

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

RE: Minutes of the Common Council Meeting held June 4, 1996

The meeting was called to order at 7:30 P.M. by Council President Joseph DaSilva. The Pledge and Prayer were recited. The members were recorded as:

PRESENT - Abrantes, McAllister, Coladarci, Boynton, Machado, Shuler, DaSilva, Esposito, Levy, Charles, Gomez, Basso, Carboni, Fox, Mead, Setaro

ABSENT - Scalzo, Arconti, Buzaid, Valeri, Butera

16 Present 5 Absent

Mr. Arconti was out of town

Mr. Scalzo and Mr. Buzaid had other commitments

PUBLIC SPEAKING

1. Loretta McLaughlin, 85 Sandpit Road really would like to have sewers on Sandpit Road.

2. Ann Marie Kratch, 7 Driftway Point Road - gave background on the need for sewers on Birchcrest Drive, Cedarcrest Drive, Lindencrest Drive and Driftway Point Road. They need a modern sewer system in that area of town. Asked that a study for such a project be done.

3. Mark O'Master, 16 Driftway Point Road - supports having a study done on a sanitary sewer extension on Driftway Point Road.

4. Zita Valduga, 18 Cedarcrest Drive - sewers would make the properties more salable. Something needs to be done soon.

5. Edward Carvalho, 9 Driftway Point Road - please consider the sanitary sewer project.

6. Lynn Waller, 83 Highland Avenue - Regarding the request of a loan to Richter Park, the loan should have same rate of interest as the money would get sitting in the bank.

7. James Humphreyville, 9 Cedarcrest Drive - lives four houses from the present sewer line. When would this happen? It is environmentally imperative. Please seriously consider this project.

MINUTES - Minutes of the Common Council Meeting held May 7, 1996 and the Special Common Council Meeting held May 23, 1996. Mr. Levy made a motion to accept the minutes as presented 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.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the Consent Calendar:

- 3 - Approve Women's, Infants and Children Grant - 1995-96 - \$232,528
- 4 - Approve Farmer's Market Coupon Grant, 1996 - \$695.00
- 5 - Approve 1995 Sewer Services Bond funds for Westville Avenue, First Street, Beaver Brook Road area and Germantown Road
- 6 - Approve 1977 Bond Authorization funds for First Street, Beaver Brook Road area and Germantown Road
- 7 - Approve appointment of Samuel Massena to the Lake Kenosia Commission
- 11 - Approve request for \$2,500 for Probate Court
- 23 - Approve street renumbering at Ford Avenue
- 25 - Approve Ordinance regarding Cityworks 2000 Bond Issue - \$14,900,000 and send to public hearing
- 26 - Approve ordinance regarding adjusting the number of Justices of the Peace at forty-five

- 27 - Approve Government Entities Review and Evaluation report and recommendations and extention of the Danbury Housing Partnership, the Parks and Recreation Commission, the Aviation Commission and the Economic Development Commission
- 28 - Approve preliminary sewer assessments for Westville Avenue and proceed with project
- 29 - Approve preliminary sewer assessments for First Street, Germantown Road and Beaver Brook Road area and proceed with project
- 30 - Approve final sewer assessment for Morgan Avenue, Beaver Brook Road and Finance Drive
- 31 - Approve request for water line, conveyance and easement on Apple Ridge Road

Mr. Charles moved adoption of the Consent Calendar. Seconded by Mr. Setaro. Motion carried unanimously.

At 7:45 P.M. Mrs. Butera arrived and was marked present.

1 - ORDINANCE -Governmental Entities Review and Evaluation
Mrs. Coladarci asked that this be deferred to public hearing. Mr. DaSilva so ordered.

2 - RESOLUTION - Elderly Day Care Grant 1996-97

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Administration on Aging of the United States Department of Health and Human Services in conformance with Title III of the Older Americans Act, through the Connecticut Department of Social Services, Division of Elderly Services, in accordance with Sections 17-137(c)(d) of the Connecticut General Statutes has made available funds to public agencies; and

WHEREAS, said funds are made available to the City by the State through the Western Connecticut Area Agency on Aging; and

WHEREAS, the Department of Elderly Services desires to submit an application to said agency for a grant in the amount of \$20,000.00 under Title III-B of the Older Americans Act, for the purpose of continuing the operation of Interweave, its adult day care center, for the project budget period of October 1, 1996 through September 30, 1997; and

WHEREAS, a local cash match of \$24,000.00 is required;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, and Leo McIlrath, Director of the Department of Elderly Services, are hereby authorized to apply for said grant, and the Mayor is authorized to execute any necessary agreements/contracts or revisions thereof, provided no further local cash match is required. The Mayor is further authorized to accept the grant award and/or any additions thereto and to do all things necessary to effectuate the purposes of the grant.

Mrs. Coladarci made a motion that the communication be accepted and the Resolution adopted. Seconded by Mr. McAllister. Motion carried unanimously.

3 - RESOLUTION - Women's, Infants and Children Grant 1995-96

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council passed a resolution at its July, 1995 meeting authorizing Mayor Gene F. Eriquez and the Danbury Health and Housing Department to apply for and accept a grant of \$223,931 from the Connecticut Department of Public Health and Addiction Services for the City's Women, Infants, and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the grant covers the period of October 1, 1995 through September 30, 1996; and

WHEREAS, the City has been notified that the grant amount has been increased to \$232,528 and still requires no local matching funds;

NOW, THEREFORE, BE IT RESOLVED THAT the July, 1995 resolution authorizing the application for and acceptance of this grant is hereby revised to cover a total grant amount of \$232,528.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Farmer's Market Coupon Grant 1996
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 \$695 to be used for supplemental staffing during the Farmer's Market Program in order 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 1996;

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 1996 summer Farmer's Market Coupon Program to its clients.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - 1995 Sewer Service Bond

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on September 7, 1995, the Common Council of the City of Danbury enacted an ordinance appropriating \$2.5 million dollars and authorized the issuance of \$2.5 million dollars in bonds for the purpose of financing sewer service extensions and/or installations; and

WHEREAS, said bonds are to be sold on a project-by-project basis in accordance with a periodically updated list of sewer projects to be financed; and

WHEREAS, while said authorization did restrict the expenditures derived from the bonds to sewer service extensions, there were no further, specific restrictions regarding particular projects;

NOW, THEREFORE, BE IT RESOLVED THAT such funds as may be required from the 1995 Sewer Service bond authorization be approved for use for and toward the cost of installation of sewers in WESTVILLE AVENUE and, if required, for and toward any remaining work for and toward the installation of sewers in FIRST STREET, BEAVER BROOK ROAD AREA and GERMANTOWN ROAD as may be required and described in a resolution submitted concurrently herewith, and in accordance with a schedule of improvements to these roads as prepared and to be approved by the Common Council.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - 1977 Bond Authorization

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on April 20, 1977, the Common Council of the City of Danbury adopted, and the voters, on May 25, 1977 approved an issuance of Seven Million (\$7,000,000.00) Dollars serial bonds to finance improvements to the Danbury sanitary sewerage system; and

WHEREAS, while said issuance did restrict the expenditures derived from the bonds to sanitary sewerage improvements, it did not specify the nature of the improvements to the sanitary sewerage system; and

WHEREAS, City bond counsel had advised that such lack of specificity permitted and continues to permit the Common Council to determine the nature and extent of the sewerage improvements to be constructed pursuant to said ordinance; and

WHEREAS, over the years since the 1977 bond issuance, improvements have been made to the sanitary sewerage system adding additional sewerage improvements to Danbury's list of priorities;

NOW, THEREFORE, BE IT RESOLVED THAT the remaining funds within the 1977 bond authorization be approved for use for and toward the cost of the installation of sewers in FIRST STREET, BEAVER BROOK ROAD AREA and GERMANTOWN ROAD in accordance with such schedule of improvements to these roads as prepared and to be approved by this Council, with any remaining funds in said issuance being applied to future sanitary sewer projects approved in accordance with the said schedule.

The Resolution was adopted on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of Samuel Massena to the Lake Kenosia Commission for a term to expire May 1, 1998. The appointment was confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Fire Chief Carmen Oliver requesting permission to accept a donation in the amount of \$25.00 from Mr. and Mrs. Edward Lino. Mr. Setaro made a motion that the communication be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Mead. Motion carried unanimously.

9 - COMMUNICATION - Letter from Director of Health William Campbell requesting permission to accept a \$350 donation to the School Based Health Center. Mrs. Butera asked that the communication be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

10 - COMMUNICATION - Request from Jack S. Kozuchowski, Coordinator of Environmental & Occupational Health Services requesting permission to accept a donation of surveying from Surveying Associates of a linear water park along the Still River corridor in Eastern Danbury. Mr. Boynton made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

11 - COMMUNICATION & CERTIFICATION - Request from the Probate Court for funds in the amount of \$2,500 for Postage and Printing and Binding. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

12 - COMMUNICATION - Request from Richter Park Authority Chairman Dennis Keeler for a loan from the City in the amount of \$500,000 at no interest and an eight year term. The loan would be for an Automated Irrigation System. Mrs. Butera asked that this be referred to an ad hoc committee, the Director of Finance, the Chairman of the Richter Park Authority and the Executive Director of the Richter Park

Authority. Mr. DaSilva so ordered and appointed Council Members Buzaid, Charles and Mead to the committee.

13 - COMMUNICATION - Neighborhood Assistance Act. Mr. Levy asked that this be deferred to public hearing. Mr. DaSilva so ordered.

14 - COMMUNICATION - Petition from residents of Laurel Street for assistance in a severe water flooding problem on their street. Mrs. Coladarci asked that this be referred to an ad hoc committee, the City Engineer and the Superintendent of Highways. Mr. DaSilva so ordered and appointed Council Members Boynton, Charles and Basso to the committee.

15 - COMMUNICATION - Request for sewer and water extension, 1 President Street. Mrs. Butera asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mr. DaSilva so ordered and appointed Council Members McAllister, Esposito and Carboni to the committee.

16 - COMMUNICATION - Petition for sewer extension, 2 & 4 Shepard Road. Mr. Setaro asked that this be deferred to a public hearing. Mr. DaSilva so ordered.

17 - COMMUNICATION - Petition for sewer extension, Deerfield Avenue. Mrs. Abrantes asked that this be deferred to a public hearing. Mr. DaSilva so ordered.

18 - COMMUNICATION - Petition for sewers on Pocono Lane, Richmond Avenue and Alexander D Avenue. Miss Fox asked that this be referred to the City Engineer for a survey. Mr. DaSilva so ordered.

19 - COMMUNICATION - Proposed sanitary sewer extension on Birchcrest Drive, Cedarcrest Drive, Lindencrest Drive and Driftway Point Road. Mrs. Coladarci asked that this be referred to an ad hoc committee, the City Engineer and the Superintendent of Public Utilities. Mr. DaSilva so ordered and appointed Council Members Levy, Shuler and Mead to the committee.

20 - COMMUNICATION - Proposed Green Avenue Water Line Extension Project. Mrs. Butera asked that this be referred to an ad hoc committee, the City Engineer and the Superintendent of Public Utilities. Mr. DaSilva so ordered and appointed Council Members Machado, Shuler and Mead to the committee.

21 - COMMUNICATION - Petition for sewer extension on Sandpit Road. Miss Fox asked that this be referred to a public hearing. Mr. DaSilva so ordered.

22 - COMMUNICATION - George Valluzzo v. City of Danbury and Wilmore. Mr. Setaro asked that this be deferred to the end of the agenda for executive session. Mr. DaSilva so ordered.

23 - COMMUNICATION - Letter from Director of Planning Dennis Elpern regarding the need to renumber Ford Avenue. The request to renumber was granted on the Consent Calendar.

24 - DEPARTMENT REPORTS - Public Buildings, Engineering, Public Utilities, Fire Marshall, Fire Chief, Police, Parks and Recreation, Health and Housing, Department of Elderly Services. Mr. Levy moved that the Department Reports be accepted 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. Charles. Motion carried unanimously.

25 - REPORT & ORDINANCE - Bond Issue, Cityworks 2000

Mr. DaSilva submitted the following report:

The committee to review the proposed bond issue, Cityworks 2000, met at 7:00 P.M. on May 8, 1996. In attendance were committee members DaSilva, Esposito, Levy and Mead. Also in attendance were Mayor Gene F. Eriquez, Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, bond counsel Frank D'Ercole and Council Member Tom Arconti, ex-officio.

Mayor Eriquez discussed the various items on the bond issue and explained the need for each. He stated that all of the items are in the five year capital program that has been approved by the Planning Commission. He reviewed the several bond issues that have been passed over the past several years. These have been for school improvements, dam reconstruction, waste water treatment plant improvements and water treatment plant improvements. All of these have been absorbed into the operating budget of the City with no impact on taxes or user fees. This initiative works within that framework also.

Mr. Setaro reaffirmed that this bond issue would have no impact on the tax rate in Danbury. Retiring and reduced bond indebtedness and growth in the grand list will more than pay for the cost of this proposal. The bonding capacity of the City is between \$500,000,000 and \$600,000,000. Our present indebtedness is 6.2% of capacity. In 1982 this figure was 6.1% indicating little growth in indebtedness. He further stated that the credit rating agencies are as concerned about making improvements and keeping facilities in proper condition as they are about the level of debt.

Bond Counsel Frank D'Ercole, stated that the average life of the payment of bonds in Danbury is five to ten years. The lives of the projects are much longer than the life of the bonds.

A discussion ensued concerning the various items proposed, including the closing of the landfill. Mr. D'Ercole said that bonding of this and all the other items fit well within all guidelines for bonds. The landfill has produced significant funds over the past several years which have been used to keep taxes down. If money from these funds were used to cover the facility, the mill rate would have been adversely affected.

There was discussion of past bond issues and the superior status of our City. This was credited to good leadership and bipartisan cooperation on issues of importance to Danbury.

Mr. Levy moved a positive recommendation on the proposed bond issue, Cityworks 2000, and proceed with the appropriate legal requirements to effectuate a vote on the November ballot. The motion was seconded by Mr. Mead and passed unanimously.

The report was accepted on the Consent Calendar and the Ordinance deferred to public hearing.

26 - REPORT & ORDINANCE - Justices of the Peace

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:00 P.M. on May 29, 1996 to review a proposed ordinance regarding the adjustment of the number of Justices of the Peace in Danbury. A court decision mandates that an equal number of Justices of the Peace be allotted to unaffiliated voters as those given to the two major parties. The present number is thirty, fifteen to each major party. The new ordinance would provide fifteen to all three entities.

Mrs. Coladarcii moved to recommend approval of the proposed ordinance. The motion was seconded by Mrs. Basso. Motion carried 15 yes 1 nay with Mr. Scalzo voting in the negative.

Be it ordained by the Common Council of the City of Danbury:

THAT Section 2-35 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-35. Justices of the Peace.

The number of justices of the peace to be selected in the City of Danbury in 1996 and quadrennially thereafter shall be forty-five (45). Said justices of the peace shall be selected in accordance with the requirements of the Connecticut General Statutes.

The report and ordinance were adopted on the Consent Calendar.

27 - REPORT - Governmental Entities Review and Evaluation

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:00 P.M. on May 29, 1996 to review the Government Entities Review and Evaluation Report. The committee recommended a five year extension of the Danbury Housing Partnership, the Parks and Recreation Commission, the Aviation Commission and the Economic Development Commission.

After a brief discussion of the criteria used by the committee, Mrs. Coladarci moved to recommend approval of the extension of the various entities mentioned. The motion was seconded by Miss Fox and passed unanimously.

The report was adopted on the Consent Calendar.

28 - REPORT - Preliminary Sewer Assessments - Westville Avenue

The Common Council met as a committee of the whole at 7:58 P.M. on May 29, 1996 to review the preliminary sewer assessment for Westville Avenue. Several people spoke at the preceding public hearing. A majority was in favor.

Mrs. Butera moved to recommend approval of this project and proceed with the installation. The motion was seconded by Miss Fox and passed unanimously.

The report was adopted on the Common Council Consent Calendar.

29 - REPORT - First Street, Germantown Road and Beaver Brook Road Area.

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:58 P.M. on May 29, 1996 to review a preliminary sewer assessment for First Street, Germantown Road and Beaver Brook Road. A number of people spoke at the preceding public hearing. Most of those speaking were in favor of the project. Several residents stated that they wanted to be involved in the project but were not included. It was explained that the most expeditious method for sewer installation in these areas would be to submit petitions for sewer installation. By doing this the petitioners would be served at approximately the same time at a similar cost.

Mr. Scalzo moved to recommend approval of the sewer installation and to move ahead with the project. The motion was seconded by Mrs. Basso and passed unanimously.

The report was adopted on the Consent Calendar.

30 - REPORT - Final Sewer Assessment - Morgan Avenue, Beaver Brook Road and Finance Drive.

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:00 P.M. on May 29, 1996 to review the final sewer assessment for Morgan Avenue, Beaver Brook Road and Finance Drive. This sewer project has been completed and is in use.

Mrs. Basso moved to recommend approval of the final sewer assessment for the above mentioned project. Seconded by Mr. Charles and passed unanimously.

The report was adopted on the Consent Calendar.

31 - REPORT - Request for Water Line, Conveyance and Easement on Apple Ridge Road.

Mr. Valeri submitted the following report:

The Common Council Committee assigned to review a request for a water line, conveyance and easement on Apple Ridge Road met on Wednesday, May 29, 1996 at 8:30 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, McAllister and Carboni. Also in attendance were City Engineer Jack Schweitzer, Assistant Superintendent of Public Utilities Mario Rizzo and Attorney Paul Jaber and Ralph Gallagher representing the petitioner.

Mr. Schweitzer explained that the siting of the new Lorad Corporation building off Apple Ridge Road requires the placement of a fire hydrant a considerable distance from the road and thus necessitates the conveyance of the line to the City as well as an easement in order to maintain the line. Mr. Schweitzer further indicated his department's satisfaction with the plans as presented to the City. Mr. Valeri cited the Planning Commission's positive recommendation for the requested conveyance and easement.

Mr. McAllister made a motion to recommend approval of the request subject to the necessary eight steps. Seconded by Mrs. Carboni and passed unanimously.

The report was adopted on the Consent Calendar.

ANNOUNCEMENTS

- June 14th - Mrs. Butera will celebrate her birthday
- June 15th - Mrs. Carboni will celebrate her birthday

- June 5th - 40th Anniversary of Hayestown Avenue School
- 7th Annual CityCenter Business Olympics
- Lebanon American Club Scholarship Dinner
- June 7-9 Greek Festival
- June 7th Escape to the Arts Gallery Art Show
- June 9th ELKS Flag Day Ceremony
- June 10th - Amos House 10th Annual Meeting
- June 12th - DARE Graduation
- Rotary Club Scholarship Luncheon
- Ann's Place Home of I Can 5th Anniversary
- Danbury Emblem Club Annual Americanism Dinner
- June 13th - Non-Violent School Zone Dedication
- Minority Business Association Annual Meeting
- June 14th - Head Start Flag Raising at City Hall
- Head Start Annual Multi-Cultural Dinner
- Alternative High School Graduation
- June 15th HATS Graduation
- Wooster School Graduation

- June 16th- Fathers Day
- June 17th - 15th Annual Danbury Hosital Cancer Benefit Golf Tournament
- June 18th - Retirement Reception for Robert Gerwein
- Broadview Middle School 8th grade Graduation
- June 20th - Rogers Park Middle School 8th grade Graduation
- Farewell Reception for Dr. Anthony Singe
- June 21st - Danbury High School Graduation
- Rotary Club Pass the Gavel Dinner

June 23rd - FORUM Charity Auto Rally
June 26th - Regional Commission on Child Care Annual Meeting
June 27th - Danbury Youth Services Annual Meeting
 HORD Foundation Scholarship Award Program
June 28-30 Ethnic Festival

Mayor Eriquez introduced Eric Goldberg who is an intern in his office from the Wooster School and also his new assistant, Joseph Friscia. He also introduced Jim and Ada Humphreyville and thanked them for their years of service to the Danbury Music Center.

At 8:03 P.M. Mr. Boynton made a motion to enter into Executive Session to discussion item 22. Seconded by Mr. Mead. Motion carried unanimously.

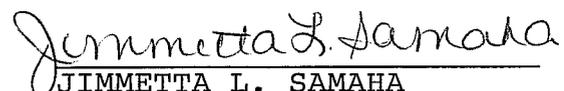
At 8:24 P.M. the Common Council returned to open session.

Mr. Mead made a motion to accept the recommendation and settle the claim pending certification. Seconded by Miss Fox. Motion carried unanimously.

Mayor Eriquez extended all committees.

There being no further business a motion was made at 8:25 P.M. by Mr. Mead for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk