

To: Mayor Joseph H. Sauer and Members of the Common Council.

Re: Minutes of the Special Common Council Meeting held May 11, 1989.

The meeting was called to order at 8:05 P.M. by Mayor Sauer, who led the assembly in the Pledge of Allegiance. Councilman Esposito offered the prayer. The members were recorded as:

PRESENT - Bourne, Connell, Gallo, Moran, Renz, Esposito, Farah, Flanagan, Zotos, Nimmons, Fazio, Shaw, Charles, Bundy, Butera, Danise, DaSilva, Eriquez, Regan.

ABSENT - Cresci, Cassano.

NOTICE OF THE SPECIAL MEETING - To be held on the 11th day of May, 1989 in the Common Council Chambers in City Hall for the purpose of acting upon the following:

1. REPORT - Proposed School Bond Referendum and Proposed Ordinance.
2. COMMUNICATION - Reconsideration of item 60, May Agenda Waste to Energy Incineration Project.

Mayor Sauer explained the controversy surrounding the late delivery of a few of the packets to Council Members. Discussion following regarding proceeding with the meeting. Mr. Shaw made a motion to proceed. Seconded by Mr. Connell. Motion carried with Mr. Esposito and Mrs. Butera voting in the negative.

Mr. Fazio made a motion to accept the call. Seconded by Mr. Nimmons. Motion carried with Mr. Renz voting in the negative.

1. REPORT - Proposed School Bond Referendum and Proposed Ordinance.

Mr. Bundy submitted the following report:

The committee appointed to study the problem of growing enrollment in the Danbury public schools and its relationship to the proposed School Bond Referendum and proposed Ordinance met on Monday, May 8, 1989 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Bundy, Regan, Flanagan and Eriquez. Also in attendance were Council Members Cresci, Shaw, Charles, Connell, Renz and Moran, ex-officio. Also, School Board Members John Pepe, Nancy Marcus and Art Jones, Comptroller Dominic Setaro and Dr. Singe.

Discussion began with Mr. Bundy asking Mr. Pepe and Dr. Singe to provide an overview of the increase in enrollment facing the Danbury Public School system over the next several years. Figures provided substantiated by state studies and demographic analysis showed that our school system will be accepted four hundred (400) additional elementary students in 1992. By 1993 this figure grows to 800 additional pupils that we have no capacity for at present.

In addition to growing enrollment other needs such as grade re-alignment were discussed. Currently, Danbury is one of approximately three cities in the State that does not have the ninth grade in the High School. Studies have shown that students adjust better and the drop out rate is lower when the High School accomodates grades 9 - 12. The plan under consideration calls for a four year high school and two middle schools (grades 6-8).

A third major goal of the proposal in question is to allow for capital improvements and refurbishing of existing buildings within the system. Examples would include a ventilation system at Broadview Junior High School (a high priority item for many years), accomodations for the handicapped and disabled and bringing all structures up to compliance with building codes and requirements by various agencies.

At the May 2, 1989 Common Council meeting question #1 which dealt with \$33,865,000 for renovations, improvements and additions to various City schools was addressed by the Council and rejected. The initial impact of question #1 from a tax viewpoint is approximately .06 (6/10) of a mil which would decrease as the project reached stage completion.

reimbursement from the State for said spending would approximate 58% if the project was approved at this time by the Common Council vis-a-vis approval of the proposed ordinance to allow City education officials to apply to the State for the reimbursement available. If the Common Council decides to reject this ordinance and not send the question to referendum the issue of reimbursement is moot. However, if the Common Council decides to postpone decision until a later date it must be pointed out that the State plans on reducing the percentage of reimbursement to 42% from the current 58%. On question #1 this is a loss of at least \$3,000,000.

Regarding question #2 which dealt with appropriating \$12,685,000 for the construction of community recreational and physical education facilities at Danbury High School, the committee felt that it was in the best interest of the taxpayers to delay action on this until such time as the City is in better fiscal condition. This question is not a priority item and could be delayed without causing a negative impact on the educational system.

Mr. Eriquez made the following motion:

"This committee recommends to the Common Council that the Council approve the ordinance dealing specifically with the appropriation of \$33,865,000 for renovations, improvements and additions to various City schools and defer action on the ordinance appropriating \$12,685,000 for the construction of community recreational and physical educational facilities at Danbury High School due to the current economic climate."

The motion was seconded by Mr. Regan and passed unanimously, 4 to 0 with 1 committee member absent.

Mrs. Butera made a motion to accept the report as read. Seconded by Mr. Charles.

Mr. Gallo asked when the referendum would take place. Mr. Bundy answered that all that was needed was a commitment and that the referendum could be delayed until October or November.

Fazio asked if a simple majority was needed to accept the report or 2/3's to send it to referendum. Corporation Counsel stated that a vote on the Ordinance would need 2/3's.

Mr. Fazio made a motion to amend the original motion to state that the Ordinance be sent to referendum on November 7, 1989 in order to take advantage of the large voter turnout and allowing time for information to be gathered by the Comptroller regarding how the passage would affect the mil rate and that the Common Council would take out a half-page ad in the News Times giving this information to the voters. Seconded by Mr. Renz.

Discussion followed on the advantages of taking out an ad rather than doing a mass mailing.

Motion carried with the members voting as follows:

Yes - Bourne, Connell, Gallo, Moran, Renz, Esposito, Farah, Nimmons, Fazio, Shaw, Charles, Bundy, Butera, Danise, DaSilva, Regan.

No - Flanagan, Zotos, Eriquez.

Mr. Eriquez made a motion to waive the reading of the Ordinance into the record as it had been done at the Common Council Meeting held on May 2, 1989. Seconded by Mr. DaSilva. Motion carried unanimously.

Mr. Eriquez made a motion that the Common Council adopt a Resolution

1. Establishing a building committee;
2. Authorizing the preparation of schematic drawings and outline specifications for the school building grant;

3. Authorizing the Board of Education to file an application for a school building project.

Seconded by Mr. DaSilva. Motion carried unanimously.

Mrs. Bourne requested that Mayor Sauer appoint an ad hoc committee to work with the Comptroller of the formulation of the ad. Mayor Sauer appointed Council Members Bundy, Renz and Eriquez.

Mr. Eriquez moved to adopt the following Resolution. Seconded by Mr. Flanagan.

RESOLUTION PROVIDING FOR SPECIAL CITY MEETING

RESOLVED: That the ordinance entitled "An Ordinance Appropriating \$33,865,000 For Renovations, Improvements And Additions To Various City Schools And Authorizing The Issuance Of \$33,865,000 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 \$12,685,000 For The Construction Of Community Recreational And Physical Education Facilities At Danbury High School And Authorizing The Issuance Of \$12,685,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose," be submitted for approval or disapproval at a Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter and held November 7, 1989 between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.D.T.), that the Warning of said meeting state the questions to be voted on as follows:

1. Shall the ordinance entitled "An Ordinance Appropriating \$33,865,000 For Renovations, Improvements And Additions To Various City Schools And Authorizing The Issuance \$33,865,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Common Council at its meeting held May 11, 1989, be approved?

Councilman Eriquez moved that said resolution be adopted as introduced and read, and the motion was seconded by Councilman Flanagan. The resolution was adopted unanimously.

Motion carried unanimously.

Mr. Flanagan made a motion to adopt the following resolution. Seconded by Mr. Eriquez. Motion carried unanimously.

LEGAL NOTICE

WARNING

NOTICE OF SPECIAL CITY MEETING

The electors of the City of Danbury and qualified voters entitled to vote in a City Meeting are hereby warned and notified to meet where such persons are entitled to vote on the 7th day

of November _____, 1989, between the hours of 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.D.T.) for the purpose of approving or disapproving the following questions:

1. Shall the ordinance entitled "An Ordinance Appropriating \$33,865,000 For Renovations, Improvements And Additions To Various City Schools And Authorizing The Issuance \$33,865,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Common Council at its meeting held May 11, 1989, be approved?

The form of the questions and the ballot labels on the voting machine shall be as follows:

1. "Shall The Ordinance Appropriating \$33,865,000 And Authorizing Bonds Of The City For Renovations, Improvements And Additions To Various City Schools Be Approved? YES/NO"

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

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

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

- District No. 1: Danbury High School, Clapboard Ridge
- District No. 2: Hayestown School, Hayestown Avenue
- District No. 3: Broadview Junior High School, on Hospital Avenue
- District No. 4: South Street School Auditorium, 129 South Street
- District No. 5: War Memorial Building, Rogers Park, 137 South Street
- District No. 6: Park Avenue School, Park Avenue
- District No. 7: Morris Street School, 28 Morris Avenue

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

The polls in said districts and at the City Hall will be open during the hours between 6:00 o'clock A.M. and 8:00 o'clock P.M. (E.D.T.).

Said vote is being held pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors November 8, 1988.

The full text of the aforesaid ordinances is on file, open to public inspection, in the office of the City Clerk.

- 2 - COMMUNICATION - Reconsideration of item 60, May Agenda Waste to Energy Incineration Project.

Mr. Moran made a motion that the vote on item 60 be rescinded.
Seconded by Mr. Bundy.

Mr. Esposito asked for an explanation for the motion.

Mr. Farah spoke on the location and felt it would be insensitive to have an incinerator on Payne Road and the composting should be considered.

Mrs. Danise made a motion to suspend the rules to allow Mr. Cech to address the Council on the issue. Seconded by Mr. Eriquez. Motion carried with Mrs. Bourne and Mr. Moran voting in the negative.

Mr. Cech gave a presentation to the Council and answered questions as did Attorney Goldstein.

A further discussion following on this issue lasting for approximately 1 hour. The full text is on tape and on file in the Office of the City Clerk.

Mr. Moran made a motion to move the question. Seconded by Mr. Gallo.

Motion failed with the members voting as follows:

Yes - Bourne, Connell, Gallo, Moran, Renz, Fazio, Bundy.

No - Esposito, Farah, Flanagan, Zotos, Nimmons, Shaw, Charles, Butera, Danise, DaSilva, Eriquez, Regan.

7 Yes - 12 No.

Further discussion followed. Mr. Flanagan made a motion that the Common Council hold approval in abeyance until the site is selected and host community benefits determined. Seconded by Mr. Regan.

Mr. Nimmons made a motion to suspend the rules to allow Mr. Frank Thomas to address the Council. Seconded by Mr. Shaw. Motion carried unanimously.

Mr. Thomas gave his views on the issue as a private garbage hauler.

Mr. Renz made a motion to move the question. Seconded by Mr. Bundy. Motion carried unanimously.

The motion to rescind the previous vote carried with the members voting as follows:

Yes - Bourne, Connell, Gallo, Moran, Farah, Flanagan, Zotos, Shaw, Charles, Bundy, Regan.

No - Renz, Esposito, Nimmons, Fazio, Butera, Danise, DaSilva, Eriquez.

11 yes - 8 no.

PUBLIC SPEAKING

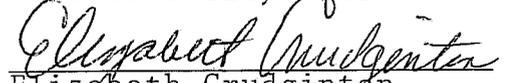
Kevin Tucker, 43 Chambers Road - applauded the Council on its vote on the School Bond Referendum but could not understand how the vote was arrived at.

There being no further business to come before the Common Council a Motion was made by Mr. Moran for the meeting to be adjourned at 9:43 P.M.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk