

COMMON COUNCIL - SPECIAL MEETING

NOVEMBER 12, 1981

Meeting called to order at 8:00 O'Clock P.M. by his honor  
Mayor James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL OF COUNCIL MEMBERS

Delsin, McManus, Gallo, Walsh, Rinder, Scialabba, Repole,  
Eppoliti, White, Cassano, Murray, Ryan, Zotos, DaSilva, Turk,  
Boynton, Burke, Butera, Evans, Farah, Torian.

17 Present 4 Absent.

NOTICE OF SPECIAL MEETING to be held on the 12th day of Nov. 1981,  
at 8:00 O'Clock P.M. for the purpose of acting upon the following:

- 01 - Ordinance - "An Ordinance appropriating \$13,673,000 For The Reconstruction and Improvement of Various City Roads and Authorizing the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose."
- 02 - Resolution - Resolution providing for Special City Meeting on above Ordinance.

RETURN OF SERVICE - Notices served by Police Officers of the City of Danbury.

A motion was made by \_\_\_\_\_ & seconded by \_\_\_\_\_ for  
the Call & Return of Service to be accepted.

01  
ORDINANCE

Re: An Ordinance appropriating \$13,673,000 for the reconstruction and improvement of various City roads and authorizing the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose.

The Ordinance was

02  
RESOLUTION

Resolution providing for Special City Meeting on Ordinance appropriating \$13,673,000 for Road improvements etc.

The Resolution was

COMMON COUNCIL SPECIAL MEETING  
NOVEMBER 12, 1981  
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PUBLIC SPEAKING SESSION

There being no further business to come before the Council, the meeting was adjourned at \_\_\_\_\_ O'Clock P.M.

CITY OF DANBURY

To: Common Council - City of Danbury

A special meeting of the Common Council \_\_\_\_\_ of the City of Danbury will be held on the 12th day of November 19 81 at 8:00 o'clock p.m., at the City Hall in said Danbury.

For the purpose of acting upon the following:

- 01 ORDINANCE Re: "An Ordinance Appropriating \$13,673,000 For The Reconstruction and Improvement Of Various City Roads and Authorizing The Issue Of \$13,673,000 ~~Bo~~ Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose".
- 02 RESOLUTION Re: Resolution providing for Special City Meeting on above Ordinance.

Dated at Danbury, this 9th day of November, 19 81.

\_\_\_\_\_  
 \_\_\_\_\_ Mayor  
 \_\_\_\_\_ Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member \_\_\_\_\_ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

\_\_\_\_\_  
 \_\_\_\_\_ Mayor

NOTE: Please return this form to Office of City Clerk at City Hall after all Notices have been delivered. Notices should be left in mail boxes whether Council members are home or not.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	Roger Delsin	2010
2.	Constance McManus	2004
3.	Bernard P. Gallo	1623
4.	William T. Walsh	1946
5.	Lilija Rinder	1939
6.	Vincent Scialabba	1935
7.	Richard Murray	1925
8.	James E. Ryan	1922
9.	Nicholas Zotos	1910
10.	Frank Repole	1902
11.	Diane Eppoliti	2101
12.	Richard White	2053
13.	Anthony Cassano	2030
14.	John Turk	2035
15.	Ernest Boynton	1613
16.	Joseph DaSilva	2007
17.	James P. Burke Jr.	1906
18.	Thomas E. Evans	2047
19.	Janet A. Butera	2020
20.	Mounir Farah <del>Thomas P. ...</del>	1617
21.	Edward T. Torian	1955

Each Notice so served upon each member, all having been done by me on this date 11/09/81.

Attest: P.O. J. Galach  
Policemen of the City of  
Danbury



# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

NOVEMBER 12, 1981

## REPORT

Honorable Mayor James E. Dyer  
Members of the Common Council

Re: Ordinance appropriating \$13,673,000 for the reconstruction and improvements of various city roads and authorizing the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose.

The Common Council conducted a public hearing on November 9, 1981 at 8:00 P.M. in the Council Chambers at City Hall, in reference to the above captioned ordinance.

The Common Council met as a committee of the whole on November 12, 1981 at 7:00 P.M. in the Council Chambers at City Hall to discuss the proposed Ordinance.

A motion was made and passed to recommend adoption of the attached Ordinance concerning a \$13,673,000 Road Reconstruction and Improvement Program and authorizing the issuance of City Bonds to cover the cost thereof. Also the Corporation Counsel be instructed to draw up the proper legal documents with regards to setting a date for referendum.

Respectfully submitted

Councilman Richard Murray  
Common Council President



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

October 6, 1981

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The attached Ordinance for Reconstruction and Improvement of City Roads is hereby submitted for your consideration. The Ordinance is to be deferred for a public hearing to be held by the Common Council.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James E. Dyer", is written over the typed name and title.

James E. Dyer  
Mayor

JED/mr



**CITY OF DANBURY**

**OFFICE OF THE CORPORATION COUNSEL  
DANBURY, CT 06810**

**THEODORE H. GOLDSTEIN,  
CORPORATION COUNSEL**

**ERIC L. GOTTSCHALK  
THOMAS A. FRIZZELL  
THOMAS G. WEST  
ASSISTANT CORPORATION  
COUNSEL**

October 6, 1981

**PLEASE REPLY TO:  
P.O. Box 1261  
DANBURY, CT 06810**

Hon. James E. Dyer, Mayor  
and  
Hon. Members of the Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut

Re: Ordinance for Reconstruction and Improvement of City Roads

Dear Mayor and Council Members;

Attached hereto for your consideration is proposed ordinance dealing with the above captioned.

Very cordially yours,

*Theodore H. Goldstein*  
Theodore H. Goldstein  
Corporation Counsel

THG:cr

Attachment

AN ORDINANCE APPROPRIATING \$13,673,000  
FOR THE RECONSTRUCTION AND IMPROVEMENT  
OF VARIOUS CITY ROADS AND AUTHORIZING  
THE ISSUE OF \$13,673,000 BONDS OF THE  
CITY TO MEET SAID APPROPRIATION AND  
PENDING THE ISSUE THEREOF THE MAKING  
OF TEMPORARY BORROWINGS FOR SUCH  
PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. The sum of \$13,673,000 is appropriated for the planning and construction of improvements to various roads, avenues and streets in the City including Balmforth Avenue, Maple Avenue, Franklin Street/Osborne Street, Locust Avenue/Wildman Street, Triangle Street, West Street/Lake Avenue, Eagle Road, Hayestown Avenue/Walnut Street, Miry Brook Road, and Kenosia Avenue/Backus Avenue, and for acquisition of rights-of-way and land therefor and for administrative, printing and legal costs related thereto, said improvements to consist of new roadway construction, rehabilitation and reconstruction of existing roadways, drainage improvements, and new stream and railroad crossings, all to be completed in substantial accordance with the "Study of Road Improvement Priorities 'A Plan For Better Roads and Improved Traffic Safety'" prepared by C.G. Engineers Consultants of Danbury, Connecticut, dated January, 1981 (Revised March 1981).

Section 2. To meet said appropriation \$13,673,000 bonds of the City, or so much thereof as shall be necessary for such purpose, shall be issued, in one or more series, maturing from not later than the second to not later than the twentieth year after their date in annual installments which shall be substantially equal or shall be so arranged that no installment payable in any year shall be less than the amount of any installment payable in any subsequent year, bearing interest payable semiannually. The bonds shall be designated "City of Danbury General Public Improvement Bonds", be issued in bearer form with interest coupons attached, be in denominations of \$1,000 or a whole multiple thereof, be dated as of the first or fifteenth day of the calendar month in which they are issued or as of the first or fifteenth day of a calendar month within the three calendar month period next prior thereto, be payable both principal and interest at a bank or trust company designated by the Mayor, be signed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City

Clerk and the City Treasurer, bear the facsimile of the City seal, be certified by a bank or trust company designated by the Mayor pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson, Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor upon the receipt of bids for the purchase thereof, and the interest coupons attached shall bear the facsimile signature of the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal and interest thereof. The aggregate principal amount of the bonds to be issued, the annual installments of principal and the denominations, date, time of issue and sale and other particulars thereof shall be determined by the Common Council.

Section 3. Said bonds shall be sold by the Mayor at public sale upon sealed proposals at not less than par and accrued interest on the basis of the lowest net interest cost to the City. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. Any premium received upon the sale of said bonds, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first of said bonds to mature and contributions from other sources for the payment of such bonds shall be reduced accordingly.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be payable at a bank or trust company designated by the City Treasurer, be signed by the Mayor, City Clerk and City Treasurer, have the seal of the City affixed, be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson, Robinson & Cole, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates not more than two years from the date of issue, but notes issued with shorter maturities may be renewed from time to time by the issue of other notes provided the period from the date of issue of the original note or notes to the date of maturity of the last renewal note or notes shall not be more than two years or, subject to the provisions of Section 7-378a of the

General Statutes of Connecticut, as amended, not more than four years. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The interest on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the road improvements described in Section 1. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on said notes or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. This ordinance shall become effective upon its approval at a City Meeting called by the Mayor for such purpose, pursuant to the revised Charter of the City of Danbury.

Adopted by the Common Council November 12, 1981

Approved by the Mayor November 13, 1981.

Rejected by voters of the City of Danbury December 17, 1981

Attest: \_\_\_\_\_  
Elizabeth Crudginton  
City Clerk



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

November 12, 1981 A. D., 19

RESOLVED by the Common Council of the City of Danbury:

## RESOLUTION PROVIDING FOR SPECIAL CITY MEETING FOR CITY VOTERS.

RESOLVED: That an ordinance entitled "An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue 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 December 17, 1981 between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.), that the Warning of said meeting state the question to be voted on as follows:

"Shall the Ordinance entitled 'An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council November 12, 1981 be approved?". The designation of said question on the ballot label shall read as follows: "For Approval \$13,673,000 Bond Ordinance For Reconstruction and Improvement Of Various City Roads. YES NO", and that the Warning of said meeting state that the full text of said Ordinance is on file open to public inspection at the Office of the City Clerk.

Councilman Richard Murray moved that said Resolution be adopted as introduced and read, and the motion was seconded by Councilman James Ryan. Motion carried. The Resolution was adopted unanimously.

A motion was made by Councilman Richard Murray seconded by Councilman James Ryan, that the Mayor be authorized and directed to call a Special City Meeting to be held on December 17, 1981, between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.) at the several voting districts of the City to consider and take action upon the aforesaid Ordinance, and that the Notice of said Special City Meeting be in substantially the following form:

### LEGAL NOTICE WARNING

#### NOTICE OF SPECIAL CITY MEETING

The voters of the City of Danbury are hereby warned and notified to meet in the several voting districts of the City where such persons are entitled to vote on the 17th day of December, 1981, between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.) for the purpose of approving or disapproving the following question:



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

November 12, 1981  
A. D., 19

RESOLVED by the Common Council of the City of Danbury:

"Shall the ordinance entitled 'An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council at its meeting held November 12, 1981, be approved?"

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

"For Approval \$13,673,000 Bond Ordinance  
For Reconstruction And Improvement Of  
Various City Roads YES NO".

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

Polling places will be located in the following districts:

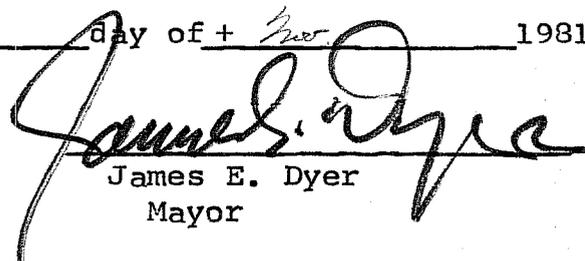
- District No. 1: Danbury High School, Clapboard Ridge
- District No. 2: Hayestown School, Hayestown Avenue
- District No. 3: Broadview Junior High School - Hospital Avenue
- District No. 4: South St. School Auditorium, 129 South St.
- District No. 5: War Memorial Building, Rogers Park - 137 South St.
- District No. 6: Park Avenue School - Park Avenue
- District No. 7: Morris Street School - 28 Morris Street

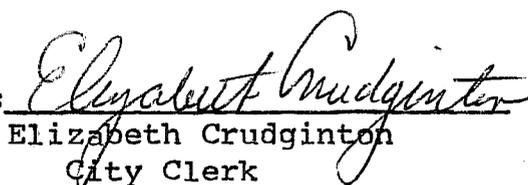
The polls in said districts will be open during the hours between 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.)

Said vote is being held pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors Nov. 8, 1977.

The full text of the aforesaid Ordinance is on file, open to public inspection, in the Office of the City Clerk.

Dated at Danbury, Connecticut this 13 day of Nov 1981.

  
James E. Dyer  
Mayor

Attest:   
Elizabeth Crudginton  
City Clerk

Councilman Richard Murray moved that said Resolution be adopted as introduced and read and the motion was seconded by Councilman James Ryan Motion carried. The Resolution was adopted