

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

RE: Minutes of the Common Council Meeting held May 2, 1995.

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

PRESENT - Levy, Scalzo, Falone, Yamin, Arconti, Boynton, Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Nolan, Scozzafava, Setaro, Trocolla, Valeri

ABSENT - Dennehy, Gallagher

Council Members Dennehy and Gallagher were out of town on business

PUBLIC SPEAKING

1. Susan Elbaum, 67 Wildman Street - spoke regarding 38 Carpenters Extraordinaire - renovations to Tarrywile farmhouse. Asking that change orders be paid and materials approved by the City be paid.

2. Mark Diol, 16 Reservoir Road - pays 80% of his taxes to Bethel and 20% to Danbury. His mailing address is in Danbury. This causes many problems. The mailman will just drive past his house.

3. Jonathan Casper, 18 Reservoir Road - Post office told him that only mail sent to Bethel will be delivered. Most of his taxes are paid to Bethel. Why should Danbury taxpayers pay for emergency services.

4. Jeff Sawyer, Reservoir Road - Had a major problem with SNET. They could not locate the address. Registering his children for school is also a problem.

ANNOUNCEMENTS

May 2nd - Council Member Nancy Beck's birthday
May 3rd - Corporation Counsel Eric Gottschalk's birthday
May 13th- Tom and Sally Arconti will celebrate their wedding anniversary
May 19th- Council Member Christopher Setaro will celebrate his 30th birthday
May 31st- Council Member Bob Yamin will celebrate his birthday

May 1-6 - Arson Prevention Week
May 7-13- Safe Drinking Water Week
May 3rd - Special Olympics Celebrity Breakfast
May 7th - New Hope Baptist Church 100th Anniversary
May 14th - Mother's Day
May 16th - 30th Anniversary of King Street School
May 18-20th - Danbury High School will present Guys and Dolls
May 19th - Head Start Day
May 20th - Danbury Railway Hudson River Excursion
May 21st - Mini Grand Prix for Arthritis Foundation
May 22-26- Peace Week
May 24th - Broadview Middle School Honor Roll Ceremony
May 29th - City Hall Offices Closed for Memorial Day

June 1st - 3rd - Mill Plain Volunteers Carnival and Parade

MINUTES - Minutes of the Common Council Meeting held April 7, 1995 and the Special Common Council Meeting held April 24, 1995. Mr. DaSilva made a motion that the minutes be adopted as presented and reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mrs. Outlaw. Motion carried unanimously.

CONSENT CALENDAR - Mr. Esposito submitted the following items for the Consent Calendar:

- 6 - Approve Ordinances 16-33 and 21-50 regarding Economic Development Sewer and Water
- 8 - Approve lease agreement between State DOT and City of Danbury for five railroad coaches
- 9 - Approve sublease agreement for five railroad coaches between the City of Danbury and the Railroad Museum
- 10 - Approve Resolution and Certificate of Notice of Installment Payment of Assessment of Benefits regarding Mill Plain Sewer Assessments
- 11 - Approve Investment Policy for the City of Danbury
- 12 - Approve School Based Health Center - \$100,000
- 13 - Approve authorization of agreement regarding the School Based Health Center - Danbury High School
- 21 - Approve reappropriation of donated funds for the Commission on Aging - \$83.60
- 22 - Approve request for acceptance and reappropriation of fees for Commission on Persons with Disabilities - \$3,500
- 23 - Approve request for transfer of additional funding for Landfill demolition disposal \$367,000
- 24 - Approve request for Uninsured Workers' Compensation - \$16,002
- 25 - Approve request for funding for King Street Primary School - \$25,000
- 26 - Approve request for funds for Special Litigation Account - Tax Collector's Office - \$6,000
- 28 - Approve appointment of Paul Estefan and Francis Kieras as Citation Hearing Officers
- 29 - Approve appointment of Special Counsel for real estate tax collections - James Maloney, Robert Talarico, Eric Wellman and William Sullivan
- 31 - Approve receipt of communication regarding Hearthstone Castle at Tarrywile Park
- 34 - Approve payment of \$2,124 for sewer backup at East Broad Street
- 36 - Approve revised certification for Airport gas tank - \$12,600
- 37 - Approve receipt of report from Planning Commission on ZABDI LIC road widening strips and easements and accept parcels
- 43 - Approve receipt of report on water problems on Alexander D Avenue
- 44 - Approve receipt of report on request to hook up to City Sewer on Barnum Road
- 45 - Approve request for change of name from Pond Field Road to Smoke Hill Drive
- 46 - Approve request for water extension at 201 Middle River Road
- 47 - Approve request for water extension at 204 Middle River Road

Mr. Falzone made a motion that the Consent Calendar be adopted as read. Seconded by Mr. Setaro. Motion carried with Mrs. Coladarci abstaining on item 29.

1 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 1995 and Ending June 30, 1996; and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 1995 and Ending June 30, 1996.

a. General Government I Budget Committee - Mr. Boynton submitted the following report:

The General Government I Budget Committee meet on April 25, 1995 in Room 432 in City Hall at 7:30 P.M. In attendance were committee members Boynton, Gallagher, Scalzo, Charles, Outlaw and Nolan. Also in attendance were Director of Finance Dominic Setaro, Library Director Betsy McDonough and John Hoffer, Registrars of Voters George Schmiedel and Jean Natale and Conservation Commission Chairman Barbara Monsky.

After review and discussion of the Mayor's proposed budget, the committee voted 5 to 1 to accept the Mayor's proposed budget with the following exceptions, upon a motion by Mr. Gallagher and seconded by Mr. Scalzo. The no vote was cast by Mr. Nolan without comment. The committee recommends the following changes to the Mayor's budget.

Mayor's Office - 01-110

Regular Salaries 01-110-010100 - proposed 1995-96 \$204,148 to \$205,140, a change of \$992.00 effective December 1, 1995, an increase of 2.5% Salary 1994-95 Mayors \$68,275, Proposed 1995-96 \$69,982 Proposed 1996-97 \$71,732. Motion to increase salary of the Mayor by 2.5% made by Mr. Gallagher, seconded by Mrs. Outlaw. Motion carried 5 yes 1 no, with Mr. Charles voting in the negative.

Net change recommended to total Mayor's Office 01-110 from \$239,494 to \$240,486 net increase of \$992.00. Motion made by Mr. Gallagher. Seconded by Mr. Nolan. Motion passed unanimously.

Town Clerk's Office - 01-161

Regular Salaries 010100 - Proposed 198,377 to \$199,166 - a change of \$789.00 effective December 1, 1995 a 2.5% increase. Salary 1994-95 TownClerk \$54,278, Proposed 1995-96 \$55,635, Proposed 1996-97 \$57,027. Motion made by Mr. Gallagher, seconded by Mr. Scalzo. Motion carried unanimously.

City Clerk's Office 01-111

Regular Salaries 010100 Proposed \$74,743 to \$75,279, a change of \$536.00 effective December 1, 1995 a 2.5% increase. 1994-95 Salary City Clerk 36,870, Proposed 1995-96 \$37,792, Proposed 1996-97 \$38,737. The above was incorporated in a motion by Mr. Gallagher and seconded by Mr. Scalzo in adopting the department budget. Motion carried unanimously.

Registrars & Electors 01-131

Regular Salaries 010100 Proposed 1995-96 \$65,714 to \$67,686 a 3% increase which represents an increase of \$986.00 per registrar (2). This is to adjust the Mayor's budget proposal to reflect the action Government Budget I committee and adopted by the Common Council on May 3, 1994 which was omitted in error by the Mayor's proposal. This increase is effective July 1, 1995.

A motion to adjust as described above was made by Mr. Gallagher and seconded by Mr. Scalzo. Motion passed unanimously.

020501 Postage - A motion was made to increase this line item by \$12,000 from the Mayor's proposed \$2,000 to \$14,000 to cover mailing of postcards - 28,000 and voters. Motion was made by Mr. Nolan and seconded by Mr. Gallagher. Motion carried with 5 yes and 1 no with Mr. Boynton voting in the negative.

022000 - Printing and Binding - A motion was made to increase the line item by \$2,100 from the Mayor's proposal of \$1,100 to \$3,200 to cover lost of printed postcards to canvas voters. Motion was made by Mr. Gallagher and seconded by Mrs. Outlaw. Motion passed with 5 yes and 1 no with Mr. Boynton voting in the negative.

While no official vote was taken on the motion made during the committee meeting, it was and is the recommendation of the members of the committee that the increases proposed should be reduced by a like amount from the Mayor's proposed contingency fund #14-000.

Mrs. Coladarci made a motion to receive the report and adopt the recommendations contained therein. Seconded by Mr. Arconti.

Mr. Charles offered an amendment to line item 01-110 Mayor's Office, specifically the Mayor's salary to be increased by 5% on December 1, 1995 and 5% on December 1, 1996. Seconded by Mr. Scalzo.

Mr. Trocolla stated that the Mayor's salary is underfunded. We have a very strong Mayoral form of government and salary should reflect this. Would like to see it go even higher, but this is a move in the right direction.

Mr. Boynton stated that this is not the right way to go at this time. The proposal should have been made to the committee. 2.5% is being given to all other departments. The Council should stick with the committee's recommendation.

Mr. Levy stated before that the Mayor is underpaid. People who work under him make more money than he does. Since this is the only forum available, he endorses the amendment.

Mr. Scozzafava stated that the vast majority of administrators make more money than the Mayor. The Mayor puts in many more hours than is required. He agrees that we cannot confine employees to a 2.5% raise and give the Mayor more. The Mayor has turned down increases before.

Mr. Valeri stated that we need to increase the salary to reflect incentives to attract the best and brightest to step forward for this position in the future. The salary base should reflect the responsibility of the Mayor's office.

Mrs. Outlaw agrees with Mr. Valeri. Motion was made and seconded to moved the question. Motion carried with Mr. Scalzo voting in the negative.

The amendment passed with the members voting as follows:

Yes - Levy, Scalzo, Falzone, Machado, Outlaw, DaSilva, Esposito, Charles, Gomez, Trocolla, Valeri

No - Yamin, Arconti, Boynton, Coladarci, Beck, Scozzafava, Setaro

Abstain - Nolan

11 yes - 7 no - 1 abstention

On the main motion, as amended, Mr. Trocolla stated that a no vote would negate the whole report. Mr. Yamin asked if they could vote it down and then take another vote. Mr. Gottschalk said they could vote on each item in the report separately.

Mr. Yamin offered a further amendment to line item 13-002 HART, specifically Contributions and Grants to be reduced by \$40,000.00. Seconded by Mr. Nolan. Motion to amend failed with Mr. Yamin and Mr. Nolan voting in the negative and Mr. Setaro abstaining.

Mr. Arconti moved the question. Seconded by Mr. Boynton. Motion carried unanimously.

Main motion, as amended, carried with the members voting as follows

Yes - Levy, Scalzo, Falzone, Arconti, Boynton, Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Scozzafava, Trocolla, Valeri

No - Yamin, Nolan

Abstain - Setaro

16 yes, 2 no, 1 abstention

b. General Government II Budget Committee - Mr. Falzone submitted the following report:

The General Government II Budget Committee had an organizational meeting on April 17, 1995 in Room 432 in City Hall at 7:00 P.M. In attendance were committee members Falzone, Dennehy, Gomez and Levy. Members Valeri and Yamin were away on business. The committee discussed the various departments it wanted to invite. Invited to attend were the Danbury War Memorial, Green Chimneys, the Hispanic Cultural Society and the Director of Finance Dominic Setaro.

The General Government II Budget Committee met again on April 25, 1995 in the Fourth Floor Lobby in City Hall at 7:00 P.M. In attendance were committee members Falzone, Levy, Gomez, Valeri, Dennehy and Yamin. Also in attendance were Tom Clarkson of the War Memorial, Maria-Cinta Lowe and Peter Kalman from the Hispanic Cultural Center, Director of Finance Dominic Setaro and representatives from Green Chimneys.

Each grant agency was asked to explain its budget request and whether the services would be cut. The agencies explained that yes they could use more money but would make do with the Mayor's budget. Mr. Falzone explained that the Danbury Intercultural Association needed to be included in this year's budget along with an inflationary pay raise for the City Treasurer.

After further discussion, Mr. Levy made a motion to adopt the Mayor's Budget as proposed with the following changes. Line item 20-072935 add \$5,000 for the Danbury Intercultural Association, to be taken from Line Item 14-000 contingency. Also add to line item 01-140-010100 \$301.00 to increase proposed sum of \$20,660 to \$20,961. This will come from line item 14-000 contingency. Seconded by Miss Dennehy and passed unanimously.

Mr. Scalzo made a motion to receive the report and adopt its recommendations. Seconded by Mrs. Coladarci.

Mr. Valerie offered an amendment to add the same 2.5% increase to the City Treasurer's salary for fiscal year 1996-97 as is contained in the report for 1995-96. Seconded by Mr. Boynton. Mr. Setaro asked what is indicated in the report itself. Mayor Eriquez stated that it contains a 2.5% increase for the amount of \$301.00 for 1995-96 but not for 1996-97. Mr. Boynton made a motion to move the question. Seconded by Mrs. Outlaw. Motion carried unanimously with Mr. Nolan voting in the negative.

Motion to amend passed with Mr. Esposito abstaining.

Mr. Yamin offered a further amendment regarding the Contingency Account 14-000 - to be reduced by \$47,000 or 5%. Seconded by Mr. Nolan. Mr. Falzone stated that Mr. Yamin was on the committee. Why did he not bring this up at the committee meeting. Mr. Yamin said that that was an irrelevant question. Mr. DaSilva stated that he was for keeping the 5% in the Contingency Account because it is not substantial enough to say it is overfunded.

Motion was made and seconded to move the question. Motion carried with Mr. Nolan voting in the negative.

Motion to amend the report by decreasing the contingency account failed with Mr. Nolan and Mr. Yamin voting yes.

Main motion, as amended, passed with Mr. Yamin and Mr. Nolan voting no and Mr. Esposito abstaining.

c. Education Budget Committee - Mr. Setaro submitted the following report:

The Common Council Education Budget Liaison Committee met for purposes of an organizational meeting on March 29, 1995 at 7:30PM in Room 432 of City Hall. In attendance were committee members Setaro, Scalzo, Gallagher and Scozzafava. Also in attendance were Council members Gomez and Nolan, ex-officio.

Mr. Setaro stated that the agenda of the meeting was to choose future meeting dates and agenda topics and to offer committee members the opportunity to present questions which the Committee Chairman would forward to the School Administration. It was the consensus of the committee that the agenda for future meetings should focus on the adopted Board of Education Budget line items 0 through and including 300's and line items 400 through and including 800's, respectively, for each of the following two meetings. Mr. Scalzo moved to adjourn the meeting at 8:20 PM, seconded by Mr. Gallagher and passed unanimously.

The committee met on April 11, 1995 at 7:30 PM in Room 432 of City Hall. Present were committee members Setaro, Scalzo, Gallagher, Yamin and Scozzafava. Also in attendance were Board of Education members Cotter (Board of Education Liaison Committee Chairman), Rotello and Mitchell as well as Superintendent of Schools Singe, Education Finance Director Heidenreich and Council member Nolan ex-officio.

Mr. Heidenreich explained that of the 5.95% funding increase requested by the Board of Education, 4.69% was for personnel and 1.26% for materials and supplies, and that the projected increase in enrollment was 211 students of which 148 would be attending elementary schools. He also stated that the state Education Cost Sharing (ECS) formula placed Danbury in a "hold harmless" classification and that Danbury's Priority School District grant was maintained in the Governor's proposed budget. Lastly, Mr. Heidenreich stated that 7 new positions were included in the Board's adopted budget, that the 28 staff added in FY 1994/1995 were funded through savings realized in health insurance costs, that the Board's budget presumed that health insurance costs would increase and that \$1,161,000 was turned back to the insurance reserve fund by the Board.

Mr. Gallagher inquired as to why the 2% Set-Aside funds were not included in the Board's budget since those dollars represented 2% of the ECS funds received directly by the Board. Mr. Heidenreich responded that those funds were not "new" dollars after receipt in the first year and were relied upon for programming. Discussion followed regarding the increase in the numbers of students in the ESL program and whether the Board would be better served by utilizing a zero-based budget. Mr. Gallagher moved that the meeting adjourn at 9:20PM, seconded by Mr. Scalzo and passed unanimously.

The committee met on April 24, 1995 at 8:15PM in Room 432 in City Hall. In attendance were committee members Setaro, Scalzo, Gallagher, Scozzafava and Yamin. Also attending were Board members Cotter and Mitchell, Schools Superintendent Singe, and Education Finance Director Heidenreich. Council members Coladarci, Levy and Nolan also attended ex-officio as well as Mayor Enriquez.

Mr. Scozzafava stated that traditionally the Board had not altered the recommended budget of the Superintendent, that the Board should zealously support its adopted budget and that he supported the Mayor's proposed education budget for FY 95/96. Mr. Heidenreich offered the rationale that the Superintendent's proposed budget is compiled annually in December and that cost estimates are relied upon in the process. Mr. Gallagher stated his support for the Mayor's proposed education budget. It was the consensus of the committee that in the event that the City received additional funds from the budget adopted by the General Assembly, that applying those dollars for educational purposes should be considered.

Mayor Enriquez stated that the State legislature rarely adopts a budget prior to the Common Council, that past reductions in state aid have increased City education budgets, that the Governor's proposed budget provides the projected local funding levels upon which local budgets have been based and that when state aid projections to the City have been altered by the General Assembly, the Common Council has made special appropriations for various municipal purposes including education. He also noted that the School Board has realized increased funding from the City each year.

Mr. Scozzafava moved to recommend to the full Council the appropriation of \$62,703,317 (\$62,410,882 Mayor Proposed Budget + \$292,435 Vocational School Tuition state reimbursement) for the Education Budget for FY 1995/1996 and that if the City receives additional state funding that those funds should be considered for educational purposes. Seconded by Mr. Scalzo.

As the motion included recommending the appropriation of the \$292,435 Vocational School Tuition reimbursement to the City from the State, a discussion ensued as to whether the committee should include these dollars within its recommended appropriation since the state legislature had not yet adopted a budget and the City's receipt of these funds was not certain. Mr. Heidenreich stated that the General Assembly's Education Committee had already voted to recommend returning the Vocational School Tuition dollars to the City.

Mrs. Coladarci made a motion to receive the report and adopt the Education Budget appropriation of \$62,410,882. Seconded by Mr. Boynton.

Mr. Nolan offered an amendment to increase the Education Budget by \$888,851. Seconded by Mr. Yamin. Mr. Nolan gave his reasons for the increase stating that education of our students is the most important thing the City does. Also this would be half of the mil rate reduction. The Mayor responded by stating that our local tax dollars fund 80% of the Education Budget. Mr. Boynton stated that he has supported Education Budgets to the extent that the citizens can afford. We have to plan and be fiscally prudent. Will vote against this amendment.

Mr. Trocolla made a motion to move the question. Seconded by Mr. Falzone. Motion carried with Council Members Levy, Scalzo, Yamin, Nolan and Scozzafava voting in the negative.

Motion to amend the Education Budget by adding \$888,851 failed with Mr. Yamin and Mr. Nolan voting in the affirmative.

Main motion carried with Mr. Nolan and Mr. Yamin voting in the negative.

d. Public Works Budget Committee - Mr. Arconti submitted the following report:

The committee appointed to review the portions of the budget assigned to the Public Works Budget Committee met in City Hall at 8:30 P.M. on April 24, 1995. In attendance were committee members Arconti, Beck, Gallagher, Machado and Trocolla. Also in attendance were several department heads and Council Members DaSilva, Levy, Scalzo, and Nolan, ex-officio.

Each department head gave a brief overview of their departments and highlights of the proposed 1995-96 budget. The committee reviewed each account assigned to it and discussed specific issues or concerns with the appropriate department heads after which the following motions were made:

Mr. Gallagher moved to recommend that the Common Council adopt the budgets of the departments assigned to the Public Works Budget Committee as presented by the Mayor. Miss Beck seconded the motion and it passed unanimously.

Mr. Trocolla moved to recommend that the Common Council adopt the proposed sewer fund budget and the proposed sewer rates as presented. Seconded by Mr. Gallagher and passed unanimously.

Mr. Trocolla moved to recommend that the Common Council adopt the proposed Water Fund Budget and the proposed Water Rates as presented. Seconded by Mr. Machado and passed unanimously.

Mr. Machado moved to recommend that the Septage rates be adopted as presented. Miss Beck seconded the motion and it passed unanimously.

Mr. Boynton made a motion to receive the report and adopt its recommendations. Seconded by Mrs. Outlaw. Motion carried unanimously.

e. Public Health and Safety Budget Committee - Mrs. Coladarci submitted the following report:

The Health and Public Safety Budget Committee met at 7:30 P.M. on April 18, 1995 in the Fourth Floor Lobby in City Hall. In attendance were committee members Coladarci, Beck, Setaro and Nolan. Council Member Levy had a previous commitment. Also in attendance were Director of Finance Dominic Setaro, Sealer of Weights and Measures Robert Sulliman and Council Members Joseph DaSilva and Harry Scalzo, ex-officio.

Discussions included salaries, the Table of Organization of each department, as well as various specific items in each department. The committee agreed that the budget should stay substantially the same. Mr. Setaro moved that we recommend to the full Council adoption of the Public Health and Safety Budget as proposed by the Mayor. The motion was seconded by Miss Beck. Further discussion included the cost of cats as included in the Dog Warden's budget. Cat licensing was discussed but it was explained that State law does not enable the municipalities to license cats. The motion was voted on with a vote of 3 in favor, 1 opposed. Mr. Nolan voted in the negative.

Mrs. Coladarci asked if a further meeting was necessary to obtain additional information. Mr. Nolan said no, that he has questions in regard to staffing that cannot be answered by this committee or the Finance Director.

Mrs. Coladarci also read a memorandum regarding the Police Union Contract amending the 1995-96 Mayor's budget to reflect the following adjustments;

On Friday, April 28, the Police Union agreed to the City's contract offer for the 1995-96 fiscal year and the 1996-97 fiscal year. In anticipation that the Common Council will approve that agreement on May 2, the Council may then also amend the 1995-96 Mayor's budget to reflect the following adjustments.

	<u>Mayor's Proposed</u>	<u>Adjustment</u>	<u>Amended Line Item Total</u>
<u>Police Department</u>			
Regular Salaries			
#02-02-100-010100	\$6,148,576	+\$145,885	\$6,294,461
Holiday Pay			
#02-02-100-011009	275,296	+ 6,882	282,178
Clothing-Dry Goods-Linens			
#02-02-100-041000	187,450	+ 20,700	208,150
Department Total	\$ 8,083,714		\$ 8,257,181
<u>Dog Warden</u>			
Contributions/Grants			
#02-02-102-072800	\$ 111,293	+\$ 2,319	\$ 113,612
Department Total			\$ 113,612

Mr. DaSilva made a motion to receive the report and memorandum as read and adopt the recommendations contained therein. Seconded by Mr. Setaro. Mr. Scalzo asked if the money would come from the Contingency Account. Mayor Eriguez said it would and that was the reason that the Contingency Account was a little higher this year.

Mr. Nolan stated that as to the final paragraph of the report he did not realize that his commentary would be included. He explained that he was surprised that some department heads did not attend the committee meeting. Mr. Levy responded that he was surprised that a minority report was not submitted. You should find out what you are dealing with before you make comments.

The main motion to receive the committee report with the amendments as to the police contract passed with Mr. Nolan voting in the negative.

Mr. DaSilva read a memorandum regarding revenue adjustment for 1995-96 budget as follows:

	<u>Mayor Proposed</u>	<u>Adjustment</u>	<u>Amended Total</u>
Fund Balance	\$2,100,000	+\$ 700,000	\$2,800,000
Indirect Revenue Landfill Demolition	\$2,600,000	-\$ 700,000	\$1,900,000

The bottom line Indirect Revenue adjusted total will equal \$32,749,164.

Mr. Boynton made a motion to accept the memorandum and adopt the adjustments. Seconded by Mrs. Coladarci. Motion carried unanimously.

Mr. Setaro read the ordinance for the Ordinance for the record:

**AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING
JULY 1, 1995 AND ENDING JUNE 30, 1996.**

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

SECTION 1. That the amounts hereinafter set forth aggregating \$122,230,056, 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, 1995 and ending June 30, 1996.

<u>I.</u>	<u>GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	Common Council	\$ 8,100	\$ 8,100
	Mayor's Office	239,494	241,478
	City Clerk's Office	78,895	79,431
	Ordinances	7,500	7,500
	Probate Court	9,875	9,875
	Jury Committee	1,600	1,600
	Registrar & Elections	93,450	109,522
	City Treasurer	20,660	20,961
	Finance Department	572,928	572,928
	Data Processing	455,820	455,820
	Independent Audit	69,000	69,000
	Bureau of Assessments	269,616	269,616
	Board of Tax Review	3,600	3,600
	Tax Collector	422,078	422,078
	Purchasing	191,056	191,056
	Corporation Counsel	358,166	358,166
	Town Clerk	272,974	273,763
	Annual Report	5,000	5,000
	Economic Development Commission	850	850
	Environmental Impact Commission	3,050	3,050
	Planning Commission	4,275	4,275
	Planning Department	324,010	324,010
	Zoning Commission	7,844	7,844

<u>GENERAL GOVERNMENT</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
Zoning Board of Appeals	\$ 5,375	\$ 5,375
Civil Service Commission	77,135	77,135
Conservation Commission	2,157	2,157
Personnel Department	222,267	222,267
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,975	1,975
City Membership	45,925	45,925
Lake Authority	26,364	26,364
Retirement Administration	62,500	62,500
Labor Negotiations	40,000	40,000
Public Buildings	741,706	741,706
City Hall Building	211,371	211,371
Library Building	119,941	119,941
Police Station Building	150,894	150,894
Senior Center Building	34,500	34,500
Old Library Building	<u>25,400</u>	<u>25,400</u>
<u>TOTAL GENERAL GOVERNMENT</u>	<u>\$5,197,351</u>	<u>\$5,217,033</u>

