

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

RE: Minutes of the Common Council Meeting held August 1, 1995

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:

PRESENT - Levy, Scalzo, Abrantes, Yamin, Arconti, Boynton, Gallagher, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Nolan, Scozzafava, Setaro, Trocolla, Valeri

ABSENT - Machado, Outlaw

19 Present - 2 Absent

Mr. Machado was out of town

#### PUBLIC SPEAKING

1. Peter Darling, 12 Brookwood Drive, Newtown - Would like to meet with the committee appointed to consider item 22, Airport Lease.

2. Clarice Osiecki, 62 South King Street, President, Danbury Chamber of Commerce. Spoke regarding item 39 - Connection Fees. She hopes the Common Council will pass the reduction in sewer connection fees. Also, consider reducing the fee to 20 cents per square foot. She gave an example of how expensive it is for small business to connect to City sewers.

#### ANNOUNCEMENTS

August 1st - National Night Out  
August 4th - NOW - 75th Anniversary of Women's Suffrage  
August 5th - Volunteer Firefighters Day  
August 5th - Bambino Baseball Tournament  
August 4, 5, 6 - Italian Field Days - Americo Vespucci  
August 25-27 - Mideastern Festival

Farmer's Market is now open on Mondays from 3:00 to 6:00 P.M. on the Green

Safe Summer II Program is underway

August 1st - Joe DaSilva's birthday  
August 8th - Council Member Joe Scozzafava and his wife Donna will celebrate their anniversary  
August 15th - Ernest Boynton's birthday  
August 21st - Dan Trocolla and his wife, Kathy, will celebrate their anniversary  
August 24th - Vinny Nolan will celebrate his birthday  
August 25th - Council Member Ernest Boynton and his wife will celebrate their wedding anniversary  
August 30th - Council Member Dan Trocolla will celebrate his birthday

MINUTES - Minutes of the Common Council Meeting held July 5, 1995. Mr. DaSilva 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 Mr. Setaro. Motion carried unanimously.

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

- 2 - Approve Resolution regarding traffic signalization intersection of Route 37 and Jeanette Street
- 3 - Approve Application for Juvenile Justice and Delinquency Prevention Act Grant - \$263,000
- 4 - Approve Department of Mental Retardation Grant - \$5,000
- 5 - Approve Application for March of Dimes Grant - \$10,000
- 7 - Approve Application for Community Employment Incentive Program Grant - \$15,900

- 14 - Approve reappropriation of donated funds for Department of Elderly Services - \$58.60
- 16 - Approve AIDS Prevention Grant Fees - \$3,600
- 17 - Approve CCM Fees - \$805.00
- 19 - Approve additional Town Aid Roads - \$119,098
- 23 - Approve Candlewood Lake Authority Assessment - \$2,215.67
- 24 - Approve Affordable Housing Grant for Eden Drive Proposal - \$15,000
- 30 - Approve appointment of Tom Evans to Aviation Commission
- 33 - Approve appointments of J. Roger Schmiedel and Michael Lombardi to Tarrywile Park Authority
- 34 - Approve appointment of Matthew Rose to Environmental Impact Commission
- 35 - Approve reappointments of Richard Erb, Robert Pettesen, Felix Merante and Margaret Williams to the Fair Rent Commission
- 36 - Approve reappointment of Tom Devine to the Parking Authority
- 38 - Approve Ordinance change regarding Danbury Housing Partnership
- 41 - Approve Extension of Time at 20 Boulevard Drive for sewer extension

Mr. Setaro made a motion that the Consent Calendar be approved as presented. Seconded by Mr. Boynton. Motion carried unanimously.

1-COMMUNICATION - Letter from Democratic Town Committee Chairman Joseph Walkovich recommending that Emile Buzaid of 109 Deer Hill Avenue be appointed to fill the Common Council vacancy in the Fifth Ward. Mr. DaSilva made a motion to accept the communication and appoint Emile Buzaid to the vacancy. Seconded by Mr. Setaro. Motion carried unanimously.

Attorney Gottschalk administered the oath of office to Mr. Buzaid. Mayor Eriquez welcomed Mr. Buzaid to the dais.

2-RESOLUTION - Traffic Signalization Intersection of Route 37 and Jeanette Street

RESOLVED by the Common Council of the City of Danbury:

SUBJECT: Agreement Between the State of Connecticut and the City of Danbury for Sharing the Cost of the Installation of a Traffic Control Signal at the Intersection of Route 37 and Jeanette Street

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY that Gene F. Eriquez, Mayor of the City of Danbury, City Hall, 155 Deer Hill Avenue, Danbury, Connecticut 06810 is hereby authorized to execute this Agreement.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Juvenile Justice and Delinquency Prevention Act Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury has been notified by the State of Connecticut Office of Policy and Management that it is eligible to apply for pass-through funds under the Federal Juvenile Justice and Delinquency Prevention Act; and

WHEREAS, the Danbury Public School System's "Danbury Opportunities for Offender Redirection (DOOR) Program" as part of the Juvenile Justice Center Program, has been in operation for fiscal year 1994-95; and

WHEREAS, the grant award period for which the City will apply is July 1, 1995 through June 30, 1996; and

WHEREAS, the State of Connecticut will accept an application for \$263,000 to support the Juvenile Justice Center Program; and

WHEREAS, all youth accepted and served under this program will receive assessment in various aspects of family life, needs, aptitudes, mental and physical health and will be assigned a case manager who will work with families of accepted youths to provide support in all areas of need, being especially responsive to redirecting young people involved in early criminal behavior to more wholesome responses to personal stresses.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for said grant award through the grant application, if required by the State of Connecticut, and to accept said funds, if awarded, as a "pass through" to the Danbury Board of Education State and Federal Projects so that the Danbury School System may continue its DOOR Program.

BE IT FURTHER RESOLVED THAT the Mayor is further empowered to take any actions and to sign any documents or contracts necessary to further the purposes of said program.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Department of Mental Retardation Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Mental Retardation has made grant funds in the amount of \$5,000 available to the Department of Elderly Services for the funding period of July 1, 1995 through June 30, 1996; and

WHEREAS, said grant will be used to partially fund the operational costs of "Homeshare Connections", a division of the Department of Elderly Services; and

WHEREAS, no local cash match 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 accept said grant, and the Mayor is authorized to execute any agreements/contracts therefor, and to do all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - March of Dimes Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Northern Metro Chapter, Fairfield County Division of the March of Dimes will accept an application from the Danbury Health and Housing Department for a grant in an amount not to exceed \$10,000 for the period January 1, 1996 through December 31, 1996 with no local cash match required; and

WHEREAS, this funding will enable the Health Department to pursue its goal of preventing birth defects and to improve pregnancy outcomes through the implementation of a collaborative outreach and education program whose primary beneficiaries will be the students and staff of Danbury High School;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, are hereby authorized to apply for said funding, to accept the grant award, if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to execute all contracts/documents in connection therewith and to do all things necessary to effectuate the purposes of such grant.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Elderly Day Care Center Title III-B Grant

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 Human Services, Division of Elderly Services, in accordance with Sections 17-137(c)(d) of the Connecticut General Statutes and through the Western Connecticut Area Agency on Aging, Inc. has made available funds to public agencies; and

WHEREAS, the Department of Elderly Services desires to submit a grant application for funds for Interweave, the adult day care center, through the Western Connecticut Area Agency on Aging, Inc. for a grant in the amount of \$20,000.00 under Title III-B (social services) of the Older Americans Act, for the purpose of continuing the operation of Interweave for the project budget period of October 1, 1995 through September 30, 1996; and

WHEREAS, the City of Danbury must supply \$24,000.00 in local matching funds;

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 agreements/contracts necessary, and any revisions thereof, provided no further local cash match is required, to accept the grant award, if offered, including any additional grant funds which may be offered under this application which do not require the expenditure of additional City funds, and to do all things necessary to effectuate the purposes hereof.

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

7 - RESOLUTION - Community Employment Incentive Program Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Labor will make grant funds available to municipalities under its Community Employment Incentive Program (CEIP) to fund employment placement projects for recipients of General Assistance; and

WHEREAS, the State of Connecticut Department of Labor and municipal Welfare Departments are working together to advance their mutual goal of assisting recipients of General Assistance to secure employment and attain economic self-sufficiency; and

WHEREAS, the City of Danbury Welfare Department is eligible to receive a grant of \$15,900 for second phase funding for the term of October 1, 1995 through June 30, 1996 upon approval of an application therefor;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah A. MacKenzie, Director of Welfare, are hereby authorized to apply for said funds, to accept the grant if approved, and the Mayor is further authorized to execute any contracts therefor and to do all things necessary to effectuate the purposes of the grant award.

The Resolution was adopted on the Consent Calendar.

8 - COMMUNICATION - Letter from Cheryl D. Reedy, First Selectman of New Fairfield enclosing a contribution in the amount of \$500 for the Homeless Shelter. Mr. Setaro made a motion that the contribution be accepted, the proper line item be credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

9 - COMMUNICATION - Letter from AIDS Program Coordinator Susan Durgy asking permission to accept a donation in the amount of \$100 from Mr. and Mrs. Joseph Bevan for the AIDS program. Mrs. Coladarci made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

10 - COMMUNICATION - Letter from Director of Finance Dominic Setaro asking acceptance of a donation in the amount of \$605.00 to the Veteran's Affairs Department "conferences" account. Mrs. Coladarci made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

11 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley asking for approval of the donation of two products that have been placed on the market that would improve the emissions from motor vehicles while improving the fuel economy. Mr. Levy made a motion that the products be accepted and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

12 - COMMUNICATION - Letter from Betsy McDonough asking permission to accept donations to the Library in the amount of \$281.05. Mr. Scalzo made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Miss Beck. Motion carried unanimously.

13 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$58.60 for the Senior Center. Mr. Setaro made a motion that the donations be accepted, the proper line items credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

14 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath to transfer the sum of \$58.60 from the Elderly Services donations account to the Commission on Aging Office Supplies budget. A certification of funds was attached. The transfer of funds was granted on the Consent Calendar.

15 - COMMUNICATION - An Ordinance Appropriating \$2,500,000 for Sewer Service Extensions and Authorizing the Issuance of \$2,500,000 Bonds of the City to meet said Appropriation and Pending the Issuance thereof the making of Temporary Borrowings for such purpose and An Ordinance Appropriating \$2,500,000 for Water Service Extensions and Authorizing the Issuance of \$2,500,000 Bonds of the City to meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for such purpose. Mr. DaSilva asked that this be deferred to Public Hearing. The Mayor so ordered.

16 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting that the Common Council expend approximately \$3,600 for the AIDS Prevention Grant administered by the Health Department. The request was granted on the Consent Calendar.

17 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting that \$865 be transferred from the Contingency Account to the Connecticut Conference of Municipalities for service fees. The request was granted on the Consent Calendar.

18 - COMMUNICATION - Letter from Grants Administrator Margaret Alexander asking for a public hearing on the Neighborhood Assistance Act. Mr. Scalzo asked that this be deferred to public hearing. Mayor Eriquez so ordered.

19 - COMMUNICATION - Letter from Director of Finance Dominic Setaro recommending that the Common Council reappropriate the sum of \$119,098 received for the City's Town Aid Roads Program to the Highway State Aid Account, Maintain Highways Curbs and Walks. The request was granted on the Consent Calendar.

20 - COMMUNICATION - Letter from Fire Chief Carmen Oliver outlining Mutual Aid Agreements. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Fire Chief, and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Yamin to the committee.

21 - COMMUNICATION - Letter from Director of Finance Dominic Setaro recommending that the Common Council appropriate the sum of \$85,000 from the City's Ambulance Fund Fund Balance to cover the cost of purchasing an ambulance and radios as requested by Business Systems, Inc. Mrs. Coladarci made a motion to account the communication and authorize the transfer of \$85,000 for the purchase of an ambulance and radios. Seconded by Mr. Boynton.

Mr. Levy stated that this system works well and would like to see this efficiency move on to other areas. Mr. Arconti asked what impact a third ambulance would have on the budget. Mayor Eriquez explained. Mr. Nolan asked if excess funds would be used to upgrade equipment. Mayor Eriquez said they would as necessary. Mr. Nolan asked if there was any contemplation of the provider of services to invest in equipment. Mayor Eriquez stated that we are the provider. Mr. Nolan asked if Business Systems would invest. The Mayor stated no.

Motion carried unanimously.

22 - COMMUNICATION - Lease between Danbury Airport and Richard J. Leinert d/b/a Leinert Industries - renewal. Mr. Scalzo asked that this be referred to an ad hoc committee, the Corporation Counsel, the Airport Administrator, the Aviation Commission and the petitioner. Mayor Eriquez so ordered and appointed Council Members Gallagher, Machado and Scozzafava to the committee.

23 - COMMUNICATION - Letter from Director of Finance Dominic Setaro certifying the availability of \$2,215.67 for the City's yearly assessment to the Candlewood Lake Authority. The transfer of funds was authorized on the Consent Calendar.

24 - COMMUNICATION - Letter from Associate Director of Housing Paul Schierloh requesting that the Common Council approve a grant in the amount of \$15,000.00 from the Affordable Housing Fund for Knight Builders Construction for Eden Drive. The request was granted on the Consent Calendar.

25 - COMMUNICATION - Grace N'Vessels of Christ Ministries, Inc. Briar Ridge Road. Mr. Arconti asked that this be referred to the Corporation Counsel and the Tax Assessor for a report back within thirty days. Mayor Eriquez so ordered.

26 - COMMUNICATION - Reports regarding Rockwood Lane and Jansen Street. Mr. DaSilva made a motion to retain the ownership and deny the purchase of these parcels. Seconded by Mr. Boynton.

Mr. Levy stated that only Rockwood Lane is recommended to be retained because it backs up to Boggs Pond but Jansen Drive could be sold. Therefore, he made a motion to divide the question, seconded by Mr. Boynton. Motion carried unanimously.

Motion to retain ownership of Rockwood Lane fails with Council Members Levy, DaSilva, Esposito and Coladarci voting yes.

Mr. Trocolla asked the City Engineer if the City uses the building on the Jansen Street property. Mr. Schweitzer stated that the City has no use for the building. Mr. Trocolla asked how we got this property. Mr. Gottschalk stated that Rockwood Lane was through foreclosure and Jansen Street was through a tax sale. Mr. Gottschalk clarified why this was on the agenda.

Mr. Levy asked if we assume liability when we take property for taxes. The Mayor said yes.

Mr. Setaro asked if would take a two-thirds vote to oppose the recommendation of the Planning Commission. The Mayor said yes, but this is a motion to retain ownership. Mr. Boynton moved the question, seconded by Mr. Setaro. Motion carried unanimously.

Mr. Arconti made a motion to surplus the Jansen Street property, put it out to bid, but retaining all necessary easements. Seconded by Mr. Setaro. Motion carried with Mr. Nolan voting in the negative.

27 - COMMUNICATION - Letter from Attorney William Steele, Jr. request that the City accept International Drive into the City road system. Mrs. Coladarci asked that this be referred to the City Engineer, the Corporation Counsel and the Planning Commission for a report back in thirty days. Mayor Eriquez so ordered.

28 - COMMUNICATION - Request for Sewer Extension at the Berkshire Shopping Center on Newtown Road. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. The Mayor so ordered and appointed Council Members Valeri, Abrantes and Nolan to the committee.

29 - COMMUNICATION - Request for Water and Sewer Extension at 22 Main Street. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. The Mayor so ordered and appointed Council Members Valeri, Abrantes and Nolan to the committee.

30 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Thomas Evans to the Aviation Commission for a term to expire July 1, 1998. The appointment was confirmed on the Consent Calendar.

31 - COMMUNICATION - Appointments to the Planning Commission.  
WITHDRAWN

32 - COMMUNICATION - Appointment to the Redevelopment Agency.  
WITHDRAWN

33 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Michael Lombardi to the Tarrywile Park Authority for a term to expire May 1, 1997 and of J. Roger Schmiedel for a term to expire May 1, 1998. The appointments were confirmed on the Consent Calendar.

34 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Matthew Rose to the Environmental Impact Commission for a term to expire December 1, 1997. The appointment was confirmed on the Consent Calendar.

35 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Richard Erb, Robert Petterson and Felix Merante to the Fair Rent Commission for terms to expire July 1, 1998 and the reappointment of Margaret Williams as an alternate for a term to expire July 1, 1998. The reappointments were confirmed on the Consent Calendar.

36 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Thomas Devine to the Parking Authority for a term to expire June 30, 2000. The reappointment was confirmed on the Consent Calendar.

37 - DEPARTMENT REPORTS - Engineering, Public Utilities, Elderly Services, Public Buildings, Health and Housing, Police, Fire Chief, Fire Marshall, Parks and Recreation. Mr. DaSilva made a motion to accept the Department Reports as submitted 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 Mr. Boynton. Motion carried unanimously.

38 - REPORT & ORDINANCE - Danbury Housing Partnership

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:07 P.M. on July 17, 1995 to review a proposed ordinance change regarding the Danbury Housing Partnership. Mayor Eriquez explained that the State of Connecticut no longer offers the incentives that have benefitted our City over the past several years. He said that this group needs to be re-structured to work not only in the area of affordable housing, but to work to improve neighborhoods. This ordinance would change criteria such as membership and the quorum number needed for meetings.

Mr. Boynton moved to recommend approval of the proposed amendments to subsection 10-75(a) and 10-75(b). The motion was seconded by Mr. Charles and passed unanimously.

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

THAT Subsections 10-75(a) and 10-75(b) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

**Sec. 10-75. Housing Partnership created.**

(a) There is hereby created the Danbury Housing Partnership. The partnership shall consist of the mayor and the following members to be appointed by the mayor:

(1) Representatives of the planning commission, zoning commission, environmental impact commission, housing authority and any local community development agency, not to exceed five (5) in number.

(2) Representatives of the local business community, such as local bankers, realtors and developers, not to exceed five (5) in number.

(3) Representatives of public interest groups, such as housing advocates, members of the clergy, members of local civic groups and representatives of local nonprofit corporations, not to exceed five (5) in number.

(4) The director of the Danbury Planning Department, the associate director for housing of the Danbury Health and Housing Department, the fair housing officer and not more than two (2) additional local urban planning, land use and housing professionals.

(b) A quorum of the partnership shall consist of six members. Except as otherwise provided in the Danbury Code of Ordinances, Robert's Rules of Order shall govern the conduct of the meetings and the business of the partnership.

The report and ordinance were adopted on the Consent Calendar

39 - REPORT and ORDINANCE - Connection Fees

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:07 P.M. on July 17, 1995 to review a proposed ordinance regarding sewer connection fees. Mayor Eriquez and Superintendent of Public Utilities William Buckley explained that this would lower the sewer connection fee for non-residential users from 40 cents per square foot to 25 cents per square foot. This is a part of the Economic Development Plan and would help new and expanding businesses. There would be no real effect on the sewer budget.

The connection fee went to 40 cents per square foot in 1985 and was competitive at that time. The reduction to 25 cents per square foot is now competitive with other cities comparable to Danbury and is lower than the surrounding communities.

Mr. Boynton moved to recommend approval of Sec. 16-4(b)2. The motion was seconded by Mr. Gallagher and passed unanimously.

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

THAT Subsection 16-4(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 16-4. Connection permits required; connection fee; refunds; penalty for violations.

(b) Connection fee. If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following schedule:

(1) Residential: Three Hundred dollars (\$300.00) per unit.

(2) All other (non-residential): One Thousand dollars (\$1,000.00) plus twenty-five cents (\$0.25) per square foot of building to be connected. Connection fees may be waived by action of the Common Council, providing the City benefits from this connection by permitting future extensions to said connection.

Mr. Boynton made a motion that the report be received and the ordinance adopted. Seconded by Mr. Gallagher. Mrs. Coladarci made a motion to amend the ordinance by reducing the twenty-five cents per square foot of building to twenty cents per square foot. Seconded by Mr. DaSilva. Motion to amend carried with Mr. Nolan voting in the negative.

Main motion, as amended, carried unanimously.

40 - REPORT and ORDINANCE - Citations

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:07 P.M. on July 17, 1995 to review a proposed ordinance amendment regarding the issuance of citations. Director of Health William Campbell stated that the recommended amendment deals with the issuance of certificate of apartment occupancy for apartments over ten years old. At this time if any apartment owner refuses to comply with this ordinance the office of the Corporation Counsel must take the matter to court. Under this proposal the Director of Health or his designee may issue citations and alleviate much work for the Office of the Corporation Counsel. There is a warning process and a \$100 fine for non-compliance. A hearing procedure is available.

Mr. Boynton made a motion to recommend approval of Section 12-34(b). The motion was seconded by Mr. Scalzo and passed 12-1 with Mr. Levy voting in the negative.

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

THAT Subsection 12-34(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 12-34. Citations.

(b) The officers and employees designated herein shall be authorized to issue citations for violations of the provisions of the Danbury Code of Ordinances identified below:

(1) The fire chief or his designee shall be authorized to issue citations for violations of the provisions of sections 3A-42, 3A-43 and 3A-49 of the Danbury Code of Ordinances.

(2) The health director or his designee shall be authorized to issue citations for violations of the provisions of articles II, V and VI of chapter 9 as well as the provisions of sections 10-3, 10-4, 10-5, 10-6, 10-7 and 10-10 of the Danbury Code of Ordinances.

(3) The director of public works or his designee shall be authorized to issue citations for violations of the provisions of sections 12-22, 12-31, 12-32, 16A-1, 17-43 as well as the provisions of articles I and II of chapter 16, article I of chapter 17 and articles I and II of Chapter 21 of the Danbury Code of Ordinances.

(4) Danbury police officers shall be authorized to issue citations for violations of the provisions of sections 3A-27, 12-2, 12-14, 12-24, 12-33 and 18-13 of the Danbury Code of Ordinances. In addition to the foregoing, Danbury police officers shall also be authorized to issue citations for violations of the provisions of the Danbury Code of Ordinances identified in paragraphs (1) through (3) of this subsection.

Mr. Levy made a motion to receive the report and refer the Ordinance to the Corporation Counsel for a cost savings study. Seconded by Mr. Scalzo.

Mr. Valeri stated that an area of great value is the strength it has in allowing landlords to deal with tenants who do damage to the property. Mr. Levy stated that he is not questioning the worthiness of the ordinance. No one has indicated what we are currently spending on this. Mr. DaSilva stated that this would be helpful to the landlord. But these are landlords who do not want inspections.

Motion carried unanimously.

41 - REPORT - Extension of Time at 20 Boulevard Drive

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request for extension of time at 20 Boulevard Drive (Lot #15) met on July 17, 1995 at 8:00 P.M. in Room 432 in City Hall. Present were committee members Scalzo, Machado and Yamin. Also in attendance were Superintendent of Public Utilities William Buckley and the petitioners Anthony DaCunha and Ann Dell.

Reference was made to the original request for sewer extension approval on April 7, 1987 and clarification of the request and the specific lot. It was recommended by Mr. Buckley to include the 9th step which was added to the original approval process. Also presented at the meeting was the letter of June 26th from the Planning Commission recommending approval for the extension of time.

Mr. Yamin made a motion to recommend approval for the extension of time for sewer extension at 20 Boulevard Drive (Lot #15) to service a single family home with the 9th step included with the 8 steps as originally approved. The motion was seconded by Mr. Machado and passed unanimously.

The report was received on the Consent Calendar.

42 - REPORT - Pleasant Acres Water Project. Mrs. Coladarci made a motion that this be taken up at the next Common Council Meeting. Seconded by Mr. Charles. Motion carried unanimously.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 8:45 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk