

TO: Honorable Mayor James E. Dyer - City of Danbury, Conn.  
SUBJECT: Minutes of the Common Council Meeting held on March 4, 1986.

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 John Esposito.

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

PRESENT: Council Members - Johnson, Sollose, Philip, Torcaso, Godfrey, Flanagan, Zotos, Hadley, Skoff, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Smith, Torian. Councilman Farah arrived after Roll Call.

21 Members Present - None Absent.

#### NOTICES FROM MAYOR DYER

Mayor Dyer in continuing all committees, commended all Common Council committees for outstanding jobs on the tremendous amount of work done.

Mayor Dyer extended Best Birthday Wishes to City Clerk Elizabeth Crudginton whose birthday is March 6, 1986.

Mayor Dyer announced that today is Teacher Appreciation Day and a round of applause was given to teachers serving on the Council as well.

The Mayor announced that on March 17th, St. Patrick's Day, there will be raising of the Irish Flag in front of City Hall, with a reception to follow in the Mayor's Office.

Mayor Dyer reported that the D.H.S. Varienty show will be held this Friday and Saturday.

Mayor Dyer noted that March 12th will be Girl Scout Day in City Hall and he will have two Girl Scouts in his office for the Day.

On March 14th the American Home Show will be held, sponsored by the Chamber of Commerce.

Mayor Dyer extended greetings and warm wishes for Easter which will be observed on March 30th.

On March 31st Mayor Dyer will be at the Shelter Rock School at 11:00 A.M. to observe School Bus safety day.

#### CONSENT CALENDAR

Councilman Gallo submitted the following items to be accepted on the Consent Calendar:

- 02 - Resolution - State of Conn. Dept. of Children & Youth Services Grant-In-Aid Project.
- 03 - Resolution - Health Education/Risk Reduction.
- 04-1 - Resolution - Ives Street - National Place Easement.
- 019 - Communication - Funds for construction of Barn at Richter Park.
- 021 - Communication & Certification - Request for funds for Registrars for Town Committee Primaries.
- 024 - Communication - Request to appropriate funds collected from Rentals at Hatters Park, to the Capital line item "Improvements to Hatters Community Park".
- 027 - Report - Drainage Problem on Hausman Road.
- 028 - Status Report - Request for sewers for Turner Road
- 029 - Report - Request to accept land on Stadley Rough Road for road widening purposes.

Consent Calendar continued:

- 030 - Progress Report - Hatters Park Bowling Lane Lease.
- 032 - Report - Reapportionment.
- 033 - Report - Drainage problem on Boulevard Drive.
- 034 - Report - Flooding Problem - East Pearl St. Underpass.
- 035 - Report - Request of K. Trocolla re: Board of Ethics.
- 036 - Report - Request of R. Finaldi for sewer - 105 Park Avenue.
- 037 - Report - Request of R. Finaldi for sewer - Hobson Street.
- 038 - Report - Request of McMersaun Associates for sewer & water - South Street.
- 039 - Report - Request of East Ridge Office Park for sewer & water Mountainview Terrace.
- 040 - Report - Request for sewers - rear of Germantown Road.
- 041 - Report - Request for sewer for 16 Dartmouth Lane.
- 042 - Report - Warranty Deeds - Bear Mountain Road Widening parcels.
- 043 - Report - Land on Delay Street
- 046 - Report - Sec. 6-14 of the City Charter re: Bonds.
- 049 - Report - Automatic Alarm Ordinance.
- 051 - Report - Drska Property.

A motion was made by Councilman Boynton and seconded by Councilwoman McManus for the Consent Calendar to be accepted as submitted. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held on Feb. 4, 1986.

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the reading of the Minutes to be waived and accepted as submitted. Motion carried.

- 01 - CLAIMS - Mark & Patricia Gallagher - Roger B. Zucchini - Joseph A. Seri - Wendell L. Johnson - Joseph Matraxia - James Chatman - Denise Lee - Paul Stebbins Sr. - Dorothy McCarthy - Hartford Insurance Co. - Samuel M. Showah - Jay & Andrea Belansky.

A motion was made by Councilwoman McManus, seconded by Councilman Gallo for the Claims to be referred to the Assistant Corporation Counsel for Claims, to be reported back in thirty days. Motion carried.

- 02 - RESOLUTION - State of Conn. Dept. of Children and Youth Services - Grant-In-Aid Project for \$45,000.

That Mayor James E. Dyer be and hereby is authorized and directed to contract with the State of Connecticut Department of Children & Youth Services for a state cost sharing grant not to exceed \$45,000 for a Youth Services Bureau for the fiscal period commencing July 1, 1986.

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.

- 03 - RESOLUTION - Health Education/Risk Reduction.

Whereas, a Grant award of up to \$8,877.00 has been processed by the Danbury Health and Housing Department; and

Whereas, the State of Conn. Dept. of Health Services has approved and funded the grant proposal;

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 be it resolved further action by the Danbury Health and Housing 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.

04 - ORDINANCE - Tax Credit for Elderly Homeowners.

Councilwoman McManus requested deferral of the Ordinance for Public Hearing to be held. Mayor Dyer so ordered.

04-1 - RESOLUTION - Ives Street-National Place Easements.

Whereas, the Common Council has duly voted to acquire an easement in real property lying between Ives Street and National Place; and

Whereas, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount, if any, to be paid for the respective interest of each to be taken in, and to, the real property as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED that the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or eminent domain through the institution of suits against the following named property owners, their successors and assigns and their respective mortgage holders and encumbrancers, if any, the affected properties being indicated by Tax Assessor's Lot Numbers:

1. I 14257 - 40 White Street, Owner - Emilia Corporation
2. I 14258 - 42 White Street, Owner - Benjamin V. Doto, Sr.
3. I 14259 - 46-52 White St. Owners- Osmond Y. Ladd, Jr. and Margot Ladd.

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

05 - COMMUNICATION - Request from Mr. William Buckley, Supt. of Public Utilities for Sewer Rate Increase.

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

06 - COMMUNICATION - Request from Mr. William Buckley, Supt. of Public Utilities for Water Rate Increase.

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

07 - COMMUNICATION - Request from Mr. William Buckley, Supt. of Public Utilities re: Sewer connection charges.

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

08 - COMMUNICATION - Request from Mr. William Buckley, Supt of Public Utilities re: Water Connection Charges.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee: Torcaso, Hadley, Eriquez.

09 - COMMUNICATION - Request of Dan DiBuono for sewer & water for property on Hospital Avenue.

Councilwoman Butera requested referral to an ad hoc committee and Planning. Mayor Dyer so ordered and appointed the following committee: Gallo, Sollose, Smith.

010 - COMMUNICATION - Request of Topstone Hydraulic Co. for extension of water to Hollendale Estates (Off Bear Mountain Road).

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

011 - COMMUNICATION - Request of Mr. William Buckley, Supt. of Public Utilities for review of a sewer extension that was granted by the Common Council in 1979 re: proposed sewer line - Maple Crest Road.

Councilman Gallo requested referral to the Corporation Counsel to report back in thirty days. Mayor Dyer so ordered.

012 - COMMUNICATION - Request from Councilwoman Torcaso for a committee to be appointed to review the need to upgrade SHORE ROAD.

Councilwoman McManus requested referral to the City Engineer to report back in 30 days. Mayor Dyer so ordered.

013 - PETITION - submitted by Councilman Charles for drains on South Avenue.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:  
Charles, Cassano, Torcaso.

014 - COMMUNICATION - Request from S. Kraut to resolve a drainage problem on Robinview Terrace.

Councilwoman McManus requested referral to the City Engineer to report back in 30 days. Mayor Dyer so ordered.

015 - COMMUNICATION - Petition from residents for maintenance of Wilkes Road.

Councilman Gallo requested referral to the Corporation Counsel for a ruling on maintenance of private roads and to report back in 30 days.

016 - COMMUNICATION - Request from James Muliolis to rent lot #F17008 located on the corner of Backus and Kenosia Avenue for the months of May Through September 1986.

Councilman Gallo requested referral to an ad hoc committee and Planning. Mayor Dyer so ordered and appointed the following committee:  
Philip, Godfrey and Flanagan.

017 - COMMUNICATION - Request from Louis S. Owen III to purchase surplus land on E. Franklin St. (Hardware Emporium).

Councilwoman Butera requested referral to an ad hoc committee and Planning Commission.

Mayor Dyer so ordered and appointed the following committee:  
Esposito, Johnson, Zotos.

018 - COMMUNICATION - Request from Lolly Turner (Whistle Stop Muffin Co.) for the use of the Danbury Railroad Station.

Councilman Hadley requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following committee:  
Skoff, Eriquez, Butera.

019 - COMMUNICATION - Funds for construction of a Barn at Richter Park.

An additional \$8,000 is required for the construction of the maintenance barn at Richter Park (shell only).

The Richter Park Authority is willing to provide funds for this project. D. Setaro advises that Council approval is required for this transaction. The check will be sent upon Common Council acceptance.

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

020 - COMMUNICATION - Request for Danbury to join the National League of Cities.

A motion was made by Councilwoman McManus and seconded by Councilman Gallo for the request to be denied. Motion carried with Councilwoman Skoff voting in opposition of the motion.

021 - COMMUNICATION & CERTIFICATION - Funds for Registrars.

Request for \$4,900 from the Registrars to cover the anticipated expenses of the March 4th, 1986 Town Committee Primary for the Democratic and Republican Parties.

CERTIFICATION #29 - was submitted by Dominic A. Setaro, Jr., Acting Director of Finance - Comptroller in the amount of \$4,900.00 to be transferred from the General Fund fund balance account to the following accounts in the Registrar's Budget:

02-01-131-011001 - Part-time Services	\$2,840.00
02-01-131-029500 - Outside Services	1,345.00
02-01-131-022500 - Legal Notices	30.00
02-01-131-022000 - Printing & Binding	225.00
02-01-131-020300 - Communication Services	460.00
	<hr/>
	\$4,900.00

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

022 - COMMUNICATION & CERTIFICATION - Funds for Fireworks Display.

Request from Mayor Dyer for an additional \$4,000. A traditional fireworks display for our community has been well received since initiated several years ago. The Tricentennial display was particularly well received due to the increased amount of fireworks. WINE Radio and READ'S has committed \$8500 for the 1986 fireworks display.

The City of Danbury needs to provide an additional \$4,000 to insure another quality performance.

As usual, the Volunteer Firemen's Council is coordinating this fine community activity. Approval of these funds will guarantee another outstanding July 4th celebration in Danbury.

CERTIFICATION #31 certifying the availability of \$4,000 was submitted by Dominic A. Setaro, Jr. Acting Director of Finance - Comptroller.

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

023 - COMMUNICATION & CERTIFICATION - Request from Richard Murray, President of the Exchange Club of Danbury for a Grant from the City in the amount of \$6,000 to cover the costs for transportation to and from the State of Connecticut's 350th Anniversary Parade to be held in New Haven on April 19, 1986; for the construction of a totally decorated float and for a Community Reception to be held in Danbury following the parade for all the participants.

CERTIFICATION #30 was submitted by Dominic A. Setaro, Jr. Acting Director of Finance - Comptroller in the amount of \$6,000 to be transferred from the General Fund fund balance account to a new account in the grants section of the budget entitled Exchange Club-Parade.

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Communication to be accepted and transfer of funds authorized. Motion carried with Councilwoman Butera voting in opposition to the motion.

024 - COMMUNICATION - Request from Robert Ryerson, Director of Parks and Recreation for \$13,000 to be appropriated to the capital line item "Improvements at Hatters Community Park."

Due to the rentals of Hatters Community Park's facilities, there has been \$13,000 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, and will allow continued improvements at the park.

The Request was granted by the Common Council on the Consent Calendar.

025 - COMMUNICATION - Request from Anthony Azzarito, President of the Danbury Police Union Local 891, for the Common Council to consider a change in City Ordinance, Sec. 15-17 (L) which requires Police & Fire Department personnel to live within the City limits.

The Union would like to see the Ordinance revised to enable Police and Fire Personnel to live outside the City Limits.

A motion was made by Councilman Gallo and seconded by Councilman Boynton to refer the matter to the Director of Personnel. Mayor Dyer so ordered.

Assistant Corporation Counsel E. Gottschalk submitted a communication advising that the request from the Danbury Police Union involves a mandatory subject of collective bargaining. The issue of residency is a substantial condition of employment which may only be changed through the bargaining process which, it should be noted, is now on-going. By side-stepping this process the Union is engaging in an act prohibited by State law.

#### 026 - DEPARTMENT REPORTS

Airport Administrator  
Health Inspector  
Housing Inspector  
Environmental & Occupational Health Services

Fire Chief  
Building Dept.

A motion was made by Councilman Gallo and seconded by Councilman Boynton to dispense with reading the 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

027 - REPORT - Councilman Peter Philip submitted a report stating that the committee appointed to review the Drainage Problem on Hausman Road met on Fe. 25, 1986. In attendance were Council Members Philip, Torcaso, City Engineer J. Schweitzer and Mike & Cindy Stavola of 8 Hausman Road. Councilman Farah was absent.

027 - continued:

Mr. Schweitzer reported that a recurrence of the drainage problem could be minimized by installing 6" curbs in front of the Stavola residence, capping the road to raise it's height as well as repair it's crumbling condition and improve the sluice ways on either side of the bridge. The work required could be done within the existing maintenance budget.

Councilwoman Torcaso moved at the committee meeting to accept Mr. Schweitzer's proposal to resolve the drainage problem on Hausman Road. The motion passed unanimously.

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

028 - STATUS REPORT - Request for sewers, Turner Road.

Councilman Godfrey submitted a report stating that the committee meeting on the above captioned subject, scheduled for Feb. 19th was cancelled at the request of the petitioner's attorney, James Maloney. Atty. Maloney said that necessary expert witnesses were not available on that date.

The meeting has been rescheduled for March 11, and all involved and necessary parties have agreed to this date. Mr. Godfrey requested an extension of time for this committee to report.

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

029 - REPORT - Request to accept land on Stadley Rough Road for Road Widening Purposes.

Councilwoman Torcaso submitted a report that the committee met on January 8, 1986 at 8:00 P.M. with committee members Carole Torcaso, Peter Philip and Mounir Farah present. City Engineer J. Schweitzer was also in attendance.

Mr. Schweitzer stated that this procedure is the proper way for a developer to convey land for future road widening.

Mr. Farah made a motion to accept the land from C & L Associates for road widening purposes in conformance with Chapter 4, Section B (5) of the subdivision regulations. Mr. Philip seconded the motion which passed unanimously.

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

030 - REPORT - Hatters Park Bowling Lane Lease.

Councilwoman B. Johnson submitted a report that the committee appointed to review the request to transfer the lease for the bowling lanes at Hatters Community Park, met at 7:00 P.M. on Feb. 25, 1986 in the lobby on the fourth floor of City Hall.

In attendance were committee members, Johnson, DaSilva and Godfrey; E. Gottschalk, Assistant Corporation Counsel, R. Ryerson, Director of Parks & Recreation, Karen Pane, present owner of the lease and Gerry Troccola, petitioner.

Mrs. Pane explained that she wants to sell the business to Mr. Troccola and transfer the lease to the buyer. The present lease runs out 8/31/86 with a five year option to begin at that time. Mr. Ryerson stated that there has been litigation concerning payments.

The committee decided to hold action on the petition until Attorney Gottschalk sorts out the legal details and Mr. Ryerson can meet with his commission.

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

031 - REPORT - Blasting Ordinance.

Councilman Torian submitted a report that the committee met on January 30, 1986. In attendance were committee members Torian, Butera, Cassano, Charles, Johnson and Hadley; Chief Monzillo of the Danbury Fire Department, Fire Marshal A. Schacht, Atty. Gottschalk, Assistant Corporation Counsel, Mr. William Reynolds, Building Dept. and Mr. & Mrs. Daniel Trocolla of 20 Holly St. Ext. Danbury, Conn.

Mr. & Mrs. Trocolla said they were startled by heavy blasting which had started without warning and without prior notification from the blaster. They claim they had approximately \$10,000 damage to their house. They would like implementation of some procedure which would notify residents in advance prior to blasting and require that a blasting log book be kept on-site at all times and the log data be accurately recorded.

State regulations already require that the log book must be kept on the blasting site at all times.

Assistant Corporation Counsel E. Gottschalk reviewed the applicable State Statute ss 29-349 which gives responsibility of exclusive jurisdiction to the Commissioner of Public Safety. He can change the regulations at his discretion. Danbury has a local blasting Ordinance but it covers public property and streets and right-of-ways.

Fire Chief Monzillo suggested the Fire Marshal's office could require seismic monitoring of blasting operations and take steps to ensure that the blasting log book be kept on the job site at all times.

The committee is of the opinion that State Legislation is already in place covering blasting operations, and there appears to be no reason to change the existing Danbury Ordinance 17-74.

Councilman Cassano moved that the committee recommend to the Common Council that the Fire Marshal's Office grant blasting permits subject to seismic monitoring for all jobs where the Fire Marshal is of the opinion that due to the possibility of danger or damage to the neighborhood, such a precaution is necessary, seconded by Councilwoman Butera. The motion passed unanimously.

Further, Councilwoman Butera moved that the committee recommend to the Common Council that the City Administration be requested to contact the Commissioner of Public Safety Control, Colonel Lester Forst, and urge the adoption of regulations requiring written notification to property owners prior to blasting operations, seconded by Councilwoman Johnson and passed unanimously.

A motion was made by Councilman Charles and seconded by Councilwoman McManus for the Report to be accepted as read. Motion carried.

A discussion ensued in reference to an Ordinance to be enacted to notify home owners and residents prior to any blasting.

Mayor Dyer stated that we do have the authority to adopt an Ordinance for this matter which can be either included in the next agenda or at the end of this meeting.

032 - REPORT - Reapportionment.

Councilman Torian submitted a report/<sup>requesting</sup>that the ad hoc committee formed to review Reapportionment for the City of Danbury, requests an extension of time while awaiting a legal determination from the Assistant Corporation Counsel's Office, on whether the law stipulates Reapportionment be based on population or voter registration.

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

3/4/86

033 - REPORT - Drainage problem on Boulevard Drive.

Councilwoman Thora Skoff submitted a report that the committee met on January 23, 1986 with members Smith and Skoff present. Mr. Hadley was out of town. Also in attendance was J. Schweitzer, City Engineer and Acting Director of Public Works.

Mr. Schweitzer informed the committee of his recent inspection of the area. Water flows off of hills (land owned by City residents) to the street and then down the street to catch basins.

Following discussion, Mr. Smith moved to take no action at this time, as the Public Works Department will continue to monitor the situation. Motion passed.

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

034 - REPORT - Potential Flooding problem on East Pearl Street & East Pearl Street Underpass.

Councilwoman Thora Skoff submitted a report stating that the committee met on Jan. 23, 1986 with all members present, and Mr. Don Hambidge of the Public Works Department. The committee met again on Feb. 19, 1986 with members Smith and Skoff. Mr. Hadley was out of town. Also present on 2/19/86 was J. Schweitzer. Constituent input was also part of these meetings from Mr. Hyland and Mrs. Stahl who live in the area being discussed.

The complexity of the problem created by Blind Brook was fully discussed. Homeowners are presently affected by seasonal flooding. The flow of Blind Brook is constricted in spots. Blind Brook flows through much of the inner city area. This area has been recognized as a flood problem previously.

After reviewing the opinions of the Corporation Counsel and the assessment of Mr. Schweitzer and Mr. Hambidge, the committee makes the following recommendations to the Common Council.

1. That the Common Council recommend "that the Mayor request an Army Corps of Engineer investigation, review and assessment under the Flood Control Act" (so moved by Councilman Smith, seconded and passed) of the East Pearl St. Area.
2. That the Department of Public Works assess the need of curbing on East Pearl Street. This requires no additional Council action.

The committee is especially cognizant that each property owner also presently bears a responsibility to keep the waterway cleared of debris and constriction.

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

035 - REPORT - Request of K. Trocolla re: Board of Ethics.

Councilman Godfrey submitted a report that the committee appointed to review the above petition met on Feb. 24, 1986 at 7:30 P.M. In attendance were Councilmen Godfrey, Eriguez, Boynton and Torcaso (ex-officio), and Board of Ethics members Flanagan, Boccuzzi, Olson and Esposito. Mrs. Trocolla, who had been informed of the meeting, did not attend.

Mrs. Trocolla's petition alleged that she had filed a complaint with the Board of Ethics in Oct. of 1985, confirmed by a letter from the Board dated Nov. 4, 1985. As of Jan. 30, 1986 and as of this date, Mrs. Trocolla had not received any decision of the Board. Instead,

she had received correspondence notifying her that her complaint had not been sworn to and signed under penalty of false statement, as required under Danbury Code of Ordinances §2-168(e). Mrs. Trocolla noted that "nowhere does it state in the papers that were given or shown to me in October... that I had to have my signature notarized."

A review of the pertinent section of the Ordinances 2-168(e) shows that the trigger mechanism for an investigation into allegedly unethical conduct of city employees is the receipt of a "sworn complaint, on a form prescribed by the Board of Ethics, signed under penalty of false statement..." In Oct. of 1985, the prescribed form used and given to Mrs. Trocolla failed to include any indication that the complaint had to be sworn to and signed under penalty of false statement. This was a serious error on the part of the Board of Ethics.

The members of the Board present acknowledged the error, and apologized for it. They explained that this is the first complaint ever received by the Board. Until January the Board did not have an Attorney member as required by Ordinance 2-168(a). There is no legal validity to a complaint that fails to meet the requirement of the Ordinances even in the face of the error on the part of the Board, and the Board has bent over backwards to attempt to correct their error. In support of this last point, the Board submitted a copy of a letter sent to Mrs. Trocolla and testified regarding repeated phone calls to her.

As of the date of this meeting, Mrs. Trocolla has refused to resubmit her complaint, or swear to her original complaint. Councilwoman Torcaso, who has conversed on the subject with Mrs. Trocolla, reported that Mrs. Trocolla strongly feels that she is the subject of a bureaucratic run-around.

The members of the council committee agreed that the appearance of the Board of Ethics' conduct is not a good one for any City Agency, let alone one created to investigate allegations of unethical conduct. But the imperatives of the ordinance, outside of the control of the board, remain: no complaint is valid unless sworn to and signed under penalty of false statement.

In light of these circumstances, and after lengthy discussion, Councilman Boynton moved to advise the Common Council that (1) this committee had deliberated on the petition of Mrs. Trocolla and (2) that the Board of Ethics had agreed that, after the complainant either appeared before the Board of Ethics to swear and subscribe to her complaint or submitted a complaint sworn to and subscribed under penalty of false statement, the Board of Ethics shall promptly investigate the complaint. The motion was seconded by Councilman Eriquez and passed unanimously.

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

036 - REPORT - Request of R. Finaldi for sewer - 105 Park Avenue.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request, met 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 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.

036 - continued:

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 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 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 lines.

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

037 - REPORT - Request of R. Finaldi for sewer - Hobson Street.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of the committee that the petition be granted with conditions and restrictions as listed above.

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

038 - REPORT - Request of McMersaun Associates for sewer & water - South Street.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of the committee that the petition be granted with conditions and restrictions as listed above.

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

039 - REPORT - Request of East Ridge Office Park for sewer & water - Mountainview Terrace.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

039 - continued:

It is the recommendation of the committee that the petition be granted with the normal seven steps of conditions and restrictions plus the following 8th step:

8. Upon completion of water line conveyance of previously existing water main owned by Seymour Powers or related entity from point of extension of East Ridge Project back to City of Danbury owned mains shall be turned over to the City of Danbury along with any necessary easements.

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

040 - REPORT - Request for sewers at the rear of Germantown Road.

Councilman Gallo submitted a report that the ad hoc committee appointed to review the request of Fred Koontz for sewer at the rear of Germantown Road, met on Feb. 24, 1986 with the City Engineer and the Superintendent of Public Utilities.

The committee also had a positive approval from the Planning Commission. The Petitioner did not show. At two previous committee meetings the petitioner showed with no plans at one and did not show at another.

Councilwoman Torcaso moved to deny without prejudice, seconded by Councilman Gallo. The vote was unanimous.

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

041 - REPORT - Request for sewer for 16 Dartmouth Lane.

Councilman Gallo submitted a report that the ad hoc committee appointed to review the request of J. Poodiack for sewer at 16 Dartmouth Lane, met on Feb. 24, 1986 with the City Engineer and Superintendent of Public Utilities. The committee also had a positive recommendation from the Planning Commission.

City Engineer J. Schweitzer explained that no Council action was necessary. All the petitioner has to do is take out a permit and hook into the present sewer main in front of his house. Councilman Flanagan moved that no action be taken as none is necessary, seconded by Councilman Gallo. The vote was unanimous.

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

042 - REPORT - Warranty Deeds - Bear Mountain Road Widening Parcels.

Councilman Sollose submitted a report that the Common Council committee appointed to review and discuss Warranty Deeds for Bear Mountain Road Widening Parcels met on Feb. 26, 1986. In attendance were Sollose, Torian and Gallo.

Discussion ensued regarding communications received by Assistant Corporation Counsel's Office pertaining to the subject Warranty Deeds. The Committee felt that it would be in the best interest of the City to recommend and accept both parcels of land from Richard T. Johnson, General Contractor which would expedite the Bear Mountain Road Widening Project. The committee motioned to accept both parcels of land. Motion passed unanimously.

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

043 - REPORT - Land - 15 Delay Street.

Councilman Eriquez submitted a report that the ad hoc committee formed to consider the conveyance of land known as 15 Delay Street to the City of Danbury by the Parking Authority met on Feb. 18, 1986. In attendance were Councilmen Eriquez and Esposito; Mr. Sullivan representing the Redevelopment Agency and Mr. Lefebvre representing the Parking Authority

It was reported that the Parking Authority at its Jan. 15, 1986 meeting voted to "convey to the City of Danbury acting by and through the Redevelopment Agency that parcel of real estate known as 15 Delay Street for consideration in the amount of \$100.00. Further resolved that the Chairman of the Parking Authority is authorized to execute the deed of conveyance and any other documents convenient or necessary to accomplish the conveyance..."

Mr. Esposito moved to recommend the Common Council approve the Deed of conveyance by the Parking Authority to the City of Danbury acting by and through the Redevelopment Agency of said land known as 15 Delay Street for the consideration of \$100.00. Additionally, the Deed should meet the requirements of the Corporation Counsel and be executed by the appropriate authorities. The motion was seconded by Mr. Eriquez and passed unanimously. The Planning Commission has recommended approval of such action.

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

044 - REPORT & ORDINANCE - Cultural/Recreational Bond Issue.

ORDINANCE - Making appropriations for various public improvements for Recreational and Library Facilities Aggregating \$5,264,000 and authorizing the issuance of \$5,264,000 Bonds of the City to meet said appropriations and pending the issue thereof the making of temporary borrowings for such purpose.

Councilman Eriquez submitted a report on the above Ordinance - Cultural/Recreational Bond Issue stating that the ad hoc committee formed to consider the Bond Issue met on Jan. 15, 1986 and Feb. 19, 1986 in City Hall. Councilmen Eriquez, Farah and Torian were assigned to the committee. Len Sedney and Keith Colgan were in attendance at the first meeting along with Robert Ryerson of Parks & Recreation.

At the second meeting, the committee met with Mr. Setaro, Comptroller, Richard Murray of Parks & Recreation and Mr. Sedney, City Planner. An extensive review and discussion of this Bond proposal submitted and of the initial proposal submitted to the Council in 1985 occurred at both meetings.

It was determined by the committee to recommend a comprehensive Cultural/Recreation Bond package at a reasonable cost to the taxpayers for the planned improvements, considering the current City bonded indebtedness as described by the City Comptroller.

As a result of an inventory of our current recreational resources supported by Messers Ryerson and Sedney and using comparative data for municipalities of Danbury's size, it was determined to propose to the Council a Cultural/Recreational Bond Issue as one question, totalling \$5,264,000, including the four categories plus contingencies and related administration and legal bond costs..

The motion included the recommendation to have this proposed Ordinance added to the March 4, 1986 agenda for Common Council Action (deferral to public hearing).

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the report to be accepted and Ordinance deferred for Public Hearing. Motion carried.

045 - Report - Withdrawn. Affordable Housing - committee will meet during the month of March and report back in April.

046 - REPORT - Review of Section 6-14 of the City Charter.

Councilman Eriquez submitted a report that the ad hoc committee formed to consider the request to review Section 6-14 of the Charter met on Feb. 27, 1986. In attendance were Councilmen Eriquez and Sollose.

Mr. Eriquez reported that he had spoken with Mr. Fabiano, the City's Risk Manager, regarding this issue. Mr. Fabiano had indicated that Section 6-14 of the Charter calls for bonds to be executed to the City by the Mayor, Town Clerk, Director of Finance, Treasurer, Agent of the Town Deposit Fund, Tax Collector, Director of Public Works and others as determined by the Common Council.

Currently, the Treasurer and Tax Collector have (and have had in the past) schedule position bonds in the amount of \$350,000 and \$1,000,000 respectively. Other officers of the City identified in Section 6-14 have been covered by a blanket bond in the amount of \$10,000 each. Each municipal employee is covered by said bond for the same amount.

After discussion and review of the requirements of Section 6-14, the committee deemed it necessary to include the Mayor, Town Clerk, Director of Finance, Agent of the Town Deposit Fund, and Director of Public Works in a schedule position bond in the amount of \$100,000 each.

Mr. Fabiano had informed Mr. Eriquez that this bond would have a term of two years and would cost the City \$1,850 for that two year period. The cost of such bond(s) will be encumbered in Mr. Fabiano's current fiscal year budget if this recommendation is approved by the Common Council.

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

047 - REPORT - Sutton Property - Brushy Hill Road.

Councilman Eriquez submitted a report that the ad hoc committee formed to consider the offer of land on Brushy Hill Road known as the Sutton Property met on Jan. 15, 1986 and March 3, 1986.

Mr. Michael Burns (son-in-law of Mr. Sutton) and Mr. Lawrence Sutton were in attendance at the first meeting and explained the details of the offer to the committee, comprised of Councilmen Eriquez, Flanagan, and Zotos.

The committee recognizes the value of this offer of land since, for example, it would be a complimentary tract to the recently acquired C. D. Parks Property.

However, upon review of the particulars of this request and with consideration given to obligations of the City regarding its commitments (fiscal and otherwise) toward existing properties and related planned improvement thereon, the committee respectfully recommends that this offer be denied without prejudice at this particular time.

A motion was made by Councilman Gallo and seconded by Councilwoman J. Butera for the Report and committee recommendations to be accepted. Motion carried unanimously.

048 - Report - Withdrawn

049 - REPORT - Automatic Alarm Ordinance.

Councilman Esposito submitted a report that the Common Council committee appointed to review the Automatic Alarm Ordinance, met on Feb. 26, 1986. Committee members attending were Councilmen Esposito, Gallo & Zotos. Also attending were Chief Monzillo and Fred Visconti of the Danbury Fire Department and Lt. Lovell of the Danbury Police Department.

Chairman Esposito explained the charge of the committee stating that because of the concern of the Police Department over compliance with a combined Fire and Police Alarm Ordinance the committee should, with the approval of both Departments, resubmit an Alarm Ordinance pertaining only to the Fire Department.

Lt. Lovell agreed stating that the Police Department already has an Alarm Ordinance in effect and that it is working satisfactorily at this time, and if need be, would petition for upgrading it in the future.

Chief Monzillo submitted a written report with the necessary deletions pertaining to the Police Department making the submitted Ordinance for Fire Department use only. The re-written Ordinance will be approved by the Corporation Counsel and submitted to the Common Council for approval.

Motion to that effect was made by Councilman Gallo and seconded by Councilman Zotos and approved unanimously.

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

050 - REPORT & RESOLUTION - Re: Request for funds from Maintenance Building Account to Runway Intersection Project Account.

Councilman Farah submitted a report stating that the Common Council committee appointed to review the request for transfer of funds from the capital budget of the Airport Building Maintenance in order to provide funds for repair of the runway intersection met on Feb. 26, 1986.

In attendance were committee Chairman Farah and Council Members Johnson and Sollose. Mr. Donald Crudginton, vice chairman of the Aviation Commission and Paul Estefan, the Airport Administrator were present.

Mr. Estefan submitted a map of the airport, showing where the needed repair is and explained the condition at the intersection 8/26 and 17/35. Considering the priority of the repair and the availability of Federal and State funds to assist in the repair, Councilman Sollose moved and Councilwoman Johnson seconded a motion to recommend that the Common Council approve a City application for Federal and State contributions not to exceed \$800,000 with local matching of 2.5% or an amount not to exceed \$20,000. The motion carried unanimously.

A motion was made by Councilman Gallo and seconded by Councilman Boynton for the Report to be accepted, Resolution adopted and transfer authorized. Motion carried with Councilmen Godfrey and Flanagan abstaining from voting.

051 - REPORT - Request re: Drska Property.

Councilman DaSilva submitted a report that the committee appointed to study a request from Robert Collischonn to become a caretaker and make improvements to the house on the City owned Drska property in exchange for the right of habitation on the property, met on Feb. 27, 1986. In attendance were committee members - DaSilva and Butera; Parks & Recreation Director R. Ryerson, Supt of Public Buildings, R. Winkelstern and Mr. Collischonn.

Mr. Collischonn explained his request stating that he does not want the house on the Drska property to be destroyed by vandals and that he is experienced in restoration of old buildings of this type. He feels the building is going to waste and wants to repair it.

051 - continued:

Mr. Winkelstern reported that he inspected the building. He said the roof is sagging, leaders and gutters are beyond repair, some windows are missing and the others cannot be repaired, no septic facility, no indoor toilet, no heat, no insulation, corroded, rotten, undersized electrical system which is not up to code. The ceiling height on the first floor is six feet, 8 inches and the door frames are five feet, 10 inches. On the second floor the ceilings are also extremely low. The wallboards are completely deteriorated. The painted surfaces are probably lead based. The chimney only goes to the second floor and is unlined. There is not well pump and the condition is questionable. Termites and vermin are suspected in the building.

From the description from Mr. Winkelstern, Leo Null, Building Inspector stated the building is not up to code. In response to a question by the chairman, Mr. Winkelstern stated that the house is not worth the time, material, or effort to repair the house because of the problem of septic, water, electrical and code problems.

Mr. Ryerson stated that at this time there is no need for a caretaker on the property because it is not utilized at this time. Money and energy are needed now for the newly acquired Parks Property.

Mrs. Butera moved that because of the condition of the building it is not worthwhile to repair, and the petition be regretfully denied. Mr. DaSilva seconded the motion which passed unanimously.

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

A motion was then made by Councilman Gallo and seconded by Councilman Boynton to add an item to the agenda to be numbered 052, in reference to notification of blasting. Motion carried.

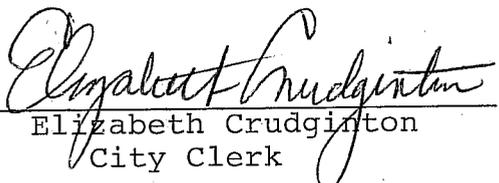
052 - COMMUNICATION - Request from Councilwoman Thora Skoff for the Common Council to investigate the matters of appropriate notification of residents when blasting is to occur.

Councilman Gallo requested referral to committee. Mayor Dyer so ordered and appointed the following committee: Philip, Skoff, Hadley.

There being no public speakers and no further business to come before the Common Council a motion was made by Councilman Robert Godfrey and seconded by Councilman Stephen Flanagan for the meeting to be adjourned at 8:45 O'Clock P.M.

Respectfully submitted

  
Mary Rickert  
Assistant City Clerk

Attest:   
Elizabeth Crudginton  
City Clerk

3/4/86