

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

Re: Minutes of the Common Council Meeting held November 6, 1986

The meeting was called to order at 8:00 P.M. by the Honorable Constance McManus, President of the Common Council, who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman John J. Esposito.

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

PRESENT: Council Members - Sollose, Philip, Torcaso, Godfrey, Zotos, Hadley, Rotello, McManus, Gallo, Esposito, Charles, Boynton, Butera DaSilva, Eriquez, Farah.

ABSENT: Council Members - Johnson, Flanagan, Cassano, Smith and Torian.

16 Members Present - 5 Members Absent.

Council President McManus reported that Councilman Cassano was out of town and Council Members Johnson, Smith and Torian were attending the Freedom Fund Dinner.

NOTICES AND ANNOUNCEMENTS

President McManus presented a Proclamation from Mayor Dyer declaring November Alzheimer's Disease Month.

Mrs. McManus announced that the annual wood sale would be held on November 16 and 23, 1986 at the landfill and that only residents of Danbury could participate. The proceeds from the sale will be used to purchase toys for needy Danbury children.

Mayor Dyer and all the Members of the Common Council join together to wish all the residents of the City of Danbury a Happy Thanksgiving.

CONSENT CALENDAR

Councilman Gallo submitted the following items for acceptance:

- 02 - Resolution - Social Services Block Grant
- 03 - Resolution - Adjustment to Municipal Water Utilities
- 04 - Resolution - Reimbursement of Insurance Claim
- 05 - Resolution - Sexual Disease Prevention Program
- 06 - Report and Resolution - Noise Abatement Program
- 07 - Resolution - Grant - Danbury Commission on Aging
- 09 - Communication - Lease between the City of Danbury and Automated Waste Disposal, Inc.
- 011- Communication - Land Purchase - East Liberty Street.
- 015- Communication - McMersaun Associates - Request for sewer and water extension
- 016- Communication - Road Widening Parcel - Ta'Agan Point Road
- 027- Report - Request from Welfare Department for a Full-Time Clerk Typist II
- 028- Report - Request from Welfare Department for the lease of Office Space
- 029- Report and Ordinance - Sewer Permit Fees
- 030- Report - Improvements to Bear Mountain Road
- 031- Report - Danbury Cemetery Association - Request for Funds
- 032- Report - Youth Employment Services
- 033- Report - Request from the Police Department for new Radio System
- 034- Report - Air Conditioning Unit at Police Department Headquarters
- 037- Communication - Department of Elderly Services - Transfer of Funds

A motion was made by Councilman Charles and seconded by Councilman Boynton that the Consent Calendar be accepted as submitted. Motion carried unanimously.

MINUTES - Minutes of the Common Council meetings held on October 7, 1986 and October 16, 1986.

A motion was made by Councilman DaSilva and seconded by Councilman Boynton to waive the reading of the Minutes as all members have copies and are on file in the Office of the City Clerk and that the Minutes be accepted as submitted. The motion carried unanimously.

01 - CLAIMS - Jennie Bessel, Ray Thompson, Michael R. and Toni Stone, Deborah A. Wixon, Lori Chamoures d/b/a Changes Hair Salon, Michael A. Chemero, Sr., and John W. Hill. Councilman Boynton requested that all claims be referred to the Corporation Counsel to report back in thirty days. Mrs. McManus so ordered.

02 - RESOLUTION - Social Services Block Grant.

WHEREAS, pursuant to Chapters 113 and 300a of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resource development agencies; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State in order to undertake a Counseling Services Program and to execute a Grant Action Request therefor it is understood that the City of Danbury will provide a local grant-in-aid, where applicable, in accordance with the requirements of Chapter 133 and 300a of the Connecticut General Statutes, as appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

1. It is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.

2. It recognizes the responsibility for the provision of local grant-in-aid to the extent that it is necessary and required for said program.

3. The filing of an application by the City of Danbury in an amount not to exceed \$25,119.00 is hereby approved, and that the Mayor of the City of Danbury, The Honorable James E. Dyer, is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Danbury.

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

03 - RESOLUTION - Adjustment to Municipal Water Utilities.

WHEREAS, State Plans to replace the Balmforth Avenue Bridge, State Project No. 34-186, Federal Aid Project No. BRM-3479(3) will involve adjustment to municipal water utilities; and

WHEREAS, the State of Connecticut is willing to bear an equitable share of the cost of the adjustments in the amount of 80% of said cost after deductions provided under Section 13a-98f of the Connecticut General Statutes; and

WHEREAS, the City of Danbury is willing to bear its equitable share of said costs, which share is currently estimated to be \$3,000.00; which share may be increased or decreased based on the actual cost of said adjustment;

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 apportion the costs of said adjustments, 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.

04 - RESOLUTION - Reimbursement of Insurance Claim.

RESOLVED by the Common Council of the City of Danbury:

That the City Clerk be and is hereby authorized and empowered on behalf of the City of Danbury to draw an order upon the City Treasurer in payment of the following settlement of claim:

Western World Insurance Company, Inc. \$1,795.50
(\$1,795.50 deductible portion of insurance police
re: claim of Northside Realty v. City of Danbury -
date of loss; 7/12/83.)

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

05 - RESOLUTUION - Sexual Disease Prevention Program.

WHEREAS, the Connecticut Department of Health Services makes funds available in accordance with Sections 4-8, 19a-5 and 19a-32 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury, Inc. through the Danbury Health and Housing Department has provided and intends to continue to provide a Sexual Disease Prevention Program at the Danbury Hospital for the purpose of reducing the incidence and prevalence of sexually transmitted diseases; and

WHEREAS, a grant award of up to \$10,000 with no local match has been processed by the Danbury Health and Housing Department; and

WHEREAS, the State of Connecticut Department 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 any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized;

BE IT FURTHER RESOLVED THAT to accomplish said program James E. Dyer, Mayor of the City of Danbury, Inc. is authorized to make, execute and approve on behalf of this corporation any and all contracts and amendments thereof with the State of Connecticut Health Services.

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

06 - REPORT AND RESOLUTION - Councilman Hadley submitted a report stating that the committee appointed to review Noise and Hearing Damage met on October 16, 1986 in the Fourth Floor Lobby. In attendance were committee members Hadley, Boynton and Torcaso. Also attending were Lois Wolsch, Arthur Tepper, Lt. Arthur Sullo and Patrolman William Melillo.

A motion was made by Mr. Boynton and seconded by Mrs. Torcaso to recommend the adoption of a Resolution. Motion carried unanimously. The committee also recommended the inclusion of its present consultants as advisory members to the program.

A Noise Control Ordinance for the City of Danbury was discussed that might take effect on April 1, 1987. It was felt that because of the noise fluctuations in the City that the Ordinance should not be strict. Anything over 80 decibels is considered harmful and would be in violation of the Ordinance. Zones, hours and definitions of noise were considered as well as the need for funding for the noise abatement program.

WHEREAS, the City of Danbury wishes to establish a Noise Abatement Program on behalf of the health and welfare of the residents; and

WHEREAS, the purpose of the program would be to educate the citizen that excessive noise is internationally recognized as a public health problem and to encourage the maintenance of reasonable levels of noise within the City; and

WHEREAS, the Danbury Board of Education will be encouraged to be responsible for establishing programs and assemblies within the schools for the purpose of educating the youth of the community as to the hazards of excessive noise; and

WHEREAS, the Health Department and the Police Department will be equipped to measure levels of noise pollution in Quiet and Noise Zones as may be established from time to time by the Common Council; and

WHEREAS, the media and the Chamber of Commerce will be encouraged to assist in publicizing the Noise Abatement Program;

NOW, THEREFORE, be it resolved that Mayor James E. Dyer be and hereby is authorized to establish a Noise Abatement Program and to take any action necessary to accomplish the purpose thereof.

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

07 - RESOLUTION - Grant - Danbury Commission on Aging.

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 Section 17-137 et seq. of the Connecticut General Statutes; and

WHEREAS, the Danbury Commission on Aging has developed an elderly day care program which will include activities, meals, medical attention, volunteer assistance and outreach; and

WHEREAS, a grant application of \$26,550.57 with a local cash match of \$17,771.00 has been processed by the Danbury Commission on Aging; and

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 - Proposed Ordinance regarding Camping and Fire.

Councilman Gallo made a motion to accept the communication. Council Eriquez seconded and motion carried unanimously.

A request from Paul D. Estafan, Airport Administrator, requesting approval for the lease between the City of Danbury and Automated Waste Disposal, Inc. hereinafter stated:

AGREEMENT made this _____ day of _____, 1986, by and between the CITY OF DANBURY, Connecticut (hereafter the "Lessor" and AUTOMATED WASTE DISPOSAL, INC., a Connecticut corporation with a principal place of business at 307 White Street, Danbury, Connecticut (hereafter the "Lessee").

W I T N E S S E T H :

1. Lease of Antenna Space. The Lessor hereby gives to the Lessee the right to erect and maintain a radio antenna on the tower known as "The Rotating Beacon Site", located at Spruce Mountain, Danbury, Connecticut (hereafter the "Site"), subject to the terms of this Agreement.

2. Term. The term of this Agreement shall be for ten (10) years commencing on _____ and terminating on _____.

3. Rent. The Lessee shall pay to the Lessor the sum of One Hundred (\$100.00) Dollars per month, payable on the first day of each month during the term of this Agreement for the privilege of using said antenna space.

4. Utilities. The Lessee shall be solely responsible for bringing any utilities as may be required for the use of its antenna to the Site. The Lessee shall be solely responsible for payment of any utility use charges. The Lessor agrees to allow the Lessee to use its existing utility poles to run any utility wires to the Site.

5. Lessee's Obligations. The Lessee agrees:

(a) All ordinances, rules and regulations of the City of Danbury its departments, or other governmental authority shall at all times be fully and promptly complied with.

(b) Such antenna shall be erected and maintained at the expense of the Lessee and at its sole risk. The Lessee shall pay for any and all damage to persons as well as to property that may in any manner be caused by the erection or maintenance of such antenna and shall save the Lessor harmless of and from any loss or damage by reason of such erection or maintenance.

(c) Lessee shall not erect such antenna until the size and type, method of erection and the location have been approved by the Airport Administrator.

(d) Lessee shall provide the Lessor with a guarantee from the radio and antenna manufacturers that such equipment will not cause any disruption to other transmissions at the Lessor's Site.

(e) The primary use of the Site is for airport navigation, therefore, Lessee acknowledges that its use is secondary to that of the Danbury Municipal Airport.

6. Liberty to Enter. The Lessee shall be at liberty forthwith to enter into and upon the Site with workmen and all necessary appliance and to maintain the antenna and all necessary electric wires, meters, and other things reasonably required for making the antenna effective, all of which work shall be done by and at the sole expense of the Lessee. All such work shall be done during normal business hours of the Danbury Municipal Airport, with prior approval of the Airport Administrator.

7. Tower Repairs. The Lessee agrees to remove its antenna when the tower requires maintenance such as painting, retorquing, and the like. The Lessor shall give notice to the Lessee five (5) business days prior to the date when such removal is required.

8. Insurance. The Lessee shall cause the Lessor to be named as an additional insured on the liability policy which the Lessee carries on its radio and antenna. Such insurance shall be approved by the City of Danbury prior to execution of this Agreement.

9. Assignment. The Lessee shall not assign or sublet this Lease to a third party without the prior consent of the Lessor, which consent shall not be unreasonably withheld.

10. Option. At the expiration of the original term of this Lease, the Lessee shall have the right to renew this lease for an additional term of ten (10) years upon the same terms and conditions herein set forth, except for the rent. The annual rent during such renewal period shall be One Thousand Two Hundred (\$1,200.00) Dollars,

times one (1) plus or minus the aggregate net percentage change in the United States General Consumer Price Index for October 1, 1996 compared to the "Index" figure for October 1, 1986. Said annual rent shall be payable in equal monthly installments on the first day of each month in advance. To exercise this option, the Lessee shall give Lessor notice of its intention to do so, by certified mail not less than ninety (90) days prior to the expiration of the original term herein.

11. Successors. This Lease shall be binding upon the parties hereto, and the respective successors, assigns, heirs, and legal representatives of the parties hereto.

12. Modification. This Lease contains the entire agreement between the parties and shall not be modified in any manner except by an instrument in writing executed by the parties. If any term or provision of this lease or the application thereof to any party or circumstances shall to any extent be invalid or unenforceable, the remainder of this Lease shall not be valid and be enforced to the fullest extent permitted by law.

13. Termination of Agreement by City of Danbury. The City of Danbury reserves the right to terminate this Agreement at any time by a Notice in writing from the City to Automated Waste Disposal, Inc. in the event the leased premises no longer become available for the purposes stipulated in the Agreement. Such unavailability would be due to destruction or removal of the "Rotating Beacon Site", or other occurrence which would result in the Lessor being unable to provide sufficient facilities for said antenna.

14. Default. Lessor will consider Lessee in default if said rent is tendered after the tenth (10th) day of any month during which rent is due. Lessee waives any notice of default. In the event of such default, Lessor may require Lessee to remove the antenna at Lessee's own expense. If Lessee refuses and Lessor is required to remove the antenna, any costs incurred in such removal shall be charged to the Lessee.

IN WITNESS WHEREOF, ^{the parties} the parties hereto have hereunto set their hands and seals and to a duplicate of the same tenor and date this day of _____, 1986.

Signed, Sealed and Delivered in the presence of:

CITY OF DANBURY,

By _____
James E. Dyer, Its Mayor

AUTOMATED WASTE DISPOSAL, INC.

By _____
James Galante, Its Vice President

STATE OF CONNECTICUT: : ss. Danbury , 1986
COUNTY OF FAIRFIELD :

Personally appeared, James E. Dyer, Mayor of the City of Danbury, and acknowledged the signing of the foregoing to be his free act and deed and the free act and deed of the City of Danbury, before me,

Notary Public
Commissioner of the Superior Court

STATE OF CONNECTICUT: : ss. Danbury , 1986
COUNTY OF FAIRFIELD :

Personally appeared, James Galante, Vice President of Automated Waste Disposal, Inc., and acknowledged the signing of the foregoing to be his free act and deed and the free act and deed of Automated Waste Disposal, Inc., before me,

Notary Public
Commissioner of the Superior Court

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

010 - COMMUNICATION - Surplus land on East Franklin Street.

Letter from Louis S. Owen, III of Precision Laminates Corporation asking that the property on which Goos Realty was located be declared surplus land.

A motion was made by Councilman Gallo that the request be denied without prejudice. Seconded by Councilman Charles and carried unanimously.

011 - COMMUNICATION - Land Purchase on East Liberty Street.

Letter from John A. Schweitzer, Jr. recommending that the City retain the land on East Liberty Street.

The communication was accepted and the request denied on the Consent Calendar by the Common Council.

012 - COMMUNICATION - Offer to the City to purchase land on East Hayestown Road.

An offer from Morey Real Estate to the City of Danbury to purchase land on East Hayestown Road.

Councilman Boynton requested that this request be referred to a committee and the Planning Commission. President McManus ordered the committee to consist of Council Members Cassano, Charles and DaSilva and Planning.

013 - COMMUNICATION - Request from Zoning Commission for Automation.

A letter from Russell M. Foti, Zoning Commission Chairman, and Henry C. Schum, Zoning Board of Appeals Chairman to automate the Zoning Commission and the Zoning Board of Appeals.

Councilman Gallo asked that a committee be appointed to study this request. Mrs. McManus ordered that the committee consist of Council Members Gallo, Flanagan and McManus.

014 - COMMUNICATION - Balmforth Avenue/Maple Avenue Road Improvement Project.

A letter from Attorney Robert N. Talarico, representing Norman Carvalho, owner and operator of A & S Auto Sales located on Balmforth Avenue.

Councilman Boynton requested that this communication be referred to a committee for further study. Mrs. McManus ordered that the committee shall consist of Council Members McManus, Gallo and Flanagan and the Planning Commission.

015 - COMMUNICATION - McMersaun Associates - Request for sewer and water extensions.

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

016 - COMMUNICATION - Road Widening Parcel - Ta'Agan Point Road.

Letter from City Engineer John A. Schweitzer, Jr., stating that this road widening strip will benefit the City and should be accepted.

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

Letter from George A. Coleman, Executive Director of The Community Action Committee of Danbury, Inc., requesting \$31,000 to support the March to June expenses of the CACD Youth Center.

Councilman Sollose referred to request to a committee. Mrs. McManus ordered that the committee shall consist of Council Members Farah, Smith and Butera.

018 - COMMUNICATION - Request for Sewer Extension - 85 Newtown Road.

Request from Shell Oil Company Facility for sewer extension at 85 Newtown Road.

Councilman Boynton requested that this be referred to a committee and the Planning Department. President McManus ordered that the committee shall consist of Council Members Torian, Zotos, Godfrey and the Planning Commission.

019 - COMMUNICATION - Application for extension of water - Old Sherman Turnpike.

Request from Leahy's Fuel and John H. Stetson, Jr., and J & M Realty & Investments Corp. for water extension on Old Sherman Turnpike.

Councilman Gallo requested that this request be referred to a committee and the Planning Commission. Mrs. McManus ordered that the committee will consist of Council Members Torian, Zotos and Godfrey and the Planning Commission.

020 - Communication - Request for sewer extension - 7 Pembroke Road.

Request of Benjamin and Frances DeGross for sewer extension at 7 Pembroke Road.

Councilman Sollose requested that this request be referred to a committee and the Planning Commission. Mrs. McManus ordered that the committee shall consist of Council Members Torian, Zotos and Gallo.

021 - COMMUNICATION - Funding for Spanish Learning Center.

A letter from Richard Rios, Executive Director of the Spanish Learning Center requesting funds for a Bilingual Case Worker.

Councilman Gallo asked that this request be referred to a committee. President McManus ordered that the committee shall consist of Council Members Torcaso, Sollose and Johnson.

022 - COMMUNICATION - Conditions on East Lake Road.

A letter from Councilman Edward Torian stating that a hazardous traffic condition exists on East Lake Road.

Councilman Boynton requested that a committee be appointed to study this situation. President McManus ordered that the committee shall consist of Council Members Hadley, Torcaso and Rotello.

023 - COMMUNICATION - Handicapped Parking Signs.

Letter from Philip J. Capozzi, Administrative Assistant to the Mayor, requesting that a committee be appointed to study the handicapped parking space availability.

Councilman Boynton asked that a committee be appointed to study this request. Mrs. MaManus ordered that the committee shall consist of Council Members Cassano, Boynton and Godfrey.

Letter from Philip J. Capozzi, Administrative Assistant to the Mayor requesting that a committee be formed to review a request from Western Connecticut State University asking permission to discontinue the use of vehicular traffice along Seventh Avenue between Roberts Avenue and White Street.

Councilman Gallo asked that a committee be formed in accordance with the request. Mrs. McManus ordered that the committee shall consist of Council Members Hadley, Torcaso and Rotello and the Planning Commisssion.

025 - COMMUNICATION - U. S. Conference of Mayors Anti-Drug Campaign.

Letter from Mayor James E. Dyer stating that Danbury will participate in the U. S. Conference of Mayor's National Anti-Drug Campaign on November 18. He requests the sum of \$3,000 to cover the costs of this campaign. Certification attached.

Councilman Godfrey made a motion that the communication be accepted and the transfer authorized. Seconded by Mr. Charles and passed unanimously.

026 - DEPARTMENT REPORTS

Department of Public Works	Building Department
Housing Code Enforcement Inspector	Fire Chief
Household Hazardous Waste	Fire Marshall
Collection Day	Airport Administrator
Coordinator of Environmental	Police Department
and Occupational Health Services	Municipal Agent for the
Sanitarian/Public Health Inspector	Elderly
Danbury High Blook Pressure	
Screening Program	

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

027 - REPORT - Request from the Welfare Department for a Full-Time Clerk Typist II.

Councilman Hadley submitted a report stating that the committee appointed to review the request of the Welfare Department for a full-time Clerk-Typist II and the request to allocate \$3,200 to the regular salaries account of the Welfare Department met on October 22, 1986. In attendance were committee members Hadley and Boynton. Also attending were Emanuel Merullo, Director of Personnel, Comptroller Dominic Setaro, Director of Welfare Deborah MacKenzie and Assistant Director of Welfare Patricia Krafick.

Ms. MacKenzie explained that the workload warranted a 35 hour position which would be a full-time position, thereby eliminating the present 30 hour part-time position. The clerk would do typing for a staff of seven, payment vouchers, etc.

Mr. Boynton made a motion to approve the Welfare Department's request for a full-time Clerk-Typist II and to allocate \$3,200 to the regular salaries account. Seconded by Mr. Hadley. Motion carried.

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

028 - REPORT - Request from Welfare Department for the lease of office space.

Councilman Cassano submitted a report stating that the committee appointed to consider a request from the Welfare Department

to lease office space met on October 22, 1986. Present were committee members Anthony Cassano, Constance McManus and John Esposito. Also present were Deborah MacKenzie and Patricia Krafick from the Welfare Department.

The committee reviewed the petition and noted that since no proposed lease exists, there has been no action on the part of the Planning Commission.

Ms. MacKenzie outlined the Welfare Department's need for additional space. She has looked into two possibilities (Main Street and North Street). The North Street building is the right size and is well suited to the needs of the Department, but there appears that the owners would rather sell than lease. The Main Street site is larger than required and does not have as desirable a location. Ms. MacKenzie stated that estimated funding for a move was included in the Department's budget request for this fiscal year but was removed because of the lack of definitive information. Ms. MacKenzie will continue her efforts to finalize proposed rental space and will return to the Common Council for a review and approval of the lease after working with the Corporation Counsel and Finance Officer on the negotiations of said lease.

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

029 - ORDINANCE - Sewer Permit Fees.

Be it ordained by the Common Council of the City of Danbury:

THAT subsection 16-4(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

"(a) Permit. No person shall make any connection with any public sewer or increase the volume discharged to any public sewer without a permit from the City Engineer and the Superintendent of Public Utilities. If no prior sewer assessment has been paid on the premises to be connected to said sewer then no such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred (\$200) dollars to cover administrative costs associated therewith. All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works."

AND THAT subsection 16-4(c) is hereby redesignated as subsection 16-4(d).

AND THAT Section 16-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of a new subsection designated as subsection (c) which said subsection reads as follows:

"(c) In the event that a connection fee is paid and no actual connection is made prior to the expiration of the connection permit, said connection fee may be refunded to the permittee upon written request."

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

030 - REPORT - Improvements to Bear Mountain Road.

Councilman Donald Sollose submitted a report stating that the committee appointed to review the request for improvements to Bear Mountain Road met on October 20, 1986. In attendance were Committee Members Sollose, Torian and Gallo. Also attending were City Engineer Jack Schweitzer and Director of Public Works Basil J. Friscia.

There were three meetings held concerning many issues with regard to this request.

1. The original signed petition including 100 signatures were submitted for the purpose of widening a section of roadway approximately 7/10 of a mile to allow school buses, trucks and oversize vehicles to pass. Also, discussed was the installation of catch basins to allow proper water run off.

2. Jack Schweitzer agreed to come up with an adjustable cost-estimate in 30 days for further review by the committee.

3. Jack Schweitzer submitted his cost-estimate which totaled \$200,000. This estimate was prepared on the basis of some road widening, road grade changes and some storm drainage work. Also included is the estimated cost of sloping and sloping rights, revising some driveway ramps and the acquisition of any required drainage rights. The exact location involved is Bear Mountain Road between Route 37 and Buckskin Heights Drive. At the present moment, the \$200,000 is not available in our Capital Budget toward Road Improvements. The committee moved to recommend a request that the Director of Public Works forward the \$200,000 for a Capital line item toward the Improvements of Bear Mountain Road for the 1987 - 88 Capital Budget. Seconded by Edward Torian and carried unanimously.

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

031 - REPORT - Danbury Cemetery Association - Request for Funds.

Mr. Flanagan submitted a report stating that the committee appointed to review the request from the Danbury Cemetery Association for funds met on September 23rd and October 20, 1986. In attendance were Council Members Flanagan, Smith and Charles. Also attending was Comptroller Dominic Setaro.

Mr. Setaro explained that the Danbury Cemetery Association provides the service of caring for city owned graves throughout the City. In last year's budget deliberations, the DCA's budget was cut because it is located in the grant section of the budget for bookkeeping and accountability reasons. The request for \$1,590.20 is to restore this budget line to its original amount.

The committee recommends that the Common Council pay the \$1,590.20 upon certification by the Comptroller; that the City Corporation Counsel be directed to negotiate a contract with the Danbury Cemetery Association which will clearly define the number of graves, extent of services and annual cost for the service for a fixed period of time. This contract is to be concluded prior to the 1987/88 budget year.

Motion was made by Mr. Charles, seconded by Mr. Flanagan and carried unanimously.

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

032 - REPORT - Youth Employment Services.

Councilwoman Johnson submitted a report stating that the committee appointed to review the request for Youth Employment Services met on October 27, 1986. Attending were Committee Members Charles, Farah, and Johnson. Also, Bobbie Feinson and John Mahoney.

A program proposal was presented to the committee. Bobbie Feinson and John Mahoney gave the committee a rundown of what the Youth Employment Service was looking for.

Mr. Farah made a motion that the committee recommend that the Common Council give of statement of support to the Youth Employment Service and will consider for a future date appropriate financial support pending the incorporation of the Youth Employment Services. Seconded by Councilman Charles and passed unanimously.

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

033 - REPORT - Request of the Police Department for a new radio system.

Councilman Peter Philip submitted a report stating that the committee appointed to review the request from the Police Department for a new radio system met on October 21, 1986. In attendance were Council Members Philip, McManus, and Cassano. Also, Dominic Setaro, Police Chief Nelson Macedo and Police Officer Jim Hulton.

The Chief gave the following reasons for making the request:

The current system operates on a low land frequency. New construction in Danbury is obstructing the sending and receiving of signals. The Chief gave an example of an increasing number of instances where Police Officers lost contact with headquarters and support units while fulfilling the needs of their jobs.

The second reason was based on the age, condition and type of existing equipment. The newest radios are two years old, the oldest 22 years. Repairs to the existing equipment are increasing due to age. Parts are not always available. Police cars currently use a slide mounted radio which doubles as a portable when the officer leaves the car. Dual use of the radio generates faster wear and tear.

The committee asked the Chief to develop a detailed list and possible cost of the radio equipment he believes would best serve the need of our community. The Chief will also investigate to see if any State or federal grants exist to help fund this program.

Dom Setaro commented that there may be funds available in the current Police budget to fund some of the proposed request. The committee advised the Chief that a request of this size may have to be made part of his next budget proposal.

When the committee receives the additional information requested of the Police Department, it will reconvene to develop a recommendation.

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

034 - REPORT - Air Conditioning Unit at Police Department Headquarter

Councilman Gene Eriquez submitted a report stating that the committee appointed to consider the request for \$6,300 to repair the air conditioning unit at the police facility on Main Street met on October 27, 1986. Those present were Committee Members Eriquez, DaSilva, and Rotello, and Basil Friscia and Arthur Sullo of the Police Department.

It was explained that one 30 horsepower compressor within the 50 ton air conditioning unit had failed. Mr. Friscia reported that the estimated cost to replace this compressor and to decontaminate the refrigeration system is \$6,300. He felt that it would be in the best interest of the City to put this to bid in order to obtain a better price.

Mr. Sullo noted that it is essential to remedy this problem as expeditiously as possible since the poor environmental conditions caused by this equipment failure has a negative impact on overall working conditions and affects morale.

Mr. DaSilva made a motion to recommend to the Common Council that \$6,300 be appropriated for repair of the air conditioning unit. The motion was seconded by Mr. Rotello and passed unanimously.

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

035 - REPORT - Properties Review Board.

Councilman Gallo submitted a report stating that the committee appointed to establish a Properties Review Board met on October 29, 1986. In attendance were Committee Members Gallo, McManus and Torian.

After some discussion the committee recommends that the Board consist of the Comptroller, Mayor's designee and three Council designees.

To avoid the necessity of debating each lease requirement on an individual basis, the committee recommends that the Board suggest a program and a means of implementing the program for the rental of city buildings.

Councilman Charles moved that the report be approved. Seconded by Mr. Eriquez and passed unanimously. Mr. McManus stated that the Properties Review Board will consist of Dominic Setaro, Constance McManus, Bernard Gallo and Edward Torian.

036 - COMMUNICATION - Acceptance of Contemporary Drive as a City road

A letter from Mead Construction Co., Inc. asked that Contemporary Drive be considered for acceptance as a City road.

Councilman Boynton moved that a committee be appointed to study this request. Mrs. McManus stated that the committee shall consist of Council Members Esposito, Eriquez and Philip and the Planning Commission.

037 - COMMUNICATION - Department of Elderly Services - Transfer of Funds.

Letter from Leo McIlrath, Director of the Danbury Department of Elderly Services requesting that the \$2,000 in the City Revenue Funds be transferred into the Commission on Aging budget. The Comptroller indicated that no certification is needed.

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

038 - REPORT - Department of Parks and Recreation Report on the Pond in Rogers Parks.

Report from Robert Ryerson stating recommendations for cleaning up the pond in Rogers Parks.

1. Dredge the Pond;
2. Paving and Curbing;
3. Install Aerators;
4. Commence a Program of Chemical Control for Algae.

The report also stated that the Parks Department cleaned the entire water surface area around the pond of stagnant debris. They cleared the bank of alders and brush. The Public Works Department assisted in grading this area where cars park.

Councilman Boynton made a motion to accept the report. Seconded by Councilman Eriquez and carried unanimously.

Mrs. McManus thanked the Department for reporting back to the Common Council within the requested thirty days.

039 - COMMUNICATION - Sheridan Street Drainage Easement.

Letter from Director of Public Works Basil J. Friscia asking for an easement on Sheridan Street.

Councilman Gallo asked that a committee be appointed to study the request. President McManus appointed Council Members Esposito, Eriquez and Philip and the Planning Commission.

040 - PETITION - Pleasant Acres Homeowner's Association.

Mrs. Torcaso moved to add this Petition to the agenda. Mr. Eriquez seconded and motion carried unanimously.

A letter from Councilwoman Torcaso, together with a petition, asking for assistance from the Common Council in maintaing their private roads.

Councilman Gallo asked that a committee be appointed to study this request. Mrs. McManus ordered that Council Members Esposito, Eriquez and Philip shall comprise the committee.

041 - COMMUNICATION - Request from Planning Commission for automation

Councilman Boynton moved that this be added to the agenda. Seconded by Mr. Eriquez and passed unanimously.

Letter from Richard Durkin, Vice Chairman of the Planning Commission asking for a word processor for the Planning Commission.

Councilman Boynton asked that a committee be appointed to study the request. Mrs. McManus ordered that the committee shall consist of Council Members Gallo, Flanagan and McManus.

PUBLIC SPEAKING SESSION

There were no members of the public wishing to address the Common Council.

There being no further business to come before the Common Council a motion was made by Councilman Robert Godfrey for adjourment at 8:20 P.M.

Respectfully submitted,

Jimmie L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk