

TO: MAYOR GENE F. ERIQUEZ and MEMBERS OF THE COMMON COUNCIL

RE: Minutes of the Common Council Meeting held July 2, 1996

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

PRESENT - Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Buzaid, Valeri, Machado, Shuler, Esposito, Levy, Charles, Gomez, Basso, Butera, Carboni, Fox, Mead, Setaro

20 Members Present

PUBLIC SPEAKING

1. Robert Brunetti, 5 Dogwood Drive - Spoke regarding the \$500,000 loan to Richter Park. Richter Park is more than just a golf course. Listed the facilities and the activities available.

2. Dan Trocolla, 53 Holley Street Ext. - Spoke regarding the resignation of Joseph DaSilva and the incoming Council President Christopher Setaro.

ANNOUNCEMENTS

July 7th - Helena Abrantes will celebrate her birthday as will Eileen Coladarci on July 12th. The Espositos will celebrate their wedding anniversary on July 25th.

July 3rd - Fireworks at Danbury Fair Mall
July 4th - Independence Day. City Hall will be closed.
July 4th - Artists United on the Green
July 6th - Aladdin to benefit Danbury Westerners
July 6th - Pops Concert at the Charles Ives Center
July 6th - Fireworks at Candlewood Town Park
July 14th - Bermuda Regiment Band at St. Josephs Church
July 17th - Boehringer Ingleheim 25th Anniversary
July 20th - St. Ann's Festival
July 21st - Columbian Festival
July 21st - 98Q Road Race
July 29th - Dream Come True

Warren Levy presented Joseph DaSilva with a plaque

MINUTES - Minutes of the Common Council Meeting held June 4, 1996. Mr. Esposito made a motion that the minutes be accepted as presented and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Boynton. Motion carried unanimously.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the Consent Calendar:

- 6 - Approve Presentive Health Services Block Grant 1996-97 - \$7,800.00
- 7 - Approve AIDS Prevention Grant 1996-97 - \$209,574
- 10 - Approve Reappointments to Fair Rent Commission - Rev. Ruben Bush and Margaret Williams
- 11 - Approve reappointment to Commission on Aging - Roland Sorenson
- 12 - Approve reappointments to Aviation Commission - Thomas Opperman and Richard Kilcullen
- 16 - Approve reappropriation of donated funds for the Commission on Aging - \$610.00
- 22 - Approve International Drive Road acceptance
- 36 - Approve Governmental Entities Review and Evaluation Ordinance
- 39 - Approve the taking of no action regarding the assignment of lease from Seahorse Aviation to JSM Aviation
- 40 - Approve request for sewer extension on Kenosia Avenue with the eleven steps as stipulated
- 41 - Approve request for sewer extension on Mill Plain Road cutoff (Joe's Hill Road)
- 42 - Approve Green Avenue water line extension project

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

1 - COMMUNICATION - Letter from Joseph DaSilva resigning his at large Common Council seat to take a position in the Mayor's Office. Mr. Boynton made a motion that the resignation be accepted with regret. Seconded by Mr. Levy.

Council Members Boynton, Valeri, Setaro, Arconti, Coladarci, Charles, Mead, Shuler, Machado and Gomez all gave speeches thanking Mr. DaSilva for his years of service to the City, his guidance, leadership and Friendship and he will be missed.

Mayor Eriquez thanked Mr. DaSilva on behalf of the citizens of Danbury for his 17 years of volunteer service and he personally thanked him for his friendship and guidance.

Motion carried unanimously.

2 - COMMUNICATION - Letter from Democratic Town Committee Chairman Joseph Walkovich recommending that Thomas Saadi be approved to fill the vacant Common Council seat. Mayor Eriquez stated that he has been informed that Mr. Saadi does not wish to be considered for this position.

Mr. Esposito moved that Matthew Gallagher fill the position. Seconded by Mrs. Butera. Mr. McAllister moved that the nominations be closed. Seconded by Mr. Boynton. Motion carried unanimously. Motion to approve Mr. Gallagher with Council Members Basso, Carboni and Mead voting in the negative.

Mr. Gallagher was sworn in by Attorney Gottschalk.

Mr. Boynton asked for a point of personal privilege to speak on this item. Mayor Eriquez granted the request.

3 - Election of Common Council President - Mr. Levy nominated Christopher Setaro for the position. Seconded by Miss Fox. Mr. Charles made a motion that the nominations be closed. Seconded by Mr. Boynton. Motion carried unanimously. Motion to elect Mr. Setaro carried unanimously.

Mr. Setaro thanked his colleagues. Mr. Levy asked for a point of personal privilege to speak on this item. Mayor Eriquez so ordered.

4 - RESOLUTION - Local Law Enforcement Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the U. S. Department of Justice, Bureau of Justice Assistance (BJA) under the Fiscal Year 1996 Omnibus Appropriations Act (Pub.L. 104-134) has advised the City of Danbury of its eligibility to apply to BJA for a direct award of \$42,806 under this program with a local cash match of \$4,280.60 required; and

WHEREAS, the funding under this new program will be used by the Danbury Police Department to purchase two police vehicles, two police radios and various other items of equipment to enhance effective law enforcement within the City of Danbury; and

WHEREAS, the grant period will run for 24 months from the date of the initial payment received;

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

Mr. Boynton made a motion to accept the communication and adopt the Resolution. Seconded by Mrs. Coladarci. Mrs. Basso asked if this will be put into the fleet or used for another purpose. Mayor Eriquez stated that it will be used for the Safe Neighborhood Patrol.

Motion carried unanimously.

5 - RESOLUTION - Community Employment Incentive Program 1996-97

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Labor will make grant funds available to municipalities under its employment placement projects for recipients of General Assistance; and

WHEREAS, the State of Connecticut Department of Labor and municipal Welfare Departments are working together to advance their mutual goal of assisting recipients of General Assistance to secure employment and attain economic self-sufficiency; and

WHEREAS, the City of Danbury Welfare Department is eligible to receive a grant of \$23,957 for the grant period of July 1, 1996 to March 1, 1997 upon approval of an application therefor;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah A. MacKenzie, Director of Welfare, are hereby authorized to apply for said funds, to accept the grant if approved, and the Mayor is further authorized to execute any contracts therefor and to do all things necessary to effectuate the purpose of the grant award.

Mrs. Coladarci made a motion to accept the communication and adopt the Resolution. Seconded by Mr. Boynton. Motion carried un-animously.

6 - RESOLUTION - Preventive Health Services Block Grant 1996-97

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 \$7,800.00; and

WHEREAS, the grant will cover the period of September 1, 1996 through June 30, 1997 with no local cashmatch required; and

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

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

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

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - AIDS Prevention Grant 1996-97

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health, through its AIDS Prevention Program, has made grant funds available to full-time health departments to provide HIV health education information and expanded services for the period July 1, 1996 through June 30, 1997; and

WHEREAS, grant funds not to exceed \$209,574, requiring no local match, will be made available to the Danbury Health Department for its AIDS Risk Reduction Outreach Education Program, HIV Counseling and Testing Services, its Needle Exchange Program and its Ryan White Title II Case Management Program, upon approval of a grant application therefor; and

WHEREAS, the Danbury Health Department will provide these services to the general public with particular attention given to individuals concerned about possible exposure to HIV, serving both residents and non-residents with no restrictions on who may be served;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, or William J. Campbell, Director of Health, as his designee, are authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding this application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts, or amendments thereof, which do not require expenditure of City funds, with the State of Connecticut Department of Public Health regarding said grant, and to take all actions necessary to accomplish the purposes of these programs.

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - COPS Universal Resolution

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Office of Community Oriented Policing Services ("COPS") of the U. S. Department of Justice acting under and by virtue of the U.S. Violent Crime Control and Law Enforcement Act of 1994 has notified the Danbury Police Department that it will receive a COPS Universal Hiring Grant Award, as a supplement to the COPS AHEAD award made available to the Department in 1995; and

WHEREAS, the award will be in the estimated amount of \$225,000 for a three year period to be used for three full-time police officers; and

WHEREAS, the actual award amount will be finally determined after approval of the City's updated budget worksheet on current salary and fringe benefit information;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez and the Danbury Police Department, acting through its Chief, Nelson F. Macedo or his designee, are hereby authorized to accept such grant funds if approved, and the Mayor is authorized to sign all contracts or agreements therefor and to do all things necessary to effectuate the purposes of said grant. Any prior acts of the Mayor, Chief Macedo or his designee in applying for such grant are hereby ratified.

The Resolution was adopted on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting confirmation of the promotion of Fire Fighter Kevin S. Plank to the position of Lieutenant within the Career Division of the Danbury Fire Department. Mr. McAllister made a motion to accept the communication and approve the promotion. Seconded by Mr. Charles.

Mr. Mead stated that the City will be well served by Mr. Plank.

Mr. Charles stated that he is happy for Mr. Plank and that he is well trained.

Motion carried unanimously.

10 - COMMUNICATION - Letter from Mayor Enriquez requesting confirmation of the reappointments of Ruben Bush and Margaret Williams to the Fair Rent Commission for terms to expire July 1, 1999. The reappointments were confirmed on the Consent Calendar.

11 - COMMUNICATION - Letter from Mayor Enriquez requesting confirmation of the reappointment of Roland Sorenson to the Commission on Aging for a term to expire July 1, 1999. The reappointment was confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Gene F. Enriquez requesting confirmation of the reappointments of Thomas Opperman and Richard Kilcullen to the Aviation Commission for terms to expire July 1, 1999. The reappointments were confirmed on the Consent Calendar.

13 - COMMUNICATION - Letter from Betsy McDonough requesting permission to accept numerous donations to the Danbury Library and also \$200 from the 1996 Restaurant Open. Mrs. Butera made a motion to accept the donations, credit the proper line items and send letters of thanks. Seconded by Miss Fox. Motion carried unanimously.

14 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting the reappropriation of \$151,400 from donated funds for the Danbury Library. The reappropriation was granted on a motion by Mr. Boynton and seconded by Miss. Fox. Motion carried unanimously.

15 - COMMUNICATION - Letter from Leo McIlrath requesting permission to accept donations to the Senior Center totalling \$315.00. Mrs. Butera made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Mead. Motion carried unanimously.

16 - COMMUNICATION & CERTIFICATION - Request from Director of Elderly Services Leo McIlrath request the reappropriation of \$610 from the Elderly Services Donations Revenue Account to the Commission on Aging budget. A certification of funds was attached. The request was approved on the Consent Calendar.

17 - COMMUNICATION - School Maintenance Contract. Mr. Levy asked that this be tabled. Seconded by Mr. McAllister. Motion carried unnaimously.

18 - COMMUNICATION - Request for payment of \$32,000 to Ridgewood Country Club for removal of silt. Mrs. Butera asked that this be referred to an ad hoc committee, the Director of Finance, the Superintendent of Public Utilities and the Corporation Counsel. Mayor Enriquez so ordered and appointed Council Members Abrantes, Levy and Basso to the committee.

19 - COMMUNICATION - Request to convey land on Long Ridge Road to the City. Miss Fox asked that this be referred to the City Engineer and the Corporation Counsel for reports back within thirty days. Mayor Enriquez so ordered.

20 - COMMUNICATION - Request to purchase City owned property on Milltown Road. Mr. Levy asked that this be referred to an ad hoc committee, the Director of Finance, the Tax Assesor, the Corporation Counsel, the Planning Commission and the Planning Director. Mayor Enriquez so ordered and appointed Council Members Valeri, Butera and Basso to the committee.

21 - COMMUNICATION - Request to purchase City owned land on Virginia Avenue. Miss Fox asked that this be referred to an ad hoc committee, the City Engineer, the Corporation Counsel, the Planning Director, the Planning Commission, the Director of Finance and the Tax Assessor. The Mayor so ordered appointed Council Members Setaro, McAllister and Carboni to the committee.

22 - COMMUNICATION - Letter from Director of Public Works Jack Schweitzer recommending that International Drive be accepted as a City Road conditional on the submittal to the Corporation Counsel's Office of all required legal documents including documents which hold the City harmless for injuries which might occur due to water/ice on adjacent sidewalks. The communication was accepted and approved on the Consent Calendar.

23 - COMMUNICATION - Racing Brook Meadows Water Company Acquisition. Mrs. Abrantes asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Corporation Counsel. Mayor Enriquez so ordered and appointed Council Members Machad Shuler and Mead to the committee.

24 - COMMUNICATION - Riverview Drive, Berkshire Corporate Park. Mrs. Butera asked that this be referred to the City Engineer and the Corporation Counsel for reports back within thirty days. Mayor Enriquez so ordered.

25 - COMMUNICATION - Request for sewer line installation on Beaver Brook Road. Mr. Levy asked that this be referred to the City Engineer for preliminary assessments and then to public hearing. Mayor Enriquez so ordered.

26 - COMMUNICATION - Request for sewer line installation on Old Newtown Road. Mrs. Butera asked that this be referred to the City Engineer for preliminary assessments and then to public hearings. Mayor Enriquez so ordered.

27 - COMMUNICATION - Request for sewers on Carolyn Avenue. Mrs. Coladarci asked that this be referred to the City Engineer for a survey. Mayor Enriquez so ordered.

28 - COMMUNICATION - Petition for sewer extension on Michaud Road and Germantown Road. Miss Fox asked that this be referred to the City Engineer for preliminary assessments and then to public hearings. Mayor Enriquez so ordered.

29 - COMMUNICATION - Request for sewer and/or water installation on Lombardi and Concord Roads. Mrs. Abrantes asked that this be referred to the City Engineer for a preliminary assessment and then to public hearings. Mayor Enriquez so ordered.

30 - COMMUNICATION - Report from Corporation Counsel and City Engineer regarding Flint Ridge Road. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Corporation Counsel and the Planning Commission. Mayor Enriquez so ordered and appointed Council Members Coladarci, Fox and Carboni to the committee.

31 - COMMUNICATION - Report from Corporation Counsel on Renumbering of Old Ridgebury Road. Mr. Levy made a motion that the renumbering process be started. Seconded by Mr. Mead. Motion carried unanimously.

32 - COMMUNICATION - Report from Corporation Counsel regarding request for Oak Lane and Hillside Lane to be accepted for snow plowing. Mrs. Butera asked that this be referred to an ad hoc committee, the City Engineer, the Corporation Counsel and the Planning Commission. Mayor Enriquez so ordered and appointed Council Members Scalzo, Buzaid and Mead to the committee.

33 - COMMUNICATION - Report from Planning Director regarding renumbering of Point Driftwood, The Crestway, Lake Road, the By Way and the Crestway. Mr. Levy made a motion to approve the recommendation to renumber. Seconded by Mrs. Coladarci. Motion carried unanimously.

34 - DEPARTMENT REPORTS - Public Utilities, Fire Chief, Fire Marshall, Health and Housing, Department of Elderly Services, Engineering and Landfill. Mr. Setaro made a motion that the department reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Mead. Motion carried unanimously.

35 - REPORT, ORDINANCE & RESOLUTIONS - Cityworks 200 Bond Issue

The Common Council met as a committee of the whole at 8:00 P.M. on June 24, 1996 to review Cityworks 2000, a proposed bond issue for \$14,900,000. Mr. Boynton moved that the Ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 Bonds of the City to Meet Said Appropriations and Pending the Issuance thereof the Making of Temporary Borrowings for such Purpose" be recommended to the Common Council for adoption in the form introduced and read at the public hearing preceding the meeting. The motion was seconded by Mrs. Coladarci.

Council Members Boynton, Mead, Scalzo and Arconti spoke in favor of the proposed bond issue. Mrs. Basso recommended that it be broken up into various line items. The motion to recommend approval of the proposal passed unanimously.

Mr. Esposito made a motion to waive the reading of the Ordinance. Seconded by Mr. Boynton. Motion carried unanimously.

AN ORDINANCE MAKING APPROPRIATIONS AGGREGATING \$14,900,000 FOR VARIOUS PUBLIC IMPROVEMENTS (THE CITYWORKS 2000 PROGRAM) AND AUTHORIZING THE ISSUE OF \$14,900,000 BONDS OF THE CITY TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

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

Section 1(a). The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, including costs of surveys, borings and easement acquisitions, and engineering, construction, equipment, legal, administrative and other related costs, each of said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof:

Highway Department Equipment	\$ 740,000	
Playground Equipment	100,000	
Revaluation	<u>850,000</u>	
		\$ 1,690,000

Section 1(b). The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, including costs of surveys, borings and easement acquisitions, and engineering, construction, equipment, legal, administrative and other related costs, each of said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof:

City Hall Addition and Land Acquisition/City Hall Renovations, Improvements and related Equipment	\$ 4,500,000	
Streetscape Improvements	250,000	
Library Parking and Building Acquisition/Renovations, Improvements and related Equipment	550,000	
Highway Department Roof	100,000	
Rebuild/Repave Highways	1,200,000	
Landfill Closure	2,400,000	
Police Dept. K-9 Shelter		
Sewer Extension	70,000	
Police Dept. Evidence Building	95,000	
King Street Firehouse & Fireschool	300,000	
Kenosia Park Service Center	150,000	
Athletic Field Improvements	165,000	
King St. Primary School HVAC	45,000	
School Technology Network	380,000	
School Roofs	425,000	
Various School Improvements	150,000	
Contingency, Interest, Legal and Administrative	<u>2,430,000</u>	
		<u>\$13,210,000</u>
AGGREGATE APPROPRIATIONS		<u>\$14,900,000</u>

Section 2(a). To meet the appropriations for the various public improvements included under Section 1(a), bonds of the City shall be issued maturing not later than the tenth year after their date.

Section 2(b). To meet the appropriations for the various public improvements and contingency, interest, legal and administrative costs included under Section 1(b), bonds of the City shall be issued maturing not later than the twentieth year after their date.

Section 3. Said bonds may be issued in one or more series as determined by the Mayor and the amount of bonds of each series to be issued shall be fixed by the Common Council 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 administrative, 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, the City Clerk and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, and be approved as to their legality by Robinson & Cole, Attorney-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor. 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 bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Common Council in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. 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 upon sealed proposals 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. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Common Council.

Section 5. 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, the City Clerk 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, 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 thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the 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 6(a). The appropriations in Section 1(a) may be expended with the approval of the Mayor and the Director of Finance for any of the purposes and projects set forth therein and the Mayor and the Director of Finance may approve transfers among such appropriations upon a finding that any such appropriation or portion thereof is not needed for its respective purpose.

Section 6(b) The appropriations in Section 1(b) may be expended with the approval of the Mayor and the Director of Finance for any of the purposes and projects set forth therein and the Mayor and the Director of Finance may approve transfers among such appropriations upon a finding that any such appropriation or portion thereof is not needed for its respective purpose. The

appropriation for "contingency, interest, legal and administrative" may be expended in the discretion of the Mayor and the Director of Finance for costs related to the projects or purposes set forth in Section 1.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the "Issuer") 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 after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1(a) and 1(b) with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. 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 Issuer 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.

Section 8. The Mayor, the Treasurer and the Director of Finance, or any two of them are hereby authorized, on behalf of the City, 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.

Section 9. This ordinance shall become effective upon its approval at a Special City Meeting called by the Mayor for such purpose, pursuant to the revised City Charter.

Mr. Levy made a motion to receive the committee report and adopt the Ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 Bonds of the City to Meet said Appropriations and Pending the Issuance thereof the Making of Temporary Borrowings for such Purpose". Seconded by Mrs. Butera. Motion carried with Mrs. Basso voting in the negative.

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the Ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The Cityworks 2000 Program) and Authorizing The Issue of \$14,900,000 Bonds of the City to Meet Said Appropriations And Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose" be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held November 5, 1996 between the hours of 6:00 A.M. and 8:00 P.M., that the Warning of said meeting state the question to be voted on as follows:

Shall the ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The Cityworks 2000 Program) And Authorizing the Issue of \$14,900,000 Bonds of the City To meet said Appropriations And Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose", adopted by the Common Council at its meeting held July 2, 1996, be approved?

Mr. Boynton made a motion that the Resolution be adopted as read. Seconded by Miss Fox. Motion carried with Mrs. Basso voting in the negative.

RESOLUTION PROVIDING FOR SPECIAL CITY ELECTION

RESOLVED: That the ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The CityWorks 2000 Program) And Authorizing The Issue Of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held November 5, 1996 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E. .T.), that the Warning of said meeting state the question to be voted on as follows:

Shall the ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The CityWorks 2000 Program) And Authorizing The Issue Of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council at its meeting held November 5, 1996, be approved?

Councilman Boynton moved that said resolution be adopted as introduced and read, and the motion was seconded by Councilman Coladarci. The resolution was adopted unanimously.

* * *

A motion was made by Councilman Boynton, seconded by Councilman Coladarci, that the Mayor be authorized and directed to call a Special City Meeting to be held in conjunction with the election of November 5, 1996 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E. .T.) at the several voting districts of the City to consider and take action upon the aforesaid proposed ordinance, and that the notice of said Special City Meeting be in substantially the following form:

LEGAL NOTICE
WARNING

NOTICE OF SPECIAL CITY MEETING

The electors of the City of Danbury and qualified voters entitled to vote in a City Meeting are hereby warned and notified to meet where such persons are entitled to vote on the 5th day of November, 1996, between the hours of 6 o'clock A.M. and 8 o'clock P.M. (E.S.T.) for the following purpose of approving or disapproving the following question:

"Shall the ordinance entitled 'An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The CityWorks 2000 Program) And Authorizing The Issue Of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council at its meeting held July 2, _____, 1996, be approved?"

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

"Shall the Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The CityWorks 2000 Program) And Authorizing The Issue Of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose Be Approved? YES/NO"

* * *

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

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

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

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

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

The polls in said districts and at the City Hall will be open during the hours between 6:00 o'clock A.M. and 8:00 o'clock P.M. (E. .T.).

Said vote is being held in conjunction with the election of November 5, 1996, and pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors November 6, 1990.

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

Mr. Boynton made a motion that the Resolution be adopted as read. Seconded by Mrs. Coladarci. Motion carried unanimously.

36 - REPORT & ORDINANCE - Governmental Entities Review and Evaluation

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 8:00 P.M. on June 24, 1996 to review an ordinance regarding Governmental Entities Review and Evaluation. The proposed ordinance listed the bodies that will be reviewed for extension each of the next five years.

Mr. Boynton moved to recommend approval of the ordinance as presented. The motion was seconded by Miss Fox and passed unanimously.

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

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(a) The following governmental entities are terminated, effective June 30, 1997, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Commission for Persons with Disabilities
- (2) The Danbury Aquifer Protection Agency
- (3) The Lake Kenosia Commission
- (4) The Fair Rent Commission
- (5) The Board of Ethics

(b) The following governmental entities are terminated, effective June 30, 1998, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority
- (2) The Conservation Commission
- (3) The Environmental Impact Commission
- (4) The Tree Advisory Commission

(c) The following governmental entities are terminated, effective June 30, 1999, unless re-established in accordance with the provisions of Section 2-184:

- (1) The City of Danbury Cultural Commission
- (2) The Youth Commission
- (3) The Commission on the Status of Women
- (4) The Commission on Aging
- (5) The Parking Authority of the City of Danbury

(d) The following governmental entities are terminated, effective June 30, 2000, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Redevelopment Agency of the City of Danbury
- (2) The Housing Site Development Agency
- (3) The Flood and Erosion Control Board of the City of Danbury
- (4) The Tarrywile Park Authority

(e) The following governmental entities are terminated, effective June 30, 2001, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Economic Development Commission
- (2) The Danbury Parks and Recreation Commission
- (3) The Danbury Housing Partnership
- (4) The Aviation Commission

The Report was received and the Ordinance adopted on the Consent

37 - REPORT - Polling Places - WITHDRAWN

38 - REPORT - Request for a Loan from the City to the Richter Park Authority

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the request for a loan to the Richter Park Authority from the City met on June 10, 1996 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid, Charles and Mead. Also in attendance was Director of Finance Dominic Setaro and members of the public.

Mr. Setaro explained that this loan would enable Richter Park Authority to pay off its existing mortgage in full to the bank. The loan would also provide the funds necessary to install a much needed sprinkler system in the main house (the arts center). The installation of the sprinkler would create additional usable space in the building, approximately 1,500 square feet. He further explained that this loan of \$500,000 would be paid off in eight years or less. Ten percent of the Authority's annual surplus to be paid to the City in addition to annual payments over the life of the loan. Also, the Authority would save approximately \$25,000 in fees that would be incurred if it obtained money elsewhere. This savings, plus the savings of the interest on their existing mortgage should allow the Authority to prosper and be in the position to pay off the proposed loan from the City in a period of less than eight years.

Mr. Setaro explained that this proposal is in accordance with City Ordinance 13A 11-9. Also, the sprinkler installation as part of this loan would ultimately save the City the expense of outright funding for the installation.

Mr. Keeler, Chairman of the Richter Park Authority, explained the importance of the greens fees generated by the golf course as they provide the income for Richter Park, its various facilities and programs. Mr. Brunetti, Treasurer of the Richter Park Authority, elaborated on its budget, its potentials and its limitations regarding future maintenance of the facilities and its ability to fulfill its commitment to the City.

Mr. Boughton favored the proposal and Lynn Waller raised the question of the City's loss of potential interest income by extending the loan to Richter. Mr. Buzaid suggested that the 10% fee in regards to the annual surplus be raised to offset whatever opportunity of interest income the City might forego.

Mr. Mead made a motion to accept the proposal with an increase to 15%. This was seconded by Mr. Buzaid. Motion carried with Mr. Buzaid and Mr. Mead voting in the affirmative and Mr. Charles voting in the negative.

Mr. Boynton made a motion to receive the report and adopt the recommendations contained therein. Seconded by Mr. Mead.

Mr. Charles made a recommendation to use the revenue bonds meant to pay for the \$500,000 loan. Mrs. Basso said the 10% has been raised to 15%. We have never seen the 10%. Where are we getting the \$500,000. The Mayor stated that we are getting it from the fund balance.

Mr. Gomez moved the question. Seconded by Mr. Mead. Motion carried unanimously.

Motion carried with Mr. Charles voting in the negative.

39 - REPORT - Assignment of Lease from Seahorse Aviation to JSM Aviation

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for assignment of lease met on May 15, 1996 at 7:30 P.M. in the Fourth Floor Lobby in City Hall and on June 6, 1996 in Room 432. In attendance were committee members Levy, DaSilva and Mead. Also in attendance at the first meeting were Corporation Counsel Laszlo Pinter, Airport Administrator Paul Estefan and Attorney Cheryl Johnson representing JSM Aviation LLC. There were also several airport fixed based operators and members of the public. In attendance at the second meeting were members Levy, DaSilva and Mead. Also in attendance were airport fixed based operators and members of the media and the public.

At the May 15, 1996 meeting several people spoke against the assignment. This prompted the committee to recess to gather additional information. At the second meeting on June 6, 1996, Mr. Levy read a letter he had received at 3:54 P.M. that day. Attorney Johnson representing her client JSM Aviation was withdrawing the application to take lease assignment from Seahorse Aviation.

Mr. Levy made a motion to take no cation on the assignment at this time. Seconded by Mr. DaSilva. Motion carried unanimously.

The report was adopted on the Consent Calendar.

40 - REPORT - Request for Sewer Extension on Kenosia Avenue

Miss Fox submitted the following report:

The Common Council Committee appointed to review the petition for sewer extension on Kenosia Avenue met on June 18, 1996 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Fox and Valeri. Mr. Mead was absent. Also in attendance were Superintendent of Public Utilities William Buckley, Council Members McAllister and Carboni, ex-officio and several representatives of the applicant. City Engineer Jack Schweitzer was absent due to a previous commitment.

Mr. Buckley presented the project. Mr. Valeri questioned the cost to the City and the area to be serviced by the sewer extension. Due to a lack of the consulting engineers report from Roald Haestad, Mr. Valeri moved to recess the meeting to another time.

The committee reconvened at 7:00 P.M. on June 25, 1996 in the Fourth Floor Lobby in City Hall. In attendance were committee members Fox and Mead. Mr. Valeri had a prior commitment. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer, Council Member Carboni, ex-officio and several representatives of the applicant.

Mr. Buckley presented Roald Haestad's report. The report discussed the costs of building a city pump station and force main vs. a private pump station and force main. Mr. Buckley offered a detailed explanation. The pump station will accept wastewater from proposed toilet and concession facilities at the Kenosia Park, Jensen's Lakeview Retirement Community and the area between West Kenosia Avenue and Lake Kenosia. Mr. Buckley recommended that the developer give a monetary contribution of \$47,500 for the project. The \$47,500 will be used for upfront costs of engineering and design. The project would take eight months from receipt of the \$47,500. The \$47,500 contribution and the eight month timetable are acceptable to the applicant. The applicant would lease the building to First Brands Corporation.

Mr. Mead made a motion to recommend to the Common Council approval of the sewer extension location at 5-11 Kenosia Avenue subject to the usual eight steps, with the additional steps listed below:

9. The Westside Sewer Interceptor easemnet and the Force Main and Pump Station easement are to be supplied by the developer.

10. The developer will contribute \$47,500 towards the cost of sewer construction which will be applied to the appropriate line item as determined by the Director of Finance.

11. The City of Danbury will contribute \$140,000 towards the cost of the sewer construction subject to certification of funds by the Director of Finance and which will be applied to the appropriate line item.

Motion was seconded by Miss Fox and passed unanimously.

The report was adopted on the Consent Calendar.

41-REPORT - Request for Sewer Extension on Mill Plain Road Cutoff (Joe's Hill Road)

Mr. Valeri submitted the following report:

The Common Council Committee appointed to review a request for a sewer extension on Mill Plain Road cut-off (Joe's Hill Road) met at 7:30 P.M. on Tuesday, July 18, 1996 in Room 432 in City Hall. In attendance were committee members Valeri, McAllister and Carboni. Also in attendance were Superintendent of Public Utilities William Buckley and Howard Rubinow, III, agent for the petitioner Construction Consultants, LLC.

Mr. Valeri cited a positive recommendation by the Planning Commission. Mr. Rubinow explained the proposed construction of two single family dwellings on approved lots in the RA40 zone as well as two already developed and adjacent lots that would be serviced by the requested sewer extension. Mr. Buckley acknowledged his department's review and satisfaction with the proposal and expressed approval of the request.

Mr. McAllister made a motion to recommend approval of the request for sewer extension subject to the customary eight steps. Seconded by Mrs. Carboni and passed unanimously.

The report was adopted on the Consent Calendar.

42 - REPORT - Green Avenue Water Line Extension Project

Mr. Machado submitted the following report:

The Common Council Committee appointed to review proposed Green Avenue water line extension project met on Thursday, June 20, 1996 at 7:30 P.M. in Room 432 in City Hall. Present were committee members Machado, Shuler and Mead. Also in attendance were Superintendent of Public Utilities William Buckley, and petitioners Andy Burns and Joseph Bernadino.

Mr. Machado explained that this matter has been reviewed by the Common Council last December. The reason it was back is that the approved participation by the City in the project with up to 250 feet of 8 inch DOT water pipe wasn't enough to close the loop. Mr. Buckley pointed out that poor planning by the petitioner was the cause of this miscalculation. Mr. Burns mentioned that he expected all the 8 inch pipe be supplied because it is in the City's interest to close the loop and upgrade the water line for future users and that the installment labor costs were already excess burden to this client.

After further discussion, Mr. Shuler made a motion to recommend the approval of participation by the City with an additional 100 feet or a total of 350 feet of 8 inch DOT water pipe as well as one hydrant assembly and a wet tape valve included as the ninth step and also subject to the normal eight steps as originally approved. Motion seconded by Mr. Mead and passed unanimously.

The report was adopted on the Consent Calendar.

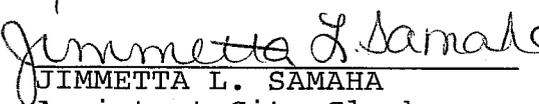
The Mayor extended all committees.

The Mayor replaced Mr. DaSilva with Mr. Boynton on the Mayfair Estates committee.

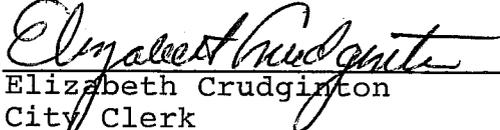
Mr. Valeri asked for a point of personal privilege to speak on the selection of Mr. Setaro as Council President. Mayor Eriquez granted the request.

There being no further business to come before the Common Council a motion was made by Mr. Mead for the meeting to be adjourned at 9:15 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk