

TO: Honorable Mayor James E. Dyer - Mayor of the City of Danbury.

SUBJECT: Minutes of the Special Meeting of the Common Council held on September 30, 1980.

The meeting was called to order at 8:00 O'Clock P.M. by his honor Mayor James E. Dyer who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman Frederick Visconti.

Roll Call was taken by City Clerk Elizabeth Crudginton, with the following members being recorded as:

PRESENT: Councilmembers - McManus, Walsh, Rinder, Scialabba, Repole, Eppoliti, White, Cassano, Murray, Ryan, Visconti, DaSilva, Turk, Boynton, Burke, Butera, Evans, Fabiano, Torian.

ABSENT: Councilman Delsin.

20 members present. 1 member absent. Councilman Turk reported that Councilman Delsin could not be present due to another engagement.

NOTICE of the Special Meeting of the Common Council to be held on the 30th day of September, 1980 at 8:00 O'Clock P.M. for the purpose of a statement to be delivered by the Mayor of the City of Danbury relating to City Finances.

RETURN OF SERVICE - Delivery of Notices of the Special Meeting, by Police Officers of the Danbury Police Department.

A motion was made by Councilman Ryan and seconded by Councilman Murray for the Call and Return of Service to be accepted.
Motion carried unanimously.

Statement by Mayor Dyer

"Good Evening. First of all I want to apologize for having to change the time from 7:30 to 8:00 P.M. but it was necessary for me to speak at a state public hearing at 7:30, that is now still continuing in this building.

I come before you this evening to speak about the progress of our City, and the law of our City as it relates to our finances. When I took office we faced a serious division within our government. The Council was divided. The executive branch was divided against departments and boards and commissions. We faced an inherited debt of over one-million dollars in unpaid bills, underfunded projects and unfinished business, as well as years and years of uncollected taxes exceeding three-million dollars.

Additionally, vacancies plagued the Police and Fire Departments. Garbage remained exposed three months at the landfill. KuKluKlan was pounding at our door and organized crime was allegedly attempting to take over our City-owned landfill. Contracts were unsettled for as long as three years. Our educational system was faltering under deterioration and the general state of our city was bleak, while all around us was bright. That was ten months ago.

Since that time, and with the assistance and support of the Council, we have accomplished many things. We have accomplished the following:

In elderly services, we increased the funding for the Commission on Aging. Budgeted for a security guards at our elderly centers; increased our support for elderly transportation; obtained a handicapped Van from the State at absolutely no cost to the City; established an elderly advisory board and we are now supporting an increase on the income level for elderly tax credit by 20% and that will be submitted to you at the October meeting.

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I will also be requesting Council action on this administration's proposal to build another elderly housing project in addition to the one just approved and in which we assisted in securing the funding.

In transportation, we have received notification that our application for one point twenty-five million dollars to the Federal government for ten new busses and bus shelters have been approved, and that's the result of our stepped up efforts with Washington.

In the environment, we have begun to properly manage and regulate the City landfill after years of neglect. We covered the exposed garbage and have a proposal before us for a \$32,000 engineering plan for the landfill to determine the life expectancy and the potential pollution in the area.

This begins to move us toward the fulfillment of the City's first solid waste management policy. We also participated in the Kings Mark survey and have before the Council an aquifer protection ordinance and we move to completion, after months of delay, our phosphur removal program.

In City management, in personnel and pension reform, we have accomplished the following:

Improved tax collections and begun foreclosures on long term delinquent taxpayers.

We have proposed the funding of a personnel director, a call repeated in seven audit reports, but never acted on.

At the October meeting I will ask you to fund the position of Budget Director so that we can gain even greater control of the budget process and post audit implementation of recommendations.

We conducted and completed a personnel survey of City Hall workers and are in the process of a survey of the Fire Department.

We sought and continue to seek pension reform and we have improved the pension hearing process to assure a secure pension fund to serve those who are deserving but to refuse those who would abuse and erode the pension fund.

We streamlined the Council meetings. We revised the departmental meeting format. We re-organized the Planning Department. We re-organized the Registrars Office with a long term savings to the City of Danbury.

We funded a traffic engineer and a full-time grants person.

In public safety we have appointed eleven new police officers and are proposing more to increase our emergency response time. I will ask you to support the purchase of new police radios on the October agenda, as the ones we have are at least twelve years old and sometimes fail to work.

We obtained a grant for traffic planning within the Police Department. We've moved to upgrade the City ambulance system by requiring EMT certification to assure that we will always have adequate emergency medical response service for our citizens, free of charge.

We funded a new ambulance. We purchased a new aerial ladder fire truck after months and months of delay. We funded new fire hoses and we are moving to upgrade the Fire Department training school for both our paid men and volunteers. We also hired four new firemen, filled the long-standing vacancy in the Fire Marshal's position and are about to fill the ambulance supervisor position.

We have also approved funding for ^abattered women shelter, the work of our housing task force and our youth advisory board.

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We ended the drifting of our finance department by naming an acting director. We instituted the first realistic capital program in years.

We initiated a major road improvement program and we have begun the water projects. We moved from a standstill on the Morris St. and South St. School projects, as well as the completion of the Mill Plain Sewer line.

Our relations with the Federal Government and State government have been improved dramatically, and we concentrate on downtown development and I can tell you this evening that federal authorities are now negotiating with us in the first real step in our pursuit of a multi-million dollar economic development grant for the City of Danbury.

We have promoted historic preservation and have^{moved} the Old jail restoration project from a dusty shelf to a meaningful beginning.

Our City has also been selected to participate in the Nationally prestigious partners for livable places, ~~It is~~ a pilot city, so that we might fulfill our commitment to providing urban amenities within a sub-urban setting.

We have also begun construction on two sewer projects. We rebuilt the Danbury High School Grandstands. Initiated the Mayor's complaint line, conducted Mayor's conferences, and in my opinion have begun to make the transition so necessary to build our City into a modern one.

Some projects are finished. Some are started. Some are waiting for us to stop the budget bickering and keep our city moving ahead.

Our City's progress is directly related to our City's budget and to ignore that basic fact is to ignore reality and bathe in ignorance. The other reality is the law of the City. Only, only two budget alternatives exist in this City as provided by the Charter and Consolidation since 1963.

Mayor Bowman, Mayor Arconti, Mayor Ducibella, Mayor Boughton and I have all produced budgets under the same law. Seventeen budgets in all. The Council Budget amendments for the Mayor's budget as presented. That is the legal history of our City.

Pursuant to state law and the Charter of the City of Danbury, I submitted to you on April 7, 1980, my budget for the fiscal year commencing July 1, 1980 which I estimated to be in the amount of \$44,497,498.00, which following the applications of various credits would have resulted in a rate of 36.13 mills on the dollar. Following this consistent with your duties under the Charter, you held two general public meetings, met in committee on innumeral occasions and devoted a total of approximately 2000 hours to the review of my budget proposal; and in the early hours of May 14, 1980, by a vote of 17 to 3 with one absentee enacted the estimated budget appropriations ordinance.

Following the calculations by the Acting Director of Finance you thereafter adopted a Resolution fixing the mill rate on said estimated budget in the amount of \$35.69 mills. The effort on your part was outstanding and while I have stated my appreciation to you in the past for your tireless endeavors each in his or her own fashion, I should like to again take this opportunity to express my thanks and that of the community to the Common Council.

The tax rate bill was then issued and a warrant directed to the collector of taxes pursuant to legal requirements and the tax bill for the fiscal year commencing July 1, 1980 was issued by the Tax Collector so that we would be in compliance with the statutory provision for a uniform fiscal year.

As Mayor I felt that there was a reasonable urgency to begin the process of collecting taxes on an orderly and efficient basis at the inception of the fiscal year.

The Budget Appropriation Ordinance, as enacted by the Common Council, had several hurdles to overcome before it became the law of this City. In order for it to become effective it had to be first signed by the Mayor, as it was, published in a newspaper having a general circulation in this City, within ten days of its enactment. It would then have become legally effective 30 days after its publication, were it not for the fact that within this period a petition of more than 15% of the electors was filed with the Town Clerk requesting that the Ordinance be submitted to the voters at the next regular or special meeting of the City.

Subsequently, on or about July 7, 1980 the Town Clerk notified the Mayor that the petition contained the sufficient number of electors and subsequently this Council scheduled a referendum on September 3, 1980 in which approximately 20% of our voters had participated and rejected the budget appropriation ordinance enacted by the Common Council by a vote of approximately 3 to 2.

The cost of that referendum incidentally, was \$8,000 approximately.

Section 7-4 of our Charter provides that when the Common Council effectively fails to adopt the budget which is approved by the voters of the City, the budget as transmitted by the Mayor shall be deemed to be that finally adopted by the Council.

The Mayor then has the duty of fixing a mill rate in accordance with the expenditures to be made under his budget. Upon learning of the defeat on September 3, 1980 of the Common Council Budget Appropriation Ordinance, and the resulting implementation of the Budget of the Mayor, I instructed the Acting Director of Finance to encumber all funds in excess of those authorized in the Common Council Budget and as has been my practice since I took office to continue to freeze all hiring projects and expenditures except for the most necessary items.

The time has now come however, when the increasing demands of our City can no longer permit this restraint.

I am now in receipt of a communication from the Acting Director of Finance who advises me that because of the restrictions I have placed upon our spending the increased return on our investments and because of the inflationary spiral which also plagues our budget attempts, as well as our income to date, and other estimated yearly income of the City, that I am in a position not withstanding a higher budget, to continue to operate the fiscal affairs of the City of Danbury at the current mill rate of 35.69 mills.

I should like to announce therefore that I am tonight under the Charter of the City of Danbury and the General Statutes of the State of Connecticut confirming the tax rate bill of 35.69 mills which was previously established, which is the basis of the bills earlier submitted to our taxpayers.

What this means of course is that I am not going

This means of course that I am not going to fund the Mayors budget through new tax bills which would cost \$15,500 to prepare and mail. Nor shall I burden our taxpayers with a higher mill rate.

We inherited a serious catch-up situation in the City and we are through economy and good management placing our City in the position where our revenue needs will match our revenue growth. We will not spend any money that we do not have. We shall continue to save where we can, as we did in the December budget freeze and the current budget freeze. We will pass those savings on to our taxpayers.

I would like to take this opportunity to also thank the overwhelming number of citizens who are acting responsibly and who are paying their taxes. The main issue now is to keep moving ahead - keep progressing ahead. We have positions to fill - city business to conduct and many programs yet to implement and that is what I intend to do.

Under no circumstances - under no circumstances can we permit our City to falter at this critical time in our City's history. Too many good things are happening or are about to happen. We sought to pump new vitality into our City and neither politics nor post-municipal election sour grapes shall prevent us from continuing the work of the City. We must have faith in our Charter, faith in our Attorneys, and faith in each other/ responsible elected officials.

If someone wishes to challenge us in either an election or the Courts, then so be it. We have done the job we were elected to do and we shall continue to work for the betterment of the City in partnership with the many positive segments of our community and we shall continue to make the hard decisions today that will lead to a better tomorrow. A tomorrow when we can all point to our City with pride and call it our home.

I want to thank you - there being no further business to come before the Common Council I will move immediately to the public session for a half hour of dialogue.

Public Speaking Session

Mr. Harry Kessler - 6 Carol Street: stated that the Common Council took an oath to perform their duties for the protection of their constituents, either in their own ward or throughout. I come here to let you know that I am not in receipt of a legal bill yet the Mayor tried to get me to pay certain things under duress. Mr. Kessler claimed that the Budget was not legal, and that the Mayor's statement that his budget is legal, is moot.

Mrs. Sarah Rothkopf - 171 Triangle St. spoke representing the Danbury Taxpayers Association Inc. and going on record opposing the budget in these inflationary times. Mrs. Rothkopf was critical of the back taxes and stated that she was a member of the Consolidation Commission and Charter Revision Commission and had attended all their meetings.

Mrs. Gershwood - Moved here two years ago and is in favor of the budget because of Police & Fire Protection etc. Questioned as to whether in the last referendum the budget was defeated perhaps because they wanted the budget to be higher to provide for more services.

Barney Shanker - 10 Carol St. - Not against good government just looking for equitable taxes.

Edmund Tomey - 41 Chambers Road - Chairman of the E.T.A. spoke stating that the Budget is secondary - precedent is main objection.

Robert Esposito - spoke in favor of the budget stating that the volunteer firemen use their funds wisely and do not abuse their spending.

Councilman Walsh - Statement attached.

Donald Boughton - Asked Council to petition for a special meeting or be liable for what happens - siting Section 7-9h of the City Charter.

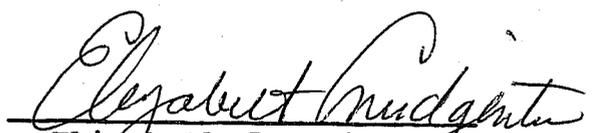
There being no further business to come before the Common Council, the meeting was adjourned at 8:50 P.M.

Respectfully submitted



Mary Rickert
Assistant City Clerk

Attest:


Elizabeth Crudginton
City Clerk