

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut
SUBJECT: Minutes of the Common Council Meeting held on April 2, 1985.

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 City Clerk Elizabeth Crudginton, with the following members being recorded as:

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

ABSENT: Councilmen Cassano and Farah.

It was reported that Councilman Cassano was out of town on business, and Councilman Farah was teaching a class at the university.

19 Members Present 2 Members Absent.

NOTICES FROM MAYOR DYER

Mayor Dyer announced that he had submitted the Budget for the fiscal year of 1985-1986 to the Common Council on March 27, 1985.

Mayor Dyer proposed a 1985-1986 City Budget of \$69,003,460 to cover the costs of City services for the next fiscal year.

The Budget plan will require a property tax adjustment of 2.02 mills. The current mill rate is 40.06. The new mill rate will be 42.08, or a 5% tax rate increase.

On an average home assessed at \$44,000, the mill rate adjustment converts to \$1.71 per week, or \$88.88 per year.

Mayor Dyer is not proposing any increase in sewer, water, or landfill charges, which are currently billed on a use basis. Funds are provided for a new water line along Route 37 at a cost of \$900,000.00.

Departmental requests totaled \$88,391,608. The current City Budget is \$63,556,510.79. The Mayor cut \$19,388,148 from departmental and agency requests.

Mayor Dyer stated that we are paying the price of federal cuts to our City by having to raise local taxes to continue services for the elderly, our social service agencies and education.

The Mayor added that he believes his budget plan will continue to move our City ahead, increase services in some areas, and beef up our public safety and building inspection services.

The Budget Plan now goes to the Common Council for review and may only amend the Mayor's Budget by a 2/3rds vote, and must act no later than May 15th. The Council will face a new quirk in budget proceedings this year due to the C.D. Parks purchase referendum on April 30th. If City voters approve the purchase of the land the Council will have to add almost a full mill to the proposed mill rate, or cut about \$1 Million dollars from the budget to cover the costs of principal and interest payments and the securing of the property.

Overall 44 new positions were requested. The Mayor approved 15 new positions, which include the following:

5 police officers - 1 fire inspector - 2 assistant building inspectors
4 aides for elderly programs - 2 park maintainers - 1 assistant data processing manager.

Mayor Dyer announced the following list of Council Members for the 1985-1986 Budget Committees:

HEALTH & SAFETY

Bernard Gallo
Edward Torian
Donald Sollose
John Esposito
Ernest Boynton
Joseph Chianese
Nicholas Zotos
Janet Butera

GENERAL GOVERNMENT

Joseph DaSilva
Russell Foti
Joseph Durkin
Carole Torcaso
Ernest Boynton
Robert Godfrey
Stephen Flanagan
Thora Skoff
Louis Charles
Beverly Johnson

PUBLIC WORKS

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

Mayor Dyer introduced and submitted to members of the Common Council, a pamphlet "Danbury and the American Revolution" by Mary A. Reynolds. Additional pamphlets are available in the Mayor's Office.

Mayor Dyer extended Greetings to members of the community for Easter and Passover.

The Mayor reminded everyone of the Teamwalk to begin at Rogers Park on April 28th at 9:00 A.M.

Mayor Dyer extended Birthday Greetings to the following:

Keith Colgan - April 4th.
Dr. Repole - April 4th.
Councilman Durkin - April 11th.
Paul Estefan - April 19th.

Mayor Dyer announced that the Tricentennial Flag that was aboard the Space Ship Challenger, will be made available to the various schools for review.

Mayor Dyer extended sincere sympathy to Councilman Russell Foti on the death of his mother.

The Mayor also announced that the grand opening of the new Fitzwilly's restaurant will take place at 5:30 P.M. on Wednesday.

CONSENT CALENDAR

Councilman DaSilva submitted the following items for the Consent Calendar:

- 04 - Resolution - Drainage Rights - Stadley Rough Rd. at Dennis Gate.
- 011 - Request for waiver of bid procedure for "Silt Removal Still River Channel - Rebid"
- 014 - Agreement between the City of Danbury and the F.A.A. Re: Airport Lighting.
- 015 - Request for Transfer of funds from City Revenue Fund to Commission on Aging.
- 016 - Communication & Certification - Funds for Registrars.
- 019 - Appointments to the Environmental Impact Commission.
- 020 - Reappointment to the Building Code Board of Appeals.
- 021 - Reappointment to the Cultural Commission.
- 022 - Appointments to the Board of Ethics.
- 023 - Appointments to the Candlewood Lake Authority.
- 025 - Appointment of an Alternate to the Planning Commission.
- 026 - Appointment to the Richter Park Authority.
- 029 - Easement for 19 Hillandale Road.
- 030 - Scuppo Road Widening
- 032 - Resolution - Deferral of Property Tax Assessment Increases.
- 034 - Lease negotiations between the Aviation Commission and Data Publications.

A motion was made by Councilman Foti and seconded by Councilman Boynton for the Consent Calendar to be accepted as presented by Councilman DaSilva. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meetings held on March 5, 1985 and March 14, 1985.

A motion was made by Councilman DaSilva and seconded by Councilman Foti to waive the reading of the Minutes as all Council Members have copies which are also on file in the Office of the City Clerk for public inspection. Minutes to be accepted as submitted. Motion carried unanimously.

01 - CLAIMS - Irene E. Fusek - Barbara A. Marinaro - Roseann DiGiulo - Frank Coviello - Anne R. Lanzilotta for Christine Lanzilotta.

A motion was made by Councilwoman C. McManus and seconded by Councilman L. Charles for the Claims to be referred to the Claims Committee and Corporation Counsel. Mayor Dyer so ordered.

02 - RESOLUTION - Grant application to promote optimal environmental quality in The City Of Danbury.

Whereas, the State of Connecticut Department of Health Services has made funds available to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

Whereas, the City of Danbury, Inc. through the Health and Housing Department has formulated a program to promote optimal environmental quality in the City of Danbury; and

Whereas, a continuation grant award request of \$12,628 with no local match requirement will be processed by the Danbury Health Department.

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health & Housing Department required to 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 Health Services.

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

The Resolution was adopted unanimously.

03 - RESOLUTION - Drainage Rights - Stuart Drive.

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

04 - RESOLUTION - Drainage Rights - Stadley Rough Rd. at Dennis Gate.

Whereas, the Common Council wishes to correct storm water drainage in the area of Stadley Rough Road and Dennis Gate; and

Whereas, said proposal will involve public use of private property as described in an attached schedule;

Now, Therefore, Be It Resolved By The Common Council That the Corporation Counsel be and hereby is authorized to acquire said private property interest either by negotiation or by eminent domain through the institution of suit against the current property owners and their respective mortgage holders, if any.

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

05 - COMMUNICATION - Request from Councilwoman Carole A. Torcaso for a committee to be appointed to review the Commissions, Boards and Entities in compliance with Section 2-175 of the Code of Ordinances of the City of Danbury - "Review and Evaluation of Governmental Entities."

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Torcaso, Butera, Eriquez with two other citizens from Danbury to serve on the same committee.

06 - COMMUNICATION - Request from Councilwoman Carole A. Torcaso for a moratorium to be placed on Sewer & Water Extensions..

Councilman Gallo requested referral to the Sewer & Water Extension Committee, Planning Commission and Corporation Counsel. Mayor Dyer so ordered.

07 - COMMUNICATION - Request by Morganti Inc. (Federal Road) to continue to use Water Main.

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

08 - COMMUNICATION - Request from Conn. Air Service Inc. for a guard rail fence and curbing on Miry Brook Road.

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

09 - COMMUNICATION - Request to purchase land on Driftway Road.

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

010 - COMMUNICATION - Request to accept Tanglewood Drive & Catalpa Drive.

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

011 - COMMUNICATION - Request for waiver of bid procedure for "Silt Removal Still River Channel - Rebid"

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

012 - COMMUNICATION - Request for waiver of bid procedure re: Installation of Metal Beam Rail on Lake Avenue.

A motion was made by Councilman DaSilva and seconded by Councilman Gallo for the Communication to be accepted and request granted. Motion carried unanimously.

013 - Withdrawn

014 - COMMUNICATION - Agreement between the City of Danbury and the F.A.A. Re: Airport Lighting.

The new letter of agreement from the Manager of the Air Traffic Control Tower is to update the one that was signed September 01, 1983. Due to the fact that the City is installing a new lighting system there is a requirement to update the letter of agreement. The difference between the letter dated September 1, 1983 and this letter is the Radio Control Equipment that is being installed in the new lighting, thus changing the agreement between the City of Danbury and the F.A.A.

The Tower manager is requesting this change due to the new equipment that is being installed.

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

015 - COMMUNICATION - Transfer of funds from Revenue Fund to Commission on Aging.

The Danbury Commission on Aging has \$3,000 plus in the City Revenue Fund and requests that \$1,000 be transferred into the Commission on Aging budget (equipment not classified).

The Comptroller's Office indicated that no certification is needed. They will amend the budget and revenue in a like amount.

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

016 - COMMUNICATION & CERTIFICATION - Request from the Registrars for a transfer of funds in the amount of \$6,890.00 to cover expenses to be incurred for the Referendum regarding the purchase of the C. D. Parks Property, to be held April 30, 1985.

CERTIFICATION #26 - was submitted by Mr. John P. Edwards, Comptroller, in the amount of \$6,890.00 available in the General Fund - fund balance account for transfer to the Registrar of Voters to cover expenses to be incurred with respect to the referendum regarding purchase of the C.D. Parks Property.

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

017 - COMMUNICATION - Request for \$10,125.00, City's share of funds to construct part of taxiway Delta. Total cost of this project is \$405,000.00.

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

018 - COMMUNICATION - Request for \$105,900.00 for the Ice Material Control Account, Public Works Department.

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

019 - COMMUNICATION - Appointment of the following Alternates to the Environmental Impact Commission:

Mr. Richard Arconti, 15 Raquel Drive, Danbury for a term to expire on December 1, 1987. Mr. Arconti is an Attorney in Danbury.

Mr. David D. Athans, 25 Hensow Drive, Danbury for a term to expire on December 1, 1985. Mr. Athans is employed as Construction Supervisor at Richter Park and is also Chief of the King Street Volunteer Fire Company.

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

020 - COMMUNICATION - Reappointment to the Building Code Board of Appeals.

Reappointment of Mr. John Plecity, 97 Middle River Road, Danbury to the Building Code Board of Appeals for a term to expire on Jan. 1, 1989.

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

021 - COMMUNICATION - Reappointment to the Cultural Commission.

Reappointment of Mr. Benjamin A. DaSilva, Jr. 174 Franklin St. Ext., Danbury, to the Cultural Commission for a term to expire on February 1, 1988.

Mr. DaSilva has been an active member of the Commission and has an excellent attendance record.

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

022 - COMMUNICATION - Appointments to the Board of Ethics.

Appointments of the following to the Board of Ethics:

Mr. James Esposito, 27 Lawncrest Dr. Danbury for a term to expire on August 1, 1986.

Miss Dimples Armstrong, 3 South Cove Road, Danbury for a term to expire on August 1, 1986.

Mr. Esposito is a member of the Sacred Heart Holy Name Society and is employed at Standard Cleaners.

Miss Armstrong is a Field Representative for the Connecticut Education Association.

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

023 - COMMUNICATION - / Appointment of Mr. George Eller, 3 Pleasant Drive, Danbury, as a member of the Candlewood Lake Authority for a term to expire on April 1, 1987.

Mr. Eller is a teacher at Joel Barlow High School and a member of the American Chemical Society.

024 - COMMUNICATION - Appointments to the Parking Authority.

Appointment of the following to the Parking Authority:

Mr. Albert R. Cavalier, 7 Old Stadley Rough Road, Danbury for a term to expire on June 30, 1987. Mr. Cavalier is a Real Estate Salesman and a former Deputy Sheriff for Fairfield County.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the Communication to be accepted and appointment of Mr. Cavalier to be confirmed. Motion carried.

Appointment of Mr. Eugene Barrett, 1 Hausmann Road, Danbury for a term to expire on June 30, 1988. Mr. Barrett is the Executive Director of the Redevelopment Agency.

Councilwoman Thora Skoff requested referral of Mr. Barrett's appointment, to committee. Mayor Dyer so ordered and appointed the following committee: DaSilva, Gallo, McManus.

025 - COMMUNICATION - Appointment of Mr. Frank Bondatti, Jr., 116 Deer Hill Avenue, Danbury, as an alternate member of the Planning Commission for a term to expire on January 1, 1986.

Mr. Bondatti is a construction worker and a member of the SNYRA.

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

026 - COMMUNICATION - Appointments & reappointments to the Richter Park Authority.

Reappointments: Mr. Dino Storoni, 3 Westwood Terrace, Danbury for a term to expire on September 1, 1987.

Mr. Dominic Lariccia, 2 Stonegate Court, Danbury for a term to expire on September 1, 1987.

Appointments: Mr. John Nickerson, 1-51 Beaver Brook Rd., Danbury for a term to expire on September 1, 1987. Mr. Nickerson is employed at Heli-Coil in Danbury and is past president of the Richter Park Men's Club.

Mrs. Lianne Thayne, 21 Pond Crest Road, Danbury for a term to expire on September 1, 1985. Mrs. Thayne is a dental hygienist and member of the Board of Directors of the American Cancer Society.

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

027 - DEPARTMENT REPORTS

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| Fire Chief | Planning Commission |
| Fire Marshal | Airport Administrator |
| Health Inspector | Equal Rights & Oppor. |
| Housing Inspector | Blood Pressure Program |
| Environmental & Occupational Health Services | Building Inspector |

A motion was made by Councilman DaSilva and seconded by Councilman Gallo 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 unanimously.

AD HOC COMMITTEE REPORTS

028 - REPORT - Drainage problem at 8 South King Street.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request to alleviate a drainage erosion problem at 8 South King Street. The discharge from a City drainage pipe on South King Street has caused a deep gully to be formed, causing a dangerous condition.

Acknowledging City responsibility in this matter, the Public Works Committee recommends the Public Works Department gain the proper easements and install a drainage pipe from the present discharge area to a brook in the back of the property at 8 South King Street.

A motion was made by Councilwoman McManus and seconded by Councilman Gallo for the Report to be accepted and the matter of easements referred to the Planning commission. Motion carried.

029 - REPORT - Easement for 19 Hillendale Road.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request from residents at 19 Hillendale Road for an easement for their well. It appears the present well was mistakenly placed a few feet onto the City right-of-way and the owners would like an easement to assure their water supply. City Engineer J. Schweitzer reported that this easement would not be a detriment to the City.

The Public Works Committee recommends approval of the requested easement, contingent upon approval of the Office of the Corporation Counsel.

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

030 - REPORT - Scuppo Road Widening.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from residents of the Scuppo Road area for the improvements to the road for safety purposes. There is a curve in the road which is a hazard to vehicular and pedestrian traffic.

The committee determined that the Common Council, upon recommendation of the Public Works Committee, appropriated a sum of \$3,200 in its meeting of May, 1982 to accomplish improvements outlined by the Department of Engineering. The Public Works Committee therefore recommends that the Public Works Department be directed to proceed with the Improvements as defined by Council action at the Meeting of May, 1982.

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

031 - REPORT & ORDINANCE - Building Department Fees.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request from Building Inspector Leo Null, for an increase in several Building Department fees. Mr. Null explained that these fees have not been changed in a number of years. He further stated that the present fees for the permits in question do not cover the cost of Department Inspections. The proposed rates would be on a par with those in area towns.

The Public Works Committee recommends approval of the request to raise certain fees in the Building Department.

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

032 - REPORT & RESOLUTION - Deferral of Property Tax Assessment Increases.

Councilman Cassano submitted a report stating that the committee appointed to consider the application for deferral of property tax assessment increases for 5-7 Ives Street, met on March 28, 1985 at 6:30 P.M. in Room 432 at City Hall. Present at the meeting were committee members A. Cassano, and L. Charles. Also present was Leonard Sedney, the City Planning Director.

The chairman reported on a telecan with the Tax Assessor E. Butera. Mr. Butera stated that 5-7 Ives Street is currently assessed at \$113,800 under the ownership of Woodbury Associates Inc. The Certificate of Occupancy should be issued by the Building Department shortly, following which the Assessor's Office will reassess the rehabilitated property. It was reported that the cost of improvements is about \$500,000.

The committee reviewed the following ordained method of handling any increased assessment.

1. During the first tax year following the completion of said rehabilitation, the entire increase shall be deferred.
2. During each tax year thereafter twenty percent of the increase shall be added to the assessment until one-hundred percent of the increase shall have been assessed.

The committee determined that the deferral is intended to apply only to the real estate taxes, and not to any applicable personal property taxes. Mr. Charles moved that the committee recommend that the Common Council approve the application for deferral of property tax assessment increases for 5-7 Ives Street and adopt a resolution authorizing the Mayor of the City of Danbury to enter into a rehabilitation agreement with the owner of the property. Mr. Cassano seconded the motion and there was unanimous approval.

RESOLUTION - RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

WHEREAS, the Connecticut General Assembly has authorized municipalities to fix tax assessments during, and to defer tax assessment increases following, rehabilitation of structures in a rehabilitation area; and

WHEREAS, the Code of Ordinances authorizes the fixing and deferral of such tax assessments on historically significant properties meeting criteria established in Section 18-14 of said Code, as well as criteria established by resolution of the Common Council; and

WHEREAS, Woodbury Associates, Inc. has made application for such treatment; and

WHEREAS, the Common Council has determined that the said Woodbury Associates, Inc. has met the criteria so established for eligibility;

NOW, THEREFORE, BE IT RESOLVED that Mayor James E. Dyer be and hereby is authorized to enter into a Rehabilitation Agreement with Woodbury Associates, Inc. in a form substantially in accordance with that attached hereto and to do any additional acts necessary to accomplish the purposes hereof.

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

033 - Withdrawn

034 - REPORT - Lease negotiations between the Aviation Commission and Data Publications.

Councilman Torian submitted a report stating that the committee appointed to review the details of the lease negotiations between the Aviation Commission and Data Publications, met on March 19, 1985 and again on March 27, 1985.

In attendance at the March 19th meeting were committee members Torian, Torcaso and Sollose, Assistant Comptroller D. Setaro, Airport Administrator P. Estefan, Aviation Commission members J. Scarfi, J. McManus, D. Crudginton, Curtis and Parilli and in an ex-officio capacity, Councilmembers Farah and Chianese. At the March 27th meeting were committee members only and Assistant Corporation Counsel E. Gottschalk.

Mr. Scarfi stated that the land in question was approximately one acre in size. Although the proposed office building for this parcel was consistent with the Master Plan that was prepared by the Engineering Firm of Edwards and Kelcy, Inc., Boston, Mass, and conformed to FAA standards, the Aviation Commission felt it deserved special consideration since it is situated adjacent to 20 Backus Avenue and opposite the Danbury Mall properties.

The consensus among Aviation Commission members was that this property is more conducive to commercial applications, consequently, commercial rates should be reflected in the fee schedule inherent in any proposed lease arrangement.

Common Council Committee members raised questions on a variety of issues; the effect on the environment in the area, the duration of the proposed lease, but primarily the adverse impact on the Danbury Mall properties. This point was enlarged upon by notification from the Mayor's Office which stated that leasing this property at this time would not be in the best interests of the City of Danbury since:

- A. Additional space requirements of Wilmorite Corporation are presently undefined.
- B. Finalization of a lease arrangement on this parcel at present would serve to unfavorably restrict the City to "Low-dollar" property evaluations in this area. Therefore, we would be obliged to delay any action of this nature until such time in the future that would allow the City to be in a better position to accrue maximum benefit from the anticipated "high dollar" property evaluations in the vicinity of the Danbury Mall properties.

Councilwoman Torcaso motioned at the committee meeting to deny a request for lease of the property at this time, seconded by Councilman Sollose. The vote was unanimous.

Mayor Dyer that there was a prohibition on the length of committees.
No Ad hoc committee is to last more than six weeks.

Mayor Dyer continued all committees until next meeting.

There being no one from the audience requesting to address the members
of the Common Council and there being no further business to come before
the Common Council, a motion was made by Councilman Godfrey and seconded
by Councilman Charles for the meeting to be adjourned at 8:45 P.M.

Respectfully submitted

Mary Rickert
Mary Rickert
Assistant City Clerk

Attest: Elizabeth Crudginton
Elizabeth Crudginton
City Clerk