PUBLIC SAFETY

Police Department	\$ 8,083,714	\$8,257,181
Dog Warden	111,293	113,612
Fire Department	6,456,819	6,456,819
Ambulance Fund	136,905	136,905
Building Inspector	325,361	325,361
Weights & Measures	7,660	7,660
Department of Civil Preparedness	<u>3,850</u>	<u>3,850</u>
<u>TOTAL PUBLIC SAFETY</u>	<u>\$15,125,602</u>	<u>\$15,301,388</u>

III.	<u>PUBLIC WORKS</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	Director of Public Works	\$ 14,844	\$ 14,844
	Highways	1,569,840	1,569,840
	State Aid - Highways	154,415	154,415
	Snow and Ice Removal	347,500	347,500
	Street Lights	408,000	408,000
	Public Building Maintenance Rep.	194,465	194,465
	Equipment Maintenance	848,504	848,504
	Recycling/Solid Waste	569,406	569,406
	Engineering Department	<u>618,539</u>	<u>618,539</u>
	<u>TOTAL PUBLIC WORKS</u>	<u>\$4,725,513</u>	<u>\$4,725,513</u>

IV.	<u>HEALTH & HOUSING DEPARTMENT</u>		
	Health & Housing	\$679,082	\$679,082
	<u>TOTAL HEALTH & HOUSING</u>	<u>\$679,082</u>	<u>\$679,082</u>
V.	<u>PUBLIC WELFARE, SOCIAL AGENCIES</u>		
	Welfare Department	\$1,249,817	\$1,249,817
	Veteran's Advisory Center	38,808	38,808
	Commission on Aging	183,222	183,222
	Elderly Transportation	<u>10,000</u>	<u>10,000</u>
	<u>TOTAL WELFARE, SOCIAL AGENCIES</u>	<u>\$1,481,847</u>	<u>\$1,481,847</u>
VI.	<u>SCHOOL DEPARTMENT</u>		
	Schools, Regular	\$62,410,882	\$62,410,882
	Schools, Health & Welfare	<u>223,937</u>	<u>223,937</u>
	<u>TOTAL SCHOOL BUDGET</u>	<u>\$62,634,819</u>	<u>\$62,634,819</u>
VII.	<u>LIBRARIES</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	Danbury Public Library	\$1,445,261	\$1,445,261
	Long Ridge Library	<u>6,250</u>	<u>6,250</u>
	<u>TOTAL LIBRARIES</u>	<u>\$1,451,511</u>	<u>\$1,451,511</u>
VIII.	<u>PARKS & RECREATION</u>		
	Parks & Recreation	\$1,148,479	\$1,148,479
	Tarrywile Park Authority	130,000	130,000
	Tree Warden/City Forester	195,633	195,633
	Cultural Commission	45,200	45,200
	Lake Kenosia Commission	<u>1,000</u>	<u>1,000</u>
	<u>TOTAL PARKS & RECREATION</u>	<u>\$1,520,312</u>	<u>\$1,520,312</u>
IX.	<u>RECURRENT COSTS</u>		
	F.I.C.A.	\$ 893,837	\$ 893,837
	Pension Expense	4,979,000	4,979,000
	Employee Service Benefit	125,000	125,000
	Worker's Compensation	271,239	271,239
	State Unemployment Compensation	45,000	45,000
	Employee Health & Life Insurance	4,021,111	4,021,111
	Union Welfare	581,360	581,360
	Insurance & Official Bond Premium	<u>2,063,650</u>	<u>2,063,650</u>
	<u>TOTAL RECURRING COSTS</u>	<u>\$12,980,197</u>	<u>\$12,980,197</u>

X.	<u>DEBT SERVICE</u>		
	Interest on Debt	\$1,239,433	\$1,239,433
	Interest on Debt - School	1,936,024	1,936,024
	Redemption of Debt	1,975,200	1,975,200
	Redemption of Debt - School	<u>2,477,089</u>	<u>2,477,089</u>
	<u>TOTAL DEBT SERVICE</u>	<u>\$7,627,746</u>	<u>\$7,627,746</u>
XI.	<u>CAPITAL PROGRAM</u>	<u>MAYOR'S BUDGET</u>	<u>FINAL BUDGET</u>
	CAPITAL PROGRAM	\$925,000	\$925,000
	<u>TOTAL CAPITAL PROGRAM</u>	<u>\$925,000</u>	<u>\$925,000</u>
XII.	<u>TRANSPORTATION</u>		
	Danbury Airport	\$223,466	\$223,466
	H.A.R.T.	<u>479,002</u>	<u>479,002</u>
	<u>TOTAL TRANSPORTATION</u>	<u>\$702,468</u>	<u>\$702,468</u>
XIII.	<u>CONTINGENCY</u>	\$940,000	\$739,532
	<u>TOTAL CONTINGENCY</u>	<u>\$940,000</u>	<u>\$739,532</u>
XIV.	<u>STATE & FEDERAL SCHOOL PROJECTS</u>	\$5,247,022	\$5,247,022
	<u>TOTAL STATE & FEDERAL PROJECTS</u>	<u>\$5,247,022</u>	<u>\$5,247,022</u>
XV.	<u>GRANTS - HUMAN SERVICES</u>	\$991,586	\$996,586
	<u>TOTAL GRANTS - HUMAN SERVICES</u>	<u>\$991,586</u>	<u>\$996,586</u>
	<u>TOTAL BUDGET</u>	<u>\$122,230,056</u>	<u>\$122,230,056</u>

SECTION 2. That the amount of \$147,092 is appropriated to the DOG LICENSE FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of \$4,688,108 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of \$7,114,617 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of \$844,838 is appropriated to the AMBULANCE FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for uncollectible taxes reserve is established in the amount of -0-.

Mr. Boynton made a motion to adopt the Ordinance as read. Seconded by Mr. DaSilva. Motion carried with Mr. Yamin and Mr. Nolan voting in the negative.

Mr. Boynton made a motion to reconsider the Ordinance to reflect the change in the Mayor's salary line item. Seconded by Mrs. Coladarci. Motion carried unanimously.

Mr. Boynton made a motion to adopt the Ordinance as amended. Seconded by Mr. DaSilva. Motion carried with Mr. Yamin and Mr. Nolan voting in the negative.

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR BEGINNING JULY 1, 1995 AND ENDING JUNE 30, 1996.

SECTION 1. The sum of \$85,030,892 representing the gross appropriation for the City of Danbury of \$122,230,056 for the fiscal year of July 1, 1995 and ending June 30, 1996, minus Indirect Revenue of \$32,749,164 minus Estimated Available Fund Balance "Surplus" of \$2,800,000 and for insurance of \$1,650,000 plus uncollectible taxes reserve in the amount of -0- is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1994.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1995 and ending June 30, 1996 shall be as follows:

TAX RATE: 19.13 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1995, October 1, 1995, January 1, 1996, and April 1, 1996 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, 1995, 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, 1995 and ending June 30, 1996.

Mr. DaSilva made a motion to adopt the Resolution. Seconded by Mr. Charles. Motion carried with Mr. Yamin and Mr. Nolan voting in the negative.

2 - ORDINANCE - Water Rates

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

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

Section 21-46. Meter Rates Generally.
The following water meter rates shall be charged for those areas served and as specified by the Superintendent of Public Utilities. Said rates are for quarterly billings rendered on or after July 1, 1995 and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8" size meter
Usage (MG)

0-1	\$6.27
2	\$6.94
3	\$7.61
4	\$8.28
5	\$8.95
6	\$9.61
7	\$10.28
8	\$10.95
9	\$11.62
10	\$12.29
11	\$12.95
12	\$13.63
13	\$14.29
14	\$14.96
15	\$15.62

(b) 3/4" size meter
Usage (MG)

0-1	\$9.74
2	\$10.41
3	\$11.08
4	\$11.75
5	\$12.41
6	\$13.09
7	\$13.75
8	\$14.42
9	\$15.08
10	\$15.76
11	\$16.43
12	\$17.09
13	\$17.76
14	\$18.43
15	\$19.10

(c) 1" size meter
Usage (MG)

0-1	\$20.15
2	\$20.82
3	\$21.49
4	\$22.16
5	\$22.82
6	\$23.49
7	\$24.17
8	\$24.83
9	\$25.50
10	\$26.16
11	\$26.84
12	\$27.50
13	\$28.17

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Said rates are for quarterly billings rendered on or after July 1, 1993 and are limited to the first fifteen thousand (15,000) gallons of consumption:

Size of meter
(Inches)

1 1/2	\$ 92.33
2	135.41
3	300.07
4	600.13
6	1200.26
8	2400.53
10	4801.07

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be one dollar and ninety-four cents (\$1.94) per one thousand (1,000) gallons.

