

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held August 7, 2001

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

PRESENT – Levy, Scalzo, McAllister, Saadi, Buzaid, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gogliettino, Michael Moore, Martin Moore, Saracino

ABSENT – Smith, Gallagher

19 PRESENT - 2 ABSENT

PUBLIC SPEAKING

Margaret May Mitchell, 2 Park Place – Offered suggestions on item 40, East Ditch flooding

Harry Russell, 4 Glen Road – described the problem with the stream on his property at 4 Glen Road, item 37

Mary Amendola, 32 Pembroke Road, Bill Spielberg, Rosa Lopes, Susan DeAlmeida, Ingrid Espinoza, Wendy O'Donnell, Augusto Gomes, 120 Great Plain Road, Victor Gellineau, 10 Killian Drive, Maria-Cinta Lowe all spoke in favor of item 44, granting funds to the Hispanic Center. Harry Russell spoke against.

Tom Gissen, 50 North Street – explained item 36, donation of landscaping on Plumtrees Road to the City

MINUTES – Minutes of the Common Council Meeting held July 3, 2001. Mr. Arconti made a motion to accept the minutes as presented and waive the reading and to add the minutes of the Special Common Council Meeting held August 2, 2001. Seconded by John Gogliettino. Motion carried unanimously.

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

2 - Approve the Ordinance as presented

4 - Adopt the Resolution to apply for and accept grant funding in the amount of \$29,911 for local law enforcement improvements

6 - Adopt the Resolution to apply for and accept grant funding in the amount of \$8,750 for Evidential Breath Analysis Equipment

7 - Adopt the Resolution regarding the abatement of real property taxes for Beaver Street Apartments, Inc.

8 - Approve the reappointment of Frederick Visconti to the Aviation Commission

9 - Approve the appointment of Thomas Grace as an alternate member of the Environmental Impact Commission

10 – Approve the appointment of Bianca Rullo to the Parking Authority

11 – Approve the appointments of Misti Pechaski and Roland Kinney to the Conservation Commission

16 – Approve the transfer of \$655 as described

17 – Approve the budget adjustment in the amount of \$800 as described

38 – Receive the report and approve the acceptance and granting of easements as recommended and described, subject to the submittal of legal documents satisfactory to the City Corporation Counsel

39 – Receive the report and approve the acceptance of land subject to the approval of legal documents by Corporation Counsel

40 – Receive the report regarding the East Ditch Storm Sewer

42 – Approve the report regarding Governmental Entities and adopt the Ordinance

43 – Approve the report and recommendation regarding pending sewer and water projects

44 – Approve the report and recommendation regarding funds for the Hispanic Center

45 – Approve the report and recommendation regarding 20 Caye Road

46 – Approve the report and recommendation regarding a sewer extension on Hobson Street

Mr. Arconti made a motion to adopt the Consent Calendar, with the removal of item 44 to be moved to the top of the agenda. Seconded by Dean Esposito. Mr. McAllister asked that items 6 and 43 be removed as well. Motion carried unanimously.

44 – REPORT – Request for Funds for the Hispanic Center

Mrs. Abrantes submitted the following report:

The Common Council Committee appointed to review the request for funds for the Hispanic Center met on July 19, 2001 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Abrantes and Manny Furtado. Also in attendance were Director of Finance Dominic Setaro, Executive Director of the Hispanic Center Maria-Cinta Lowe, President of the Board of Directors of the Hispanic Center William Spielberg, Council Members John Esposito, Paul McAllister, John Gogliettino, Tom Arconti and Pauline Basso, ex-officio, as well as several members of the community.

Mrs. Lowe stated that funding for the Center comes for State and City grants, fundraisers, donations and a small amount from the United Way, which requires an expensive auditor's evaluation. She stated that Mayor Eriquez told her that additional funding should not be a problem and to send a request to the Common Council. The money she receives from the City pays the rent for the Center. Mr. Spielberg stated that the Board has brought on more individuals to aid Mrs. Lowe in running the Center.

John Gogliettino spoke regarding the social problems created due to the exploitation and injuries of non-English speaking immigrants. Pauline Basso stated that the ESL program offered at the Center is also offered by many other agencies. Harry Russell stated that the Center should look for more volunteers. Manny Furtado stated that his concern with this request is that it is being made just as the new budget is taking effect.

Manny Furtado made a motion to approve the sum of \$2,000 for the Hispanic Cultural Center, with the option that the Center can reapply for additional funding in the future. Seconded by Mrs. Abrantes. Motion carried unanimously.

Mr. Machado made a motion to receive the report and adopt its recommendation. Seconded by Mr. Arconti. Mrs. Abrantes offered an amendment to approve the sum of \$5,000. Seconded by Mr. Arconti.

Mr. McAllister stated that he feels the sum of \$2,000 is appropriate. They have the option to come back in the future for additional funds. Manny Furtado stated that in looking at the budget, the City has given 1.2 million dollars in grants. There is only \$238,000 left in the Contingency Account until June, 2002. Mr. Gogliettino said that there are many problems handled by the Center. These are human beings. Mr. Saadi stated that he is not voting against the funding. This is an increase. Mrs. Basso feels that Danbury should not be the only contributing community. Mr. Arconti stated that this agency provides a tremendous service. Mr. Buzaid said that education is the most important thing.

The motion to amend failed with the member voting:

Yes – Levy, Scalzo, Buzaid, Shuler, Arconti, Abrantes, Gogliettino, Michael Moore

No – McAllister, Saadi, Dean Esposito, Machado, David Furtado, John Esposito, Pascuzzi, Basso, Manny Furtado, Martin Moore, Saracino

8 Yes - 11 No

Martin Moore said that it is always difficult to say no. Immigrants are the heroes of our country. He does not believe he should allocate tax dollars to charities of his choice.

Main motion carried with Council Members Basso and Martin Moore voting in the negative.

1 – ORDINANCE – Deferral of Assessment increases attributable to Rehabilitation of Real Property under the Connecticut Urban Rehabilitation Homeownership Program.

Mr. Arconti asked that this be deferred to public hearing. Mayor Eriquez so ordered.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2001-2002 Capital Budget and Authorizing the Issuance of \$500,000 Bonds of the City to Meet Said Appropriations and Pending the Issuance Thereof The Making of Temporary Borrowings for such Purpose.

The Ordinance was approved on the Consent Calendar.

3 – ORDINANCE – Vision 21² Bond Package

Mr. Arconti asked that this be deferred to public hearing. Mayor Eriquez so ordered.

4 – RESOLUTION – Local Law Enforcement 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 2000 Omnibus Appropriations Act (Pub.L.104 208) has advised the City of Danbury of its eligibility to apply to BJA for a direct award of \$29,911.00 under this program with a local cash match of \$3,323.00 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.

The Resolution to apply for and accept grant funding in the amount of \$29,911 for local law enforcement improvements was adopted on the Consent Calendar.

5 – RESOLUTION – Children in Poverty Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made funds for competitive grants available to public libraries within Connecticut for the purpose of assisting Connecticut libraries in providing outreach programs for children in poverty; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$7,410.00 which requires a local cash match of \$750.00 and an in-kind match of \$2,520.00; and

WHEREAS, promoting family reading with preschool children is a goal in the library's long range plan; and

WHEREAS, exposing preschool children to books and reading develops school readiness, the love of reading and life long learning.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

(1) That in accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$750.00 and an in-kind match of \$2,520.00, the sum of which totals at least 25% of the amount of the grant.

(2) That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$7,410.00 upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.

Mr. Arconti made a motion to receive the communication and adopt the Resolution. Seconded by John Gogliettino. Motion carried with Council Members Basso and Martin Moore voting in the negative.

6 – RESOLUTION – Evidential Breath Analysis Equipment Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation will make grant funds available to municipalities; and

WHEREAS, the State of Connecticut Department of Transportation will award these funds to the City of Danbury Police Department for the purchase of Evidential Breath Analysis Equipment; and

WHEREAS, the City of Danbury Police Department is eligible to receive funds of \$8,750.00; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

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

7 – RESOLUTION – Beaver Street Apartments – Abatement

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under 8-215 of the Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$1,856,300; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is not to exceed \$28,500 for the Grand List of October 1, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury;

3. That the real property taxes abated on the subject property are not to exceed \$28,500 for the Grand List of October 1, 2000;

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of 12-167 of the Connecticut General Statutes as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Economic and Community Development.

The Resolution regarding the Abatement of real property taxes for Beaver Street Apartments, Inc. was adopted on the Consent Calendar.

8 – COMMUNICATION – Reappointment to the Aviation Commission

Letter from Mayor Eriquez requesting confirmation of the reappointment of Frederick Visconti to the Aviation Commission for a term to expire July 1, 2004. The reappointment was confirmed on the Consent Calendar.

9 – COMMUNICATION – Appointment as Alternate to the Environmental Impact Commission

Letter from Mayor Eriquez requesting confirmation of the appointment of Thomas P. Grace III as an alternate member of the Environmental Impact Commission for a term to expire December 1, 2002. The appointment was confirmed on the Consent Calendar.

10 – COMMUNICATION – Appointment to the Parking Authority

Letter from Mayor Eriquez requesting confirmation of the appointment of Bianca Rullo to the Parking Authority for a term to expire July 1, 2006. The appointment was confirmed on the Consent Calendar.

11 – COMMUNICATION – Appointments to the Conservation Commission

Letter from Mayor Eriquez requesting confirmation of the appointments of Misti Pechaski and Roland Kinney to the Conservation Commission for terms to expire July 1, 2004. The appointments were confirmed on the Consent Calendar.

12 – COMMUNICATION – Donation to the Department of Elderly Services

Letter from Director of Elderly Services Leo McIlrath requesting permission to accept a donation in the amount of \$25 from the Brookfield Commons Assisted Living home. Mr. Gogliettino made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Michael Moore. Motion carried unanimously.

13 – COMMUNICATION – Donations to the Library

Letter from Library Director Betsy McDonough requesting permission to accept donations in the amount of \$35,000 from Dennis H. Reilly, Chairman of Praxair and \$116.19 from the Danbury Garden Club. Manny Furtado made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

14 – COMMUNICATION – Request to accept donated services – Still River Greenway Project

Request from Jack Kozuchowski for permission to accept donated services in the sum of \$10,000 for the completion of the Still River Greenway Project. Mr. Gogliettino made a motion to receive the communication and

accept the donation. Seconded by Mrs. Saracino. Mr. McAllister asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Arconti, Abrantes and Basso to the committee, as well as the Director of Health, Corporation Counsel, Director of Finance, and the Coordinator of Environmental & Occupational Health Services.

15 – COMMUNICATION – Still River Revitalization

Request from the Director of Finance for permission to accept donations in the amount of \$4,200 from Powers Industries; \$35 from Jack Kozuchowski; \$10,000 from Powers Industries; and \$1,000 from US Filter for the Still River Pedestrian Bridge. Mrs. Abrantes made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Manny Furtado. Motion carried unanimously.

16 – COMMUNICATION – Reappropriation of Donated Funds

Request from the Director of Elderly Services for a transfer of funds in the amount of \$655 from the Elderly Services donations account to the Commission on Aging Budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

17 – COMMUNICATION – Reappropriation of Funds – Police Department

Request from the Chief of Police that the sum of \$800 from the Stamford District Court for its share of a joint investigation be reappropriated to the Police Department's Public Safety Equipment line item. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

18 – COMMUNICATION – Farioly Fund Appropriation

Request from the Director of Finance that the sum of \$30,000 that the Library Board of Directors voted to expend from the Farioly Fund to be used for architectural plans to renovate the Library Plaza. A certification of funds was attached. Mr. Gogliettino made a motion to receive the communication and authorize the transfer of funds. Seconded by Mrs. Abrantes. Motion carried unanimously.

19 – COMMUNICATION – Learmont Estate Gift

Letter from the Director of Finance noting that the Library Board of Directors accepted a donation of \$120,000 from the estate of Carol Learmont and requesting that these funds be placed in the Farioly Fund and reappropriated for use strictly for English language and literacy for the public. He requests authorization to reappropriate the \$120,000 to a new special revenue account to be established for English language and literacy.

Mr. Arconti made a motion to receive the communication and authorize the transfer of funds and the establishment of a new special revenue account to be established for English language and literacy. Seconded by Manny Furtado. Motion carried unanimously.

20 – COMMUNICATION – After School Program

Request from Superintendent of Schools Timothy Connors that the sum of \$150,000 be appropriated for the After School Programs at the middle schools. A certification of funds was attached. Mr. Arconti made a motion to receive the communication and approve the transfer of funds. Seconded by Helena Abrantes. Motion carried with Council Members Basso and Martin Moore voting in the negative.

21 – COMMUNICATION – Insurance Shortfalls

Request from the Director of Finance that the sum of \$373,511 be appropriated to various accounts to cover insurance shortfalls. It is his recommendation that these funds come from excess State revenues approved by the Legislature over and above the Governor's budget. Mr. Gogliettino made a motion to receive the communication and authorize the transfer of funds to cover insurance shortfalls. Seconded by Dean Esposito. Motion carried unanimously.

22 – COMMUNICATION – Internal Service Fund Reappropriation

Letter from the Director of Finance Dominic Setaro stated that the City has established an Internal Service Fund that is to be used to cover incurred by not reported claims. As of July 31, 2001 there is a balance of \$1,970,476.95 in this fund, plus additional interest earnings that will be credited to the City prior to the disbursement of the funds. He asks that the Common Council approve the appropriation in the Internal Service Fund in an amount equal to the current value, plus interest earned to be credited to this fund. Dean Esposito made a motion to receive the communication and authorize the appropriation. Seconded by David Furtado. Motion carried unanimously.

23 – COMMUNICATION – Ancient Order of Hibernians – Land at Lake Kenosia

Letter from the Ancient Order of Hibernians confirming discussions that they had with Mayor Eriquez concerning the parcel of land he offered them at Lake Kenosia. Mr. Arconti asked that this be referred back to the Mayor for more information. Mayor Eriquez so ordered.

24 – COMMUNICATION – Plan of Conservation and Development

Mr. Arconti asked that this be deferred to a public hearing.

25 – COMMUNICATION – Barnum Road Drainage Easement

Mrs. Abrantes asked that this be referred to the Director of Public Works and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

26 – COMMUNICATION – Sewer Line of Farview Avenue

Mr. Machado asked that this be referred to an ad hoc committee, the Director of Public Works and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Scalzo, Levy and Martin Moore to the committee.

27 – COMMUNICATION – Acceptance of Chelsea Drive as a City Road

Mrs. Abrantes asked that this be referred to the Director of Public Works and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

28 – COMMUNICATION – Acceptance of Josh Lane as a City Road

Michael Moore asked that this be referred to the Corporation Counsel and the Director of Public Works for reports back within thirty days. Mayor Eriquez so ordered.

29 – COMMUNICATION – St. Joseph’s Readiness Center

Mr. Scalzo asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

30 – COMMUNICATION – Request for Sewer Extension – 15 Lakeside Road

Mr. Gogliettino asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, Levy and Martin Moore to the committee.

31 – COMMUNICATION – Request for Water Extension – 7 & 9 Moody Lane

Mr. McAllister asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Arconti, Smith and Saracino to the committee.

32 – COMMUNICATION – Request to Purchase or Lease City Property adjacent to 126 South Street

Mrs. Abrantes asked that this be referred to the Corporation Counsel, the Director of Public Works, the Director of Planning, the Director of Finance and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

33 – COMMUNICATION – Request for Sewers – Royal Pine Drive, Fairway Drive and Country Way

Mr. Scalzo asked that this be referred to the Director of Public Works for a survey. Mayor Eriquez so ordered.

34 – COMMUNICATION – Request for Sewer and Water Extensions – Industrial Plaza Road

Manny Furtado asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members John Esposito, Saadi and Basso to the committee.

35 – COMMUNICATION – Request for Sewer Extension on Moran Avenue

Michael Moore asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Manny Furtado, Michael Moore and Mary Saracino to the committee.

36 – COMMUNICATION – Plumtrees Road – Ginsburg Development Landscape Improvements

Request from Superintendent of Public Works William Buckley stating that Ginsburg Development Corporation is proposing to donate landscaping improvements along Plumtrees Road in the estimated amount of \$43,000.00. He requests that this donation be accepted in order to allow GDC to begin the work during this planting season.

Michael Moore made a motion that the communication be received, the donation accepted and a letter of thanks sent. Seconded by Mr. McAllister. Motion carried unanimously.

37 – COMMUNICATION – Stream on 4 Glen Road

Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Public Works and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Smith, David Furtado and Saracino to the committee.

38 – COMMUNICATION – Report regarding 7 Germantown Road

Report from Director of Public Works William Buckley stating that his office has received revised proposed easement maps and he has reviewed same. His recommendations are subject to the submittal of legal documents satisfactory to the Corporation Counsel's office. The report was received and the acceptance and granting of easements as recommended and describe, subject to the submittal of legal documents satisfactory to the Corporation Counsel on the Consent Calendar.

39 – COMMUNICATION – Reports regarding 1 Great Pasture Road

Reports from the Director of Public Works, the Planning Commission and the Corporation Counsel recommending acceptance of this parcel of land subject to the approval of the proposed legal documents by the Corporation Counsel. The reports were received and the acceptance of land subject to the approval of legal documents by Corporation Counsel granted on the Consent Calendar.

40 – COMMUNICATION – East Ditch Storm Sewer

Report from Director of Public Works William Buckley answering concerns raised by Mrs. Margaret Mitchell regarding flooding. The report was received on the Consent Calendar.

41 – REPORT and RESOLUTION – Construction of New Elementary School

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole to review the resolution concerning construction of a new elementary school on July 24, 2001 at 7:15 P.M. in the Common Council Chambers in City Hall. In attendance were Common Council Members Levy, Scalzo, McAllister, Smith, Saadi, Buzaid, Dean Esposito, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore. Absent were Council Members Machado, Pascuzzi and Saracino. Also in attendance were Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk and Superintendent of Schools Tim Connors.

Mr. Arconti asked Mr. Connors to give an overview of the project. He stated that the school system now has 9,367 pupils. They do not have full time kindergarten due to lack of space. He would also like to have more room for Headstart. Roberts Avenue School should be closed since the University surrounds it. Roberts Avenue School will be purchased at market value. This resolution is needed because the State requires particular language that was not in the first resolution.

Mr. Gogliettino stated that he estimates the cost of the project will be between 14 and 16 million dollars. Mr. Connors concurred. Mr. Levy stated that the overcrowding in the elementary schools should level out with the magnet school and the new elementary school. Mr. Connors also stated that there are 2,600 students at Danbury High School and there are 13 computer labs and other programs that take up space. Mr. Levy asked how the 250 seats in the magnet school would be allocated. Mr. Connors stated that each school would get a percentage and the higher the racial balance each school has, the more seats they will get. Mr. Levy asked if we use the Broadview property, will we still be able to put an addition on that school. Mr. Connors said we would. He stated that the new school does not have to be at Broadview.

Mr. Saadi stated that he has a problem approving the Resolution because the words "at least" in the third paragraph concern him. Mr. Connors stated that the wording shows the State that the Common Council is serious about the project. Mr. Saadi asked if there would be a stopgap for this project. Mr. Setaro stated that the project goes through the process of the school construction grant list. The City has to provide assurances about how the City would pay. We would have to bond for the net amount. This cost is approximately 14 million dollars, with 50% reimbursable. That is what we would bond. Previously we had to bond the gross amount which would be paid back over twenty years. Now we are paid after each construction phase. Regarding the third component of the Resolution, sometimes the City has put the money up because it gives you a better idea of what the cost will be. The Common Council has the final say.

Mr. McAllister stated that he has a problem with the second paragraph of the Resolution. There are no members of the public or the Common Council on the building committee. It should be all encompassing. He also has a problem with the words "at least". Mr. Arconti asked if those words could be struck. Attorney Gottschalk said they could and should be eliminated. He said that the Common Council could expand the membership of the building committee.

Mr. Gallagher made a motion to approve the Resolution as written, excluding the words "at least" in the third paragraph. Seconded by Mr. Buzaid.

Mr. Saadi offered an amendment that in the second paragraph after the words "George O'Loughlin and John R. Mitchell, the wording " a member of the Common Council, an elementary school teacher, a member of the Citywide PTO and a Danbury School Administrator to be appointed by the Common Council" be added. Seconded by Manny Furtado. Motion to amend carried unanimously.

Mr. Gallagher made a motion to move the question. Seconded by Dean Esposito. Motion carried with 12 yes – 6 no.

Main motion, as amended, carried with Council Members Levy, Scalzo, McAllister, Basso and Martin Moore voting in the negative.

Dean Esposito made a motion to receive the report and adopt the Resolution. Seconded by Mr. Gogliettino.

Mayor Enriquez offered the names of Ann Rocco, Janet Edwards, Janet Geiger and the President of the Common Council or his designee to serve on the building committee. Mr. Saadi asked for a point of parliamentary procedure and asked the Corporation Counsel if an amendment would have to be made by a Council Members to add those names. Attorney Gottschalk said it would.

Mr. Levy stated that he is concerned with the process. The legislative body has been excluded. He is particularly concerned with putting an elementary school on the grounds of a middle school because of the national problem of bullying. The Common Council has not received a plan. He suggests that a steering committee be appointed to study the needs, concerns and resources of the community. He has not seen any financial plan. He will not support this proposal because of the cost to taxpayers and he has seen no written documents.

Dean Esposito made a motion to amend to accept the Mayor's additions to the committee. Seconded by Mr. Arconti. Manny Furtado offered a further amendment to add two Council Members. The name of Mary Saracino was offered. The motion to amend carried with Council Members Levy and Basso voting in the negative.

Main motion, as amended, failed with 9 yes and 10 no with the members voting as follows:

Yes – Saadi, Dean Esposito, Machado, Shuler, Arconti, John Esposito, Gogliettino, Michael Moore and Saracino

No – Levy, Scalzo, McAllister, Buzaid, David Furtado, Abrantes, Pascuzzi, Basso, Manny Furtado, Martin Moore

42 – REPORT & ORDINANCE – Schedule of Termination of Government Entities

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on July 24, 2001 at 7:05 P.M. in the Common Council Chambers in City Hall.

Mr. McAllister made a motion to adopt the Ordinance. Seconded by Mr. Gallagher. Motion carried unanimously.

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

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-176. Schedule of termination of government entities.

(a) The following governmental entities are terminated, effective June 30, 2002, unless re-established in accordance with the provisions of section 2-184:

- (1) The Commission for Persons with Disabilities
- (2) The Danbury Aquifer Protection Agency
- (3) The Fair Rent Commission
- (4) The Board of Ethics

(b) The following governmental entities are terminated, effective June 30, 2003, unless re-established in accordance with the provisions of section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority
- (2) The Conservation Commission
- (3) The Environmental Impact Commission
- (4) The Tree Advisory Commission
- (5) The Lake Kenosia Commission
- (6) The Economic Development Commission
- (7) The Youth Commission

c. The following governmental entities are terminated, effective June 30, 2004, unless re-established in accordance with the provisions of section 2-184:

- (1) The Cultural Commission
- (2) The Commission on Aging
- (3) The Parking Authority of the City of Danbury

(d) The following governmental entities are terminated, effective June 30, 2005, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Redevelopment Agency of the City of Danbury
- (2) The Housing Site Development Agency
- (3) The Flood and Erosion Control Board of the City of Danbury
- (4) The Tarrywile Park Authority

(e) The following governmental entities are terminated, effective June 30, 2006, unless re-established in accordance with the provisions of Section 2-184:

- (1) The Danbury Parks and Recreation Commission
- (2) The Danbury Housing Partnership
- (3) The Aviation Commission
- (4) The Commission on the Status of Women

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

43 – REPORT – Pending Sewer and Water Projects

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review pending sewer and water projects met on July 17, 2001 at 7:05 P. M. in Conference Room 3C in City Hall. In attendance were committee members Arconti and McAllister. Mary Saracino was absent. Also in attendance were Director of Public Works William Buckley, Director of Finance Dominic Setaro, Council Members Levy and Abrantes, ex-officio and several members of the public.

Mr. Arconti asked Mr. Buckley for an overview of the situation. Mr. Buckley submitted an updated list of outstanding projects, as well as a departmental list outlining duties of each employee. There is a vacant engineering position that he had been unable to fill. He is working with the personnel department trying to lower qualifications so he can bring in someone with a construction background rather than a PE license.

Mr. McAllister asked if a situation becomes an emergency is it moved to the top of the list? Mr. Buckley stated that if there is a water outage, or if the Director of Health determines there is a health hazard, then it would be a priority. He also stated that after some neighborhoods received preliminary costs, they decide they do not want to proceed with the project.

Mr. Buckley was asked if outsourcing would be possible. He stated that he proposed this option to the Mayor last year. The decision was made to add an additional position. He stated that outside agencies would have many questions, but the more you work with a firm, the more familiar it becomes with the Code of Ordinances. He is willing to do it. There are two engineering firms with whom we have contracts that have done assessed projects. If given x amount of dollars, he would start at the top of the list and continue in order.

Mr. McAllister made the following motion:

“Due to the backlog of referrals and assessment projects, I move that in order to eliminate, clear or end the current backlog in the order such surveys and assessments were approved by the Common Council, that the City outsource the pending projects to private engineering firm or firms; and that the following terms and conditions are to apply:

That same firm(s) conform to the same specifications as the Engineering Department of the City; that said firm(s) be bonded in the appropriate amount on or before their submissions or plans, projects and/or surveys to indemnify the City; that the City begin outsourcing these surveys and assessments upon Common Council approval; that this outsourcing is to remain in effect until such backlog has been eliminated.

Also, for the backlog to be considered eliminated, a project on the list less than four (4) months will be considered normal; and the Common Council is to be apprised that the outsourcing has accomplished what it was intended to do.

Seconded by Mr. Arconti. Mr. Arconti stated that the committee would have to set a dollar amount. Mr. Buckley stated that he could not complete this list in any one calendar year. He could handle five projects at once. Mr. McAllister stated that it is not his intention to do the list all at once. Mr. Arconti stated that we still need to proceed in hiring full-time staff. He does not want to put money in place then have the work stop when it runs out.

Mr. Arconti asked Mr. Setaro what financial options are available. Mr. Setaro stated that the best way to start out is with seed money. The cost is charged to the project if it goes through. However, if the project goes down we do not recover any

costs. Select an amount begin with and then let him develop a revolving fund. Mr. McAllister asked if the Contingency Account could handle \$70,000. Mr. Setaro stated that the contingency is tight, but you have to prioritize what you do with it.

Mr. McAllister offered an amendment to the main motion to include appropriating the sum of \$50,000 pending certification by the Director of Finance. Seconded by Mr. Arconti.

Mr. Arconti then asked Mr. Setaro about other sources of funding. Mr. Setaro outlined some insurance problems that are accounted for in contingency. Granting this money could curb the Council's desire to grant money to others. Mr. Arconti stated that he wants to attack the projects in the most efficient way possible. He asked Mr. Buckley if his department would look at the list in total. Mr. Buckley stated that he would contact Mr. Campbell to have him identify any health hazards. Mr. Buckley stated that not all projects on this list are sewer and water. Some are road projects. He asked if it is the intent of the committee to address all projects. Mr. McAllister said that it is.

The motion to amend passed unanimously.

Main motion, as amended, passed unanimously.

Mr. McAllister made a motion to approve the report. Seconded by Mr. Gogliettino. Mr. McAllister asked the Director of Finance about establishing the revolving fund. Mr. Setaro stated that it would be established by approving the report this evening. The cost of estimates would be charged to this account. Martin Moore asked if fire hydrants would be included in this project. Mr. Buckley stated that the list are those projects referred to surveys. Martin Moore asked if there was any other reason for the backlog. Mr. Buckley stated that staffing has been a problem. Martin Moore asked if the ice rink has contributed to the backlog. Mr. Buckley said no. Mrs. Basso asked how many employees are in the Water Department. Mayor Eriquez stated that these projects come through the Engineering Department.

Motion carried unanimously.

44 – See beginning of minutes

45 – REPORT – Erosion and Flooding Problems at 20 Caye Road

Mrs. Abrantes submitted the following report:

The Common Council Committee appointed to review the erosion and flooding problems at 20 Caye Road met on July 19, 2001 at 6:08 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Abrantes and McAllister. Also in attendance were Superintendent of Public Works William Buckley, the petitioners, Amandio and Jackie dosSantos, and Sharon Simon and Gene McNamara.

Mrs. Abrantes read the letter submitted to the Common Council for the record. Mr. dosSantos spoke regarding the problem. He has lived there for eleven years and approximately two years ago began having problems. Mr. Buckley stated that the problems are caused by a road be built on Denver Terrace. The catch basins are 13" higher than the road. The catch basins need to be level with the road. He stated that this is not a City matter as this portion of Denver Terrace is not a city owned road.

Mr. McAllister made a motion to take no action at this time. Seconded by Mrs. Abrantes. Motion carried unanimously.

The report and recommendation was approved on the Consent Calendar.

46 – REPORT – Request for Sewer Extension – Hobson Street

Mr. Machado submitted the following report:

The Common Council Committee appointed to review the request for sewer extension on Hobson Street met on July 31, 2001 at 7:30 P.M. in City Hall. In attendance were committee members Machado and Shuler. Also in attendance were Christopher Leonard and Nick Zotos representing the petitioner. City Engineer William Buckley was unable to attend due to a prior commitment.

Mr. Machado noted the positive recommendation from the Planning Commission and the fact that the street lies within the existing sewer area. Mr. Leonard, using a map, explained the location of the extension, which is an 8" line about 100 feet long.

Mr. Shuler made a motion to recommend approval of the sewer extension pending approval by the Engineering Department and subject to the normal eight steps. Seconded by Mr. Machado and passed unanimously.

The report and recommendation were approved on the Consent Calendar.

47 – DEPARTMENT REPORTS – Police Chief, Fire Chief, Fire Marshall, Department of Elderly Services, Public Works, Engineering, Health and Housing. Mr. Arconti made a motion to accept the department reports as submitted 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 Dean Esposito. Motion carried unanimously.

48 – COMMUNICATION – Mr. Arconti made a motion to add item 48, Ta'Agan Point Water Company to the agenda. Seconded by Mrs. Saracino. Motion carried with Council Members Levy, McAllister and Saadi voting in the negative.

Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Public Works, the Corporation Counsel, the Superintendent of Public Utilities and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Arconti, Smith and Saracino to the committee. Martin Moore asked if the residents would be notified and the Mayor said they would.

Mayor Eriquez extended all committee appointed after January 1, 2001 and dismissed all other outstanding committees except item 56 from the June, 2000 agenda.

There being no further business to come before the Common Council a motion to adjourn was made at 10:35 P.M. by Dean Esposito.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk