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

SUBJECT: Minutes of the Common Council Meeting held on April 6, 1982.

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 Common Council Prayer was offered by Councilman Edward T. Torian.

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

PRESENT: Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Evans, Farah.

ABSENT: Council Members - Janet Butera who was reported to be in the hospital and not able to attend.

20 Members Present - 1 Member Absent.

NOTICES FROM MAYOR DYER

As there was a severe snowstorm on this day, Mayor Dyer thanked everyone for coming out to the Common Council Meeting stating that the members of the Common Council deserve credit for coming out to move Budget process for which committee meetings were scheduled the next night.

The Mayor also thanked and expressed gratitude to the volunteers who transported members to and from the meeting namely, Mr. Peter Winter, Mr. Robert Ryerson and members of the Public Works Department.

Mayor Dyer also announced that he had lifted the water restrictions and thanked the Council for their support when needed.

Mayor Dyer extended Birthday Greetings to the following:

Jean Buck for April 1, 1982
Mounir Farah for April 4th
James Burke for April 22nd
State Rep. Paul Garavel for April 30th.

Mayor Dyer extended Best Wishes to all for this Holy Season of Easter and Passover.

The Mayor also extended congratulations to Mrs. June Goodman for her appointment as State Chairman of the Board of Education.

Mayor Dyer announced and recognized that next week is Secretary's week.

CONSENT CALENDAR

Councilman DaSilva submitted the following items listed on the Agenda, to be placed on the Consent Calendar:

- 03 - Resolution - Settlement of Claims.
- 04 - Resolution - School and Danbury Library Cooperation Grant Application.
- 018 - Communication - Appointment of Alternate-Elector Member to the E.I.C.
- 020 - Communication - Re-appointments to the Cultural Commission.
- 023 - Communication - Appointment of a Fire Inspector.
- 025 - Report & Resolution - City of Danbury vs. Oak Land Corporation
To accept Strawberry Hill Road - Douglas Dr. - Briar Patch Lane.
- 026 - Report - Misuse of Parking Meters.
- 028 - Report & Certification - To replenish the State Unemployment Insurance Account.

- 029 - Report - Request from E.I.C. for additional funds. (Denial)
- 030 - Report - Funds requested for Ethnic Festival. (to be taken care of by Cultural Commission)
- 031 - Report - Denial of request for funds for "ToughLove" Program.
- 032 - Report - Airport Lease requests from CAS Inc. and BAC Inc.
- 033 - Report - License Agreement - Conrail Corporation.
- 034 - Resolution - License Agreement between City of Danbury & The Consolidated Rail Corporation.
- 035 - Resolution - Agreement between the City of Danbury and Petitioner re: Sewer Line on Consolidated Rail Corporation Property - Mill Plain Road.
- 037 - Report - Denial of Water Ext. for LaScala - Newtown Road (Still River Development Corporation)
- 039 - Report & Resolution - Sewer Assessments for Golden Hill North Area.
- 044 - Report - Denial of request for funds for Conservation Commission.
- 046 - Report - Denial of request for sewers for Dogwood Drive.

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the Consent Calendar be adopted as presented by Councilman DaSilva. Motion carried unanimously.

01
BUDGET - Mayor Dyer delivered his Budget Message and presented the 1982-1983 Budget to the members of the Common Council.

01-1
RESOLUTION - That Public Hearings on the Budget of the City of Danbury for the fiscal year beginning July 1, 1982 and ending June 30, 1983, will be held on April 26, 1982 and April 27, 1982 at 7:30 O'Clock P.M. in the auditorium at Rogers Park Jr. High School, Rogers Park, Danbury, Connecticut.

That Notice of time and place of said hearings to be placed in the Danbury News Times on April 19, 1982 and April 21, 1982.

A motion was made by Councilman DaSilva and seconded by Councilman Evans for the Resolution to be adopted. The Resolution was adopted unanimously.

MINUTES of the Common Council Meeting held on March 2, 1982.

A motion was made by Councilman DaSilva and seconded by Councilman Eriquez that the reading of the Minutes be waived and that the Minutes be accepted as submitted. Motion carried unanimously.

02 - CLAIMS - David Caruba - Sheral Riley - John Zanzal - Donald R. Torcaso - Robert Richardson - Cynthia R. Barton - Dorothy Robinson - John Hancock - Rocco John DeLeo - LeRoy Wilson, Jr. - Mary Ann Stella - Very Bynim Dawson.

A motion was made by Councilman White and seconded by Councilman Charles for the Claims to be referred to the Claims committee and Assistant Corporation Counsel for Claims - Attorney Thomas G. West. Mayor Dyer so ordered.

03 - RESOLUTION - That the City Clerk be and is hereby authorized and empowered on behalf of the City of Danbury, to draw an order upon the City Treasurer in payment of the following Settlement of Claim:

The Hartford Insurance Group \$2,500.00
 In Settlement of the Claim of
 Mabel Mattson vs. City of Danbury
 Date of Loss: 1/24/80.

The Resolution was adopted by the Common Council, on the Consent Calendar, with Claims authorized to be paid.

04 - RESOLUTION

04 - RESOLUTION - School and Danbury Library Cooperation Grant Application.

WHEREAS, the Connecticut State Library has made funds available to municipal public libraries in accordance with Section 11-24b of the Connecticut General Statutes, and

WHEREAS, a grant application for \$4,000 with no local match requirement has been processed by the Danbury Public Library;

NOW, THEREFORE, BE IT RESOLVED that the past actions of the Danbury Library in applying for said grant be and hereby are ratified and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

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

05 - COMMUNICATION & RESOLUTION - Repair of Railroad Crossings at Maple Avenue, Balmforth Avenue and Wildman Street. The City's match will be 10% of the total cost of the projects.

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

06 - RESOLUTION - Nuclear Arms Freeze.

that

BE IT RESOLVED/by the Common Council of the City of Danbury commends the members of the Connecticut Congressional Delegation for their support of the Hatfield-Kennedy Resolution for a Nuclear Arms Freeze and urges their continued support until the adoption of that Resolution;

AND BE IT FURTHER RESOLVED THAT the Common Council of the City of Danbury also calls upon the President of the United States to initiate negotiations with the U.S.S.R. at the earliest possible date to bring about a mutual freeze on all further testing, production and deployment of nuclear war-heads, missiles and delivery systems.

A motion was made by Councilman Evans and seconded by Councilman Boynton to adopt the Resolution. The Resolution was adopted unanimously.

A statement regarding this Resolution was made by Councilman Mounir Farah and attached hereto.

07 - COMMUNICATION & ORDINANCE - Proposed Revisions to Article II, Water Rates.

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

07-1 - COMMUNICATION - An Act Concerning Municipal Liability for Ice & Snow on Public Sidewalks.

Councilman White requested referral to the Claims Committee and Assistant Corporation Counsel for Claims. Mayor Dyer so ordered.

08 - COMMUNICATION - Request of Union Carbide for Water Extension as it is presently considering changing their Field Office Building to a Printing and Literature Distribution Center. In this change an automatic sprinkler system will be required.

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

09- COMMUNICATION - Request from the Marine Corps League for assistance in procuring a building for their meetings.

Councilman Elder requested referral to an Ad Hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Charles, White, Boynton.

010 - COMMUNICATION - Request from Danbury Hospital for use of City property, a strip of land 70 feet wide by 550 feet long on the Southerly border of the Broadview Junior High School Property, for a parking facility.

Request was also made for the Hospital to be allowed to use the Lion's Club Playground property for temporary parking.

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

011- COMMUNICATION - Request from Mr. Stanley Bernstein for an easement on Mountainville Avenue to allow access to his property.

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

012 - COMMUNICATION - Request of TransCon Builders, Inc. owner and developer of an elderly housing project located at 51 Main Street and known as Danbury Commons, for a conveyance of Real Estate.

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

013 - COMMUNICATION - Request of Ralph C. Sergi, Vice President of Westview Estates, Inc. for acceptance of Valley View Drive - Westview Drive - and Fleetwood Drive.

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

014 - COMMUNICATION - Offer to sell sand to the City of Danbury, by The Loren Group, the contract purchaser of a parcel of land located at 6 Plum-trees Road in Danbury.

The request is for the following proposal to be re-submitted to the Common Council:

Approximately 65,000 cubic yards - one-half is good quality road sand. The balance is sub-quality road sand and dead sand;

The purchase price for the sand is \$150,000 for all of the sand (the City must take both the road sand and the dead sand as part of the package).

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

015 - COMMUNICATION - Request from Mrs. Sarah Rothkopf to restore the Ives Street Firehouse.

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

016 - COMMUNICATION & CERTIFICATION - Request from Deborah MacKenzie, Director of Welfare for an additional \$105,000 as Danbury is now responsible for the financial and medical needs of 58 Asian Refugee Families, effective 4/1/1982.

All expenditures to refugees will be reimbursed 100% by the Federal Government through the State of Connecticut to the City of Danbury.

A Certification was submitted by Mr. John P. Edwards as follows:

As an alternative to Certification #114 dated March 31, 1982 regarding the Welfare Department, Mr. Edwards suggested that this be reduced to \$10,500 and the difference be absorbed by increasing the Welfare Revenue Account #523100 item by \$94,500 in as much as we can anticipate the State of Connecticut will compensate the City for 90% of the added welfare cost.

Councilman Elder requested referral to an Ad Hoc Committee. Mayor Dyer so ordered and appointed the following members: Evans, Gallo, Cassano.

017 - COMMUNICATION & CERTIFICATION - Request from the Chief Examiner of the Civil Service Commission, Mr. John Hanna for \$8,000 for a sponsored training program in an effort to improve minority participation in the Firefighter selection process.

A Certification in the amount of \$8,000 available in the Fund Balance Account to be transferred to the Civil Service Commission Budget, was submitted by Mr. John P. Edwards, Director of Finance, Acting.

Councilman Torian requested referral to an Ad Hoc Committee. Mayor Dyer so ordered and appointed the following members: Foti, Eppoliti, Zotos.

018 - COMMUNICATION - Appointment of Robert Sweeney, 16 Hilltop Manor Danbury, as an alternate elector member of the Environmental Impact Commission for a term to expire on December 1, 1982. Mr. Sweeney is a teacher in the Brookfield school system

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

019 - COMMUNICATION - Appointment of Robert M. Steinberg, Deepwood Drive Danbury, to the Redevelopment Agency, for a term to expire January 1, 1986.

With a major proposal before the Redevelopment Agency it is important for our administration to have as much coordination as is possible.

Mr. Steinberg currently serves as a member of the Parking Authority.

A motion was made by Councilman Eriquez and seconded by Councilman Torian that the Communication be accepted and appointment confirmed. Motion carried unanimously.

020 - COMMUNICATION - Re-appointments to the Cultural Commission as follows:

- Benjamin DaSilva, Jr., 174 Franklin St. Ext.
- Joan Damia, 113 Clapboard Ridge Road
- Marilyn Boden, Bullet Hill Road
- Edward A. Wicks, 11 West Redding Road.

All terms to expire on February 1, 1985.

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

021 - COMMUNICATION - Appointments to the Permanent Commission on the Status of Women as follows:

- 1. Rhoda Daum, Dogwood Drive - 3 year term - Current member of the Women's Task Force.
- 2. Ileana Velazquez - 4 Golden Heights - 1 Year Term " " " " "
- 3. Joan Suess - 14 Douglas Drive - - 2 Year Term " " " " "
- 4. Kathy Bondur - 34 Farview Ave. - 1 Year Term " " " " "
- 5. Beverly Johnson - 12 Grandview Dr. - 2 Year Term (President of P.R.I.D.E.I.)
- 6. Sister Mary Friel - 71 Southern Blvd. 3 Year Term Current Member of the Women's Task Force.
- 7. Rose Coffey - 104 Franklin St. - 1 Year Term " " " " "

All appointments shall expire on April 1st of the final year of member's appointed term.

Mayor Dyer also recommended that the Commission establish an Advisory Board of the remaining members of the Women's Task Force, stating that they have done an excellent job and wished to commend them for their outstanding work.

A motion was made by Councilman Boynton and seconded by Councilwoman C. Torcaso that the Communication be accepted and appointments confirmed. Motion carried unanimously.

022- COMMUNICATION - Appointment of a Personnel Director.

Mayor Dyer submitted a communication stating that in accordance with the 1981-1982 Budget Resolution and Ordinance of the City of Danbury, the Common Council's Resolution of March 2, 1982, and Civil Service Commission action of March 10, 1982, I am pleased to be able to appoint:

Catherine Thompson as the City of Danbury's first Director of Personnel.

Ms. Thompson is an attorney with a solid background in industrial relations and personnel. A complete resume has been provided for review.

Ms. Thompson will begin her duties on Monday, April 12, 1982.

Mayor Dyer expressed appreciation to the Council for their support of this badly needed position, stating he is confident that we will continue to see improvement in the management of our affairs as we work closely together for the overall welfare of our City.

A motion was made by Councilman Boynton and seconded by Councilman Evans that the Communication be accepted and appointment confirmed. Motion carried unanimously.

023 - COMMUNICATION - Appointment of Louis Repko to the position of Fire Inspector. Mr. Repko has been serving in this position for several months on a temporary basis. Salary \$20,016 Yearly. Appointment effective immediately.

The Communication was accepted and appointment confirmed by the Common Council, on the Consent Calendar.

024 - DEPARTMENT REPORTS

- | | |
|--|-----------------------------|
| Fire Marshal | Airport Administrator |
| Fire Chief | Housing Inspector |
| Building Inspector | Health Inspector |
| Danbury Police Dept. | High Blood Pressure Program |
| Coordinator of Environmental & Occupational Health Services. | |
| Coordinator - Risk Reduction Grant. | |
| Assistant Fair Housing Compliance Officer. | |
| Director/Compliance Officer - Equal Rights & Opportunities. | |

A motion was made by Councilman DaSilva and seconded by Councilman Torian to accept the Reports as submitted and to waive the reading of said 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

025 - REPORT & RESOLUTION - City of Danbury vs. Oak Land Corporation.

Councilman Torian submitted a report stating that the committee appointed to review the City of Danbury vs Oak Land Corporation, met on March 24, 1982. In attendance were committee members - Torian, McManus and DaSilva.

This matter involves the acceptance of roads within the City of Danbury. The defendant, Oak Land Corporation proposes to complete specific items of work per direction from the Engineering Department, after obtaining the necessary drainage easement.

Councilwoman C. McManus motioned that the committee recommend acceptance of the roads involved; Strawberry Hill Road, Douglas Drive and Briarpatch Lane, subject to the recommendation from the Planning Commission and, to the satisfaction of the Engineering Department, seconded by Councilman DaSilva. The vote was unanimous.

RESOLUTION - THAT Strawberry Hill Road, Douglas Drive, and Briar Patch Lane be accepted as public highways of the City of Danbury; provided, however, that said acceptances shall not become effective until the occurrence of the following:

1. Completion of work on the roads in question as specified in the letter of August 18, 1981 from the City Engineer.
2. Receipt by the City of One Thousand and Seven Hundred and Fifty (\$1,750) to cover the costs of obtaining a drainage easement servicing Strawberry Hill Road. Said funds shall be retained in escrow by the City of Danbury.
3. Receipt by the City of Danbury of a Warranty Deed conveying title to said roads to the City of Danbury together with a certificate of title, both in a form satisfactory to the Office of the Corporation Counsel.

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

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026 - REPORT - Misuse of parking meters.

Councilman Torian submitted a report stating that the Common Council committee formed to review the problem of misuse of parking meters, met on March 16, 1982 and March 31, 1982. In attendance at the March 16th meeting were committee members Torian and Boynton and Mr. Peter Michael, proprietor of Prints & Brass Showroom, 14 West Street, Danbury. Committee members Torian, Boynton and Burke attended the March 31st meeting.

Mr. Michael was asked to elaborate on his concerns relating to parking meters. He stated that the parking meters positioned outside his showroom bear printed signs indicating a two-hour parking limit. This two hour parking limit has been completely ignored by all-day parkers, presumably office workers, who feed the meters continually for the entire business day. This unfair practice has had the effect of discouraging potential customers from entering his showroom and his business has suffered as a result of it.

The committee contacted the office of the Assistant Corporation Counsel, who made reference to various existing provisions of State Law and the Danbury Code of Ordinances, specifically noting that it is unlawful for a person to deposit extra coins in any parking meter in order to extend the legal parking time which has been established by the Traffic Authority for the space.

Councilman Boynton motioned that the Assistant Corporation Counsel forward a letter to the Chief of Police and the Traffic Authority as a point of clarification, informing them of the existence of legislation pertaining to parking meter violations in the City of Danbury, seconded by Councilman Torian. The vote was unanimous.

The Report was accepted and committee recommendations approved by the Common Council, on the Consent Calendar.

027 - REPORT & CERTIFICATION - Budget Adjustment - Danbury Police Dept.

Councilman Esposito submitted a report stating that the committee appointed to review the request for additional funds from Police Chief Macedo, met on March 25, 1982. Members present were Esposito, Gallo and Repole. Also in attendance were Chief Macedo, Lt. Gallucci and John P. Edwards, Director of Finance, Acting.

The committee acted as follows on the budget adjustment requests:

1. Required increase in the Appropriation Account #02-02-100-011011 - Special Services by \$50,000 to total \$230,000 and a corresponding increase in the Anticipated Revenue Account #621300 - No certification required.

A motion was made by Councilman Repole and seconded by Councilman Gallo to approve the above item in full as it is a wash item. Motion carried.

2.a. The increase in School Crossing Guards Account #02-02-100-011014 by \$7,000. A motion was made by Councilman Repole and seconded by Councilman Gallo to recommend \$5,000 for this line item. Motion carried unanimously.

2.b. The increase in the overtime account #02-02-100-010500 by \$41,000. A motion was made by Councilman Repole and seconded by Councilman Gallo to recommend \$20,000 at this time. Motion carried unanimously.

2.c. The increase in the Motor Fuel Account #02-02-100-042500 by \$35,000. A motion was made by Councilman Repole and seconded by Councilman Gallo to recommend approving \$21,000 at this time for this account. Motion carried unanimously.

Items 2a, b & c, totaled \$83,000 in the request. The committee, after some discussion with the Police Chief and Finance Director were able to trim this by \$37,000, recommending an increase in the Police Department's Budget of \$46,000, as stated above.

A Certification was submitted by Mr. John P. Edwards, Director of Finance, Acting, in the amount of \$46,000, funds to come from Fund Balance Account to be transferred to:

Crossing Guard Account	02-02-100-011014	\$ 5,000
Overtime Account	02-02-100-010500	20,000
Motor Fuel Account	02-02-100-042500	21,000

A motion was made by Councilman Gallo and seconded by Councilman Evans that the Report be accepted and adjustments approved. Motion carried unanimously.

State

028 - REPORT & CERTIFICATION - Funds for/Unemployment Insurance Account.

Councilman M. Farah submitted a report stating that the committee appointed to consider authorization for an additional \$18,000 to replenish the State Unemployment Insurance Account #02-09-131-073000 met on Feb. 16th at 7:00 P.M. in City Hall. Present were John Esposito and Mounir Farah. Louis Charles was excused because of prior commitments.

Since eligibility requirements for receiving unemployment compensation are set by law and since workers who become qualified for such compensation will have to be paid, Councilman Esposito made a motion, seconded by Councilman Farah to approve the request. The committee voted in favor and recommends granting the request.

A Certification in the amount of \$18,000 in the State Contingency Account was previously submitted by Mr. John P. Edwards, Director of Finance, Acting.

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

029 - REPORT - Request for funds by the E.I.C.

Councilman Torian submitted a report stating that the committee appointed to review the Environmental Impact Commission request for \$10,000 to hire consultants, met on March 8, 1982.

In attendance were Council Members Torian, Eriquez and Torcaso and Mrs. Janet Schaefer, Chairman of the E.I.C. Mr. J. Schweitzer, City Engineer later joined the meeting while in progress.

Mrs. Schaefer stated that due to vacancies on the Commission and a lack of expertise in certain areas, the Commission had no other alternative but to utilize outside consultants in order to complete the review process of incoming applications.

She was asked but was unable to provide the committee with details of specific benefits to be derived from this expenditure. The absence of the information was a major factor in the committee's recommendation to deny the request for \$10,000 for outside consultants. Other factors which contributed to denial of the recommendation were:

The Contingency Account was exhausted for all but emergency type expenditures. We had no firm proposal before us detailing a fixed dollar volume.

Comparable expertise already exists in the City, and should be utilized wherever possible to cut down the costs of outside consultants.

The committee is fully aware of the critical need for an in-depth of all areas of our environment throughout the City of Danbury, more specifically the West-end, wherein exists a major portion of our natural resources, and ongoing commercial and residential development, at a greater than average pace.

We requested and was granted an audience with the Mayor on March 12th. We indicated to the Mayor that primarily due to the present state of the Contingency Account we felt unable to favorably respond to this request. The Mayor shared our concerns and agreed that this issue was of fundamental importance to the future of the City of Danbury. Questions were raised concerning the Capital Budget requests which normally are submitted by the Engineering Department. The Mayor indicated he would scrutinize this item very carefully and be supportive of this request in as many areas as possible.

Councilman Eriquez motioned to recommend denial of the recommendation, seconded by Councilman Torian. The motion carried.

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

030 - REPORT - Danbury Ethnic Festival Funds.

Councilwoman D. Eppoliti submitted a committee report stating that the committee formed to review the request of funds from the Cultural Commission for the 1982 Ethnic Festival, met on Feb. 11, 1982 at 8:30 P.M.

Members present were Chairperson Diane Eppoliti and Councilmen Boynton and Charles. Also present were Chairman Ben DaSilva of the Cultural Commission, Andrew DeGrazia, Co-ordinator for the Festival and commission member Edmond Sousa and Hans Maru.

Mr. DeGrazia explained his request for \$5600.00 for the 1982 Festival. It was the general consensus of the committee at this time that the chairman discuss with the Mayor the possibility of this item being added to the 1982 Cultural Commission Budget.

The Mayor had no objection to the Cultural Commission adding the \$5600 to their budget for 1982. Since the first meeting the Cultural Commission has added this amount to their budget request as a line item for 1982.

The meeting brought out the fact that Mr. DeGrazia is presently the chairman of the Greater Danbury Intercultural Assoc. Inc. and serves on the Cultural Commission. Mr. Boynton suggested that the Chairman secure a legal ruling from the Corporation Counsel as to the questions involving a possible conflict of interest in the future. No vote or decisions had to be made at this time regarding the request for funds.

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

031- REPORT - Request for funds for "ToughLove" Program.

Councilman Boynton submitted a report stating that the committee appointed to review the request for funds for the "ToughLove" Program, met on January 19, 1982 and March 16, 1982.

At the January 19th meeting additional information had been requested of Mrs. Harriet Greenfield. Mrs. Greenfield was to send the information to the committee chairman through the City Clerk's Office. As of 7:45 P.M. March 16th, 1982, no information has been received by this committee.

Whereas the committee still has questions as to the need and ability of Mrs. Greenfield and her associate Mrs. Miller to establish a viable ToughLove organization, it is therefore the committee's recommendation that the funding request made by Mrs. Greenfield's letter dated Dec. 29, 1981, be denied at this time. A motion was made by R. Foti and seconded by E. Boynton to that effect. Motion carried.

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

032- REPORT - Airport Lease Requests from Connecticut Air Service Inc.(CAS) and Business Aircraft Center Inc. (BAC)

Councilman Cassano submitted a report stating that the committee appointed to review the airport lease requests from CAS and BAC, met on March 11, 1981. In attendance were committee members - Cassano, Elder, Evans, Torcaso and Zotos. Also in attendance were the following: Councilmembers McManus and Torian; Assistant Corporation Counsel E. Gottschalk; Aviation Commission members Leo Moore and Paul Estefan; Robert Costello (CAS) and Robert Zohn (BAC).

The meeting was started with a review of the results of the last committee meeting (Dec. 15, 1981) which was called to review the Aviation Minimum Lease Standards. At that time, the committee recommended that the Aviation Commission be requested to review and update the Minimum Lease Standards as needed, including the deletion of Section 9.1 from the Minimum Lease Standards.

Mr. Moore explained that due to the recent turnovers in Aviation Commission membership and the high priority attached to work on the airport master plan, the Aviation Commission has not been able to act on the committee recommendations. Because negotiations on the BAC lease have been going on for over a year, the Aviation Commission thought it advisable to pursue closure on this lease prior to issuance of any revised minimum lease standards. Mr. Moore then gave the committee copies of the proposed BAC Lease.

There was a considerable amount of discussion on the terms of the proposed BAC lease, the financial data in the petition to the Common Council (March meeting - Agenda Item #23) and the general confusion surrounding the basis from which the terms were generated.

The committee was of the opinion that the proposed BAC lease should have been submitted to the Common Council by the Aviation Commission. The petition submitted to the Common Council was under cover of a letter from Mr. Zohn (BAC).

There appeared to be some confusion and possible discrepancies between the proposed BAC Lease, the petition submitted to the Common Council and the existing minimum lease standards.

The discussion was not able to generate a consensus on possibly acceptable financial terms for the BAC lease.

Following the discussion, Councilman Elder moved that the financial Terms recommended to the Common Council by the Aviation Commission (contained in petition #23 of the March meeting) be rejected by the Common Council. Mr. Zotos seconded the motion and the committee voted unanimous approval.

There followed an extensive discussion, in tedious detail, of the philosophy of Airport Leasing and the Minimum Lease Standards as they relate to the lease finances. There were three recurring factors:

1. Fair market value of property (Minimum Lease standards presently specify most recent assessment).
2. Rate of Fair Market value an annual rent (Minimum Lease Standards presently specify 6 percent).
3. Escalation clauses (Minimum Lease Standards presently refer to the Consumer Price Index).

The committee's opinion was that the best way of determining the fair market value is to obtain an up-to-date appraisal. The committee, while not settling on a specific rate to be used as annual rent, repeated its opinion that 6 percent appears to be low. One suggestion by Mrs. McManus was that the rate for a particular lease should be the rate at which money is available to the City at the time the lease is negotiated (presently about 11 percent)

Finally, the committee thought that a C.P.I. escalation factor should be applied at lease every 5 years (cumulative) and if possible, annually.

During the discussion, Mr. Costello (CAS) who has not yet completed lease negotiations with the Aviation Commission, offered to pay for the appraisal of the land pertinent to his lease. Further, the City of Danbury could pick the appraiser.

Councilman Elder moved that the Purchasing Agent of Danbury be authorized to choose an appraiser based on informal quotations for the purpose of appraising 1.17 acres of municipality - owned property sought to be leased by Connecticut Air Services. Said appraisal to be paid for by the applicant. Mr. Zotos seconded the motion and the committee voted unanimous approval.

Further discussion related to the topic of appraisals as it applies to the BAC lease were inconclusive. Nevertheless, the committee agreed that an appraisal would constitute important and pertinent information with respect to fair market value considerations in leases as developed by the Aviation Commission.

To resolve concerns raised by the committee, Councilman Elder moved that the BAC lease proposal and the CAS lease proposal be returned to the Aviation Commission for reconsideration; and that the Assistant Corporation Counsel be authorized to seek a request from the Mayor to be presented to the Common Council pursuant to Section 7-9(e) of the Danbury Municipal Charter for a transfer of funds to the Aviation Commission to cover the cost of appraisals of the 2 parcels of land involved. Mr. Zotos seconded the motion and the motion was passed 3 to 1. Mr. Evans voted in the negative, Mrs. Torcaso was absent, having left earlier due to a conflicting committee schedule.

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

033 - REPORT - Sewer Connection on ConRail Property.

Councilman Gallo submitted a report stating that the Common Council Sewer & Water Extension committee met on March 8, 1982 to review the License Agreement between the City of Danbury and the Consolidated Rail Corporation. Also discussed was the Agreement between the City of Danbury and the petitioner re: Sewer Line on Consolidated Rail Corporation property on Mill Plain Road.

The Committee hereby recommends that the Common Council adopt the two Resolutions as submitted, in reference to the above matter.

034 - RESOLUTION - WHEREAS, the City of Danbury maintains a sewer line in the Mill Plain area on property owned by The Consolidated Rail Corporation; and

WHEREAS, the petitioners, J. Scott Williams and Joanne O. Williams, desire access to said line; and

WHEREAS, the City of Danbury is required to execute a License Agreement with The Consolidated Rail Corporation in order to occupy said property;

NOW, THEREFORE, BE IT RESOLVED that James E. Dyer, Mayor of the City of Danbury be and hereby is authorized to execute the attached License Agreement between the City of Danbury and The Consolidated Rail Corporation.

035 - RESOLUTION - WHEREAS, the City of Danbury maintains a sewer line in the Mill Plain area on property owned by The Consolidated Rail Corporation; and

WHEREAS, the petitioners, J. Scott Williams and Joanne O. Williams, desire access to said line; and

WHEREAS, the City of Danbury is required to execute a License Agreement with The Consolidated Rail Corporation in order to occupy said property; and

WHEREAS, said License Agreement imposes certain duties and obligations on the City of Danbury as Licensee; and

WHEREAS, the petitioners, J. Scott Williams and Joanne O. Williams, are willing to reimburse the City of Danbury for all costs incurred pursuant to the License Agreement and otherwise protect the City of Danbury from Liability arising by virtue of said license;

NOW, THEREFORE, BE IT RESOLVED that James E. Dyer, Mayor of the City of Danbury be and hereby is authorized to execute the agreement between the City of Danbury and the petitioners, J. Scott Williams and Joanne O. Williams.

The Report was accepted and ~~Resolution~~ ^{Resolutions} adopted by the Common Council, on the Consent Calendar.

036 - REPORT - Request of Russell J. Dalessio & Joseph A. Novella for Sewer & Water extension on Pocono Lane.

Councilman Gallo submitted a report stating that the Sewer & Water Extension Committee of the Common Council has met and reviewed the above Petition with the City Engineer and recommend the Petition be granted. Mr. Gallo listed conditions and restrictions.

A motion was made by Councilman Torian and seconded by Councilman Evans that the Report be accepted and extension granted.

(1st Roll Call)

A Roll Call vote was taken by the City Clerk Elizabeth Crudginton resulting as follows:

Aye votes were cast by Council Members - Elder, Gallo, McGarry, Foti, Repole, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Evans, Farah (14 votes)

Council Members - Torcaso, Eriquez, Esposito, Zotos & McManus, voted Nay (5 votes) Councilwoman Eppoliti abstained and Councilwoman Butera was absent.

Before the vote was called by the Mayor, a five minute recess was held.

The meeting reconvened at which time Councilmembers Repole, and Farah changed their vote to Nay, making the final vote for acceptance of the Report and Recommendation 12 Ayes and 7 Nays.

2nd Roll Call vote:

14 votes were required to over rule the Planning Commission recommendation for denial.

A motion was made by Councilman Farah and seconded by Councilman Zotos to recommit the matter back to committee.

Councilman DaSilva urged the Council to vote against recommitment. Councilman Evans agreed with Councilman DaSilva and asked through the chair how Councilman Gallo felt.

Councilman Gallo replied that his committee did their homework. Councilman Farah remarked that there were ramifications he was not aware of.

Councilman Cassano stated that the time to have questions answered is now

Councilman Repole asked for the reasons for Planning Commission denial.

Councilman Gallo read a Planning Commission recommendation for denial dated May 12, 1981 which stated that the Planning Commission voted to recommend denial until such time as a response is received from the City Engineer as to what would happen if that area were to be opened, considering the agreement with Brookfield, etc.

Mr. Gallo then read the second recommendation from the Planning Commission dated September 18, 1981 which stated that the Planning Commission voted to not recommend extending the water and sewer lines as requested in the Petition of Russell J. Dalessio and Joseph A. Novella, Pocono Lane for the reason it is still unknown what is entailed in the matter of water usage - the sewer plant is at capacity; and water is over capacity.

Mayor Dyer remarked that Industry has the highest use of water.

Councilman Elder replied that there is no longer a water shortage.

Councilman Boynton stated that we are only acting on the Sewer & Water petition, not land use. That is determined by the Planning Commission, Zoning Commission, E.I.C. or Zoning Board of Appeals.

Councilman DaSilva requested a check on Roberts Rules of Order in regard to recall of voting.

It was determined that members were allowed to change their votes. Councilman Repole and Councilman Farah had changed their votes to Nay on the acceptance of the Report and Recommendation.

A motion was then made by Councilman Boynton and seconded by Councilman Evans to recommit.

The Roll Call vote to recommit was 15 Ayes and 4 Nays.

Council Members - Elder, Gallo, McGarry, Foti, Repole, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Evans, Farah, voted Aye. 15 votes.

Council Members - Torcaso, Eriquez, Esposito, Zotos, voted Nay (4 Votes). Councilwoman Eppoliti abstained and Councilwoman Butera was absent.

037 - REPORT - Request from LaScala - Still River Development Co. for water extension - 24 Newtown Road.

Councilman Gallo submitted a report stating that the Sewer & Water Extension committee of the Common Council, met at 9:00 P.M. on March 8, 1982 and reviewed the above petition.

The committee discussed the recommended denial by the Planning Commission based upon the proposed route as submitted, for the reason that it may result in municipal ownership of the water line through the adjacent condominium project and thus add increased maintenance costs to the City.

The City Engineer, J. Schweitzer, who was present at the meeting echoed the same opinion. On a motion by Councilman Elder and seconded by Councilman Torian, this committee recommended denial of the petition. All committee members were in favor of the denial.

The Report & Recommendation of the committee was accepted on the Consent Calendar.

038 - REPORT - Adjustments in the Overtime Account for the Fire Department.

Councilman Gallo submitted a report stating that the Common Council committee appointed to review the request for funds for the overtime account in the Fire Department (010500) for \$97,000, met on Jan. 25, 1982 March 29th & 31st, 1982 in room 432 at City Hall.

Besides the committee, Councilmembers Gallo, Evans and Eppoliti, the Fire Chief and Assistant Comptroller were in attendance. Also present on one night or the other were Councilmen DaSilva, Torian and Boynton.

Chief Bertalovitz stated the overtime funds were needed for the following reasons:

1. Vacancies in the Department caused by a lack of qualified appointees to fill the positions.
2. Extra training created by the new tower truck the city purchased.
3. An agreement between the City & the Union to man Engine #21.

The committee was reluctant to grant these funds but felt we had no alternative. Motion by Councilman Evans and seconded by Councilman Gallo to grant \$97,000 to be transferred to Account 010500 Overtime Services in the Fire Department, was passed unanimously at the committee meeting.

A Certification in the amount of \$97,000 was submitted by Mr. John P. Edwards to be transferred from the following accounts to the Fire Department Account #010500:

Contingency Fund	--	\$10,910.70
State Contingency	--	79,790.30
Fund Balance	--	6,299.00

A motion was made by Councilman Boynton and seconded by Councilman Evans for the Report to be accepted and transfer of funds authorized. Motion carried unanimously.

039 - REPORT & RESOLUTION - Assessments for Golden Hill North Area Sewers.

A Report was submitted by Constance McManus, Common Council President, stating that a Public Hearing for the Sewer Assessments for the Golden Hill North Area, was held on March 22, 1982 at 7:30 P.M. in the Council Chambers at City Hall.

A committee of the whole meeting was held on March 24, 1982 at 7:30 P.M. to consider the above mentioned assessments.

The committee voted unanimously to recommend that the City Engineer's Assessment figures be accepted. The committee also recommends that in the future, the breakdown by assessment formula be indicated on the Assessment Notice to the homeowner.

RESOLUTION - WHEREAS, the City of Danbury caused a sewer line to be constructed known as the Golden Hill North Sewer Project; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed shall be due and payable on or before June 1, 1982 provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED that the Tax Collector is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED that the following provisions shall apply to installments of sewer benefit assessments in connection with the Golden Hill North Sewer Project:

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.
2. The minimum annual installment payment shall be ONE HUNDRED AND EIGHTY (\$180) DOLLARS.
3. The interest on any deferred payments hereunder shall be due at a rate per annum which shall be the rate of interest the City is obligated to pay on its sewer bonds issued for the cost of such improvement. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City of Danbury.

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

040 - REPORT - Dumping Fees at Danbury Landfill.

Councilman DaSilva submitted a report stating that the Public Works Committee has reviewed a request by the Mayor that we study the possibility of the initiation of a fee for dumping at the Danbury Landfill.

It was reported to the committee that significant amounts of solid wastes are being dumped at the Danbury Landfill from communities other than Danbury. The reason for this is that there is no charge for dumping in Danbury, while neighboring towns have charges as much as \$33.00 per ton.

A recently submitted engineering report on our landfill states that this facility has only a few years of usability left, and the wastes from other towns are shortening this time. One of its main recommendations was to establish a fee comparable to other towns in order to reduce this abuse.

The Public Works committee recommends the approval of amendments to the pertinent Ordinance and Resolutions establishing a fee for the dumping of solid waste at the Danbury Landfill.

ORDINANCE RE: LANDFILL OPERATIONS.

RESOLUTION RE: HAULER PERMIT FEES FOR DANBURY SANITARY LANDFILL SITE.

RESOLUTION RE: COMMERCIAL USER FEES FOR DEPOSITION OF PERMITTED WASTES AT THE DANBURY SANITARY LANDFILL SITE.

RESOLUTION RE: TO ESTABLISH A FUND TO BE KNOWN AS "DANBURY SANITARY LANDFILL ENTERPRISE FUND".

A motion was made by Councilman Evans and seconded by Councilwoman C. McManus for the Report to be accepted and the Ordinance & Resolutions to be deferred for Public Hearings. Motion carried unanimously.

041 - REPORT & ORDINANCE - SEPTAGE DUMPING FEES.

Councilman DaSilva submitted a report stating that the Public Works Committee has studied the problem of dumping septic waste at the sewer treatment plant. The fact that Danbury charges \$5.00 pe thousand gallons of septage dumped at our facility as compared to considerably higher rates in many surrounding communities, has caused Danbury to receive a great amount of the septage from these communities. The rate in some of the towns is as high as \$25.00 per thousand gallons.

It is the feeling of the Public Works Committee and the Director of Public Works that a dumping fee at the Danbury facility that is comparable with nearby communities will greatly reduce the illegal dumping of septage at our sewer treatment plant.

It is therefore the recommendation of this committee that an Ordinance and Resolution be passed to give the City the authority to establish such a fee.

A motion was made by Councilman Evans and seconded by Councilman Torian for the Report to be accepted and the Ordinance deferred for a public hearing. Motion carried unanimously.

042- (See Number 040 on Agenda)

043 - REPORT & ORDINANCE - Amendments to Article III of the Code of Ordinances - Construction, Repair, Installation & Maintenance of Improvements or Encroachments in Streets & Public Ways.

Councilman DaSilva, Chairman of the Public Works Committee submitted a report stating that the committee has been working with the Public Works Department and the Office of the City Engineer to draft what they considered accessory amendments to Article III of the Code of Ordinances on the construction, repair, installation and maintenance of improvements or encroachments in streets and public ways.

The purpose of the revision is to update the ordinances to reflect the redirection of Public Works Department in the changes in the areas of responsibility for previously created positions as well as of already on line, since the initial drafting of the ordinance. These revisions will also give the City more effective control of the total right of way for City streets.

The committee highly recommends the approval of the proposed amendment to Article III of the Code of Ordinances.

A motion was made by Councilman Evans and seconded by Councilwoman C. Torcaso for the Report to be accepted and the Ordinance deferred for public hearing. Motion carried unanimously.

044 - REPORT - Request for funds for the Conservation Commission.

Councilman Eriquez submitted a report stating that the Common Council committee appointed to consider the Conservation Commission request for \$10,000 to hire an independent consultant, met on March 15, 1982. The following individuals were in attendance: Councilmen Eriquez, Foti and Zotos and Bernadette DeMunde, Chairwoman of the Conservation Commission.

Mrs. DeMunde made a presentation to the committee explaining that these funds would be appropriated for the purpose of obtaining a consultant's services to review the Wilmorite application now before the E.I.C.

As a result of the thoughtful deliberation process that ensued, significant factors surfaced which led the committee to recommend denial of this request. Among those factors were:

1. The absence of a firm proposal identifying the potential consultants and/or their fees.
(Ms. DeMunde did, however, indicate that there had been verbal communication with a consultant from Canada, Dr. James and that his fee was \$375 per diem).
2. The depleted condition of the Contingency Account and the overall financial condition which allows for "emergency" expenditures only;
3. The concern expressed as to who would oversee the proper handling of the procurement procedure when entering into a contractual agreement with a consultant;
4. The fact that the Wilmorite application was being reviewed by the State of Connecticut Department of Environmental Protection Water Compliance and Water Quality Units; and
5. That comparable expertise is available through the various City Departments for assistance in reviewing applications brought before City Boards and Commissions.
(Specifically, the City Engineer's Office has the ability to review and verify hydrological data and the Health Department's Soil Analyst has the capability to review soils and related information as it pertains to applications before the E.I.C.

The committee however is cognizant of the need for environmental studies to be completed and made available to the various City Commissions in order to assist them in their decision making process.

The committee supports the concept of obtaining these studies in conjunction with the City Engineer with funds made available through the Capital Budget process.

Councilman Foti made a motion at the committee meeting, seconded by Councilman Zotos to recommend denial of the request from the Conservation Commission for additional funds. Motion carried.

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

045 - REPORT & ORDINANCE - Itinerant Vendors and Peddlers.

Councilman White submitted a report stating that the committee appointed to review Itinerant Vendors and Peddlers, met on April 1, 1982 at 6:30 P.M.

In attendance were Councilmen White, Farah, & Charles. Also in attendance were Assistant Corporation Counsel Eric Gottschalk and Mr. Carlton Chase.

The committee discussed the Ordinance in detail and unanimously voted to recommend it's adoption .

A motion was made by Councilman Evans and seconded by Councilman Charles for the Report to be accepted and Ordinance deferred for public hearing. Motion carried unanimously.

046 - REPORT - Request for sewers for Dogwood Drive.

Councilman DaSilva submitted a report stating that the Public Works Committee has studied a petition for the installation of a sanitary sewer on Dogwood Drive. The committee directed the City Engineer to conduct a survey of property owners that would be affected by a sewer in this location. The results of this survey, which did not include an estimated cost or the interest rate on deferred payment, was very close - 8 in favor and 7 against 1 - no response.

The Corporation Counsel was also asked to determine if monies from the 1977 Sewer Bond Issue could still be used as a sale of Bonds was completed in February. He reported that the Bond Counsel will allow construction of sewers and the use of bond money beyond the original deadline of Aug. 1982.

To make this possible, however, a separate series of bonds would be issued. This new series (series B) would be sold at substantially higher interest rates than previously (approximately 11% as compared to 6%. Any new series of bond sales must also be of a substantial nature.

While the Public Works Committee was sympathetic to the plight of the petitioners, and there was a slight majority of property owners in favor of this project, the size of this project, on its own, is much too small to obtain bond financing.

It should be noted that there are no other petitions for sewer installations before the committee at this time. It is therefore the opinion of the Public Works Committee that the petition be denied at this time. If other projects are petitioned and approved in the future they would be happy to reconsider approval of this project.

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

047 - REPORT - Temporary construction easement on Stadley Rough Road.

Councilman Elder submitted a report stating that the Ad Hoc Committee appointed to review matters pertaining to a temporary construction easement on Stadley Rough Road, met on March 22, 1982 at 9:15 P.M. Members present were Council members Charles, Elder and Eppoliti. Corporation Counsel Theodore H. Goldstein was also present at the meeting.

A temporary construction easement has been requested by the City of Danbury from Mr. Rudolf Molnar, owner of property at 14 Stadley Rough Road to permit construction of a footbridge across Stadley Rough Road.

Mr. Molnar's Attorney has written to the Common Council requesting the City to pay legal fees of approximately \$262.50 for him to review the proposed easement on behalf of his client.

Corporation Counsel T. Goldstein informed the committee that the Common Council is not empowered to pay Attorney's fees for representing the legal interests of private individuals and that some misunderstanding may exist on the part of Mr. Molnar's attorney.

Councilman Charles moved that the committee recommend denial of this request. Motion was seconded by Councilperson Eppoliti and passed.

A motion was made by Councilman Boynton and seconded by Councilman Torian for the Report to be accepted as submitted Motion carried unanimously.

048 - COMMUNICATION & RESOLUTION - Public Act No. 81-417

Mr. Len Sedney, Planning Director of the City of Danbury submitted a communication stating that by virtue of Public Act 81-417 which took effect July 1, 1981, a municipality or municipal district (two or more towns over 85,000 population) is entitled to receive 4½ percent of the sales tax imposed upon sales of a hotel or lodging house only for the purposes of tourism.

In order to establish a convention and visitors commission, the legislative bodies of each City or Town must vote to establish such commission.

The Commissioner of Revenue Services must be notified by May 1 of the intent to form such a commission.

No local tax dollars are required. However, no direct tax revenues will result to the municipal district either; only indirect benefits through increased tourism.

If a municipal district were established, the members would be appointed by the City or Towns respective legislative bodies. If Danbury, Bethel and Brookfield established a district, the Board would consist of 20 members - 13 from Danbury, 4 from Bethel and 3 from Brookfield. The Board is based on population.

RESOLUTION - That the City of Danbury, acting herein by its Common Council, and pursuant to Section 7-330 of the General Statutes, hereby votes to form and join a municipal district known as The Housatonic Valley Travel Council for the purpose of establishing a Travel Convention and Visitors Commission pursuant to Section 7-136a(c) of the Statutes, as amended by Public Act 81-417;

Provided, however, that the provisions of this Resolution shall only take effect if other municipalities in the greater Danbury area having a combined population of not less than 25,000 join with the City of Danbury in the formation of such a district.

A motion was made by Councilwoman McManus and seconded by Councilman Evans to add the above Resolution to the Agenda as it was not received in time to be included previously. Motion carried.

A motion was then made by Councilman Boynton and seconded by Councilman Enriquez that the Communication be accepted and Resolution adopted. Motion carried unanimously.

049 - REPORT - Water Extension for World-Wide Corporation - Mill Plain Road.

Councilman Gallo submitted a report stating that the Sewer & Water Extension Committee met on March 24, 1982 to review the above water extension.

Members present at the committee meeting were Councilmen Gallo, Foti, Zotos, and Torian.

As part of their proposal, World-Wide has offered and the City of Danbury has accepted a commitment to fund the installation of sleeves used to accommodate water mains within State bridges to be constructed on Old Ridgebury Road.

The committee hereby recommends to the Common Council that appropriate line item adjustments be made as reflected in the communication from Acting Director of Finance, John P. Edwards of March 2, 1982. The committee further recommends that the Common Council authorize Mayor James E. Dyer to take any steps necessary to accomplish this project.

A Communication submitted by Mr. John P. Edwards, Acting Director of Finance states that it would seem in order to increase the Water Department Utility Budget Account #01-000-343000 by \$75,000. to reflect an agreement with a contractor who will provide a letter of credit for \$75,000 for a special project. The Water Department "Other Income" account will be adjusted to reflect the income portion of this transaction.

A motion was made by Councilman Evans and seconded by Councilman Eriquez that the Report be accepted and transfer authorized. Motion carried unanimously.

050- COMMUNICATION - Request of Danbury Fire Historical & Educational Society for use of Ives Street Fire House.

As this communication was not listed on the Agenda a two-thirds vote was required for Common Council action.

A motion was made by Councilwoman McManus and seconded by Councilman Eriquez for the Communication to be placed on the Agenda. Motion carried.

A motion was then made by Councilman White for referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

PUBLIC SPEAKING SESSION

Attorney Carvalho from Bethel who requested to speak on the Landfill Operations, was advised by Mayor Dyer that he was not a resident of Danbury and would not be able to address the Common Council at this time, but would be allowed to speak at the Public Hearing to be scheduled at a later date. Mr. Carvalho thanked the Mayor and Council for their Cooperation.

There being no further business to come before the Common Council, a motion was made and duly seconded to adjourn the meeting at 10:00 O'Clock P.M.

Respectfully submitted

Mary Rickert
Mary Rickert
Assistant City Clerk

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

036 - REPORT - Request of Russell J. Dalessio & Joseph A. Novella for Sewer & Water extension on Pocono Lane.

Councilman Gallo submitted a report stating that the Sewer & Water Extension Committee of the Common Council has met and reviewed the above Petition with the City Engineer and recommends the Petition be granted. Mr. Gallo listed conditions and restrictions.

A motion was made by Councilman Torian and seconded by Councilman Evans that the Report be accepted and extension granted.

A Roll Call vote was taken by City Clerk Elizabeth Crudginton but before the vote was announced by the Mayor, a five-minute recess was held.

Upon the reopening of the meeting a motion was made by Councilman Farah and seconded by Councilman Zotos to recommit the matter back to committee.

Councilman DaSilva urged the Council to vote against recommitment. Councilman Evans agreed with Councilman DaSilva and asked through the chair how Councilman Gallo felt.

Councilman Gallo replied that his committee did their homework. Councilman Farah remarked that there were ramifications he was not aware of.

Councilman Cassano stated that the time to have questions answered is now.

Councilman Repole asked for the reasons for Planning Commission denial.

Councilman Gallo read a Planning Commission recommendation for denial dated May 12, 1981 which stated that the Planning Commission voted to recommend denial until such time as a response is received from the City Engineer as to what would happen if that area were to be opened, considering the agreement with Brookfield, etc.

Mr. Gallo then read the second recommendation from the Planning Commission dated September 18, 1981 which stated that the Planning Commission voted not recommend extending the water and sewer lines as requested in the Petition of Russell J. Dalessio and Joseph A. Novella, Pocono Lane for the reason it is still unknown what is entailed in the matter of water usage the sewer plant is at capacity; and water is over capacity.

Mayor Dyer remarked that Industry has the highest use of water. Councilman Elder replied that there is no longer a water shortage.

Councilman Boynton stated that we are only acting on the Sewer & Water petition, not land use. That is determined by the Planning Commission, Zoning Commission, E.I.C. or Zoning Board of Appeals.

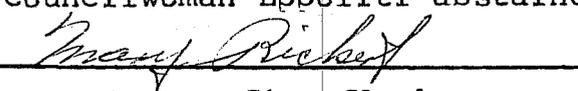
A motion was then made by Councilman Boynton and seconded by Councilman Evans to recommit.

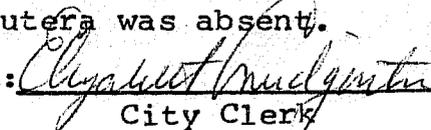
The Roll Call vote to recommit was 15 Ayes and 4 Nays.

Council Members - Elder, Gallo, McGarry, Foti, Repole, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Evans, Farah, vote Aye. (15 votes)

Council Members - Torcaso, Eriquez, Esposito, Zotos, voted Nay (4 votes).

Councilwoman Eppoliti abstained and Councilwoman Butera was absent.


Assistant City Clerk

Attest: 
City Clerk

COMMON COUNCIL MEETING - APRIL 6, 1982

06 - RESOLUTION Re: Nuclear Arms Freeze

Councilman Mounir: I would like to make a statement regarding this Resolution - that although we are elected to handle the municipal affairs of the City of Danbury, the magnitude of this problem is so great that it would not be inappropriate to put ourselves on record on this issue.

However, we would be remiss if we did not draw attention to the gigantic size of military expenditures, not only in the United States, but throughout the whole world. Not only nuclear weapons, but on all weapons.

The United States and U.S.S.R. account for about one-half of the military expenditures around the world. Last year we spent close to Five-Hundred and Twenty-five Billion Dollars on military hardware and services. This is about One-Million Dollars per minute and not just the United States & U.S.S.R. but NATO etc are also guilty - appropriating this sort of money for the hardware of destruction.

I am not for unilateral freeze or unilateral reduction - I would like to stress in this Resolution the fact that it calls upon the President of the United States to initiate negotiations with the U.S.S.R. to bring about a mutual freeze, hopefully with us.



CITY OF DANBURY

OFFICE OF THE CORPORATION COUNSEL
DANBURY, CT 06810

THEODORE H. GOLDSTEIN,
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS A. FRIZZELL
THOMAS G. WEST

ASSISTANT CORPORATION
COUNSEL

April 21, 1982

PLEASE REPLY TO:

P. O. Box 1261
DANBURY, CT 06810

Dictated but not read

Mrs. Mary A. Rickert
Assistant City Clerk
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Minutes of Meeting of April 6, 1982
036 - Report

Dear Mary:

As indicated to you, I do not believe that the minutes concerning the above report accurately reflects that which took place.

The first and second paragraph are correct. I believe that that which should thereafter follow, without reference to "(first roll call)" should be as follows:

A roll call vote was taken by City Clerk Elizabeth Crudginton but before the vote was announced by the Mayor, a five-minute recess was held. Upon the re-opening of the meeting a motion was made by Councilman Farah and seconded by Councilman Zotos to recommit the matter back to committee.

That which then follows in the report should now again follow except for the reference to "Councilman Repole and Councilman Farah had changed their votes to nay on the acceptance of the report and recommendation."

I feel that the above is proper because of the fact that the Mayor at no time announced the vote upon the resolution either prior or subsequent to the recess. It is my recollection that the only action upon which a vote was announced was the vote to recommit.

Sincerely yours,

Theodore H. Goldstein
Corporation Counsel *CR*

THG:cr

Hon. James E. Dyer, Mayor