

TO: Honorable Mayor James E. Dyer - Mayor of the City of Danbury.

SUBJECT: Minutes of the Common Council meeting held on April 1, 1980.

The meeting was called to order at 8:00 O'Clock P.M. by his honor Mayor James E. Dyer, who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Frederick Visconti.

Roll Call was taken by the City Clerk, Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Councilmembers - Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, Kennedy, White, Cassano, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Burke, Butera, Evans, Fabiano, Torian.

21 Members present - None absent.

Minutes of the Common Council Meeting held on March 4, 1980.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the reading of the minutes of the previous meeting, be waived and said minutes approved and accepted. Motion carried.

Mayor Dyer, on behalf of the City, wished everyone a Happy Passover and Happy Easter.

Mayor Dyer also urged everyone to complete the Census Forms stating that it was very important for each citizen to comply with the instructions.

Birthday Greetings were also extended by the Mayor to Jean Buck of the Bridgeport Telegram.

CLAIMS - Marie Beers - Regina Shuster - Julie Korcsmaros - David Coe
Oliver G. Jakob - Letitia Bates - Mabel Mattson - Marie J. Edo.

Councilman Murray requested referral to the Claims Committee and Assistant Corporation Counsel Thomas G. West. Councilman DaSilva as Chairman of the Claims Committee.

RESOLUTION - Setting time and place for Public Hearing on the 1980-81 Budget.

A motion was made by Councilman Ryan and seconded by Councilman Murray that this Resolution be deferred until the Special Meeting of the Common Council to be held on April 7, 1980. Motion carried.

RESOLUTION - Juvenile Justice Grant re: Child Care, Child Rights & Child Abuse, Inc.

The City of Danbury to accept the Grant award re-application with the Connecticut Justice Commission in an amount not to exceed \$5,472.00 for a Juvenile Justice Grant for Youth at Risk of Delinquency with a history of Child abuse/neglect.

Upon receipt of the award from the Connecticut Justice Commission, the City of Danbury shall enter into a contract with the Danbury Regional Commission on Child Care, Child Rights and Child Abuse, Inc.

Upon receipt of the award from the Connecticut Justice Commission, the City of Danbury shall enter into a "pass through agreement" with the Danbury Regional Commission on Child Care, Child Rights and Child Abuse, Inc.

The Mayor of the City of Danbury is hereby authorized and directed to execute the Grant award and to act as the authorized representative of the City of Danbury.

A motion was made by Councilman Evans and seconded by Councilman Delsin that the Resolution be adopted.

The Resolution was adopted by a roll call vote of 6-0.

RESOLUTION - That the City of Danbury Department of Welfare is hereby authorized to make application to the State of Connecticut Department of Social Services for a State Grant under Title XX of the Social Security Act, 42 U.S.C. 1302 and 42 U.S.C. 1397a, in reimbursement for monies expended by the City during the fiscal year ending June 30, 1981 for social services under the terms of the Title XX contract.

The Director of Welfare of the City of Danbury is further authorized to execute any contracts or agreements with the State of Connecticut Dept. of Social Services regarding said Title XX grant for the fiscal year 1980-81 and to execute any other documents pertaining thereto.

The Resolution was adopted by a roll call vote of 21 Ayes No Nays, upon a motion made by Councilman Ryan and seconded by Councilman Gallo.

RESOLUTION - Contract for bus services with Candlewood Valley Bus Co.

WHEREAS, the City of Danbury entered into a contract for bus services with the Candlewood Valley Bus Company, by a document dated Dec. 27, 1977, and

WHEREAS, the contract by its terms is for the period beginning Dec. 10, 1977 and ending Dec. 10, 1978, and

WHEREAS, said contract permits annual renewal upon mutual agreement of the parties through the year 1982, and

WHEREAS, the renewal of said contract for bus service is in the public interest:

NOW THEREFORE, be it resolved by the Common Council of the City of Danbury that Mayor James E. Dyer be and hereby is authorized to execute the enclosed Addendum to the above reference contract.

Addendum - Lease between City of Danbury and Candlewood Valley Bus Co. shall be renewed and extended for the period from December 10, 1979 through December 10, 1980.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Resolution be adopted.

The Resolution was adopted unanimously by a roll call vote of 21 Ayes.

RESOLUTION - Requesting General Assembly to enact an act validating certain actions of the Common Council in promulgating Inland Wetland and Watercourse Regulations.

A motion was made by Councilman Ryan and seconded by Councilman Evans that the Resolution be tabled. Motion carried.

ORDINANCE - Section 2-97 - All members of the Common Council shall be ex-officio members of any committee thereof. Members in ex-officio capacity shall have no vote; and shall speak at the discretion of the chair.

A motion was made by Councilman Ryan and seconded by Councilman Delsin to defer the Ordinance for a public hearing.

A motion was then made by Councilman Walsh and seconded by Councilman Scialabba to refer the Ordinance to committee.

Mayor Dyer appointed the following members to this committee: Councilmen Murray, DaSilva, Delsin.

COMMUNICATIONS

Request of Bernard Cascio for water and sewer extension to 1 Plaza West - Mill Plain Road.

Councilman Murray requested referral to the Public Works Committee and Planning Commission.

Request of William Waters & Son for permission to dig ditch from rear of Park Avenue School to Winthrop Place.

Councilman Murray requested referral to the Public Works Committee.

Petition of Russell Dalessio and Joseph Novella to accept Country Way and Fairway Drive.

Councilman Gallo requested referral to the Public Works Committee and Planning Commission.

Petition of Russell Dalessio and Joseph Novella to accept Royal Pine Drive (Mayfair Gate).

Councilman Murray requested referral to the Public Works Committee and Planning Commission.

Petition of A. A. Canzler Inc. to construct a road on Danbury High School Property.

Councilman Gallo requested referral to the Public Works Committee and Planning Commission.

Request of Otto Eggert for maintenance of East King Street.

Councilman Torian requested referral to the Public Works Committee.

Request for assistance with Septic System on 22 Charcoal Ridge.

Councilman Gallo requested referral to the Public Works Committee.

COMMUNICATION - Ambulance Service proposal from Med-I-Chair Coach.

Councilman Ryan requested referral to an Ad Hoc Committee. Mayor Dyer appointed the following members for this committee: Councilmen Torian, Turk, Repole.

COMMUNICATION - Reconstruction of Old Sherman Turnpike - Bethel-Danbury Urban Systems

Councilman Murray requested referral to an Ad Hoc Committee. Mayor Dyer appointed the following members to this committee: Councilmen Ryan, Walsh, Gallo.

COMMUNICATION - Request from Mayor Dyer for permission to waive bidding procedures for the purchase of the bulldozer being leased at the landfill.

To date we have spent \$65,450 leasing the equipment. As noted earlier this year, a lease with option did not exist. Since that time we have obtained a credit of \$56,848 toward the purchase of the bulldozer, thereby recovering the largest part of our investment.

Since a lease with option did not exist at the original point of City payment, it is necessary to waive the bid procedures to secure the investment we've made in the bulldozer. It will be necessary for us to have two bulldozers for the adequate maintenance of the landfill.

The bulldozer is presently being repaired, due to damages caused during a fire at the landfill. The funds for the purchase are available within the refuse budget. The total price of the bulldozer is \$134,000.00.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Communication be accepted and waiver of bid authorized. Motion carried by a roll call vote of 21 Ayes - No Nays.

COMMUNICATION - Garrett & Moschetta to City of Danbury Sewer Easement-Howard Johnson Property, Federal Road.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the matter be tabled. Attorney Goldstein, Corporation Counsel for the City stated that no action need be taken as the Easement has been granted by the owner of the line.

COMMUNICATION - Request from the Catholic War Veterans for a light pole in Elmwood Park for the maintenance of a Creche at Christmas time.

Councilman Murray requested referral to committee. Mayor Dyer appointed the following members to this committee: Councilmen DaSilva, Delsin, Murray.

COMMUNICATION - Transfer of land at Danbury Airport for Henry Abbott Technical School Program.

Councilman Ryan requested referral to an Ad Hoc Committee. Mayor Dyer appointed the following members to this committee: Councilmen Gallo, Turk, Kennedy.

COMMUNICATION - Request from Police Chief N. Macedo for a committee to be appointed to discuss an ordinance to regulate the burglar alarm use in the City of Danbury.

Councilman Murray requested referral to committee. Mayor Dyer appointed the following members to this committee: Councilmen Burke, Scialabba and Councilwoman L. Rinder.

COMMUNICATION - Request from the Registrars of Voters for enactment of an Ordinance that would provide for the term of office for registrars to run for a period of four years, effective with the election of Nov. 4, 1980

Councilman DaSilva requested referral to committee. Mayor Dyer appointed the following members to this committee: Councilmen DaSilva, Delsin, Murray.

COMMUNICATION - Request of Lloyd Lumber Company to purchase Ives St. Firehouse

Councilman Murray requested referral to the Public Works Committee.

COMMUNICATION - Request of Alicia F. Tomaino of New Fairfield to rent or purchase City owned Drska property , on Chambers Road.

Councilman Gallo requested referral to the Public Works Committee and Planning Commission.

COMMUNICATION - Request of Maria Santos of Prospect Street for an Ordinance to regulate garbage pick-up time .

Councilman Delsin requested referral to committee.
Mayor Dyer appointed the following members to this committee:
Councilmen Boynton, Scialabba, White.

COMMUNICATION - Request from the City Engineer for funds to repair retaining wall on Brushy Hill Road.

Mr. John P. Edwards, Director of Finance, Acting, submitted a certification of funds in the amount of \$30,000 from the Snow & Ice Account to be transferred to a Capital Account for the retaining wall on Brushy Hill Rd.

Councilman Murray requested referral to the Public Works Committee and Planning Commission.

COMMUNICATION - from Mr. John P. Edwards, Director of Finance, Acting, stating that there will be a shortage in the Pension Account of \$295,000.

Acturial adjustment of Police & Fire Pension	
1. Post 1967 groups	\$114,585.
2. Two Year retroactive Union Agreements Police & Fire	97,000.
3. Shortage in original Budget made in original payroll estimates	<u>83,415.</u>
Total	\$295,000.

Mr. Edwards certified the funds as being available in the unappropriated fund balance.

A motion was made by Councilman Gallo and seconded by Councilman Murray that the Communication be accepted and transfer of funds authorized.

Motion carried by a roll call vote of 21 Ayes - No Nays.

COMMUNICATION & CERTIFICATION - Request from Mayor Dyer for an appropriation of \$100,000.00 to purchase additional fill, for the landfill. There is approximately two months of fill left to operate the landfill.

A Certification of funds was submitted by the Director of Finance, Acting, in the amount of \$100,000 to be transferred from the Contingency Account- \$26,244.18 and \$73,755.82 from the unappropriated fund balance, to the Refuse Disposal Account 02-03-126-047005.

A motion was made by Councilman White and seconded by Councilman Walsh that the Communication be accepted and transfer of funds authorized.

Motion carried by a roll call vote of 21 Ayes - No Nays.

COMMUNICATION - Request from the City Clerk Elizabeth Crudginton for a transfer of funds in the amount of \$200 from the Ordinance Account 01-112-022500 to the Common Council Account 01-100-040100 Office Supplies.

A motion was made by Councilman Delsin and seconded by Councilman DaSilva that the Communication be accepted and transfer of funds authorized.

Motion carried by a roll call vote of 21 Ayes - No Nays.

COMMUNICATION - Request from Councilman Thomas E. Evans for an Ad Hoc Committee to be formed to investigate the possibility of the formation of a Central Purchasing Department for the City of Danbury.

Mr. Evans feels that there can be a great savings accrued to the City, if a better method of purchasing can be instituted and brought more closely under scrutiny of one Department.

Councilman Ryan requested referral to committee.
Mayor Dyer appointed the following members to this committee:
Councilmen Evans, Walsh and Councilwoman J. Butera.

Mr. Evans explained this matter was to investigate purchasing for the School Department as well and to create an inventory control.

COMMUNICATION - Appointment of Barbara Susnitzky of 9 Field Road, to the Library Board of Directors for a term to commence this date (4/1/80) and expire January 1, 1983.

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the Communication be accepted and appointment confirmed.
Motion carried unanimously.

DEPARTMENT REPORTS

Aviation Commission	Fire Chief
Police Department	Fire Marshal
Health Inspector	Coordinator of Env. &
Housing Inspector	Occupational Health Services
Building Inspector	

A motion was made by Councilman Boynton and seconded by Councilman Ryan to dispense with reading Department Reports as all members have copies which are also on file in the Office of the City Clerk, for Public Inspection.
Motion carried.

AD HOC COMMITTEE REPORTS

REPORT Re: Landfill Ordinance.

Councilman Fabiano submitted a Public Works Committee Report stating that the committee voted to recommend 16-A of the Code of Ordinances be amended to allow an interlocal agreement to authorize other towns to use the City Landfill with the approval of the Common Council. The committee recommended that the City Clerk be requested to set the date for the Public Hearing.

A motion was made by Councilman Ryan and seconded by Councilman Walsh that the Report be accepted and Public Hearing set up. Motion carried.

REPORT Re: Petition of Mr. & Mrs. Thomas Pura - 43 East Gate Road.

Councilman Fabiano submitted a report stating that the Public Works Committee voted to recommend that the Council request the Mayor to direct the Public Works Department to do the work as stipulated in the letter of easement from Mr. Pura, provided the necessary documents are received by the Corporation Counsel.

A motion was made by Councilman Ryan and seconded by Councilman Murray to accept the Report and recommendation. Motion carried.

REPORT Re: Petition of John Grismer to purchase the Civil Defense Building on Miry Brook Road.

Councilman Fabiano submitted a Public Works Committee Report recommending that this petition be denied in accordance with the Planning Commission recommendation for denial.

A motion was made by Councilman Gallo and seconded by Councilman Walsh that the Report be accepted and petition denied. Motion carried.

Councilman Turk asked why this petition was denied and it was noted that this building is being used as a pistol range for the Police Department and may eventually be used as Police or Fire precinct.

REPORT Re: Petition of Mr. Ludlow - Grandview Avenue.

Councilman Fabiano submitted a report stating that the Public Works Committee recommends that no action be taken at this time, on this petition.

A motion was made by Councilman Delsin and seconded by Councilman DaSilva that the Report be accepted as read. Motion carried.

REPORT Re: Petition of Danbury Cemetery Association requesting that the City repair the retaining wall at the Old Balmforth Avenue School Grounds.

Councilman Fabiano submitted a report stating that the Public Works Committee has contacted the Parks & Recreation Department and has been assured that the repairs will be done as soon as weather permits.

A motion was made by Councilman Delsin and seconded by Councilman Repole that the Report be accepted as read. Motion carried.

REPORT Re: Petitions of CRRA - Solid Waste Management, SCA Solid Waste Management, Interlocal Agreement, and Solid Waste Management - Urban Action Grant.

Councilman Fabiano submitted a report stating that in view of the action taken by the Public Works Committee to continue operating the Landfill until the City reviews a commitment from E.P.A. on an engineering report determining the life of the landfill, the committee recommends to the Common Council that no action be taken at this time on the above subject petitions.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Report be accepted. Motion carried, unanimously.

REPORT Re: Petition of Thomas & Verna Watson to alleviate flooding conditions on Old Mill Plain Road.

Councilman Fabiano submitted a report stating that the Public Works Committee had requested the Public Works Department to investigate this flooding condition. Hoping to alleviate this problem, the Public Works Department has done dredging and some rerouting of the waterway.

A motion was made by Councilman Gallo and seconded by Councilman Delsin that the Report be accepted as read. Motion carried.

REPORT Re: Petition to close Cross Street Bridge.

Councilman Fabiano submitted a report stating that prior to the receipt of this petition, the Common Council at their meeting in January of 1980, had appropriated \$15,000 as the City's share for the engineering study of this bridge.

The Public Works Committee after reviewing this petition, together with the recommendation from Chief Macedo dated March 3, 1980, recommends this petition be denied.

A motion was made by Councilwoman Janet Butera and seconded by Councilman E. Torian that the Report be accepted as read. Motion carried.

REPORT & RESOLUTION - Acceptance of Bragdon Avenue & Judith Drive
(Stonegate Estates).

Councilman Fabiano, chairman of the Public Works Committee submitted a report stating that the committee has reviewed this petition and has also received favorable reports from the Planning Commission and City Engineer.

It is the recommendation of this committee that the above named roads be accepted subject to the following Resolution:

RESOLUTION - THAT BRAGDON AVENUE & JUDITH DRIVE (STONEGATE ESTATES) be accepted as a public highway of the City of Danbury, subject to the following:

1. A Ten-thousand dollar (\$10,000) cash bond be delivered to the office of the Comptroller to guarantee that the uncompleted work contained in the City Engineer's Report dated January 8, 1980, be completed by July 1, 1980.
2. A Deed and Certificate of Title, in form satisfactory to the office of the Corporation Counsel, be delivered to the City.

A motion was made by Councilwoman J. Butera and seconded by Councilman Delsin, to accept the Report. Motion carried.

A motion for adoption of the Resolution was made by Councilman Gallo and seconded by Councilman Delsin. Motion carried with Councilman Scialabba voting Nay.

The Resolution was adopted.

REPORT & RESOLUTION - Acceptance of STONEGATE COURT.

Councilman Fabiano, Chairman of the Public Works Committee, submitted a report stating that the committee has reviewed this petition and has also received favorable reports for acceptance of this road, from the Planning Commission and the City Engineer.

It is the recommendation of the committee that the above named road be accepted subject to the following Resolution:

RESOLUTION - THAT STONEGATE COURT be accepted as a public highway of the City of Danbury, subject to the following:

Receipt of Deed, Certificate of Title and necessary easements in forms satisfactory to the Corporation Counsel's Office.

A motion was made by Councilman Boynton and seconded by Councilman Delsin that the Report be accepted as read. Motion carried.

A motion for adoption of the Resolution was made by Councilman Ryan and seconded by Councilman Gallo. Motion carried by a roll call vote of 21 Ayes. No nays. The Resolution was adopted.

REPORT Re: Petition of D.H. Inn Associates to extend Municipal Water line in Old Ridgebury Road to proposed Hilton Hotel site.

Councilman Fabiano, chairman of the Public Works Committee, submitted a report stating that the committee has reviewed the above petition with the City Engineer and has also reviewed Planning Commission recommendation for approval.

It is the recommendation of the committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said water line.
2. The petition shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said water line within City Streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to such portions of the water line as the City Engineer's office determines are of potential benefit to other landowners in the City. Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above requested forms documents, plans, etc. are received and the City owns the extended water line.

A motion was made by Councilman Delsin and seconded by Councilman Gallo that the Report be accepted as read. Motion carried.

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Mayor Dyer thanked the Public Works Committee for their work this past month.

REPORT - Councilman Evans, Chairman of the Land Acquisition Committee, submitted a report stating that on March 8th, an on-site inspection was made of the Coalpit Hill Road property, the Burns-Sutton Property on Brushy Hall and the property on Eden Drive offered by Brockett Realty.

On March 27th an on-site inspection was made of the First Assembly of God Church property on Deer Hill.

As the month was busy, the committee was unable to meet to take action on these parcels, and as they are still waiting for a report from the appraiser, the committee requested an extension of time.

Mayor Dyer granted the extension and appointed Councilman Burke as an additional member to the Land Acquisition Committee.

REPORT - Health Committee. Councilwoman Constance McManus submitted a report stating that the Health Committee of the Common Council, met on March 24, 1980 at 7:30 P.M. for the purpose of reviewing two proposals. The first, as proposed by the Purchasing Agent requests a waiver of sealed bids for the purchase of a special device to test for the presence of lead in the bloodstream.

The second, as proposed by the Director of Health requests the formation of a public health nursing combination agency in Danbury.

In addition to the committee, the following were in attendance: Sharon Hamilton, Purchasing Agent; Bruce Cummings, Director of Health; and Jean Mahoney and Monica Frizzell representing the V.N.A.

The committee recommends that the Council approve the waiver of bids for the bloodtesting equipment requested by the Health Department.

The committee has requested the Director of Health in conjunction with the V.N.A. to prepare a draft of the agreement necessary to the formation of a public health nursing combination agency. So that this document may be prepared and properly studied, the committee requested an extension of time. Mayor Dyer granted the extension.

A motion was made by Councilman Ryan and seconded by Councilman Repole, that the report be accepted and bid waived.

Motion carried by a roll call vote of 21 Ayes - No Nays.

REPORT - RIDGECREST ROAD.

Councilman Burke, Chairman of the Road Study Committee, submitted a report stating that the committee met on March 25, 1980 to discuss Ridgcrest Road.

The petitioner of this road presented pertinent documents for consideration. Attorney Gottschalk and Mr. Schweitzer were provided with copies of these documents and requested to review them with the intention of making a recommendation to the committee at its next meeting.

Councilman Burke requested and Mayor Dyer granted an extension of time to allow the committee to review these recommendations.

REPORT - Balance of unexpired funds - Community Block Grant Projects.

Councilman Murray submitted a committee report stating they had met on Feb. 13, 1980 with Mr. Jeremiah Lombardi, Director of the Redevelopment Agency and Community Development Program. Mr. Lombardi provided a five-year community block grant status report. He highlighted the following approved projects totaling \$172,500 as unused funds:

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|--|-------------|
| 1. Improvements at Bear Mt. Park (Approved 1976-1977) | \$20,000.00 |
| 2. Planning Funds for Neighborhood Youth Center for Danbury (Approved 1977-78 carried over to 1978-79) | 10,000.00 |
| 3. North & Main St. Road Improvements (approved 1978-79) | 50,000.00 |
| 4. Congregate Housing Study (Approved 1978-79) | 15,000.00 |
| 5. Youth Center Study (approved 1978-79) | 15,000.00 |
| 6. Sidewalk construction Program (approved 1978-79) | 50,000.00 |
| 7. Park Construction at Osborne St. Field (approved 1979-80) | 12,500.00 |

Mr. Lombardi informed the committee that his Agency has the flexibility to transfer a maximum of 10% of unused funds to various needy projects to cover shortages and in some cases they can be carried forward to subsequent years to balance expenditures.

The committee met again on March 19, 1980 to further review the above accounts. Based on further information supplied by Mr. Schweitzer the City Engineer and Mr. R. Ryerson, Parks & Recreation Director, the committee came to the following conclusions: That the following items totaling \$112,500 remain in accordance with original C.B.G.D. approvals:

Item No. 3 - North & Main St. Road Construction	\$50,000.00
Item No. 6 - Sidewalk Construction Program	50,000.00
Item No. 7 - Park Construction - Osborne St. Field	<u>12,500.00</u>
	\$112,500.00

The remaining approved C.B.G.D. funds totaling \$60,000 is available for re-allocation:

Item No. 1 - Improvements Bear Mt. Park	\$20,000.00
Item No. 2 - Planning Funds for Neighborhood Youth Center Plan for Danbury	10,000.00
Item No. 4 - Congregate Housing Study	15,000.00
Item No. 5 - Youth Center Study	<u>15,000.00</u>
	\$60,000.00

The committee voted to recommend the above funding breakdown, be turned over to the Office of the Mayor for follow-up to either assure completion of C.B.G.D. projects or transfer funding to other approved CBGD projects where cost shortages have arisen.

A motion was made by Councilman Delsin and seconded by Councilman Torian that the Report be accepted as read. Motion carried unanimously.

REPORT Re: Tax Credit for Elderly Homeowners.

Councilman Burke submitted a committee report stating that the committee met on March 25, 1980. Members present were Councilmen Burke, Ryan and Delsin. Attorney Gottschalk was also present.

The committee reviewed Ordinance 18-12 - State Statute Title 12-129 N. The committee will request a five member committee to be appointed by the executive body.

Councilman Burke submitted the following Resolution in his Report:

Whereas, the General Statutes of the State of Connecticut, as amended 1958, Section 12-129n requires in subsection (b) thereof, that a municipality desirous of providing tax relief for the elderly shall, by the executive authority of such municipality, appoint a committee of not less than five resident taxpayers of such municipality, to conduct a study of the effect of such tax credit to determine (1) the fiscal effect of such tax credit and (2) make recommendations with respect to the form and extent of the credit; and

Whereas, such study is a necessary pre-condition to re-adoption of current City Ordinance 18-12 and;

Whereas, the City is desirous of continuing to provide a tax credit for its elderly taxpayers,

Now, Therefore, be it resolved that the Common Council request Mayor Dyer to appoint a committee of resident taxpayers in accordance with Section 12-129n of the Conn. General Statutes.

Councilman Burke requested an extension of time in this matter. Mayor Dyer granted the extension.

A motion was made by Councilman Ryan and seconded by Councilman Murray that the Report and Resolution be accepted. Motion carried.

The Resolution was adopted.

REPORT & RESOLUTION - Redevelopment Land Disposition Agreement.

Councilman Peter Kennedy submitted a report stating that the committee appointed to review the Resolution regarding the Redevelopment Land Disposition of parcel S/20-1 met on March 6, 1980, with Mr. J. Lombardi of the Redevelopment Agency.

Based upon the exchange of information at that meeting, the committee recommends that the Common Council give favorable consideration to the subject Resolution, contingent upon a favorable response from the Planning Commission.

A motion was made by Councilman Gallo and seconded by Councilman Burke that the Report be accepted as read. Motion carried.

RESOLUTION - Whereas, the Redevelopment Agency of the City of Danbury has received an offer from Guilherme F. & Aurora A. Bernardino to purchase and develop Disposition Parcel S/20-1 in the MidTown East Neighborhood Development Project, Conn. A-4; and

Whereas, Section 8-137 of Chapter 130 of the General Statutes Revision of 1958, as amended, requires that a Redevelopment Agency obtain the approval and concurrence of the legislative body of the municipality prior to entering into a contract for the sale or lease of land in an urban renewal project area; and

Whereas, the Agency has requested the approval of the Common Council of the aforesaid land disposition and has requested authorization for the Mayor and the Chairman of the Agency to execute a Land Disposition Agreement on behalf of the City and the Agency, respectively and has further requested authorization from the Mayor to execute and deliver the Deed of Conveyance for Disposition Parcel S/20-1:

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That the Mayor and the Chairman of the Agency are hereby authorized and directed to execute said Land Disposition Agreement on behalf of the City of Danbury and the Agency, respectively; and
2. The Mayor is hereby authorized and directed to execute and deliver the Deed of Conveyance for Disposition Parcel S/20-1.

A motion was made by Councilman Gallo and seconded by Councilman Burke that the Report be accepted as read. Motion carried.

A motion for adoption of the Resolution was made by Councilman Turk and seconded by Councilman DaSilva. Motion carried by a roll call vote of 21 Ayes - No Nays.

The Resolution was adopted.

REPORT - Surplus Fire Equipment.

Councilman DaSilva submitted a report stating that the Committee appointed to study the declaration of a 1965 Dodge Pumper as surplus equipment, met on March 17, 1980. In attendance were Councilmen DaSilva, Turk and Gallo. Also attending were Fire Chief J. Bertalovitz, Purchasing Agent, S. Hamilton and maintenance mechanic Richard Tomanio.

Mr. Tomanio explained that the fifteen year old pumper is in poor shape. It is in need of a new engine and a new pump. He stated the complete refurbishing would cost nearly \$20,000.

Chief Bertalovitz and Ms Hamilton reported that the truck was purchased from Wooster Hose Company for \$10,000 in 1973 and an additional \$8,000 has been spent since then, to repair it. They also stated that this pumper has been replaced and is not needed at this time.

It is therefore the recommendation of the committee that it would be financially unsound to further repair this piece of apparatus and it should be declared surplus equipment and offered for sale by sealed bid through the Purchasing Department.

A motion was made by Councilman Boynton and seconded by Councilwoman J. Butera that the Report be accepted as read. Motion carried.

RESOLUTION - WHEREAS, the City of Danbury currently owns a 1965 Dodge Pumper and;

Whereas, such apparatus has been deemed no longer useful to said municipality;

NOW THEREFORE, The Common Council recommends the above named apparatus be declared surplus property of the City of Danbury, and sold according to law.

A motion for adoption of the Resolution was made by Councilman Boynton and seconded by Councilwoman J. Butera.

The Resolution was adopted by a roll call vote of 21 Ayes. No Nays.

REPORT - Motor Vehicle Inventory.

Councilman Kennedy submitted a report stating that an inventory of motor vehicles has been received from the Purchasing Agent. The next phase of this committee's activity will be to meet with those department heads whose departments use the approximately 260 city owned vehicles.

A meeting for this purpose has been scheduled for April 3, 1980. An extension was requested to allow the committee to continue the inventory process. Mayor Dyer granted the extension of time for the committee.

COMMUNICATION - Request from Mayor Dyer for a committee of the Common Council to be appointed to review the present gate operation and to make recommendations regarding the best way to improve the regulations of the Landfill.

Mayor Dyer stated it is important for us to ascertain to what extent the landfill is being abused by users. Additionally, it is crucial that we determine a strict enforcement procedure to insure that our landfill does indeed continue to improve.

Councilman Murray requested referral of the communication to the Public Works Committee.

REPORT & RESOLUTION - Re: Housing Authority - Moderate Income Housing.

Councilman Ryan submitted a report stating that the committee assigned to a Resolution submitted by the Housing Authority concerning the development of moderate income housing, met on March 27, 1980. Councilmembers Ryan, Turk and Rinder were in attendance. Mr. McKenney was present to represent the Housing Authority.

The Resolution will allow the Mayor to enter into an agreement whereby the City will extend municipal services to fifteen (15) new duplex units in the Fairfield Ridge and Mill Ridge Areas. The committee noted that the City would be receiving new tax revenues from the property under the State of Connecticut's Payment-in-Lieu-of Taxes Program.

RESOLUTION - Project 034-MR-073L - Moderate Rental Homes.

Eligibility for said Project assistance requires that the City of Danbury enter into a Cooperation Agreement with the Housing Authority.

NOW, THEREFORE BE IT RESOLVED THAT MAYOR JAMES E. DYER be and hereby is authorized to execute said agreement and any necessary amendments thereto on behalf of the City of Danbury and further that Mayor James E. Dyer be and hereby is authorized to take all additional steps necessary to effectuate the Project in accordance with the Cooperation Agreement referred to above.

A motion was made by Councilman Boynton and seconded by Councilman Gallo that the Report be accepted and Resolution adopted. Motion carried.

The Resolution was adopted by a roll call vote of 21 Ayes - No Nays.

REPORT - Appointment of Auditors for the City of Danbury.

Councilman Edward Torian submitted a report stating that the committee appointed to recommend the appointment of City Auditors, met on March 10, 1980. In attendance were Councilmen Torian, Delsin and Repole; Paul Shea City Treas. John Edwards, Acting Director of Finance; Dominic Setaro, Frank Mastriani and representing the auditing firm of Coopers & Lybrand, Mr. John Grace and Mr. Charles Phillipin.

The discussions were focused on the existing relations between the Comptroller's Office and the City Auditors - the auditor's performance with respect to on-site attendance, communication and general availability to service the needs of the City. The Committee had the opportunity to hear from both factions and a number of observations were made.

Absence of dialogue with City officials was one area that was addressed by the Comptroller's office. In addition, they felt that a City of the size of Danbury needed an audit manager more experienced in municipal accounting than had been provided to them. Further, they had not received any response to repeated requests for information regarding Board of Education Grant Funds, and the status of the Student Activity Fund.

The subject of the appointment of Coopers & Lybrand to perform the general audit for a three year period, as indicated in the Common Council's minutes of the April 4, 1978 monthly meeting was mentioned, and upon advice from the Assistant Corporation Counsel's office, Section 3-16 of the City Charter "the annual designation of Auditors" takes precedent over the minutes of that meeting.

The acting Director of Finance should have maximum visibility over the complete financial operations of the City. This effort is more readily attainable when a high level of rapport and compatibility exists in auditor-client relationship.

The committee recommended the appointment of Ernst and Whinney as Auditors for the City of Danbury Accounts for the fiscal year of 1979-1980, as per the request of the Acting Director of Finance.

A motion was made by Councilwoman J. Butera and seconded by Councilman Fabiano that the Report be accepted and appointment of Ernst and Whinney approved. Motion carried by a roll call vote of 19 Ayes. 2 Nays. Councilmen Walsh and Turk, voted Nay.

REPORT - Bus Shelters - Councilman Torian submitted a report requesting an extension of time, while awaiting additional information from the Dept. of Transportation as to the availability of required funds.

Mayor Dyer granted the extension.

REPORT - Fire Lanes.

Councilman Visconti submitted a report stating that the committee met on March 24, 1980. Members present were Councilman Visconti Chairman, and Councilman Gallo. Councilman Scialabba was absent.

Chief Bertalovitz, Chief Macedo, Lt. Keenan and Firefighter Amann were present together with Firefighter Al Schact and Attorney Gottschalk.

Attorney Gottschalk stated we were in our rights under 19-62 but we should clarify the Ordinance under (D) to state a \$25.00 fine.

Chief Macedo requested that the Fire Marshal have the authority to ticket cars as he only has seven cars on patrol. Councilman Gallo asked if this would effect Job Classification under Union Contract of Local 801. Mr. Amann and Mr. Schact stated the Fire Marshal only establishes Fire Lane. Police Department enforces them. They stated they are hired as Firemen not as Police Officers. Attorney Gottschalk will research Fire Marshal's job to see if they have authority to ticket cars.

The committee requested an extension of time. Mayor Dyer granted this extension.

REPORT - Handicapped Parking Law Violations.

Councilman Visconti submitted a report stating that the committee met on March 24, 1980. Members present were Councilman Visconti, Councilman Gallo in place of Councilman Torian who was attending another meeting. Councilman Scialabba was absent. Chief Macedo, Lt. Keenan and Attorney Gottschalk were also present.

Chief Macedo said that owners of private parking lots will assume cost of signs and parking areas for handicapped. These will be enforced by the Police Department. Ordinance needed to authorize the Police to enforce \$25 fine and towing, or both. Attorney will research and draw up rough draft.

Councilman Visconti requested and was granted an extension for this committee. Councilman Gallo was added to this committee.

REPORT - The Cows Outside Sculpture.

Councilman Boynton submitted a report stating that the committee met on March 20, 1980. Members present were - Councilmen Boynton and Delsin, and Councilwoman J. Butera. Attorney Gottschalk was also present.

It is the recommendation of the Committee that no action be taken by the Council, upon advice of Assistant Corporation Counsel E. Gottschalk.

It is his opinion that Section 12-22 of the Danbury Code, covers this type of situation. Therefore it falls within the jurisdiction of the City Engineering Department to issue a permit to the applicant.

The City Engineer has advised the committee that he has taken the matter under consideration and will issue a permit if it is in the best interest of the City.

Some of the criteria he will use in deciding if a permit is to be issued will be: Insurance coverage - City Liability - Obstruction or interference to public traffic.

The committee did recommend to the Assistant Corporation Counsel that he advise the applicant and the City Engineering Department that the Cow Structure be moved inside until a permit is issued.

A motion was made by Councilman Gallo and seconded by Councilman Fabiano that the Report be accepted as read. Motion carried.

The Chairmen of the following committees requested and were granted extensions by the Mayor:

- 911 emergency number
- Oakland Corporation - City of Danbury
- Legislative Reform
- Liaison to Board of Education
- Portuguese Apostolat
- Community Swimming pool

In reply to Councilman Evans in reference to pilferage at the Danbury Airport, Corporation Counsel Theodore H. Goldstein advised the Council that there is a Two-million dollar Insurance clause with a \$2,915 premium. Mr. Thompson had submitted a copy of a Tie-down permit which provides a disclaimer on the part of the City of Danbury.

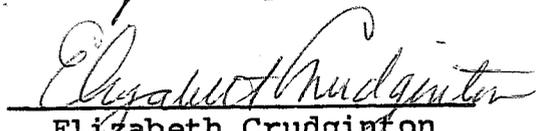
Mr. Harry Kessler addressed the Council at the end of the meeting, speaking on the following items listed on the Agenda:
Moderate Rentals - "no such thing"
Handicap Parking - "are not in use"
Pension systems - "are destructive"
Fire Chief should receive "same pension as any other fireman"

There being no further business to come before the Council, the meeting was adjourned at 10:11 P.M.

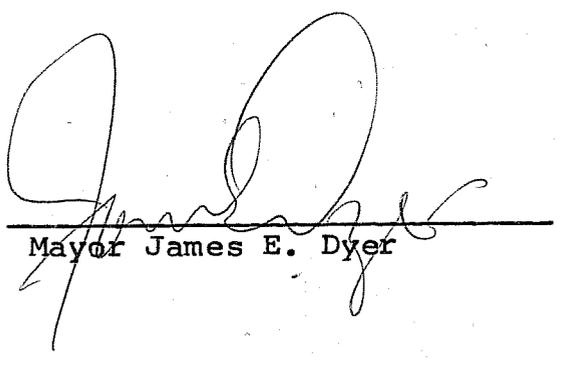
Respectfully submitted


Assistant City Clerk

Attest:


Elizabeth Crudginton
City Clerk

Approved:


Mayor James E. Dyer