

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

SUBJECT: Minutes of the Common Council meeting held on February 3, 1981.

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 Joseph DaSilva.

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

PRESENT: Council members - Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, Eppoliti, White, Cassano, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Burke, Evans, Torian. J. Butera arrived after roll call.

20 members present - 1 vacancy.

NOTICES FROM MAYOR DYER

Mayor Dyer announced the birthday of his secretary Rose Setaro to be observed on February 4, 1981.

Mayor Dyer thanked the Council and legal staff for their efforts in closing the Sokol property transfer to the City of Danbury.

Mayor Dyer extended birthday greetings to his secretary Rose Setaro who will celebrate her birthday on February 4, 1981.

The Mayor also announced that the Sokol property signing took place on January 30th and thanked Councilman Evans and the Land Acquisition committee for bringing about this very important addition to our recreational land and also thanked the Council for their cooperation and the legal staff, as it was all carried out with great efficiency.

Mayor Dyer welcomed Troop 117 Scouts from Mill Ridge School who were attending the Council meeting.

Mayor Dyer took the opportunity to caution the Council on spending, noting the numerous items on the agenda which requires appropriations not planned for in the budget. We faced some over runs in the Public Works Department because of the severe winter, as well as in our fuel account and there is still a question regarding the \$400,000 from the State of Connecticut.

Mayor Dyer expressed his gratitude to Representatives Paul Garavel and Martin Smith for their support of our City.

We also have the police contract, as well as other transfers pending. There is not an endless supply of money in the treasury, and I am sure you are mindful of that.

In March and April the Mayor stated, he will be submitting adjustments in the Budget for the items such as the volunteer firemen, the recreation budget and other agencies. This is due to the differences between the Mayor's budget and the Council's rejected budget/. The Mayor asked the Council to support restoring funds to such groups as the volunteer firemen, as they deserve the support of the Council."

The Mayor also noted that it has come to his attention that members of the Fire Union have allegedly been contacting members of the Council. Article 21 of the Fire Union contract specifically says that the Union shall not contact members of the Common Council.

Connecticut General Statutes Section 7-470-b sub-sections 2 and c, specifically address the legal bargaining practices. The Mayor asked

the Common Council not to force these efforts as they undermine management and the prerogative of the executive branch of government when it comes to collective bargaining, and violates the contract.

COMMUNICATION - Appointment of Councilman At Large.

A motion was made by Councilman Murray and seconded by Councilman Ryan to place the name of Mounir Farah of 28 Ninth Avenue, as Councilman-At-Large to replace former Councilman Thomas Fabiano who has resigned. Motion carried unanimously.

The Communication was accepted and appointment confirmed unanimously.

Corporation Counsel Attorney Theodore H. Goldstein administered the oath of office to Mounir Farah as Councilman At Large. Councilman Farah was then escorted to the dias by Councilmen Ryan and Delsin.

CONSENT CALENDAR

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

- 06 - Resolution - To authorize Mayor to sell City Property to clear title defect.
- 027 - Communication & Certification - Transfer of funds to Parks & Recreation for heat & maintenance at former Sokol property.
- 028 - Communication & Certification - Request for transfer of funds to Zoning Commission.
- 030 - Communication - Appointment of a representative from the Flood & Erosion Control Board to the Environmental Impact Commission.
- 031 - Communication - Appointment to Equal Rights & Opportunities Commission.
- 032 - Communication - Appointments to Cultural Commission.
- 033 - Communication - Appointment to Richter Park Authority.
- 034 - Communication - Appointment to Conservation Commission.
- 035 - Communication - Promotions in Danbury Police Department.
- 036 - Communication - Appointment of Captain in Danbury Fire Dept.
- 039 - Report - Public Works Committee re: sewers for Beaver Brook Hgts & Forest Ave.
- 040 - Report & Certification - Baseball Diamonds at D.H.S.
- 041 - Report - Intersection of Briarwood Drive & Cross St.
- 042 - Report - Survey report on Ryder's Lane and Shannon Ridge Sewers.
- 044 - Report & Certification - Funds for Richter Park Authority.
- 045 - Report & Certification - Transfer of funds to Fire Dept. for public safety equipment.
- 047 - Report & Certification - Transfer of funds to Purchasing Department.
- 048 - Report - Land Acquisition Committee re: American Legion Building.
- 049 - Report - Demetron Research Corp - sewer line (Ye Olde Road).
- 050 - Report - Petition of T. Lechner for sewer line on Virginia Ave.
- 051 - Report - Petition of Saunders Corp. for sewer line on Taylor St.
- 052 - Report - Petition of J. DaCosta for sewers on Home Place.
- 054 - Report & Ordinance - Handicapped Parking.
- 055 - Report & Ordinance - Permit Fees - Building Department.

A motion was then made by Councilman Turk, seconded by Councilman Walsh to remove the following items from the Consent Calendar:

Numbers 27 - 28 - 040 - 044 - 045 - 047 - Motion carried unanimously by a roll call vote of 21 Ayes - No Nays.

The Consent Calendar was adopted as amended by the deletions.

CLAIMS - Charlotte Perry - Barbara A. Wile - Chester Hrostek - Marion Santos - Lawrence Taylor - Alexander Woolard.

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

Mayor Dyer appointed Councilman Farah to the Claims committee and to the Public Works Committee.

Mayor Dyer then introduced William Spuehler who was being promoted to Lieutenant in the Police Department and Joseph Fecarotta being promoted to Sergeant.

RESOLUTION - To honor and commend Ella T. Grasso.

Mayor James E. Dyer submitted and read the following Resolution:

WHEREAS, Ella T. Grasso has dedicated her life to the service of the people of Connecticut, as Governor, as United States Congresswoman, as Secretary of State, and as State Representative; and

WHEREAS, Ella T. Grasso has devoted her time and efforts toward betterment of the overall quality of life for our City; and

WHEREAS, Illness has caused Ella T. Grasso to cease her service as Governor; and

WHEREAS, The courage and determination Ella T. Grasso has exhibited in her battle against her illness serves as an inspiration to all; be it

RESOLVED That the Common Council of the City of Danbury and Mayor James E. Dyer officially honor and commend Ella T. Grasso for her dedication, devotion and her love of her State and of the citizenry of Danbury; and

BE IT FURTHER RESOLVED, That the Common Council and the Mayor express, on behalf of the citizens of Danbury, appreciation, love, and gratitude to Ella Grasso, our Friend.

IN WITNESS WHEREOF, I hereunto set my hand and cause the seal of the City of Danbury to be affixed this third day of February in the Year of Our Lord, Nineteen Hundred and Eighty-one.

(signed) James E. Dyer
Mayor of the City of Danbury

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

Councilman Turk remarked that the minority party also supported this Resolution.

The Resolution was adopted unanimously.

RESOLUTION - To express gratitude and affection to Clarice Osiecki.

WHEREAS, Clarice Osiecki has served the City of Danbury as State Representative for eight years; and

WHEREAS, Clarice Osiecki chose not to seek re-election to the House of Representatives from the 108th Assembly District; and

WHEREAS, Clarice Osiecki has served her City with dedication, and her constituents with loyalty and deep commitment; be it

RESOLVED, That the Common Council of the City of Danbury and the Mayor of the City of Danbury express our gratitude and affection to Clarice Osiecki for her unselfish service; and

BE IT FURTHER RESOLVED, That the Common Council and the Mayor join with all of our citizenry in wishing Clarice Osiecki much happiness and success in her future endeavors.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of Danbury to be affixed this third day of February in the Year of Our Lord, Nineteen Hundred and Eighty-one.

(signed) James E. Dyer
Mayor of the City of Danbury

A motion was made by Councilman Murray and seconded by Councilman Walsh for adoption of the Resolution.

The Resolution was adopted unanimously.

RESOLUTION - Social Security - Sick Pay.

A motion was made by Councilman Ryan and seconded by Councilman Murray to adopt the Resolution.

Under remarks, Councilman Scialabba asked if this Resolution included teachers.

Mr. John P. Edwards, Acting Director of Finance was allowed to reply stating that teachers are not included and neither are Policemen or Firemen.

Councilman Scialabba requested referral to committee.

Mayor Dyer so ordered and appointed the following members to this committee: DaSilva, Turk, Evans.

RESOLUTION - To clear title defect. - property in Hayestown District.

Resolved by the Common Council That Mayor James E. Dyer be and he is hereby authorized to execute a quit-claim deed in behalf of the City of Danbury to H. Frank Taylor and Jessie G. Taylor, both of Danbury, granting to them all right, title and interest of the City of Danbury in and to a certain triangular piece of land, containing 238 square feet, located in Hayestown District, in the City of Danbury.

The Resolution was adopted on the Consent Calendar.

ORDINANCE - Amendment to Sec. 16-1(15) -Water pollution control Authority.

Councilman Ryan requested referral to the Sewer & Water Extension Committee. Mayor Dyer so ordered.

COMMUNICATION - Petition of City of Danbury Housing Authority to connect and to extend the water lines and sewer lines to serve property at Mill Ridge and Fairfield Ridge.

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

COMMUNICATION - Drainage problems - Stonegate Estates - property of Mr. & Mrs. Lacy Boggess.

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

COMMUNICATION - Request of John Morganti & Sons to extend water line from Larson Drive to Old Ridgebury Road.

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

COMMUNICATION - Confirming or selecting the independent auditor for the new year. The present firm will be willing to continue at the following rate: This is a 7% increase:

City Audit	\$24,800.00
School Lunch	1,600.00
Spec. Educ.Grants	3,600.00
	<u>\$30,000.00</u>

Councilman Murray requested referral to an Ad Hoc Committee. Mayor Dyer so ordered and appointed the following members to this committee: Torian, Turk, Eppolliti.

COMMUNICATION - Request to assign awarding of Insurance Contracts to Risk Manager.

COMMUNICATION - Request to assign awarding of Insurance Contracts to Risk Manager.

The Ordinances for awarding insurance contracts now places this responsibility with the City's Purchasing Agent. Since the City now employs a full time Risk Manager, the Common Council either by Ordinance or Resolution, should assign this duty to the Risk Manager.

Councilman Murray requested referral to an Ad Hoc Committee. Mayor Dyer so ordered and appointed the following members to this committee: Boynton, Scialabba, Burke.

COMMUNICATION - Request for the establishment of a committee to consider amending Ordinance re: Salvaging rights at Danbury Landfill.

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

COMMUNICATION - Request for an Ad Hoc committee to review our Charter and Ordinances as they relate to influence peddling, ethical conduct, conflict of interest and financial disclosure by elected officials and public agency heads.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: McManus, Walsh, Rinder.

COMMUNICATION - Request for an Ordinance that would permit the City of Danbury to deny building, sewers, water, street opening and septic permits to delinquent taxpayers, including those actively involved in development.

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

COMMUNICATION - Request of Assistant Corporation Counsel Eric L. Gottschalk to review posting of cash bonds for road acceptances. re: El Morro II: Stable Drive, Grenier Drive, Cannonball Drive, Carriage House Drive, Jonathan Court and Caisson Drive.

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

COMMUNICATION - Space needs for Fire Department Training Officer.

Communication from Adam Piskura, Fire Department Training officer, stating that there is an opportunity for the Fire Department and the City to benefit from the gift of a portable classroom.

Councilman Murray requested referral to an Ad Hoc committee. Mayor Dyer so ordered and referred the matter to the following committee: Cassano, Walsh, Torian.

COMMUNICATION - Request to implement projects submitted by the Youth Commission - possibility of a band competition and a chess tournament.

Councilman Ryan requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: White, Scialabba, Butera.

COMMUNICATION - Energy saving proposal from the Purchasing Dept. Re: Alternate Fuel Conversion of Motor Vehicles.

S.B. Hamilton Purchasing Agent for the City of Danbury has proposed that the City convert two vehicles to propane and make a thorough study of fuel and dollar savings.

This conversion would cost approximately \$1,500 per vehicle. It was suggested that the Police Department's station wagon and one of the Highway Department's pick up trucks would be excellent test vehicles because they generally have high mileage, a limited number of drivers and reasonably good service records.

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

COMMUNICATION - Offer by Med-I-Chair Coach to serve as back-up service to A-1 Ambulance in Danbury Fire Department, on a 24 hour 365 days per year basis. The City of Danbury will be billed a flat fee of \$3,000 per month for this service regardless of the number of such calls.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Torian, Turk, Repole.

COMMUNICATION - Police Pension Board.

Communication from Theodore H. Goldstein, Corporation Counsel, stating that if the Councilperson who now sits on the Police Pension Board was not selected by the current Common Council pursuant to Section 14-50 (a) such person acts without authority on said Board.

Councilman Turk requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: McManus, Walsh, Boynton, Torian. Councilman Delsin and Councilman Turk asked to be notified when this committee meets.

COMMUNICATION - Request to review the Council's representation on the Fire Pension Board.

Councilman Turk requested referral to the Council as a whole. Mayor Dyer referred the matter to the same committee as the Police Pension Board matter: Councilmembers - McManus, Walsh, Boynton, Torian.

COMMUNICATION - Request from the Board of Directors of the Still River Co-op for an emergency grant of \$1,000 to prevent the closing of storefront operation at 41 South St.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Councilmen Evans, Turk, Visconti.

90
COMMUNICATION & CERTIFICATION - Request for \$15,000 to be transferred to the Tree Department for Gypsy Moth Spraying.

A Certification in the amount of \$15,000 in the Contingency Account to be transferred to the Tree Department, was submitted by John P. Edwards Director of Finance, Acting.

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

COMMUNICATION & CERTIFICATION - Request for \$3,000 to settle a discrimination claim against the City of Danbury re: Ann Hicks.

A Certification was submitted by the Director of Finance, Acting Mr. J. P. Edwards in the amount of \$3,000 available in the Contingency Fund.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Gallo, Delsin, Farah.

COMMUNICATION & CERTIFICATION - Request for \$16,000 to be transferred to the Parks & Recreation Department for maintenance of athletic fields.

A Certification was submitted in the amount of \$16,000 available in the Contingency Account for Parks & Recreation.

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

COMMUNICATION & CERTIFICATION - Request from Robert Ryerson, Director of Parks & Recreation for a transfer of funds in the amount of \$1,900. from Contingency to the Parks & Recreation Department to cover expenses for electricity, alarm system, automatic fire extinguisher and heating oil during the remaining fiscal year at the newly acquired "Sokol Property"

A Certification in the amount of \$1,900 was submitted by Mr. J. P. Edwards, Director of Finance, Acting, to be transferred from the Contingency Fund to the Parks and Recreation Department for heat and maintenance at the former Sokol property.

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

Councilman Turk requested referral to committee.

Councilman Ryan speaking on a point of personal privilege asked Mr. Turk to withdraw his referral as the funds could be transferred eliminating problems such as pipes freezing due to lack of heat in the buildings etc.

Councilman Turk withdrew his referral and the motion carried unanimously by a vote of 21 Ayes, authorizing the transfer of funds in the amount of \$1,900.00

COMMUNICATION & CERTIFICATION - Request for a transfer of funds in the amount of \$2,500 to the Zoning Commission.

A Certification in the amount of \$2,500 was submitted by Mr. J. P. Edwards, Director of Finance, Acting.

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

Councilman Turk requested referral to committee. Mayor Dyer appointed the following to this committee: DaSilva, Delsin, Murr

94
COMMUNICATION & CERTIFICATION - Request for \$750.00 to be transferred to the Ordinance Revision Commission.

A Certification was submitted by Mr. J. Edwards in the amount of \$750 available in the Contingency Account to be transferred to the Ordinance Revision Commission.

Councilman Murray requested referral to committee.

Mayor Dyer so ordered and appointed the following members to this committee: DaSilva, Delsin, Murray.

COMMUNICATION - Appointment of Hampton Parker, 25 Indian Head Road as the Flood & Erosion Commission representative to the Environmental Impact Commission for a term to expire on December 1, 1983.

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

COMMUNICATION - Appointment of Dr. Ruth Haas, Southern Boulevard, as a member of the Equal Rights & Opportunities Commission for a term to expire on August 1, 1981. Dr. Haas is the former President of Western Connecticut State College.

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

COMMUNICATION - Re-appointment of James E. Humpreville - 9 Cedar Crest Drive -- Alfred F. Zega - 1 Briar Ridge Road and Joan T. Lubus - 8 Old Stadley Rough Road, to the Cultural Commission for a term to expire on February 1, 1984.

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

COMMUNICATION - Appointment of Samuel Hyman - 601 Village Square to the Richter Park Authority for a term to expire on Sept. 1, 1983.

Mr. Hyman is employed as a compliance officer in the State Department of Human Rights and is active in many civic organizations.

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

COMMUNICATION - Appointment of Weldon Woodruff, Boyce Road, to the Conservation Commission for a term to expire on July 1, 1981.

Mr. Woodruff is manager of Hartford National Bank in Danbury and has expressed an interest in serving on this commission.

The Communication was accepted and appointment confirmed on the Consent calendar.

95
COMMUNICATION- Promotions of the following in the Danbury Police Dept:

William Spuehler - 20 Woodbury Drive to Lieutenant

Joseph Fecarotta - Hemlock Shores - to Sergeant

Salary in accordance with contract and revisions to be approved in March. Chief Macedo concurs with these appointments.

The Communication was accepted and promotions confirmed on the Consent Calendar.

COMMUNICATION - Appointment of William Pechaski as a Fire Captain in the Danbury Fire Department. Mr. Pechaski placed number one on the Civil Service test, and has been with the Fire Department for 16 years. He is presently taking an EMT course.

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

COMMUNICATION - Appointment of Reginald DePalma as Ambulance Supervisor in the Danbury Fire Department.

Mr. DePalma placed number one on the Civil Service eligibility list. He is EMT-IV certified, and is currently taking courses to qualify as an instructor. He has been with the Fire Department for eleven years. Prior to his service in Danbury, he was a member of a California Fire Dept. for three years. The salary is \$21,341 annually.

Councilman White requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: Murray, Delsin, Ryan, DaSilva, White.

DEPARTMENT REPORTS

Fire Chief	Sanitary Inspector
Fire Marshal	Food Service Inspector
Housing Code Enforcement Insp.	Sealer of Weights
Coordinator of Environmental & Occupational Health Services.	
Coordinator of High Blood Pressure Program.	

A motion was made by Councilman Ryan and seconded by Councilman Murray to dispense with the reading of 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: Sewers for Beaver Brook Heights & Forest Avenue.

Councilman DaSilva, chairman of the Public Works Committee submitted a report stating that the committee reviewed cost estimates for a sanitary sewer in the Beaver Brook Heights and Forest Avenue areas. The cost was approximately \$450,000 with 113 parcels to be assessed in Beaver Brook Heights and \$56,000 for Forest Avenue.

Because of reaction to recent sewer proposals, the committee decided to hold informational meetings to explain the procedures and financial obligations in sewer installations.

It was further recommended that the Common Council be requested to authorize the Engineering Department to conduct a preliminary survey of these areas to ascertain the opinions of area property owners.

The Public Works Committee requests the acceptance of this report and authorization of the survey.

The Report was accepted and authorization granted by the Consent Calendar.

REPORT & CERTIFICATION - Repair of Baseball Diamonds at Danbury High School.

Councilman DaSilva submitted a Public Works Committee report stating that the committee reviewed a proposal from Norman Winnerman, D.H.S. Athletic Director, for repair of baseball diamonds at the D.H.S.

While there was general consensus among the committee that this work was necessary, there was question as to the maintenance of these fields when completed. It was discovered that if these fields are repaired, they will be maintained by the Parks & Recreation Department who uses these fields through the summer and has the equipment to perform this task. Mr. Ryerson will later request of the Common Council monies to accomplish the above mentioned maintenance.

The Public Works Committee recommends an appropriation of \$4,000 be given to the outside services account of the Parks & Recreation budget for repair of the baseball diamond at D.H.S.

A Certification was submitted by Mr. J.P. Edwards, Director of Finance, Acting, in the amount of \$4,000 available in the Contingency Account to pay \$4,000 for work at the D.H.S. Athletic Field.

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

A motion was then made by Councilman Turk and seconded by Councilman Scialabba to recommit to committee.

Councilman Delsin asked why Mr. Winnerman was requesting the funds if the fields were under the jurisdiction of the Parks & Recreation Dept.

Councilman Murray stated that we did not wish to give the money to the Board of Education who may not use the funds for this purpose.

Councilman DaSilva noted that the fields are used by others - not only the School Department.

Councilman Turk quoted the Mayor's concern about expenditures of funds. Councilman Turk and Councilman Scialabba then withdrew their motion to recommit.

The first motion was carried by a vote of 21 ayes.

A five minute recess was held.

REPORT - Sight line problems at the intersection of Briarwood Drive and Cross Street.

Councilman DaSilva, Chairman of the Public Works Committee, submitted a report stating that the committee has studied the problem of limited visibility at the intersection of Briarwood Drive and Cross Street. An on-site inspection was carried out in Nove, 1980.

Police Chief Nelson Macedo was asked to survey this problem and offer any pertinent suggestions. He presented two possibilities:

- 91
1. The installation of a blinking caution light with approximate cost of \$10,588 for installation and \$30 per month for electricity.
 2. The installation of new and larger signs which would serve the same general purpose, combined with a request to the local postmaster to move a mail storage box.

The committee moved to recommend the second suggestion in that it offered the same service at a substantially lower cost. These signs can be installed in the Spring and funded through the regular Police Department Budget.

The Report and recommendation was accepted on the Consent Calendar.

REPORT - Survey report on Ryders Lane and Shannon Ridge Sewers.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed the survey conducted by the Engineering Department in the Ryders Land and Shannon Ridge Areas. After study of the surveys it is recommended to the Common Council that its initial action of deferment be confirmed.

The Report and deferment was accepted on the Consent Calendar.

REPORT - Hiring of an additional Assistant Corporation Counsel for the Board of Education.

Councilman Boynton submitted a committee report stating that the committee had met on Jan. 14, 1981 with Assistant Corporation Counsel Eric Gottschalk. The committee discussed the proposed Resolution's purpose and intent; that being to restrict the Board of Education from hiring outside Attorneys and using the Attorney to be hired by the City solely for the purpose of the Board of Education. The cost of said Attorney to be charged to the funds allocated to the Board of Education.

The opinion of the majority of the members of the committee was and is that this action would be:

- A. Illegal - under State Statutes 10-222
- B. Would not accomplish the stated purpose and intent of the resolution
- C. An additional grant of monies by the Council -- Taxpayers above and beyond their allotted funding under the budget.

It is the opinion of the committee that the council not adopt this or any other Resolution that would be illegal and unable to meet its intent or purpose. The committee voted two to one to recommend defeat of the proposed resolution.

A minority report is to be submitted by Councilman Scialabba.

A motion was made by Councilman Turk and seconded by Councilman Burke to accept the majority report.

Councilman Scialabba remarked that it is not illegal - An attorney could be hired through the office of the Corporation Counsel, and that his remarks are to be considered the minority report.

Corporation Counsel Theodore H. Goldstein ruled that all reports must be submitted in writing, in accordance with Section 2-94 of the Code of Ordinances which states that all reports of committees shall be in writing.

The majority report was accepted .

REPORT & CERTIFICATION - Funds for Richter Park Authority.

Councilwoman McManus submitted a report of the Richter Park Liaison Committee stating that they had met on January 26, 1981 to discuss the request for the release of \$17,808.00 to the Richter Park Authority, money already granted in last year's Council budget which was frozen after the Mayor's budget became effective.

The Authority has relied on this appropriation in making repairs to the course during the summer. In addition the Authority has been faced with additional expenses caused by a malfunction of the furnace, burst pipes and high heating electric fuel bills.

In order to save money, the Authority has closed the mansion for the winter months and moved the office into the much smaller quarters of the Pro Shop. The committee recommends that \$17,808 be released to the Authority.

A Certification in the amount of \$17,808 available in the Contingency Account for the Richter Park Authority, was submitted by Mr. John P. Edwards, Director of Finance, Acting.

Councilman Turk, in lieu of the Mayor's concern about expenditures, asked for an explanation of this request.

Councilwoman McManus explained that the Common Council had appropriated the funds previously and saw no reason not to appropriate these funds at this time.

Councilman Delsin remarked that these funds were promised and the release of the funds is required for the repairs and maintenance etc.

Councilman Evans stated that we should have a Director for proper direction - somebody should be there who knows about golf courses.

Mayor Dyer remarked that the City does not have much choice - funds are necessary and we should have faith in the committee members. Mayor Dyer also stated we should be cautious and prudent in the future.

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

REPORT & CERTIFICATION - Transfer of funds to Fire Dept. for public safety equipment.

Councilwoman C. McManus submitted a Health Committee Report stating that the committee met to discuss the City's preparedness to prevent and control disasters involving hazardous chemicals.

At the October meeting, each department was asked to prepare a list of those items needed to deal with an emergency involving hazardous materials. It was the consensus that the items required by the Fire Department should receive the highest priority.

After reviewing the list prepared by the Fire Department and viewing a well prepared presentation by the Fire Department, the Health Committee recommends that the amount of \$15,190 be appropriated for the purchase of all items on the list with the exception of the explosive meters and gas detectors. These items were given a low priority and are the most expensive items on the list. The committee also recommends that if and when a Fire -Police Station is built on the West side of Danbury, that provisions be made in the same building for the housing of the Civil Defense vehicles.

99

A Certification in the amount of \$15,190 was submitted by Mr. John P. Edwards, Director of Finance, Acting - funds available in the Contingency Account, to be transferred to the Fire Department.

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 21 ayes - no nays.

REPORT & CERTIFICATION - Request for funds for E.I.C. re: Sanmill Corp.

Councilman Torian submitted a report stating that the committee appointed to review the request for \$2,000 for purposes of an appeal of the recent Court decision concerning the Sanmill Corporation, met on Jan. 21, 1981 at 8:30 P.M.

At the committee meeting Mr. Silverman, former chairman of the E.I.C. outlined their role in obtaining a temporary injunction against the Sanmill Corporation which is located south of the Danbury Airport on Sugar Hollow Road. The injunction precluded the Corporation from continuing to add landfill to their property, which is located primarily in a wetland's area. E.I.C.'s position was predicated by the existence of an enormous water runoff situation resulting from the additional landfill, and was determined to be detrimental to the surrounding areas.

Attorney Frizzell informed the committee of the potential hazards that could occur if the appeal process was not pursued:

1. Flooding of the Danbury Airport area.
2. Jeopardizing the future water supply of the City of Danbury due to its location over an aquifer.
3. Erosion of neighborhood resident's property in the immediate area, creating a negative impact on property values.

If the appeal is successful, a favorable ruling would mean the property owner would have to resort to the regulatory process i.e. file an application with the E.I.C. accompanied by a proposal plan. The E.I.C. would then weigh the environmental and economic impact of the proposal, and base its ruling in accordance with the best interest of the City of Danbury.

A Certification had been submitted by Mr. John Edwards, Director of Finance, Acting in the amount of \$2,000 available in the Contingency Account.

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

Councilman Delsin asked what the \$2,000 was needed for. Corporation Counsel Goldstein replied that the funds were required for recording fees, filing fees, copies of transcripts to law libraries in Connecticut - briefs to be printed etc.

Attorney Frizzel stated that if expenses are higher they may have to come back to the Council for more funds.

The Report was accepted and transfer of funds authorized by a roll call vote of 17 Ayes - 3 Nays (Councilmen Delsin, Walsh, Scialabba) voted Nay) 1 member absent. Councilman Visconti left the meeting.

REPORT & CERTIFICATION - Transfer of funds to Purchasing Department.

Councilman White submitted a report stating that the committee has met and discussed the present space problems in the office of the Purchasing Agent and reviewed and evaluated brochures from various manufacturers on space saving equipment.

The committee inspected the offices of the Purchasing Department and concluded that with the new arrival of a Buyer and a Clerical worker, that the purchase of the equipment is very important and vital to the efficient operation and records of the Department.

It is the opinion of the committee that the transfer of funds in the amount of \$4,800 be authorized at this time and that this equipment be obtained in as expeditious manner as possible.

A Certification in the amount of \$4,800 was submitted by Mr. Edwards, Director of Finance, Acting, to be transferred from the Contingency Account to the office equipment account in the Purchasing Agent's budget.

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

Motion carried by a vote of 19 Ayes 1 Nay (Councilman Turk voted Nay) and 1 member absent. Councilman Visconti was absent.

American Legion Building.

REPORT -/Councilman Evans submitted a Land Acquisition Committee report stating that the committee had met on January 19, 1981 and by a vote of the members present, it was decided to refuse the offer to purchase the American Legion Building on Elm Street.

The Report was accepted on the Consent Calendar.

REPORTS Re: Petition of Demetron Research Corp. for sewer line (Ye Olde Road).
Petition of Thomas Lechner for sewer line on Virginia Avenue.
Petition of Saunders Corporation for sewers on Taylor Street.
Petition of J. DaCosta for sewers on Home Place.

Councilman Gallo submitted Sewer & Water Extension Committee reports on the above Petitions stating that the committee has met and reviewed the above petitions with the City Engineer and has also reviewed recommendations for approval from the Planning Commission.

It is the recommendation of this 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 sewers.
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 petitioners conveying to the City of Danbury all rights, titles, interests and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installations.
5. That upon completion of installation, title to said sewer lines 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 lines 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

101

involved in the approvals, then consent prior to any installations or hook-ups 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 lines.

The Reports were accepted and sewers granted on the Consent Calendar.

REPORT & ORDINANCE - Re: Burglar Alarms.

Councilman Murray submitted a report stating that the Common Council met as a committee of the whole on January 28, 1981 at 7:45 O'Clock P.M. in relation to the above captioned ordinance.

Two amendments were offered by Councilman Burke which deleted the last sentence in Section 1.b)2 and substituted the following sentence in lieu thereof -- "This shall not include any activation caused by violent conditions of nature or other extraordinary circumstances, not reasonably subject to control of the Alarm user." and,

In Section 2.b) the last sentence is deleted and the following substituted in lieu thereof: "They shall also post the name, address, and telephone number of any person, firm, or Corporation responsible for servicing the alarm system".

The amendments were adopted unanimously at the committee meeting at which time the Common Council as a committee of the whole unanimously recommended adoption of the Ordinance as amended. (Original Ordinance on file in the office of the City Clerk), and was read by Councilwoman L. Rinder.

A motion was made by Councilman Ryan and seconded by Councilman Delsin to accept the Report. Motion carried with Councilman White abstaining.

A motion was then made by Councilman Ryan and seconded by Councilman Evans that the Ordinance be adopted as amended by the report.

The Ordinance was adopted by a roll call vote of 18 Ayes 2 members absent (Councilmen Visconti and Scialabba were absent) and 1 abstention. Councilman White abstained from voting.

REPORT & ORDINANCE RE: Handicapped Parking.

Councilman Murray, president of the Common Council, submitted a report stating that the Common Council met as a committee of the whole on Jan. 28, 1981 at 8:00 P.M. in relation to the above captioned Ordinance.

A public hearing was held on the proposed Ordinance on Jan. 26, 1981. The Committee of the whole voted to recommend adoption of the proposed Ordinance.

The Report was accepted and the Ordinance was adopted on the Consent Calendar. Original Ordinance on file in the office of the City Clerk.

REPORT & ORDINANCE - Building Permit Fees.

Councilman Murray submitted a report stating that the Common Council met as a committee of the whole on January 28, 1981 in relation to the above captioned Ordinance.

A Public Hearing on the Ordinance was conducted on Jan. 26, 1981. The committee of the whole voted unanimously to recommend adoption of the proposed Ordinance.

The Report was accepted and the Ordinance was adopted on the Consent Calendar. (Original Ordinance on file in the office of the City Clerk).

REPORT & ORDINANCE - Condominium Conversion.

Councilman Murray submitted a report stating that the Common Council met as a committee of the whole on Jan. 28, 1981 in relation to the above captioned Ordinance.

Councilman Boynton offered an amendment at the meeting of the committee of a whole which was to be added as sub-section "b" stating:

b. In accordance with Public Act 80-370, Section 1(b), no landlord may, prior to January 1, 1983, bring an action under Section 47a-23, as amended by Section 46 of Public Act 79-571, against any lessee who (1) resides in a building consisting of seven or more separate dwelling units,

(2) is blind or physically disabled as defined in Section 1-1f of the General Statutes or 62 years of age or older or whose spouse or sibling residing with such lessee is 62 years of age or older, and

(3) has an adjusted gross income for federal income tax purposes of not more than \$21,000 if unmarried, or \$25,000 jointly with spouse if married, except for reasons specified in said act and subject to the provisions thereof.

The amendment was adopted unanimously at the committee meeting and the Council as a committee of the whole voted that the Ordinance as amended, be reported for adoption.

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

Councilman Boynton read the Ordinance, original of which is on file in the office of the City Clerk.

A motion was then made by Councilman Ryan and seconded by Councilman Evans that the Ordinance be adopted as amended.

The Ordinance was adopted by a vote of 18 Ayes - 3 members were absent: Councilmen White, Visconti and Scialabba.

Mayor Dyer then extended extension of time to all pending committees.

PUBLIC SPEAKING SESSION

Mr. Harry Kozal

PUBLIC SPEAKING SESSION

Mr. Harry Kessler - Carol St. Danbury:

No member of the Board who is a City employee or related to a City employee should be placed in a position where they would have to make decisions on pensions. They should be excused from these decisions. It would eliminate any possible conflict of interest charges.

#15 - using the licensing bureau as a collection agency is not an ethical thing and should not be used as a punishment bit. Giving them their permits may enable them to become successive.

#21 & 22 - Police and Firemen Pension Boards - Mr. Kessler made mention of the McIntosh case, stating that three members of the Board were buddies of the applicant. The disability pension originally was worthwhile, in which anybody in a hazardous position, being injured in that position to a point where he no longer could earn a living, had to be provided for. This is not the case. Worthiness has nothing to do with it.

Mr. Kessler suggested a civilian review board to serve on the pension board.

Mr. Kessler was against the method by which the Sokol property was obtained, (by referendum -) people were not allowed to vote by the choice of the time of the referendum, asked why referendums are not held some time in the late Spring, or early summer, on a weekend.

Mayor Dyer replied that the referendum was held in accordance with the laws. Mr. Kessler said the laws are sometimes slanted the wrong way.

Referring to item #46 Mr. Kessler referred to the E.I. C. Commission as a puritanical nit-picking group.

Mr. Thomas St. Jean - Deerfield Avenue, spoke referring to Mayor's remarks regarding Union activity. Mr. St. Jean agreed with the Mayor's statement about union members approaching members of the Council or vice-versa. Over the years we have had some pretty hard times as a result of that, as some people do choose to negotiate their own contracts.

The last sentence of the same article 21, reads that City Officials will not deal with the employees or union members except through duly authorized representatives of the Union. Would like to remind you that you do have access to it and I hope you will feel free to contact us as we have Union representatives to contact you.

Referring to Mr. Kessler's remarks, Mr. St. Jean stated that as long as the Firefighters make a 50% contribution to their pension fund and in light of that, we will always have union representation on the board, to protect our own investments. Mr. Kessler's ideas may be good for pensions that are fully funded by municipalities.

Mr. Martin Melody - referring to #22 on the Agenda - Firemen Pension Board, asked the Corporation Counsel since this has been referred to committee, where does Mr. DaSilva stand on the Pension Board at this time.

Mayor Dyer responded asking Mr. Melody to put the question in writing and he will refer it to the Corporation Counsel for a reply.

There being no further business to come before the Council, a motion was made by Councilman White and seconded by Councilman Ryan for the meeting to be adjourned at 10:33 P.M.

Respectfully submitted

Mary Reckert
Assistant City Clerk

Elyahuta Mrs. Dgenten
CITY CLERK

Attest: