

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut.
RE: Minutes of the Common Council Meeting held July 1, 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, Rotello, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Torian.

ABSENT: Council Members - Farah and Smith.

19 Members Present - 2 members absent.

Council President McManus reported that Councilmen Farah and Smith were out of town.

NOTICES FROM MAYOR DYER

Mayor Dyer extended Best Wishes to his father, Thomas J. Dyer who will celebrate his 91st birthday on July 2nd.

Mayor Dyer announced that the Parks at the Locust Avenue and Balmforth Avenue playgrounds were being refurbished with Community Development Block Grant funds. The Mayor reported that he had opened one park but that the Balmforth Avenue playground had been vandalized and asked for the neighborhood residents to watch for any further vandalism. If it should occur, he would have to consider moving it elsewhere.

The Mayor thanked the voters of the City of Danbury for their approval of the Bond issue and in reference to the ice skating rink, reported that plans also call for a youth center.

Mayor Dyer also made mention of the July 4th festivities to be held in conjunction with the 100th anniversary of the Statue of Liberty, stating that we should be proud of our great country.

Of the many events to be held, the Mayor announced that the Ethnic Festival will be held on July 13th and PAL Field Day will be July 12th. Danbury will sponsor the Soap Box Derby this month also.

The Redevelopment Ground Breaking will be held on July 16th.

Mayor Dyer extended Birthday Greetings to the following:

Russell Foti - Chairman of the Zoning Commission - July 7th.

Jackie Cruz - The Mayor's Assistant, on July 7th.

Mayor Dyer announced that Jackie will be getting married on July 12th to Jack DeFlumeri and wished them both much happiness.

On July 14th, Sandy Salvatore, of the Mayor's office will celebrate her birthday.

On July 31st, Mary Rickert will celebrate her birthday and Mayor Dyer announced that this was the last Council meeting for her as she will be retiring on August 1st, after many years of loyal service, and extended best wishes for her retirement.

Elizabeth Crudginton the City Clerk, also extended best wishes, as well as Common Council President C. McManus who presented Mrs. Rickert with a gift from the Council Members.

Councilman Charles spoke to offer best wishes noting that Mary Rickert was hired by Mayor John Define and has done a great job ever since.

CONSENT CALENDAR

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

- 02 - Resolution - Women, Infants, Children's Supplemental Nutrition Program.
- 04 - Resolution - Reimbursement from State - Rehabilitation of Bridge Route 6.
- 07 - Resolution - Alzheimers Disease Adult Day Care Program.
- 010 - Communication - Old Library Lease.
- 021 - Communication - Opposition to sewers in the Lake Kenosia Area.
- 026 - Communication - Legal Assistance for Post Office Street Project.
- 027 - Communication - Appointments to the Conservation Commission.
- 028 - Communication - Appointments to the Danbury Library Board.
- 029 - Communication - Appointments to the Environmental Impact Commission.
- 031 - Report - Request of Metro Mobile to lease property at Danbury Airport.
- 032 - Report & Certification - Funds for King St. Volunteer Fire Dept. for Dry Hydrants.
- 034 - Report - Offer from the State of Conn. to purchase property at the Danbury Airport.
- 035 - Report - Drainage Easement - Kenosia Avenue.
- 036 - Report - Rental of Land on Kenosia Avenue.
- 037 - Report - Mountainville Road Curve.
- 038 - Report - Trees on Barnum Road.
- 039 - Report - Request to rename Oak Lane.
- 040 - Report - Land on Chambers Road & Zinn Road - Road widening strips.
- 041 - Report - Offer of land for road widening on Boyce Road.
- 042 - Report - Drainage problem - 10 Ridge Road.
- 043 - Report - Drainage problem on Forty Acre Mountain Road.
- 044 - Report - Application of Dan DiBuone (Frank Zenobia) for sewer and water to Hospital Avenue.
- 045 - Report - Application of G & K Associates for sewers - 11-17 Newtown Rd
- 046 - Report - Hawthorne Cove Road.
- 047 - Report - Road Widening Parcels - Chambers Road (Fagan)
- 048 - Report - NorthEast Danbury Water Supply Improvements (Nabby Raod).
- 049 - Report & Ordinance - Sewer Use Charges.
- 050 - Report & Ordinance - Water Rates.
- 051 - Report - Transfer of funds to Tax Suspense List.

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

MINUTES - Minutes of the Common Council meetings held on June 3, 1968 and June 12, 1968 (Omitted in error - not listed on Agenda) To be acted upon at the August meeting.

- 01 - CLAIMS - Noel Roy - Western World Insurance Co. Inc. - Arthur Eibel - Estelle Glover - Cheri Calsetta.

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

- 02 - RESOLUTION - WIC PROGRAM.

Whereas, the State of Conn. Department of Health Services through the U.S.D.A. has made grant funds available from Oct. 1, 1985 through September 30, 1986 to full-time local health departments to be used for the Women, Infants, Children's Supplemental Nutrition Program; and

Whereas, the City of Danbury through the Danbury Health Department has formulated a W.I.C. Program for Danbury area residents; and

Whereas, a grant award of up to \$139,586.00 has been processed by the Danbury Health Department; and

02 - continued:

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

Whereas, this resolution is intended to supersede the terms of a resolution adopted by the Common Council on September 4, 1985;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health Department required to accomplish said program be and hereby are authorized; and

BE IT FURTHER RESOLVED THAT to accomplish said program James E. Dyer, Mayor of the City of Danbury, is authorized to make, execute, and approve on behalf of the City of Danbury 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.

03 - RESOLUTION - Grant from Meserve Memorial Fund to Danbury Library.

Resolved by the Common Council of the City of Danbury:

Whereas, the Meserve Memorial Fund has made grant funds available to the Danbury Public Library in the amount of \$2,000 for the purpose of establishing a collection of source materials on information concerning private philanthropy and public grants; and

Whereas, such a collection is deemed to be in the public interest and a valuable addition to the Danbury Public Library;

Now, Therefore, Be It Resolved That Mayor James E. Dyer be and hereby is authorized to accept said grant on behalf of the City of Danbury and the Danbury Public Library and further authorized to take any action necessary to accomplish the purposes hereof.

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

04 - RESOLUTION - Rehabilitation of Bridge - Rt. 6.

Resolved by the Common Council of the City of Danbury:

Whereas, State plans to rehabilitate Bridge No. 00456, Route 6 over property of the Consolidated Rail Corporation, State Project No. 34-211 will involve adjustment to municipal utilities; and

Whereas, the State of Connecticut is willing to reimburse the City for fifty (50%) percent of the net cost of said adjustments subject to the provisions of Connecticut General Statutes § 13a-126 in the amount of Seven-Hundred, Sixty-six Dollars (\$766.00);

Now Therefore, Be It Resolved That Mayor James E. Dyer be and hereby is authorized to execute an agreement with the State of Connecticut to accept said reimbursement, as well as any amendments thereto as required, and to perform any additional acts that may be necessary to effectuate the purposes hereof.

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

05 - RESOLUTION - East Franklin St. Bridge Reconstruction.

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

06 - RESOLUTION - Reconstruction of Thorpe Street Bridge.

Councilwoman C. McManus requested that the Resolution be deferred for a public hearing to be held. Mayor Dyer so ordered.

07 - RESOLUTION - Alzheimers Disease Adult Day Care Program.

Resolved by the Common Council of the City of Danbury:

Whereas, the Administration on Aging of the U.S. Department of Health and Human Services through the Connecticut Department on Aging has made available funds to public agencies in accordance with Title III of the Older Americans Act and Sections 17-137 et seq. of the Connecticut General Statutes; and

Whereas, the Danbury Commission on Aging has developed an Alzheimer's Disease Adult Day Care Program which will improve care to those elderly clients having Alzheimer's Disease; and

Whereas, a grant application of \$2,545 has been processed by the Danbury Commission on Aging;

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

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

08 - COMMUNICATION - Appeal by the Zoning Commission.

The Zoning Commission of the City of Danbury denied the application of Dimitrios Filippakos d/b/a/ Mykonos Pizza Restaurant which would allow him an expanded liquor license. The Superior Court of the State of Connecticut, Judicial District of Danbury, overruled the denial of the Zoning Commission.

On June 17, 1986 the Zoning Commission voted to appeal said decision. Under Section 6-4 of the Charter of the City of Danbury the approval of the Council must be obtained to allow the Corporation Counsel to appeal from such judgment. In view of the fact that but a limited time is allowed in court actions to take an appeal, an extension having already been granted, Corporation Counsel Theodore H. Goldstein has requested the Common Council to give its earliest possible attention to a favorable response to this request.

A motion was made by Councilman Gallo and seconded by Councilman Flanagan for the Communication to be accepted and the Corporation Counsel to be allowed to appeal the judgment. Motion carried.

08-1 - Withdrawn.

09 - COMMUNICATION - Affordable Housing Program.

Request from Paul Schierloh, Associate Director for Housing for the Common Council to designate the best available site on Hospital Avenue on the East side of Broadview Junior High School for the City's proposed moderate income lease-purchase housing program.

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

010 - COMMUNICATION - Old Library Lease.

The Old Library Building on Main Street has been undergoing partial renovations which are expected to be completed in the Fall. When completed, the first floor will be occupied by the Women's Center, the Danbury Preservation Trust, the Cultural Commission, and the Music Centre. The second floor will be designated for Music Centre performances.

The Women's Center has been occupying the building for sometime, and it is recommended that they continue to do so. The Cultural Commission is a City Agency, and therefore the Mayor can designate the Old Library for their use. The Danbury Preservation Trust and Music Centre are private organization, and it is recommended that the City enter into a lease with these two groups. The following basic framework for a lease is suggested for Council approval.

Preservation Trust

Preservation Trust is entitled to use office space on first floor for a period of ten years at \$1/year. Interior furnishings will be the responsibility of the Preservation Trust.

Preservation Trust will be responsible for insuring its own possessions and documents, if any. Preservation Trust can occupy building as soon as current heating and air conditioning work is completed. (Approximately August/September)

No structural changes without City's permission.

Music Centre

Music Centre entitled to use the second floor of the Old Library Building and office space on first floor for a period of ten years at \$1/year.

City will have the right to use the second floor for special events.

Music Centre can occupy building as soon as current heating and air conditioning work is completed. (Approximately August/September)

No structural changes without City's permission.

Music Center will provide janitorial services for building except for Women's Center.

The City will pay for utilities.
Music Centre will provide carpeting on both levels.
Music Centre will carry its own property insurance to cover its possessions.

The Old Library Lease was accepted by the Common Council on the Consent Calendar.

011 - COMMUNICATION - Household Hazardous Waste Days.

The concept of a Household Hazard Waste Day was approved by Council at the February Council meeting. A State Grant is available for a maximum of 50%. It is estimated that the total cost will not exceed \$50,000 with the State reimbursing the City \$25,000. This grant is not guaranteed and is disbursed on a first come first serve basis.

Approval is needed for this \$50,000 expenditure before any further work on planning for this day can proceed.

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

012 - COMMUNICATION - Capital Development Fund.

The Mayor has requested that the Planning Department study the possibility of a capital development fund to finance capital improvements necessitated by new development in the City. A proposed Ordinance is being submitted for Council's consideration in establishing such a fund.

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

013 - COMMUNICATION - Property for West Side Fire Station.

Request from Chief C. Monzillo for the City owned property (Backus and Kenosia) near the Airport to be transferred to the Fire Department to prevent the loss of this valuable site for the West Side Fire Station.

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

014 - COMMUNICATION - Connecticut Neighborhood Assistance Act Program.

Guidelines for Connecticut Neighborhood Assistance Act:
Before August 31st the organization must send an application of its program to a local government for approval. The application must include:
The amount of money needed.
The time period the project would cover.
A description of the project.
The population to be served.

The local government must hold a public hearing and approve all the requested programs prior to submission to the State Dept. of Revenue Services (DRS).

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

015 - COMMUNICATION - Request of Union Carbide Corporation to abandon a portion of Serre Road.

Councilwoman McManus requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following ad hoc committee: Farah, Flanagan, Sollose & Planning Commission.

016 - COMMUNICATION - Request of Brady Travel Ctr to purchase property at White and National Place.

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

017 - COMMUNICATION - Request of Kenneth Lorentz to purchase property on Hakim St. Ext.

Councilwoman C. McManus requested referral to an ad hoc committee and Planning. Mayor Dyer so ordered and appointed the following committee: Farah, Flanagan, Sollose.

018 - COMMUNICATION - Request of A & S Auto Sales to purchase property on Balmforth Avenue.

Councilwoman C. McManus requested referral to the Corporation Counsel and Planning to report back in 30 days. Mayor Dyer so ordered.

019 - COMMUNICATION - Request of Rene LeDuc for water to 54 Kenosia Avenue.

Councilman Gallo requested referral to an ad hoc committee & Planning. Mayor Dyer so ordered and appointed the following committee: Cassano, Hadley, Zotos.

020 - COMMUNICATION - Request of Ridgeland Development Associates for extension of water line to the Shadow Lake Property - Briar Ridge Road.

Councilman Hadley requested referral to an ad hoc committee & Planning. Mayor Dyer so ordered and appointed the following committee: Cassano, Hadley, Zotos.

021 - COMMUNICATION - Petition in opposition to sewers in the Lake Kenosia Area.

The Communication was accepted on the Consent Calendar.

022 - COMMUNICATION - Proposed sewer easement for property owned by William E. Hull - Intersection of Stadley Rough Road and Palmer Roads.

Councilwoman McManus requested referral to the City Engineer, Corporation Counsel and Planning Commission to report back in 30 days. Mayor Dyer so ordered.

023 - COMMUNICATION - Request for Sewer Assessment Tax Abatement - Abbott Avenue (Request of Victor Heelan).

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

024 - COMMUNICATION - Request to waive Road Standards for Tarrywile Lake Road.

Councilman Gallo requested referral to the City Engineer & Director of Planning to report back in 30 days. Mayor Dyer so ordered.

025 - COMMUNICATION - Fact Finding Report re: City of Danbury and IAFF Local 801.

The City's negotiating team has been meeting with the Firefighter's Union since March 1985 to negotiate a successor contract for the 1985-1986 fiscal year. Agreement has been reached on all items but one. This issue addresses promotional appointments. Hearings were held by a Fact Finder and necessary documentation was submitted to him.

The Report proposes contract language dealing with promotions which we do not feel is appropriate. After reviewing the matter with Mayor Dyer. Emanuel A. Merullo, Director of Personnel, recommends that the Report be rejected by the Common Council and the question settled through binding arbitration.

A motion was made by Councilman Gallo and seconded by Councilman Boynton, to accept the Communication and to reject the Report.

In response to questions, Mayor Dyer stated that the Common Council has never negotiated contracts as far as he knows. The only ones who can negotiate are the Mayor and the people he designates. If the Union refuses to compromise, we can seek relief from the courts. The Mayor stated that he would keep the Council informed as we go along.

The motion for rejection of the Report was unanimous.

026 - COMMUNICATION - Legal Assistance for Post Office Street Project.

Request from Leonard Sedney, Planning Director for the City to hire outside legal assistance to secure the easements in connection with the Post Office Street Project. Common Council approval must be made before such hiring can take place.

This legal assistance is necessary due to time constraints of the Post Office Street Project, and the fact that the Corporation Counsel is overburdened.

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

027 - COMMUNICATION - Appointment of Susan Sonchik, 43 Bear Mountain Road, Danbury to the Conservation Commission for a term to expire on July 1, 1989 and the reappointment of R. Craig Johnson, 11 Aunt Hack Road for a term to expire on July 1, 1989.

Dr. Sonchik is employed by IBM and active with the Girl Scouts. Mr. Johnson is the current chairman of the Conservation Commission and has an excellent attendance record.

The Communication was accepted and ^{reappointment&} appointments confirmed by the Common Council on the Consent Calendar.

028 - COMMUNICATION - Appointment and reappointments of the following to the Danbury Library Board of Directors:

Appointment: Eugenia Vecchiarino, Ohehyahtah Place, Danbury for a term to expire on January 1, 1989. Mrs. Vecchiarino is active in many community activities.

Reappointments: - Patricia Fernard, Chambers Road, Danbury for a term to expire on January 1, 1988.

Margaret Pastorino, 11 Lakeside Road, Danbury for a term to expire on January 1, 1988.

Albert Hornig, 9 Dogwood Drive and John W. Hoffer, 10 Oak Ridge Avenue for terms to expire on 1/1/1989.

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

029 - COMMUNICATION - Appointments to the Environmental Impact Commission:

Michael Zotos, 49 Garfield Avenue, Danbury for a term to expire on 12/1/1987. Penelope B. Peirce, 58 Lincoln Avenue, Danbury as an alternate member, for a term to expire on December 1, 1986.

Dr. Zotos is a businessman in Danbury.

Ms. Peirce is employed by Seelye, Stevenson, Value and Knecht, Inc. Consulting Engineers.

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

030 -- DEPARTMENT REPORTS

Fire Chief	Building Department
Fire Marshal	Environmental & Occupational
Health Inspector	Health Services.
Housing Inspector	

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

031 - REPORT - Request from Metro Mobile Cts. to lease property at Danbury Airport.

Councilwoman Torcaso submitted a report that the committee met on June 25, 1986 with committee members Carole Torcaso and Beverly Johnson present. Paul Estefan, Airport Administrator was also present. Mounir Farah was absent.

Mr. Estefan discussed the feasibility of Metro Mobile Cts placing an antenna on the Airport Beacon site.

Mrs. Torcaso asked Mr. Estefan if the Aviation Commission had been consulted on this project. Mr. Estefan said they had not. Mrs. Johnson questioned if any details had been developed and Mr. Estefan stated no.

Mrs. Johnson motioned to recommend that this request be reviewed by the Aviation Commission then return to the Common Council with a proposal for a lease. Motion seconded and passed unanimously.

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

032 - REPORT & CERTIFICATION - Funds for King St. Volunteer Fire Dept. for dry hydrants.

Councilwoman McManus submitted a report stating that the committee appointed to review the request for the Common Council to restore \$4,000 to the King St. Volunteer Fire Department, met on June 12, 1986 with Chief David Athans and President Bob Bittner from the King St. Volunteers and Chief Charles Monzillo and Deputy Chief J. Murphy of the paid Fire Department. Also in attendance were Council members Carole Torcaso, John Esposito, Stanford Smith and Louis Charles in an ex-officio capacity.

The King Street volunteers explained that they had requested \$4,000 in their 1986-1987 budget request in order to install a dry hydrant in the pond in Flintlock Estates but that the \$4,000 had been eliminated. They stated that dry hydrants are necessary in the King Street area because the nearest hydrant entails a 20 minute round trip from the firehouse. Without a dry hydrant they have to carry a portable pump and pull off of the roadway in order to gain access to ponds and streams.

Chief Monzillo stated that he had eliminated the money from the King Street request because he wanted more information concerning the dry hydrant. The Chief further stated that the "King St. Area needs water" and that "dry hydrants are worth the money" but objects to any volunteer company "endrunning him". Chief Athans and President Bittner agreed to supply Chief Monzillo with the information required and also to discuss the whole dry hydrant program with him.

Councilman Gallo moved to recommend that the Common Council reinstate \$4,000 to the King Street Volunteer Fire Department but, before the installation of the dry hydrant, that the Chief be informed and be allowed input into the project. The motion was seconded by Councilwoman McManus and approved by a vote of 2 yes and 1 no from Councilman Flanagan.

CERTIFICATION #1 was submitted by Dominic A. Setaro, Jr., Acting Director of Finance - Comptroller in the amount of \$4,000 available in the Contingency Account to be transferred to the Fire Department, Contributions Account: #02-01-110-071500.

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

Councilman Gallo submitted a report stating that the Common Council committee to appoint a Charter Revision Commission, met on several occasions and discussed the Charter, Number of Members and Make-up of the Commission. The committee advertised for members to serve on the Commission, through the media and by requesting a list of names from each Town Committee Chairperson.

On June 23, 1986 the committee held its final meeting with the following results. The committee reviewed the State Statutes regarding the make-up of a Charter Revision Commission. The committee then addressed this in four segments:

1. Number of people to be on the Commission.
2. Names of appointees.
3. Length of time until final report.
4. Portions of Charter to address.

Item #1. Last time there were 15 commission members and the committee felt that was just one of their many problems. C. McManus moved to create a commission of seven members, seconded by J. Esposito. The vote was unanimous.

Item #2. Names of Appointees:

- (A) Councilwoman McManus moved to appoint Robert Ogden (D), seconded by Councilman Esposito. The vote was unanimous.
- (B) Councilwoman McManus moved to appoint Joseph Noonan (R) seconded by Councilman Esposito. The vote was unanimous.
- (C) Councilman Esposito moved to appoint Emil Morey (I), seconded by Councilwoman McManus. The vote was unanimous.
- (D) Councilman Esposito moved to appoint Nancy Deibler (D), seconded by Councilwoman McManus. The vote was unanimous.
- (E) Councilwoman McManus moved to appoint Thomas Frizzell (D), seconded by Councilman Esposito. The vote was unanimous.
- (F) Councilwoman McManus moved to appoint Robert Peat (D), seconded by Councilman Esposito. The vote was unanimous.
- (G) Councilwoman McManus moved to appoint Richard Durkin (R), seconded by Councilman Esposito. The vote was unanimous.

Item #3. Councilman Esposito moved to set a time limit of six months for a final report, with the commission's first meeting to be held at 7:30 P.M. on July 15, 1986 in City Hall. Seconded by Councilwoman McManus. The vote was unanimous.

Item #4. Areas the committee would like to see the Commission address are listed below:

- A. Chapter II - Section 2 - Number of Elected Officials.
- B. Chapter II - Section 2-2D - City Clerk
- C. Chapter III - Section 3-1 - Compensation.
- D. Chapter III - Section 3-2 - Council President
- E. Chapter III - Section 3-3 - City Clerk
- F. Chapter III - Section 3-13 - Ad Hoc Committees.
- G. Chapter IV - Section 6-6 - Director of Finance.
- H. Chapter IV - Section 6-14 - Bonding of Officials.

Councilwoman McManus moved to suggest that these areas be specifically identified as areas of concern to the Commission. Councilman Esposito seconded the motion. The vote was unanimous.

The committee would also like the Commission to notify Department Heads and the general public of their meetings in order to have some outside input. The committee would also like the Commission Chairperson to send monthly progress reports to the Common Council.

A motion was made by Councilwoman McManus and seconded by Councilman Boynton for the Report to be accepted and the Commission empowered to review the Charter.

033 - continued:

Councilman DaSilva requested that besides the items recommended, the commission should go beyond, especially in the Purchasing Department and Bidding Procedures.

Mrs. McManus noted that Section 6-6 "Director of Finance" includes the Purchasing Dept. and agreed that was to be reviewed.

Councilman Godfrey remarked that he hoped they would address the subject of reapportionment and asked for biographical information on the appointees.

Councilman Gallo gave the following information:

Robert Ogden - Former Councilman - Former employee of Perkin Elmer Corp.
Member of the Democratic Town Committee.

Joseph Noonan - Member of the Republican Town Committee. Employed as a Programmer for Unimation Co.

Emil Morey - Morey Associates - Realty Co. - Served on the Chamber Board.

Nancy Deibler - Employed by Union Carbide - Served on the last Charter Revision Commission.

Thomas Frizzell - A Danbury Attorney.

Robert Peat - A Danbury Attorney.

Richard Durkin - Vice Chairman of the Planning Commission.

Mayor Dyer stated that our Legal Staff will be available to the Charter Revision Commission also.

The motion for the report to be accepted and the Commission empowered to review the Charter, passed unanimously.

034 - REPORT - Offer from the State of Connecticut to purchase 2.07+ acres from the City of Danbury - Airport.

Councilman Esposito submitted a report stating that the committee met on June 11, 1986 with committee members John Esposito, Ernest Boynton and Nicholas Zotos in attendance.

Also present were Corporation Counsel Theodore H. Goldstein and Paul D. Estefan, Airport Administrator. Following discussion, Councilman Boynton moved that the offer of the State of Connecticut be rejected and that the Corporation Counsel proceed to take all steps necessary, including the right to appeal from a Statement of Compensation of the State of Connecticut, in order to secure a more equitable resolution of the matter. Motion was seconded by Councilman Zotos and unanimously approved.

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

035 - REPORT - Drainage Easement - Kenosia Avenue.

Councilman Peter Philip submitted a report stating that the committee appointed to review the above subject matter, met on May 12 in City Hall. In attendance were committee members Philip and Eriquez. P. Capozzi, aide to the Mayor was also present.

Mr. Capozzi reported that the State had offered the property in question to the City. The City refused the offer due to the fact they have not felt a need to acquire the property. However, he reported, a drain exists on the property which requires the easement being requested.

Mr. Capozzi noted that Mr. Schweitzer and Mr. Sedney were in favor of granting this easement since the cost would be \$500 versus a higher cost for potentially removing the drain in question.

A motion was made by G. Eriquez and seconded by P. Philip to recommend approval of the \$500 expenditure for administrative costs incurred by the State to grant the City the easement for drainage on Kenosia Avenue, (property located on the Northerly side).

No Certification is needed - Funds are currently available in the Land Acquisition Account (as per Comptroller, Dominic Setaro.)

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

036 - REPORT - Rental of land on Kenosia Avenue.

Councilman Peter Philip submitted a report stating that the committee appointed to review the request of Jim Muliolis to rent city owned property adjacent to his home, met on May 12, 1986 in City Hall. In attendance were Councilmen Philip & Flanagan and Mr. Muliolis.

Mr. Muliolis seeks to rent this property to erect a tent from which he would sell lunch five days a week to workers from the Fair Mall across the street.

Mr. Philip informed Mr. Muliolis that a vending and health permit would be required and fulfillment of the requirements to achieve these permits. Competition bidding might be required. A lease would have to be drawn up and approved by the Common Council. No precedent appears to exist for a lease or rental agreement of this type.

After a long discussion of the times involved in obtaining approval, if recommended, the applicant decided to withdraw his request. He concluded that in the times left after the approval of his request would not be sufficient to allow his plan to be profitable.

The withdrawal of the request was accepted by the committee.

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

037 - REPORT - Mountainville Road Curve.

Councilman Zotos submitted a report that the committee appointed to review the above subject matter, met on June 5, 1986. Committee members present were Zotos, Eriquez and Esposito.

After discussion of existing road curve conditions, Mr. Eriquez moved to refer to the City Engineer for study and recommendation to alleviate this problem (1) short term (2) future, seconded by Mr. Esposito and passed unanimously.

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

038 - REPORT - Trees on Barnum Road.

Councilman Philip Hadley submitted a report that the committee appointed to review the request to remove trees on Barnum Road, met on June 16, 1986 for an on-site inspection of the trees and then met at 8:00 P.M. in City Hall.

In attendance were committee members Hadley and Flanagan. Mr. Farah was at work. Also attending were Byron Johnson Tree Warden and Basil Friscia, Director of Public Works. Mr. & Mrs. Donald Lipsi attended the on-site inspection portion of the meeting.

The committee requests that:

1. Ownership of the trees be verified through the Engineering Dept. Mr. Johnson will handle this and will request that the line be marked.
2. If City ownership is established, the trees be cut back as far as practicable and as expeditiously as possible.
3. Mr. Johnson provide the committee and the Director of Public Works with the pertinent sections of the law governing the posting and removal of trees.
4. The property be re-inspected by the Council committee after the trees are cut back and before ordering the posting.

The problem of vision when backing from the Lipsi driveway is exacerbated by the blind curve, increased traffic, smaller cars and the growth of the trees which provide a shield from the road for the next door neighbor.

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

039 - REPORT - Request to rename Oak Lane.

Councilman Sollose submitted a report stating that the committee met on June 10, 1986. In attendance were Councilmen Sollose, Eriquez and DaSilva.

Councilman Sollose briefly explained the intent of the first meeting to the attending residents from Oak Lane and several discussions followed.

The use of the name "Oak Lane" on three separate streets has created insurmountable problems not only with the U.S. Postal Service with a delay of mail but also the Police and Fire Department arrival is sometimes delayed after the complaint is registered. According to the Department Reports, this occurs mainly because the caller information as to which Oak Lane it is.

The residents of Oak Lane (Pleasant Acres Area) submitted to the committee, copies of Tax Bills, Deeds, and Documents indicating their address and below it showing the area designated. For example, those living in the Pleasant Acres, should have Pleasant Acres after their address. They felt this may solve the problem.

The committee moved that no action be taken at this time because the roads that were asked to be changed are privately owned and the City has no jurisdiction in this matter.

The committee recommends that the residents of Oak Lane continue to use the suffix "Pleasant Acres" or "Hayestown Area" after their address. It is also recommended that the residents of Oak Lane in the Jensen Mobile Home Area use the suffix "Lakeview" after their address.

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

040 - REPORT - Offer of land on Chambers Road & Zinn Road.

Councilwoman Beverly Johnson submitted a report that the committee met on June 16, 1986. In attendance were Councilwomen Johnson and McManus Councilman DaSilva could not attend the meeting.

The committee received a report from the City Engineer, J. Schweitzer, recommending that these two road widening strips be accepted by the City for possible future road improvement purposes.

Councilwoman McManus made a motion at the committee meeting, seconded by Councilwoman Johnson to accept the two road widening strips.

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

041 - REPORT - Offer of land for road widening on Boyce Road.

Councilwoman Johnson submitted a report that the committee met on June 16, 1986. In attendance were Council Members Johnson and Boynton.

A motion was made by Councilman Boynton and seconded by Councilwoman Johnson to recommend to the Common Council, acceptance of the offer of land as described in the letter dated January 2, 1986 and enclosed copy of Certified Deed and description of property, subject to approval by the Planning Commission.

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

042 - REPORT - Drainage problem - 10 Ridge Road.

Councilman Hadley submitted a report that the committee appointed to investigate a drainage problem at 10 Ridge Road, met on June 13, 1986 to review information from the Engineering and Public Works Department.

In attendance were committee members Hadley, Charles and DaSilva. Also attending the meeting were B. Friscia, Director of Public Works and D. Gervasoni of the Public Works Dept.

The problem was thoroughly discussed by the Council committee and by Mr. Friscia and Mr. Gervasoni. Since the Public Works Department seems to have the problem well in hand, Mr. DaSilva made a motion to take no further action as the Public Works Department has installed a catch basin and a drainage pipe on City property which should alleviate the problem, seconded by Mr. Charles and passed unanimously.

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

043 - REPORT - Drainage problem on Forty Acre Mountain Road.

Councilman DaSilva submitted a report stating that the committee appointed to review a request by Dr. Nemes of 90 Forty Acre Mountain Road concerning a drainage problem at that site, met on June 24, 1986. In attendance were committee members DaSilva and Eriquez. Mr. Cassano had another meeting at the same time.

The committee discussed the concerns of Dr. Nemes and the information presented by Assistant Corporation Counsel E. Gottschalk in a communication to Corporation Counsel T. Goldstein. In this communication Mr. Gottschalk refers to an Engineering Department review conducted by City Engineer J. Schweitzer and Donald Hambidge of the Engineering Dept.

After careful consideration it was moved by Mr. Eriquez, in accordance with the recommendation contained in Mr. Gottschalk's memo dated 5/15/86, that the Common Council take no action at this time and suggest that Dr. Nemes consider regrading the area immediately surrounding her residence. This would avoid the need for blasting, piping and the disturbance of existing plantings on and adjacent to the property in question.

Additionally, per Corporation Counsel opinion, there appears no municipal responsibility present. Motion was seconded by Mr. DaSilva and passed unanimously.

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

044 - REPORT - Application of Dan DiBuono (Frank Zenobia) for sewer and water on Hospital Avenue.

Councilman Gallo submitted a report stating that the Sewer and Water Extension Ad Hoc Committee of the Common Council has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

044 - continued:

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 and water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City. Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificat of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and water lines.

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

045 - REPORT - Application of G. & K. Associates for sewer -
11-17 Newtown Road.

Councilman Gallo submitted a report stating that the Sewer & Water Extension Ad Hoc committee of the Common Council has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the conditions and restrictions as listed in the above Report #44.

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

046 - REPORT - Request to accept Hawthorne Cove Road.

Councilman Cassano submitted a report stating that the committee appointed to consider the petition to accept Hawthorne Cove Road, met on June 24, 1986 in City Hall. In attendance were committee members, Cassano and Philip. Also attending were Comptroller D. Setaro, City Engineer, J. Schweitzer, Assistant Corporation Counsel S. Leheny and Hawthorne Cove Road residents Pasquale Cremonese, William Glazier and Daniel Kuhn.

The committee reviewed the petition (agenda item 011 from May, 1986 Common Council Meeting), the positive recommendation received from the Planning Commission and a letter from Assistant Corporation Counsel, Eric Gottschalk. The letter discussed the history of previous Hawthorne Cove Road petitions and the two relevant Danbury Ordinances Sec. 17-34 (Acceptance of certain existing private roads) and 2-143.1 (Assessments for Public Improvements).

Experience has shown that neither of these ordinances provide the answers to the question of City acceptance of private roads. Atty. Gottschalk concludes that "--- a careful review of the entire question should be undertaken, perhaps culminating with the establishment of a policy for the gradual, periodic acceptance of private roads like Hawthorne Cove Road/

046 - continued:

The committee pointed out that acceptance of a road makes the road a City responsibility and the City liable for maintenance and repair. For example, poor drainage may create hazardous winter icing conditions. The City becomes liable for any accidents caused by these conditions.

Lacking certification by the City Engineer of the acceptability and safety of a road, the Common Council cannot commit the City to that kind of risk. Mr. Kuhn agreed with this but thought that some mechanism should exist to help in these situations - perhaps a long-term program and commitment similar to that referred to in Atty. Gottschalk's letter.

At the present time, Hawthorne Cove Road is plowed and sanded by the City and City help is given to fix pot holes (on an annual basis).

The question of funding for improving private roads was discussed. D. Setaro, Comptroller, mentioned three possible sources:

1. Municipal Infrastructure Fund.
2. Portions of the Public Improvement Bond Issue.
3. Normal repaving program (State Aid).

The amount and availability of funds in these three areas is indefinite and no commitments can be made.

The committee reviewed Ordinance 17-34 and concluded that no action could be taken on the Hawthorne Cove Road Petition. In its present condition, the road cannot be certified as acceptable by the City Engineer. Further, City funds cannot be expended to bring the road up to specifications since City funds can only be spent on accepted roads. This catch-22 situation appears to be inherent in the present ordinance. Ordinance 2-143.1 allows for private financing (through bonding) of the upgrading program but the individual assessments on the residents is unacceptably high.

While unable to act on this petition, the committee strongly thinks that an overall municipal approach to the problem of private roads (both bonded and unbonded) is highly desirable.

In line with this conclusion, Mr. Philip moved that the committee request the Mayor to expand the Charter of the committee (E. Torian, Chairman) reviewing bonded roads to include all private roads in the City where the homeowners want the roads accepted by the City. The committee should establish the criteria to make a priority list of roads which the City may accept, and recommend funding to bring these roads up to specification. The committee is further asked to review the existing Ordinance and recommend amendments to allow the City Engineer to conditionally certify private roads as reasonably safe upon appropriation of funds to bring them to specification. Mr. Cassano seconded the motion and there was unanimous approval.

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

047 - REPORT - Road Widening Parcels - Chambers Road (Fagan)

Councilman Esposito submitted a report that the committee appointed to review the offer of land on Chambers Road to the City for road widening purposes, met on June 11, 1986.

An opinion was received from the City Engineer stating that these road widening strips will benefit the City and should be accepted. Mrs. McManus moved to recommend that the Common Council accept the two parcels of land for road widening purposes. Seconded by Mrs. Johnson and passed unanimously.

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

048 - REPORT - NorthEast Danbury Water Supply Improvements (Nabby Road).

Councilwoman Torcaso submitted a report that the committee met on June 19, 1986 with committee members Carole Torcaso and Louis Rotello present. Stan Smith was absent due to a prior commitment. Also present were Constance McManus, Bernard Gallo, William Buckley, Jack Schweitzer and Ward Mazzucco.

Atty. Mazzucco presented plans to place a 30' water tower on a piece of land adjacent to the Northeast Development Project (Nabby Road) for water pressure purposes. He explained that an elevation of 575' above sea level is available on the project property; however the 625' elevation on the Beaver Brook Mountain land would permit water availability to many surrounding homeowners and to Great Plain School. If the tanks are placed on N.E. Development's land, only that project will be serviced.

Mr. Buckley discussed the benefit of expanding water services to other areas and upgrading the water system.

Councilman Rotello made a motion to have an appraisal made on the property including easements into the parcel. Motion seconded & passed unanimously. After appraisal is made another meeting will be held to determine the feasibility of the proposal.

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

049 - REPORT & ORDINANCE.- Sewer Use Charges.

Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the Sewer Use Charges, on June 30, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Council met as a committee of the whole following the public hearing and unanimously voted to amend Section (b) to read \$64.00 instead of \$54.00. The committee recommends that the amended Ordinance be adopted by the Common Council.

ORDINANCE - Be it Ordained by the Common Council of the City of Danbury: That the Code of Ordinances is hereby amended by the addition of a new Section to be Titled: Section 16-32. Sewer Use Charges, including (a) through (e). (as listed in the Ordinance).

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

050 - REPORT & ORDINANCE - Water Rates.

Common Council President C. McManus submitted a report stating that the Common Council held a public hearing concerning the water rates on June 30, 1986 at 7:30 P.M. in City Hall.

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

ORDINANCE - Be it Ordained by the Common Council of the City of Danbury: That the Code of Ordinances is hereby amended for Water Rates (listed in the Ordinance).

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

051 - REPORT - Tax Suspense List.

Councilman Charles submitted a report that the committee met on June 30, 1986 at 7:00 P.M. in City Hall. Those in attendance were Councilman Charles, Chairman, E. Boynton and D. Setaro, Comptroller. Councilman Godfrey was absent.

Suspense List - A total of \$275,010.39

Auto Tax	\$145,292.27
Personal Property Tax	25,923.29
State Lease Property	<u>103,794.88</u>
	\$275,010.39

These figures represent tax bills dating back to 1973-1983.

The above represents balances of taxes not collectible due to the absence of a current address or persons not able to be located, bankruptcy, etc. All reasonable efforts have been made to collect the above taxes. A collection correspondent will continue to follow all suspense accounts for possible collection.

A motion was made by Councilman Boynton at the committee meeting and seconded by Councilman Charles to recommend the above listed tax balances totaling \$275,010.39 be written off to the Suspense List, effective retroactive to June 30, 1986. Motion passed.

A motion was made by Councilman Charles and seconded by Councilman Flanagan for the Report to be added to the Consent Calendar. Motion carried.

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

052- REPORT & ORDINANCE - Regional Resource Recovery Authority.

Councilwoman C. Torcaso submitted a report that the committee met on June 4, 1986 with Carole Torcaso, Anthony Cassano, Constance McManus and Atty. Gottschalk present.

Atty. Gottschalk gave a history of the regional concept for resource recovery. He reported that the Housatonic Valley Council of Elected Officials had spent two years or more studying the feasibility of regional resource recovery and reported that the Region would produce enough waste to support a facility.

Mr. Gottschalk also reported that HVCEO feels that an authority would be the most appropriate vehicle by which to proceed. Bethel, Bridgewater and Brookfield are the first towns to enact an Ordinance providing for representation on a Regional Resource Recovery Authority.

Questions regarding funding such an Authority were discussed. The committee felt that through an Authority, State and/or Federal Funds might be available and that any bonding necessary for a Building Facility would be done through the Towns.

Atty. Gottschalk, said he felt the Authority is the first step in planning for a facility and probably the only solution available.

A motion was made at the committee meeting to recommend to the Common Council that the proposed Ordinance be deferred to public hearing. Motion was seconded and passed.

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

053 - COMMUNICATION - Request from 12 Volunteer Fire Companies for Pagers.

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

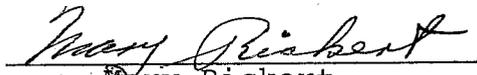
Councilman Godfrey reported in reference to sewer & water for Turner Road stating that the committee is waiting for a ruling from the Corporation Counsel. Mr. Godfrey, noting that one member of his committee has resigned, a third member should be appointed.

Mayor Dyer appointed Councilman Louis Rotello to this committee.

Mayor Dyer also extended all committees, stating that he has reviewed all committees and they are in pretty good shape. Committee Reports have been submitted in the required six weeks.

There being no public speakers and no further business to come before the Common Council, a motion was made by Councilman Godfrey and seconded by Councilman Gallo for the meeting to be adjourned at 8:50 O'Clock P.M.

Respectfully submitted



Mary Rickert
Assistant City Clerk

Attest:



Elizabeth Crudginton
City Clerk