

133

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut
SUBJECT: Minutes of the Common Council Meeting held on April 3, 1984.

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 Bernard Gallo.

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

PRESENT: Council Members - Johnson, McGarry, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Chianese, Skoff, McManus, DaSilva, Gallo, Charles, Boynton, Butera, Eriquez, Farah, Torian.

ABSENT: Council Members - Cassano and Durkin.

It was reported that Councilmen Cassano and Durkin were out of town on business.

19 Members Present 2 Members absent.

NOTICES FROM MAYOR DYER

Mayor Dyer extended Birthday Greetings to the following:

Councilman Durkin who will celebrate his birthday on April 11th.
Airport Administrator who will celebrate his birthday on April 19th.
State Representative Paul Garavel who will celebrate his birthday on 4/30.

CONSENT CALENDAR

Councilman DaSilva submitted the Consent Calendar consisting of the following items as listed on the Agenda:

- 04 - Resolution - Youth Services Bureau Operations
- 05 - Resolution - Grant Application for an Elderly Day Care Center.
- 06 - Resolution - Health Education/Risk Reduction Program.
- 07 - Resolution - Wildman St. Reconstruction - Metro North Agreement.
- 08 - Resolution - Novo Laboratories Inc. to act as City Agent re:
Permit from E.I.C. to improve Turner Road.
- 015 - Communication - Agreement for replacement of Balmforth Avenue Bridge
over Padanaram Brook.
- 016 - Communication - Construction of Sugar Hollow Road - Route 7 State
Project No. 34-195
- 025 - Communication - Appointment to the Conservation Commission.
- 026 - Communication - Appointments to the Environmental Impact Commission.
- 031 - Report - Request to repair patches on Heritage, Centennial & Jarrod Dr.
- 033 - Report - To re-number Lake Waubeeka.
- 034 - Report - Re-numbering of West Wooster Street.
- 035 - Report - Denial of a request to purchase City property on Backus Ave.
- 036 - Report - Drainage problem on Rolf's Drive and Briar Ridge Rd.
- 037 - Report - Drainage problem on Roger Avenue.
- 038 - Report - To adjust assessment on Morningside Hgts. II Sewer Project
(Main-Osborne Realty)
- 042 - Report - Sunset Review Committee.
- 043 - Report - City to purchase additional grave sites.
- 044 - Report - Denial of a request for funds for Cable TV Advisory Council.
- 047 - Report - Request of Jules Lang for Water - Crows Nest Lane.
- 048 - Report - To reinstate sewer extension - Rt. 37 Bear Mtn. Rd.

A motion was made by Councilman Charles and seconded by Councilman Boynton for the Consent Calendar to be accepted as submitted.
The Consent Calendar was accepted unanimously.

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02 - CLAIMS - Peter Manning - Matthew Lambrech - Peter Messina - Joseph Gianfortune.

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

01 - BUDGET - Fiscal Year of 1984-1985.

Mayor Dyer reported that he had submitted the Budget to the Common Council the night before, on April 2, 1984.

Council President C. McManus submitted the following Budget Committees:

PUBLIC WORKS
Anthony Cassano
Joseph DaSilva
Carole Torcaso
John Esposito
Mounir Farah
Gene Eriquez
Constance McManus

GENERAL GOVERNMENT
Joseph DaSilva
Ernest Boynton
Robert Godfrey
Louis Charles
Gene Eriquez
Carole Torcaso
Stephen Flanagan
Beverly Johnson
Joseph Durkin

HEALTH & SAFETY

Bernard Gallo
John Esposito
Joseph Chianese
Janet Butera
John McGarry
Nicholas Zotos
Edward Torian
Thora Skoff
Russell Foti

03 - RESOLUTION - Lease of Danbury Railroad Station.

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

04 - RESOLUTION - Youth Services Bureau Operations.

Whereas Grant funds in an amount not to exceed Thirty-Five Thousand (\$35,000) are available from the State of Connecticut, Department of Children and Youth Services for 1984-1985 Youth Services Bureau Operations; and;

Whereas, the continuation of the Youth Services Bureau for a seventh year is deemed to be in the best interests of the City of Danbury,

Now, Therefore, Be It Resolved By the Common Council of the City of Danbury that the actions of James E. Dyer, as Mayor of the City of Danbury, in applying for said funds be and hereby are ratified and that Mayor James E. Dyer be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for State cost sharing Grant, not to exceed \$35,000 for a Youth Service Bureau for the fiscal period commencing July 1, 1984.

Be it further resolved that the Mayor is authorized to execute any and all related documents, applications or other pertinent instruments pursuant to this program.

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

05- RESOLUTION - Grant Application for an Elderly Day Care Center.

Whereas, The Administration on Aging of the U.S. Department of Health and Human Services through the Connecticut Department on Aging and the NorthWestern Area Agency on Aging has made available funds to public agencies in accordance with Title III of the Older Americans Act and Sections 17-137(a-e) of the Connecticut General Statutes; and

Whereas, the Danbury Commission on Aging has developed an elderly day care program which will include: activities, meals, medical attention, volunteer assistance, and outreach; and

Whereas, a grant application of \$28,000 with a local match of \$9,961 has been processed by the Danbury Commission on Aging:

Now, Therefore, Be It Resolved that the past actions of the Danbury Commission on Aging in applying for said grant be and hereby are ratified, and that any and all additional acts by the Commission on Aging and Mayor James E. Dyer necessary to effectuate the purposes hereof be and hereby are authorized.

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

06 - RESOLUTION - Health Education/Risk Reduction Program.

Whereas, the State of Connecticut Department of Health Services through the Preventative Health and Health Services Block Grant has made grant funds available to full-time local health departments to be used for Health Education/Risk Reduction;

Whereas, the City of Danbury, Inc., through the Danbury Health Department has formulated a Health Education/Risk Reduction Program for Danbury area residents; and

Whereas, a grant award of up to \$9,782 has been processed by the Danbury Health Department; and

Whereas, the State of Connecticut Department of Health Services has approved and funded the grant proposal;

Now, Therefore, Be It Resolved that actions of the Danbury Health Department in applying for the said grant be and hereby are ratified; and that be it resolved further action by the Danbury Health Department required accomplish said program be and hereby are authorized:

Be it further resolved that to accomplish said program, James E. Dyer Mayor of the City of Danbury, Inc. is authorized to make, execute, and approve on behalf of this Corporation any and all contracts or amendments thereof with the State of Connecticut Department of Health Services.

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

07 - RESOLUTION - Wildman St. Reconstruction - Metro North Agreement.

Whereas, the City of Danbury has established a Road Improvement Program which includes reconstruction of Wildman Street; and

Whereas, said reconstruction will involve drainage work on property leased to Connecticut Department of Transportation and under the control of Metro-North Commuter Railroad; and

Whereas, Metro-North Commuter Railroad has required the City of Danbury to execute the agreement which allows the City of Danbury to do the needed drainage work;

Now, Therefore Be It Resolved That Mayor James E. Dyer be and hereby is authorized to execute the agreement and do any and all additional acts necessary to accomplish said project.

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

08 - RESOLUTION - Resolved by the Common Council of the City of Danbury:

That in the matter of an application to the Environmental Impact Commission for a permit to improve those portions of Turner Road owned by the City of Danbury, Novo Laboratories, Inc. shall act as the City's Agent and representative in filing the application and in complying with any terms required by said Commission.

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

09 - COMMUNICATION - Request of John Morganti & Sons to extend City sewer line on Mill Plain Road.

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

010 - COMMUNICATION - Request from Edmund J. Nahom (BRT) for clarification in reference to sewer and water gallonage - Condominiums - Beaver Brook Road.

Councilman Gallo requested referral to the Sewer & Water Extension committee. Mayor Dyer so ordered.

011 - COMMUNICATION - Request from Glen Hill Corporation for permission to extend water line along Glen Hill Road.

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

012 - COMMUNICATION - Request to maintain Rockwood Lane

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

013 - COMMUNICATION - Property at intersection of Deer Hill Avenue & West Wooster Street.

Councilman Godfrey requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members: Torcaso, Flanagan and Johnson.

014 - COMMUNICATION & CERTIFICATION - - Request for funds for the installation of guard rails on Lake Avenue and Great Plain Road.

Certification #39 - was submitted by Mr. John P. Edwards, Comptroller, in the amount of \$8,000 available in the General Fund balance for transfer to the Highway Department, for the Lake Avenue guard rail.

A motion was made by Councilman Boynton and seconded by Councilman Charles for the Communication to be accepted and transfer of funds authorized.

As the matter also involved the Great Plain Road Guard Rail, Councilwoman McManus requested referral to the Public Works Committee. Mayor Dyer so ordered.

015 - COMMUNICATION & CERTIFICATION - - Request for funds in the amount of \$11,000 re: Agreement between the State of Connecticut and the City of Danbury for Development of Contract Plans, Specifications and Estimates for the Replacement of Balmforth Avenue Bridge over Padanaram Brook. State Project #34-186 - Federal Aid Project #BRM-3479(1) PE Agreement #7.07-01(83).

CERTIFICATION #37 was submitted by the Comptroller Mr. John P. Edwards, in the amount of \$11,000 in the General Fund unencumbered fund balance for the contract with the State of Connecticut with regard to the Balmforth Avenue Bridge.

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

016 - COMMUNICATION - Construction of Sugar Hollow Road - Route 7 State Project No. 34-195.

Request for Common Council to authorize Mayor James E. Dyer to sign the Agreement in reference to the first project in the relocation of Route 7 in the vicinity of the Danbury Airport. This project, along with later projects, will require the relocation of the City's utilities to accommodate this construction work.

The agreement from the Connecticut Department of Transportation is for the relocation of the water line in Sugar Hollow Road.

The State will also require a demand deposit of \$5,021.83. A request from the City Engineer J. Schweitzer that this amount be appropriated for this expenditure.

CERTIFICATION #40 was submitted by the Comptroller, Mr. John P. Edwards, in the amount of \$5,021.83 available in the General Fund - fund balance for transfer to the Highway Department Act. #02-03-110-037000 for construction of Sugar Hollow Road.

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

017 - COMMUNICATION - American Cyanamid - Exchange of Easements.

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

018 - COMMUNICATION & ORDINANCE - Request for the Common Council to be granted powers of the abolished Flood & Erosion Control Board.

The request was referred to the following committee: Torcaso, Butera and Farah.

The Ordinance was deferred for Public Hearing.

019 - COMMUNICATION - Request for a Resolution to petition the Federal Government Leaders re: Recent announcements from the Pentagon serve to adopt a distributive process of awarding future aircraft engine contracts.

The results thereof may be the diminishing of standards of quality and performance, reduced competition of free enterprise, the demeaning and denial of our residents' skills and a downturn in the status of State and local economies.

Now Therefore be it resolved that the Common Council of the City of Danbury in accordance with the request from the East Hartford Town Council urges the offices of the President of the United States, the Secretary of Defense, and the Congressional leaders of Connecticut to stand strong in the face of those announcements and to lead us to the return of those economic principles that have marked the strength, growth, and defense of our nation.

A motion was made by Councilwoman McManus and seconded by Councilman Charles to adopt the Resolution as requested by the Town of East Hartford, on behalf of Pratt Whitney Aircraft.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Communication to be accepted and Resolution adopted.

020 - COMMUNICATION - Request of A. W. Oppenheimer, Executive Director of the State Department of Revenue Services, to discuss Off-Track Betting with the Common Council.

Councilwoman McManus requested referral to the Common Council as a committee of the whole. Mayor Dyer so ordered.

021 - WITHDRAWN.

022 - COMMUNICATION - Request from the Aviation Commission for a vacancy on the Master Plan Update Committee to be filled.

Mayor Dyer had already appointed Councilwoman Thora Skoff to this committee.

023 - COMMUNICATION & CERTIFICATION - Request from R. Ryerson, Director of Parks, for a transfer of funds in the amount of \$5,000 for heating fuel for the Department of Parks & Recreation.

CERTIFICATION #41 was submitted by Mr. John P. Edwards, Comptroller, in the amount of \$5,000.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Flanagan, Butera, Esposito.

024 - COMMUNICATION & CERTIFICATION - Request from the Welfare Department for \$150,000 to meet estimated expenditures for general assistance for the balance of the fiscal year of 1983-84.

Certification #42 was submitted by Mr. John P. Edwards, Comptroller, in the amount of \$15,000 available in the General Fund - Fund balance. The balance of funds, \$135,000 will be provided from the State of Connecticut.

Councilman Gallo requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee members: Durkin, McGarry and Torian.

025 - COMMUNICATION - Appointment of Mr. James Hancock, 15 Germantown Road, to the Conservation Commission, for a term to expire on 7/1/1986.

Mr. Hancock is employed by the Danbury Hospital, is married and has two children. He graduated from Danbury High School and attended Post Junior College.

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

026 - COMMUNICATION - Appointment of the following to the Environmental Impact Commission:

Mr. Mark Massoud, 9 Crestdale Road for a term to expire on 12/1/1986.
Mr. Abe Golub, 247 Carol Street for a term to expire on 12/1/1985.

Mr. Massoud is employed as a Sales Representative for Sears Roebuck in Danbury and is a graduate of NorthEastern University.

Mr. Golub is a retired builder and a former member of the Conservation Commission.

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

027 - COMMUNICATION & CERTIFICATION - Request from Corporation Counsel Theodore H. Goldstein for a transfer of funds in the amount of \$15,000 to be transferred to the Outside Services Account, with respect to Associated Construction Co. for work done at West Lake Reservoir.

Said Corporation feels that it has completed its job and has now billed the City for an amount of money which far exceeds the contract amount. This action will require the assistance of a law firm well qualified in construction matters.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Communication to be accepted and transfer of funds authorized. Motion carried unanimously.

CERTIFICATION #44 was submitted by Mr. John P. Edwards, Comptroller, in the amount of \$15,000 available in the General Fund - fund balance for transfer to the Corporation Counsel's Budget, Acct. #02-01-150-029500. An additional \$15,000 will be made available from the Water Bond Issue for the Westlake Matter.

***** The \$20,000 authorized by the Common Council on December 6, 1983 has been used up by payments from said account (Outside Services) to the firm which is representing the City in the Richard Sporck matter, a payment on account to the firm representing us in the Airport matter, and the firm which represented Bonnie Gavagan in her firefighters suit. In addition we have the usual, but growing, charges for court entry fee, sheriffs fees, library and the like. There are outstanding bills in which we are in arrears, therefore the request for the transfer of \$15,000 to the Outside Services Account (029500) so as to properly conduct the defense of this case. Re: North Salem/North Ridgefield Environmental Improvement Association et al vs. Aviation Commission of the Town of Danbury et al.

028 - COMMUNICATION - Appointment of Jay Mortara, Lindencrest Drive, Danbury as a Probationary Police Officer for the Danbury Police Department

Jay is twenty years old, and is currently doing carpentry and painting. He graduated from Danbury High School in 1981. He has attended Southern Connecticut State and Western Connecticut State Universities, and has two years of college credits. The appointment is effective upon swearing in.

A motion was made by Councilman Godfrey and seconded by Councilman Zotos for the Communication to be accepted and appointment confirmed. Motion carried unanimously.

029 - COMMUNICATION - Resignation of Edward A. Stone from the Zoning Commission of the City of Danbury, effective March 22, 1984. The resignation was submitted due to a recent promotion and subsequent re-location.

A motion was made by Councilman Godfrey and seconded by Councilman Torian for the resignation to be accepted with sincere regrets. Motion carried unanimously.

Councilman Boynton asked when the vacancy would be filled. Council President McManus replied that we will receive a recommendation from the Town Committee in 30 days.

030 - DEPARTMENT REPORTS

- | | |
|-----------------------------------------------|-----------------------------|
| Fire Chief | Sanitarian Health Inspector |
| Fire Marshal | Blood Pressure Program |
| Housing Inspector | Non-Profit Dev. Corporation |
| Airport Administrator | Commission on Equal Rights |
| Police Department | Building Department |
| Environmental & Occupational Health Services. | |

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

AD HOC COMMITTEE REPORTS

031 - REPORT - Request to repair road patches on Heritage, Centennial & Jarrod Drive.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed the above request from the residents of the areas. It appears that when Group W. installed their cable service the asphalt road patches proved to be inadequate, making further repair work necessary. The Mayor reported that he has contacted Group W who has assured the City that the proper repairs will be done in the Spring when the weather improves.

The committee will monitor this situation and feels that no action by the Common Council is necessary at this time.

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

032 - REPORT - Request to improve a section of East Starrs Plain Road.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request to improve a 300 foot section of East Starrs Plain Road. The Petitioner stated that this section of road, although no longer maintained by the City, was in fact a City road as both ends of the road are maintained, plowed, repaired, etc. An on-site inspection of the road was performed and an opinion of the Assistant Corporation Counsel E. Gottschalk was requested as to City liability.

Mr. Gottschalk reported that his inquiry revealed that the middle section of East Starrs Plain Road has long ceased to be a City maintained road although it had been a city highway earlier this century and in the 1800's. He stated that the qualifying factor as to whether this section was a city road or not is whether there is evident any intent on the part of the City to discontinue use of this road over a number of years.

At the on-site inspection of the area it was obvious to the committee that many years have passed since any maintenance has been performed on this section of road as the bed contained many rocks, growth of vegetation and eroded areas where water has drained.

Due to this observation and the opinion of the Assistant Corporation Counsel, the Public Works Committee voted to recommend a regretful denial of the request to improve 300 feet of East Starrs Plain Road.

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

033 - REPORT - Request to renumber Lake Waubeeka

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request from the City Engineer, to re-number the parcels at Lake Waubeeks. Incorrect numbering causes problems with mail and emergency service.

The Public Works Committee recommends the approval of this request to alleviate the problems stated above.

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

034 - REPORT - Re-numbering of West Wooster Street.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request from the City Engineer to renumber West Wooster Street, as the present numbers are not in the proper sequence causing obvious problems with mail and emergency service.

The committee recommends approval of this request from the City Engineer.

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

035 - REPORT - Request to purchase City property on Backus Avenue.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request to sell a portion of City property on Backus Avenue to be used for commercial development. Airport Administrator, Paul Estefan, reported to the committee that the desired parcel is part of the Airport property. This parcel has been offered by the Airport Commission to the City for use as a possible sit for Fire and Police sub-stations. This matter is being considered in a consultants study due for release shortly. He further explained that, if not used by the City, it would be used for airplane parking which is in short supply at this time.

It was also pointed out that non-aviation use of this land would have to be cleared with the Federal Aviation Commission which historically has taken a dim view of this type of use.

Because of the information supplied by the Airport Administrator, the Public Works Committee voted to recommend denial of this request to purchase City property on Backus Avenue.

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

036 - REPORT - Drainage problem on Rolf's Drive & Briar Ridge Road.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request to alleviate a drainage and icing problem on Rolf's Drive and Briar Ridge Road. An on-site inspection of these two areas was conducted and Public Works Department personnel, familiar with the problems were consulted.

The committee recognizes a drainage and icing problem in these areas and has directed the Public Works Director D. Garamella to do whatever possible within his department financial constraints to alleviate this problem.

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

037 - REPORT - Drainage problem on Roger Avenue.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a petition to correct a drainage problem on Roger Avenue. After an on-site inspection of the area and discussion with members of the Public Works Department it was found that although drainage problems do exist, they are caused by run off from private property on to other private property.

It then appears to be a civil matter, not one that can be legally dealt with by City Government. We therefore recommend that no action be taken on this matter at this time.

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

038 - REPORT - Request to adjust assessment on Morningside Hts. II Sewer Project.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request to adjust an assessment to the Main-Osborne Realty Corporation on the Morningside Heights II Sewer Project. They were incorrectly assessed and an adjustment is now necessary.

The Public Works Committee recommends that the sewer assessment for the Main-Osborne Realty Corporation be deleted and the financial department be directed to charge the proper accounts in rectifying this error.

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

039 - REPORT & CERTIFICATION - City's portion of the Morningside Hts. II Sewer Project.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request to pay the City's share of the Morningside Heights II Sewer Project. This is for City property which includes the Osborne Street Fire Station and the Broadview property which borders Osborne Street. This is standard procedure in this type of situation. The Public Works Committee recommends the appropriation of \$36,464.26 as the City's share of the above mentioned sewer project.

CERTIFICATION #38 - was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$36,464.26 available in the General Fund unencumbered fund balance to pay the City's share of the Morningside Heights II Sewer Project.

A motion was made by Councilman Boynton and seconded by Councilman Charles that the Report be accepted and funds authorized. Motion carried unanimously.

040 - REPORT & CERTIFICATION - Funds for new boilers at Hayestown Ave. School.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from the Director of Public Works, D. Garamella for \$130,000 for the replacement of two boilers at Hayestown Avenue School. The boilers are nearly thirty years old and in a state of disrepair, to the point that they most probably would not make it through another winter. Each boiler will cost approximately \$70,000 while purchase of both will save about \$10,000 - a total cost of \$130,000.

Because of the obvious need of replacement, the Public Works Committee recommends the appropriation of \$130,000 for new boilers at Hayestown Avenue School.

CERTIFICATION #36 - was submitted by the Comptroller, Mr. John P. Edwards in the amount of \$130,000 available in the General Fund unencumbered fund balance for boilers at the Hayestown Avenue School.

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

041 - REPORT - RESOLUTION - ORDINANCE Re: Deferral of assessment increases attributable to rehabilitation of historically significant properties.

Councilman Cassano submitted a report stating that the committee appointed to study the possibility of encouraging historic preservation by providing a measure of relief from property taxes, met on March 27, 1984.

Present were committee members, Cassano, Foti and Flanagan; Assistant Corporation Counsel E. Gottschalk, Planning Director L. Sedney and Don Arsenault, Executive Director of the Downtown Council.

The main points established by the committee include the following:

1. Tax relief should be applied to the increase in tax assessment generated by a rehabilitation project.
2. Tax relief should take the form of a phased deferral, rather than an abatement.
3. Tax relief should apply to rehabilitation projects involving certified historically significant properties.
4. The Planning Department (with input from a design review board) should be responsible for implementing the tax relief program and making a recommendation to the Common Council for final action.

The Resolution and Ordinance establish the criteria and procedures for the implementation of a program for the phased deferral of increases in tax assessment due to the rehabilitation of historically significant properties

A motion was made by Councilwoman C. McManus and seconded by Councilman E. Boynton for the Report to be accepted and Resolution and Ordinance deferred for Public Hearing. Mayor Dyer so ordered.

042 - REPORT - Sunset Review Committee.

Councilwoman C. Torcaso submitted a report stating that the Sunset Review Committee, during its deliberations, has determined that the Danbury Commission on Aging, The Danbury Youth Commission, The Danbury Cultural Commission, The Commission on the Status of Women and the Commission on Equal Rights and Opportunities are performing in accordance with their Ordinances.

In compliance with Section 2-179 of the Code of Ordinances of the City of Danbury, the Committee recommends that the Common Council re-establish each commission reviewed.

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

043 - REPORT - City to purchase additional grave sites.

Councilman Esposito submitted a report stating that the committee appointed to review the request to purchase additional grave sites at the Wooster Cemetery for the burial of the City's deceased indigents, met on 3/22/1984.

Committee members present were Esposito, Butera and Eriquez. Also in attendance were D. MacKenzie and Pat Krafick of the Welfare Department.

D. MacKenzie stated that the City of Danbury has historically provided burial space for deceased indigents. At this time there are three grave-sites remaining in the City-owned free ground.

The Wooster Cemetery Association has offered to sell the City 70 sites at the cost of \$145.00 each without perpetual care and \$245.00 with perpetual care. An onsite inspection places the sites adjacent to the current free ground the city owns.

A motion was made at the committee meeting by Councilman Eriquez and seconded by Councilwoman Butera that the appropriate City Agency purchase the 70 sites and because of the escalating grave maintenance fee, they be purchased with perpetual care for a purchase price total of \$17,150.

CERTIFICATION #43 - was submitted by the Comptroller Mr. John P. Edwards in the amount of \$17,150.00 available in the General Fund - fund balance for the purchase of gravesites by the Welfare Department.

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

044 - REPORT - Request from Cable TV Advisory Council for funds.

Councilman Torian submitted a report stating that the committee formed to review the request from Cable TV Advisory Council for funds totalling \$600.00 met on January 17th and March 20, 1984.

Mrs. Patricia Fernand of the Advisory Council attended and was asked to explain the details of their request. She indicated that the Advisory Council was created by the Department of Public Utility Control Regulations (DPUC Sec. 16-333-24) for the purpose of representing users of cable television that reside within the local cable company area; Bethel, Danbury and Ridgefield. Group W is the local cable company and holds the franchise for servicing this area. Mrs. Fernand noted that the Council consisted of thirteen voting members as follows:

- 6 - Danbury Residents - 4 Ridgefield Residents and 3 - Bethel Residents

The Advisory Council has asked each community to contribute \$100 per member which would total \$1300.00. Danbury's portion would be \$600. The total \$1300 represents the annual operating budget of the Council for items such as: P.O. Box rental expenses - Stationery, Printing & Duplication and Office supplies.

The Committee informed Mrs. Fernand that if the Common Council approved a request of this nature it would in effect, be using taxpayers dollars to benefit a very small segment of the community, ie Cable Television users only. The committee felt that this action would be highly irresponsible and clearly not in the best interest of all the residents of the City of Danbury.

At the committee meeting Councilwoman Skoff motioned to recommend denial of the request, seconded by Councilman Torian.

The Report and recommendation was accepted by the Common Council

045 - REPORT - Request for an Airport Liaison Committee.

Councilwoman C. McManus submitted a report stating that the committee formed to consider the establishment of a liaison committee to the Danbury Airport, met on March 14, 1984. In addition to the committee members in attendance, were Councilmen Foti and Eriquez, Aviation Commission Chairman John Scarfi, Aviation Commission vice-chairman Richard Hale and Airport Administrator Paul Estefan.

Mr. Foti explained that his request was initiated because of the increased communications and requests to the Common Council from the Airport Administrator in recent months.

Mr. Scarfi stated that the Aviation Commission feels that a liaison committee is unnecessary as the Aviation Commission serves in that capacity of liaison to the Common Council. The commission feels that the formation of a liaison committee would eliminate the need of an Aviation Commission. Mr. Scarfi offered to enhance the communication between the Council and Commission by:

1. Sending an explanatory cover letter with all airport requests on the Council Agenda.
2. Making Minutes of the Aviation Commission meetings available to the Common Council and the Mayor.
3. Submitting reports to the Common Council when other than purely administrative actions are taken.
4. Requesting meetings with the Common Council committee of the whole on matters of city-wide importance such as the Master Plan.

Mr. Estefan explained that the Master Plan is being reviewed by the Master Plan committee which has, as members, representatives of various agencies throughout the City. Councilman Gallo represented the Common Council on the committee.

At the committee meeting Councilman Gallo moved to recommend that the Mayor appoint a Councilmember to act as liaison to the Aviation Commission. Councilman DaSilva seconded the motion and it was passed.

A motion was made by Councilman Charles and seconded by Councilman Torian for the report and recommendation to be accepted.

Motion carried by a roll call vote of 14 Ayes and 5 Nays.
Council Members - Esposito, Godfrey, Flanagan, Zotos and Boynton voted Nay.

046 - REPORT & ORDINANCE - Emergency Water Regulations.

Councilman DaSilva submitted a report stating that the Public Works Committee has studied amendments to the Code of Ordinances re: Emergency Water Conservation Regulations, over the past two years. After numerous drafts and revisions the committee has developed a proposal which improves on the provisions presently in effect. There were several areas in which they recommended changes. One is in the treatment of commercial and industrial water use during a water emergency.

The proposals attempt to place all users in these categories on an equal basis, allowing the Mayor to reduce usage by a uniform amount for all commercial and industrial consumers. The proposal also strengthens the language of these regulations by the granting of authority to the Mayor to declare a water emergency, a necessary provision that was omitted in the present language. Also included is certain language clarifications for sections containing grandfather clauses no longer needed etc.

The Public Works Committee recommends the acceptance of the revisions and adoption of the Ordinance.

The Report was accepted and Ordinance deferred for public hearing.

167
047 - REPORT - Application of Jules Lang for extension of water line -
Crows Nest Lane.

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 the 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 water line.
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 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 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 water line.
8. Reference made to letter dated March 6, 1984 to City Engineer from Atty. Neil Marcus and water supply study - Schematic Alternate C-3.

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

048 - REPORT & RESOLUTION - To reinstate sewer extension - Rt. 37 Bear Mountain Road.

Councilman Gallo submitted a report stating that the Sewer & Water Extension committee of the Common Council has met and reviewed the above request with the City Engineer, the Superintendent of Public Utilities, Attorney Eric Gottschalk and the petitioner's Attorney, Neil Marcus.

After several meetings on this request a Resolution was prepared by our Attorney rescinding the Council's motion of September 6, 1983. The Sewer & Water Committee voted unanimously to recommend that the Common Council rescind the motion of September 6, 1983, per the following Resolution:

RESOLUTION - Resolved by the Common Council of the City of Danbury:

Whereas, Frank J. Scalzo and Ann Marie Sanchez have petitioned the Common Council to rescind its action of Septemeber 6, 1983 which action revoked a sewer extension granted on July 3, 1979; and

Whereas, the Common Council on October 4, 1983 referred the petition filed by Sanchez and Scalzo on September 21, 1983 to the Sewer and Water Committee for its review, study and consideration; and

Whereas, the Sewer and Water Committee has reviewed and researched the issues concerning the petition;

Now, Therefore, Be It Resolved that the Common Council of the City of Danbury rescinds its motion to revoke, and hereby reinstates, the sewer extension petition granted to Frank J. Scalzo and Ann Marie Sanchez on July 3, 1979 which action was taken by the Common Council on Sept. 6, 1983, to allow the extension of the City of Danbury's municipal sewer system to service a ten acre parcel owned by Frank J. Scalzo and Ann Marie Sanchez located on Route 37 at Bear Mountain Road in accordance with the prior approval (July 3, 1979) provided, however, that prior to allowing any hook-ups or connections by the petitioners to the sewer line as extended, the City Engineer shall report to the Sewer & Water Committee of the Common Council for its approval that any proposed use of the line will not have an increased impact on the use of the line as originally proposed to service a 17 unit single-family residential development, and that others originally receiving the potential for sewer service in the project area under the petitioners' original proposal can still be served.

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

Mayor Dyer continued all committees with business still pending before them.

In accordance with the City Charter, Mayor Dyer asked for taxpayers and residents of the City of Danbury to speak on any item listed on the Agenda for this meeting.

PUBLIC SPEAKING SESSION

Donna Walko- referring to the Guard rail on Lake Avenue, asked that it be extended from #46 Lake Avenue to #60, and displayed evidence of auto accidents and the debris left behind.

Mayor Dyer explained that plans are being considered for Abbott Avenue to be made one way which would eliminate traffic coming out on to Lake Avenue, and that other plans are being studied for this area.

There being no other speakers and no further business to come before the Common Council, a motion was made by Councilman Boynton and seconded by Councilman Godfrey for the meeting to be adjourned at 8:40 O'Clock P.M.

Respectfully submitted

Mary Robert
Assistant City Clerk

Attest:

Elyse Mudgett
City Clerk