

TO: Honorable Mayor James E. Dyer - Mayor of the City of Danbury.

SUBJECT: Minutes of the Special Meeting of the Common Council held on November 12, 1981.

The Meeting was called to order at 8:00 O'Clock P.M. by his honor Mayor James E. Dyer who led the assembly in the Pledge of Allegiance to the Flag.

Councilman Joseph DaSilva offered the prayer.

Roll Call was taken by City Clerk Elizabeth Crudginton with the following members being recorded as:

PRESENT: Councilmembers - Delsin, McManus, Gallo, Rinder, Repole, Eppoliti, Cassano, Murray, Ryan, Zotos, DaSilva, Boynton, Burke, Butera, Evans, Farah, Torian.

ABSENT: Councilmembers - Walsh, Scialabba, White, Turk.

17 Members Present - 4 Members Absent.

It was reported that Councilman Turk was ill and Councilman Walsh had a conflict of meetings.

NOTICE OF SPECIAL MEETING to be held on the 12th day of Nov. 1981, at 8:00 O'Clock P.M. for the purpose of acting upon the following:

01 - Ordinance - "An Ordinance appropriating \$13,673,000 for the reconstruction and improvement of various City roads and authorizing the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose."

02- RESOLUTION - Resolution providing for Special City Meeting on the above Ordinance.

RETURN OF SERVICE - Notices served by Police Officers of the City of Danbury.

A motion was made by Councilman Ryan and seconded by Councilman Murray for the Call and Return of Service to be accepted. Motion carried.

REPORT

ORDINANCE - An Ordinance appropriating \$13,673,000 for the reconstruction and improvement of various City roads and authorizing the issue of \$13,673,000 Bonds of the City to meet said appropriation and pending the issue thereof the making of temporary borrowings for such purpose."

Councilman Murray, President of the Common Council submitted a report stating that the Common Council conducted a public hearing on Nov. 9, 1981 at 8:00 P.M. in the Council Chambers at City Hall, in reference to the above captioned Ordinance.

The Common Council met as a committee of the whole on November 12, 1981 at 7:00 P.M. in the Council Chambers at City Hall, to discuss the proposed Ordinance.

A motion was made and passed to recommend adoption of the Ordinance, at this meeting of the Council as a committee of the whole. Also, the Corporation Counsel was to be instructed to draw up the proper legal documents with regards to setting a date for referendum.

Councilman Joseph DaSilva introduced and read the following ordinance:

AN ORDINANCE APPROPRIATING \$13,673,000 FOR THE RECONSTRUCTION AND IMPROVEMENT OF VARIOUS CITY ROADS AND AUTHORIZING THE ISSUE OF \$13,673,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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

Section 1. The sum of \$13,673,000 is appropriated for the planning and construction of improvements to various roads, avenues and streets in the City including Balmforth Avenue, Maple Avenue, Franklin Street/Osborne Street, Locust Avenue/Wildman Street, Triangle Street, West Street/Lake Avenue, Eagle Road, Hayestown Avenue/Walnut Street, Miry Brook Road, and Kenosia Avenue/Backus Avenue, and for acquisition of rights-of-way and land therefor and for administrative, printing and legal costs related thereto, said improvements to consist of new roadway construction, rehabilitation and reconstruction of existing roadways, drainage improvements, and new stream and railroad crossings, all to be completed in substantial accordance with the "Study of Road Improvement Priorities 'A Plan For Better Roads and Improved Traffic Safety'" prepared by C.G. Engineers Consultants of Danbury, Connecticut, dated January, 1981 (Revised March 1981).

Section 2. To meet said appropriation \$13,673,000 bonds of the City, or so much thereof as shall be necessary for such purpose, shall be issued, in one or more series, maturing from not later than the second to not later than the twentieth year after their date in annual installments which shall be substantially equal or shall be so arranged that no installment payable in any year shall be less than the amount of any installment payable in any subsequent year, bearing interest payable semiannually. The bonds shall be designated "City of Danbury General Public Improvement Bonds", be issued in bearer form with interest coupons attached, be in denominations of \$1,000 or a whole multiple thereof, be dated as of the first or fifteenth day of the calendar month in which they are issued or as of the first or fifteenth day of a calendar month within the three calendar month period next prior thereto, be payable both principal and interest at a bank or trust company designated by the Mayor, be signed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City Clerk and the City Treasurer, bear the facsimile of the City seal, be certified by a bank or trust company designated by the Mayor pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson, Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor upon the receipt of bids for the purchase thereof, and the interest coupons attached shall bear the facsimile signature of the City Treasurer. 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 and interest thereof. The aggregate principal amount of the bonds to be issued, the annual installments of principal and the denominations, date, time of issue and sale and other particulars thereof shall be determined by the Common Council.

Section 3. Said bonds shall be sold by the Mayor at public sale upon sealed proposals at not less than par and accrued interest on the basis of the lowest net interest cost to the City. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven 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. Any premium received upon the sale of said bonds, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first of said bonds to mature and contributions from other sources for the payment of such bonds shall be reduced accordingly.

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 payable at a bank or trust company designated by the City Treasurer, be signed by the Mayor, City Clerk and City Treasurer, have the seal of the City affixed, 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, and be approved as to their legality by Messrs. Robinson, Robinson & Cole, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates not more than two years from the date of issue, but notes issued with shorter maturities may be renewed from time to time by the issue of other notes provided the period from the date of issue of the original note or notes to the date of maturity of the last renewal note or notes shall not be more than two years or, subject to the provisions of Section 7-378a of the General Statutes of Connecticut, as amended, not more than four years. 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 interest 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, shall be included as a cost of the road improvements described in Section 1. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on said notes or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. This ordinance shall become effective upon its approval at a City Meeting called by the Mayor for such purpose, pursuant to the revised Charter of the City of Danbury.

Councilman James Ryan moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman Thomas Evans. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of the members of the Common Council.

The Ordinance was adopted by a roll call vote of 15 Ayes, 2 Nays, (Councilmembers Butera and Burke voted Nay). 4 members absent.



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

November 12, 1981 A. D., 19

RESOLVED by the Common Council of the City of Danbury:

### RESOLUTION PROVIDING FOR SPECIAL CITY MEETING FOR CITY VOTERS.

RESOLVED: That an ordinance entitled "An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue 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 December 17, 1981 between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.), that the Warning of said meeting state the question to be voted on as follows:

"Shall the Ordinance entitled 'An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council November 12, 1981 be approved?". The designation of said question on the ballot label shall read as follows: "For Approval \$13,673,000 Bond Ordinance For Reconstruction and Improvement Of Various City Roads. YES NO", and that the Warning of said meeting state that the full text of said Ordinance is on file open to public inspection at the Office of the City Clerk.

Councilman Richard Murray moved that said Resolution be adopted as introduced and read, and the motion was seconded by Councilman James Ryan. Motion carried. The Resolution was adopted unanimously.

A motion was made by Councilman Richard Murray seconded by Councilman James Ryan, that the Mayor be authorized and directed to call a Special City Meeting to be held on December 17, 1981, between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.) at the several voting districts of the City to consider and take action upon the aforesaid Ordinance, and that the Notice of said Special City Meeting be in substantially the following form:

#### LEGAL NOTICE

#### WARNING

#### NOTICE OF SPECIAL CITY MEETING

The voters of the City of Danbury are hereby warned and notified to meet in the several voting districts of the City where such persons are entitled to vote on the 17th day of December, 1981, between the hours of 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.) for the purpose of approving or disapproving the following question:



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

November 12, 1981

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

"Shall the ordinance entitled 'An Ordinance Appropriating \$13,673,000 For The Reconstruction And Improvement Of Various City Roads And Authorizing The Issue Of \$13,673,000 Bonds Of The City To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Common Council at its meeting held November 12, 1981, be approved?"

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

"For Approval \$13,673,000 Bond Ordinance  
For Reconstruction And Improvement Of  
Various City Roads YES NO".

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

Polling places will be located in the following districts:

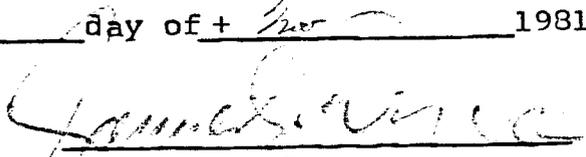
- District No. 1: Danbury High School, Clapboard Ridge
- District No. 2: Hayestown School, Hayestown Avenue
- District No. 3: Broadview Junior High School - Hospital Avenue
- District No. 4: South St. School Auditorium, 129 South St.
- District No. 5: War Memorial Building, Rogers Park - 137 South St.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

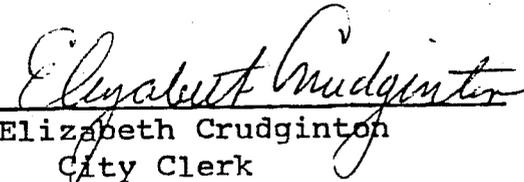
The polls in said districts will be open during the hours between 12:00 O'Clock Noon and 8:00 O'Clock P.M. (E.D.S.T.)

Said vote is being held pursuant to Section 7-10(a) of the Revised Charter of the City of Danbury, approved by the electors Nov. 8, 1977.

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

Dated at Danbury, Connecticut this 13 day of Nov 1981.

  
James E. Dyer  
Mayor

Attest:   
Elizabeth Crudginton  
City Clerk

Councilman Richard Murray moved that said Resolution be adopted as introduced and read and the motion was seconded by Councilman James Ryan Motion carried. The Resolution was adopted unanimously.

Mayor Dyer then thanked Councilman DaSilva and the Public Works Committee for their study of this proposal and thanked the members of the Common Council for their vote of approval.

As there were no members of the public wishing to speak, and there being no further business to come before the Council, the meeting was adjourned at 8:25 O'Clock P.M. Motion for adjournment was made by Councilman Evans and seconded by Councilman Torian and passed unanimously.

Respectfully submitted

Mary Ricketts  
Assistant City Clerk

Attest: Elizabeth Crudginton  
Elizabeth Crudginton  
City Clerk