

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

RE: Minutes of the Common Council Meeting held April 1, 1997.

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

PRESENT - Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Buzaid, Machado, Shuler, Setaro, Levy, Charles, Gomez, Basso, Fox, Gallagher, Mead, Nolan

ABSENT - Valeri, Esposito, Butera

18 Present - 3 Absent

Mayor Eriquez offered his condolences to Council Member John Esposito on the loss of his grandson and asked all to keep the Esposito family in their prayers.

Mrs. Butera is ill and Mr. Valeri is out of town

PUBLIC SPEAKING

1. Nancy Dolan, 30 Main Street - Represents the New Milford Bank and Trust Company. Regarding item 38, Donation of 22 Padanaram Room to ICAN, she is in favor of this and stated that New Milford Bank and Trust will donate 24 Padanaram Road.

2. Norbert Mitchell, 7 Federal Road - Regarding item 44, residents of Federal Road have been trying to get sewer and water for years. Now he feels that there is something wrong with the assessments and would like the City to take another look at it.

3. Anthony Rizzo, 29 Federal Road - Federal Road needs sewer and water for health reasons. Please table this item and work out something that makes sense. The buildings are already there, this is not for speculation.

4. Ann Marie Kratch, 7 Driftway Road - Thanked Council Members Levy, Shuler and Mead and Department Heads for their efforts on moving the sewer project in the Aunt Hack area along.

5. Mike Hrabscak, 2 Fox Den Road - regarding item 30, he is in favor of fencing for private pools. There should be no grandfather clause.

ANNOUNCEMENTS

- April 4th - Janet and Louis Butera's Anniversary
- April 14th - Emil and Eileen Coladarci's Anniversary
- April 20th - Council Member Val Machado's birthday
- April 25th - Warren Levy's Birthday

- April 4th - TBICO Grand Opening - 77 West Street 9:30 a.m.
Danbury New Playwright's Competition 7:00 P.M.
- April 5th - American Cancer Society Ball
- April 6th - Good Friend "Tortoise and Hare" Race
- April 9th - Chief Macedo's Retirement Dinner
- April 11th - Mt. Pleasant AME Zion Church 108th Anniversary
- April 12th - Child Care, Rights & Abuse Auction and Dinner Dance
- April 17th - Fire Fighter and Police Officer of the Year Dinner
- April 19th - Celtic Cross Piper and Drummers Ball
- April 23rd - Good Friend Open House - 85 Main Street
- April 24th - Regional Hospice Breakfast - Amber Room
- April 26th - Bambino Baseball Opening Day
Exchange Club 50th Anniversary
- April 26th - Catholic Charities Annual Ball
- April 27th - Gen. David Wooster Day - Masonic Temple 2:00 P.M.
- April 30th - Mock Crash - Danbury High School 8:00 a.m.
- April 30th - Law Day Forum - Library Plaza -- 11:00 a.m.

MINUTES - Minutes of the Common Council Meeting held March 4, 1997. Mr. Setaro made a motion that the minutes be accepted as presented and the reading waived, as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

CONSENT CALENDAR - Mr. Setaro presented the following items for the Consent Calendar:

- 1 - Approve application and resolution for Albert Wadsworth and Helen Clark Meserve Memorial Fund grant for Department of Elderly Services Coalition of Agencies Relating to Elderly Services - \$492.00
- 2 - Approve Resolution and authorize the Mayor to his designee to execute Amended Master Utility Adjustment Agreement for reimbursement from the State Department of Transportation for costs incurred by the City for road resurfacing.
- 5 - Confirm appointment of Bruce Lees as an Alternate member of the Zoning Commission
- 6 - Confirm reappointment of Sally Conroy as a member of the Candlewood Lake Authority
- 7 - Confirm appointment of Monsignor Kevin Wallin as a member of the Cultural Commission
- 15 - Approve reappropriation of \$277 from the Elderly Services Donations Account to the Commission on Aging Budget for printing and binding
- 16 - Approve request for transfer of \$1,600.00 and reappropriate same from the Employee Group Insurance Account to the Planning Commission line items for postage, legal and public notices and office supplies
- 17 - Approve request for transfer of \$1,500.00 and reappropriate same from the Employee Group Insurance Account to the Environmental Impact Commission line items for postage, legal and public notices and office supplies
- 18 - Approve request for transfer of \$5,000.00 and reappropriate same from the Employee Group Insurance Account to the Registrar of Voters Postage Account
- 20 - Approve request for transfer of \$15,000 and reappropriate same to the Fire Department Special Services Account for Fire Watch
- 22 - Authorize sale of surplus Unisys Computer equipment from the City to Save Systems Inc. for \$4,000
- 24 - Authorize reappropriation of \$65,412.65 from Peerless Insurance for performance bond of Grasso Paving and Landscaping for services related to downtown pedestrian improvements to line item entitled "Downtown Pedestrian Improvements"
- 25 - Approve amendment to the Highway State Aid budget to represent an increase of \$285 to the "Maintenance of Highways, Curbs and Walks" account"
- 26 - Approve reappropriation of \$2,665.00 of parking fees from the Danbury Railroad Station to the Parking Authority budget for administration and cleaning costs
- 27 - Approve reimbursement of \$790 from City of Danbury to Mr. Frank Euvard for cost of labor and material to repair broken water line
- 33 - Receive survey for sanitary sewer and water main extensions for East Pembroke Road/Jeanette Heights area and take no action at this time
- 43 - Receive report and approve recommendations of the committee of the whole regarding an ordinance appropriating \$2,500,000 for sewer service extensions and authorizing the issuance of \$2,500,000 bonds of the City to meet said appropriations and pending the issuance thereof the making of temporary borrowings for such purpose and an ordinance appropriating \$2,500,000 for water service extensions and authorizing the issuance of \$2,500,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose

- 44 - Receive report and approve recommendations of the committee of the whole regarding proposed sanitary sewer and water mains - Federal Road
- 45 - Receive report and approve recommendations of the committee of the whole regarding proposed water main - Wood Street
- 46 - Receive report and approve recommendations of committee appointed to review request for sewer and water extensions at 56 Pembroke Road
- 47 - Receive report and approve recommendations of committee appointed to review request for sewer extension - 17 Mill Plain Road
- 48 - Receive report and approve recommendations of committee appointed to review request for sewer and water extensions on North Street and Hayestown Avenue
- 49 - Receive report and approve recommendations of committee appointed to review request for sewer and water extensions on Denver Terrace
- 50 - Receive report and approve recommendations of committee appointed to review donation to Still River Restoration Project
- 52 - Receive report and approve recommendations regarding acceptance of Flint Ridge Road as a City roadway
- 53 - Receive report and approve recommendations of committee appointed to review request for sanitary sewer on Birchcrest Drive, Cedarcrest Drive, Lindencrest Drive, Driftway Point Road, North Driftway Point Drive, North Lindencrest Drive
- 54 - Receive Progress Report and approve recommendations of committee appointed to review drainage problem at 25 Mountainville Avenue
- 55 - Receive Progress Report and approve recommendations of committee appointed to review exchange of land at 2 Mountainville Avenue
- 56 - Receive Progress Report and approve recommendations of committee appointed to review request for revision of lease between the City of Danbury and Norman Carvalho

Mr. Boynton made a motion to accept the Consent Calendar, with the exception of item 44. Seconded by Mr. Setaro. Motion carried unanimously.

1 - RESOLUTION - Grant from the Meserve Fund for Coalition of Agencies Relating to Elderly Services

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury Department of Elderly Services is desirous of applying for a \$492.00 grant from the Albert Wadsworth and Helen Clark Meserve Memorial Fund; and

WHEREAS, the funds are to be used for postage and printing supplies for "CARES", the Coalition of Agencies Relating to Elderly Services; and

WHEREAS, there are no matching funds necessary for this grant;

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

The Resolution was adopted on the Consent Calendar.

2 - RESOLUTION - Amended Master Utility Adjustment Agreement

RESOLVED by the Common Council of the City of Danbury:

RE: Amended Master Utility Agreement for Vendor in Place Projects
 State of Connecticut, Department of Transportation
 City of Danbury, Public Utilities Department (Water Division)

THAT Gene F. Eriquez, Mayor of the City of Danbury, or his designee, William J. Buckley, Jr., Superintendent of Public Utilities, is hereby authorized to execute the AMENDED MASTER UTILITY ADJUSTMENT AGREEMENT FOR VENDOR IN PLACE PROJECTS between THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION and CITY OF DANBURY WATER DIVISION, together with such other documents as may be necessary for the accomplishments of the purposes thereof.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - Streetscape Improvements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in conjunction with a number of "streetscape" improvements in the downtown area in the last few years, the City of Danbury is presently undertaking a project which would extend ornamental fencing along both sides of Patriot Drive onto White Street; and

WHEREAS, a portion of this fencing is to be erected upon property belonging to Meeker's Hardware store on White Street; and

WHEREAS, fencing of this portion of the overall project will require the acquisition of a temporary and permanent easement from Meeker, as set forth and described in the attached Schedule A, in order to accomplish the purposes intended;

WHEREAS, eminent domain proceedings will be necessary in the event the City of Danbury cannot agree with the owner named in said schedule upon the amount to be paid for the interests to be taken in and to the real property described in the Schedule;

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

Miss Fox made a motion that the Resolution be adopted. Seconded by Mr. Levy. Mr. Levy recognized the Meekers for their donation and asked that a letter of thanks be sent. Mr. Nolan asked for an explanation of how Community Development Block Grants can be dispersed. The Mayor explained the criteria. Motion carried unanimously.

4 - COMMUNICATION - Letter from Mayor Eriquez requesting the confirmation of the promotional appointment of Police Officer Mark A. Williams to the position of Sergeant with the Danbury Police Department. Mr. McAllister made a motion that the communication be accepted and the promotion confirmed. Seconded by Mr. Gomez. Motion carried unanimously. Mayor Eriquez introduced Officer Williams who was in the audience.

5 - COMMUNICATION - Letter from Democratic Town Committee Chairman Joseph Walkovich recommending that Bruce Lees be appointed to fill the alternate position on the Zoning Commission. The appointment was made on the Consent Calendar.

6 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointment of Sally Conroy to the Candlewood Lake Authority for a term to expire April 1, 2000. The reappointment was confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Monsignor Kevin W. Wallin to the Cultural Commission for a term to expire February 1, 2000. The appointment was confirmed on the Consent Calendar.

8 - COMMUNICATION - Letter from Tree Supervisor Richard Smith requesting permission to accept a donation in the amount of \$100 from Mr. and Mrs. Brancato. Mr. Scalzo made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Mead. Motion carried unanimously.

9 - COMMUNICATION - Letter from Cynthia Halas offering to donate a plaque to the City in the memory of Dominic Badaracco to be permanent affixed at East Lake. Mr. Boynton made a motion to accept the donation of the plaque and place it at East Lake. Seconded by Mr. Shuler. Motion carried unanimously.

10 - COMMUNICATION - Letter from Director of Welfare Deborah MacKenzie requesting permission to accept a donation in the amount of \$100 from Mr. and Mrs. Parker Tyler for the City's Homeless Shelter. Mrs. Abrantes made a motion to accept the donation, credit the proper line item and send a letter of thanks. Seconded by Miss Fox. Motion carried unanimously.

11 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley requesting permission to accept donations to our mobile educational environmental vehicle such as inkind services from GE Capital of design and painting of the vehicle. Miss Fox made a motion that the inkind services be accepted and a letter of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

12 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept a donation in the amount of \$100 from Joseph E. Seagram & Sons. Miss Fox made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

13 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept donations in the amount of \$278 from the Coalition of 100 Black Women and in the amount of \$30 from Edyce D. Hornig. Mrs. Abrantes made a motion that the donations be accepted, the proper line item credited and letters of thanks sent. Seconded by Mrs. Basso. Motion carried unanimously.

14 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to account donations in the amount of \$150 from the Veterans Administration and Hancock Hall Convalescent Center in the amount of \$25. Mr. Mead made a motion to accept the donations, credit the proper line item and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

15 - COMMUNICATION & CERTIFICATION - Letter from Director of Elderly Services Leo McIlrath requesting a transfer of funds in the amount of \$277 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

16 - COMMUNICATION & CERTIFICATION - Request from the Planning Commission for the sum of \$1,600 to be transferred from the Contingency Account to the Planning Commission postage, legal and public notices and office supplies accounts. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

17 - COMMUNICATION & CERTIFICATION - Request from the Environmental Impact Commission for the sum of \$1,500 to be transferred from the Contingency Account to the EIC postage, legal and public notices and office supplies accounts. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

18 - COMMUNICATION - Request from the Registrars of Voters for the sum of \$5,000 to be transferred to their postage account for the upcoming canvass by mail. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

19 - COMMUNICATION & CERTIFICATION - Request from Corporation Counsel Eric Gottschalk for the sum of \$143,000 to cover litigation expenses for the Union Carbide Lawsuit and the potential landfill lawsuits. A certification of funds was attached. Mr. Boynton made a motion to accept the communication and authorize the transfer of funds. Seconded by Mrs. Coladarci.

Mr. McAllister asked if this was the maximum required or will you come back for further funds. Attorney Gottschalk stated that this figure is his best estimate of expenses. The possibly always exists that he may have to ask for further funding. Mr. Mead asked for a percentage breakdown of the funds to be expended between the two lawsuits. Mr. Gottschalk stated that he had given this some thought and would prefer not to do so publicly to the extent that it reflects strategy. Mrs. Basso asked if the City is expecting more Bethel families to enter into the lawsuit. Both the Mayor and Mr. Gottschalk stated that they would have no way of knowing how many families would join the lawsuit. A class action suit is a privilege not a right. The amount of work would be the same.

Mr. Boynton moved the question, seconded by Mr. Gallagher. Motion carried unanimously.

Motion to transfer funds carried unanimously.

20 - COMMUNICATION - Letter from Fire Chief Nelson Macedo requesting the sum of \$15,000 be transferred into the Special Services Account for fire watch. The transfer was authorized on the Consent Calendar.

21 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting that the Common Council reappropriate the sum of \$53,260 earned in interest based on funds that were invested relating to the insurance proceeds from the Library fire and recommended that the amount be appropriated for the Library Technology Center. Mr. Levy made a motion that the funds be reappropriated as requested. Seconded by Mr. Charles. Motion carried unanimously.

22 - COMMUNICATION - Letter from Purchasing Agent Warren Platz requesting permission to sell surplus computer equipment to Save Systems, Inc. for the sum of \$4,000.00. The request was granted on the Consent Calendar.

23 - COMMUNICATION - Collective Bargaining Agreement between the City of Danbury and Local 801 Fire Fighters. Mr. McAllister made a motion that the agreement be approved. Seconded by Mr. Buzaid. Mr. Gallagher noted the institution of the new medical plan and commended the Mayor and local 801 for their efforts. The Mayor thanked the leadership of 801 for its efforts and Mr. Mead commended the Mayor for the quick agreement and stated that this is a fine document. Motion carried unanimously.

24 - COMMUNICATION - Letter from Director of Finance Dominic Setaro requesting reappropriation of the sum of \$67,459.18 which is the amount received from Peerless Insurance representing a claim filed by the City against a performance bond for Grasso Paving and Landscaping who was the contractor for the downtown pedestrian improvements and establishing a new Capital line item entitled "Downtown Pedestrian Improvements." The reappropriation of funds and establishment of the new line item was approved on the Consent Calendar.

25 - COMMUNICATION - Request from Director of Finance Dominic Setaro that the Common Council approve the amendment to the Highway State Aid budget of \$285 in the "Maintenance of Highways, Curbs and Walks" account. The amendment was approved on the Consent Calendar.

26 - COMMUNICATION - Request from Director of Finance Dominic Setaro that the Common Council reappropriate the sum of \$2,665 in Railroad Commuter Parking Fees to administration and cleaning services. The request was granted on the Consent Calendar.

27 - COMMUNICATION - Letter from Superintendent William J. Buckley asking that Mr. Frank Euvard be reimbursed for \$790 for a break in the lateral line at 100 Franklin Street in February. The reimbursement was approved on the Consent Calendar.

28 - COMMUNICATION - Request for reimbursement of uninsured claim by Stephen DiMauro for damage done to his vehicle. Miss Fox asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

29 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting that an ad hoc committee be formed to investigate ways to protect the City's interest in the property known as "Down on the Farm". Mr. Arconti asked that this be referred to an ad hoc committee, the Assistant Superintendent of Schools, the Supervisor of Public Building Maintenance and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Setaro, Arconti and Mead to the committee.

30 - COMMUNICATION - Request for Common Council Member Warren Levy that an ordinance be adopted requiring the fencing of private pools. Miss Fox asked that this be referred to an ad hoc committee, the building inspector and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Levy, Coladarci and Nolan to the committee.

31 - COMMUNICATION - Renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road. Mr. McAllister asked that this be referred to a public hearing and the Planning Commission. Mayor Eriquez so ordered.

32 - COMMUNICATION - Petition from residents of Hayestown Heights asking for a review of a drainage problem on Hayestown Heights and Rose Lane. Mrs. Abrantes asked that this be referred to an ad hoc committee and the City Engineer. The Mayor so ordered and appointed Council Members Abrantes, McAllister and Basso to the committee.

33 - COMMUNICATION - Survey from City Engineer regarding Sanitary Sewer and Water Main Extensions on East Pembroke Road/Jeanette Heights. The communication was received on the Consent Calendar and no action taken at this time.

34 - COMMUNICATION - Petition to accept Hayestown Heights as a City road. Mr. Scalzo asked that this be referred to the City Engineer for a report back within thirty days. The Mayor so ordered.

35 - COMMUNICATION - Request to purchase City Property on Terre Haute Road. Miss Fox asked that this be referred to the City Engineer, the Planning Director and the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

36 - COMMUNICATION - Property Acquisition at 156 Deer Hill Avenue. Mr. McAllister asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

37 - COMMUNICATION - Property acquisition at 158 Main Street. Miss Fox asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

38 - COMMUNICATION - Property at 22 Padanaram Road to be donated to I CAN, Ann's Place. Mrs. Abrantes asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

39 - COMMUNICATION - Request for water extension at Whitney Avenue to Broad Street. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Esposito, Boynton and Mead to the committee.

40 - COMMUNICATION - Request for sewer extension at Lake Avenue and Shannon Ridge Road. Miss Fox asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Enriquez so ordered and appointed Council Members Gomez, Charles and Basso to the committee.

41 - COMMUNICATION - Petition for sewer extension on Tilden Road and Olive Street. Mr. Scalzo asked that this be referred to the City Engineer for a survey. Mayor Enriquez so ordered.

42 - DEPARTMENT REPORTS - Engineering, Public Utilities, Police, Fire Chief, Fire Marshall, Elderly Services, Welfare, Forestry, Health and Housing. Mr. Setaro made a motion that the Department Reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

43 - REPORT & ORDINANCES - Sewer and Water Services Extensions

Mr. Setaro submitted the following report:

RE: An Ordinance Appropriating \$2,500,000 for Sewer Service Extensions and Authorizing the Issuance of \$2,500,000 Bonds of the City to Meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for such Purpose

An Ordinance Appropriating \$2,500,000 for Water Service Extensions and Authorizing the Issuance of \$2,500,000 Bonds of the City to Meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for such Purpose

The committee of the whole met on March 20, 1997 at 7:50 PM in the Common Council Chambers of City Hall to review the proposed ordinances appropriating and authorizing the issuance of bonds in the amount of \$2,500,000 for sewer service extensions and \$2,500,000 for water service extensions. It was explained to the committee that these borrowings by the City are repaid by the sewer and water users through the payment of the assessments.

After discussion, Mr. Levy moved to recommend to the Common Council that the ordinance entitled "An Ordinance Appropriating \$2,500,000 For Sewer Service Extensions And Authorizing The Issuance of \$2,500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" and the ordinance entitled "An Ordinance Appropriating \$2,500,000 For Water Service Extensions And Authorizing The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", be recommended to the Council for adoption in the form introduced and read at the public hearing preceding the meeting. The motion was seconded by Ms. Fox and passed unanimously.

AN ORDINANCE APPROPRIATING \$2,500,000 FOR SEWER SERVICE EXTENSIONS AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$2,500,000 is appropriated for the costs of extension of sewer service in those certain segments of the City to be approved from time to time by resolution of the Common Council.

Section 2. To meet said appropriation \$2,500,000 bonds of the City are hereby authorized to 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 provided that the total amount of bonds to be issued shall 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 designated by the Mayor, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor. 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 bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds 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 upon sealed proposals 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, 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. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the "Issuer") 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 project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. 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 Issuer 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 Mayor, the Treasurer and the Director of Finance, or any two of them, are hereby authorized, on behalf of the City, 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.

AN ORDINANCE APPROPRIATING \$2,500,000 FOR WATER SERVICE EXTENSIONS AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$2,500,000 is appropriated for the costs of extension of water service in those certain segments of the City to be approved from time to time by resolution of the Common Council.

Section 2. To meet said appropriation \$2,500,000 bonds of the City are hereby authorized to 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 provided that the total amount of bonds to be issued shall 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 designated by the Mayor, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor. 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 bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds 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 upon sealed proposals 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, 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. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the "Issuer") 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 project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer.

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 Issuer 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 Mayor, the Treasurer and the Director of Finance, or any two of them, are hereby authorized, on behalf of

the City, 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.

The report was accepted and the Ordinances adopted on the Consent Calendar.

44 - REPORT - Proposed Sanitary Sewer and Water Mains - Federal Road. WITHDRAWN

45-- REPORT - Proposed Water Main - Wood Street

Mr. Setaro submitted the following report:

The committee of the whole met on March 20, 1997 at 7:50 PM in the Common Council Chambers of City Hall to review the proposed water main to Wood Street. The proposal had been previously acted upon favorably by the Planning Commission and Common Council committee. The Director of Health had recommended to the committee that the proposed water main be authorized. Residents of Wood Street spoke in favor of the proposal at the public hearing preceding the committee of the whole meeting.

Mr. Boynton moved to recommend to the Common Council that the proposed water main to Wood Street be authorized. Seconded by Ms. Abrantes and passed unanimously.

The report was adopted on the Consent Calendar.

46 - REPORT - Request for Sewer and Water Extension at 56 Pembroke Road.

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension to 56 Pembroke Road met on March 12, 1997 at 6:10 P.M. in City Hall. In attendance were committee members McAllister, Abrantes and Basso. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Ralph Gallagher and Attorney Paul Jaber for the petitioners.

The Planning Commission issued a positive recommendation. Attorney Jaber pointed out that the property has received EIC approval as it contains wetlands. He stated that it was the Hungarian American Club's intent to develop 16 units of affordable housing on the property for the elderly members of the Club. Mr. Gallagher stated that the plan was to extend the sewer line from the Lakeview Condominiums at 54 Pembroke Road, but to do this would require a portion of the sewer line to be on City property. There is an existing water line on Pembroke Road which the petitions can connect to.

Mr. Schweitzer and Mr. Buckley said that the project could be done. Easements would be needed because it was partly a city owned land. Also, it is watershed land and the State Health Department would need to be contacted. The meeting recessed at 6:27 P.M. in order to address the legal questions and concerns with Corporation Counsel.

On March 25, 1997 the committee reconvened at 5:45 P.M. in Room 432. The above mentioned people were in attendance as well as Gerald Sanchez. A letter was read from the Corporation Counsel indicating that a license agreement plus compensation and additional steps be taken before approval.

Mr. Buckley informed the committee that the extension would not only serve the site but for the time being stop on Route 37. This sewer line would be for future line expansion to either/or Route 37 or Bear Mountain Road.

Mr. Sanchez stated that he wasn't opposed to the proposal but he had already received approval for a sewer line. After some discussion, Mr. Sanchez was informed that his comments/concerns had no bearing on the petition. He could submit his plans to the Planning Department or petition the Common Council for sewers.

Mrs. Abrantes made a motion to accept the petition concerning the sewer line extension providing that it follow the usual eight steps and the additional stipulations that a license agreement be prepared by the petitioner and submitted to the Corporation Counsel for review. Such agreement should include the relevant considerations recommended by the Department of Public Works, including the compensation (\$2,500) as well as the State Health Department approval requirement. Seconded by Mrs. Basso. Motion carried unanimously.

The report was accepted on the Consent Calendar.

47 - REPORT - Request for Sewer Extension 17 Mill Plain Road

Miss Fox submitted the following report:

The Common Council Committee appointed to review the request for a sewer extension at 17 Mill Plain Road met on Tuesday, March 18, 1997 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee members Fox and Nolan. Committee Member Valeri was chairing another subcommittee at the same time. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Bill Asmar for the applicant.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. Asmar outlined his request for the committee. 17 Mill Plain Road is a Sunoco Gas Station. Mr. Buckley and Mr. Schweitzer foresaw no problems with the request as proposed.

Mr. Nolan made a motion to approve the sewer extension subject to the usual eight steps. Motion was seconded by Ms. Fox. Motion passed unanimously.

The report was accepted on the Consent Calendar.

48 - REPORT - Request for Sewer and Water Extensions Hayestown Avenue and North Street

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on North Street and Hayestown Avenue met on March 12, 1997 at 6:25 P.M. in Room 432 in City Hall. In attendance were committee members McAllister, Abrantes, Basso. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Lawrence Riefberg and Ralph Gallagher representing the petitioner.

The Chairman noted that the Planning Commission issued a positive recommendation for the request. Attorney Riefberg stated that the developer is in the process of building a structure at the former Cinema in the North Street Shopping Center which will be a Super A&P. Because this will be a second building on the property, separate hookups are required. Mr. Gallagher stated that at this time the request is just for a water main. He plans to install an eight inch water main, and a hydrant as well, as per the request of the Fire Department.

Mr. Schweitzer stated that as per the original plans the sewer and water lines were to come in from the rear. He and Mr. Buckley have some concerns about that and how it would cross Padanaram Brook which is tunneled under the complex. The plans now call for the water main to come in from the front. There is a sewer line on Padanaram Road and it would be just a hookup. No committee approval would be required on that. Both Mr. Schweitzer and Mr. Buckley had no other objections or concerns.

Mrs. Abrantes made a motion to approve the installation of the eight inch water main as presented, subject to the usual eight steps. Seconded by Mrs. Basso and passed unanimously.

The report was accepted on the Consent Calendar.

49 - REPORT - Request for Sewer and Water Extensions Denver Terrace

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Denver Terrace met on March 12, 1997 at 6:35 P.M. in Room 432 in City Hall. In attendance were committee members McAllister, Abrantes and Basso. Also in attendance were City Engineer Jack Schweitzer, Director of Public Utilities William Buckley and the petitioner, Dr. Eugene McNamara.

The Chairman noted that the Planning Commission issued a positive recommendation. Dr. McNamara stated that he is planning to develop his property which is located at the end of Denver Terrace. He plans to extend Denver Terrace into the property which is already zoned for half acre. The potential is for 14 houses. He would also hook up his home, bringing the total house to 15.

Mr. Buckley stated that there is a sewer line on Anchor Street which intersects with Denver Terrace. He was concerned that if granted, placement of manhole easements would cross private property. He also stated that due to the topography of the land, some of the houses may need separate pumps to get the effluent into the system. Mr. Schweitzer stated that a water main is in place on Hayestown Road. The project could be done and the water line would have to come in from Denver Terrace.

Mrs. Abrantes made a motion that the application be approved with the stipulations that the the total number of units not exceed 15 single family homes and the application follow the usual eight steps. Seconded by Mrs. Basso and passed unanimously.

The report was accepted on the Consent Calendar.

50 - REPORT - Donation to the Still River Restoration Project

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the financial donation for the Still River Restoration Project met at 7:00 P.M. in City Hall on March 24, 1997. In attendance were committee members Arconti, Gallagher and Mead. Also in attendance was the Coordinator of Environmental and Occupational Health Services Jack Kozuchowski.

Mr. Kozuchowski explained that the donation offered by Mr. Mel Powers is \$4,000 and would be used for the design of a handicapped access ramp at the parking area off Corporate Drive. This area is one end of the 2.2 mile hiking trail along the Still River. Mr. Kozuchowski stated that the Environmental Impact Commission has already approved this project.

Mr. Mead moved to recommend that the Common Council accept this correspondence and the donation and send a letter of thanks to the donor. Mr. Gallagher seconded the motion and it passed unanimously.

The report was accepted on the Consent Calendar.

51 - REPORT - Governmental Entities Review and Evaluation. Mr. Levy made a motion that the report be received and deferred to Public Hearing. Seconded by Mr. Boynton. Motion carried un-animously.

Mrs. Coladarci submitted the following report:

The subcommittee to review the road acceptance of Flint Ridge Road met at 6:30 P.M. in Room 432 in City Hall on March 18, 1996. In attendance were committee members Coladarci and Fox. Also in attendance were City Engineer Jack Schweitzer, Assistant Corporation Counsel Les Pinter and Dr. Steve Millian of Flint Ridge Road.

Mr. Schweitzer provided an update of Flint Ridge Road. He explained that City employees met with Roy Steiner, the developer of that area and Mr. Steiner has agreed to assist the City in providing the needed improvements as explained in the attached letter. Dr. Millian mentioned that the work is expected to be completed by July 1, 1997.

Ms. Fox made a motion that we accept Flint Ridge Road subject to the completion of the work as outlined and the submission of all necessary documents of conveyance. The motion was seconded by Ms. Coladarci and passed unanimously.

The report was accepted on the Consent Calendar.

53 - REPORT - Request for Sanitary Sewers in the Aunt Hack Area

Mr. Levy submitted the following report:

The Common Council Committee appointed to review a request for sewer met on August 20, 1996 at 7:30 P.M. in Room 432 in City Hall. In attendance were Committee Members Levy, Shuler and Mead. Also in attendance were Director of Public Utilities William Buckley, City Engineer Jack Schweitzer, Common Council Members Setaro and Basso, ex-officio, the petitioner Ann Marie Kratch and approximately 40 area residents.

Mr. Levy opened the meeting by explaining that the City Engineer in a letter dated March 18, 1996 said they could not be supportive of this sewer project. A motion was then made by Mr. Mead to waive the rules so that all present could speak on the subject, seconded by Mr. Levy and passed unanimously. Mr. Levy asked Mr. Buckley to explain in more detail the negative recommendation. Mr. Buckley said that from an engineering standpoint sewers could be put in the area. He then referred to the City's Comprehensive Sewerage Study of 1987. That study indicates the area in question does not fall within the future sanitary sewer service area and is located in a Class 1 Watershed area. The rationale of not putting sewers in a watershed area is as follows. A sewer pipe removes the water from the watershed area to the sewer treatment plant. With a septic system water is returned back to the watershed area. Many questions from the residents and discussion took place. At 7:59 P.M. Mr. Levy moved to recess the meeting until after a Special Common Council meeting. Seconded by Mr. Shuler and passed unanimously.

The committee reconvened at 8:26 P.M. after the Council Meeting. Questions and answers continued. It became apparent from the questions that the committee needed more information. Mr. Mead made a motion to adjourn the meeting and reconvene after more fact finding with the State DEP and the local Health Department. Seconded by Mr. Shuler and passed unanimously.

The Common Council Committee appointed to review a request for sewers at Birchcrest Drive, Cedarcrest Drive, Lindencrest Drive, Driftway Point Road reconvened March 19, 1997 at 7:00 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Levy and Shuler. Mr. Mead was absent. Also in attendance were Director of Public Utilities William Buckley, City Engineer Jack Schweitzer, Council Members Basso and Nolan, ex-officio, and approximately 30 petitioners and the public.

Mr. Levy moved that without objection we join the request of September 4, 1996, item 23 for sewers to North Driftway Point Road, Elmcrest Drive and the request of November 7, 1996, item 45 for sewers to North Lindencrest Drive. No objection was voiced. All of the sewer requests received negative recommendations from the Planning Commission and the City Engineer.

Subsequent to our last meeting the following information was developed:

A letter was sent by the Superintendent of Public Utilities to the Connecticut Department of Public Health requesting their policy on sewers in watershed areas. They responded via a letter saying in part "they do not support sewers on public water supply watershed except as needed to solve pollution problems." The Chair requested our Director of Health to review the area for sewage related environmental problems. The Director responded via a letter that said in part, because of the age of these systems 1960's and 70's, they face a high risk of failure, "and the lots that are a half acre may present pollution problems".

Mr. Levy then addressed the issues raised by the Engineering Department that led to the opinion not to support this sewer project.

Item 1: The area is not within the 1987 Sanitary Sewer Service Area. Response: This should not be a consideration if there is an environmental problem in the area now or in the future. There may be an environmental problem in some of the areas in question as stated in the Danbury Health Department letter on page two, last sentence, "Future failures may be difficult to correct and may present pollution problems."

Item 2: Portions of the area lie within a Class 1 and 2 Watershed area. Zoning regulations discourage the installation of sanitary sewers in those areas.

Response: The Zoning regulation 7.C.3 Use Regulations 2.B applies to NEW development after 1993. The area in question is not new. It was built in the 1960's and 70's and therefore the regulation does not apply.

Item 3: To service the majority of the properties would require a pump station within 1000 feet of the West Lake Reservoir shore line.

Response: This is part of the engineering environmental safe guards and system specifications. If after the survey the property owners go ahead with the project this cost would be passed along in the sewer assessment.

After discussion, Mr. Shuler made a motion to recommend to the full Common Council to go ahead with the sewer survey process using a private contractor as recommended by the City Engineer. Seconded by Mr. Levy and passed unanimously.

The report was accepted on the Consent Calendar.

54 - REPORT - Drainage Problem at 25 Mountainville Avenue

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the drainage problem at 25 Mountainville Avenue met on March 25, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid and Mead. Also in attendance were City Engineer Jack Schweitzer, Mrs. Broderick and Council Member Christopher Setaro, ex-officio. A motion was made to waive formal procedure.

Mrs. Broderick explained how her property becomes flooded during heavy rainfall due to the repaving of the street and the lack of drainage in the street. Mr. Schweitzer said he would further look into it a pursue a remedy. He will inform Mr. Buzaid and Mrs. Broderick in the near future of the City's intent.

The report was accepted on the Consent Calendar

Mr. Valeri submitted the following report:

The Common Council Committee appointed to review the request to exchange land at 2 Mountainville Avenue met on Tuesday, March 18, 1997 at 8:00 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Valeri and Buzaid. Also in attendance were Planning Director Dennis Elpern, Assistant Corporation Counsel Laszlo Pinter, the petitioners Edward and Maureen Jencik, Scott Fanton Museum Director Mary Ann Root and Council Member Pauline Basso, ex-officio. Committee Members Mead was out of town and unable to attend.

Mr. and Mrs. Jencik explained their offer to exchange nearly four acres of mostly wetlands at the rear of their property for less than ¼ acre of land adjacent to and between their house and the site of the Ives House. They further explained that the size of the lot on which their house is sited cannot accomodate a garage and that their interest in the property is for that purpose.

Mr. Elpern explained that although the Planning Commission made a positive recommendation for this request, the parcel being offered is of little or no value to the City for any present or future use. He further explained that although land use restrictions previously imposed on the City by the Department of Housing and Urban Development had been lifted, a lease exists between the City and Scott-Fanton Musuem which includes the requested parcel and would therefore require approval by the Scott Fanton Board of Directors and a subsequent revision of the lease prior to any further consideration of this request.

Mrs. Root explained that a matter of great concern regarding the subject property is the elevation of the requested parcel, the natural line of sight barrier it provides with respect to the Ives House and the Museum's desire to preserve that barrier.

Mr. Pinter confirmed that existence of the lease between the City and Scott-Fanton and concurred that the request be considered by the Museum Board of Directors prior to any committee recommendation.

Mr. Buzaid motioned to request that the Scott-Fanton Board of Directors review the proposal presented by Mr. and Mrs. Jencik and return a recommendation to the committee in a timely manner. Motion seconded by Mr. Valeri and passed unanimously.

It was further requested that an open line of communication between the Jenciks and the Museum be maintained throughout the process.

The report was accepted on the Consent Calendar.

56 - PROGRESS REPORT - Request for Revision of Lease

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the request for a revision of a lease met on March 18, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid, and Coladarci. Also in attendance were Assistant Corporation Counsel Les Pinter, City Engineer Jack Schweitzer, the Carvalhos, and Council Member Pauline Basso, ex-officio.

Mr. Carvalho explained that he no longer wants to pay rent to the City as per his lease. He feels that since the lease was initiated he is no longer enjoying the benefits he bargained for. This, he claims, is due to the City occasionally using the property for access to the river. Mr. Pinter pointed out that the lease provides for this to the City and therefore there are no real grounds for an amendment to the lease.

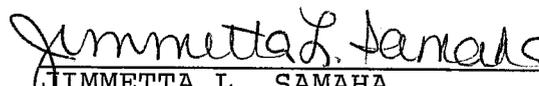
Mrs. Coladarci and Mr. Buzaid suggested to Mr. Carvalho that he submit documentation that shows that an adjacent piece of property that Mr. Carvalho purchased from the City could be used by the City to offset the rent that he no longer wants to pay.

The report was accepted on the Consent Calendar.

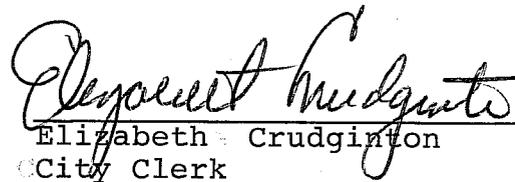
The Mayor extended all committees.

There being no further business to come before the Common Council a motion was made at 8:43 P.M. by Miss Fox for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk