

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

RE: Minutes of the Common Council Meeting held May 5, 1998

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

PRESENT - Scalzo, McAllister, Arconti, Smith, Boynton, Buzaid, Dean Esposito, Machado, Shuler, Setaro, John Esposito, Levy, Abrantes, Basso, Falzone, Fox, Gallagher, Moore, Saracino

ABSENT - Adames, Charles

19 Present - 2 Absent

Mr. Charles was ill

PUBLIC SPEAKING - Steve Scott, Poev Touch and David Pinkney - Presented the Mayor with an award from the Danbury Vikings and the Hat City Youth Sports.

MINUTES - Minutes of the Common Council Meeting held April 7, 1998 and the Special Meeting held April 27, 1998. Mr. Setaro made a motion to accept the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

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

5 - Approve application and resolution for State Office of Policy and Management Title V Delinquency Prevention Pass-Through Grant for funding for Danbury Youth Services Programming - \$50,000

6 - Approve application and resolution for State Department of Education Pass-Through Grant for 1998/99 Danbury Youth Services Bureau operations - \$70,000

7 - Approve application and resolution for State Office of Policy and Management Youth Community Policing Grant to support School Resource Officers - \$30,000

9 - Approve application and resolution for State Department of Public Health Services WIC Supplemental Nutrition Program Grant via the State Department of Agriculture Farmer's Market Program - \$233,224

11 - Approve and authorize the Mayor to execute First Supplemental Agreement between State Department of Transportation and City of Danbury for Triangle Street Railroad-Highway Grade Crossing, State Project No. 34-272, providing for increased reimbursement to Danbury for adjusted construction costs.

13 - Confirm reappointment of J. Roger Schmiedel, Carol Smith and Marita Repole as members of the Tarrywile Park Authority

14 - Confirm appointment of Elizabeth Abraham as a member of the Commission on Persons with Disabilities

22 - Approve reappropriation of \$797 from Elderly Services donations account to Commission on Aging budget for Printing and Professional Services Fees

25 - Approve transfer to Suspense List \$152,937.25 for 1988 Motor Vehicle Grand List and \$147,411.64 for 1990 Personal Property Grand List

26 - Receive positive Planning Commission report regarding Danbury Landfill Zone Influence Study and approve resolution contained in item 12 on the April 7, 1998 Common Council Agenda related to acquisition of certain interests in real property related to zone of influence study

27 - Receive communication from Office of Corporation Counsel regarding constituent request pertaining to automobile speakers and take no action at this time

29 - Receive positive reports from Director of Public Works, Planning Commission and Director of Planning regarding request to purchase city-owned property on Birch Trail, lot number GO3064, declare property supplies and refer item to Director of Finance to determine sales price of parcel and report back to Common Council

32 - Receive report and take no action until funds are available on request for sanitary sewer extension on Kenosia Avenue, Backus Avenue to Airport

33 - Receive report and approve recommendation in support of resolution authorizing HRRA to make application to the DEP for grant for regional tub grinder

34 - Receive report and approve recommendation regarding request for relief on water and sewer use charges at 20-20A White Street

Mr. Boynton made a motion to adopt the Consent Calendar as presented. Seconded by Mr. Shuler. Miss Fox noted that in item 29 the word should be "surplus" rather than "supplies". Motion carried unanimously.

1 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year beginning July 1, 1998 and ending June 30, 1999 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 1998 and Ending June 30, 1999.

Mr. Setaro made a motion to adopt the Ordinance Making Appropriations for the Fiscal Year beginning July 1, 1998 and ending June 30, 1999 and the Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 1998 and Ending June 30, 1999. Seconded by Mr. Levy.

a. General Government I Budget Report:

Mr. Boynton submitted the following report:

The General Government I Budget Committee met on April 21, 1998 to review the Mayor's proposed General Government I budget. In attendance were committee members Boynton, Machado, Charles, Levy and Saracino.

The committee recommends to the Common Council that no changes be made to the Mayor's Budget with the following exception on a motion by Mr. Levy:

01-131 - Registrars & Elections regular salary line 01-131-010100 from \$71,112 to \$72,062 an increase of 2.75% effective January 1, 1999 for a total change to the budget of an increase of \$950.00.

Seconded by Mrs. Saracino and passed unanimously. The motion will effect the 1999-2000 budget to reflect a proposed salary of \$37,539 x 2 for a total of \$75,078 as per attached memorandum from Dominic Setaro, the Director of Finance as requested by the Committee Chairman.

Mrs. Saracino made a motion to receive the report and adopt its recommendations. Seconded by Mrs. Basso. Motion carried 18 in favor with Mr. Setaro abstaining.

b. General Government II Budget Report:

Mr. Falzone submitted the following report:

The Common Council General Government II Budget Committee met on April 22, 1998 at 6:30 P.M. in Room 432 in City Hall. In attendance were committee members Falzone, Smith, Abrantes and Saracino. Ms. Adames was ill. Also in attendance were the Director of Finance Dominic Setaro and Nancy Sudik of the Danbury Music Center. Council Member Christopher Setaro attended ex-officio.

Ms. Sudik spoke on the money needed for the Music Center which is for security and custodial needs. The amount comes to \$5,000. Next year the Music Center will request the money within the line items for grants. The request came in to late this year for that line item. The Director of Finance stated that there is money within the budget for this request.

After further discussion on the various line items within the budget, Mrs. Saracino made a motion to accept the Mayor's proposed budget with the amendment that \$5,000 be added to line item 072938 for the Danbury Music Center, bringing the total grants to \$1,052,868. Seconded by Mrs. Abrantes and passed unanimously.

Mr. Boynton made a motion to receive the report and approve its recommendations. Seconded by Miss Fox. Motion carried unanimously.

c. Education Budget Committee Report:

Mr. Gallagher submitted the following report:

The Common Council Education Budget Committee met on April 21, 1998 at 7:00 P. M. in City Hall. In attendance were committee members Gallagher, Fox, Scalzo, Shuler and Basso. Also in attendance were Director of Finance Dominic Setaro, Schools Superintendent Timothy Connors, Schools Business Manager Jack Heidenreich and School Board Members Larry Dorris, Bobby Poole and Mike Fazio.

The discussion began with Mr. Heidenreich reviewing the current level of service budget including all contractual obligations including salaries, employee benefits, transportation, supplies and materials, utilities, equipment/repairs and contracted services. The committee also discussed historical data on education funding and enrollment.

At this point in the meeting Superintendent Connors addressed the five areas where the Board of Education is seeking to expand its current level of service. The five district goals discussed were:

1. Technology - Instruction, supplies and two new positions including a director of technology.
2. All day kindergarten - Six additional all day kindergarten classes so each of the City's eleven elementary schools will have one such class.
3. ESL/Bilingual - 5.5 additional teachers and supplies.
4. After School Programs.
5. Additional Staff - Three new positions in anticipation of class size changes,

Mr. Connors also stated that he and the Board of Education were in concurrence with the Mayor's proposed education budget and that while the amount was less than they had requested, they nonetheless anticipated being able to carry out their objectives. Further, Mr. Connors encouraged the committee to recommend to the Common Council approval of the Board of Education health insurance reserve fund transfer and forwarding of any additional funding of the State's ECS to the Board of Education.

The meeting was adjourned at 9:00 P. M. until 7:00 P. M. on April 22, 1998.

The meeting reconvened at 7:00 P. M. on April 22, 1998 with committee members Gallagher, Scalzo, Shuler and Basso in attendance. Also in attendance were Mr. Setaro, Mr. Heidenreich and Mr. Dorris. After a brief discussion, Mr. Scalzo moved to recommend adoption of the Mayor's proposed 1998-99 education budget in the amount of \$68,314, 856.00 for Schools Regular and \$229,282.00 for Schools Health and Welfare. The motion was seconded by Mr. Shuler and passed unanimously. Mr. Shuler moved to recommend to the Common Council reappropriation of the health insurance reserve and any additional state funding under the Education Cost Sharing to the Board of Education. The motion was seconded by Mrs. Basso and passed unanimously.

Mr. Gallagher added that Miss Fox did not attend the second meeting because she was working.

Mr. Scalzo made a motion to receive the report and adopt its recommendations. Seconded by Mr. Buzaid. Motion carried unanimously.

d. Public Works Budget Committee

Dean Esposito submitted the following report:

The Common Council Public Works Budget Committee met on April 22, 1998 at 8:00 P. M. in Room 432 in City Hall. In attendance were committee members Dean Esposito, John Esposito, Gallagher, Scalzo and Moore. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Director of Finance Dominic Setaro and Council Member Basso, ex-officio.

The committee reviewed the Public Works portion of the 1998-99 budget line item by line item. Mr. Scalzo asked if the proposed amount for public buildings would be adequate for the full year. Mr. Setaro explained that with some departments moving back into City Hall we would see a savings by not having to pay rents or outside cleaning service costs.

Under Highways line items, Chairman Dean Esposito questioned if the City would continue to purchase storm insurance. Mr. Setaro explained that the City would most likely purchase the insurance again and felt that the cost may be lower due to such a mild winter. Mr. Buckley stated that the City has a surplus of sand and salt due to the mild winter.

Under Recycling & Solid Waste line items, John Esposito asked if funding would be available for the Moms and Pops trash services we now provide at the landfill. Mr. Setaro explained that money could be allocated to a line item for this service. Mr. Buckley also explained that the City was in the process of looking into the possibility of an outside contractor providing this service which could mean lower cost and easier access to City residents.

Under Parks and Recreation/Forestry line items Dean Esposito questioned how the consolidation of Parks and Recreation and Forestry may effect the departments and their services. Mr. Buckley explained how the two departments have worked together in the past helping with day to day operations and storms. Mr. Setaro also stated that both departments were in the same union.

Under the Water Fund line item Mrs. Basso asked why there was revenue from the Sewer Fund. Mr. Setaro explained when the public utilities crews are used on sewer projects the cost must be paid by the sewer fund.

After further discussion, Mr. Scalzo made a motion to recommend to the full Common Council that the Public Works portion of the 1998-99 budget be accepted as proposed by the Mayor. The motion was seconded by John Esposito and passed unanimously.

Mr. Falzone made a motion to receive the report and adopt its recommendations. Seconded by Mr. Setaro. Motion carried unanimously.

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

Mr. Arconti submitted the following report:

The Public Safety, Social Services and Health & Housing Budget Committee met on April 27, 1998 at 7:35 P. M. in Room 432 in City Hall. In attendance were committee members Arconti, Levy, Fox, Abrantes, Buzaid, Setaro, and Moore. Also in attendance were Council Members Scalzo, Falzone, Dean Esposito and Basso, ex-officio, Director of Finance Dominic Setaro, Fire Chief Carmen Oliver, Deputy Fire Chief Peter Sicienski, Police Chief Robert Paquette, Captain Arthur Sullo and the Director of Health and Housing William Campbell.

The committee received a presentation from those department heads in attendance and Mr. Arconti explained that he spoke with the other department heads prior to the meeting and that they expressed general satisfaction with their proposed budget figures. The committee discussed the sections of the budget under its review and particularly inquired about the provision of special services by the police and fire departments. Chief Paquette and Dominic Setaro described the difficulty in receiving timely payment from some companies using special service police duty and stated that they will continue their efforts to maintain satisfactory collection rates. Chief Paquette agreed to keep the Common Council apprised of the delinquent accounts situation through his monthly report to the Council.

Mr. Levy moved to recommend that the Common Council approve the Public Safety, Health & Housing and Social Services portions of the 1998-99 budget as proposed by the Mayor. Seconded by Mrs. Abrantes. The motion carried unanimously.

Mr. Levy made a motion to receive the report and adopt its recommendations. Seconded by Mrs. Abrantes. Motion carried unanimously.

Main motion, as amended, passed unanimously.

Director of Finance Dominic Setaro read the Ordinance and Resolution for the record:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING  
JULY 1, 1998 AND ENDING JUNE 30, 1999.

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

SECTION 1. That the amounts hereinafter set forth aggregating \$131,896,390, or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 1998 and ending June 30, 1999.

I. <u>GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
Common Council	\$ 8,100	\$ 8,100
Mayor's Office	260,822	260,822
City Clerk's Office	86,434	86,434
Ordinances	6,975	6,975
Probate Court	13,756	13,756
Registrar & Elections	109,275	110,225
City Treasurer	22,918	22,918
Finance Department	686,344	686,344
Data Processing/Info Tech	1,009,847	1,009,847
Independent Audit	69,000	69,000
Bureau of Assessments	293,498	293,498
Board of Assessment & Appeals	3,775	3,775
Tax Collector	498,685	498,685
Purchasing	220,007	220,007
Corporation Counsel	515,400	515,400
Town Clerk	302,796	302,796
Annual Report	5,000	5,000
Permit & Approval Department	142,836	142,836
Planning Department	415,693	415,693
Conservation Commission	\$ 1,725	\$ 1,725
Personnel Department/Civil Service	264,188	264,188
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,970	1,970
City Membership	60,940	60,940
Lake Authority	33,040	33,040
Retirement Administration	69,500	69,500
Labor Negotiations	40,000	40,000
Public Buildings	746,403	746,403
City Hall Building	214,750	214,750
Library Building	153,593	153,593

Police Station Building	145,116	145,116
Senior Center Building	28,733	28,733
Old Library Building	<u>29,890</u>	<u>29,890</u>
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$6,471,009</u>	<u>\$6,471,959</u>

II. PUBLIC SAFETY

Police Department	\$9,417,763	\$9,417,763
Animal Control	132,000	132,000
Fire Department	7,133,756	7,133,756
Ambulance Fund	168,000	168,000
Building Inspector	419,428	419,428
Department of Civil Preparedness	<u>3,850</u>	<u>3,850</u>
<u>TOTAL PUBLIC SAFETY</u>	<u>\$17,274,797</u>	<u>\$17,274,797</u>

III. PUBLIC WORKS

MAYOR'S BUDGET

FINAL BUDGET

Director of Public Works	\$ 16,064	\$ 16,064
Highways	1,698,132	1,698,132
State Aid - Highways	276,827	276,827
Snow and Ice Removal	368,500	368,500
Street Lights	430,000	430,000
Public Building Maintenance Rep.	314,725	314,725
Equipment Maintenance	777,303	777,303
Recycling/Solid Waste	487,401	487,401
Engineering Department	<u>770,199</u>	<u>770,199</u>
<u>TOTAL PUBLIC WORKS</u>	<u>\$ 5,139,151</u>	<u>\$ 5,139,151</u>

IV. HEALTH & HOUSING DEPARTMENT

Health & Housing	<u>\$ 724,818</u>	<u>\$ 724,818</u>
<u>TOTAL HEALTH &amp; HOUSING</u>	<u>\$ 724,818</u>	<u>\$ 724,818</u>

V. PUBLIC WELFARE, SOCIAL AGENCIES

Welfare Department	\$ 297,932	\$ 297,932
Veteran's Advisory Center	48,007	48,007
Commission on Aging	198,369	198,369
Elderly Transportation	<u>12,000</u>	<u>12,000</u>
<u>TOTAL WELFARE, SOCIAL AGENCIES</u>	<u>\$ 556,308</u>	<u>\$ 556,308</u>

VI. SCHOOL DEPARTMENT

Schools, Regular	\$68,314,856	\$68,314,856
Schools, Health & Welfare	<u>229,282</u>	<u>229,282</u>
<u>TOTAL SCHOOL BUDGET</u>	<u>\$68,544,138</u>	<u>\$68,544,138</u>

VII.	<u>LIBRARIES</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	Danbury Public Library	\$1,554,869	\$ 1,554,869
	Long Ridge Library	<u>6,250</u>	<u>6,250</u>
	<u>TOTAL LIBRARIES</u>	<u>\$1,561,119</u>	<u>\$ 1,561,119</u>
VIII.	<u>PARKS &amp; RECREATION</u>		
	Parks & Recreation/Forestry	\$ 1,484,736	\$ 1,484,736
	Tarrywile Park Authority	190,935	190,935
	Cultural Commission	46,200	46,200
	Lake Kenosia Commission	<u>2,500</u>	<u>2,500</u>
	<u>TOTAL PARKS &amp; RECREATION</u>	<u>\$1,724,371</u>	<u>\$1,724,371</u>
IX.	<u>RECURRENT COSTS</u>		
	F.I.C.A.	\$ 1,013,574	\$ 1,013,574
	Pension Expense	4,638,000	4,638,000
	Employee Service Benefit	239,879	239,879
	Worker's Compensation	409,782	409,782
	State Unemployment Compensation	30,000	30,000
	Employee Health & Life Insurance	4,735,648	4,735,648
	Union Welfare	540,800	540,800
	Insurance & Official Bond Premium	<u>1,469,667</u>	<u>1,469,667</u>
	<u>TOTAL RECURRING COSTS</u>	<u>\$13,077,350</u>	<u>\$13,077,350</u>
X.	<u>DEBT SERVICE</u>		
	Interest on Debt	\$ 1,414,465	\$1,414,465
	Interest on Debt - School	1,554,812	1,554,812
	Redemption of Debt	2,412,112	2,412,112
	Redemption of Debt - School	<u>2,407,089</u>	<u>2,407,089</u>
	<u>TOTAL DEBT SERVICE</u>	<u>\$7,788,478</u>	<u>\$7,788,478</u>
XI.	<u>CAPITAL PROGRAM</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	<u>CAPITAL PROGRAM</u>	<u>\$ 860,030</u>	<u>\$ 860,030</u>
	<u>TOTAL CAPITAL PROGRAM</u>	<u>\$ 860,030</u>	<u>\$ 860,030</u>
XII.	<u>TRANSPORTATION</u>		
	Danbury Airport	\$ 249,113	\$ 249,113
	H.A.R.T.	<u>595,524</u>	<u>595,524</u>
	<u>TOTAL TRANSPORTATION</u>	<u>\$ 844,637</u>	<u>\$ 844,637</u>

KIII.	<u>CONTINGENCY</u>	<u>\$ 545,000</u>	<u>\$ 545,000</u>
	<u>TOTAL CONTINGENCY</u>	<u>\$ 545,000</u>	<u>\$ 545,000</u>
XIV.	<u>STATE &amp; FEDERAL SCHOOL PROJECTS</u>	<u>\$5,731,366</u>	<u>\$5,731,366</u>
	<u>TOTAL STATE &amp; FEDERAL PROJECTS</u>	<u>\$5,731,366</u>	<u>\$5,731,366</u>
XV.	<u>GRANTS - HUMAN SERVICES</u>	<u>\$1,047,868</u>	<u>1,052,868</u>
	<u>TOTAL GRANTS - HUMAN SERVICES</u>	<u>\$1,047,868</u>	<u>\$1,052,868</u>
	 <u>TOTAL BUDGET</u>	 <u>\$131,890,440</u>	 <u>\$131,896,390</u>

SECTION 2. That the amount of \$156,962 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of \$4,930,000 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$7,460,208 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of \$953,139 is appropriated to the AMBULANCE FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for uncollectible taxes reserve is established in the amount of -0-.

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR

BEGINNING JULY 1, 1998 AND ENDING JUNE 30, 1999

SECTION 1. The sum of \$87,748,032 representing the gross appropriation for the City of Danbury of \$131,896,390 for the fiscal year of July 1, 1998 and ending June 30, 1999, minus Indirect Revenue of \$33,048,358 minus Estimated Available Fund Balance of \$7,000,000 minus Other Financing Sources of \$4,100,000 plus uncollectible taxes reserve in the amount of \$-0- is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1997.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1998 and ending June 30, 1999 shall be as follows:

TAX RATE: 19.13 MILLS

**SECTION 3.** The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1998, October 1, 1998, January 1, 1999, and April 1, 1999 except for taxes levied and assessed on mobile homes, motor vehicles and where not in excess of One Hundred Dollars (\$100.00), which taxes shall be paid on July 1, 1998, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

**SECTION 4.** The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 1998 and ending June 30, 1999.

Mr. Setaro made a motion to adopt the Resolution levying the property tax rate for the fiscal year beginning July 1, 1998 and ending June 30, 1999 and setting the tax rate at 19.13 mills. Seconded by Mr. Levy. Motion carried unanimously.

2 - **ORDINANCE** - An Ordinance Appropriating \$500,000 for Public Improvements in the 1998-99 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to Meet said Appropriation.

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

**Section 1. The sum of \$500,000 is appropriated for the public improvements hereinafter listed:**

<u>Project</u>	<u>Estimated Cost</u>
Police/City Vehicles	\$100,000
Fire Headquarters - New Furnace and Tank Removal	50,000
South Street School - Boiler	30,450
Mapping/GIS System	188,880
Parks and Recreation Equipment	30,000
Infrastructure Improvements/ Downtown Redevelopment Area	<u>100,670</u>
Total	<u>\$500,000</u>

**Section 2.** To meet said appropriation \$500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the 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, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate

principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold 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.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal 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, may be included as a cost of the improvements in Section 1. 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. The appropriation may be expended with the approval of the Mayor and the Director of Finance to meet the actual cost of any of the projects set forth in Section 1, including actual costs which may exceed the estimated costs thereof, provided that the total amount of the appropriation is not exceeded.

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

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

Mr. Scalzo made a motion to adopt the Ordinance appropriating \$500,000 for Public Improvements in the 1998-99 Capital Budget and Authorizing the issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to Meet said Appropriation. Seconded by Mr. Shuler. Motion carried unanimously.

3 - ORDINANCE - Review and Evaluation of Government Entities  
Mr. McAllister asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

4 - ORDINANCES - Environmental Impact Commission. Dean Esposito asked that these be deferred to Public Hearing. Mayor Eriquez so ordered.

5 - RESOLUTION - Danbury Youth Services Title 5 Delinquency Pass Through Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the federal Juvenile Justice Delinquency Prevention Act of 1974 as amended to 1992, Title V, provides a dedicated fund source for states to award grants to units of general local government for delinquency prevention and early intervention projects; and

WHEREAS, a new competitive Title V Delinquency Prevention Program will be administered by the Office of Policy and Management, Policy Development and Planning Division (OPM-PDPD) of the State of Connecticut; and

WHEREAS, the City of Danbury is eligible to apply for a program grant of \$50,000 from the OPM-PDPD for delinquency prevention and early intervention projects with the overall goal of fostering a healthy and nurturing environment in which children and youth may grow and develop into productive, responsible citizens; and

WHEREAS, the grant will be used as "pass through" funds for Danbury Youth Services, Inc. which will administer the grant and also provide the required 50% match through cash and in-kind services for the grant period of July 1, 1998 through June 30, 1999.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept said grant from OPM-PDPD as "pass through" funds for Danbury Youth Services, Inc. for the purposes stated herein and to sign all documents and do all things necessary to effectuate the purposes of this grant.

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - Danbury Youth Services Pass Through Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in an amount not to exceed seventy thousand dollars (\$70,000.00) are available from the State of Connecticut Department of Education for 1998-99 Danbury Youth Services Bureau operations; and

WHEREAS, the continuation of Danbury Youth Services Bureau, for its twenty first year, is deemed to be in the best interest of the City of Danbury

NOW, THEREFORE, BE IT RESOLVED THAT, the actions of Gene F. Eriquez as Mayor of the City of Danbury, in applying for the said funds be and hereby are ratified and that Mayor Eriquez be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$70,000 for Danbury Youth Services for the fiscal period commencing July 1, 1998.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all documents, applications, or other pertinent instruments to this program.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Youth Community Policing

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management has made available the amount of \$30,000.00 for a Youth Community Policing Grant to Support School Resource Officers, and

WHEREAS, the grant period is July 1, 1998 through June 30, 1999 and no local cash match is required.

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

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - Neighborhood Assistance Act.

Mr. Shuler asked that this be deferred to Public Hearing. Mayor Eriquez so ordered.

9 - RESOLUTION - WIC Farmer's Market Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services has notified the City of Danbury Health and Housing Department of its eligibility to apply for a renewal grant for its Women, Infants and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the Danbury Health and Housing Department's WIC Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women, nursing mothers and children up to age five; and

WHEREAS, the Supplemental Nutrition Grant will be in an amount not to exceed \$232,528 and will cover the grant term from October 1, 1997 through September 30, 1998 and an additional grant year of October 1, 1998 through September 30, 1998 in the amount of \$232,528. and will require no matching funds from the City of Danbury; and

WHEREAS, the State of Connecticut Department of Agriculture has made available additional funding in the amount of \$696.00 for the Farmers Market Program for the period of mid June 1998 through September 30, 1998. The total program budget will be increased to \$233,224.

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said grant on behalf of the Danbury Health and Housing Department, and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury, is hereby empowered 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 Public Health Services and to accept said grant funds, if offered.

The Resolution was adopted on the Consent Calendar.

10 - RESOLUTION - State of Connecticut River Restoration Program

RESOLVED by the Common Council of the City of Danbury

WHEREAS, the City of Danbury has been awarded a grant from the State of Connecticut Department of Environmental Protection for the design and construction of shoreline stabilization and floodplain enhancements of the Still River in East Danbury; and

WHEREAS, the Danbury Common Council has previously authorized the Mayor and the Health Department to execute documents to compete phases of this work; and

WHEREAS, the design phase of this work has now been completed, resulting in the detailed specifications for construction work involving the improvements of the levee system in the floodplain of the river and the stabilization of a 100 foot section of the shoreline to improve fish habitat in the Still River in Commerce Park; and

WHEREAS, the City's Project Engineer has estimated that the cost of construction of these environmental improvements to be approximately \$52,000.; and

WHEREAS, the Connecticut Department of Environmental Protection has prepared a construction contract authorizing the City to expend \$62,580 for the purpose of executing all aspects of construction of these improvement areas, along with signage and brochures to promote the environmental education of these projects;

NOW, THEREFORE, BE IT RESOLVED that the Danbury Common Council hereby does authorize Mayor Gene F. Eriquez to execute any and all contracts and amendments to implement the designs of the Still River restoration project and authorize the Danbury Health Department's Coordinator of Environmental and Occupational Health Services to direct the construction of said projects.

BE IT FURTHER RESOLVED that Mayor Gene F. Eriquez is hereby authorized to execute and file applications, contracts and agreements on behalf of the City of Danbury with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Sections 22a-6(a)(2) and 22a-471 of the General Statutes of Connecticut, as amended by Public Act 94-198, and to execute on behalf of the City of Danbury all the applications, instruments, contracts and documents and accept payments and do all other things that may be necessary for state grants for the Still River Revitalization Project to enhance storm water management and wildlife habitat functions of the plain of the river and establish a 100 foot demonstration of a shoreline stabilization for Finfish Habitat Enhancement along the river corridor in Commerce Park.

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

11 - RESOLUTION - Triangle Street Railroad-Highway Grade Crossing

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS, The Connecticut Department of Transportation through the Division of Traffic Engineering administers the federally funded Rail-Highway Grade Crossing Program providing reimbursement to a municipality for the rehabilitation of an at-grade railroad crossing; and**

**WHEREAS, in February 1994, the Common Council of the City of Danbury approved a resolution authorizing the execution of documents providing for the reimbursement to Danbury of costs associated with engineering and construction phases of the rehabilitation of the Triangle Street at-grade crossing; and**

**WHEREAS, the parties, on October 17, 1994 executed an original Agreement setting forth the estimated costs of engineering and construction; and**

**WHEREAS, the parties now desire that a First Supplemental Agreement be executed providing for increased reimbursement to Danbury for adjusted construction costs of the rehabilitation project in accordance with the terms of the Supplemental Agreement;**

**NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury be and hereby is authorized to execute such documents and take such actions as are necessary to accomplish the purposes hereof, including the execution of the FIRST SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT DATED OCTOBER 17, 1994 BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DANBURY FOR RAILROAD-HIGHWAY GRADE CROSSING IMPROVEMENTS ON TRIANGLE STREET IN THE CITY OF DANBURY STATE PROJECT NO. 34-272 FEDERAL-AID PROJECT NO. STPX-3475(2).**

The Resolution was adopted on the Consent Calendar.

12 - COMMUNICATION - Request from Mayor Eriquez requesting confirmation of the promotion appointments of Detective Lieutenant James McNamara to Captain in the Union Patrol Division; the confirmation of Detective Sergeant Daniel Mulvey to Lieutenant in the Union Patrol Division; and the confirmation of Officer Michael Maroto to Sergeant in the Uniform Patrol Division; and also requesting confirmation of the assignment of Officer John Krupinsky as Detective in the Special Investigations Unit. Mr. McAllister made a motion that Lieutenant McNamara be promoted to Captain; that Detective Sergeant Mulvey be promoted to Lieutenant and Officer Maroto be promoted to Sergeant. Seconded by Miss Fox. Motion carried unanimously. Mr. McAllister made a motion that Officer Krupinsky be assigned as Detective in the Special Investigations Unit. Seconded by Mrs. Basso. Motion carried unanimously.

13 - COMMUNICATION - Request from Mayor Eriquez asking confirmation of the reappointments of J. Roger Schmiedel, Carol Smith and Marita Repole to the Tarrywile Lake Authority for terms to expire May 1, 2001. The reappointments were confirmed on the Consent Calendar.

14 - COMMUNICATION - Request from Mayor Eriquez requesting confirmation of the appointment of Elizabeth Abraham to the Commission on Persons with Disabilities for a term to expire June 1, 2001. The appointment was confirmed on the Consent Calendar.

15 - COMMUNICATION - Request from School Based Health Center Coordinator Melanie Bonjour for permission to accept donations to the School-Based Health Center in support of the "violence prevention activities". Mr. Arconti made a motion to receive the communication, accept the donations and send letters of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

16 - COMMUNICATION - Request from Director of Elderly Services Director Leo McIlrath for permission to accept donations in the amount of \$455.00. Mr. McAllister made a motion to receive the communication, credit the proper line items and send letters of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

17 - COMMUNICATION - Request from Director of Elderly Services Leo McIlrath for permission to accept a donation of computers for the Senior Center. Miss Fox made a motion the the communication be received the donation accepted and letters of thanks sent. Seconded by Mr. McAllister. Motion carried unanimously.

18 - COMMUNICATION - Donation in the amount of \$200 from the Woman's Club of Danbury/New Fairfield for the purchase of a tree. Mrs. Abrantes made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

19 - COMMUNICATION - Request from Library Director Betsy McDonough for permission to accept a donation in the amount of \$400 from the Woman's Club of Danbury/New Fairfield. Mr. Falzone made a motion that t communication be received, the donation accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Shuler. Motion carried unanimously.

20 - COMMUNICATION - Request from Director of Finance Dominic Setaro requesting the appropriate of \$52,392 to the Recycling/Solid Waste Outside Services Account for excess tonnage fees. Mr. Boynton made a motion that the communication be received and the adjustments made as requested. Seconded by Mr. McAllister. Motion carried un-animously.

21 - COMMUNICATION & CERTIFICATION - Request from Corporation Counsel Eric Gottschalk for the sum of \$322,600 for litigation expenses in the Accashian suit and for the lawsuit against the City's insurance carriers. A certification of funds was attached. Mr. Levy made a motion to receive the communication and appropriate the funds. Seconded by Mr. Arconti. Motion carried unanimously.

22 - COMMUNICATION & CERTIFICATION - Request from Director of Elderly Services Leo McIlrath for a transfer of funds in the amount of \$797 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer was authorized on the Consent Calendar.

23 - COMMUNICATION - Request from Director of Finance Dominic Setaro for a transfer of funds in the amount of \$609,476 to the existing Capital line item entitled "Technology/City". Miss Fox made a motion to receive the communication and approve the transfer of funds. Seconded by Mr. Falzone. Motion carried unanimously.

24 - COMMUNICATION & RESOLUTION - East Pearl Street Bridge Replacement - Easements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation has extended funding in the form of a loan and grant for purposes of the rehabilitation of the East Pearl Street Bridge over Blind Brook, under the local bridge program; and

WHEREAS, the Commitment to Fund was approved by the Common Council in 1996 and authorizes the receipt of State funds designated for this purpose; and

WHEREAS, in order to construct this project, certain property rights are necessary and must be acquired either through negotiation or eminent domain; and

WHEREAS, said rights are as set forth in the exhibits attached;

NOW, THEREFORE BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests as set forth in the exhibits attached hereto and made a part hereof by November 5, 1998, through negotiation or by eminent domain through the institution of suit against the interested property owners and the holders of mortgages or other encumbrances affecting the properties, if any.

Mrs. Abrantes asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

25 - COMMUNICATION - Letter from Tax Collector Catherine Skurat asking for uncollectible taxes to be transferred to the Suspense List. The transfer to the Suspense List of \$152,937.25 for the 1988 Motor Vehicle Grand List and \$147,411.64 was approved on the Consent Calendar.

26 - COMMUNICATION - Report from the Planning Commission giving a positive recommendation for the Danbury Landfill Zone Influence Study. The report was received and the resolution contained in the April 7, 1998 Common Council Agenda as item 12 related to acquisition of certain interests in real property approved on the Consent Calendar.

27 - COMMUNICATION - Letter from Assistant Corporation Counsel Laszlo L. Pinter regarding speakers in cars being regulated. More time is need for research. The communication was received and no action taken on the Consent Calendar.

28 - COMMUNICATION - Application of Belimo Aircontrols for a deferral of assessment increases for property at 43 Old Ridgebury Road. Mr. Setaro made a motion to receive the communication and approve the application for deferral of assessment increases. Seconded by Dean Esposito. Motion carried unanimously.

29 - COMMUNICATION - Reports regarding request to purchase property on Birch Trail. The positive reports from the Director of Public Works, the Planning Commission and the Director of Planning were received on th Consent Calendar, the property declared surplus and referred to the Director of Finance to determine the sales price and report back to the Common Council.

30 - DEPARTMENT REPORTS - Public Utilities, including Landfill, City Engineer, Health and Housing, Fire Chief, Fire Marshall, Police Chief, Highways, Department of Elderly Services, Welfare. Mr. Setaro made a motion to accept the department reports and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

31 - REPORT - Proposed Renumbering Hawthorne Cove Road

Mr. Setaro submitted the following report:

The Common Council met as a Committee of the Whole to review the proposed renumbering of Hawthorne Cove Road at 7:35 P.M. on April 20, 1998 in the Common Council Chambers at City Hall. The report from the Planning and Zoning Department indicated that the renumbering was requested by the Hawthorne Cove Homeowners' Association. No one spoke against the renumbering at the public hearing preceding the committee meeting. After discussion, Mr. Arconti moved to recommend to the Council approval of the renumbering of Hawthorne Cove Road as proposed by the Planning and Zoning Department. Seconded by Mr. Machado and passed unanimously.

Mr. Arconti made a motion to receive the report and approve its recommendation. Seconded by Mr. Shuler. Motion carried unanimously.

32 - REPORT - Sanitary Sewer Extension - Kenosia Avenue-Backus Avenue

Mr. Setaro submitted the following report:

The Common Council met as a committee of the whole to review the Sanitary Sewer Extension - Kenosia Avenue, Backus Avenue to the Airport at 7:35 P.M. on April 20, 1998 in the Common Councils in City Hall. The report from the Director of Public Works included preliminary assessments for the project. No one spoke against the project or assessments at the public hearing preceding the committee meeting. Mr. Levy moved to recommend to the Council approval of the preliminary assessments and sanitary sewer extension Kenosia Avenue, Backus Avenue to Airport. Seconded by Mr. Machado and passed un-animously.

The report was received and no action taken until funds are made available on request on the Consent Calendar.

Mr. Setaro submitted the following report:

The committee appointed to review the DEP Grant for the purchase of a regional tub grinder met on April 27, 1998 at 6:30 P. M. in Room 432 in City Hall. In attendance were committee members Setaro, Levy and Basso. Also attending were Director of Finance Dominic Setaro, Superintendent of Public Utilities William Buckley, HRRRA Director Bob Palmer and HRRRA Assistant Director Paul Avery.

Mr. Palmer explained that a tub grinder mulches wood material, that the DEP Grant at issue makes available funds for a regional tub grinder and that the tub grinder would be used by HRRRA municipalities which would pay a fee per usage. He added that the cost of the tub grinder would be approximately \$326,000 and he anticipated that a private entity would be responsible for maintaining the machinery. Mr. Buckley and the Director of Finance indicated that an application for the grant is currently before the Common Council, that the financial benefit would be analyzed as the details become available and a recommendation would be made if the Common Council revisits the issue of accepting the grant if awarded by the DEP.

Mrs. Basso stated that she had been concerned that approval of the grant application would bind the City when other options may be possible. Mr. Setaro stated that if the grant were awarded to the region the issue of acceptance would come before the Common Council.

Mr. Levy moved to recommend to the Common Council approval of the resolution authorizing the HRRRA to make application to the DEP for a grant for a regional tub grinder. Seconded by Mrs. Basso and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS, the Connecticut Department of Environmental Protection (CTDEP) provided grant money to regional recycling programs and single municipalities to implement the Mandatory Recycling Act (P.A. 87-544) which prohibited the permanent disposal in landfills and energy recovery facilities after January 1, 1991, of items designated by the CTDEP as required to be recycled; and**

**WHEREAS, this initial start up grant program has helped the state reach the current, approximately 25% recycling rate through the separation from the solid waste stream prior to disposal of items both designated and not designated by the CTDEP as required to be recycled, and Section 22a-220(f) of the Connecticut General Statutes establishes a goal of source reducing and recycling 40% of the state's solid waste by January 1, 2000; and**

**WHEREAS, bond money from this initial start up grant program will be made available on a competitive basis to assist recycling regions and municipalities in reaching the 40% goal; and**

**WHEREAS, the Housatonic Resources Recovery Authority (HRRRA) has stated its intent to apply for a DEP grant to purchase a regional tub grinder to be shared by certain member municipalities of the 11 comprising the HRRRA under a comprehensive plan to recycle yard and wood waste generated and delivered by residents and businesses within these towns.**

**NOW, THEREFORE, BE IT RESOLVED that the Housatonic Resources Recovery Authority is authorized to act on behalf of the City of Danbury in making an application to the Commissioner of Environmental Protection and to receive a grant to develop a comprehensive yard and wood waste recycling program plan.**

**BE IT FURTHER RESOLVED that Danbury agrees to participate in the project by retaining adequate staffing to complete the project, providing relevant data to the HRRRA, attending meetings when requested and evaluating and taking action in a timely manner on proposals made regarding this project.**

The report was received and the resolution approved authorizing the HRRRA to make application to the DEP for grant for a regional tub grinder on the Consent Calendar.

34 - REPORT - Request for Relief on Tax Bill - 20-20A White Street

Miss Fox submitted the following report:

The Common Council Committee appointed to review the request for relief on a tax bill at 20-20A White Street met at 7:30 P. M. on April 28, 1998 in Room 432 in City Hall. In attendance were committee members Fox, Smith and Moore. Also in attendance were Superintendent of Public Utilities William Buckley, Assistant Corporation Counsel Laszlo Pinter, Director of Finance Dominic Setaro and the owner Robert Feinson.

Mr. Feinson explained that he had never received a bill for several years worth of water and sewer taxes at 20-20A White Street until recently and that he had not even been aware that there was a meter in the building. The bill included interest and lien fees accruing from several years ago. He also stated that the bill fluctuated erratically from quarter to quarter and he questioned the accuracy of the bill. Mr. Setaro stated that the City had been incorrectly sending the bills to the wrong owner and address. He also stated that it was the policy of the City in these situations to rebill the current owner at the correct address and allow the owner thirty days to pay the principal portion of the bill excluding any interest and lien fees, resulting from the owner never receiving the bill. Mr. Buckley stated that the Water Department believed that the meter was recording correctly, but that he would recheck the meter to determine that it was in working condition. If the meter is found to be inaccurate, the June, 1998 tax bill from the City will be adjusted to reflect a credit for these previously billed taxes.

Mr. Moore made a motion to waive the interest and lien fees on the water and sewer bills for 20-20A White Street. Seconded by Mrs. Smith. The motion passed unanimously.

The report was received and the recommendations regarding the request for relief on water and sewer use charges approved on the Consent Calendar.

35 - COMMUNICATION & RESOLUTION - Assignment of Real Property Tax Liens

Mr. Setaro made a motion to add this item to the agenda. Seconded by Mr. Levy. Motion carried with Mr. Gallagher voting in the negative.

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, Connecticut General Statutes §12-195h authorizes any municipality to assign, for consideration, any and all liens filed by the tax collector to secure unpaid taxes on real property; and,

**WHEREAS**, on August 15, 1997 the City of Danbury assigned certain real estate tax liens appearing on the grand lists of October 1, 1982 through October 1, 1995 to Transamerica Business Credit Corp. (hereinafter referred to as, "Transamerica"); and,

**WHEREAS**, the assignment of additional tax liens on the grand list of October 1, 1996 or any grand list prior thereto to Transamerica would further reduce the administrative burden upon the Danbury Tax Collector for the benefit of the city;

**WHEREAS**, said assignment of tax liens is found to be in the best interests of the City of Danbury;

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY** that, Mayor Gene F. Eriquez be and hereby is authorized to assign to Transamerica any and all liens filed by the tax collector to secure unpaid taxes on real property appearing on the grand list of October 1, 1996 or any grand list prior thereto. Mayor Eriquez is further authorized to execute any agreements or amendments thereto as may be required to accomplish the purposes hereof.

Mr. Setaro made a motion to receive the communication, adopt the Resolution and authorize Mayor Eriquez to assign to Transamerica any and all liens filed by the tax collector to secure unpaid taxes on real property appearing on the grand list of October 1, 1996 or any grand list prior thereto and to execute any agreements or amendments thereto as may be required. Seconded by Mrs. Abrantes. Motion carried unanimously.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Gallagher for the meeting to be adjourned at 9:45 P.M.

Respectfully submitted,

  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

  
Elizabeth Crudginton  
City Clerk