

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

RE: Minutes of the Special Common Council Meeting held July 20, 1998

The meeting was called to order at 7:00 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT - Scalzo, Smith, Buzaid, Dean Esposito, Setaro, John Esposito, Levy, Abrantes, Charles, Basso, Falzone, Fox, Gallagher, Moore, Saracino

ABSENT - McAllister, Arconti, Boynton, Machado, Shuler Adames

15 Present - 6 Absent

Mr. Boynton was out of town, as was Mr. Arconti. Mr. Shuler had a previous engagement. Mr. McAllister was on vacation.

NOTICE OF THE SPECIAL MEETING - A Special Meeting of the Common Council of the City of Danbury will be held on the 20th day of July, 1998 at 7:00 P.M. at the City Hall in said Danbury. Mr. Setaro made a motion that the call and return of service be accepted. Seconded by Mr. Levy. Motion carried unanimously.

PUBLIC SPEAKING

There were no members of the public wishing to address the Common Council.

1 - **RESOLUTION** - Resolution with Respect to the Issuance and Sale of \$22,495,000 City of Danbury General Obligation Bonds

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

Section 1. \$6,000,000 of the \$10,800,000 unissued balance of the \$14,900,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The CityWorks 2000 Program) And Authorizing The Issue of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on July 2, 1996 and approved by the electors at a referendum on November 5, 1996, shall bear an original issue date of August 1, 1998 and mature \$300,000 on August 1 in each of the years 1999-2018, both inclusive.

Section 2. \$4,100,000 of the \$8,100,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Appropriating \$8,100,000 For Completion Of The Landfill Closure And Authorizing The Issuance of \$8,100,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making of Temporary Borrowings For Such Purpose", adopted by the Common Council on May 12, 1997 and approved by the electors at a referendum on June 24, 1997, shall bear an original issue date of August 1, 1998 and mature \$205,000 on August 1 in each of the years 1999-2018, both inclusive.

Section 3. \$11,000,000 of the \$13,000,000 unissued balance of the \$19,000,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Appropriating \$19,000,000 For Reconstruction Of The Margarie Water Treatment Plant, Improvements To West Lake Treatment Plant, Construction Of Additional Transmission Lines and Related Water System Improvements And Authorizing The Issuance Of \$19,000,000 Bonds of the City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on August 2, 1994 and approved by the electors at a referendum on November 8, 1994, shall bear an original issue date of August 1, 1998 and mature \$550,000 on August 1 in each of the years 1999-2018, both inclusive.

Section 4. \$1,395,000 of the \$2,500,000 bonds of the City authorized pursuant to an ordinance entitled “An Ordinance Appropriating \$2,500,000 For Water Service Extensions And Authorizing The Issuance of \$2,500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, adopted by the Common Council on September 6, 1995, shall bear an original issue date of August 1, 1998 and mature \$65,000 on August 1, 1999 and \$70,000 on August 1 in each of the years 2000-2018, both inclusive.

Section 5. Said \$6,000,000, \$4,100,000, \$11,000,000 and \$1,395,000 bonds referred to in Sections 1 and 4, hereof, shall be combined into and issued and sold as a single issue of \$22,495,000 City of Danbury General Obligation Bonds, bearing an original issue date of August 1, 1998, maturing, in combination, \$1,120,000 on August 1, 1999, and \$1,125,000 on August 1 in each of the years 2000-2018, both inclusive, bearing interest payable on February 1 and August 1 in each year until maturity, commencing February 1, 1999 (the “Bonds”). The Bonds maturing on August 1, 2009 and thereafter are subject to redemption at the respective prices set forth in the following table together with interest accrued and unpaid to the redemption date:

<u>Redemption Date</u>	<u>Redemption Price</u>
From: August 1, 2008 to July 31, 2009	102%
August 1, 2009 to July 31, 2010	101%
August 1, 2010 and thereafter	100%

Section 6. \$10,100,000 of the Bonds are determined to be issued for General Public Improvement purposes and shall be includable in the City’s aggregate indebtedness for purposes of the City’s statutory limitation on indebtedness under Section 7-374 of the General Statutes of Connecticut as debt for General Public Improvement projects.

Section 7. State Street Bank and Trust Company of Connecticut, N.A., of Hartford, Connecticut, is hereby appointed as agent of the City to act as Registrar and Transfer Agent, Certifying Bank and Paying Agent and with respect to the Bonds.

Section 8. The Bonds shall be issued as book-entry bonds in accordance with the terms and provisions set forth in a Letter of Representations from the City of Danbury to The Depository Trust Company.

Section 9. The Mayor and City Treasurer are hereby authorized to execute and deliver a Tax Regulatory Agreement on behalf of the City of Danbury in such form and containing such terms and provisions as they deem necessary and appropriate, and to rebate to the Federal Government such amounts, if any, as may be required pursuant to the Tax Regulatory Agreement for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended.

Mr. Levy made a motion to adopt the Resolution. Seconded by Dean Esposito. Motion carried unanimously.

2 - **RESOLUTION** - Local Law Enforcement Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the U. S. Department of Justice, Bureau of Justice Assistance (BJA) under the Fiscal Year 1997 Omnibus Appropriations Act (Pub.L.104208) has advised the City of Danbury of its eligibility to apply to BJA for a direct award of \$47,247 under this program with a local cash match of \$5,250.00 required, and

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

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

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

Miss Fox made a motion to accept the communication and adopt the Resolution. Seconded by Mrs. Abrantes. Motion carried unanimously.

(At 7:10 P.M. Mr. Machado arrived and was marked present)

3 - **RESOLUTION** - Brownfields Pilot

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury acquired properties on 13 Barnum Court, 11 Jansen Street and the Mallory Hat Factory on Rose Street through foreclosure proceedings due to delinquent back taxes by the former owners of the properties; and

WHEREAS, the City assumed ownership of the properties for the dual purpose of restoring environmental conditions to make it conducive for resale; and

WHEREAS, the commercial rehabilitation and resale of this property is dependent on remediating the subsurface conditions of each property to conform to Connecticut's Voluntary Cleanup Standards, as required by lending institutions that would be used by potential buyers of the property; and

WHEREAS, the City's environmental consultant, retained to conduct a Phase III environmental site assessment for each property has identified the contamination problems that need to be remediated and has outlined a final scope of studies to determine the source and extent or migration of the contaminants in soil, groundwater and surface water; and

WHEREAS, the Environmental Protection Agency is offering funding, to be applied for on a competitive basis to provide environmental assessment for focusing the cleanup of contaminated properties that will or have been foreclosed upon by municipalities who intend to redevelop said properties, through their "Brownfield" initiative; and

WHEREAS, the City if successful in obtaining this EPA Brownfield grant, will be able to complete the final environmental assessment work that is a necessary prerequisite for site remediation;

NOW, THEREFORE, BE IT RESOLVED THAT the Danbury Common Council hereby authorized Mayor Gene F. Eriquez to make application for said Brownfield grant and to enter into an agreement with the Environmental Protection Agency to conduct the studies that have been identified in the proposal prepared by the Danbury Health Department entitled "Demonstration of a focused assessment and evaluation of in site remediation of contaminants at a central urban site in Danbury, Connecticut."

Mr. Levy made a motion to accept the communication and adopt the Resolution. Seconded by Mrs. Abrantes. Motion carried unanimously.

4 - **RESOLUTION** - Amended School Readiness Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, through the State Board of Education is making available to priority school districts a School Readiness and Child Day Care Grant Program pursuant to Public Act 97-259; and

WHEREAS, the purpose of this program would expand and enhance school readiness and child day care programs in the priority municipalities; and

WHEREAS, the City of Danbury and its Board of Education are desirous of participating in these grants program in the amounts of \$1,281,238 and \$55,428; and

WHEREAS, the in-kind match required will be provided by the sub-grantees; and

WHEREAS, the time period for the grant is July 1, 1998 through June 30, 1999.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez be and hereby is authorized to accept said grant, and execute such documents as are necessary for the accomplishment of the purposes hereof.

Ms. Fox made a motion that the communication be accepted and the Resolution adopted. Seconded by Mr. Buzaid. Motion carried unanimously.

Mayor Eriquez extended all committee.

Mayor Eriquez at the request of the Council President replaced him on the following committees: Request for Funds for the Danbury Museum - Levy and on the BSI committee, Mr. Levy will Chair and Mrs. Abrantes will be added as a member.

There being no further business to come before the Common Council a motion to adjourn was made at 7:17 P.M. by Mr. Gallagher.

Respectfully Submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk