

TO: Honorable Mayor James E. Dyer - City of Danbury, Conn.  
SUBJECT: Minutes of the Common Council Meeting held on June 4, 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, Skoff, McManus, DaSilva, Gallo, Charles, Butera, Eriquez, Torian.

ABSENT: Council Members - Chianese, Cassano, Boynton, Durkin, Farah.

It was reported that Councilmen Chianese, Cassano, Durkin and Farah were out of town and Councilman Boynton was working.

#### NOTICES FROM MAYOR DYER

Mayor Dyer offered congratulations to all graduates and honorees of the Danbury High School, Immaculate High School, Abbott Technical School, Alternative Center and all Elementary School graduates, as well as all College graduates.

Mayor Dyer announced that we will welcome Atlanta Mayor Andrew Young to our City and will invite him to a reception or breakfast with local officials. The Mayor stated that he had not been invited to attend the dinner being held in the Amber Room on June 6th. Had a previous commitment to attend graduation exercises at the Immaculate High School for the same date of June 6th.

Mayor Dyer stated that we will be having a special meeting later on during this month to make additional appointments.

Mayor Dyer extended Greetings and Best Wishes to the following:

Mary Ann Doran - Birthday - June 2nd.  
Joan Soderstrom - Birthday - June 11th.  
Atty & Mrs. T.H. Goldstein - Anniversary - June 12th.  
Councilwoman Janet Butera - Birthday - 6/14  
Mayor's Secretary Rose Ann Kruse and her husband will celebrate their anniversary on June 26th.  
Former Mayor Gino Arconti - Birthday June 28th.

Mayor Dyer also announced some of the community celebrations to be held in the near future:

Annual Greek Festival - Portuguese Festival - Soap Box Derby.  
Order of Sons of Italy - Hibernians etc.  
NAACP Dinner for scholarship awards - 6/27/

Mayor Dyer extended Congratulations and Best Wishes for Fathers Day. Mayor Dyer also announced the birth of a daughter to State Representative and Mrs. Paul Garavel.

Mayor Dyer made mention of Flag Day, June 14th and services to be held at the Elks Home on the 16th of June.

CONSENT CALENDAR

Councilman DaSilva, in the form of a motion, submitted the following items to be accepted on the Consent Calendar:

- 02 - Resolution - The Issue & Sale of \$4,800,000 GPI Bonds of the City.
- 03-1 - Resolution - Resolution of the Redevelopment Agency - Disposition of Parcel S-16 on Chestnut St.
- 04 - Resolution - Public Hearing for sewer use charges 1985-1986.
- 013 - Communication - Capital Line Item - Improvements at Hatters Park.
- 015 - Communication & Certification - Funds for E.I.C.
- 018 - Communication - Pension Appropriation Reduction.
- 025 - Communication - Reappointment to the Civil Service Commission.
- 026 - Communication - Appointments to the Sunset Review Committee.
- 028 - Report - Ordinance Revision Committee Re: Garbage Removal.
- 029 - Report - Land Acquisition Committee.
- 030 - Report - Transfers to the Suspense Tax List.
- 032 - Report - Request for guard rail and curbing on Miry Brook Rd.
- 034 - Report - Request to acquire drainage rights at Stuart Drive.
- 036 - Report - Request to relocate for drainage rights - U.S. Rt. 7
- 037 - Report - Request to purchase City property on Great Plain & Dixon Rds.
- 039 - Report - Request to maintain a retaining wall on City Property, Golden Hill Road.
- 041 - Report - Danbury Hospital Ambulance Program Agreement Committee.
- 042 - Report & Resolution - Kenosia Avenue Bridge (adopted)
- 043 - Report & Ordinance - Abandonment of Shopping Carts (adopted).
- 044 - Report & Ordinance - Building Fees. (adopted)
- 045 - Report & Ordinance - Water Meter Rates (adopted).
- 046 - Report & Ordinance - Amendments to the General Employees Pension Plan - Subsection 14-4 (denied).

Motion made by Councilman DaSilva to accept the Consent Calendar was seconded by Councilwoman McManus and adopted unanimously.

MINUTES - Minutes of the Common Council Meeting held on May 7, 1985.

A motion was made by Councilman DaSilva and seconded by Councilman Flanagan that the reading of the Minutes be waived as all 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 - Margaret M. Kaltenborn - Richard Ryan - David M. Lane, Jr. Angelo V. Accuosti - Estate of Brian Dingee - Oaken Tree Works - James & Rosa Troccola for son, Serfio Neto.

Councilwoman McManus requested referral of the claims to the Claims Committee and Corporation Counsel. Mayor Dyer so ordered.

- 02 - RESOLUTION - Issue and sale of \$4,800,000 General Public Improvement Bonds of the City.

Be It Resolved By The Common Council Of The City Of Danbury That:

Section 1. \$4,800,000 of the \$4,800,000 Bonds authorized to be issued under an Ordinance entitled " An Ordinance Appropriating \$4,800,000 For The Acquisition Of The C.D. Parks Property And Authorizing The Issue Of \$4,800,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on March 14, 1985 and approved by the electors on April 30, 1985, are hereby authorized to be issued and sold forthwith by the Mayor and Treasurer as they shall determine to be most advantageous to the City. Said bonds shall mature \$240,000 annually beginning one year from the date of issue and ending twenty years from the date of issue.

Section 2. The Connecticut National Bank of Hartford, Connecticut is hereby appointed as Paying, Certifying, Registrar and Transfer Agent with respect to the aforesaid City of Danbury General Public Improvement Bonds.

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

03 - RESOLUTION - Sewer Use Charge for 1985-1986.

Resolved by the Common Council of the City of Danbury:

THAT the sewer use charge for the fiscal year commencing July 1, 1985 and ending June 30, 1986 shall be \$42.50 per unit, payable in two equal installments of \$21.25 each and due on September 1, 1985 and March 1, 1986. Each installment shall be payable without penalty if paid on or before October 2, 1985 and April 2, 1986 respectively.

Councilwoman McManus requested deferral of the Resolution for a public hearing to be held. Mayor Dyer so ordered.

03-1 - RESOLUTION - Resolution of the Redevelopment Agency - Disposition of Parcel S-16 on Chestnut Street, naming Guido & Guliana Cardinale as the Redeveloper.

Request from the Redevelopment Agency for approval and concurrence of the Common Council to authorize the Mayor and the Chairman of the Agency to execute a Land Disposition Agreement and Deed of Conveyance on behalf of the City of Danbury and the Agency respectively.

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

04 - RESOLUTION - Be it resolved by the Common Council that the City Clerk be and hereby is authorized, pursuant to Danbury Code of Ordinances Section 16-28, to set a public hearing at which time owners of property against which charges are to be levied shall have an opportunity to be heard concerning the proposed charges, all according to law.

Sewer use charge for the fiscal year commencing July 1, 1985 and ending June 30, 1986 in the amount of \$42.50 per unit has been proposed, which shall be payable in two equal installments of \$21.25, the first of which shall be due on September 1, 1985 and the second due March 1, 1986.

Each installment shall be payable without penalty if paid on or before October 2, 1985 and April 2, 1986 respectively,

Be It Further Resolved That the estimated Sewer Fund Cash surplus in the amount of \$650,000 be appropriated from said Fund Balance to the Sewer Operating Budget.

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

05 - COMMUNICATION - Public Hearing to be set for Sewer Assessments to be levied for Sanitary Sewers constructed in the Woodside Avenue Area.

Councilwoman McManus requested deferral for public hearing. Mayor Dyer so ordered.

06 - COMMUNICATION - Offer by the Union Savings Bank of Danbury to donate a Robot for the Danbury Fire Department for use in educating the citizens of our community about fire prevention.

The Union Savings Bank President Charles Frosch stated they are ready and willing to donate \$3,020, plus \$200 shipping, to the City of Danbury for purchase of this exceptional education tool.

A motion was made by Councilwoman McManus and seconded by Councilman Charles for the donation to be accepted with a note of thanks to be sent to the Union Savings Bank President, for their generous offer.

Motion carried unanimously.

07 - COMMUNICATION - Danbury Orthopedic Associates request for waiver of interest penalty for Delinquent Tax Bills.

Councilman Sollose requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members - Skoff, Boynton, Charles.

08 - COMMUNICATION - Problem of parked cars on Boulevard Drive.

Request from Councilwoman Thora Skoff in reference to cars being parked on Boulevard Drive in front of the homes of Janet Gershwin and Mrs. Ralph Vitols, blocking their mail boxes to the extent that mail deliveries cannot be made.

A motion was made by Councilman Gallo and seconded by Councilman Foti to refer the matter to the Danbury Police Department for appropriate action. Motion carried.

09 - COMMUNICATION - Offer/of property at the corner of West Street and Terrace Place, for sale to the City for \$550,000.00.  
by Francis Rotella & Frank Timan,

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

010 - COMMUNICATION - Request from Josef N. Friedman for local laws to be changed so that contractors be given a specific amount of time for construction, referring to the construction work taking place on Hayestown Avenue.

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

011 - PETITION - Request from neighbors of Fleetwood Drive Re: Hazardous Intersection at Fleetwood Drive and Shelter Rock Road.

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

012 - COMMUNICATION - Petition of Eugene Grenier, Frank Grenier and John Grenier for acceptance of Westminster Woods Subdivision, Cannonball Drive and Marc Road.

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

013 - COMMUNICATION - Capital Line Item - Improvements at Hatters Community Park.

Request from Robert G. Ryerson, Director of Parks & Recreation for \$9,110 to be appropriated to the Capital Line item as listed above.

Due to the rentals of Hatters Community Park's facilities, there has been \$1,110 collected this fiscal year to date.

The revenue account and appropriation account will be increased in a like amount.

The Comptroller's office has stated that this action will not require any transfer from the contingency fund.

This action will allow continued improvements at the Park.

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

014 - COMMUNICATION & CERTIFICATION - Request from Police Chief Nelson Macedo for a transfer of \$40,000 from the Contingency fund for Special Services, Danbury Police Department.

This money will be used to supplement the Special Services Account where they pay the officers for private duty at construction sites, and the City of Danbury is reimbursed by the company hiring the officers for their services.

CERTIFICATION #28 was submitted by the Comptroller, Mr. John P. Edwards, certifying the availability of \$40,000.00 in the General Fund - fund balance account for special services, Danbury Police Department.

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

015 - COMMUNICATION & CERTIFICATION - Request from the Environmental Impact Commission for \$1,000 to be used as payment for transcripts to be prepared by order of the Courts.

CERTIFICATION #29 was submitted by the Comptroller, Mr. John P. Edwards, certifying the availability of \$1,000.00 in the General Fund - Fund Balance account for the E.I.C. for typing transcripts of the Danbury Landfill public hearings.

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

016 - COMMUNICATION - Request for funds for Danbury Safe Rides, an organization sponsored by the JayCees, a member of Boy Scouts of America, Explorer Post 743, operated by teenagers, providing a service to teenagers.

Request from Councilman Foti for favorable consideration for this request to allow them to continue their good work and to enhance their operation.

Councilman Sollose requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Councilmen Foti, Sollose, Flanagan.

017 - COMMUNICATION - Request from Councilman Farah for compensation to be made available to Common Council Members. Mr. Farah stated that the City of Danbury has undergone a remarkable growth in the past ten years. This growth required a vast expansion in the City's municipal infrastructure and more than doubled the size of its operating budget. Consequently, the workload of its public servants has risen and their number has increased.

Likewise, the responsibilities of the City's legislative body, the Common Council, have multiplied and the personal expenses which are incurred by its members in the process of performing their duties have increased.

The City Charter, which was overwhelmingly approved by the voters of Danbury in 1977, states clearly in Article III Sec. 3-1 "The members of the Common Council shall be compensated in an amount which will defray reasonable expenses incurred in performing their duties..."

Councilman Farah asked for an ad hoc committee to be appointed to study the issue and the process of making such reasonable compensation available to Council Members.

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

018 - COMMUNICATION - Pension Appropriation Reduction.

Assistant Corporation Counsel Eric Gottschalk submitted the following recommendation:

"Following the Common Council action reducing the appropriation covering pension costs, I reviewed the Code of Ordinances and obtained information from the Department of Finance in order to advise you of the legal and financial ramifications of that vote.

The code of Ordinances requires the City of Danbury to appropriate sufficient funds to maintain post 1967 Police & Fire Pension Funds on an actuarially sound basis. See Section 14-26-(d) and Section 14-49(d). The remaining plans also oblige the City to provide pension funds as are determined to be necessary by the various retirement committees. Collective bargaining agreements, incorporating the provisions of the various pension plans, make Common Council action a contractual obligation over and above the legal requirements imposed upon the City by ordinance.

The necessary level of City contribution was determined based on an analysis by Paul L. Chern A.S.A., the actuary employed by the City. His conclusions are contained in a letter dated February 8, 1985 to John P. Edwards, Director of Finance, a copy is attached for your review. I am advised that the total unfunded pension plan liability amounts to \$29,036,120. This figure is reduced annually, somewhat like a mortgage. Any delay in the regular funding of these plans will increase interest costs, currently at the rate of eight percent per year. In addition, if the City's credit rating is adversely affected there will be a substantial impact on interest costs on unsold bonds. The City presently contemplates the issue of \$28.3 million in bonds in the foreseeable future. Included are issues covering road improvement projects, code compliance, capital improvements and the purchase of the C. D. Parks property. If the City's rating were to slip from Aa to A-1, interest costs could be expected to increase by some \$595,077.

It is therefore strongly recommended that steps be taken to appropriate an additional \$200,000 to cover pension expenses. The Director of Finance and I are prepared to answer any questions that you may have."

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

019 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$50,000 to fund Phase II of the Ives Street Revitalization Area.

The Post Office Street Project is currently under design and it appears that the best way to construct the project is in two phases. This first phase is scheduled to begin construction in late summer of this year.

The estimated first phase construction cost, submitted by City Planner Len Sedney, is \$100,000. \$50,000 has been allocated to this project in next year's capital budget. Therefore, Mr. Sedney is requesting an additional \$50,000 in order to complete Phase I of this project.

CERTIFICATION #30 was submitted by Mr. John P. Edwards, Comptroller, certifying the availability of \$50,000 in the Worker's Compensation line item of the Insurance and Official Bond Premium Budget Account #02-09-160-076600 to be transferred to the Capital Budget line item for Ives Street Area Improvements Account #02-11-000-850006.

Councilwoman McManus requested referral to committee, & Planning Commission Mayor Dyer so ordered and appointed the following committee:  
Gallo, McManus, DaSilva.

020 - COMMUNICATION - Request from the Director of Veterans Affairs, Patrick Waldron for \$6,375.00 for the relocation of the Veteran's Affairs Office from City Hall to a vacant office in the Health Department Building on West Street.

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

021 - COMMUNICATION - Request from Mayor Dyer for the Council to give due consideration to providing authorization and start-up funding for implementing an affordable housing program for Danbury residents. For some time now we have been reviewing a unique program to establish a lease/purchase moderate income housing program for Danbury.

Escalating housing costs and the reduction of Federal Programs have priced many of our moderate income residents, especially young families, out of the Danbury Housing Market. The Health and Housing Department, assisted by an ad hoc group of key City Officials, has been studying ways in which the City can address this problem. Through a competitive process, a specific program for the production of owner-occupied housing has been recommended for implementation.

Mayor Dyer asked for review of this program and consider advancing funding, either from the projected surplus or some other appropriate source, in order to pay for start-up costs necessary to implement such a program. This project will be designed so that any funds advanced can be recouped following construction.

Councilman Godfrey requested referral to committee. Mayor Dyer so ordered and appointed the following members:  
Cassano, Godfrey, Butera.

022-023 - Appointments by the Mayor of the following:

Police Department

1. Adam Fernard - Chambers Road - Danbury, Connecticut.  
Age 21, Landscaper for Black Pine Landscaping. 1982 D.H.S. Graduate, attended WestConn for C.J.
2. David Arconti - 141 Great Plain Rd. - Danbury, Connecticut.  
Age 25, 1977 D.H.S. Graduate. Employed by Consolidated Controls as a Mechanical Assembler - Married.

Fire Department

1. Michael Tyskiewicz - 1 Kenosia Ave. - Danbury, Connecticut.  
Age 21, Employed by Dolan Co. - Immaculate High School Graduate.

All appointments will be effective upon swearing in and are probationary appointments until all job requirements have been satisfied.

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

David Arconti was then introduced by Mayor Dyer.

024 - Withdrawn.

025 - COMMUNICATION - Reappointment of Mr. Carmen Butera, 21 Starr Ave. to the Civil Service Commission for a term to expire on Jan. 1, 1990. Mr. Butera has missed five meetings in the last two years.

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

026 - COMMUNICATION - Appointment of Hillel Goldman - 3 Lake Crest Drive and John Hanna - 181 Main Street, as citizens at large to the Sunset Review Committee.

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

027 - DEPARTMENT REPORTS

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

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 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 - Ordinance Revision Committee Re: Garbage Removal.

The Ordinance Revision committee met on May 21, 1985 at 7:30 P.M. to consider a complaint from Ronald Blonski concerning timely garbage removal. Also present at the committee meeting were William Quinn, Director of Health, Paul Schierloh, Housing Co-ordinator, Sandra Leheny, Assistant Corporation Counsel for the Health Department, Eric Gottschalk, Assistant Corporation Counsel and Ronald Blonski.

The committee was informed by the Attorneys that the Housing and Health Ordinances in Danbury are among the best in the State and cannot be made stricter without violating the Constitution of the United States which protects the property rights of any homeowner, whether they are landlords or owners of their own homes.

The Health Department acts on complaints immediately and has a excellent record of enforcement. They are, once again, constrained by Federal Law.

Mr. Blonski accepted the inability of the Council to alleviate his problem by the restriction of the Ordinances but was promised that the Health Department would seek every legal avenue to assist him.

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

029 - REPORT - Land Acquisition Committee Report.

The Land Acquisition Committee met on May 20, 1985 at 7:30 P.M. in room 432 at City Hall. Members present were Chairman E. Boynton, J. Butera, R. Godfrey, D. Sollose and S. Flanagan.

The following items were discussed and the following motions were made re:

- A. Lease agreement between AMD Realty and the City of Danbury for additional Police Station Parking at 13 Boughton Street, Danbury, Conn.

A motion was made and seconded to accept the proposed Lease. The motion passed unanimously. 5-0.

- B. The offer of property by Laurance Sutton for property at 44 Brushy Hill Road, Danbury for \$200,000. Property is adjoining C. D. Parks Property.

A motion was made and seconded to reject the offer at this time. The motion passed unanimously. 5-0.

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

030 - REPORT - Transfers to the Suspense Tax List.

The Committee appointed to review the request for transfer of uncollectible taxes to the Suspense List, in the amount of \$163,085.09, met at 7:00 P.M. on May 23, 1985.

In attendance was Catherine Skurat, Tax Collector, Comptroller John P. Edwards, Assistant Comptroller, Dominic Setaro and Chairman Louis T. Charles Beverly Johnson and Donald Sollose.

Various methods of collecting delinquent taxes were discussed by the Tax Collector and committee members. Section 12-165 of the Connecticut General Statutes states that Tax Collector shall forward to the Common Council, a Suspense Tax List if necessary.

A motion was made by Councilwoman Beverly Johnson to accept the Suspense List, seconded by Councilman Donald Sollose. The motion passed unanimously, to have the list transferred to the Suspense Account.

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

031 - REPORT - Sunset Review Committee.

The Sunset Review Committee met on May 5, 1985, May 16, 1985 and May 23, 1985 to review the five governmental entities that will be terminated June 30, 1985 unless re-established in accordance with the provision of Sec. 2-184 of the Code of Ordinances of the City of Danbury, Connecticut.

During the meetings, the committee discussed a time-table for obtaining information, review of information and deliberations regarding the re-establishment, termination, modification or termination of governmental entities.

The committee discussed the absence of reports from the Housing Site Development Agency and the Economic Development Commission and the inability to perform an audit on public need for their re-establishment. It was felt that after a public hearing, another meeting would be held by the committee to determine if either should be re-established, modified, or terminated.

After review and discussion, the following recommendation was made regarding reports that were submitted:

- 1) The Danbury Community Development Plan Agency to be continued.
- 2) Danbury Redevelopment Agency to be continued.
- 3) The Aviation Commission to be continued.

It was further recommended by the committee that a mechanism be put in place to insure that the time frame identified in Sec. 2-177 of the Code of Ordinances be met in the future, to allow the committee more time for review.

A motion was made by Councilwoman McManus and seconded by Councilwoman Torcaso for the Report to be accepted and the matter deferred for Public Hearing. Motion carried.

032 -Resolution in reference to nuclear arms race.

The Common Council committee appointed to review a Resolution sent to us by the Center for Defense Information, met on May 21, 1985 at 8 P.M. In attendance were Chairperson Thora Skoff, Janet Butera, Nicholas Zotos and Attorney Eric Gottschalk.

Attorney Gottschalk was asked for his opinion as to whether this topic was within Common Council jurisdiction.. Attorney Gottschalk responded in the affirmative and explained the legal scope of a "resolution" .

Thanks to Council President C.McManus and City Clerk E. Crudginton, the committee was able to refer to an April 1982 Resolution adopted unanimously by the Common Council which supported a "Nuclear Arms Freeze" and which called upon the President of the United States to "Initiate negotiations ... to bring about a mutual freeze on all further testing" etc.

Councilman Zotos moved to refer this present communication to the Resolution passed by the Council in April of 1982. Motion passed.

Therefore no new action is recommended by this sub sommittee. The committee directed Chairperson Thora Skoff to have a letter of acknowledgement sent to Mr. Gene LaRorque of the Center for Defense Information with an enclosed copy of the April 1982 Resolution, pending Council approval of this Report.

The Report and Committee recommendations were accepted by the Common Council on the Consent Calendar.

033 - REPORT - Guard Rail and curbing on Miry Brook Road.

The Public Works committee studied a request for a guard rail and curging on a section of Miry Brook Road near the Danbury Airport.

The committee has performed an on-site inspection of the area and discussed the matter with the Airport Administrator, Paul Estefan. The committee recommends that the Highway Department be directed to repair the City owned curbing in the area.

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

034 - REPORT - Drainage rights at Stuart Drive.

The Public Works Committee studied a request to acquire drainage rights at Stuart Drive. A discussion with Public Works Department Personnel indicated that this project would be beneficial to the City.

The Public Works Committee therefore recommends approval of the acquisition of these drainage rights.

The Report and Committee recommendations were accepted by the Common Council on the Consent Calendar.

035 - REPORT - Hillandale Road Area Sewers.

The Public Works Committee has been informed by the City Engineer J. Schweitzer, that the official estimates for the installation of a sanitary sewer in the Hillandale Road Area are complete.

The committee, being strongly in favor of the installation of this line, recommends that a public hearing be set for input from residents to be affected.

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

036 - REPORT - Request to relocate U.S. Rt. 7 (drainage rights).

The Public Works Committee reviewed a request from the State Department of Transportation to relocate certain drainage rights for the construction of a section of U.S. Route 7 in the vicinity of the new Mall. Planning Commission approval has been received. The Public Works Committee recommends approval of this request.

The Report and Committee recommendations were accepted by the Common Council on the Consent Calendar.

037 - REPORT - Request to purchase City property on Great Plain Road and Dixon Road.

The Public Works Committee studied a request to purchase a parcel of City property at the corner of Great Plain and Dixon Roads. It is the location of the old, one-room Great Plain School. It was discovered that this property is owned by the Great Plain Association. It was deeded to this group in 1954, to be used for community purposes.

As the deed to this property still rests with this group the Public Works Committee recommends no action be taken on this petition at this time. The committee does not recommend the taking of legal action to reclaim this property.

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

038 - REPORT & CERTIFICATION - Request to replace funds into the State Aid Account.

The Public Works Committee reviewed a request from Superintendent of Highways E. Fusek, to restore funds taken from the State Aid Account which were used for ice and snow removal. These funds would be used for the repaving of City Highways. The committee feels that this is a high priority item and recommends the appropriation of \$100,000 into the proper Capital Account.

CERTIFICATION #31 was submitted by the Comptroller, Mr. John P. Edwards, in the amount of \$100,000 available in the General Fund - fund balance account to be transferred to a new capital account entitled Rebuild and Repave Highways.

A motion was made by Councilman Gallo and seconded by Councilman Eriquez for the Report to be accepted and transfer of funds authorized. Motion carried unanimously.

039 - REPORT - Request to maintain a retaining weall on City Property- Golden Hill Road.

The Public Works committee studied a request from the developer of a condominium project on Golden Hill Road, to maintain a portion of a retaining wall already built on City property on this street.

The matter was discussed with Director of Public Works, Daniel Garamella and City Engineer J. Schweitzer.

Because of structural and aesthetic consideration the committee recommends denial of the request. We further recommend that the builder be ordered to remove the section of wall on City property and have the area graded, with the hope that all efforts are made to save any existing trees on the slope.

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

040 - REPORT - Request for a waiver of bids for Shelter Rock Pump Station.

The Public Works Committee reviewed a request from Purchasing Agent S. Hamilton and Superintendent of Public Utilities, W. Buckley, for a waiver of bids on three pumps to service the Shelter Rock Pump Station. Mr. Buckley explained that the specification needed for these pumps, especially the efficiency rating, can be met by only one manufacturer. Mrs. Hamilton wrote that because of this situation it would be a waste of time and money to go through the normal bidding procedure.

Because of the information presented above, and the opportunity to purchase higher efficiency pumps which will reduce long term power costs, the Public Works Committee recommends the waiver of bids for the pumps for the Shelter Rock Pump Station.

A motion was made by Councilman Gallo and seconded by Councilman Godfrey for the Report to be accepted and waiver of bids authorized. Motion carried unanimously.

041 - REPORT - Danbury Hospital Ambulance Program Agreement.

Councilwoman Torcaso submitted a report stating that the committee met twice (5/21/85 and 5/29/85) to review an agreement that would permit Danbury Hospital employees to train and evaluate the performance of Danbury Fire Department EMTs. Attending were Carole Torcaso, Mounir Farah, Russell Foti, Attorney Gottschalk, Chief Monzillo, Tom Fabiano, Keith Ritchie and John Esposito as an ex-officio member.

Chief Monzillo and Keith Ritchie ( Danbury Hospital Program Coordinator) explained their roles and their liability. Chief Monzillo stated that the Danbury Hospital program is vital to our Fire Department and that this program provides the necessary evaluation for its EMTs.

Mr. Ritchie discussed how the program works and that this agreement only covers the Fire Department - no private ambulance services.

Atty. Gottschalk explained that the agreement would provide the legal vehicle to train and evaluate EMTs and that the hold harmless agreement would protect both parties against damage resulting from the negligent acts of the other.

T. Fabiano, Risk Manager, expressed a need to include in the agreement a clause to exchange certificates of insurance as a check. These certificates would include: from Danbury - 1. General Liability coverage, 2. Auto Liability coverage, 3. Workers compensation, 4. Medical Malpractice. From Danbury Hospital - 1. General Liability coverage, 2. Workers Compensation, 3. Medical malpractice.

A motion was made to recommend to the Common Council to accept the agreement with a revision that would require the City and Hospital to inform each other of their insurance coverage. Motion carried.

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

042 - REPORT - Resolution - Kenosia Ave. Bridge.

The Common Council held a public hearing regarding the Resolution for the Kenosia Avenue Bridge, on May 29, 1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole following the public hearing and voted unanimously to recommend that the Common Council approve the Resolution.

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

Whereas, the State of Connecticut makes grant funds available for the repair and reconstruction of bridges under the control of Connecticut municipalities pursuant to Public Act 84-254; and

Whereas, the Kenosia Avenue Bridge (Connecticut Bridge No. 05095) is in need of such reconstruction; and

Whereas, the total cost of such reconstruction is \$372,553.50; and

Whereas, the eligible grant percentage is 29.99% equating to a State Project Grant of \$111,728.79; and

Whereas, the local match in the amount of \$260,824.71 is available through bond authorization adopted by the Common Council on Aug. 25, 1983, approved by Mayor James E. Dyer on August 26, 1983 and approved at a referendum on November 8, 1983;

Now, Therefore, Be It Resolved That Mayor James E. Dyer be and hereby is authorized to make application and contract for said funds and to take any additional steps necessary to accomplish the purposes hereof.

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

043 - REPORT & ORDINANCE - Abandonment of Shopping Carts.

The Common Council held a public hearing for the Ordinance regarding the abandonment of shopping carts, subsection 12-33(d), on 5/29/1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and voted to recommend approval of the Ordinance. Councilwoman Butera voted in the negative.

ORDINANCE - Penalty for violations.

Any person failing to comply with the provisions of subsection (b) hereof shall be subject to a fine of fifty dollars. Any person failing to comply with the provisions of subsection (c) hereof shall be subject to a fine of fifteen dollars.

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

044 - REPORT & ORDINANCE - Building Fees.

The Common Council held a public hearing to consider the amendment to subsection 6-02(b) - Building fees, on May 29, 1985 in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and unanimously voted to recommend approval of the proposed Ordinance.

ORDINANCE - Building Fees.

That subsection 6-02(b) of the Code of Ordinances be and hereby is amended to read as follows:

(b) In accordance with the provisions of Section 19-395-117.3 of the Connecticut Basic Building Code before receiving a permit or certificate for the following uses or for the conduct of any of the following activities the owner or agent shall pay the fee prescribed below:

<u>Type of Permit or Certificate:</u>	<u>Fee:</u>
(1) Demolition permits	Three percent of the actual cost of demolition
(2) Permits for the moving of buildings	\$25.00 per building
(3) Permits for vented-type gas-fired heaters	\$10.00 each/
(4) Permits for oil burners	\$10.00 each.
(5) Permits for wood stoves	\$10.00
(6) Permits for tanks with a capacity in excess of 500 gallons	\$5.00 each
(7) Permits for signs	(a) If ten sq. ft. or less \$10.00 (b) If in excess of 10 sq. ft. \$10.00 for the first ten sq. ft. and fifty cents per square foot for each additional square foot or part thereof.
(8) Certificate of Occupancy	\$3.00 each.

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

045 - REPORT & ORDINANCE - Water Meter Rates.

The Common Council held a public hearing regarding the proposed water meter rates on May 29, 1985 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and unanimously voted to recommend approval of the proposed Ordinance.

ORDINANCE - That subsection (a) of Sec. 21-46 of the Code of Ordinances be and hereby is amended to read as follows:

(a) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Said rates are for quarterly billing and are limited to the first fifteen thousand (15,000) gallons of consumption.

Size of Meter (inches)	Minimum Charge for 3 months
5/8	----- \$18.00
3/4	----- 22.00
1	----- 34.00
1½	----- 60.00
2	----- 88.00
3	----- 195.00
4	----- 390.00
6	----- 780.00
8	----- 1,560.00
10	----- 3,120.00

For water consumed in excess of fifteen thousand (15,000) gallons the charge shall be:

Gallons Consumed	Charge per One Hundred Gallons
Next 242,000	----- \$0.14
Next 1,250,000	----- 0.13
All over 1,507,000	----- 0.12

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

046 - REPORT & ORDINANCE - Amendments to the General Employees Pension Plan - Subsection 14-4

The Common Council held a public hearing concerning the amendments to the General Employees Pension Plan, subsection 14-4, on 5/29/85 at 7:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and voted to recommend that the proposed Ordinance amendment be denied, as insufficient information was supplied to warrant the alteration of the existing Ordinance. Councilman Eriquez voted in the negative.

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

Mayor Dyer extended all committees that have business before them.

As provided for by the City Charter, Mayor Dyer asked for any resident or taxpayer who wished to address the Council on any item listed on the agenda.

Harry Kessler - referring to item #2 on the agenda, spoke in opposition to the C. D. Parks Property.

Mr. Kessler asked if the cost for sewer fees included fringe benefits. Mrs. McManus answered "yes"

Mr. Kessler spoke in opposition to the Parking Authority Garage.

Mr. Kessler spoke in opposition to the Ordinance on abandonment of shopping carts stating that the carts are not abandoned, but stolen.

Referring to the request for funds for "SafeRides" Mr. Kessler claimed they were condoning intoxication.

Janet Gershwin - 93 Boulevard Drive.

Mrs. Gershwin spoke in reference to cars parked and blocking mail boxes on Boulevard Drive. Requested legislation to empower the Police Department to ticket the cars.

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

Respectfully submitted

  
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Mary Rickert  
Assistant City Clerk

  
\_\_\_\_\_  
Elizabeth Crudginton  
City Clerk