

To: Honorable Mayor Joseph H. Sauer, Jr., City of Danbury, Connecticut.

Re: Minutes of the Common Council Meeting held February 2, 1988.

The Meeting was called to order by Mayor Sauer at 8:00 P.M.

The roll call was taken by City Clerk Elizabeth Crudginton with the members being recorded as follows:

Present - Bourne, Connell, Gallo, Moran, Renz, Esposito, Godfrey, Flanagan, Zotos, Cresci, Nimmons, Fazio, Shaw, Charles, Butera, Danise, DaSilva, Eriquez, Regan, Weiss.

Absent - Cassano.

20 Present - 1 Absent.

NOTICE and ANNOUNCEMENTS BY THE MAYOR:

January 18th - Mary Ann Danise's Birthday
 January 26th - Bernard Gallo's Birthday
 January 26th - Joseph and Linda DaSilva's 20th Anniversary.

February is Black History Month
 February 19th - Iwo Jima's Survivor's Association

CONSENT CALENDAR - Mr. Fazio presented the following items for the Consent Calendar:

- 20 - Communication - Appointment to the HRRA
- 25 - Communication - New Milford Temporary Septage Agreement
- 28 - Communication - Report from Director of Public Works regarding Rural Water Company
- 35 - Communication - Report from Director of Public Works on Drainage Problem on Farm Street
- 36 - Communication - Report from Director of Public Works on Fencing Problem - 70 Main Street
- 37 - Communication - City of Danbury v. J. J. Brennan Construction Co.
- 38 - Communication - State Grant for Maintenance of Highways in the City
- 39 - Communication - Collect User Agreement
- 41 - Communication - Report on FCI Sewer Line
- 46 - Communication - Request for funding for Special Services Account - Fire Department
- 51 - Communication and Certification - Request for Funds - Registrars of Voters
- 57 - Report and Resolution - Federal Aviation Administration Construction Grant
- 58 - Report and Resolution - Discontinue and/or abandon Serre Road
- 65 - Report - Offer of land under Chapter 4, Section B, Paragraph 5 of the City's Subdivision Regulations
- 66 - Report - Water Problem on Farm Street
- 67 - Report - Petition for Sewer and Water Extensions - Sand Pit Road and Morgan Avenue
- 68 - Report - Request for Water Extension - 43 Farm Street
- 69 - Report - Request for Acceptance of Mazur Road
- 70 - Report - Request for bus shelter for Ward Drive and Ward Drive South
- 75 - Progress Report - Petition for Sewers in Lake Kenosia Avenue
- 76 - Progress Report - Street Addresses
- 77 - Progress Report - Lease between the City of Danbury and New England Aircraft
- 78 - Progress Report - Request for Sewer and Water Extensions - Edgewood Street
- 79 - Progress Report - Landfill Areas for Scrap Metal
- 80 - Progress Report - Drainage Problem on Anchor Street
- 81 - Progress Report - Legislation regarding Volunteer Fire Personnel

Mr. Godfrey made a motion that the Consent Calendar be adopted as presented. Seconded by Mr. Eriquez. Motion carried unanimously.

February 2, 1988

MINUTES - Mr. DaSilva made a motion to accept the minutes of the Common Council Meeting held January 5, 1988 and to waive the reading as all Members have copies which are file in the Office of the City Clerk for public inspection. Seconded by Mr. Eriquez. Motion carried.

1- CLAIMS - Catherine Michinko, Mary McInerney, Samuel Tomanio, Jr. Luissa Tuccio, William J. Buttery, Stephen Krizan, Madiha Ashour.

Mr. Connell asked that these be referred to the Corporation Counsel for a report back in thirty days. Mayor Sauer so ordered.

2 - ORDINANCE - Septage Rates.

Mr. Godfrey asked that the Ordinance be deferred to public hearing. Mayor Sauer so ordered.

3 - 18 - WITHDRAWN.

19 - COMMUNICATION - Appointment of Assistant Corporation Counsel

Letter from Mayor Sauer asking confirmation of Attorney George S. Sakellares as Assistant Corporation Counsel.

Mr. Godfrey made a motion that the appointment be confirmed. Seconded by Mr. Flanagan. Motion carried unanimously.

20 - COMMUNICATION - Appointment to the HRRRA.

Letter from Mayor Sauer asking confirmation of Daniel Minahan to the HRRRA as Danbury's alternate to the HRRRA. The appointment was confirmed on the Consent Calendar.

21 - COMMUNICATION - Appointment to the Fire Pension Board

Letter from Minority Leader Eriquez asking confirmation of the appointment of Joseph DaSilva to the Fire Pension Board. Mr. Eriquez made a motion nominating Mr. DaSilva. Seconded by Mr. Godfrey. Motion carried unanimously.

22 - COMMUNICATION - Appointment to the Police Pension Board.

Letter from Minority Leader Eriquez asking confirmation of Bernard P. Gallo to the Police Pension Board. Mr. Eriquez made a motion nominating Mr. Gallo to the Police Pension Board. Seconded by Mr. DaSilva.

Mr. Moran made a motion nominating Barry Connell to the Police Pension Board. Seconded by Mr. Fazio. Mrs. Bourne made a motion that the nominations be closed. Motion carried. Roll Call was taken with the members being recorded as follows:

For Mr. Gallo - Gallo, Esposito, Godfrey, Flanagan, Zotos, Charles, Butera, DaSilva, Eriquez, Regan.

For Mr. Connell - Bourne, Connell, Moran, Renz, Cresci, Fazio, Shaw, Danise, Weiss.

For Mr. Gallo - 10 votes; for Mr. Connell - 9 votes. Mr. Gallo was elected to the Police Pension Board.

23 - COMMUNICATION - Replacing Steel Traffic Drums with Plastic Drums.

Mr. Flanagan asked that this communication be referred to an ad hoc committee. Mayor Sauer ordered that the committee shall consist of Council Members Renz, Shaw, Butera and the Corporation Counsel.

24 - COMMUNICATION - Clothing Plus Bank.

Mrs. Bourne asked that this communication requesting funds be referred to an ad hoc committee. Mayor Sauer ordered that the committee shall consist of Council Members Nimmons, Danise and Cassano.

25 - COMMUNICATION - New Milford Temporary Septage Agreement.

Letter from Attorney Eric Gottschalk stating that the above Agreement has been withdrawn. The Communication was accepted on the Consent Calendar.

26 - COMMUNICATION - Offer of hand soap for use at the Danbury Fire Training School from the Danbury Chemical Products Corporation. Mr. Moran made a motion to accept the offer. Seconded by Mr. Cresci. Motion carried unanimously.

27 - COMMUNICATION - Correspondence regarding SAT Corp. for road widening purposes. Mr. Godfrey asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Sauer ordered it referred to Council Members Moran, Weiss and Esposito and to the Planning Commission.

28 - COMMUNICATION - Report from Director of Public Works regarding Rural Water Company's request for a well-drilling easement. The Report was accepted by the Common Council on the Consent Calendar.

29 - COMMUNICATION - Davro-Scalzo, Inc. - Application for Road Widening Parcel for Driftway Ridge Subdivision. Mrs. Bourne asked that this be referred to an ad hoc committee, the Planning Commission and the Corporation Counsel. Mayor Sauer ordered it referred to Council Members Moran, Weiss and Esposito and the Planning Commission and Corporation Counsel.

30 - COMMUNICATION - Letter from All American Energy requesting that a feasibility study of the City owning and operating its own electric system be done. Mr. Connell asked that this be referred to an ad hoc committee and the Superintendent of Public Utilities. Mayor Sauer ordered it referred to Council Members Fazio, Danise and Flanagan and the Superintendent of Public utilities.

31 - COMMUNICATION - Letter from Professional Properties Associates asking the Common Council to review and re-evaluate its outstanding claim with the City. Mrs. Bourne asked that this be referred to an ad hoc committee, the Corporation Counsel and the Comptroller. Mayor Sauer ordered it referred to Council Members Regan, Connell and Gallo and to the Corporation Counsel and the Comptroller.

32 - COMMUNICATION - Letter from Corporation Counsel Robert Resha asking authorization to hire Attorney Thomas H. Connell to assist in the settlement of the construction claim of Della Construction Company, Inc. Mr. Godfrey made a motion to grant the authorization. Seconded by Mr. Nimmons. Motion carried unanimously.

33 - COMMUNICATION - Letter from Corporation Counsel Robert Resha seeking authorization to hire outside counsel to represent the City regarding a lawsuit brought by Council Member Barry Connell. Mr. Godfrey made a motion to grant the authorization. Seconded by Mr. Cresci. Motion carried unanimously.

34 - COMMUNICATION - Request for an ad hoc committee to study the implementation of a workfare program for welfare recipients. Mr. Godfrey asked that this be referred to a committee and the Director of Welfare. Mayor Sauer ordered that the committee shall consist of Council Members Flanagan, Gallo and Shaw and also ordered it referred to the Director of Welfare.

35 - COMMUNICATION - Letter from the Director of Public Works regarding the drainage problem on Farm Street stating that in order to fully solve this problem an engineering study must be performed. The Report was accepted on the Consent Calendar.

36 - COMMUNICATION - Letter from the Director of Public Works regarding the fencing problem at 70 Main Street, stating that he has investigated the problem and the fencing is not causing any problems. The report was accepted on the Consent Calendar.

37 - COMMUNICATION - City of Danbury v. J. J. Brennan Construction Co. Letter from Corporation Counsel Robert Resha stating that the above claim can now be settled for \$2,500 which is reasonable. The communication was accepted on the Consent Calendar.

38 - COMMUNICATION - Letter from Daniel Minahan requesting authorization to sign invoices-vouchers for goods or services rendered to the State of Connecticut for maintenance of certain State highways in the City. The communication was accepted on the Consent Calendar.

39 - COMMUNICATION - Letter from Police Chief Nelson Macedo together with a copy of the Collect User Agreement asking for Common Council approval to sign agreement. Approval was given on the Consent Calendar.

40 - COMMUNICATION - Request for a crosswalk or light at the intersection of Maple Avenue and Garamella Boulevard. Mr. Charles referred this to the Chief of Police for a report back in thirty days. Mayor Sauer so ordered.

41 - COMMUNICATION - Report from Assistant Corporation Counsel Eric Gottshalk stating that he is preparing an agreement between the City and the FCI guaranteeing sufficient capacity to handle anticipated future FCI expansion of the sewer line. The report was accepted on the Consent Calendar.

42 - COMMUNICATION - Recommendation from the City Engineer stating that Parcel X on Map No. 8720 for use as road widening strip should be accepted by the City. Mr. DaSilva moved to accept the communication and the recommendation. Seconded by Mr. Eriquez. Motion carried unanimously.

43 - COMMUNICATION - Letter from Attorney Ward Mazzucco asking the Common Council to consider the acceptance of College Park Estates as a City Road. Mrs. Danise asked that this be referred to an ad hoc committee, the Planning Commission and the City Engineer. Mayor Sauer ordered that the committee shall consist of Council Members Moran, Renz and Charles and referred it to the Planning Commission and the City Engineer.

44 - COMMUNICATION - Petition from Joan Black asking that Rolfs Drive be changed to a "permanent cul de sac." Mr. Godfrey asked that this be referred to an ad hoc committee, the Planning Commission and the City Engineer. Mayor Sauer ordered it to Council Members Moran, Weiss and Charles and to the Planning Commission and City Engineer.

45 - COMMUNICATION - Letter from Joseph Coelho of 3 Valley Road asking the Common Council to investigate a drainage problem at 3 Valley Road. Mrs. Bourne asked that this be referred to an ad hoc committee and the Director of Public Works. Mayor Sauer ordered that the committee shall consist of Council Members Regan, Cresci, Zotos and also the Director of Public Works.

46 - COMMUNICATION - Letter from Fire Chief Charles Monzillo requesting funding for the special services account. Request was approved on the Consent Calendar.

47 - COMMUNICATION - Letter from City Engineer John Schweitzer asking that \$11,000 be transferred from the contingency account for the Hayestown Avenue Road project. Mr. Gallo asked that this be referred to an ad hoc committee. Mayor Sauer ordered that the committee shall consist of Council Members Connell, Renz, Moran, Eriquez and DaSilva.

48 - COMMUNICATION - Letter from James P. O'Connell requesting the status of the widening of Bear Mountain Road. Mrs. Danise asked that this be referred to an ad hoc committee, the Planning Commission and the City Engineer. Mayor Sauer ordered that the committee shall consist of Council Members Connell, Nimmons and Charles and also ordered it referred to the Planning Commission and the City Engineer.

49 - COMMUNICATION - Letter from Wilmorite Corporation asking for an easement regarding land for expansion of a department store. Mr. Eriquez asked that this be referred to an ad hoc committee, the Planning Commission, the City Engineer and the Airport Administrator. Mayor Sauer so ordered and stated that the Committee shall consist of Council Members Bourne, Connell and DaSilva.

50 - COMMUNICATION - Letter from Board of Ethics Chairman Barbara Flanagan asking the Common Council to review the procedures mandated in the Code of Ethics Ordinance for advisory opinions. Mr. Godfrey asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Sauer so ordered and stated that the committee shall consist of Regan, Godfrey and Eriquez.

51 - COMMUNICATION & CERTIFICATION - Request for funds from the Registrars of Voters to cover expenses to be incurred by the unanticipated Primary and Election for Judge of Probate and the Presidential Preference Primary. The request was accepted and the transfer of funds authorized on the Consent Calendar.

52 - COMMUNICATION - Offer from the State of Connecticut to the City of Danbury to purchase land on the Northerly side of Prindle Lane. Mr. Eriquez asked that this be referred to an ad hoc committee, the Planning Commission and the City Engineer. Mayor Sauer so ordered and appointed Council Members Nimmons, Shaw and Zotos to the ad hoc committee.

53 - COMMUNICATION - Sewer Line on Hillendale Road. Letter from Mr. Nimmons asking for an ad hoc committee to look into this project. Mr. Godfrey asked that this be referred to an ad hoc committee. Mayor Sauer appointed Council Members Cresci, Danise and Butera to the committee.

54 - COMMUNICATION - WITHDRAWN.

55 - COMMUNICATION - Conveyance of City Property for purpose of historic preservation and also to close Union Avenue to traffic. Mr. Godfrey asked that this be referred to an ad hoc committee, the Planning Commission and the Engineering Department. Mayor Sauer so ordered and appointed Council Members Nimmons, Fazio and Flanagan to the committee.

56 - DEPARTMENT REPORTS - Department of Public Utilities, Airport Administrators, Housing Code Enforcement, Sanitation/Public Health, Fire Chief, Fire Marshall, Environmental and Occupational Health Services, Parks and Recreation, Police Department. Mr. DaSilva made a motion to accept the department reports and waive the reading as all members have copies which are on file in the Office of the City Clerk. Seconded by Mr. Eriquez. Motion carried unanimously.

57 - REPORT & RESOLUTION - Federal Aviation Administration Construction Grant.

Mrs. Bourne submitted the following report and resolution:

The ad hoc committee established to review this request met on January 26th at 7 p.m., in the 4th Floor Lobby of City Hall. Committee members L. Bourne, and J. DaSilva were present. Chairman, B. Shaw, was absent and Councilman Bourne took on the responsibility of Chairman. Also present were: Airport Administrator, P. Estefan; Acting Director of Finance, D. Setaro; and ex-officio committee member, A. Regan.

Mr. Estefan explained the work that would be undertaken with these monies; and how this would increase the airport's safety during take-offs and landings.

In addition, Mr. Estefan has amended his requested amount to not exceed \$817,000 and a local amount not to exceed \$20,425. Previous numbers given were \$685,000 and \$17,125.

Mr. Estefan has already received verbal approval from the FAA that these funds will be appropriated.

Mr. DaSilva moved to recommend to the Council approval of the application for a federal and state grant in the amount of \$817,000; the local match of \$20,425; and further move to appropriate \$3,300 as the local share pending certification of funds. Motion passed unanimously.

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport and Airway Safety & Capacity Expansion Act of 1987; and

WHEREAS, the City of Danbury through the Danbury Municipal Airport intends to construct and mark taxiway Echo ("E"), General Aviation Apron, Inner taxiway Alpha ("A"), and survey runway "8"; and

WHEREAS, the City of Danbury will make application for a federal and state grant in the amount not to exceed \$817,000.00 with a local match of two and one-half percent equaling an amount not to exceed \$20,425.00;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Joseph H. Sauer, Jr., is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The Report and Resolution were adopted on the Consent Calendar.

58 - REPORT & RESOLUTION - Discontinue and/or abandon Serre Road.

Mr. Gallo submitted the following report and resolution:

The committee met on January 19, 1988 at 7:00 P.M. in Room 432 in City Hall. Members present were Gallo, Bourne and Cresci. Also present were City Engineer Jack Schweitzer and Attorney Bobby Payne, representing the petitioner.

Attorney Payne gave the committee some background on Serre Road including a resolution abandoning another section of Serre Road in August, 1986. The Planning Commission voted a positive recommendation for the request on January 6, 1988. Mr. Schweitzer stated that he had no problem with this request as Serre Road was not used by the public. Attorney Payne produced letters from adjoining property owners showing they were in favor of this.

Mrs. Bourne moved to recommend to the Common Council to appeal the request for the City to discontinue and/or abandon Serre Road. Seconded by Mr. Cresci. Motion carried unanimously.

THAT: WHEREAS, Richard G. and Margaret Prutting, residing at 36 Old Ridgebury Road, have requested that the Common Council of the City of Danbury discontinue a remaining portion of an old highway, commonly known as Serre Road; and

WHEREAS, said portion of Serre Road has not been used by the public as a roadway for many years; and

WHEREAS, all other portions of said road have been discontinued by resolution of the Common Council; and

WHEREAS, the discontinuance of said Serre Road is in the best interest of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT the portion of Serre Road as described in the attached Exhibit A and shown on the map attached hereto as Exhibit B be and hereby is discontinued.

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

59 - REPORT - Charter Revision Commission

Mr. Nimmons submitted the following report:

The committee held two meetings, on on January 19th and the second on January 28, 1988 at 7:30 P.M. In attendance at both meetings were Committee Members Nimmons, Fazio, Bourne, Eriquez and DaSilva.

At the January 19th meeting a general discussion ensued covering the committee's responsibilities and objectives. No official vote took place.

At the January 28th meeting a motion was made by Mrs. Bourne and seconded by Mr. Eriquez to waive the reading of the recap summary of the first meeting submitted by the Chair. Motion carried unanimously. A motion made by DaSilva and Seconded by Mrs. Bourne that Charter Revision is essential. Motion carried unanimously. A motion was made by Mrs. Bourne and seconded by Mr. Fazio that \$5,000 be appropriated for Commission staffing. Motion carried unanimously.

Assistant Corporation Council Eric Gottschalk's communication of January 21st to the Chair was reviewed in regard to a timetable for Charter Revision. It was agreed that the Commission would have to work closely with Attorney Gottschalk in order to maintain a timetable so the revisions could, if at all possible, appear on the November, 1988 ballot. It was further agreed that the Commission should report to the Common Council in writing, of its progress once a month. The Committee also expressed the need for the Commission to meet as frequently as possible in order to finish its work on time.

Mrs. Bourne made a motion to nominate Paul Jaber, seconded by Mr. Nimmons for a seat on the Charter Revision Commission. Mr. Fazio nominated Evo Butera, seconded by Mr. Nimmons; Mr. Eriquez made a motion to nominate Peter Molinaro, seconded by Mr. Fazio; Mr. DaSilva made a motion to nominate Robert Yamin, seconded by Mrs. Bourne; Mr. DaSilva made a motion to nominate John Leopold, seconded by Mr. Fazio; Ann Boynton was nominated by Mr. Eriquez, seconded by Mr. DaSilva; Lovie Bourne was nominated by Mr. Nimmons, seconded by Mr. Eriquez; Robert Godfrey was nominated by Mrs. Bourne and seconded by Mr. Fazio; and Joseph Durkin was nominated by Mr. Eriquez and seconded by Mrs. Bourne. All candidates were unanimously accepted by a voice vote.

The following items are specifically identified by the committee for the Commission's consideration. It is not intended that this list should limit the Commission as it is free to explore any other part of the Charter for revision purposes.

1. Section 2-H, Page 3 - Review staggering the terms and general continuity.
2. Section 2-3, page 4 - Consider Minority Representation for updating.
3. Section 3-2, page 6 - Review and identify the succession and position of presiding officer of the Common Council.
4. Section 3-8, page 7 - Recommend that the public address the Common Council at the convenience of the Council.
5. Section 3-9, page 8 - Correct wording. Any approval where there are time constraints should not include Saturday, Sunday or legal holidays.
6. Section 3-13, page 9 - Consider standing committees to increase Council's efficiency.
7. Section 6-6, page 13 - Review, particularly the positions of Director of Finance and Comptroller.

8. Section 6-6D, Page 14 - Review with consideration of updating.

9. Section 6-8, page 16 - Review with specific consideration of qualifications of the Planning Director.

10. Section 7-10, page 23 - Review borrowing procedure with consideration of implementing an ordinance.

11. Section 8-3, page 24 - Review conflict of interest section as written.

12. Section 8-7, page 25 - Review as written i.e. "preference to citizens" to read "preference to citizens of Danbury".

13. Review general checks and balances in regard to Mayoralty appointments.

Mrs. Bourne made a motion that the committee list be adopted and forward to the Commission once established. Seconded by Mr. DaSilva. Motion carried unanimously.

Mr. Eriquez made a motion to accept the report. Seconded by Mr. Flanagan.

Mr. Renz made a motion to amend the committee report by deleting the names of Paul Jaber and Peter Molinaro and adding the names of Steven Piccarello and Lydia Yaglenski. Mr. Cresci seconded. Mr. Charles asked if they were going to vote on both names at the same time or one at a time. Attorney Gottschalk said that it was up to the Council Members. Mr. Nimmons made a motion to divide the question. Seconded by Mr. Charles. Motion failed 17 no - 3 yes. Mr. Connell, Mr. Shaw and Mr. Regan voted in the affirmative.

Mr. DaSilva stated that the committee had worked diligently on this committee and asked for an explanation for the deletion. Mr. Renz stated that his amendment had no reflection on the diligence of the committee. The names submitted were partisan names substituti for partisan names. The names submitted speak for themselves and their interest and dedication speak for themselves.

Mr. Flanagan stated that he recognized that Republicans were replacing Republicans and his comments did not reflect on the replacement but community-wide experience was necessary. Mr. Flanagan asked for rejection of the amendment and stated that the committed did an excellent job.

Mr. Nimmons stated that he chaired the committee and did not have any input into the selection of the names. He concurred with the previous speaker and asked that the committee report be accepted as read.

Roll call was taken on the amendment with the members being recorded as follows:

Yes - Connell, Renz, Cresci, Shaw, Danise, Regan, Weiss.
No - Bourne, Gallo, Moran, Esposito, Godfrey, Flanagan, Zotos, Nimmons, Fazio, Charles, Butera, DaSilva, Eriquez. Motion fails. 13 no, 7 yes.
Committee Report is accepted as read.

60 - REPORT - Downtown Parking Garage

Mr. Renz submitted the following report:

The committee appointed to review the Downtown Parking Garage met on January 13, 1988 in Room 432 in City Hall. Present were committee members Renz, Danise and Cassano. Also attending were Comptroller Dominic Setaro and Parking Authority Director Charles Bardo, in addition to numerous Common Council Members and Members of the Downtown Tax District.

Discussion commenced with an overview of the well known aspects of the garage, then moved to the financial/revenue concerns. It was acknowledged by Mr. Bardo that "stand alone" parking garages are not self sufficient as a rule, however, present projections for occupancy and a realistic consideration of future rates caused him to project minimal financial burden to the City beyond the initial commitment.

With little in the way of revised suggestions as to the City's participation in this project, the committee voted to recommend the financial proposal as put before this Council at the November, 1987 meeting. Mrs. Danise made a motion that the committee recommend to the Common Council that the Parking Authority, in concert with the appropriate City offices (e.g., Comptroller, Corporation Counsel) and including the transfer of City-owned property behind the Old Library to the Parking Authority, be authorized to proceed to develop and construct a parking garage on the Library Place site. It is understood that this project will include a projected contribution from the City of approximately \$225,000 (worst-case) per year for the first five years, assuming a 20 year finance period at 9% interest. This worst-case analysis assumes a contribution of \$182,000 from Parking Authority reserves over the five year period. Mr. Cassano seconded the motion and there was unanimously approval.

Mr. Godfrey moved to accept the committee report. Seconded by Mr. Moran. Mr. Charles asked that this be referred to the Common Council as a committee of the whole. Seconded by Mr. Fazio.

Mr. Flanagan stated that he had served on many parking garage committees, but that if any Council Member felt that he or she had some unanswered questions, it was certainly their right to ask for another committee.

Mr. Eriquez stated that he respected the wishes of Mr. Charles and although he was prepared to vote, he was willing to defer action until Mr. Charles gets the information he desires.

Mrs. Danise stated that it was her understanding that Mr. Bardo had give Mr. Charles the answers to his questions.

Mr. Renz stated that he felt the 7 questions had been answered and that the committee did a thorough job.

Mr. Moran asked if the vote could be taken on February 11 as a committee of the whole meeting had been scheduled for that night. Mr. Nimmons explained the function of a committee of the whole. Mr. Moran moved the questions. The members voted as follows:

Yes - Bourne, Gallo, Esposito, Godfrey, Flanagan, Nimmons, Fazio, Charles, Butera, DaSilva, Eriquez, Regan.

No - Connell, Moran, Renz, Cresci, Shaw, Danise, Weiss.
Abstain - Zotos.

Motion carried - 12 yes, 7 no, 1 abstention.

61- REPORT & CERTIFICATION - Heart and Hypertension Issue - Lt. Ronald Scalzo.

Mr. Gallo submitted the following report:

The committee met on January 11, 1988 at 7:30 P.M. in Room 432 in City Hall. Committee Members present were Gallo, Bourne and Cassano. Representing the City Eric Gottschalk and Dom Setaro. Also in attendance were Lt. Scalzo, Union President (Local 801) Louis DeMici, Vice President Louis Repko and Ray Shea, President of the State Firemen's Union.

Mr. Gallo opened the meeting by asking Attorney Eric Gottschalk to brief the committee on the charge before them and the tentative agreement reached between the City and Lt. Scalzo. Attorney Gottschalk explained that there was the choice of paying Lt. Scalzo the settlement reached between him and the City which is \$194. for 400 weeks for a sub-total of \$77,600 plus \$30,000 per year for two years for a grand total of \$137,600 and receiving a signed affidavit from Lt. Scalzo eliminating any future claims; or, pay the settlement that workmen's compensation handed down which is \$397. per week for 487½ weeks for a grand total of \$193,538 and Mr. Scälzo could file future claims. Since the committee had no alternative, Mrs. Bourne moved to recommend to the Common Council approval of the Stipulated Judgement reached between Lt. Scalzo and the City and authorize the transfer of \$30,000 to the uninsured workmen's compensation account. Seconded by Mr. Cassano. Motion carried unanimously.

Mr. Godfrey made a motion to accept the report and authorize the transfer. Seconded by Mr. Flanagan. Motion carried unanimously.

Mrs. Bourne thanked Dominic Setaro and Eric Gottschalk for their efforts on behalf of the City. They saved the City many thousands of dollars.

62 - REPORT & CERTIFICATION - Grant Monies for Health Department.

Mr. Moran submitted the following report:

The committee appointed to review grant monies met in Room 432 in City Hall on January 27, 1988. In attendance were committee members Moran and Charles. Also attending were William Quinn of the Health Department and Comptroller Dominic Setaro.

Dr. Quinn and Mr. Setaro explained the needs for the funds for the following programs within the Health Department: AIDS - \$50,000, two programs; STD, sexually transmitted diseases - \$8,000 and WIC, Women, Infants and Children - \$136,000 for a total of \$204,000. The amount of \$125,000 was agreed upon to be sufficient at this time to keep the programs in operation.

A motion was made by Mr. Charles to allow the Comptroller to borrow from the general fund to cover the cost of all Health Department grants not to exceed \$125,000. The borrowing of funds shall not be subject to approval of health department grants from the State or Federal governments. Seconded by Mr. Moran. Motion carried unanimously.

Mr. Godfrey made a motion to accept the report and authorize the borrowing. Seconded by Mr. Flanagan. Motion carried unanimously.

63 - REPORT - Chain of Command - Police Department.

Mr. Renz submitted the following report:

The ad hoc committee appointed to review the change in the chain of command at the Danbury Police Department met in Room 432 on January 13, 1988. In attendance were committee members Renz and Charles. Also in attendance Chief Macedo, Detective Captain George Johnson, Council Member Lovie Bourne, ex-officio and Assistant Corporation Counsel Les Pinter.

Chief Macedo explained the change in Section 15-10 of the City Ordinance.

Mr. Charles made a motion to amend Section 15-10. Councilman Renz seconded the motion. Motion carried unanimously.

Mr. Godfrey made a motion to accept the report and defer the Ordinance to public hearing. Seconded by Mr. Eriquez. Motion carried unanimously.

64 - REPORT & CERTIFICATION - Funds for Library Restoration.

Mr. Renz submitted the following report:

The committee appointed to review the request for funds for the library restoration project met on January 20, 1988 at 7:00 P.M. in Room 432 in City Hall. Present were committee members Renz and Weiss. Also present were Dominic Setaro, Attorney Al Hornig and Library Director Betsy Lyke.

The request concerns completion of renovation projects already in process and the money requested has already been committed.

Mrs. Weiss moved to recommend approval of this request. Seconded by Mr. Renz. Motion carried unanimously.

Mr. Godfrey made a motion to accept the report and authorize the transfer of funds. Seconded by Mr. DaSilva. Motion carried unanimously.

65 - REPORT - Offer of land under Chapter 4, Section B, Paragraph 5 of the City's Subdivision Regulations.

Mr. Gallo submitted the following report:

The committee met on January 14, 1988 at 7:00 P.M. in Room 432 in City Hall. Committee Members present were Gallo and Charles. Mr. Fazio had a previous commitment. City Engineer Jack Schweitzer was also present.

Mr. Gallo opened the meeting by asking Mr. Schweitzer to review the City's subdivision regulations and explain where the property in question was located. Both Mr. Gallo and Mr. Charles were familiar with the regulations and the location of the property. The committee received a positive recommendation from the Planning Commission (6/17/87) as well as one from Mr. Schweitzer.

Mr. Charles moved to recommend to the Common Council acceptance of said parcel. Seconded by Mr. Gallo. Vote was unanimous.

The Report was accepted on the Consent Calendar.

66 - REPORT - Water Problem on Farm Street.

Mrs. Bourne submitted the following report:

The ad hoc committee formed to review petitioner's complaint met on January 26th at 7:15 p.m. in Room 432 of City Hall. In attendance were committee members M. Fazio and L. Bourne (J. Butera was absent). Also present were: A. Regan, committee member ex-officio; D. Minahan, Director of Public Works; Mr. & Mrs. Pat O'Brien, petitioners (36 Farm St.); and Ms. Denise Chila (26 Farm St.).

As background, according to previous Public Works Director, Mr. Friscia, the drainage problem has been in existence for "quite some time." The Highway Department "pitched" the road to direct the flow of water away from Mr. & Mrs. O'Brien's property. Although this procedure helped, it did not alleviate the flooding problem.

On January 18th, Councilman Bourne received a call from Mr. O'Brien stating that his driveway and garage were flooded again. Councilmen Fazio and Connell surveyed the site at approximately 11:30 a.m. while it was still raining. At that time the driveway and garage were flooded with approximately four (4") inches of water. At 2:45 when Councilman Bourne toured, it was not raining, and there remained one and one-half (1-1/2") inches of water in both the driveway and garage.

Mr. Friscia did dispatch a crew to review the site, and to open up a "natural" drain area onto a vacant lot.

As there is a City ordinance prohibiting road work during 12/1 - 3/1, Mr. Friscia stated that during rainfalls he would instruct the area foreman to watch the area, and ensure that the natural drain area is always cleared. Note that this does not correct the problem, but only alleviates it slightly. Mr. Minahan agreed to follow this course of action.

Mr. Fazio moved that the Committee recommend to the Council that a catch basin be installed at the westerly edge of Mr. O'Brien's driveway and outletted to the nearest cross culvert. Motion passed unanimously.

The report was accepted on the Consent Calendar.

67 - REPORT - Petition for Sewer and Water Extensions - Sand Pit and Morgan Avenue.

Mr. Gallo submitted the following report:

The committee regarding the above captioned matter met on January 14, 1988. In attendance were Committee Members Gallo, Moran and Weiss.

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

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer and water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

The report was accepted on the Consent Calendar.

68 - REPORT - Request for Water Extension - 43 Farm Street

Mr. Nimmons submitted the following report:

The committee appointed to study the above request met at 7:00 P.M. on January 20, 1988. In attendance were committee members Nimmons and Fazio. Council Member Charles attended ex-officio. Jack Schweitzer was also in attendance.

Mr. Schweitzer advised the committee that no appropriate action of the committee was necessary as the water line has already been extended by the City. He further stated that the property owner of 43 Farm Street need only to file for a connection permit. The forms are available at the Engineer's Office. Mr. Rutledge was so advised by the Chair.

The report was accepted on the Consent Calendar.

69 - REPORT - Request for Acceptance of Mazur Road

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the request for acceptance of Mazur Road met on January 21, 1988 at 7:30 P.M. in City Hall. Present were committee members John Esposito, Florence Weiss and Janet Butera. Also attending representing the petitioners were Mrs. Morits and Mr. Mazur. Representing the City was Dan Minahan, Superintendent of Highways.

Mr. Esposito stated that due to a report of the Public Works Department and an on-site inspection, Mazur Drive does not meet the minimum requirements of Section 17-34 of the City Code of Ordinances which must be met before the City can begin the process of acceptance. Mr. Minahan spoke of the provisions in the Code of Ordinances concerning private roads and in reference to the health, safety and welfare of people living on such roads. The Public Works Department will, and does, assist the residents in the event of a bad storm or an emergency on a priority basis. Mr. Minahan also spoke of the liability responsibility of City owned equipment and personnel on private roads.

Mrs. Morits asked if it would be possible for the Public Works Department to cooperate with the residents in the event of bad storms and needed minor repairs so that the road could remain passable and agreed to a legal hold harmless clause in the area of liability.

Mrs. Butera made a motion to deny the request at this time and recommend that the Public Works Department cooperate with the residents in any way possible to help keep the road passable. Seconded by Mrs. Weiss. Motion carried unanimously.

The report was accepted on the Consent Calendar.

70 - REPORT - Request for bus shelter on Ward Drive and Ward Drive South.

Mr. Enriquez submitted the following report:

The ad hoc committee of the Common Council appointed to consider the request to construct a school bus shelter for neighborhood children at Ward Drive and Ward Drive South met on Tuesday, December 8, 1987 at 7:30 P.M. Council Members Enriquez, Danise and Weiss were in attendance as were Mr. and Mrs. Edward Blasco who initiated this request.

Mrs. and Mrs. Blasco presented the committee with the details of their request. They noted that they would construct a shelter for neighborhood children at their own expense and that they would insure the shelter was constructed in compliance with City regulations and specifications if their request was approved.

The committee informed Mr. and Mrs. Blasco that the Planning Commission will have this item before them for review. The Commission will forward their recommendation to the Common Council since this request involves the construction of this school bus shelter on City land.

Therefore, it was moved to recommend that the request to construct a school bus shelter on City land at Ward Drive and Ward Drive South be approved pending a favorable recommendation from the Planning Commission. (Note: A positive recommendation was received from the Planning Commission on January 6, 1988). Also, it is intended that this shelter be constructed in compliance with City requirements. The motion was seconded and passed unanimously.

The report was accepted on the Consent Calendar.

71 - REPORT & CERTIFICATION - Request for Grant for the Danbury Boxing Club.

Mr. Cresci submitted the following report:

The Common Council Committee appointed to review the request for a grant for the Danbury Boxing Club met on January 19, 1988 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Cresci and Moran. Also attending were Robert Ryerson, George Repole, Mike Merrick and other members of the Danbury Boxing Commission.

A discussion was held by members of the committee and the Danbury Boxing Club regarding their work in helping to combat juvenile delinquency. Boxing takes young men off the streets and teaches them a discipline. Mr. Repole mentioned that three boxers from the club were entered in a tournament and had won. The committee complimented the volunteers who work at the Danbury Boxing Club for their efforts. Mr. Ryerson stated that should a grant be given, his office would handle the monies.

A motion was made by Mr. Moran and seconded by Mr. Cresci to grant \$6,000 to offset the rent of \$350 per month, \$25 per month for the telephone and \$50 per month for electricity for a total of \$5,100. The remaining \$900 shall be used for badly needed equipment. Motion carried unanimously.

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

72 - REPORT - Waiver of Bid Process

Mr. Renz submitted the following report:

The committee appointed to review the request for the waiver of bid process met on December 10, 1987 at 7:30 P.M. In attendance were committee members Renz and DaSilva. Also present were Basil Friscia, Warren Platz, Wilbur Conlea and Councilman Esposito attending ex-officio.

This matter concerns waiving of the bidding process as regards procurement of government surplus items. Mr. Platz explained the necessity for expediency with regard to these procurements as significant savings to the City can be realized. The procurement of government surplus items does not allow for the time necessary to adhere to the bidding process.

It is recommended that the Corporation Counsel draft a resolution to authorize the Purchasing Agent to procure government surplus items without adhering to the bid procedure. Further, that the procurements are contingent on certification of funding by the Comptroller of the City of Danbury.

Motion was made by Mr. DaSilva and seconded by Mr. Renz. Motion carried unanimously.

Mr. Eriquez moved to accept the report and authorize the Corporation Counsel to draft the Resolution. Seconded by Mr. Godfrey. Motion carried unanimously.

73 - REPORT - Conflict between FBO's and the Airport Commission

Mr. Shaw submitted the following report:

The Common Council Committee appointed to review the conflict between FBO's and the Airport Commission met on January 21, 1988 in City Hall. In attendance were Committee Members Shaw, Bourne, Godfrey, Connell and Eriquez. Mr. Connell made a motion to suspend the rules to allow commission members to discuss areas of conflict. Seconded by Mrs. Bourne. Motion carried.

Mr. Shaw opened with remarks that the committee was primarily formed as an informational agency to help resolve dissention between Airport Administrator Paul Estefan, the Aviation Commission and Airport FBO's. Mr. Shaw asked Mr. Estefan who he reported to. Mr. Estefan stated that he reported to the Mayor, but was unsure to whom the Aviation Commission reported to.

Mr. Shaw commented that of all the area airports, including Bridgeport, Oxford, Westchester, Groton and Meriden, New Haven and Danbury are the only ones charging a permit fee to pump fuel. New Haven charges \$100 a year, Danbury \$500. Mr. Scarfi of the Aviation Commission commented that three weeks of nightly meetings resulted in the present fees. He stated that the old system of fees imposed on FBO's was too difficult to collect. Mr. Shaw commented that that older system was probably more fair, i.e. the more profit made the more paid to the City. This was agreed to by the Aviation Commission. However, it is too expensive to audit and verify accountants signatures.

Mr. Shaw questioned Mr. Estefan in reference to two instances of FBO's being refused permission to cross the airfield utilizing taxiways and runways while being in radio contact with ground control. A bill was submitted to the City in October, 1987 from BAC (FBO) for reimbursement of \$500 towing charges to tow an unlicensed tank truck outside the airfield to fuel farm and return. Mr. Shaw stated that this has always been permitted and was informed that a new federal regulation prohibited crossing taxiways and runways even with two-way communication. Mr. Shaw commented that he

observes fuel trucks at many local airports still allowing fuel trucks access to fuel farms providing they have two-way radios. Mr. Crudginton commented that much thought and work was committed to the new fee structure, that he has spent three terms on the Aviation Commission and that it is an unpaid position. Mr. Shaw said he was aware of this being an unpaid position as are Council Members and suggested if he is unsatisfied it is his prerogative to resign. Mr. Crudginton said he has no intention of resigning. Mrs. Bourne asked Mr. Estefan about an aircraft accident struck by an automobile. Mr. Estefan said an automobile crashed through a fence and into a hangar colliding with an airplane. Mrs. Bourne then asked about security at the Airport. Mr. Estefan felt that this sensitive subject should be addressed in Executive Session. Motion was made by Mrs. Bourne to enter Executive Session. Seconded by Mr. Shaw. Mr. Godfrey and Mr. Eriquez questioned the legality of an ad hoc committee going into executive session to discuss airport security. Motion failed, with yes votes by Shaw, Bourne and Connell and no votes cast by Godfrey and Eriquez. Mr. Connell made a motion that the entire Common Council should enter Executive Session to query Mr. Estefan on security. Seconded by Mrs. Bourne. Yes votes cast by Shaw, Bourne and Connell. No votes cast by Godfrey and Eriquez. Corporation Counsel Les Pinter gave his opinion that it would be appropriate for an ad hoc committee to enter into Executive Session to discuss security.

Several Aviation Commission Members commented throughout the meeting that much thought and work was committed to the new fees imposed at the Airport. Unfortunately the atmosphere that prevailed throughout this meeting was expressed by Aviation Commission Chairman Gawe. In his opinion, the Chairman of the Committee was obnoxious in his conducting of this meeting. Everyone on the Aviation Commission was recognized by the Chair to express their opinions. At no time was anyone limited by time constraints. The Chair also accepted comments from Mr. Ashmore and Mr. Giamarra.

Mrs. Bourne moved to reject the report in view of the fact that there was no need for an executive session. Seconded by Mr. Godfrey.

Mr. Godfrey noted that the report should have stated his question was to the need for an executive session, not the legality of one. Motion carried unanimously.

74 - REPORT - Lease between the City of Danbury and Reliant Aircraft Services.

Mrs. Bourne submitted the following report:

The Common Council Committee established to review the above lease met on January 19th at 7:40 p.m. in the 4th Floor Lobby of City Hall.

Present were Committee members: R. Godfrey, and L. Bourne, Chairman. W. Shaw was absent. Also in attendance: Ex-officio member, A. Regan; P. Estefan, Airport Administrator; L. Pinter, Asst. Corporation Council; D. Setaro, Acting Director of Finance; and R. Gawe, Chairman, Aviation Commission.

This is a 10-year lease with one 10-year renewable option at an annual rental of \$1,650.00. Mr. Estefan did not have available the exact size of the parcel to be lease—"Exhibit A," but did outline it on the Airport Plan map. He was asked to have it available prior to the next Council meeting. The parcel of land which is already paved, will be used exclusively for the parking of aircraft. No buildings will be constructed.

L. Bourne asked that Item #2, Exhibit B, "property taxes will be deducted from the annual rental..." be deleted from the lease. She expressed concern and stated that this clause was not in any of the other airport leases she had reviewed. Mr. Setaro agreed, and also stated that this clause was not in other airport leases. Mr. Estefan and Mr. Gawe agreed to delete it.

L. Bourne asked that Item #22 be deleted. Mr. Estefan agreed.

After discussing other minor points, R. Godfrey moved that the Committee recommend to the Common Council approval of lease with deletion of Item #22, and Item #2—Exhibit B; and that Corporation Council review lease for scribner's corrections. Motion passed.

Mr. Godfrey moved to accept the report. Seconded by Mr. Gallo. Mrs. Bourne asked if acceptance should be contingent upon the Planning Commission recommendation. Maker of the Motion amended to reflect same. Motion carried unanimously.

75 - PROGRESS REPORT - Petition for Sewers in Lake Kenosia Area.

Mr. Godfrey submitted the following report:

I have deliberately delayed calling the above-captioned committee, and wish to go on record as to why.

Recently, while attempting to schedule a committee meeting to include the city engineer, the assistant city clerk was told by Mr. Schweitzer that he is anticipating work to be done in the area by Largo Enterprises in the near future. Depending upon the extent of the work, it may provide a solution to the neighbors' desire for sewers, at an overall lower rate, or on an expedited timetable.

In any event, I deemed it wise to await further information on the potential of this work. Although I am anxious to arrive at an answer for the petitioners in a timely manner, I believe this short delay could ultimately serve the neighborhood interest. I request that the common council extend the committee until Mr. Schweitzer has more information on this subject to share with us.

I commend Jack for his active role in seeking a helpful answer to this petition.

The progress report was accepted on the Consent Calendar.

76 - PROGRESS REPORT - Street Addresses

Mrs. Bourne submitted the following progress report:

The ad hoc committee appointed to review this issue met in Rm. 432 of City Hall on January 27th at 7:30 p.m. In attendance were committee members, John Esposito, Robert Godfrey, and Chairman, Lovie Bourne. Ex-officio committee members present were: Mike Fazio, Joe DaSilva, Art Regan and Gene Eriquez. Also attending were: Susan Steiner, Planning Department; Ann DeFlumeri, Tax Assessor; Jack Murphy, Deputy Fire Chief and Art Sullo, Police Department.

This is an item left over from the previous Council. The committee was established to apprise and determine if a comprehensive street renumbering program should be instituted; and for the Council to give direction to the Planning department—should it continue with its' current approach to numbering, or take a more comprehensive approach.

It was felt by those present that duplicative street names, streets with numbers out of sequence and streets that don't legally exist do pose a serious health and safety problem.

To correct future problems, L. Bourne moved that the committee recommend to the Council that an ordinance be established to require developers to submit proposed street names and numbers of the entire project to Engineering and/or Planning before approval by the Planning Department. Seconded by R. Godfrey. Passed unanimously.

To correct current problems, the Committee asked that Fire, Police, Tax Assessor's and Planning departments compile a listing of problem streets for our next meeting. In the interim the Committee will also seek Corporation Council's advice re: renumbering /renaming existing City and private development streets.

Also, the Committee felt that when streets come before the Council for approval, that before giving its' approval, as a policy, Council should check with Planning and Engineering to ensure that street names and numbers are proper.

The Committee will meet again after receiving input from Corporation Council.

The Progress Report was accepted on the Consent Calendar.

Mrs. Bourne submitted the following report:

The Common Council Committee established to review the above lease met on January 19th at 8:30 p.m. in the 4th Floor Lobby of City Hall.

Present were Committee members: R. Godfrey, and L. Bourne, Chairman. W. Shaw was absent. Also in attendance: Ex-officio member A. Regan; P. Estefan, Airport Administrator; L. Pinter, Asst. Corporation Council; D. Setaro, Acting Director of Finance; R. Gawe, Chairman, Aviation Commission; and Ron Whalen of New England Aircraft.

As background, this is an item that was left over from the previous Council. On June 23, 1987, Committee members Anthony Cassano and Nicholas Zotos "directed the airport administrator to obtain an appraisal" of the parcel.

The current Committee concurred with the previous committee that an appraisal be obtained. L. Bourne moved that the Committee recommend to the Council the expenditure of \$950 for the appraisal of the one acre site, pending certification of funds. Seconded, R. Godfrey. Motion passed.

Mr. Estefan explained that this appraisal will not only benefit this lease, but the results could be used as a guide in future leases.

The Progress Report was accepted on the Consent Calendar.

78 - PROGRESS REPORT - Request for Sewer and Water Extensions - Edgewood Street.

Mr. Nimmons submitted the following report:

The committee appointed to study the above petition met at 7:15 P.M. on January 20, 1988. In attendance were Committee Members Nimmons, Charles, Fazio. Also attending was City Engineer Jack Schweitzer.

Mr. Schweitzer advised the committee that initially the engineering department was instructed to survey residents on sewer extension only. Before this committee can make any recommendations to the Council an additional survey regarding water extension must be made.

A motion was made by Mr. Fazio and seconded by Mr. Charles that such survey be undertaken by the Engineering Department. Motion carried unanimously. Meeting adjourned at 7:55 P.M.

The Progress Report was accepted on the Consent Calendar.

79 - PROGRESS REPORT - Landfill Areas for Scrap Metal

Mr. Nimmons submitted the following report:

The committee appointed to study the need for landfill areas for scrap metal met on January 20, 1988. In attendance were committee members Nimmons, Connell and Butera. Also in attendance was Daniel Minahan.

A general discussion ensued regarding the disposal of scrap metal. Mr. Minahan outlined the City's current policy on disposal and advised the committee that he maintains an up to date list of locations available for disposal purposes. This list is available at his office for anyone who may require it. The committee was also advised that the administration is currently studying the entire subject of scrap metal and "bulky" waste in order to develop a long range program.

After further discussion, Mrs. Butera made a motion to table until further studies are available and for the Chair to communicate with Mr. James Kery to advise him of the list available through Mr. Minahan's office. Motion seconded by Mr. Connell. Motion carried unanimously.

The Progress Report was accepted on the Consent Calendar.

Mr. Regan submitted the following report:

The committee appointed to review the drainage problem on Anchor Street met on January 21, 1988 in Room 432 in City Hall. In attendance were committee members Regan, Zotos and Godfrey. Also attending were City Engineer Jack Schweitzer and the Petitioner Joseph Torre.

After introductions Mr. Torre explained the reason he hadn't gotten back to the committee which was that he had a problem with his engineer. He has since hired another engineer who stated that there is a drainage easement behind his neighbor's house and the City should look into this.

Mr. Regan then explained the City's position on this matter stating that he had discussed the matter with Dan Minahan, Basil Friscia and Eric Gottschalk. He was informed that the City does not have a legal obligation due to City or State statute 13a-138a Highways and Bridge Limitation on actions for drainage damage (1981, P.A. 81-162,2) which states in part . . . "that if such drainage first occurred prior to October 1, 1981 no such action shall be brought after October 1, 1986.."

The Common Council could, in a good faith gesture, recommend the repairs offered by Dan Minahan in the October 6, 1987 committee report "to install a flat-top catch basin on top of a dry well to dispatch the 150' flow of water on Anchor Street, but do no further work. The problem is more likely caused by a wetlands problem and topographic situation in that there is a low spot on Mr. Torre's land rather than caused by water run off on Anchor Street. Mr. Torre will contact the committee after speaking with his engineer.

The Progress Report was accepted on the Consent Calendar.

81 - PROGRESS REPORT - Legislation regarding Volunteer Fire Personnel.

Mr. Shaw submitted the following report:

The Common Council Committee appointed to review legislation regarding volunteer fire personnel met on 1-21-88. Members in attendance were William Shaw, Barry Connell and Bernard Gallo. Attending ex-officio were Council Members John Esposito, Lovie Bourne and Art Regan. Also attending were Fire Chief Monzillo and members of various volunteer fire companies.

Chief Monzillo explained that five communities have retirement systems in force. John McCardle of Wethersfield would be available to come to Danbury and explain their pension board and costs involved. Warren Levy, Chief of King Street Volunteer Company submitted the attached alternative to a pension system.

Mr. Gallo made a motion to table this resolution pending a survey by Volunteer Fire Chiefs and their personnel referencing retirement vs. tax relief to stimulate recruitment of younger volunteers. Seconded by Mr. Connell. Motion carried unanimously.

The Report was accepted on the Consent Calendar.

82 - PROGRESS REPORT - Tarrywile Park Master Plan

Mr. Renz submitted the following report:

The committee appointed to review the Tarrywile Park Master Plan met on December 10, 1988 at 8:15 P.M. in City Hall. In attendance were committee members Renz, Bourne, Cresci and Flanagan. Attending ex-officio were Council Members Godfrey, DaSilva, and Esposito. Also present were David Coelho, Robert Ryerson and Basil Friscia.

The committee discussed progress to date at Tarrywile Park vis-a-vis the Master Plan. It was stated by Mr. Ryerson that, indeed, some things had not been accomplished while others had been. It seemed that a lack of communication and dissemination of progress reports have led people to wonder at the progress and expenditures being made on Tarrywile Park. Mr. Coelho stated that more involvement of citizens concerned expressly with the maturing of Tarrywile Park would go a long way toward opening up communication. Also discussed was the philosophy of managing Tarrywile Park by means of a Park Authority. That concept appears to merit more discussion based on the varied reactions to its introduction to the discussion.

Several concrete recommendations did emerge however, as delineated below:

1. That two vacancies on the Parks and Recreation Commission be filled by Mayor Sauer with "Tarrywile" people.
2. That a report quantifying progress and expenditures to date be issued by Mr. Ryerson.
3. That, as part of the Parks and Recreation Monthly Report, a separate section deal specifically with Tarrywile.

It is expected that, once the above is implemented, the agenda of this committee will focus on the future management direction of Tarrywile Park.

The Report was accepted on the Consent Calendar.

83 - COMMUNICATION - Letter from Susan Thompson Mazzia resigning from the Zoning Commission. Mr. Godfrey made a motion to add this item to the agenda. Seconded by Mr. Flanagan. Motion carried unanimously. Mr. Godfrey made a motion to accept the resignation and send a letter of thanks to Ms. Mazzia. Seconded by Mr. Cresci. Motion carried unanimously.

84 - COMMUNICATION - Potential settlement of Richard Sporck vs. City of Danbury, et al. Mr. Eriquez moved to add this item to the agenda. Motion carried unanimously. Mr. Fazio asked that this be referred to an ad hoc committee. Mayor Sauer ordered that the committee shall consist of Council Members Bourne, Shaw and Godfrey. Mayor Sauer also ordered it referred to the planning commission as referred by Mr. Fazio.

85 - COMMUNICATION - Letter from Assistant Corporation Counsel Eric Gottschalk regarding Connecticut Department of Transportation and City of Danbury - Rest Area Outfall Sewer.. Mr. Godfrey made a motion to add this item to the agenda. Seconded by Mr. Flanagan. Motion carried unanimously. Mr. Fazio asked that this be referred to an ad hoc committee and the Planning Commission. Mayor Sauer so ordered and stated that the committee shall consist of Council Members Bourne, Shaw and Godfrey.

86 - REPORT - Petition for Sewer and Water Extensions - 77-83 Mill Plain Road. Mr. Flanagan moved to add this item to the agenda. Seconded by Mr. Godfrey. Motion carried unanimously. Mrs. Danise presented the following report:

The committee regarding the above captioned matter met on January 14, 1988 . In attendance were Committee Members Danise, and Gallo. Also attending were Jack Schweitzer, Bill Buckley, Bob Wilder, Ernest Boynton and Attorney David Grogins.

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

1. The petitioner shall bear all costs relative to the installation of said sewer and water lines.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer and water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

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

Mayor Sauer appointed Council Members Nimmons, Renz, Regan, Eriquez, and Flanagan to review the School Budget.

Mayor Sauer extended all committees that have not as yet completed their work.

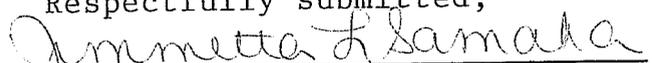
PUBLIC SPEAKING

David Coelho - 15 Jefferson Avenue - Spoke in favor of the Parking Garage.

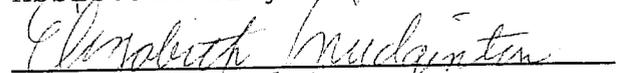
Dr. Fand, 77½ North Street - Spoke on Charter Revision.

There being no further business to come before the Common Council a motion was made by Mr. Moran for the meeting to be adjourned at 9:49 P.M.

Respectfully submitted,



JIMMETTA L. SAMAHA
Assistant City Clerk


Elizabeth Crudginton
City Clerk

ATTEST