

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

Re: Minutes of the Common Council Meeting held August 4, 1987.

The meeting was called to order at 8:00 P.M. by Mayor James E. Dyer, who led the assembly in the Pledge of Allegiance. The Prayer was offered by Councilman John Esposito.

Roll Call was taken by Assistant City Clerk Jimmetta Samaha, with the following members being recorded as:

PRESENT: Council Members Johnson, Sollose, DeMille, Philip, Godfrey, Flanagan, Zotos, Hadley, Rotello, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Smith.

ABSENT: - Council Members Farah, Torian.

19 Present - 2 Absent.

Mrs. McManus reported that Mr. Farah was out of town and that there was a death in Mr. Torian's family.

ANNOUNCEMENTS BY MAYOR DYER

Mayor Dyer extended birthday greetings to the following:

- August 1st - Councilman Joseph DaSilva
- August 6th - Planning Director Len Sedney
- August 14th - Town Clerk Michael Seri
- August 15th - Councilman Ernest Boynton
- August 18th - Councilman Nicholas Zotos

The Mayor extended congratulations to Councilman and Mrs. Ernest Boynton who will celebrate their twenty-fifth wedding anniversary on August 25th.

The Mayor also extended best wishes to Chuck Avellino of WLAD News on his move from News to Sales and also extended greetings for his birthday celebrated on August 2nd.

The Mayor also announced that the following events will take place:

- August 6th - George Fischer will be sworn in as Danbury's new postmaster.
- August 9th - Germantown Fire House will celebrate its 75th anniversary with a block party.
- August 11th - The Mayor will hand out 1.5 million in grant awards.
- August 14th-16th - Americo Vespucci Lodge will hold its annual Field Day with the United States Navy Band appearing on the 16th.
- August 19th - Annual Mayor's Cup will be held at Richter Park.
- August 29th - Independent Hose will celebrate its 100th Anniversary.
- August 30th - St. George's Church will hold its annual festival.
- August 30th - Mayor Dyer will swear in new crossing guards.

CONSENT CALENDAR: Mr. Gallo submitted the following items for the Consent Calendar:

- 4 - Resolution - Lakecrest Drive Storm Drainage Easements
- 5 - Communication - Appointments to the Environmental Impact Commission
- 6 - Communication - Appointments to the Richter Park Authority
- 7 - Communication - Appointments to the Aviation Commission
- 8 - Communication - Appointment to the Redevelopment Agency
- 9 - Communication - Appointment to the Commission on the Handicapped
- 10 - Communication - Appointment to the Cultural Commission

- 15 - Communication - Dog Fund Appropriation
- 20 - Communication - Water Fund Appropriation
- 21 - Communication - Request for increase to the 1987-88 Highway State Aid Budget from the Public Works Department
- 25 - Communication & Certification - Request for funds from the Director of Veterans Affairs
- 27 - Communication - Municipal Liability Trust Fund Applications
- 33 - Report & Ordinance - Municipal Housing Trust Fund
- 36 - Report & Resolution - Connecticut Neighborhood Assistance Act Project
- 38 - Report - Drainage Problem at 12 Pocono Point Road
- 39 - Report - Request for Sewer Extensions - 7 Pembroke Road
- 40 - Report - Request for New Fire Truck (Pumper)
- 41 - Report - Offer of land at 17 E. Hayestown Road for sale to the City
- 42 - Report - Request to Clean Weeds from Lake Kenosia
- 44 - Progress Report - Sunrise Ridge Condominiums.

Mr. Charles moved to accept the items on the Consent Calendar. Seconded by Mr. Flanagan. Motion carried unanimously.

Mayor Dyer introduced Linda O'Conner, newly appointed member of the Redevelopment Agency.

MINUTES - Councilman Joseph DaSilva made a motion to waive the reading of the minutes of the Common Council meeting held July 7, 1987 and the minutes of the Special Common Council meeting held July 22, 1987 as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Eriquez. Motion carried unanimously.

1 - CLAIMS - Diana Somsag, Kelly Keane, Donald L. Gardner, Cecelie Courtright, Victoria Arendt, Paul Rotello and Richard J. Chiarella.

Mrs. McManus asked that the claims be referred to the Corporation Counsel for a report back in thirty days. Mayor Dyer so ordered.

2 - RESOLUTION - Charter Revision Questions for the November 1987 ballot.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Charter Revision Commission of the City of Danbury submitted its final report, as required by the statutes of the State of Connecticut, on June 22, 1987; and

WHEREAS, the Common Council of the City of Danbury accepted the final report of the Charter Revision Commission and adopted the amendments proposed therein on July 7, 1987; and

WHEREAS, if said amendments to the City Charter are approved by the electors of the City of Danbury voting thereon at the next regular election pursuant to the provisions of said Connecticut General Statutes Section 7-191, such approved amendments shall become effective within thirty (30) days after such approval or upon such effective date(s) as are otherwise specified.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Clerk of the City of Danbury is hereby authorized and directed to prepare for and place on the November 1987 ballot the amendments submitted by the Charter Revision Commission of 1986 and approved by the Common Council on July 7, 1987.

Mrs. McManus made a motion that the Resolution be adopted. Seconded by Mr. Philip.

Mr. DaSilva stated that he felt that from Assistant Corporation Counsel Laslo Pinter's letter, that it was the prerogative of the Council to vote on the amendments in whole or in part. The Mayor stated that this was correct.

Mr. DaSilva stated that his main concern was separating the issue dealing with the hiring of Council staff. Mr. DaSilva then made a motion to separate the Charter Revisions into two questions, 1 dealing with the Council staff and the other dealing with the remainder of the amendments. Mr. Boynton seconded.

Mayor Dyer explained that a vote in the affirmative would divide the question and the proposal regarding the hiring of Council staff would appear separately on the ballot. The members were recorded as voting

AFFIRMATIVE - Council Members Johnson, DeMille, Godfrey, Flanagan, Rotello, Gallo, Charles, Boynton, Butera, DaSilva, Eriquez.

NEGATIVE - Council Members Sollose, Philip, Zotos, Hadley, Cassano, McManus, Esposito, Smith.

11 Affirmative - 8 Negative. Motion carries.

The Mayor called for a vote on the main resolution without the issue of the Council staff. The vote was 18 affirmative with Mr. Eriquez voting in the negative.

Mr. Godfrey asked Mr. DaSilva, if when he made his motion to remove Council Staff and make it a separate item, did he mean to combine Secs. 2-4 and 6-3, both dealing with staff. Mr. DaSilva stated that this was his intention.

Mayor Dyer called for a vote as to having the issue dealing with the hiring of Council staff appear separately on the ballot with the members being recorded as follows:

AFFIRMATIVE - Council Members Johnson, Sollose, DeMille, Philip, Zotos, Hadley, Rotello, Cassano, McManus, Esposito, Charles, Smith.

NEGATIVE - Council Members Godfrey, Flanagan, Gallo, Boynton, Butera, DaSilva, Eriquez.

12 Affirmative - 7 Negative. Motion carries.

3 - RESOLUTION - License Agreement between the City of Danbury and Joseph R. Russo and Nick DiScala.

Two resolutions setting forth an agreement between the City of Danbury and Joseph R. Russo and Nick DiScala regarding a sewer line on property owned by The Consolidated Rail Corporation.

Mr. Gallo asked that the resolutions be referred to the Planning Commission. Mayor Dyer so ordered.

4 - RESOLUTION - Lakecrest Drive Storm Drainage Easement.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on February 4, 1986 duly voted to approve the request to accept Lakecrest Drive and appropriate funding in the amount of \$57,000 to bring the road up to specifications for City acceptance; and

WHEREAS, the purposes of said project 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, respective mortgage holders and lienors, if any, the affected properties being indicated by Tax Assessor's lot numbers.

4-continued:

Partial Property Acquisitions

- |    |                        |   |
|----|------------------------|---|
| 1. | List #C 12069 (Lot 60) | Robert B. Spremulli and<br>Donna J. Spremulli               |
| 2. | List #C 11031 (Lot 61) | Norman F. Buzaid and Cindy M.<br>Buzaid                     |
| 3. | List #C 12081 (Lot 73) | Anthony M. Simonowicz and<br>Maryanne T. Simonowicz         |
| 4. | List #C 12082 (Lot 74) | David S. Grossman, Trustee for<br>Mark Eanniello            |
| 5. | List #C 12083 (Lot 75) | Dennis W. Daugherty and<br>Christine E. Louth               |
| 6. |                        | Southern New England<br>Telephone Co. (utility<br>easement) |

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

5 - COMMUNICATION - Appointments to the Environmental Impact Commission.

Letter from Mayor James E. Dyer asking confirmation of the appointment of Penelope Peirce, 58 Lincoln Avenue to the EIC and the reappointments of Peter Hunt, 1 Shannon Ridge Road and Mark Massoud, 9 Crestdale Road to the EIC.

The appointment and reappointments were confirmed on the Consent Calendar by the Common Council.

6 - COMMUNICATION - Appointment to the Richter Park Authority.

Letter from Mayor James E. Dyer asking confirmation of the appointment of Frances V. Kelly, 13 Alan Avenue, to the Richter Park Authority.

The appointment was confirmed by the Common Council on the Consent Calendar.

7 - COMMUNICATION - Aviation Commission.

Letter from Mayor James E. Dyer asking confirmation of the appointment of Nicholas G. Georgakis, M.D., 16 Charcoal Ridge Drive South to the Aviation Commission; and the reappointments of Robert Gawe, 45 Great Plain Road, John Scarfi, Driftway Point, Donald Crudginton, 157 South Street, and Paul Werner, 7 Clearbrook Road to the Aviation Commission.

The appointment and the reappointments were confirmed by the Common Council on the Consent Calendar.

8 - COMMUNICATION - Appointment to the Redevelopment Agency.

Letter from Mayor James E. Dyer seeking confirmation of the appointment of Linda D. O'Connor, 20 East Pembroke Road to the Redevelopment Agency.

The appointment was confirmed by the Common Council on the Consent Calendar.

9 - COMMUNICATION - Appointment to the Commission on the Handicapped.

Letter from Mayor James E. Dyer seeking confirmation of the appointment of Dr. Allen Hindin, 15 Boulder Ridge to the Commission on the Handicapped.

The appointment was confirmed on the Consent Calendar by the Common Council.

10 - COMMUNICATION - Appointment to the Cultural Commission.

Letter from Mayor James E. Dyer asking confirmation of the appointment of Ada M. Humphreville, 9 Cedar Crest Drive to the Cultural Commission.

The appointment was confirmed on the Consent Calendar.

11 - COMMUNICATION - Street Addresses.

Letter from Planning Director Len Sedney requesting direction from the Common Council as to whether the City should continue its approach to numbering of streets or to take a more comprehensive approach.

Mrs. McManus asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Johnson, Sollose and Philip.

12 - COMMUNICATION - Compratt Enterprises - Conveyance of Parcel X on Map 6863 to the City.

Letter from Attorney Robert N. Talarico requesting that the City accept a deed from Compratt Enterprises for the title to Parcel X on Map 6863.

Mr. Gallo asked that this be referred to the City Engineer, the Corporation Counsel and the Planning Commission for a report back in thirty days. Mayor Dyer so ordered.

13 - COMMUNICATION - Donation to the Department of Elderly Services of \$1,500 from Perkin-Elmer Corporation.

Donation of \$1,500 from Perkin-Elmer Corporation to purchase a piano for therapeutic recreation and leisure-time activities.

Mr. Boynton made a motion to accept the donation and send a letter of thanks to the Perkin-Elmer Corporation. Seconded by Mr. Charles. Motion carried unanimously. Mayor Dyer stated that the letter of thanks had already been sent.

14 - COMMUNICATION - Cross Street Bridge.

Letter from Director of Public Works Basil J. Friscia asking for direction concerning the status of the Cross Street Bridge which was closed on July 23, 1987 for repairs.

Mr. Gallo asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Esposito, Boynton and Enriquez.

15 - COMMUNICATION - Dog Fund Appropriation.

Letter from Comptroller Dominic Setaro asking approval to carry funds from 1986-87 fiscal year over to the 1987-88 budget.

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

16 - COMMUNICATION - Use of Education Enhancement Act Funds for Relocatable Classroom Project.

Letter from Superintendent of Schools Anthony L. Singe requesting utilization of the Educational Enhancement Act General Funds toward the relocatable classrooms at Roberts Avenue School.

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

17 - COMMUNICATION - Parks and Recreation Commission - Conservation Commission.

Letter from Mayor James E. Dyer recommending amending the ordinance establishing the Parks and Recreation Commission to include one designated seat for a member of the Conservation Commission.

Mr. Hadley asked that this be deferred to a public hearing. Mayor Dyer so ordered.

18 - COMMUNICATION - Candlewood Lake Tours from the Town Park.

Letter from Richard Radachowsky asking permission to conduct Candlewood Lake tours from Candlewood Town Park beginning Memorial Day 1988 through Labor Day during normal park hours.

Mr. Sollose asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Rotello, Butera and Hadley.

19 - COMMUNICATION - Pistol Range - Police Department.

Letter from Chief of Police Nelson Macedo requesting funding in the amount of \$4,500 to sound proof the pistol range at the Police Station.

Mr. Philip asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Eriquez, Zotos and Godfrey.

20 - COMMUNICATION - Water Fund Appropriations.

Letter from Comptroller Dominic Setaro asking that funds appropriated for the 1986-87 fiscal year be transferred to the budget for the 1987-88 fiscal year due to incompleting projects.

Approval was granted by the Common Council on the Consent Calendar.

21 - COMMUNICATION - Request for increase to the 1987-88 Highway State Aid Budget from the Public Works Department.

Letter from Director of Public Works Basil J. Friscia asking that the 1987-88 Highway State Aid budget be increased by \$9,534.94 representing the allotment recently received from the State of Connecticut Town Aid Department.

Approval for the increase was granted by the Common Council on the Consent Calendar.

22 - COMMUNICATION - Police Department Grant. - Withdrawn.

23 - COMMUNICATION - Employee's Lounge.

Report issued by the committee to study the present employee's lounge requesting funding in the amount of \$7,200 to upgrade the lounge.

Mr. Hadley asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Philip, Eriquez, Godfrey.

24 - COMMUNICATION - Petition from Residents of Lee Avenue and Hobson Street.

Petition from residents of Lee Avenue and Hobson Streets seeking help with problems such as condition of the streets, drainage, missing signs, weeds and overnight parking by truckers.

Mr. Hadley asked that this be referred to a committee. Mayor Dyer ordered that the committee shall consist of Council Members Hadley, Rotello and Flanagan.

25 - COMMUNICATION & CERTIFICATION - Request for Funds from Director of Veterans Affairs.

Request for funds in the amount of \$2,495 from the Director of Veterans Affairs for moving expenses.

The funding was approved by the Common Council on the Consent Calendar.

26 - COMMUNICATION - Request for abatement of taxes - Group Home at 8 Mountainville Avenue.

Letter from Thomas H. Fanning, President of DATAHR asking for abatement of property taxes for their recently purchased group home at 8 Mountainville Avenue.

Mr. Gallo asked that this be referred to the Corporation Counsel and the Tax Assessor for a report back in thirty days. Mayor Dyer so ordered.

27 - COMMUNICATION - Municipal Liability Trust Fund Applications.

Applications needed to apply for monies which are due Danbury by August 19, 1987 due to changes in state law.

The applications were approved on the Consent Calendar by the Common Council.

28 - COMMUNICATION - Request from Danbury Preservation Trust for the transfer of City-owned Land.

Letter from Paulette Pepin, President of the Danbury Preservation Trust asking for the transfer of city-owned land on Garamella Boulevard for the relocation of the Ericson House presently situated at 3 Padanaram Road.

Mr. Hadley asked that this be referred to the Planning Commission and an ad hoc committee of the Common Council. Mayor Dyer ordered this referred to the Planning Commission and an ad hoc committee consisting of Council Members Flanagan, Eriquez and Godfrey.

29 - COMMUNICATION - Request for Sewer and Water Extensions - Duck Street.

Application for extensions of Sewer and Water from Lorraine Brandano on Duck Street.

Mr. Philip asked that this be referred to the Planning Commission and an ad hoc committee of the Common Council. Mayor Dyer ordered this referred to the Planning Commission and an ad hoc committee consisting of Council Members Torian, Flanagan and Charles.

30 - COMMUNICATION - Petition for Sewer and Water - South Cove.

Petition from residents of South Cove requesting extensions for sewer and water lines.

Mr. Gallo asked that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered this referred to the Planning Commission and an ad hoc committee consisting of Council Members Cassano, Esposito and Eriquez.

31 - COMMUNICATION - Petition for Sewer and Water Extensions on Edgewood Street.

Petition signed by residents of Edgewood Street asking for sewer and water extensions on Edgewood Street.

Mr. Sollose asked that this be referred to the Planning Commission and an ad hoc committee. Mayor Dyer ordered this referred to the Planning Commission and an ad hoc committee consisting of Council Members Charles, DaSilva and Eriquez.

Fire Marshall  
 Coordinator of Environmental  
 and Health Services  
 Airport Administrator  
 High Blood Pressure Screening  
 Building Department

Fire Chief  
 Housing Code Enforcement  
 Police Department  
 Sanitarian/Public Health  
 Public Works  
 Equipment Maintenance

Mr. DaSilva made a motion to waive the reading of the Department Reports as all members have copies which are also on file in the Office of the City Clerk for public inspection. Seconded by Mr. Boynton. Motion carried unanimously.

33 - REPORT & ORDINANCE - Municipal Housing Trust Fund.

Mrs. McManus submitted the following report and ordinance:

The Common Council held a public hearing regarding the Municipal Housing Trust Fund Ordinance on July 27, 1987 at 7:30 P.M. in the Common Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and recommends unanimously that the Common Council adopt the Ordinance.

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

Pursuant to the provisions of Connecticut General Statutes, subparagraphs 7-148(c)(2)(K) and 7-148(c)(4)(I) there is hereby established a municipal housing trust fund. Any sums deposited in said fund shall be used to provide for the financing, construction, rehabilitation, repair, improvement or subsidization of housing for low and moderate income persons or families. Notwithstanding the provisions of section 7-9 of the Danbury Municipal Charter no sums remaining in said fund at the completion of any fiscal year shall lapse but shall remain in said fund until expended or until the municipal housing trust fund is terminated by action of the Common Council.

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

34 - REPORT & ORDINANCE - Downtown Parking Authority "Boot" Ordinance.

Mrs. McManus submitted the following report:

The Common Council held a public hearing concerning the proposed Downtown Parking Authority "Boot" Ordinance on July 27, 1987 at 7:30 P.M. in the Common Council Chambers in City Hall.

The Council met as a committee of the whole following the public hearing. The committee recommends that the ordinance be amended in accordance with the recommendations of the Chief of Police. The committee further recommends, by a vote of 10 yes, 6 no, that the Common Council adopt the amended ordinance. A copy of the ordinance was attached. Mr. Boynton made a motion to accept the report and adopt the Ordinance. Seconded by Mrs. Butera.

Mayor Dyer called for a roll call, with the Members voting:

AFFIRMATIVE - Council Members Johnson, Sollose, DeMille, Philip, Zotos, Hadley, McManus, Gallo, Esposito, Charles, Boynton, Butera, Smith.

NEGATIVE - Council Members Godfrey, Flanagan, Rotello, Cassano, DaSilva and Eriquez.

Motion carried.

Mr. Eriquez submitted the following report:

The ad hoc committee of the Common Council appointed to review and consider the proposed Tree Ordinance met on Wednesday, June 24, 1987 following the constituent's meeting in Room 432 in City Hall. In attendance were Council Members Eriquez, Godfrey and Rotello, Assistant Corporation Counsel Eric Gottschalk and the City's Forester Byron Johnson.

Mr. Gottschalk reported that he had drafted the subject ordinance incorporating that allowed by State statutes and using those statutes as a model. He worked with Mr. Johnson to insure the concerns and interests of our City were properly addressed. The intent of this legislation is to protect trees from unnecessary damage, removal or replacement, to regulate the planting of trees and shrubs upon public grounds or roads, and to clarify that which constitutes a public tree on private property. This would insure that our City maintains the beauty and balance afforded by such greenery that adds so much to our quality of life. In addition, this ordinance would create a Tree Advisory Commission that would advise and make recommendations to the City Forester concerning trees and shrubbery located in whole or in part within the limits of any public road or grounds.

Following discussion, it was moved to recommend to the full Council that this ordinance be sent to a public hearing with the recommendation of the Committee for favorable action for adoption. The motion was seconded and passed unanimously.

Mrs. Butera asked that the Ordinances be deferred for a public hearing. Mayor Dyer so ordered.

36 - REPORT and RESOLUTION - Connecticut Neighborhood Assistance Act Project.

Mrs. McManus submitted the following report and resolution:

The Common Council held a public hearing for the Connecticut Neighborhood Assistance Act Project on July 27, 1987 at 7:30 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 unanimously that the resolution be adopted as submitted.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Neighborhood Assistance Act provides tax credits to businesses which support community programs that have received prior municipal approval; and

WHEREAS, the City of Danbury is interested in participating in this program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the 1987 Connecticut Neighborhood Assistance Act application package attached be approved and that Mayor James E. Dyer be authorized to execute any and all documents necessary.

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

37 - REPORT - Stop Signs at Caye and Hawley Roads.

Mr. Sollose submitted the following report:

The Common Council committee appointed to review the above request met on July 21, 1987. Committee Members present were Donald Sollose, Bernard Gallo and Edward Torian. Also attending were Mr. and Mrs. B. Parga and Mr. A. Sentos. Police Chief Nelson Macedo did not attend.

Mr. Sollose discussed briefly that a request was sent to him from several concerned neighbors asking for stop signs to be installed so as to avoid accidents in this general area. Several followup letters including a signed petition was sent to the Chief of Police requesting these signs and as of now no reply has been received.

The committee suggested that the Chief of Police be contacted again, and if no reply is received within 7 days, a followup meeting would then be scheduled. Finally, contact was made and the Chief agreed to have the stop signs installed along with Children at Play signs wherever needed.

Mr. Gallo made a motion to accept the report. Seconded by Mr. Charles. Motion carried unanimously.

38 - REPORT - Drainage Problem at 12 Pocono Point Road.

Mr. Philip submitted the following report:

The Common Council Committee appointed to review the drainage problem at 12 Pocono Point Road met on June 22, 1987 at 9:50 P.M. Attending were Council Members Philip, Smith and DaSilva. Also attending were Dan Minahan, Nicholas Juisto and property owner Pete Janis.

Mr. Juisto advised that he had issued an order for Mr. Janis to put his septic system in good working order. It was Mr. Janis' contention that his septic system was not working correctly because snow and rain water ran off the road and directly across his septic fields. An earlier repair of the drainage condition was negated when the road was resurfaced.

Mr. Minahan recommended that a curb be installed along the road parallel to the property which would direct all water flow off the road into an available storm drain. Mr. Minahan said he would review the site on June 23, 1987 with Mr. Janis. The committee would review the site on June 27, 1987. Meeting adjourned at 10:30 P.M.

On June 23, 1987 Mr. Minahan and Mr. Janis agreed to the placement of the curbing. On June 27, 1987 the committee reviewed the site. The curbing was already installed and effectively channeling the rain on that day into the storm drain.

Considering that the constituent was satisfied with the addition of the curbing, the committee agreed unanimously while at the site that the drainage problem was resolved and no further action would be required and there would be no further need for an additional meeting.

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

39 - REPORT - Request for Sewer Extensions - 7 Pembroke Road.

Mr. Torian submitted the following report:

The ad hoc committee formed to review the request for sewer extension at 7 Pembroke Road met on June 3, 1987 and again on July 6, 1987. In attendance were committee members Torian and Zotos.

The Chairman was in receipt of a communication from the petitioner's attorney, Daniel Eberhard, dated June 12, 1987. Mr. and Mrs. Benjamin DeGross, the property owners of 7 Pembroke Road are the petitioners. Mr. Eberhard noted that per the committee's suggestion at the June 3, 1987 meeting, he had met with his clients to discuss the potential costs of hooking into a sewer line that would run parallel to the Federal Correctional Institution (FCI) sewer line on Pembroke Road. Mr. Eberhard said in his letter that the minimum cost projections of extending a sewer line approximately 450 feet would be \$45,000 - \$50,000 and that this sum would be prohibitive and beyond his client's means at this time.

Councilman Zotos motioned to recommend accepting the communication and deny without prejudice. Seconded by Councilman Torian. The vote was unanimous.

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

40 - REPORT - Request for New Fire Truck (Pumper).

Mr. Smith submitted the following report:

The Common Council committee appointed to review the request of the Fire Department met at City Hall in Room 432 on July 20, 1987 at 6:50 P.M. In attendance were committee members Smith and Philip. Janet Butera was ill. Also attending were John Esposito and Constance McManus, ex-officio, Comptroller Dominic Setaro, John Murphy and Richard Tomaino, Purchasing Agent Warren Platz, Tom Morris, Fire Chief Monzillo and Lou Charles, ex-officio.

Fire Chief Monzillo reported that the City Fire Department has had to borrow pumpers from the volunteer departments in order to fill in for City equipment that was either out of commission or being repaired, effectively putting volunteer companies out of operation. Five years ago the City operated five first line pumpers and 2 spare pumpers. Today, the City operates 5 pumpers - 1 new Engine (#23, 21, 22, 24), 3 being refurbished, 1 obsolete #25, no spare. The aging pumpers are servicing a bigger City. A new pumper that is already on order will replace pumper #25. The requested pumper will replace pumper #22 which will become a spare.

The committee questioned Mr. Setaro as to how a new pumper, estimated to cost \$150,000 could be funded. Mr. Setaro stated that we could develop a bond fund, use potential surplus funds, or a lease/purchase agreement. It was also suggested that the Fire Department initiate a city-wide fund drive to obtain funds for new equipment. The Chief commented that a fund drive would be possible, but would take too long in view of the critical need for a new pumper now. A fund drive may be appropriate for future equipment needs.

Mrs. McManus commented that the City should be setting aside capital money every year to replace equipment rather than playing catch-up. Mr. Esposito commented that the insurance industry would want to know that our City is adequately protected. If there is not adequate equipment our insurance rate would go up.

After reviewing all the information presented and discussed, Mr. Philip made a motion to recommend to the Common Council the purchase of a new pumper for \$150,000. The Purchasing Department and the Fire Department will solicit bids. Upon receipt of the bids, the Fire Department will make a request of the Common Council for funding approval and determination of how the money would be funded. The motion was seconded by Mr. Smith and passed unanimously.

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

41 - REPORT - Offer of land at 17 E. Hayestown Road for sale to the City.

Mr. Esposito submitted the following report:

The Common Council committee appointed to review the offer of land at 17 East Hayestown Road for sale to the City met on July 20, 1987 at 7:30 P.M. at City Hall. Attending were committee members Esposito and Charles. Mrs. Butera was unable to attend due to illness. Also in attendance was Councilperson McManus.

Mr. Esposito read a letter from Robert Ryerson, Director of Parks and Recreation stating that this property was offered to the City at an earlier time within the past year. At that time, the parcel was not functional for parking and was excessively priced. The reasonable use for parking was for the future ice skating arena.

The Parks and Recreation Department does not recommend the purchase of this property at this time. Mr. Charles moved that due to lack of interest by the City, the offer of land for sale at 17 East Hayestown Road be denied without prejudice. Seconded by Mr. Esposito. Motion carried.

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

42 - REPORT - Request for Well-Drilling Easement - Rural Water Co Inc.

Mrs. Johnson submitted the following report:

The committee appointed to review the request of Rural Water Company, Inc. for a well-drilling easement met at 6:45 P.M. in Room 432 in City Hall. In attendance were committee members Beverly Johnson and John Esposito. Peter Philip was out of town. Also attending were Superintendent of Public Utilities William Buckley and the Petitioner Stephen C. Polizzi. Director of Public Works Basil Friscia also attended for a portion of the meeting.

Mr. Polizzi gave his input regarding the request as did Mr. Buckley. However, additional information was needed before the request for a well-drilling easement could be granted. Upon receipt of the needed information from the Engineering Department, The Corporation Counsel has requested a written draft agreement as to where we stand on this matter. The Public Works Department requested drainage and future plans for widening of the roads in question. Another meeting will be held when this information is available. Meeting adjourned at 7:15 P.M.

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

43 - PROGRESS REPORT - Request to Clean Weeds from Lake Kencsia.

Mr. Hadley submitted the following report:

The Common Council Committee appointed to review the request to clean weeds from Lake Kenosia met in City Hall on July 20, 1987 at 7:30 P.M. In attendance were committee members Hadley, Rotello and Smith. Also attending were Rep. Lynn Taborsak, Superintendent of Public Utilities William Buckley, Janet Gershwin, Marnee Straiton, Betty Checkanow, Beatrice Strull and Meredith Findlay.

After welcoming the group, Mr. Hadley turned the meeting over to Mrs. Gershwin for a summary of her petition to the Common Council. The weed problem is getting worse and the weeds are growing toward the center of the lake. Since the City is a 95% user of the lake - public beach, skimming of water, three pumps, boat ramp, etc. - the feeling is that the City should share in the upkeep of the lake.

Next, Rep. Taborsak discussed the Clean Lakes Act and explained that diagnostic and restorative grants are awarded according to the Department of Environmental Protection's priority list. Lake Kenosia ranks number eighteen on that list. Since there is no Lake Kenosia Authority only the City of Danbury may apply for a 50% restorative grant. The City must submit a proposal in seeking the funds. The bill allows the Common Council to impose a special benefit tax on owners if they will benefit by the restorative work. There is presently one million dollars in the fund to clean up lakes. The committee should locate the contact person in the Department of Environmental Protection and request the proper forms.

Every guest and committee member spoke to the issue. The general comments were: the weeds are getting worse, especially since the construction of Union Carbide and the Mall. A plan of action should be instituted to create a Kenosia Lake Authority; weeds are a maintenance problem and must be done yearly; chemicals cannot be used; have the Health Department do a survey of septic systems in the area; there are reports of faulty septic systems in the area; swimmers are getting entangled in the weeds; residents should stop using phosphate detergents and clean their septic systems every year; the Weed Harvester is coming to Candlewood in August and Jim Twitchell and Bob Ryerson know about this.

At the conclusion of the meeting it was decided:

1. To have another meeting, possibly on August 10th;
2. To invite Jolen Simpson from the Candlewood Lake to study the lake and come with suggestions for a plan of action at the next meeting. (Mrs. Gershwin will do this).
3. To find out about a harvesting machine from Mr. Ryerson or Mr. Twitchell.
4. To determine a contact person in the Department of Environmental Protection.
5. To determine who would submit the forms for the City.
6. To mail the Taborsak material to committee members and participants.

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

PROGRESS

44 - REPORT - Sunrise Ridge Condominiums.

Mr. DaSilva submitted the following report:

The committee appointed to study the problems with the retaining wall at the Sunrise Ridge Condominiums on Padanaram Avenue met at 9:00 P.M. on July 27, 1987. In attendance were committee members DaSilva, Hadley, Flanagan, Boynton, Charles and Gallo. Mr. Philip was out of town. Mr. Godfrey attended as an ex-officio member. Also in attendance were Building Inspector Leo Null, City Engineer Jack Schweitzer, Corporation Counsel Theodore Goldstein, Assistant Corporation Counsel Laszlo Pinter, Attorney for the Sunrise Ridge Condominiums Ward Mazzucco, Sunrise Ridge Condominium Association President Joseph McCabe, and the engineer for the Association, Rudi J. Van Leeuwen.

After reviewing the history of the problems concerning the retaining wall in question, Mr. DaSilva asked Mr. Null to explain his findings in regard to any possible repairs to the wall. He stated that he and Mr. Schweitzer have reviewed the preliminary plans submitted to them on Friday, July 24, 1987. Because of the preliminary nature of the plans and the shortness of time to study them, he could not comment in depth. He thought, however, that this plan and two other tentative plans proposed by firms in New Jersey and Massachusetts were plausible remedies to repair the wall from the front side. This would eliminate the necessity of working through abutting properties on Juniper Ridge.

Mr. Mazzucco then submitted a communication from the Merchants Bank as to the possibility of a loan to the condominium association to finance repairs. He further reported that with acceptance of the proposed plan for repair, access from Juniper Ridge would not be needed.

Mr. Van Leeuwen of the Spencer, White and Prentis firm from Rochelle Park, New Jersey then described his plan for an underpinning and buttressing approach to permanently stabilizing the wall. He said that there was a preferred plan because of its minimal impact to the land and neighborhood, and its reasonable cost as compared to other proposals. This work can be accomplished in six to eight weeks.

Mr. McCabe thanked the various City departments and City officials for their help and stated that he was pleased with the possible plans for repairs and financing. He was also happy with a plan that would not disturb the neighbors.

Mr. DaSilva then stated that the committee was please that all avenues to a solution to the problem appear to be heading to resolution and that they hope the plans come to successful fruition as soon as possible. He said that a progress report would be submitted so as to keep alive the charge to the committee in the event further City involvement is needed and to monitor progress. He assured those present that the Common Council, the Mayor's Office, the City Engineer's Office and the Building Inspector would do all possible to facilitate the expeditious resolution of the problem. Petition submitted to the committee is attached.

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

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 Mr. Godfrey for the meeting to be adjourned at 8:30 P.M.

Respectfully submitted,

*Jimmetta L. Samaha*  
JIMMETTA L. SAMAHA

Assistant City Clerk

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk

ATTEST: