

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held July 3, 2001

The meeting was called to order at 7:35 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

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

ABSENT – Dean Esposito

20 Present – 1 Absent

Mr. Esposito was out of town on business

PUBLIC SPEAKING

Margaret Mitchell – 2 Park Place, Tamara Espinal – 13 Park Place, Turow Kamatza – Park Place, Tom Meade – 4 Park Place and John Kay – 11 Park Place all asked for assistance regarding flooding on Park Place, item 36.

Lynn Waller, 83 Highland Avenue thanked the Common Council for accepting the donation of a tree in memory of Barbara Monsky.

MINUTES – Minutes of the Common Council Meeting held June 5, 2001. Mr. Arconti made a motion that the minutes be accepted as presented and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Gogliettino. Motion carried unanimously.

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

- 2 - Adopt the Ordinance as presented
- 3 – Adopt the Resolution to apply for and accept grant funding in the amount of \$408,000 from the State Department of Health Services
- 4 - Adopt the Resolution to apply for and accept grant funding in the amount of \$120,000 for the Safe Neighborhood Programs
- 5 - Adopt the Resolution to apply for and accept grant funding in the amount of \$500 from the Connecticut Fair Plan Anti-Arson Committee
- 6 - Adopt the Resolution to apply for and accept grant funding totaling \$292, 500 for Airport Tree clearance
- 12 – Approve the reappropriation of donated funds as described
- 14 – Approve the acceptance of \$479 in scholarship funds from the State Department of Public Health
- 26 – Approve the reappropriation of \$7,500 as described
- 28 – Approve the rental agreement for Bowling Lanes at Hatters Community Park pending Planning Commission approval
- 29 – Approve the agreement and adopt the Resolution regarding the Replacement of the Thorpe Street Extension Bridge and authorize the project
- 31 – Receive the correspondence and accept the sidewalk easement on Staples Street as described
- 34 – Receive the report and proceed with the normal procedure for sanitary sewer extensions
- 37 – Receive the report and approve the recommendation regarding sewer and

water extensions at 8 Rose Street

38 – Receive the report and approve the recommendation regarding sewer extension at 9 Segar Street

Mr. Levy made a motion that the Consent Calendar be adopted as read. Seconded by David Furtado. Motion carried unanimously.

1 – ORDINANCE – Review and Evaluation of Government Entities – Mr. Gogliettino asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2001-2002 Capital Budget and Authorizing the Issuance of \$500,000 Bonds of the City to meet said Appropriation and Pending the Issuance Thereof the making of temporary borrowings for such purpose

The Ordinance was adopted on the Consent Calendar.

3 – RESOLUTION – School Based Health Center

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for a School Based Health Center Continuation Grant in an amount not to exceed \$408,080; and

WHEREAS, the grant term will cover a two year period of July 1, 2001 through June 30, 2002 for \$204,040 and a second year July 1, 2002 to June 30, 2003 for an additional \$204,040 with no local match required; and

WHEREAS, the State's purpose in providing these funds is to enable the City's Health and Housing Department to provide the age appropriate accessible and affordable medical and mental health care services to Danbury High School students.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply to the State of Connecticut Department of Health Services for said grant funds and to accept the award if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The Resolution to apply for and accept grant funding in the amount of \$408,000 from the State Department of Health Services was adopted on the Consent Calendar.

4 – RESOLUTION – Safe Neighborhood Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management will make available to the City of Danbury Police Department additional funds in the amount of \$120,000.00 as remainder funds to its existing grant for the Safe Neighborhood Program; and

WHEREAS, said award will cover the period of July 1, 2001 through June 30, 2002 with no local cash match; and

WHEREAS, said grant will subsidize 10 police officer positions at \$120,000 thus allowing increased police presence in targeted neighborhoods, especially in areas where there has been increased firearms use.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez and Chief Robert Paquette or his authorized representative are hereby empowered to accept funds and the Mayor is further authorized to execute any contracts/agreements therefore and to do all things necessary to effectuate the purposes hereof.

The Resolution to apply for and accept grant funding in the amount of \$120,000 for the Safe Neighborhood Programs was adopted on the Consent Calendar.

5 – RESOLUTION – Connecticut Fair Plan Anti-Arson Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Fair Plan Anti Arson Committee has advised the City of Danbury of its eligibility to apply for a direct award of \$500.00 under its program with a local cash match of \$500.00 required; and

WHEREAS, the funding under this new program will be used by the Danbury Fire Department to purchase a video camera to enhance effective fire investigations within the City of Danbury; and

WHEREAS, the grant period will run for 12 months from the date of the initial payment received.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept such grant award and the Mayor is further authorized to sign any contracts/documents in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The Resolution to apply for and accept grant funding in the amount of \$500 from the Connecticut Fair Plan Anti-Arson Committee was adopted on the Consent Calendar.

6 – RESOLUTION – Airport Reconstruction of Taxiway A

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Commission 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 use these funds for tree clearing to the Runway 8 Approach at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make application for a federal grant in an amount not to exceed \$270,000.00 and state grant in an amount not to exceed \$22,500.00 with a local match of an amount not to exceed \$7,500.00;

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 Resolution to apply for and accept grant funding totaling \$292,500 for Airport Tree clearance was adopted on the Consent Calendar.

7 – RESOLUTION – New Elementary School

Mr. McAllister asked that this be referred to a committee of the whole. Mayor Eriquez so ordered.

8 – RESOLUTION – Sale of Pepsi at Danbury Ice Rink – WITHDRAWN

9 – COMMUNICATION – Donation to Parks and Recreation

Letter from Director of Parks and Recreation Department requesting permission to accept a donation in the amount of \$300 from Frances Kelly for planting trees at Pembroke School and Great Plain School during Arbor Week 2001. Michael Moore made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

10 – COMMUNICATION – Donation to the Police Department

Letter from Chief of Police Robert Paquette requesting permission to accept a donation of surplus, damaged and overrun paint stock and supplies to the Graffiti Task

Force from the Home Depot Corporation. Mr. Levy made a motion that the communication be accepted, the donation accepted and a letter of thanks sent. Seconded by Mrs. Abrantes. Motion carried unanimously.

11 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations to the Department of Elderly Services in the total amount of \$100.00. 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.

12 – COMMUNICATION – Reappropriation of Donated Funds

Letter from Director of Elderly Services Leo McIlrath requesting a transfer of funds in the amount of \$902.00 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

13 – COMMUNICATION – EPA Consent Decree

Letter from Attorney Eric Gottschalk requesting that the Common Council authorize the Mayor to execute a Consent Decree to settle a potential claim against the City by the EPA for site remediation costs in the amount of \$561.00. A certification of funds was attached. Mr. Levy made a motion to receive the communication and authorize the Mayor to sign the Consent Decree and settlement offer. Seconded by Mrs. Abrantes. Motion carried unanimously.

14 – COMMUNICATION – School Based Health Care Conference

Letter from Melanie Bonjour requesting permission to accept the sum of \$479 in scholarship funds from the State Department of Public Health to allow her to attend the 2001 National Assembly on School-Based Health Care Conference in Miami, Florida. The sum of \$479 in scholarship funds from the State Department of Public Health was accepted on the Consent Calendar.

15 – COMMUNICATION – Request for Funds for the Hispanic Center

Manny Furtado 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 Abrantes, Manny Furtado and Martin Moore to the committee.

16 – COMMUNICATION – Request for an Ad Hoc Committee on Elderly Tax Relief

Mr. Arconti asked that this be referred to an ad hoc committee, the Director of Finance and the Director of Elderly Services. Mayor Eriquez so ordered and appointed Council Members Arconti, Machado and Saracino to the committee.

17 – COMMUNICATION – Cell Phone Ban

Mrs. Abrantes asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Scalzo, Shuler and Basso to the committee.

18 – COMMUNICATION – Request for Common Council Parliamentarian

Mr. Levy asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Gallagher, Shuler and Basso to the committee.

19 – COMMUNICATION – Generator Failure at Police Headquarters

Mr. Arconti asked that this be referred to an ad hoc committee, the Police and Fire Chiefs and the Director of Public Works. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, David Furtado and Saracino to the committee.

20 – COMMUNICATION – Request for Sewer Extension – Hobson Street

Mr. McAllister 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 Basso to the committee.

21 – COMMUNICATION – Request for Sewer and Water Extensions – Duck Street

Mrs. Abrantes 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 Manny Furtado, Pascuzzi and Martin Moore to the committee.

22 – COMMUNICATION – Offer to sell land bordering Rogers Park to the City

Mrs. Abrantes asked that this be referred to the Corporation Counsel, the Director of Planning, the Directors of Finance and Parks and Recreation, the Coordinator of Environmental Services and the Conservation Commission for reports back within thirty days.

23 – COMMUNICATION – Request to Purchase City owned land on Peace Street

Mr. McAllister asked that this be referred to the Director of Planning, the Director of Public Works and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

24 – COMMUNICATION – Erosion and Flooding Problem at 20 Caye Road

Mrs. Abrantes asked that this be referred to an ad hoc committee and the Director of Public Works. Mayor Eriquez so ordered and appointed Council Members Abrantes, McAllister and Martin Moore to the committee.

25 – COMMUNICATION – Request for Sewer Extension – 11 Hobson Street and Peace 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 Basso to the committee.

26 – COMMUNICATION – DEP Larvacide Funds

Request from Director of Health and Housing William Campbell to reappropriate a \$7,500 DEP allocation for the treatment of mosquitoes. A certification of funds was attached. The reappropriation as described was authorized on the Consent Calendar.

27 – COMMUNICATION – Road Widening Parcel – 1 Great Pasture Road

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

28 – COMMUNICATION – Rental Agreement – Hatters Park Bowling Lanes

Letter from Director of Parks and Recreation Robert Ryerson asking approval to enter into a five year rental agreement with Gerald A. Trocolla to operate the property known as the Bowling Lanes at Hatters Community Park. The rental agreement for the Bowling Lanes at Hatters Community Park was approved on the Consent Calendar pending Planning Commission Approval.

29 – COMMUNICATION and RESOLUTION – Replacement of Thorpe Street Extension Bridge

RESOLVED by the Common Council of the City of Danbury:

THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to execute the AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DANBURY FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE REQUIRED IN CONJUNCTION WITH THE REPLACEMENT OF THE THORPE

STREET EXTENSION BRIDGE (BRIDGE NO. 05097) OVER KOHANZA BROOK UTILIZING FEDERAL FUNDS AND A PROJECT GRANT UNDER THE STATE'S LOCAL BRIDGE PROGRAM, together with such other documents as may be necessary for the accomplishment for the purposes thereof.

The agreement was approved, the Resolution adopted and the project authorized on the Consent Calendar.

30 – COMMUNICATION and REPORT – Executive Air Service

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review the request from Executive Air met on March 13, 2001 at 7:00 P.M. in City Hall. In attendance were committee members Gallagher, Machado and Martin Moore. Also in attendance were Corporation Counsel Laszlo Pinter, Airport Administrator Paul Estefan and the petitioners, Roy Steiner, Neil Marcus and John Linero of Executive Air.

The petitioners explained that they wished to lease the additional property for construction of hangars. Mr. Estefan stated that he was in favor of proceeding with the petitioner's request, as the land in question currently served no purpose. Mr. Machado moved to recommend leasing of the additional property to Executive Air, pending approval of the Planning Commission and to authorize Corporation Counsel to enter into negotiations of said lease. The motion was seconded by Martin Moore and passed unanimously.

The committee reconvened on June 12, 2001 at 5:00 P.M. In attendance were committee members Gallagher and Machado. Also in attendance were Assistant Corporation Counsel Laszlo Pinter, Airport Administrator Paul Estefan and the petitioners Roy Steiner and Neil Marcus.

In order to clarify the earlier motion, Mr. Machado moved to recommend leasing of the additional .3565 acre of property (comprising parcel d) to Executive Air Services Limited Partnership, pending approval of the Planning Commission and to have the Corporation Counsel enter into negotiations of said lease. Mr. Gallagher seconded the motion and it passed unanimously.

Mr. Arconti made a report to receive the communication and the report and adopt the recommendations contained therein and refer this to the Planning Commission. Seconded by Mr. Gogliettino. Motion carried unanimously.

31 – COMMUNICATION – Sidewalk Easement – Staples Street

Reports from the Director of Public Works and the Corporation Counsel recommending that the City accept this sidewalk easement subject to the receipt of legal documents acceptable to the Corporation Counsel's office.

The correspondence was received and the sidewalk easement on Staples Street accepted as described on the Consent Calendar.

32 – COMMUNICATION – Reports regarding request to Purchase City Land known as Lot No. B09001

Mr. Gogliettino made a motion to declare this property surplus and refer it to the Tax Assessor, the Corporation Counsel and the Planning Commission to negotiate a sale. Seconded by Mr. Buzaid. Motion carried unanimously.

33 – COMMUNICATION – Reports regarding offer to sell land on Old Post Road to the City

Mr. Levy made a motion to receive the reports and take no action at this time. Seconded by Mrs. Abrantes. Motion carried unanimously.

34 – COMMUNICATION – Report regarding Alexander D Avenue

Report from City Engineer William Buckley stating that this request will be added to the list of potential sanitary sewer and water main extension projects maintained by his office.

The report was received on the Consent Calendar and the City Engineer instructed to proceed with the normal procedure for sanitary sewer extensions.

35 – COMMUNICATION – Report regarding St. James Church

Mrs. Abrantes asked that this be referred to an ad hoc committee, the Director of Public Works, the Director of Finance and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Levy, Gogliettino and Saracino to the committee.

36 – COMMUNICATION – Old East Ditch Flooding

Manny Furtado asked that this be referred to the City Engineer for a report back within thirty days. Mayor Eriquez so ordered.

37 – REPORT – Request for Sewer and Water Extensions – 8 Rose Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions at 8 Rose Street met on June 19, 2001 at 7:30 P.M. in City Hall. In attendance were committee members Machado, Shuler and Martin Moore. Also in attendance were City Engineer William Buckley and the petitioners Bradley Rodriques and Gary Odessa.

Mr. Machado noted the positive recommendation from the Planning Commission. Mr. Buckley gave a positive view of the request. The only question pertains to the size of the pipe to be used and that the petitioners should hire an engineer. Mr. Odessa asked if a septic system could be installed. Mr. Buckley said that it could not.

Martin Moore made a motion to recommend to the Common Council the approval of the request subject to the normal eight steps. Seconded by Mr. Shuler. Motion carried unanimously.

The report was received on the Consent Calendar and the recommendations regarding sewer and water extensions approved.

38 – REPORT – Request for Sewer Extension – 9 Segar Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 9 Segar Street met on June 19, 2001 at 7:45 P.M. in City Hall. In attendance were committee members Machado, Shuler and Martin Moore. Also in attendance were City Engineer William Buckley and Kenneth Faroni for the petitioners.

Mr. Machado noted the positive recommendation from the Planning Commission. Mr. Buckley gave a positive recommendation.

Martin Moore made a motion to recommend to the Common Council the approval of the request for sewer extension subject to the normal eight steps. Seconded by Mr. Shuler. Motion carried unanimously.

The report was received on the Consent Calendar and the recommendations approved.

39 – COMMUNICATION – 403 Main Street – deferred to end of agenda for executive session

40 – DEPARTMENT REPORTS – Public Works, Police Chief, Fire Chief, Fire Marshall, Welfare & Social Services, Building Department, Elderly Services, Health & Housing. Mr. Arconti made a motion to receive the department reports 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 Mrs. Abrantes. Motion carried unanimously.

The Mayor extended all committees.

At 8:25 P.M. Mr. Gogliettino made a motion to enter into executive session. Seconded by Mr. McAllister. Motion carried unanimously. At 8:32 P.M. the Common Council reconvened in open session.

39 – Mr. Levy made a motion to accept the recommendation on settlement as outlined by Attorney Pinter. Seconded by Manny Furtado. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made at 8:33 P.M. for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton, City Clerk