

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAAYER

ROLL CALL

Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Butera, Evans, Farah.

20 Present 1 Absent.

NOTICE OF SPECIAL MEETING to be held on the 12th day of May, 1982 at 7:45 O'Clock P.M. for the purpose of acting upon the following:

1. Report & Ordinance Re: Landfill Operations.
2. Resolution Re: Hauler Permit Fees for Danbury Sanitary Landfill Site.
3. Resolution Re: Commercial User Fees for Deposition of Permitted Wastes at the Danbury Sanitary Landfill Site.
4. Resolution Re: To establish a fund to be known as "Danbury Sanitary Landfill Enterprise Fund".

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

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

1. REPORT & ORDINANCE

Re: Landfill Operations.

The Report was accepted and the Ordinance was

2. RESOLUTION

Re: Hauler Permit Fees for Danbury Sanitary Landfill Site.

The Resolution was

RESOLUTION

Re: Commercial User Fees for Deposition of Permitted Wastes at the Danbury Sanitary Landfill Site.

The Resolution was _____

4.
RESOLUTION

Re: To establish a fund to be known as "Danbury Sanitary Landfill Enterprise Fund".

The Resolution was _____

PUBLIC SPEAKERS

SMITH VAUGHAN
APR 11 11 40 AM '67
CITY OF DANBURY
(111300007)

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.

CITY OF DANBURY

To: Common Council - City of Danbury

A special meeting of the Common Council _____ of the City of Danbury will be held on the 12th day of May, 1982 at 7:45 o'clock p.m., at the City Hall in said Danbury.

For the purpose of acting upon the following:

1. REPORT & ORDINANCE RE: Landfill Operations
2. RESOLUTION RE: Hauler Permit Fees for Danbury Sanitary Landfill Site.
3. RESOLUTION RE: Commercial User Fees for Deposition of Permitted Waste at the Danbury Sanitary Landfill Site.
4. RESOLUTION RE: To establish a fund to be known as "Danbury Sanitary Landfill Enterprise Fund".

Dated at Danbury, this 11th day of May, 1982

 _____ Mayor
 _____ Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member _____ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

 _____ Mayor

NOTE: PLEASE RETURN THIS FORM TO THE OFFICE
OF THE CITY CLERK AFTER ALL NOTICES
HAVE BEEN DELIVERED. RETURN OF SERVICE

Notice of Two Special
Meetings to be held
May 12, 1982 - 7:45 P.M.
8:00 P.M.

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

<u>NAME</u>	<u>TIME</u>
1. <u>CONSTANCE McMANUS</u>	<u>1355 accepted</u>
2. <u>RICHARD B. ELDER</u>	<u>1340 in door</u>
3. <u>BERNARD P. GALLO</u>	<u>1440 in door</u>
4. <u>JOHN A. McGARRY</u>	<u>1408 accepted</u>
5. <u>RUSSELL M. FOTI</u>	<u>1430 in door</u>
6. <u>CAROLE A. TORCASO</u>	<u>1443 accepted</u>
7. <u>GENE ERIQUEZ</u>	<u>1500 in mail box sturn door locker</u>
8. <u>JOHN ESPOSITO</u>	<u>1505 accepted</u>
9. <u>NICHOLAS ZOTOS</u>	<u>1250 accepted</u>
10. <u>FRANK REPOLE</u>	<u>1255 in door</u>
11. <u>DIANE EPPOLITTI</u>	<u>1318 in door</u>
12. <u>RICHARD M. WHITE</u>	<u>1310 in door</u>
13. <u>ANTHONY J. CASSANO</u>	<u>1333 in door</u>
14. <u>LOUIS T. CHARLES, JR.</u>	<u>1609 Accepted</u>
15. <u>ERNEST M. BOYNTON</u>	<u>1508 accepted</u>
16. <u>JOSEPH DaSILVA</u>	<u>1350 in door</u>
17. <u>JAMES P. BURKE, JR.</u>	<u>1258 in door</u>
18. <u>THOMAS E. EVANS</u>	<u>1325 accepted</u>
19. <u>JANET A. BUTERA</u>	<u>1530 accepted</u>
20. <u>EDWARD T. TORIAN</u>	<u>1403 accepted</u>
21. <u>MOUNIR FARAH</u>	<u>1445 accepted</u>

Each Notice so served upon each member, all having been done by me on this date _____.

Attest: P.O. E. [Signature]
Policemen of the City of
Danbury

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EVANS	✓	
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TOTALS	15	5

*Revised
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Revised*

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CASSANO	✓	
CHARLES		✓
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BURKE		✓
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EVANS	✓	
FARAH	✓	
TOTALS	15	5

23
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CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 12, 1982

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

Re: Landfill Ordinances & Resolutions.

A public hearing concerning the proposed Landfill Ordinances and Resolutions was held on April 22, 1982 at 7:30 P.M. in the Council Chambers.

The committee of the whole met on April 28, May 3 and May 11, 1982 to discuss these ordinances and resolutions.

The Common Council as a committee of the whole voted to recommend approval of the attached Ordinances and Resolutions with the stipulation that a committee of the Common Council be appointed after the new rates have been in effect for four months. This committee would review the rate structure and recommend adjustment at that time.

Respectfully submitted

Councilwoman Constance McManus
Common Council President



-2382-

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT COMMON COUNCIL

May 12, 1982

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

THAT Section 16A-31 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of the words "and for annual non-commercial permits" after the words "annual commercial haulers' permits".



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

AND THAT subsections 16A-32(f) and 16A-32(g) be and hereby are redesignated as 16A-34(a) and 16A-34(b) respectively.

AND THAT subsections 16A-32(a) through 16A-32(e) of the Code of Ordinances of Danbury, Connecticut be and hereby are redesignated as subsections 16A-32(c) through 16A-32(g) respectively.

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY: THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a subsection to be numbered 16A-32(a) which said subsection reads as follows:

"No person, firm, corporation or other entity shall deposit wastes at the Danbury Sanitary Landfill site without compliance with the permit requirements contained in this Article."

AND BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a subsection to be numbered 16A-32(b) which said subsection reads as follows:

" No person, firm, corporation or other entity shall dispose of the following materials at the Danbury Sanitary Landfill site

1. Vehicles or parts thereof.
2. Tree stumps.
3. Commercial demolition or renovation materials or debris.
4. Hot ashes from coal, wood charcoal or other combustible materials.
5. Metal hydroxide sludges unless the hauler has obtained a valid permit for such disposal issued pursuant to the Federal Resource Conservation and Recovery Act."

AND BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

THAT subsection 16A-32(c) of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of the following language after the last sentence thereof:

"provided, however, that refuse, garbage or sludge originating outside of the corporate limits of the City of Danbury may be deposited at the Danbury Sanitary Landfill site pursuant to an Interlocal Agreement between the City of Danbury and any other municipality as may be authorized by the Common Council of the City of Danbury."



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

AND BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:
THAT subsection 16A-32(d) is hereby amended to read as follows:

"In order to obtain an annual commercial hauler's permit the owner or lessee, or an officer (identified and authorized as to title) of the owner or lessee, of each commercial vehicle engaged in the disposal of wastes at the Danbury Sanitary Landfill site shall be required to register with the Department of Public Works of the City of Danbury, on a form provided by it, disclosing to said department the information set forth in subsection (f) below. The applicant shall further be required to sign an affidavit of origin, under penalty of false statement, that all refuse, garbage or sludge hauled to the Danbury Sanitary Landfill site originates or comes from within the corporate limits of the City of Danbury or from a municipality permitted to dispose of refuse, garbage or sludge at the Danbury Sanitary Landfill site pursuant to a duly authorized Interlocal Agreement. No commercial vehicle shall be permitted access to the Danbury Sanitary Landfill site unless a valid commercial permit sticker is displayed on said vehicle. Such permit stickers may be obtained from the Danbury Department of Public Works after registration and payment of any fees approved by the Common Council of the City of Danbury as required by Section 16A-31."



Revised
4/28/82

ORDINANCE
CITY OF DANBURY, STATE OF CONN
COMMON COUNCIL

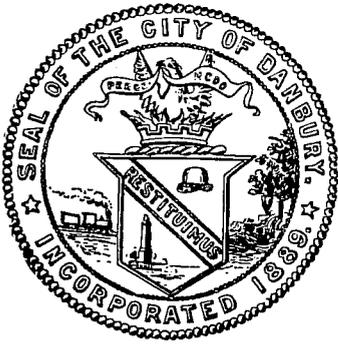
Be it ordained by the Common Council of the City of Danbury:

THAT Section 16A-32(e) be deleted and the following substituted in its place and stead:

"No non-commercial vehicle or trailer shall be permitted access to the Danbury Sanitary Landfill site unless a valid non-commercial permit sticker is displayed on said vehicle or trailer. Non-commercial permit stickers may be obtained annually from the Department of Public Works by residents and taxpayers of the City of Danbury and others authorized to dispose of wastes at the Danbury Sanitary Landfill site pursuant to a duly authorized interlocal agreement. Such non-commercial permit stickers may be obtained upon proof of Danbury residence, Danbury taxpayer's status or such other status as may be authorized by interlocal agreement and in any case upon payment of any permit fees as may be established by the Common Council of the City of Danbury. Non-commercial permit stickers may be obtained for any vehicle bearing combination registration plates provided said vehicle shall not be used commercially to haul permitted wastes to the Danbury Sanitary Landfill site and provided further that non-commercial permits and permit stickers shall not be issued for any vehicle having a rated capacity in excess of three-quarters (3/4) of a ton. Such non-commercial stickers shall neither be assigned nor transferred by the holder thereof."

AND BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT SUBSECTION 16A-32(f) of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of the following after the words "within the corporate limits of the City of Danbury":

"or from a municipality permitted to dispose of refuse, garbage or sludge at the Danbury Sanitary Landfill site pursuant to a duly authorized Interlocal Agreement."



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section to be numbered 16A-33 which said section reads as follows:

"Vehicles displaying an annual commercial hauler's permit and disposing of permitted wastes other than metal hydroxide sludges at the Danbury Sanitary Landfill site shall pay, in addition to any annual permit charges, a user fee based upon the maximum rated capacity of said vehicle; or in the event that the City of Danbury installs weigh scales at the Danbury Sanitary Landfill site, based upon the actual weight of such wastes. Vehicles displaying an annual commercial hauler's permit and disposing of metal hydroxide sludges at the Danbury Sanitary Landfill site shall pay, in addition to any annual permit charges, a user fee based upon the actual volume of sludges being deposited. Any such user charges shall be established by the Common Council after public hearing. Vehicles displaying an annual non-commercial hauler's permit and disposing of permitted wastes at the Danbury Sanitary Landfill site shall pay, in addition to any annual permit charges, such user fees as may be established by the Common Council after public hearing."



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT subsections 16A-34 (a) and 16A-34 (b) be and hereby are amended by deleting the word "section" wherever it appears in said subsections and by substituting the word "article" in its place and stead.

AND BE IT FURTHER ORDAINED THAT subsection 16A-34 (a) of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of the following words after the words "has not been affected":

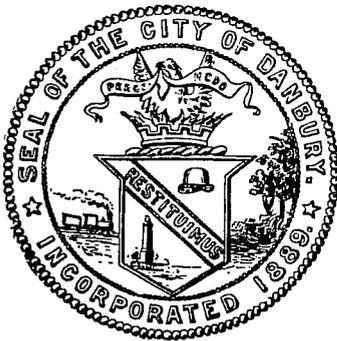
"or where any payment required pursuant to Danbury Code of Ordinances Section 16A-33 has not been made within thirty (30 days of billing."

AND BE IT FURTHER ORDAINED THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a subsection to be numbered 16A-34 (c) which said subsection reads as follows:

"In addition to other remedies provided by law in case of non-payment or non-compliance with the provisions of this Article, the Director of the Department of Public Works is authorized to suspend or revoke any permits issued hereunder."

AND BE IT FURTHER ORDAINED THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a subsection to be numbered 16A-34 (d) which said subsection reads as follows:

"Any person, firm, corporation or other entity penalized pursuant to this section or whose permit has either been suspended or revoked pursuant to this section may request and shall be granted a hearing on the matter before the Director of the Department of Public Works, provided, that such person, firm, corporation or other entity shall file in the Office of the Director of the Department of Public Works a written petition requesting such hearing and setting forth a brief statement of the grounds therefor, within ten (10) days after the fine has been levied or the license suspended or revoked. Upon receipt of such petition the Director of the Department of Public Works shall set a time and place for such a hearing, and shall give the petitioner written notice thereof.



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

May 12, 1982

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

"At such hearing the petitioner shall be given the opportunity to be heard. Any such petitioner may be represented by counsel of his choosing, shall have the right to present evidence, cross-examine witnesses, and present oral and written testimony. Within ten (10) days following any such hearing the Director of the Department of Public Works shall by certified mail send the petitioner a copy of his decision together with written findings of fact which support that decision."

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.

Adopted by the Common Council May 12, 1982
Approved by the Mayor May 14, 1982

Attest: _____

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 12, 1982

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Danbury Code of Ordinances Section 16A-31 authorizes the establishment of annual commercial haulers' permit fees and annual non-commercial permit fees in connection with the deposition of wastes at the Danbury Sanitary Landfill site; and

WHEREAS, the following permit rates represent a fair and equitable means of defraying a portion of the annual cost of operating the Danbury Sanitary Landfill site;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The annual rate for commercial haulers' permits be and hereby is fixed at One Hundred (\$100.00) Dollars per vehicle.

2. The annual rates for non-commercial permits be and hereby are fixed as follows:

- (a) Ten (\$10.00) Dollars per non-commercial trailer.
- (b) Ten (\$10.00) Dollars per truck for all trucks bearing passenger registration plates.
- (c) Ten (\$10.00) Dollars per truck for all trucks bearing combination registration plates and otherwise qualifying for said permit pursuant to Danbury Code of Ordinances Section 16A-32(e).



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 12, 1982

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Danbury Code of Ordinances Section 16A-33 authorizes the the establishment of commercial and non-commercial user fees for the use of the Danbury Sanitary Landfill site; and

WHEREAS, the following user fees represent a fair and equitable means of defraying a portion of the annual cost of operating the Danbury Sanitary Landfill site;

NOW, THEREFORE, BE IT RESOLVED THAT the user fee for deposition of permitted wastes other than metal hydroxide sludges at the Danbury Sanitary Landfill site be and hereby is fixed at ~~TWELVE~~ ^{as determined by the weigh scale at the Danbur} (\$12.00) DOLLARS per ton based upon the rated capacity of each ~~San.Lan~~ pickup truck, trailer or commercial vehicle entering the site.

out ~~Said fee shall be assessed for each trip to the site regardless of the actual weight of wastes being deposited.~~ 15-5

AND BE IT FURTHER RESOLVED THAT the commercial user fee for deposition of metal hydroxide sludges at the Danbury Sanitary Landfill site be and hereby is fixed FIFTY (\$50.00) DOLLARS per fifty-five (55) gallon container or TWO HUNDRED (\$200.00) DOLLARS per cubic yard.

AND BE IT FURTHER RESOLVED THAT the user fee for all cars used to deposit permitted wastes at the Danbury Sanitary Landfill site be and hereby is fixed at \$1.00 per car per trip or at the option of the owner of the car EIGHTEEN (\$18.00) DOLLARS annually.

Evans, Bierke, Butler voted No



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 12, 1982 A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council of the City of Danbury has established annual commercial and non-commercial permit fees as well as commercial user fees related to the use and operation of the Danbury Sanitary Landfill site; and

WHEREAS, said fees are intended to make the Danbury Sanitary Landfill operation as nearly self-sustaining as possible;

NOW, THEREFORE, BE IT RESOLVED that the Department of Finance be and hereby is authorized to establish a fund to be known as the "Danbury Sanitary Landfill Enterprise Fund" and that the Department of Finance is further authorized to receive revenues and make disbursements through said fund for the operation of the Danbury Sanitary Landfill;

BE IT FURTHER RESOLVED that there is hereby appropriated \$876,000.00 for the fiscal year 1982-1983 to cover the expenditures of said fund; and

BE IT FURTHER RESOLVED that the Director of Finance may, from time to time, borrow funds not exceeding Two Hundred Thousand (\$200,000) Dollars from the General Fund of the City of Danbury to pay expenses incurred by landfill operations in the event that fund revenues are deficient. All borrowed funds shall be returned to the General Fund of the City of Danbury as soon as landfill fees generate sufficient funds.