

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

Re: Minutes of the Common Council Meeting held April 7, 1992

The meeting was called to order at 7:33 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT - Scalzo, Falzone, Arconti, Coladarci, Boynton, Dennehy, Setaro, DaSilva, John Esposito, Dean Esposito, Outlaw, Cassano, Charles, Boughton, Cipriani, Scozzafava, Trocolla

ABSENT - Fazio, Gallo, Gogliettino, Butera

Mr. Gallo had a previous committment

PUBLIC SPEAKING

1. Hans Collishon, 3 Tucktaway Lane - spoke in favor of changing house numbers on Long Ridge Road. Recounted a dangerous situation that occurred with 911.

(At 7:38 P.M. Mrs. Gogliettino arrived and was marked present).

2. Jean Rosato, Long Ridge Road - spoke in favor of renumbering Long Ridge Road.

3. John Falvo, Franklin Street - spoke regarding violations at 84 Franklin Street, Friendly Food Store.

4. Lynn Waller, 83 Franklin Street - Thanked the Common Council for holding the ad hoc committee meeting regarding the request for a Charter Revision Commission. They will be forced to collect signatures. Mr. Boynton was surprised to learn that the Mayor's budget would be implemented if a referendum rejected the Council's budget. Taxpayers are not as informed as Council Members, but they will be.

5. Hilda English, Long Ridge Road - spoke in favor of changing numbers on Long Ridge Road.

6. Barbara Monsky, 14 Shepard Road - strange that the Conservation Commission was not included in the meeting on the Old Quarry Nature Center Residence lease. Not in favor of present tenant.

7. Peggy Wahlberg, 1 Padanaram Road - Asked if there was funding for the War Memorial in the new budget. Feels that there are other agencies that could use these funds. Was not in favor of non-residents joining the War Memorial. Asked the Council to reconsider any funding for War Memorial.

8. Joseph Rosato, Long Ridge Road - Stated that a lot of good points that came up at the ad hoc committee meeting on the Charter Revision Commission were not included in the report. The Common Council will not keep his group from getting the required signatures to force a Charter Revision Commission. Does not feel that anyone on the Common Council is really listening. School contracts should be opened.

(At 8:00 P.M. Mr. Fazio arrived and was marked present).

9. Lyle Schuler, 151 Shelter Rock Road - questioned why there is any additional funding for the War Memorial. Handed out information on revenues at War Memorial. Requested that the Common Council look closely at War Memorial funding. It is not a City agency. It is a private Corporation.

10 - Ed Tran, 124 Coalpit Hill Road - People may change their government at any time. However, mechanism to do this was left out of law.

11 - Monica LeCoz - 26 Woodbury Drive - Police Officers should not be driving City cars to their homes for lunch.

(At 8:10 P.M. Mrs. Butera arrived and was marked present).

MINUTES - Minutes of the Common Council Meeting held March 3, 1992. Mr. DaSilva made a motion that the minutes be accepted 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. Scozzafava Motion carried unanimously.

CONSENT CALENDAR - The Consent Calendar was presented by John Esposito

- 7 - Approve application for Local Capital Improvement Program
- 10 - Approve ARROW Grant for \$29,567
- 11 - Approve application for Northeast Utilities Tree Planting Program for \$5,000
- 12 - Approve Downtown Special Services District Tax Rate at 1.765 Mills
- 13 - Approve Mill Plain Road Sanitary Sewer Easement
- 14 - Approve appointment of Robert Gentry to Parks and Recreation Commission
- 15 - Approve reappointment of Robert Smart to Candlewood Lake Authority
- 16 - Approve reappointments of Michael Sibbitt and Richard Elder to the Planning Commission
- 7 - Approve reappointments of Barbara Feinson, Robert Ochs, Glenda Armstrong, Stasia Ziobowski and Eleanor Powers to the Youth Commission
- 8 - Approve reappointment of Cora Hord and Ileana Velasquez to the Commission on the Status of Women
- 7 - Approve request to donate soil to the City of Danbury Landfill
- 8 - Approve request for funds for City Clerk's Office for \$2,500
- 9 - Approve request for transfer from Airport Escrow Account to FAA water line for \$3,000
- 0 - Approve expenditure of \$500 from Danbury Housing Partnership Fund
- 1 - Approve request for allocation from Union Carbide donation to the Regional Resources Fund of \$5,000
- 3 - Approve receipt of reports from Planning Commission and City Engineer regarding Eden Drive and deny request
- 4 - Approve receipt of report from Zoning Enforcement Officer regarding Friendly Food Store and take no action at this time
- 6 - Approve receipt of report from Corporation Counsel regarding R. W. Granger & Sons, Inc. and Deicke Brothers Trucking and take no action at this time
- 3 - Approve Voting Districts for City of Danbury House Districts
- 4 - Approve ordinance concerning Zoning and Planning Commission Alternates
- 6 - Approve request for rights on Old Segar Street for \$2,000
- 7 - Approve report on Leash Law
- 9 - Approve report from Government Entity Review and Evaluation Committee and defer to public hearing
- 0 - Approve report regarding sale and deposit bottles and cans
- 1 - Approve progress report on Dancon Acquisition
- 2 - Approve receipt of progress report on PAL Soccer Complex

Mr. Charles made a motion that the Consent Calendar be adopted as read. Seconded by Dean Esposito. Motion carried with Council Members Fazio, Outlaw, Boughton and Scozzafava voting in the negative.

ANNOUNCEMENTS

- April 4th - Janet and Louis Butera will celebrate an anniversary
- April 14th - Eileen and Emil Coladarci will celebrate an anniversary
- April 15th - Council Member Kathy Dennehy will celebrate a birthday as will Council Member Don Boughton
- April 19th - Airport Administrator Paul Estefan will celebrate his 42nd birthday!
- May 3rd - Corporation Counsel Eric Gottschalk will celebrate his birthday
- April is Alcohol Awareness Month
- April 2th - Leukemia Bowl-a-Thon
- April 15th - Amos House will celebrate its 10th Anniversary
- April 17th - City Hall will be closed - Good Friday and Passover
- April 22nd - Earth Day
- April 24th - Arbor Day

BUDGET MESSAGE - Mayor Eriquez presented his budget message outlining the total City operating budget, including education, for fiscal year 1993 total \$109,920,337. This reflects a \$2,771,359 or 2.6% increase over the 1991-92 budget. The full text of his speech is on file in the Office of the City Clerk.

1 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for fiscal year beginning July 1, 1992 and ending June 30, 1993; and a RESOLUTION levying the property tax for the fiscal year beginning July 1, 1992 and ending June 30, 1993. Mr. DaSilva asked that the Ordinance be deferred to Public Hearing and to the appropriate budget committees.

2 - COMMUNICATION - Landfill Enterprise Fund.- Mr. Falzone asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Cassano, Butera and Scozzafava to the committee.

3 - RESOLUTION - Landfill Rates. Dean Esposito asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

4 - ORDINANCE - Water Rates. Mrs. Gogliettino asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

5 - ORDINANCE - Sewer Rates. Ms. Dennehy asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

6 - COMMUNICATION & CERTIFICATION - Letter from Mayor Eriquez seeking transfers of funds from the Town Improvement Program. Certification of Funds was attached. Mr. Scalzo made a motion that the communication be accepted and the transfer of funds authorized. Seconded by Mr. Charles.

Mr. Boughton stated that he was concerned about the \$50,000 transfer from the Community Action Daycare Center. He feels that this should be reallocated as they now have a site and will proceed eventually. Mayor Eriquez stated that since the funds have not been expended within the three year limit they have lapsed. Mrs. Gogliettino asked that because they have lapsed are they usable. Dom Setaro stated that they can be reappropriated.

Mr. Boynton moved the question. Seconded by Mr. Falzone. Motion carried with Mr. Boughton and Mrs. Outlaw voting in the negative. Main motion carried unanimously.

7 - COMMUNICATION & RESOLUTION - Local Capital Improvement Program.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$109,000 to cover the costs of Triangle Street Bridge replacement; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five-year period by the Danbury Planning Commission on February 13, 1992; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

034-88-010	City Hall Roof Replacement and/or Repair	\$ 65,311.00
034-88-020	Replacement of Tanks and Boilers in City Buildings	220,875.00
034-88-050	Rebuild and/or Repave Highways	83,617.00
034-89-010	Cross Street Bridge Replacement	35,775.00
034-89-020	Repair and/or Replace Roofs - City Buildings	176,700.00
034-89-030	Water Services - Tarrywile Park	123,668.23
034-90-010	Rebuild and/or Repave Highways	59,945.00
034-91-010	Rebuild/Repave Roads	517,828.42

Uncompleted Projects

034-89-070	Replace Cross Street Bridge	234,245.00
034-90-020	Downtown Green Design	35,000.00
034-90-040	Roof Replacement - Fire Dept./ Police Maintenance	95,000.00
034-92-010	Downtown Green Improvement	115,000.00
034-92-020	Library Book Security System	40,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$109,000 for the Triangle Street Bridge replacement to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

WHEREAS, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(4) of the General Statutes of the State of Connecticut; and

WHEREAS, the City of Danbury desires to make application for a State grant in the amount of \$100,000 to cover the costs of Cross Street Bridge replacement; and

WHEREAS, said project is consistent with the City of Danbury's capital improvement program authorized for a five-year period by the Danbury Planning Commission on February 7, 1989 and February 7, 1990; and

WHEREAS, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

WHEREAS, the Common Council hereby approves said project and its financing; and

WHEREAS, the City of Danbury has received no prior local capital improvement grants under Connecticut General Statutes Section 7-536(4) except for completed and reimbursed project numbers:

034-88-010	City Hall Roof Replacement and/or Repair	\$ 65,311.00
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034-92-010	Downtown Green Improvement	115,000.00
034-92-020	Library Book Security System	40,000.00

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$100,000 for the Cross Street Bridge replacement to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

8 - ORDINANCE - Collection of Water Rents - Abatement. Ms. Dennehy asked that this be deferred to public hearing. Mayor Eriquez so ordered.

9 - RESOLUTION - Women, Infants and Children Supplemental Nutrition Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the U.S.D.A. has made grant funds available from October 1, 1991 through September 30, 1992 to full-time local health departments to be used for the Women, Infants, and Children's Supplemental Nutrition Program; and

WHEREAS, the City of Danbury through the Danbury Health Department has formulated a W.I.C. Program for Danbury area residents; and

WHEREAS, a grant renewal of \$160,340.00 was prepared by the Danbury Health Department and approved by the Common Council on September 4, 1991; and

WHEREAS, the State of Connecticut Department of Health Services has notified the Danbury Health Department that its eligibility for funding renewal has been increased from the original \$160,340 to a total inclusive amount of \$175,471.00 for fiscal year 1992;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Danbury Health Department and Gene F. Eriquez, Mayor of the City of Danbury, are hereby authorized to apply for said total grant of \$175,471.00 and that any prior actions taken by the Mayor and the Danbury Health Department in connection with the application for said grant funds are hereby ratified and any further actions required to accomplish the goals of the program are hereby approved.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is authorized to make and execute any and all contracts or amendments thereof on behalf of the City of Danbury with the State of Connecticut Department of Health Services in connection with this grant renewal.

Mr. Boynton made a motion that the Resolution be adopted. Seconded by Dean Esposito. Mr. Boughton had a question about the language in the fifth paragraph. Mr. Gottschalk explained that it was standard language but the Council could amend it. Motion carried with Mr. Boughton voting in the negative.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Alcohol and Drug Abuse Commission, an independent agency attached to the Connecticut Department of Mental Health, has approved, under its AIDS Prevention and Outreach Program, an ARROW grant in an amount not to exceed \$29,567 for the funding period of April 1, 1992 through December 31, 1992, with no matching funds from the City of Danbury required; and

WHEREAS, said grant would be used to continue to provide AIDS prevention / risk reduction education to people who are at highest risk of infection, including injection drug users and their partners; and

WHEREAS, the ARROW Program serves the City of Danbury and the surrounding communities;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Any and all prior acts of William J. Campbell, Director of Health, Susan Durgy, Health Department Aids Coordinator and Gene F. Eriquez, Mayor of the City of Danbury, in making application for said grant are hereby ratified and that the Mayor and said authorized personnel of the Danbury Health Department are hereby authorized to accept grant funds of \$29,567 for the funding period of April 1, 1992 through December 31, 1992 in accordance with the purposes set forth in the grant application.

2. That Mayor Gene F. Eriquez or William J. Campbell, Director of Health, or his designee, are hereby authorized to execute any and all documents necessary to effectuate the purposes of said grant award.

The Resolution was adopted on the Consent Calendar.

11 - RESOLUTION - Northeast Utilities Tree Planting Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Northeast Utilities will make available to the City of Danbury Forestry Department grant funds of \$5,000 as part of its Tree Planting Program upon completion of the City of Danbury's application for said funding and approval thereof; and

WHEREAS NU's Tree Planting Program is being developed in cooperation with the Connecticut Urban Forest Council, the Department of Environmental Protection and the Cooperative Extension Service; and

WHEREAS, the City will be eligible for such grant funds once every four years and the final date for submission of the City's application under the current funding program is April 15, 1992; and

WHEREAS, the funds will be used to replace trees and underbrush which has been removed during utility trimming operations; and

WHEREAS, the Forestry Department will undertake its spring project from April 1 to June 1, 1992 and its fall project from September 1 to October 15, 1992 at Franklin Street Park, Farview Avenue, Main Street, Downs Street, Osborne Street and the Germantown Road area; and

WHEREAS, the method of funding will be reimbursement before expenditure is made, with financial reporting requirements;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Richard K. Smith, Tree Supervisor, are hereby authorized to apply for said \$5,000 grant through the submission of a funding proposal to the Connecticut Light and Power Company, to accept said grant funds from Northeast Utilities / Connecticut Light & Power Company, if offered, and to take any and all actions necessary to effectuate the purposes of said proposal.

The Resolution was adopted on the Consent Calendar.

12 - RESOLUTION - Downtown Special Services District Tax Rate

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY DOWNTOWN SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 1992 AND ENDING JUNE 30, 1993

SECTION 1. The sum of ONE HUNDRED EIGHTEEN THOUSAND, NINE HUNDRED TWENTY-TWO DOLLARS (\$118,922) representing the gross appropriation for the City of Danbury Downtown Special Services District of NINETY-EIGHT THOUSAND, NINE HUNDRED TWENTY-TWO DOLLARS (\$98,922) for the fiscal year beginning July 1, 1992 and ending June 30, 1993, and minus indirect revenue of \$ - 0 -, and minus estimated available "Surplus" of \$ - 0 -, plus uncollectible taxes reserve in the amount of TWENTY THOUSAND DOLLARS (\$20,000) is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the corrected annual Grand List as of October 1, 1991.

SECTION 2. Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 1992 and ending June 30, 1993 with respect to said property interests within said District shall be as follows:

TAX RATE: 1.765 MILLS

SECTION 3. The taxes levied and assessed as herein provided shall be due and payable in four equal installments on July 1, 1992, October 1, 1992, January 1, 1993 and April 1, 1993 except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 1992 in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning on July 1, 1992 and ending June 30, 1993.

The Resolution was adopted on the Consent Calendar.

13 - RESOLUTION - Mill Plain Road Sanitary Sewer Easement

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to acquire an interest in real property sufficient to allow the proper installation of the Mill Plain Road sanitary sewer authorized by the Common Council at its February 4, 1992 meeting; and

WHEREAS, said installation will involve public use of private property, specifically the property as depicted and described on the attached Schedule A entitled "Sanitary Sewer Easement George J. David, Trustee;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel be and hereby is authorized to acquire private property interests in the above-referenced property either by negotiation or by eminent domain through the institution of suit against the current property owner, his respective encumbrancers and mortgage holders, if any, his heirs, executors, administrators and assigns.

The Resolution was adopted on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez asking for the confirmation of Robert Gentry for a term on the Parks and Recreation Commission to expire December 1, 1992. The appointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Letter from Mayor Eriquez seeking the confirmation of the reappointment of Robert Smart to the Candlewood Lake Authority for a term to expire April 1, 1995. The reappointment was confirmed on the Consent Calendar.

16 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Michael Sibbitt and Richard Elder to the Planning Commission for terms to expire January 1, 1995. The confirmation was given on the Consent Calendar.

17 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointments of Barbara Feinson, Robert Ochs, Glenda Armstrong, and Eleanor Power to the Youth Commission for terms to expire April 1, 1995 and Stasia Ziobrowski for a term to expire April 1, 1994. The reappointments were confirmed on the Consent Calendar.

18 - COMMUNICATION - Letter from Mayor Eriquez seeking the confirmation of the reappointments of Cora Hord and Ileana Velazquez to the Commission on the Status of Women for terms to expire April 1, 1995. The confirmation was granted on the Consent Calendar.

19 - COMMUNICATION - Appointment to the Richter Park Authority
WITHDRAWN

20 - COMMUNICATION - Appointments to the Tarrywile Park Authority
WITHDRAWN

21 - COMMUNICATION - Letter from Director of the Department of Elderly Services seeking permission to accept donations in the amount of \$1,300 from Hughes Danbury Optical Systems, Inc. and \$500 from the Rotary Club. Mr. Setaro made a motion that the communication be accepted, the proper line item credited and letters of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

22 - COMMUNICATION - Letter from Director of Parks and Recreation Robert Ryerson seeking permission to accept a gift in the value amount of \$8,900 from the Danbury Athletic Youth Organization. Mrs. Coladarci make a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Fazio. Motion carried unanimously.

23 - COMMUNICATION - Letter from Bobbi Feinson seeking permission to to accept a donation in the amount of \$100 from Grolier for the Youth Commission. Mr. Arconti made a motion to accept the donation, credit the proper line item and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

24 - COMMUNICATION - Letters from Tree Warden Richard Smith seeking permission to accept donations in the amount of \$100 from the Rotary Club and \$100 from the Danbury Garden Club. Mr. Boynton made a motion that the donations be accepted, the proper line item credited and letters of thanks

sent. Seconded by Mrs. Outlaw. Motion carried unanimously.

25 - COMMUNICATION - Donation of a Traffic Light from Union Carbide Corporation. Mr. Scalzo asked that this be referred to an ad hoc committee consisting of Chief of Police, Traffic Engineer and Director of Finance. Mayor Eriquez so ordered and appointed Council Members Cipriani, Outlaw and Fazio to the committee.

26 - COMMUNICATION - Letter from Fire Chief Antonio Lagarto seeking permission to accept a donation in the amount of \$440 from the Independent Insurance Agents of Danbury for the purchase of two Supra NC Noise-Canceling Headsets for the 911 Center. Seconded by Dean Esposito. Motion carried unanimously.

27 - COMMUNICATION - Request from George P. Valluzzo seeking to donate topsoil to the Danbury Landfill. The donation was accepted on the Consent Calendar.

28 - COMMUNICATION & CERTIFICATION - Request from the City Clerk's Office for funds in the amount of \$2,500. Certification of funds was attached. The request was granted on the Consent Calendar.

29 - COMMUNICATION & CERTIFICATION - Request from Airport Administrator Paul Estefan to transfer \$3,000 from the Airport Escrow Account to the FAA Water Line. Certification of Funds was attached. The request was granted on the Consent Calendar.

30 - COMMUNICATION - Letter from the Fair Housing Officer requesting approval of the expenditure of \$500 from the Danbury Housing Partnership affordable Housing fund for educational workshops. The request was granted on the Consent Calendar.

31 - COMMUNICATION - Letter from Mayor Eriquez asking for approval to allocate \$5,000 from the Union Carbide donation to the Regional Resource Fund. The request was granted on the Consent Calendar.

32 - COMMUNICATION - Request to purchase City property on Route 37 and Padanaram Avenue. Mr. Falzone asked that this be referred to the Director of Planning, the Planning Commission and the City Engineer for a report back in thirty days. Mayor Eriquez so ordered.

33 - COMMUNICATION - Reports from the Planning Department and the City Engineer recommending not changing the name of a portion of Eden Drive. The reports were accepted on the Consent Calendar and the request denied.

34 - COMMUNICATION - Report from Zoning Enforcement Officer regarding zoning violations at 84 Franklin Street. The report was accepted on the Consent Calendar with no action taken at this time.

35 - COMMUNICATION - Report from Tax Assessor regarding Rockwood Lane. Mr. DaSilva made a motion to accept the report and put the property out for general bid at a opening price of \$20,000. Seconded by Mr. Charles. Motion carried unanimously.

36 - COMMUNICATION - Report from Corporation Counsel regarding R. W. Granger & Sons and Deicke Brothers Trucking explaining the situation with the Danbury High School project. The report was accepted on the Consent Calendar with no action taken at this time.

37 - COMMUNICATION - Report from Planning Direction regarding renumbering of Long Ridge Road. Mr. Setaro asked that this be referred to an ad hoc committee and the Director of Planning. Mayor Eriquez so ordered and appointed Council Members Dennehy, Setaro and Boughton to the committee.

38 - COMMUNICATION - Draft Agreement regarding the South Street Watershed Drainage Study. The study is intended to investigate chronic drainage problems in the area. Mr. Trocolla made a motion to accept the communication, authorize the Mayor to enter into negotiations and authorize the transfer of funds pending certification. Seconded by Mr. Charles. Motion carried unanimously.

39 - COMMUNICATION - Consent Order No. 1238A bringing the City of Danbury into compliance with state and federal regulations regarding replacement of boilers at Danbury High School and Broadview Middle School

Mr. DaSilva made a motion to accept the communication and authorize the Mayor to sign the necessary documents. Seconded by Dean Esposito. Mr. Boughton asked who the contractor is. The Mayor stated that it is WFM Contractors. Motion carried unanimously.

40 & 41 - Mr. DaSilva made a motion to move these items to the end of the agenda for Executive Session. Seconded by Mr. Charles. Motion carried unanimously.

42 - DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Parks and Recreation, Health & Housing, Department of Elderly Services, Police Chief, Engineering, Highways. Mr. DaSilva made a motion to accept the Department Reports as submitted and to waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mrs. Outlaw. Motion carried unanimously.

43 - REPORT & ORDINANCE - Voting Districts for City of Danbury House Districts.

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 7:08 P.M. on March 16, 1992 to review the Designated Voting Precincts in the City of Danbury. This is a designation of the three General Assembly Districts in the seven municipal wards. This was made necessary by the recent re-districting of the General Assembly. Mr. Charles moved to recommend approval of the Designated Voting Precincts as proposed. The motion was seconded by Mr. Setaro and carried unanimously.

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

THAT Section 2-4.2 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

Sec. 2-4.2. Voting precincts designated.

Hereafter, there shall be fifteen (15) voting precincts within the limits of the City of Danbury as designated below:

1. That portion of the 138th Assembly District situated within the first municipal ward shall be designated as 1-138.
2. That portion of the 109th Assembly District situated within the first municipal ward shall be designated as 1-109.
3. That portion of the 110th Assembly District situated within the first municipal ward shall be designated as 1-110.
4. That portion of the 138th Assembly District situated within the second municipal ward shall be designated as 2-138.
5. That portion of the 109th Assembly District situated within the second municipal ward shall be designated as 2-109.
6. That portion of the 110th Assembly District situated within the second municipal ward shall be designated as 2-110.
7. That portion of the 109th Assembly District situated within the third municipal ward shall be designated as 3-109.
8. That portion of the 109th Assembly District situated within the fourth municipal ward shall be designated as 4-109.
9. That portion of the 110th Assembly District situated within the fourth municipal ward shall be designated as 4-110.
10. That portion of the 138th Assembly District situated within the fifth municipal ward shall be designated as 5-138.

11. That portion of the 110th Assembly District situated within the fifth municipal ward shall be designated as 5-110.
12. That portion of the 138th Assembly District situated within the sixth municipal ward shall be designated as 6-138.
13. That portion of the 110th Assembly District situated within the sixth municipal ward shall be designated as 6-110.
14. That portion of the 138th Assembly District situated within the seventh municipal ward shall be designated as 7-138.
15. That portion of the 110th Assembly District situated within the seventh municipal ward shall be designated as 7-110.

The report and ordinance were adopted on the Consent Calendar.

44 - REPORT & ORDINANCE - Zoning and Planning Commission Alternates

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:08 P.M. on March 16, 1992 to review a proposed ordinance concerning alternates to the Planning and Zoning Commissions. The proposal denoted the powers and duties of the alternates and the method of selection of these alternates. No one spoke at the preceding public hearing, but a letter from Associate Planner Dan Leppo was received. In this letter, Mr. Leppo communicated the opinion of the Planning Commission on the choosing of the alternates. They recommend that the alternates be chosen solely by the Chair of either Commission, rather than have the option of this designation by a regular member.

Mr. Falzone moved to recommend approval of the proposed ordinance with the exception of the choosing of an alternate member by a regular member. The motion was seconded by Mr. Boughton and passed unanimously.

The report and ordinance were approved on the Consent Calendar.

45 - REPORT - Request for Charter Revision Commission

Mr. DaSilva submitted the following report:

The Common Council Committee appointed to review a request to form a Charter Revision Commission to establish a provision for an automatic referendum on the annual budget met at 7:30 P.M. on March 24, 1992 in City Hall. In attendance were committee members DaSilva, Dean Esposito and Scozzafava. Also in attendance were Assistant Corporation Counsel Les Pinter, Assistant City Clerk Jimmetta Samaha, the petitioner Lynn Waller and several members of the community and Council Member Eileen Coladarci, ex-officio.

A number of comments from those attending were directed to the committee in favor of the proposed Charter Revision. The thrust of the comments related to allowing the citizens a final say in each budget. It was proposed that the prevailing tax rate be extended past the end of each fiscal year until any referenda are concluded or to devise a formula that would bring about a referendum if exceeded. It was stated that the present system of presenting a budget is not effective and that citizens should have the prerogative of turning down the budget each year. Most criticism of the budget was directed toward the Board of Education and the escalating cost of education.

The committee responded that the present form of government was established following consolidation in the 1960s, purposely following a strong mayoral form of government. The Common Council's main responsibility is to formulate the yearly budget. This form of government has worked very well through the years, especially during the present hard economic times. The City of Danbury was the only major City in the State of Connecticut to present a budget with no tax increase for the present fiscal year. The City has prepared prudent budgets in all departments, saving substantial money in all areas. It was further stated that the lack of an approved budget at the beginning of the fiscal year will cause confusion and a possible substantial expenditure to borrow sufficient funds to meet commitments. In the case of no tax collections at all, this cost could exceed \$500,000.

Mr. Scozzafava moved to take no action on this request at this time pending a petition drive by citizens of Danbury to bring about a Charter Revision Commission and to take an appropriate action if sufficient signatures are obtained. The motion was seconded by Dean Esposito. Motion carried unanimously.

Mr. Falzone made a motion to accept the committee report as read. Seconded by Mrs. Outlaw.

Mr. Boughton stated that the Common Council takes a bunker mentality on this type of issue. This request should not scare the Council. If they win the Council does as they want, if not the Council goes on as before. Mr. DaSilva stated that the report does not reflect a scared attitude. When the Council is asked to change the framework of government it must take a very close look. Eight to ten people spoke in favor of this change. There are 65,000 people in Danbury. Petitions would show wide range support

Mr. Boynton stated that this administration has produced prudent budgets with no tax increases. The petitions should make sure they let people know what they are asking them to sign.

Mrs. Gogliettino feels that the push for Charter Revision is based on how money is spent for the Board of Education. There are public forums that would be a better forum for discussion.

Motion carried with Mr. Boughton voting in the negative.

46 - REPORT - Request to obtain rights in Segar Street

Mr. Setaro submitted the following report:

The Common Council Committee appointed to review a request of a property owner to obtain rights in what is referred to as "old" Segar Street met at 7:00 P.M. on March 18, 1992 in Room 432 of City Hall. In attendance were committee members Setaro and Boughton. Also in attendance were Acting Corporation Counsel Eric Gottschalk, City Engineer Jack Schweitzer and Attorney A. Peter Damia.

Mr. Boughton moved to waive the rules. Seconded by Mr. Setaro. Motion passed unanimously.

Mr. Setaro stated that the Planning Commission, at the February 5, 1992 meeting, recommended that the City accept \$2,000.00 in return for a quit claim deed for a portion of Segar Street, while retaining any easements the City might have in the parcel.

Attorney Damia explained that he seeks that the City convey to his client, whose property abuts the parcel at issue, that portion of Segar Street which is no longer in use, located on the left of Mill Plain Road, west of the I-84 overpass. Although the Planning Commission established that the City does not own this portion of Segar Street, conveyance is sought in order to clear the title of the parcel with regard to City ownership. He also stated that the City would be granted any easements which may be needed for future use.

Mr. Schweitzer explained that this parcel has not been used as a road since prior to the construction of I-84 in the early 1960's. He added that the City does not have nor will it need drainage rights in the property since the State had addressed the drainage questions in the area.

Mr. Gottschalk explained that since the City had not used the roadway in many years and did not hold title to it, the abutting landowners would own up to the center of the

parcel. He recommended that the Council accept the offer as Attorney Damia was willing to accept a quit claim deed for the parcel in return for reasonable monetary value. A quit claim deed only conveys that interest which the City holds in the parcel.

After discussion, Mr. Boughton moved that the committee recommend to the full Common Council that the City convey by quit claim deed that portion of Segar Street in question to Attorney Damia's client for \$2,000.00 based upon the Planning Commission recommendation and recommendation of the City Engineer that the City has no need for drainage easements in the parcel. Seconded by Mr. Setaro. Motion passed unanimously.

Mr. Boughton moved that the meeting adjourn at 7:30 P.M. Seconded by Mr. Setaro. Motion passed unanimously.

The report was accepted on the Consent Calendar.

47 - REPORT - Leash Law

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the possibility of enacting a leash law met at 8:00 P.M. in Room 432 in City Hall on March 23, 1992. In attendance were committee members Falzone and Cipriani. Also in attendance were Canine Control Officer Charles Farrar, Assistant Dog Warden Ronald Newton, Mr. and Mrs. Riley, Brenda Korona, Dana Road constituents and Assistant Corporation Counsel Les Pinter.

A motion was made by Mr. Cipriani to waive the rules, seconded by Mr. Falzone and passed unanimously. Mr. Pinter explained that there is a roaming dog statute 22-64 which provides that no dog shall roam and that other cities have enacted a leash law that patterns itself after this statute. Mr. Falzone asked Mr. Farrar if a law is enacted can his office enforce it. The response was negative. Mr. Farrar stated that as of this time he cannot even enforce the roaming dog statute because of a lack of manpower and that by adopting this law we would be creating a law that was unenforceable.

After further discussion, Mr. Cipriani made a motion that when the City has the extra funds, at the Mayor's discretion, we should hire extra manpower for the Canine Control Officer. Seconded by Mr. Falzone. Motion carried unanimously.

The report was accepted on the Consent Calendar.

48 - REPORT - Old Quarry Nature Center Lease - WITHDRAWN

49 - REPORT - Governmental Entity Review and Evaluation Committee

Mr. Boynton submitted the following report:

The Governmental Entity Review and Evaluation Committee met twice and held one public hearing on the subject of re-establishing the following Governmental Entities as outlined in the Code of Ordinances of the City of Danbury, Section 2-175 through 2-187 inclusive.

1. Stanley Lasker Richter Memorial Park Authority
2. Commission on Persons with Disabilities

After due consideration, it is the recommendation of this committee that the Common Council re-establish both Commissions as per Section 2-184 for a period of five years. The motion to re-establish both agencies was made by Mrs. Coladarci and seconded by Mr. Scozzafava. The motions carried unanimously.

The report was adopted on the Consent Calendar.

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the above met on March 16, 1992 in Room 432 in City Hall at 7:30 P.M. In attendance were committee members Boynton and Arconti. Also in attendance were Superintendent of Public Utilities William Buckley and Director of Landfill Operations Deborah Russo.

Mr. Buckley explained that vast amounts of dollars are not expected and an estimated \$2,000 - \$5,000 might be recouped via the sale of cans and bottles at the sale price of 5 cents per unit. The wood which cannot be added to the landfill and will be later be removed via the transfer station at a fee or given away as in the past. Mr. Buckley estimates that hundreds of cords of wood could be sold each year at a fair market value price set by the City Purchasing Agent.

Mr. Arconti moved to recommend that the Common Council give its approval to Mr. Buckley to sell wood, bottles and cans at fair market value and all funds be retained in the Landfill Enterprise Fund. Seconded by Mr. Boynton. Motion carried unanimously.

The report was adopted on the Consent Calendar.

51 - PROGRESS REPORT - Dancon Acquisition

Ms. Dennehy submitted the following report:

The Common Council Committee appointed to review the acquisition of the Dancon Water System meet on March 5, 1992 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Dennehy and Boughton. Also in attendance were Corporation Counsel Eric Gottschalk, Superintendent of Public Utilities William Buckley, Director of Finance Dominic Setaro, Sam Showah of Dancon and residents from Schoolhouse Drive, (Mary and Michael Gallagher, Diane Leonard Sadowski, Ellen Boyle and Barry Rickert). Committee Member Michael Falzone was absent.

Mr. Boughton made a motion to suspend the rules to allow those at the meeting to speak. Seconded by Miss Dennehy and passed un-animously. Mr. Buckley explained the history of the Dancon Water Systems. Mr. Buckley stated that his department has done some research on the systems. There are six (6) Dancon independent water systems located in the City of Danbury. They are located on Briar Ridge, Ridgebury Estates, Willow Run, Middle River Road, Ridgeview Gardens, and Sherwood Forest. Mr. Buckley presented a petition by the residents of Schoolhouse Drive for the City to look into acquiring the water systems. He explained that the City and Mr. Showah are currently in the process of negotiating a potential price to purchase the water systems. Mr. Boughton asked where the money for these acquisitions would come from. Mr. Buckley stated it would come from the Water Fund. The general taxpaying population would not be affected. The money would not come from the tax base. This issue would be addressed in the negotiation process when finalized.

Residents asked Mr. Buckley various questions regarding the procedure of negotiations and if there were any deadlines. Mr. Buckley said that there were no deadlines but he felt they were progressing nicely and attempting to come up with a number as soon as possible. One resident stated that it is a matter of health reasons. She and the rest of the residents in attendance were in favor of the City acquiring the systems.

Mr. Boughton made a motion for the City to continue with the negotiations and report back to the committee as soon as an agreement can be reached. Seconded by Mr. Dennehy. Miss Dennehy told the residents that they would be notified when the next committee meeting would be held. The motion carried unanimously.

The Progress Report was adopted on the Consent Calendar.

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review land for a soccer complex met on March 23, 1992 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Falzone, Gogliettino and Fazio. Also in attendance were Council Member Kathy Dennehy, ex-officio, Tom Purcell, Paula Grube, Richard Knapp, Jeff Gorton and Ed Blair of the Danbury Youth Soccer and Robert Ryerson, Director of Parks and Recreation.

Mr. Purcell explained the need for the soccer complex to Mrs. Gogliettino who is a new member of the committee. He also submitted a petition with over 200 signatures of parents involved in the program as proof of support for the program. Mr. Purcell went on to explain that the parcel of land they have selected is located next to Marjorie Reservoir across from Bear Mountain Road. Mr. Falzone explained the need for the Director of Public Utilities, the Planning and Environmental Impact Commission approvals before any land can be leased to the Danbury Youth Soccer Program.

Ms. Gogliettino made a motion to refer the use of the land to the Environmental Impact Commission, the Planning Commission and the Superintendent of Public Utilities to report back in thirty days. The lot numbers are G05001 and G05007. The commissions should report whether the sites are possible for use as a soccer complex. There will be no permanent structure built on the property. Refer to Tax Assessor's Map G-4 and G-5. Seconded by Mr. Fazio. Motion carried unanimously.

The report was accepted on the Consent Calendar.

At 9:50 P.M. Mr. Scalzo made a motion to enter into Executive Session to discuss items 40 and 41. Seconded by Mr. Fazio. Motion carried unanimously.

At 10:25 P.M. Public Session was convened.

40 - COMMUNICATION - Letter from Corporation Counsel Eric Gottschalk regarding the claim of Greiner v. Metcalf & Eddy, Inc. Mr. Boughton made a motion that the settlement as outlined be accepted. Seconded by Mr. Charles. Motion carried unanimously.

41 - COMMUNICATION - Letter from Corporation Counsel Eric Gottschalk regarding Danbury v. Flaherty Giavara Associates, Inc. Mr. Boughton made a motion that the settlement as outlined be accepted. Seconded by Mr. Charles. Motion carried unanimously.

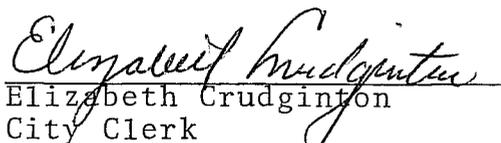
The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 10:26 P.M. by Mr. Falzone for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk