

TO: Mayor Mark D. Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held May 7, 2002

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 – Nolan, McAllister, Null, Kelly, Mazzuchelli, Buzaid, Dean Esposito, Machado, Shuler, Scozzafava, Levy, John Esposito, Saadi, Dittrich, Basso, Darius, Furtado, Gogliettino, Moore, Neptune

ABSENT – Gallagher

20 Present – 1 Absent

PUBLIC SPEAKING – Libby Dorris, 197A Westville Avenue Ext., Mary Saracino, 10 Fairway Drive, Lynn Taborsak, 110 Hayestown Road and Mary Smith, 154 Stadley Rough Road all spoke on budget related items.

At 7:37 P.M. Mr. Gallagher arrived and was marked present

MINUTES – Minutes of the Common Council Meeting held April 2, 2002. Mr. Levy made a motion that the minutes be adopted as submitted and the reading waived as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mr. Gogliettino. Motion carried unanimously.

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

9 – Adopt the Resolution to apply for and accept grant funding from the State of Connecticut Office of Policy and Management in the amount of \$45,000 for the Safe Summer Youth Recreation Program for the fiscal year 2002-2003

10 – Authorize Corporation Counsel to acquire drainage and sewer easements for Fieldstone Drive or Fieldstone Acres subject to a positive recommendation of the Planning Commission

11 – Adopt the Resolution to apply for and accept grant funding from the Federal Emergency Management Agency in the amount of \$132,642 for purchase of various communication equipment

12 – Adopt the Resolution to apply for and accept funding from the State of Connecticut, Department of Revenue Services for the Neighborhood Assistance Act program, subject to public hearing as required.

13 – Adopt the Resolution to apply for and accept funding from the State of Connecticut Library in the amount of \$18,784.80

14 – Adopt the Resolution authorizing the Board of Education to enter into Lease Agreements with Kahn Muni Finance, LLP subject to terms and conditions as described and a positive recommendation from the Planning Commission

16 – Adopt the Resolution reauthorizing a contract with the State of Connecticut Department of Environmental Protection for a grant of \$108,000 in connection with the purchase of 35 acres of open space property in the Still River Watershed area as described

17 – Adopt the Resolution authorizing preliminary application for funding of repairs to the Rose Hill Avenue Bridge pursuant to the Connecticut Local Bridge Program

18 – Adopt the Resolution to apply for and accept grant funding from the Connecticut Public Health Department in the amount of \$14,101 for Youth Violence Prevention program

- 19 – Approve the appointment of Kevin B. Russell to the Environmental Impact Commission
- 20 – Approve the appointment of Anthony J. James to the Parks and Recreation Commission
- 21 – Approve the appointment of Howard D. Burtis to the Richter Park Authority
- 22 – Approve the transfer of \$1,122 from the Elderly Services Donations Account to the Commission on Aging budget as described
- 24 – Approve the Reappropriation of \$384 from the School Based Health Center fees to the Travel Line item
- 42 – Refer need for basketball courts to the Parks and Recreation Commission for consideration
- 43 – Approve the appropriation of \$250,000 to the Police Special Services Fund
- 44 – Approve the transfer of \$90,000 from the Water Fund, Fund Balance to the line item Utility Service Account
- 46 – Approve the transfer of \$2,725 from the Snow and Ice Removal and Overtime Salaries Account to the Probate Court budget as described
- 47 – Approve the Reappropriation of \$1,658 from Hatters Park Security Deposits to Maintain Building Structures Account
- 49 – Receive the report from the Planning Commission regarding easements at Maple Glen Trailer Park
- 53 – Receive a report regarding 76-78 Balmforth Avenue and take no action at this time
- 54 – Receive the report and adopt its recommendations regarding taxes at The Gardens Assisted Living Facility
- 55 – Receive the report and adopt its recommendations regarding construction of T Hangars

Dean Esposito made a motion to adopt the Consent Calendar as presented. Seconded by Mr. Buzaid. Motion carried unanimously.

1 – ORDINANCE and RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2002 and Ending June 30, 2003 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2002 and Ending June 30, 2003.

Mr. Nolan made a motion to adopt the budget as presented. Seconded by Mr. Levy.

a. General Government I Budget

Mr. Gogliettino submitted the following report:

The General Government I Budget Committee met on April 16, 2002 in the Third Floor Caucus Room in City Hall. In attendance were committee members Gogliettino, Levy and Dittrich. Mr. Darius arrived at 7:30 P.M. and was marked present. Also in attendance were Mayor Mark D. Boughton, Director of Finance Dominic Setaro, Council

Members Basso, Nolan and Neptune, as well as several department heads and members of the public.

Mr. Gogliettino noted that an error had been made in the salary line item for the director of personnel. The correct salary should be \$75,608 instead of \$73,406 as listed in the Table of Organization. This is based on the 4% salary increase that was granted to all non-union personnel.

Airport – Mr. Dittrich asked Paul Estefan why \$18,703 was appropriated to line item 9200.5311 last year, but nothing this year. Mr. Estefan stated that it was for the cutting of trees.

Library – Betsy McDonough stated that she is happy with her budget except for funding for materials. She was not granted the full request and the level of funding is back to that of 1997-98. Mr. Gogliettino asked how much the funding was decreased. Ms. McDonough said it was \$14,000.00.

Planning – Planning Director Dennis Elpern stated that he asked for three positions. He explained the duties of the new Associate Planner and the new Planning Assistant.

Corporation Counsel – Mr. Darius stated that only \$1,134 was used for leased equipment. Mr. Setaro stated that was through February. We must still pay for the remainder of the fiscal year.

Town Clerk – Mr. Darius asked why \$21,739 was budgeted when less was requested. The Mayor stated that the additional funds would cover the 4% raise.

Annual Report – Mayor Boughton stated that an annual report has not been done in ten years. It is his intention to do one this year and he may have to come back to the Council for more money.

Lake Authority – Mr. Setaro explained how the City's assessment of \$48,812 is arrived at. Long Ridge Library – Mr. Setaro explained that our assessment is \$6,150.00 and that they have other sources of revenue.

HART – Mr. Setaro stated that there is a fixed cost of 2.1 million dollars. The State subsidizes 1.2 million and the rest is done by formula.

Mr. Levy made a motion to adjust the salary account in the Personnel Department Budget in the Table of Organization to \$75,608 and change the total to \$223,075. Seconded by Mr. Dittrich. Motion carried unanimously.

Mr. Levy made a motion to recommend adoption of the Mayor's budget, as amended. Seconded by Mr. Dittrich. Motion carried unanimously.

b. General Government II Budget

Mr. Saadi submitted the following report:

The General Government II Budget Committee met on April 17, 2002 in the Third Floor Caucus Room in City Hall. In attendance were committee members Saadi, Neptune and Basso. Also in attendance were Director of Finance Dominic Setaro, Council Members Gogliettino and Levy, ex-officio, as well as Jim Arconti, Lynn Waller, Maria-Cinta Lowe and Joe Boa.

Mr. Setaro stated that a change has been proposed to eliminate the AS 400 specialist and create an assistant manager of the Data Processing Department. Wade Anderson needs an assistant. Regarding the Purchasing Department, there have been some changes in the Table of Organization where people have been reclassified. Due to changes in accounting regulations we no longer need a fulltime inventory control clerk. They are being reclassified as purchasing clerks.

Regarding grants under Human and Social Welfare, Mr. Setaro stated that each agency is required to submit a budget request along with certain documentation. If you

receive \$10,000 or more you must sign a contract and submit a certified audit statement. If we make payment directly on behalf of an agency, they do not have to submit an audit.

A discussion following regarding the increasing and reduction of certain grants. Mr. Setaro explained the various line items regarding taxes, interest on debt, employee benefits, etc.

Mr. Setaro explained the components of the contingency account. They include teamster wage increases, increases in health and welfare, emergencies, insurance, and litigation of \$780,000. Mr. Setaro stated that last year the account was \$300,000.00. There will be a \$350,000 settlement for Bucon. The settlement needs to be addressed in this report. He would recommend taking \$150,000 from the surplus and \$200,000 from the Contingency account.

Mrs. Basso made a motion to adopt the budget as proposed. Seconded by Mrs. Neptune. Mrs. Basso made a motion to amend the budget by reducing the Contingency Account by \$200,000. Seconded by Mrs. Neptune. Motion carried unanimously.

Mrs. Basso moved to recommend that an additional \$150,000 be used from the Fund Balance to offset the Bucon settlement. Seconded by Mrs. Neptune. Motion carried unanimously.

The motion, as amended, carried unanimously.

The committee met again on April 24, 2002. In attendance were committee members Saadi, Shuler, Neptune Null and Basso. Also in attendance were Council Members Levy and Gogliettino, ex-officio and members of the public.

Mr. Saadi stated that he would entertain a motion to reconsider the previous motions. Moved by Sherry Neptune and seconded by Pauline Basso. Motion carried unanimously.

Mr. Saadi stated that he would entertain a motion to adopt the General Government II budget as proposed by the Mayor. Moved by Pauline Basso and seconded by Sherry Neptune.

Mr. Saadi stated that the Common Council needs to establish certain standards that grant agencies must comply with. It is difficult to make cuts and increases without having a standardized process. By the time the narratives have been received by the Common Council some of the information is already outdated. He would suggest that an ad hoc committee be established to come up with a standardized grant process.

Mrs. Basso made a motion to adopt the budget as proposed by the Mayor. Seconded by Mrs. Neptune.

Mrs. Basso made a motion to amend the budget by reducing the contingency account by \$200,000. Seconded by Mrs. Neptune. Motion carried unanimously.

Mrs. Basso made a motion to recommend that an additional \$150,000 be used from the Fund Balance to offset the Bucon settlement. Seconded by Mrs. Neptune. Motion carried unanimously.

Discussion followed concerning grants to CACD and the YMCA.

The motion to adopt the proposed budget, as amended, passed with Mrs. Basso, Mr. Shuler and Mr. Saadi voting in the affirmative, Mr. Null voting in the negative and Ms. Neptune abstaining.

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Mrs. Basso made a motion to adopt the budget as proposed. Seconded by Mrs. Neptune. Mrs. Basso made a motion to amend the budget by reducing the Contingency Account by \$200,000. Seconded by Mrs. Neptune. Motion carried unanimously.

Mrs. Basso moved to recommend that an additional \$150,000 be used from the Fund Balance to offset the Bucon settlement. Seconded by Mrs. Neptune. Motion carried unanimously.

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Mrs. Basso made a motion to adopt the budget as proposed by the Mayor. Seconded by Mrs. Neptune.

Mrs. Basso made a motion to amend the budget by reducing the contingency account by \$200,000. Seconded by Mrs. Neptune. Motion carried unanimously.

Mrs. Basso made a motion to recommend that an additional \$150,000 be used from the Fund Balance to offset the Bucon settlement. Seconded by Mrs. Neptune. Motion carried unanimously.

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The motion to adopt the proposed budget, as amended, passed with Mrs. Basso, Mr. Shuler and Mr. Saadi voting in the affirmative, Mr. Null voting in the negative and Ms. Neptune abstaining.

c. Education Budget Committee

Mr. Moore submitted the following report:

The Education Budget Committee met on March 12, 2002, April 23, 2002 and April 29, 2002. In attendance at the April 29, 2002 were committee members Moore, Gallagher, Scozzafava, Nolan and Neptune. Also in attendance were Director of Finance Dominic Setaro, Superintendent of Schools Tim Connors, Board Finance Director Elio Longo, Council Members Levy and Mazzuchelli, ex-officio, members of the Board of Education and members of the public. In attendance at the April 23, 2002 meeting were Council Members Saadi, Darius, Mazzuchelli, Levy, Gogliettino and Dean Esposito ex-officio.

At the meeting on March 12, 2002, Mr. Setaro stated that certain line items experienced significant increases or decreases such as insurance, worker's compensation costs, utilities and telephones. He discussed the transfer of funds between line items with the Board of Education's budget. Mr. Nolan asked about a possible notation system indicating changes in individual line items.

At the meeting on April 23, 2002 Mr. Moore stated that the Board of Education had requested a nine percent increase. The Mayor proposed a 6% increase. Mr. Setaro stated that the difference is \$2,667,000. There have been several major developments. The Board was forced to stay with Cigna for their insurance, but the cost was reduced in the end. While the Council cannot get into specific line items, several other things have occurred. There has been a 5% reduction in utility costs, and heating fuel has been rebid which will result in additional savings. Refuse removal is another issue. There is a movement to try to get the tip fee reduced.

Mr. Moore stated that the superintendent put together twelve policy initiatives, including class size, support staff, instructional supplies, etc. He asked Mr. Setaro if these would be able to be met. Mr. Setaro stated that these questions should be addressed at the next meeting. Mr. Moore asked about the impact of the timing of the educational cost sharing. Mr. Setaro stated that he and the Mayor go with the Governor's budget. If the legislature adds money back, the Common Council determines how to use it. There is a larger than normal increase this year. Mr. Connors is not intending to ask for additional dollars if they are received by the State.

At the April 29, 2002 meeting Mr. Moore asked Superintendent Connors for an overview of his budget request. Mr. Connors stated that he is trying to negotiate health insurance down. The Unions have a say in what the Board can and cannot do. Unions can go directly to arbitration. The remainder of the figures are realistic. The schools submitted an application to take over Head Start. If they were awarded the grant, they would want to purchase a bus. His biggest concern is that there is very little money to address many issues. If they were able to change insurance carriers we could save \$750,000. If not, it will be difficult to reduce class sizes. Whatever savings are realized they would like to put back into the budget.

Questions were asked about textbooks and the current status of the budget. Mr. Gallagher asked if the requested nine percent increase is still required. Mr. Connors said he still feels that the number they asked for is legitimate, but understands that the City will fund the schools to the best of its ability. Mr. Connors stated that the majority of their dollars are spent on personnel. They need to meet their contractual obligations. Mrs. Neptune asked if there are funds in the budget to hire more teachers. Mr. Connor said there are proposed hirings in the budget, but it depends on the numbers they get from the City. Mr. Moore asked about the part-time long-term hirings. Mr. Connors said that these are long term temps hired when teachers go out on illness.

Mr. Scozzafava asked if Mr. Connors had real problems with this budget. Mr. Connors said that the bottom line is the School Board tells you what its needs and it makes do with what they get. Mr. Scozzafava said this is a cooperative effort between the Board and the City.

Mr. Mazzuchelli stated that he visited several schools and it was unanimous that the most pressing issue is the lack of textbooks. He feels this issue should be strongly addressed. Mr. Connors said that teachers are always looking to have a collection of books and materials in their classrooms. You can never satisfy a good teachers appetite for books.

Mr. Nolan made a motion to adopt the budget as proposed by the Mayor. Seconded by Mrs. Neptune. Motion carried unanimously.

d. Public Works Budget

Mr. Machado submitted the following report:

The Public Work Budget Committee met on April 25, 2002 in the Third Floor Caucus Room in City Hall. In attendance were committee members Machado, John Esposito and Kelly. Also in attendance were Director of Public Works William Buckley, Director of Finance Dominic Setaro, Director of Parks and Recreation Robert Ryerson, Council Members Levy and Basso, ex-officio and Lynn Waller.

Mr. Machado stated that it appears that the Mayor's proposed budget for 2002-2003 is very reasonable. It addresses the main needs of the public works department. Bond issues and capital improvements are addressed. No concerns were expressed during the public hearing regarding the public works portion of the budget.

There were discussions regarding the Public Buildings and Highways budgets but no changes were made. Regarding State Aid, Mr. Setaro pointed out that there needed to be an adjustment in the figures in the Maintain Highways-Curbs-Walks line item. The figure should read \$480,905 because that figure is supposed to match what we get from the State. The proposed figure of \$375,128 should be \$380,905 for a total of \$480,905.

Mr. Machado noted that there is a slight difference in the Street Lighting proposed budget. Mrs. Basso asked when our contract with the power company ends. Mr. Setaro stated that we do not have a contract with CL&P, but we are looking at our suppliers. Mr. Kelly asked if we get rebates for equipment such as air conditioners. Mr. Setaro said we do.

Under Recycling and Solid Waste, Mr. Setaro explained what the Professional Services Account covers, such as groundwater testing at \$50,000; \$15,000 for hydrogen sulfides and \$15,000 for environmental testing. It also included gas recovery, which is required. Mr. Kelly asked what the major expenses in outside services are. Mr. Setaro said one would be the contract price for the mom and pop operation at \$57,000.

In the Engineering Department Budget, Mr. Buckley said that he might have to come back to the Common Council at a later date to replenish the professional services line item to catch up on sewer assessments.

Mr. Ryerson stated that the Mayor's proposed budget reflects the proposal he submitted. A discussion followed regarding problems with certain parks in the City. Mr. Ryerson stated that there is a safety issue on the entire road in Rogers Park.

Regarding Tarrywile Park, Mr. Setaro stated that there are a number of new projects proposed. We would not be able to fund everything they ask for. Mr. Machado asked if there are any emergencies, which need to be addressed. Mr. Setaro said that many of the requests are new items such as \$15,000 to replace radiators, \$17,000 for the red barn and items that are not normal types of maintenance.

Mr. Esposito asked about increases in the sewer and water funds. Mr. Setaro said the sewer fund would go up \$13 per year, while the water fund will go up \$14 per year.

Mr. Esposito made a motion to adopt the Mayor's budget, with one adjustment in the Maintain Highways-Curbs-Walks line item by increasing \$375,128 to \$380,905 for a total of \$480,905.00. Seconded by Mr. Kelly and passed unanimously.

e. Health & Housing, Public Safety and Social Services Budget

Mr. Buzaid submitted the following report:

The Health & Housing, Public Safety & Social Services Budget Committee met on April 23, 2002 at 7:05 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Buzaid, Furtado, Dean Esposito and Nolan. Also in attendance were Director of Finance Dominic Setaro, Director of Health William Campbell, Fire Chief Peter Siencienski, Police Chief Robert Paquette, Civil Preparedness Director Paul Estefan, Council Members Warren Levy and John Gogliettino, ex-officio and members of the public.

Chairman Buzaid asked if there were any questions for the Director of Health William Campbell. Mr. Campbell reported on efforts to combat the West Nile Virus this summer and spoke about the plan for a bioterrorism attack. Mr. Campbell said he is satisfied with his budget.

Chief Paquette stated that this is the most generous budget he has received in five years. He reported on infrastructure changes in the Police Department. He also noted that this budget increases the budget by two. Mr. Furtado asked if the \$17,000 allocated for training was sufficient. Chief Paquette said it is sufficient.

Chief Siencienski stated that he is very appreciative of the Mayor's budget. He stated that the budget includes a major protective clothing initiative. They have money to lease vehicles for the first time. He stated that the training budget is not the most efficient at this time.

Mr. Buzaid stated that the Mayor's budget provides for the creation of a full time Director of Civil Preparedness. It is not clear what this person would do and what his capacity would be in the event of an extreme circumstance.

Chief Paquette stated that recommendations concerning emergency preparedness have just been provided to the Mayor. He outlined some of the initiatives recommended. He feels that the person might not be needed on a full time basis after the first year or two after the center is up and running. Right now a full time person is a necessity. Chief Siencienski was in agreement that a full time person is necessary at the onset.

Chief Siencienski pointed out the State law is very clear as to what responsibilities are delineated to whom. Weapons and hostages are under the police; a Civil Preparedness Director who answers directly to the Mayor fills emergency management position. Everyone works as a unified team.

Mr. Estefan stated that the communications system needs to be updated. The responsibility of the Civil Preparedness Director is to get the Police and Fire Personnel on the scene according to needs and then carry out the Mayor's orders. Mr. Setaro pointed out that a comprehensive plan was needed before you can look at the communications system.

Mr. Nolan stated that the position of a full time Civil Preparedness Director was a principal recommendation of the Task Force. Dean Esposito stated that the goal should be to hire someone who has the qualifications to fulfill the needs of the position.

Mr. Nolan made a motion to accept the recommendations of the departments and approve the Mayor's proposed budget. Seconded by Dean Esposito.

Mr. Levy stated that he has had conversations with the Mayor and the Mayor has assured him that the Common Council would have input into the qualifications of the person hired to fill the job of Director of Civil Preparedness. Dean Esposito stated that ideally the job should be covered under Civil Service.

Motion carried unanimously.

Mr. Levy made a motion to amend the budget as outlined in the memorandum regarding budget adjustments as submitted by the Director of Finance. Seconded by Mr. Nolan. Motion carried unanimously.

Main Motion, as amended, carried unanimously.

Mr. Scozzafava stated that this is Dominic Setaro's last budget meeting. He has never been misleading. His office is always open. He thanked Mr. Setaro for his many years of service to the City. He also thanked Tim Connors and Lynn Beardsley who are leaving. Mr. Setaro thanked Mr. Scozzafava for his kind words. He spoke about how the budget meetings were in the past and how far we have come. He said that the Council should hold its held high.

Mr. Levy thanked Mr. Setaro. Whenever the Council asked Mr. Setaro to find money he would do it and has brought many awards and high ratings to the City. Mayor Boughton stated that Mr. Setaro worked with eight Mayors, including Mayor Don Boughton, his father. Mr. Setaro is a man of integrity and courage and has truly dedicated 31 years of his life to the City. He will be missed. Mayor Boughton thanked Mr. Setaro for his advice and leadership and for being a mentor to him.

Mr. Setaro then read the budget ordinance and the resolution for the record.

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR BEGINNING JULY 1, 2002 AND ENDING JUNE 30, 2002

SECTION 1. The sum of \$115,150,456 representing the gross appropriation for the City of Danbury of \$149,241,033 for the fiscal year of July 1, 2002 and ending June 30,2003. minus Indirect Revenue of \$31,815,577, minus Fund Balance of \$2,275,000, plus uncollectible taxes reserve in the amount of \$-0- is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List of October 1, 2001.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 2002 and ending June 30, 2003 shall be as follows:

TAX RATE: 25.24 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 2002, October 2, 2002, January 1, 2003 and April 1, 2003 except for taxes levied and assessed on mobile homes, motor vehicles and where not in excess of One Hundred Dollars (\$100.00), which taxes shall be paid on July 1, 2002 in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 2002 and ending June 30, 2003.

Mr. Levy made a motion to adopt the resolution. Seconded by Mr. Shuler. Motion carried with Mr. Null and Mr. Darius voting in the negative.

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2002 AND ENDING JUNE 30, 2003.

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

SECTION 1. That the amounts hereinafter set forth aggregating \$149,241,033 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 2002 and ending June 30, 2003.

	<u>MAYOR'S</u>	<u>FINAL</u>
I. <u>GENERAL GOVERNMENT</u>	<u>BUDGET</u>	<u>BUDGET</u>

Common Council	\$ 8,600	\$ 8,600
Mayor's Office	295,437	295,437
City Clerk's Office	93,756	93,756
Ordinances	9,960	9,960
Probate Court	14,250	14,250
Registrars & Elections	133,366	133,366
City Treasurer	25,920	25,920
Director of Finance	763,827	763,827
Data Processing/Info Tech	1,206,319	1,206,319
Independent Audit	40,250	40,250
Bureau of Assessments	341,861	341,861
Board of Assessment & Appeals	4,000	4,000
Tax Collector	503,158	503,158
Purchasing	235,503	235,503
Corporation Counsel	1,030,427	1,380,427
Town Clerk	449,421	449,421
Annual Report	4,500	4,500
Planning Department	597,369	597,369
Conservation Commission	9,465	9,465
Personnel Department/Civil Service	297,328	299,530
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,450	1,450
City Memberships	70,929	70,929
Lake Authority	48,812	48,812
Retirement Administration	91,310	91,310
Labor Negotiations	63,000	63,000
	<u>MAYOR'S</u>	<u>FINAL</u>
	<u>BUDGET</u>	<u>BUDGET</u>

GENERAL GOVERNMENT

Public Buildings	\$ 875,607	\$ 875,607
City Hall Building	313,341	313,341
Library Building	173,573	173,573
Police Station Building	170,869	170,869
Senior Center Building	24,520	24,520
Old Library Building	<u>51,270</u>	<u>51,270</u>
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$ 7,959,398</u>	<u>\$8,311,600</u>

II. PUBLIC SAFETY

Police Department	\$11,308,339	\$11,308,339
Animal Control	199,542	199,542
Fire Department	8,539,568	8,539,568
Ambulance Fund	221,744	221,744
Building Inspector	596,856	596,856

Department of Civil Preparedness	<u>91,545</u>	<u>91,545</u>
<u>TOTAL PUBLIC SAFETY</u>	<u>\$20,957,594</u>	<u>\$20,957,594</u>
III. <u>PUBLIC WORKS</u>		
Highways	\$ 1,947,244	\$ 1,947,244
State Aid – Highways	475,128	480,905
Snow and Ice Removal	239,000	239,000
Street Lighting	387,000	387,000
Public Building Maintenance and Repair	478,678	478,678
Equipment Maintenance	722,357	722,357
Recycling/Solid Waste	353,500	353,500
Engineering Department	<u>1,022,627</u>	<u>1,022,627</u>
<u>TOTAL PUBLIC WORKS</u>	<u>\$5,625,534</u>	<u>\$5,631,311</u>
IV. <u>HEALTH & HOUSING DEPARTMENT</u>		
Health & Housing	<u>\$ 870,187</u>	<u>\$ 870,187</u>
<u>TOTAL HEALTH & HOUSING</u>	<u>\$ 870,187</u>	<u>\$ 870,187</u>
	<u>MAYOR'S</u>	<u>FINAL</u>
	<u>BUDGET</u>	<u>BUDGET</u>
V. <u>PUBLIC WELFARE, SOCIAL AGENCIES</u>		
Welfare Department	\$ 326,076	\$ 326,076
Veterans' Advisory Center	54,831	54,831
Commission on Aging	259,302	259,302
Elderly Transportation	12,000	12,000
Grants – Human Services	<u>1,282,099</u>	<u>1,282,099</u>
<u>TOTAL PUBLIC WELFARE, SOCIAL AGENCIES</u>	<u>\$1,934,308</u>	<u>\$1,934,308</u>
VI. <u>SCHOOL DEPARTMENT</u>		
Schools, Regular	\$81,567,727	\$81,567,727
Schools, Health & Welfare	<u>215,125</u>	<u>215,125</u>
<u>TOTAL SCHOOL BUDGET</u>	<u>\$81,782,852</u>	<u>\$81,782,852</u>
VII. <u>LIBRARIES</u>		
Danbury Public Library	\$1,977,135	\$1,930,135
Long Ridge Library	<u>6,250</u>	<u>6,250</u>
<u>TOTAL LIBRARIES</u>	<u>\$1,983,385</u>	<u>\$1,936,385</u>
VIII <u>PARKS & RECREATION</u>		
Parks & Recreation/Forestry	\$1,638,406	\$1,638,406
Tarrywile Park Authority	245,000	245,000
Cultural Commission	67,000	67,000

Lake Kenosia Commission	<u>2,500</u>	<u>2,500</u>
<u>TOTAL PARKS & RECREATION</u>	<u>\$1,952,906</u>	<u>\$1,952,906</u>
IX. <u>RECURRENT COSTS</u>		
FICA	\$1,221,923	\$1,221,923
Pension Expense	3,432,000	3,432,000
Employee Service Benefit	189,939	189,939
Worker's Compensation	451,365	451,365
State Unemployment Compensation	20,000	20,000
Employee Health & Life Insurance	7,475,648	7,475,648
Union Welfare	563,014	563,014
	<u>MAYOR'S</u>	<u>FINAL</u>
	<u>BUDGET</u>	<u>BUDGET</u>
<u>RECURRENT COSTS</u>		
Insurance & Official Bond Premium	\$ 2,427,454	\$ 2,427,454
<u>TOTAL RECURRENT COSTS</u>	<u>\$ 15,781,343</u>	<u>\$ 15,781,343</u>
X. <u>DEBT SERVICE</u>		
Interest on Debt	\$ 1,486,404	\$1,462,845
Interest on Debt – School	1,249,388	1,237,688
Redemption of Debt	3,374,462	3,374,462
Redemption of Debt – School	<u>2,250,000</u>	<u>2,250,000</u>
<u>TOTAL DEBT SERVICE</u>	<u>\$ 8,360,254</u>	<u>\$8,324,995</u>
XI. <u>CAPITAL PROGRAM</u>	<u>\$ 113,600</u>	<u>\$ 113,600</u>
<u>TOTAL CAPITAL PROGRAM</u>	<u>\$ 113,600</u>	<u>\$ 113,600</u>
XII. <u>TRANSPORTATION</u>		
Danbury Airport	\$ 318,693	\$ 318,693
H.A.R.T.	<u>645,259</u>	<u>645,259</u>
<u>TOTAL TRANSPORTATION</u>	<u>\$ 963,952</u>	<u>\$ 963,952</u>
XIII <u>CONTINGENCY</u>	<u>\$ 780,000</u>	<u>\$ 680,000</u>
<u>TOTAL CONTINGENCY</u>	<u>\$ 780,000</u>	<u>\$ 680,000</u>
<u>TOTAL BUDGET</u>	<u>\$149,065,313</u>	<u>\$149,241,033</u>

SECTION 2. That the amount of \$212,242 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of \$5,763,000 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$8,308,500 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of \$1,374,886 is appropriated to the AMBULANCE FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That the amount of \$11,718,936 is appropriated to the STATE AND FEDERAL SCHOOLS PROJECTS in the same manner as set forth in Section 1 hereof.

SECTION 7. That a provision for uncollectible taxes reserve is established in the amount of -0-.

Mr. Levy made a motion to adopt the Ordinance. Seconded by Mr. Nolan. Motion carried with Mr. Null voting in the negative.

(At 8:35 P.M. Mrs. Neptune left the Common Council Meeting.)

2 – ORDINANCE – An Ordinance Appropriating \$500,000 For Public Improvements In The 2002-2003 Capital Budget and Authorizing The Issuance of \$500,000 Bonds of the City to Meet Said Appropriation and Pending the Issuance 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 \$500,000 is appropriated for the public improvements hereinafter listed:

Project	Estimated Cost
Replace Phoenix Hose	\$ 20,000
Carport for SWAT Vehicle-Police Department	20,000
Tarrywile Lake Dam/City Match	30,000
Patriot Garage Repairs	40,000
Homeless Shelter Lavatory Renovation	12,000
Refurbish Highway Department Offices	8,000
Police Department E-911 Upgrade	95,200
Upgrade HVAC-Police Department	119,800
Shelter Rock School Boiler	75,000
Vehicle Replacement	80,000
Total	<u>\$ 500,000</u>

Section 2. To meet said appropriation \$500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administration, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys at Law, of Hartford. 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 thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying registrar and transfer agent and

the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five 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.

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 signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys at Law, of Hartford, and 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. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. 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 proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation may be expended with the approval of the Mayor and the Director of Finance to meet the actual cost of any of the projects set forth in Section 1, including actual costs which may exceed the estimated costs thereof, provided that the total amount of the appropriation is not exceeded.

Section 6. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 7. The Director of Finance is hereby authorized, on behalf of the City of Danbury, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Mr. Levy made a motion to receive the communication and adopt the ordinance. Seconded by Mr. McAllister. Motion carried unanimously.

3 – ORDINANCE – Water Use

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

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly non-metered rates.

- (a) The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2002: \$145.87/unit.

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

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 2002:

- (1) Hydrant use by contractors, per 100 gallons \$ 0.95
- (2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

Size of Connection (inches)	Charge for Three Months
4 and under.	80.67
6.	151.26
8.	221.84
10.	302.50
12.	403.34

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

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2002 and are based on the consumption of thousands of gallons (MG) as follows:

- (a) 5/8-inch size meter:

Usage (MG)	\$
0-1	6.49
2	7.19
3	7.88
4	8.57
5	9.27
6	9.95
7	10.64
8	11.34
9	12.03
10	12.72
11	13.41
12	14.11
13	14.79
14	15.48

15	16.17
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(b) ¾-inch size meter:

Usage (MG)	
0-1	10.09
2	10.78
3	11.47
4	12.17
5	12.85
6	13.55
7	14.24
8	14.93
9	15.61
10	16.31
11	17.01
12	17.69
13	18.38
14	19.08
15	19.77

C 1 inch size meter:

Usage (MG)	
0-1	20.86
2	21.55
3	22.24
4	22.93
5	23.62
6	24.31
7	25.01
8	25.70
9	26.39
10	27.07
11	27.78
12	28.46
13	29.15
14	29.85
15	30.54

(c) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2002 and are limited to the first fifteen thousand (15,000) gallons of consumption.

Size of Meter (inches)	
1 ½	95.57
2	140.15
3	310.57
4	621.14
6	1,242.26
8	2,484.55
10	4,969.10

(d) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be one dollar and ninety-five cents (\$1.95) per one thousand (1,000) gallons.

Mr. Saadi made a motion to receive the communication and adopt the Ordinance.
Seconded by Mrs. Basso. Motion carried unanimously.

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

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Section 16-32. Sewer Use Charges.

- (a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2002, to all sewer customers provided with metered city water space. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $0.9 \times A \times X$
 $\frac{\quad}{1,000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service =
 $\frac{0.9 \times A \times Y}{1,000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

- a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = \$1.30
2. Debt service values (Y) =
 - i. Residential, Class 1 and 1A = \$0.28
 - ii. Mixed residential/commercial, Class 2A = \$4.11
 - iii. Nonresidential, Class 2 and 3 = \$4.83

- b. The minimum quarterly sewer use charge shall be fourteen Dollars and fifty-nine cents (\$14.59)

- (b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

- (1) Residential (Class 1 and 1A = Seventy one dollars and one cent (\$71.01)
- (2) Mixed residential/commercial (Class 2A) = One hundred forty one dollars and eighty-six cents (\$141.86) per unit.
- (3) Nonresidential (Class 2 and 3) = One hundred forty one dollars and

eighty-six cents (\$141.86) per unit

- (c) For sewer use customers having no city water service the quarterly sewer use charge shall be:
 - (1) Residential (Class 1 and 1A) = Thirty three dollars and thirty cents (\$33.30) per unit.
 - (2) Mixed residential/commercial (Class 2A) = One hundred twenty Dollars and forty two cents (\$120.42) per unit.
 - (3) Nonresidential (Class 2 and 3) = One hundred thirty two dollars And eighteen cents (\$132.18) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single-family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities bears, with respect to sewage usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

- (c) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501c(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

Mr. Saadi made a motion to receive the communication and adopt the ordinance. Seconded by Mrs. Basso. Motion carried unanimously.

5 – ORDINANCE – Sewer Permit Fees

Be it ordained by the Common Council of the City of Danbury

THAT Section 16-4(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(b) *Connection fee.* If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, or with respect to which the use is to be changed by adding residential units or expanding the floor area of nonresidential or mixed uses, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following:

- (1) The connection fee for buildings devoted to residential uses shall be five hundred dollars (\$500.00) per dwelling unit, but in no event shall said connection fee exceed two thousand five hundred dollars (\$2,500.00) per building.
- (2) The connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 10,000 s.f.	\$ 5,000.00
from 10,001 s.f. to 25,000 s.f.	\$ 10,000.00

from 25,001 s.f. to 75,000 s.f.	\$ 15,000.00
over 75,000 s.f.	\$ 20,000.00

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the new use from the connection fee that would be due hereunder for the old use.

Connection fees may be waived by action of the common council, provided that the city benefits from the connection by permitting future extension to said connection.

Mr. Saadi made a motion to receive the communication and adopt the Ordinance. Seconded by Mrs. Basso. Motion carried unanimously.

6 – ORDINANCE – New Building Department Fee Schedule

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

THAT Subsections 6-02(a) and 6-02(b) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

Sec. 6-02. Amendment of Connecticut Basic Building Code.

(a) *Fees generally:*

- (1) In accordance with the provisions of Section 29-252-112.3.1 of the Connecticut Basic Building Code, before receiving a building permit the owner or his agent shall pay a fee in accordance with the following schedule and based on the value of the work to be performed:

<u>Valuation of Work</u>	<u>Fee</u>
For single and multi-family residential structures below one thousand dollars (\$1,000.00) in value	Twenty-two dollars (\$22.00)
One thousand dollars (\$1,000) and above	Twenty two dollars (\$22.00) for the first one thousand dollars (\$1,000.00) in value plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00) or part thereof
For commercial and industrial structures	Eighteen dollars (\$18.00) per one thousand dollars (\$1,000.00) or part thereof
For separate permits, available at the option of the owner, covering mechanicals, electrical, plumbing, heating and air conditioning, sprinklers, chimneys and fireplaces	Five dollars (\$5.00) for each one hundred dollars (\$100.00) in value up to one thousand dollars (\$1,000.00) plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00)

No application for a building permit shall be processed without payment of the foregoing fees. If after the filing of an application for a building permit a change is made to the scope of the work to be performed which affects the value of the work, a new fee shall be calculated. Any increase in fee shall be paid prior to the issuance of a building permit unless a building permit has already been issued, in which case said increased fee shall be paid prior to the issuance of a certificate of occupancy. Any decrease in fee resulting from a change in the work shall be refunded in accordance with the provisions of subsection (e) hereof.

- (2) The fee established in paragraph 6-02(a)(1) shall cover the eight (8) inspections specified herein or so many thereof as are required or applied for on any particular project. Required inspections, to the extent applicable, include:
- a. Soil conditions
 - b. Footing drains and waterproofing

- c. Rough electrical
- d. Rough plumbing
- e. Framing
- f. Insulation
- g. Gas or oil burner
- h. Final; including, but not limited to, electrical, plumbing, fire divisions and exits.

Additional inspections shall be performed for an additional fee of dollars (\$33.00) per inspection. Each separate trip to the site shall be deemed to be a separate inspection. Such additional fees shall be due and payable prior to the issuance of a certificate of occupancy. The holder of a valid building permit may request that some or all of the foregoing inspections be performed outside of normal business hours. The Danbury building official may authorize performance of such inspections outside of normal business hours if appropriate personnel are available to provide such service. No certificate of occupancy shall be issued to any permit holder for whom inspections have been performed outside of normal business hours until the permit holder has paid a fee to cover the additional expense incurred by the city in connection with such inspections. All such fees shall be in an amount equal to the wages paid to personnel performing said inspections.

(b) *Additional fees.* Before receiving a permit or certificate for the following uses or for the conduct of any of the following activities, the owner or his agent shall pay the fee prescribed below:

<i>Type of Permit or Certificate</i>	<i>Fee</i>
(1) Demolition permits	Four percent (4%) of the actual cost of demolition
(2) Permits for the moving of buildings	Two hundred and seventy five dollars (\$275.00) per building
(3) Permits for wood stoves	Fifty five dollars (\$55.00) each
(4) Permits for tanks	
a. with a capacity of six hundred and sixty (660) gallons or less	Fifty five dollars (\$55.00) each
b. with a capacity of more than six hundred and sixty (660) gallons but less than two thousand (2000) gallons	Eighty three dollars (\$83.00) each
c. with a capacity of two thousand (2000) gallons or more	One hundred ten dollars (\$110.00) each
(5) Permits for signs	
a. If ten (10) square feet or less	Eleven dollars (\$11.00)
b. If in excess or ten (10) square feet	Eleven dollars (\$11.00) for the first ten (10) square feet plus fifty five cents (\$0.55) for each additional square foot or part thereof
(6) Certificate of occupancy	Twenty eight dollars (\$28.00) each
(7) Pools	Fifty five dollars (\$55.00) for the first one thousand dollars (\$1,000.00) in value plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00) or part thereof

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~.....~~

Deleted: strikeouts.

Mr. Saadi made a motion to receive the communication and approve the ordinance. Seconded by Mrs. Basso. Motion carried unanimously.

7 – COMMUNICATION – Capital Projects

Request from the Director of Finance that three additional projects in the amount of \$77,726 be funded in the 2001-2002 budget. He will amend the City's Revenue "State Revenue Sharing" in a like amount. Mr. Saadi made a motion to receive the communication and adopt the recommendations therein. Seconded by Dean Esposito. Motion carried unanimously.

8 – ORDINANCE – Water Permit Fees

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

THAT Subsection 21-48(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-48. Connection Charges.

(a) Connection fee. If no prior water assessment has been paid on the premises to be connected to the Danbury public water system pursuant to section 21-56 et seq. hereof, or with respect to which the use it is to be changed by adding residential units or expanding the floor area of nonresidential or mixed uses, then no connection permit shall be issued and no actual connection made until a connection fee is paid to the city according to the following:

- (1) The connection fee for buildings devoted to residential uses shall be five hundred dollars (\$500.00) per dwelling unit, but in no event shall said connection fee exceed two thousand five hundred dollars (\$2,500.00) per building; and
- (2) The connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 10,000 s.f.	\$ 5,000.00
from 10,001 s.f. to 25,000 s.f.	10,000.00
from 25,001 s.f. to 75,000. s.f.	15,000.00
over 75,000 s.f.	20,000.00

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the new use from the connection fee that would be due hereunder for the old use.

Connection fees may be waived by action of the Common Council, provided that the City benefits from the connection by permitting future extension to said connection.

Mr. Saadi made a motion to receive the communication and adopt the Ordinance. Seconded by Mrs. Basso. Motion carried unanimously.

9 – RESOLUTION – Safe Summer Youth Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management will be providing funds for a summer Youth Recreation program for at risk youth; and

WHEREAS, the purpose of the Summer Youth Program Recreation Program is to provide structured recreational activities directed toward youth which will combat idleness and promote positive development, self esteem and social skills; and

WHEREAS, the City of Danbury is eligible to receive a maximum grant of \$45,000 for expanded or new summer youth recreation programs for the period of July 1, 2002 through the start of the school year; and

WHEREAS, the acceptance of said funds is deemed to be in the best interest of the City of Danbury with no local cash match required.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton, or his designee, Robert Ryerson, Director of Parks and Recreation, be and hereby are 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 to apply for and accept grant funding from the State of Connecticut Office of Policy and Management in the amount of \$45,000 for the Safe Summer Youth Recreation Program for the fiscal year 2002-2003 was adopted on the Consent Calendar.

10 – RESOLUTION – Fieldstone Drive, Road and Easement Acquisition

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Fieldstone Drive was originally part of a subdivision known as Fieldstone Acres; and

WHEREAS, due to a number of circumstances since the development was first created, it is in the best interest of the City of Danbury to obtain title to this road in order to assure proper maintenance and to acquire drainage and sewer easements necessary for present and future use; and

WHEREAS, the record title holder of the road is Charles T. Stephens and the owners of the relevant drainage and sewer easements are Tamas Biro and Vilmos Havasi; and

WHEREAS, eminent domain proceedings will be necessary if negotiation for the acquisition of these interests is unsuccessful;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, by its Common Council, hereby authorizes the Office of the Corporation Counsel to acquire said fee and easement properties, as more particularly described in Exhibit A attached hereto, in accordance with the procedures established in state law, either by negotiation or by eminent domain through the institution of suit against the interest property owners and/or holders of interest in said properties, if any; said eminent domain action, if necessary, to be accomplished by or before November 5, 2002.

The Corporation Counsel was authorized, on the Consent Calendar, to acquire drainage and sewer easements for Fieldstone Drive or Fieldstone Acres subject to a positive recommendation of the Planning Commission.

11 – RESOLUTION – Fire Department Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Emergency Management Agency has made funds available to the Danbury Fire Department for the acquisition of various pieces of fire communications equipment and training; and

WHEREAS, the total amount of said funding for such purposes is \$189,488.00 of which \$132,642.00 is FEMA funds and the balance of \$56,846.00 is the required local share; and

WHEREAS, the Danbury Fire Department would like to apply for and accept said grant and, together with the local share, obtain the needed equipment, material and training.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, or his designee, Danbury Fire Chief Peter Siecienski, be and hereby is authorized to apply for and accept said grant and to execute such additional documents as may be required to effectuate the purposes thereof.

The resolution to apply for and accept grant funding from the Federal Emergency Management Agency in the amount of \$132,642 for purchase of various communication equipment was adopted on the Consent Calendar.

12 – RESOLUTION – Neighborhood Assistance Act

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Neighborhood Assistance Act Program is available for area non profits to submit applications for funding; and

WHEREAS, the Act provides tax credits for businesses which contribute to community programs having received both municipal and state approval; and

WHEREAS, certain local and area organizations are seeking to apply through Danbury for such tax credits; and

WHEREAS, no local match funds are required; and

WHEREAS, said organizations and their requests are as set forth on the attached schedule;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury through its Common Council, hereby approves, subject to a public hearing as required by law, those organizations set forth in the schedule, for participation in the Neighborhood Assistance Program, and authorize Mark D. Boughton, Mayor of the City of Danbury to take such actions as may be necessary for the accomplishment of the purposes hereof.

The resolution to apply for and accept grant fund from the State of Connecticut Department of Revenue Services for the Neighborhood Assistance Act program was adopted on the Consent Calendar, subject to the required public hearing.

13 – RESOLUTION – Library Services & 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 \$18,784.80 and an in-kind match of \$5,946.00; and

WHEREAS, the Greater Danbury Area Chamber of Commerce's recent business survey found over two-thirds of respondents have foreign language speaking employees and employers find "with increasing information-intensive processes, literacy is a major issue for the majority of area employers"; and

WHEREAS, the Greater Danbury Area Chamber of Commerce recommends "expansion of English-As-A-Second Language courses to meet the needs of the growing adult immigrant population in the region and the promotion of the importance of English speaking skills within various ethnic groups"; and

WHEREAS, staffing is needed to open the Praxair Lab in order for individuals to practice their English language using interactive software; and

WHEREAS, the Danbury Public Library wishes to hire a part-time bi-lingual ESL coordinator to work with the Chamber to offer instruction to employees of Danbury businesses on using English language learning software and be available to assist when individuals are practicing in the Praxair Lab.

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 an in-kind match of \$5,946.00, 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 Public Library are hereby authorized to accept grant funds in the amount of \$18,784.80 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 funding from the State of Connecticut Library in the amount of \$18,784.80 was adopted on the Consent Calendar.

14 – RESOLUTION – Life Fitness Equipment Lease

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is a political subdivision of the State of Connecticut and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the City of Danbury Common Council may authorize the acquisition, disposal of and encumbrance of real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City of Danbury and its Public Schools.

WHEREAS, the City of Danbury Common Council hereby finds and determines that the execution of the "Security Agreement #020408A" in the principal amount not exceeding the amount stated in the Amortization Schedule to be appended to the agreement for the purpose of acquiring the property ("Equipment") to be described in the Equipment Lease is appropriate and necessary to the functions and operations of the City of Danbury Board of Education.

WHEREAS, Kahn Muni Finance, LLP ("Lessor") shall act as Lessor under said Equipment Lease.

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Education through the Office of the Danbury Public School Superintendent (the "Board" is hereby authorized to negotiate, enter into, execute and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Common Council, which document is available for public inspection at the office of the city clerk. The Board is further authorized to negotiate, enter into, execute and deliver such other documents relating to the Equipment Lease as necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

The Resolution authorizing the Board of Education to enter into Lease Agreements with Kahn Muni Finance, LLP subject to terms and conditions as described and a positive recommendation from the Planning Commission was adopted on the Consent Calendar.

15 – RESOLUTION – CDW-G Equipment Lease

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is a political subdivision of the State of Connecticut and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the City of Danbury Common Council may authorize the acquisition, disposal of and encumbrance of real and personal property including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City of Danbury and its Public Schools.

WHEREAS, the City of Danbury Common Council hereby finds and determines that the execution of the "Lease Purchase Agreement ("Lease") in the principal amount not exceeding the amount stated in the Amortization Schedule to be appended to the agreement for the purpose of acquiring the property ("Equipment") to be described in the Equipment Lease is appropriate and necessary to the functions and operations of the City of Danbury Board of Education.

WHEREAS, CDW Leasing, LLC ("Lessor") shall act as Lessor under said Equipment Lease.

NOW THEREFORE, be it resolved that:

Section 1. The Board of Education through the Office of the Danbury Public School Superintendent (the "Board") is hereby authorized to negotiate, enter into, execute and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Common Council, which document is available for public inspection in the office of the city clerk. The Board is further authorized to negotiate, enter into, execute and deliver such other documents relating to the Equipment Lease as necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Mr. Levy made a motion to approve the lease and refer it to the Planning Commission. Seconded by Mr. Gogliettino. Motion carried unanimously.

16 – RESOLUTION – Mill Plain Swamp/Open Space and Watershed Acquisition

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Services has made available a grant for the purposes of purchasing open space land; and

WHEREAS, the Health and Housing Department of the City of Danbury, after approval by the Common Council, applied for a grant to purchase land known as Mill Plain Swamp; and

WHEREAS, pursuant to the Open Space and Watershed Land Acquisition Program, the City of Danbury was approved to receive a grant for said purchase; and

WHEREAS, said purchase was consummated on February 2, 2000 for the consideration of \$250,000.00; and

WHEREAS, in order to conclude the financial components of the transaction, the City of Danbury must execute a Grant Agreement with the State of Connecticut authorizing a grant amount of \$108,000.00 to be provided to the City of Danbury for these purposes.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton, having been elected as Mayor on December 1, 2001 and continuing his term through November 30, 2003 and being authorized to enter into agreements and contracts on behalf of the City of Danbury, be and hereby is authorized to execute an OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT AGREEMENT-CITY OF DANBURY MILL PLAIN SWAMP PROPERTY OSWA-35 with the State of Connecticut for financial assistance to acquire and manage open space land pursuant to Section 7-131d of the Connecticut General Statutes.

The resolution reauthorizing a contract with the State of Connecticut Department of Environmental Protection for a grant of \$108,000 in connection with the purchase of 35 acres of open space property in the Still River Watershed area as described was adopted on the Consent Calendar.

17 – RESOLUTION – State of Connecticut Local Bridge Program Application rose Hill Avenue over Still River

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to undertake the reconstruction of Rose Hill Avenue Bridge over the Still River; and,

WHEREAS, the Connecticut Local Bridge Program allows municipalities to make application to the state for grants and loans for such projects; and,

WHEREAS, under the terms of said program, municipalities may be reimbursed for costs incurred in connection with such projects at the rate of 31.14% and may be eligible for loans in an amount equal to 50% of project costs; and,

WHEREAS, Public Works Department recommends that the City of Danbury submit a preliminary application to the State of Connecticut for funding of the reconstruction of the Rose Hill Avenue Bridge; and,

WHEREAS, the reconstruction of said bridge and the city's participation in the Connecticut Local Bridge Program for said purpose is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Mark D. Boughton be and hereby is authorized to make preliminary application for funding of repairs to the Rose Hill Avenue Bridge pursuant to the Connecticut Local Bridge Program.

The resolution authorizing preliminary application for funding of repairs to the Rose Hill Avenue Bridge pursuant to the Connecticut Local Bridge Program was adopted on the Consent Calendar.

18 – RESOLUTION – Preventive Health Care 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 \$14,101.00; and

WHEREAS, the grant will cover the period of July 1, 2002 through June 30, 2003 with no local in kind match; and

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

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, 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 Mark D. Boughton 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 to apply for and accept grant funding from the Connecticut Public Health Department in the amount of \$14,101 for Youth Violence Prevention program was adopted on the Consent Calendar.

19 – COMMUNICATION – Appointment as Alternate Member of the Environmental Impact Commission

Request from Mayor Mark Boughton that the appointment of Kevin B. Russell as an alternate member of the Environmental Impact Commission with a term to expire December 1, 2004 be confirmed. The appointment was confirmed on the Consent Calendar.

20 – COMMUNICATION – Appointment to the Parks and Recreation Commission

Request from Mayor Mark Boughton that the appointment of Anthony J. James to the Parks and Recreation Commission for a term to expire July 1, 2004 be confirmed. The appointment was confirmed on the Consent Calendar.

21 – COMMUNICATION – Appointment to the Richter Park Authority

Request from Mayor Mark Boughton that the appointment of Howard D. Burtis to the Richter Park Authority for a term to expire September 1, 2004 be confirmed. The appointment was confirmed on the Consent Calendar.

22 – COMMUNICATION – Reappropriation of Donated Funds

Request from Director of Elderly Services Leo McIlrath for a transfer of funds in the amount of \$1122.00 from the Elderly Services donations account to the Commission on Aging budget be approved. A certification of funds was attached. The transfer of funds was approved on the Consent Calendar.

23 – COMMUNICATION – Donation to the School Based Health Center

Request from School Based Health Coordinator Melanie Bonjour for permission to accept a \$300 donation from the Greater Danbury Coalition to cover the cost of a performance to be held at the Danbury High School. Mrs. Basso made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Furtado. Motion carried unanimously.

24 – COMMUNICATION – Appropriation of School Based Health Center Fees

Request from School Based Health Coordinator Melanie Bonjour asking that \$384 of School Based Health Center Fees be reappropriated to the travel line item. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

25 – COMMUNICATION – Donation for Health Department Training Expenses

Request from Director of Health William Campbell for permission to accept a donation from the State Department of Public Health for reimbursement of Karen White's expenses incurred while at a three-day training course. Mr. Furtado made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

26 – COMMUNICATION – Donation from GE Capital for the Rogers Park Pond Project

Request from Coordinator of Environmental and Occupational Health Services Jack Kozuchowski to accept a donation of \$5,000 from GE Capital to help complete the environmental restoration of Rogers Park Pond. Dean Esposito made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Buzaid. Motion carried unanimously.

27 – COMMUNICATION – Donation from Union Savings Bank to School Based Health Center

Request from School Based Health Center Coordinator Melanie Bonjour to accept a donation from the Union Savings Bank Foundation in the amount of \$3,150 to be used

specifically to support violence prevention initiatives. Mr. Moore made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

28 – COMMUNICATION – Donation of Storage Unit to Police Department

Request from Chief of Police Robert Paquette for permission to accept a storage unit free of charge from Joe Putnam of Putnam Self Storage to be used for property. Mr. Gogliettino made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Darius. Motion carried unanimously.

29 – COMMUNICATION – Donations to the Library

Request from Library Director Betsy McDonough for permission to accept donations in the total amount of \$242.25. Mr. Moore made a motion to receive the communication, accept the donation, credit the appropriate line items and send letters of thanks. Seconded by Mr. Furtado. Motion carried unanimously.

30 – COMMUNICATION – Donation of Two Units – Q90 Equipment

Request from Mayor Mark D. Boughton for authorization to accept two TDD acoustical adapters from Morton Warnow. Mr. McAllister made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

31 – COMMUNICATION – Request for Ad Hoc Committee regarding 76-78 Balmforth Avenue

Mr. Saadi asked that this be referred to an ad hoc committee, the Director of Public Works, the Planning Commission and the Corporation Counsel. The Mayor so ordered and appointed Council Members Buzaid, Dean Esposito and Scozzafava to the committee.

32 – COMMUNICATION – Request for Ad Hoc Committee regarding Civil Service Test Benefits

Mr. McAllister asked that this be referred to an ad hoc committee, the Fire Chief, the Corporation Counsel and the President of the Volunteer Fire Council. Mayor Boughton so ordered and appointed Council Members Saadi, McAllister and Scozzafava to the committee.

33 – COMMUNICATION – Request for Ad Hoc Committee regarding Installation of Sprinklers

Mr. McAllister asked that this be referred to an ad hoc committee, the Corporation Counsel and the Fire Chief. Mayor Boughton so ordered and appointed Council Members Kelly, McAllister and Dittrich to the committee.

34 – COMMUNICATION – Request for Ad Hoc Committee – Public Safety Employees Assistance

Mr. Gogliettino asked that this be referred to an ad hoc committee, the Corporation Counsel, the Fire Chief, the Police Chief and the Director of Finance. Mayor Boughton so ordered.

35 – COMMUNICATION – Request for City Sewer – Lakeside Community

Mrs. Basso asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Shuler, Machado and Basso to the committee.

36 – COMMUNICATION – Request for Extension of Time for Sewer and Water Extensions – Spring Ridge

Mrs. Basso asked that this be referred to the Director of Public Works for a report back within thirty days. Mayor Boughton so ordered.

37 – COMMUNICATION – Request for Sewer Extension – 8 Claremont Terrace

Mr. Saadi asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members John Esposito, Saadi and Basso to the committee.

38 – COMMUNICATION – Request to Accept Larson Drive as a City Road

Mr. Darius asked that this be referred to the Director of Public Works for a report back within thirty days. Mayor Boughton so ordered.

39 – COMMUNICATION – Request to Purchase City Property at 19 Terre Haute Road

Mr. Nolan asked that this be referred to the Director of Public Works and the Director of Planning for reports back within thirty days. Mayor Boughton so ordered.

40 – COMMUNICATION – Request for Extension of Time for Sewer Extension at 60 Forest Avenue

Mrs. Basso asked that this be referred to the Director of Public Works for a report back within thirty days. Mayor Boughton so ordered.

41 – COMMUNICATION – Road Widening Strip – Shelter Rock Road and Plumtrees Road

Mr. McAllister asked that this be referred to the Corporation Counsel and the Director of Public Works for reports back within thirty days. Mayor Boughton so ordered.

42 – COMMUNICATION – Request for Basketball Courts in City Parks

The communication was received on the Consent Calendar and referred to the Parks and Recreation Commission for consideration.

43 – COMMUNICATION – Request for Funds for Police Department Special Services Account

The appropriation of \$250,000 to the Police Department Special Services Account was approved on the Consent Calendar.

44 – COMMUNICATION – Water Fund

Request from Superintendent of Public Utilities Mario Ricosi for additional funding in the amount of \$90,000 for electrical costs involved with pumping water from Lake Kenosia to West Lake Reservoir. A certification of funds from the Water Fund, Fund Balance was attached.

The transfer of funds was approved on the Consent Calendar.

45 – COMMUNICATION – Litigation Expenses

Request from Corporation Counsel Eric Gottschalk that the sum of \$331,000 be appropriated for litigation expenses. A certification of funds was attached. Mr. Levy made a motion to appropriate \$100,000 and refer the balance to an ad hoc committee. Seconded by Mr. Nolan. Motion carried unanimously. Mayor Boughton appointed Council Members Gallagher, Mazzuchelli and Nolan to the committee.

46 – COMMUNICATION – Probate Budget

Request from Judge of Probate Dianne Yamin for additional funds in the amount of \$2,725.00. A certification of funds was attached. The transfer of \$2,725 from the

Snow and Ice Removal and Overtime Salaries Account to the Probate Court budget was authorized on the Consent Calendar.

47 – COMMUNICATION – Hatters Park Security Deposit

Request from Director of Parks and Recreation asking that \$1,658 be appropriated to his department line item "Maintain Buildings-Structures. These funds were security deposits that were not returned to various organizations because of damages caused to the hall or the pavilion rented at Hatters Park. The Reappropriation of \$1,658 from Hatters Park Security Deposits to the Maintain Building Structures Account was authorized on the Consent Calendar.

48 – COMMUNICATION – Ridgebury Hills Community Association

Request from REI Property & Asset Management asking authorization to maintain the shoulder area on the west side of Briar Ridge Road between the road and the Boehringer Ingelheim fence. Mr. Saadi made a motion to receive the communication and approve the licensing agreement. Seconded by Mrs. Basso. Motion carried unanimously.

49 – COMMUNICATION – Report regarding Maple Glen Trailer Park

Report from the Planning Commission giving a positive recommendation regarding the easements. The report was received on the Consent Calendar.

50 – COMMUNICATION – Reliant Aircraft Lease

Dean Esposito asked that this be referred to an ad hoc committee, the Director of Finance, the Airport Administrator, the Planning Commission, the Planning Director, the Corporation Counsel and a representative of Reliant Aircraft. Mayor Boughton so ordered and appointed Council Members Furtado, Moore and Dittrich to the committee.

51 – COMMUNICATION – New England Aircraft Lease

Mr. McAllister asked that this be referred to an ad hoc committee, the Airport Administrator, the Planning Commission, the Director of Finance, the Director of Planning, the Corporation Counsel and a representative of New England Aircraft. Mayor Boughton so ordered and appointed Council Members Furtado, Moore and Dittrich to the committee.

52 – COMMUNICATION – Request for Revision of Vicious Dog Ordinance

Mr. Moore asked that this be referred to an ad hoc committee, the Corporation Counsel, the Chief of Police, the Animal Control Officer and the petitioner. Mayor Boughton so ordered and appointed Council Members Neptune, Kelly and Dittrich to the committee.

53 – REPORT – 76-78 Balmforth Avenue

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review 76-78 Balmforth Avenue met on April 11, 2002 at 7:05 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Buzaid and Basso. Mr. Scozzafava was absent. Also in attendance were the petitioners, Bob Miller and Richard Scentkuti, as well as Lynn Waller.

Mr. Buzaid reported that he had received a negative recommendation from the Planning Commission. Mr. Miller stated that the Planning Director told him that he had a positive recommendation. Mr. Buzaid advised Mr. Miller to speak with the Planning Department about this.

Mrs. Basso made a motion to take no action. Seconded by Mr. Buzaid. Motion carried unanimously.

The report was received on the Consent Calendar and no action taken at this time.

54 – REPORT – The Gardens, Tax Dispute

Mr. Moore submitted the following report:

The Common Council Committee appointed to review the Gardens tax dispute met on April 22, 2001 at 6:37 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Moore, Darius and Scozzafava. Also in attendance were Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, the petitioners, Dr. Henry Blansfield and Jim Blansfield, Council Member Pauline Basso, ex-officio and Lynn Waller.

Mr. Moore stated that the committee's charge was to hear a complaint from The Gardens Assisted Living Facility regarding a tax delinquency. The question pertains to where the bills were sent. Dr. Blansfield stated that they paid the taxes and a penalty of \$2,255.59. It is his feeling that they would have paid the taxes on time if they had been bill properly and would not have been subject to the interest. The bill was sent to Glen Hill, not 8 Glen Hill. The bill did not arrive for this reason. He is appealing payment of the penalty in view of the problems with the mailing. He would hope that the \$2,255.59 could be credited to their account.

Mr. Setaro stated that Dr. Blansfield spoke to him previously about this issue and he tried to research it. He asked Attorney Gottschalk if there was anything the City could do. The mortgage documents predicate how the bill was sent. The mortgage deed does not have 8 on it. All prior sewer and water did not have 8 on them but there were delivered. He tried to find a way to remedy this, but could not without coming to the Common Council. He does not have the authority to abate the penalty.

Attorney Gottschalk stated that State Statute governs the authority we have regarding tax assessments and collections. There is a provision to allow for the waiver of interest components under limited certain circumstances. The Tax Collector may waive the interest if the Assessor and the Collector agree that an error was made on their part, not by the taxpayer. The law does not give the Common Council the authority to waive the penalty, but gives it to the Tax Collector and the Tax Assessor, jointly.

Mr. Scozzafava stated that he has had a problem with taxpayers being assessed interest through no fault of their own. He would recommend that this be sent to the Tax Collector and the Tax Assessor for remedy. Mr. Darius stated that he also would like to refer this to the Tax Collector to clarify if there is an error on the part of the City. We should then try to waive the interest.

Mr. Darius moved to refer this to the Tax Collector and the Tax Assessor to jointly decide if an error has been made, and recommend waiving the interest if said clerical error has been made. Seconded by Mr. Scozzafava. Mr. Moore asked Attorney Gottschalk if this is proper. Attorney Gottschalk said the only thing he did not hear was that it be recommended to the Common Council as a whole. Mr. Darius and Mr. Scozzafava amended the motion.

Mr. Setaro stated that the Tax Collector and the Tax Assessor have already rejected this claim. Unless there is some way around the address on the deed, there is nothing that can be done. He stated that the Assessor establishes the billing address from the mortgage deed. Mr. Darius stated that they have just learned that the Tax Collector and Tax Assessor have already deliberated on this. It is probably the fault of the post office, not the Blansfields. There is nothing the Council can do because of the statute. Attorney Gottschalk stated that he want to respond to the practice we have of drawing conclusions in the Assessor's office based on mortgages. Mortgages are just a vehicle to allow the lender to secure payment of a loan. In this case, the mortgage deed is not specific, but a Schedule A attached might be.

The motion, as amended, carried unanimously.

The report was received and its recommendations regarding taxes at The Gardens Assisted Living Facility adopted on the Consent Calendar.

55 – REPORT – Construction of T-Hangars at the Airport

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request to construct T Hangars at the Airport met on April 9, 2002 at 7:00 P.M. In attendance were committee members McAllister and Scozzafava. Mr. Mazzuchelli arrived at 7:20 P.M. Also in attendance were Airport Administrator Paul Estefan, Joseph Linero, John Couri and Roy Steiner of Executive Air, Attorneys Neil Marcus and Bill Steele and Council Members Levy, Darius and Basso, ex-officio and Robert Zohn and Lynn Waller.

Mr. McAllister read the positive recommendation of the Planning Commission. Mr. McAllister asked the petitioners to explain their proposal. Roy Steiner stated that in 1991 he started to look for hangar space. Executive Air was leasing approximately eight acres. He looked at the original plans for the property, which, at that time, included three hangars located on Mr. Couri's property. Wetlands approval was obtained, but the economy took a turn and the project was shelved. They now want to restart the project. It is essentially the same project but they want to build 20 hangars.

Mr. McAllister asked Mr. Steiner to explain what a T Hangar is. Mr. Steiner said that the wings are wider than the tail section. It takes up less space when nested width wise. The way the doors are designed are what gives it the name. They are storage for aircraft. The aircraft is backed in.

Mr. Steiner said that six months ago they added Parcel D. They would like to split that parcel off and call it parcel CR, which is approximately 2.81 acres. This would allow them to build the hangars there. Keeping them separate would be crucial if they sell the hangars. There will be 25-year leases, and then the buildings will revert to the City. Mr. Scozzafava asked why the buildings would revert to the City if they were sold. Mr. Steiner said this is common in the aviation industry. Purchasers would be willing to give the buildings back because during the lease period it gives the aircraft a home. They do not have to pay rent to anyone.

Mr. Steiner said they have prepared the leases, the condo documents, and the rules and regulations. They used the State of Connecticut condo agreement. It is a proven format and should be acceptable to the City. A set of all these documents has been given to Attorney Pinter. Attorney Marcus spoke about the existing lease with Executive Air.

Mr. McAllister asked if the entrance to the Miry Brook Fire House would change. Mr. Steiner said it would not and it would be improved because it would be paved. Attorney Marcus stated that they are asking for two leaseholds. He feels that this is a significant benefit to the City because it is just a field now. Mr. McAllister stated that it appears to be a better lease than others we have had. Mr. Estefan stated that these rents are higher, but he would like to see the lease for eighteen months, not two years. Bring it back six months. Mr. McAllister asked if the Aviation Commission had acted on this request. Mr. Estefan said he has a positive recommendation from the Commission.

Mr. McAllister asked if the FAA needs to be involved. Mr. Estefan said that they have twice reviewed the proposal. It has approved the layout and the buildings. We cannot change them. Mr. Estefan said that he supports the proposal. This need was addressed in the Airport Master Plan. He would like to see added on page 1 of the lease agreement after "Minimum Standards" the wording "as amended from time to time".

Mr. Scozzafava made a motion to approve the construction of T Hangars on the proposed property at the Airport and change the term of the lease to eighteen months. Seconded by Mr. Mazzuchelli. Motion carried unanimously.

The report was received and its recommendations regarding construction of T Hangars adopted on the Consent Calendar.

56 – DEPARTMENT REPORTS – Public Works, Building Department, Fire Chief, Police Chief, Fire Marshall, Department of Elderly Services, Health and Housing. Mr. Levy made a motion that the reports be accepted as presented and the reading waived as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Mr. McAllister. Motion carried unanimously.

57 – RESOLUTION – Driving Under the Influence Safety Grant

Mr. Levy made a motion to add the resolution to the agenda as item 57. Seconded by Dean Esposito. Motion carried with Mr. Gallagher and Mr. Furtado voting in the negative.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of \$2,800.00 for the 2002 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

WHEREAS, an equal local cash match is required in order to reach the total cost of the program, which is \$5,600.00.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton is hereby authorized to apply for said grant and to accept grant funds if approved, and Mayor Mark D. Boughton is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grant funds are hereby ratified.

Mr. Levy made a motion to receive the communication and adopt the resolution. Seconded by Mrs. Basso. Motion carried unanimously.

Mayor Boughton extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Gogliettino at 9:10 P.M. for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk