

OCTOBER 17, 1994

Meeting to be called to order at 8:00 p.m. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Levy, Scalzo, Falzone, Yamin, Arconti, Coladarci, Boynton,
Esposito, Dennehy, Gallagher, Machado, Outlaw, Charles, Gomez,
Beck, Cappiello, Scozzafava, Setaro, Trocolla, Valeri

15 Present 6 Absent

NOTICE OF THE SPECIAL MEETING - To be held on the 17th day of October, 1994 at 8:00 p.m. in the Common Council Chambers in City Hall for the purpose of acting upon the items listed below.

PUBLIC SPEAKING

✓1

REPORT & ORDINANCE - An Ordinance Appropriating \$1,036,000 For Reconstruction And Rehabilitation Of And Improvements To The Triangle Street Bridge And Authorizing The Issuance Of \$500,000 Bonds And Notes Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making of Temporary Borrowing For Such Purpose.

✓2

REPORT & ORDINANCE - Section 16-4 Sewer Connection Charges

✓3

REPORT & ORDINANCE - Section 21-48 Water Connection Charges

✓4

COMMUNICATION - Pahaham, Rogers v. City of Danbury Police Department

There being no further business to come before the Common Council a motion was made at _____ p.m. by _____ for the meeting to be adjourned.

RECEIVED BY THE CLERK OF THE COMMON COUNCIL
OCT 17 1994



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 17, 1994

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Triangle Street Bridge

The Common Council met as a committee of the whole at 7:30 P.M. on October 17, 1994 to review a proposed ordinance regarding the appropriation of \$1,036,000 for the reconstruction and rehabilitation of and improvements to the Triangle Street Bridge and to authorize the issuance of \$500,000 bonds and notes to meet such appropriation.

Director of Finance Dominic Setaro explained that these figures are the outer limits of the costs and that the estimated costs at this time are a \$371,000 loan, a \$220,000 grant and a \$200,000 payment by the City of Danbury. Director of Public Works Jack Schweitzer explained that the bridge is in dire need of repair and the designated construction company is ready to begin.

Mr. Boynton moved to recommend approval of the ordinance as proposed. The motion was seconded by Mr. Falzone and passed un-animously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 20, 1995

Glen Santoro, Esq.
Robinson & Cole
One Commercial Plaza
280 Trumbull Street
Hartford, Connecticut 06103-3597

Re: An Ordinance Appropriating \$1,036,000 for Reconstruction
And Rehabilitation of and Improvements to the Triangle
Street Bridge and Authorizing the Issuance of \$500,000
Bonds and Notes of the City to Meet said Appropriation
and Pending the Issue Thereof the Making of Temporary
Borrowings for such Purpose

Dear Attorney Santoro:

Enclosed herewith please find three copies of the certified minutes of the October 17, 1994; two newspaper affidavits of the Enactment of Ordinance and notice of the public hearing.

If you should need further information, please do not hesitate to contact me.

Sincerely yours,

Jimmetta L. Samaha
Assistant City Clerk

JLS:ps
Enclosures

OCT 05 1994

ROBINSON & COLE

Hartford • Stamford • New York • Boston

Law Offices

One Commercial Plaza
280 Trumbull Street
Hartford, CT 06103-3597
203-275-8200
Fax 203-275-8299

S. Frank D'Ercole
203-275-8246

VIA FACSIMILE AND FEDERAL EXPRESS

October 4, 1994

Laszlo L. Pinter, Esq.
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: An Ordinance Appropriating \$1,036,000 For Reconstruction And Rehabilitation Of And Improvements To The Triangle Street Bridge And Authorizing The Issuance Of \$500,000 Bonds And Notes of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Mr. Pinter:

Enclosed please find the captioned Ordinance and a set of proceedings to be followed in connection with its adoption by the City.

Under the Charter, the Council must hold a public hearing on the Ordinance prior to its enactment. Please note that a Notice of Public Hearing on the Ordinance must be published within the period of 5 to 15 days prior to the public hearing. The Ordinance must be read in its entirety and be incorporated in the minutes of the Council meeting at which it is enacted by the affirmative vote of at least two-thirds of the members of the Council. The Mayor must approve the Ordinance within seventy-two hours of its adoption. Notice of enactment, along with the entire text of the Ordinance, must be published within ten days of its approval by the Mayor. The Ordinance will be effective thirty days after its publication.

By copy of this letter, I am requesting the City Clerk to send me three certified copies of all the proceedings as they appear in the City Record Book, and two newspaper affidavits of the publication of the Notice of Public Hearing and the Notice of Enactment of Ordinance.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Frank", with a horizontal line extending to the right.

S. Frank D'Ercole

SFD/kaf

Enclosures

cc: Hon. Gene F. Eriquez, Mayor
Dominic A. Setaro, Jr., Finance Director (w/encl.)
Eric L. Gottschalk, Acting Corporation Counsel (w/encl.)
Elizabeth Crudginton, City Clerk

AN ORDINANCE APPROPRIATING \$1,036,000 FOR RECONSTRUCTION AND REHABILITATION OF AND IMPROVEMENTS TO THE TRIANGLE STREET BRIDGE AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND NOTES 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 \$1,036,000 is appropriated for the reconstruction and rehabilitation of and improvements to the Triangle Street Bridge in the City of Danbury, Bridge No. 4073, including planning, design and replacement of the deck and support structure and site work related thereto (the "Project"), and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. (a) To meet a portion of said appropriation \$500,000 bonds of the City or so much thereof as shall be necessary for such purpose shall be issued. Said bonds shall bear such rate or rates of interest as shall be determined by the Mayor and shall mature not later than the twentieth year after their date of issue.

(b) To meet the portion of said appropriation which may be financed pursuant to a Project Loan and Project Grant Agreement between the State of Connecticut and the City under the Local Bridge Program of the State of Connecticut, in lieu of the issuance of bonds as provided in Section 2(a) above, a general obligation promissory note or notes of the City shall be issued bearing interest payable as set forth in such agreement. Said note or notes shall be designated "City of Danbury General Obligation Promissory Note", be dated as of the date of issue, and shall bear interest at the local rate then in effect for loans to municipalities under the Local Bridge Program and shall be payable in such amounts and at such time as are set forth in said agreement. The Mayor is hereby authorized and empowered to execute and deliver said Project Loan and Project Grant Agreement and amendments or supplements thereto between the State of Connecticut and the City under the Local Bridge Program, and the Mayor and City Treasurer are hereby authorized to execute and deliver General Obligation Promissory Notes in connection with Project Loans and Supplemental Loans as provided in said Agreement.

(c) The balance of said appropriation shall be met from a Project Grant pursuant to said Project Loan and Project Grant Agreement and from Local Capital Improvement Funds.

Section 3. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance and the amount

of bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance 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 executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company 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. 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 Mayor and the Director of Finance

Section 4. 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. Any of said notes sold to the State of Connecticut pursuant to a Project Loan And/Project Grant Agreement under the Local Bridge Program shall be sold to the State under the terms of the Local Bridge Program and shall not be subject to the requirement of a public sale. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 5. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds or notes. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson &

Cole, 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. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (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 Project 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 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 7. This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.

Enacted by the Common Council: October 17, 1994

Approved by the Mayor: *[Signature]* Date: October 19, 1994

ATTEST: *[Signature]*
Elizabeth Crugginton, City Clerk

NOTE TO CLERK:

Please publish the entire text of the Bond Ordinance, as indicated below:

CITY OF DANBURY

NOTICE OF ENACTMENT OF ORDINANCE

The following Ordinance was enacted at a meeting of the Common Council held _____, 1994 and approved by the Mayor _____, 1994.

AN ORDINANCE APPROPRIATING \$1,036,000 FOR RECONSTRUCTION AND REHABILITATION OF AND IMPROVEMENTS TO THE TRIANGLE STREET BRIDGE AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND NOTES OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(Here copy body of Ordinance in full.)

Dated: _____, 1994.

City Clerk

CITY OF DANBURY

NOTICE OF PUBLIC HEARING TO BE HELD BY
COMMON COUNCIL

NOTICE IS HEREBY GIVEN that the Common Council of the City of Danbury will hold a public hearing in the Council Chambers in the City Hall on _____, at _____ o'clock P.M. (E.D.T.), with respect to the following proposed ordinance:

AN ORDINANCE APPROPRIATING \$1,036,000 FOR
RECONSTRUCTION AND REHABILITATION OF AND
IMPROVEMENTS TO THE TRIANGLE STREET BRIDGE AND
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND
NOTES OF THE CITY TO MEET SAID APPROPRIATION AND
PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY
BORROWINGS FOR SUCH PURPOSE

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

Dated at Danbury, Connecticut this ____ day of _____,
1994.

Mayor

Attest:

City Clerk

CITY OF DANBURY

RETURN OF POSTING AND PUBLICATION
OF NOTICE OF PUBLIC HEARING

I, ELIZABETH A. CRUDINGTON, City Clerk of the City of Danbury, hereby certify that I caused a copy of the above Notice of Public Hearing to be published in the News-Times, a newspaper published and having a circulation in the City of Danbury, in its issue of _____, 1994.

Dated _____, 1994.

City Clerk

Received for record
_____, 1994.

City Clerk

Excerpt for Minutes of
Public Hearing of
the Common Council
of the City of Danbury
to be held _____, 1994

The Chairman declared open the public hearing by the Common Council.

* * *

Mr. _____ read the ordinance entitled "An Ordinance Appropriating \$1,036,000 For Reconstruction And Rehabilitation Of And Improvements To The Triangle Street Bridge And Authorizing The Issuance Of \$500,000 Bonds And Notes Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose".

* * *

After comments from the public, the Chairman thereupon declared the public hearing on said proposed ordinance closed.

* * *

Excerpt for Minutes of
Common Council of the City of Danbury
Acting as a Committee of the Whole

The Chairman opened the meeting of the Common Council of the City of Danbury acting as a Committee of the Whole with respect to the proposed bond ordinance introduced and read at the public hearing preceding the meeting.

* * *

After discussion Mr. _____ moved that the ordinance entitled "AN ORDINANCE APPROPRIATING \$1,036,000 FOR RECONSTRUCTION AND REHABILITATION OF AND IMPROVEMENTS TO THE TRIANGLE STREET BRIDGE AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND NOTES OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE," be recommended to the Council for adoption in the form introduced and read at the public hearing preceding the meeting. The motion was seconded by _____.

Motion carried.

* * *

Excerpt for Minutes of Meeting
of Common Council

* * *

Councilman _____ introduced and read the following ordinance:

AN ORDINANCE APPROPRIATING \$1,036,000 FOR
RECONSTRUCTION AND REHABILITATION OF AND
IMPROVEMENTS TO THE TRIANGLE STREET BRIDGE AND
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND
NOTES OF THE CITY TO MEET SAID APPROPRIATION AND
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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

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(b) To meet the portion of said appropriation which may be financed pursuant to a Project Loan and Project Grant Agreement between the State of Connecticut and the City under the Local Bridge Program of the State of Connecticut, in lieu of the issuance of bonds as provided in Section 2(a) above, a general obligation promissory note or notes of the City shall be issued bearing interest payable as set forth in such agreement. Said note or notes shall be designated "City of Danbury General Obligation Promissory Note", be dated as of the date of issue, and shall bear interest at the local rate then in effect for loans to municipalities under the Local Bridge Program and shall be payable in such amounts and at such time as are set forth in said agreement. The Mayor is hereby authorized and empowered to execute and deliver said Project Loan and Project Grant Agreement and amendments or supplements thereto between the State of Connecticut and the City under the Local Bridge Program, and the Mayor and City Treasurer are hereby authorized to execute and deliver General

Obligation Promissory Notes in connection with Project Loans and Supplemental Loans as provided in said Agreement.

(c) The balance of said appropriation shall be met from a Project Grant pursuant to said Project Loan and Project Grant Agreement and from Local Capital Improvement Funds.

Section 3. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance 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 executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company 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. 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 Mayor and the Director of Finance

Section 4. 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. Any of said notes sold to the State of Connecticut pursuant to a Project Loan And/Project Grant Agreement under the Local Bridge Program shall be sold to the State under the terms of the Local Bridge Program and shall not be subject to the requirement of a public sale. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication

carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 5. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds or notes. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole, 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. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (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 Project 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 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 7. This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.

Enacted by the Common Council: _____

Approved by the Mayor: _____ Date: _____

Operative and in Effect: _____

* * *

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

CITY OF DANBURY

RETURN OF PUBLICATION
OF NOTICE OF ENACTMENT OF ORDINANCE

I, ELIZABETH A. CRUDINGTON, City Clerk of the City of Danbury, hereby certify that I caused a copy of the above Notice of Enactment of Ordinance to be published in the News-Times, a newspaper published and having a circulation in the City of Danbury, in its issue of _____, 1994.

Dated _____, 1994.

City Clerk

Received for record
_____, 1994.

City Clerk

CITY OF DANBURY

To: Members of the Common Council

A special meeting of the Common Council _____ of the City of Danbury will be held on the 17th day of October 1994 at 8:00 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

- 1. REPORT AND ORDINANCE- An Ordinance Appropriating \$1,036,000 For Reconstruction And Rehabilitation Of And Improvements To The Triangle Street Bridge And Authorizing The Issuance of \$500,000 Bonds And Notes of the City To Meet Said Appropriation And Pending The Issue Thereof The Making of Temporary Borrowing For Such Purpose.
- 2. REPORT AND ORDINANCE- Section 16-4 Sewer Connection Charge
- 3. REPORT AND ORDINANCE- Section 21-48 Water Connection Charge
- 4. COMMUNICATION- Pahaham, Rogers v. City of Danbury Police Department

Dated at Danbury, this 13th day of October 1994.

[Signature] Mayor

[Signature] Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member _____ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

[Signature] Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 17, 1994

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Water and Sewer Connection Fees

The Common Council met as a committee of the whole on October 17, 1994 at 7:11 P.M. to review proposed ordinance changes regarding water and sewer connection fees. William Buckley, Superintendent of Public Utilities explained that these changes basically cut the connection charges in half for residential and commercial/industrial water fees and for residential sewer fees.

Mr. Falzone moved to recommend approval of the ordinances as proposed. The motion was seconded by Mr. Boynton.

It was explained that the rationale for these proposals were to give an incentive to the building of residential, commercial and industrial buildings. After some discussion the motion carried unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



2

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

October 17, 1994

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

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

Sec. 16-4. Connection permits required; connection fee; refunds; penalty for violations.

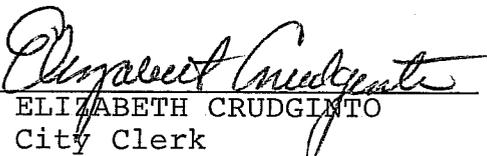
(b) Connection fee. If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following schedule:

- (1) Residential: Three Hundred dollars (\$300.00) per unit.
- (2) All other (nonresidential): One thousand dollars (\$1,000.00) plus forty cents (\$0.40) per square foot of building to be connected. Connection fees may be waived by action of the common council, providing the city benefits from this connection by permitting future extensions to said connection.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.

Adopted by the Common Council - October 17, 1994
Approved by Mayor James E. Dyer - October 19, 1994.

Attest:


ELIZABETH CRUDGINITO
City Clerk



3

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

October 17, 1994

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

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

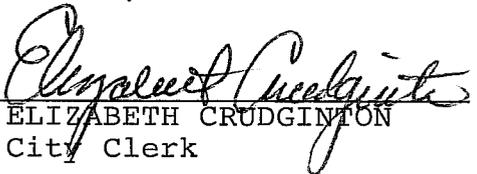
Sec. 21-48. Connection charges.

(a) Connection fee. If no prior water assessment has been paid on the premises to be connected to the Danbury public water system pursuant to section 21-56 et seq. hereof, then no connection permit shall be issued and no actual connection made until a connection fee is paid to the city according to the following table:

<u>Size of Meter</u> <u>(inches)</u>	<u>Connection</u> <u>Charge</u>
5/8.....	\$ 375.00
3/4.....	750.00
1.....	1,500.00
1 1/2.....	3,000.00
2.....	6,000.00
3.....	12,500.00
4.....	25,000.00
6.....	50,000.00
8.....	100,000.00
10.....	200,000.00

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and Section 3-10 of the Charter of the City of Danbury, Connecticut.

Adopted by the Common Council - October 17, 1994
Approved by Mayor Gene F. Eriquez - October 19, 1994.

ATTEST: 
ELIZABETH CRUDGINTON
City Clerk



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

October 14, 1994

DANBURY, CT 06810

Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Wilbur Pahaham and William Rogers v. City of Danbury
Settlement of Claim

Dear Mayor and Common Council Members:

The above-referenced claim was originally brought against the City in 1988. As a result of extensive negotiations over the past several months, we are now ready to present a proposed settlement to you for consideration. We ask that you be prepared to consider this proposal in executive session on the night of October 17, 1994. We will be available to answer any questions that you may have with respect to this matter.

Sincerely,

Eric L. Gottschalk
Eric L. Gottschalk e.r.
Acting Corporation Counsel

ELG:r

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	GALLAGHER	1749
2.	VALERI	1752
3.	SETARO	1757
4.	DENNEY	1758
5.	OUTLAW	1807
6.	CHARLES	1812
7.	BOYDTON	1907
8.	TROCCOLA	1913
9.	COCCARPEI	1919
10.	FALZONE	1926
11.	ARCONTI	1934
12.	YAMU	1947
13.	SCARZO	1955
14.	CAPIELLO	2007
15.	LEVY	2022
16.	GOMEZ	2034
17.	SCORZAFAVA	2045
18.	BECK	2051
19.	MACHADO	2107
20.		
21.		

Each Notice so served upon each member, all having been done by me on this

date Spaton/Colle
9/29/94

Attest: Colle/Spaton
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. Front Door Setaro 1800
2. Front Door Dennehy 1800
3. Valdemir Machado 1845
4. James W Outlaw 1005 P. Tringali
10-16-94
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____

Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. DAVID CAPIELLO

1644

2. HARRY SCALZO

1654

3. JOSEPH DASILVA

1708

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of
Danbury

RETURN OF SERVICE

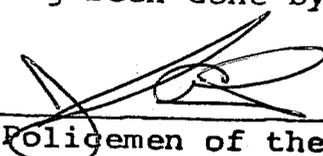
By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. LALERI, 40 BRUSHY HILL 2050 HOURS
2. BANKS, 12 BOULEVARD DR. #168 2105 HOURS
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____

Each Notice so served upon each member, all having been done by me on this date 10/14/94.

Attest:  444
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1.	Falzone	2046
2.	Cicco	2100
3.	Yann	2115
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

Each Notice so served upon each member, all having been done by me on this date _____.

Attest: P.O. J. Frustro
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. Joseph Sciozzafava 68 Duffway Rd. 1640
2. Robert Gomez 16 D8 Scuppo Rd 2000
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____

Each Notice so served upon each member, all having been done by me on this date 10-14-94.

Attest: PO of Facts #469
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. Louis F. Jankes - Left at Danbury 2055 HRS.

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

Each Notice so served upon each member, all having been done by me on this date 10-14-94.

Attest: [Signature]
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

1. Boyanov Ernest Hand Delivered 4:55pm
2. GALLAGER Matthew Dropped off front door 8:30 pm
3. Esposito John Hand Delivered 8:35 pm
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____

Each Notice so served upon each member, all having been done by me on this date 10-14-94.

Attest:

W. O. O'Connell
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

NAME

TIME

- | <u>NAME</u> | <u>TIME</u> |
|--------------------------------------|-------------|
| 1. Eileen Calabrese 49 Hospital Ave | 1640 hrs |
| 2. Daniel Trucally 53 Holly St. Ext. | 1647 hrs |
| 3. | |
| 4. | |
| 5. | |
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| 16. | |
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| 18. | |
| 19. | |
| 20. | |
| 21. | |

Each Notice so served upon each member, all having been done by me on this date 10/14/94.

Attest: P.O. Martin Lubrano
Policemen of the City of
Danbury