

204
TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut.

SUBJECT: Minutes of the Common Council Meeting held on April 5, 1983.

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 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, Repole, Zotos, McManus, DaSilva, Torian, Cassano, Charles, Boynton, Leopold, Evans, Farah.

Councilman Esposito and Councilwoman Butera arrived after Roll Call.

ABSENT: Council Members - Eppoliti, White.

19 Members Present -- 2 Members Absent.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that Jean Buck from the Bridgeport Post, celebrated her birthday on April 1st and on this date, April 5th, gave birth to a six pound 15 oz baby girl named Sophie.

Mayor Dyer also extended Birthday Greetings to the following:

Councilman Repole for April 4th.
State Representative Paul Garavel - 4/30
Former Councilman Jim Burke - 4/22

Mayor Dyer requested that all pay tribute to his secretary on April 20th (Secretaries Day).

Mayor Dyer reported that he has distributed the Budget for 1983-1984 earlier this year wishing the Council well on their deliberations; also stating that this is a workable and modest budget.

Mayor Dyer thanked the Public Works Committee who have put in several hours working on the 7,725,000 Bond Issue, and thanked the Council as a whole for recognizing and moving forward for these needs.

The Mayor wished everyone a pleasant Easter and Passover season.
PASSOVER SEASON

CONSENT CALENDAR

- 02 - Resolution & Certification - Settlement of Claims.
- 09 - Communication - Capital Line Item - Improvements at Sokol Property.
- 011 - Communication - City of Danbury vs. Speare Corp. re: Monarch Rd. Royal Rd and a portion of Corn Tassle Road.
- 19-1 - Communication & Certification - Request for funds for Outside Services Account in Corporation Counsel's Budget.
- 021 - Communication - Resignations from Zoning Commission.
- 023 - Report & Resolution - Title XX Counseling Grant.
- 024 - Report & Certification - Approval of request for funds for E.I.C.
- 025 - Report & Certification - Approval of funds for Civil Service Commission.
- 026 - Report & Certification - Funds for Labor Negotiator.
- 027 - Report - Denial of request for funds for the Volunteer Bureau of Greater Danbury.
- 028 - Report - Denial of funds for parts & materials equipment maintenance.
- 029 - Report - Request for funds to purchase a street sweeper.
- 034 - Report - Approval of request for Sewer & Water for Raymond Place.
- 036 - Report - Approval of sewers for Farview Ave. Condominiums.
- 037 - Report - Approval of request for water - Belmont Place.
- 038 - Report - Denial of request for adjustment of sewer connection fees for South Gate Condominiums.
- 039 - Report - Land Acquisition
- 040 - Report - Conn. Air Service Lease.

A motion was made by Councilman DaSilva who submitted the Consent Calendar and seconded by Councilman Charles for the Consent Calendar to be accepted. Motion carried unanimously.

MINUTES - Common Council Meeting held on March 1, 1983.

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

01 CLAIMS - Francine Silverman - John H. Woodin, Jr.

Councilwoman McManus requested referral of the Claims to the Claims Committee and Assistant Corporation Counsel Attorney Terry L. Sachs. Mayor Dyer so ordered.

02 - RESOLUTION & CERTIFICATION - Settlement of the Claim of Marion Santos vs. City of Danbury --- \$2,500.00
Date of Loss: January 20, 1981.

CERTIFICATION #134 - With regard to the Hartford Insurance Claim of \$2,500.00 for Marion Santos, Mr. John P. Edwards, Comptroller, certified that the Claims Account has adequate funds and no transfer is required.

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

03 - COMMUNICATION - Danbury Tricentennial.

The Hon. Norman A. Buzaid, Judge of the Superior Court, contacted the Office of the Corporation Counsel on behalf of the Danbury Tricentennial Committee. Judge Buzaid asked that the Common Council review the possibility of incorporating the committee through a Special Act of the General Assembly. It is anticipated that, if formed, the corporation would accept gifts and sponsor various activities in connection with Danbury's 300th Anniversary.

Councilman Torian requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:
Council Members - Torian, Leopold, Cassano.

04 - COMMUNICATION - Selection of Attorney Bernard Green of Bridgeport to represent the City of Danbury in connection with the administrative hearing to be provided to Lt. Charles P. Gallucci, Jr. concerning his alleged involvement in the events leading to the Bethel Police Department probe.

A motion was made by Councilwoman McManus and seconded by Councilman Zotos for the Communication to be accepted and selection of Atty. Green to be approved.

Councilman Foti asked why this matter could not be handled by the Corporation Counsel's Office.

Corporation Counsel Goldstein replied that the Corporation Counsel's office has been involved in other matters involving Lt. Gallucci. It was felt therefore that in order to create a totally impartial atmosphere concerning a Danbury Police Officer with whom the Corporation Counsel's office has continually contacted, that it would be well to isolate ourselves in this particular instance so as to provide a impartial background against which Lt. Gallucci could have a hearing.

As there were no other comments or inquiries, the motion carried unanimously.

05 - AGREEMENT & CERTIFICATION - Memorandum of Agreement detailing the changes to the Police contract, ratified by the Danbury Police Union, Local 891.

CERTIFICATION - Mr. John P. Edwards, Comptroller, submitted the following certification #135 for funds available as indicated to fund the police working agreement:

Salaries	1982	\$185,021.00
Salaries	1983	217,783.00
Overtime	1983	36,000.00
Clothing Allowance Adj.	1982 & 1983	17,250.00
	Total	<u>\$456,054.00</u>

Funds Available 1982 Encumbrance	\$185,000.00
From Contingency	242,316.35
From Fund Balance	28,737.65
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	\$456,054.00

A motion was made by Councilman DaSilva and seconded by Councilman Evans for the Agreement to be accepted and funds authorized. Motion carried unanimously.

Mayor Dyer thanked the Finance Department, the negotiator and the Police Union for their efforts in presenting this Agreement.

06 - COMMUNICATION - Request from Alan R. Schacht, Fire Marshal, for an Ordinance for Dumpsters.

Councilwoman McManus requested referral to the Health Committee. Mayor Dyer so ordered.

07 - COMMUNICATION - Request by Connecticut Air Service, Inc. to improve the "glass Hangar" asking for approval to install siding and insulation and heat the hangar.

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

08 - COMMUNICATION - Request by the Board of Education for the City to include the \$95,000 in the Board's Maintenance Budget for stair tower enclosures at the Senior High School, to be placed in the Bond referendum.

Councilwoman McManus requested referral to the Common Council as a whole and the Planning Commission. Mayor Dyer so ordered.

09 - COMMUNICATION - Request from Robert Ryerson, Director of Parks and Recreation for \$4,000 to be appropriated to the Capital Line Item "Improvements at Sokol Property". This action will allow improvements in the banquet room.

The Comptroller's Office has stated that this action will not require any transfer from the contingency fund. The revenue account and the appropriation account will be increased in a like amount.

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

010 - COMMUNICATION - Offer by Laurance Sutton, Michael J. Burns & Linda A. Burns of property for sale to the City - 40 Acres in the Parks Property.

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

011 - COMMUNICATION - City of Danbury vs. The Speare Corporation, et al.

Request from Assistant Corporation Counsel Eric Gottschalk for the Common Council to consider acceptance of Royal Road, Monarch Road and a portion of Corn Tassle Road.

The Common Council approved a settlement of the above referenced case on March 4, 1980. As part of the stipulated judgment, the Speare Corporation was to transfer ownership of these roads, to the City of Danbury.

Attorney Gottschalk stated that he has now received a warranty deed to those roadways in a form satisfactory to his office and to the Office of the City Engineer.

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

012 - COMMUNICATION - Request by Jules Lang for Sewer & Water for Crows Nest Lane and Great Plain Road.

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

013 - PETITION - Petition for sewers for Reynolds Road Area.

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

014 - COMMUNICATION - Request from Compratt Construction Company for acceptance of Carriage House Drive, High Sky Gardens.

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

015 - COMMUNICATION - Petition from residents of Fairview Condominiums regarding method of water billing.

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

016 - COMMUNICATION - Request from Attorney West, Assistant Corporation Counsel for a committee to be appointed to investigate a matter of lien fees due on back taxes for property of Peter Burkard, 37 Lindencrest Dr.

Councilman McGarry requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Esposito, Torcaso, Evans.

017 - COMMUNICATION - Request of Sidney Eller Agency to acquire a parcel of land that is landlocked in the rear of Rockwood Lane.

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

018 - COMMUNICATION & RESOLUTION - Sale of Redevelopment Agency Disposition Parcel S-19-1.

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

019 - COMMUNICATION - Request from Judge of Probate Richard L. Nahley, for the sum of \$1,825.96, for the following items:

Postage	\$	300.00
Printing & Binding		1,000.00
Office Services		30.00
Office Supplies		495.96
		<hr/>
		\$1,825.96

Councilwoman C. McManus requested referral to committee. Mayor Dyer so ordered and appointed the following members: Gallo, Foti, Butera.

019-1 - COMMUNICATION & CERTIFICATION / #138 - Request by Attorney Theodore H. Goldstein, Corporation Counsel for a transfer of funds in the amount of \$1,500 from the Contingency Account to Budget Item 029500 - Outside Services Account for the Corporation Counsel's office.

A Certification in the amount of \$1,500 available from General Fund - Fund Balance for the purpose of the transfer to the Corporation Counsel's Budget Account #02-01-150-029500, was submitted by the Comptroller, Mr. John Edwards.

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

020 - COMMUNICATION - Appointments & re-appointments to the Building Code Board of Appeals:

Appointment: Mr. Charles Sturges, 89 Hospital Ave. for a term to expire on January 1, 1986. Mr. Sturges is a builder in Danbury.

Re-Appointments:

Mr. Roger LeBlanc, 25 Bel Air Drive Danbury for a term to expire on January 1, 1984.

Mr. John Plecity, Middle River Road, Danbury for a term to expire on January 1, 1985.

Mr. Chido Licciardi, 22 High Rise Road, Danbury for a term to expire on January 1, 1987.

Mr. John Schweitzer, 70 King Street, Danbury for a term to expire on January 1, 1988.

A motion was made by Councilman Elder and seconded by Councilman Boynton for the Communication to be accepted and appointment and re-appointments confirmed. Motion carried unanimously.

Councilman Foti's request for referral was withdrawn when Mayor Dyer explained that this Board only meets when there is an appeal pending and that it is required by State Statutes.

021 - COMMUNICATION - Resignations from the Zoning Commission:

Louis Ginsberg (regular member) and John Leopold (alternate).

The Communication & resignations were accepted by the Common Council on the Consent Calendar.

022 - DEPARTMENT REPORTS

Aviation Commission	Equal Rights & Opportunities
Sealer of Weights	Blood Pressure Program
Housing Inspector	Fire Chief
Health Inspector	Police Chief
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 also on file in the office of the City Clerk for public inspection. Reports to be accepted as submitted. Motion carried.

AD HOC COMMITTEE REPORTS

023 - REPORT & RESOLUTION - Title Counseling Grant.

Councilman Charles submitted a report stating that the committee appointed to review the Resolution regarding an application to the Conn. Dept. of Human Resources (Title XX Social Services), met on March 23, 1983 at 7:00 P.M.

Council Members present were L. Charles, G. Eriquez and J. McGarry. Also present was Brian Graney, Grants Administrator. Mr. Graney provided the committee with an explanation of the purpose of a counseling grant. He noted that this grant is administered by the City Welfare Department.

The City's share of this grant (portion the City must provide) is \$9,655. The total contract amount is \$48,275; therefore \$38,620 is the amount that would be applied for by the City through the Conn. Dept. of Human Resources.

The Counseling Services would be provided by the Welfare Department/

A motion was made at the committee meeting by Councilman Eriquez and seconded by Councilman McGarry that the committee recommend to the Common Council that the Mayor be allowed to authorize the application in the amount of \$38,620. Motion passed and the committee recommended adoption of the Resolution.

RESOLUTION - WHEREAS, the Connecticut Department of Human Resources has made funds available to municipalities under the Title XX - Social Services Block Grant in accordance with Section 2352 of the Omnibus Budget Reconciliation of 1981 (Public Law 97-35); and

WHEREAS, the City of Danbury through the Welfare Department will provide counseling services to Title XX eligible recipients; and,

WHEREAS, the City of Danbury may be eligible to apply for Title XX reimbursement up to \$38,620 during the period from October 1, 1982 to September 30, 1983.

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

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

024 - REPORT & CERTIFICATION - Funds for E.I.C.

Councilman Esposito submitted a report stating that the committee appointed to review the above request, met on March 21, 1983. Committee members present were Chairman J. Esposito and John Leopold. Also in attendance were Council Members Torcaso and Eriquez and J. Kozuchowski of the Health Department and Environmental Impact Commission.

It was determined that the additional funds were needed for secretarial and legal fees. Mr. Esposito checked with the Comptroller and was informed that funds are available.

There has been an increase in the number of applications and those fees go directly into the General Fund.

A motion was made at the committee meeting, seconded and duly passed to approve the request in the amount of \$700. to be transferred to the Environmental Impact Commission Budget.

CERTIFICATION # 133 - A Certification in the amount of \$700 available in the Contingency Account to be transferred to the E.I.C. for secretarial and legal fees, was submitted by the Comptroller, Mr. John P. Edwards.

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

025 - REPORT & CERTIFICATION - Funds for the Civil Service Commission.

Councilman E. Boynton submitted a report stating that a meeting was held on March 7, 1983. Committee members present were Chairman Boynton and Councilman Charles. Also in attendance was Mr. N. Nero, Temporary Chief Examiner for the Civil Service Commission.

The request was for advertising dollars expended at the request of the Mayor in various publications advertising the openings for a Fire Chief. The total amount expended and requested by the Civil Service Commission is \$974.55.

As this was an extraordinary budget expense not foreseen at the time of the Budget preparation and therefore was not in the 1983 Budget request, the committee voted to recommend the approval of this request.

CERTIFICATION #132 - A Certification in the amount of \$974.55 available in the Contingency Account to be transferred to the Civil Service Commission Account #02-01-183-022500 was submitted by Mr. John P. Edwards, Comptroller.

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

026 - REPORT & CERTIFICATION - Funds for Labor Negotiations.

Councilman Cassano submitted a report stating that the committee appointed to consider the request for funds for Labor negotiation fees met at 6:30 P.M. on March 16, 1983. In attendance were committee members Cassano, Gallo and Zotos.

The committee reviewed the request from John Edwards for \$13,223.10 to cover negotiation fee funding for the remainder of the fiscal year.

E.J. Mitchell - Special Pension Work	\$2,737.50
Routine Bills for E.J. Mitchell Assoc. (5 mos)	7,500.00
Out of pocket to Mitchell for actuary (Huppeler)	3,700.00
Police Negotiations	5,000.00
Arbitration Board	5,500.00
Routine Filing Fees	500.00
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	\$24,937.50
Funds on Hand	11,714.40
Required funds to complete the fiscal year of labor negotiator	<hr/>
	\$13,223.10

The committee discussed the contractual arrangement between the City and E.J. Mitchell Associates. Apparently the City is obligated to a sum of \$1500 per month. Mr. Edwards commented, and the committee concurred that some, if not all of the work being done under the contract could be done by the Personnel Director's Office.

Mr. Gallo made a motion at the committee meeting, seconded by Mr. Zotos, that the committee recommend to the Common Council that the sum of \$13,223.10 be transferred from the Contingency Account to the Labor Negotiations Professional Services and fees Account #02-01-201-020100. Motion passed unanimously.

It was further recommended that the Personnel Director pursue the modification or termination of the \$1500 per month contract with E. J. Mitchell Associates, since the committee concludes that the primary negotiation function should be the responsibility of the Personnel Director.

CERTIFICATION #137 - A Certification in the amount of \$13,223.10 available in the General Fund Balance was submitted by Mr. John P. Edwards, Comptroller, for payment of labor negotiation charges.

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

027 - REPORT - Denial of request for funds for the Volunteer Bureau of Greater Danbury.

Councilman Elder submitted a report stating that the committee appointed to review the above request for \$1,000, met on March 21, 1983. Council members present were Elder, Evans and Zotos. Also present was Bobbi Feinson Executive Director of the Volunteer Bureau.

Mrs. Feinson explained that the Volunteer Bureau functioned like a personnel agency, recruiting and placing volunteers into positions in the community. The Bureau is currently funded by the United Way and expects to be funded next year as well.

The Bureau's key priority for next year is to establish a program of community involvement for high school students. These students would do needed work while gaining practical working experience. The Bureau is requesting \$1,000 from the City to purchase the audio visual equipment and supplies needed to create and present a slide presentation to high school students. The \$1,000 would be used for a 35 mm camera, slide projector, a screen, film and other supplies.

The Committee felt that this was a worthwhile project but in light of the extremely tight position of the Contingency Fund, felt that it could not recommend granting this request at this time.

The committee encouraged the bureau to continue to look for business or organizations in the community who would be willing to lend the needed equipment and donate some supplies.

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

028 - REPORT - Denial of request for \$50,000 for parts & materials for equipment maintenance.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed the above request from George Massoud, Superintendent of Equipment Maintenance,.

While the committee was sympathetic to this request, realizing the need to keep our equipment in repair, they did not feel that they could recommend the appropriation of this money from the Contingency or Surplus accounts.

A check with the Finance Office verified that these accounts are low at this time. D. Garamella, Director of Public Works, reported that he would not be purchasing a new street sweeper because the \$13,000 appropriation needed would not be available. He then stated that monies within his department, slated for a sweeper, could then be switched to the proper line in order to cover the purchase of necessary parts.

It is therefore the recommendation of the committee that no funds be appropriated at this time, for this request.

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

029 - REPORT - Request for \$13,000 for the purchase of a street sweeper.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from D. Garamella, Director of Public Works, for an appropriation of \$13,000 for the purchase of a street sweeper. The remaining \$60,000 of the purchase price for the sweeper would come from within the various departments in the Public Works Budget.

It was decided by Mr. Garamella and the committee that the money set aside for the sweeper be used for parts and materials and a new sweeper not be purchased at this time.

It is therefore the recommendation of the committee, that no funds be appropriated for this request at this time.

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

030 - REPORT - Sunset Review Committee.

Councilwoman C. Torcaso submitted a report stating that the committee, during its deliberations have determined that the Conservation Commission and Environmental Impact Commission are performing in accordance with their ordinances.

In recommending termination of the Flood & Erosion Control Board, the committee feels that the City should continue to have certain powers that can be distributed to other agencies. If this is not done, the State will assume those powers under Sections 25-84 and 25-98 of the State Statutes.

The Committee recommends that a public hearing be scheduled to terminate the Flood and Erosion Control Board, as set forth in section 2-180 of the Code of Ordinances.

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

031 - REPORT & ORDINANCE - Capital Improvement Bond Issue.

Councilman DaSilva submitted a report stating that the Public Works Committee has carefully studied the Capital Bond proposal of Mayor Dyer, as committed to them in May of 1982. The Department Head or Director for each Agency came before the committee to discuss the need for the projects in their area. The committee then went on an on-site inspection of most of the projects.

The Public Works Committee feels the various items on the Bond Proposal represent projects that are of great need to the City or major maintenance jobs that can no longer be put off. The cost of these items is too much to do in a yearly budget and further postponement would escalate the cost and cause further damage to many facilities.

The Committee therefore strongly recommends the Capital Bond Proposal be approved for referendum by the Common Council, through the normal procedures.

ORDINANCE - AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$7,725,000 AND AUTHORIZING THE ISSUANCE OF \$7,725,000 BONDS OF THE CITY TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

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

032 - REPORT - ORDINANCE REVISIONS.

Councilwoman C. McManus submitted a report stating that the Common Council committee appointed to review the Ordinance Revisions, met on Nov. 29, 1982; Dec. 28, 1982; Jan. 20, 1983; Feb. 24, 1983 and March 24, 1983. Also present at these meetings was Assistant Corporation Counsel Eric Gottschalk.

The committee has reviewed the first six chapters of the Ordinances and recommends changes (attached to this report) in Chapters 1 through 6. Section 1-2 is being reserved for further minor changes.

A motion was made by Councilman Boynton and seconded by Councilman Charles for the Report to be accepted and Ordinance revisions deferred for public hearing.

A motion was then made by Councilwoman McManus and seconded by Councilman Torian submitting the following amendment to the Ordinance Revisions:

Section 2-47-c to read "Term of office of each successor to such person subsequently appointed shall be three (3) years ending on January 1st.

The amendment passed by a vote of 16 Ayes and 3 Nays. Council members Elder, DaSilva, and Evans voted Nay.

The original motion for acceptance of the Report and Ordinance revisions as amended to be deferred for public hearing, was carried.

033 - REPORT - Request of Danbury Savings & Loan for Sewer & Water - East Hayestown Road.

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

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

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5 - That upon completion of installation, title to said sewer and water line within City Streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's office determines are of potential benefit to other landowners in the City.

Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and water lines.

A motion was made by Councilman Elder and seconded by Councilman Evans for the Report to be accepted and sewer and water extension granted.

A motion was then made by Councilman Foti and seconded by Councilman Gallo that the developer shall install a 10" main.

Motion carried and the Report was accepted as amended and extension granted, unanimously.

034 - REPORT - Request of Joseph Buzaid for Sewer & Water - Raymond Place.

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

It is the recommendation of this committee that the petition be granted with the normal seven steps listed above.

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

035 - REPORT - Request of BRT Corp. for sewer & water - Beaver Brook Road.

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

It is the recommendation of this committee that the above petition be granted with the usual seven steps.

A motion was made by Councilman Elder and seconded by Councilman Evans for the report to be accepted and petition granted.

Councilman Foti asked what has changed in the last six months, as this petition was rejected before.

Councilman Elder stated that sewer and water capacity is available.

The motion for acceptance carried with Councilmen Foti and Cassano voting in the negative.

036 - REPORT - Request of Laorem Realty for sewers for Farview Avenue Condominiums.

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

It is the recommendation of this committee that the petition be granted with the normal seven steps listed.

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

037 - REPORT - Request of Emilio Plante for water - Belmont Place.

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

It is the recommendation of this committee that the petition be granted with the normal seven steps listed.

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

038 - REPORT - Request for adjustment of connection fees - South Gate Condominiums.

Councilman Gallo submitted a report stating that the Sewer & Water Extension committee of the Common Council met on March 28th, 1983. Besides the full committee, J. Schweitzer the City Engineer, Len Sedney, Director of Planning and Jack Murphy of the Planning Commission, were in attendance.

After some discussion it was the feeling of the committee that there wasn't any justification for adjusting the connection fee for said project. On a motion at the committee meeting by R. Elder and seconded by E. Torian, the committee voted unanimously to deny the request.

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

039 - REPORT - Land Acquisition Committee:

Councilman Evans submitted a report of the Land Acquisition Committee stating that they had met on March 21, 1983. In attendance were Council members Evans, Charles, Leopold, Gallo and Repole. Also, Attorney Gottschalk Paul Estefan, Richard Tomanio, Mrs. Russo and Mr. Esposito. Mrs. Butera was excused.

1. Decision on the property offered by Compratt Realty at High Sky Gardens, to the City and classified as open space, deferred until committee hears from the Planning Commission.

2. Request from the Aviation Commission to apply for a Grant from the Federal Aviation Commission with additional funds from the City in excess of \$19,000 to purchase 6.5 acres of land.

Discussion of property and offer ensued. Final outcome was commission chairman will return with a formal report of the commission vote on the matter and a formal offer from the seller to the City, of the property in question.

3. Committee on the motion of Mr. Gallo, seconded by Mr. Rpole, voted to go into executive session to discuss a matter on the Parks property, from 7:00 P.M. to 7:05 P.M.

4. On the question of the Esposito property adjoining Rogers Park, Mrs. Russo and Mr. Esposito were asked to make a formal offer to the City which would include location, dimensions and price of the property.

5. A.M.D. Realty property, formerly Colonial Ford on Main Street was again offered to the City on a rental basis, with the additional clause that the right of first refusal be given to the City if they ever decided to sell the property. The Planning Commission recommended the property be taken through the eminent domain procedure.

Mr. Gallo motioned at the committee meeting, seconded by Mr. Charles that the City not enter into a lease agreement nor exercise the right of eminent domain. Motion passed unanimously.

The Land Acquisition Committee report was accepted by the Common Council on the Consent Calendar.

040 - REPORT - Lease - Connecticut Air Service, Inc. - Texaco, Inc.

Councilman Eriquez submitted a report stating that the committee appointed to review and consider consenting to the Connecticut Air Service/Texaco Lease (pertaining to the use of existing fuel pumping facilities at the Danbury Municipal Airport) met at 8:00 P.M. on Jan. 17th and March 8, 1983.

Members in attendance were Councilman Eriquez, Chairman; Councilwoman J. Butera and Councilman J. Esposito. Also present were members of the Aviation Commission: Paul Estefan, Chairman of the Commission; Bernard "Sonny" Conner and Peter Green. Mr. Paul Cassel, representing Connecticut Air Service was also in attendance as was Mr. Charles Sweet of Texaco, Inc.

The Aviation Commission members raised some concerns regarding the terms of the lease. Additional conditions to be placed in the lease were considered after much discussion.

However, at the subsequent meeting held in March, the Aviation Commission members felt satisfied with the terms of the lease as proposed and felt that they could ensure that their concerns could be satisfied by commission action.

The Texaco and Connecticut Air Service representatives, then informed the committee of the proposed operation.

After considerable discussion, Mr. Esposito made a motion to recommend to the Common Council that the Mayor be authorized to consent to the lease as submitted, seconded by Mr. Eriquez and passed.

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

041 - COMMUNICATION - Appointments to the Zoning Commission.

As this communication was not listed on the Agenda, a motion was made by Councilwoman McManus and seconded by Councilman Eriquez to add the appointments to the Agenda. Motion carried.

The Democratic Town Committee at a meeting held on April 4, 1983, voted to recommend David P. Lai Len, 7 Carriage House Drive to fill the vacancy as a member of the Zoning Commission.

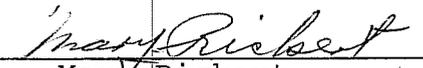
The Committee also voted to recommend Edward A. Stone, 5-H Ellsworth Avenue, as an alternate member of the Zoning Commission.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Communication to be accepted and appointments confirmed. Motion carried unanimously.

Mayor Dyer then announced the continuation of all committees until the next regularly scheduled Council Meeting.

As there were no speakers from the public and there being no further business to come before the Common Council, a motion was made by Councilman Foti and seconded by Councilman Boynton for the meeting to be adjourned at 8:35 O'Clock P.M.

Respectfully submitted


Mary Rickert
Assistant City Clerk

Attest:


Elizabeth Crudginton
City Clerk