

TO: Mayor Gene F. Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held August 4, 1999

Mayor Eriquez called the meet to order at 7:30 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – Scalzo, Arconti, Smith, Boynton, Buzaid, Dean Esposito, Shuler, Setaro, John Esposito, Levy, Basso, Fox, Saracino

ABSENT – McAllister, Machado, Abrantes, Coco, Falzone, Gallagher, Moore

13 Present – 7 Absent

Mrs. Abrantes had a family commitment and Mr. Machado is on vacation

PUBLIC SPEAKING – Bill Montesi, Michaud Road

MINUTES – Minutes of the Common Council Meeting held July 6, 1999. Mr. Setaro made a motion to accept 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 Ms. Fox. Motion carried unanimously.

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

1 – Approve application and resolution for State Department of Public Health Preventive Health and Health Services Block Grant in an amount not to exceed \$9,531

2 – Approve resolution authorizing issuance of \$6.1 million bonds relative to Cityworks 2000 and Reconstruction Marjorie Water Treatment Plant

3 – Approve application and resolution for State DEP American the Beautiful Grant - \$3,000

4 – Approve application and resolution for Federal Victims of Crime Act, State Office of Victims Services Grant - \$38,416

6 – Approve application and resolution for State Department of Health Services School Based Health Center Continuation Grant in an amount not to exceed \$300,000

7 – Approve application and resolution for State Department of Social Services grant for Emergency Shelter - \$94,908

8 – Approve application and resolution for State Department of Public Health renewal grant for WIC Supplemental Notification Program in an amount not to exceed \$235,000

9 – Approve application and resolution for State Fair Plan Anti-Arson Grant - \$500

10 – Confirm appointment of Kenneth Keller as a member of the Lake Kenosia Commission

11 – Confirm appointment of Anthony Tomaino as a member of the Aviation Commission

12 – Confirm reappointment of Richard Kilcullen and Thomas Opperman as members of the Aviation Commission

- 16 – Approve reappropriation of \$855 from the Elderly Services Donations Account to the Commission on Aging budget for professional services fees and printing and binding
- 19 – Authorize Corporation Counsel to obtain a hold harmless agreement and temporary license from Buffalo Wilson Creek/Roland Kendall relative to Still River Greenway Project
- 20 – Authorize Corporation Counsel to obtain hold harmless agreement and temporary license from Danbury Newtown LLC relative to Still River Greenway Project
- 28 – Receive positive reports from City Engineer and Traffic Engineer, declare surplus City owned property on Old Sugar Hollow Road and offer for sale to State DOT, subject to positive Planning Commission recommendation
- 31 – Receive positive Planning Commission report dated July 12, 1999 regarding request of Main Elmwood LLC to expand utility easement at 70 Main Street and approve request of Main Elmwood, LLC
- 32 – Receive report from City Engineer regarding request for sanitary sewers on Windaway Road and refer request to Engineering Department for survey
- 33 – Receive negative reports of the Planning Commission and Director of Planning regarding offer to sell property on Beckerle Street and take no action
- 34 – Receive negative reports of the Planning Commission and Director of Planning regarding offer to sell properties on 29 Hayestown Road and 57 South Street and take no action
- 36 – Receive report and approve positive recommendations regarding Vision 21 Bond Package
- 39 – Receive report and approve positive recommendation regarding grant to regional YMCA
- 40 – Receive report and approve amendment to Code Section 2-176 regarding schedule of termination of governmental entities
- 41 – Receive report and approve recommendations regarding request for sewer extension – 3 Richmond Avenue
- 42 – Receive report and approve recommendation for referral to Engineering Department regarding request for sewer extension – 4 Richmond Avenue

Mr. Boynton made a motion to accept the Consent Calendar as read. Seconded by Mrs. Saracino. Mrs. Basso noted that in the report regarding the grant to the YMCA there were three representatives present at the meeting. Mayor Eriquez noted that they were Gary Kozak, Sam Crocker and Don Mitchell. Motion carried unanimously.

1 – RESOLUTION – Preventive Health Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has notified the City of Danbury Health and Housing Department that it is eligible to apply for a Preventive Health and Health Services Block Grant in an amount not to exceed \$9,531.; and

WHEREAS, the grant will cover the period of September 1, 1999 through June 30, 2000 with a local in kind match of 25% required; and

WHEREAS, the funding will be used for a Youth Violence Prevention program in conjunction with the School Based Health Center located at Danbury High School.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply for said funds from the Connecticut Department of Public Health and to accept the grant, if awarded;

AND, FURTHER, Mayor Gene F. Eriquez is hereby authorized to execute all contracts/agreements in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The resolution was adopted on the Consent Calendar.

2 – RESOLUTION – Issuance of Bonds

RESOLVED by the Common Council of the City of Danbury:

RESOLUTION WITH RESPECT TO THE ISSUANCE AND SALE OF \$6,100,000 CITY OF DANBURY GENERAL OBLIGATION BONDS

Section 1. \$3,500,000 of the \$4,800,000 unissued balance of the \$14,900,000 bonds of the City authorized pursuant to an ordinance entitled “An Ordinance Making appropriations Aggregating \$14,900,000 For Various Public Improvements (The Cityworks 2000 Program) And Authorizing The Issue of \$14,900,000 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 on July 2, 1996 and approved by the electors at a referendum on November 5, 1996, shall bear an original issue date of August 1, 1999 and mature \$175,000 on August 1 in each of the years 2000-2019, both inclusive.

Section 2. \$1,000,000 of the \$2,000,000 unissued balance of the \$19,000,000 bonds of the City authorized pursuant to an ordinance entitled “An Ordinance Appropriating \$19,000,000 For Reconstruction Of the Margarie Water Treatment Plant, Improvements to West Lake Treatment Plant, Construction of Additional Transmission Lines And Related Water System Improvements and Authorizing the Issuance of \$19,000,000 Bonds Of The City to Meet Said Appropriation And Pending The Issuance Thereof The Making of Temporary Borrowings For Such Purpose”, adopted by the Common Council on August 2, 1994 and approved by the electors at a referendum on November 8, 1994, shall bear an original issue date of August 1, 1999 and mature \$50,000 on August 1 in each of the years 2000-2019, both inclusive.

Section 3. Said \$3,500,000 and \$1,000,000 bonds referred to in Sections 1 and 2, hereof, shall be combined into and issued and sold as a single issue of \$6,100,000 City of Danbury General Obligation Bonds, bearing an original issue date of August 1, 1999, maturing, in combination, \$305,000 on August 1 in each of the years 2000-2019, both inclusive, bearing interest payable on February 1 and August 1 in each year until maturity, commencing February 1, 2000 (the “Bonds”). The Bonds maturing on August 1, 2010 and thereafter are subject to redemption at the respective prices set forth in the following table together with interest accrued and unpaid to the redemption date:

	Redemption Date	Redemption Price
From: August 1, 2009 to July 31, 2010.....		101%
August 1, 2010 and thereafter.....		100%

The Resolution was adopted on the Consent Calendar.

3 – RESOLUTION – America the Beautiful Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Protection is making available an America the Beautiful grant in the amount of \$3,000, and

WHEREAS, the grant will be used to encourage citizen involvement in creating and supporting long term and sustained urban and community forest programs throughout the State and including municipal property, and

WHEREAS, a 50% local match is required and will be provided by in-kind services.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Gene F. Eriquez, be and hereby is authorized to apply for said grant and to execute any necessary contracts or amendments thereto should said grant be awarded to the City, and to execute any other required documents or take any other action to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

4 – RESOLUTION – Victims of Crime Assistance Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the federal Victims of Crime Act (VOCO) assistance program has made funding available to states for purposes of providing services to victims of crime; and

WHEREAS, the State of Connecticut, through the Judicial Branch office of Victim Services (OVS) is making available grant funds to Danbury in the amount of \$38,416.00 to be used for such services; and

WHEREAS, pursuant to this program, twenty percent (20%) local, non federal matching funds, either in cash or in kind services may be necessary in the event the State of Connecticut, through the OVS, does not grant permission to Danbury to use State revenue to offset such twenty percent match; and

WHEREAS, in order to obtain such a State match the City of Danbury will be required to submit budget(s) and budget narrative(s) seeking the match reimbursement; and

WHEREAS, the City of Danbury is desirous of utilizing these funds for the period from July 1, 1999 through June 30, 2000;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make application for the VOCA funding and make such other and further applications and submittals as may be necessary for the period(s) referenced and in order to accomplish the purposes hereof.

The Resolution was adopted on the Consent Calendar.

5 – RESOLUTION – Underage Drinking Prevention Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Division of Highway Safety (DHS) has advised the City of Danbury of its eligibility to apply to DHS for a direct award of \$2,074 under this program with a local cash match of \$6,223 required which is being provided by the Fairfield County Chapter of Mothers Against Drunk Driving; and

WHEREAS, the funding under this new program will be used by the Danbury Police Department to coordinate a training program to enhance effective law enforcement within the City of Danbury, and

WHEREAS, the grant period will run for 12 months from the date of the initial payment received.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept such grant award and the Mayor is authorized to sign any contracts/documents in connection therewith and do all things necessary to effectuate the purposes of said grant.

Mr. Scalzo made a motion to receive the communication, adopt the resolution, accept the donation and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

6 – RESOLUTION – School Based Health Center

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for a School Based Health Center Continuation Grant in an amount not to exceed \$300,000; and

WHEREAS, the grant term will cover a two year period of July 1, 1999 through June 30, 2000 for \$200,000 and a second year July 1, 2000 to June 30, 2001 for an additional \$100,000 with no local match required; and

WHEREAS, the State's purpose in providing these funds is to enable the City's Health and Housing Department to provide the age appropriate accessible and affordable medical and mental health care services of Danbury High School students.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply to the State of Connecticut Department of Health Services for said grant funds and to accept the award if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

7 – RESOLUTION – Emergency Shelter

RESOLVED by the Common Council of the City of Danbury:

Whereas, the State of Connecticut, Department of Social Services has made available a grant in the amount of \$94,908.00 for the operation of the Emergency Shelter; and

WHEREAS, the grant period is October 1, 1999 through September 30, 2000; and

WHEREAS, no local match is required.

NOW, THEREFORE, be it resolved that Gene F. Eriquez, Mayor of the City of Danbury, is empowered to execute and deliver in the name and on behalf of the City of Danbury a certain contract with the Department of Social Services of the State of Connecticut for this Emergency Shelter Grant and to affix the corporate seal.

The Resolution was adopted on the Consent Calendar.

8 – RESOLUTION – WIC Supplemental Nutrition Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services has notified the City of Danbury Health and Housing Department of its eligibility to apply for a renewal grant for its Women, Infants and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the Danbury Health and Housing Department's WIC Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women nursing mothers and children up to age five; and

WHEREAS, the Supplemental Nutrition Grant will be in an amount not to exceed \$235,000 each year and will cover the grant term from October 1, 1999 through September 30, 2000 and October 1, 2000 through September 30, 2001 and requires no matching funds from the City of Danbury; and

NOW, THEREFORE BE IT RESOLVED THAT Gene F, Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health are hereby authorized to apply for said grant on behalf of the Danbury Health and Housing Department, and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury, is hereby empowered to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Public Health Services and to accept said grant funds, if offered.

The Resolution was adopted on the Consent Calendar.

9 – RESOLUTION – Connecticut Fair Plan Anti-Arson Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Fair Plan Anti Arson Committee has advised the City of Danbury of its eligibility to apply for a direct award of \$500 under its program with a local cash match of \$256 required; and

WHEREAS, the funding under this new program will be used by the Danbury Fire Department to purchase a video camera to enhance effective fire investigations within the City of Danbury, and

WHEREAS, the grant period will run for 12 months from the date of the initial payment received.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept such grant award and the Mayor is further authorized to sign any contracts/documents in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

10 – COMMUNICATION – Appointment to Lake Kenosia Commission

Request from Mayor Gene Eriquez requesting confirmation of the appointment of Kenneth H. Keller for a term to expire May 1, 2001. The appointment was confirmed on the Consent Calendar.

11 – COMMUNICATION – Appointment to the Aviation Commission

Request from Mayor Eriquez requesting confirmation of the appointment of Anthony J. Tomaino to the Aviation Commission for a term to expire July 1, 2002. The appointment was confirmed on the Consent Calendar.

12 – COMMUNICATION – Reappointments to the Aviation Commission

Request from Mayor Eriquez requesting confirmation of the reappointments of Richard Kilcullen and Thomas Opperman to the Aviation Commission for terms to expire July 1, 2002. The reappointments were confirmed on the Consent Calendar.

13 – COMMUNICATION – Donation from Davis & Geck

Letter from Carl Monti offering to donate two Survivair self-contained breathing apparatus to the City from his company formerly known as Davis & Geck. Mr. Arconti made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Ms. Fox. Motion carried unanimously.

14 – COMMUNICATION – Donations to the Danbury Library

Request from Library Director Betsy McDonough asking permission to accept a donation in the amount of \$189.00 from the Danbury Garden Club to be credited to the FILMS line item. Mr. Boynton made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

15 – COMMUNICATION – Donations to the Department of Elderly Services

Request from Director of Elderly Services Leo McIlrath asking permission to accept donations in the amount of \$588.50 for use of the Danbury Senior Center. Mr. Scalzo made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Boynton. Motion carried unanimously.

16 – COMMUNICATION – Reappropriation of Donated Funds

Request from Leo McIlrath for a transfer of funds in the amount of \$855.50 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

17 – COMMUNICATION – Donation from Cendant Mobility

Donation in the amount of \$500 from Cendant Mobility for the E. J. Harrison Day sponsored by the City. The donation should be credited to the Mayor's Discretionary for Outside Services. Mr. Arconti made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mrs. Saracino. Motion carried unanimously.

(At 7:55 P.M. Mr. Coco arrived and was marked present)

18 – COMMUNICATION – Donation to the Police Department

Request from Police Chief Robert Paquette for permission to accept the donation of 40 Jump-It units from Allied Signals. Ms. Fox made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

19 – COMMUNICATION – Authorizations from Buffalo Wislon Creek

Request from Coordinator of Environmental & Occupational Health Services Jack Kozuchowski for permission to seek authorizations from Buffalo Wislon Creek/Roland Kendall for the Still River Greenway Project to install floodplain and levee enhancements along the Still River Corridor. The permission to seek authorizations was granted on the Consent Calendar.

20 – COMMUNICATION – Authorizations from Danbury Newtown LLC

Request from Coordinator of Environmental & Occupational Health Services Jack Kozuchowski for permission to seek authorizations from Danbury Newtown LLC for the Still River Greenway Project to install floodplain and levee enhancements along the Still River Corridor. The permission to seek authorizations was granted on the Consent Calendar.

21 – COMMUNICATION – Excess Health Insurance Reserve Fund

Request from Director of Finance and Support Services John Torok requesting permission to draw down \$500,000 from the Board of Education's reserve fund so that they may increase their approved budget appropriation from the current \$70,547,450 to an amended amount of \$71,047,450. Mr. Levy made a motion to receive the communication and approve the recommendation pending verification by the City's Director of Finance. Seconded by Mr. Setaro. Motion carried unanimously.

22 – COMMUNICATION – Bear Mountain Improvements

Request from Director of Parks and Recreation Robert Ryerson that the \$5,700.00 held in the Bear Mountain escrow account be transferred improvements at Bear Mountain Park. A certification of funds was attached. Mr. Setaro made a motion to receive the communication and authorize the transfer of funds to the proper line items contained within the Parks & Recreation Department's budget. Seconded by Mr. Levy. Motion carried unanimously.

23 – COMMUNICATION – City owned Property on Pine Trail

Request from Suzanne Saunders to purchase City owned property on Pine Trail. Mr. Scalzo asked that this be referred to the Planning Director, the Planning Commission, the City Engineer, the Corporation Counsel and the Zoning Enforcement Officers for reports back within thirty days. Mayor Eriquez so ordered.

24 – COMMUNICATION – Request for Sewer Line – Henso Drive and Stuart Drives. Mr. Levy asked that this be referred to the City Engineer for a report and survey within thirty days. Mayor Eriquez so ordered.

25 – COMMUNICATION – Request for a committee regarding conditions on Liberty Avenue. John Esposito asked that this be referred to an ad hoc committee, the Traffic Engineer, the Chief of Police and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members John Esposito, Boynton and Saracino to the committee.

26 – COMMUNICATION – Request for a stop sign on Lancey Street. John Esposito asked that this be referred to an ad hoc committee, the Chief of Police and the Traffic Engineer. Mayor Eriquez so ordered and appointed Council Members John Esposito, Boynton and Saracino to the committee.

27 – COMMUNICATION – Request from William and Donna Montesi for settlement of a sewer line dispute on Michaud Road. Mr. Arconti asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Smith, Arconti and Moore to the committee.

28 – COMMUNICATION – City owned property on Old Sugar Hollow Road. This item was removed from the Consent Calendar and taken up at the end of the meeting.

29 – COMMUNICATION – Petitions for sewers on Cozy Hollow Road. Mr. Scalzo as that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

30 – COMMUNICATION – Reports regarding acceptance of Fieldstone Drive as a City road. Mr. Arconti asked that this be referred to an ad hoc committee, the Superintendent of Public Works, the City Engineer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Abrantes, McAllister and Basso to the committee.

31 – COMMUNICATION – Report from the Planning Commission giving a positive recommendation to expand the utility easement at 70 Main Street. The report was received on the Consent Calendar.

32 – COMMUNICATION – Report from the City Engineer regarding the request for sanitary sewers on Windaway Road. The report was received on the Consent Calendar and referred to the City Engineer for a survey.

33 – COMMUNICATION – Reports from the Director of Planning, the Planning Commission, the Director of Finance and the City Engineer regarding offer to sell land on Beckerle Street. The reports were received on the Consent Calendar and no action taken at this time.

34 – COMMUNICATION – Reports from the Director of Planning, the Planning Commission, the Director of Finance and the City Engineer regarding offer to sell properties at 29 Hayestown Road and 57 South Street to the City. The reports were received on the Consent Calendar and no action taken at this time.

35 – COMMUNICATION – Report from the Police Chief regarding the signalization at Newtown Road and Woodside Avenue stating that he will be meeting with the State Department of Transportation within 30-60 days. Mr. Levy made a motion to receive the report from the Police Chief and anticipate another report within 30-60 days. Seconded by Mrs. Basso. Motion carried unanimously.

36 – REPORT – Vision 21 Bond Package

This report was removed from the Consent Calendar and deferred to the end of the agenda.

37 – REPORT & ORDINANCE – Vision 21 Bond Package

Mr. Setaro submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on July 19, 1999 in the Common Council Chambers in City Hall.

Chairman Christopher Setaro posed the following questions that had been raised during the Public Hearing: Would the depth of the pools at Rogers Park and Highland Avenue Playground be changed? Would there be paved parking at Highland Avenue Playground? What is the philosophy regarding the use of artificial turf at Danbury High School? Mayor Eriquez stated that there is money available for paved parking at Highland Avenue Playground. He stated that a Track and Field Committee has been receiving input from experts regarding injuries on artificial v. natural turf. Also, both pools will remain at the same depth.

Mrs. Saracino asked about the City's requirement to follow the package outline. Attorney Gottschalk said that Section 4 gives flexibility to transfer funds. Director of Finance Dominic Setaro stated that in Section 1 (Schools) funds could be transferred from within. In Section 2, funds can be transferred only from within, not from b to c. Contingency funds can go to any section. Mrs. Saracino asked if it would be possible to separate out items to send to the voters. Attorney Gottschalk stated that only 1 item can be sent to referendum.

Mr. Boynton made a motion to recommend adoption of the Vision 21 Bond Package Ordinance. Seconded by Mr. Levy.

Mr. McAllister asked if the purchase price at Tarrywile Park would include the dam. Mayor Eriquez stated that it does not. The dam is under consent order. Republic Finance has taken it over through foreclosure. The dam will be replaced. Mrs. Saracino asked if the Tarrywile Lake homeowners are living in open space. Mayor Eriquez stated that the rear of their properties abut the lake.

The motion to adopt the Ordinance was approved unanimously.

The full text of the Ordinance is marked exhibit A and attached hereto and made a part hereof.

Mr. Levy made a motion to adopt the Ordinance entitled "An Ordinance Making Appropriations Aggregating \$21,000,000 for Various Public Improvements in the Vision 21 Program and Authorizing the issue of \$21,000,000 Bonds of the City to meet said Appropriations and Pending the Issuance thereof the making of temporary borrowings for such purpose" as read. Seconded by Mr. Shuler. Motion carried unanimously.

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled "An Ordinance Making Appropriations Aggregating \$21,000,000 For Various Public Improvements In the Vision 21 Program And Authorizing The Issue of \$21,000,000 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 2, 1999 between the hours of 6 o'clock A.M. and 8 o'clock P.M. (E. T.), that the warning of said meeting state the question to be voted on as follows:

Shall the ordinance entitled "An Ordinance Making Appropriations Aggregating \$21,000,000 For Various Public Improvements In The Vision 21 Program And Authorizing The Issue Of \$21,000,000 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 August 3, 1999, Be approved?

Mr. Setaro moved that the Resolution be adopted as read. Seconded by Mr. Levy. Motion carried unanimously.

A motion was made by Mr. Setaro, seconded by Mr. Levy, that the Mayor be authorized and directed to call a Special City Meeting to be held in conjunction with the election of November 2, 1999 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 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 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 2nd day of November, 1999 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 question:

“Shall the ordinance entitled ‘An Ordinance Making Appropriations Aggregating \$21,000,000 For Various Public Improvements In The Vision 21 Program And Authorizing The Issue of \$21,000,000 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 August 3, 1999, 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 \$21,000,000 For Various Public Improvements In The Vision 21 Program And Authorizing The Issue Of \$21,000,000 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 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”.

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 the 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:

- District No. 1: Danbury High School, Clapboard Ridge
- District No. 2: Pembroke School, Padanaram Road
- District No. 3: Broadview Middle School, Hospital Avenue
- District No. 4: South Street School Auditorium, 129 South Street
- District No. 5: Rogers Park Middle School, Rogers Park Road
- District No. 6: Park Avenue School, Park Avenue
- District No. 7: Morris Street School, 28 Morris Street

Qualified voters will be entitled to vote at the polling place in the Common Council Chambers on the third floor of the 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 2, 1999, 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 ordinance is on file, open to public inspection, in the Office of the City Clerk.

The motion carried unanimously.

38 – REPORT – Grant to the Charles Ives Center

Mr. Setaro submitted the following report:

The Common Council Committee appointed to review the request for a grant to the Charles Ives Center for the Arts met on July 19, 1999 at 7:05 P.M. in Room 432 in City Hall. In attendance were committee members Setaro, Levy and Moore. Also in attendance were Mayor Gene F. Eriquez, Director of Finance Dominic Setaro, Michael Osborne, Executive Director of the Ives Center, Bob Parker of Ives Concert Park and Council Members Dean Esposito, Mary Saracino, Harry Scalzo and Pauline Basso, ex-officio.

Christopher Setaro read the letter requested the grant. Mr. Osborne gave an overview of the request. He stated that two years ago there was a piece of property that everyone assumed belonged to Western Connecticut State University. It did not and the owner starting moving earth. Therefore, they were forced to purchase the property. Union Savings Bank gave them a mortgage. They are a non-profit agency so they did not budget for this purchase. They hope that within one year they will own it. The mortgage is now current. Mr. Osborne apologized for coming outside the budgetary process, but they were not ready at that time.

Christopher Setaro asked how the figure of \$10,000 was arrived at. Mr. Osborne stated that they would like to pay the mortgage off within 14-16 months. The total mortgage was \$75,000. He stated that it is a five-year mortgage but could be rolled over. This grant would be used to pay interest. Dean Esposito asked if the State had contributed any money toward the purchase of the property. Mr. Osborne stated that it had not, but had granted \$100,000 for the construction of permanent bathrooms, which would allow for use of the property by various groups.

Mr. Scalzo asked if the concession stands were sub-contracted. Mr. Osborne stated that volunteers run them. Mr. Scalzo asked if ticket sales meet the goals for each concert to pay expenses. Mr. Osborne stated that 50% of their expenses come from ticket sales. The other comes from fund-raising. They like to keep ticket prices as reasonable as possible so that families can attend. Mr. Osborne gave an overview of children's events.

Dean Esposito asked who oversees the property. Mr. Osborne stated that they have a 20-year lease with the State. It is reviewed every three to five years. They have an operating agreement with Western. Mr. Esposito asked if they were approached by someone requesting the use of the property who would grant permission. Mr. Osborne said it would depend on the time of year. Mr. Osborne stated that under President Roach, their working relationship has been good. Dr. Roach encourages the Ives Center to expand its use to other groups.

Mr. Levy made a motion to approve the sum of \$10,000, pending certification by the Director of Finance, payable in two installments; \$5,000 upon approval and \$5,000 half way through the fiscal year. Seconded by Mr. Moore. The motion carried unanimously.

Mr. Levy made a motion to receive the report and adopt its recommendations. Seconded by Dean Esposito. Motion carried unanimously.

39 – REPORT – Grant to the Regional YMCA

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review the appropriation request for the regional YMCA Boughton Street Branch met on July 21, 1999 at 8:35 P.M. in Conference Room 2 in City Hall. In attendance were committee members Gallagher, Scalzo and Saracino. Also in attendance were Mayor Gene F. Eriquez, Director of Finance Dominic Setaro, representatives of the Regional YMCA Sam Crocker and Don Mitchell and Council Members Setaro, Levy and Basso, ex-officio.

Mayor Eriquez gave a general overview regarding the request. He stated that the Regional YMCA had made their request via the budget process and although the request was not included in the adopted budget it was his intention to fund the request through the CDBG program. He was unable to do so due to a lower cap on program services. Mayor Eriquez described how the Regional YMCA had been an active partner in the Safe Summer Youth program, in particular, Escape to the Arts and the TEAM program. The funding would be used for these two programs. Subsequently, the representatives of the Regional YMCA described the effectiveness of the two programs.

After some discussion, Mr. Scalzo moved to recommend to the Common Council the appropriation of \$35,000 to the Regional YMCA Boughton Street Branch, pending certification. The motion was seconded by Mrs. Saracino and passed unanimously.

The Report was approved on the Consent Calendar.

40 – REPORT & ORDINANCE – Schedule of Termination of Governmental Entities

Mr. Setaro submitted the following report:

The Common Council met as a committee of the whole on July 19, 1999 immediately following a public hearing to hear comment on Sec. 2-176. Schedule of Termination of government entities.

Corporation Counsel Eric Gottschalk explained the need for the revision. It moves each board or commission forward in a five-year rotation.

Mr. Boynton made a motion to recommend approval of the amendment to Sec. 2-176. Seconded by Mr. Shuler. Motion carried unanimously.

The report was received and the Ordinance adopted on the Consent Calendar. The ordinance is marked Exhibit B attached hereto and made a part hereof.

41 – REPORT – Request for Sewer Extension – 3 Richmond Avenue

Mrs. Smith submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 3 Richmond Avenue met on June 17, 1999 at 7:00 P.M. in the

Fourth Floor Lobby in City Hall. In attendance were committee members Smith and Machado. Also in attendance were Superintendent of Public Utilities William Buckley and the petitioners, Catherine and Patrick Summa.

The residents of 3 Richmond Avenue are requesting a sewer extension from the sewers on Pocono Lane. Mr. Buckley reviewed the two avenues by which the extension could be accomplished. The petitioners could hire an engineer and then petition for the work or a public hearing could be held. He explained that this is a preliminary hearing and that if all parties agree a public hearing would be scheduled as required. Mr. and Mrs. Summa indicated that they would be interested in the assessment process for accomplishing this request. Mr. Buckley explained that the requests for 3 and 4 Richmond Avenue would be combined and a written formal preliminary estimate would be done according to the standard formula.

The petitioners are in favor of the motion to recommend to the Engineering Department that a survey be done to determine the assessment. Mr. Machado made a motion to recommend the above-cited survey and it was seconded by Mrs. Smith. Motion carried unanimously.

The report was received and approved on the Consent Calendar.

42 – REPORT – Request for Sewer Extension – 4 Richmond Avenue

Mrs. Smith submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 4 Richmond Avenue met on June 17, 1999 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Smith and Machado. Mary Saracino was unable to attend. Also in attendance were Superintendent of Public Utilities William Buckley, Mr. and Mrs. Summa remained and were joined by the residents of 4 Richmond Avenue, Martha Zenobia, Deborah Horberg and her son, Brian Horberg.

Mr. Buckley reviewed the two avenues by which the extension could be accomplished. He explained that a public hearing would be scheduled because of the lien, the work would be put out for bid and another public hearing would be scheduled when the bid work is done. The petitioners would make their first payment and the balance would be paid over nineteen years. It would be the City's intention to try and build this sewer extension next year. Ms. Horberg asked about the cost of a new septic system. Mr. Buckley's estimation was between \$20,000 to \$25,000. Ms. Zenobia asked about including Alexandria Lane. Mr. Buckley explained that this request could be made at the first public hearing.

A motion to send a referral to the Engineering Department was made by Mr. Machado and seconded by Mrs. Smith. It was unanimously approved.

The report was received and approved on the Consent Calendar.

43 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Health and Housing, Department of Elderly Services, Welfare, Engineering, Public Utilities. Mr. Setaro made a motion to accept the Department Reports 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.

Mr. Setaro made a motion to reconsider the Consent Calendar. Seconded by Dean Esposito.

Mr. Setaro made motion to adopt the Consent Calendar with the omission of items 28 and 36. Seconded by Mrs. Fox. Motion carried unanimously.

(At 8:50 P.M. Mr. McAllister arrived and was marked present).

28 – COMMUNICATION – City owned property on Old Sugar Hollow Road

Letter from Mayor Gene F. Eriquez stating that the State of Connecticut Department of Transportation wishes to acquire a small parcel of City owned property on Old Sugar Hollow Road. This property is needed for the proposed improvements to US Route 7 South. The site is of no apparent use to the City of Danbury. The Mayor requested that the transfer of this property be approved for the amount of \$500 contingent upon approval by the Planning Commission.

Mr. Setaro made a motion that the communication be received and approve the transfer of the property for the sum of \$500.00 contingent upon the approval of the Planning Commission. Seconded by Dean Esposito. Motion carried unanimously.

36 – REPORT – Vision 21 Bond Package

Mr. Setaro submitted the following report:

The Common Council Committee appointed to review the Vision 21 Bond Package met on July 13, 1999 at 7:10 P.M. in Room 432 in City Hall. In attendance were committee members Setaro, John Esposito, Abrantes, Levy and Basso. Also in attendance were Mayor Gene F. Eriquez and Director of Finance Dominic Setaro.

Mayor Eriquez gave an overview of the package. The schools section includes the addition of four new state of the art science labs, an upgraded library/media center, a new technology center which would include a community access computer lab, a computer repair center, a distance learning center and a video production facility, the construction of a sports complex at Danbury High School, the equalization of the girls and boys facilities to comply with Title IX requirements and some roof replacements.

The sum of \$8,350,000 (exclusive of track and field) is reimbursable at a level of 46.79% by the State. The sum of \$2,000,000 for Track & Field is reimbursable at the rate of 23.40%

The Land/Open Space section includes acquisition of eight acres of beach front and adjoining property to Candlewood Lane for the negotiated purchase price of \$385,000. It also includes the purchase of 100 acres of property at Tarrywile Lake for a negotiated price of \$825,000. This price represents the City's match to a grant that has been received from the State of Connecticut Open Space and Water Shed Land Acquisition Grant Program. Also included is 34 acres wetlands known as the Mill Plain Swamp. The City will receive \$112,500 from the State on the \$250,000 negotiated price. The final area is the West Side Natural Area. This is 232 acres for passive recreational purposes and environmental education. No price has been negotiated at this time.

The Parks and Recreation portion includes improvements to the boat ramp at Candlewood Lake. Improvements to the beach area and fencing at Candlewood Park and Kenosia. A pathway in the linear park will be created as well as landscaping. 4 softball fields will be created at Hatters Park for girls and women. Also included will be total refurbishment of the pools at Rogers Park and Highland Avenue. There will be improvements to the Babe Ruth fields, to soccer field and to lighting. This includes the construction of a soccer dome. This part of the bond package also includes installation of a pedestrian walkway along Tarrywile Mansion drive and improvements to the lighting and HVAC improvements to the Mansion. Parks and Recreation equipment including mowers, tractors and trucks will be replaced.

The Public Works includes \$500,000 for drainage work and repaving parking lots for public buildings including schools. There is \$925,000 for the replacement of nine dump trucks. The roof on the Airport administration building and the roof on the Civil Preparedness building on Miry Brook Road will be replaced.

The Public Buildings portion includes the construction of an addition to the Senior Center on Main Street to be known as Elmwood Hall. The cost is \$800,000 and it is 5,500 square feet. The lighting at the Old Library Marian Anderson Recital Hall will be upgraded.

The Planning portion includes \$300,000, which is the City's share for improvements to Main Street North. There is funding in the sum of \$500,000 for additional sidewalk replacement and streetscape elements including the North side of Crosby Street, South end of Main Street, Main Street to Deer Hill Avenue, White Street by the Railroad Museum. The final component is the implementation of an effective GIS system in accordance with technological improvements and upgrades, with which a digitized tax parcel mapping is required.

The project is financed through 10 and 20 year bonds. Mayor Eriquez stated that we would sell bonds over a three to four year period with little or no impact on the tax rate. This is due to debt retirement and reimbursements. Dominic Setaro stated that for the years 2000-2001 our debt service will be 12.8 million dollars; in the fourth year it will be 11.4 million and in the fifth year it will be 11 million. He said that the contingency is based on 5% which is relatively low. Short-term interest is based on our borrowing money. Our expenses include fees to banks, prepayment, counsel fees and credit rating agency fees.

Mr. Levy made a motion to recommend that the bond package ordinance to the voters and refer it to a public hearing. Seconded by Mrs. Abrantes. Motion carried unanimously.

Mr. Levy made a motion to receive the report and adopt its recommendations. Seconded by Mr. Shuler. Motion carried unanimously

44 – Mr. Setaro made a motion to add item 44 entitled 19 Edgewood Street to the agenda. Seconded by Dean Esposito. Motion carried unanimously.

COMMUNICATION – 19 Edgewood Street

Letter from Superintendent of Public Utilities William Buckley requesting permission to accept a donation in the amount of \$10,000 for the installation of 147 feet of pipe for water extension at 19 Edgewood Street. Mr. Arconti made a motion to receive the communication and accept the donation. Seconded by Mr. Buzaid. Motion carried unanimously.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Scalzo for the meeting to be adjourned at 8:55 P.M.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton,
City Clerk

