

TO: Mayor Mark D. Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held August 2, 2005

Mayor Boughton called the meeting to order at 7:30 P.M. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT – McMahon, Trombetta, Calandrino, Saadi, Barry, Visconti, Steinerd, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Diggs, Teicholz, Nagarsheth, Riley, Stanley

ABSENT – Payton, Seabury

18 PRESENT – 2 ABSENT – 1 VACANCY

Mr. Seabury was on vacation.

PUBLIC SPEAKING

Kim Carr, 37 Pondfield Road – Regarding item 16, asked that her street address not be changed.

Edward Pogonowski, 14 Greenview Road – In favor of sewer extension at 14 Greenview Road.

MINUTES – Minutes of the Common Council Meeting held July 6, 2005 and the Special Common Council Meeting held July 18, 2005. Mr. Nolan made a motion that the minutes be adopted as presented and the reading waived as all members have copies. Seconded by Mr. Cavo. Motion carried unanimously.

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

2 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton to enter into the Memorandum of Understanding with the State of Connecticut Department of Public Safety with respect to accepting a 2005 Freightliner M2 Pierce Contender Support and Tow Vehicle.

3 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton to execute the agreement with the State of Connecticut Department of Transportation for the sharing of cost of the installation of Emergency Vehicle Pre-emption System equipment at the intersection of Route 53 (Main Street) and Library Place.

5 – Receive the communication and confirm the appointment of Leslie DaSilva as a member of the Lake Kenosia Commission.

10 – Receive the communication and authorize the transfer of \$15,000 to the Fire Department Special Services Account No. 2010.5052.

14 – Receive the communication and authorize the reappropriation of \$117,276.63 in the Water Fund and \$206,218.93 in the Sewer Fund as per the certification and account breakdown provided by the Director of Finance.

15 – Receive the communication and authorize the disposal of the surplus aerial lift truck for a bid price of \$17,500.00 as recommended by the Purchasing Agent.

16 – Receive the report and take no action.

19 – Receive the report and adopt the Ordinance with accompanying Resolution appropriating \$5,600,000 in bonds of the City for Renovations and Improvements to the Old Immanuel Lutheran School contingent upon

approval of the voters at a Special City Meeting to be held on September 13, 2005.

20 – Receive the report and adopt the committee’s recommendation to approve the extension of sewers to 14 Greenview Avenue subject to the eight required steps.

Ms. Saracino made a motion that the consent calendar be adopted as read. Seconded by Mr. Cavo. Motion carried unanimously.

1 – COMMUNICATION – Recommendation to fill Second Ward Common Council Vacancy

Letter from Republican Town Committee Chairman Wayne Baker recommending that James H. Johnson be appointed to fill the vacancy on the Common Council from the Second Ward. Mr. Nolan made a motion to receive the communication and appoint James H. Johnson as a Council Member from the Second Ward. Seconded by Mr. Cavo. Motion carried unanimously.

Attorney Yamin administered the oath of office to Mr. Johnson who then took his seat on the dais.

2 – RESOLUTION – Prime Mover Truck for Fire Department

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Department of Public Safety is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security, Office of Domestic Preparedness and has been awarded a grant under Public Law 108-7, award number 2003 MU-T3-0046; and

WHEREAS, the City of Danbury is a local unit of government which has demonstrated a need to acquire a Support & Tow Vehicle for a Mass Casualty Decontamination Trailer; and

WHEREAS, the SAA, pursuant to the authority provided under Connecticut General Statutes 4-8, is providing assistance to local units of government in addressing terrorist threats by acquiring equipment identified as necessary through the Connecticut Homeland Security Strategic Plan and providing this equipment to local jurisdictions.

THEREFORE, BE IT RESOLVED that the SAA and the City of Danbury enter into this Memorandum of Understanding (MOU) to provide a grant-in-aid to the City of Danbury for acquisition and delivery of a 2005 Freightliner M2 Pierce Contender Support and Tow Vehicle.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Mark D. Boughton be and hereby is authorized to enter into this Memorandum of Understanding between the State of Connecticut, Department of Public Safety and the City of Danbury with respect to the acceptance of said 2005 Freightliner M2 Pierce Contender Support and Tow Vehicle, and to take any additional action that may be necessary to effectuate the purposes hereof.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to enter into the Memorandum of Understanding with the State of Connecticut Department of Public Safety with respect to accepting a 2005 Freightliner M2 Pierce Contender Support and Tow Vehicle adopted.

3 – RESOLUTION – Cost Sharing Agreement – Emergency Vehicle Pre-emption System Equipment

RESOLVED by the Common Council of the City of Danbury:

BE IT HEREBY RESOLVED, that Mark D. Boughton, Mayor of the City of Danbury, 155 Deer Hill Avenue, Danbury, CT 06810, is hereby duly authorized to execute an Agreement between the State of Connecticut and the City of Danbury for the sharing of the cost of the installation of Emergency Vehicle Pre-emption System equipment at the intersection of Route 53 (Main Street) at Library Place in the City of Danbury.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to execute the agreement with the State of Connecticut Department of Transportation for the sharing of cost of the installation of Emergency Vehicle Pre-emption System equipment at the intersection of Route 53 (Main Street) and Library Place adopted.

4 – COMMUNICATION – Promotion to Dispatcher in the Fire Department

Letter from Mayor Mark D. Boughton requesting confirmation of the promotion of Firefighter David H. Bonner to the position of Dispatcher for the Fire Department. Ms. Teicholz made a motion to receive the communication and confirm the promotion to David H. Bonner to the position of Dispatcher. Seconded by Mrs. Basso. Motion carried unanimously.

5 – COMMUNICATION – Appointment to the Lake Kenosia Commission

Letter from Mayor Mark D. Boughton requesting the confirmation of the appointment of Leslie DaSilva to the Lake Kenosia Commission for a term to expire July 1, 2008. The communication was received on the Consent Calendar and the appointment confirmed.

6 – COMMUNICATION – Donation to Project Rose

Letter from Director of Welfare Deborah MacKenzie requesting permission to accept a donation in the amount of \$750.00 from the Newtown Savings Bank to Project Rose. Mrs. Stanley made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Nagarsheth. Motion carried unanimously.

7 – COMMUNICATION – Donations to the Library

Letter from Library Director Betsy McDonough requesting permission to accept donations in the amount of \$25.00 from Mrs. Michael Lawson and in the amount of \$13,000 from the Praxair Foundation, Inc. Ms. Saracino made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Ms. Teicholz. Motion carried unanimously.

8 – COMMUNICATION – Donation to the Fire Department

Letter from Deputy Fire Chief Philip D. Curran requesting permission to accept a donation in the amount of \$30.00 from Cherie and Melvin Wood for the Volunteer Training Account. Ms. Stanley made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Nagarsheth. Motion carried unanimously.

9 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Susan Tomanio requesting permission to accept donations from Candlewood Valley Health & Rehab in the amount of \$25, the New Fairfield Senior Center in the amount of \$50; the United Way in the amount of \$88.06 and the cost of the Paul King Orchestra at a value of \$2,000 from Health Net. Mr. Steinerd made a motion to receive the

communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Mr. Cavo. Motion carried unanimously.

10 – COMMUNICATION – Fire Department Special Services Account

Letter from Deputy Fire Chief Philip D. Curran requesting that the amount of \$15,000 be transferred into the Special Services Account due to ongoing events. The communication was received on the Consent Calendar and the transfer of \$15,000 to the Fire Department Special Services Account authorized.

11 – COMMUNICATION – Request for an Ad Hoc Committee regarding the New Parking Garage on Library Place

Mrs. McMahon asked that this be referred to an ad hoc committee, the Corporation Counsel and the Chairman of the Parking Authority. Mayor Boughton so ordered and appointed Council Members Basso, McMahon and Barry to the committee.

12 – COMMUNICATION – Rockwood Lane Access

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

13 – COMMUNICATION – Anderson Montessori School

Letter from Tarrywile Park Executive Director Sandra Moy requesting that the sum of \$8,825.00 for repair work to the Anderson Montessori School at 5 Mountainville Road, as well as the cost of tree work be appropriated to the Tarrywile Park Authority.

Mr. Cavo made a motion to receive the communication and approve the transfer of funds in the amount of \$10,000, pending certification from the Director of Finance to the Tarrywile Park Authority. Seconded by Ms. Saracino.

Mr. Saadi asked Mr. Daly if the new tenant is already moved in. Mr. Daly said some items have been moved in. Mr. Saadi asked if the lease has been signed? Mr. Daly said it was being signed as we speak. Mr. Saadi asked if these repairs were included in the Master Plan? Mr. Daly said not to this extent. Mr. Saadi asked if the \$1,000 rental is an increase? Mr. Daly said it is. The rent was previously \$750.

Motion carried unanimously.

14 – COMMUNICATION – Water and Sewer Fund Appropriations

Request from Director of Finance that the sum of \$117,276.63 be reappropriated to the Water Fund accounts and the sum of \$206,218.93 be reappropriated to the Sewer Fund accounts.

The communication was received on the Consent Calendar and the reappropriation of \$117,276.63 in the Water Fund and \$206,218.93 in the Sewer Fund be authorized.

15 – COMMUNICATION – Request for Permission – Disposal of Surplus Aerial Lift Truck

Letter from Purchasing Agent Charles Volpe requesting permission to sell a surplus aerial lift truck to Aerial Lift Truck, Inc., the high bidder, for \$17,500.00.

The communication was received on the Consent Calendar and the disposal of the surplus aerial lift truck for a bid price of \$17,500 as recommended by the Purchasing Agent authorized.

16 – COMMUNICATION – Report regarding Change of Name to Smoke Hill Drive

Report from Planning Assistant JoAnne Read outlining the history of the Change of Name from Pondfield Road to Smoke Hill Drive. The report was received on the Consent Calendar and no action taken.

17 – COMMUNICATION – Flooding at 206 Osborne Street

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

18 – COMMUNICATION – Reports regarding 4 Hylo Drive

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

19 – REPORT & ORDINANCE – Immanuel Lutheran School Bond

Mr. Nolan submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing in the Common Council Chambers in City Hall.

Ms. Saracino made a motion to recommend approval of the ordinance appropriating \$5,600,000 for renovations and improvements to the old Immanuel Lutheran School and authorizing the issuance of \$5,600,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. Seconded by Mrs. Basso.

Ms. Diorio stated that the \$5,600,000 includes construction costs, as well as other costs such as contingency. When the State passed the legislation, they gave us sixty days to get local authorization in place. The referendum will be held in September.

Mr. Urice stated that at the initial committee meeting it was stated that the property could be sold and the taxpayers would not be out and it appears that is not an option now. He asked what the exposure is to the taxpayers and if there are no federal funds forthcoming, does the bond money still have to be spent? Ms. Diorio stated that if the bond passes in September there is no requirement to go forward. Mr. Maloney stated if the cost is \$8,000,000 and the State pays \$4,000,000 and the Feds allow 25% that would be less than \$2,000,000. Mr. Urice said this is still a good deal, but it has evolved into something different from the project the Common Council approved last year.

Mr. Saadi stated that dollar for dollar this makes sense. He asked if the \$5,600,000 could be used for other purposes besides Head Start? Ms. Diorio stated that Bond Counsel has said it could be used for other purposes. Mr. Buckley said there is no simple answer. Superintendent of Schools Eddie Davis would have to be consulted. It would not be large enough for the Roberts Avenue replacement school. We know that there is asbestos in the building. The evolution did not start with the \$2,500,000. The City originally looked at acquiring the church, the school and two additional buildings. You would have to go back and review the schools long-range planning report.

Mr. Maloney said the Head Start people he has spoken to in Boston say they want to fund this project. He is constrained to say that the State is likely to pay half and the Feds 25%. Mr. Visconti asked if there is anything in writing from the Head Start people in Boston? Mr. Maloney said they would not process the federal application until the other pieces are in place.

Mr. Nolan said he hopes that this is approved. It is not as anticipated because of the complication of the state funding formula. City officials had to do some convincing that this is a good project. The best-case scenario is that the City's expenditure is only \$1,500,000.

Motion carried unanimously.

AN ORDINANCE APPROPRIATING \$5,600,000 FOR RENOVATIONS AND IMPROVEMENTS TO THE OLD IMMANUEL LUTHERAN SCHOOL AND AUTHORIZING THE ISSUANCE OF \$5,600,000 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 \$5,600,000 is appropriated for renovations and improvements to the old Immanuel Lutheran School, including contingency, interest, legal, administrative, financing and other related costs.

Section 2. To meet said appropriation \$5,600,000 bonds of the City shall be issued maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Mayor and the Director of Finance in the amount necessary to meet the City's share of the cost of the project determined after considering the estimated amount of the State grants-in-aid of the project, or the actual amount thereof if this be ascertainable and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance in the best interest of the City.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. 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. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Mayor, the City Treasurer and the Director of Finance.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, may be included as a cost of the improvements in Section 1. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The 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 any anytime after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 herein 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.

Section 6. 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.

Section 7. This ordinance shall become effective upon its approval at a Special City Meeting called by the Mayor for such purpose, pursuant to the revised City Charter.

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled "An Ordinance Appropriating \$5,600,000 For Renovations And Improvements To The Old Immanuel Lutheran School And Authorizing The Issuance Of \$5,600,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The

Making Of Temporary Borrowings For Such Purpose", be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10a of the Revised City Charter and held September 13, 2005 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.S.T.), that the Warning of said meeting state the question to be voted on as follows:

Shall the ordinance entitled "An Ordinance Appropriating \$5,600,000 For Renovations And Improvements To The Old Immanuel Lutheran School And Authorizing The Issuance Of \$5,600,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council at its meeting held August 2, 2005 be approved?

LEGAL NOTICE

WARNING

NOTICE OF SPECIAL CITY MEETING

The electors of the City of Danbury and qualified voters entitled to vote in a City Meeting are hereby warned and notified to meet where such persons are entitled to vote on September 13, 2005, between the hours of 6 o'clock A.M. and 8 o'clock P.M. (E.S.T.) for the following purpose of approving or disapproving the following question:

1. "Shall the ordinance entitled 'An Ordinance Appropriating \$5,600,000 For Renovations And Improvements To The Old Immanuel Lutheran School And Authorizing The Issuance of \$5,600,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose,' adopted by the Common Council at its meeting held August 2, 2005 be approved?"

The form of the question and the ballot label on the voting machine shall be as follows:

"Shall The Ordinance Appropriating \$5,600,000 For Renovations And Improvements To The Old Immanuel Lutheran School And Authorizing The Issuance Of \$5,600,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose Be Approved? YES/NO"

The vote will be by voting machine. Those desiring to vote in favor of the adoption of the ordinance shall place the pointer over the question on the voting machine at "YES". Those desiring to vote against the adoption of the ordinance shall place the pointer over the question on the voting machine at "NO".

Electors of the City of Danbury and qualified voters are entitled to vote. A qualified voter is any citizen of the United States of the age of eighteen years or more who, jointly or severally, was liable to the City for taxes assessed against him based on an assessment of not less than \$1,000 on the last completed grand list of the City or who would have been so liable if not entitled to an exemption as a blind person or as a veteran or as a widow of parent of a veteran.

Electors will be entitled to vote at the polling place in their respective voting districts. Polling places will be located in the following districts.

- Ward No. 1: Danbury High School, 43 Clapboard Ridge Road
- Ward No. 2: Pembroke School, 34 Pembroke Road
- Ward No. 3: Broadview Middle School, 72 Hospital Avenue
- Ward No. 4: Shelter Rock School, 2 Crows Nest Lane
- Ward No. 5: Danbury War Memorial, Memorial Drive

Ward No. 6: Park Avenue School, 82 Park Avenue

Ward No. 7: Mill Ridge Intermediate School, 1 School Ridge Road

Qualified voters will be entitled to vote at the polling place in the Common Council Chambers on the third floor of the City Hall, 155 Deer Hill Avenue.

The polls in said districts and at the City Hall will be open during the hours between 6 o'clock A.M. and 8 o'clock P.M. (E.S.T.).

Said vote is being held pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors November 6, 1990.

The report was received on the Consent Calendar and the Ordinance with accompanying Resolution appropriating \$5,600,000 in bonds of the City for Renovations and Improvements to the Old Immanuel Lutheran School contingent upon approval of the voters at a Special City Meeting to be held on September 13, 2005 adopted.

20 – REPORT – Request for Sewer Extension at 14 Greenview Road

Mr. Nolan submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 14 Greenview Road met on July 21, 2005 at 6:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Nolan, McMahon and Esposito. Also in attendance were Director of Public Works William Buckley, the petitioner Edward Pogonowski and Council Member Saracino, ex-officio.

Mr. Nolan noted the positive recommendation from the Planning Commission. Mr. Buckley said this would be a short extension from the dead end line on Greenview Road. He supports approval consistent with the required eight steps. Mr. Nolan asked the petitioner if he understood that the cost would be his. Mr. Pogonowski said he did and his neighbor has agreed to share the expenses.

Mrs. McMahon made a motion to recommend approval of the request subject to the required eight steps. Seconded by Mr. Esposito. Motion carried unanimously.

The report was received on the Consent Calendar and the committee's recommendation to approve the extension of sewer to 14 Greenview Road subject to the required eight steps approved.

21 – DEPARTMENT REPORTS – Police Chief, Fire Chief, Fire Marshall, Health and Housing, Public Works, Department of Elderly Services. Mr. Nolan made a motion to receive the department reports and waive the reading as all members have copies. Seconded by Mr. Nagarsheth. Motion carried unanimously.

22 – COMMUNICATION – Resignation from At-Large Common Council Member Wanda Payton. Mr. Nolan made a motion to add this item to the agenda. Seconded by Mr. Cavo. Motion carried unanimously.

Letter from Council Member at-large Wanda Payton resigning from the Common Council effective immediately. Mr. Nolan made motion to accept the resignation with regret. Seconded by Ms. Saracino. Motion carried unanimously.

23 – Request to Purchase City Land on Bear Mountain Road. Mr. Nolan made a motion to add this item to the agenda. Seconded by Ms. Saracino. Mr. Saadi asked if this is a reconsideration? Attorney Gottschalk stated that there is nothing preventing any Council Member from adding anything to the

agenda. Motion carried with Council Members Saadi, Visconti and Esposito voting no.

Mrs. Basso asked that this be referred to the same committee, to the Corporation Counsel, the Director of Public Works and the Director of Planning. Mayor Boughton so ordered. The committee is Council Members Steinerd, Basso and Esposito.

Mayor Boughton extended all committees.

There being no further business to come before the Common Council a motion was made at 8:10 P.M. by Mr. Urice.

Respectfully submitted,

JIMMETTA L. SAMAHA, Clerk

ATTEST:

MARK D. BOUGHTON, Mayor