

COMMON COUNCIL --- SPECIAL MEETING

JANUARY 22, 1985

Meeting called to order at 7:00 O'Clock P.M. by the Honorable Mayor James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Johnson, Sollose, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Chianese, Skoff, McManus, DaSilva, Gallo, Cassano, Charles, Boynton, Butera, Durkin, Eriquez, Farah, Torian.

19 Present 2 Absent

NOTICE OF SPECIAL MEETING - To be held on the 22nd. day of January, 1985 at 7:00 O'Clock P.M. in the Council Chambers at City Hall, for the purpose of acting upon the following:

- 01 - COMMUNICATION - Appointment of Police Officers for the Danbury Police Department.
- 02 - COMMUNICATION - Appointment of Firefighters for the Danbury Fire Department.
- 03 - REPORTS - Public Works Committee Reports re: Cross Street Bridge.

RETURN OF SERVICE - Notices delivered and served by Police Officers of the City of Danbury.

Motion made by _____ & seconded by _____ for the Call and Return of Service to be accepted.

01
COMMUNICATION - Appointment of Police Officers for the Danbury Police Dept.
The Communication was accepted and appointments confirmed.

02
COMMUNICATION - Appointment of Firefighters for the Danbury Fire Dept.
The Communication was accepted and appointments confirmed.

03
REPORTS - Public Works Committee Reports re: Cross Street Bridge.
The Reports were

PUBLIC SPEAKING SESSION

There being no further business to come before the Common Council, a motion was made by _____ & seconded by _____ for the meeting to be adjourned at _____ O'Clock P.M.

BEVERLY JOHNSON

DONALD SOLLOSE

RUSSELL FOTI

CAROLE TORCASO

JOHN ESPOSITO

ROBERT GODFREY

STEPHEN T. FLANAGAN

NICHOLAS ZOTOS

JOSEPH CHIANESE

THORA SKOFF

CONSTANCE McMANUS

JOSEPH DaSILVA

BERNARD GALLO

ANTHONY CASSANO

LOUIS CHARLES

ERNEST BOYNTON

JANET BUTERA

JOSEPH DURKIN

GENE ERIQUEZ

MOUNIR FARAH

WARD TORIAN

Yes

No

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12

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1+2

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

January 18, 1985

Honorable Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Council Members:

I am making the following Probationary appointments:

POLICE DEPARTMENT

- 1) Matthew McNally
5 Clayton Road
Danbury, Connecticut

Single, Age 22
W.C.S.U. Criminal Justice Major, Senior
Member of Marine Corps Reserve
- 2) Martin Dinho
8 Golden Hill Avenue
Danbury, Connecticut

Married, Age 29
Machinist at Columbia Magnetics
- 3) Joseph LeRose III
2 Hilltop Manor
Danbury, Connecticut

Age 21, Single
Senior at W.C.S.U., C.J. Major
Employed at Read's Maintenance Department
- 4) Kevin Roth
2 Allison Lane
Danbury, Connecticut

Age 25, Single
Attends W.C.S.U. p/t. C.J. Major
Employed by Danbury Hospital
Security Department

2.

1+2

5) Karl Murphy
11 Wedgewood Drive
Danbury, Connecticut

Age 22, Single
Employed at Sears in Sales Department
Graduate of D.H.S.
Volunteer Firefighter

FIRE DEPARTMENT

1) Richard Paltauf
11 Bonnie Brae
Newtown, Connecticut

Age 23, Single
Carpenter for Sullivan Construction
Attends Waterbury State Tech for Fire Technology
E.M.T. and Volunteer Firefighter

2) William Weber
Linda Lane
New Fairfield, Connecticut

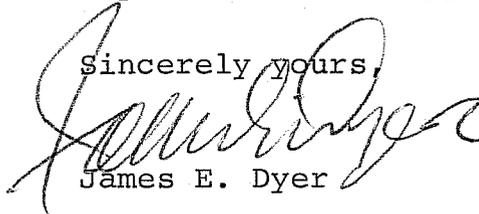
Age 35, Married
Self Employed Carpenter
Associates Degree in Police Law
6 Yrs in National Guard

3) Mark Perry
60 Reservoir Street
Bethel, Connecticut

Age 30, Married
Employed by Homequity as a computer specialist
Electronics training and pursuing an Assoc. Degree
E.M.T. Training and I.V.
Volunteer Firefighter experience in Bethel

All appointments will be effective upon swearing-in, and are dependent upon successful completion of the appropriate requirements.

Sincerely yours



James E. Dyer

JED/rak
c: Personnel
Payroll
Comptroller
Civil Service

Police Chief
Fire Chief



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 3, 1985

PUBLIC WORKS COMMITTEE MAJORITY REPORT

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Cross Street Bridge.

The Public Works Committee studied at length a proposal to use State and Federal Funds to pay for 80% of the reconstruction of the Cross Street Bridge. This is a project that was begun in 1979 when a contract was signed between Mayor Donald Boughton for the City of Danbury and The Connecticut Department of Transportation. A public hearing was held by the D.O.T. where three plans were presented for comment.

Of the three plans presented, labeled A, B, and C, Plan A was adopted by the D.O.T. because plan B did not meet Federal regulations and would not qualify for funding. Plan C was too extensive and therefore rejected. The residents of the Cross St. area have been objecting to the construction of a bridge according to Plan A because the specifications call for the ability to carry 80,000 pounds at 35 miles per hour. This means a re-alignment of the bridge which they fear will bring additional traffic, especially trailer truck traffic with the ensuing safety problems and the loss of a residential character to the neighborhood.

Money for the City share of bridge construction will amount to approximately \$230,000. This is 20% of the total cost. After the Common Council denied any funds for this project in the Capital Improvement Bond Issue of 1983, the City was reminded that if this project were not completed it would still be liable for an approximate fee of \$120,000 for the engineering work done to date. The committee verified with a representative of the D.O.T. and Assistant Corporation Counsel Eric Gottschalk that the City was in fact responsible for the payment of these costs even if the project were not brought to fruition.

The committee checked into any possibility of another plan, less objectionable to the residents, being eligible for state and federal funding, but could find no evidence of this.

The present configuration of Cross Street and its adjoining streets was discussed concerning traffic flow and safety if additional truck traffic were present. It was presented that narrowness and slope of the road, as well as limited egress from either end would cause great problems and cost considerable funds in the future to rectify.

The committee feels that although the plan presented by the State is not the most desirable, it is the best of all choices. It believes that the present bridge is in dire need of repair and possible condemnation and its configuration will not allow passage of Fire vehicles which causes a safety hazard. The plan from the State provides the most economical way of correcting a problem of long standing. The committee further believes that the present condition of Cross Street and its intersection with other roadways will inhibit extensive use by trucks.

The committee recommends approval of the proposed plan to reconstruct the bridge on Cross Street with a 25 mile per hour speed limit. The motion to recommend approval passed 4 to 2. Council Members DaSilva and Eriquez voted in the negative.

Respectfully submitted

Carole Toracso
Carole Toracso

Joseph DaSilva Chairman
Joseph DaSilva

Gene Eriquez
Gene Eriquez

Constance McManus
Constance McManus

Mounir Farah
Mounir Farah

Anthony Cassano
Anthony Cassano



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Respectfully submitted

Chairman

Carole Toracso

Joseph DaSilva

Gene Eriquez

Constance McManus

Mounir Farah



3-2

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155 DEER HILL AVENUE

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COMMON COUNCIL

January 3, 1985

PUBLIC WORKS COMMITTEE MINORITY REPORT

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Cross Street Bridge.

The Public Works committee by a majority vote has recommended the approval of the plan proposed by the Connecticut Department of Transportation for the replacement of the Cross Street bridge. I offer this Minority Report to present my views as to why this proposal should not be accepted.

There are many reasons for which I believe the D.O.T. plan should be rejected. The first is that the design of the proposed bridge will allow the passage of trailer trucks for the first time on this residential street. While the new bridge will be able to handle this traffic, the road itself can not. In most places the road is too narrow especially at the Northerly end where it meets Triangle Street. This presents an obvious safety problem which is compounded by the egress of traffic from Briarwood Road about fifty yards from the brink of a hill for traffic in a Southerly direction.

This safety problem will be a constant factor in travel over the course of the entire road, as opposed to that presented by the existing one lane bridge. Beyond the safety of those who travel on this road being compromised by this plan, I believe the introduction of trailer truck traffic will precipitate a rapid deterioration of a long established residential neighborhood. I feel very strongly that the protection of existing residential area should be of prime concern to the government of a rapidly growing City such as ours. Of what benefit is the development of opportunity, the rebuilding of our downtown area, or the improvement of our recreational facilities if we allow our neighborhoods to decline?

Although the present condition of Cross Street is believed to be a sufficient deterrent to the addition of truck traffic, I do not feel that this will in fact be the case. The Northern terminus of Cross Street is within a few feet of Route 6. Routes 7 and I-84 are in close proximity. The Southern terminus leads to numerous industrial plants and the Town of Bethel. I believe these factors will inevitably lead to the use of Cross Street as a convenient passageway for trucks making pick ups and deliveries to industries in both Danbury and Bethel. I further believe there is already sufficient access to these facilities through less residential areas.

When the addition of more traffic in general and truck traffic in the specific comes to Cross Street, as I predict it will if the proposed bridge is allowed to be built, a serious safety problem will ensue. When this occurs, the City will have little choice but to spend a considerable amount of money to rectify the situation. I will remind the Council that although the State mandates a plan that will cause this problem, they offer no funds to solve it. The City will have to bear that responsibility itself.

Another situation also arises which will be of significant cost to the City. There will need to be reconstruction and resignalization of the intersection of Cross, Triangle & White Streets. In order to allow large vehicles to go left on Triangle or White Streets parts of parcels containing a gasoline station, a flower shop and a small green park will need to be taken. There will also be a need to change the series of traffic lights to align with the new configuration. This is one more time that the City will be left with the bill for something it did not want. The State and Federal Governments offer no help at all.

I have further problems with the role of the D.O.T. in the whole process. The estimated cost of the design phase of this project was \$75,000. That cost is up to \$120,000, an increase of 60%. When asked for the reason for such an exorbitant escalation of cost, the reply from the D.O.T. was that it prepared three plans which they presented to a public hearing and that alterations were made to the present plan after its choosing. The irony of this argument is that of these three plans they knew or should have known, that one was far too extensive and a second could not qualify for federal funds. They informed residents at that hearing that their input could have an impact on the choice of plans when they knew that the plan that met with the approval of these residents could not be chosen. The City is being charged for the design of two plans that had no chance of selection, just to show the image of a real public hearing where citizens are supposed to have their say in what happens to them. They also say that they performed design changes after the choice of plans, when in actuality these changes were not at all major. I wonder as to the State's reaction to charges that are 60% over estimate and I also wonder if the final cost to Danbury will be much higher than the present estimate of \$230,000.

It must be reported that two resolutions were passed in late 1979 and early 1980. Both of these resolutions called for the City of Danbury to enter into a contract with the D.O.T. to reconstruct the Cross Street bridge. It must also be noted that in both resolutions the City agrees to pay 20% of the design cost of the bridge, not the 20% of the total cost of the bridge that we will actually be responsible for. The Public Works Committee could not ascertain the reason why the cost of this project was misrepresented in that fashion. It remains, however, a fact that the agreed City share in those resolutions will go from the original \$15,000 to \$230,000. That is an increase of over 1,500%. I don't think the City of Danbury should pay for someone else's mistake.

I wish to make a point very clear. I have never been, nor have any of the residents to whom I have spoken, opposed to the improvement, upgrading or replacement of the Cross St. Bridge. What I remain opposed to is the design which would ruin a neighborhood and cost significantly more than it looks at face value. No one had a problem with the D.O.T's Plan Three which they offered and then rejected. I strongly urge that the safety level of this bridge be improved immediately, but I refuse to be led down the path of State and Federal domination of a local problem and I am particularly opposed to this when the plans and schemes of these larger governments are only half developed, solving one problem and creating one even larger. Plans of this or any type need more than mathematical calculation, stress tolerance, and functional design. They need to look for the broad picture and investigate the ramifications.

I support the repair of the present bridge for the \$93,000 estimated by our City Engineer. I support the replacement of the present bridge with one like Plan B as presented by the D.O.T. I support any plan that will give safe access over the Still River without destroying the neighborhood through which it runs and will not cause problems of a larger scale than it will solve.

I am fully aware that although the cost for this project has escalated unduly and that we were misled as to the magnitude of our financial involvement, the proposed plan is the cheapest method of replacing the present bridge. I don't happen to feel however, that the cheapest is always the best. I cannot set a price on a neighborhood. If I could I'm sure it wouldn't be in the range we are discussing here. If the right way to do this work costs more than this plan, then I proposed we spend it. I am not against progress, improved traffic flow or safety. I am opposed to this method of obtaining these things. We have heard the cry of State mandates without the money to back them up many times before. I propose that we should not submit to it again. I propose we save a neighborhood, save money in the long run, and save our ability to control what happens in our own City. I propose that we reject Plan A as presented by the D.O.T.

Respectfully submitted

Joseph DaSilva

 Councilman Joseph DaSilva
 Public Works Committee



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Respectfully submitted

Councilman Joseph DaSilva
Public Works Committee



3-6

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

January 14, 1985

PLEASE REPLY TO:
P. O. Box 1261
DANBURY, CT 06810

Councilman Joseph DaSilva, Chairman
Public Works Committee, Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Cross Street Bridge

Dear Joe:

I have now had an opportunity to review the minutes of the Common Council meetings of November 7, 1979 and of January 3, 1980 with relationship to the agreement between the State of Connecticut and the City of Danbury for the replacement of the Cross Street Bridge over the Still River.

Following written request of October 10, 1979 from Tim O'Sullivan, then Director of Public Works, then Mayor Donald W. Boughton on November 6, 1979 requested adoption of a resolution by the Common Council which resolution was adopted at the adjourned meeting of November 7, 1979. Said resolution provided that the City of Danbury pay 20% of the estimated costs of bridge engineering to be performed by the State of Connecticut Department of Transportation and appropriated the sum of \$15,000 from the Contingency Account to the Professional Services Account in the Engineering Department as the City's share. Of particular importance, however, is that said resolution further resolved that Mayor Boughton "is hereby authorized and directed to enter into an Agreement No. 7.30-01(79) between the City of Danbury and the State of Connecticut for reconstruction of Cross Street Bridge."

Copy of said contract as provided to me reveals that Mayor Boughton signed the same on November 14, 1979 and that it was subsequently signed by the Chief Engineer of the Bureau of Highways and approved by Secretary-Office of Policy and Management and approved as to form by the Attorney General. The consummated agreement was submitted to Mayor James E. Dyer on February 1, 1980.

January 14, 1985

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-2-

The question at hand is dealt with in Sections 9 and 10 on Page 3 of the Agreement. Paragraph 9 sets forth that the total estimated cost is \$75,000 of which the municipality's share is 20% or \$15,000. Said section further provides that, "The Municipality also agrees to reimburse the State for any preliminary rights-of-way activities necessary for the completion of the project." Section 10 of said Agreement provides as follows:

"In the event that right-of-way acquisition for, or actual construction of, the project is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the Municipality will reimburse the State, the sum or sums of funds expended by the State under the terms of this agreement."

The fifth fiscal year following the fiscal year in which the Agreement was executed closes on June 30, 1985. It is, therefore, the opinion of the undersigned that if this project is not started by said date by way of right-of-way acquisition, or actual construction, that the City of Danbury is obliged to reimburse the State monies expended by it under the terms of the Agreement.

It might be noted that in its meeting of January 3, 1980 the new Common Council, following a letter from Mayor Dyer requesting redirection of the monies originally appropriated to the Engineering Department to a continuing Capital Account so that the funds would not expire at the end of the fiscal year, adopted such resolution which also authorized (the) directed Mayor Dyer to enter into the Agreement already signed by then former Mayor Boughton, and otherwise authorizing him to sign any additional contracts, agreements, documents or amendments thereto.

Very cordially yours,



Theodore H. Goldstein
Corporation Counsel

THG:cr

c: Hon. James E. Dyer, Mayor
Constance A. McManus, President
Common Council

January 1985

We the undersigned are adamantly opposed to the use of Plan A for the reconstruction of the Cross Street bridge.

- Edward J Odie 34 Cross St.
- Frank M. Odie 34 Cross St.
- annemarie Childs 33 Cross St.
- Ernie Gattland 28 cross ST
- Charles Gattland 28 Cross St
- Emmett e. hois 30 cross st
- Leri Luis 30 Cross St
- Margaret Faust 26 Cross St
- Ethel Faust 26 Cross St
- Mrs. James Faust 26 Cross St
- Mr Mrs Frank Seabro 24 Cross St.
- Antonio F. Cort Real 8 cross st.
- Karen Lynn Paeg 2 CROSS ST
- Reid Pelletier 2 CROSS ST
- Byzels MacFarrion 7 cross st.
- Maretha Bailey 9 Cross St
- Gene Bailey 9 Cross St
- Janet Cromwell 15 Cross St.
- Michael Fusco 17 Cross St.

January 1965

3-8

We the undersigned are adamantly opposed to the use of Plan A.
for the reconstruction of the Cross Street bridge.

- Joan M Youngberg 25 Cross St.
- Richard W. Youngberg Jr. " "
- JoAnne & John Leonard 31 Cross St.
- Angela Pellegrino 29 Cross St.
- Al Obry Cross St.
- Eugene C. Curtis Cross St.
- Edward Armstrong
- 68 Cross St Darlington Conn 06810
- Pat & Belle Schube - 23 Cross St.
- Mrs Joseph Vaccaro 5 Cross St.
- Mrs and Mr. Peter Diekmann 10 Briarwood
- Walker R Benjamin 14 Briarwood Dr
- Margaret Blatus 32 Cross St.