

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held September 5, 2001

The meeting was called to order at 7:30 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – Levy, McAllister, Smith, Saadi, Buzaid, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore, Saracino

ABSENT – Scalzo

20 Present – 1 Absent

PUBLIC SPEAKING

Ray McGarrigal, 41 East Gate Road – supports the new stadium complex in Vision 21 squared

John Hoffer, 10 Oak Ridge Avenue – supports the proposed bond issue, especially the renovation of the Library Plaza and the acquisition of the Bank Street property for Library parking.

Paul McIlvaine, 218 Southern Boulevard – supports the Library Plaza Renovations and the acquisition of the Bank Street property for Library parking.

Stan Watkins, 5 Grenier Drive – supports the new athletic stadium at Danbury High School

(At 7:45 P.M. Mr. Scalzo arrived and was marked present)

Peter Siemenski, 49 Saddle Rock Road – spoke regarding the Engine 25 project. Reconsider the adoption of the amendment relating to the use of the King Street School property for the new Firehouse.

Fire Chief Carmen Oliver, 10 Clapboard Ridge Road – Asked for reconsideration of King Street School property for Engine 25. He gave background on why this property was selected.

Louis DeMici, 17 Flintlock Drive – Asked for reconsideration on the position of using the King Street School property for Engine 25.

Chris Kushnick, 37 Stone Street – She is concerned about putting a fire house on the King Street School property

John Koeschel, 1 Ta'Agan Point Drive – Spoke in favor of delaying the Ta'Agan Point Water Company project

MINUTES – Minutes of the Common Council Meeting held August 7, 2001. Mr. Arconti made a motion to adopt the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Dean Esposito. Motion carried unanimously.

CONSENT CALENDAR – John Esposito submitted the following items for the Consent Calendar:

1 - Adopt the Resolution to apply for and accept grant funding in the amount of \$18,957 from the Connecticut State Library

2 – Adopt the Resolution to apply for and accept additional grant funding in the amount of \$7,366.15 from the Connecticut Department of Public Health

3 - Adopt the Resolution to apply for and accept grant funding in the amount of \$490,000 from the Connecticut Office of Policy and Management

4 - Adopt the Resolution to apply for and accept grant funding in the amount of \$5,000 from the Connecticut Office of Public Records Administrator

12 - Approve the reappropriation of \$567.00 as described

13 - Approve the reappropriation of \$111,276.55 in the Water Fund as described

14 - Approve the budget for the 2001-2002 Railroad Station lease as described

18 - Receive the reports and take no action at this time

20 - Receive the report and adopt the Ordinance regarding Deferral of Assessment Increases Attributable to the Rehabilitation of Real Property

25 - Receive the report and approve the recommendations

26 - Receive the report and approve the recommendations

27 - Receive the report and approve the recommendations

28 - Receive the report and approve the recommendations

Mr. Arconti moved to adopt the Consent Calendar as read. Seconded by David Furtado. Martin Moore asked that item 3 be removed. Motion carried unanimously with item 3 removed.

1 - RESOLUTION - Library Services and Technology Act

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made funds for competitive grants available to public libraries within Connecticut for the purpose of assisting Connecticut libraries in providing outreach programs for non-English speaking populations; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$18,957.00, which requires a local cash match of \$3,000.00 and an in-kind match of \$4,739.00; and

WHEREAS, the circulation of materials in the Danbury Public Library on learning English has increased by 85% over the last five years, and city organizations offering English classes all have significant waiting lists and the 2000 census figures indicate that in Danbury the Asian population has increased 96%, the Hispanic population by 134%; and

WHEREAS, the Danbury Public Library wishes to hire a part-time bilingual ESL coordinator to develop, maintain and promote the library's materials and services for learning English for those individuals for whom English is a second language.

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

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$3,000.00 and an in-kind match of \$4,739.00, the sum of which totals at least 25% of the amount of the grant.

2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the

Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$18,957.00 upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.

The Resolution to apply for and accept grant funding in the amount of \$18,957 from the Connecticut State Library was adopted on the Consent Calendar.

2 – RESOLUTION – Per Capita Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has made additional per capita funds available for 2201-2002 to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a program to promote optimal public health quality in the City of Danbury; and

WHEREAS, a revised continuation grant award application for \$75,670.45 with no local match requirement will be processed by the Danbury Health and Housing Department for a grant term of July 1, 2001 through June 30, 2002.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to apply for and accept said per capita grant funds of \$75,670.45, to execute all contracts or amendments thereof concerning said grant and to take all necessary actions to effectuate the purposes thereof.

The Resolution to apply for and accept grant funding in the amount of \$7,366.15 from the Connecticut Department of Public Health was adopted on the Consent Calendar.

3 – RESOLUTION – Drug Enforcement Grant #12

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management will make available to the City of Danbury grant funding in the amount of \$490,000 pursuant to Public Act 89-390, an act concerning prevention and treatment of substance abuse and enforcement of drug laws; and

WHEREAS, 50% of the funding, or \$245,000.00 is to be designated for law enforcement, 40% of the total amount or \$196,000.00 is to be applied to drug education, and the remaining 10% or \$49,000.00 is to be used for crime prevention programs; and

WHEREAS, the grant period is effective July 1, 2001 through June 30, 2002 and no local cash match is required;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to apply for said grant on behalf of the City of Danbury, to accept the grant award, if made, subject to the terms and conditions established in connection therewith by the State of Connecticut, to execute any contracts/agreements therefore and to take any additional actions necessary to effectuate the purposes hereof.

BE IT FURTHER RESOLVED THAT any past actions of Mayor Gene F. Eriquez to effectuate the purposes of this grant award are hereby ratified.

Mrs. Abrantes made a motion to receive the communication and adopt the Resolution. Seconded by Mr. Pascuzzi. Motion carried 20 –1 with Martin Moore voting in the negative.

4 – RESOLUTION – Historic Documents Preservation Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Office of Public Records Administrator will make grant funds available to municipalities through an Historic Documents Preservation Grant; and

WHEREAS, the State of Connecticut Office of Public Records Administrator will award these funds to the City of Danbury Town Clerk's Office for use in Historic Document Preservation; and

WHEREAS, the City of Danbury is eligible to receive funds up to \$5,000; and

WHEREAS, no local cash match is required.

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez as Mayor of the City of Danbury, or the Town Clerk as his designee, is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

The Resolution to apply for and accept grant funding in the amount of \$5,000 from the Connecticut Office of Public Records Administrator was adopted on the Consent Calendar.

5 – ORDINANCE – Tobacco Vending Machines

Mr. Gogliettino asked that this be deferred to public hearing. Mayor Eriquez so ordered.

6 – COMMUNICATION – Promotions in the Police Department

Letter from Mayor Eriquez requesting confirmation of the promotion of Det. Lt. Joseph Fecarotta to the position of Captain in the Patrol Division; Sgt. Michael Maroto to the position of Lieutenant in the Patrol Division; P.O. John Browne to the position of Sergeant in the Patrol Division and Police Officers James Hicks and Joseph Monroe to the positions of Detective.

Mr. Arconti made a motion that the communication be received and the promotions confirmed. Seconded by Mr. Shuler. Motion carried unanimously.

7 – COMMUNICATION – Donations to the Library

Letter from Library Director Betsy McDonough requesting permission to accept donations from Danbury/New Fairfield Newcomers Club in the amount of \$90 and from Juan Melendez in the amount of \$50.00. Manny Furtado made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

8 – COMMUNICATION – Donation to the Parks and Recreation Department

Letter from Director of Parks and Recreation Robert Ryerson requesting permission to accept a donation in the amount of \$50.00 from the Town of Redding Parks and Recreation Department. Mr. Arconti made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

9 – COMMUNICATION – Evaluation of Safety Equipment

Letter from Police Chief Robert Paquette requesting permission to accept the donation of safety equipment to be evaluated in a patrol vehicle for a period of one year. Michael Moore made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

10 – COMMUNICATION – Donation of Services – Still River Pedestrian Bridge

Letter from Coordinator of Environmental & Occupational Health Services Jack Kozuchowski requesting permission to accept a donation of \$1,000 in reduced fees from P. W. Scott Engineering and Architecture for construction supervision on the Still River Pedestrian Bridge Project. Mrs. Abrantes made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by John Gogliettino. Motion carried with Paul McAllister voting in the negative.

11 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$25 from Candlewood Valley Convalescent Home; \$25 from the Town of New Milford; and \$25 from Harborside Healthcare to be used for purposes of the Senior Center. Mr. Arconti made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Dean Esposito. Motion carried unanimously.

12 – COMMUNICATION & CERTIFICATION – Reappropriation of Donated Funds

Letter from Director of Elderly Services Leo McIlrath requesting authorization to transfer the sum of \$567 from the Elderly Services donations account to the Commission on Aging budget for the Professional Services Fee line item. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

13 – COMMUNICATION – Water Fund Reappropriation

Request from the Director of Finance Dominic Setaro for authorization to reappropriate the sum of \$111,276.55 to the Water Fund accounts as per the attached list. The reappropriation of funds was authorized on the Consent Calendar.

14 – COMMUNICATION – Danbury Railyard Parking Proposed Budget

Letter from Director of Finance Dominic Setaro stating that according to the Railroad Station lease between the City and the State of Connecticut, all revenue received from the Parking Authority for permits is turned over to the City. Mr. Setaro asks for confirmation of the proposed budget for revenue in the amount of \$15,000. The budget for the 2001-2002 Railroad Station lease was approved on the Consent Calendar.

15 – COMMUNICATION – Request for Sewer Extension – Oil Mill Road

Mrs. Abrantes asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Shuler, Pascuzzi and Martin Moore to the committee.

16 – COMMUNICATION – Police Towing Rotation List

Request from Brian Anderson for review of the Police Towing Rotation Ordinance. Dean Esposito asked that this be referred to an ad hoc committee, the Chief of Police, the Director of Finance and the Corporation Counsel. Mayor

Eriquez so ordered and appointed Council Members Gogliettino, Gallagher and Basso to the committee.

17 – COMMUNICATION – Reports regarding request to sell Colla Property to the City

Reports from Corporation Counsel, Conservation Commission, Director of Finance and the Health Department noting positive recommendations for the purchase of the Colla property. Mr. Scalzo asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance and Jack Kozuchowski. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Machado and Saracino to the committee.

18 – COMMUNICATION – Reports regarding request to purchase property on Peace Street at Hobson Street

Reports from the Corporation Counsel, the City Engineer and the Planning Commission stating that there is no documentation as to who owns the property or if the paper street was ever conveyed to the City. The reports were received on the Consent Calendar and no action taken at this time.

19 – REPORT & ORDINANCE – Vision 21 Squared Bond Package

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on August 22, 2001 immediately following a public hearing in City Hall.

Mr. Levy made a motion to separate the bond issue into two separate ordinances: one consisting of the four school components and one consisting of all other items. Seconded by Mr. McAllister.

Mr. Gallagher asked Mr. Levy for his rationale. Mr. Levy stated that the children are most important. The education items should stand alone. Mr. Gallagher asked if it was Mr. Levy's intention to have two separate items sent to referendum. Mr. Levy said it was. Mr. Arconti spoke against the motion. He said this is a comprehensive package that looks to quality of life issues.

After further discussion, Mr. McAllister moved the question. Seconded by Mr. Levy. Motion failed 10-10.

Discussion followed concerning the Hearthstone Castle and the East Ditch Flooding project. Mr. Shuler asked Mayor Eriquez what the impact on the City would be if the ordinances should fail at referendum. Mayor Eriquez stated that none of these projects would be addressed. The voters have always approved Bond Packages.

Mr. McAllister noted that the discussion was veering off the motion. Mr. Saadi made a motion to move the question. Seconded by Mr. McAllister. The motion carried with Council Members Dean Esposito, Machado, Arconti, John Esposito, Gallagher and Martin Moore voting in the negative.

Main motion, to divide the package, carried with members voting as follows:

Yes – Levy, Scalzo, McAllister, Saadi, Buzaid, Shuler, David Furtado, Abrantes, Basso, David Furtado, Gogliettino, Michael Moore, Martin Moore, and Saracino.

No – Dean Esposito, Machado, Arconti, John Esposito, Pascuzzi, Manny Furtado

14 – yes 6 no

Dean Esposito made a motion to accept the education portion of the bond package. Seconded by Mr. Shuler.

Dean Esposito asked if money could be moved from Tarrywile to the education side. Mr. Setaro said that the Council could make the education side any amount it wishes. Mr. Gottschalk asked if Mr. Esposito is asking if the funds can be moved tonight or after both sides are approved. Mr. Esposito said now. Mr. Gottschalk said any amendment to add would be appropriate. Mr. Esposito asked if the bottom line must remain the same. Mr. Gottschalk said that if it is the intention to keep the bottom line the same, you must decrease somewhere if you are adding somewhere else.

Martin Moore stated that on page 2 under section 3, it states that the Mayor and the Director of Finance may expend appropriations for any of the purposes and projects set forth therein and the Mayor and the Director of Finance may approve transfers among the appropriations. However, he feels the Council should be a partner in this.

Martin Moore made a motion to amend this language to state that all single transfers of \$25,000 or more would require Common Council approval. Seconded by Mrs. Saracino

Mr. Setaro stated that this language is in all bond authorizations and is consistent with the Charter. He suggested that the Common Council not change the language. He explained that they have to live within the boundaries of the ordinance. Mr. Levy stated that the Common Council would like to be kept informed as to where the projects are and to cost overruns. Mr. Buckley stated that it is not unusual to have a change order for \$25,000. Having to get Common Council approval could delay the project. Mr. Gogliettino said he could support a higher limit such as \$100,000. He offered a friendly amendment to raise the amount to \$100,000. Mrs. Saracino agreed.

Motion failed with Council Members McAllister, Saadi, Basso, Gogliettino, Martin Moore and Saracino voting in the affirmative.

Mr. McAllister offered an amendment to increase the funds for the DHS auditorium from \$500,000 to \$750,000. Seconded by Manny Furtado.

(At 10:15 P.M. Mrs. Basso left the meeting)

After further discussion, the motion failed with 6 yes and 13 no.

The main motion, to adopt the education items in the bond package passed with Martin Moore voting in the negative.

Mr. Gallagher made a motion to adopt the City items in the bond package and send it to referendum. Seconded by Mr. Shuler. Mr. Saadi offered an amendment to divide the question and discuss each appropriation individually. Seconded by Mr. McAllister.

After discussion motion to amend failed 9 yes, 10 no, with Council Members Levy, Scalzo, McAllister, Saadi, David Furtado, John Esposito, Michael Moore, Martin Moore and Saracino voting yes and Council Members Buzaid, Machado, Shuler, Arconti, Abrantes, Pascuzzi, Manny Furtado, Gallagher, and Gogliettino voting no.

Mr. Gogliettino offered an amendment to delete the Hearthstone Castle form the proposal. Seconded by Mr. Saadi. Motion carried unanimously.

Mr. Pascuzzi made a motion to increase the rebuild, repave highways and drainage line item by \$1,000,000 to be used for the East Ditch project. Seconded by Mr. Saadi.

Mr. Arconti asked if the \$1,000,000 would be enough for the study, but not for the project. Mr. Buckley said it would cover only a portion of what would be needed. Motion carried unanimously.

Mr. Levy made a motion that the line item Engine Co #25 Building & T-Ball Field be amended to reflect a change in the description to read Engine Co #25 building and land and the amount increased from \$500,000 to \$545,000; and the line item entitled Engine Co #25 Sanitary Sewer be removed and that the narrative be amended to exclude use of the King Street School property. Seconded by Mr. McAllister.

After discussion, the motion to amend carried with Council Members Dean Esposito, Arconti, Pascuzzi, Manny Furtado and Gallagher voting in the negative.

The main motion, as amended, to remove the Hearthstone Castle and add \$1,000,000 to the drainage line item for East Ditch and the Engine 25 and Sanitary Sewer item carried with Martin Moore and Mary Saracino voting in the negative.

Manny Furtado made a motion to adjourn at 11:45 P.M.

Mr. Arconti made a motion to receive the report and adopt its recommendations. Seconded by Dean Esposito. Mrs. Saracino offered an amendment to the report to remove the prohibition for having Engine 25 on the King Street School property. Seconded by Mr. Arconti. After discussion, Mr. Gallagher offered a further amendment to modify the narrative to reflect the Common Council must approve the determination of the site. Seconded by Dean Esposito. Motion to amend the original amendment carried with the members voting as follows:

Yes – Saadi, Buzaid, Dean Esposito, David Furtado, Arconti, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore

No – Levy, Scalzo, McAllister, Smith, Machado, Shuler, John Esposito, Saracino

13 yes – 8 no

After further discussion, Mrs. Smith made a motion to move the question, seconded by Paul McAllister. Motion carried with Council Members Saadi, Gogliettino and Martin Moore voting in the negative.

The amendment to the main motion, as further amended, failed with the members voting as follows:

Yes – Buzaid, Dean Esposito, Arconti, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Saracino

No – Levy, Scalzo, McAllister, Smith, Saadi, Machado, Shuler, David Furtado, John Esposito, Gogliettino, Michael Moore, Martin Moore

9 Yes – 12 No

Main motion, to receive the report and adopt its recommendations carried with Council Members Pascuzzi, Basso, Martin Moore and Saracino voting in the negative.

Councilman Arconti introduced and read the following resolution:

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled “An Ordinance Making Appropriations Aggregating \$5,360,000 For Various School Improvements And Authorizing The Issue Of \$5,360,000 Bonds of The City To Meet Said Appropriations and Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” and the ordinance entitled “An Ordinance Making Appropriations Aggregating \$16,640,000 For Various Public Improvements And Authorizing The Issue Of \$16,640,000 Bonds Of The City To Meet Said Appropriations and Pending the Issuance Thereof The Making Of

Temporary Borrowings For Such Purpose”, be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held November 6, 2001 between the hours of 6 o’clock A.M. and 8 o’clock P.M. (E.S.T.), that the Warning of said meeting state the questions to be voted on as follows:

Shall the ordinance entitled “An Ordinance Making Appropriations Aggregating \$5,360,000 For Various School Improvements And Authorizing The Issue Of \$5,360,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, adopted by the Common Council at its meeting held September 5, 2001 be approved?

Shall the ordinance entitled “An Ordinance Making Appropriations Aggregating \$16,640,000 For Various Public Improvements And Authorizing The Issue Of \$16,640,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, adopted by the Common Council at its meeting held September 5, 2001 be approved?

That the Mayor be authorized and directed to call a Special City Meeting to be held in conjunction with the election of November 6, 2001 between the hours of 6 o’clock A.M. and 8 o’clock P.M. (E.S.T.) at the several voting districts of the City to consider and take action upon the aforesaid proposed ordinances, and that the notice of said Special City Meeting be in substantially the following form:

LEGAL NOTICE

WARNING

NOTICE OF SPECIAL MEETING

The electors of the City of Danbury and qualified voters entitled to vote in a City Meeting are hereby warned and notified to meet where such persons are entitled to vote on the 6th day of November, 2001, between the hours of 6 o’clock A.M. and 8 o’clock P.M. (E.S.T.) for the following purpose of approving or disapproving the following questions:

1. “Shall the ordinance entitled “An Ordinance Making Appropriations Aggregating \$5,360,000 For Various School Improvements And Authorizing The Issue Of \$5,360,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making of Temporary Borrowings For Such Purpose.” Adopted by the Common Council at its meeting held September 5, 2001, be approved?”

The form of the question and the ballot label on the voting machine shall be as follows:

“Shall the Ordinance Making Appropriations Aggregating \$5,360,000 For Various School Improvements And Authorizing The Issue Of \$5,360,000 Bonds Of the City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose be Approved? YES/NO”

2. “Shall the ordinance entitled ‘An Ordinance Making Appropriations Aggregating \$16,640,000 For Various Public Improvements And Authorizing The Issue Of \$16,640,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose,’ adopted by the Common Council At its meeting held September 5, 2001, be approved?”

The form of the question and the ballot label on the voting machine shall be as follows:

“Shall the Ordinance Making Appropriations Aggregating \$16,640,000 For Various Public Improvements And Authorizing The Issue Of \$16,640,000 Bonds of the City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose Be Approved? YES/NO”

The vote will be by voting machine. Those desiring to vote in favor of the adoption of the ordinances shall place the pointer over the question on the voting machine at “YES”. Those desiring to vote against the adoption of the ordinances shall place the pointer over the question on the voting machine at “NO”.

Electors of the City of Danbury and qualified voters are entitled to vote. A qualified voter is any citizen of the United States of the age of eighteen years or more who, jointly or severally, was liable to the City for taxes assessed against him based on an assessment of not less than \$1,000 on the last completed grand list of the City or who would have been so liable if not entitled to an exemption as a blind person or as a veteran or as a widow or parent of a veteran.

Electors will be entitled to vote at the polling place in their respective voting districts. Polling places will be located in the following districts:

- Ward No. 1: Danbury High School, 43 Clapboard Ridge Road
- Ward No. 2: Pembroke Elementary School, 34 Pembroke Road
- Ward No. 3: Broadview Middle School, 72 Hospital Avenue
- Ward No. 4: South Street School Auditorium, 129 South Street
- Ward No. 5: Rogers Park Middle School, 21 Memorial Drive
- Ward No. 6: Park Avenue School, 82 Park Avenue
- Ward No. 7: Morris Street School, 28 Morris Street*

*Changes to the correct polling places were made due to a scrivener’s error

Qualified voters will be entitled to vote at the polling place in the Common Council Chambers on the third floor of City Hall, 155 Deer Hill Avenue.

The polls in said districts and at the City Hall will be open during the hours between 6 o’clock A.M. and 8 o’clock P.M. (E.S.T.).

Said vote is being held in conjunction with the election of November 6, 2001, and pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors November 6, 1990.

The full text of the aforesaid ordinances is on file to public inspection in the office of the City Clerk.

Dated at Danbury, Connecticut, this ___ day of _____, 2001.

TOWN CLERK

Attest:

City Clerk

Mr. Arconti made a motion that the Resolution be adopted. Seconded by Dean Esposito. Motion carried unanimously.

20 – REPORT & ORDINANCE – Deferral of Assessment Increases
Attributable to Rehabilitation of Real Property

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on August 22, 2001 in the Common Council Chambers.

Mr. Gallagher made a motion to recommend adoption of the Ordinance. Seconded by David Furtado.

Mr. Scalzo asked if the deferral follows the individual or the land. Attorney Gottschalk said that individuals must meet CHFA requirements. The assessment would terminate on transfer of ownership and requires owner residency. Mr. Gallagher asked if it would be allowable to permit this even if someone does not meet CHFA guidelines. Attorney Gottschalk said that we would have to have legislation from the State to do so.

Motion carried unanimously.

The full text of the ordinance is attached hereto and made a part hereof.

The report was received and the Ordinance regarding Deferral of Assessment Increases Attributable to the Rehabilitation of Real Property adopted on the Consent Calendar.

21 – REPORT – Donated Services – Still River Greenway Project

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the request to accept donated services for the Still River Greenway Project met on August 22, 2001 at 6:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Arconti, Abrantes and Basso. Also in attendance were Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, Director of Health William Buckley, Jack Kozuchowski, Council Member Paul McAllister, ex-officio and Marguerite Mitchell.

Mr. McAllister stated that he does not have a problem with the project, but with the bidding process. He said that when a project goes out to bid and come in excessively high, should it not go back to the drawing board. Attorney Gottschalk said that this is the common practice, but the low bidder offered to donate \$10,000 in services. Mr. McAllister asked if any other bidders were offered this opportunity. Mr. Kozuchowski said that all discussion took place with the low bidder. They review the figures and asked if the bidder could reduce the figures and they offered \$10,000 in services. Mr. McAllister asked how much money is now on hand. Mr. Kozuchowski said there is \$157,500. Mr. Setaro said this money is mostly donations and one grant.

Mr. Arconti stated that the City couldn't know how bids would come in. The choices were to scrap the project, re-bid it or attempt to see what can be done to salvage the project. He commended Mr. Kozuchowski on his attempt to rescue the project. He is comfortable with the process that was followed as were the Director of Finance and the Corporation Counsel.

Attorney Gottschalk stated that when you re-bid a project there is always the possibility that the bids will come in higher. The whole purpose of the competitive bidding process is attempting to award the project to the lowest bidder. All discussions were with the lowest bidder. There is a real possibility for mischief if discussions are held with all bidders.

Mrs. Abrantes made a motion to approve the acceptance of donated services in the amount of \$10,000 to the Still River Greenway Project. Seconded by Mrs. Basso. Motion carried unanimously.

Manny Furtado moved to receive the report and adopt its recommendations. Seconded by Dean Esposito. Motion carried with Paul McAllister voting in the negative.

22 – REPORT – Ta’Agan Point Water Company

Mr. Arconti made a motion to table this report for thirty days. Seconded by David Furtado. Motion carried unanimously.

23 – REPORT – Request for Water Extension – 7 & 9 Moody Lane

Mr. Arconti made a motion to table this report for thirty days. Seconded by Mary Saracino. Motion carried unanimously.

24 – REPORT – Generator Failure at Police Headquarters

Dean Esposito submitted the following report:

The Common Council Committee appointed to review the failure of the generator at the Police Headquarters met on August 27, 2001 at 7:50 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Dean Esposito, David Furtado and Mary Saracino. Also in attendance were Police Chief Robert Paquette, Fire Chief Carmen Oliver, Superintendent of Public Buildings Rick Palanzo and Council Members McAllister, Pascuzzi and Basso, ex-officio.

Mr. Esposito asked Mr. Pascuzzi to explain his reason for submitting this request. Mr. Pascuzzi stated that there was a power outage at police headquarters for about thirty minutes and the generator failed. Cars were being dispatched without power and 911 operations were stalled.

Mr. Esposito asked Mr. Palanzo for a briefing on the situation. Mr. Palanzo stated that problems began occurring last year. Northeast Generators comes in two per year for service. This generator has become unreliable. Sometimes it will run for a couple of hours. The next time it will quit after thirty minutes. He included the request to replace this generator in his Capital Budget items and marked it urgent. Mr. Esposito asked if the request was approved and Mr. Palanzo said it was not. Mr. Palanzo also gave an overview on the Fire Department generator. He stated that it is overloaded and the panel is experiencing corrosion. This replacement was included in last year’s LoCIP funding and the purchase order is already out. It should be completed in 30-90 days.

Mr. McAllister asked how much it would cost to replace the generator at police headquarters. Mr. Palanzo said it would be \$50,000. Mr. Furtado asked if the money is available. Mr. Esposito said he didn’t know.

Mrs. Saracino made a motion to appropriate the sum of \$50,000 from the Contingency Account to replace the generator at Police Headquarters, pending certification. Seconded by Mr. Furtado. Motion carried unanimously.

Mr. Pascuzzi moved to receive the report and adopt its recommendations. Seconded by Manny Furtado. Motion carried unanimously.

25 – REPORT – Safety and Operations at Airport

Dean Esposito submitted the following report:

The Common Council Committee appointed to review safety and operations at the Danbury Airport met on August 27, 2001 at 7:10 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Dean Esposito, Paul McAllister and Mary Saracino. Also in attendance were Airport Administrator Paul Estefan, Assistant Corporation Counsel Les Pinter, Council Members Gogliettino and David Furtado, ex-officio and several members of the public.

Mr. Esposito asked Mr. McAllister for a briefing on why he submitted this request. Mr. McAllister stated that he has spoken with several people who fly in

and out of Danbury Airport and there is concern about trees that need to be trimmed and runway approaches.

Mr. Estefan stated that the tree issue is complicated. The Airport was asked to condemn trees and the Common Council refused. Because of this refusal, the FAA rescinded funds in the amount of \$200,000. The FAA stated that if the trees are not trimmed, we could lose instrument approaches and night landings. After negotiations, it appears that the City will get the money for the easement area. Mr. McAllister asked if there is a need for matching funds. Mr. Estefan stated that the money has already been appropriated for that purpose.

Mr. Estefan gave an overview of tree cutting and safety and about the easements we already have and the easements we hope to acquire. Mr. Gogliettino asked how development in the area would affect safety. Mr. Estefan stated that is up to the community to have a plan in place. He said that planning and zoning issues are difficult. There is a proposal to build housing 400 feet from an active runway. Mr. Estefan stated that, in his opinion, Danbury Airport is a safe airport.

Mr. McAllister made a motion to endorse ongoing safety procedures at the airport that are in the best interests of the City. Seconded by Mary Saracino. Motion carried unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

26 – REPORT – Request for Water Extension – 461-463 Main Street

Mr. Gogliettino submitted the following report:

The Common Council Committee appointed to review the request for water extension at 461-463 Main Street met on August 22, 2001 at 8:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Gogliettino, Scalzo and Basso. Also in attendance were Director of Public Works William Buckley and the petitioners, Chris Leonard and Ben Doto.

The petitioners gave an overview of the request. Mr. Scalzo asked about a fire hydrant and Mrs. Basso wanted to know about line connections. Mr. Buckley stated that he has no problem with this request subject to the normal eight steps.

Mr. Scalzo made a motion to approve the request for water extension to 461-463 Main Street, subject to the normal eight steps. Seconded by Mrs. Basso and passed unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

27 – REPORT – Request for Sewer Extension – 11 Hobson Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer extension on Hobson Street met on August 22, 2001 at 8:00 P.M. in City Hall. In attendance were committee members Machado, Shuler and Basso. Also in attendance were Director of Public Works William Buckley and the petitioner, Jeff Bruno.

Mr. Bruno pointed out on a map where he would like to run the line. Mr. Machado asked what Mr. Bruno was planning to build. He said that he plans to build three two-family units, one on each lot. Mr. Buckley said that he has no objection to this extension subject to the normal eight steps.

Mrs. Basso made a motion to approve the request for sewer extension to 11 Hobson Street, subject to the normal eight steps. Seconded by Mr. Shuler. Motion carried unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

28 – REPORT – Request for Sewer and Water Extension on Duck Street

The Common Council Committee appointed to review the request for sewer and water extension on Duck Street met on August 22, 2001 at 6:45 P.M. in City Hall. In attendance were committee members Manny Furtado, Michael Pascuzzi and Martin Moore.

Mr. Furtado stated that the petitioner has withdrawn the application because she is no longer interested in purchasing the property.

Mr. Pascuzzi made a motion to take no action at this time. Seconded by Mr. Moore. Motion carried unanimously.

The report was received and its recommendations approved on the Consent Calendar.

29 – DEPARTMENT REPORTS – Fire Chief, Fire Marshall, Police Chief, Public Works, Engineering, Health and Housing, Department of Elderly Services

Mr. Arconti made a motion to receive the department reports and waive the reading as all members have copies, which are on file in the Office of the City Clerk for public inspection. Seconded by Mrs. Saracino. Motion carried unanimously.

30 – COMMUNICATION – Wastewater Treatment Facility Agreement Amendment

Mr. Arconti made a motion to add this item to the agenda. Seconded by John Esposito. Motion carried with Mr. Gallagher and Mrs. Saracino voting in the negative.

Amendment revises the wastewater pumping station listing in Exhibit 1C of the contract by adding a new pump station (#14) on Larson Drive.

Mr. Gallagher made a motion to receive the communication and approve the amendment. Seconded by Mr. Shuler. Motion carried unanimously.

31 – COMMUNICATION – Appointment to the Parking Authority

Mr. Saadi made a motion to add item 10 from the August agenda to this agenda as item 31. Seconded by David Furtado. Motion carried with Mr. Gallagher voting in the negative.

Mr. Saadi made a motion to reconsider item 31. Seconded by Mr. McAllister. Motion carried unanimously.

Mr. Saadi asked that this be referred to committee. Mayor Eriquez so ordered and appointed Council Members Arconti, Gallagher and Saracino to the committee.

Mayor Eriquez extended all committees.

There being no further business to come before the Common Council a motion was made at 9:55 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk