

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

Re: Minutes of the Common Council Meeting held March 3, 1987.

The meeting was called to order at 8:00 P.M. by the Honorable James E. Dyer, Mayor, 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 - Johnson, Sollose, Philip, DeMille, Godfrey, Zotos, Rotello, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Smith and Torian.

ABSENT: Council Members - Flanagan, Hadley, Farah.

18 Members Present - 3 Members Absent.

Mrs. McManus stated that Mr. Hadley and Mr. Farah were out of town and Mr. Flanagan's father is ill.

NOTICES AND ANNOUNCEMENTS BY MAYOR DYER

Mayor Dyer congratulated Councilman Bernard Gallo for his selection as Volunteer Firefighter of the Year.

The Mayor extended congratulations to Tom Dyer on his selection as Elk of the Year.

Mayor Dyer welcomed Councilman Joseph DaSilva home after his trip to Russia.

The Mayor extended birthday greetings to City Clerk Elizabeth Crudginton who will celebrate her birthday on March 6th.

The Mayor extended all committees that have not completed their work.

CONSENT CALENDAR

Councilman Gallo submitted the following items for the consent calendar:

- 02 - Resolution - Condemnation Proceedings at Commerce Park.
- 03 - Resolution - Authorization to apply for a \$50,000 grant for the Old Library Cultural Center.
- 04 - Resolution - Revocation of license to Thomas A. Settle, Inc
- 05 - Resolution - Health Education/Risk Reduction Program.
- 06 - Resolution - Youth Services Bureau Operation.
- 07 - Communication - Resignation of Harold Garofolo from the Zoning Commission.
- 021- Communication & Certification - Request for funds from the Zoning Commission.
- 022- Communication & Certification - Request for funds from the Zoning Board of Appeals.
- 026- Communication - William Craft, Request for Motor Vehicle Tax Rebate.
- 031- Communication & Certification - Request for funds for voter canvass by mail.
- 033- Communication - Report on maintaining Snug Harbor Road.
- 036- Report and Certification - Request for funds for taxiway and fencing at Airport.
- 038- Report - 7 Brushy Hill Road.
- 039- Report - Offer to sell land on Hayestown and East Hayestown Roads to the City.
- 040- Report - Safe Rides Program.

March 3, 1987

Consent Calendar continued:

- 041 - Report - Maplecrest Development/Aunt Hack Ridge Estates.
- 042 - Report - Novo Laboratories, Inc.
- 043 - Report - Renovation of the Danbury Sewage Treatment Plant.
- 044 - Report - Amendment to Danbury Administrative Code 13A-36 and 13-40.
- 045 - Report - Proposed Amendment to Section 3A-42 of the Code of Ordinances.
- 046 - Report - Request for funding for the Spanish Learning Center.
- 048 - Report - Request for additional grave sites for veterans.
- 049 - Report - Acceptance of Contemporary Drive.
- 050 - Progress Report - Request for sewer and water extensions - Payne Road Development Corporation.
- 051 - Progress Report - Request for sewer and water extensions - Candlewood Harbor Club.
- 052 - Progress Report - Noise and Hearing Damage.
- 053 - Progress Report - Request for sewer extension - 7 Pocono Lane and 2 Claremont Terrace.
- 054 - Progress Report - Request for sewer extension - 20 Boulevard Drive.

Mr. Charles moved that the Consent Calendar be adopted as presented. Seconded by Mrs. McManus and passed unanimously.

MINUTES - Minutes of the Common Council held on February 3, 1987

A motion was made by Mr. DaSilva and seconded by Mr. Godfrey to waive the reading of the Minutes as all members have copies and are on file in the Office of the City Clerk for public inspection and that the Minutes be accepted as submitted. Motion carried unanimously.

01 - CLAIMS - Elizabeth L. Dodson, Joseph A. Braun, Mr. Canyo, Anthony Pironti, Carol J. Rice, Fernando Costanzo.

Mr. Gallo referred all claims to the Corporation Counsel for a report back in thirty days. In addition, he also referred the claim of Joseph A. Braun to the Director of Public Works for a report back in thirty days. Mayor Dyer so ordered.

02 - RESOLUTION - Condemnation Proceedings at Commerce Park.

WHEREAS, the Common Council has allocated funds for the construction of a Commerce Park Crossing; and

WHEREAS, this project will oblige the City of Danbury to acquire interest in and to real property as hereinafter set forth; and

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

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

I. Partial Property Acquisitions

- 1.L 09028 - Eagle Road - Stony Hill Corporation
- 2.L 09026 - 53 Federal Road - Albert J. Jowdy
- 3.L 09023 - 57 Federal Road - Federal Welding Service, Inc.

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

03 - RESOLUTION - Authorization to Apply for a \$50,000 grant for the Old Library Cultural Center.

WHEREAS, the Connecticut Historical Commission has made available grant funds to be used as matching grants-in-aid for the restoration of historic properties owned by non-profit organizations and municipalities; and

WHEREAS, the City wishes to construct an elevator/stair tower addition to the existing Old Library in order to facilitate handicapped access;

NOW, THEREFORE, BE IT RESOLVED that Mayor James E. Dyer is authorized to make application for funds from the Connecticut Historical Commission and to execute a funding agreement, enter into contracts for project work, sign preservation restrictions, and disburse funds, or designate appropriate persons to do so.

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

04 - RESOLUTION - Revocation of License to Thomas A. Settle, Inc.

WHEREAS, the petitioner, Thomas A. Settle, Inc., desires access to property owned by it and located at 248 Main Street, Danbury, Connecticut; and

WHEREAS, the City of Danbury granted a revocable license to the petitioner for said purposes; and

WHEREAS, the renovation of the Old Danbury Library will require the revocation of said license and the substitution of a modified license in its place;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the aforesaid license granted to Thomas A. Settle, Inc. and dated March 2, 1983 be and hereby is revoked; and

BE IT FURTHER RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute the attached modified revocable license on behalf of the City of Danbury and take any and all further actions necessary to carry out the purposes hereof.

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

05 - RESOLUTION - Health Education/Risk Reduction Program.

WHEREAS, the State of Connecticut Department of Health Services through the Prevention Health and Health Services Block Grant has made grant funds available to full-time local health departments to be used for health education/risk reduction; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a Health Education/Risk Reduction Program for Danbury area residents; and

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

WHEREAS, the State of 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 further actions by the Danbury Health and Housing 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.

WHEREAS, grant funds in an amount not to exceed Seventy Thousand (\$70,000.00) Dollars are available from the State of Connecticut Department of Children and Youth Services for 1987-88 Youth Services Bureau Operation and

WHEREAS, the continuation of the Youth Services Bureau for a tenth year is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of James E. Dyer, as Mayor of the City of Danbury, in applying for said funds be and hereby are ratified and that Mayor James E. Dyer be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for a state cost sharing grant not to exceed \$70,000 for a Youth Services Bureau for the fiscal period commencing July 1, 1987.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all related documents, applications or other pertinent instruments pursuant to this program.

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

07 - COMMUNICATION - Resignation of Harold Garafolo from the Zoning Commission.

Letter from Harold Garafolo resigning from the Zoning Commission due to overriding personal reasons.

Resignation was accepted on the Consent Calendar by the Common Council.

Mr. Charles asked that the Mayor send a letter thanking Mr. Garafolo for his many years of service to the City. The Mayor stated that he would do so.

08 - COMMUNICATION - Appointment to fill the vacancy on the Zoning Commission.

Letter from Gary A. Kurpiewski, Chairman of the Republican Town Committee submitting the name of Susan Thompson for the seat on the Zoning Commission and the names of Vincent Scialabba and Lovie Bourne to fill the vacancy for the Alternate seat.

Mr. Gallo moved to appoint Susan Thompson to fill the vacancy on the Zoning Commission. Seconded by Mr. Charles. Motion carried un-animously.

Mayor Dyer stated that in his opinion the Council could not yet fill the vacancy for the Alternate seat as it was not on the agenda.

Mrs. McManus stated that a vacancy was not yet created as Ms. Thompson had not resigned her Alternate seat.

The Corporation Counsel stated that filling the alternate seat was not in order at this time.

09 - COMMUNICATION - Request for water on Regen Road.

Letter and Petition from residents of Regen Road asking the City to provide city water services to Regen Road.

Mr. Gallo asked that a committee be appointed to review the request. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Flanagan, Torian and the Planning Commission.

010 - COMMUNICATION - Municipal Infrastructure Trust Fund.

Letter from Comptroller Dominic Setaro submitting a resolution to be approved by the Common Council in order for the City to qualify for infrastructure funds to complete the revitalization of Ives Street and Post Office Street.

010 - continued:

Letter states that the total cost of the project will be approximately \$598,000 which will be funded partially by Community Development Block Grant funds, City of Danbury funds and State of Connecticut infrastructure funds. The starting date for this project will be April 1, 1987.

Mr. Boynton made a motion for the communication to be accepted. Seconded by Mr. DaSilva.

Mr. Philip asked if a portion of the funds would be coming from the Community Development Block Grant. Mr. Setaro stated that yes some money would come from the block grant.

Motion carried unanimously.

011 - COMMUNICATION - Boughton Street Lease.

Letter, with copy of lease, from Nelson A. Macedo for property at 13 Boughton Street which the Police Department uses as parking space.

The present lease expires on June 30, 1987 and Police Chief Macedo asks that the Common Council approve renewal of the lease.

Mr. Gallo referred this lease to the Corporation Counsel and the Planning Commission. Mayor Dyer so ordered.

012 - COMMUNICATION - Request for water extension - 97 and 99 Hospital Avenue.

Application from Harold Bilodeau for water extension at 97 and 99 Hospital Avenue. Mr. Gallo asked that this be referred to an ad hoc committee and Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Flanagan and Torian and the Planning Commission.

013 - COMMUNICATION - Request for sewer extension - 20 Virginia Avenue.

Application from Waldir Freitas requesting sewer extension at 20 Virginia Avenue. Mr. Gallo asked that an ad hoc committee be appointed to review this request. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Flanagan and Torian and the Planning Commission.

014 - COMMUNICATION - Request for water and sewer extensions - 20 Old Ridgebury Road.

Application from Wilder Richman Corporation requesting water and sewer extensions at 20 Old Ridgebury Road. Mr. Gallo asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Farah, Gallo and Godfrey and the Planning Commission.

015 - COMMUNICATION - Request for water and sewer extensions. Tamarack Avenue.

Application from L. C. Castleman, Inc. requesting water and sewer extensions at Tamarack Avenue. Mr. Gallo asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Farah, Gallo and Godfrey and the Planning Commission.

016 - COMMUNICATION - Request for water extension - Breezy Hill Road.

Application from Danbury Suburban Residential Corporation requesting water extension at Breezy Hill Road. Mrs. Butera asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Farah, Gallo, Boynton and the Planning Commission.

017 - COMMUNICATION - Combining of Engine 23 and Engine 7.

Letter from Comptroller Dominic Setaro stating that there is money put aside in the 1986-87 budget to cover the cost of the addition to the firehouse on Osborne Street. Also, it might be to our advantage to obtain permission from the Common Council to sell Engine 7's property and hopefully the amount realized from the sale of the property, along with the monies appropriated will be enough to cover the cost of the addition to the firehouse.

Mrs. Butera asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Esposito, Gallo, McManus, DeMille and Philip and the Planning Commission.

018 - COMMUNICATION - Donation to the Danbury Senior Center from Candlewood Valley Corvettes.

Letter from Harry Hansen, Jr. of the Candlewood Valley Corvette Club stating that they would like to donate the sum of \$500 to the City Senior Center.

Mr. Boynton made a motion to accept the donation. Seconded by Mr. Charles and passed unanimously.

Mr. Hansen was present and presented a check in the amount of \$500 for the Senior Center. The money was realized from their annual car show

Mr. Boynton asked Mayor Dyer to send a letter to the Candlewood Valley Corvette Club thanking them for their generosity. Mayor Dyer stated that he would do so.

019 - COMMUNICATION - Dancon Corporation - "Final Subdivision Briar Ridge Estates Section F".

Letter from Assistant Corporation Counsel Sandra Leheny discussing problems that have arisen in connection with the final approval.

Mr. Gallo referred this to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members DaSilva, Smith, Rotello and the Planning Commission.

020 - COMMUNICATION - Conditions on Morgan Road.

Letter from Linda Storhoff of 1 Contemporary Drive stating her concerns about conditions on Morgan Road.

Mr. Gallo moved that this be referred to an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members Cassano, Johnson, Charles.

021 - COMMUNICATION & CERTIFICATION - Request for funds from the Zoning Commission.

Letter from Russell M. Foti, Chairman of the Zoning Commission asking for a transfer of funds from the contingency account to cover over-time services, postage, printing and binding and legal and public notices in the amount of \$5,000.00. Certification attached.

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

022 - COMMUNICATION & CERTIFICATION - Request for funds from the Zoning Board of Appeals.

Letter from Henry C. Schum, Chairman of the Zoning Board of Appeals asking for a transfer of funds from the contingency account to cover over-time services, postage, printing and binding and legal and public notices in the amount of \$1,500. Certification attached.

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

023 - COMMUNICATION - Drainage Problem on Brushy Hill Road.

Letter from Ross A. Martin of 167 Brushy Hill Road informing the Public Works Department about a drainage problem on Brushy Hill Road that continues to worsen.

Mrs. Butera asked that this be referred to the Director of Public Works for a report back in thirty days. Mayor Dyer so ordered.

024 - COMMUNICATION - Offer to sell land at corner of Main and Rose Streets to the City.

Letter from Realtor Florence C. Weiss offering the land at the corner of Main and Rose Streets to the City for a price of 1.9 million.

Mr. Boynton referred this to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee shall consist of Council Members Hadley, Zotos and Boynton and the Planning Commission.

025 - COMMUNICATION - Request for Ordinance requiring Special Procedures for Disposal of Garbage on Post Office Street.

Letter from Director of Planning Leonard Sedney asking for an ordinance requiring certain businesses on Post Office Street and Main Street to dispose of garbage in containers located in areas designated by the City and that these containers be constructed of leak-proof materials.

Mr. Gallo asked whether Mr. Sedney tried to negotiate with property owners.

Mayor Dyer stated that he had but they feel that the weight of law is needed to get property owners to comply with this request.

Mr. Eriquez asked for an ad hoc committee to study this request. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Flanagan and Zotos.

026 - COMMUNICATION - William Craft - Request for Motor Vehicle Tax Rebate.

Letter from Dominic Setaro, together with letter from Tax Collector Catherine Skurat explaining that Mr. Craft should not receive a rebate because Mr. Craft has an obligation to pay his taxes and it was his obligation to ask for a bill if one was not received.

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

027 - COMMUNICATION - Request to purchase land on Princeton Lane

Request from Kim and Gary Webb for permission to purchase land on Princeton Lane.

Mr. Gallo asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Dyer ordered that the committee will consist of Council Members Hadley, Zotos and Boynton and the Planning Commission.

028 - COMMUNICATION - Offer to the City to purchase land at 85 Osborne Street.

Letter from Merante Real Estate offering land at 85 Osborne Street.

Mr. Boynton asked that an ad hoc committee be appointed to review this offer. Mayor Dyer ordered that the committee shall consist of Council Members Hadley, Zotos and Boynton and the Planning Commission.

029 - COMMUNICATION - Updating of Ordinances pertaining to Public Works.

Letter from Director of Public Works Director Basil J. Friscia offering changes to ordinances pertaining to public works.

029 continued:

Mr. Sollose referred this to an ad hoc committee. Mayor Dyer ordered that the committee shall consist of Council Members Esposito, Sollose and Butera.

030 - COMMUNICATION - Request from the Welfare Department for Personnel. WITHDRAWN.

031 - COMMUNICATION & CERTIFICATION - Request for funds for Voter Canvass by mail.

Letter from Registrars of Voters George Schmiedel and Jean Hazard asking for \$15,000 to do a yearly voter canvass by mail. Certification attached.

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

032 - COMMUNICATION - Request to rename one of the two Cornell Roads in the City.

A letter from Director of Public Works Basil J. Friscia stating that he had received a request to rename one of the two Cornell Roads.

Mr. Gallo referred this to Director of Public Works Basil J. Friscia for a report back in thirty days.

033 - COMMUNICATION - Report on Maintaining Snug Harbor Road.

Letter from Director of Public Works Basil J. Friscia stating that his department will schedule maintenance of Snug Harbor Road, Ridge Road and Sunset Drive depending on availability of equipment.

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

034 - COMMUNICATION - Settlement of the Police Union Contract with the City of Danbury.

Letter from Emanuel Merullo stating that negotiations have been successful with the Police Union resulting in a two year contract. Certification attached certifying the availability of \$217,500.

Mr. Boynton moved that the communication be accepted and the certification be accepted. Seconded by Mr. Charles and passed unanimously.

035 - DEPARTMENT REPORTS.

Department of Public Works
Airport Administrator
Sanitarian/Public Health Inspector
High Blood Pressure Screening Program
Coordinator of Environmental and
Occupational Health Services

Building Department
Police Department
Fire Chief
Fire Marshal
Housing Code Enforcement
Inspector

A motion was made by Mr. DaSilva and seconded by Mr. Enriquez 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.

036 - REPORT AND CERTIFICATION - Request for funds for Taxiway and Fencing at Airport.

Mr. Sollose submitted the following report:

The committee appointed to review the request for funds for a new taxiway and fencing at the Danbury Airport met on February 6, 1987 at 8:00 P.M. in City Hall. In attendance were Committee Members Sollose, Farah and Smith and Airport Administrator Paul Estefan.

Mr. Estefan requested that the City of Danbury make application for a Federal and State Grant in the amount not to exceed \$685,000 with a local match of 2½% equaling an amount of \$17,125.

The amount of \$17,125. from the City will be used to construct a paved parking area and a stub taxiway. This project will improve the safety and efficiency of Airport operations. All costs are estimates based on Engineering Study. The final amounts are contingent on active bids received within and in compliance with federal and state regulations.

Mr. Smith made a motion that the amount of \$17,125 which constitutes 2½% of the total cost of the project be approved. Mr. Sollose seconded the motion. Motion carried unanimously.

Mr. Estefan's second request - that the City of Danbury make application for a Federal and State Grant in the amount not to exceed \$194,000 with a local match of 2½% equaling an amount of \$4,850.

The amount of \$4,850 from the City will be used for the following:

1. Installation of a 8' chain link fence which would prevent deer and pedestrians from entering Airport property.
2. An 84" Diameter Culvert to allow the proposed fence to cross an existing drainage ditch.
3. An automatic gate and cord station to prevent unauthorized vehicles from entering runways, taxiways and aprons.

All costs are estimates based on an engineering study. The final amounts are contingent on active bids received within and in compliance with federal and state regulations.

Councilman Farah moved that the committee recommend to the Common Council the approval of funding of \$4,850 which constitutes 2½% of the total cost of the project. Councilman Sollose seconded the motion and so passed.

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

037 - REPORT - Fire Department Equipment.

Mr. Gallo submitted the following report:

The committee appointed to review the request for new equipment for the Fire Department met on February 23, 1987 at 8:00 P.M. in City Hall. In attendance were Committee Members Gallo, Butera and Rotello.

After several committee meetings and a meeting between Councilman Gallo, Comptroller Setaro and Mayor Dyer, it was decided by the committee to recommend to the Common Council the purchase of one pumper. Some of the reasons that led to this decision are as follows:

1. The Fire Department equipment is breaking down on a daily basis.

2. The Fire Department has been borrowing trucks off and on for the past seven months.

3. Delivery of a new pumper is eleven months, necessitating the need to order immediately, rather than July 1, 1987.

4. There is presently \$71,157 in Revenue Sharing which can be used to offset the purchase price of \$199,405 leaving a balance of \$128,248.

Louis Rotello moved to recommend the purchase of this pumper to the Common Council. Janet Butera seconded. The vote was unanimous.

Mr. Boynton moved to accept the report and authorize the transfer of funds. Seconded by Mr. Charles. Motion carried unanimously.

038 - REPORT - 7 Brushy Hill Road

Mr. Rotello submitted a report stating that the committee appointed to review the request of 7 Brushy Hill Road met on February 11, 1987 in City Hall. In attendance were Committee Members Rotello and Charles.

The committee was charged with approving the transfer of city owned property at 7 Brushy Hill Road at the request of the Planning Department. A report was sent to the Planning Commission and it was given a favorable report.

A motion was made by Mr. Charles and seconded by Louis Rotello to have said property at 7 Brushy Hill Road transferred to the Non-Profit Development Corporation. The motion passed unanimously.

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

039 - REPORT - Offer to sell land on Hayestown Road and East Hayestown Road to the City.

Mr. Cassano submitted the following report:

The committee appointed to review the offer to sell land on Hayestown and East Hayestown Roads to the City (Agenda Item 012 of the November, 1986 meeting) met on February 17, 1987 at 6:30 P.M. in Room 432 of City Hall. In attendance were Committee Members Anthony Cassano, Louis Charles and Joseph DaSilva. Also present was Parks and Recreation Director Robert Ryerson.

The committee reviewed the offer with its general real estate information and the negative recommendation of the Planning Commission (letter of November 24, 1986). Two adjoining pieces of property are involved - 17 East Hayestown Road (0.71 acre) and 29 Hayestown Road (0.76 acres). The zoning is RR10 and the latest package price is \$805,000 for both. The rear boundary of the East Hayestown Road property abuts the existing parking lot for the Danbury Town Beach.

Mr. Ryerson explained that his only interest in the property is as a possible parking area for Hatters Park (and the anticipated skating rink). There is a need for additional parking at Hatters Park and the goal for the rink is 300 parking spaces minimum.

The committee and Mr. Ryerson were convinced that \$800,000 is far too much to pay for parking lot land but the committee agreed to assemble further information before finalizing a recommendation. Mr. Ryerson agreed to obtain from the Engineering and Planning Departments details on the existing zoning regulations for the property, an evaluation of the suitability of the property as a parking lot and an estimate of the number of resultant parking spaces.

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

040 - REPORT - Safe Rides Program.

Mr. Hadley submitted the following report:

The committee appointed to review a request for the Safe Rides Program met at 7:30 P.M. on February 17, 1987. In attendance were committee members Hadley, Sollose and DaSilva. Also in attendance were Ken Flowers, Rachel Glasser and Ann Howes representing Safe Rides.

Mr. Flowers explained that Safe Rides is an organization to give rides to people who have been drinking. Miss Glasser added that it is a program of students helping students. She said that they are asking for \$950.00 to cover insurance, membership fees, publicity, training, printing and mailing. The Mayor has already given \$350. There are ninety interested students to serve in the program. The program would like to work out of the YMCA building.

Mr. Hadley stated that he would like the representatives to report on any unused funds from the last Safe Rides program.

Mr. Sollose made a motion to appropriate \$950.00 requested by the Safe Rides Program with the stipulation that Miss Glasser and Mr. Flowers investigate any unused funds from the last group in 1985. Mr. DaSilva seconded. Motion passed unanimously.

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

041 - REPORT - Maplecrest Development/Aunt Hack Ridge Estates.

Mr. Cassano submitted the following report:

The committee appointed to review the request of Maplecrest Development/Aunt Hack Ridge Estates Development, Inc. (Agenda Item 029 of the December 1986 meeting) met on February 17, 1987 at 7:00 P.M. in Room 432 of City Hall. Present at the meeting were Committee Members Anthony Cassano and Nicholas Zotos. Also present were Director of Public Works Basil Friscia, City Engineer Jack Schweitzer, Superintendent of Utilities William Buckley, Comptroller Dominic Setaro and Assistant Corporation Counsel Eric Gottschalk.

The committee was given a brief history leading up to the request. The subdivision (and sewer) project was approved in 1979. In early 1986, a new subdivision approval was required and obtained from the Planning Commission. The original sewer approval did not contain a deadline provision and remained in effect. The Public Works Department reviewed the original sewer routing and concluded that the result would be a sewer line difficult or impossible to maintain. The developer was requested to re-route the sewer. He first refused but then relented and agreed on the condition that the City pay for the new required easement since the developer had procured the easements needed for the original sewer run. Following this, the developer paid \$2,500 to procure the new easement. The petition to the Common Council (from Messrs. Buckley, Schweitzer and Gottschalk) is for the reimbursement of the \$2,500 (from the Sewer Fund) to the developer.

The sewer line is scheduled to be put in this spring (1987) and connected to a pumping station near the Rose Tomorrows Restaurant.

The committee had reservations about reimbursements of this type but had to consider the unanimous opinions of the Public Works Department (regarding the apparent difficulty of maintaining

the original sewer plan) and the Corporation Counsel (regarding the legal implications of the first sewer approval).

Mr. Zotos moved that the committee recommend to the Common Council that the recommendation and petition of Messrs. Buckley, Schweitzer and Gottschalk be accepted. The necessary funds are currently in the Sewer Fund. No certification is necessary. Mr. Cassano seconded and there was unanimous approval.

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

042- REPORT - Novo Laboratories, Inc.

Mr. Cassano submitted the following report:

The Common Council Committee appointed to review the request of Novo Laboratories for a waiver of the granite curbing requirement (Agenda Item 012 of the February, 1987 meeting) met on February 17, 1987 at 7:30 P.M. in Room 432 of City Hall. Present at the meeting were committee members Anthony Cassano, Janet Butera and John DeMille. Also present were Public Works Director Basil Friscia, City Engineer Jack Schweitzer and Attorney David Bennett, representing Novo Labs.

The committee reviewed the petition requesting a waiver to the Danbury regulations requiring granite curbing for the reconstruction of Turner Road. Mr. Schweitzer stated that normally a 36 foot wide road with granite curbing is required. His opinion is that the granite curbing is even more necessary for the 22 foot wide road planned by Novo. The granite is needed to avoid damage done to the road by service equipment (e.g. snow plows).

Mr. Bennett voiced another opinion - that the narrower road would carry less traffic and asphalt curbing would be acceptable. Information on the road was given to the committee. The road runs through Danbury and Ridgefield. Danbury has agreed to maintain the road as long as Novo is the only company on it. The Common Council approved the 22 foot width. The road will be built to Danbury specifications and a \$200,000 road bond exists. Mr. Bennett stated that the project manager has estimated a \$100,000 cost difference between asphalt and granite curbing.

Mr. Friscia stated his preference for granite curbing. It is essentially maintenance free and should last for decades. The asphalt curbing would have to be maintained and replaced regularly. Danbury is attempting to upgrade all new road construction with granite curbs where applicable and subdivisions now require granite curbs in high wear areas (e.g. curves in cul-de-sacs).

Mr. Schweitzer presented data from Danbury road projects that indicate that for the Turner Road project the various curb costs could be about \$30,000 for asphalt, \$50,000 for concrete and \$90,000 for granite. It was also pointed out that if a road with granite curbing can be removed and used as the curbing of the widened road, resulting in some cost savings.

The committee sympathized with Novo on the additional cost of the granite curbing, but on the basis of the information and recommendations given by Messrs. Friscia and Schweitzer, Mrs. Butera moved that the committee recommend to the Common Council that the petition be denied. Mr. DeMille seconded and there was unanimous approval.

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

043 - REPORT - Renovation of the Danbury Sewage Treatment Plant.

Mr. Cassano submitted the following report:

The committee appointed to review the request for funding to update the Facilities Plan for renovation of the Danbury Sewage Treatment Plant (Agenda Item 056 of the February 1987 meeting) met on February 17, 1987 at 8:00 P.M. in Room 432 of City Hall. Present were committee members Anthony Cassano, Joseph DaSilva, Gene Eriquez and Mounir Farah. Also present were Public Works Director Basil Friscia, City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Comptroller Dominic Setaro and Assistant Corporation Counsel Eric Gottschalk.

The committee was given some background information on the petition. In the 1970's, the Connecticut DEP issued an order for Danbury to address the treatment of nitrogen (ammonia) in sewage. The existing treatment plant was not designed to treat nitrogen components.

The first step was to develop a plan. This plan was 100 percent funded (\$300,000) by state/federal funds. In addition, 90 percent of the total project was also eligible for funding. The plan was completed and submitted in March 1983. This satisfied Step A of the DEP order.

In August 1985, the DEP order was modified and some dates were changed. Completion of Step B (application for the state grant to construct facilities proposed in Step A) was required by January 29, 1986. However, state approval of the Step A plan was not received until February 6, 1986. Therefore, Danbury was out of compliance with Step B. Also, in March, 1986, the allowable limits of ammonia were changed with respect to the assumptions used to prepare the Step A plan - the plan required updating. In addition, the implementation funding formula was changed such that at the present time 20 percent is grant eligible and 80 percent is loan eligible.

In September, 1986 the DEP filed suit against Danbury charging, among other things, failure to comply with the DEP order and operating a polluting facility. The suit requests damages of \$10,000 per day until Danbury comes into compliance with the DEP order.

The petition requests funding to update the Step A facilities plan. The current estimate of funding required to do this is \$70,000. Bethel will pay 13.6 percent of this cost, leaving the Danbury share at about \$62,000. This funding would have to come out of the Sewer Fund. It is possible that some of this amount is eligible for grants.

The committee was informed that the total project cost is currently estimated at \$20,000,000 (20 percent grant eligible/80 percent loan eligible). This could result in an estimated tripling of the present sewer use rate.

The committee considered the fact that the petitioned study must be done to comply with the DEP order and will hopefully show that Danbury is actively working the problem, albeit somewhat behind the schedule set by the revised DEP order. The estimate to complete the revised plan is 8 to 9 months.

The committee was of the opinion that the DEP is far from blameless in this matter, but based on the opinions and recommendations of the Public Works Department and the Comptroller and Corporation Counsel offices, Mr. Eriquez moved that the committee recommend to the Common Council that in compliance with the order of the Connecticut DEP, \$62,000 be appropriated from the Sewer Fund surplus to update the March, 1983 Facilities Plan for the renovation of the Danbury Sewage Treatment Plant. Mr. DaSilva seconded and there was unanimous approval.

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

044 - REPORT - Amendment to Danbury Administrative Code 13A-36 and 13-40.

Mrs. McManus submitted the following report:

The Common Council held a public hearing regarding the proposed amendment to Danbury Administrative Code 13A-36 and 13-40 on February 19, 1987 at 8:15 P.M. in City Hall.

The Common Council met as a committee of the whole following the public hearing and recommends that the amendment be adopted as proposed.

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

045 - REPORT - Proposed Amendment to Section 3A-42 of the Code of Ordinances.

Mrs. McManus submitted the following report:

The Common Council held a public hearing regarding the proposed amendment to Section 3A-42 of the Code of Ordinances on February 19, 1987 at 8:00 P.M. in the Common Council Chambers in City Hall.

The Common Council met as a committee of the whole following the public hearing and recommends that the amendment be adopted as proposed.

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

046 - REPORT - Request for Funding for the Spanish Learning Center

Mr. Cassano submitted the following report:

The committee appointed to consider the request for funding received from the Spanish Learning Center met on February 19, 1987 at 7:00 P.M. in Room 432 in City Hall. Present at the meeting were committee members Anthony Cassano, Beverly Johnson, and Donald Sollose. Also present were Spanish Learning Center Executive Director Richard Rios and caseworker Nellie Cortez.

The committee reviewed the petition requesting funding for a bi-lingual caseworker at an annual salary (including fringe benefits) of \$16,346. The work schedule is 35 hours per week, 52 weeks per year.

Mr. Rios gave the committee a brief description of the Spanish Learning Center organization and work load. The Center serves a Hispanic population of about 3,000 people in the greater Danbury area including about 300 students in the Danbury school system. The Center has provided 1477 services during the first half of this fiscal year. There is a dire need for increased staff, in particular another bi-lingual caseworker.

Mr. Sollose gave a brief description of a previous Spanish Learning Center funding request that was before the Common Council in February 1986. Unfortunately, no funding was available at that time. The present funding request is a repeat of this original petition.

Mr. Rios discussed the budget request he has presented for Danbury fiscal year 1987-88 funding. The request includes one bi-lingual caseworker (new position), one bi-lingual educational coordinator (new position) one copy machine and one typewriter. The total is \$37,000.

The committee reviewed information from Comptroller Dominic Setaro stating that the current contingency fund is depleted. The committee reviewed the Danbury budget cycle and urged the Spanish Learning Center to continue their efforts to obtain funding for the new positions as part of the fiscal year 1987-88 budget.

Mr. Sollose moved that since the contingency fund is depleted and there are no funds available at this time, the committee regretfully recommend to the Common Council that the petition be denied. The committee STRONGLY urges that the fiscal year 1987-88 budget request submitted by the Spanish Learning Center be approved. Mrs. Johnson seconded and there was unanimous approval.

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

047 - REPORT - Capital Development Fund.

Mr. Torian submitted the following report:

The committee formed to review the request for a Capital Development Fund met on Wednesday, February 25, 1987 at 8:00 P.M. in City Hall. In attendance were committee members Torian and Johnson. Also attending were Clarice Osiecki, President of the Danbury Chamber of Commerce, Planning Director Len Sedney, and Richard Cody of Pinney, Payne and Van Lenten law firm.

Len Sedney noted that the Mayor had asked the Planning Department to study the possibility of a Capital Development Fund to finance capital improvements which have become necessary as a result of new development within the City of Danbury.

The committee had previously met on October 2, 1986 and at that time he was asked to contact the Connecticut Conference of Municipalities (CCM) to see if they had information on file of an existing Capital Development Fund that is in place in other cities within the State of Connecticut. His office responded that no such program existed within the State of Connecticut.

The committee is still gathering information on this very important subject and we respectfully request an extension of time to complete our charge. Due to the resignation of former Councilwoman Carole Torcaso, the committee is presently comprised of only two members and would like to take this opportunity to ask for the addition of a third member to this committee.

Mayor Dyer granted an extension of time and appointed Council Member Farah to fill the vacancy.

048 - REPORT - Request for additional grave sites for veterans.

Mr. Esposito submitted the following report:

The committee appointed to review the request for additional grave sites for Veterans met at 7:35 P.M. on February 25, 1987 in City Hall. In attendance were committee members John Esposito, Stanford Smith and Joseph DaSilva. Also attending were Mike Baldasare from the Cemetery Association, Paul Beadley, Sexton, James Purcell, Registrar of Graves for the City of Danbury and Patrick Waldron, Director of Veteran's Affairs.

Mr. Smith moved to suspend the rules. Seconded by Mr. DaSilva. Passed unanimously.

Mr. Purcell stated that the veteran's section of Wooster Cemetery is running short of sites - A section nearly unavailable which is being asked for. Mr. Baldasare said that a price of \$340.00 would be charged which would include perpetual care. Mr. Waldron said that these sites are for veterans with no assets. The usual price of a site is \$440. These sites should last at least ten years.

Mr. Esposito related a conversation with Dominic Setaro, Comptroller, who recommended that the proposal should be in the capital budget for fiscal year 1987-88.

Mr. Smith moved to recommend inclusion of \$34,000 in the fiscal year 1987-88 budget in the capital line. Seconded by Mr. DaSilva. Motion passed unanimously.

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

049 - REPORT - Acceptance of Contemporary Drive.

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the request for acceptance of Contemporary Drive met on February 25, 1987 in City Hall. In attendance were Committee Members John Esposito and Gene Enriquez. Also present was the petitioner, Gary Meade.

The committee reviewed a letter submitted by City Engineer Jack Schweitzer regarding existing conditions on Contemporary Drive that need to be rectified before acceptance as a City road could occur. The committee reviewed these recommendations and requirements with Mr. Meade, the developer of the subject road.

After discussion, the committee felt it was necessary to have Mr. Mead and Mr. Schweitzer meet to develop a timetable to meet the requirements necessary for acceptance. Subsequently, another meeting will be scheduled to make a determination regarding acceptance.

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

050 - PROGRESS REPORT - Request for Sewer and Water Extensions - Payne Road Development Corporation.

Mr. Torian submitted the following report:

The ad hoc committee appointed to review the request for sewer and water by Payne Road Development Corporation met on January 21, 1987. In attendance were committee members Torian, Hadley and Zotos, City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Attorney Paul Jaber representing the petitioner, Payne Road Development Corporation.

Mr. Jaber noted that the request calls for sewer and water to be extended to two buildings, one 67,500 square feet and the second, 18,000 square feet situated on 16 acres of land. Easements would be required from Seymour Powers of Powers Construction Company and C. L. & P. Both Mr. Schweitzer and Mr. Buckley had not reviewed the sewer and water flow plans proposed by the petitioner and they raised several questions regarding access to the water lines that Mr. Jaber was not prepared to answer. Mr. Jaber suggested the committee schedule another meeting which would give his clients additional time to meet with City officials to resolve their differences.

In light of these developments, the committee respectfully requests additional time with which to complete our charge.

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

051 - PROGRESS REPORT - Request for Sewer and Water Extensions - Candlewood Harbor Club.

Mr. Torian submitted the following report:

The ad hoc committee appointed to review the request for extension of sewer and water for the Candlewood Harbor Club met on January 21, 1987. In attendance were Committee Members Torian, Hadley and Zotos. Also attending were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Attorney James Maloney.

Jack Schweitzer noted that although the petitioner was not present, there was still a number of questions that were asked of the petitioner, Dana Investments (formerly Wildman's Landing) which they have not yet responded to, i.e. construction of a pumping station and City requirements for sewer hookup.

In light of this situation, the Committee respectfully requests an extension of time with which to complete our charge.

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

052- PROGRESS REPORT - Noise and Hearing Damage.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review Noise and Hearing Damage met for a work session on February 9th at 7:30 P.M. at City Hall. In attendance were committee members Hadley, Boynton and Cassano.

The meeting was devoted to a review of the proposed Noise Control Ordinance and making a few additions to the document.

Copies of the proposed ordinance will be sent to the consultants to the committee for review and comments. If all is in order, the committee will present the Proposed Noise Control Ordinance to the Common Council in April.

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

053 - PROGRESS REPORT - Request for Sewer Extension - 7 Pocono Lane and 2 Claremont Terrace.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 7 Pocono Lane and 2 Claremont Terrace met at 7:30 P.M. on December 29, 1986 at City Hall. In attendance were committee members Hadley, Zotos and Flanagan. William Buckley, Superintendent of Public Utilities, also attended.

The committee reviewed the petition and determined that not enough information was available to make a decision. A conceptual plan is needed and the applicant should meet with Engineering as well as the committee.

At its January 23rd meeting the Planning Commission voted a positive recommendation for the extension of sewers at 7 Pocono Lane and 2 Claremont Terrace.

The Engineering Department still does not have sufficient information to enable the committee to reconvene to take action.

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

054 - PROGRESS REPORT - Request for Sewer Extension - 20 Boulevard Drive.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the request for sewer extension to 20 Boulevard Drive met at 7:15 P.M. on December 29, 1986 at City Hall. In attendance were committee members Hadley, Zotos and Flanagan. William Buckley, Superintendent of Public Utilities, also attended.

The committee reviewed the petitions and determined that not enough information was available to make a decision. The applicant should meet with Engineering and the committee.

At its January 22nd meeting, the Planning Commission voted a positive recommendation for the extension of sewer to 20 Boulevard Drive.

The Engineering Department according to Mr. Schweitzer, does not have sufficient information to enable the committee to reconvene to take action.

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

Mr. DaSilva made a motion to add items 055, 056 and 057 to the agenda. Seconded by Mr. Eriquez. Motion carried unanimously.

055 - COMMUNICATION - Authorization to Condemn

Letter from Director of Planning Leonard G. Sedney, together with a resolution, authorizing condemnation with regard to the Post Office Street Project. The resolution was previously authorized in December, 1985 and needs to be reauthorized.

WHEREAS, The Common Council wishes to acquire interests in real property for the storage of refuse containers and to allow the placement of utilities underground, as well as access to both these refuse containers and underground utilities in connection with street and sidewalk improvements to Post Office Street;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Legal Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owners and their respective encumbrances, if any.

Mr. Gallo made a motion to accept the communication and adopt the resolution. Seconded by Mr. Boynton.

Mrs. McManus asked Counsel through the Chair why reauthorization is needed. The Corporation Counsel responded that since negotiations had been unsuccessful, reauthorization was necessary. Also, Mr. Goldstein stated that his office had not drawn up the resolution, that Mr. Sedney's office had. However, the wording of the new resolution was perfectly legal.

Mr. Sedney stated that the language was different in order to include addition of storage containers which was not included in the 1985 Resolution.

Mr. Cassano asked if there was no mention of the storage containers in the 1985 Resolution, why is it contained in this one.

Mr. Sedney stated that the problem was not anticipated in 1985. They have now found a new way to remove garbage.

Mr. Godfrey offered friendly amendments regarding changing the term legal counsel to Corporation Counsel and to clear up the language in last two lines.

The amendments were passed with unanimous consent.

The resolution was adopted, with 17 members voting in the affirmative and Mrs. McManus voting in the negative.

056 - COMMUNICATION - State Reimbursement - Snow Storms.

Letter from Comptroller Dominic Setaro stating that he has been formed by the State of Connecticut that the City will receive \$86,554 as the result of recent legislation passed to help towns recover some of the cost for snow and ice this winter.

Mr. Boynton made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Charles. Motion carried unanimously.

057 - REPORT - Lease at Tarrywile Park.

Mr. Flanagan submitted the following report:

The committee appointed to review the proposed lease between the city of Danbury and the Charles Ives Center/Danbury-New Fairfield Women's Club met on February 10, 1987 at 7:30 p.m. in the fourth floor lobby meeting room.

Present were committee members Stephen Flanagan, Louis Rotello, and Beverly Johnson. From the Ives Center were Judge and Mary Nahley, Sandra Turcotte from the Womens Club, and Basil Frisia, Dir. of the Public Works Dept.

The committee reviewed the proposed lease for short term use of the Tarrywile Mansion and adjacent grounds for the purpose of a Designer Showcase House fundraising event. The provisions of the lease basically let the above stated groups organize and run a designer showcase commencing with the approval of the lease and concluding July 11, 1987. The showcase will only actually run from May 31 to June 27, a period of 28 days. The city will receive a fee of \$100. per day rent for a total of \$2800. In addition, the city will realize improvements to the Tarrywile Mansion worth several thousand dollars as a result of the designer showcase. At the same time the structural and architectural integrity of the building will be unaltered. Roger Whitcomb, a prominent local architect, will oversee all improvements on the city's behalf. The city is also protected from liability claims in this agreement. The Ives Center/Womens Club group will make a full accounting to the city of all proceeds collected from this fundraising event. From the receipts the city will be reimbursed for the \$15,000. in "seed money" it contributed to this project.

After a thorough review of the many provisions of this lease Mr. Rotello moved that the committee recommend to the Common Council the approval of this lease. Seconded by Mrs. Johnson and passed unanimously. The committee would like to note the excellent job done on this lease by Attorney Pinter of the Corporation Cousel's office and Atty. Nahley for the Ives Center. Please note that the Planning Commission voted to approve this lease at its February 18, 1987 meeting.

Mr. Eriquez made a motion to accept the report. Seconded by Mr. Godfrey. Motion carried unanimously.

Mayor Dyer appointed Mr. DaSilva to fill the vacancy on the Concord Street committee.

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 Godfrey to adjourn at 8:45 P.M.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST: *Elizabeth Crudginton*
ELIZABETH CRUDGINTON
City Clerk