

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

RE: Minutes of the Common Council Meeting held May 2, 2000.

Mayor Eriquez called the meeting to order at 7:35 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – Levy, Scalzo, Smith, Saadi, Buzaid, Dean Esposito, Machado, Shuler, Coco, Arconti, John Esposito, Pascuzzi, Basso, Furtado, Gallagher, Martin Moore, Michael Moore, Saracino

ABSENT – McAllister, Abrantes, Gogliettino

18 PRESENT – 3 ABSENT

**PUBLIC SPEAKING:**

1. James LeClair – 29 Beech Street – Spoke in favor of supporting Volunteer Fire Service. He is a member of Germantown Hose, the largest organization among the volunteers. Volunteers provide: 1. Superior Level 2. Positive Force in community 3. Deserve respect and support. Please support the volunteers in this budget.

2. John DiBenedetto – 15 Tanglewood Drive – Member of Mill Plain Hose. Spoke in favor of financial support for the volunteer firefighters. Training is the same as paid firefighters..

3. Bob Scalzo – President of Phoenix No. 8 – Spoke in favor of volunteer money. The volunteers were honored for their help with hurricane Floyd. Please continue to support volunteers with money requested in the budget.

4. Hermanio Rodriguez – 27A Morris Street – Thanked the Council and the community for their continued support. Please continue.

**MINUTES** – Minutes of the Common Council meeting held April 4, 2000 and Special Common Council Meeting held April 25, 2000. President Arconti made a motion to accept the minutes as presented and the reading was waived as all members have copies, which are also on file in the Office of the City Clerk for public inspection. Seconded by Dean Esposito. Motion carried unanimously.

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

5 – Adopt the resolution to apply for and accept a grant from the State of Connecticut, Department of Transportation, in the amount of \$3,850. for a Memorial Day / Fourth of July DUI Enforcement Program”, and approve the local match

6 – Adopt the resolution to apply for and accept a grant from the State of Connecticut, Office of Policy and Management, in the amount of \$45,000 for the City’s Safe Summer Youth Recreation Program

9 – Adopt the resolution to revise the agreement regarding the Miry Brook Emergency Watershed Project as reflected in the correspondence.

13 – Approve the transfer of \$10,000 into the Fire Department Special Services Account, pending certification.

14 – Approve the transfer of \$4,000 from the excess State Revenues account to Airport accounts as described

15 – Approve the transfer of \$5,000 from the excess State Revenue account to the City Clerk’s budget line item, “Legal & Public Notices”.

16 – Approve the transfer of \$349. from the Elderly Services donations account to the Commission on Aging budget as described.

21 – Accept the correspondence and approve the request for an additional 30 days.

22 – Accept the correspondence and approve the request for an additional 30 days

23 – Accept the correspondence and approve the reimbursement of \$1,534.66 to Edelman Metalworks, pending certification

31 – Accept the correspondence and approve the easement to MJA Realty Associates, Limited Partnership, 195 – 197 Main Street

- 32 – Accept the correspondence and approve the lease regarding Lot J09144 on Elizabeth Road
- 33 – Accept the correspondence and approve the reimbursement of \$1,937 to Business Aircraft Center, pending certification.
- 34 – Accept the correspondence and approve the recommendation regarding CCTV for Crime Prevention on public streets.
- 35 – Accept the correspondence regarding the assignment of street numbers on Hull Road
- 36 – Approve the report and recommendations regarding Governmental Entities Review and Evaluation
- 37 – Approve the report and recommendation regarding Final Water Assessments – Wood Street
- 39 – Approve the report and recommendation regarding the amendment of Connecticut Basic Building Code
- 40 – Approve the report and recommendation regarding required contract provisions
- 41 – Approve the report and recommendations regarding parking of commercial vehicles
- 42 – Approve the report and recommendation regarding Uniform Valuation of Personal Property
- 43 – Approve the report and recommendation regarding the Noise Ordinance, recognizing one vote in the negative

Mr. Scalzo made a motion to adopt the Consent Calendar as read. Seconded by Mr. Buzaid. Motion carried unanimously.

1. ORDINANCE & RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2000 and Ending June 30, 2001 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2000 and Ending June 30, 2001.

a. GENERAL GOVERNMENT I BUDGET REPORT.

Mr. Levy submitted the following report:

The General Governmental I Budget Committee met on April 25, 2000 at 7:30 p.m. in conference room 3 in City Hall. In attendance were committee members Levy, Gogliettino, Michael Moore, Martin Moore. Committee member Coco was absent. Also in attendance were Mayor Eriquez, Dominic Setaro, Director of Finance, Dennis Elpern, Director of Planning, Betsy McDonough, Library Director, John W. Hoffer, Library Board of Directors, Paul Estefan, Airport Administrator, Julio Lopez, Acting Director of Personnel, Ex-Officio Council members, Scalzo, Furtado and Basso.

Mr. Levy called the meeting to order at 7:30 p.m. Only department heads that the committee felt they needed additional information from were asked to attend. The review of the budget started with Account #7000 Danbury Public Library. The committee asked why the account line item for books was not funded. The Library Director said that a \$162,000 dollars of fire insurance was used to buy books. There is \$90,000.00 dollar of insurance money left in this account for next year's budget. The committee also asked about the million dollars that was willed to the City Library. Mr. Hoffer said that the executor has no yet settled the estate.

Account #9200 Airport

The committee had questions about lease rates. The Airport Administrator explained that many of the leases at the airport are old and reflect rental rates of the land only. The buildings are lease holding improvements that become the property of the city at the end of the lease. The Finance Director noted that the income from the airport has increased in recent years and is now very close to breaking even.

Account #1270 Personnel Department / Civil Service

The Acting Director of Personnel said the proposed department budget was adequate to meet current operational needs with the exception of the part time services. The Finance Director said money would be made available for this account when needed. The Mayor said the position of Director of Personnel will be filled shortly.

Account #1180 Planning

The Planning Director explained the financial impact on his department with the creation of the Division of Permit Coordination. He said that he was satisfied that the department had sufficient resources to deliver services more efficiently with the new configuration.

Account #1060 Registrars & Elections

It was noted by the committee members that this is an election year for the 2 Registrars and the proper time for a salary adjustment. The Finance Director said that other salary positions increased by 3%. Committee members agreed to address this issue at the end of the budget review.

Account #1005,1010,1020,1030,1040, 1150, 1160, 1170, 1260, 1280, 1290, 1300, 1310, 7001,9201, 9400

The Committee with the Director of Finance and the Mayor reviewed each of the General Government I accounts. Some of the high lights of the question and answer session are as follows. The city will be hiring a part time attorney 3 days a week 7 hours a day. This will help with the workload that has been growing as the city has been growing. The City is joining the National League of Cities. This is a good investment that the City can use as an information resource.

After additional discussion Councilman, Mike Moore made a motion to recommend the adoption of the Government I Budget as proposed by the Mayor with the following amendment. The Registrars regular salaries account 1060.5020 shall be increased by \$1,126.17 commencing January 1, 2001 and a 3% increase commencing July 1, 2001 with the same amounts being decreased in the contingency account. Seconded by Councilman Gogliettino. Motion was passed with Councilman Levy, Councilman Moore and Councilman Gogliettino voting yes. Councilman Moore voted no.

Motion to adjourn by Councilman Mike Moore at 9:55 p.m.

Mr. Arconti made a motion to accept the General Government I report as reported and adopt its recommendations. Seconded by Mr. Scalzo. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

b. GENERAL GOVERNMENT II BUDGET

Mrs. Smith submitted the following report.

The General Government II Budget committee met on April 20, 2000 at 8:15 p.m. in the third floor Caucus Room at City Hall. In attendance were committee members Smith, Abrantes, Arconti, Buzaid and Basso. Also in attendance were the Director of Finance Dominic Setaro and Council Members Michael Pascuzzi, ex officio.

The committee discussed each department's budget with the Director of Finance. He explained what each department was and what changed occurred, if any. He stated that the Data Processing Department is growing because of the investment in technology. The City is putting in a second server. Under the Grants budget, Mr. Setaro stated that each grant is the same dollar amount except for Veterans Graves. Community Action has been reduced by \$5,000. Mrs. Saracino stated that the Music Center requested \$8,000. but was given money from his discretionary account in the past and the increase should eliminate any further requests. The committee discussed grants to PAL, MCCA, the War Memorial and Dahtahr.

Mr. Setaro explained various expenses such as FICA, Pension Expense, Employee Service Benefits, Workers Compensation, Employees Health and Insurance, Interest on Debt, Debt Service and the Capital Budget.

Mr. Setaro stated that the Contingency Fund is at \$390,000. This is used for emergencies, legal expenses and the balance for union contracts.

Mr. Arconti made a motion to recommend adoption of the General Government II Budget as recommended by the Mayor. Seconded by Mrs. Abrantes. Motion carried with Mrs. Basso voting in the negative.

Mr. Levy made a motion to accept the General Government II report and adopt its recommendations. Seconded by Mr. Furtado. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

c. EDUCATION COMMITTEE

The Common Council Education Budget Committee met on April 26, 2000 at 7:00 p.m. in Danbury City Hall. In attendance were committee members Gallagher, Scalzo, Abrantes, Shuler and Saracino. Also in attendance were Danbury School's Superintendent Tim Connors, Assistant Superintendents; Robert Dylewski and William Glass, Board of Education members; Louis Rotello, Ellen Morelock, George O' Loughlin, Gladys Cooper, Joan Hodge, William Warfield and Common Council members Warren Levy and Tom Arconti ex officio. The Director of Finance Dominic Setaro later joined the meeting.

Mr. Connors gave a brief overview and update of the Board of Education' budget request in conjunction with the Mayor's proposed budget. He stated that in attempting to work within the Mayor's proposed budget, the school system would set aside various objectives originally included in their budget request. This effort, coupled with significant adjustments to certain accounts such as health insurance, would reduce the initial request but still leave a projected budget shortfall of approximately \$1,500,000.00. Mr. Connors stressed that increased enrollment was a primary factor in requesting additional funding.

The meeting proceeded with committee members inquiring about various education budget line items such as; health insurance, state and federal grants, bilingual education, refuse removal, benefit package to part time employees, public utilities, custodial staff and equipment.

Mr. Shuler moved to recommend to the Common Council adoption of the Mayor's proposed education budget for the 2000-2001 in the amount of \$73,660,263.00. Mr. Scalzo seconded the motion. The ensuing discussion focused mainly on the following points;

- \* certain objectives included in the original Board of Education request, such as expanded All Day Kindergarten, would not be possible to implement due to facility constraints and thus were a moot point.

- \* historically the Board of Education has been able to attain additional funding subsequent to the adoption of the City budget

- \* potential further reductions in estimated expenditures are possible in areas such as health insurance and thus the level of funding proposed would ultimately be adequate to meet the needs as defined by the Superintendent and the Board of Education.

The motion carried unanimously.

Mr. Scalzo made a motion to accept the Education report and adopt its recommendations. Seconded by Mr. Shuler. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

#### d. PUBLIC WORKS REPORT

Councilman Machado submitted the following report:

The Public Works Budget Committee met on April 25, 2000 at 7:33 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Machado, John Esposito, Saadi and Pascuzzi. Martin Moore was attending the General Government I Budget Committee, as was the Director of Finance Dominic Setaro. Also in attendance were Superintendent of Public Works William Buckley and Council Members Tom Arconti and Dean Esposito, ex-officio.

Mr. Machado stated that the committee would go over the budget department by department.

Public Buildings – John Esposito asked about the reduction in the training course line item. Mr. Buckley said that when training courses come up he transfer money from the salary line item.

City Hall Building – Mr. Buckley stated that cleaning services are now being contracted out. John Esposito asked about the Maintain Building Structure line item. Mr. Buckley stated that after reviewing previous years he feels that he can live with this. Mr. Pascuzzi asked about the Maintain Fire Alarms cut. Mr. Buckley stated that he originally put in the request in December, 1999, but three months later he had a better handle on what costs would be.

Police Station Building – Mr. Saadi asked about the lower allocation in the Maintain Building Structures line item. Mr. Buckley stated that the original request included painting. Money is available now for the painting.

Highways – John Esposito asked if the Maintain curbs and sidewalks account is hidden somewhere. Mr. Buckley said it is in Engineering. If the Highway crew does the work, the money is transferred. Dean Esposito asked if the Highway Department was operating at full contingent would he have a problem with this budget. Mr. Buckley said he would but he has never had a full contingent.

State Aid – John Esposito asked if the cut was made by the State. Mr. Buckley said he does not know what we will get from the State.

Equipment Maintenance – Mr. Buckley stated that he is down one mechanic. John Esposito asked about the reduction from \$51,700 to \$31,700 in the Maintain Fire

Alarms line item. Mr. Buckley said we are getting the same amount of work for the lower cost. John Esposito asked about the Agricultural Equipment line item. It was \$6,210 and now is not funded at all. Mr. Buckley said it was for a piece of equipment purchased last year. Mr. Pascuzzi asked about the \$1,500 for radios. Mr. Buckley said this request was not funded.

Recycling and Solid Waste – John Esposito said that the leaf collection program is outstanding, but would it be possible to have the same type of program for grass and brush. Mr. Buckley said that he is currently in negotiations for such a program.

Engineering – John Esposito asked how the process of hiring a new engineer was progressing. Mr. Buckley stated that to his knowledge there was no list as yet. Mr. Saadi asked how far behind sewer assessments are. Mr. Buckley stated that the last one was dated October 4, 1994.

Parks and Recreation- John Esposito noted that this department received almost the exact amount of funding as requested. However, he is concerned about the lack of maintenance at Rogers Park. Mr. Setaro stated that some piping work has been done at the Rogers Park Pond. As to the maintenance, trash is cleaned up and a few hours later there is more due to the high level of activities in the park. Mr. Esposito asked if there is enough money in the account and Mr. Setaro said they have not been able to fill the vacancies.

Sewer Fund – Mr. Buckley noted that \$161,000 for income on sewer is the amount anticipated from Newtown.

Tarrywile Park Authority – Mr. Setaro stated that they were given a three- percent increase over last year. They have requested a park ranger, an all terrain vehicle, replacement of a structural support beam, maintenance of the Children's Garden and a gate. Dean Esposito asked how much revenue the Park brings in. Mr. Setaro said the total amount was \$103,000.

Cultural Commission – Mr. Machado noted that there was some increase. Mr. Setaro said that this was because the Mayor was getting requests for funds from his discretionary fund and this increase should alleviate this.

John Esposito questioned the one full time position in the City Hall Building budget for \$32,000. Mr. Setaro said that it was for the security guard.

John Esposito made a motion to recommend adoption of the Mayor's proposed Public Works Budget. Seconded by Mr. Pascuzzi. Motion carried unanimously.

Mr. Levy made a motion to accept the Public Works report and adopt its recommendations. Seconded by Mr. Buzaid. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

e. HEALTH HOUSING, PUBLIC SAFETY AND SOCIAL SERVICES REPORT

Councilman Dean Esposito submitted the following report:

The Health & Housing, Public Safety and Social Services Budget committee met on April 26, 2000 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Dean Esposito, Manny Furtado and Emile Buzaid. Mary Saracino was attending the Education Budget Committee meeting also scheduled. Paul McAllister was absent. Also in attendance were Police Chief Robert Paquette, Police Captain Art Sullo, Fire Chief Carmen Oliver, Deputy Chief Pete Siecienski, Director of Health and Housing William Campbell, Director of Finance Dominic Setaro, Civil Preparedness Director Paul Estefan, Director of Welfare Deborah MacKenzie and Council Members Pauline Basso and Warren Levy, ex-officio.

Mr. Esposito stated that they would go over each department budget line item by line item.

**Police Department**

Salaries Regular – Mr. Furtado asked if there is a full contingent at present. Chief Paquette said that a full contingent would be 150 sworn officers. Presently, three officers are injured and there are nine vacancies. Mr. Furtado asked the Chief if he was

happy with his figures. The Chief responded that the numbers are an educated guess. Unencumbered balances are used for purchases and he hopes having this flexibility will continue. He feels that the training budget could be increased. He spoke about a training simulator that he has purchased and that he is very impressed with it.

Special Services Account – Mr. Esposito asked for an overview from Mr. Setaro and inquired whether these funds can be used. Mr. Setaro said that he would have to go into the revenue side for an adjustment and he does not recommend doing this.

School Crossing Guards – Mr. Esposito stated that he feels this is inadequate pertaining to the number of employees. Chief Paquette said 36 out of a total of 40 positions are filled. It is difficult to hire people for these positions. He has had requests from schools and from parents for additional guards. The salary is approximately \$78 per week. Mr. Esposito stated that if salaries were increased the City might be able to attract more people. Mr. Setaro said that they were given a five-percent raise about one year ago and the funds are available for a further increase.

Training Courses – Mr. Esposito said that this is a concern of the public as well as of the committee. He asked the Police Chief for an overview of the situation. Chief Paquette stated that issue of sufficient training is becoming a severe legal one. Police Officers are suing municipalities because they feel they do not have enough training. Documenting training is very important. Arms simulator training will go to that end. Funds come from the training budget as well as from the Overtime Account. Officer training courses are a yearly occurrence, which must be complied with, or officers will lose their certification.

Mr. Esposito noted that the Chief had submitted a request for \$12,500 but the Mayor reduced it to \$10,000. The Chief stated that he feels that \$12,500 is realistic. Mr. Setaro said that training courses come from more than one line item. There are grants that are used as well as the overtime budget. You could allocate \$5,000 but it might not be used the Chief might do most of the training in-house.

Discussions followed concerning reimbursement for college courses, the reduction in the Outside Services Account, the hiring of pre-trained officers, the purchase of software, clothing allocations, motor fuel, office equipment and automotive equipment maintenance.

### **Fire Department**

Regular Salaries – Mr. Furtado asked if there is 100% funding. Chief Oliver said he is funded for 100% of the Table of Organization. Some savings will be realized due to retirement. There is \$100,000 earmarked in the overtime account for training.

Training Courses – Chief Oliver said they have taken a hit because the training facility was closed. Chief Oliver said they are looking into a regional training facility and are looking to the State for funding.

Discussions followed concerning leased equipment, rental real estate, maintain building-structures and volunteers.

### **Civil Preparedness**

Paul Estefan explained how operations occurred during Hurricane Floyd and also recommended a complete communications study.

Further discussions following concerning the crossing guards and the lack of accountability of the Volunteer Firefighters budget.

Mr. Furtado made a motion to recommend an increase in the Police Department Training Courses line item from \$10,500 to \$15,000, said funds to come from the regular salaries line item. Seconded by Mr. Buzaid. Mrs. Saracino, at the beginning of this meeting, asked to be put on record as supporting this increase. Motion carried unanimously.

Mr. Furtado made a motion to recommend an increase in the crossing guards' salaries, with any shortfall to come from other line items. Seconded by Mr. Buzaid. Motion carried unanimously.

Mr. Furtado made a motion to recommend adoption of the Mayor's proposed Health and Housing, Public Safety and Social Services budget, including the recommended amendments. Seconded by Mr. Buzaid. Motion carried unanimously.

Mr. Saadi made a motion to accept the Health Housing, Public Safety and Social Services report and adopt its recommendations. Seconded by Mr. Buzaid. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

The Director of Finance Dominic Setaro read the Ordinance, as amended, for the record:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 AND ENDING JUNE 30, 2001.

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

SECTION 1. That the amounts hereinafter set forth aggregating \$139,524,338 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, 2000 and ending June 30, 2001.

	<u>MAYOR'S</u>	<u>FINAL</u>
I. <u>GENERAL GOVERNMENT</u>	<u>BUDGET</u>	<u>BUDGET</u>
Common Council	\$ 8,100	\$ 8,100
Mayor's Office	286,474	286,474
City Clerk's Office	70,522	70,522
Ordinances	6,975	6,975
Probate Court	12,850	12,850
Registrars & Elections	111,914	113,040
City Treasurer	24,197	24,197
Director of Finance	677,544	677,544
Data Processing/Info Tech	1,367,456	1,367,456
Independent Audit	38,800	38,800
Bureau of Assessments	309,152	309,152
Board of Assessment & Appeals	3,850	3,850
Tax Collector	458,564	458,564
Purchasing	229,565	229,565
Corporation Counsel	632,908	632,908
Town Clerk	390,362	390,362
Annual Report	5,000	5,000
Planning Department	495,859	495,859
Conservation Commission	2,075	2,075
Personnel Department/Civil Service	272,880	272,880
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,475	1,475
City Memberships	67,754	67,754
Lake Authority	41,271	41,271
Retirement Administration	71,750	71,750
Labor Negotiations	40,000	40,000
	<u>MAYOR'S</u>	<u>FINAL</u>
<u>GENERAL GOVERNMENT</u>	<u>BUDGET</u>	<u>BUDGET</u>

Public Buildings	\$ 793,480	\$ 793,480
City Hall Building	272,747	272,747
Library Building	135,606	135,606
Police Station Building	145,420	145,420
Senior Center Building	22,985	22,985
Old Library Building	<u>21,690</u>	<u>21,690</u>
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$ 7,029,225</u>	<u>\$ 7,030,351</u>
II. <u>PUBLIC SAFETY</u>		
Police Department	10,253,828	10,253,828
Animal Control	148,577	148,577
Fire Department	7,465,181	7,465,181
Ambulance Fund	209,351	209,351
Building Inspector	500,628	500,628
Department of Civil Preparedness	<u>3,975</u>	<u>3,975</u>
<u>TOTAL PUBLIC SAFETY</u>	<u>\$18,581,540</u>	<u>\$18,581,540</u>
III. <u>PUBLIC WORKS</u>		
Director of Public Works	\$ 4,458	\$ 4,458
Highways	1,800,417	1,800,417
State Aid – Highways	473,708	473,708
Snow and Ice Removal	347,500	347,500
Street Lights	410,000	410,000
Public Building Maintenance and Repair	408,755	408,755
Equipment Maintenance	684,761	684,761
Recycling/Solid Waste	308,510	308,510
Engineering Department	<u>912,463</u>	<u>912,463</u>
<u>TOTAL PUBLIC WORKS</u>	<u>\$ 5,350,572</u>	<u>\$ 5,350,572</u>
IV. <u>HEALTH &amp; HOUSING DEPARTMENT</u>		
Health & Housing	<u>\$ 764,667</u>	<u>\$ 764,667</u>
<u>TOTAL HEALTH &amp; HOUSING</u>	<u>\$ 764,667</u>	<u>\$ 764,667</u>
	<u>MAYOR'S</u>	<u>FINAL</u>
V. <u>PUBLIC WELFARE, SOCIAL AGENCIES</u>	<u>BUDGET</u>	<u>BUDGET</u>
Welfare Department	\$ 282,307	\$ 282,307
Veterans' Advisory Center	51,335	51,335
Commission on Aging	231,647	231,647
Elderly Transportation	12,000	12,000
Grants – Human Services	<u>1,182,712</u>	<u>1,182,712</u>
<u>TOTAL PUBLIC WELFARE, SOCIAL AGENCIES</u>	<u>\$1,760,001</u>	<u>\$1,760,001</u>
VI. <u>SCHOOL DEPARTMENT</u>		

	Schools, Regular	\$73,660,263	\$73,660,263
	Schools, Health & Welfare	<u>205,000</u>	<u>205,000</u>
	<u>TOTAL SCHOOL BUDGET</u>	<u>\$73,865,263</u>	<u>\$73,865,263</u>
VII.	<u>LIBRARIES</u>		
	Danbury Public Library	\$ 1,631,838	\$ 1,631,838
	Long Ridge Library	<u>6,250</u>	<u>6,250</u>
	<u>TOTAL LIBRARIES</u>	<u>\$ 1,638,088</u>	<u>\$ 1,638,088</u>
VIII.	<u>PARKS &amp; RECREATION</u>		
	Parks & Recreation/Forestry	\$ 1,521,456	\$ 1,521,456
	Tarrywile Park Authority	232,323	232,323
	Cultural Commission	65,000	65,000
	Lake Kenosia Commission	<u>2,500</u>	<u>2,500</u>
	<u>TOTAL PARKS &amp; RECREATION/FORESTRY</u>	<u>\$ 1,821,279</u>	<u>\$ 1,821,279</u>
IX.	<u>RECURRENT COSTS</u>		
	FICA	\$ 1,151,234	\$ 1,151,234
	Pension Expense	3,700,000	3,700,000
	Employee Service Benefit	188,132	188,132
	Worker's Compensation	464,033	464,033
	State Unemployment Compensation	15,000	15,000
	Employee Health & Life Insurance	5,476,888	5,476,888
	Union Welfare	540,800	540,800
		<u>MAYOR'S</u>	<u>FINAL</u>
	<u>RECURRENT COSTS</u>	<u>BUDGET</u>	<u>BUDGET</u>
	Insurance & Official Bond Premium	<u>1,529,927</u>	<u>1,529,927</u>
	<u>TOTAL RECURRENT COSTS</u>	<u>\$13,066,014</u>	<u>\$13,066,014</u>
X.	<u>DEBT SERVICE</u>		
	Interest on Debt	\$ 1,467,957	\$ 1,467,957
	Interest on Debt – School	1,287,683	1,287,683
	Redemption of Debt	3,002,112	3,002,112
	Redemption of Debt – School	<u>2,305,000</u>	<u>2,305,000</u>
	<u>TOTAL DEBT SERVICE</u>	<u>\$ 8,062,752</u>	<u>\$ 8,062,752</u>
XI.	<u>CAPITAL PROGRAM</u>	\$ 0	\$ 0
	<u>TOTAL CAPITAL PROGRAM</u>	<u>\$ 0</u>	<u>\$ 0</u>
XII.	<u>TRANSPORTATION</u>		
	Danbury Airport	\$ 252,358	\$ 252,358
	H.A.R.T.	<u>619,798</u>	<u>619,798</u>

	<u>TOTAL TRANSPORTATION</u>	<u>\$ 872,156</u>	<u>\$ 872,156</u>
XIII.	<u>CONTINGENCY</u>	<u>\$ 981,415</u>	<u>\$ 980,289</u>
	<u>TOTAL CONTINGENCY</u>	<u>\$ 981,415</u>	<u>\$ 980,289</u>
XIV.	<u>STATE &amp; FEDERAL SCHOOL PROJECTS</u>	<u>\$5,731,366</u>	<u>\$5,731,366</u>
	<u>TOTAL STATE &amp; FED SCHOOL PROJECTS</u>	<u>\$5,731,366</u>	<u>\$5,731,366</u>
	<u>TOTAL BUDGET</u>	<u>\$139,524,338</u>	<u>\$139,524,338</u>

SECTION 2. That the amount of \$166,577 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of \$5,099,845 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$7,586,000 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of \$1,107,626 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-.

Mr. Setaro then read the Resolution into the record.

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR

BEGINNING JULY 1, 2000 AND ENDING JUNE 30, 2001

SECTION 1. The sum of \$101,895,249 representing the gross appropriation for the City of Danbury of \$139,524,338 for the fiscal year of July 1, 2000 and ending June 30, 2001, minus Indirect Revenue of \$35,703,212 minus Estimated Available Fund Balance of \$1,077,877 minus Internal Service Fund of \$848,000 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, 1999.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 2000 and ending June 30, 2001 shall be as follows:

TAX RATE: 23.19 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 2000, October 1, 2000, January 1, 2001, and April 1, 2001 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, 2000, 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, 2000 and ending June 30, 2001.

Mr. Arconti made a motion to adopt the ordinance as amended. Seconded by Mr. Buzaid. Motion passed with fifteen affirmative votes. Councilmen Saracino, Basso and Martin Moore voted in the negative.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2000-2001 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Authorization 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>
New Heating Unit, Engine Co. #24	\$ 10,000
Fire Department Equipment	16,500
Beckerle Hose Roof Replacement	19,045
Tarrywile Master Plan	30,000
Tarrywile Land City Match	100,000
West Wooster Street Bridge	61,455
Garage Renovations City Hall	37,000
Schools-Replace Boiler	56,000
Technology	100,000
Vehicle Replacement	50,000
Street Sign Program	20,000
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 fund 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 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. Levy made a motion to adopt the Ordinance as presented. Seconded by Mr. Gallagher. Motion carried unanimously.

### **3 – RESOLUTION – Safe Neighborhood Program**

WHEREAS, the State of Connecticut Office of Policy and Management will make available to the City of Danbury Police Department additional funds in the amount of \$160,000.00 as remainder funds to its existing grant for the Safe Neighborhood Program; and

WHEREAS, said award will cover the period of July 1, 2000 through June 30, 2001 with no local cash match; and

WHEREAS, said grant will subsidize 10 police officer positions at \$160,000.00 thus allowing increased police presence in targeted neighborhoods, especially in areas where there has been increased firearms use.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez and Chief Robert Paquette or his authorized representative are hereby empowered to accept funds and the Mayor is further authorized to execute any contracts/agreements therefore and to do all things necessary to effectuate the purposes hereof.

Mr. Scalzo made a motion to adopt the resolution. Seconded by Mr. Shuler. Motion passed unanimously.

### **4 – RESOLUTION – Bulletproof Vest Grant**

WHEREAS, the United States Department of Justice has made available a grant for the purpose of purchasing 23 bullet proof vests for the police department; and

WHEREAS, the grant in the amount of \$16,736.00 requires a local cash match of 50% which is available in the police department's budget.

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 and to do all things necessary to effectuate the purposes of this grant.

Resolution was amended on the floor to correct the number of vests from 165 to 23.

Mr. Saadi made a motion to adopt the amended resolution. Seconded by Mr. Furtado. Motion passed unanimously.

### **5 – RESOLUTION – Driving Under the Influence Safety Grant**

WHEREAS, the State of Connecticut Department of Transportation Division of Highway Safety has made a grant available in the amount of \$3,850.00 for the Driving Under the Influence Enforcement Program; and

WHEREAS, a 50% local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Gene F. Eriquez is 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 in applying for such grant funds are hereby ratified.

Resolution was adopted on the Consent Calendar.

6 – RESOLUTION – Safe Summer Youth Program

WHEREAS, the State of Connecticut Office of Policy and Management will be providing funds for a Summer Youth Recreation program for at risk youth; and

WHEREAS, the purpose of the Summer Youth Recreation Program is to provide structured recreational activities directed toward youth which will combat idleness and promote positive development, self esteem and social skills; and

WHEREAS, the City of Danbury is eligible to receive a maximum grant of \$45,000 for expanded or new summer youth recreation programs for the period of July 1, 2000 through the start of the school year; and

WHEREAS, the acceptance of said funds is deemed to be in the best interest of the City of Danbury with no local cash match required.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Gene F. Eriquez, or his designee Robert Ryerson, Director of Parks and Recreation be and hereby are authorized to apply for said grant and to execute any necessary contracts or amendments thereto should said grant be awarded to the City, and to execute any other required documents or take any other action to effectuate the purposes hereof.

Resolution was adopted on the Consent Calendar.

7 – RESOLUTION – Apple Computer / Apple Education Finance Master Lease

RE: APPLE COMPUTER EQUIPMENT LEASE / DANBURY PUBLIC SCHOOLS

WHEREAS, the City of Danbury is a political subdivision of the State of Connecticut and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the City of Danbury Common Council may authorize the acquisition, disposal of and encumbrance of real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City of Danbury and its Public Schools.

WHEREAS, the City of Danbury Common Council hereby finds and determines that the execution of the “Master Lease Purchase Agreement Lease Schedule” in the principal amount not exceeding the amount stated in the Amortization Schedule to be appended to the agreement for the purpose of acquiring the property (“Equipment”) to be described in the Equipment Lease is appropriate and necessary to the functions and operations of the City of Danbury Board of Education.

WHEREAS, General Electric Capital Corporation (“Lessor”) shall act as Lessor under said Equipment Lease.

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Education through the Office of the Danbury Public School Superintendent (the “Board”) is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Common Council, which document is available for public inspection at the office of the City Clerk. The Board is further authorized to negotiate, enter into, execute and deliver such other documents relating to the Equipment Lease as necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Discussion ensued with Art Colley, Director of Technology Services regarding the lease of Apple.

Michael Moore made a motion to adopt the resolution. Seconded by Ms. Saracino. Motion passed unanimously.

8 – RESOLUTION – Neighborhood Assistance Act

The resolution was deferred to public hearing.

9 – RESOLUTION – Miry Brook Emergency Watershed Project – Revision

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Agriculture Natural Resources Conservation Services (NCRS), under the Emergency Watershed Protection Program has authorized estimated project funding in the amount of \$125,000.00 to stabilize stream banks and remove debris in the vicinity of the Danbury Municipal Airport; and

WHEREAS, the funds would allow for improvements on both Airport property and abutting private properties and such funding would be used for all construction related expenses; and

WHEREAS, agreements with both the State Department of Environmental Protection and the NCRS must be executed in order to proceed with the improvements; and

WHEREAS, said agreements also require the acquisition of several temporary work easements across portions of property owned by abutting property owners, whose property would be benefited by the project; and

WHEREAS, eminent domain proceedings will be necessary in the event the City of Danbury cannot agree with the owners named in the schedule attached hereto as to the amount to be paid for the interests to be taken in and to the real property described in the Schedule.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury be and hereby is authorized to execute such agreements as are necessary in order to secure the necessary funding for Emergency Watershed Protection Program and enable the improvements authorized;

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as set forth in Schedule A attached hereto by June 6, 2000, either by negotiation or eminent domain, through the institution of suit against the named property owner(s), their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

The resolution to revise the agreement regarding the Miry Brook Emergency Watershed Project was adopted on the Consent Calendar.

10 – COMMUNICATION – Donation to the Police Department

Request from Chief of Police Robert Paquette requesting permission to accept coffee and supplies for the Citizen's Police Academy classes at the Police Station from Starbucks Coffee. The value of the donation is approximately \$25.00 per week for six sessions, for a total amount of approximately \$150.00. Mr. Shuler made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Michael Moore. Motion carried unanimously.

11 – COMMUNICATION – Donation to the Still River Greenway Project

Request from Director of Health William Campbell requesting permission to accept a donation of \$170.50 American and \$2.00 Canadian to the Still River Greenway Project on behalf of the General Electric "ELFUNS". Mr. Levy made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mr. Gallagher. Motion carried unanimously.

12 – COMMUNICATION – Litigation Expenses

Request from Corporation Counsel Eric Gottschalk requesting that the sum of \$110,000 for the remainder of the fiscal year for litigation expenses for the Corporation Counsel's Office. A certification of funds was attached. Mr. Saadi made a motion to receive the communication, approve the request and authorize the transfer of funds. Seconded by Mr. Buzaid. Motion carried unanimously.

13 – COMMUNICATION – Fire Department Special Services Account

Request from Fire Chief Carmen Oliver requesting that the sum of \$10,000 be transferred to the Fire Department Special Services Account. The transfer of funds was authorized on the Consent Calendar.

14 – COMMUNICATION – Repair of Taxiway

Request from Airport Administrator Paul Estefan requesting the sum of \$2,000 for Outside Services and \$2,000 to Maintain Airport Field. A certification of funds was attached. The transfer of \$4,000 from the excess State Revenue accounts was approved on the Consent Calendar.

15 – COMMUNICATION – Request for Funds for Ordinance Account

Request from the City Clerk's Office for the sum of \$5,000 to replenish the Common Council Ordinance – Legal Notices account. A certification of funds was attached. The transfer of funds in the amount of \$5,000 from the excess State Revenue account was approved on the Consent Calendar.

16 – COMMUNICATION – Reappropriation of Donated Funds

Request from Director of Elderly Services Leo McIlrath for a transfer of funds in the amount of \$349 from the Elderly Services donations account to the Commission on Aging . A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

17 – COMMUNICATION – For America's Children

Request from Robb Herring to purchase surplus City property located at 26 East Franklin Street for the purpose of rehabilitating the building thereon to be used as a "For America's Children" Center. Mr. Arconti asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance, and the petitioner. Mayor Eriquez so ordered and appointed Council Members Abrantes, Shuler and Martin Moore to the committee.

18 – COMMUNICATION – Annual Suspense List

Request from Tax Collector Catherine Skurat for approval of the annual Suspense List in the total amount of \$309,126.26. Mr. Levy made a motion that the Suspense List be approved as submitted. Seconded by Mrs. Basso. Motion carried unanimously.

19 – COMMUNICATION – Tisano Realty – Backus Avenue Leases

Request from Assistant Corporation Counsel Laszlo Pinter request consideration of the Tisano Realty leases on Backus Avenue. Mr. Scalzo asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Levy, Gogliettino and Basso to the committee.

20 – COMMUNICATION – Schmitt-Transamerica Transfer of Tax Liens

Request from Attorney Ward Mazzucco requesting approval of a transfer of a tax lien from Transamerica Business Credit Corporation to Richard Schmitt. Mr. Arconti made a motion to approve the transfer subject to due diligence and approval of the administrators. Seconded by Mr. Gallagher. Motion carried unanimously.

21 – COMMUNICATION – Report regarding Sidewalks on East Hospital Avenue

Report from William Buckley stating that they are continuing to look at possible alternatives to the problem of sidewalks on East Hospital Avenue to Osborne Street. The correspondence was accepted and an additional thirty days granted on the Consent Calendar.

22 – COMMUNICATION – Report regarding Ivy Lane Runoff

Report from William Buckley outlining the problem with runoff on Ivy Lane and suggesting that the City might donate pipe in attempt to solve the problem. The communication was received and the request for an additional thirty days was granted on the Consent Calendar.

23 – COMMUNICATION – Edelman Invoice – Water Line Repair

Letter from William Buckley requesting that an additional \$1,534.66 be paid to Edelman Metalworks for repairs of a water line at 9 State Street. The correspondence was accepted and the reimbursement of \$1,534.66 was approved on the Consent Calendar pending certification.

24 – COMMUNICATION – Water & Sewer Extensions –56 Pembroke Road  
WITHDRAWN

25 – COMMUNICATION – Request for Water and Sewer Extensions – 100 Saw Mill Road. Dean Esposito asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, John Esposito and Saracino to the committee.

26 – COMMUNICATION – Request for Sewer and Water Extensions – 45-49 Lake Avenue Extension and 1 Crestdale Road. Mr. Machado asked that this be referred to an ad hoc committee, City Engineer, Director of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Pascuzzi, Coco and Basso to the committee.

27 – COMMUNICATION – Request for Sewer and Water Extension – 30 Old Ridgebury Road. Michael Moore asked that this be referred to an ad hoc committee, the City Engineer, the

Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, John Esposito and Saracino to the committee.

28 – COMMUNICATION – Request for Sewer and Water Extension – Shelter Rock Road  
Mr. Furtado asked that this be referred to an ad hoc committee, City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Michael Moore and Martin Moore to the committee.

29 – COMMUNICATION – Danbury Hospital/Interfaith Social Action Corp

Request from Attorney Paul Jaber for approval of amendments of agreements between the City of Danbury and The Danbury Hospital/Interfaith Social Action Corp. Michael Moore asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Parks and Recreation and the petitioner. Mayor Eriquez so ordered and appointed Council Members Smith, Furtado and Basso to the committee.

30 – COMMUNICATION – Request for Water Extension –116 Newtown Road  
Mr. Saadi asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members John Esposito, Saadi and Saracino to the committee.

31 – COMMUNICATION – Easement to MJA Realty Association – 195-197 Main Street

Request from Assistant Corporation Counsel Laszlo Pinter requesting an easement across a rear parcel owned by the City that would grant access to MJA Realty Associates Limited Partnership to permit them optimum use of this property for certain proposed construction. The correspondence was accepted and the easement approved pending a Planning Commission report.

32 – COMMUNICATION – Foley Lease

Lease between Cynthia A. Foley and the Danbury Board of Education for property on Elizabeth Road. The correspondence was received and the lease accepted on the Consent Calendar.

33 – COMMUNICATION – Business Aircraft Center, Inc. – Asphalt Repair

Request from Robert Zohn of Business Aircraft Center requesting reimbursement in the amount of \$1,937 for repairs he made to a damaged taxiway at Business Aircraft Center, Inc. The correspondence was accepted and the reimbursement authorized on the Consent Calendar.

34 – COMMUNICATION – Report regarding CCTV for Crime Prevention

Report from Lt. Terry Shanahan regarding CCTV for the prevention of street crimes. The report stated that the City of Danbury does not have a need for video surveillance throughout the downtown area at this time. The correspondence was accepted and the recommendation approved on the Consent Calendar.

35 – COMMUNICATION - Request for Street Numbers on Hull Road.

Report from Director of Planning Dennis Elpern stating that he has had a rash of requests for the assignment or reassignment of street numbers and will respond to this as quickly as possible. The communication was received on the Consent Calendar.

36 – REPORT – Governmental Entities Review and Evaluation

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

John Gogliettino made a motion to recommend adoption of the report and re-establishment of the government entities. Seconded by Mr. Furtado. Motion carried unanimously.

The report was received and the recommendations approved on the Consent Calendar.

37 – REPORT – Final Water Assessments – Wood Street

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 immediately following a public hearing in the Common Council Chambers.

Mr. Scalzo made a motion to approve the final water assessments for Wood Street. Seconded by Mrs. Basso. Motion carried unanimously.

The report was received and the final water assessments approved on the Consent Calendar.

38 – REPORT & ORDINANCE – Panhandling Ordinance

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Dean Esposito said that he understands the reason for the ordinance but asked the Police Chief how it would be enforced. Chief Paquette stated that it is not the actual enforcement, but the threat of enforcement. Mr. Scalzo asked the Chief the difference between panhandling and vagrancy. The Chief said that vagrancy is begging. Mr. Scalzo asked in reference to section (5) if the word “trolley” should be inserted. Attorney Pinter said this would be covered by the word bus.

Dean Esposito made a motion to recommend adoption of the Ordinance. Seconded by Mr. Machado. Motion carried unanimously.

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section to be numbered 12-12, which said section reads as follows:

Sec.12-12. Panhandling Control.

(a) Generally. The purpose of this section is to curtail inappropriate behavior by individuals engaged in panhandling or begging, thereby maintaining and protecting the physical safety and well-being of the public and otherwise fostering a safe and harassment-free climate in public places within the City of Danbury.

(b) Definitions. As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

(1) “Panhandling” and “begging” shall mean asking for money or goods as a charity or gift, whether by words, bodily gesture, signs or other means.

(2) “Aggressive panhandling” means

(a) To beg in a manner intended to threaten, intimidate or coerce another person into giving money or goods.

(b) To beg in a manner which a reasonably prudent individual would perceive as threatening, intimidating or coercive.

© To beg in a manner intended to obstruct pedestrian or vehicular traffic

(d) To beg in a manner which could deter a reasonably prudent individual from passing through or remaining in or near any thoroughfare or public place because of fear, concern or apprehension caused by such behavior.

(3) “Obstruct pedestrian or vehicular traffic” means to walk, stand, sit, lie or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact.

(4) “Public Place” means an area open to the general public, including sidewalks, streets, alleys, driveways, parking lots, parks, plazas, buildings and doorways and entrances to buildings.

(5) “Public transportation vehicle” means any bus or train available for use by the general public.

(C ) Prohibited acts. The following conduct shall be deemed to violate the provisions of this section.

(1) No person may engage in aggressive panhandling in any public place within the City of Danbury. To constitute a violation of this subdivision, the violator’s conduct must be such as to demonstrate a specific intent to beg in a threatening, intimidating or coercive manner.

(2) No person may engage in panhandling or begging in any public transportation vehicle or within twenty-five (25) feet of any bus or train station or stop.

(3) No person may engage in panhandling or begging with twenty-five (25) feet of any automatic teller machine.

(4) No person may engage in panhandling or begging from the operator or any occupant of a motor vehicle that is in traffic on a public street or in such a manner as to obstruct pedestrian or vehicular traffic.

(d) Interpretation. No provision of this section shall be interpreted or construed to prohibit speech, expression or conduct protected by the laws of the United States or of the State of Connecticut.

Mr. Levy made a motion to receive the report and adopt the Ordinance. Seconded by Dean Esposito. Motion carried unanimously.

#### 39 – REPORT & ORDINANCE – Amendment of Connecticut Basic Building Code

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Attorney Pinter explained that this would expand the current exemption. It adds a second exemption for artistic and cultural organizations.

Mr. Levy made a motion to recommend adoption of the amendment to the Connecticut Basic Building Code. Seconded by John Gogliettino. Motion carried unanimously.

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

THAT subsection 6-02(d) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec.6-02. Amendment of Connecticut Basic Building Code.

(d) Exemptions.

(1) Demolition performed by, or on behalf of, any state, federal or municipal government shall be exempt from the permit fee requirements of this section.

(2) Artistic or cultural organizations shall be exempt from the permit fee requirements of this section provided that the work for which a building permit is sought is intended to be used exclusively for carrying out the artistic or cultural activities of the organization. For purposes of this section, "artistic or cultural organization" shall mean a nonprofit organization in the state which is exempt from taxation pursuant to Section 501©(3) of the Internal Revenue Code of 1986, as from time to time amended, the primary purpose of which is the participation in, promotion, development, acceptance or appreciation of, artistic and cultural activities which shall include, but are not limited to, music, theater, dance, painting, sculpture, architecture, literature, films and allied arts and crafts. In order to be eligible for exemption under this paragraph, no officer, member or employee of such organization may receive or during the calendar year preceding the building permit application have received any pecuniary profit from the operations of the organization except reasonable compensation for services in effecting its artistic or cultural purposes or as proper beneficiary of the strictly charitable purposes thereof.

The report was received and the recommendation regarding the amendment of the Connecticut Basic Building Code approved on the Consent Calendar.

#### 40 – REPORT & ORDINANCE – Required Contract Provisions

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Mrs. Saracino asked if this would exclude non-union or independent contractors. Attorney Pinter said it would not. It is not meant to exclude anyone. It is to provide good labor.

Mr. Pascuzzi made a motion to recommend adoption of the required contract provisions ordinance. Seconded by Mrs. Basso. Motion carried unanimously.

The report and ordinance were adopted on the Consent Calendar.

#### 41 – REPORT & ORDINANCE – Parking of Commercial Vehicles

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Mr. Saadi made a motion to recommend adoption of this Ordinance. Seconded by Mr. Levy.

Dean Esposito asked if section (b) excluded small business owners who drive small vehicles for their business and for their personal use. Attorney Pinter stated that it applies to vehicles over a certain weight. Mr. Buzaid had questions pertaining to safety and garishly painted commercial vehicles. Attorney Pinter said the intent is to protect the character of residential neighborhoods.

Motion carried unanimously.

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered Sec. 19-34.1 which section shall read as follows:

Sec. 19-34.1 PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES

(a) It shall be unlawful for any person to park or leave standing, commercial vehicles, whether occupied or not, on any street or portion thereof in a residential zone, between the hours of 9:00P.M. and 6:00 A.M.

(b) Commercial vehicles shall include those over three-fourths ton capacity or over ten thousand pounds gross combination weight, whichever is less. Excluded are station wagons, compact type bus vehicles and pick-up trucks used for private transportation.

The report was received and the recommendations regarding parking of commercial vehicles adopted on the Consent Calendar.

42 – REPORT & ORDINANCE – Uniform Valuation of Personal Property

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Mayor Eriquez stated that this is the newest component of the City's economic incentive plan. It is enabling legislation enacted by the State Legislature to cover computers and related equipment. The City will have to forego \$400,000 in the next fiscal year, but it is fair to the business community and it will help to retain existing businesses.

Mr. Scalzo asked if any other kinds of equipment are considered. Director of Finance Dominic Setaro stated that it only covers computers and related equipment.

Michael Moore made a motion to recommend adoption of the Ordinance. Seconded by Dean Esposito. Motion carried unanimously.

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-28, which said section reads as follows:

Sec. 18-28. Uniform valuation of personal property.

In order to establish a uniform means of determining the true and actual value of tangible personal property, other than motor vehicles, the City of Danbury does hereby adopt the provisions of subsection 12-63(b) of the Connecticut General Statutes to be applicable for the assessment year commencing on October first of 1999 and for each assessment year thereafter.

The report was received and the Ordinance adopted on the Consent Calendar.

43 – REPORT & ORDINANCE – Noise

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on April 17, 2000 in the Common Council Chambers immediately following a public hearing.

Mrs. Saracino asked if this Ordinance would be more enforceable than the current one. Police Chief Robert Paquette said it will be difficult to enforce but having the regulatory items will be beneficial. Council Members stated concerns about amplified music.

Mr. Arconti stated that this Ordinance was never meant to be a cure all but it can be another tool in the toolbox. This will enable the City to do something about the excesses and abuses.

Mr. Levy made a motion to recommend adoption of the Ordinance. Seconded by Mr. Gogliettino. Motion carried with 14 ayes and Martin Moore voting in the negative.

The report was received and the Ordinance adopted on the Consent Calendar with one negative vote.

44 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Public Works, Department of Elderly Services, Engineering, Health and Housing. Mr. Arconti made a motion to receive the department reports and waive the reading as all members have copies, which are file in the Office of the City Clerk for public inspection. Seconded by Mr. Gallagher. Motion carried unanimously.

45 – COMMUNICATION – Acceptance of U. S. Savings Bonds from Local Banks

Request from Melanie Bonjour of the School Based Health Center for permission to accept three \$100 United States Savings Bonds which were donated by local banking institutions in support of the school-based health center sponsored “Alternatives to Violence Week” activities.

Dean Esposito made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Furtado. Motion carried unanimously.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 10:05 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,

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MEGIN MASTRACCHIO, Secretary

ATTEST:

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Elizabeth Crudginton  
City Clerk