

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held May 1, 2001

The meeting was called to order at 7:33 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – Levy, Scalzo, Smith, Saadi, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore, Sarcino

ABSENT – McAllister, Buzaid

19 Present – 2 Absent

Mr. McAllister and Mr. Buzaid were out of State

PUBLIC SPEAKING

Dan Mulvey, 3 MacAlpine Way – Thanked the Common Council for supporting his promotion to Captain in the Police Department.

MINUTES – Minutes of the Common Council Meeting held April 3, 2001 and the Special Common Council Meeting held April 4, 2001. Mr. Arconti made a motion to approve the minutes as presented and waive the reading as all members have copies and copies are on file in the Office of the City Clerk for public inspection. Seconded by Dean Esposito. Motion carried unanimously.

CONSENT CALENDAR – John Esposito presented the following items for the Consent Calendar:

1 - Approve the reauthorization of the resolution regarding a study of airport safety and efficiency.

2 – Approve the amended resolution regarding safety improvements to Taxiway “A” at the Danbury Airport.

3 - Adopt the resolution regarding the assignment of tax liens in the approximate amount of \$560,000.

5 - Approve the appointment of Hillel Goldman, Joseph Pepin and Michael Finn and the reappointment of William Murphy to the Board of Ethics.

6 - Approve the reappointments of Carol Smith, Marita Repole and J. Roger Schmiedel, Sr. to the Tarrywile Park Authority.

7 - Approve the reappointment of Frank Figueredo to the Building Code of Appeals.

8 - Approve the reappointment of Kenneth Keller and the appointment of Russ Galtieri to the Lake Kenosia Commission.

12 – Approve the transfer of \$635.00 from the Elderly Services Donations Revenue account to the Commission on Aging budget.

15 – Approve the transfer of \$5,000 to the Fire Department Special Services Account.

16 – Approve the transfer of \$3,000 to the Animal Control Fund.

20 – Approve the acceptance of the road widening parcels and various easements subject to the final approval of all legal requirements by the Corporation Counsel's Office.

21 – Receive the report regarding Danbury Museum & Historical Society and approve the recommendations.

22 – Receive the report regarding street numbering on Stadley Rough Road.

23 – Receive the reports and approve the recommendations suggested by Corporation Counsel in his letter of April 9, 2001.

24 – Receive the report and approve the acceptance of the road widening parcel and drainage easements subject to receipt of final legal documents acceptable to the Corporation Counsel.

25 – Receive the reports and take no action at this time.

26 – Receive the reports and take no action at this time.

27 – Approve the transfer of funds into the Police Department Special Services Account

28 – Receive the report.

30 – Approve the transfer of an amount of \$392,249.01 to the Suspense List

33 – Approve the extension of time for a sewer extension along Wibling Road to 19-19A Sugar Hollow Road for a period not to exceed 18 months.

36 – Receive the report regarding Governmental Entities Review and Evaluation and approve the recommendations.

37 – Receive the report regarding immigration issues and approve the recommendation

Mr. Gogliettino made a motion to adopt the Consent Calendar as read. Seconded by Mr. Gallagher. Mr. Scalzo asked that, without objection, item 36 be referred to public hearing. Motion carried unanimously.

1 – RESOLUTION – Airport Improvement Project – Obstruction Analysis and Fencing

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 Improvement Act of 1987; and

WHEREAS, the City of Danbury intends to do a study to determine the location of obstructions to the approaches of Runway 8 and 26 and perimeter fencing on the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury is seeking to apply in total for \$300,000; the federal and state share in an amount not to exceed \$292,500 with a local match of two and one half percent (2 ½%) equaling an amount not to exceed \$7,500.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The reauthorization of the resolution regarding a study of airport safety and efficiency was approved on the Consent Calendar.

2 – RESOLUTION – Mark and Light Taxiway Alpha

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 Improvement of Act of 1987; and

WHEREAS, the City of Danbury intends to reconstruct, mark and light taxiway "A" at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make an amended application for a federal and state grant in an amount not to exceed \$2,176,406.00 with a local match of two and one-half percent (2 ½%) equaling an amount not to exceed \$55,805.00.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The amended resolution regarding safety improvements to Taxiway "A" at the Danbury Airport was approved on the Consent Calendar.

3 – RESOLUTION – Assignment of Real Property Tax Liens

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Connecticut General Statutes 12-195h authorizes any municipality to assign for consideration any and all liens filed by the tax collector to secure unpaid taxes on real property; and

WHEREAS, in January 2001 and February 2001 the City of Danbury assigned certain real estate tax liens appearing on the grand lists of October 1, 1997 and October 1, 1999 to American Tax Funding, LLC; and

WHEREAS, the assignment of additional tax liens on said grand lists to ATF with Foothill Capital Corp. as a secured party, would further reduce the administrative burden upon the Danbury Tax Collector for the benefit of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY that Mayor Gene F. Eriquez be and hereby is authorized to accomplish the assignment to ATF of additional liens filed by the tax collector to secure unpaid taxes on real property appearing on the grand lists of October 1, 1997 and October 1, 1999 and having an approximate value of \$560,000.00.

The resolution regarding the assignment of tax liens in the approximate amount of \$560,000 was adopted on the Consent Calendar.

4 – COMMUNICATION – Promotion to Captain in the Police Department

Letter from Mayor Eriquez requesting confirmation of the promotion of Lt. Daniel Mulvey to the position of Captain in charge of the Training and Traffic Units in the Police Department. Mr. Pascuzzi made a motion to receive the communication and confirm the promotion. Seconded by Mrs. Basso. Motion carried unanimously.

5 – COMMUNICATION – Appointments to the Board of Ethics

Letter from Mayor Eriquez requesting confirmation of the appointment of Hillel Goldman, Joseph Pepin and Michael J. Finn to the Board of Ethics for terms to expire August 1, 2002 and the reappointment of William Murphy for a term to expire August 1, 2002. The appointments were confirmed on the Consent Calendar.

6 – COMMUNICATION – Reappointments to the Tarrywile Park Authority

Letter from Mayor Eriquez requesting confirmation of the reappointments of Carol Smith, Marita Repole and J. Roger Schmiedel to the Tarrywile Park Authority for terms to expire May 1, 2004. The reappointments were confirmed on the Consent Calendar.

7 – COMMUNICATION – Reappointment to the Building Code Board of Appeals

Letter from Mayor Eriquez requesting confirmation of the reappointment of Frank Figueredo to the Building Code Board of Appeals for a term to expire January 1, 2006. The reappointment was confirmed on the Consent Calendar.

8 – COMMUNICATION – Appointments to the Lake Kenosia Commission

Letter from Mayor Eriquez requesting confirmation of the reappointment of Kenneth Keller to the Lake Kenosia Commission and the appointment of Russ Galtieri to

the Lake Kenosia Commission. The appointments were confirmed on the Consent Calendar.

9 – COMMUNICATION – Donations to the Department of Elderly Services

Request from Director of Elderly Services Leo McIlrath asking permission to accept donations in the amount of \$100 for the use of the Danbury Senior Center. Manny Furtado made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

10 – COMMUNICATION - Donation to the Airport

Request from Airport Administrator Paul Estefan asking for permission to accept a donation from Lewis Tree Service of men and equipment to cut down trees on the State of Connecticut property which is identified as hazardous to air navigation. Mrs. Abrantes made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Gogliettino. Motion carried unanimously.

11 – COMMUNICATION – Donations to the School Based Health Center

Request from Melanie Bonjour asking permission to accept donations to the school based health center in support of Alternatives to Violence Week. Michael Moore made a motion to receive the communication, accept the donations and send letters of thanks. Seconded by Manny Furtado. Motion carried unanimously.

12 – COMMUNICATION & CERTIFICATION – Reappropriation of Donated Funds

Request from Director of Elderly Services Leo McIlrath asking that the sum of \$635 be transferred from the Elderly Services Donations account to the Commission on Aging budget for the Professional Services Fees line item. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

13 – COMMUNICATION – Donation to the Parks and Recreation Commission

Request from Director of Parks and Recreation Robert Ryerson asking permission to accept the donation of fencing from PAL in the amount of \$2,000 for Field #2 at Rogers Park. Mr. Gogliettino made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

14 – COMMUNICATION – Donation from the Garden Club

Request from Director of Parks and Recreation Robert Ryerson asking permission to accept a donation in the amount of \$300 from the Danbury Garden Club for the planting of trees at Pembroke School and Great Plain School. Mr. Levy made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

15 – COMMUNICATION – Fire Department Special Services Account

Request from Fire Chief Carmen Oliver for the sum of \$5,000 to be transferred into the Fire Department Special Services Account for Fire Watch. The transfer of funds was authorized on the Consent Calendar.

16 – COMMUNICATION – Animal Control Fund

Request from Police Chief Robert Paquette for the sum of \$3,000 to be transferred from the Police Department Salaries Regular line item to the Animal Control Contributions-Grants budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

17 – COMMUNICATION – Real Property Exchange – Danbury Airport

Proposal from Corporation Counsel Eric Gottschalk for an even exchange of real property at Danbury Municipal Airport to correct boundary lines to avoid further confusion. Dean Esposito asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

18 – COMMUNICATION – Lease – Centerfield Wind Instrument

Lease agreement with the FAA pursuant to which they would be permitted to continue to operate Centerfield Wind Instrumentation at the Danbury Airport. Mr. Levy asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

19 – COMMUNICATION – Complaint regarding Tax Collector

Request from R. J. Bowen for help in solving a tax problem due to his inability to resolve same with Tax Collector. Mr. Arconti asked that this be referred to an ad hoc committee, the Director of Finance and the petitioner. Mayor Eriquez so ordered and appointed Council Members Levy, David Furtado and Saracino to the committee.

20 – COMMUNICATION – Colonial Builders, Mannions Lane

Request from Colonial Builders that the City accept two parcels for highway purposes and easements. Acceptance of the road widening parcels and various easements subject to the final approval of all legal requirements by the Corporation Counsel's Office was granted on the Consent Calendar.

21 – COMMUNICATION – Danbury Museum & Historical Society

Report from Director of Public Works William Buckley indicating that the water of charges of \$586.31 should remain, while the sewer charges of \$1,809.86 will be adjusted to \$12.69. The report was received and the recommendations approved on the Consent Calendar.

22 – COMMUNICATION – Address Assignment – 84 Stadley Rough Road

Report from Director of Planning Dennis Elpern indicating that the duplicate address has been changed to 90 Stadley Rough Road. The report regarding renumbering on Stadley Rough Road was received on the Consent Calendar.

23 – COMMUNICATION – Reports regarding Road Acceptance – Lombardi & Short Street

Reports from the Corporation Counsel and the City Engineer regarding eminent domain procedure to acquire title to Lombardi & Short Streets and outlining procedures necessary to pursue this course of action. The reports were received and the recommendations suggested by the Corporation Counsel in his letter of April 9, 2001 approved on the Consent Calendar.

24 – COMMUNICATION – Reports regarding Road Widening Parcel – Cross Street

Reports from the Corporation Counsel and the City Engineer recommending acceptance of the road widening parcel of land subject to receipt of final legal documents. The reports were received and acceptance of the road widening parcel and drainage easements subject to receipt of final legal documents acceptable to the Corporation Counsel approved on the Consent Calendar.

25 – COMMUNICATION – Reports regarding Exchange of Easements – Germantown Road

Reports from the Corporation Counsel, the Planning Director and the City Engineer stating that a site plan is currently under review and acceptance cannot be recommended until review is complete. The reports were received and no action taken on the Consent Calendar.

26 – COMMUNICATION – Reports regarding Road Acceptance – Hillside Road/Oak Lane

Reports from the Corporation Counsel and the City Engineer recommending that the roads not be accepted. The reports were received and no action taken on the Consent Calendar.

27 – COMMUNICATION – Police Department Special Services Account

Request from Police Chief Robert Paquette for the sum of \$426,000 be appropriated to the Police Special Services fund. The transfer of funds was approved on the Consent Calendar,

28 – COMMUNICATION – Nancy’s Farm – Road Widening Purposes

Report from Director of Planning stating that this parcel was approved by the Planning Commission and requires no further action. The report was received on the Consent Calendar.

29 – COMMUNICATION – Surplus Computers at the Library Technology Center

Request from the William Knight Foundation for surplus computers to be used as kiosk networking stations. Mr. Arconti asked that this be referred to the Director of Finance for a report back within thirty days. Mayor Eriquez so ordered.

30 – COMMUNICATION – Suspense List

Annual Suspense List from the Tax Collector detailing names and amounts that she considers uncollectible. The transfer of \$392,249.01 to the Suspense List was authorized on the Consent Calendar.

31 – COMMUNICATION – Request for Sewer and Water Extensions at 8 Rose Street.

Mrs. Abrantes made a motion that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Martin Moore to the committee.

32 – COMMUNICATION – Request for Sewer Extension – 9 Segar Street

Michael Moore asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Martin Moore to the committee.

33 – COMMUNICATION – Request for Extension of Time – 19-19A Sugar Hollow Road.

Request for an eighteen month extension of time for a sewer extension along Wibling Road to 19-19A Sugar Hollow Road. The extension of time was granted on the Consent Calendar.

34 – COMMUNICATION – Sidewalk Easement – Staples Street – Hancock Hall

Request that the City accept a sidewalk easement at Hancock Hall on Staples Street. Mr. Scalzo asked that this be referred the City Engineer and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

35 – COMMUNICATION – Request to Purchase Land on Hayestown Heights

Mrs. Abrantes asked that this be referred to the City Engineer, the Director of Finance, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

36 – REPORT – Governmental Entities Review and Evaluation

Mr. Levy submitted the following report:

The Governmental Entities Review and Evaluation Committee met on March 13, 2001 at 7:05 P.M. in Conference Room 3C in City Hall. In attendance were committee members Warren Levy, Manny Furtado, Martin Moore and C. Richard Hale. Also in attendance were Council Members Paul McAllister and John Gogliettino, ex-officio.

Chairman Levy explained that the function of this committee was to review various boards and commissions scheduled for termination to see if they are still functioning and serving the needs of the community. He also read a letter from Mayor Gene F. Eriquez attached hereto and made a part hereof.

Economic Development Commission – Mr. Levy stated that this Board is inactive, but the Mayor would like to have it reactivated so that it can work with the Director of Planning to meet the goals of the new Plan of Development. Mr. Furtado made a motion to re-establish the Economic Development Commission for a period of two years. Seconded by Mr. Moore. Motion carried unanimously.

Parks and Recreation Commission – Mr. Levy stated that this is an advisory commission charged with evaluation recreational needs in the City. They have had trouble having meetings due to a lack of a quorum. It was suggested that this commission might be more active if the Common Council referred appropriate agenda items to it. Mr. Furtado made a motion to re-establish the Parks and Recreation Commission for a period of five years. Seconded by Mr. Moore. Motion carried unanimously.

Aviation Commission – Mr. Levy stated that Airport Administrator Paul Estefan submitted a report on behalf of the Commission. This discussion was tabled until Mr. Estefan could join the meeting. When he joined the meeting, he gave an overview of the responsibilities of the Aviation Commission and spoke about the Plan of Development. Mr. Furtado made a motion to re-establish the Aviation Commission for a period of five years. Seconded by Mr. Moore. Motion carried unanimously.

Youth Commission – Committee members felt that many issues could be referred to this commission if it were an active one. Mr. Furtado made a motion to re-establish the Youth Commission for a term of two years. Seconded by Mr. Moore. Motion carried unanimously.

Commission on the Status of Women – Mr. Levy stated that it is his understanding that Congressman Jim Maloney has some issues he would like to refer to this commission. Mr. Furtado made a motion to re-establish the Commission on the Status of Women for a five year term. Seconded by Mr. Hale and passed unanimously.

Danbury Housing Partnership – Mr. Levy stated that Paul Schierloh submitted a comprehensive summary of the committee's activities. Mr. Moore made a motion to continue this committee for a five year period. Seconded by Mr. Furtado. Motion carried unanimously.

Mr. Furtado made a motion to recommend that all appointments to the boards and commissions being reviewed be submitted to the Common Council within the next three months, commencing with the April 3, 2001 Common Council meeting; also, the Committee recommends that Common Council agenda items be referred to these boards and commissions as appropriate. Seconded by Martin Moore. Motion carried unanimously.

The report was referred to public hearing on the Consent Calendar.

37 – REPORT – Immigration Issues

Mrs. Abrantes submitted the following report:

The Common Council Committee appointed to review immigration issues within the City met on April 5, 2001 at 6:35 P.M. in Conference Room 3C in City Hall. In attendance were committee members Abrantes, Gogliettino and Martin Moore. Also in attendance were Corporation Counsel Eric Gottschalk, Agosto Gomes of the Bi-Lingual program for Danbury schools, Assistant Personnel Director Julio Lopez, Maria-Cinta Lowe of the Hispanic Cultural Center and Council Members Manny Furtado, Michael Moore, Paul McAllister and Pauline Basso, ex-officio.

The first issue to be addressed was licensing. Immigrants are not licensed until they can prove that they have legal status in the United States. The Common Council has no jurisdiction over this matter. The second issue concerns people congregating on Kennedy Avenue. This has become an issue due to accidents occurring in the area and people jumping into cars stopping in the area. Kennedy Avenue is classified as a park. Therefore, the loitering law is not in effect. Mrs. Abrantes noted that she has spoken to

Police Chief Bob Paquette. He informed her that the police have started to make arrests in this area. Attorney Gottschalk stated that laws should be enforced. None of this has bearing on nationality.

A discussion followed regarding another site for day workers to congregate while waiting for work such as a storefront. Mr. Gogliettino stated that the Mayor said we do not have the money for this. Martin Moore stated that this was the solution in Brewster. Manny Furtado asked if help could be issued through various agencies. Mrs. Abrantes stated that unless people are here legally, they do not have the right to receive help from these agencies. Further discussion followed regarding working with the INS to clarify its policy. Mr. McAllister noted that its policies are always changing. Mr. Gomes gave information on immigrants in the schools and how his program helps them. Mrs. Lowe stated that she does not like to use the word illegal. She prefers undocumented. She stated that the INS does not have any business coming here telling us what to do.

Mrs. Abrantes made a motion that she be authorized to work with the administration and the International Institute to obtain a grant to educate non-English speaking people as to the laws of our community. Seconded by Martin Moore. Motion carried unanimously.

The report regarding immigration issues was received and its recommendations approved on the Consent Calendar.

38 – DEPARTMENT REPORTS – Public Works, Department of Elderly Services, Fire Chief, Police Chief

Mr. Arconti made a motion to accept the reports as submitted and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Dean Esposito. Motion carried unanimously.

The Mayor extended all committees.

39 – COMMUNICATION – Ice Rink Property – Maintenance Easement to DSR Holdings, Inc.

Mr. Arconti made a motion to add this item to the agenda. Seconded by Dean Esposito. Motion carried unanimously.

Mr. Gogliettino made a motion to accept the correspondence and grant the easement. Seconded by Manny Furtado. Martin Moore asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Arconti, John Esposito and Saracino to the committee.

40 – COMMUNICATION – Additional Cost to Complete Ice Rink

Mr. Arconti made a motion to addition this item to the agenda. Seconded by Dean Esposito. Motion carried unanimously.

Martin Moore asked that this be referred to an ad hoc committee. Mr. Levy made a motion for a five minute recess. Seconded by David Furtado. Motion carried with Council Members Basso, Martin Moore and Saracino voting in the negative. A recess was called.

The Common Council Meeting reconvened at 8:25 P.M. David Furtado asked that this item be referred to a committee of the whole. Seconded by Dean Esposito. Mayor Eriquez so ordered.

There being no further business to come before the Common Council a motion was made at 8:40 P.M. by Council Member Gogliettino to adjourn.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
City Clerk