

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

RE: Minutes of the Common Council Meeting held June 3, 1997.

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

PRESENT - Scalzo, Abrantes, McAllister, Coladarci, Boynton, Valeri Machado, Shuler, Setaro, Esposito, Levy, Gomez, Basso, Butera, Fox, Gallagher, Nolan

ABSENT - Arconti, Buzaid, Charles, Mead

Mr. Buzaid and Mr. Charles has previous committments and Mr. Mead was on vacation

17 Present 4 Absent

PUBLIC SPEAKING

James Walsh, Executive Director, Danbury Youth Services - Is present to answer questions on Danbury Youth Services Title V Delinquen Grant

Darryl Dennis, 14 Apple Blossom Lane, President NAACP - spoke regarding item 22. This is a win/win situation. Please appoint a sub-committee to study the proposal and come back with a positive recommendation.

ANNOUNCEMENTS

June 14 - Council Member Janet Butera will celebrate her birthday
June 24 - Council Member Matthew Gallagher, and his wife Gwen, will celebrate their second wedding anniversary

June 5th - Hord Foundation's Scholarship Reception
June 6th - Greek Festival - Greek Assumption Church
Rotary Club "Pass the Gavel" Dinner at Ethan Allen Inn
Regional Hospice Arts Festival - Boehringer Ingelheim
June 7th - Danbury Railway Museum Excursion Train
St. Anthony's Festival - Sons of Portugal Club
June 9th - Amos House 10th Annual Meeting - Two Steps Grill
June 13th - MCAA 25th Anniversary Luncheon at Ethan Allen Inn
June 14th - FLag Day
HATS Graduation - 10:00 a.m.
"Safe Summer" Fair at Danbury Green
Flag Day ceremonies at ELks Lodge and CWV
Soap Box Derby Banquet at Hayestown Avenue School
June 15th - Father's Day
Soap Box Derby on Casper Street at 9:30 a.m.
June 16th - Danbury Hospital Cancer Golf Tournament
June 17th - DSABC Breakfast at Amber Room
June 18th - Exodus Fundraiser at Danbury Hilton
June 19th - DHS Graduation at 5:00 P.M.
June 20th - Hispanic Center Dinner Dance at Amber Room
June 24th - DYS Annual Meeting at Danbury Hospital

MINUTES - Minutes of the Common Council Meeting held May 7, 1997 and the Special Meeting held May 12, 1997. Mr. Levy made a motion that the minutes be accepted as submitted 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 Mrs. Abrantes. Motion carried unanimously.

At 7:43 P.M. Mr. Arconti arrived and was marked present.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the consent calendar:

- 2 - Approve Resolution and Application for 1997-98 Women, Infants and Children's (WIC) Grant from Connecticut Department of Health Services - \$232,528
- 3 - Receive Communication, adopt Resolution and authorize Corporation Counsel to acquire easements related to Pleasant Acres Area Water Water Main Extensions - Project No. 95-07
- 4 - Approve Resolution and Application for Preventive Health and Health Services Block Grant from Connecticut Department of Public Health - \$9,676
- 6 - Confirm appointment of Lisa Plate as a regular member of the Zoning Commission
- 7 - Confirm reappointment of Gerald Daly and Robert Lovell as members of the Tarrywile Park Authority
- 12 - Approve reappropriation of \$292.50 from the Elderly Services donations account to the Commission on Aging Budget for professional services and fees and postage
- 19 - Receive communication and declare surplus City owned property at the corner of Main and Rose Streets and approve transfer to the Nejame family of 250 square feet of the city owned parcel in exchange for a five foot wide easement in favor of the City along the Nejame Rose Street frontage for sidewalk widening purposes and an agreement that commercial signs be prohibited on the parcel.
- 20 - Approve request to extend for eighteen months sewer and water approvals by the City of Danbury for property located at Boulevard Drive, Lot No. D17006 and owned by Forty Eight LLC.
- 24 - Receive report and approve resolution and recommendations regarding Neighborhood Assistance Act.
- 25 - Receive report and approve recommendations regarding renumbering Bullet Hill Road
- 26 - Receive report and approve recommendations regarding renumbering Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road and defer renaming of said roads to public hearing.
- 27 - Receive report and approve recommendations regarding request for water extension - Whitney Avenue to Broad Street
- 29 - Receive report and approve recommendations regarding request for sewer extension on Lake Avenue and Shannon Ridge
- 30 - Receive progress report and approve recommendations regarding Down on the Farm property

Mr. Levy made a motion to accept the Consent Calendar as read. Seconded by Mrs. Basso. Motion carried unanimously.

1 - RESOLUTION - Danbury Youth Services Title V Delinquency Grant
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the federal Juvenile Justice Delinquency Prevention Act of 1974 as amended to 1992, Title V, provides a dedicated fund source for states to award grants to units of general local government for delinquency prevention and early intervention projects; and

WHEREAS, a new competitive Title V Delinquency Prevention Program will be administered by the Office of Policy and Management, Policy Development and Planning Division (OPM-PDPD) of the State of Connecticut and

WHEREAS, the City of Danbury is eligible to apply for a program grant of \$50,000 from the OPM-PDPD for delinquency prevention and early intervention projects with the overall goal of fostering a healthy and nurturing environment in which children and youth may grow and develop into productive, responsible citizens; and

WHEREAS, the grant will be used as "pass through" funds for Danbury Youth Services, Inc. which will administer the grant and also provide the required 50% match through cash and in-kind services for the grant period of July 1, 1997 through June 30, 1998.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept said grant from OPM-PDPD as "pass through" funds for Danbury Youth Services, Inc. for the purposes stated herein and to sign all documents and do all things necessary to effectuate the purposes of this grant.

Mrs. Coladareci made a motion to receive the communication and adopt the Resolution. Seconded by Mrs. Abrantes. Mrs. Basso asked about health and insurance benefits for part time workers. Mr. Walsh explained. She also asked about the cost of the girl scout program. She thought this was free. What services does this agency provide. Mr. Walsh explained that it was for handbooks, badges, group leader, dues, arts and crafts, etc.

Motion carried unanimously.

2 - RESOLUTION - 1997-98 Women, Infants and Children Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services has notified the City of Danbury Health and Housing Department of its eligibility to apply for a renewal grant for its Women, Infants and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the Danbury Health and Housing Department's WIC Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women, nursing mothers and children up to age five; and

WHEREAS, the Supplemental Nutrition Grant will be in an amount not to exceed \$232,528 and will cover the grant term from October 1, 1997 through September 30, 1998 and will require no matching funds from the City of Danbury.

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said grant on behalf of the Danbury Health and Housing Department, and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury, is hereby empowered to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Public Health Services and to accept said grant funds, if offered.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Pleasant Acres Area Water Main Extensions

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is in the process of constructing water main improvements in the Pleasant Acres area of Danbury; and

WHEREAS, in order to complete the water line extension in the Hillside Road and Waterview Drive areas of Pleasant Acres, it is necessary for the City of Danbury to acquire easement interests in and to real property as hereinafter set forth, in order to proceed with this project; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several property owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property listed below:

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire, on or prior to December 3, 1997 said property interests as set forth herein, either by negotiation or by eminent domain, through the institution of suits against the named property owners listed herein, their heirs, executors/administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any. Legal descriptions of the easement areas to be acquired are attached as Exhibits 1,2 and 3.

WATER MAIN EASEMENTS

<u>Exhibit No.</u>	<u>Owner (now or formerly)</u>	<u>Location</u>	<u>Sq. Ft.</u>
1.	Steven B. and Judy E. Weiss	18 Waterview Drive	1651
2.	Peter J. Michelson	36 Hillside Road	3527
3.	Jerry T. and Geraldine M. Lanzilli	38 Hillside Road	3276

The Resolution was adopted and the Corporation Counsel authorized to acquire easements related to Pleasant Acres Area Water Main Extensions on the Consent Calendar.

4 - RESOLUTION - Preventive Health and Health Services Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has notified the City of Danbury Health and Housing Department that it is eligible to apply for a Preventive Health and Health Services Block Grant in an amount not to exceed \$9,676; and

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

WHEREAS, the funding will be used for a Youth Violence Prevention program in conjunction with the School-Based Health Center located at Danbury High School.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said funds from the Connecticut Department of Public Health and to accept the grant, if awarded;

AND, FURTHER, Mayor Gene F. Eriquez is hereby authorized to execute all contracts/agreements in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

5 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of the appointments of Tyler Bergemann, Matthew Silk, Thomas Corbett, David Cianciolo and Stephen Sedlak, Jr., as Fire Fighters with the Danbury Fire Department. Mr. Setaro made a motion that the communication be received and the appointments confirmed. Seconded by Mr. Boynton. Motion carried 17-1 with Mr. McAllister voting in the negative.

6 - COMMUNICATION - Letter from Republican Town Committee Chairman

Michael McLachlan recommending the name of Lisa Plate of 41 Tamarack Avenue to fill the Zoning Commission vacancy. The appointment was confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Gerald Daly and Robert Lovell to the Tarrywile Park Authority for terms to expire May 1, 2000. The reappointments were confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Carole Elder and Philip Hadley to the Lake Kenosia Commission for terms to expire May 1, 2000. Miss Fox made a motion to accept the communication and approve the reappointments. Seconded by Mrs. Coladarci. Mrs. Basso asked when the next meeting will be held and is there a new Chairman. Mayor Eriquez stated that the next meeting will be either June 18th or June 25th at which time officers will be elected. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Health William Campbell requesting permission to donate a cellular telephone to the Health and Housing Department. Mrs. Abrantes made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

10 - COMMUNICATION - Request from Welfare Director Deborah MacKenzie requesting permission to accept the donation of hygiene items from the Park Avenue Posse to the City Shelter. Miss Fox made a motion that the donations be accepted and a letter of thanks sent. Seconded by Mrs. Butera. Motion carried unanimously.

11 - COMMUNICATION - Request from Leo McIlrath to accept donations to the Department of Elderly Services in the amount of \$131.50. Mrs. Abrantes made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Gomez. Motion carried unanimously.

12 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath for a transfer of funds in the amount of \$292.50 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 & CERTIFICATION - Request from Leo McIlrath that transfers in the amount of \$13,200 be made from the City of Danbury Revenue Fund to the regular Commission on Aging Budget. A certification of funds was attached. Mrs. Butera made a motion to receive the communication and authorize the transfer of funds. Seconded by Miss Fox. Motion carried unanimously.

14 - COMMUNICATION - Air Traffic Control Tower Lease. Mrs. Butera asked that this be referred to an ad hoc committee, the Corporation Counsel, the Airport Administrator and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Mead to the committee.

15 - COMMUNICATION - Request from MCAA to purchase City land on Hospital Avenue. Mr. Arconti asked that this be referred to the City Engineer, the Planning Director, the Planning Commission and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

16 - COMMUNICATION - Request for sidewalks on Lake Avenue. Mr. Machado asked that this be referred to the Public Works Director for a report back within thirty days. Mayor Eriquez so ordered.

17 - COMMUNICATION - Request to purchase land owned by the City on Mountainville Avenue. Mr. Scalzo asked that this be referred to the City Engineer, the Corporation Counsel, the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

18 - COMMUNICATION - Reports regarding surplus property on Rowan Street. Mr. McAllister asked that this be referred to an adhoc committee, the Corporation Counsel and the Tax Assessor. Mayor Eriquez so ordered and appointed Council Members Buzaid, Valeri and Nolan to the committee.

19 - COMMUNICATION - Request for transfer of property on Main Street at Rose Street. The communication was received and the property declared surplus and the transfer to the Nejame family approved on the Consent Calendar.

20 - COMMUNICATION - Request for Extension of Time for Sewer and Water Extensions on Boulevard Drive. The request for extension of time was granted on the Consent Calendar.

21 - COMMUNICATION - Proposal from Mayor Eriquez that a plaque be affixed to the exterior of Locust Avenue School building that is home to A.C.E. in appreciation of Joseph Pepin, its director. Mr. Setaro made a motion to receive the communication and recommend to the Board of Education that the plaque be affixed. Seconded by Mrs. Basso. Mrs. Butera stated that Mr. Pepin was a fantastic person for this job and this is a great thing to do. Mr. Gallagher stated that Mr. Pepin has been a proud parent to the students and he would think that this is "cool". Mr. Nolan stated that this is an appropriate thing to do and it would be even "cooler" to call it Joe's Place.

Motion carried unanimously.

22 - COMMUNICATION - Proposal from Mayor Eriquez requesting consideration of making the Balmforth Aenue playground site available for the development of the new CAD Action Early Childhood Development Center. Mr. Valeri asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Planning and the Planning Commission Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Mead to the committee.

23 - DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Police, Highways, Elderly Services, Public Utilities, Health and Housing, Engineering. Mr. Setaro made a motion that the department reports be accepted as submitted, 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.

24 - REPORT & RESOLUTION - Neighborhood Assistance Act

Mr. Setaro submitted the following report and resolution:

The Common Council met as a committee of the whole on May 19, 1997 at 7:35 P.M. in the Council Chambers in City Hall to review a proposed resolution and application for the Neighborhood Assistance Act Program. Director of Finance Dominic Setaro explained that corporate entities making donations to non-profit organizations listed in the application and approved by the Council would be eligible for a credit of state corporate tax through this program. Mr. Levy moved to recommend to the Common Council adoption of the proposed resolution in support of the Neighborhood Assistance Act application, and that the application be approved including the schedule of eligible non-profit organizations. Seconded by Ms. Fox and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Neighborhood Assistance Act Program is available for area non profits to submit applications for funding; and

WHEREAS, the Act provides tax credits for businesses which contribute to community programs having received both municipal and state approval; and

WHEREAS, certain local and area organizations are seeking to apply through Danbury for such tax credits; and

WHEREAS, said organizations and their requests are as set forth on the attached schedule;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury through its Common Council, hereby approves subject to a public hearing as required by law, those organizations set forth in the schedule, for participation in the Neighborhood Assistance Program, and authorize Gene F. Eriquez, Mayor of the City of Danbury to take such actions as may be necessary for the accomplishment of the purposes thereof.

The report was received and the resolution adopted on the Consent Calendar.

25 - REPORT - Renumbering of Bullet Hill Road

Mr. Setaro submitted the following report:

The Common Council met as a committee of the whole on May 19, 1997 at 7:35 P.M. in the Council Chambers in City Hall to review proposed renumbering of Bullet Hill Road. Assistant Planning Director Sharon Calitro explained that during the assignment of a number to a homeowner on Bullet Hill, the Planning Department became aware that several property owners were using the same addresses and that in order to rectify the problem that the northern side of the road be renumbered. Fire Chief Carmen Oliver also attended and recommended the proposed renumbering based upon concerns that public safety personnel be able to locate properties as easily as possible.

After discussion, Mrs. Butera moved to recommend to the Common Council that the Planning Department be authorized to proceed with the renumbering of the northern side of Bullet Hill Road in accordance with the proposal before the Council. Seconded by Mr. Gomez and passed unanimously.

The report was received on the Consent Calendar.

26 - REPORT - Renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road.

Mr. Setaro submitted the following report:

The Common Council met as a Committee of the Whole on May 19, 1997 at 7:35 PM in the Council Chambers of City Hall to review a report from the Planning Department regarding renaming Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road. Assistant Planning Director Sharon Calitro explained that during the process of renumbering the properties located in the area at issue, it had come to the attention of the Planning Department that the road extending from Mill Plain Road to the Ridgefield town line is recognized by the Post office and some city departments as Old Ridgebury Road. However, the Assessor's Office does not recognize the area at issue as Old Ridgebury Old and accordingly the request for the name change was brought before the Council in order to rectify the situation. Fire Chief Carmen Oliver also attended and recommended the street name change.

Council members stated that the residents of the streets at issue should be given notice of the proposed street name change along with the proposed renumbering and that since public safety issues are involved that the Planning Department notify the residents and proceed with the number changes as quickly as possible. Mrs. Butera moved that the proposed renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road be deferred until the renumbering of the area is complete, that the residents receive notice of the proposed renaming and that a public hearing be held on the issue of the renaming of the streets at issue. Seconded by Mrs. Coladarci and passed 18-1 with Mr. Mead voting in the negative.

The report was accepted on the Consent Calendar.

27 - REPORT - Request for Water Extension - Whitney Avenue to Broad Street

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the request for water extension at Whitney Avenue to Broad Street met on Tuesday, March 27, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Esposito, Boynton and Mead. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and petitioners, Barbara and David Case and Virginia Benson of Whitney Avenue.

Mr. Esposito read a letter from the Planning Commission issuing a positive recommendation for the water extension request. Mr. Schweitzer stated that as soon as he receives the engineering plans for the project he would approve the construction. Mr. Buckley voiced approval of the water extension and stated that he is aware of the water problem on Whitney Avenue.

Mr. Boynton made a motion that the water extension be granted subject to the normal eight steps pertaining to sewer and water extensions. Seconded by Mr. Mead. Motion carried unanimously.

The report was received on the Consent Calendar.

28 - REPORT - Proposed Sanitary Sewer and Water Mains - Federal Road. Mr. Setaro asked that this be deferred to public hearing. Mayor Eriquez so ordered.

29 - REPORT - Request for Sewer Extension - Lake Avenue and Shannon Ridge Road

Mr. Gomez submitted the following report:

The Common Council Committee appointed to review the request for Sewer Extension to Lake Avenue and Shannon Ridge Road, Lot # G 15294, met on May 27 of 1997 at 7: PM in room 432 of City Hall, in attendance were committee members Gomez, Charles, Basso, Esposito Ex Officio. Also in attendance were, Jack Schhweitzer, City Engenieer, William buckley, Supt. Public Utilities, and Aplicant, Mr. Don Taylor

The Planning Comission in a letter to the Common Council gave a positive recommendation on the request. City Engenieer and Supt. of Public Utilities reviwed and explained different options and requirement to Mr. Taylor. Mr. Schweitzer also explained That this was one of two applications made and this will start the first face of this work. Mr. Buckley and Mr. Schweizer gave a positive recommendation to he request.

Mr. Gomez asked the department heads if this extension would cause any additional cost to the current utility user of the City. The answer was was, no.

Mrs. Basso made a motion to aprove the sewer extension subject to the City Code of Ordinances and the required eight steps.

Motion was seconded by Mr. Charles and passed unanismoously. Motion to adjourn by Mrs. Basso at 7: 16 PM
Seconded by Mr. Charles and passed.

The report was accepted on the Consent Calendar.

30 - PROGRESS REPORT- Down on the Farm Property

Mr. Setaro submitted the following report:

The committee appointed to review the Down on the Farm Property met at 7:00 PM on April 15, 1997 in Room 432 of City Hall. In attendance were committee members Setaro and Mead. Also in attendance was Superintendent of Public Buildings Rick Palanzo and Council member Buzaid ex-officio.

Mr. Setaro explained that the Education Department had overseen the property in the past and had now delegated that responsibility back to the City administration and that the charge of the committee was to propose a use for the property. Committee members sought background information regarding the past workings of the farm and dwelling located on the Great Plain Road property. Mr. Mead moved to adjourn the meeting so that additional department heads could attend to provide needed information and that the Office of Corporation Counsel draft a lease for the dwelling. Seconded by Mr. Setaro and passed unanimously.

The committee met on May 28, 1997 at 7:00 PM in Room 432 of City Hall. In attendance were committee members Setaro and Arconti. Mr. Mead was on vacation. Also in attendance were City Assessor Robert Coyne, Superintendent of Public Buildings Rick Palanzo and several members of the public who had previously served as volunteers for the Down on the Farm project.

Mr. Coyne explained that the parcel serving as Down on the Farm is approximately 16 acres and includes a barn and dwelling, that title was acquired by the City in 1968 for \$10,000 and that the current estimated value is approximately \$100,000. Ms. Laurena McCarthy stated that she serves as co-president of a community board of directors whose charge is to oversee the property while working with Education department officials, that a lease currently exists between the City and the board, that school children had previously toured the farm as part of their curriculum, and that a caretaker had resided in the dwelling to service the farm and animals and provide tours to children and the public. She added that animals had been housed from various private farms and environmental cooperative extension projects, that Down on the Farm had been nearly self sustaining through donations and fees collected, that a summer camp for children was held annually and that board members were eager to continue to serve in their past capacity in cooperation with City administrative officials to continue to oversee the farm and property.

Committee members stated that in order to reach some decision as to the future use of Down on the Farm that additional information was necessary which included: a facility assessment from the Superintendent of Public Buildings, a copy of the lease between the community board and the City, information regarding risk management and issues of liability from the Risk Manager and information regarding the past financial support provided to the project by the Board of Education. Mr. Arconti moved to adjourn the meeting until such time as the additional information could be obtained and that another meeting be held within the next 30 days. Seconded by Mr. Setaro and passed unanimously.

The Progress Report was received on the Consent Calendar.

Mayor Enriquez extended all committees.

31 - COMMUNICATION & CERTIFICATION - Request for funds for Registrars of Voters for referendum. Mr. Setaro made a motion to add this proposed appropriation for referendum. Seconded by Mr. Boynton Motion to add carried with Council Members Butera and Gallagher voting in the negative.

Letter from the Registrars of voter for an appropriation in the amount of \$9,110.00 for expenses to be incurred in the referendum to be held on June 24, 1997. A certification of funds was attached. Mr. Setaro made a motion to receive the communciation and authorize the transfer of funds. Seconded by Miss Fox. Motion carried unanimously.

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request to consider an Ordinance requiring fencing of private pools met on April 29, 1997 at 7:30 P.M. in the Corporation Counsel's Office on the Fourth Floor of City Hall. In attendance were committee members Levy and Coladarci. Mr. Nolan was at another meeting in City Hall. Also in attendance were Building Inspector Leo Null and Joseph Moffa, Assistant Corporation Counsel Les Pinter and Council Members Basso and Setaro, ex-officio. Also in attendance was Michael Hrabcsak, Sr.

Mr. Levy started the meeting by providing the committee with information he had compiled on the issue of pool fencing. The data clearly indicates without question the need for pools to be properly fenced. Between 300 and 400 children drown in residential swimming pools each year in the United States. The Chair also received a petition from Michael Hrabcsak. The petition requested an ordinance requiring all swimming pools be fenced. It was signed by 112 residents. Both Mr. Null and Mr. Moffa of the Building Department spoke in favor of an ordinance. They stated that the current Building Code (Sec. 623.10) does not include all pools. The enforcement authority for pools that do not come under that section must be enforced by use of the "unsafe structure" section of the code. This takes a lot more time and work for them to enforce. An Ordinance would more clearly define the requirement for all pools and it would promote the health and safety of the community.

Attorney Pinter advised the committee that Torrington is the only town in Connecticut that has a retroactive pool ordinance at this time. A lengthy discussion took place on the values of a new ordinance. The outcome of that discussion clearly indicates a need to define a uniform single requirement for all pools. Also, the use of the Citation Section of the Danbury Code would be a most effective way to enforce the ordinance.

Based on the conclusion of our discussion, Ms. Coladarci made a motion to recommend that a pool safety ordinance be drafted and adopted that covers all pools and is equivalent to the state building code. Also, that the ordinance have the enforcement penalties of Citations Section 12-34 of the Danbury Code of Ordinances along with a grace period for compliance. The motion was seconded by Mr. Levy and passed unanimously.

Mr. Scalzo made a motion that the report be received and the Ordinance deferred to public hearing. Seconded by Mr. Boynton. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made at 8:20 P.M. by Mr. Nolan for the meeting to be adjourned.

Respectfully submitted,

Jimmie L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk