

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

SUBJECT: Minutes of the Common Council Meeting held on May 1, 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, Cassano, Charles, Butera, Durkin, Eriquez, Torian. Councilman Farah arrived after roll call.

ABSENT: Councilman E. Boynton, who is in the hospital and unable to attend the meeting. (Mayor Dyer wished Councilman Boynton a speedy recovery.)

20 members present - 1 member absent.

NOTICES FROM MAYOR DYER

Mayor Dyer announced the Memorial Day Parade will be held on the 28th day of May and urged the Council to participate in the parade and memorial services.

Mayor Dyer extended Birthday Greetings to the following:

- Attorney E. Gottschalk on May 3rd.
- Attorney T.H. Goldstein on May 4th.
- Council President C.McManus on May 25th.
- Peter Winter on May 21st.
- Mrs. Sarah Rothkopf on May 23rd.
- Mrs. Mary Dyer the Mayor's Mother on May 14th.

On May 4th Betty and Don Crudginton will celebrate their wedding anniversary. Mayor Dyer wished Don Crudginton, who is in the Danbury Hospital, a speedy recovery.

On May 23rd, Jim and Connie McManus will celebrate their 20th wedding anniversary.

On May 8th, Wendell and Beverly Johnson will also celebrate their 20th wedding anniversary.

Mayor Dyer informed the Council that the Police Department, although their monthly report was not included in the packet, has been conducting traffic surveys and that violation tickets have been issued for traffic violations and driving under the influence.

CONSENT CALENDAR

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

- 03 - Resolution - NorthWestern Area Agency on Aging, Inc. Title V. Grant for a Tax Rebate Assistant position.
- 012 - Communication - Revised State & Federal Programs 1983-1984 School Budget.
- 014 - Communication - Appointment to the HART Board of Directors.
- 016 - Report - Petition of William Howlett - Sewer & Water - 105 Park Ave.
- 017 - Report - Water Main between First & Second Street.
- 018 - Report - Clarification of BRT Petition - Sewer & Water - Beaver Brk. Rd.
- 019 - Report & Certification - Funds for Parks & Recreation.
- 022 - Report - Sewer Assessment for property on Greenview Road.

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

May 1, 1984

MINUTES - Common Council meeting held on April 3, 1984.

A motion was made by Councilman DaSilva and seconded by Councilman Gallo to waive the reading of the Minutes which are to be accepted as submitted. Motion carried unanimously.

01 - CLAIMS - Joseph F. Smith, Kevin Dransfield, Patricia L. McGee, Thomas Gorman, Joan S. Waag, Virginia Fournier, Roselyn O'Rourke, Ernestine Hall.

Councilwoman McManus requested referral of the Claims to the Claims committee and Assistant Corporation Counsel for Claims. Mayor Dyer so ordered.

02 - RESOLUTION - Community Development Block Grant Tenth Year Funding.

Resolved by the Common Council of the City of Danbury That the Common Council direct the Mayor, as the Chief Executive Officer of the City of Danbury, to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for funds allocated under Title I of the Housing and Community Development Acts of 1974, and 1980, as amended, which authorizes the Community Development Block Grant Program.

Such application is for the Tenth Year Funding and will be in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds developed and approved by the Mayor's Policy Committee for the Community Development Program of the City of Danbury.

Proposed Allocations for Community Development Block Grant Program City of Danbury, Connecticut - Program Year 10 (August 1984-August 1985) were submitted by J. F. Lombardi, Executive Director in the total Grant Amount of \$637,000.

A motion was made by Councilman DaSilva and seconded by Councilman Charles for the Resolution to be adopted. Motion carried.

The Resolution was adopted by a roll call vote of 20 Ayes - 1 member was absent.

03 - RESOLUTION - NorthWestern Area Agency on Aging, Inc.

Whereas, the Northwestern Area Agency on Aging, Inc. has offered to fund a Tax Rebate Assistant position in Danbury through direct salary payments; and

Whereas, said position is offered as a transitional, temporary work experience program providing services to the senior citizens of Danbury; and

Whereas, the acceptance of said funding in accordance with the attached agreement is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT the execution of said agreement be and hereby is ratified and that Mayor James E. Dyer be and hereby is authorized to take any additional steps necessary to accomplish the purposes of this resolution.

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

04 - COMMUNICATION - Request from Gary W. Kurz and Ralph J. Gallagher for transfer of Title - Property bordering Mill Plain Road cut-off to create additional parking for Rosy Tomorrows.

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

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05 - COMMUNICATION - Donation from Boehringer Ingelheim Research and Development Center of three Scott Air Paks to the Danbury Fire Department.

A motion was made by Councilman Charles and seconded by Councilwoman B. Johnson to accept the Air Paks with a letter of thanks to be sent to Boehringer Ingelheim.

Motion carried by a roll call vote of 20 Ayes - 1 member absent.

06 - COMMUNICATION - Sewering Hillandale Area.

Communication from William P. Quinn, Director of Health stating that the Hillandale section has a history of failing subsurface sewage disposal systems. Repairs to these systems are both difficult and extremely costly due to small lots, poor soils, and high ground water. At a recent staff enforcement meeting, Jack Schweitzer said that public sewers could be extended if a portion of property at the end of East Gate Road was condemned. This property is part of a bankrupt subdivision.

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

07 - COMMUNICATION - Request from Albert H. Hornig for sewers on Dogwood Drive.

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

08 - COMMUNICATION - Request from Seymour R. Powers, et al for water and sewer for Orchard Park.

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

09 - COMMUNICATION - Offer by Mr. Vincent Sorrentino of land for sale to the City - Property at the corner of Hayestown Road and East Hayestown Road.

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

010 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$7,110.00 to purchase hose for the Danbury Fire Department.

CERTIFICATION #45 - was submitted by Comptroller John P. Edwards in the amount of \$7,110.00 available in the General Fund - fund balance for transfer to the Fire Department equipment account for the purchase of hose.

A motion was made by Councilman Charles and seconded by Councilman Gallo that the communication be accepted and transfer of funds authorized. Motion carried by a roll call vote of 19 Ayes, 1 member absent and on Nay vote (Councilman Cassano voted Nay).

011 - COMMUNICATION & ORDINANCE - Request from Councilman Godfrey for review and consideration of an Ordinance in reference to Common Council Meetings.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Gallo, Esposito and Zotos.

012 - COMMUNICATION - Revised State and Federal Program section of the 1983-1984 school budget, approved by the Board at its April 11, 1984 meeting. This revision is being submitted to reflect the receipt of more accurate information regarding entitlements and grants for fiscal year 1983-1984. Grand Total - Projected Funding - \$1,606,847.

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

012-1 - COMMUNICATION & CERTIFICATION - Request from E. Fusek, Supt. of Highways, for \$23,000 for 5,000 yards of sand.

CERTIFICATION #46 - was submitted by Comptroller J. P. Edwards in the amount of \$23,000 suggesting this amount to be transferred to a capital account for paving. In this way the money may be used for sand or other materials into next summer. Funds certified to be available in the Fund Balance.

A motion was made by Councilman Gallo and seconded by Councilman McGarry for the communication to be accepted and transfer of funds authorized. Motion carried by a roll call vote of 19 Ayes, 1 Nay (Councilman Cassano voted Nay) and 1 member absent.

013 - COMMUNICATION - The Democratic Town Committee submitted a recommendation for David P. Lai Len, 7 Carriage House Drive, to fill the vacancy on the Zoning Commission.

David Lai Len is a former member of the Zoning Commission and also served as a member of the Zoning Board of Appeals. David, a Business Analyst at Union Carbide, graduated from Brooklyn Law School and received a MBA from New York University School of Business. He is a member of the New York and Connecticut Bar.

A motion was made by Councilman Gallo and seconded by Councilman Charles for the communication to be accepted and appointment confirmed. Motion carried unanimously by a roll call vote of 20 Ayes. 1 Absent.

014 - COMMUNICATION - Appointment of Arthur E. Wilson, 108 Hayestown Rd. Danbury to the HART Board of Directors for a term to expires July 1, 1986.

Mr. Wilson is the former Comptroller-Treasurer for Capitol Machine and Switch Company. Mr. Wilson is currently retired.

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

015 - DEPARTMENT REPORTS

Fire Chief	Health Inspector
Fire Marshal	Housing Inspector
Airport Administrator	High Blood Pressure Program
Equal Rights & Opportunities	Building Department
Environmental & Occupational Health Services.	

A motion was made by Councilman DaSilva and seconded by Councilman Charles to dispense with the reading of 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

016 - REPORT - Petition of William Howlett for sewer and water - 105 Park Avenue.

Councilman Gallo, Chairman of the Sewer & Water Extension committee submitted a report stating that the committee has met and reviewed the above petition with the City Engineer and has also reviewed a 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 & 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 sewer & water line within City Streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's office determines are of potential benefit to other landowners in the City.

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

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

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

017 - REPORT - Water main between First and Second Street.

Councilman Gallo submitted a report stating that the Sewer and Water Extension committee of the Common Council met on April 9, 1984 with the City Engineer and the Superintendent of Public Utilities.

After listening to Supt. Buckley state that City Ordinance requires the property owner of the private service line to maintain or update said line at their own expense, Councilman Foti moved to deny the petition. Councilman McGarry seconded the motion. The vote was unanimous.

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

018 - REPORT - Clarification of BRT Petition - Sewer & Water - Beaver Brk Rd

Councilman Gallo submitted a report stating that the Sewer and Water Extension committee of the Common Council met on April 9, 1984 with the City Engineer, the Superintendent of Public Utilities and the petitioner. After some discussion the committee felt no approval was necessary as the gallonage to be used is the same as approved by this committee on 4/5/1983.

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

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019 - REPORT & CERTIFICATION - Funds for Heating Fuel for Park Dept.

Councilman Flanagan submitted a report stating that the Common Council committee appointed to review the above request met on April 24, 1984 at 7:00 P.M. in room 432 at City Hall. Present were Councilmen Esposito and Flanagan, Mr. R. Ryerson, Director of Parks and Recreation. Mrs. Butera was unable to attend as she was out of Town.

The committee reviewed both the present status of the Parks and Recreation Fuel account, which is overdrawn, and the department's actual fuel use for the months of April, May and June, 1983. It was noted that although last year \$6,000 had been appropriated for fuel oil, the actual cost ended up at \$9,000. This year's \$6,000 appropriation was gone as of early March.

The Committee determined that the amount actually required to sufficiently sustain the fuel oil account for the remainder of this fiscal year is \$3,000. Mr. Esposito motioned that \$3,000 be transferred to line item 042000 (heating fuel). Mr. Flanagan seconded the motion which passed without further discussion.

CERTIFICATION #41 was submitted by Mr. John P. Edwards, Comptroller in the amount of \$5,000 in the General Fund - fund balance for transfer to the Parks and Recreation Budget, Acct. #02-08-130-042000.

The Report was accepted and transfer of funds in the amount of \$3,000 was authorized by the Common Council on the Consent Calendar.

020 - REPORT & CERTIFICATION - Funds for Welfare Department.

Councilman Joseph Durkin submitted a report stating that the Common Council committee appointed to review a request from the Welfare Dept. for an additional \$150,000 required to meet estimated expenditures for general assistance for the balance of fiscal year 1983-1984, met on April 30, 1984 at 6:30 P.M. in room 432 at City Hall.

In attendance were D. MacKenzie, Director of Welfare and committee members Edward Torian and Joseph Durkin. Councilman McGarry was absent.

Following discussion of this request a motion was made by Councilman Torian and seconded by Councilman Durkin that a transfer of funds in the amount of \$15,000 be authorized by the Common Council. The balance of funds will be provided by the State of Connecticut.

CERTIFICATION #42 - was submitted by Comptroller John P. Edwards in the amount of \$15,000 available in the General Fund - fund balance to allow an increase of \$150,000 in the Welfare Budget. The balance of funds, \$135,000 will be provided from the State of Connecticut.

A motion was made by Councilman DaSilva and seconded by Councilman Councilman Flanagan for the Report to be accepted and transfer of funds authorized in the amount of \$15,000.

Motion carried by a roll call vote of 20 Ayes and 1 member absent.

021 - REPORT & ORDINANCE - Candlewood Lake Authority Ordinance Review.

Councilwoman C. Torcaso submitted a report stating that the committee met on April 26, 1984 at 7:30 P.M. with Carole Torcaso, Anthony Cassano and J. Kozuchowski of the Danbury Health Department present.

Mr. Kozuchowski reviewed the amendments to Sec. 13A-18 of the Danbury Code of Ordinances with the committee. The Candlewood Lake Authority (CLA), in order to be restructured, needs the enabling Ordinance changed to provide for:

1. Budgeting process.
2. A water quality management program.
3. Add a stipulation to the requirement for delegates to the CLA.

After discussing the changes, a motion was made to recommend to the Common Council that the amended Code, Sec.13A-18 be deferred to public hearing. Motion was seconded and passed unanimously.

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

022 - REPORT - Sewer Assessment for property on Greenview Road.

Councilman McGarry submitted a report stating that the committee formed to review the sewer assessment for property located at 1-3 Greenview Road, Danbury, Conn. met and discussed the above matter and Attorney Wolfe said the parties had come to an agreement concerning their liability for this obligation based on a percentage of their front footage on Greenview Road as it relates to the total front footage on Greenview Road for both properties.

Therefore Mr. & Mrs. Edward Brennan have agreed to be responsible for 52.6% of the balance owed the City of Danbury and Cerinda Somers and Carl Susnitzky for 47.4% of the balance.

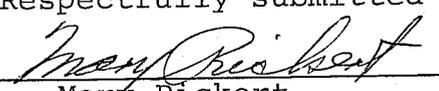
A motion was made by Councilman Charles and seconded by Councilwoman C. Torcaso that the assessment be split between the two property owners. Vote was unanimous at the committee meeting.

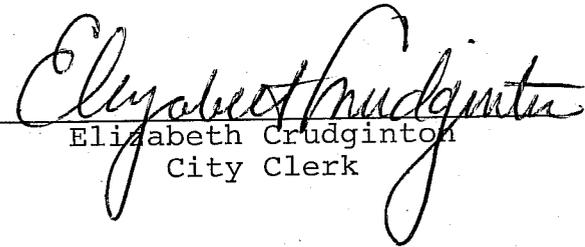
The Report and committee recommendation was accepted by the Common Council on the Consent Calendar.

Mayor Dyer then continued all committees that have business before them.

In accordance with the provisions of the City Charter, Mayor Dyer asked if there was anyone in the audience who wished to address the Council on any matter listed on the Agenda for this meeting.

There being no speakers and no further business to come before the Common Council, a motion was made by Councilman Charles and seconded by Councilman McGarry for the meeting to be adjourned at 8:30 O'Clock P.M.

Respectfully submitted

Mary Rickert
Assistant City Clerk

Attest: 
Elizabeth Crudginton
City Clerk