Mr. Gallo noted that in paragraphs 2 and 3, there was no reflection that votes on the motions had been taken. Mr. Cresci stated that votes had been taken and all passed unanimously. Mr. Regan stated that he felt that \$100 was too stiff a fine and \$50 was enough. Mr. Cresci stated that the fine is meant to deter not offend. Mr. Renz stated that the intent is to send a very strong message that there is no excuse for parking in handicapped spaces. Mr. Moran stated that regardless of how much the fine is, it must be enforced. Mr. Bundy stated that enforcement is two-fold: 1. giving the ticket; and 2. enforcing. Mr. Cassano felt that \$100 was too high and that some handicapped spaces on Main Street are not clearly delineated. Motion carried unanimously. Mr. Eriquez deferred the draft ordinance to public hearing.

May 3, 1988

46 - REPORT - Appointments to the Handicapped Commission.  
Mrs. Danise submitted the following report:

The ad hoc committee appointed to review the request of Ernest Goldstein decided that Mr. Goldstein could remain on the Commission as long as he is able to attend the meetings.

Mrs. Bourne made a motion to have Patricia Van DeWater be named to fill the commission vacancy. Seconded by Mrs. Danise. Motion carried unanimously. Mrs. Bourne recommended that the name of Peter Wyckoff be placed in nomination to fill the alternate vacancy on the committee. Seconded by Mrs. Danise. Motion carried unanimously.

In attendance were committee members Danise and Bourne. Also attending ex-officio were Council Members Connell, Esposito and Moran. Meeting adjourned at 7:55 P.M.

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

47 - REPORT - Additional Entrance to Brushy Hill Road.

Mr. Zotos submitted the following report:

The Common Council Committee appointed to study the request for an additional entrance to Brushy Hill Road met on April 12, 1988 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Zotos, and Bundy. Also attending were Director of Public Works Dan Minahan and City Engineer Jack Schweitzer.

After discussion, the committee decided that it was not feasible to take action at this time.

The report was accepted on the Consent Calendar.

48 - PROGRESS REPORT - Tax Exemptions for Veterans, Etc.

Mr. Nimmons submitted the following report:

The committee appointed to review tax exemptions for veterans, etc. met on April 13, 1988 at 7:00 P.M. in City Hall. In attendance were committee members Nimmons, Charles and Moran.

A communication from the Corporation Counsel's Office was discussed which indicated that there were limitations as to what the committee could recommend to the Council. The committee felt that further clarification was needed and members would seek more information from the Assessor's office.

The progress report was accepted on the Consent Calendar.

49 - COMMUNICATION - Appointments to the Environmental Impact Commission. Mr. Eriquez made a motion that this item be added to the agenda. Mr. Godfrey seconded. Motion carried unanimously.

Letter from Mayor Joseph Sauer appointment Michael H. Zotos, 49 Garfield Avenue for a term to expire 12-1-90 and Robert Sweeney, 180 Great Plain Road for a term to expire 12-1-90. Mr. Godfrey made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Flanagan. Motion carried with Mr. Zotos abstaining.

50 - COMMUNICATION - Donation to Fire Department

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

Letter from Fire Chief Monzillo stating that the Lions Club wished to donate to the Fire Department Communications Room a Telecommunications device for the hearing impaired.

Mr. Fazio made a motion to accept the donation and send a letter of thanks. Seconded by Mrs. Butera. Motion carried unanimously.

51 - COMMUNICATION - Letter from Health Director William Quinn asking to transfer \$10,000 of unexpended per capita Health Department Grant Funds for printing of AIDS posters. Mr. Eriquez made a motion to add this item to the agenda. Seconded by Mr. Godfrey. Motion carried with Council Members Renz, Cresci and Shaw voting in the negative.

Mr. Charles made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Eriquez.

Mr. Shaw asked Mr. Quinn if the department was already committed to printing these posters. Mr. Quinn said the department was not. Mr. Shaw stated that someone had dropped the ball. Mr. Quinn stated that this was not the case. Mrs. Bourne asked if there was only a verbal approval from the State. Mr. Quinn stated that he had only a verbal commitment but had no problem with obtaining a written approval. Mrs. Bourne made a motion to amend the original motion by stating that the Comptroller should have written approval in hand before transferring the funds. Seconded by Mr. Renz. Mr. Eriquez stated that Mr. Quinn's word should be sufficient. Mr. Bundy asked Mr. Quinn if he ever had to get written approval before. Mr. Quinn stated that he did not. Mr. Renz stated that it is good business practice to have someone certify the funds. Mr. Eriquez stated that the Comptroller said no certification is needed and the Council should have confidence in Department Heads. The motion fails as follow:

Yes - Bourne, Connell, Moran, Renz, Zotos, Cresci, Nimmons, Fazio, Shaw, Danise.

No - Gallo, Godfrey, Flanagan, Cassano, Charles, Bundy, Butera, DaSilva, Eriquez, Regan. Vote was 10 - 10. Mayor voted no, breaking the tie.

Vote on original motion carries as follow:

Yes - Gallo, Moran, Godfrey, Flanagan, Zotos, Nimmons, Fazio, Cassano, Charles, Bundy, Butera, DaSilva, Eriquez, Regan.

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

14 yes - 6 no.

PUBLIC SPEAKING SESSION

Ernest Goldstein - appreciates the work Council did on the handicapped parking. The important thing is not the amount of the fine, but the enforcement of same. To be a legal sign, it must be upright and have a decal. Many businesses do not have handicapped signs. Also, should have police dogs patrolling Town Park to stop vandalism.

There being no further business to come before the Common Council a motion to adjourn was made by Mrs. Bourne at 9:25 P.M.

Respectfully submitted,

*Jimmetta L. Samaha*  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk