

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

Re: Minutes of the Common Council Meeting held December 2, 1986.

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

The Prayer was offered by Councilman John J. Esposito.

Roll Call was taken by City Clerk Elizabeth Crudginton, with the following members being recorded as:

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

ABSENT: Council Member Cassano.

20 Members Present - 1 Member Absent.

Council President McManus reported that Councilman Cassano was out of town.

NOTICES AND ANNOUNCEMENTS BY MAYOR DYER

Mayor Dyer thank all departments for their special efforts during the snow storm, with special thanks to Wilbur Conlea and Peter Winter.

The Mayor will deliver the State of the City address on December 18th.

The new homeless shelter, Good Neighbor House, will open this week and the Mayor offered appreciation for the numerous donations.

Garamella Boulevard will open at the end of this week.

The Mayor announced that he would be appointing 13 new police officers at this meeting, with additional appointments early next year.

The Mayor extended Holiday Greetings to all citizens of Danbury, and wished all citizens a happy and prosperous 1987.

The Nutcracker will be presented at Danbury High School on December 21st.

Mayor Dyer noted that Councilwoman Carole Torcaso would be offering her resignation at the end of this evening's meeting and thanked Carole for her high standards of excellence and integrity.

Mayor Dyer offered best wishes for a speedy recovery to Councilman Stephen Flanagan's father who is recovering from surgery.

The Mayor offered birthday wishes to the following:

December 1st - Assistant City Clerk Jimmetta Samaha

December 20th - Councilman Edward Torian

December 21st - Assistant Police Chief Gantert.

CONSENT CALENDAR

Councilman Gallo submitted the following items for acceptance on the Consent Calendar:

- 02 - Resolution - McMersaun Associates - Construction of Water and Sewer Main.
- 03 - Resolution - McMersaun Associates - Construction of Water and Sewer Main.
- 05 - Communication - Appointments to the Commission on Aging.
- 06 - Communication - Appointments to the Equal Rights and Opportunities Commission.
- 07 - Communication - Appointments to the Fair Rent Commission.
- 08 - Communication - Appointments to the Richter Park Authority.
- 09 - Communication - Appointments to the Housing Site Development Agency.

Consent Calendar continued:

- 010 - Communication and Certification - Request for Word Processor for City Clerk's Office.
- 016 - Communication - East Liberty Street Land Purchase - Edward P. Blasco.
- 030 - Communication - Hayestown Avenue Reconstruction - Danpar Associates.
- 036 - Report - Pleasant Acres Homeowner's Association.
- 037 - Report - Request for Acceptance of Contemporary Drive.
- 038 - Report - Sheridan Street Drainage Easement.
- 039 - Report - Request to discontinue traffic along Seventh Avenue.
- 040 - Report - Use and Improve Short Street.
- 041 - Report - Request for Surplus Land for a Westside Fire Station.
- 043 - Report - Conditions on East Lake Road.
- 044 - Report - Noise and Hearing Damage.

Councilman Charles moved that the Consent Calendar be accepted as submitted. Seconded by Mrs. McManus. Motion carried unanimously.

MINUTES - Minutes of the Common Council meeting held November 6, 1986

A motion was made by Mr. DaSilva and seconded by Councilman Boynton to waive the reading of the Minutes as all members have copies and are on file in the Office of the City Clerk and that the Minutes be accepted as submitted. The motion carried unanimously.

01 - CLAIMS - Sentell Collins, Richard Molnar, Edwin T. Rockwell, Jennifer V. Tesch, Eliot F. Morrison, Mrs. R. Alan Anderson, Gary J. Lane. Councilwoman McManus requested that all claims be referred to the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

02 - RESOLUTION - McMersaun Associates - Construction of Water and Sewer Main.

WHEREAS, the City of Danbury desires to replace and maintain a 12 inch water main and an 8 inch sanitary sewer main running under and across the roadway and railroad tracks of the Danbury Branch of Metro-North Commuter Railroad Company, within the limits of Great Pasture Road in the City of Danbury, and

WHEREAS, the petitioner, McMERSAUN ASSOCIATES is agreeable to constructing said water main and sewer main, and

WHEREAS, the City of Danbury is required to execute a Construction Agreement with Metro-North Commuter Railroad Company, and

WHEREAS, said Construction Agreement imposes certain duties and obligations on the City of Danbury; and

WHEREAS, the petitioner, McMERSAUN ASSOCIATES is willing to reimburse the City of Danbury for all costs incurring pursuant to the Construction Agreement and otherwise protect the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT James E. Dyer, Mayor of the City of Danbury be and hereby is authorized to executed the Agreement between the City of Danbury and the petitioner, McMERSAUN ASSOCIATES, in accordance herewith.

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

03 - RESOLUTION - McMersaun Associates - Construction of Water and Sewer Main.

WHEREAS, The City of Danbury desires to replace and maintain a 12 inch water main and an 8 inch sanitary sewer main running under and across the roadway and railroad tracks of the Danbury Branch of Metro-North Commuter Railroad Company, within the limits of Great Pasture Road in the City of Danbury, and

WHEREAS, the petitioner McMERSAUN ASSOCIATES is agreeable to constructing said water main and sewer main, and

WHEREAS, the City of Danbury is required to execute a Contract with Metro-North Commuter Railroad Company dated September 8, 1986;

NOW, THEREFORE, BE IT RESOLVED THAT James E. Dyer, Mayor of the City of Danbury be and hereby is authorized to execute a certain Agreement between the City of Danbury and Metro-North Commuter Railroad Company dated September 8, 1986 in accordance herewith.

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

04 - COMMUNICATION - Appointments to the Police Department.

Letter from Mayor James E. Dyer, appointing the following as regular Danbury Police Officers pending satisfactory completion of Police Academy training and medical exams:

1. Terrence Shanahan
26 Appleblossom Lane
Newtown, Connecticut 06776
2. Tammy Esteban
101 Mill Plain Road
Danbury, Connecticut 06811
3. John Esteban
101 Mill Plain Road
Danbury, Connecticut 06811
4. Jeffrey Clarke
3 Valley Stream Drive
Danbury, Connecticut 06811
5. Lee Teicholz
113 Park Avenue
Danbury, Connecticut 06810
6. Brian Merrick
10 Ledgemere Drive
Danbury, Connecticut 06811
7. Tracy Frinton
57 Davis Street
Danbury, Connecticut 06810
8. Mark Trohalis
79 Park Avenue
Danbury, Connecticut 06810
9. Leonard Creaturo
100 Lanecrest Avenue
New Rochelle, New York 10805
10. Rolf Schemmel
2 Sunrise Road
Danbury, Connecticut 06810
11. Mark Williams
6 Park Place
Danbury, Connecticut 06810
12. Jeffrey Zucca
238 Main Street
Danbury, Connecticut 06810
13. Luis Ramos
33½ George Street
Danbury, Connecticut 06810

04 continued:

Councilman Boynton moved that the Communication be adopted and the Appointments confirmed. Seconded by Councilman Charles and passed un-animously.

05 - COMMUNICATION - Appointments to the Commission on Aging:

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

Sigrid Benyei, 26 Spruce Mountain Road, Danbury
Raymond Gomoll, 14 Meadow Street, Danbury
Elisabeth McKee, 161 Main Street, Danbury

for terms to expire on October 1, 1989; and

Marjorie Shepard, 11 Great Plain Road, Danbury
Mildred Siegel, 39 Concord Road, Danbury

for terms to expire on October 1, 1988; and

Walter Wayman, 32 Wildman Street, Danbury for a term to expire on October 1, 1987.

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

06 - COMMUNICATION - Appointments to the Equal Rights and Opportunities Commission.

A letter from Mayor James E. Dyer requesting confirmation of the following reappointments to the Equal Rights and Opportunities Commission:

Levi Newsome, Terra Glen Road, Danbury
Carol Lubus, Ironworks Drive, Danbury
Patricia Krafick, Valerie Lane, Danbury
Lola Akins, 14 Oakland Avenue, Danbury

for terms to expire on August 1, 1989.

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

07 - COMMUNICATION - Appointments to the Fair Rent Commission.

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

Maureen Leopold, Long Ridge Road, Danbury
Jean Pappajohn, Kohanza Street, Danbury

for terms to expire on July 1, 1989.

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

08 - COMMUNICATION - Appointments to the Richter Park Authority.

Letter from Mayor James E. Dyer requesting confirmation of the following appointments to the Richter Park Authority:

Felix Bonacci, 243 White Street, Danbury, and
Ann William, 4 Riverside Road, Westport

for terms to expire on September 1, 1989. Mrs. Williams serves by Ordinance requirement.

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

09 - COMMUNICATION - Appointments to the Housing Site Development Agency.

Letter from Mayor James E. Dyer requesting confirmation of the following reappointments to the Housing Site Development Agency:

Robert Doran, Ohehyahtah Place, Danbury
Sam Deibler, Ivy Lane, Danbury
Sherry Young, 385 Main Street, Danbury
William Shea, Deer Hill Avenue, Danbury
Robert Kovacs, 4 Ridgewood Street, Danbury

for terms to expire on September 1, 1988.

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

010 - COMMUNICATION - Request for Word Processor for the City Clerk's Office.

Letter from City Clerk Elizabeth Crudginton requesting the sum of \$4,000 for the purchase of a word processor for the City Clerk's Office. Certification attached.

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

011 - COMMUNICATION - Transfer of 7 Brushy Hill Road to the Non-Profit Development Corporation.

Letter from Leonard G. Sedney, Planning Director, asking that the transfer of 7 Brushy Hill Road from the City to the Non-Profit Housing Development Corporation be referred to the Planning Commission for their report.

Councilwoman McManus asked that this item be referred to the Planning Commission and an ad hoc committee. The Mayor ordered that the committee shall consist of Planning, Council Members, Rotello, Charles and Godfrey.

012 - COMMUNICATION - Request from the Charter Revision Commission for an extension of time.

Letter from Thomas A. Frizzell, Chairman of the Charter Revision Commission asking that an extension of time be granted the Charter Revision Commission to complete their work.

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

013 - COMMUNICATION - Request for funds from the Town Clerk.

Letter from Michael Seri, Town Clerk, asking for \$41,000 for printing and binding. Certification attached.

Councilman Boynton moved that the communication be accepted and the transfer of funds authorized. Seconded by Councilman Philip. Motion carried unanimously.

014 - COMMUNICATION - Donation of a Pool Table to the Fire Department

Letter from Fire Chief Charles J. Monzillo stating that he had received an offer from Mr. and Mrs. Everette Rasmussen to contribute a two year old pool table to the Danbury Fire Department. The provision for the gift is that the unit must be given to the Department before the end of November.

Councilman Boynton moved to accept the communication and the gift of the pool table. Seconded by Mr. Gallo. Motion passed unanimously.

015 - COMMUNICATION - Lease between the Airport and Mr. Toher.

Letter from Airport Administrator Paul Estefan stating that at a special meeting of the Aviation Commission it was recommended that a lease be granted to Mr. Toher and negotiated by the Council.

Mr. Gallo moved that this be referred back to the Aviation Commission as they have jurisdiction. Seconded by Mrs. Butera. Motion carried unanimously.

016 - COMMUNICATION - East Liberty Street Land Purchase - Edward P. Blasco.

Letter from City Engineer Jack Schweitzer recommending that the City retain ownership of the parcel of land on East Liberty Street.

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

017 - COMMUNICATION - Donation to the Health Department's High Blood Pressure Program.

Letter from Director of Health William Quinn stating that the Health Department's High Blood Pressure Program has received a \$25.00 donation from Qualcorp, Inc.

Mr. Gallo moved that the Communication be adopted and the donation be accepted with thanks. Councilman Boynton seconded. Motion carried unanimously.

018 - COMMUNICATION - Request for Water Extension at 100 Federal Road

Request of Robert Mangino for extension of the water line at 100 Federal Road. Councilwoman McManus requested that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members Hadley, Zotos and Flanagan.

019 - COMMUNICATION - Offer to sell land to the City at 36 Driftway Road.

Offer from the Morey Agency for the City to purchase land at 36 Driftway Road. Councilman Gallo asked that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members Philip, Godfrey and Torian.

020 - COMMUNICATION - Request for Sewer Extension - 20 Boulevard Drive.

Letter from Thelma Brussell requesting sewer extension at 20 Boulevard Drive. Councilman Sollose requested that this be referred to the Planning Commission and an ad hoc committee. The Mayor ordered that the committee will consist of Council Members Hadley, Zotos and Flanagan.

021 - COMMUNICATION - Request for Sewer Extension - 7 Pocono Lane and 2 Claremont Avenue.

Letter from Dennehy Construction Company asking for sewer extensions at 7 Pocono Lane and 2 Claremont Avenue. Councilman Gallo asked that this be referred to the Planning Commission and an ad hoc committee. The Mayor ordered that the committee shall consist of Council Members Hadley, Zotos and Flanagan.

022 - COMMUNICATION - Proposed Ice Skating Rink.

Letter from Thomas Evans, Chairperson of the Parks and Recreation Commission asking for a change in language via referendum of the Recreation/Cultural Bond Referendum of June, 1986 which would not restrict the site of the proposed ice skating rink to Hatters Community Park. Councilwoman Butera asked that this be referred to an ad hoc committee. Mayor Dyer ordered that the committee will consist of Council Members Eriquez, DaSilva and Boynton.

023 - COMMUNICATION - Danbury Animal Welfare Society - Request for Status Report on Parks Property.

Letter from Ellen Farrar and Ofie Trespalacios of the Danbury Animal Welfare Society request a status report on the Parks Property Building as they have a potential grant to renovate this building. Councilwoman McManus requested that this be referred to an ad hoc committee. The Mayor ordered that the committee will consist of Council Members Gallo, Johnson and Hadley.

024 - COMMUNICATION - Danbury Animal Welfare Society - Request for Grant.

Letter from Ellen Farar and Ofie Trespalacios requesting a supplemental grant for the Program Year 86-87 in the amount of \$10,000. Councilwoman Butera asked that this be referred to an ad hoc committee. The Mayor ordered that the committee shall consist of Council Members Gallo, Johnson and Hadley.

025 - COMMUNICATION - Request from DeSoto Real Estate to move drainage easement on Clapboard Ridge Road.

Letter from Richard DeSoto, President of DeSoto Real Estate asking for permission to move the drainage easement on Clapboard Ridge Road. Councilman Gallo asked that this be referred to the Engineer Department, Planning Commission and the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

026 - COMMUNICATION - Request for appropriation to the capital line item "Improvements at Hatters Community Park".

Letter from Robert G. Ryerson, Director of Parks and Recreation requesting that due to the rentals of Hatters Community Park's facilities there has been \$17,000 collected and therefore requesting that \$17,000 be appropriated to the capital line item "Improvements at Hatters Community Park". Councilman Sollose requested that this be referred to an ad hoc committee. The Mayor ordered that the committee consist of Council Members Smith, Sollose and Esposito.

027 - COMMUNICATION - Request from Danbury Preservation Trust for permission to use the Tarrywile Mansion.

Letter from Paulette Pepin, President of the Danbury Preservation Trust for permission to use the Tarrywile Mansion for a fund raising event to be held on Sunday, October 4, 1987. Councilman Boynton asked that this be referred to the Parks and Recreation Department. The Mayor so ordered.

028 - COMMUNICATION - Danbury and the Education Enhancement Act.

Letter from Barbara Baker, Chairperson of the Danbury Board of Education requesting a meeting with the Common Council for the purpose of seeking authorization to reopen negotiations under the Teacher Enhancement Act. Council President McManus asked that this be referred to the Committee of the Whole. The Mayor so ordered.

029 - COMMUNICATION - Maplecrest Development/Aunt Hack Ridge Estates Development, Inc.

Letter from William Buckley, Superintendent of Public Utilities regarding sewer line from Maplewood Drive through an easement to Canterbury Court. Councilman Eriquez asked that this be referred to an ad hoc committee. The Mayor ordered that the committee shall consist of Council Members Cassano, Charles and Zotos.

030 - COMMUNICATION and RESOLUTION - Hayestown Avenue Reconstruction Danpar Associates.

Letter from Jack Schweitzer requesting that the Common Council authorize the Corporation Counsel to negotiate with the property owners on Hayestown Avenue who might have an interest in the property so as to acquire that which is needed or to otherwise undertake an eminent domain action to acquire the same.

WHEREAS, the Common Council has duly voted to approve the Hayestown Avenue Road Widening Project; and

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

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owner hereinafter named upon the amount, if any, to be paid for its respective interest to be taken in, and to, the real property as hereinafter set forth.

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

H 11258 - 1 Padanaram Road - DANPAR ASSOCIATES

List Nos. 4253 - Land and 4254 - Buildings.

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

031 - COMMUNICATION - Request to straighten curve on Mountainville Road.

Letter from Maria F. Ferreira asking that the dangerous curve on Mountainville Road be straightened. Councilman Hadley asked that this be referred to an ad hoc committee and the Planning Commission. The Mayor ordered that the committee shall consist of Council Members Cassano, Butera and Farah.

032 - DEPARTMENT REPORTS

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

A motion was made by Councilman DaSilva and seconded by Councilman Gallo to dispense with the reading of the Department Reports as all members have copies which are on file in the Office of the City Clerk for public inspection. Reports to be accepted as submitted. Motion carried unanimously.

033 - REPORT and ORDINANCE - Housing Authority - Certificates of Occupancy.

Council President Constance McManus submitted a report and ordinance stating that the Common Council held a Public Hearing on November 17, 1986. Mr. Sam Deibler addressed the Council, speaking in favor of the proposed ordinance.

The Committee of the Whole met immediately following the Public Hearing to discuss the proposed Housing Ordinance. After discussion, the following motion was made by Mr. Eriquez and seconded by Mr. DaSilva: "Moved to recommend to the Common Council that the proposed ordinance be adopted as proposed".

Questions were raised as to the reason for the inclusion of the Housing Authority units for certificate of occupancy inspections. It was reported that previous requirements had made the Housing Authority units exempt from such conditions. The vote on the motion passed unanimously.

ORDINANCE - THAT subsection 10-10(1) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

(1) No dwelling unit in any dwelling containing three (3) or more dwelling units shall be occupied for human habitation, after a vacancy, until a certificate of occupancy has been issued by the director of health certifying that such dwelling unit conforms to the requirements of the applicable housing ordinances of this city and to the General Statutes of the State of Connecticut (Revision of 1958), as amended; provided that no provision of this section shall be construed to prohibit human occupancy of such dwelling unit during the pendency of an application for such certificate. No provision of this section shall apply to any structure occupied by the owner thereof and containing three (3) or less housing units. Any person aggrieved by the refusal of a certificate of occupancy may appeal to the court of competent jurisdiction within the dwelling unit is located, and such appeal shall be privileged.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:
Subsection 10-10(4) of the Code of Ordinances of Danbury, Connecticut be and is hereby amended to read as follows:

(4) The provisions of this section shall not apply to any such structure which has been constructed within a period of ten (10) years next preceding the date when such certificate of occupancy would otherwise be required hereunder.

Councilman Gallo moved to accepted the Report and Ordinance.
Councilman DaSilva seconded.

Councilwoman McManus stated that she received a letter from the Corporation Counsel regarding the phrase "and such appeal shall be privileged" and moved to delete the same. Seconded by Mr. Gallo. Motion to amend the ordinance passed unanimously. Motion to accept the amended ordinance passed unanimously.

034 - REPORT - Common Council Annual Wood Sale.

Council President McManus submitted a report stating that the Common Council held its annual wood sale on November 16 and 23, 1986 and raised a total of \$1,322. A committee comprised of Council Members Sollose, Flanagan, Hadley, Philip and Rotello recommend that the money be divided equally between Dorothy Day Hospitality House and Good Neighbor House so that they may purchase gifts for needy Danbury children at Christmas. Councilman Boynton moved to accept the report. Mr. Philip seconded and motion carried unanimously.

035 - REPORT - Request for Parking Garage.

Councilman Torian submitted a report stating that the committee appointed to review the request for a parking garage met on November 13, 1986. In attendance were committee members Torian and Butera; Parking Authority members Gerald Lefebvre, Albert Cavalier and Charles Bardo; Danbury Downtown Council Members Richard Sturdevant and Frank Capiello.

Parking Authority Chairman Gerald Lefebvre was asked to brief the committee on the details of their request. Mr. Lefebvre said that in 1978 the Parking Authority had seven consultants do a survey on parking in downtown Danbury. Ramp Consulting Services, Inc. suggested three location for a parking garage: behind the telephone company; behind the Hull building and behind the old library. The Parking Authority decided the best site would be situated behind the old library since the other properties were located in redevelopment areas.

The estimated cost of the Parking Garage as indicated in the feasibility report prepared by Ramp Consulting Services, Inc. is \$1,800,000. The Parking Authority feels this money can be raised by the process of a bond issue and is requesting formal Common Council action in order to permit the sale of bonds backed by the full faith and credit of the City of Danbury. The Parking Authority felt that they had done very well financially in 1985 and 1986, and felt confident that this

trend would continue in the future years.

The committee noted that Parking Authority revenue had decreased in 1986, down from the 1985 level and questioned they Parking Authority members at length on their revenue projections for 1987 and 1988 given the present state of uncertainty on just what the total impact on parking will be in the final analysis in downtown Danbury as existing construction plans progress and become finalized. The Parking Authority members were not prepared to speak realistically on revenue projections in the 1987-88 time frame which was understandable in view of the presence of many intangibles and the transitional state of change that is presently occurring in downtown Danbury.

Councilwoman Butera motioned to recommend denial of the request for approval of a parking garage at this time. Further, the committee feels that in view of continued growth and development in the downtown area, the Parking Authority should consider approaching the Common Council within the next twelve months to review the request for a parking garage. It is felt that at this time, some experience relating to parking trends will have been established, and would be a significant factor in the Common Council deliberations as they prepare to vote on this very important issue. Seconded by Councilman Torian and passed unanimously.

Councilman Gallo made a motion to accept the Report. Councilwoman McManus seconded.

Councilman Eriquez asked Mr. Torian how significant was the decrease in revenue. Mr. Torian stated that it was in the vicinity of \$15,000 - \$20,000.

Mr. Flanagan stated that this issue has been around for a long time and feels that a parking garage is justified no matter what happens at the downtown redevelopment site. The major concern of most merchants is the parking situation. He urged the Council Members to turn down the report and to go ahead with the parking garage.

Mr. DaSilva stated that revitalization of the downtown area is most important and a parking garage is justified. The City should move ahead on this project.

Mr. Gallo stated that the Parking Authority was supposed to negotiate with Amphenol for use of parking spaces in their lot on Kennedy Avenue and has not gone ahead with this and recommends denial of the parking garage.

Mr. Boynton questioned the fact that the members of the Parking Authority were not prepared to speak on the issue of what revenues would pay off the bond issue. Mr. Torian responded that they had relied on the consultant's survey. Mr. Boynton then asked if they were working on an updated trend of revenues and Mr. Torian responded that they were not. Mr. Boynton stated that he would vote against the parking garage as the City must know how the Parking Authority will pay.

Mrs. Butera stated that if the Parking Authority cannot pay for the bonds to finance the parking garage, then the taxpayers will have to. Mrs. Butera also feels that the City should not be providing parking spaces for downtown tenants.

Mr. Farah stated that 1978 figures showed that a parking garage would raise enough funds to pay the bonds, with a minimal contribution from the City. Mayor Dyer stated that he is not adverse to a minimal contribution from the City

The Mayor stated that the City might also qualify for a grant under the new UDAG laws and is now working with Congressman Rowland's office to see if the City would qualify. Mayor Dyer stated that he will asked the Common Council to resurrect this issue next month. In view of this, Councilman Godfrey moved to table this issue until next month. Mr. Farah asked for a point of order in that Committee Member

035 continued:

Carole Torcaso will have resigned from the Common Council, does this affect the committee. Mayor Dyer responded that it does not. Motion to table was carried unanimously.

036 - REPORT - Pleasant Acres Homeowner's Association.

Mr. Esposito submitted a report stating that the committee appointed to review the request of the Pleasant Acres Homeowner's Association met on November 17, 1986 in City Hall. In attendance were Council Members Esposito, Eriquez and Philip. Also attending were Director of Public Works Basil J. Friscia, Superintendent of Highways Dan Minahan, City Engineer Jack Schweitzer, Council Member Carole Torcaso (ex-officio) and Mrs. Minahan from Pleasant Acres.

A motion was made and seconded to suspend the rules. The motion carried unanimously.

Mr. Esposito asked Mrs. Torcaso to explain her dealings with the Pleasant Acres Homeowner's Association regarding their concern of the poor conditions of the road network within their development. Mrs. Torcaso indicated that she had attended an Association meeting to fully understand the problem. She noted that the people felt they could not afford (on their own without City cooperation) to bring the roads up to grade.

Since residents from Pleasant Acres did not attend this meeting it was felt that the Committee should meet again to hear the residents and explain the legalities involved.

Messrs. Friscia and Schweitzer noted that they would be in attendance at the next meeting and advised that the Pleasant Acres Homeowner's Association's attorneys be present to understand the City's ordinance pertaining to maintenance of the road network, the City's responsibility and what could be done to expedite a remedy.

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

037 - REPORT - Request for Acceptance of Contemporary Drive.

Councilman Esposito submitted a report stating that the committee appointed to review the request for acceptance of Contemporary Drive as a city road met on November 17, 1986 in City Hall. In attendance were Committee Members Esposito, Eriquez and Philip; Director of Public Works Basil Friscia, Superintendent of Highways Dan Minahan, City Engineer Jack Schweitzer and the petitioner Gary Mead.

A motion was made and seconded to suspend the rules. Motion carried unanimously. Mr. Mead indicated that this was the first request he had submitted for acceptance of Contemporary Drive as a City road.

Mr. Schweitzer noted that his department would inspect the road to determine its acceptability. Mr. Esposito noted that he is still waiting for Planning Commission recommendation before the Committee could finalize its work regarding this request.

An on-site inspection was scheduled for Saturday, November 22 at 9:00 a.m. to be conducted with the committee and Mr. Schweitzer in attendance. Recognizing that the committee would need to meet again a motion was made to adjourn.

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

038 - REPORT - Sheridan Street Drainage Easement.

Councilman John Esposito submitted a report stating that the committee appointed to review the request for a drainage easement on Sheridan Street met on November 17, 1986. In attendance were Committee Members Esposito, Eriquez and Philip; Basil Friscia, Dan Minahan and Jack Schweitzer. Also in attendance was Francis Kieras.

Mr. Friscia explained that the proposed easement (utility) was drafted by the Corporation Counsel and seemed to be in order. These utility easements are for the purpose of perpetually maintaining storm drainage and sanitary sewer mains, etc. as recognized and approved by the grantee. It was reported that these easements would be executed upon Common Council approval.

After discussion Mr. Philip moved to recommend that the easement be granted (pending Planning Commission approval). Seconded by Mr. Eriquez and carried unanimously.

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

039 - REPORT - Request to discontinue traffic along Seventh Avenue.

Mr. Hadley submitted a report stating that the committee to review the request of Western Connecticut State University to discontinue vehicular traffic along a portion of Seventh Avenue requires an extension of time in order to receive the Planning Commission's report on the matter.

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

040 - REPORT - Use and Improve Short Street.

Councilman DaSilva submitted a report stating that the committee appointed to review a petition to use and improve Short Street met on September 15, 1986 and November 13, 1986. In attendance were Committee Members DaSilva, Charles and Rotello. Also in attendance were City Engineer Jack Schweitzer and the petitioner, Abel Carvalho, Jr.

Mr. Carvalho explained his petition. He owns property on Short Street which he would like to build on. He has permission to hook-up to sewer and water which would benefit his property, as well as others on Short and Lombardi Streets.

Mr. Schweitzer stated that Short Street is not a city road. He does not know the owner. Mr. Carvalho bought the property on Short Street from the City in 1966.

The committee decided to present the problem of ownership to the Corporation Counsel. The committee asked who owns the road and if Mr. Carvalho could improve it. Assistant Corporation Counsel Les Pinter replied to the committee that the City does not own the road and therefore improvements are not within the authority of the City to approve. He further stated that Mr. Carvalho should ascertain ownership of the road through a private attorney.

The committee, on a motion by Mr. Rotello, seconded by Mr. Charles, moved to recommend no action at this time because Short Street appears to be abandoned and is not the property of the City of Danbury. Motion carried unanimously.

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

041 - REPORT - Request for Surplus Land for a Westside Fire Station.

Councilman Boynton submitted a report stating that the committee appointed to review the request for a Westside Fire Station met on November 12, 1986 as well as several times over the past three months to review the request of Fire Chief Charles Monzillo for City land (Backus and Kenosia) near the Airport to be declared surplus and transferred to the Fire Department for use as a Westside Fire Station and repair facility. Committee Members in attendance were Council Members Boynton, Eriquez and Johnson.

Persons appearing before the committee were Chief Monzillo and Airport Administrator Paul D. Estefan. Mr. Estefan advised the committee that to transfer the land now under the administrations of the airport would cause the City to suffer the loss of federal grants which are now pending for airport use. Both Chief Monzillo and Mr. Estefan agreed that it would be in the best interest of all concerned to leave the land as it presently is and consider a public safety facility which would include a Fire Department, Airport, Civil Defense and possibly a Police Department.

The committee respectfully recommends that this request of May 21, 1986 from Fire Chief Monzillo to transfer land to the Fire Department be denied. The committee further recommends that the land be retained by the City under Airport Administration, and that a Westside Public Safety Facility planning proceed as rapidly as possible. This should include offices and repair facilities for the Fire Department, Airport and Civil Defense, as well as the possible inclusion of the Police Department.

It is also recommended that the Mayor and the Common Council form a committee to look into the purchase of such additional parcels of land as deemed necessary to accomplish the Westside Public Safety Facility.

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

042 - REPORT - Request for Supplement Allocation from Dr. Singe.

Councilman Farah submitted a report stating that the committee appointed to review Dr. Anthony Singe's request on behalf of the Board of Education met on October 14, 1986. The Board of Education had previously requested the sum of \$85,000 for the purchase of equipment for vocational education and technology. The amount was to have come from the State's supplemental allocation. The Common Council had proposed and the Allocation Council had approved the expenditure of \$12,500 toward the purchase of this equipment by the Board. The new request for \$73,000, if approved, will then have to come from the City's Contingency Fund.

Mrs. Lettes and Mr. Wolfkeil, representing the Board and the Administration, presented an itemized list of the equipment and answered the committee's questions regarding the list and sources of funding. The committee agreed to the need for purchasing the equipment. The committee then reviewed the encumbered and the unencumbered balances of the Schools budget as well as the status of the City's Contingency Fund. Upon motion to recommend to the Common Council that \$60,000 be appropriated for priority equipment at the Danbury High School, with the understanding that the Board of Education will fund the remainder of the amount requested (13,605). It is further requested that the Board provides a listing of the purchased equipment when, and if, this recommendation is approved. Councilwoman Torcaso seconded the motion which was passed 3-1. Councilman Eriquez favored funding of the full amount by the Common Council.

Councilman Boynton moved to accepted the report. Seconded by Mr. DaSilva.

Councilman Charles asked what the unencumbered balance is in the Schools Budget. Mr. Farah stated that as of September 30, 1986 it was approximately 2 million dollars. At this time, it is over 1 million dollars. Councilman asked if it was possible to use this balance now and then to come back to the Common Council later in the year. Mr. Farah stated that the City now has the funds in the Contingency Fund, but may not later in the year.

The motion to accept the report carried unanimously.

043 - REPORT - Hazardous Conditons on East Lake Road.

Mr. Hadley submitted a report stating that the committee appointed to review the hazardous traffic conditions that exist between East Lake Reservoir and Indian Head Road met on November 18, 1986 at City Hall.

In attendance were committee members Hadley, Torcaso and Rotello. Also attending were Edward Torian, the petitioner and Basil Friscia. Mr. Schweitzer was attending a class.

Mr. Hadley distributed maps of the area in question and turned the meeting over to Mr. Torian who described the hazardous conditions including an embankment that juts out into the road, the dangerous curves, the narrow road and the need for north bound traffic to wait for south bound traffic at this portion of the road. The portion of the road in question covers several thousand feet.

Mr. Friscia said that he and Mr. Schweitzer were familiar with the problem and that they would work up a cost estimate with options for the sub-committee to consider at its December 22 meeting.

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

044 - REPORT - Noise and Hearing Damage.

Councilman Hadley submitted a report stating that the committee appointed to review Noise and Hearing Damage met on November 17, 1986 in City Hall. In attendance were committee members Hadley and Torcaso. Mr. Boynton was unable to attend. Also attending were Lois Wolsch, Robert Wolsch, Arthur Tepper, Lt. Arthur Sullo and Assistant Corporation Counsel Les Pinter.

Mr. Hadley distributed copies of the previous meetings, as well as copies of the Noise Abatement Program Resolution that had been adopted at the November 6th Common Council meeting. He also briefly mentioned his meeting with the Comptroller with regard to equipment funding and requested that equipment lists be mailed to him prior to the next meeting as part of a three pronged approach: Resolution, Ordinance, Equipment.

A general discussion of the types of items to be included in the Danbury Noise Control Ordinance. Noise implies some basic constitutional rights and regulating it presents some problems. The ordinance should have an introduction formulation in a general fashion. A decibel level guide will be necessary as well as a definition of noise and at what times and at what level noise will not be permitted. Someone should be authorized to monitor noise pollution such as a Noise Control Officer to see what appropriate levels are maintained.

It will also be necessary to lay out categories of noise from which protection is sought. Certain other categories of noise should also be included in a specified manner such as pool parties, radios, etc. A method of measuring violations will be needed, such as a print out machine.

All members of the committee commented on Attorney Pinter's remarks and made suggestions such as using the term noise pollution, mandating the use of earphones with radios in certain locations, setting up "noise traps", making offenses violations rather than misdemeanors, etc.

In conclusion it was decided that an ordinance was needed and that the place to start was with the most critical issues. The feel was that we should not copy another city's ordinance. The next meeting will be held on December 8th.

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

045 - COMMUNICATION - Request for ad hoc committee on Redevelopment Project.

Councilwoman McManus moved to add this item to the agenda. Councilman Flanagan seconded. Motion carried unanimously.

A letter from Councilman Flanagan asking the Mayor to appoint an ad hoc committee to examine the current status of the downtown development project. Councilman Gallo moved that this be referred to a committee. The Mayor ordered that the committee will consist of Council Members Gallo, Farah and Torian.

046 - COMMUNICATION - Appointment of Drillmaster in the Fire Department.

Councilman Eriquez moved that this item be added to the agenda. Councilman Gallo seconded and the motion carried unanimously.

Letter from Mayor James E. Dyer requesting the confirmation of Anthony Lagarto as the Fire Department's Drillmaster. Mr. Lagarto placed first on the Civil Service List and has been serving as the Assistant Fire Chief.

Councilman Eriquez moved to accept the communication and confirm the appointment. Mr. DaSilva seconded and the motion carried unanimously.

Mr. Flanagan asked that the letter be read into the record and the City Clerk complied.

047 - COMMUNICATION - Resignation of Councilwoman Carole Torcaso.

Letter of Resignation from Third Ward Councilwoman Carole Torcaso asking that her resignation be accepted and effective as of December 3, 1986. Mrs. Torcaso cited family responsibilities and the continuance of her education as reasons.

Councilman Gallo moved to add this item to the agenda. Mr. DaSilva seconded and the motion carried unanimously.

The Mayor again thank Mrs. Torcaso for all of her hard work and for being a person of the highest integrity.

Mrs. McManus thanked Mrs. Torcaso for her dedication and honesty and said that all members of the Common Council as well as the citizens of Danbury will miss her.

Mr. Farah said that it is disheartening when such a dedicated public servant resigns, but understands Mrs. Torcaso's desire to pursue her education. He said that Mrs. Torcaso is an exlempary model and the standards she has set will be difficult to follow.

Mr. Farah made a motion to accept Mrs. Torcaso's resignation. Seconded by Mr. Charles and passed unanimously.

Mayor Dyer continued all committees who have not finished their work.

In light of Mrs. Torcaso's resignation, Mayor Dyer appointed the following to replace her on the committees to which she had been appointed

Lee Farm - Mr. Gallo
Seventh Avenue - Mrs. Johnson
Noise and Hearing Damage - Mr. Cassano.

Mayor Dyer appointed the Sunset Review Committee to consist of Council Members Philip, Flanagan and Eriquez and Public Members Joseph Noonan and Carole Torcaso.

PUBLIC SPEAKING SESSION

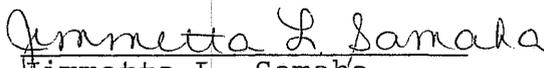
Paulette Pepin, President of the Danbury Preservation Trust thanked the Common Council for referring the request for use of the manion to the Parks and Recreation Department and said that they will be making a donation to help with the restoration of the Tarrywile Mansion.

There being no further business to come before the Common Council a motion was made by Councilman Godfrey to adjourn at 8:57 P.M.

ATTEST:


Elizabeth Crudginton
City Clerk

Respectfully submitted,


Jimmetta L. Samaha
Assistant City Clerk