

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

RE: Minutes of the Common Council Meeting held March 21, 1994.

The meeting was called to order at 7:50 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT - Levy, Scalzo, Yamin, Arconti, Boynton, Dennehy, Gallagher Machado, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Cappiello, Scozzafava, Setaro, Trocolla

ABSENT - Falzone, Outlaw, Valeri

18 Present - 3 Absent

Mr. Falzone was working

Mr. Valeri was out of town on business

NOTICE OF THE SPECIAL MEETING - To be held on the 21st day of March 1994 at 7:45 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the items listed below. Mr. DaSilva moved that the call and return of service be accepted. Seconded by Mr. Setaro. Motion carried unanimously.

PUBLIC SPEAKING

Monica LeCoz, 23 Woodbury Drive - asked why the excess sand on the roads and sidewalks cannot be recycled and used again.

1. COMMUNICATION - Letter from Director of Finance Dominic Setaro indicating that an additional \$403,869 will be needed in the various departments as a result of the extremely difficult winter. The funds were certified by the Director. Mr. DaSilva made a motion that the communication be accepted and the funds transferred to the various accounts as proposed. Seconded by Mr. Charles.

Mayor Eriquez explained the expenses due to the severe winter storms. He stated that sand could not be used again as it loses its effectiveness. This severe winter will also have an impact on the next fiscal year. The Mayor also credited the Public Works Department for the fine job it has done this winter.

Motion carried unanimously.

2. COMMUNICATION & RESOLUTION - Transfer of Excess Public Improvement Bond Issue Funds

RESOLVED by the Common Council of the City of Danbury:

THAT the \$175,000 of the unexpended balance of appropriations aggregating \$450,000 made for "Contingency, Interest, Legal and Administrative" in the bond ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 and Authorizing The Issuance of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" is hereby determined not to be needed for such purposes and is hereby authorized to meet the costs of the purposes or projects set forth in Section 1 of said Ordinance as follows:

Section 1(a)

Vehicle Replacement Various Departments \$440,267.24

Mr. Boynton made a motion that the communication be accepted and the Resolution adopted. Seconded by Miss Dennehy.

Miss Beck asked what the fleet now consists of. Mayor Eriquez stated that they would not be replacing the entire fleet. Just those vehicles that have excessive mileage. Mr. Boynton asked if there was an across-the-board trade in value. The Mayor said there was not. Mr. Boynton asked if the vehicles would be offered for sale to the public. The Mayor stated that it is to the City's benefit to work with the dealer. Mr. DaSilva asked if the bidding process was open to all local dealers. Mayor Eriquez stated that anyone meeting the specifications can bid.

Motion carried unanimously.

3. COMMUNICATION - Transfer of Funds - Town Improvement Program

Letter from Director of Finance Dominic Setaro requesting that \$70,000 be transferred into a new line item in the Town Improvement Program entitled "Kenosia Fields". The money should be transferred from the Cross Street Bridge line item and the Eagle Road/Commerce Park line item. Mr. Boynton made a motion to accept the communication and authorize the transfer of funds. Seconded by Miss Dennehy. Motion carried unanimously.

4. COMMUNICATION - Re-Appropriating of Northeast Utilities Energy Management Rebate.

Letter from Director of Finance Dominic Setaro requesting that that Common Council authorize the re-appropriation of an estimated reimbursement from Northeast Utilities in the amount of \$14,115. Mr. Setaro made a motion to accept the communication and authorize the re-appropriation of an estimated reimbursement of \$14,115. Seconded by Mr. Charles. Motion carried unanimously.

5. COMMUNICATION - Letter from Acting Fire Chief John Murphy and Communications Supervisor Fred Visconti requesting a transfer of \$1,220 from the Fire Department Communications line item to the Communications Equipment line item for the purchase of a new computer system for the 911 Communications Center located at the Fire Headquarters.

Mr. Boynton made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mrs. Coladarci. Motion carried unanimously.

6. COMMUNICATION - Library Cooling Tower - Bid Waiver

Letter from Purchasing Agent Warren Platz requesting that the Council waive the bid process for the replacement of the cooling tower at the library. The target date for the completion of this project is June 3rd and that does not allow time to go out to formal bid.

Mr. Boynton stated that this should have been done in time to go out to bid. Mayor Eriquez stated that if we go out to bid we will not be able to meet the timetable. Mr. Schweitzer stated that the whole system is being redone and with architects, etc. it took too long a period of time. Mr. Boynton stated that he wants to get the best buy for the City. The Mayor stated that because the bid process is waived it does not mean that the City will pay a higher price.

Mr. Cappiello asked how many contractors normally bid. The Mayor stated that it depends on the specifications of the bid. Miss Beck asked if the Council were not to waive the bid what would happen. The Mayor stated that he could not guarantee that the library would have air conditioning for the summer. Mr. Schweitzer said that it could take until mid July. Mr. Charles moved the question. Seconded by Mr. Setaro. Motion carried with Mr. Scalzo voting in the negative.

Main motion carried with Council Members Scalzo, Yamin and Dennehy voting in the negative.

7. COMMUNICATION - Letter from Housatonic Habitat for Humanity requesting the donation of the parcel of land at 112 Elm Street by the City for the building of affordable housing. Mr. DaSilva asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission and a representative of Habitat. Mayor Eriquez so ordered and appointed Council Members Setaro, Machado and Scozzafava to the committee.

8. COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley requesting that the Common Council authorize the establishment of an interlocal negotiating committee for the purpose of discussing a fire hydrant on the Margerie Dike in New Fairfield for New Fairfield's use. Mr. DaSilva made a motion that the interlocal negotiating committee be established. Seconded by Mr. Setaro. Motion carried unanimously. The committee will be Eric Gottschalk, Jack Schweitzer, Paul Galvin, Louis Charles and Robert Yamin.

9. COMMUNICATION - Letter from Mayor Eriquez requesting permission to accept a donation in the amount of \$100.00 from Guido Tino for the "Operation Guns for Goods" program. Mr. Setaro made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

10. COMMUNICATION - Letter from AIDS Coordinator Susan Durgy requesting permission to accept a donation in the amount of \$50 from the International Brotherhood of Electrical Workers Local 420 to be used to purchase educational materials. Mr. Scalzo made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

11. COMMUNICATION - Letter from Leo McIlrath asking permission to accept a donation in the amount of \$1,700 from Hughes Danbury Optical Systems, Inc. for the Department of Elderly Services/Interweave Adult Day Care Center. Mr. Arconti was pleased to make a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

12. RESOLUTION - Federal/State Local Bridge Program - Thorpe Street Extension Bridge - Old Newtown Road Bridge.

RESOLVED by the Common Council of the City of Danbury:

State Project No. 34-270 (Thorpe Street Extension)  
State Project No. 34-271 (Old Newtown Road)  
Federal-Aid Project No. BRZ-6034(1) and (2)

THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to execute the AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DANBURY FOR THE DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS AND ESTIMATES UTILIZING ISTEAFUNDING for the replacement of both the Thorpe Street Extension Bridge and the Old Newtown Road Bridge, together with such other documents as may be necessary for the accomplishment of the purposes thereof.

Mr. Boynton made a motion that the communication be accepted and the resolution adopted. Seconded by Mr. Charles. Motion carried unanimously.

13 - COMMUNICATION - Letter from Director of Parks and Recreation Director Bob Ryerson requesting permission to accept the donation of a batting cage for youth baseball from the Bambino Baseball Organization. Mrs. Coladarci made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

14 - COMMUNICATION - Request for sewer and water extensions on Eagle Road and International Drive. Mr. DaSilva asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Dennehy, Levy and Cappiello to the committee.

15 - COMMUNICATION - Request for sewers on First Street and Second Street. Mr. DaSilva asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

16 - COMMUNICATION - Request to accept College Park Drive as a City Road. Mr. DaSilva asked that this be referred to the City Engineer, the Planning Commission and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

Mr. Boynton submitted the following report:

The ad hoc committee appointed to review the request of Patricia Houyou to abate her taxes and/or interest met on March 8, 1994 at 8:35 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Levy and Scozzafava as well as Mrs. Houyou and Catherine Skurate, Tax Collector.

Mrs. Houyou informed the committee of her request and gave a litany of her problems and those of her family which she said was the reason for falling behind on her taxes. Her request was to ask the Common Council to "wipe clean the slate" to allow her to catch up so she can start fresh without this problem of the taxes and interest. Mrs. Houyou restated most of what was in her original letter to the Common Council dated November 28, 1993. Mrs. Skurat gave the committee information with regard to the history of the tax and interest problem. The taxes and interest date back to 1986. The amount owed on Lot#109118, Mr. Joseph P. Houyou, is \$20,377.91 in back taxes, interest and liens. Payments on the basic taxes of 1984, 1985 and 1986 totaled \$4,000 paid over a period of time from July 8, 1992 to November 24, 1993.

When offered an extended 18 month payment plan, the petitioner stated that she could not get any loans and could not keep up these payments. Mrs. Houyou stated that the property in question did not have a mortgage. It was suggested that there may be ways to re-finance the property and then she would be able to pay her back taxes, interest and liens. Mr. Levy said that he would provide her with information. The committee stated that while Mrs. Houyou and her family had many problems, and as sympathetic as they were, the committee felt that they were not unique and did not meet the requirement or test of Section 12-124 abatement of taxes and interest.

A motion was made by Mr. Levy to recommend denial of this request. Seconded by Mr. Scozzafava. Motion carried unanimously.

Mrs. Coladarci made a motion that the report be accepted and the request denied. Seconded by Mr. Charles. Motion carried unanimously.

18 - REPORT - Governmental Entities Review and Evaluation Committee

Mr. Boynton submitted the following report:

Members of the Committee: Council Members Ernest M. Boynton, Eileen Coladarci and Joseph Scozzafava. Danbury resident members: Rita Godfrey and Ron Nussle.

The Committee was appointed on December 7, 1993 at the regular Common Council Meeting. The committee was charged to review and evaluate these governmental entities as appeared in section 2-176: Schedule of termination of governmental entities. The following governmental entities are listed to terminate effective June 30, 1994 unless re-established in accordance with the provisions of Section 2-184.

1. The City of Danbury Cultural Commission
2. The Youth Commission
3. The Commission on the Status of Women
4. The Commission on Aging
5. The Parking Authority of the City of Danbury

The Chairman sent letters to each of the above governmental entities explaining that as per the Code of Ordinances Section 2-175 and 2-187 they were scheduled to terminate on June 30, 1994 unless re-established by action of the Common Council. Each governmental entity was asked to respond to the committee by answering the seven questions as per Sec. 2-181. On March 8th the committee met to review the responses and conduct its audit to determine the merits of re-establishing or terminating each governmental entity.

The committee conducted its review and audit of the governmental entities and their responses and determined that each of the following entities have established its merit and should be re-established for a period of five years:

1. The City of Danbury Cultural Commission
2. The Youth Commission
3. The Commission on the Status of Women
4. The Commission on Aging.

In each case the committee voted unanimously to re-establish.

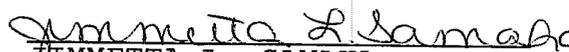
On March 14, 1994 at 8:00 P.M. the committee met to conduct its evaluation and audit as per section 2-178 of the Parking Authority of the City of Danbury. The committee reviewed the response to its inquiry and had a lengthy discussion regarding its service and budget.

After careful review the committee voted 4-0 to reestablish the Parking Authority of the City of Danbury for a period of five years.

Mr. Levy made a motion that the report be accepted and deferred to Public Hearing. Seconded by Mr. Cappiello. Motion carried un-animously.

The Mayor extended all committees.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk