

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

SUBJECT: Minutes of the Special Meeting of the Common Council, held on June 18, 1980.

The Meeting was called to order at 7:30 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 James E. Ryan.

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

PRESENT: Council members - McManus, Rinder, Repole, Kennedy, White, Cassano, Murray, Ryan, Visconti, DaSilva, Turk, Evans, Fabiano, Torian.  
Councilmembers - Gallo and Scialabba arrived after roll call.

ABSENT: Councilmembers - Delsin, Walsh, Boynton, Burke, Butera

16 members present - 5 members absent.

It was reported that Mr. Walsh, Mr. Burke, Mr. Boynton were away on business. Mrs. J. Butera has been ill.

NOTICE - Special Meeting of the Common Council to be held on June 18, 1980 at 7:30 O'Clock P.M. for the purpose of acting upon the following:

1. Communication - Funds to be transferred for Teamster Arbitration Award & Certification-in several smaller departments.
2. Communication - Request for transfer of funds to the litigations & special account - Corporation Counsel Acct. 020108.  
Certification
3. Common Council Ad Hoc Committee Reports.

RETURN OF SERVICE - Notices delivered to Councilmembers by Police Officers of the Danbury Police Department.

A motion was made by Councilman Ryan and seconded by Councilman Murray for the Notice and Return of Service to be accepted. Motion carried.

COMMUNICATION & CERTIFICATION - Mr. John P. Edwards, Director of Finance, Acting submitted a communication stating that in order to pay the raises in the recent Teamster Arbitration Award, several smaller departments will need some additional funds:

Acct. #02-08-130-010100	Park Dept. Reg. Salary	\$5,000.
02-08-145-010100	Tree Warden " "	3,000.
02-08-145-010500	Tree Warden O/T. " "	152.
02-13-001-010100	Airport Reg. Salary	2,330.
02-09-151-071002	Union Welfare	18,000.
		<u>\$28,482.</u>

A Certification was submitted for funds to be transferred from the following accounts:

#02-14-000-072000	Contingency	\$12,727.
	Unappropriated Fund Balance	15,143.
#02-09-160-076600	Workmen"s Comp. Ins.	602.

Further transfers will be needed for the 1980-81 Budget.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva that the Communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 14 Ayes - 7 members were absent at this time - Councilmen Delsin, Walsh, Scialabba, Boynton, Burke, Butera Gallo were absent.

COMMUNICATION & CERTIFICATION - Request from Theodore H. Goldstein, Corporation Counsel for a transfer of funds in the amount of \$2,000.00 in payment of a statement for professional services rendered from Goldstein and Peck, P.C. dated April 23, 1980, to the Litigations Special Account No. 020108.

A Certification was submitted by Mr. John P. Edwards Director of Finance, Acting in the amount of \$2,000 available in the Workmen's Compensation Account 02-09-160-076600 to be transferred to the Special Litigation Account 02-01-150-020108.

In response to questions from members of the Council, Attorney Goldstein explained this amount was a request for the retainer fee. Attorney Gottschalk explained also that he spoke to John Dzurik whose work to date has been a motion to dismiss the case which will be heard after Sept. 1st. (Re: Richard Sporck d/b/a Colonial Truck Stop v. Zoning Board of Appeals et als.)

\$2500.00 was set aside on February 5, 1980 but not earmarked. The \$2,000 is part of these funds.

A motion was made by Councilman Murray and seconded by Councilman Ryan that the Communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 15 Ayes (six members absent) at this time Councilmembers Delsin, Walsh, Scialabba, Boynton, Burke, Butera were absent, at this time.

#### AD HOC COMMITTEE REPORTS

REPORT - Request from the Board of Education for additional funds.

Councilman Ryan submitted a report from the Common Council Liaison Committee to the Board of Education stating that they had met on June 11, 1980 with the Superintendent of Schools, Mr. John P. Edwards and members of the Board of Education.

The Committee reviewed a request from the Board of Education for a supplemental appropriation for 1979-1980 fiscal year. Mr. Edwards informed the Committee that \$60,000 was available for transfer in unanticipated revenue.

The committee was assured that any surplus from the supplemental appropriation would be returned to the City. The committee was also made aware that lack of supplemental funds would cause a lay-off in all clerical and custodial staff from the 18th of June.

For the above reasons, and with the committee jointly in accord that the supplemental appropriation was not to set any precedent or create a repetitive year end request, a motion was made by Mr. Ryan and seconded by Mr. Evans of the committee that a supplemental appropriation of \$45,000 be made to the Board of Education. All members of the committee agreed.

A Communication from Mr. Edwards, Director of Finance, Acting, stated that no transfer from Contingency is needed. He will amend the revenue for handicapped children Acct. 02-65-000-524400 for \$45,000 and also amend the school appropriation Acct. 02-06-000-000000 for \$45,000.

A motion was made by Councilman Murray and seconded by Councilman Evans that the Report be accepted and funds authorized.

Motion carried by a roll call vote of 10 Ayes - 5 Nays - 1 abstention.  
5 members absent.

Councilmembers Gallo, Scialabba, Kennedy, Visconti and Turk, voted Nay. (5 votes). Councilmen DaSilva Abstained from voting.

Councilmen Delsin, Walsh, Boynton, Burke, Butera were absent (5). Councilmembers McManus, Rinder, Repole, White, Cassano, Murray, Ryan, Evans, Fabiano, Torian, voted Aye. (10 votes).

REPORT Re: Appropriation to Red Cross for Elderly Transportation.

Councilman Murray submitted a report stating that the committee appointed to study an appropriation to the American Red Cross for elderly transportation met with the committee members, Councilmen Murray, DaSilva and Delsin and Councilmen Scialabba and Ryan. Mrs. Carol Bostrom from the Red Cross was also present.

Mrs. Bostrom explained that the need for the additional \$5,520 for this program was mainly due to increased fuel and maintenance costs. Also, any unused funds would be returned to the City.

The Committee therefore recommended approval of this \$5,520 supplemental appropriation request to the Elderly Transportation Account (Red Cross-05-174-072800).

A Certification was submitted at the June 3rd Council meeting from Mr. John P. Edwards in the amount of \$5,520 being available in the Workmen's Compensation Account for this transfer to the Red Cross.

A motion was made by Councilman Ryan and seconded by Councilman Evans that the Report be accepted and transfer of funds authorized.

Motion carried by a roll call vote of 15 Ayes 1 Nay (Councilman Scialabba voted Nay) 5 members absent: Councilmembers Delsin, Walsh, Boynton, Burke, Butera were absent. All other members present, voted Aye (15).

REPORT & ORDINANCE - Councilman Ryan submitted a report and draft of an Ordinance concerning Commission member attendance. The committee voted to submit the Ordinance for a public hearing.

Murray

A motion was made by Councilman/Ryan and seconded by Councilman DaSilva that the Report be accepted and Ordinance deferred for a Public Hearing. Motion carried.

REPORT - Transfer of funds to Civil Service Commission.

Councilman DaSilva submitted a report stating that the committee appointed to study the request of \$1,000 for the Civil Service Commission for advertisements for the new positions in the Planning Department, met and recommends the transfer of \$1,000 to the Civil Service Commission for the advertisement of the new positions in the Planning Commission.

A Certification of funds was submitted by Mr. John P. Edwards at the June 3rd Council meeting.

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

Motion carried by a roll call vote of 13 Ayes 3 Nays (Councilmen Kennedy, Visconti, and Turk, voted Nay). 5 members were absent: Delsin, Walsh, Boynton, Burke, Butera.

REPORT - Request for the Town of Newtown to use the City of Danbury Septic Lagoon.

Councilman Fabiano submitted a report stating that the Public Works Committee after their review of this petition, hereby recommends that the request be respectfully denied at this time, for the following reasons:

1. Difficulties of policing deliveries.
2. Uncertainty of the amount of septic waste.
3. Increase of truck traffic.

A motion was made by Councilman Evans and seconded by Councilman Torian to accept the report as read. Motion carried.

REPORT Re: Protective Vests for Danbury Police Department.

Councilman White submitted a report stating that the committee received a letter from Mr. Rocco D. Bruno advising that the Protect A Life Fund, no longer seeks the City's assistance as their sixteen civic organizations are handling the financial and tax matters themselves.

Also presented was a letter from Chief Nelson Macedo withdrawing his April 28th request to Mayor Dyer.

The committee recommended the Council take no action and dissolve the committee at this time.

A motion was made by Councilman Turk and seconded by Councilman Ryan to accept the Report as read. Motion carried.

REPORT - Promotion of Joseph Gowel to the position of Assistant Chief in the Danbury Fire Department.

Councilman Cassano submitted a committee report stating that they had met on June 16, 1980 with Captain Gowel in attendance.

Captain Gowel answered committee questions regarding various points relative to his experience in the Department and relative to his present duties in the office of Acting Assistant Chief.

The committee reviewed the procedures used to consider promotions as set forth in the City Charter, and applied such considerations to the question at hand - namely confirmation of Captain Gowel's promotion.

The Committee was in agreement to recommend confirmation of the promotion by the Common Council.

A motion was made by Councilman Gallo and seconded by Councilman Murray that the Report be accepted as read and the appointment confirmed. Motion carried by a roll call vote of 15 Ayes - 1 Nay (Councilman Ryan voted Nay) 5 members were absent.

REPORT Re: Request of Bernard Cascio for water & sewer extension to 1 Plaza West (Mill Plain Road)

Re: Request of Abel & Norman Carvalho for City water & sewer on Short St.

Re: Request of Alan Resnick for extension of sewer from Finance Drive to Sandpit Road.

Councilman Gallo, Chairman of the Sewer and Water Extension Committee, submitted a report on the above petitions stating that the committee has met with the City Engineer to review the petitions and the recommendation for approval, from the Planning Commission.

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

1. The petitioners shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioners shall submit as-built drawings of these extensions, 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 sewer and 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 petitioners shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's office determines are of potential benefit to other landowners in the City. Should another, other than the petitioners, 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 sewer and water lines.

Motions were made by Councilman Ryan and seconded by Councilman DaSilva that the Reports be accepted and Petitions granted. Motion carried unanimously.

As there were no speakers from the audience and no further business to come before the Council, the meeting was adjourned at 8:25 O'Clock P.M.

Respectfully submitted

Mary Rickert  
 Mary Rickert  
 Assistant City Clerk

Attest:

Elizabeth Crudginton  
 Elizabeth Crudginton  
 City Clerk

Approved:

James E. Dyer  
 James E. Dyer  
 Mayor