

TO: Mayor Gene F. Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held May 6, 1997

The meeting was called to order at 7:30 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

Scalzo, Abrantes, McAllister, Arconti, Coladarci, Buzaid, Valeri, Machado, Shuler, Setaro, Esposito, Levy, Basso, Fox, Gallagher, Mead, Nolan

ABSENT - Boynton, Charles, Gomez, Butera

17 Present - 4 Absent

PUBLIC SPEAKING

1. Kevin Andrews, Troup #33 from St. Josephs School - Thanked the Common Council for having them here this evening and also thanked Town Clerk Michael Seri for going over the budget with them.

MINUTES - Minutes of the Common Council Meeting held April 1, 1997. Mr. Setaro 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 Miss Fox. Motion carried unanimously.

CONSENT CALENDAR - Mr. Esposito presented the following items for the consent calendar and stated that items 1, 7 and 29 had been withdrawn.

- 2 - Approve Resolution and application for School Based Health Center Grant 1997-98 through the State Department of Public Health Services - \$100,000
- 3 - Approve Resolution and application for AIDS Grant 1997-98 through the State Department of Public Health Services - \$219,294
- 4 - Approve Resolution for cost sharing grant funding from State Department of Education for the Danbury Youth Services in an amount not exceeding \$70,000
- 5 - Approve Resolution authorizing City Women, Infants and Children program to enter into an agreement with the State Department of Agriculture for Farmer's Market Coupon Program - \$715.50
- 6 - Approve Resolution and application for 1997-98 Per Capita Grant for the State Department of Health to promote public health quality - \$35,032.40
- 8 - Confirm appointment of Shailesh Nagarsbeth as a regular member of the Environmental Impact Commission to fill the unexpired term of Bruce Lees
- 9 - Confirm appointment of Dr. Stephan Millian as an alternate member of the Environmental Impact Commission
- 15 - Approve reappropriation of \$1,126.50 from the Elderly Services donations account to the following accounts: Equipment Not Classified, Office Equipment/Furniture, Professional Service Fees and Postage
- 16 - Approve reappropriation of \$250 donations to the library from general donation funds for library furnishings
- 17 - Approve reappropriation of \$3,686.17 donations to the library from general donation funds
- 18 - Approve transfer of \$21,500 of Hatters Park rental fees to Capital line item "Hatters Park Improvements".
- 19 - Approve transfer of \$1,475 from the Employee Group Insurance Account to the Zoning Board of Appeals Legal and Public Notices Account

- 20 - Approve transfer of \$1,095 from Employee Group Insurance Account to Zoning Commission Legal and Public Notices Account
- 22 - Approve reappropriation of \$984 to "Downtown Pedestrian Improvements Capital Account"
- 24 - Approve reappropriation of \$7,700 to Police Athletic League for cost of installation of piping and design of overflow improvements related to construction of PAL recreational facility
- 25 - Receive the Suspense List and approve same for Grand List years 1987, 88 and 1989 for motor vehicle and personal property - \$330,244.95
- 28 - Receive communication regarding request to purchase property on Terre Haute Road Lot No. H19006 and take no action at this time
- 30 - Receive communication and take no action at this time
- 36 - Receive report regarding Governmental Entities Review and Evaluation and approve recommendations
- 37 - Receive report and approve recommendations regarding donation of two emergency vehicles

(At 7:40 P.M. Mrs. Butera arrived and was marked present)

Miss Fox made a motion that the Consent Calendar be adopted as read. Seconded by Mrs. Butera. Motion carried unanimously.

ANNOUNCEMENTS

- May 1st - Emile and Theresa Buzaid's anniversary
- May 13th- Tom and Sally Arconti's anniversary
- May 19th- Chris Setaro's birthday
- May 21st- Helena and David Abrantes anniversary

1 - RESOLUTION - Neighborhood Assistance Act. Mr. Setaro asked that this be referred to a public hearing and a committee of the whole. Mayor Eriquez so ordered.

2 - RESOLUTION - School Based Health Center Grant 1997-98

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 \$100,000; and

WHEREAS, the grant term will cover the period of July 1, 1997 through June 30, 1998, with no local cash match required; and

WHEREAS, the State's purpose in providing these funds is to enable the City's Health and Housing Department to serve the unmet health needs of Danbury High School students.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and the Danbury Health and Housing Department, acting through William J. Campbell, Director of Health, are 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 and William J. Campbell, Director of Health are hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - AIDS Grant Application 1997-98

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services, through its AIDS Prevention Program, has made grant funds available to full-time health departments to provide HIV health education information and expanded services for the period of July 1, 1997 through June 30, 1998; and

WHEREAS, grant funds not to exceed \$219,294 requiring no local match, will be made available to the Danbury Health and Housing Department for its AIDS Risk Reduction Outreach Education Program, HIV Counseling and Testing Services, its Needle Exchange Program and its Ryan White Title II Case Management Program, upon approval of a grant application therefor; and

WHEREAS, the Danbury Health and Housing Department will provide these services to the general public with particular attention given to individuals concerned about possible exposure to HIV, serving both residents and non-residents with no restrictions on who may be served.

NOW, THEREFORE, BE IT HEREBY RESOLVED, THAT Gene F. Eriquez, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, is authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding this application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts/agreements or amendments thereof, which do not require expenditure of City funds, with the State of Connecticut Department of Public Health Services regarding said grant, and to take all actions necessary to accomplish the purposes of these programs.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Danbury Youth Services Bureau

WHEREAS, grant funds in an amount not to exceed seventy thousand dollars (\$70,000.00) are available from the State of Connecticut Department of Education for 1997-98 Danbury Youth Services Bureau operations; and

WHEREAS, the continuation of Danbury Youth Services Bureau, for its twentieth year, is deemed to be in the best interest of the City of Danbury

NOW, THEREFORE, BE IT RESOLVED THAT, the actions of Gene F. Eriquez as Mayor of the City of Danbury, in applying for the said funds be and hereby are ratified and that Mayor Eriquez be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$70,000 for Danbury Youth Services for the fiscal period commencing July 1, 1997.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all documents, applications, or other pertinent instruments to this program.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Farmer's Market Coupon Grant 1997

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury's Women, Infants, and Children's Program (WIC) wishes to enter into an agreement with the State of Connecticut Department of Agriculture for funds in the amount of \$715.50 to be used for supplemental staffing during the Farmer's Market Program; and

WHEREAS, said funds are to be used to administer the issuance of farmer's market coupons to enable WIC participants to purchase fresh fruits and vegetables at the local Farmer's Market during the summer of 1997; and

WHEREAS, the period for the availability of this grant is June 1997 through September 1997; and

WHEREAS, no local match is required.

NOW, THEREFORE, BE IT RESOLVED THAT, the Danbury WIC Office is authorized to sign an agreement with the State of Connecticut Department of Agriculture for this amount and to do all things necessary to administer the 1997 summer Farmer's Market Coupon Program to its clients.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Per Capita Grant 1997-98

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has made funds available for 1997-98 to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a program to promote optimal public health quality in the City of Danbury; and

WHEREAS, a continuation grant award application for \$35,032.40 with no local match requirement will be processed by the Danbury Health and Housing Department for a grant term of July 1, 1997 through June 30, 1998.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, or the Director of Health, William J. Campbell, as his designee, is hereby authorized to apply for and accept said per capita grant funds of \$35,032.40, to execute all contracts or amendments thereof concerning said grant and to take all necessary actions to effectuate the purposes thereof.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Lazy Creek Mills LLC Proposed Property Acquisition

Mr. Setaro asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

8 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Shailesh Nagarsheth to the Environmental Impact Commission for a term to expire December 1, 1998. The appointment was confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez requesting the confirmation of the appointment of Dr. Stephan Millian as an alternate to the Environmental Impact Commission for a term to expire December 1, 1998. The appointment was confirmed on the Consent Calendar.

10 - COMMUNICATION - Request from Library Director Betsy McDonough for permission to accept donations to the Library from Florence Kane in the amount of \$48; Anne P. Buttrick in the amount of \$25; and from Stanley A. Steckler in the amount of \$36. These donations should be credited to the BOOKS line item. Also, a request to accept a donation to the Danbury Library Restoration Fund by Philanthropic Fund of the Women's Club of Danbury-New Fairfield. Mrs. Butera made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Mead. Motion carried unanimously.

11 - COMMUNICATION - Request from Fire Chief Carmen Oliver request permission to accept a donation in the amount of \$150 for the Communications Equipment account and a donation in the amount of \$125 for the ambulance fund. Mr. Esposito made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Gallagher. Motion carried unanimously.

12 - COMMUNICATION - Letter from Tree Supervision Richard Smith asking permission to accept a donation in the amount of \$150 from the Danbury Lions Club for the planting of a flowering tree. Mr. Levy made a motion that the donation be accepted, the proper line item credit and a letter of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

13 - COMMUNICATION - Letter from Melanie Bonjour, SBHC Coordinator requesting permission to accept donations made to the School Based Health Center for its "Alternatives to Violence Day". Mrs. Abrantes made a motion that the donations be accepted and letters of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

14 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the total amount of \$987.50. Mrs. Butera made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Miss Fox. Motion carried unanimously.

15 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath for a transfer of funds in the amount of \$1,126.50 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was approved on the Consent Calendar.

16 - COMMUNICATION - Request from Library Director Betsy McDonough for the reappropriation of \$250 from the Library Donations account to library furnishings. The reappropriation was granted on the Consent Calendar.

17 - COMMUNICATION - Request from Library Director Betsy McDonough for the reappropriation of \$3,686.17 from the Library Donations account. The reappropriation was approved on the Consent Calendar.

18 - COMMUNICATION & CERTIFICATION - Request from Parks and Recreation Director Robert Ryerson for the transfer of \$21,500 from rentals at Hatters Park to the Improvements at Hatters Park line item. A certification of funds was attached. The reappropriation was approved on the Consent Calendar.

19 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$1,475.00 for the Zoning Board of Appeals Legal & Public Notices Account. A certification of funds was attached. The request was approved on the Consent Calendar.

20 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$1,095.00 for the Zoning Commission Legal & Public Notices Account. A certification of funds was attached. The request was approved on the Consent Calendar.

21 - COMMUNICATION - Letter from Robert F. Dylewski, Acting Superintendent of Schools requesting acceptance of a revised 1996-97 State and Federal Grant spending level of \$6,734,367. Mr. Setaro made a motion to accept the communication and approve the revised 1997-97 State and Federal Grant spending level of \$6,734,367. Seconded by Miss Fox. Mr. Levy stated that this will plug some of the holes mentioned in the Republican response to the Mayor's State of the City address. Mr. Nolan stated that he is happy to see that Mr. Levy carries his homework with him at all time. Mr. Mead stated

that as a former educator he is aware of the difficulty of the grant process and thanked the schools for a job well done. Motion carried unanimously.

22 - COMMUNICATION - Request from Director of Finance Dominic Setaro requesting reappropriation of insurance proceeds in the amount of \$984 to the line item entitled "Downtown Pedestrian Improvements". The request was granted on the Consent Calendar.

23 - COMMUNICATION - Request from the Danbury Council of Veterans for the sum of \$5,000 for restoration of the Rose Arbor monuments in Rogers Park. Mr. Setaro made a motion, subject to certification of funds, that \$5,000 be appropriated for the Rose Arbor monuments as requested. Seconded by Mr. Mead. Motion carried unanimously.

24 - COMMUNICATION - Request from William Buckley requesting the sum of \$7,700 be appropriated for the purposes of covering the expense of the design of the overflow improvements and to cover some of the cost of the installation of the improved piping for the PAL Building at Hatters Community Park. The request was granted on the Consent Calendar.

25 - COMMUNICATION - A suspense list from Tax Collector Catherine Skurat containing names for various reasons that are considered uncollectible in the amount of \$330,244.95. The suspense list was approved on the Consent Calendar.

26 - COMMUNICATION - Report from City Engineer regarding petition for sanitary sewer and water extensions on Clayton Road, Horseshoe Drive, Mabel Avenue and Jeanette Road. Miss Fox asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

27 - COMMUNICATION - Report from the Corporation Counsel regarding an insurance claim by Stephan DiMauro. Mrs. Butera asked that this be referred to an ad hoc committee, the Corporation Counsel, the Risk Manager and the petitioner. Mayor Eriquez so ordered and appointed Council Members Arconti, Fox and Mead to the committee.

28 - COMMUNICATION - Reports from the Corporation Counsel, the City Engineer and the Planning Director regarding the request to purchase property on Terre Haute Road. The report were accepted and no action taken on the Consent Calendar.

29 - COMMUNICATION - Request for an exchange of property on Newtown Road between the Estate of Henry Chaber and the City of Danbury. Mr. Levy asked that this be referred to an ad hoc committee, the Corporation Counsel, the Tax Assessor and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Gallagher, Esposito and Mead to the committee.

30 - COMMUNICATION - Petition from residents of Cherokee Drive requesting repaving of Cherokee Drive. The communication was received and no action taken at this time on the Consent Calendar.

31 - COMMUNICATION - Request for Water Extension at 22 Clapboard Ridge Road. Mrs. Butera asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Nolan to the committee.

32 - COMMUNICATION - Request for Water Extension at 47 Beckerle Street. Miss Fox asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, Levy and Basso to the committee.

33 - COMMUNICATION - Street Renaming: Portion of Old Brookfield Road and Starr Road. Mr. Arconti asked that this be referred to an ad hoc committee, and the Director of Planning. Mayor Eriquez so ordered and appointed Council Members Coladarci, Arconti and Nolan to the committee.

34 - COMMUNICATION - Renumbering of Bullet Hill Road. Mr. Setaro asked that this be deferred to public hearing. Mayor Eriquez so ordered.

35 - DEPARTMENT REPORTS - Highways, Health and Housing, Department of Elderly Services, Public Utilities, Engineering, Public Buildings, Police, Fire Chief, Fire Marshall, Welfare. Mr. Setaro made a motion to accept 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 Miss Fox. Motion carried unanimously.

36 - REPORT - Governmental Entities Review and Evaluation

Mr. Setaro submitted the following report:

The committee of the whole met at 8:15 PM on April 15, 1997 in the Common Council Chambers of City Hall to review the Governmental Entities Review and Evaluation Report. Mr. Boynton explained that it was the intent of the Governmental Entities Review and Evaluation Committee that the Planning Commission continue to function as the Aquifer Protection Agency. Acting Corporation Counsel Eric Gottschalk stated that the Code of Ordinances currently provides that the responsibilities of the Aquifer Protection Agency are assumed by the Planning Commission.

After discussion, Mr. Levy moved to recommend that the report be received and that the following commissions be reestablished for a five (5) year period: Commission for Persons with Disabilities, Danbury Aquifer Protection Agency, Fair Rent Commission and Board of Ethics and that the Lake Kenosia Commission be reestablished for a (1) one year period. Seconded by Mr. Charles and passed unanimously.

The report was accepted on the Consent Calendar.

37 - REPORT - Donation of Two Emergency Vehicles

Mr. Levy submitted the following report:

The Common Council Committee appointed to review an offer to donate two emergency service vehicles met on February 18, 1997 at 7:00 P.M. in Room 432 in City and on April 16, 1997. In attendance at the first meeting were committee members Levy, Butera and Mead. Also in attendance were Assistant Public Works Director William Buckley, Police Captain Mitchell Weston who is the Commanding Officer of the Police Volunteer Dive Team Unit and team members John Krupinsky.

Mr. Levy explained that he had requested the Equipment Maintenance Department to report on the condition of the two vehicles. A general overview of the equipment was submitted in a letter from General Foreman Paul Galvin. He reported that the 1986 Ford needed repair and that the 1983 Chevrolet appeared to be in usable condition. Mr. Levy reported that the City's yearly insurance cost per vehicle would be \$800.74 and that the book value of the 1986 Ford F350 was \$5,700 and the book value of the 1983 Chevrolet was \$5,300.00.

Mrs. Butera reported that a committee from the Vespucci Lodge had investigated the possibility of sending the 1986 Ford to Italy as the donor suggested. The committee from the Vespucci Lodge declined that offer. It was then decided by unanimous consent not to accept the 1986 Ford as a donation.

The second consideration of the committee was the donation of the 1983 Chevrolet Suburban Ambulance. Captain Weston explained how the Volunteer Dive Team now operates and how they could use this vehicle. Equipment is now stored at members homes. This causes a delay in response time. This vehicle would be parked near the Community Service Building and used as a central location for storage and transporting of equipment and members. This would reduce the teams response time. The committee expressed concern that the cost of maintenance of the vehicle could exceed its value. The vehicle came from White Plains, New York and had no maintenance records. After additional discussion, Mr. Buckley offered to have a more detailed inspection of the vehicle done.

Mrs. Butera made a motion to adjourn the meeting and reconvene the committee after Mr. Buckley supplies the committee with the added information. Seconded by Mr. Mead and passed unanimously.

The Common Council Committee reconvened on April 16, 1997 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Levy and Mead. Also in attendance was Police Captain Mitchell Weston. Mr. Butera was on vacation, as was Mr. Buckley.

Mr. Levy stated that he was contacted by Mr. Galvin of the Public Works via the telephone. Mr. Galvin reported that he did a more detailed inspection of the 1983 Chevrolet Suburban and found no major problems.

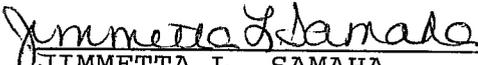
Mr. Levy made a motion to accept the 1983 Chevrolet as a donation and send a letter of thanks to Mr. DeSimone, President of Danbury Ambulance. Seconded by Mr. Mead and passed unanimously.

The report was accepted on the Consent Calendar.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion to adjourn was made at 8:18 P.M. by Mr. Gallagher. Motion carried unanimously.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk