

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

SUBJECT: Minutes of the Common Council Meeting held on May 5, 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 Plédge of Allegiance to the Flag.

The Prayer was offered by Councilman Joseph DaSilva.

Roll Call was taken by Mary Rickert Assistant City Clerk, in the absence of Elizabeth Crudginton the City Clerk who was absent due to illness.

The following members were recorded as:

PRESENT: Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, Eppoliti, Cassano, Murray, Ryan, DaSilva, Turk, Boynton, Burke, Butera, Farah, Evans, Torian.

ABSENT: Councilman White who was reported to have been detained in N.Y. on business.

19 members present - 1 member absent - 1 vacancy.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that Memorial Day would be observed on the 25th of May and urged the members of the Common Council to participate in the parade and memorial services at Rogers Park.

Mayor Dyer acknowledged the letter received from Thomas Grasso, husband of Governor Grasso which expressed gratitude to the Mayor and Common Council for the Resolution in memory of Ella Grasso, former Governor of Conn.

Mayor Dyer also wished a speedy recovery to Dan Garamella who had a brief medical setback.

The Mayor asked everyone to offer prayers for peace in Ireland.

Mayor Dyer offered congratulations and best wishes to: Mrs. Dyer, his mother who will celebrate her birthday on May 14th. Betty & Don Crudginton on their anniversary

Chief Bertalovitz and Martin Melody who celebrated birthdays on the same day. Attorney Eric Gottschalk whose birthday was May 3rd.

birthday

Best/wishes were also extended to - Attorney Goldstein, Attorney West, Sarah Rothkopf, Councilwoman Lilija Rinder.

Mayor Dyer publicly thanked Norman Winnerman for the invitation to attend the first ball game on the new field for which funds were approved by the Common Council.

The Mayor also urged support for the Cancer Ball to be held in May.

NOMINATION OF COUNCILMAN FOR THE FIFTH DISTRICT

A motion was made by Councilman Murray and seconded by Councilman Repole placing the name of Nicholas Zotos, 49 Garfield Avenue for election to Councilman in the Fifth District. Motion carried unanimously.

19 Ayes - 1 member absent - 1 vacancy.

Attorney Theodore H. Goldstein administered the oath of office to Mr. Zoto. Councilman Zotos was escorted to the dias by Council President Richard Murray and congratulations were extended by Mayor Dyer.

CONSENT CALENDAR

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

- 02 - Resolution - Morningside Heights II Sewer Project.
- 011-1 - Communication & Certification - Transfer of funds to Probate Court.
- 016 - Communication - Appointment of a Director of Health.
- 017 - Communication - Appointment of Danbury Police Officers.
- 017-2 - Communication - Appointment to Cultural Commission.
- 017-3 - Communication - Appointment of an alternate member to the Planning Commission.
- 017-4 - Communication - Re-appointments to Commission on Aging.
- 017-5 - Communication - Re-appointment to Candlewood Lake Authority.
- 019 - Report - Request for Shelter Knolls Corporation for water & sewer at Eden Drive.
- 020 - Report - Request of John Morganti & Sons for waterline extension along Larson Drive to Old Ridgebury Rd.
- 021 - Report - Hatter's Community Bowling Lanes (Lease continuation)
- 023 - Report - Sidewalk Repairs.
- 024 - Report - Repair to West Redding Road.

A motion was made by Councilman Ryan and seconded by Councilman Murray for acceptance of the Consent Calendar as submitted. Motion carried unanimously.

Minutes of Common Council meetings held on April 7, 1981 and April 20, 1981. A motion was made by Councilman Ryan and seconded by Councilman Murray to dispense with reading of the minutes and to accept them as submitted. Motion carried unanimously.

CLAIMS - James Sadowski -- Conception Reyes.

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

RESOLUTION - Morningside Heights II Sewer Project.

Whereas, the Common Council has duly voted to approve a sanitary sewer project known as Morningside Heights II; and

Whereas, it is convenient and necessary for the City of Danbury to acquire easements in and to property hereinafter described located within the general area known as Morningside Heights II,; and

Whereas, the City of Danbury cannot agree with the several owners hereinafter named upon the amount to be paid for the respective easement of each to be taken in, through and under the real property described in the several exhibits attached hereto;

NOW, THEREFORE, the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property described in the exhibits attached hereto by eminent domain by institution of suits against the following: 1. MARY I. ARCHERIE, JOSEPH A. ARCHERIE, and JO-ANN P. CORSO, and upon the UNION SAVINGS BANK OF DANBURY, holders of a mortgage thereon. Exhibit A.

2. JOSEPH N. CAPOZZA and ROSE M. CAPOZZA. Exhibits B,C. and D.

3. ESTELLE GAUDIOS, a/k/a ESTELLE GAUDIOSO, and CLARA GAUDIOSO a/k/a CLARA GAUDIOS, and upon CONNECTICUT BANK AND TRUST COMPANY, holder of a mortgage thereon. Exhibit - E.

4. ELSIE GERSTENMAIER, ANNA FISCHER, and GERTRUDE LATTIN. Exhibit F.

5. JAMES REALTY, INC. and upon THE CONNECTICUT NATIONAL BANK, holder of a mortgage thereon. Exhibit G.

The Resolution was adopted on the Consent Calendar.

COMMUNICATION - Offer by A.J. Bernard of property for sale or lease at the Danbury Airport - Price for combined parcels - \$943,500.00.

Councilman Murray requested referral to the Land Acquisition Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of John Russo to connect to sewer lateral - 13 Forest Avenue.

Councilman Ryan requested referral to the Sewer & Water Extension Committee of the Common Council and to the Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Westwood Associates to extend Sewer and Water mains to Condominium site on Mill Plain Road.

Councilman Murray requested referral to the sewer and water extension committee of the Common Council and to the Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Judith A. Spak for the executive committee of Aqua Vista Association for the City to assume maintenance of roads in Aqua Vista.

Councilman Ryan requested referral to the Road Study Committee of the Common Council and the Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Dorothy Johnson to Chief Macedo for the placing of a safety island at the intersection of Elm and Beaver Streets.

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

COMMUNICATION - Request of Richard F. Krieg as to whether the repair of City water lines, in the streets, is the responsibility of taxpayers or of the City.

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

COMMUNICATION - Conrail Agreement Conversion Project.

The City of Danbury has been approached by Conrail to determine our interest in converting current licenses granted to permit various utilities to cross over or under railroad rights-of-way into perpetual easements. Conrail requests a one-time payment of \$600 to accomplish this conversion.

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

COMMUNICATION & CERTIFICATION - Canine Officers Contract.

As per Mr. John P. Edwards, Director of Finance, Acting, the cost of implementing the Canine Officers Contract for this year is \$884.98 for regular salaries and \$350.00 for overtime - total \$1234.98. There is adequate money in the Fund Balance of this account, certified by Mr. Edwards.

A motion was made by Councilman Ryan and seconded by Councilman Delsin that the Communication be accepted and funds authorized.
Motion carried by a roll call vote of 20 Ayes - 1 member absent.

COMMUNICATION & CERTIFICATION - Retirement Administration.

In the process of labor negotiations, the City will incur extra fees for actuarial reviews of pensions. Bills on hand now total \$3,611, it is anticipated there will be other expenses depending on the retirement activity.

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| Present balance 3/31/81 | - \$3,744.00 |
| Amount requested | \$1,843.00 |

Mr. Edwards certified these funds are available in the fund balance.

A motion was made by Councilman Ryan and seconded by Councilman Delsin that the Communication be accepted and funds authorized.
Motion carried by a roll call vote of 20 Ayes - 1 member absent.

COMMUNICATION & CERTIFICATION - Request for funds for shelves in the Probate Court.

Mr. John P. Edwards, Director of Finance, Acting submitted a certification in the amount of \$3,450.00 to be transferred from Capital Account entitled City Hall Blinds to the Probate Court for the purchase of shelves. The money will be transferred as follows:
\$1929.00 Equipment and \$1521.00 Supplies.

The Communication was accepted and transfer of funds authorized on the Consent Calendar.

COMMUNICATION - Request from Mayor Dyer for the establishment of a Parks and Recreation Commission. The recent Charter revision eliminated the old commission.

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

COMMUNICATION - Request from the General Government Budget Committee of the Common Council, for a committee to be appointed to review the matter of public funds being spent to improve private property by the Community Action Agency.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer appointed the following members to this committee: DaSilva, Delsin, Burke.

COMMUNICATION - Proposal by the Lions Club of Danbury to redesign the Osborne Street Field.

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

COMMUNICATION - Appointment of Frank Grosso as the Director of Health for the City of Danbury. Mr. Grosso meets all of the requirements for the position, and will be assuming his duties as soon as he relocates to the Danbury area.

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

COMMUNICATION - Appointment of the following Police Officers:

Daniel Mulvey - 42 Fairfield Ridge.
 Eric Fowler - 181 White Street
 Jocelyn May - 17 Rangely Drive
 Lisa Searles - 21 West Wooster St.
 Craig Martin - 53 Tower Rd. - Brookfield

Appointment as a regular police officer is contingent upon successful completion of courses at the Police Academy and completion of an active probationary period.

The starting salary is \$12,586.00 annually.

The starting date will be arranged with Chief Macedo.

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

COMMUNICATION - Appointment of Samuel Jacobellis to the Richter Park Authority for a term to expire on September 1, 1982.

Councilwoman C. McManus requested referral to an ad hoc committee. Mayor Dyer appointed the following members to this committee: McManus, Delsin, Rinder.

COMMUNICATION - Appointment of Joan V. Ward, 1 Fox Den Road, Danbury, to the Cultural Commission for a term to expire on February 1, 1983.

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

COMMUNICATION - Appointment of William McLachlan, 47 Wooster Heights, Danbury, as an alternate member of the Planning Commission for a term to expire on January 1, 1982.

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

COMMUNICATION - Re-appointments of Mr. Frank Schneider, 12 Hilltop Manor and Mr. Irving Mahl, Rockwood Lane to the Commission on Aging for a term to expire on October 1, 1984.

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

COMMUNICATION - Re-appointment of Jean Hazard, 13 Horseshoe Drive, as a member of the Candlewood Lake Authority for a term to expire on April 1, 1984.

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

DEPARTMENT REPORTS

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| Fire Chief | Aviation Commission |
| Fire Marshal | Health Inspector |
| Police Dept. | Housing Inspector |
| High Blood Pressure Program | Sealer of Weights |
| Coordinator of Environmental & Occupational Health Services. | |

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

AD HOC COMMITTEE REPORTS

REPORT - Request of Shelter Knolls Corporation for permission to attach to water & sewer at Eden Drive.

Councilman Gallo submitted a report stating that the sewer and water extension committee of the Common Council has met and reviewed the above petition, with the City Engineer and has also reviewed a recommendation for approval, from the Planning Commission.

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

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel, shall be executed by the petitioner conveying to the City of Danbury all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said 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 petitioner 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 petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and water lines.

The Report was accepted by the Common Council on the Consent Calendar, and petition was granted.

REPORT - Request of John Morganti & Sons for waterline extension along Larson Drive to Old Ridgebury Road.

Councilman Gallo submitted a report stating that the sewer and water extension committee of the Common Council has met and reviewed the above petition for water extension, with the City Engineer and has also reviewed the recommendation for approval from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the conditions and restrictions specified in the report and listed in the Shelter Knolls Report. This petition is for water only.

The Report was accepted and petition granted on the Consent Calendar.

REPORT - Hatter's Community Park Bowling Lanes (Lease continuation).

Councilman Murray submitted a report stating that the committee appointed to review the above captioned matter, met on April 27, 1981 at 6:30 P.M. in room 432 at City Hall. Based on communications from Parks & Recreation Director Robert Ryerson and Assistant Corporation Counsel Eric Gottschalk, the committee recommends, in accordance with Charter Sec. 3-17 that a lease agreement be approved and further, that the purchasing agent's office solicit bids for that purpose.

The Report was accepted on the Consent Calendar.

REPORT - Request of Mendik Corporation for permission to discharge waste into sewer main on Stony Hill Road.

Councilman Gallo requested that this matter be recommitted. Mayor Dyer so ordered.

REPORT - Sidewalk Repairs.

Councilman DaSilva submitted a Public Works Committee report stating that the committee in cooperation with City Engineer J. Schweitzer, studied the need for repairs to various sidewalks throughout the City.

Pursuant to the recently revised ordinance on this subject, the committee voted unanimously to recommend that Mr. Schweitzer order that the needed repair be performed by the abutting property owners as called for in the ordinance.

The Report was accepted on the Consent Calendar.

REPORT - Repair to West Redding Road.

Councilman DaSilva submitted a Public Works Committee report stating that the committee studied a request to repair the length of West Redding Road. An on-site inspection was carried out in March, 1981.

After discussion with the City Engineer and Highway Superintendent E. Fusek it was determined that because of the topography of the road area, which is largely a rocky bank on one side and a sharp drop off on the other, this proposal would be extremely expensive.

Because of this excessive cost the committee voted unanimously to deny the request at this time.

The Report was accepted on the Consent Calendar.

COMMUNICATION - Memorial Day Parade.

Mr. Thomas J. Dyer, Secretary of the Danbury Council of Veterans submitted a letter of invitation to the Common Council to participate in this patriotic event. Parade at 9:45 A.M. on May 25, 1981 with Memorial services to follow at the Rose Gardens in Rogers Park.

A motion was made by Councilman Ryan and seconded by Councilman Murray that the Communication be accepted and that members of the Common Council participate on Memorial Day. Motion carried.

RESOLUTION - That the City of Danbury through its Mayor, James E. Dyer, be authorized to enter into agreement for the remainder of fiscal year 1980-1981 with the Connecticut State Department of Health Services, Pulmonary Disease Section, in the amount of \$5,000.00 to continue operation of the City's disease clinics in order that said diseases can be identified, treated and contained for preservation of the public health.

A motion was made by Councilman Delsin and seconded by Councilman Ryan that the Resolution be adopted. Motion carried by a roll call vote of 20 Ayes - No Nays - 1 member absent.

Mayor Dyer granted extension of time to all pending committee reports.

PUBLIC SPEAKING SESSION

Rose Pennell of Jefferson Avenue spoke on the request for a safety island at the intersection of Elm and Beaver Street, stating that there are no safety signs.

There being no further business to come before the Common Council, a motion was made by Councilman Delsin and seconded by Councilman Evans for the meeting to be adjourned at 8:26 O'Clock P.M.

Respectfully submitted

Mary Rickert
Mary Rickert
Assistant CityClerk

Attest:

Elizabeth Cruginton
Elizabeth Cruginton
CityClerk