Mr. DaSilva made a motion that the Water Rates be adopted as read. Seconded by Mr. Charles. Motion carried unanimously.

3 - ORDINANCE - Sewer 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 the effective date hereof to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two 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. Said 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 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) = \$0.38

(2) Debt Service Values (Y) =

- a) Residential, Class 1 and 1A = \$1.05
- b) Mixed Residential/Commercial, Class 2 A = \$2.93
- c) Non-Residential, Class 2 and 3 = \$3.45

(B) The minimum quarterly sewer use charge shall be Twelve Dollars and Sixty-nine cents (\$12.69).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

- (1) RESIDENTIAL (Class 1 and 1A) = Sixty-one dollars and seventy-five cents (\$61.75) Per Unit.
- (2) MIXED RESIDENTIAL/COMMERCIAL (Class 2A) = Seventy-nine dollars and eight cents (\$79.08) Per Unit.
- (3) NON-RESIDENTIAL (Class 2 and 3) = Seventy-nine dollars and eight cents (\$79.08) 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) = Twenty-eight dollars and ninety-six cents (\$28.96) Per Unit.
- (2) MIXED RESIDENTIAL/COMMERCIAL (Class 2A) = Sixty-seven dollars and twelve cents (\$67.12) Per Unit.
- (3) NON-RESIDENTIAL (Class 2 and 3) = Seventy-seven dollars and sixty-six cents (\$77.66) Per Unit.

Mr. DaSilva made a motion to adopt the sewer rates. Seconded by Mr. Charles. Motion carried unanimously.

4 - COMMUNICATION - Septage Rates

Letter from Mayor Eriquez stating that septage rates are based upon a formula contained in the Regional Interlocal Septage Agreement of 1984. Although the rate cannot be precisely known until the annual budget has been adopted it is our estimate that the new rate for septage disposal will be reduced by approximately 4.7% from \$71.00 per thousand gallons to \$68.00 per thousand gallons.

Mr. Boynton made a motion to accept the communication and adopt the septage rates. Seconded by Mrs. Coladarci. Motion carried unanimously.

5. ORDINANCE - An Ordinance Appropriating \$500,000 for Public Improvements in the 1995-96 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to Meet said Appropriation.

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:55 P.M. on April 24, 1995 to review a proposed ordinance regarding the appropriation of \$500,000 for public improvements in the 1995-96 Capital Budget and authorizing the issuance of \$500,000 bonds and bond anticipation notes of the City to meet said appropriation.

After discussion, Mrs. Coladarci moved that the Ordinance entitled "An Ordinance Appropriating \$500,000 for Public Improvements in the 1995-96 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to Meet Said Appropriations" be recommended to the Common Council for adoption in the form introduced and read at the public hearing preceding the meeting. The motion was seconded by Mr. Charles and passed unanimously.

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

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

<u>Project</u>	<u>Estimated Cost</u>
Rebuild/Repave Highways	\$186,000
Highway Department Equipment	140,000
Police Vehicles	119,000
City Vehicles	<u>55,000</u>
Total	<u>\$500,000</u>

Section 2. To meet said appropriation \$500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide 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. 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. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (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 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 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. 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.

(At 9:45 P.M. Mr. Gallagher arrived and was marked present).

Mr. Falzone made a motion to receive the report and adopt the Ordinance. Seconded by Mr. Boynton. Motion carried unanimously.

6 - ORDINANCE - Economic Development - Sewer and Water

Mr. DaSilva submitted the following report and ordinance:

The Common Council met as a committee of the whole at 7:55 P.M. on April 24, 1995 to review a proposed ordinance regarding economic development through sewer and water charges.

Mr. Boynton moved to recommend approval of the proposed ordinance 16-33 and 21-50. The motion was seconded by Mrs. Coladarci. Discussion ensued regarding the intent, the length of time of the incentives and the process regarding the proposed ordinance. The motion passed unanimously.

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

That the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 16-33, which said section reads as follows:

Sec. 16-33. Economic Development Incentive.

(a) In order to enhance economic development within the City of Danbury, the common council does hereby establish a program, as described herein, which is intended to provide a one time waiver of sewer use charges to certain property owners and sewer users who elect to construct new facilities, renovate existing facilities or make use of vacant facilities thereby contributing to the economic vitality of the city.

(b) Notwithstanding any other provisions of the Code of Ordinances of Danbury, Connecticut to the contrary, the City of Danbury does hereby provide a waiver of all sewer use charges established pursuant to the provisions of section 16-32 of the Code for a period of up to one year to those applicants qualified pursuant to subsection (c) hereof. Said waiver shall apply to the first four quarterly billings generated immediately following the approval of any application filed hereunder.

(c) In order to be eligible for the waiver established by this section, the applicant must be the owner or lessee of, or must be proposing to acquire an ownership or leasehold interest in, real property:

(1) Upon which are to be constructed new facilities or improvements to existing facilities which improvements have a value of not less than one hundred thousand dollars, and which facilities are to be used for any of the purposes described in subsection (e) hereof; or,

(2) Upon which vacant facilities are located, which facilities are to be used for any of the purposes described in subsection (e) hereof. In order to qualify under this paragraph, the applicant shall not have been served by the Danbury public sewer system within a period of one year prior to the date of application hereunder or if so served, shall not within said period have terminated said service to another facility having equal or greater square footage.

(d) All applications for waiver authorized hereunder shall be presented to the director of the Danbury department of public works on forms provided by the department for that purpose. Applications shall include a description of the property to be served, a description of the improvements to be undertaken, if any, and if so, the estimated cost thereof, together with any other information deemed necessary by the director.

(e) The waiver established in subsection (b) hereof shall not apply with respect to use charges generated by facilities described in subsection (c) hereof unless said facilities are for nonresidential use. For purposes of this section, "nonresidential use" may include mixed use structures which include one or more residential dwellings. If at any time during which sewer use charges have been waived the facilities are converted to residential use, the waiver provided under this section shall automatically terminate.

(f) The waiver provided for hereunder may be assigned by the applicant provided that the assignee could have qualified for benefits hereunder on the date of assignment if he had filed an application pursuant to the provisions of this section.

(g) For purposes of subdivision (2) of subsection 16-33(c) hereof, an applicant shall be deemed to have been served by the Danbury public sewer system within a period of one year prior to the date of application hereunder if:

(1) The applicant is a person who, during said period, was an owner of or partner in any unincorporated business served by the Danbury public sewer system or who, during said period, owned fifty (50) percent or more of the stock of any corporation served by the Danbury public sewer system, or

(2) The applicant is a partnership or unincorporated business in which any owner or partner was, during said period, the owner of or partner in any unincorporated business served by the Danbury public sewer system or in which any partner or owner owned, during said period, fifty (50) percent or more of the stock of any corporation served by the Danbury public sewer system.

(3) The applicant is a corporation in which the owner of fifty (50) percent or more of the stock was, during said period, the owner of fifty (50) percent or more of the stock of any corporation served by the Danbury public sewer system or was, during said period, the owner of or partner in any unincorporated business served by the Danbury public sewer system.

For purposes of the computation of the ownership of stock in any corporation or the interest in any partnership or unincorporated business under the provisions of this subsection, the interest of any person shall include: Any beneficial interest held for the benefit of such person or for the benefit of any person of the type set forth herein, whether in trust or otherwise; or any interest owned by the spouse of such person if the person and the spouse shall file a joint tax return for purposes of federal or state tax; or any interest owned by any person who the person shall claim as a dependent upon his or her federal or state tax return.

The city shall determine whether or not an applicant shall be deemed to have terminated sewer service to another facility having equal or greater square footage within a period of one year prior to the date of application hereunder because of the relationship between the applicant and any other partnership, corporation or other entity so terminating service. Said determination shall be made in the same manner as is provided in this subsection for determining whether the applicant shall be deemed to have been served within a period of one year because of any such relationship.

The city may require of any applicant such information, under oath, as it deems necessary for purposes of enforcement of this subsection. To the extent permitted by law, such information shall not be disclosed except to the extent necessary for the determination, by the appropriate municipal authorities, of an applicant's compliance with the provisions hereof.

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

That the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 21-50, which said section reads as follows:

Sec. 21-50. Economic Development Incentive.

(a) In order to enhance economic development within the City of Danbury, the common council does hereby establish a program, as described herein, which is intended to provide a one time waiver of water use charges to certain property owners and water users who elect to construct new facilities, renovate existing facilities or make use of vacant facilities thereby contributing to the economic vitality of the city.

(b) Notwithstanding any other provisions of the Code of Ordinances of Danbury, Connecticut to the contrary, the City of Danbury does hereby provide a waiver of all water use charges established pursuant to the provisions of sections 21-42, 21-46 and 21-47 of the Code for a period of up to one year to those applicants qualified pursuant to subsection (c) hereof. Said waiver shall apply to the first four quarterly billings generated immediately following the approval of any application filed hereunder.

(c) In order to be eligible for the waiver established by this section, the applicant must be the owner or lessee of, or must be proposing to acquire an ownership or leasehold interest in, real property:

(1) Upon which are to be constructed new facilities or improvements to existing facilities which improvements have a value of not less than one hundred thousand dollars, and which facilities are to be used for any of the purposes described in subsection (e) hereof; or,

(2) Upon which vacant facilities are located, which facilities are to be used for any of the purposes described in subsection (e) hereof. In order to qualify under this paragraph, the applicant shall not have been served by the Danbury public water system within a period of one year prior to the date of application hereunder or if so served, shall not within said period have terminated said service to another facility having equal or greater square footage.

(d) All applications for waiver authorized hereunder shall be presented to the director of the Danbury department of public works on forms provided by the department for that purpose. Applications shall include a description of the property to be served, a description of the improvements to be undertaken, if any, and if so, the estimated cost thereof, together with any other information deemed necessary by the director.

(e) The waiver established in subsection (b) hereof shall not apply with respect to use charges generated by facilities described in subsection (c) hereof unless said facilities are for nonresidential use. For purposes of this section,

"nonresidential use" may include mixed use structures which include one or more residential dwellings. If at any time during which water use charges have been waived the facilities are converted to residential use, the waiver provided under this section shall automatically terminate.

(f) The waiver provided for hereunder may be assigned by the applicant provided that the assignee could have qualified for benefits hereunder on the date of assignment if he had filed an application pursuant to the provisions of this section.

(g) For purposes of subdivision (2) of subsection 21-50 hereof, an applicant shall be deemed to have been served by the Danbury public water system within a period of one year prior to the date of application hereunder if:

(1) The applicant is a person who, during said period, was an owner of or partner in any unincorporated business served by the Danbury public water system or who, during said period, owned fifty (50) percent or more of the stock of any corporation served by the Danbury public water system, or

(2) The applicant is a partnership or unincorporated business in which any owner or partner was, during said period, the owner of or partner in any unincorporated business served by the Danbury public water system or in which any partner or owner owned, during said period, fifty (50) percent or more of the stock of any corporation served by the Danbury public water system.

(3) The applicant is a corporation in which the owner of fifty (50) percent or more of the stock was, during said period, the owner of fifty (50) percent or more of the stock of any corporation served by the Danbury public water system or was, during said period, the owner of or partner in any unincorporated business served by the Danbury public water system.

For purposes of the computation of the ownership of stock in any corporation or the interest in any partnership or unincorporated business under the provisions of this subsection, the interest of any person shall include: Any beneficial interest held for the benefit of such person or for the benefit of any person of the type set forth herein, whether in trust or otherwise; or any interest owned by the spouse of such person if the person and the spouse shall file a joint tax return for purposes of federal or state tax; or any interest owned by any person who the person shall claim as a dependent upon his or her federal or state tax return.

The city shall determine whether or not an applicant shall be deemed to have terminated water service to another facility having equal or greater square footage within a period of one year prior to the date of application hereunder because of the relationship between the applicant and any other partnership, corporation or other entity so terminating service. Said determination shall be made in the same manner as is provided in this subsection for determining whether the applicant shall be deemed to have been served within a period of one year because of any such relationship.

The city may require of any applicant such information, under oath, as it deems necessary for purposes of enforcement of this subsection. To the extent permitted by law, such information shall not be disclosed except to the extent necessary for the determination, by the appropriate municipal authorities, of an applicant's compliance with the provisions hereof.

The report and Ordinance were adopted on the Consent Calendar.

7 - ORDINANCE - Section 17-69 Safety to Traffic Generally. Mr. Setaro asked that this be referred to an ad hoc committee, the Corporation Counsel and the Police Chief. Mayor Eriquez so ordered and appointed Council Members Coladarci, Falzone and Scozzafava to the committee.

8 - RESOLUTION - Lease Agreement between the State DOT and the City of Danbury for five Railroad Coaches.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Transportation has offered to lease five railroad passenger coaches to the City of Danbury for use in conjunction with the operation of the Danbury Railway Museum; and

WHEREAS, it is in the best interests of the City of Danbury to execute an agreement to permit such a lease and ultimately effect the utilization of the coaches through the Danbury Railway Museum;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez be and hereby is authorized to execute an agreement entitled "LEASE AGREEMENT BETWEEN THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION AND THE CITY OF DANBURY FOR FIVE (5) RAILROAD PASSENGER COACHES RAIL FILE NO. (34) 7001-MISC-976" and take such other, additional actions as may be necessary in order to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

9 - RESOLUTION - Sublease Agreement for Five Railroad Coaches between the City of Danbury and the Railroad Museum.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Transportation, has offered to lease five railroad passenger coaches to the City of Danbury for use in conjunction with the operation of the Danbury Railway Museum; and

WHEREAS, in turn, the City of Danbury, in order to permit and promote the most beneficial and best utilization of the passenger coaches, wishes to enter into a sublease agreement with the Danbury Railway Museum; and

WHEREAS, said sublease agreement would commit the Danbury Railway Museum to certain rights and obligations originally imposed by the State upon the City of Danbury respecting the use of the coaches;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez be and hereby is authorized to execute an agreement entitled SUBLEASE AGREEMENT FOR FIVE RAILROAD PASSENGER COACHES BETWEEN THE CITY OF DANBURY AND THE DANBURY RAILWAY MUSEUM, INCORPORATED and take such other, additional actions as may be necessary in order to effectuate the purposes thereof

The Resolution was adopted on the Consent Calendar.

10 - RESOLUTION - Mill Plain Road Sewer Assessments

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Mill Plain Sanitary Sewer Line; and

WHEREAS, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

WHEREAS, the Common Council has determined the amount of said assessments, after public hearing, all according to law; and

WHEREAS, the Connecticut General Statutes Section 7-253 authorizes the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before June 1, 1995 provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Mill Plain Sanitary Sewer Line;

1. The payment of any benefits by installments hereunder shall be in not more than nineteen (19) equal annual payments.

2. The minimum annual installment payment shall be Eight Hundred (\$800.00) DOLLARS.

3. The interest on any deferred payments hereunder shall be due at a rate per annum of 5.50 percent. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.

4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:

CERTIFICATE OF NOTICE OF INSTALLMENT PAYMENT
OF ASSESSMENT OF BENEFITS

The undersigned Tax Collector of the City of Danbury in the County of Fairfield, State of Connecticut hereby certifies from the date hereof an installment payment plan is in effect for payment of an assessment of benefits for the installation of a sewerage system, in favor of the City of Danbury, upon real property situated in said City, which real property is more fully described in the City Land Records in:

Vol. _____ Page _____

The notice of such assessment of sewerage benefits herein certified is to _____ (owner of property), the principal of which is \$ _____ due to said City of Danbury, together with legal interest fees and charges thereon assessed on June 1, 1995 in the name of _____, and the same becomes due on June 1, 1995 and may be paid in annual installment payments of \$ _____ each plus interest at the rate of 5.50 percent on the unpaid balance and continuing to _____.

This certificate is filed pursuant to Section 7-253 of the General Statutes, as amended.

The property assessed is:

Lot _____ Street _____
Item No. _____

Tax Collector

Received _____, 19__ At _____ M.

Recorded in the Danbury Land Records
Vol. _____ Page _____

Town Clerk

AND BE IT FURTHER RESOLVED THAT the Assessments of Benefits by virtue of the construction of the sewer project are hereby fixed as follows:

(list attached) _____

The Resolution was adopted on the Consent Calendar.

11 - RESOLUTION - Investment Policy

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, acting by its Finance Department, at the direction of the City Treasurer, has in the past invested operating and working capital funds of the City in accordance with the following Investment Policy; and,

WHEREAS, said Policy reflects sound business and prudent investment practice, in the best interest of the taxpayers and residents of the City of Danbury; and,

WHEREAS, the formal establishment of said Investment Policy by the Common Council is also in the best interest of the City of Danbury;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the following Investment Policy of and for the City of Danbury is hereby established:

The operating and working capital funds (excluding pension funds) of the City of Danbury shall be invested at the direction of the City Treasurer in the following short-term investments: (1) various certificates of deposit with Connecticut banks; (2) money market accounts; (3) overnight repurchase agreements collateralized by U.S. government agency obligations such as Federal Home Loan Mortgage Corporation which are valued daily; (4) overnight U.S. Treasury obligations; (5) an investment pool investing in (i) high grade short-term federal securities and variable rate obligations backed by federal agencies having monthly or quarterly assets based on indices like the prime rate, LIBOR, or a combination of the two, and (ii) very short-term (usually overnight) repurchase agreements secured by high quality collateral which is valued daily and fully delivered to the Program's custodial bank to be held for the benefit of the Pool's participants.

In addition, the City shall monitor the risk based capital ratios and collateral requirements of the qualified public depositories, as defined by the Connecticut General Statutes, Sections 36-382, 36-386, 7-400 and 7-402 with which it places deposits or makes investments.

The Resolution was adopted on the Consent Calendar.

12 - RESOLUTION - Continuation Funding School Based Health Center

WHEREAS, the State of Connecticut Department of Public Health and Addiction Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for a School-based Health Center Continuation Grant in an amount not to exceed \$100,000; and

WHEREAS, the grant term will cover the period of July 1, 1995 through June 30, 1996, with no local cashmatch required; and

WHEREAS, the State's purpose in providing these funds is to enable the City's Health and Housing Department to serve the unmet health needs of Danbury High School students;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, and the Danbury Health and Housing Department, acting through William J. Campbell, its Executive Director are hereby authorized to apply to the State of Connecticut Department of Public Health and Addiction Services for said grant funds and to accept the award if offered; and

BE IT FURTHER RESOLVED that Mayor Gene F. Eriquez and Director of Health William J. Campbell are hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

13 - RESOLUTION - School Based Health Center - Danbury High School

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut is in the process of adopting a managed care system for medical services provided under the State Medicaid program; and

WHEREAS, private companies will be able to apply to the State of Connecticut to provide management services in the delivery of such medical care services; and

WHEREAS, such companies are and will be requesting the participation of the Danbury "School Based Health Center" (SBHC) now providing services at the Danbury High School in said managed care system; and

WHEREAS, the participation of the Danbury Department of Health and Housing, through the SBHC, will promote the program objectives of reduced medical costs and improved care and will include the provision of services by the SBHC to members of the managed care providers; and

WHEREAS, the Department of Health and Housing will be reimbursed for its participation by the individual managed care provider companies pursuant to proposed contractual agreements which agreements will set forth the terms and conditions of the programs;

NOW, THEREFORE, BE IT RESOLVED THAT the managed care program sharing and participation concept is hereby approved, and Mayor Gene F. Eriquez be and hereby is authorized to enter into such agreements as may be required (subject to and together with the preliminary approval of the Department of Health and Corporation Counsel) in order to effectuate the purposes thereof.

The Resolution was adopted on the Consent Calendar.

14 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Drill Master Peter J. Siecienski to the position of Deputy Chief within the Danbury Fire Department. The appointment will be effective upon swearing in. Mr. Boynton made a motion to accept the communication and confirm the appointment. Seconded by Mrs. Outlaw. Motion carried with Mr. Esposito abstaining.

15 - COMMUNICATION - Memorandum of Agreement between the City of Danbury and the Police Union, Local #891, Council #15, AFSCME, AFL-CIO. Mr. Setaro made a motion that the communication be accepted and the agreement approved. Seconded by Mr. Boynton. Mr. Setaro asked if the union had voted on the agreement. The Mayor stated that the vote was taken last Friday. Motion carried un-animously.

16 - COMMUNICATION - Letter from Mayor Eriquez requesting permission to accept the donation of a flag from Mrs. Tokiko Thorp. Mr. Arconti made a motion that the donation be accepted and a letter of thanks sent. Seconded by Mr. Setaro. Mr. Valeri stated that since we had received a flag last month for the West Street location, could another location be found. Mayor said that perhaps it would be placed at Rogers Park or some other appropriate location. Motion carried unanimously.

17 - COMMUNICATION - Letter from Police Chief Nelson Macedo requesting permission to accept a donation in the amount of \$100.00 from Avis Lube. Mr. Falzone made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Nolan. Motion carried unanimously.

18 - COMMUNICATION - Letter from Health Director William Campbell requesting permission to accept a donation in the amount of \$100 from Tracy A. Hauspurg for the School Based Health Center at Danbury High School. Mr. Setaro made a motion that the donation be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mr. Charles. Motion carried unanimously.

19 - COMMUNICATION - Letter from Chairman of the Tarrywile Park Authority asking permission to accept a donation of \$1,000 from TEVA for the purpose of National Trail Day activities at Tarrywile Park. Miss Beck made a motion that the contribution be accepted, the proper line item credited and a letter of thanks sent. Seconded by Mrs. Coladarci. Motion carried unanimously.

20 - COMMUNICATION - Letter from Leo McIlrath asking permission to accept donations to the Danbury Senior Center in the amount of \$83.60. Mr. Setaro made a motion to accept the donations, credit the proper line item and send letters of thanks. Seconded by Miss Beck. Motion carried unanimously.

21 - COMMUNICATION & CERTIFICATION - Request from the Department of Elderly Services to transfer funds in the amount of \$83.60 to the Commission on Aging Budget for the office supplies account. A certification of funds was attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

22 - COMMUNICATION & CERTIFICATION - Letter from Grace Scire, Chairman of the Commission on Persons with Disabilities requesting the reappropriation of 3,500.00 in fees that will be generated at a conference sponsored by the Commission to the Commission's budget. A certification of funds was attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

23 - COMMUNICATION & CERTIFICATION - Request from Superintendent of Public Utilities William Buckley requesting an additional \$367,000.00 for landfill demolition disposal to be distributed to the various Landfill and Equipment Maintenance line items. A certification of funds was attached. The request was approved on the Consent Calendar.

24 - COMMUNICATION & CERTIFICATION - Request from Risk Manager Thomas Fabiano requesting the sum of \$16,002.00 be transferred from the contingency account to the Uninsured Workers' Compensation account for new awards under the Heart and Hypertension Statute. A certification of funds was attached. The request was authorized on the Consent Calendar.

25 - COMMUNICATION & CERTIFICATION - Request from Superintendent of Public Utilities William Buckley requesting the sum of \$25,900.00 to be transferred to a new capital line item in the Capital Budget entitled "King Street Primary School-HVAC Improvements. A certification of funds was attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

26 - COMMUNICATION & CERTIFICATION - Letter from Tax Collector Catherine Skurat requesting the sum of \$6,000 for the Special Litigation Account due to the increase in the amount of tax sales. A certification of funds was attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

27 - COMMUNICATION - Letter from Council Member Michael Falzone resigning from the Police Pension Board due to business constraints. Mr. Gallagher made a motion to accept the resignation with regrets and thanks. Seconded by Mrs. Coladarci. Motion carried unanimously.

Mr. Setaro made a motion to nominate Harry Scalzo to fill the vacancy. Seconded by Mr. Levy. Mr. DaSilva nominated Louis Charles to fill the vacancy. Seconded by Mr. Boynton. Mr. Charles made a motion that the nominations be closed. Seconded by Mrs. Coladarci. Motion carried unanimously. Mr. Scalzo was elected to fill the vacancy with the members voting as follows:

SCALZO - Levy, Scalzo, Falzone, Yamin, Arconti, Boynton, Esposito, Cole Coladarci, Gomez, Beck, Nolan, Setaro, Trocolla, Valeri

CHARLES - Machado, Outlaw, DaSilva, Charles, Scozzafava

Mr. Gallagher abstained.

28 - COMMUNICATION - Letter from Eric L. Gottschalk stating that citation hearing officers should be appointed due to the adoption of a new mechanism for enforcing certain ordinances, including the new illegal dumping ordinance. He recommended that the Parking Ticket Hearing Officers, Paul Estafan and Frances Kieras be appointed. The appointments were confirmed on the Consent Calendar.

29 - COMMUNICATION - Letter from Corporation Counsel Eric L. Gottschalk recommending the appointment of Attorneys James H. Maloney, Robert N. Talarico, Eric N. Wellman, and William W. Sullivan as real estate tax collection attorneys. The appointments were confirmed on the Consent Calendar.

30 - COMMUNICATION - Letter from Tax Collector Catherine Skurat asking approval of names and amounts of City taxes that are considered uncollectable to be transferred to the Suspense List. Mr. Valeri asked that this be referred to an ad hoc committee, the Tax Collector and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Boynton, Charles and Scozzafava to the committee.

31 - COMMUNICATION - Letter from Mayor Eriquez outlining his plan for the sale of Hearthstone Castle for sale and restoration to the private sector. He also stated that he asked Joseph DaSilva, Council President, to act as the Council liaison to the Review Committee. The communication was accepted on the Consent Calendar.

32 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley asking the Common Council to acknowledge the donation of time and services for the Hatters Park Pavilion and Facilities from Jack Otto of the Otto Company, Tony Rizzo, Sr. of Rizzo Electrical Contractors and Al Goulart of Metcalf & Eddy, Inc. Mr. Levy made a motion to accept the communication and send letters of thanks to the three individuals. Seconded by Mr. Boynton. Motion carried unanimously.

33 - COMMUNICATION - Request for a \$100.00 rent reduction on the caretaker's cottage at Bear Mountain Park in exchange for maintenance duties. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Corporation Counsel, the Chairman of the Conservation Commission and the petitioner. Mayor Eriquez so ordered and appointed Council Members Gallagher, Trocoll and Yamin to the committee.

34 - COMMUNICATION - Letter from Superintendent of Public Utilities William Buckley asking authorization to pay Pembroke Pumping Services for work they did at 7 East Broad Street. The payment was authorized on the Consent Calendar.

35 - COMMUNICATION - Request to change assigned address at 16, 18, 20 and 22 Reservoir Road. Mr. Levy asked that this be referred to an ad hoc committee, the Post Master, the Director of Planning and the 911 Coordinator. Mayor Eriquez so ordered and appointed Council Members Scalzo, Gomez and Scozzafava to the committee.

36 - COMMUNICATION - Revised certification of funds for the gas tank at Danbury Airport in the amount of \$12,600.00. The revised certification was accepted on the Consent Calendar.

37 - COMMUNICATION - Reports from the Planning Commission and the Corporation Counsel advising approval of the acceptance of road widening strips and related easements from ZABDI LIC. The reports were received and the recommendations approved on the Consent Calendar.

38 - COMMUNICATION - Report from Corporation Counsel regarding renovations at the Tarrywile Park Farmhouse by Carpenters Extraordinaire Mr. Nolan as that this be referred to an ad hoc committee, the Chairman of Tarrywile Park Authority, the Director of Finance, the Purchasing Agent and the Corporation Counsel. The Mayor so ordered and appointed Council Members Dennehy, Levy and Yamin to the committee.

39 - COMMUNICATION - Request for sewer and water extension at 23 Terre Haute Road. Mr. Machado asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. The Mayor so ordered and appointed Council Members Valeri, Machado and Nolan to the committee.

40 - COMMUNICATION - Request for water extension at 2 & 4 Green Avenue. Mr. Machado asked that this be referred to an ad hoc committee the Superintendent of Public Utilities, the City Engineer and the Planning Commission. The Mayor so ordered and appointed Council Member Valeri, Machado and Nolan to the committee.

41 - COMMUNICATION - Request for water extension at 9 Abbott Street. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Enriquez so ordered and appointed Council Members Valeri, Machado and Nolan to the committee.

42 - DEPARTMENT REPORTS - Department of Public Utilities, Engineer, Fire Chief, Fire Marshall, Police, Highways, Health and Housing, Department of Elderly Services, Parks and Recreation. Mr. DaSilva made a motion that the 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 Beck. Mr. Scalzo and Miss Beck complimented the Fire Chief on this comprehensive report. Motion carried unanimously.

43 - REPORT - Water Problem on Alexander D Avenue.

Mr. Boynton submitted the following report:

The Alexander D Avenue ad hoc committee met some months ago and I am very happy to report that no action will be required by the Common Council. The drainage problem has been corrected to the satisfaction of the City Engineer, Jack Schweitzer.

The report was adopted on the Consent Calendar.

44 - REPORT - Request to Hook up to City Sewer on Barnum Road

Mr. Boynton submitted the following report:

The sewer extension committee met many months ago to review this request. I am pleased to report that no action by the Common Council will be required.

The applicant was able to meet the requirement by adopting the recommendations of William Buckley and Jack Schweitzer.

The report was adopted on the Consent Calendar.

45 - REPORT - Request for Change of Name from Pond Field Road to Smoke Hill Drive.

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the request for a name change from Pond Field Road to Smoke Hill Drive met on April 25, 1995 in the Fourth Floor Lobby in City Hall. In attendance were committee members Falzone, Trocolla and Yamin. Also in attendance were the petitioners David and Eileen Kraus and the Director of Planning Dennis Elpern.

Mr. Falzone read the positive recommendation of the Planning Commission for the record. Mr. Elpern stated that about six properties would be affected by the change.

After further discussion, Mr. Trocolla made a motion to change Pond Field Road to Smoke Hill Drive and to ask the Planning Department to make sure there were no duplicate house numbers on the New Fairfield side of the street. Seconded by Mr. Yamin and passed unanimously.

The report was adopted on the Consent Calendar.

46 - REPORT - Request for Water Extension - 201 Middle River Road.

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the request for a water extension at 204 Middle River Road met on April 17, 1995 at 7:15 P.M. in Room 432 in City Hall. In attendance were committee members Falzone, Charles and Scozzafava. Also in attendance were representatives from the Engineering and Public Works Department.

Mr. Falzone read the positive recommendation from the Planning Commission for the record. The Engineering Department representative stated that this is part of the Dancon Water Systems we have taken over and that this department has no problems with it as long as the usual eight steps are followed.

After further discussion, Mr. Scozzafava made a motion to grant the water extension subject to the usual eight steps. Seconded by Mr. Charles and passed unanimously.

The report was adopted on the Consent Calendar.

47 - REPORT - Request for Water Extension - 204 Middle River Road.

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the request for a water extension at 201 Middle River Road met on April 17, 1995 in Room 432 in City Hall at 7:00 P.M. In attendance were committee members Falzone, Charles and Scozzafava. Also in attendance were representatives from the Engineering and Public Works Departments.

Mr. Falzone read the positive recommendation from the Planning Commission for the record. The Engineering Department representative stated that this is part of the Dancon Water Systems we have taken over and that his department has no problem with it as long as the usual eight steps are followed.

After further discussion, Mr. Scozzafava made a motion to grant the water extension with the usual eight steps. Seconded by Mr. Charles and passed unanimously.

The report was adopted on the Consent Calendar.

48 - REPORT - Request for Traffic Signal at Route 37 and Jeanette Street.

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for a traffic signal met on April 26, 1995 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Levy and Falzone. Mr. Yamin was absent. Also in attendance were Chief of Police Nelson Macedo, Traffic Engineer Abdul Mohammed, State Representative Donald Boughton and Council Members DaSilva and Scalzo, ex-officio.

Mr. Levy opened the meeting by explaining the concerns and questions that the committee had. He referred to a letter addressed to Chief Machado from the State Department of Transportation. It stated "No accident types were significantly higher than expected when compared to statewide averages for similar locations" over a three year period. It also stated that the intersection sight distances "met or exceeded the distance considered adequate for the posted speed limit." Mr. Levy stated that there was a traffic light approximately 1,000 feet south on Route 37 from Jeanette Street. The area between the two intersections is heavily developed with commercial shopping strips and 4 condo complexes. It was also a concern that customers exiting the store on the corner of Jeanette Street would cause a red for Route 37 continuously. Mr. Levy asked why we would want to spend money to put a traffic light in an area that the data appears to indicate there is no safety issue and may only aggravate motorists.

Representative Boughton supplied the committee with correspondence spanning over several months in regard to this matter. Chief Macedo verbally did so as well. Mr. Mohammed gave an overview of the traffic problems in the area dating back to a Common Council committee appointed to review the problem in 1985. As a result of the increasing problem on the Route 37 corridor, a request for assistance from HVCEO was made by Mayor Eriquez in 1994. This traffic signal is one of the steps in the traffic management strategies to address the problem from Main Street, Danbury to New Fairfield. This traffic signal would cause an interruption of traffic so others between the signals could pull out onto Route 37. Mr. Mohammed was asked by Mr. Falzone if the Jeanette Street signal would be synchronized with the Golden Hill signal. He replied that the funding did not include synchronization.

Mr. Falzone made a motion to approve the funds for the traffic signal as outlined in the letter to the Common Council, and in addition, request that the signal be synchronized with the Golden Hill signal. Motion was seconded by Mr. Levy and passed unanimously.

Mr. DaSilva made a motion that the report be received and its recommendations approved. Seconded by Mr. Charles.

Mr. Boynton asked about the certification of funds for the synchronization. Mr. Levy said that the approval was for the light and it will have to come back to the Council in the form of a Resolution authorizing the Mayor to enter into the agreement.

Motion carried unanimously.

49 - COMMUNICATION - Mr. DaSilva made a motion to add item 49, donation to the City from the Police Athletic League. Seconded by Mr. Charles. Motion carried unanimously.

Letter from Chief of Police Nelson Macedo requesting permission to accept the travel and other miscellaneous expenses from the P.A.L. Board of Directors for Police Officers Nelson Neves, Celcio Enteadado and Matthew McNally to attend the P.A.L. Conference/Training Seminar in San Antonio, Texas.

Mr. Setaro made a motion that the donation be accepted and a letter of thanks sent. Seconded by Miss. Beck. Motion carried unanimously.

The Mayor extended all committees.

Respectfully submitted,

Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk