

TO: Mayor Mark D. Boughton and Members of the Common Council
RE: Minutes of the Common Council Meeting held May 4, 2004

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 – McMahon, Burns, Trombetta, Calandrino, Saadi, Barry, Visconti, Steinerd, Esposito, Nolan, Basso, Saracino, Cavo, Bingaman, Teicholz, Nagarsheth, Riley, Seabury, Stanley

ABSENT – Urice, Payton

19 PRESENT – 2 ABSENT

Mr. Urice was out of town and Ms. Payton was ill

PUBLIC SPEAKING

Christine Rotello, 42 Pleasant Street – Said funding for the arts and cultural activities is important. Asked that some cuts be restored.

Patricia Zackman, 2-16 West Street – Executive Director of the Women's Center Asked that the 15% cut in funding for the Women's Center be restored.

Alice Chapman, 3 Glen Hill Road – asked that cuts to the Women's Center be restored.

Margie Blansfield, 2 Highfields Drive – Asked that cuts to WeCahr be restored.

Bernadette Kallas, Chambers Road – Asked that cuts to Commission on Child Care, Rights and Abuse be restored.

Chad Sinanian, 11 Thorpe Street – Asked that cuts to the WeCahr budget be restored.

Lynn Waller, 83 Highland Avenue – Thanked the Common Council for its efforts. Asked that taxes not be increase because senior citizens cannot afford it.

James Robert Chapman, 385 Main Street – Asked that funds for Harrambe Youth Center not be cut because the program may have to shut down.

Vanette, Pierre, Wilson Street – increase the Education budget

Robert Rogers, 12 Lee Avenue – He is thankful for the resources to the Social Services agencies. There has been a 32% reduction in funding in the past five years. Rescind the cuts and fund the schools.

Terrence Traver, 22 Rowan Street – Cuts in the Harrambe budget will decrease the ability to deliver services. Reconsider the cuts in the budget.

Barbara Talarico, 10 Deer Hill Avenue – reconsider Board of Education budget

Dan Trocolla, 53 Holley Street – He is concerned about the Education budget and the human services budget.

Neil Marcus, 158 Deer Hill Avenue – reconsider the cuts to the Women's Center budget. Also spoke regarding item 35, Local Zoning Ordinance. It is a travesty to exempt a certain piece of land. It is cherry picking. It may be unconstitutional. A public hearing may violate 1983 of the Federal statutes.

George O'Loughlin, 13 Maple Ridge Road – Chairman of the Board of Education. There has been talk of merging support services between the City and the Board. A business plan is needed. Looking at the cuts the Mayor has recommended there is still a gap between the proposal and what they can live with.

Terrance Trower, 22 Rowan Street – He does not want anything to happen to the Harrambe Youth Center.

Pat Doyle, 46 Washington Avenue – spoke about the cuts to the Commission on Child Care and the Women’s Center.

Richard DeJohn, 25 Padanaram Road – Cuts to Danbury Children First will reduce the ability to provide training. Please restore the cuts.

MINUTES – Minutes of the Common Council Meeting held April 6, 2004. Mr. Nolan made a motion to adopt the minutes and waive the reading as all members have copies, which are on file in the clerk’s office for public inspection. Seconded by Ms. Saracino. Motion carried unanimously.

CONSENT CALENDAR – Mrs. Basso presented the following items for the Consent Calendar:

CONSENT CALENDAR – MAY 4, 2004

6 – Receive the communication and adopt the resolution pledging sufficient property tax revenue of the City to secure loan guarantees provided by the U. S. Department of Housing & Urban Development in conjunction with Phase II of the Senior Center Project

8 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton or Town Clerk Joseph Scozzafava to apply for grant funding from the State of Connecticut Office of Public Records Administrator for the purpose of Historic Documents Preservation

9 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the State of Connecticut Department of Transportation, Division of Highway Safety, in the amount of \$7,280.00 to support the City of Danbury Memorial Day/Fourth of July Driving Under the Influence Enforcement Program

10 – Receive the communication and authorize the Corporation Counsel to take the necessary steps to acquire the properties in connection with the proposed new police station project and refer to the Planning Commission for a report

18 – Receive the communication and authorize the transfer of \$266,672.99 to the Suspense List as outlined by the Tax Collector

25 – Receive the communication and take no action at this time

26 – Receive the communication and take no action at this time

33 – Receive the report and approve the sewer extension requested at 15 Plumtrees Road subject to the required eight steps

34 – Receive the report and approve the sewer and water extension requested on Scuppo Road subject to Engineering review and the required eight steps.

38 – Receive the communication and approve the transfer of the \$225,000.00 to the Police Special Services Account #2000.5052

39 – Receive the communication and approve the transfer of \$8,800 from the Police Regular Salaries Account #2000.5020 to the following line items in the Animal Control Services Account:

60000.5030	Overtime Salaries	\$ 5,500
60000.5040	Part-Time Salaries	\$ 2,500
60000.5311	Professional Services	\$ 1,300

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

1 – ORDINANCE & RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005.

Mr. Nolan made a motion to adopt the Ordinance Making Appropriations For the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005. Seconded by Mr. Cavo.

General Government I Budget Report:

Mr. Riley submitted the following report:

The General Government I Budget Committee met on April 20, 2004 at 7:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Riley, Urice and Saadi. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Library Director Betsy McDonough, Chairman of the Library Board John Hoffer, Council Members Nolan, Saracino, Teicholz and Visconti, ex-officio and members of the public.

Mr. Riley asked Ms. Diorio for an overview of the line items. Ms. Diorio stated that the Mayor's budget account for six full-time positions. There is money in part-time services for summer interns. There is money in postage for mailings and money for miscellaneous expenses.

Ms. McDonough explained the various increases and decreases in her budget. They have been able to decrease the cost of printing and binding due to the purchase of a color printer. She would like to see the book budget increased, although it has not been decreased this year.

Ms. Diorio stated that the Registrars of Voters budget salaries account is for the full-time registrars and there is \$43,000 for deputy registrars and poll workers. All else is related to the provision of elections. Mr. Saadi asked if the three percent raise is included in this budget? Ms. Diorio said it is, but the registrars cannot receive the increase until their new term begins in January 2005.

Ms. Diorio stated that the COTT System in the Town Clerk's Office has saved \$30,000. Mr. Saadi asked about the \$24,000 in the printing and binding account. Ms. Diorio stated that it is for microfilming and part of the new system. She stated that there is not much that is new in the Town Clerk's budget.

Permit Coordination – Ms. Diorio stated that the salary change reflects that the department is increasing by two full-time positions from the Building Department to the Permit Center. All support staff handling customer service comes under the Permit Center. One part-time position was eliminated.

Planning Department – Ms. Diorio stated that the decrease in part-time salaries is due to one-part time position going from 19 hours to 12 hours.

Office of Economic Development – There is a salary for one full-time director and money for additional services. The \$35,000 received from HVECO is reflected in this budget.

Personnel Department/Civil Service – Funding for the Personnel Director has been eliminated. Those duties will fall to the Director of Finance. They have added a half-time Civil Service Examiner. Julio Lopez will be responsible for handling grievances, etc. Mr. Saadi stated that he has a problem with having two departments under the same auspices where they may have conflicts with each other from a personnel perspective.

City Memberships – The City belongs to three organizations – HVECO, the U. S. Conference of Mayors and CCM. Mr. Nolan asked if the City has considered the possibility of opting out of CCM and hiring its own lobbyist? Mayor Boughton said a lobbyist would not provide us access to CIRMA, competitive bidding or research on information. Next year they may keep CCM, but engage a lobbyist just for the legislative session.

Airport – Ms. Diorio stated that there is no flexibility in transferring funds to the motor fuel and heating fuel line item during the year. This budget is basically flat from last year. There are four full-time employees.

Mr. Urice made a motion to recommend adoption of the Mayor's proposed budget. Seconded by Mr. Saadi. Mr. Saadi stated that he seconded this motion to bring it to a vote. He still has the same concerns about the Personnel and Finance Departments being consolidated.

Motion carried, with Mr. Riley and Mr. Urice voting yes and Mr. Saadi voting no.

General Government II Budget Report

Mr. Cavo submitted the following report:

The General Government II Budget Committee met on April 19th at 7:00 P.M. and on April 21st at 7:00 P.M. in the Caucus Room in City Hall. In attendance at the April 19th meeting were committee members Cavo, Nagarsheth, McMahon, Trombetta and Saadi. Also in attendance were Mayor Boughton, Director of Finance Dena Diorio, Council Members Nolan, Saracino, Riley, Steinerd, Teicholz and Urice, ex-officio as well as members of the public and the media. In attendance at the April 21st meeting were committee members Cavo, Nagarsheth, McMahon and Saadi. Also in attendance were Director of Finance Dena Diorio, grant agency representatives, Council Members Nolan, Saracino, Barry, Teicholz, Visconti and Urice, as well as members of the public and the media.

At the April 19th meeting, Mr. Cavo asked the Director of Finance to give an overview of the Government II budget areas.

Ms. Diorio explained the discrepancy between the salary of the prior Treasurer and the current one. She indicated that it was not a change in the current Treasurer's salary, but a reduction from the last Treasurer to the current one.

The Bureau of Assessment has an addition of a full-time person to cover the GIS system. This is actually an increase from a part-time position.

Ms. Diorio explained the Retirement Administration line item, Labor Negotiation costs and FICA expenses, as well as all benefit line items. Ms. Diorio discussed interest on debt, both bonds and notes. Ms. Diorio presented an overview of the Capital Budget. She discussed the different funding sources including the recent bond, LOCIP and CDBG.

Ms. Diorio outlined the Contingency Fund and the types of things that would be funded from there. Mr. Saadi asked about any currently anticipated needs from Contingency beyond labor contract negotiations. Ms. Diorio said that the Corporation Counsel's Office might be one place, as well as snow removal costs.

Mr. Saadi made a motion to continue the committee. Motion seconded by Mr. Nagarsheth. Motion carried unanimously.

At the April 21st meeting, Mr. Cavo asked Ms. Diorio to provide an overview of how the grant agencies were funded. Ms. Diorio discussed the philosophy behind the 15% cut to all agencies across the board. She further identified a proposed correction to the CARD Foundation, which has been proposed to be funded at a higher level than others due to a calculation error. She suggested with that reduction the differential be shifted to the Volunteer Center, RSVP and the Cultural Commission.

Mr. Saadi observed that the funds allocated to the Cultural Commission seemed to be significantly more of a reduction than that asked of other agencies given the fact that we are asking them to do more y way of transfer of other agencies. He suggested that the committee consider increasing the allocation to the Cultural Commission to be more representative of the general 15% cut to other agencies.

Representatives of the grant agencies present addressed the committee and asked that their funding be restored. Mr. Nolan of the Downtown Council reiterated his previously stated concerns about the proposed cut to the funding for the Downtown Council.

The committee members discussed their ideas as to funding cuts and funding restoration to various grant agencies.

Mr. Nagarsheth made a motion to recommend the adoption of the proposed Government II Budget with the following amendment:

Decrease the allocation to the CARD Foundation #5010.6062 to \$8,500
Add funding for the Volunteer Center #5010.6061 in the amount of \$2,040
Add funding to RSVP #5010.0000 in the amount of \$1,700
Add funding to the Cultural Commission #7005.5855 in the amount of \$510.

Seconded by Mrs. McMahon. The motion carried with committee members Cavo, Nagarsheth and McMahon voting in the affirmative and Mr. Saadi voting in the negative.

Education Budget Report

Ms. Saracino submitted the following report:

The Education Budget Committee met on April 13, 2004 and on April 19, 2004 in the Caucus Room in City Hall. In attendance at the April 13th meeting were committee members Saracino, Nolan, Riley, Stanley and Visconti. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Board of Education Members George O'Loughlin, Scott Ferguson, Eileen Alberts and Michael Fazio, as well as Board Finance Director Elio Longo, Assistant Finance Director Melanie Schroeder and Council Members Cavo and Urice, ex-officio. In attendance at the April 19th meeting were committee members Saracino, Nolan, Riley, Stanley and Visconti. Also in attendance were Finance Director Dena Diorio, Superintendent of Schools Eddie Davis, Board Finance Director Elio Longo, School Board Members O'Loughlin, Silva, Ferguson and Fazio, as well as Council Members Steinerd, Nagarsheth, Cavo and Urice, ex-officio.

At the April 13th meeting Ms. Saracino stated that the Mayor proposed a school budget of \$89,500,000 at an increase of 6.4%. The Board of Education requested \$92,338,894. Mayor Boughton stated that every municipality is struggling with the funding of their schools. The school district can be run at \$89,500,000. He cannot make any further cuts from the City side of the budget. He cannot ask his non-union employees to make any further concessions if the school employees are not asked to do the same.

Mr. Nolan stated that there is a discrepancy of approximately three million dollars. The largest gap is anticipated grant funding. Mr. Longo stated that there is \$15,700,000 in this budget, but there will be less in next year's budget. It is difficult to predict in January, where they will be in April. He believes it will come in at the same level. If grants remain at a flat level of funding, you experience a compression issue. The eight percent increase does not include grants for the coming year.

Mr. Longo stated that the average salary increase is 5.32%. The second largest expense is the health, life and dental insurance. These are the two main stressors on the budget. Mayor Boughton stated that he spoke with the President of the union and he would be willing to let the younger employees opt into lesser plans. The Board should offer early retirement to clerical staff and reorganize and combine positions. Mr. O'Loughlin stated that they did a fairly aggressive study regarding an early retirement program. If they did not offer an early retirement, they would still have enough retirements to save more cost than if they did.

Mr. O'Loughlin stated that the Board did a full analysis of all textbooks across the district. The textbook account was under funded last year by over \$700,000. Ms. Saracino asked why there was over \$100,000 in the textbook account in February. It should have been spent in January. Mr. Longo said they start in the read due to the salary account. The money comes from that account.

Mr. O'Loughlin stated that there had been some discussion about partnering the City and Board of Education's IT departments. At that time the Board was positive about making a deal, but it had to be on paper. They needed to know who would solve disputes, etc. Mayor Boughton said that the Board's demands were so onerous that it

would have cost both organizations more money. The idea was put on hold, but he would be willing to revisit the issue.

After discussions regarding special education, other ways to doing business and the No Child Left Behind law, Mrs. Saracino continued the meeting until April 19th.

Mrs. Saracino opened the April 19th meeting by asking Council Members for any opening comments. There were none. Mr. O'Loughlin opened a discussion of textbook accounts. Dr. Davis referred to the report on textbooks and said it was "real information", not philosophical. Dr. Davis said we have a crisis in our media centers and instructional supplies. Mr. Riley discussed his experience at the High School as a former educator and disagreed with the assessment of the need for textbooks. Mr. Visconti asked if there was a specific formula for the replacement of textbooks. He also asked about the addition of staff for class size and the corresponding need for textbooks. Dr. Davis said that in the case of a need for additional staff, it takes precedence over the need for new textbooks.

Discussions followed regarding grant funding, early retirement, health insurance and the Stadium Manager position.

Mr. Nolan made a motion to recommend approval of the Mayor's proposed education funding budget. Seconded by Mr. Visconti.

Mr. Nolan encouraged the board to work with the Mayor and Finance Director to find the combined savings that are out there to be achieved. He also encouraged the board to look more closely at retirement options to lower overall payroll and benefit costs, as the significant portion of their overall budget. Mr. Riley indicated that he felt strongly that a retirement package was necessary.

Motion carried unanimously.

Public Works Budget

Mr. Steinerd submitted the following report:

The Public Works Budget Committee met on April 27, 2004 at 6:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Steinerd, Basso, Calandrino, Teicholz and Barry. Also in attendance were Director of Finance Dena Diorio, Director of Public Works William Buckley, Director of Parks and Recreation Robert Ryerson and Council Members Cavo, Urice and Seabury, ex-officio.

Mr. Steinerd asked Mr. Buckley for an overview of the public works budget. Mr. Buckley explained that all public buildings have same line items. Mr. Calandrino asked about the considerable expenditures for the Senior Center. Mr. Buckley explained that expenses cover the two buildings, the Old Jail and the new Senior Center.

Highways – Mr. Buckley stated that he would start bidding on sand and salt on July 1st. \$20.00 per yard is the number they use. Mrs. Basso asked if new trucks would be ordered. Mr. Buckley said he would be ordering six 6 wheelers in sets of three; two lowboys, a sweeper and a backhoe. This money was contained in the bond package.

Street Lighting – Mr. Buckley stated that the City pays for all streetlights. Some are metered.

Park Maintenance and Forestry – Forestry was under Public Works in the past. Ms. Diorio noted that an additional park maintainer has been added. Mr. Ryerson said that they extrapolated the costs and put them into two different categories. Mr. Barry asked for an explanation of the rationale behind moving the maintainers. Ms. Diorio said putting the maintainers under one area would be more cost efficient. Mr. Barry asked how this flows with the charter. Ms. Diorio believes it does follow the charter. Mr. Ryerson said he initially had some reservations, but after several meetings with the Mayor, he believes it can work.

Public Building Maintenance and Repair – This follows the same format as the Public Buildings account. There is a formal agreement with the Board of Education as to which responsibilities belong to the City and which belong to the Board. Ms. Teicholz asked about the Outside Services Account. Ms. Diorio said most of it is the Honeywell contract.

Equipment Maintenance – This account maintains the City fleet, including police vehicles. Fire vehicles and sewer and water vehicles are not in this budget. Salaries are all union people.

Recycling and Solid Waste – This is the old landfill account. It is responsible for the operation of the gas collections system and air and ground water monitoring. It contains funds for utilities and for needed chemicals, as well as money for Household Hazardous Waste Day. Mom and Pop permits for handicapped persons are contained in this account.

Engineering Department – This department is for traffic control, painting of street lines, traffic lights, of which there are 110 in the City. The state owns 40 of them. The largest share of this budget is salary. There are fourteen employees in the office.

Parks and Recreation – Mr. Ryerson stated that the salary account is for him and his secretary. Overtime is for high school scholastics. Part-time salary account is staff for lakes and playgrounds and safe summer program. Professional Services covers officials, coaches and referees for the programs. \$14,000 in Contributions and Grants is given to the Westerners Baseball franchise.

Tarrywile Park Authority – The City gives them \$245,000 for their operations. There was some money for them this year in the Capital Program and in the Bond Package.

Mr. Buckley explained the Sewer Fund and the Water Fund. They are Enterprise Funds and serve approximately two-thirds of the population. Water department employees are City employees. Mr. Buckley explained Intermunicipal Agreements with surrounding towns and Septage Agreements with other towns. Many sewer and water priority items were covered in the bond package.

Mrs. Basso made a motion to recommend adoption of the Mayor's proposed Public Works budget as presented. Seconded by Mr. Calandrino. Motion carried with committee members Steinerd, Calandrino, Basso and Teicholz voting yes and committee member Barry voting no.

Health & Housing, Public Safety and Social Services Budget

Mr. Seabury submitted the following report:

The Health & Housing, Public Safety & Social Services Budget met on April 26, 2004 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Seabury, Basso, Bingaman, McMahon and Esposito. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Administrative Assistant to the Police Chief Arthur Sullo and Council Members Saracino, Urice, Visconti and Saadi, ex-officio.

Mr. Seabury asked Ms. Diorio to give an overview of each budget line item.

Police Department – Salaries include 152 sworn positions and six civilians. The overtime budget has been reduced from \$900,000 to \$800,000. An increase in the rate of pay for school-crossing guards has been included since they have not had an increase in three years. The rate of pay has been increased by fifty cents per hour. Most line items have been flat funded. Maintain office Equipment line item is for software and they had no control over that increase. Motor fuel was increased for next year because of the rising gas prices. Industrial and Chemical supplies has been slightly increased.

Mrs. Basso asked if the union contract has been signed. Ms. Diorio said it has not. They are still in negotiations, but money has been included in the contingency account.

Animal Control Fund – There has been an increase because an assistant animal control officer position has been restored. All line items have remained the same.

Mr. Urice asked how we are staffed for officers based on national averages? Captain Sullo said we are in a dilemma. Our population is 75,000, but there are probably 10,000 undocumented residents. Optimally, there should be two officers for every 1,000 people. They would like to see fifteen additional officers. Sworn officers are still being used for communications. That is contractual and should be looked at.

Fire Department – All positions have been funded except for one deputy fire marshal that has been eliminated. Overtime has been funded at the current level. There has been a procedural change regarding physicals for potential volunteers. The City will now pay for their medical exams only if they complete the volunteer training. The cleaning services line item has increased slightly. Chief Siecienski explained that the Maintain Building Structures line item includes ten structures under his control and that includes five volunteer companies.

A discussion followed regarding the volunteers budgets are spent. Ms. Diorio and Chief Siecienski will be visiting each volunteer company to examine their books. Mr. Bingaman requested that the Common Council be apprised of how this trip goes.

Ms. Diorio stated that software leases are higher than the current year. Garage shop equipment has increased as well as an increase in public safety equipment. There is no funding for the purchase of new vehicles. Chief Siecienski said that due to budget difficulties he delayed a pumper request. He is receiving \$30,000 for breathing apparatus and he will be able to replace the entire career side.

Ambulance Fund – The fund is 100% supported by user fees. The City has not had to subsidize this fund for two years. In the past, BSI did the annual audit. The City now does the audit. In the next fiscal year we will lease two new ambulances and take the old ones out of service.

Building Department – There have been some changes in this department. There has been a shift of three positions into the permit coordination. \$1,600 has been included for new codebooks for the inspectors. Legal and public notices have been included for the first time.

Civil Preparedness – There has been a reduction in this budget because the director's position has been funded for six months. They have been having trouble finding someone to fill this position.

Department of Consumer Protection – This office will consist of two part-time people as sealers of weights and measures. The state will train these people at no cost to the City.

Health and Housing – There are no significant changes in this budget. A part-time inspector was eliminated to generate savings. There was a slight increase in industrial chemicals and supplies.

Welfare – All positions have been funded. Overtime was brought back to \$2,000. \$5,000 previously allocated for projects has been eliminated because the director did not know how she was going to use it. Office Supplies has been slightly increased.

Veterans Advisory Center – This is a lean budget. 99% is the salary for the director.

Commission on Aging – Salaries are for three full-time staffers. Printing and Binding has been reduced due to Senior Net activities, as Senior Net will pay its own way. There was also in reduction in office supplies due to Senior Net.

Elderly Transportation – This is a grant we give to the Housing Authority so that they can provide transportation for the elderly.

Mr. Bingaman made a motion to recommend adoption of the Mayor's proposed Health & Housing, Public Safety and Social Services Budget. Seconded by Mrs. Basso. Motion carried unanimously.

Mr. Nolan offered an amendment to include changes recommended by the subcommittees. Seconded by Mrs. Basso.

Ms. Saracino moved to amend the ordinance by reducing line item 1060.5020 by \$1,242 to comply with Connecticut General Statutes and add \$1,242 to the Cultural Commission line item. Seconded by Mrs. Basso. Motion carried unanimously.

Mr. Saadi made a motion to restore one-third of the funding cuts to WeCahr, Regional Commission on Child Care Rights and Abuse and Women's Center and \$19,978 to be appropriated to the Cultural Commission and the contingency to be reduce by a like amount. Seconded by Mr. Barry. Motion failed on a vote of 4 yes 15 no. Council Members Saadi, Barry, Visconti and Esposito voted yes.

Main Motion, as amended, carried 15 yes and 4 no with Council Members Saadi, Barry, Visconti and Esposito voting in the negative.

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005.

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

SECTION 1. That the amounts hereinafter set forth aggregating \$161,229,195 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, 2004 and ending June 30, 2005.

<u>I. GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>ADOPTED BUDGET</u>
Common Council	\$ 62,853	\$ 62,853
Mayor's Office	311,118	311,118
City Clerk's Office	44,354	44,354
Ordinances	20,600	20,600
Probate Court	15,625	15,625
Registrars & Elections	154,880	153,637
City Treasurer	17,748	17,748
Director of Finance	717,030	717,030
Data Processing/Info Tech	1,052,770	1,052,770
Independent Audit	43,900	43,900
Bureau of Assessments	375,647	375,647
Board of Assessment & Appeals	4,050	4,050
Tax Collector	501,461	501,461
Purchasing	209,956	209,956
Corporation Counsel	591,202	591,202
Town Clerk	364,148	364,148
Annual Report	7,650	7,650

Permit Coordination	282,573	282,573
Planning Department	468,956	468,956
Office of Economic Development	88,000	88,000
Conservation Commission	8,665	8,665
Personnel Department/Civil Service	222,498	222,498
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,450	1,450
City Memberships	77,786	77,786
Lake Authority	48,812	48,812
	<u>MAYOR'S</u>	<u>ADOPTED</u>
	<u>BUDGET</u>	<u>BUDGET</u>

GENERAL GOVERNMENT

Retirement Administration	\$ 72,500	\$ 72,500
Labor Negotiations	82,000	82,000
Public Buildings	863,633	863,633
City Hall Building	281,046	281,046
Library Building	162,885	162,885
Police Station Building	174,965	174,965
Senior Center Building	79,100	79,100
Old Library Building	38,092	38,092
Employee Service Benefit	<u>44,402</u>	<u>44,402</u>
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$ 7,502,355</u>	<u>\$ 7,501,112</u>

II. **PUBLIC SAFETY**

Police Department	\$11,443,035	\$11,443,035
Animal Control	172,993	172,993
Fire Department	8,487,154	8,487,154
Ambulance Fund	0	0
Building Inspector	453,423	453,423
Department of Civil Preparedness	41,650	41,650
Employee Service Benefit	9,957	9,957
Department of Consumer Protection	<u>50,659</u>	<u>50,659</u>
<u>TOTAL PUBLIC SAFETY</u>	<u>\$20,658,871</u>	<u>\$20,658,871</u>

III. **PUBLIC WORKS**

Highways	\$ 2,073,531	\$ 2,073,531
State Aid – Highways	181,121	181,121
Snow and Ice Removal	426,000	426,000
Street Lighting	386,250	386,250
Park Maintenance & Forestry	1,259,825	1,259,825
Public Building Maintenance and Repair	510,653	510,653
Equipment Maintenance	778,828	778,828
Recycling/Solid Waste	326,150	326,150

Engineering Department

981,702

981,702

	<u>MAYOR'S</u>	<u>ADOPTED</u>
	<u>BUDGET</u>	<u>BUDGET</u>
<u>PUBLIC WORKS</u>		
Employee Service Benefit	\$ 16,586	\$ 16,586
<u>TOTAL PUBLIC WORKS</u>	<u>\$ 6,940,646</u>	<u>\$ 6,940,646</u>
IV.	<u>HEALTH & HOUSING DEPARTMENT</u>	
Health & Housing	\$ 827,771	\$ 827,771
Employee Service Benefit	6,859	6,859
<u>TOTAL HEALTH & HOUSING</u>	<u>\$ 834,630</u>	<u>\$ 834,630</u>
V.	<u>PUBLIC WELFARE, SOCIAL AGENCIES</u>	
Welfare Department	\$ 312,097	\$ 312,097
Veterans' Advisory Center	55,838	55,838
Commission on Aging	227,013	227,013
Elderly Transportation	12,000	12,000
Grants – Human Services	1,005,493	1,004,983
Employee Service Benefit	3,738	3,738
<u>TOTAL PUBLIC WELFARE, SOCIAL AGENCIES</u>	<u>\$ 1,616,179</u>	<u>\$ 1,615,669</u>
VI.	<u>SCHOOL DEPARTMENT</u>	
Schools, Regular	\$89,500,000	\$89,500,000
Schools, Health & Welfare	208,575	208,575
<u>TOTAL SCHOOL BUDGET</u>	<u>\$89,708,575</u>	<u>\$89,708,575</u>
VII.	<u>LIBRARIES</u>	
Danbury Public Library	\$ 1,889,260	\$ 1,889,260
Employee Service Benefit	5,059	5,059
Long Ridge Library	0	0
<u>TOTAL LIBRARIES</u>	<u>\$ 1,894,319</u>	<u>\$ 1,894,319</u>
VIII	<u>PARKS & RECREATION</u>	
Parks & Recreation	\$ 430,144	\$ 430,144
Tarrywile Park Authority	245,000	245,000

		<u>MAYOR'S</u> <u>BUDGET</u>	<u>ADOPTED</u> <u>BUDGET</u>
	<u>PARKS & RECREATION</u>		
	Cultural Commission	\$ 75,000	\$ 76,753
	Lake Kenosia Commission	2,500	2,500
	Employee Service Benefit	<u>1,473</u>	<u>1,473</u>
	<u>TOTAL PARKS & RECREATION</u>	<u>\$ 754,117</u>	<u>\$ 755,870</u>
IX.	<u>RECURRENT COSTS</u>		
	FICA	\$ 1,403,411	\$ 1,403,411
	Pension Expense	3,911,000	3,911,000
	Employee Service Benefit	177,370	177,370
	Worker's Compensation	641,852	641,852
	State Unemployment Compensation	36,000	36,000
	Employee Health & Life Insurance	10,095,593	10,095,593
	Union Welfare	740,000	740,000
	Insurance & Official Bond Premium	<u>2,699,086</u>	<u>2,699,086</u>
	<u>TOTAL RECURRENT COSTS</u>	<u>\$ 19,704,312</u>	<u>\$ 19,704,312</u>
X.	<u>DEBT SERVICE</u>		
	Interest on Debt	\$ 1,678,632	\$ 1,678,632
	Interest on Debt – School	1,329,674	1,329,674
	Redemption of Debt	3,687,350	3,687,350
	Redemption of Debt – School	<u>2,545,000</u>	<u>2,545,000</u>
	<u>TOTAL DEBT SERVICE</u>	<u>\$ 9,240,656</u>	<u>\$ 9,240,656</u>
XI.	<u>CAPITAL PROGRAM</u>	<u>0</u>	<u>0</u>
	<u>TOTAL CAPITAL PROGRAM</u>	<u>0</u>	<u>0</u>
XII.	<u>TRANSPORTATION</u>		
	Danbury Airport	\$ 312,267	\$ 312,267
	H.A.R.T.	632,040	632,040
	Employee Service Benefit	<u>1,474</u>	<u>1,474</u>
	<u>TOTAL TRANSPORTATION</u>	<u>\$ 945,781</u>	<u>\$ 945,781</u>
		<u>MAYOR'S</u> <u>BUDGET</u>	<u>ADOPTED</u> <u>BUDGET</u>
XIII	<u>CONTINGENCY</u>	<u>\$1,428,754</u>	<u>\$1,428,754</u>
	<u>TOTAL CONTINGENCY</u>	<u>\$1,428,754</u>	<u>\$1,428,754</u>
	<u>TOTAL BUDGET</u>	<u>\$161,229,195</u>	<u>\$161,229,195</u>

SECTION 2. That the amount of \$1,601,000 is appropriated to the AMBULANCE FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of \$186,593 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$8,512,677 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of \$5,753,209 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for tax appeals reserve is established in the amount of \$850,000.

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR

BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005

Section 1. The sum of \$129,296,048 representing the gross appropriations for the City of Danbury of \$161,229,195 for the fiscal year of July 1, 2004 and ending June 30, 2005, minus Indirect Revenue of \$32,783,147, plus reserve for tax appeals in the amount of \$850,000, 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, 2003.

Section 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 2004 and ending June 30, 2005 shall be as follows:

TAX RATE: 24.86 MILLS

Section 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 2004, October 1, 2004, January 1, 2005 and April 1, 2005 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, 2004 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, 2004 and ending June 30, 2005.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 For Public Improvements In the 2004-2005 Capital Budget And Authorizing The Issuance of \$500,000 Bonds of the City To Meet Said Appropriation And Pending The Issuance Thereof the Making of Temporary Borrowings for Such Purpose

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

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

<u>Project</u>	<u>Estimated Cost</u>
Tree Easement Acquisition	\$ 88,000
Replace Breathing Apparatus	35,000

Vehicles for Weights and Measures	50,000
Landfill Litigation Settlement	300,000
Tarrywile Park Exterior Painting	27,000
	500,000
Total	\$ 500,000

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 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.

Mrs. Basso made a motion that the Ordinance appropriating \$500,000 for Public Improvements in the 2004-2005 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 be adopted. Seconded by Mr. Nolan. Motion carried unanimously.

3 – ORDINANCE – Sewer Use Rates

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

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2004, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1,000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1,000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

- a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:
 - 1. O&M value (X) = \$1.60
 - 2. Debt service values (Y) =
 - i. Residential, Class 1 and 1A = \$0.28
 - ii. Mixed residential / commercial, Class 2A = \$4.11
 - iii. Nonresidential, Class 2 and 3 = \$4.83
- b. The minimum quarterly sewer use charge shall be seventeen dollars and twenty two cents (\$17.22).
- (b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:
 - (1) Residential (Class 1 and 1A) = Eighty Three dollars and seventy nine cents (\$83.79) per unit.
 - (2) Mixed residential / commercial (Class 2A) = One hundred sixty seven dollars and forty cents (\$167.40) per unit.
 - (3) Nonresidential (Class 2 and 3) = One hundred sixty seven dollars and forty cents (\$167.40) per unit.
- (c) For sewer use customers having no city water service the quarterly sewer use charge shall be:
 - (1) Residential (Class 1 and 1A) = Thirty nine dollars and twenty nine cents (\$39.29) per unit.
 - (2) Mixed residential/commercial (Class 2A) = One hundred forty two dollars and ten cents (\$142.10) per unit.
 - (3) Nonresidential (Class 2 and 3) = One hundred fifty five dollars and ninety seven cents (\$155.97) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

Mrs. Saracino made a motion to adopt the ordinance regarding sewer rates. Seconded by Mrs. Basso. Motion carried unanimously.

4 – ORDINANCE – Water Use Rate

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

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly non-metered rates.

The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2004: \$192.55/unit.

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004, and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8-inch size meter:

<i>Usage (MG)</i>	
0-1.....	\$ 8.57
2	9.49
3	10.40
4	11.31
5	12.24
6	13.13
7	14.05
8	14.97
9	15.88
10	16.79
11	17.70
12	18.63
13	19.52
14	20.43
15	21.34

(b) 3/4-inch size meter:

<i>Usage (MG)</i>	
0-1.....	\$13.32
2	14.23
3	15.14
4	16.06
5	16.96
6	17.87
7	18.74
8	19.71
9	20.61
10	21.53
11	22.45
12	23.35
13	24.26
14	25.19
15	26.10

(c) 1-inch size meter:

<i>Usage (MG)</i>	
0-1.....	\$27.54
2	28.45
3	29.36
4	30.27
5	31.18
6	32.09
7	33.01
8	33.92
9	34.84
10	35.73
11	36.67
12	37.57
13	38.48
14	39.40
15	40.31

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004 and are limited to the first fifteen thousand (15, 000) gallons of consumption.

<i>Size of Meter (inches)</i>	
1 ½	\$126.15
2	185.00
3	410.00
4	819.90
6	1,639.78
8	3,279.61
10	6,559.21

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be two dollars and fifty-seven (\$2.57) per one thousand (1,000) gallons.

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 2004:

- (1) Hydrant use by contractors, per 100 gallons \$ 1.25
- (2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

<i>Size of Connection (inches)</i>	<i>Charge for Three Months</i>
4 and under	106.48
6	199.66
8	292.83
10	399.30
12	532.41

Mr. Cavo made a motion to adopt the ordinance regarding water rates. Seconded by Mr. Nolan. Motion carried unanimously. Motion carried unanimously.

5 – RESOLUTION - Non-Union Employees

Mr. Bingaman asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Nolan, Basso and Esposito to the committee.

6 – RESOLUTION – HUD Financing for Senior Center Phase 2

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in the coming months the City of Danbury intends to acquire property and construct Phase II of the Senior Center Project; and

WHEREAS, in order to finance the Senior Center Phase II Project the City of Danbury has requested loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the U. S. Department of Housing and Urban Development has approved said request consisting of the guarantee of notes or other obligations in the principal amount of \$3,200,000 plus interest; and,

WHEREAS, said approval is contingent upon, among other things, the requirement that the city provide additional security for the loan guarantee in a form acceptable to HUD; and,

WHEREAS, HUD has agreed to accept the city's pledge of property tax revenues as a secondary source of financing for this Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, the City of Danbury does hereby pledge sufficient property tax revenues, as required by the United States Department of Housing and Urban Development, as additional security for the guaranteed loan under Section 108 of the Housing and Community Development Act of 1974, in order to secure the financing of the Senior Center Phase II Project.

The communication was received on the Consent Calendar and the resolution pledging property tax revenue of the City to secure loan guarantees provided by the U. S. Department of Housing & Urban Development in conjunction with Phase II of the Senior Center Project was adopted.

7 – RESOLUTION – Neighborhood Assistance Act

Mr. Saadi asked that this be deferred to public hearing. Mayor Boughton so ordered.

8 – RESOLUTION – Historic Document Preservation

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Office of Public Records Administrator, will make grant funds available to municipalities through an Historic Documents Preservation Grant; and

WHEREAS, the State of Connecticut Office of Public Records Administrator will award these funds to the City of Danbury Town Clerk's Office for use in Historic Document Preservation; and

WHEREAS, the City of Danbury is eligible to receive funds up to \$12,000.00; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, as Mayor of the City of Danbury, or the Town Clerk as his designee, is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton or Town Clerk Joseph Scozzafava to apply for grant funding from the State of Connecticut Office of Public Records Administrator for the purpose of Historic Documents Preservation adopted.

9 – RESOLUTION – DUI Enforcement Vehicle Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of \$7,280.00 for the 2004 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

WHEREAS, a local cash match of \$3,120.00 is required in order to reach the total cost of the program, which is \$10,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton is hereby authorized to apply for said grant and to accept grant funds is approved, and Mayor Mark D. Boughton 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.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the State of Connecticut Department of Transportation, Division of Highway Safety, in the amount of \$7,280 to support the City of Danbury Memorial Day/Fourth of July Driving Under the Influence Enforcement Program adopted.

10 – RESOLUTION – Acquisition of Property – New Police Station

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the 21st Century Bond Issue, is proceeding, through plans and designs, to construct a new police station; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land as described in the Exhibits attached hereto; and

WHEREAS, said properties will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said properties and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury through the Office of Corporation Counsel, be and hereby is authorized to acquire the properties set forth on EXHIBITS A and B attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by November 1, 2004.

The communication was received on the Consent Calendar and the resolution authorizing the Corporation Counsel to take the necessary steps to acquire the properties in connection with the proposed new police station project approved and referred to the Planning Commission for a report.

11 – COMMUNICATION – Appointment as Police Officer

Letter from Mayor Mark Boughton requesting confirmation of the appointment of Justin R. Williams as a police officer. Mr. Trombetta made a motion to receive the

communication and confirm the appointment. Seconded by Mr. Barry. Motion carried unanimously.

12 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Susan Tomanio requesting permission to accept donations in the amount of \$75.00 for the Professional Services line item and the donation of four bridge tables from AARP for use at Elmwood Hall. Mrs. McMahon made a motion to receive the communication, accept the donations, credit the appropriate line item and send a letter of thanks. Seconded by Ms. Saracino. Motion carried unanimously.

13 – COMMUNICATION – Donation to the Parks and Recreation Department

Letter from Director of Parks and Recreation Robert Ryerson requesting permission to accept a donation in the amount of \$100 from the Danbury Garden Club. Mr. Visconti made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

14 – COMMUNICATION – Donation from Automated Waste Disposal

Letter from Director of Public Works William Buckley requesting permission to accept a donation of four thirty-yard containers to the City for use on "Clean City Danbury Day." Ms. Stanley made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

15 – COMMUNICATION – Appropriation to the Board of Education

Letter from Director of Finance Dena Diorio requesting that \$40,113 be transferred from the Contingency Account to the Board of Education for the incentive program designed to provide a dollar for dollar match to the Board of Education for any long-term savings that were achieved through organizational systemic changes.

Mr. Nolan made a motion to receive the communication and authorize the transfer of funds. Seconded by Mr. Seabury. Motion carried unanimously.

16 – COMMUNICATION – "Earth to Kids" Program

Letter from Director of Public Works William Buckley outlining a proposal from Kathy Gleason of the Weston Woods Institute utilizing the educational van purchased as a part of our recycling program.

Mr. Nagarsheth asked that this be referred to an ad hoc committee, the Director of Public Works, the Director of Finance and a representative of Weston Woods Institute. Mayor Boughton so ordered and appointed Council Members Teicholz, Seabury and Barry to the committee.

17 – COMMUNICATION – Request for Ad Hoc Committee regarding Parking Ordinances

Ms. Burns asked that this be referred to an ad hoc committee, the Chief of Police, the Zoning Enforcement Officer and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Cavo, Basso and Esposito to the committee.

18 – COMMUNICATION – Suspense List

Letter from Tax Collector Catherine Skurat recommending names and amounts of City taxes that she considers uncollectible in the amount of \$266,672.99 be transferred to the Suspense List. The communication was received on the Consent Calendar and the transfer of \$266,672.99 to the Suspense List authorized.

19 – COMMUNICATION – Lease of City Land adjacent to Danbury Airport to Danbury Audi. Mr. Seabury asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance,

and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

20 – COMMUNICATION – Storm Drain Catch Basin Odor.

Request from William Walsh of 44 Mabel Avenue asking the City to correct an odor from catch basins in his neighborhood. Mr. Seabury asked that this be referred to the Director of Health for a report back within thirty days. Mayor Boughton so ordered.

21 – COMMUNICATION – Request for the City to take over Wilkes Road

Ms. Burns asked that this be referred to the Director of Public Works, the Planning Commission and the Corporation Counsel for reports back within thirty days. Mayor Boughton so ordered.

22 – COMMUNICATION – Claremont Terrace

Mr. Steinerd asked that this be referred to the Director of Public Works, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

23 – COMMUNICATION – Waiver of Bid for Purchase of Aerial Platform Truck

Mr. Nolan made a motion to approve the waiver of bid for the purchase of an aerial platform truck. Seconded by Mr. Cavo. Motion carried unanimously.

24 – COMMUNICATION – Drainage Easement, Backus Avenue

Mr. Cavo asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission and the Director of Public Works. Mayor Boughton so ordered and appointed Council Members Nagarsheth, Burns and Barry to the committee.

25 – COMMUNICATION – Report regarding 63 Grand Street

Report from the Director of Finance stating that the City is considering the acquisition of several properties on Grand Street as part of the expansion of the Senior Center. The City is still waiting for final appraisals to be complete so a final budget for the project may be developed. Based on preliminary estimates it does not appear that sufficient funds will be available to purchase this property.

The communication was received on the Consent Calendar and no action taken.

26 – COMMUNICATION – Reports regarding the request to install a sign on Hawthorne Cove

Reports from the Chief of Police and the Director of Public Works recommending that a sign not be permitted to be installed within the City road right of way. The communication was received on the Consent Calendar and no action taken.

27 – COMMUNICATION – Reports regarding the abandonment of a paper road in the Westwood Drive area.

Reports from the Director of Public Works and the Corporation Counsel stating that they have no objections to the City granting this request, subject to Planning Commission approval. Mr. Bingaman made a motion to refer this request to the Planning Commission. Mayor Boughton so ordered.

28 – COMMUNICATION – Sadler Aircraft Service Lease

Mr. Calandrino asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance, and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

29 – COMMUNICATION – Curtiss Aero Airport Lease

Ms. Stanley asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

30 – REPORT & ORDINANCE – Public Building Use Policy

Mr. Calandrino submitted the following report:

The Common Council Committee appointed to review an ordinance regarding the use of public buildings met on April 14, 2004 at 7:30 P.M. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Superintendent of Public Utilities Rick Palanzo, Director of Finance Dena Diorio, Assistant Corporation Counsel Robin Edwards, Library Director Betsy McDonough, Dennis Nazzaro from the Music Center Board of Directors and Council Members Saadi, Seabury, Cavo, Urice, Basso and Saracino, ex-officio.

The purpose of this ordinance is to allow policies to be established. Ms. Diorio stated that this ordinance would give the City the opportunity to prepare a building use policy. The attached policy is still to be considered. Included would be City Hall, the two Senior Center buildings and the Danbury Music Center. Excluded would be the Library, Richter Park, Tarrywile Park and Hatters Park. For insurance purposes it would state what could and could not be done. For profit agencies would be charged a fee.

Mr. Saadi said he does not have a problem with the City having a policy, but he does have a problem with the inclusion of City Hall. When someone rents, and pays for a City Hall room, they are entitled to a five-day cancellation notice. Many times the Common Council meets with less than five days notice. You would not have the same problem with the other buildings because they are not used for City business. He asked if there would be a problem for groups who do not have an insurance policy? Ms. Diorio said that the most critical issue is if someone gets hurt the City is responsible. Attorney Edwards stated that Section 7 would allow the Superintendent of Public Buildings to waive the requirement. Mr. Calandrino stated that he agrees with Mr. Saadi regarding City Hall.

Mr. Saadi proposed the following changes: first line between the word use and rental, the word or should be inserted; and in the third line the word shall should be replaced with may and in the fifth line after the word facilities, insert the phrase as set forth in said policies. Finally, the attached proposed rental policy shall be detached from the ordinance and be considered separately at a later time.

Mr. Visconti made a motion to recommend the following changes to the ordinance: in the first line between the word use and rental, the word or should be inserted; in the third line the word shall should be replaced with may; and in the fifth line after the word facilities, the phrase as set forth in said policies should be inserted. Also, the attached proposed rental policy shall be detached and referred to a separate committee for consideration. Seconded by Mr. Nagarsheth. Motion carried unanimously.

Ms. Saracino made a motion to receive the report, approve its recommendations and defer the ordinance to public hearing. Seconded by Mrs. Basso. Motion carried unanimously.

31 – REPORT & ORDINANCE – Fire Marshall Inspections

Mr. Calandrino submitted the following report:

The Common Council Committee appointed to review the ordinance regarding Fire Marshall Inspections met on April 14, 2004 in the Third Floor Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Fire Marshall Barry Rickert, Corporation Counsel Robert Yamin and Council Members Basso, Cavo, Saadi, Saracino and Seabury.

Mr. Calandrino asked the Director of Finance to explain the request. Ms. Diorio stated that this ordinance would allow the Fire Marshall to charge for inspections. Mr. Rickert put together the ordinance and determined what the proposal would generate.

Mr. Visconti asked Mr. Rickert if there are enough personnel to carry this out? Mr. Rickert said there are never enough people to do inspections as they multiple each year. This ordinance is not generating a heavier workload; these are current inspections. There are no new inspections. The revenue would go into the general fund. Mr. Urice asked if there would be a charge for reinspections? Ms. Diorio said there would not.

Mr. Nagarsheth made a motion to recommend adoption of the ordinance and defer it to public hearing. Seconded by Mr. Visconti. Motion carried unanimously.

Mrs. Basso made a motion to receive the report, approve its recommendations and refer the ordinance to public hearing. Seconded by Mrs. Saracino. Motion carried unanimously.

32 – REPORT & RESOLUTION – Hatters Park Revenue

Mr. Calandrino submitted the following report and resolution:

The Common Council Committee appointed to review a resolution pertaining to the revenue from Hatters Park met on April 14, 2004 at 8:05 P.M. in the Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Director of Parks and Recreation Robert Ryerson, Robert Talarico, David Arconti and Bob Guerrero from PAL, Council Members Urice, Saracino, Basso, Cavo, Seabury and Saadi, ex-officio and Joe Gould from the News Times.

Ms. Diorio explains that the resolution redirects the revenue from Hatters Park to the General Fund. An issue of concern is the theft of funds from PAL soccer. In 2001 the independent auditor had questions about PAL soccer and recommended that the assets be turned over to PAL. If the assets were not turned over, termination should occur. There is a 120-day audit requirement after the end of the fiscal year. They are still not in compliance. PAL is in violation of their grant agreement with the City. When Mr. Guerrero was told he needed to submit his budget response, his answer was "we don't have a budget". PAL is required to maintain updated insurance. Requests for updated certificates of insurance have gone unanswered. It is not clear if they have a worker's compensation policy. Non-Profit organizations are required to file a 990 form with the IRS. This was not completed by the February 15th due date. Technically, their ability to raise funds is suspended because they have not filed a CPC60 form with the State Attorney General.

Mr. Ryerson stated that receipts from Hatters Park are in the neighborhood of \$35,000. There was no income for six months due to the renovations at the banquet hall. The City also pays for officials and scorekeepers for various leagues and they have \$21,800 for that expense. They gave a grant in the amount of \$1,250 for girl's softball. New fees have been instituted because of the new banquet report. There are reservations through October. This should generate an additional \$15,000 per year.

Mr. Visconti asked for the PAL representatives input on these issues. Mr. Arconti stated that funds were never stolen from PAL. The soccer league is its own entity. They use PAL's tax number and name. The auditor did mention taking over the checkbook for soccer and they were filing the paperwork to become independent. The soccer league did delay in turning over its paperwork, but he believes that Mr. Barbosa now has everything he needs. Mr. Guerrero stated that the City came to PAL in 1995 and asked to borrow \$50,000 to renovate the pavilion. If the City borrowed the money, they revenue would be given to PAL. He does not believe that a new Mayor and Common Council can redirect the revenue money. PAL would not have broken ground if the City had not given assurance that the revenue money would go to PAL. He stated that PAL does not see any money from Hatters Park. It goes directly into an account. They transfer money into that account to cover the mortgage.

Mr. Talarico stated that the Union Savings Bank granted the mortgage on the strength of the City's support. If the City elects not to provide the money, PAL will be unable to pay the mortgage and the building will be taken over by the bank. The ability to raise funds will be diminished if the City withdraws its support from PAL. Mr. Cavo asked if it was mentioned that the City's was going to withdraw its support? Ms. Diorio said support is not being withdrawn; it is just being brought back into the general fund. The City will continue to assist with the mortgage.

Mr. Nagarsheth made a motion to recommend that the Common Council adopt the resolution as presented. Seconded by Mr. Visconti. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the use of Hatter's Park facilities generates substantial revenue for the City of Danbury; and,

WHEREAS, for several years these funds have been provided to the Police Athletic League for use in supporting the Police Athletic League's loan operations; and

WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds; and

WHEREAS, it is deemed in the best interests of the City of Danbury to now place said funds in the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, all funds generated by the use of facilities at Hatter's Park shall be placed in the City's General Fund with the understanding that the City of Danbury stands committed to supporting the core mission of the Police Athletic League and that under the appropriate circumstances the City remains amenable to the use of municipal resources to assist in the furtherance of the goals of the Police Athletic League.

Mr. Nagarsheth made a motion to receive the report and adopt the resolution. Seconded by Mr. Nolan.

Mr. Saadi made a motion to amend the resolution by removing paragraph three as follows: "WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds." Seconded by Mr. Nolan.

Mr. Visconti wanted to clarify that the committee did not accuse anyone of misappropriating funds. The problem is accounting errors and there was no finger pointing.

Motion to amend carried unanimously.

Main motion, as amended, carried unanimously.

33 – REPORT – Request for Sewer Extension – 15 Plumtrees Road

Ms. Burns submitted the following report:

The Common Council Committee appointed to review the request for sewer extension met on April 8, 2004 at 6:55 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Burns, Esposito and Saadi. Also in attendance were the Director of Public Works William Buckley and the petitioner, David Carroll.

Ms. Burns noted the positive recommendation from the Planning Commission. Mr. Buckley stated that the property is located across from the recycling center, just to the left of the dog pound. He does not have plans for this request in his office. The extension will have to be engineered. It may require pumping to get it to the pump station. He would recommend approval of the extension subject to the required eight steps.

Mr. Esposito asked the petitioner what he is going to do with the property. Mr. Carroll stated that he will run a construction business on the site; there will be some metal buildings that may be used for self-storage. The buildings will also be used for equipment storage and repairs.

Mr. Saadi stated his concern that a possible approval should not be construed as an endorsement of the route to connect to the existing sewer line. We are only approving the sewer extension. He said he is concerned that we are doing this without a site plan. We are not approving the method of extending the line; we are just allowing the petitioner to connect. We do not want to create a precedent.

Mr. Saadi made a motion to recommend approval of the sewer extension, subject to the required eight steps. Seconded by Mr. Esposito. Motion carried unanimously.

The report was received on the Consent Calendar and the sewer extension approved subject to the required eight steps.

34 – REPORT – Request for Sewer and Water Extensions – Scuppo Road

Mr. Bingaman submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension on Scuppo Road met on April 27, 2004 at 7:30 P.M. in City Hall. In attendance were committee members Bingaman and Teicholz. Also in attendance were Director of Public Works William Buckley, the petitioner, Ron Cameron and Council Member Joe Cavo, ex-officio.

Mr. Bingaman noted the positive recommendation from the Planning Commission. Mr. Bingaman asked Mr. Buckley for an overview. Mr. Buckley stated that he had not had an opportunity to review the plans. Mr. Cameron stated that the proposal is for the development of 82 town houses off Scuppo Road. There is an existing city housing development and a development under construction in the area. He pointed out the lot he is developing on a site map. Sewer and Water has been extended for the other development up to a point and he would like to extend that line up to his project. Planning and zoning have approved the development.

Mrs. Teicholz made a motion to recommend approval of the request subject to Engineering review and the required eight steps. Seconded by Mr. Bingaman. Motion carried unanimously.

The report was received on the Consent Calendar and the sewer and water extensions granted subject to engineering review and the required eight steps.

35 – ORDINANCE – Exemption of City of Danbury property located at 201 University Boulevard from Zoning Regulations

Mr. Nolan asked that this be deferred to public hearing. Mayor Boughton so ordered.

36 – DEPARTMENT REPORTS – Police Chief, Fire Chief, Fire Marshall, Welfare and Social Services, Health and Housing, Department of Elderly Services, Public Works, Permit Center, Building Department.

Mr. Nolan made a motion to receive the department reports and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Ms. Saracino. Motion carried unanimously.

37 – COMMUNICATION & ORDINANCE – Stanley Lasker Richter Park

Letter from Mayor Boughton requesting that an ordinance expanding the Richter Park Authority to include two alternate members be considered. Mrs. Basso made a motion to receive the communication and defer the ordinance to public hearing. Mayor Boughton so ordered.

38 – COMMUNICATION – Police Department Special Services Account

Letter from Chief of Police Robert Paquette requesting that the sum of \$225,000 be transferred to the Police Special Services account for purposes of meeting salaries demand for police private duty services through June 30,2004. These funds will be returned to the general fund. The communication was received on the Consent Calendar and the transfer of funds authorized.

39 – COMMUNICATION – Police Department Budget Transfer Request

Letter from Chief of Police Robert Paquette requesting permission to transfer the sum of \$8,800 from the Police Department Regular Salaries operating budget to supplement the Animal Control Budget.

The communication was received on the Consent Calendar and the transfer of \$8,800 from the Police Regular Salaries Account to the Animal Control Budget approved.

Mayor Boughton extended all committees, except item 22 from the August 2003 agenda.

There being no further business to come before the Common Council a motion was made at 9:56 P.M. by Mrs. Basso for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Clerk

ATTEST:

MARK D. BOUGHTON
Mayor