

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

SUBJECT: Minutes of Common Council meeting held on October 6, 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.

Mayor Dyer announced that he would send a message of condolence because of the tragedy in Egypt with the assassination of President Anwar Sadat stating that he would be remembered in our prayers.

The Prayer was offered by Councilman Joseph DaSilva.

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

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

ABSENT: Council members - Eppoliti and Turk.
Councilman Turk was reported to have been out of town on business

19 members present - 2 members absent.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that the employees of the Barden Corporation have pledged \$1,000 adding to the reward fund for information leading to the arrest of those responsible for an attack on two teen-agers.

The Mayor thanked those responsible for the outdoor music concert held at Hatters Park this past Sunday.

Mayor Dyer also announced that Friday, October 9th would be Danbury Day at The Fair and that Wednesday, October 7th is Governor's Day at the Fair. All Councilmembers were invited to participate on Friday and to ride on the Tram reserved for City Officials.

Mayor Dyer announced and congratulated Councilman Delsin and Mrs. Delsin on their 20th wedding anniversary celebrated last Saturday.

The Mayor made mention of Councilwoman Butera's third and fourth grade classes at South Street School who were viewing the meeting as a school project.

Sympathy was extended by Mayor Dyer to former Mayor Gino Arconti and his family upon the death of his mother Mrs. N. Arconti.

Mayor Dyer extended best wishes for the Jewish New Year of 5742.

CONSENT CALENDAR

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

- 02 - Resolution - Water Diversion Project - Kenosia Lake.
- 003A- Communication - Request for withdrawal of petition of Dan-Del Associates to extend Sewer & Water lines along Nabby Road.
- 021A- Resolution - Transfer of land on Osborne Street for Elderly Housing. (Land description attached)
- 026-1-Communication - Appointments to Commission on Aging.
- 028-- Report - Sewers for Fourth Street.
- 030 - Report & Certification - Transfer of funds for E.I.C. re: SanMill & DanCon.
- 031 - Report - Waiver of Bids for Fire Department Radio Equipment.

- 033 - Report - Funds for summer help re: Janitor & Switchboard operator.
 034 - Report - Pooper-Scooper Committee.
 035 - Report - To reduce membership of Commission on Aging.
 036 - Report & Ordinance - Water Pollution Control Authority.
 039 - Report - Request of John Morganti & Son for sewers on Larson Drive.
 040 - Report - Request of TransCon Builders Inc. for sewer & water extension on Main Street.
 042 - Report - Road Study Committee.

A motion was made by Councilman Murray and seconded by Councilman Delsin for the Consent Calendar to be accepted as submitted.
 Motion carried unanimously.

A motion was made by Councilman Ryan and seconded by Councilman Murray for the minutes of the Common Council meeting held on September 1, 1981 to be accepted as submitted. Motion carried unanimously.

CLAIMS - Christopher Crowe - Anita Preston - Joseph Estefan - John Gagnon - Maria N.S. Moniz.

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

RESOLUTION - Water Diversion Project.

Whereas, the City of Danbury has caused the preparation of plans for a Water Diversion Project allowing the skimming of water from Lake Kenosia during periods when water would otherwise flow from Lake Kenosia through the Still River and be lost; and

Whereas, the Planning Commission has approved the extent and location of said project;

Now, therefore, be it resolved that the extend and location of the aforementioned project be approved in accordance with the map attached to the Resolution and made a part hereof.

The Resolution was adopted by the Common Council on the Consent Calendar.

COMMUNICATION - Request for withdrawal of petition of Dan-Del Associates to extend sewer & water lines along Nabby Road.

The Communication was accepted by the Common Council on the Consent Calendar.

COMMUNICATION - Request of Lakewood Associates Limited Partnership, for water line extension on property formerly of Scalzo & Sanchez, on Pembroke Road.

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

COMMUNICATION - Request of Ervie Hawley, Jr. Trustee and Samuel Roberts Trustee, for extension of sewer line to proposed shopping center on Newtown Road.

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

PETITION - from residents/and/or property owners in the development known as "Old Hayrake Estates" for the acceptance of the roadway known as Old Hayrake Road.

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

COMMUNICATION - Request of Charles E. Williams Inc. for acceptance of Monarch Road Extension.

Councilman White requested referral to the Road Study Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request of Richard A. Baldwin of Ridgefield to purchase approximately 1/4 acre of airport property adjacent to 56 Kenosia Ave.

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

COMMUNICATION - Request of Attorney Gottschalk, Assistant Corporation Counsel for a committee to be appointed to review acceptance of land - Chambers Road - Hamilton Subdivision.

Councilman Murray requested referral to the Land Acquisition Committee, Planning Commission, City Engineer and Attorney Frizzell. Mayor Dyer so ordered.

COMMUNICATION - Request of NeJame, 91 South St. for Council review of the emergency water conservation regulations.

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

COMMUNICATION - Request of Donald R. Homer, M.D. for use of Beckerle Street property for student parking at D.H.S.

Councilman Ryan requested referral to the Education Liaison Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request from Councilman Boynton in reference to DHS student parking facilities.

Councilman Ryan requested referral to the Common Council Education Liaison Committee and Planning Commission. Mayor Dyer so ordered.

COMMUNICATION - Request for \$1,000 for a stenographer for Fair Rent Commission.

Councilman Murray requested referral to an ad hoc committee. Mayor Dyer appointed the following members to this committee: Boynton, Scialabba, Repole.

COMMUNICATION - Request from Fire Chief J. Bertalovitz for the sum of \$5,000 to be transferred to the Fire Department Public Safety Equipment Account. This account is depleted and an immediate amount of \$975 is needed to equip the new Ladder Tower which is scheduled to be put into service as soon as it is properly equipped.

The balance of the funds will be needed to purchase consumable products for the apparatus of the Department, needed for the remainder of the fiscal year.

Councilman White requested referral to an ad hoc committee.

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

COMMUNICATION - Request for establishment of a Commission on Status of Women.

Councilman Murray requested referral to an ad hoc committee.

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

COMMUNICATION - Request from Mayor Dyer for the Council to review the feasibility of dredging our reservoirs while they are at their current low point. The cost may be prohibitive, but Mayor Dyer believes that we have an obligation to review this suggestion.

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

COMMUNICATION - Request from the Tax Assessor E. Butera for the Common Council to amend the Code of Ordinances by repealing a section of the Code of Ordinances in reference to "An Act of the State Legislature, reducing the residency requirement in programs for Elderly Property Tax Relief"

Councilman Murray requested referral to an ad hoc committee.

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

COMMUNICATION - Request from Richter Park Authority to pursue its own water supply. It is estimated this would cost approximately \$50,000.00. Richter Park does not have this amount of money available and is requesting for any financial help the City may be able to provide.

Councilman Murray requested referral to the Richter Park Liaison committee of the Common Council. Mayor Dyer so ordered.

COMMUNICATION & CERTIFICATION - Request from R. Winkelstern, Superintendent of Public Buildings for \$2,000 for the demolition of a structure on Sleepy Hollow Road. The structure formerly used by the Highway and Tree Departments is no longer used and is in a deteriorated condition.

Mr. John P. Edwards, Director of Finance, Acting, submitted a certification in the amount of \$2,000 available in the Contingency Account to be transferred to the Public Buildings Outside Service Account.

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

COMMUNICATION - Request by S. B. Hamilton Purchasing Agent, for permission to sell a building through public advertisement and bids, located adjacent to the driveway at Kenosia Park which has been declared surplus by the Director of Parks & Recreation.

Mr. J. P. Edwards, Director of Finance, Acting submitted a letter stating that if it were just a matter of tearing down this old barn, he would hire a demolition contractor. However, since the material seems to be of value Mr. Edwards suggested the Common Council authorize the acceptance of bids. (Sec. 2-133).

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

ORDINANCE - That paragraph 9 of section 14-5 of the Code of Ordinances be amended by the addition of the following: "All persons retiring prior to July 3, 1973 shall have their pensions increased by an additional fifteen (15%) percent effective January 1, 1982."

The Ordinance was deferred for public hearing by Councilman Ryan. Mayor Dyer so ordered.

RESOLUTION - Transfer of land on Osborne Street for Elderly Housing.

Whereas, the Housing Authority of the City of Danbury has requested the transfer of 5.7 acres of land at Osborne Street for the purpose of constructing 150 units of elderly housing through Section 8, HUD Funding; and

Whereas, the Common Council authorized negotiations in furtherance of this project; and

Whereas, the Planning Commission of the City of Danbury has recommended the transfer of said property to the Housing Authority of the City of Danbury; d

Now therefore, be it resolved that the transfer of the 5.7 acre parcel here involved be and hereby is authorized; and

Be it further resolved that Mayor James E. Dyer be and hereby is authorized to execute all deeds and other documents necessary to convey said property and to perform any acts necessary to accomplish this transfer.

Legal description of property is attached to Resolution.

The Resolution was adopted by the Common Council, on the Consent Calendar.

ORDINANCE - An Ordinance appropriating \$13,673,000 for the reconstruction and improvement of various city roads and authorize the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof, the making of temporary borrowings for such purpose.

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

RESOLUTION - Councilman James Ryan presented the following Resolution:

RESOLVED: That the Common Council does hereby deem it necessary that the City of Danbury issue its bonds for the purposes and upon the terms stated in the proposed Ordinance hereinafter set forth, does hereby call a public hearing to be held by the Common Council in the Council Chambers in the City Hall, on November 9, 1981 at 8:00 O'Clock P.M. (E.D.S.T.) to hear all those desiring to be heard on said proposed Ordinance and does hereby direct that a public notice thereof be posted on the public signpost in the City, and be published in the News-Times, a newspaper having a general circulation in Danbury, at least five but not more than fifteen days in advance of said November 9, 1981.

Councilman Richard Murray moved that Councilman James Ryan's Resolution be adopted as presented and the motion was seconded by Councilman Ernest Boynton.

Upon a roll call vote, the ayes were as follows:

Council members - Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole, White, Cassano, Murray, Ryan, Zotos, DaSilva, Boynton, Burke, Butera, Farah, Evans, Torian. (No Nay votes).

19 Ayes - 2 members absent.

Mayor Dyer thereupon declared the motion carried and the Resolution adopted.

RESOLUTION - Request for an advance of funds in the amount of \$10,000 as there has been a delay in the allocation of federal funds to the Danbury Health Department's Woman, Infants and Children Program (W.I.C.)

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

RESOLUTION - That the Danbury Health Department Women, Infants and Children Program, through the Health Department's Associate Director of Health Services, Dr. Thomas F. Draper, be hereby authorized to renew the City's contractual agreement with the Connecticut State Department of Health Services for the purpose of continuing Danbury's Women, Infants, and Children (W.I.C.) Program into fiscal year 1981-1982, in the amount of \$94,493.00.

A motion was made by Councilman Ryan and seconded by Councilman Murray for the Resolution to be adopted. Motion carried unanimously.

COMMUNICATION - Re-appointment of the following to the Commission on Aging:

- Hilary Mattingly - 34 East Gate Road
- Roland Sorenson - 204 Village Square
- Walter Wayman - 32 Wildman Street
- Russell Alford - Brushy Hill Road.

All terms are to expire on October 1, 1984.

The Communication was accepted and re-appointments confirmed by the Common Council, on the Consent Calendar.

COMMUNICATION - Request of Attorney Albert Hornig for permission to connect to City sewer system for property at 9 Dogwood Drive.

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

COMMUNICATION -- Request from S. B. Hamilton, Purchasing Agent for funds for an appraisal of City surplus property on Grand Street.

On January 4, 1980, the Common Council declared the referenced property as surplus and ordered that it be sold. The Assessor advises that a professional appraisal be obtained in order that we may set a reasonable upset price for the parcel. He estimates that an appraisal could cost between \$500 and \$1,000.

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

DEPARTMENT REPORTS

Fire Chief	Airport Commission
Sanitary Inspector	Sealer of Weights
Housing Inspector	Building Inspector
Blood Pressure Program	Police Department
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 on file in the office of the City Clerk for public inspection. Motion carried and reports were accepted as submitted.

REPORT & CERTIFICATION - Transfer of funds for E.I.C. re: SanMill Corp. and DanCon Corp.

Councilman Torian submitted a committee report stating that the committee appointed to review the E.I.C. request for an appropriation of funds for appeal purposes, met on September 23, 1981 at 8:00 P.M.

Attorney Frizzell enlightened the committee on the specific details of the request for funds as follows:

	<u>Total Appropriation</u>
E.I.C. vs SanMill Corp	\$2,000
E.I.C. vs DanCon Corp.	\$2,000
	<u>Amount spent in fiscal year</u>
E.I.C. vs SanMill Corp.	\$500.00
E.I.C. vs DanCon	0.00
	<u>Funds remaining of original app</u>
E.I.C. vs SanMill	\$1,500
E.I.C. vs DanCon	\$2,000

Attorney Frizzell would like the remaining portion of these funds re-appropriated back to the E.I.C. for the purposes for which it was originally intended.

Councilman Walsh at the committee meeting motioned to recommend to the Council to allocate \$1500 to the E.I.C. vs SanMill Corporation appeal and \$2,000 to E.I.C. vs. DanCon Corporation appeal, seconded by Councilman Gallo.

CERTIFICATION - Mr. John P. Edwards, Director of Finance, Acting, submitted a certification in the amount of \$3,550 available in the Contingency Account to be transferred to Environmental Impact Commission Account - 02-01-178-020100

The Report was accepted and transfer of funds authorized by the Common Council, on the Consent Calendar.

REPORT - Sewers for Fourth Street.

Councilman DaSilva, Chairman of the Public Works Committee, submitted a report stating that the committee has studied for several months, a request for the installation of a sanitary sewer line on Fourth Street. After reviewing the requested project with the City Engineer, the committee requested a survey be sent to the property owners on this street, giving an approximate cost to each parcel.

The results of the survey showed 56% of the total property owners in favor of a sewer installation, 33% against and 11% no response.

Because of the results of the survey and the knowledge that this area is in need of a sewer, the committee voted unanimously to recommend that work on this project commence following procedures as stipulated in the City Charter with respect to the installation of sanitary sewer lines.

The report was accepted by the Common Council, on the Consent Calendar.

REPORT - Waiver of bids for Fire Department Radio equipment.

Councilman DaSilva submitted a committee report stating that the committee appointed to study a request to waive bids for the Fire Department Communication System, met on Sept. 22, 1981. In attendance were Councilmen DaSilva and Murray and Purchasing Agent S. Hamilton.

Mrs. Hamilton explained the reason for the request. She stated that the City is attempting to standardize all radio equipment in all City Departments. This will save money in repairs. It also gives the capability for expansion of the system. She further explained that only two companies, G.E. and Motorola, offer the required equipment. Of these companies, G.E. equipment has proven through experience to be superior, being more cost efficient with fewer repairs than the motorola equipment which has less metal and more plastic than G.E.

Concerning the request for the waiving of bids there are two reasons. The first is that G.E. offers the only equipment of sufficient quality. The second is that because the City buys directly from the manufacturer there can only be one bid tendered.

Because of the various information presented by Mrs. Hamilton, the committee voted to recommend approval of the waiver of bids for the Fire Department Communication system.

The Report was accepted as submitted by the Common Council, on the Consent Calendar.

259

REPORT & CERTIFICATION - Funds for Still River Coop Store.

Councilwoman Lilija Rinder submitted a report stating that the committee appointed to study the request from the Still River Coop Store for additional funds, met on July 29 and September 21, 1981.

The committee examined the very real need for funds of the Coop, including an on-site inspection to view the empty shelves, questioned the members of the Coop extensively and concluded that the Still River Coop store is an asset to the City of Danbury, providing as it does, nutritional food at very favorable prices to its members and poverty-level families at no membership cost. It is operated by members without salaries and also offers nutritional advice and programs to ethnic and other groups. They are cooperating with other agencies in the City and plan to expand this part of their program. They are also approved for a portion of the Block Grant to enable them to bring food to the Elderly Housing sites throughout the City. However, this grant only gives them money for the operation, insurance and driver of the van - there is no provision for the food that they would be offering.

The committee felt, therefore, that the City of Danbury should help in this enterprise, and recommended a one-time grant of \$2,000 to enable the Still River Coop to re-stock its shelves and make it possible for them to continue operations and be able to utilize the Block Grant money in the service of the elderly.

CERTIFICATION - Mr. John P. Edwards, Director of Finance Acting, submitted a certification of funds stating the availability of \$2,000 to be appropriated to the Common Council Budget for an additional grant to the Still River Coop for another one-time grant.

A motion was made by Councilman Ryan and seconded by Councilman Delsin that the Report be accepted and transfer of funds authorized. Motion carried by a vote of 18 Ayes, 2 members absent and one Nay vote. Councilman Boynton voted Nay.

REPORT - Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from Mr. Winkelstern for funds to pay for vacation replacements for a janitor at the Danbury Library and a switchboard operator at City Hall.

Mr. Winkelstern ascertained that some coverage of these positions is gained through switching of schedules and placement of personnel in this department. Because this seemed to work well and realizing that the summer vacation season is over, the committee voted unanimously to recommend that the Common Council deny this request at this time.

The Report was accepted by the Common Council, on the Consent calendar.

REPORT - Pooper-Scooper Committee.

Councilman Thomas Evans submitted a report stating that the Common Council's elite pooper-scooper committee met on Sept. 10, 1981. In attendance were Councilmen Repole and Evans. The letter from the Barata Family requesting a review of the situation of dogs being allowed to spread their wastes on the Park Avenue School, was discussed.

After a short discussion it was decided that an ordinance would be unenforceable but that signs posted in all City parks and playground areas reminding pet owners of their responsibility to keep the Parks clean would be beneficial and in order; also that a reminder be given to pet owners at the time of licensing their pets would also be in order.

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

REPORT - To reduce membership of Commission on Aging.

The committee met on September 17, 1981 with all members present: L. Rinder, F. Repole and V. Scialabba.

Councilwoman Rinder submitted a report stating that the committee met with Jeanne Anderson, Raymond Gomoll, Philip Hadley Elizabeth McKee and Walter Wayman of the Commission. Also present was Leo McIlrath.

The various members of the Commission testified that the present membership of the Commission constituted twenty-one, was unwieldy and made it very difficult to make up a quorum. They also felt that a smaller commission would be able better to accomplish the aims and duties of the Commission and serve the community in a more efficient manner.

The committee considered these views and agreed with them. Unanimously they recommended that Attorney Gottschalk be requested to draw up an ordinance reducing the size of the Commission, to nine members, which goal is expected to be achieved by or before 1983. This is to be accomplished by requesting voluntary resignations from those members who are finding it a burden, for whatever reason, to serve, as well as attrition, as terms expires.

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

REPORT & ORDINANCE - Water Pollution Control Authority.

Councilman Richard Murray, President of the Common Council, submitted a report stating that the Common Council conducted a public hearing on the above captioned Ordinance, on September 21, 1981.

The Council then met as a committee of a whole on September 23, 1981 to discuss the Ordinance. A motion was made and passed unanimously to recommend adoption of the Ordinance.

ORDINANCE - That 16-1(15) of the Code of Ordinances is hereby amended to read as follows:

The Common Council shall mean the duly authorized body of elected officials responsible for operation of the sewerage works of the City acting by or through its officers as may be proper in the particular instance.

The Common Council shall act as the Water Pollution Control Authority in accordance with Chapter 103 of the Connecticut General Statutes.

The Report was accepted and Ordinance was adopted by the Common Council, on the Consent Calendar.

241

REPORT & ORDINANCE - Amendments to Police Department Ordinance.

Councilman B. Gallo submitted a report stating that the committee, Councilmen Gallo, Walsh and Burke, met on September 17, 1981 with Attorney Gottschalk. Councilman Scialabba was also present.

The proposed Ordinance changes were read and discussed. Motion was made, seconded and passed to recommend the following Ordinance be deferred for a public hearing.

ORDINANCE:

That Section 15-17(C) of the Code of Ordinances is hereby amended to read as follows:

"Every applicant shall have reached his or her eighteenth birthday"

That Section 15-17(F) be amended to read as follows:

"The weight of each applicant shall be consistent with and in proportion to his or her height and age."

That Sections 15-17(H) and 8-18(7) be amended to read as follows:

"Each applicant must pass a thorough physical examination, including an examination of physical agility as well as a psychiatric examination conducted by a physician or physicians or other qualified persons as designated by the City of Danbury.

That Sections 15-17(G) and 8-18(6) be amended to read as follows:

"Applications shall not be accepted from any person who has ever been convicted of a crime involving moral turpitude."

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

REPORT & ORDINANCE - Amendments to Fire Zone or Fire Lane Parking.

Councilman Gallo submitted a report stating that the committee - Councilmen Gallo, Walsh and Torian, met on September 17, 1981, with Attorney Gottschalk and Fire Marshal Alan Schact.

The proposed Ordinance changes were read and discussed by the committee. A motion was made, seconded and passed to recommend to the Common Council that the Ordinance be deferred for a public hearing.

ORDINANCE - That section 19-62(b) be and hereby is amended to read as follows: ~~That section~~

No person shall park, or permit to stand, a motor vehicle in the fire zone or fire land so established except when actually picking up or discharging passengers. Any person violating this section shall be fined not more than twenty-five dollars. The registered owner of a motor vehicle shall be presumed to be the operator of such vehicle.

Be it further ordained that Sections 19-62(c) and 19-62(d) be and hereby are redesignated as Sections 19-62(d) and 19-62(e) respectively.

And be it further ordained that Section 19-62 be and hereby is amended by the addition of Subsection (c). The subsection reads as follows:

The Fire Marshal, any Deputy Fire Marshal or Fire Inspector and any Police Officer of the City of Danbury shall be and hereby are authorized and empowered to issue summonses for violations of this section.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva that the Report be accepted and Ordinance deferred for public hearing. Motion carried unanimously.

REPORT - Request of John Morganti & Son for sewer & water extension - LARSON DRIVE.

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

The committee recommended that the petition be granted with the usual conditions and restrictions specified in their reports:

1. The petitioner shall bear all costs relative to the installation of said sewer & 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 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 and petition granted by the Common Council, on the Consent Calendar.

REPORT - Request of TransCon Builders Inc for sewer & water extension on Main Street.

Councilman Gallo submitted a report stating that the Sewer & Water extension committee met and reviewed the above petition, with the City Engineer and has also reviewed the recommendation for approval, from the Planning Commission.

It is the recommendation of the committee that the petition be granted with the usual conditions and restrictions listed previously for the Morganti petition, with the addition of the following:

8. In connection with the conveyance of said easement and utility lines, a maintenance agreement will be established either in the documents of said conveyance or by separate agreement in recordable form, which agreement shall provide for the continued maintenance of the pumping station to be utilized in connection with the sewer lines, the cost of which is to be borne solely by the applicant, TransCon Builders, Inc, its successors or assigns. Said maintenance agreement to be in form and content satisfactory to the Office of the Corporation Counsel.

9. If required by the City Corporation Counsel's office, said maintenance agreement shall further provide for a reasonable escrow to insure the maintenance, repair and/or replacement of the pumping station referred to in the preceding paragraph. Said escrow to be related to the Management Expense Budget and the line items reserved for Replacement Reserve and Repair and Decorating as established by the Connecticut Housing Finance Authority in conjunction with the Danbury Commons project.

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

REPORT - Channel Six.

Councilman Evans submitted a report stating that the committee composed of Councilmen Evans, Walsh and Repole, met on various occasions for on site inspections of sites that were thought suitable for the new home of Channel Six. Among these sites were "S" building at D.H.S. declared surplus. These facilities were found to be unsuitable due to condition ceiling height, security, to name a few items.

The media center at Broadview Jr. High School was thought to be too small in size. The Beaver Brook School gymnasium and adjoining office were thought to be an excellent prospect, but efforts to obtain these facilities were refused by the Board of Education due to the fact that a study was in process by the Superintendent as to facilities usage in the school system that the committee was informed could take up to six months to determine whether or not these facilities would be used by the school system.

The use of Channel 10 facilities was also investigated but was refused when it was pointed out that the use of the studio could only be when Channel 10 was not using it, also the fact that renting studio time could become expensive.

The committee therefore recommended that an offer made by Mr. Jess Claypoole of Samoria Center for the performing arts for Channel Six to use his new facility on Main Street opposite Basics food store be accepted, pending a lease being drawn up by the Corporation Counsel between the City and Samoria Center for the performing arts in the amount of \$1.00 per year rent, be accepted by both parties.

It was further pointed out that a cost of heat and electricity on a pro-rated basis for the square foot area used exclusively by Channel Six would be charged to the City. This area would approximate 40'x14' or 560 square feet.

A motion was made by Councilman Ryan and seconded by Councilman DaSilva for the report to be accepted as submitted. Motion carried unanimously.

REPORT - Road Study Committee:

Councilman James Burke submitted a report stating that the committee met on September 30, 1981 with Attorney Gottschalk and Bill Glazier of the Hawthorne Cove Association.

The committee considered the possibility of maintaining and paving private streets, as per several requests received. Under the provisions of 17-34, this is not possible, nor was it recommended by Attorney Gottschalk, despite the several possible ways of doing this that were discussed.

Councilman Murray suggested that we could consider a priority list, after application by the residents, as we do for sewers. In this way, we could make whatever repairs were needed on the road in question, taking it over at the same time, and billing the affected owners, as we do for sewers, for their share, payable over a 14-year period. The motion to ask Attorney Gottschalk to draft a suitable Ordinance, which would be an addition to 17-34, was made by councilman Gallo and seconded by Councilman Torian - passed unanimously.

It was the general feeling of the committee that 17-34, as presently set up, does nothing for the roads of private communities, since it is not possible to accept them in their present condition, and the necessary repairs would be impossible for the few owners who are affected. Therefore this could well be a solution for everybody.

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

A motion was then made by Councilman Ryan and seconded by Councilman Murray to add a Resolution to the agenda in reference to Conrail Agreement Conversion Project. Motion carried with Councilman Scialabba voting Nay.

RESOLUTION - Councilman Boynton submitted the following Resolution:

Whereas, the New York, New Haven and Hartford Railroad Company predecessor to the Consolidated Rail Corporation entered into an Agreement with the City of Danbury permitting the City to construct, maintain and use a certain railroad crossing; and

Whereas, this Agreement provides for annual use payments and termination upon short notice; and

Whereas, the Consolidated Rail Corporation and the City of Danbury desire to replace said Agreement with an easement permitting the occupation and use provided for in the prior Agreement in consideration of a lump sum payment;

Now, therefore, be it resolved that Mayor James E. Dyer be and hereby is authorized to execute the said easement on behalf of the City of Danbury and that the expenditure of \$520 from the Danbury Water Fund be and hereby is authorized.

A motion was made by Councilman Ryan and seconded by Councilman Murray to adopt the Resolution. Motion carried by a vote of 18 Ayes - 2 members absent. Councilman Scialabba voted Nay (1 vote)

Councilman Torian submitted a report stating that the committee appointed to review securing property for elderly housing, met on October 5, 1981.

Mr. McKenney of the Housing Authority briefed the committee on the Housing Authority's request for the transfer of 5.7 acres, presently owned by the City of Danbury for the purposes of constructing 150 units of additional housing for the elderly.

The property is located on Osborne Street and Mr. McKenney noted that a critical shortage of elderly housing exists in the Danbury area and this site would be ideal for that purpose.

The Planning Commission had voted to recommend approval of the transfer on September 6, 1981. Section 8 HUD funding would be utilized to satisfy the overall costs of construction. The committee voted to recommend approval of the transfer of this parcel to the Housing Authority.

Councilman Farah made a motion, seconded by Councilman Evans for the Council to pray for peace in the middle East and to express deep sympathy for the Egyptian people and Anwar Sadat's wife. Motion carried unanimously.

Councilman Farah submitted the following Resolution:

WHEREAS, a large number of Danbury residents are descendants of immigrants who came from Arabic speaking countries; and

WHEREAS, the said residents as well as the whole population of the City of Danbury pray and yearn for peace and stability in the Middle East; and

WHEREAS, the late President Anwar Sadat was a courageous champion of peace and justices in that region;

NOW THEREFORE, we the representatives of the people of the City of Danbury sincerely express our deepest sympathy and our feelings of a great loss to Mrs. Jihan Sadat, Acting President Taleb, Vice-President Mubarak and the whole Egyptian people.

PUBLIC SPEAKING SESSION

Mr. Harry Kessler - Carol Drive spoke in opposition to the following:
02 - Kenosia Project stating that people not on the water system should not bear the costs.

014 - Request for establishment of a Commission on Status of Women (women who have problems are not the minority) we have bureaucratic interference)

Mr. Kessler stated that Department Reports(Fire Dept) are ridiculous. "The Fire Department Task Force should have been Council members"

Mr. Kessler opposed to method of increase in pension for retirees prior to July 1, 1973.

Mr. Kessler opposed funds to the Coop Store and for the road improvement plan which he said was to subsidize a mall.

Mayor Dyer replied that the road improvement and reconstruction project is for mixed housing, offices and retail, not the mall -mostly for redevelopment. There being no further business to come before the Common Council, A motion was made by Councilman Evans and seconded by Councilman Walsh for the meeting to be adjourned at 8:50 P.M. Motion carried.

Respectfully submitted

Mary Reichert
Assistant City Clerk

Attest: *Elizabeth Mudgett*
CITY CLERK