

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

SUBJECT: Minutes of the Common Council Meeting held on August 3, 1982.

The Meeting was called to order at 8:00 O'Clock P.M. by the honorable 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, McGarry, Foti, Eriquez, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, Charles, Boynton, Merullo, Butera, Evans, Farah. Councilman Esposito arrived after Roll Call.

ABSENT: Council Members - Gallo, Torcaso, White, Cassano.

17 Members Present - 4 Members Absent.

Council President C. McManus reported that Councilman Gallo was absent due to illness. Council Members White and Torcaso were away on vacation and Councilman Cassano was out of town on business.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that a Forum is being held at the New Hope Baptist Church on Saturday from 11:00 O'Clock on. "I think your attendance will be appreciated at this Forum, given the nature of the subject and the other events which will be taking place throughout our City"

Mayor Dyer announced and offered Best Wishes for the following who will be celebrating their birthdays:

- Joseph DaSilva who celebrated on August 1st.
- Michael Seri who will celebrate on August 14th.
- Ernest Boynton " " " " August 15th.
- Richard White " " " " August 16th.
- Nick Zotos " " " " August 18th.
- Diane Eppoliti " " " " August 10th.
- Richard Murray(former Councilman)" August 10th.

The Mayor also offered Best Wishes and Congratulations to Marta and Gene Eriquez on their five years of marriage.

The Mayor stated that "We also have tonight the resignation of Thomas Frizzell, Planning and Zoning Attorney. I think it goes without any reservation from all of us that Tom has served the City very well over the past three years. We were delighted to have his services. I don't think we could have had a more diligent handling of Planning & Zoning affairs than we had under Tom. We wish him well in his new partnership".

Mayor Dyer noted that on August 14th, this administration will be in office for exactly 1,000 days.

Corporation Counsel Theodore H. Goldstein - "I would like to take a moment to endorse his honor's comments and report to the Council that Mr. Frizzell, the Assistant Corporation Counsel in charge of Zoning and Planning which is a widening area, was a most able Attorney, who performed his duties with professional confidence and distinction. His services to the City will be missed by the Office of the Corporation Counsel in the future".

Mayor Dyer then addressed the Council with the following statement:

"Many of you are aware from the excellent coverage that certain groups have received in the past several weeks, the events planned in this City for this Saturday.

I think that I speak for all of us when I say we would prefer that all of these intruders went somewhere else.

Our primary function, the function of my office during the past three months and this week in particular, and on Saturday, is to keep our City together, to keep the Danbury people together - keep our City moving ahead in a positive fashion and I would ask all of our residents, our Danbury people, to not participate in any of the events that are being billed as being in the interest of America, because they certainly aren't.

I'd ask that we all remain cool and that all people throughout our City not be used by groups that are coming from out of State to deliberately cause trouble within our boundaries.

Those who proclaim themselves to be anti or pro, both have records of violence, law-breaking and disorder in every community they have been in. They are not Danbury people. They are professional hoodlums who don't care about Danbury and who only want to turn us into a battlefield.

I think that we have a positive record in our City and I hope that we continue to do that.

For the Council's information, because I told you that I would give you this information, the overtime in the Police Department for Saturday alone, as of right now, and it will undoubtedly go much higher, is \$54,000, just for the one day to accommodate the intruders into our community.

Unfortunately, the Constitution of this Country when it yields to us, the freedom of assembly and speech, provides these same benefits to those who may be negative.

It is something we have to deal with in the best manner that we can. We have the assistance of outside law enforcement agencies. We will have adequate police personnel and equipment and I think that all of us should pray that Saturday will indeed, be peaceful to the people of the City of Danbury."

CONSENT CALENDAR

Councilman DaSilva, in the form of a motion, submitted the following items listed on the Agenda, to be placed on the Consent Calendar:
Motion was seconded by Councilman Torian.

- 02 - Resolution - Master Contract with Conn. Dept. of Human Resources.
- 03 - Resolution - Master Plan Update of the Danbury Municipal Airport.
- 03-1 - Resolution - Application for funds for Disaster Relief Act.
- 010 - Communication - State Aid funds for Public Works Department.
- 015 - Communication - Donation of funds for Danbury Library Part-time services.
- 018 - Communication - Reports of Budgetary Accounts.
- 022 - Report & Resolution - Acceptance of Monarch Rd.
- 023 - Report - Sewer Assessment on South St.
- 024 - Report - Mutual Aid Pact.

- 025 - Report & Certification - Transfer of funds to D.Y.S.
 (Removed from Consent Calendar as per request from Councilman Elder.)
 026 - Report - Request for funds by North West Regional Mental Health Bd.
 027 - Report - Request from Pleasant Acres Home Owners, Inc.
 028 - Report - Request for Sewer & Water on Housman St. (R. Moore)
 029 - Report - Osborne St. & Locust Ave. Parks
 031 - Report & Resolution - Settlement of Claim.

The Consent Calendar was adopted unanimously.

MINUTES of Common Council meetings held July 6, 1982 and July 21, 1982.

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

01 CLAIMS - Bernice Hawley - Elizabeth Goodsell

Councilwoman C. McManus requested referral of the Claims to the Claims Committee and Assistant Corporation Counsel Attorney Thomas G. West. Mayor Dyer so ordered.

02 - RESOLUTION - Resolved that the Mayor of the City of Danbury, James E. Dyer, is hereby authorized to execute a Master Contract on behalf of the City of Danbury with the State of Connecticut Department of Human Resources and that any and all additional acts necessary to effectuate said Master Contract be and hereby be authorized.

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

03 - RESOLUTION - Master Plan Update - Danbury Municipal Airport.

Whereas, the Federal Aviation Administration of the U.S. Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Planning Grant Program in accordance with Section 13 of the Airport and Airway Development Act of 1970; and

Whereas, the City of Danbury through the Danbury Aviation Commission intends to update the Master Plan of the Danbury Municipal Airport for the purpose of revising the airport's goals and objectives to provide policy information to base decisions regarding development of the Danbury Airport; and

Whereas, the City of Danbury will make application for a federal and State grant in the amount not to exceed \$60,000 with a local match of two and one-half percent equalling an amount not to exceed \$1,500.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, James E. Dyer, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

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

03-1 - RESOLUTION - That James E. Dyer, Mayor of the City of Danbury is hereby authorized to execute for and in behalf of the City of Danbury, a public entity established under the laws of the State of Connecticut, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

That the City of Danbury, a public entity established under the laws of the State of Connecticut, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurance and agreements attached hereto.

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

04 - COMMUNICATION - Resignation of Thomas A. Frizzell as Assistant Corporation Counsel, to be effective June 30, 1982. Mr. Frizzell stated that he regrets doing so, but finds he must devote more time to his private practice due to the recent merger and the consequent expansion of their operation.

A motion was made by Councilman Boynton and seconded by Councilman McGarry that the Communication be accepted. Motion carried.

05 - COMMUNICATION - Request from Khalil Kinge for the suspension of the shipment of American weapons to Israel.

A motion was made by Councilman Farah and seconded by Councilman Charles that since this matter is beyond the scope of the jurisdiction of the Common Council, that it be referred to our Representatives, Senators and Congressman. Motion carried.

06 - COMMUNICATION - Request of Dava Johnson, 6 Frontier Lane, to widen West Redding Road.

Councilwoman McManus requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

07 - COMMUNICATION - Request for acceptance of Parcel Y and Parcel X Wicks Manor Estates Section 1 & 2 - Wicks Manor Drive (formerly Woodland Drive).

Councilwoman McManus requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

08 - COMMUNICATION - Request of Risdon Mfg. Co. for monetary relief from the Operation & Management Policy for future sludge disposal.

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

09 - COMMUNICATION - Request of Paul J. Plishner to abandon a section of Segar Street.

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

010 - COMMUNICATION - Request from Edward Fusek, Superintendent of Public Works, to add \$19,778 to the State Aid Account #02-03-111-029500 which will give us a total of \$269,778. This will be the allotment for 1982-1983 which we received notice of in July from the State of Connecticut, Town Aid Department.

A Communication was submitted by Mr. John P. Edwards, Director of Finance Acting, stating all that is necessary to accept the additional State Aid Funds is to increase the 1982-1983 Revenue Account #02-65-000-521000 from \$250,000 to \$269,778 and to increase the Highway State Aid Account #02-03-111-029500 by \$19,778.

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

011 - COMMUNICATION - Complaint of transferring garbage from one truck to another on City Streets.

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

012 - COMMUNICATION - Request of BRT Corporation for Sewer & Water for Condominiums on Beaver Brook Road.

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

013 - COMMUNICATION - Request of Assumption Greek Church to extend sewer line to 30 Clapboard Ridge Road.

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

014 - COMMUNICATION - Request of George Valluzzo for sewer - 125 Park Ave.

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

015 - COMMUNICATION - Danbury Library Board voted to provide the City with funds for temporary, part-time personnel to implement the library's conversion to an automated circulation system.

A Communication was submitted by Mr. John P. Edwards stating that all that is necessary to accept the Danbury Public Library Board of Director's Donation is to increase the 1982-1983 Revenue Account #02-65-000-671000 from \$30,000 to \$70,000 and to increase the Library Part Time Salary Account #02-07-101-011001 by \$40,000.

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

016 - COMMUNICATION - Request of Myrtle B. VanLandeghem for the Danbury Library to be open on Sundays during the summer months, etc.

Councilman McGarry requested referral to committee.

Mayor Dyer so ordered and appointed the following members: Merullo, Esposito, and Gallo.

017 - COMMUNICATION & CERTIFICATION - Request from John P. Edwards, Director of Finance, Acting to transfer \$225,000 from the Contingency Account to the Insurance Budget. This sum is required because of an increase in the Workers Compensation premium by \$205,000. This was in part caused by rerating of all towns by the rating bureau.

Likewise we have been advised of an increase in the City's Blue Shield and Blue Cross Insurance of \$20,000. Mr. Edwards certified to the existence of \$225,000 in the Contingency Account. Mr. Edwards noted that although this is an essential service it will seriously deplete the Contingency Account.

Councilman Boynton requested referral to committee.

Mayor Dyer so ordered and appointed the following committee: Elder, Evans and Boynton.

018 - COMMUNICATION - Mr. John P. Edwards, Director of Finance, Acting submitted a communication stating that the following budget appears to have exceeded budget authorization for the 1981-1982 fiscal year:

Zoning Commission \$1,386.65

Auditors have recommended we notify the Common Council of this deficit and pay the bills. Since the end of the fiscal year has passed we need not make any transfer at this date.

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

018-1 - COMMUNICATION - Waiving of Bids for Paving.

Re: Bid #07-82-3-02 "Paving - Highway Department"

S. B. Hamilton, Purchasing Agent submitted a communication stating that pursuant to the Board of Awards meeting the following information is submitted for the Common Council's consideration:

Class 2 Bituminous Concrete - Material Only - Prices per ton

<u>City of Danbury Bids</u>		<u>State of Conn. Bids</u>	
Tilcon Tomasso	Waters Construction	Austin	Tilcon Tomasso
25.89	25.80	Driveway	25.60
		25.62	Peckham Materials
			25.95
			O&G
			23.97

In telephone conversations, George Onelia of O&G, Michael Carbone of Tilcon Tomasso and Joseph Ricozzi of Peckham Materials all guarantee today's State Bid Price until the end of our present paving season. All telephone conversations are expected to be confirmed by the vendors in writing.

The three companies asked to quote are the three listed in the State Contract to supply material to the Danbury area.

The lowest material bid in conjunction with the award for labor only at 3.08 per ton would result in a price significantly lower than the City's low bid in place for labor and materials of 28.88 per ton.

A motion was made by Councilman Boynton and seconded by Councilwoman McManus to authorize the Purchasing Agent to award the paving contract to the lowest responsible bidder, in response to the City's invitation to bidders, or approved by the State. Motion carried.

019 - COMMUNICATION - Appointments by Mayor Dyer of the following to the Board of Ethics:

- Cynthia Fox Henggeler - North Nabby Road, Danbury
- Karl A. Olson - 114 Old Brookfield Road, Danbury
- Theresa Boccuzzi - Old Lantern Road, Danbury
- Richard H. Janey - 14 Elmar Drive, Danbury
- Richard A. Balmaseda - 2001 Park Avenue, Danbury.

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

#020 (Withdrawn)

021 - DEPARTMENT REPORTS

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|---|-----------------------------|
| Fire Chief | Commission on Aging |
| Fire Marshal | Airport Administrator |
| Police Dept. | Health Inspector |
| Sealer of Weights & Measures | Housing Inspector |
| Building Inspector | High Blood Pressure Program |
| Coordinator of Environmental & Occupational Health Services | |

A motion was made by Councilman DaSilva and seconded by Councilman Torian to dispense with the reading of Department Reports as all members have copies which are on file in the Office of the City Clerk for public inspection. Reports to be accepted as submitted. Motion carried.

AD HOC COMMITTEE REPORTS

022 - REPORT & RESOLUTION - Acceptance of Monarch Road Ext.

Councilman DaSilva submitted a report stating that the Public Works committee studied a request to accept Monarch Road Ext as a City Street. A Report was received from the City Engineer stating that the road was acceptable, and a report was received from the Planning Commission recommending acceptance. The committee also performed an on-site inspection of the road.

The committee initially had reservations as to acceptance of this road because it is off a non-accepted road, but a communication from Assistant Corporation Counsel Gottschalk stated that there is no prohibition along those lines. The committee therefore recommends the acceptance of Monarch Road Ext. as a City Street. The committee further recommends the word "extension" be dropped from the name and the road be considered a part of Monarch Road.

RESOLUTION - That Monarch Road Ext. be accepted as a public highway of the City of Danbury subject to the following conditions:

That the word "extension" be dropped from the name and the road be considered a part of Monarch Road;

That a Deed and Certificate of Title, in form satisfactory to the Office of the Corporation Counsel, be delivered to the City of Danbury.

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

023 - REPORT - Councilman Boynton submitted a report stating that the committee appointed to review the request for a change in the Sewer Assessment for property of Edward Simon, Jr. on South Street, met on July 26, 1982 at 7:30 P.M. in room 432 at City Hall.

Committee members present were Councilmen Boynton and Charles. Councilman Foti was absent. City Engineer J. Schweitzer, Atty. Mark Karotash and Edward Simon, Jr. were also present.

Atty. Karotash explained that this is a simple request, whereby the total assessment of \$14,705.06 would be divided between the buyer and seller of existing parcels A & B. Mr. Simon, the buyer of Parcel B has a 50' right-of-way to a rear lot and has agreed to pay one-half of the total assessment.

A motion was made by Councilman Charles and seconded by Councilman Boynton that the sewer assessments as imposed on Feb. 2, 1982 ie parcel (10t) #K16134 for \$4,200.25 and Lot #K16135 for \$10,504.81 be changed to the following:

Parcel A - K16135 (40,017 sq. ft.)	for \$7,353.53
Parcel B - K16134 (45,403 sq. ft.)	for <u>\$7,352.53</u>
Total	\$14,705.06

Subject to receipt of a waiver of rights to appeal from both parties, from the above revised sewer assessments, by Assistant Corporation Counsel Eric Gottschalk.

The Report was accepted and the change in sewer assessments authorized by the Common Council, on the Consent Calendar.

024 - REPORT - Mutual Aid Pact.

Councilman Elder submitted a report stating that the committee appointed to consider whether or not Danbury should enter into a mutual aid pact with other towns in Fairfield County met at 8:00 P.M. on July 20, 1982. Present were Council Members Elder, McGarry and Merullo. Also present were Police Chief Macedo, Corporation Counsel T.H. Goldstein, and Risk Manager, Tom Fabiano.

Chief Macedo stated that this pact would enable each of the signing towns to call on other signing towns for the temporary loan of police personnel in the case of an emergency, and that the loaning town would then be compensated by the borrowing town.

Chief Macedo felt that this pact would be very beneficial to Danbury in the event of emergencies such as floods, riots or major rallies.

Corporation Counsel Goldstein requested that a list of those communities signing the pact be kept on file at City Hall. He agreed to obtain a list from the President of the Fairfield County Chief's Association.

Risk Manager Fabiano confirmed that any workmen's compensation and liability insurance costs associated with this pact would be paid by the loaning community. This is clearly spelled out in the relevant State Statutes.

After general discussion, the committee agreed that the benefits of this pact far outweigh any potential costs. Councilman McGarry moved that the Council authorize the Mayor to enter into a mutual aid pact with other towns in Fairfield County. Motion was seconded by Councilman Merullo and carried unanimously.

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

025 - REPORT & CERTIFICATION - Funds for Danbury Youth Services.

Councilman DaSilva submitted a report stating that the committee appointed to study a request from the Danbury Youth Services for \$5,000 met at 7:30 P.M. on July 14, 1982. In attendance were committee members DaSilva and Eriquez and James Walsh, Executive Director of Danbury Youth Services.

Mr. Walsh explained the various reasons for the request of \$5,000. He went through the several programs that are run by the D.Y.S. and the duties of the staff members in the agency, along with their credentials and experience.

Mr. Walsh stated that the D.Y.S. is the designated youth service bureau for the City of Danbury, thereby allowing it to accept a \$28,000 grant from the State of Connecticut.

Mr. Walsh showed that the \$5,000 requested would be used for a seven percent annual increase in salary for the nine member professional staff.

When questioned as to the possibility of finding this money elsewhere in the D.Y.S. budget, Mr. Walsh explained that 77.6% of the total budget is personnel cost related, as is the case in any social service providing agency.

After consideration of all the information presented and an extensive discussion, the committee recommended that the request for \$5,000 for the D.Y.S. should be granted.

CERTIFICATION - Mr. John P. Edwards, Director of Finance, Acting submitted a certification as to the availability of \$5,000 in the Contingency Account to be transferred to the Danbury Youth Services.

A motion was made by Councilman Charles and seconded by Councilman DaSilva for the Report to be accepted and request granted.

Councilman Elder stated that he does appreciate all the programs of the D.Y.S. and all of their efforts but feels he should vote in opposition for the following reasons:

Their budget was adopted and they should live within it.

Contingency funds are extremely tight.

Item #26 denied because of the Contingency funds being extremely tight.

Councilman Elder regretfully noted that he would vote no on the request.

Councilman Eriquez spoke in favor of the request, listing the highlights of the programs provided by the D.Y.S. and that Mr. Walsh has provided excellent leadership for the D.Y.S.

Councilman Evans spoke in opposition stating that the Common Council went through budget deliberations and suggested that this request be held off until the end of the year - until we receive a report from our auditors Ernst & Whinney on the monetary situation.

Councilman Farah spoke in opposition to the request at this time stating that it is only the end of July, just beginning the second month of our fiscal year. The request should come back in January as we may be in a better situation at that time.

Councilman Merullo concurred with Councilmen Farah, Elder & Evans stating that the D.Y.S. provides fantastic services but we are in no position at this time to increase their budget - Maybe later on during the year.

Councilman DaSilva reiterated remarks from his report adding that the D.Y.S. Budget was prepared very prudently and efficiently and that \$5,000 was deleted from that budget which would have been for the merit increases.

Councilwoman Butera said she had a call informing her that the additional funds were needed for another part time person.

Mr. Walsh, Director of the D.Y.S. was allowed to speak and stated that the \$5,000 will be used for an increase of 7% for nine professional employees, and that the statement to Mrs. Butera was false.

By a roll call vote of 10 Ayes and 7 Nays, the Report was accepted and transfer of funds to the D.Y.S. Budget was authorized.

Council Members - McGarry, Eriquez, Esposito, Repole, Zotos, McManus, DaSilva, Torian, Charles and Boynton, voted Aye.
(10 votes)

Council Members - Elder, Foti, Eppoliti, Merullo, Butera, Evans, Farah, voted Nay (7 votes) 4 members were absent.

026 - REPORT - Request from North West Regional Mental Health for \$5,700.

Councilman Cassano submitted a report stating that the committee met on July 21, 1982. In attendance were committee members Cassano, Butera and Esposito. Also in attendance was Michael Wynne, Acting Executive Director of the N.W.R.M.H.B.

Mr. Wynne gave the committee a presentation outlining the general organization, programs and aims.

Mr. Wynne reviewed the N.W.R.M.H.B. priorities and funding. For the FY 1983 there are no new programs but state funding has allowed a 4.4 percent funding increase in all existing programs.

The State Department of Mental Health presently funds \$324,838 with \$259,652 allocated to Danbury (Danbury Catholic Family and Community Services, Danbury Hospital and Interlude Inc.)

N.W.R.M.H.B. is trying to raise \$30,000. Danbury requested contribution is \$5,700.

At the committee meeting Mrs. Butera moved that due to the present constraints on our Contingency Funds, the committee recommend that this request be denied with regrets. Further that the Mayor look favorably upon any reasonable funding request from the N.W.R.M.H.B. for inclusion in the 1983-1984 Budget. Motion seconded by Mr. Esposito and passed unanimously.

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

027 - REPORT - Request from Pleasant Acres Home Owners Association.

Councilman Torian submitted a report stating that the committee formed to review the request of the Pleasant Acres Home Owners Association, met on July 26, 1982. In attendance were committee members Torian, Elder and Butera, Mr. W. Buckley, Superintendent of Public Utilities, representatives of the Pleasant Acres Home Owners Association, Inc. and in an ex-officio capacity, Councilman Boynton.

Mrs. Greenberg, President of the Association stated that the Pleasant Acres Water system is currently in receivership. The previous owner had let the system deteriorate to the point where substantial capital investment (approximately \$50,000) is requested to return the system to minimum State standards. This association, as receivers of this water system, has applied to the State for a loan to fund these improvements. They anticipate that the loan would be repaid with revenues collected from water service that is charged to each user.

The State requires collateral for such loans. The Association informed the committee that they have no collateral and is requesting the City act as guarantor of this loan to satisfy the State requirement.

Councilman Elder motioned that, in view of the absence of known State or local laws that would cover a request of this nature, the committee take no action at this time and that the Corporation Counsel continue its efforts to provide a legal solution to this issue, seconded by Councilwoman Butera. All voted in favor of the motion.

The committee also requested that the Association pursue other options that were discussed previously ie poll the Association members to convince them to absorb a pro rata share of the cost of improvements, (approximately \$400.00 per household) and inquire into other sources of funding, commercial banks and other lending institutions that have recently relocated in the greater Danbury area.

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

028 - REPORT - Sewer connection on Housman Street.

Councilman Gallo submitted a report stating that the Sewer and Water Extension committee met with the City Engineer and reviewed a recommendation for approval from the Planning Commission, on the request from Richard Moore for sewer line for property on Housman Street.

The committee recommends approval of a lateral sewer line for the Richard Moore property on Housman Street, with the following conditions:

1. The petitioner shall bear all costs relative to the installation of said line.
2. The existing line as well as the proposed line shall remain privately owned.
3. The petitioner shall execute and record a written agreement between the petitioner and the City of Danbury in a form satisfactory to the Corporation Counsel of the City of Danbury providing for all necessary maintenance and replacement of said line or lines at the expense of the petitioner.
4. No Certificate of Occupancy shall be issued for property to be served by the proposed line until the Corporation Counsel has approved all documents relative hereto.

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

029- REPORT - Osborne St. Field and Locust Avenue Park.

Councilman Farah submitted a report stating that the committee met on June 24th and again on July 22, 1982. Mr. Ryerson, Parks & Recreation Director attended both meetings and representatives of the Parks & Recreation Commission attended the first meeting.

The committee evaluated neighborhood needs and listened to reports on the conditions which prevail in each park. The following options were considered:

1. Sale of Locust Avenue Park and using the money for improving Osborne Street Field and making it into a park.
2. Improve Locust Avenue Park by building a shelter, rest rooms, benches and tables, basketball court and making the pool operative. This option will cost \$204,000.
3. Improve Osborne Field and construct park facilities at a cost of approximately \$500.00
4. Improve Locust Avenue Park as in option #2 without the pool at a cost of \$32,000.
5. Improve Locust Avenue Park by building a fence, a basketball Court and some landscaping within the existing means of the current Parks and Recreation budget, considering the City's fiscal constraints and the committee recommends the approval of option #5.

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

030 - REPORT & ORDINANCE - Sidewalk Liability Claims - Snow & Ice Ordinance.

Councilman Boynton submitted a report stating that the Claims committee held a Special Meeting on July 29, 1982 at 7:30 P.M.

Members present were Chairman Boynton, Council members Charles and D. Eppoliti. Also present were Attorney T. West and Risk Manager Tom Fabiano.

All present discussed the Ordinance on Sidewalk Liability Claims- as well as the homeowners responsibilities. Property owner's Home-owners Insurance Policy will protect them from law suits.

Motion at the committee meeting was made by Councilwoman Diane Eppoliti and seconded by Councilman Louis Charles that the Ordinance as presented (Sec. 17-7) be adopted by the Common Council. Motion carried.

The Insurance Commissioner Joseph C. Mitre, clarified the questions regarding the intent of the State Legislation which allows Cities to adopt this Ordinance.

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

031 - REPORT & RESOLUTION - Settlement of Claim.

Councilman Boynton submitted a report stating that the Claim of Rose Kleban vs City of Danbury - Fall involving City and Sara Rothkopf April 10, 1974 was settled in Court by parties involved and the City's insurance carrier, The Hartford Insurance Co. in the amount of \$7,000. The City's portion of \$2,500 is now due and payable.

A motion was made at the committee meeting held on July 29, 1982 by Councilwoman Eppoliti and seconded by Councilman Charles that a Resolution be drawn up by the Corporation Counsel for the Claim to be settled in the amount of \$2,500. Motion carried.

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 - In settlement of the claim of Rose Klaban v Rothkopf and the City of Danbury - Date of Loss: 4/10/1974.

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

032 - COMMUNICATION Re: Request from Councilman Foti for the establishment of a committee to study the reporting system of the Finance Department. Mr. Foti stated that he was especially concerned with an interim report to be given to the Common Council at the end of June in each fiscal year.

A motion was made by Councilwoman McManus and seconded by Councilman DaSilva that this communication be added to the agenda. Motion carried.

Councilwoman McManus then requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Torian, Eriquez and Torcaso.

PUBLIC SPEAKING SESSION

James Walsh - Director of D.Y.S., spoke stating that the D.Y.S. is grateful for the annual increases for their employees who deserve the 7% increase.

Khalil Kinge - Mr. Kinge spoke in reference to item #5 on the agenda stating that the Council should present their moral position, a moral obligation to take a position on this issue - for the suspension of the shipment of American weapons to Israel. Mr. Kinge will present a petition which Mayor Dyer noted would be sent to the proper State and Federal officials.

Sharon Hamilton - "To the chair and members of the Common Council. As Purchasing Agent for the City of Danbury I did not submit a communication to the Council requesting a waiver of the bid procedure. I merely submitted information that was requested by the Mayor's office. I simply wanted to clarify that that request did not come from me and that is why the information is somewhat incomplete."

Mayor Dyer - "The discussion, pursuant to the Board of Awards meeting, which I sat into, I believe I did direct you to send the information to the Council with the intent being for the purpose of waiving bids. I think that was clear at the Board of Awards meeting."

Ms. Hamilton - " No, no, the request came from you, through your office."

Mayor Dyer - "I believe it came from the Public Works Department, then I said you could forward the information to the Council so they can deliberate on the waiving of bids."

There being no further business to come before the Common Council a motion was made by Councilman Elder and seconded by Councilman Charles for the meeting to be adjourned at 8:50 O'Clock P.M. Motion carried.

Respectfully submitted

Mary Riskant
Assistant City Clerk

Attest:

Edward Budgints
City Clerk