

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

Re: Minutes of the September 1, 1992 Common Council Meeting

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

PRESENT - Fazio, Scalzo, Falzone, Coladarci, Boynton, Dennehy, Setaro DaSilva, John Esposito, Dean Esposito, Outlaw, Charles, Boughton, Scozzafava

ABSENT - Gallo, Arconti, Gogliettino, Cassano, Butera, Cipriani, Trocolla

14 Present - 7 Absent

Mr. Gallo, Mr. Cipriani, and Mr. Cassano were working

PUBLIC SPEAKING

1. Joseph Pepin, Director of the Alternative School - Has a good feeling about the new location for the Alternative School and appreciates everything the Mayor and the Common Council have done for the Youth in the City.

2. Tom Devine, Ciao's Cafe - Would like to use City property in front of Ciao's for outdoor dining.

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

ANNOUNCEMENTS

Mayor Eriquez acknowledged the Danbury Jaycees and the Danbury Bambinos.

Mayor Eriquez congratulated the residents of the Lake Waubeeka Community on their 40th Anniversary as a private community.

September 12th - Council Majority Leader John Esposito's birthday
September 25th - Mrs. Geneva Esposito's birthday
September 17th - Debbie Gogliettino's birthday
September 25th - John and Debbie Gogliettino's anniversary
October 2nd - Council Minority Leader Joe Scozzafava's birthday

September 7th - Labor Day - City Offices will be closed
September 11th - Ann Olsen Endowment
September 13th - Taste of Danbury and Dedication of Green News Times 10K Race

Beaver Brook Firehouse Clambake
September 15th - Community Action's Annual Meeting
September 16th - United Way Campaign Kick-Off Breakfast
September 19th &
20th - Mayor's Invitational Tennis Tournament
September 20th - Immaculate Heart of Mary Church 10th Anniversary
September 25th - Americo Vespucci Dinner honoring various City Officials and Employees
September 25th - Lion's Club 65th Anniversary

Mayor Eriquez thanked everyone who assisted in the Hurricane Andrew relief effort.

MINUTES - Minutes of the Common Council Meeting held August 4, 1992. Mr. DaSilva made a motion that the minutes be adopted 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. Mr. Boughton pointed out that the 19th was he and Rae's anniversary, not their birthdays. Motion carried unanimously.

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

- 1 - Approve Resolution for grant for Danbury Library - \$101,666
- 2 - Approve Resolution for grants for Danbury Public Library - \$1,500 and \$5,000
- 3 - Approve Resolution for grant for School based health center
- 4 - Approve Resolution for grant for Women, Infants and Children Supplemental Nutrition Grant - \$175,471
- 5 - Approve Resolution for reimbursement from State of Connecticut for White Street Bridge Project - \$19,500
- 6 - Approve Resolutions - property acquisitions for Redevelopment Project
- 7 - Approve Resolution - Cross Street Bridge Project - \$500,000
- 8 - Approve Resolution - Tax Abatement for Beaver Street Apartment Cooperative - \$31,500
- 9 - Approve Resolution for Payment-in-Lieu of Taxes - Moderate Rental Developments = \$256,609.86
- 11 - Approve Appointment of Victor Gellineau to the Economic Development Commission
- 12 - Approve Appointment of Nancy Knight to the Tarrywile Park Authority
- 13 - Approve reappointment of John Scozzafava to the Board of Tax Review
- 14 - Approve reappointment of Felix Bonacci to the Richter Park Authority
- 22 - Approve the General Assistance Employability Plan - Department of Income Maintenance
- 27 - Approve abandonment of Ice Rink Bond Authorization
- 28 - Approve recertification of Alzheimer's Aide Position
- 31 - Approve Water Fund transfers - \$845,661.41
- 33 - Approve transfer of \$5,054 from Housing Authority Drug Elimination Grant to the Danbury Police Department
- 37 - Approve receipt of report from Planning Commission on leases at 113 Main Street and 164 Deer Hill Avenue
- 38 - Approve reports and grant sewer extension on 27 East Pembroke Road
- 39 - Approve reports and grant water extension at 52 Main Street
- 46 - Approve Leash Law Ordinance
- 49 - Approve Neighborhood Assistance Act proposals
- 50 - Approve report on proposal to relieve financial stress on Senior citizens and its recommendations
- 51 - Approve lease for caretakers cottage at Bear Mountain Reservation

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

1 - RESOLUTION - Grants to the Danbury Public Library

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 98-480 (Federal Library Services and Construction Act Title II) provides for federal funds for library construction and Connecticut General Statutes Section 11-24c provides for State funds for library construction; and

WHEREAS, the Danbury Public Library plans to make application to the Connecticut State Library for the funding period of January 1992-July 1994 for a grant of \$101,666, which requires a local cash match of \$20,334, which local cash match is required by July 1994 or 1995, if a one-year extension is requested; and

WHEREAS, the City of Danbury has the right to refuse the grant at any time if local funding is not available; and

WHEREAS, the Danbury Public Library will use the grant money for the following purposes:

1. to remodel the adult circulation service desk to accommodate new technology (circulation terminals, laser scanners, security sensitizers); and

2. to make the two entrances into the library energy efficient with the addition of entry lobbies and improve handicapped access, in keeping with the American Disabilities Act, with the addition of automatic doors; and

3. redesign the reading area, new book area, and art gallery to maximize use of available space and improve patron's orientation to library services and collections.

NOW, THEREFORE, BE IT RESOLVED THAT approval is hereby given for said application and that Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign said application and that the Mayor and the Director of the Danbury Public Library are hereby authorized to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said application requiring additional expenditure of City of Danbury funds must receive prior approval by the Common Council.

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTIONS - Grants to Danbury Public Library

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P. L. 101-254 (the most recent amendment of the Federal Library Services Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$1,500 under said Federal Library Services and Construction Act, Title III, which requires no matching funds and no in-kind funds; and

WHEREAS, the Danbury Public Library has recently opened a new Local History Room providing the public with access to historical and community related materials; and

WHEREAS, the community of Danbury will benefit from conservation measures to insure the survival and accessibility of historic records in the Library; and

WHEREAS, said grant will determine how the library can best preserve, store and handle fragile historical material; and

WHEREAS, said grant will enable a survey to be conducted to access the present hazards to the historical collections and recommend improvements to the environment in which they are housed;

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

1. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$1,500 for the funding period of October, 1992 through June, 1993 to further the purposes of said grant award.

2. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign an Applicant Assurances Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring expenditures of City of Danbury funds must receive prior approval of the Common Council.

The Resolution was adopted on the Consent Calendar.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, P.L. 101-254 (the most recent amendment of the Federal Library Services Construction Act) provides for federal funds to assist in the extension and improvement of public library services; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$5,000 under said Federal Library Services and Construction Act, Title III, which requires no matching funds and no in-kind funds; and

WHEREAS, the Danbury Public Library has recently opened a new Local History Room providing the public with access to historical and community related materials; and

WHEREAS, the community of Danbury will benefit from conservation measures to insure the survival and accessibility of historic records in the Library; and

WHEREAS, said grant will increase the life of historic materials through the purchase of acid-free boxes and paper; and

WHEREAS, said grant will provide for conservation treatment of oversized atlases to protect them for future generations;

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

1. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$5,000 for the funding period of October, 1992 through June, 1993 to further the purposes of said grant award.

2. That Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign an Applicant Assurances Agreement with the Connecticut State Library Board of Directors, acting by the State Librarian for payment of said funds and that he is further authorized to execute any amendments, recisions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring expenditures of City of Danbury funds must receive prior approval of the Common Council.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - School Based Health Center Planning Grant
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for Planning Grant funds in an amount not to exceed \$30,000 for a School Based Health Center; and

WHEREAS, this grant, if approved, will enable the Danbury Health and Housing Department to review and identify unmet health needs of Danbury public school students and provide the necessary funding to develop a plan to coordinate existing services and to apply for funding for a School Based Health Center; and

WHEREAS, the Planning Grant term will run from October 1, 1992 through June 30, 1993 with no cash match required from the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury and the Danbury Health and Housing Department, acting through William J. Campbell, its Executive Director, are hereby authorized to apply to the State of Connecticut Department of Health Services for said Planning Grant and to accept such grant if it is approved; and

BE IT FURTHER RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is authorized to make, execute and approve any and all contracts or amendments thereof with the State of Connecticut Department of Health Services and take any actions necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

4- RESOLUTION - Women, Infants and Children Supplemental Nutrition Grant

WHEREAS, the State of Connecticut Department of Health Services through the U.S.D.A. has made grant funds available from October 1, 1992 through September 30, 1993 to full-time local health departments to be used for the Women, Infants, Children's Supplemental Nutrition Program; and

WHEREAS, the City of Danbury through the Danbury Health Department has formulated a W.I.C. Program for Danbury area residents which provides nutrition education and supplemental foods to pregnant women, nursing mothers and children to age five; and

WHEREAS, the State of Connecticut Department of Health Services has notified the Danbury Health Department of its eligibility for funding renewal of its W.I.C. Supplemental Nutrition Grant in an amount not to exceed \$175,471.00; and

WHEREAS, a grant renewal application for said amount has been prepared by the Danbury Health Department;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said grant on behalf of the Danbury Health Department; and

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

The Resolution was adopted on the Consent Calendar.

5 - RESOLUTION - Reimbursement from the State for White Street Bridge Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation as part of its Orphan Bridge Program, Project No. 34-238 has reconstructed the White Street Bridge, No. 03705; and

WHEREAS, the City of Danbury had an existing water main installation within the project limits which conflicted with the proposed construction of said project; and

WHEREAS, the State assumed responsibility for relocating existing City facilities at the White Street Bridge including said City water line; and

WHEREAS, the cost of the preliminary engineering work necessary to relocate and enlarge the size of the water line was in the approximate amount of \$19,500.00; and

WHEREAS, in accordance with Section 13a-98 of the Connecticut General Statutes, as revised, the State of Connecticut shall reimburse the municipality for 100 per cent of the total net cost of the preliminary engineering work;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply to the State of Connecticut Department of Transportation for reimbursement of the cost of the preliminary engineering work performed to effect the relocation and adjustment of the water main within the White Street Bridge Project and to sign all applications and agreements in connection therewith to effectuate such reimbursement.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Property Acquisitions - Redevelopment

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the proper development of Parcel 8 and the future development of a City-owned garage on Parcel 7 of the Downtown Danbury Redevelopment Project require the acquisition of certain passway rights held by the Estate of Joseph DaSilva and Maria DaSilva over an area 15.0 feet wide by 167.55+ in length all as set forth on the attached Exhibit A; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the executrix/owner of said real property interests upon the amount, if any, to be paid for the respective interests of the Estate of Joseph DaSilva and of Maria DaSilva;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests as set forth in Exhibit A either by negotiation or by eminent domain through the institution of suit(s) against Estate of Joseph DaSilva, and Maria DaSilva, their successors, heirs and assigns and their respective mortgage holders and encumbrancers, if any.

The Resolution was adopted on the Consent Calendar.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the proper development of Parcel 9 of the Downtown Danbury Redevelopment Project requires the acquisition of that certain parcel of land held by Yankee Gas Services Company totalling 1,954 square feet set forth as Parcel B on the attached Exhibit A; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owner of said real property interests upon the amount, if any, to be paid for the interests of Yankee Gas Services Company

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests set forth as Parcel B on Exhibit A either by negotiation or by eminent domain through the institution of suit(s) against Yankee Gas Services Company, its successors and assigns and its respective mortgage holders and encumbrancers, if any.

The Resolution was adopted on the Consent Calendar.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Cross Street Bridge is in need of reconstruction; and

WHEREAS, an earlier resolution was approved by the Common Council enabling the City of Danbury to make application for State of Connecticut loan and grant funding to accomplish the purposes hereof; and

WHEREAS, said resolution and funding agreements need revision based on a downward adjustment to said State of Connecticut grant and loan amounts; and

WHEREAS, a loan from the State of Connecticut Local Bridge Program in the amount of \$500,000.00 is being made available for purposes of said reconstruction; and

WHEREAS, the grant being made available through the State of Connecticut Local Bridge Program is 29.88% of the eligible total cost of said reconstruction and results in a total State Project Grant of \$454,652.00; and

WHEREAS, the State of Connecticut through its Local Capital Improvement Program (1989-1990, 1991-1992) has also made funds in the total amount of \$370,020.00 available; and

WHEREAS, additional funds, known as "Town Improvement 1991 Through 1992" in the amount of \$150,000.00 are also available for this purpose; and

WHEREAS, the total cost of and availability of funds for such reconstruction is in the estimated amount of \$1,454,659.00;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez be and hereby is authorized to make application and contract for said funds including said supplemental agreement(s) and to take any additional actions necessary to accomplish the purposes hereof.

The Resolution was granted on the Consent Calendar.

8 - RESOLUTION - Beaver Street Apartment Cooperative

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under Section 8-215, Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Contract with Beaver Street Apartments (9-25-73) and a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257,000; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1991;

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

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury;

3. That the real property taxes abated on the subject property are \$31,500 for the Grand List of October 1, 1991;

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of Section 12-1 of the Connecticut General Statutes, as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Housing.

The Resolution was adopted on the Consent Calendar.

9 - RESOLUTION - Payment in Lieu of Taxes - Moderate Rental Developments

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to local housing authorities, municipalities and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of PAYMENT-IN-LIEU-OF-TAXES and to execute an Assistance Agreement therefor;

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes;

2. That the filing of an application by the City of Danbury in an amount not to exceed \$256,609.86 is hereby approved and that the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized and directed to execute and file such application with the Commissioner of Housing and to provide such additional information, to execute such other documents as may be required by the Commissioner, and to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Danbury;

3. That in consideration of said Assistance Agreement applicant does hereby waive any Payments-In-Lieu-Of-Taxes by the Housing Authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes;

4. That the current established mill rate is 18.21 and the current assessment is \$14,091,700.00.

5. It is also resolved that any prior action taken by the Mayor of the City of Danbury with respect to this Agreement is also approved.

The Resolution was approved on the Consent Calendar.

10 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the promotions to Captains in the Police Department of Lt. Thomas Roman and Lt. Arthur Sullo. Mr. Boynton made a motion to accept the communication and confirm the appointments. Seconded by Mr. Charles. Motion carried with Mrs. Coladarci abstaining.

11 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Victor Geillineau to the Economic Development Commission. The appointment was confirmed on the Consent Calendar.

12 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Nancy Knight to the Tarrywile Park Authority for a term to expire May 1, 1993. The appointment was confirmed on the consent calendar.

13 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the reappointment of John Scozzafava to the Board of Tax Review for a term to expire June 30, 1997. The reappointment was confirmed on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez seeking confirmation of the appointment of Felix Bonacci to the Richter Park Authority for a term to expire September 1, 1995. The reappointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath seeking permission to accept donations in the amount of \$59.00 for the printing of monthly newsletters. Mr. Setaro made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Miss Dennehy. Motion carried unanimously.

16 - COMMUNICATION - Letter from Eileen Wilhem enclosing a contribution from the Merserve Fund for the Youth Commission in the amount of \$2,000. Mayor Eriques stated that this donation will be used for a Youth Conference to be held in March, 1993. Mrs. Coladarci made a motion that the donation be accepted, credited to the Youth Commission and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

17 - COMMUNICATION - Letter from Library Director Betsy McDonough seeking permission to accept donations in the amount of \$90 from United Way and \$70 from Dorothy B. Anthony for the Conference Line Item and the Books Line Item. Mr. Boynton made a motion that the donations be accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Setaro. Motion carried unanimously.

18 - COMMUNICATION - Letter from Director of Parks and Recreation Director Robert Ryerson seeking permission to accept a donation in the amount of \$250 for the use of land in Rogers Park for dog obedience classes. Mr. Setaro made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

19 - COMMUNICATION - Letter from Director of Public Utilities William Buckley seeking permission to accept the donation of fill material from Robert and Paul Kovacs. Mr. Boynton made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

20 - COMMUNICATION - Letter from Mayor Eriquez requesting the acceptance of \$150,000 from the State Department of Transportation for the restoration of Union Station. Mr. Setaro made a motion that the

grant be accepted and the Mayor be authorized to enter into the necessary agreements. Secended by Dean Esposito. Motion carried unanimously.

21 - COMMUNICATION - Report from the Reapportionment Advisory Commission. Mr. Scalzo asked that this be referred to an ad hoc committee the Corporation Counsel and the Reapportionment Commission. Mayor Eriquez so ordered and appointed Council Members DaSilva, John Esposito, and Joseph Scozzafava to the committee.

22 - COMMUNICATION - Employability Plan - Department of Income Maintenance. Letter from Director of Welfare Deborah MacKenzie outlining the plan.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to purchase a program and related equipment as well as to pay associated costs incurred in establishing a new system intended to enhance the training of unemployed general assistance recipients; and

WHEREAS, the State of Connecticut has made grant funds available to municipalities for said purposes; and

WHEREAS, the acceptance of said funds, in an amount not to exceed Eighty Thousand (\$80,000.00) Dollars is hereby deemed to be in the best interests of the City of Danbury;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah MacKenzie, Director of the Danbury Department of Welfare, are hereby authorized to apply to the State of Connecticut for said grant funds and to accept said funds if they are offered.

AND BE IT FURTHER RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah MacKenzie, Director of the Danbury Department of Welfare, are hereby authorized to make, execute and approve any and all contracts or amendments thereto with the State of Connecticut and to take any action necessary to effectuate the purposes hereof.

The Communication was accepted and the Resolution adopted on the Consent Calendar.

23 - COMMUNICATION - Proposed procedure to determine tenants for Tarrywile Park residential dwellings. Mr. Arconti asked that this be referred to an ad hoc committee, the Tarrywile Park Authority, the Planning Commission, the Corporation Counsel and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Setaro, Dennehy and Boughton to the committee.

24 - COMMUNICATION - Lease for the facilities at First Congregational Church at 164 Deer Hill Avenue to be used for temporary site for the Alternative School. Mr. Setaro made a motion that the lease be accepted and the Mayor authorized to enter into the necessary agreements. Secended by Mrs. Coladarci. Dean Esposito asked where the funds would come from. The Mayor stated that they would come from the School Reorganization Bond funds. Motion carried unanimously.

25 - COMMUNICATION - Request to extend lease at the Candlewood Park Concession Stand. Mr. Boynton asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance and the Director of Parks and Recreation. Mayor Eriquez so ordered and appointed Council Members Trocolla, Cipriani and Scozzafava to the committee.

26 - COMMUNICATION - Request from the owners of Ciao's Restaurant to use the City sidewalk in front of their restaurant for outside tables. Mrs. Coladarci asked that this be referred to the City Engineer, the Planning Commission and the Corporation Counsel for a report and agreement back in thirty days. Mayor Eriquez so ordered.

27 - COMMUNICATION - Request from Director of Finance Dominic Setaro asking the Common Council to abandon the remaining appropriations for the Ice Skating Rink bond. The request was granted on the Consent Calendar.

- 28 - COMMUNICATION & CERTIFICATION - Letter from Director of Finance Dominic Setaro asking that the certification approved by the Common Council of the Alzheimer's Aide Position on July 7, 1992 be recertified because the grant is now for salary and benefits. The request was granted on the Consent Calendar.
- 29 - COMMUNICATION - Letter from Chief of Police Nelson Macedo requesting that the Common Council establish fixed charges for impoundment and for cases where animals are quarantined. Mr. Arconti asked that this be referred to an ad hoc committee, the Chief of Police and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Dennehy, Falzone and Fazio to the committee.
- 30 - COMMUNICATION - Request for easement for a handicapped ramp at Immanuel Lutheran Church. Mr. Setaro asked that this be referred to an ad hoc committee, the City Engineer, the Planning Commission and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Gogliettino, Setaro and Scozzafava to the committee.
- 31 - COMMUNICATION & CERTIFICATION - Letter from Director of Finance Dominic Setaro asking for the reappropriation of funds in the Water Fund that were unspent at the end of the fiscal year for projects which will continue into the current fiscal year. The request was granted on the Consent Calendar.
- 32 - COMMUNICATION - Report from the Planning Commission approving the Master Plan of Development of Tarrywile Park with recommendations for followup and action. Mr. DaSilva made a motion that the report be approved and the recommendations be accepted. Seconded by Dean Esposito. Motion carried unanimously.
- 33 - COMMUNICATION - Letter from Diana M. Burgos, Deputy Director of the Housing Authority asking that funds in the amount of \$5,054 remaining in the Drug Elimination Grant be used to reactive the Special Police Foot Patrol in the three federal family developments. The request was granted on the Consent Calendar.
- 34 - COMMUNICATION - Offer of land at 20 Main Street for sale to the City. Miss Dennehy asked that this be referred to the City Engineer, the Planning Commission and the Director of Planning for a report back in 30 days. Mayor Eriquez so ordered.
- 35 - COMMUNICATION - Offer of land on Scuppo Road for sale to the City. Mr. Scalzo asked that this be referred to the City Engineer, the Planning Commission and the Director of Planning for reports back in thirty days. Mayor Eriquez so ordered.
- 36 - COMMUNICATION - Request for Water Line Extension on Liberty Street. Mr. Setaro asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Gallo, Charles and Fazio to the committee.
- 37 - COMMUNICATION - Report from the Planning Commission regarding leases at 113 Main Street and 164 Deer Hill Avenue. The report was accepted on the Consent Calendar.
- 38 - COMMUNICATION - Reports from the Planning Commissions and the City Engineer giving positive recommendations for sewer extension at 27 East Pembroke Road. The reports were accepted on the Consent Calendar.
- 39 - COMMUNICATION - Reports from the Planning Commission, the City Engineer and the Corporation Counsel giving positive recommendations to the water line extension at 52 Main Street. The reports were accepted on the Consent Calendar.
- 40 - COMMUNICATION - Request for water extension - 26 Woodside Avenue. Mrs. Coladarci asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Cipriani, Boynton and Fazio to the committee.
- 41 - COMMUNICATION - Request for sewer extension at 131 Mill Plain Road. Mr. Arconti asked that this be referred to an ad hoc committee, the Planning Commission, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Cipriani, Boynton and Boughton to the committee.

42 - COMMUNICATION - Request for an ad hoc committee regarding traffic control at Danbury Square Mall. John Esposito asked that this be referred to an ad hoc committee, the Traffic Engineer and the Chief of Police. Mayor Eriquez so ordered and appointed Council Members Outlaw, Dean Esposito and Boughton to the committee.

43 - COMMUNICATION - Request for an ad hoc committee to study the hazardous conditions at the intersection of West King Street and Sunnyfield Drive. Miss Dennehy asked that this be referred to an ad hoc committee, the Traffic Engineer, the Chief of Police and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Scalzo, Butera and Fazio to the committee.

44 - COMMUNICATION - Request for ad hoc committee to study the possibility of restricting the use of Danbury athletic fields to City residents and taxpayers. Dean Esposito asked that this be referred to an ad hoc committee, the Corporation Counsel and the Director of Parks and Recreation. Mayor Eriquez so ordered and appointed Council Members Arconti, DaSilva and Fazio to the committee.

45 - DEPARTMENT REPORTS - Parks and Recreation, Engineering, Highways Fire Chief, Fire Marshall, Health and Housing, Department of Elderly Services. Mr. DaSilva made a motion to accept the Department Reports and waive the reading since all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mrs. Outlaw. Motion carried unanimously.

At 8:13 P.M. Mr. Trocolla arrived and was marked present.

46 - REPORT & ORDINANCE - Leash Law

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 8:02 P.M. on August 24, 1992 to review a proposed leash law. This ordinance would deal with animals running at large or unattended and dogs at large and control on private property.

Assistant Corporation Counsel Les Pinter explained that the maximum allowable fine of \$50 could be assessed for animals roaming at large with certain exceptions such as hunting, exhibitions and public safety. He stated that a dog on private property does not have to be tied if it is in control of the owner.

Mr. Falzone moved to recommend approval of the proposed leash law. The motion was seconded by Mr. Gallo and passed unanimously.

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding two sections to be numbered 12-2 and 12-3 which said sections shall read as follows:

Sec. 12-2. Animals running at large or unattended.

Except in compliance with section 12-3 hereof, it shall be unlawful for any person to permit an animal to go or run at large in the city or to leave any animal unattended in any street or public place in the city without having securely fastened such animal.

Sec. 12-3. Dogs at large; control on private property; fine.

(a)(1) No person owning, keeping or having custody of a dog shall allow such dog to be in or upon any street, park or other public place unless such dog is attached to a secure leash held continuously in the hands of a responsible person capable of controlling said dog or unless such dog is securely confined within a motor vehicle which is adequately ventilated.

(2) No person owning, keeping or having custody of a dog shall allow such dog to leave the confines of the property of said owner, keeper or custodian. Such owner, keeper or custodian shall secure said dog by means of rope or other attachment, the placement or keeping of a fence or such other means of control as shall assure the securing of said dog in accordance with the intent hereof.

(b) This section shall not apply to any dog while performing or being exhibited in a bench show or other exhibition, any dog while in the act of hunting or any dog used or kept for purposes of the public safety.

(c) Any violation of this section shall be punishable by the greater of a fine of fifty dollars (\$50.00) or that amount set forth by state law as the maximum fine for such violation.

(d) The dog warden of the city and his duly authorized agents, pursuant to the powers vested in him by the general statutes, shall issue any citations for a violation of this section, and shall promulgate all regulations necessary and proper in executing the provisions of these sections.

The report and ordinance were adopted on the Consent Calendar.

47 - REPORT & ORDINANCE - Aviation Commission - Establishment.

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 8:02 P.M. on August 24, 1992 to review a proposed ordinance concerning the Aviation Commission. This Ordinance would establish the membership of the Commission at seven members down from nine that are presently called for and set a quorum of the Commission at three members.

Chairman of the Aviation Commission Donald Crudginton, explained that it is very difficult to find nine people who fit the criteria for the Aviation Commission. These should be people who have the interests of the City and aviation at heart and should ideally be pilots. The lesser numbers in the proposed ordinance would allow the Commission to perform its responsibilities in a more efficient manner.

Mr. Boughton moved to recommend approval of the proposed ordinance. Seconded by Miss Dennehy and passed unanimously.

Dean Esposito made a motion that the report be accepted and the Ordinance adopted. Seconded by Miss Dennehy. Mr. Arconti made a motion to amend the ordinance by deleting section (b). Seconded by Dean Esposito. Motion carried with Mr. Boynton voting in the negative. Main motion, as amended carried with Council Members Fazio, Scalzo and Boughton voting in the negative.

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

THAT Section 2-39 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-39. Aviation Commission - Established; membership.

(a) There is hereby established by the Common Council of the City of Danbury, an aviation commission consisting of nine (9) members, each of whom shall be electors of the City of Danbury, and each of whom shall be appointed by the Mayor and confirmed by the Common Council.

During the calendar year 1992, the Commission membership shall be reduced from nine (9) members to seven (7) members. The aforementioned reduction in Commission size shall be accomplished by the appointment of one (1) commissioner in 1992 to fill one of three (3) positions the terms of which expired on July 1, 1992. The remaining two (2) commissioners whose terms expired on July 1, 1992 shall be deemed not to have been reappointed and shall not thereafter serve.

48 - REPORT & ORDINANCE & RESOLUTION - Proposed Bond Issue

Councilman DaSilva introduced and read the following ordinance:

AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$4,400,000 AND AUTHORIZING THE ISSUANCE OF \$4,400,000 BONDS OF THE CITY TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1(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:

Fire Department

Acquisition of Fire Pumper/Emergency Response Vehicle
Ladder Tower Truck refurbishment

Fire Department - Total \$ 350,000

Various Departments

Vehicle Replacements

Vehicle Replacements - Total \$ 250,000

Public Works Department

Acquisition of various equipment included in the five-year capital plan and as approved for purchase by the Mayor

Public Works Department - Total \$ 650,000

Contingency Interest, Legal And Administrative

\$ 150,000

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:

Library

Improvements and renovation to Heating, ventilation and air conditioning system

Library - Total \$ 450,000

Fire Department

New Firehouse on Osborne Street

Fire Department - Total \$ 300,000

Police Department

Acquisition of property on Main Street

Police Department - Total \$ 250,000

Parks and Recreation Department

Construction of Maintenance Building
Field Improvements to Parks,
including lighting improvements

Parks and Recreation Dept. - Total \$ 500,000

Public Works Department

Replacement of roof on Public Works Building
Improvements to City Hall Building
including heating, ventilation
and air conditioning system and
replacement of ceiling
Rebuild and repave highways and
provide drainage improvements in-
cluded in the five-year capital
plan and as approved by the Mayor

Public Works Dept - Total \$1,200,000

Contingency, Interest, Legal
And Administrative

\$ 300,000

AGGREGATE APPROPRIATION

\$4,400,000

Section 2(a). To meet the appropriations for the various public improvements and contingency, interest, legal and administrative costs 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, Attorneys-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 under each such appropriation, provided, however, that the Common Council may approve transfers among such appropriations upon a finding that a portion of the appropriation set forth is not needed for its respective purpose and may be transferred to meet the costs of a project or purpose included under another appropriation in Section 1(a).

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 under each such appropriation, provided, however, that the Common Council may approve transfers among such appropriations upon a finding that a portion of the appropriation set forth is not needed for its respective purpose and may be transferred to meet the costs of a project or purpose included under another appropriation in Section 1(b).

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (the "Issuer") hereby expresses its official intent pursuant to §1.103-18(f) of

the Federal Income Tax Regulations, Title 26, to reimburse expenditures paid after the date of passage of this ordinance in the maximum amount and for the capital projects 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 one year after the later of the date of the expenditure, or the substantial completion of the project. 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. 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 8. 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.

* * *

Councilman DaSilva moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman Boughton. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of all the members of the Common Council.

* * *

Councilman DaSilva introduced and read the following ordinance:

AN ORDINANCE APPROPRIATING \$4,300,000 FOR IMPROVEMENTS TO VARIOUS CITY DAMS INCLUDING WEST LAKE DAM, MARGERIE LAKE DIKE DAM, BOGGS POND DAM, UPPER KOHANZA DAM AND PADANARAM DAM AND AUTHORIZING THE ISSUANCE OF \$4,300,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$4,300,000 is appropriated for improvements to various City dams including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam and Padanaram Dam, including costs of surveys, borings and easement acquisitions, preliminary and final engineering work and construction, equipment, and other related costs, pursuant to a Consent Order DSO-91-07, dated June 12, 1992, issued by the Commissioner of Environmental Protection of the State of Connecticut to the City of Danbury, and for administrative, printing, legal and temporary financing costs related thereto.

Section 2. To meet said appropriation \$4,300,000 bonds of the City or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. 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 in the amount necessary to meet the City's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, 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

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 3rd day of November, 1992, between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.) for the following purpose of approving or disapproving the following questions:

1. "Shall the ordinance entitled 'An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 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 Sept. 1, 1992, be approved?"
2. "Shall the ordinance entitled 'An Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam And Padanaram Dam And Authorizing The Issuance Of \$4,300,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council at its meeting held Sept. 1, 1992, be approved?"

The form of the questions and the ballot labels on the voting machine shall be as follows:

1. "Shall the Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose Be Approved? YES/NO"
2. "Shall the Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam And Padanaram Dam And Authorizing The Issuance Of \$4,300,000 Bonds Of The City To Meet Said Appropriation 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.

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, Attorneys-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 3. Said bonds 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 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, 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 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (the "Issuer") hereby expresses its official intent pursuant to §1.103-18(f) of the Federal Income Tax Regulations, Title 26, to reimburse expenditures paid 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 Issuer. The Bonds shall be issued to reimburse such expenditures not later than one year after the later of the date of the expenditure, or the substantial completion of the project. 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. 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 6. The appropriation in Section 1 may be expended with the approval of the Mayor and the Director of Finance for any of the projects set forth in said Section, and the Mayor is authorized to apply for and expend any and all Federal and State grants-in-aid of said projects.

Section 7. 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.

* * *

Councilman Boynton moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman Boughton. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of all the members of the Common Council.

* * *

Councilman DaSilva introduced and read the following resolution:

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" and the ordinance entitled "An Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam And Padanaram Dam And Authorizing The Issuance Of \$4,300,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held 8:00 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.), that the Warning of said meeting state the questions to be voted on as follows:

1. Shall the ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Common Council at its meeting held _____, 1992, be approved?
2. Shall the ordinance entitled "An Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper

konanza Dam And Padanaram Dam And Authorizing The Issuance Of \$4,300,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Common Council at its meeting held Sept. 1, 1992, be approved?

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

* * *

A motion was made by Councilman DaSilva, seconded by Councilman Boughton, that the Mayor be authorized and directed to call a Special City Meeting to be held on Nov. 3, 1992, between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.) at the several voting districts of the City to consider and take action upon the aforesaid proposed ordinances, and that the notice of said Special City Meeting be in substantially the following form:

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 Junior High 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~~ Street

Qualified voters will be entitled to vote at the polling of the projects set forth in said Section, and the Mayor is authorized to apply for and expend any and all Federal and State grants-in-aid of said projects.

Section 7. 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.

* * *

Councilman Boynton moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman Charles. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of all the members of the Common Council.

* * *

Councilman DaSilva introduced and read the following resolution:

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" and the ordinance entitled "An Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam And Padanaram Dam And Authorizing The Issuance Of \$4,300,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held Nov. 3, 1992 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.), that the Warning of said meeting state the questions to be voted on as follows:

1. Shall the ordinance entitled "An Ordinance Making Appropriations For Various Public Improvements Aggregating \$4,400,000 And Authorizing The Issuance Of \$4,400,000 Bonds Of The City To Meet Said Appropriations And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose adopted by the Common Council at its meeting held Sept. 1, 1992, be approved?
2. Shall the ordinance entitled "An Ordinance Appropriating \$4,300,000 For Improvements To Various City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper

place in the Common Council Chambers on the ~~third~~^{fourth} 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 8:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.).

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

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

49 - REPORT - Neighborhood Assistance Act

Mr. DaSilva submitted the following report:

The Common Council met as a committee of the whole at 8:02 P.M. on August 24, 1992 to review the Neighborhood Assistance Act. A list of proposals was presented for approval by the City. If approved by the City and the State of Connecticut, businesses who contribute to these programs will receive tax credits.

Mr. Boughton moved to recommend approval of the Neighborhood Assistance Act Program as presented. The motion was seconded by Miss Dennehy and passed unanimously.

The report was adopted and the Neighborhood Assistance Act approved on the Consent Calendar.

50 - REPORT - Proposal to relieve financial stress on Senior Citizens.

Mr. Cipriani submitted the following report:

The Common Council Committee appointed to review the proposal to relieve financial stress on senior citizens met on August 19, 1992. In attendance were committee members Cipriani, Butera and Fazio. Also in attendance were the Director of Finance Dominic Setaro, Council Members Setaro and Arconti, ex-officio and from the community, Philip Hadley, Josephine Asmar, Helen and Julian Castillo-Coyle and Lynn Waller.

The committee reviewed the survey and questions centered around the concern that any deferred taxes shall become the burden of non-senior taxpayers. Dominic Setaro advised those present that programs of tax relief are already in place for senior citizens. Based upon the information at hand, the following motion was made by Mrs. Butera:

"That the Mayor form a committee of not less than five (5) resident taxpayers to look into Public Act 87-116 and gather all pertinent data". The motion was seconded by Mr. Fazio and passed unanimously.

The report and recommendations were accepted on the Consent Calendar.

51 - REPORT - Lease for Caretakers Cottage at Bear Mountain Reservation.

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the lease for the caretakers cottage at Bear Mountain Reservation met at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Falzone, Gallo and Boughton. Also in attendance were Director of Parks and Recreation Robert Ryerson, Barbara Monsky of the Conservation Commission and Assistant Corporation Counsel Les Pinter. A motion was made to waive the rules by Mr. Gallo. Seconded by Mr. Boughton and passed unanimously.

Ms. Monsky stated that the reason for lowering the rent was to increase the workload on the tenant and to show the federal government a step forward in the use of the caretakers cottage. Mr. Pinter stated that we did not have to increase the workload to lower the rent.

A motion was made to lower the rent by \$100 by Mr. Gallo to \$516.00 per month. Seconded by Mr. Boughton and passed unanimously. A second meeting was held by this committee on Monday, August 24, 1992 at 6:30 P.M. in room 432 in City Hall due to an error by Corporation Counsel. Mr. Pinter explained that we cannot reduce the rent for the caretakers cottage without giving the caretaker more work.

After some discussion, a motion was made by Mr. Gallo to lower the rent by \$100 to \$516.00 per month. The caretaker of the cottage for this reduction will have to make seasonal improvements to the walkpaths at the reservation. Seconded by Mr. Boughton. Motion carried unanimously.

The report was approved on the Consent Calendar.

52 - Mr. DaSilva made a motion to add a request for water extension on Kohanza Street to the agenda. SECONDED BY MR. BOUGHTON. Motion carried unanimously.

Mr. DaSilva asked that this be referred to an ad hoc committee, Mr. Schweitzer, Mr. Buckley and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Gallo, Charles and Fazio to the committee.

Mayor Eriquez announced that he is replacing Council Member Falzone on the committee to review the Candlewood Park Bathing Area. The committee will now be Council Members Gallo, Arconti and Scozzafava.

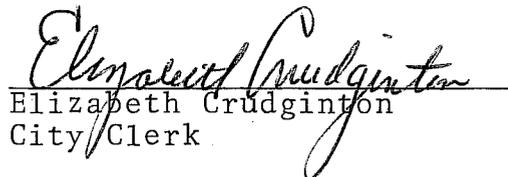
The Mayor extended all committees that have not completed their work.

There being no further business to come before the Common Council a motion was made at 9:12 P.M. for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk