

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

SUBJECT: Minutes of the Common Council Meeting held on Sept. 2, 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 City Clerk Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, White, Cassano, Murray, Ryan, Visconti, DaSilva, Boynton, Burke, Evans, Fabiano, Torian. Councilwoman J. Butera arrived after roll call

ABSENT: Councilman Turk, who was reported to be away on business.

19 members present - 1 member absent. 1 vacancy.

NOTICES FROM MAYOR DYER

Mayor Dyer expressed sincere sympathy to Mr. Larry Bostick on the death of his wife.

A moment of silence was observed by the Mayor and members of the Common Council due to the death of Larry Amann, Danbury's Fire Marshal.

Mayor Dyer extended Birthday greetings to George Schmiedel and Anniversary greetings to Mr. Richard Murray the Council President and his wife.

Mayor Dyer also extended best wishes and congratulations to Mary Rickert for becoming a new grandmother.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the reading of the minutes of Common Council meetings held on August 5th and 19th, 1980 be waived and accepted. Motion carried unanimously.

CONSENT CALENDAR

Councilman Ryan submitted the Consent Calendar which included the following items listed on the Agenda:

- 03 -- Resolution -- Settlement of Claims.
- 05 -- Resolution -- Amendment to WIC Resolution adopted Aug. 5, 1980.
- 07 -- Resolution -- Funds for Tuberculosis Clinic (Amendment to 7/1/80 Res.)
- 07-1 -- Resolution -- Health Education Risk Reduction Program.
- 021 -- Communication -- Appointment of Fire Marshal.
- 022 -- Communication -- Re-appointment to Candlewood Lake Authority.
- 023 -- Communication -- Re-appointment to Conservation Commission.
- 024 -- Communication -- Appointment to Aviation Commission.
- 025 -- Communication -- Appointment to Commission on Aging.
- 026 -- Communication -- Appointment of Planning Commission representative to Environmental Impact Commission.
- 028 &
- 028A - Report & Certification - Retaining Wall on Brushy Hill Road.
- 029 - Report - Historic Preservation Districts.
- 029A - Resolution - Historic Preservation.
- 029B - Certification - " " " "
- 030 - Report & Resolution - Part Time Arts Coordinator/Consultant for the Cultural Commission.
- 031 - Report & Resolution - Water Storage Tank & Pumping Station.

- 032 - Report & Resolution - Acceptance of ElMorrowEstates II.
- 033 - Report & Resolution - Acceptance of Canterbury Court.
- 034 - Report & Resolution - Acceptance of Moody Drive.
- 035 - Report & Resolution - Acceptance of Devonshire Drive.
- 039 - Report & Certification - Part Time Secretary for Supt. of Public Bldgs.
- 040 - Report - Sewers for Fourth St. Area (denial)
- 041 - Report & Certification - Transfer of funds to E.I.C.
- 042 - Report & Ordinance - Ordinance Revision Commission.
- 045 - Report & Certification - Acquisition of Land for Flood Control.
- 046 - Report - Drainage problem on Pembroke Terrace & Johnson Drive.
- 047 - Report - Miry Brook Civil Defense Building.
- 048 - Application for Ceta Funds.

A motion was made by Councilman DaSilva and seconded by Councilman Murray for the adoption of the Consent Calendar. Motion carried by a roll call vote of 18 Ayes - 2 members absent (Turk & J.Butera) 1 vacancy.

COMMUNICATION - Appointment of Sixth Ward Common Council member.

Councilman White from the Sixth District, submitted the name of Mrs. Diane Eppoliti, 14 Rolf's Drive to the Council seat vacated by Peter Kennedy at the July Council meeting.

A motion was made by Councilman White and seconded by Councilman Evans that the Communication be accepted and appointment confirmed. Motion carried unanimously by a roll call vote of 18 Ayes - 2 absent, 1 vacancy.

Attorney Theodore H. Goldstein acting in his capacity as commissioner of the Superior Court, administered the oath of office to Diane Eppoliti for Councilwoman from the Sixth District.

Councilwoman Eppoliti was then escorted to the rostrum and seated in the Sixth District section of the Common Council dais.

CLAIMS - Patricia Michalko vs. Chrysler Corporation & City of Danbury - Charles J. Lemmen.

Councilman Murray requested referral of the Claims to the Claims Committee and Assistant Corporation Counsel for Claims (Attorney Thomas West.). Mayor Dyer so ordered.

RESOLUTION - Settlement of the following Claims:

Antoinette Natoli - In settlement of the claim of Antoinette Natoli vs. City of Danbury - Fall on 12/8/79 ---- \$85.00

SNETCO v. Everett Fairclough and City of Danbury -- \$2500.00
(Date of occurrence 4/5/75 - Docket #0110721L - Superior Court of New Haven.

The Resolution was adopted and Claims authorized to be paid, by the Consent Calendar.

from the City Engineer

COMMUNICATION - Request/to appropriate funds for sidewalk repairs.

Councilman Murray requested referral to the Public Works Committee. Mayor Dyer so ordered.

RESOLUTION - That the Danbury Health Department Women, Infants and Children Program, through its Coordinator, Linda Hansen, be hereby authorized to renew the City's contractual agreement with the State Department of Health Services for the purpose of continuing Danbury's Womens, Infants and Children (WIC) Program into fiscal year of 1980-1981, in the amount of \$91,000.00.

The Resolution was adopted by the Consent Calendar

RESOLUTION - Whereas there has been a delay in the allocation of Federal Funds to the Danbury Health Department's WIC program; and,

Whereas, federal funds for fiscal year 1981 will be available within a short period of time,

Therefore be it resolved that the City of Danbury provide funds in an amount not to exceed \$7,000 for the operating expenses of the Danbury Health Department's WIC program; and

Be it further resolved that upon receipt of said Federal Funds, any funds temporarily advanced by the City will be immediately returned to the City.

A motion was made by Councilman Ryan and seconded by Councilman Visconti for adoption of the Resolution.

In reply to questions from members of the Common Council, Mr. John P. Edwards, Director of Finance Acting, stated that a certification of funds was not necessary as we are not making an appropriation - it is not to authorize expenditures. It is a temporary advance which does not happen very often. We are just waiting for a Federal Grant from another Agency. The funds (\$7,000) we have on hand and just advancing it temporarily.

Councilman Evans stated that the Common Council will not know when this money is returned and said he would rather have a certification.

Mayor Dyer asked Mr. Edwards to notify the Council when all transactions have been completed.

The Resolution was adopted by a roll call vote of 19 Ayes, Councilwoman Eppoliti abstained and Councilman Turk was absent.

RESOLUTION - That the July 1, 1980 resolution be amended to read: That the Danbury Health Department through its acting director Jean Mahoney, be authorized to enter into agreement for fiscal year 1980-1981 with the Connecticut State Department of Health Services, Pulmonary Disease Section, in the amount of \$12,500, to continue operation of the City's tuberculosis clinic in order that said disease can be identified, treated and contained for preservation of the public health.

The Resolution was adopted by the Consent Calendar.

RESOLUTION - Whereas, the Health Department has formulated a Health Education Risk Reduction Program involving 4th and 5th grade students to address health risk factors including smoking, alcohol abuse and malnutrition and insufficient exercise; and

Whereas, a grant request of up to \$51,814 with no local match requirement has been processed by the Danbury Health Department; Be it resolved that actions of the Danbury Health Department in applying for said grant be and hereby are ratified; and

Be it further resolved that any and all further actions by the Danbury Health Department and the Mayor of the City of Danbury required to accomplish said program be and hereby are authorized.

The Resolution was adopted by the Consent Calendar.

ORDINANCE - An Ordinance appropriating \$1,100,000 for the acquisition of property on East Hayestown Road and authorizing the issuance of \$1,100,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose.

A motion was made by Councilman Ryan and seconded by Councilman Murray that the Ordinance be deferred for Public Hearing.
Motion carried.

COMMUNICATIONS & RESOLUTION - Winter Energy Grant - Total \$61,000.00, to be expended as follows:

Park Ave. School Room Control	\$12,000
Mill Rdge Intermediate School repairs	5,000
Danbury High School Energy Controls	<u>27,700</u>
Total	\$44,700

The figures were revised when the engineering was completed with the following estimates:

Park Ave. School Room Control	\$22,000
Mill Rdg. Intermediate repairs	<u>7,900</u>
Total	\$29,900

As per Mr. Winkelstern there is a balance of \$14,800 left from the \$44,700 portion or a balance of \$31,100 from the total grant.
Mr. Winkelstern submitted a list of projects to be done until the funds are exhausted.

Councilman Murray requested referral to the Public Works Committee.
Mayor Dyer so ordered.

COMMUNICATION - Request of Real Estate Technology Inc. of New Canaan to purchase City property located on Broad Street.

Councilman Murray requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Compratt Construction Co. to accept Carriage House Drive - High Sky Gardens.

Councilman White requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Glastonbury Estates, Inc. to accept "The Paddock" Hitchingpost Lane.

Councilman Murray requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Agreement between General DataComm and the City of Danbury re: extension of City Sewers to Sand Pit Road.

Councilman Gallo requested referral to the Sewer & Water Extension Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Arthur Najamy (Amber Room) to connect to Sewer line on Rt. 37.

Councilman Gallo requested referral to the Sewer & Water Extension Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Frank Pandolfo of the Cedars Property Owners Association, for repairs to Indian Avenue. (The Cedars).

Councilman Murray requested referral to the Public Works Committee. Mayor Dyer so ordered.

COMMUNICATION - Request of L. E. Mouning and C. Wolfe to correct a drainage problem that has developed on Oakland Avenue at the end of Walnut Street where the pavement ends.

Councilman Delsin requested referral to the Public Works Committee. Mayor Dyer so ordered.

COMMUNICATION - Request of David M. Lane Jr. of Candlewood Vista for assistance to correct a drainage problem on Brighton Street.

Councilman Delsin requested referral to the Public Works Committee. Mayor Dyer so ordered.

PETITION - Petition of DanCon Corporation for water connection charges to be waived for the Briar Ridge Development.

Councilman White requested referral to the Public Works Committee. Mayor Dyer so ordered.

COMMUNICATION - Offer by Joseph DeSimone President of the Danbury Ambulance Service.

Councilman Ryan requested referral to an Ad hoc committee. Mayor Dyer referred the Communication to Councilmen Torian, Turk & Repole.

COMMUNICATION - Request by "Keep Danbury Alive" committee for area-wide firefighting service plan.

Councilman Ryan requested referral to an Ad-hoc committee. Mayor Dyer referred the request to Councilmembers Boynton, Turk, Butera.

COMMUNICATION - Appointment of Alan Schacht, 15 Cedar Street as Fire Marshal for the City of Danbury.

The salary will be \$22,674.00. Mr. Schacht has been with the Danbury Fire Department for twelve years, and in the Fire Marshal's Office for six years. He is currently serving as the Acting Fire Marshal.

The Communication was accepted and appointment confirmed by the Consent Calendar.

COMMUNICATION - Re-appointment of Herman Phelps, 26 Waterview Drive, Pleasant Acres to the Candlewood Lake Authority for a term to expire April 1, 1983. Mr. Phelps has served on the Authority for the past three years.

The Communication was accepted and re-appointment confirmed by the Consent Calendar.

COMMUNICATION - Re-appointment of Walter Jacob, Blueberry Lane to the Conservation Commission for a term to expire July 1, 1983 and the appointment of Bernadette DeMunde, 91 Coalpit Hill Road, for a term to expire July 1, 1982.

The Communication was accepted and appointments confirmed by the Consent Calendar.

COMMUNICATION - Appointment of Ira H. Steinberg, 1 Deepwood Drive, to the Aviation Commission for a term to expire July 1, 1983. Mr. Steinberg is president of Uniserv Inc. and has been a pilot for the past 12 years.

The Communication was accepted and appointment confirmed by the Consent Calendar.

COMMUNICATION - Appointment of Delores Fairchild, 2 Old Newtown Road, as a member of the Commission on Aging for a term to expire on Oct. 1, 1983.

The Communication was accepted and appointment confirmed by the Consent Calendar.

COMMUNICATION - Appointment of Janet Schaffer, 5 Cannonball Drive, as the Planning Commission representative to the Environmental Impact Commission for a term to expire on December 1, 1982. Janet has served in this position in the past.

The Communication was accepted and appointment confirmed by the Consent Calendar.

DEPARTMENT REPORTS

Fire Chief
Fire Marshal
Sanitary Inspector
Housing Inspector

Police Department
Food Service Inspector
Health Ed. Coordinator
Coordinator of Env. &
Occupational Health Serv.

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

REPORT & CERTIFICATION - Retaining Wall on Brushy Hill Road.

Councilman Fabiano, Chairman of the Public Works Committee, submitted a Report stating that the committee, after their review of the petition to repair the retaining wall on Brushy Hill Road, hereby recommends that the Common Council appropriate the amount of \$23,000 for these repairs.

A Certification of funds in the amount of \$23,000 available in the Contingency Account to be transferred to a Capital Account for retaining wall repairs on Brushy Hill Road, was submitted by the Director of Finance, Acting - Mr. John P. Edwards.

The Report was accepted and transfer of funds authorized by the Consent Calendar.

REPORT & RESOLUTION - Historic Preservation.

Councilman Ryan, Chairman of the committee assigned to the creation of Historic Districts within the City of Danbury, submitted a report stating

that the committee has met on August 19, 1980. The Danbury Preservation Trust is desirous of making application to the Connecticut State Historical Commission to have portions of Main Street placed on the National Register of Historic Buildings.

To effectuate this application the Trust needs \$1,000. The Trust has raised \$500 from private contributions.

The Committee, after reviewing the benefits of the program for both residents and owners, voted to forward to the Common Council, the following Resolution transferring \$500 to the Danbury Preservation Trust.

RESOLUTION - Whereas, the City of Danbury recognizes the Danbury Preservation Trust as an agency committed to responsible historic preservation within the City of Danbury; and

Whereas, the aforementioned Trust is desirous of making a formal application to the Connecticut State Historical Commission to have several buildings within the City of Danbury placed on the National Register of Historical Buildings, and;

Whereas, the costs of such application are \$1,000 of which \$500 has been raised by private donations,

NOW THEREFORE BE IT RESOLVED, that Mayor James E. Dyer be authorized and empowered to transfer the sum of \$500 to the Danbury Preservation Trust from the Mayor's Discretionary Fund.

CERTIFICATION - A Certification in the amount of \$500.00 available in the Contingency Fund to be transferred to the Mayor's Discretionary Fund Account 02-01-188-029500, was submitted by the Director of Finance, Acting Mr. John P. Edwards.

The Report was accepted and transfer of funds authorized by the Consent Calendar.

The Resolution was adopted by the Consent Calendar.

REPORT & RESOLUTION - Danbury Cultural Commission - Part Time Arts Coordinator/Consultant.

Councilwoman Lilija Rinder submitted a report stating that the committee appointed to investigate the feasibility of the Mayor being authorized to apply for a State Grant for a part-time Arts Coordinator, met on 8/21/80, with Therese Ellsworth of the Cultural Commission who reviewed both the need for the job and the method of financing the position.

The basic functions would be:

Develop/maintain events calendar

Pursue Grants

Liaison with Community Groups

Publicity

Attend meetings with Conn. Commission on the Arts.

The Financing would be provided as follows:

Based on a \$15,000/year position.

16 hours/week = \$6000/year

\$3000 from Grant and \$3000 from Cultural Commission Budget.

No additional City funds are required.

The Committee recommended that the Common Council authorized the Mayor to pursue a Grant of \$3000 for a Part-time Arts Coordinator.

RESOLUTION - Resolved that Mayor James E. Dyer be and hereby is authorized to execute any agreements or amendments thereto necessary to accomplish the purposes hereof.

The \$3,000 locally matched grant may be available through the Connecticut Commission on the Arts.

The Report was accepted and Resolution adopted on the Consent Calendar.

REPORT & RESOLUTION - Water storage tank and pumping station.

Councilman Fabiano, Chairman of the Public Works Committee, submitted a report stating that the committee has reviewed the above subject matter and unanimously recommends that this petition be approved and the Resolution adopted.

RESOLUTION - Whereas, the State of Connecticut owns 1.864 acres of land within the City of Danbury on which the State of Connecticut and the City of Danbury wish to construct and operate a 1.5 million gallon water storage tank and pumping station; and

Whereas, the State of Connecticut is willing to lease said property to the City of Danbury for a term of 50 years with the possibility of an additional 50 year extension for said purposes; and

Whereas, the City of Danbury is willing to construct and operate said water storage tank and pumping station; and

Whereas, said water storage tank and pumping station will serve the needs of both parties to said agreement;

NOW THEREFORE, BE IT RESOLVED that Mayor James E. Dyer, be and hereby is authorized to execute said lease and any amendments thereto necessary to effectuate the purposes hereof, and be it further resolved that Mayor James E. Dyer be and hereby is authorized to take all actions necessary according to law to accomplish the construction and operation of said water storage tank and pumping station.

The Report was accepted and Resolution adopted by the Consent Calendar.

REPORT & RESOLUTION - ElMorro Estates II - Stable Lane, Grenier Drive, Cannonball Drive, Carriage House Drive, Jonathan Court, Caisson Drive.

Councilman Fabiano chairman of the Public Works Committee submitted a Report stating that the committee has reviewed this petition which included an on-site inspection. It is the unanimous recommendation of the Public Works Committee that these roads be approved subject to the following Resolution:

RESOLUTION - That ElMorro Estates II - Stable Lane, Grenier Drive, Cannonball Drive, Carriage House Drive, Jonathan Court, Caisson Drive, be accepted as Public Highways of the City of Danbury, subject to the following conditions:

1. A \$5,000 Cash Bond be posted for the planting of trees.
2. A \$5,000 Performance Bond be posted for one year.
3. Road acceptance be contingent upon Planning Commission approval.
4. City Engineer recommendations dated 8/26/80 be complied with before Deeds and Title are accepted by the Corporation Counsel.
5. A Deed and Certificate of Title in form satisfactory to the Office of the Corporation Counsel, be delivered to the City.

The Report was accepted and the Resolution was adopted by the Consent Calendar.

REPORT & RESOLUTION - Petition of George Davon to accept Canterbury Court.

Councilman Fabiano submitted a report stating that the Public Works Committee has reviewed this petition which included an on-site inspection and has also reviewed reports from both the Planning Commission and the City Engineer.

It is the unanimous recommendation of the Public Works Committee that this road be approved subject to the following Resolution.

RESOLUTION - That CANTERBURY COURT be accepted as a public highway of the City of Danbury subject to the following conditions:

1. Acceptance be contingent upon compliance with City Engineer's letter dated 8/26/80.
2. A Deed and Certificate of Title in form satisfactory to the Office of the Corporation Counsel be delivered to the City.

The Report was accepted and Resolution adopted by the Consent Calendar.

REPORT & RESOLUTION - Petition for acceptance of Moody Drive Ext. - Sunny Lake Sub-division.

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

After the committee's review which included an on-site inspection, it was a unanimous decision to recommend that this road be accepted subject to the stipulation that the word "Ext" be dropped, and in accordance with the following Resolution:

RESOLUTION - That MOODY DRIVE 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 Office of the Corporation Counsel.

The Report was accepted and the Resolution was adopted by the Consent Calendar.

REPORT & RESOLUTION - Petition of Piccadilly Land Corporation to accept Devonshire Drive.

Councilman Fabiano submitted a report stating that the Public Works Committee has received favorable reports for acceptance of this road from both the Planning Commission and the City Engineer.

After the committee review which included an on-site inspection, it was their unanimous recommendation that this road be approved.

RESOLUTION - THAT DEVONSHIRE DRIVE 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 Office of the Corporation Counsel.

The Report was accepted and the Resolution was adopted by the Consent Calendar.

REPORT & RESOLUTION - Health Committee.

Councilwoman Constance McManus submitted a committee report stating that the Health Committee has met to discuss the safety violations at the schools and also to discuss the setting of fees for the licensing of food service establishments.

The Health committee is carefully monitoring the actions which the Board of Education is taking to comply with the directive of the Health Dept.

The Health Committee submitted the following Resolution to be deferred for a public hearing to be scheduled:

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RESOLUTION - Whereas, the City of Danbury has enacted a FOOD SERVICE ESTABLISHMENT ORDINANCE, and

Whereas, said Ordinance is designed for the Health & Welfare of City residents; and

Whereas, the Health Department is responsible for compliance, enforcement and inspections pursuant to the Ordinance, and

Whereas, Sec. 8A-6 of said Ordinance provides for an annual schedule of fees to be collected to defray the expense of Food Establishment Licensing,

Now Therefore Be It Resolved By The Common Council Of The City Of Danbury, That:

The Director of Health is hereby authorized and empowered to require the following fees:

1. All establishments that undergo the normal quarterly inspection process, and comply with all relevant standards, shall pay an annual fee of \$20.00.
2. All establishments who require re-inspection, as may be required by standards set forth in the Ordinance or prescribed by the Director of Health or his designee, shall pay a re-inspection fee of \$50.00, and
3. All establishments under Sec. 8A-2 shall before inspection by the Director submit a \$75.00 filing fee.

Councilman White requested deferral of the Resolution for a Public Hearing to be scheduled at a later date. Mayor Dyer so ordered.

REPORT & RESOLUTION - Assessments for the Wooster Heights Sewer Project.

Councilman Murray, President of the Common Council submitted a report stating that the Common Council met as a committee of the whole on August 18th to review the assessments for the Wooster Heights Sewer Project.

The Council submitted the following Resolution for adoption:

RESOLUTION - Whereas, the City of Danbury caused a sewer line to be constructed known as the Wooster Heights Sewer Project; and

Whereas, the General Statutes of the State of Connecticut requires that assessments be made against property owners who benefit from said line; and

Whereas the Common Council has determined the amount of said assessments, after public hearing, all according to law;

NOW, THEREFORE, BE IT RESOLVED THAT the Assessments of Benefits fixed shall be due and payable on or before November 1, 1980, provided, however, that said assessments may be paid in installments in accordance with a resolution adopted or to be adopted on the date hereof; and

BE IT FURTHER RESOLVED THAT the assessment of benefits by virtue of the construction of the Wooster Heights Sewer Project are hereby fixed: (List of property owners and assessments attached).

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

Motion carried by a roll call vote of 19 Ayes - 1 absent (Councilman Turk was absent) 1 abstention - Councilwoman Eppoliti abstained from voting.

The Resolution was adopted.

RESOLUTION - COUNCILMAN MURRAY, PRESIDENT OF THE COMMON COUNCIL, SUBMITTED the following Resolution: (Method of payments for sewer assessments)

WHEREAS, Connecticut General Statutes, Section 7-253 authorizes the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City;

NOW THEREFORE, BE IT RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Wooster Heights Sewer Project:

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.
2. The minimum annual installment payment shall be One-Hundred-Eighty (\$180) Dollars.
3. Interest on any deferred payments hereunder shall be due at a rate of six per cent per annum. Any person may pay an installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City of Danbury.

A motion was made by Councilman Ryan and seconded by Councilman Visconti that the Resolution be adopted. Motion carried by a roll call vote of 19 Ayes 1 abstention (Councilwoman D. Eppoliti abstained) and one member (Councilman Turk) was absent.

The Resolution was adopted.

REPORT & CERTIFICATION - Councilman Fabiano submitted a Public Works Committee Report stating that after their review, the committee recommends that the amount of \$6,662.00 be transferred from the Contingency Account to the Public Building Part Time Services Account, for a part time secretary for R. Winkelstern, Supt. of Public Buildings.

A Certification of funds in the amount of \$6,662.00 available in the Contingency Fund to be transferred to Public Building Part Time services account #02-01-222-011001, was submitted by the Director of Finance, Acting Mr. John P. Edwards.

The Report was accepted and transfer of funds authorized by the Consent Calendar.

REPORT - Councilman Fabiano submitted a Public Works Committee Report stating that the committee after their review of the request for sewers for Fourth St. Area, recommends that this petition be denied, on the grounds that it is part of the Germantown Area Sewer Project that was deferred last year because of homeowners opposition.

The Report was accepted by the Consent Calendar.

REPORT - Transfer of Funds to E.I.C.

Councilman Richard White submitted a report stating that the committee assigned to study the request for funds to the Environmental Impact Commission, met on August 14, 1980.

The Committee, in light of past water supply problems in the area and recommended approval of the amount of \$300 requested by the E.I.C.

CERTIFICATION - Mr. John P. Edwards, Director of Finance, Acting, submitted a certification of funds in the amount of \$300 as being available in the

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Contingency Account to be transferred to the E.I.C. Outside Services Account #02-01-178-029500.

The Report was accepted and transfer of funds authorized by the Consent Calendar.

REPORT & ORDINANCE - Ordinance Revision Commission.

Councilman Murray, President of the Common Council, submitted a report stating that members of the Common Council met as a committee of the whole on August 27, 1980 to discuss the Ordinance to establish an Ordinance Revision Commission.

A Public Hearing was also held on August 18, 1980. It is hereby recommended that this Ordinance be adopted.

ORDINANCE - Ordinance Revision Commission - Established; Membership.

1. There is hereby established by the Common Council of the City of Danbury, an Ordinance revision Commission consisting of seven resident electors of the City of Danbury, each of whom shall be appointed by the Mayor and confirmed by the Common Council.
2. The commission shall exist for three years from the time of appointment within which time said commission shall report at least six times of its works and findings to the Common Council.
3. (a) Powers and Duties - The commission shall have the powers and duties granted to municipal commissions by statute or special act of the State of Connecticut and ordinances of the City of Danbury, subject to the limitation of time imposed by Section 2 above.

(b) Purpose. The commission shall examine the current Code of Ordinances of the City of Danbury, except zoning ordinances, and make such recommendations as it deems proper to the Common Council.

4. The provisions of Section 9-167a of the Connecticut General Statutes relating to minority representation shall apply to said commission.

The Report was accepted and the Ordinance was adopted by the Consent Calendar.

REPORT & ORDINANCE - Civil Service Credits for Special Police Officers.

Councilman Boynton submitted a report stating that the committee met at the request of the Special Police Association of Danbury to have an ordinance to allow Special Police Officers extra points on their tests in becoming members of the regular police department.

ORDINANCE - Any applicant who is a member in good standing of the Danbury Special Police shall after attaining a passing grade on the Civil Service examination be credited with two (2) additional points for each full year of service as a special police officer, but in no event shall said credit exceed ten (10) additional points, and provided that no additional points shall be credited to an applicant unless:

1. The applicant otherwise qualifies under other provisions of this section, and
2. The Chief of Police certifies that the applicant has during his term as a special police officer:

- (a) Been qualified with his or her duty weapon as required by Department regulations,
- (b) Conducted his or her duties, followed all lawful orders given and conformed to all Department regulations and general orders governing regular police officers without reprimand,
- (c) Attended a majority of the instructional classroom sessions made available by the Chief of Police for the purpose of police officer training,
- (d) Performed at least 160 hours of service as a special police officer for the City of Danbury during each year for which the applicant claims a credit for purposes hereof.

Councilman Delsin requested that the Ordinance be deferred for public hearing. Mayor Dyer so ordered.

REPORT & ORDINANCES - Improvement of regulations at Danbury Landfill.

Councilman Fabiano, Chairman of the Public Works Committee submitted a report stating that after their review of the proposed new Ordinances, the committee recommends adoption by the Common Council, contingent upon a Public Hearing being held.

ORDINANCE - Deposits of wastes from outside corporate limits of the City of Danbury.

ORDINANCE - Establish rates for Commercial Waste Deposits.

Councilman Ryan requested that the Ordinances be deferred for public hearings to be held. Mayor Dyer so ordered.

REPORT & CERTIFICATION - Acquisition of Land for Flood Control Purposes.

Councilman Fabiano submitted a Public Works Committee Report stating that the committee after being informed of the history of this petition, unanimously recommends that the petition be approved and the monies appropriated to acquire the aforementioned land: Flood Control Project, American Cyanamid Co.. These easements and property were necessary for accomplishing the flood control work in the Casper Street area.

The cost to the City for these American Cyanamid acquisitions is \$25,535.00. All costs involved with this flood control work were included in the Common Council's approval of the flood control project.

CERTIFICATION - in the amount of \$25,535 in the Contingency Account to be transferred to Land Acquisition Account for purchase of Land easements in old flood area, was submitted by the Director of Finance, Acting, Mr. John P. Edwards.

The Report was accepted and transfer of funds authorized by the Consent Calendar.

REPORT - Drainage problem on Pembroke Terrace & Johnson Drive.

Councilman Fabiano submitted a Public Works Committee report stating that after their review of this petition which included an on-site inspection, the committee voted unanimously to deny this petition since in the opinion of the committee, this problem is not of a serious matter.

The Report was accepted by the Consent Calendar.

REPORT - Miry Brook Civil Defense Building.

Councilman J. Burke, Chairman submitted a committee report stating that the committee met on Aug. 21, 1980 and recommends denial of this petition by the Danbury Rifle & Pistol Club to use the Miry Brook Civil Defense building, under advice of the Corporation Counsel.

The committee recommends that the Corporation Counsel check into turning this building over to the Danbury Police Department for a Police Academy.

The Report was accepted on the Consent Calendar.

RESOLUTION - Application for CETA Grant.

Whereas, the City of Danbury desires to make application for funding to the State of Connecticut Labor Department under the Comprehensive Employment and Training Act of 1973 and any revisions thereof, for the contract year commencing October 1, 1980 through September 30, 1981; and

Whereas, the State of Connecticut Labor Department, Office of Employment and Training has made available a grant in the amount of \$271,613 as the City of Danbury's share under Titles 11-D and VI of said Act;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Danbury that the Mayor of the City of Danbury be and hereby is authorized to make said grant application and to sign any and all documents, contract, revisions and modifications in connection with said grant; and

BE IT FURTHER RESOLVED that the Mayor is empowered to make application for any additional funds as may be made available by the State of Connecticut Labor Department to the City under said Act, including Special Projects and to sign any and all documents in connection therewith and do whatever is necessary to accomplish the purposes of said Act in obtaining grant funds.

The Resolution was adopted by the Consent Calendar.

COMMUNICATION - Request for waiver for printing costs of Plan of Development Update.

The Planning Commission has received three informal bids for the printing of the Plan of Development update. All of the bids are in excess of the \$2500 maximum contained in Section 6-6 Paragraph D of the Charter thereby requiring sealed bids unless waived by the Common Council.

The Communication received from the Planning Commission on September 2, 1980 was not included on the Agenda therefore a motion was made by Councilman Ryan and seconded by Councilman Visconti that this matter be included on the Agenda. Motion carried by an Aye and Nay vote of 16 Ayes - 3 Nays (Councilmen Delsin, Walsh and Scialabba) voted Nay - 1 abstention (Councilwoman Diane Eppoliti abstained and Councilman Turk was absent.

A motion was then made by Councilman Gallo and seconded by Councilman White that the request be denied. Motion carried unanimously.

REPORT & RESOLUTION - Re: Acceptance of Ridgecrest Road.

Councilman J. Burke, Chairman of the Road Study Committee submitted a Report recommending acceptance of Ridgecrest Road subject to drainage completion according to specifications of the City Engineer and the approval of the Office of the Corporation Counsel

RESOLUTION - THAT RIDGECREST ROAD be accepted as a public highway of the City of Danbury subject to the following conditions:

1. Specifications of the City Engineer.
2. A Deed and Certificate of Title in forms satisfactory to the Office of the Corporation Counsel, to be delivered to the City.

A motion was made by Councilman Ryan and seconded by Councilman White to accept the Report submitted by Councilman Burke. Motion carried.

The Resolution was adopted by a roll call vote of 19 Ayes - 1 member (Councilman Turk, was absent) Councilwoman Diane Eppoliti abstained. Motion for adoption was made by Councilman Repole and seconded by Councilman Delsin.

Mayor Dyer then introduced the new Fire Marshal Alan Schacht who was seated in the audience.

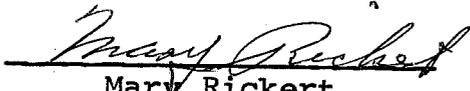
PUBLIC SPEAKING SESSION

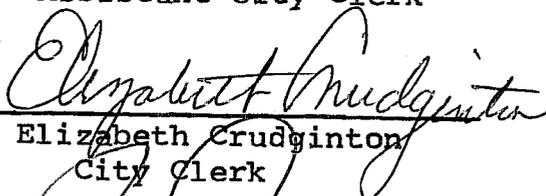
1. Mr. Robert Wells Jr. spoke about his house on Hillandale Road. As this matter was not on the Agenda, Mr. Wells was advised by the Mayor that the Common Council meets with constituents on the third Wednesdays of every month, or that he may contact his First Ward Councilmembers.
2. Mr. Harry Kessler - referring to the Resolution for Health Education Risk Reduction Programs, said it was needless and that there were too many athletic teams.

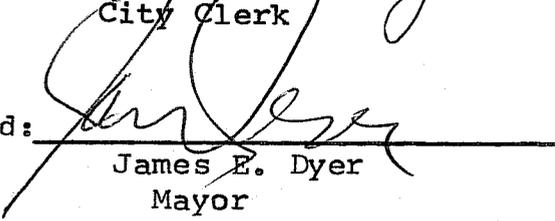
Mr. Kessler referring to the appointment of Diane Eppoliti as the new Councilmember from the Sixth District, asked her to protect the voters and citizens and to make certain that all acts are legal advising her not to deny responsibility etc. Mayor Dyer ruled Mr. Kessler out of order, stating that Mrs. Eppoliti would appreciate the value of his comments.

There being no further business to come before the Common Council, a motion was made by Councilman White and seconded by Councilman Delsin that the meeting be adjourned at 8:50 P.M.

Respectfully submitted


Mary Rickert
Assistant City Clerk

Attest: 
Elizabeth Crudginton
City Clerk

Approved: 
James E. Dyer
Mayor