

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

RE: Minutes of the Common Council Meeting held January 3, 1996

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

PRESENT - Scalzo, Abrantes, McAllister, Arconti, Coladarci, Buzaid Valeri, Machado, Shuler, DaSilva, Esposito, Levy, Charles, Gomez, Basso, Butera, Carboni, Fox, Mead, Setaro

ABSENT - Boynton

Mr. Boynton was ill

20 Present - 1 Absent

PUBLIC SPEAKING - There were no members of the public wishing to address the Common Council

STATE OF THE CITY - Mayor Eriquez gave his State of the City Address in which he outlined the City's accomplishments for the past year and its goals for the upcoming year.

#### ANNOUNCEMENTS

January 2nd - Council Member Louis Charles celebrated his birthday  
January 19th - Council Member Albert Mead will celebrate his birthday  
January 26th - Council Member Joe DaSilva and his wife's anniversary

Mayor Eriquez offered congratulations to Council Member Emile Buzaid and his family on the appointment of his son, Emile, to the United States Military Academy at West Point.

January 13th - Celtic Cross Pipers at the Elks  
14th - Martin Luther King Day Ceremonies will take place  
15th - City Offices Closed in honor of Dr. King's birthday  
19th - ACE Graduation  
19th - Representative from Sister City of Gouveia will arrive  
21st - Mass for the visitors from Gouveia at 11:30 a.m.  
23rd - Community Reinvestment Task Force Meeting  
24th - Constituents Meeting at 7:30 P.M. in Room 432  
25th - NAACP Annual Meeting at 6:00 P.M.

MINUTES - Minutes of the Special Common Council Meeting held December 4, 1995 and the Common Council Meeting held December 5, 1995. Mr. DaSilva made a motion that the minutes be adopted 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. Setaro. Motion carried unanimously.

CONSENT CALENDAR - The following items were presented for the Consent Calendar:

- 2 - Approve Resolution regarding Taxiway "C"
- 13 - Approve transfer of funds in Capital Line Item for Improvements at Hatters Park - \$14,946
- 14 - Approve Water Fund transfer of \$11,189.72
- 19 - Approve receipt of reports regarding acceptance of International Drive and take no action at this time
- 21 - Approve request for sewer and water extension at Boulevard Drive pending recommending by Planning Commission
- 22 - Approve report and recommendations regarding water extension at 2 Green Avenue
- 23 - Approve request for water extension at 81 Newtown Road pending recommendation by Planning Commission

Mr. DaSilva made a motion that the consent calendar be adopted as read, except that regarding items 21 and 23 "pending recommendation by Planning Commission" be deleted as reports have been received. Seconded by Mr. Charles. Motion carried unanimously.

1 - RESOLUTION - Chemical Emergency Preparedness Program Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut's State Emergency Response Commission (SERC) has been awarded a \$130,000 grant from the Environmental Protection Agency to distribute to Local Emergency Planning Committees to develop programs to increase their effectiveness; and

WHEREAS, SERC has requested proposals from LEPCs to apply for such funding for the project term March 1, 1996 through September 30, 1997; and

WHEREAS, the Danbury Health Department wishes to apply to SERC for a \$58,000 grant which would require an in-kind services match of \$43,000; said match to be provided by 720 hours of staff time by the Coordinator of Environmental and Occupational Health Services during the project period; 720 hours of service by the Environmental Compliance Officer and 360 hours spent by the Environmental Inspector; and

WHEREAS, the City of Danbury's LEPC is eligible, well qualified and well positioned to receive an award of this funding since it has achieved the highest standard of effectiveness (Level III) recently established by SERC and since Danbury exists in a "high risk" area (as established by EPA) of the State with regard to the potential risk of accidental releases of hazardous materials; and

WHEREAS, the proposal developed by the Danbury Health Department for such funding would provide the Danbury LEPC and the Health Department with advanced levels of training and computer accessed information to assess the risks to the community that would occur during an accidental release of hazardous materials; and

WHEREAS, the training and information processing that would result from the successful completion of this project would increase the Health Department's effectiveness in protecting emergency response forces, citizens of the Danbury community and natural and economic resources from being adversely affected by an accidental release of hazardous materials; and

WHEREAS, Jack S. Kozuchowski, as the Chairman of Danbury's LEPC is eligible to apply for such funding on behalf of the LEPC through the Director of Health, William J. Campbell;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY 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, and Jack S. Kozuchowski, Coordinator of Environmental and Occupational Health Services, as the Mayor's designees, are hereby authorized to apply to the State Emergency Response Commission for a CEPP Grant in the amount of \$58,000 and to accept such grant if it is approved; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is authorized to make, execute and approve any and all contracts or amendments thereof in connection with said grant and to take any actions necessary to effectuate the purposes thereof.

Mr. Arconti made a motion that the communication be accepted and the Resolution adopted. Seconded by Mrs. Coladarci.

Mr. McAllister stated that a computer program that can assess this information at the Police Station. This application will be a duplication of services. Mr. Kozuchowski stated that he is unfamiliar with the database. This program is to develop an advanced network and to provide advanced training. Mr. McAllister stated that the existing program is effective. He has seen it at work and it is consistently updated by the State. Mr. Kozuchowski said that this application is another set of tools. Mr. Shuler asked if this is just a grant request. Mr. Kozuchowski said that it was. Mrs. Butera asked about in-kind services. Mayor Eriquez stated that they would be using existing personnel in the Health Department.

Motion carried with Mr. McAllister voting in the negative.

2 - RESOLUTION - Taxiway "C"

RESOLVED by the Common Council of the City of Danbury:

SUBJECT: State of Connecticut Project No.34-xxx  
Agreement No. 11.15-04 (95)  
FAA Project No. 3-09-0006-18

DESCRIPTION: Agreement Between the State of Connecticut and the City of Danbury for an Airport Improvement Project at Danbury Municipal Airport - "Rehabilitation Medium Intensity Taxiway Lights (MITLS) on Taxiway 'C'"

RESOLVED THAT Gene F. Eriquez, Mayor, City of Danbury, be and hereby is authorized to sign the agreement entitled: Agreement Between the State of Connecticut and the City of Danbury for an Airport Improvement Project at Danbury Municipal Airport.

The Resolution was adopted on the Consent Calendar.

3 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointments of Chris Daly, Michael Jewell, Jordan Leach, Paul Rozzi, Christopher Coppola, Kenneth Appley, Jr., Sharon Hernly, Mark Miguel as firefighters in the Danbury Fire Department Career Division.

Mr. DaSilva made a motion that the communication be accepted and the appointments confirmed. Seconded by Mr. Charles. Motion carried unanimously.

4 - COMMUNICATION - Appointment to the Board of Tax Review  
WITHDRAWN

5 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Kathryn Gleason as an alternate member to the Housatonic Resource Recovery Authority. Mr. Setaro made a motion that the communication be accepted and the appointment confirmed. Seconded by Mrs. Basso. Motion carried unanimously.

6 - COMMUNICATION - Letter from Robert Ryerson, Director of Parks and Recreation requesting permission to accept a donation of liquid fertilizer worth \$800. Mrs. Coladarci made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

7 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept donations from Margaret H. Kundrat in the amount of \$25 and Edyce D.Hornig in the amount of \$25.00. Mrs. Butera made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Mr. Scalzo. Motion carried unanimously.

8 - COMMUNICATION - Request from Danbury Preservation Trust for funds in the amount of \$4,400 for the design and construction of a three-dimensional model for the Trust's exhibit entitled "A River Runs Though." Mr. DaSilva asked that this be referred to an ad hoc committee and the petitioner. Mayor Eriquez so ordered and appointed Council Members Valeri, Machado and Mead to the committee.

9 - COMMUNICATION - Letter from Mayor Eriquez requested permission to accept donations of vehicles from both CL& P and HART to be used by the Fire Department for the Hazardous Materials Response Team Program and by the City's Civil Preparedness and Emergency Operations.

Mr. DaSilva made a motion that the vehicle and trailer from CL&P for the Hazmat Program be referred to a committee and that the 16 passenger mini-van from HART be accepted for use by the Civil Preparedness and Emergency Operations Department. Seconded by Mrs. Coladarci.

Mr. Levy asked how the mini-van will be used. Mayor Eriquez stated that it will be fitted to alleviate the need for an ambulance to be at various events. Motion carried. The committee will be Council Members Levy, Arconti and Mead, as well and Jack Kozuchowski.

10 - COMMUNICATION - Letter from Mayor Eriquez requesting that the Common Council accept the offer of space, free of rent and utilities to be used for Community Oriented Policing Service activities at the Beaver Street Cooperative.

Mr. Setaro made a motion to accept the communication and approve the acceptance of the donation of space, free of rent and utilities for the COPS activities at the Beaver Street Cooperative. Seconded by Mr. Gomez.

Mrs. Basso why the space will only be used 1-2 hours per day instead of full time. Mayor Eriquez stated that we want the officers out in the community, not in a substation all day long. Mr. Shuler stated that the Board of Directors of the Cooperative also had to approve this, which they did. It has been a really good thing and has already made a difference.

Motion carried unanimously.

11 - COMMUNICATION - Letter from Mayor Eriquez, together with a copy of the Redevelopment Contract and accompanying Resolutions for Parcel 3 of the Redevelopment Area requesting that the Common Council authorize the transfer of title and approval of the Contract.

Mr. DaSilva made a motion to approve the contract of sale and authorize the transfer of title. Seconded by Mr. Mead. Dennis Elpern of the Technical Advisory Team gave a presentation regarding the project. Mr. Charles asked about entrances. Mr. Elpern stated that they are now considering entrances on either Delay or White Streets. Mr. Setaro asked why land use approvals were being sought after Common Council approval. Mayor Eriquez stated that land use approvals will be sought before closing.

Motion carried unanimously.

Regarding the deferral of assessments, Mr. Levy made the following motion: "Said agreement shall provide for a deferral of the entire increase in the Assessment of the Property for a period of 4 years if the value of the proposed Improvements equals for exceeds \$3,000,000 or otherwise, for a period of two years, in accordance with the provisions of Section 18-25 of the Danbury Code of Ordinances. Seconded by Mr. DaSilva. Motion carried with Mr. Valeri voting in the negative.

12 - COMMUNICATION - Request for a Traffic Control Signal - Route 6 at Aunt Hack Road. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Traffic Engineer and the Chief of Police. Mayor Eriquez so ordered and appointed Council Members Scalzo, Gomez and Carboni to the committee.

13 - COMMUNICATION - Letter from Director of Parks and Recreation Robert Ryerson requesting that the amount of \$14,946.00 be transferred from the revenue line item to the appropriation line item "Improvements at Hatters Community Park". This money will be used to finalize improvements to the picnic pavilion kitchen, replace banquet room tables secure the grounds with new gates and fencing and transfer money already used back to the operating budget line item. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

14 - COMMUNICATION & CERTIFICATION - Request from Superintendent of Public Utilities William Buckley requesting that the sum of \$11,189.7 be transferred from the Water Fund Fund Balance (Surplus) to the Water Fund Account #10-70-930-000001 to cover costs to repair a backhoe. A certification of Funds was attached. The transfer of funds was authorized on the Consent Calendar.

15 - COMMUNICATION & CERTIFICATION - Request from Mayor Eriquez that the sum of \$45,000 be authorized to engage the final demolition and clean up of 13 Barnum Court at the intersection of North Street. The costs associated with the clean-up effort should be recovered through the sale of the property. A certification of funds was attached. Mr. DaSilva made a motion that the communication be accepted, the transfer of funds authorized and the proposal sent to the Planning Commission to be declared surplus property. Seconded by Mr. Mead. Mr. Scalzo asked if this would come back to the Common Council after Planning recommendation is received. Mayor Eriquez said it would.

Motion carried unanimously.

16 - COMMUNICATION - Request for Water Extension, Deer Park Road, Larch Drive and Louis Allan Drive. Mr. Scalzo 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 Levy, Charles and Basso to the committee.

17 - COMMUNICATION - Request to Pave Birch Trail. Mr. Levy asked that this be referred to an ad hoc committee, the City Engineer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Coladarci, Abrantes and Carboni to the committee.

18 - COMMUNICATION - Request for conveyance of land at 6 Starr Road. Mr. Scalzo asked that this be referred to the City Engineer and the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

19 - COMMUNICATION - Reports from the Corporation Counsel and the City Engineer regarding International Drive. The reports were accepted and no action taken on the Consent Calendar.

20 - DEPARTMENT REPORTS - Public Works, Public Utilities, Trees, Health and Housing, Engineering, Highways, Fire Chief, Fire Marshall, Parks and Recreation, Weights and Measures. Mr. DaSilva made a motion that the 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 Mr. Levy. Mr. McAllister had some questions for Chief Oliver and for Jack Kozuchowski. Motion carried unanimously.

21 - REPORT - Request for Sewer and Water Extension - Boulevard Drive.

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension at Boulevard Drive met on Monday, November 27, 1995 at 7:00 P.M. in Room 432 in City Hall. Present were committee members Machado, Shuler and Nolan. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer, the petitioner Robert Kaufman and several residents.

Mr. Machado explained that this meeting was scheduled in order to complete the agenda for the calendar year and that there was no recommendation from the Planning Commission which tabled this matter at its November 1, 1995 meeting. We can still review this request and make a recommendation pending the approval or reconvene after action is taken by the Planning Commission. Mr. Nolan asked why the Planning Commission had not taken action. Mr. Schweitzer explained that this is not unprecedented and is due to the fact that overall information, plans and profiles are not complete.

Mr. Schweitzer further explained the project and felt comfortable with it. Mr. Buckley stated that he sees no problem with water supply as well as sewer handling and capacity.

After further discussion on the impact of the project regarding environment, Mr. Nolan made a motion to recommend approval for the request for sewer and water extension at Boulevard Drive pending approval by the Planning Commission and subject to the applicable City ordinances and the normal eight steps. Seconded by Mr. Shuler and passed unanimously.

The report was accepted on the Consent Calendar.

22 - REPORT - Request for Water Extension - 2 Green Avenue

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for water extension at 2 Green Avenue met on Monday, November 27, 1995 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Machado, Shuler and Nolan. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer, the petitioner Andy Burns and several residents. Reference was made to the original request for water at 2 Green Avenue and approved by the Common Council in July, 1995.

Mr. Burns explained that he was asking approval for the City to participate in the extension by providing some materials. Mr. Buckley added that these deals are made many times and are convenient for the City as in this case to eliminate dead ends in the water system.

After further discussions, Mr. Shuler made a motion to recommend approval for water extension at 2 Green Avenue with the City's participation with up to 250 feet of 8" dot waterpipe, one hydrant assembly and a wet tap valve included as the 9th step and also subject to the normal eight steps as originally approved. Motion seconded by Mr. Nolan and passed unanimously.

The report was adopted on the Consent Calendar.

23 - REPORT - Request for Water Extension - Chilis Restaurant, 81 Newtown Road.

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the request for water extension for Chilis Restaurant at 81 Newtown Road met on Wednesday, December 13, 1995 at 7:00 P.M. in City Hall. In attendance were committee members Esposito and Basso. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer, Director of Construction for Chilis Restaurant Lew Holt and Lawrence Riefberg, attorney for the petitioner. Mrs. Basso made a motion to suspend the rules. Seconded by Mr. Esposito and passed unanimously.

Mr. Schweitzer stated that all the necessary details of the water main extension and the proposed services will be worked out between his department and the company's engineer once Common Council approved is acquired. Mr. Buckley stated that all the necessary permits and paper work in connection with the water extension was in order with the exception of the Planning Commission Report. However, the Common Council could recommend approval pending a positive report from the Planning Commission.

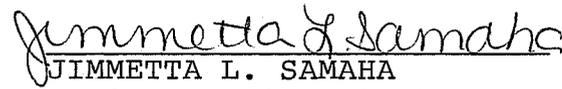
After the committee review the mylar map presented by Mr. Hoyt, Mrs. Basso made a motion to recommend approval, subject to the usual eight steps, pending a positive report from the Planning Commission. Seconded by Mr. Esposito and passed unanimously.

The report was adopted on the Consent Calendar.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 9:08 P.M. by Mr. Charles for the meeting to be adjourned.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk