

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut
Special Meeting

SUBJECT: Minutes of the Common Council/Meeting held on August 31, 1982.

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

The Common Council Prayer was offered by Councilman Edward T. Torian.

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

PRESENT: Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, McManus, DaSilva, Torian, Cassano, Charles, Boynton, Butera, Evans, Farah.

ABSENT: Council Members - Eppoliti, White, Merullo.

18 Members Present - 3 Members Absent.

It was reported that Councilman Merullo was out of town and Councilwoman Eppoliti was out of the country on vacation.

NOTICE OF SPECIAL MEETING to be held on the 31st day of August, 1982 at 8:00 O'Clock P.M. for the purpose of acting upon the following:

01 - RESOLUTION - Neighborhood Assistance Program in accordance with Public Act 82-469.

02 - ORDINANCE - APPROPRIATING FUNDS FOR THE RECONSTRUCTION AND IMPROVEMENTS OF VARIOUS CITY ROADS AND AUTHORIZING THE ISSUE OF BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

03 - RESOLUTION - Providing for referendum on Road Bond Ordinance.

RETURN OF SERVICE - Notices delivered by Police Officers of the Danbury Police Department.

A motion was made by Councilman Joseph DaSilva and seconded by Councilman Edward T. Torian for the Call and Return of Service to be accepted. Motion carried unanimously.

01 - REPORT & RESOLUTION - Neighborhood Assistance Program.

Councilwoman C. McManus, President of the Common Council submitted a report stating that the Common Council held a public hearing regarding the Neighborhood Assistance Program, on August 31, 1982 at 7:00 P.M. in the Council Chambers.

The Council met as a committee of the whole on August 31, 1982 at 7:25 P.M. and recommends that the amended Resolution be approved by the Common Council

RESOLUTION - Resolved by the Common Council of the City of Danbury:

WHEREAS, the Connecticut General Assembly has adopted Public Act 82-469, designed to encourage businesses to invest in programs providing neighborhood assistance, job training and education, community services, crime prevention and energy conservation by providing business tax credits against State taxes on business; and

WHEREAS, said Public Act requires that participating municipalities approve a list of neighborhood assistance programs eligible for investment by business firms together with supporting information concerning each such program:

NOW, THEREFORE, BE IT RESOLVED that the programs listed in Exhibits A through X be and hereby are approved as eligible for investment by business firms under the provisions of Public Act 82-469.

BE IT FURTHER RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to take any additional actions that may be required in furtherance of neighborhood assistance pursuant to Public Act 82-469.

BE IT FURTHER RESOLVED THAT it is found and determined that each of the programs listed in the attached Exhibits A through X, inclusive, constitutes each such program taken as a whole, a suggested plan of implementation for each such program, as required by Public Act 82-469, Section 2(a).

A motion was made by Councilman Evans and seconded by Councilman Charles that the Report be accepted and the Resolution adopted as amended. Motion carried. Resolution was adopted unanimously.

02

REPORT: Road Bond Ordinance.

Councilwoman C. McManus, Common Council President submitted a report stating that the Common Council held a public hearing in regards to the Road Bond Ordinance, on Wednesday, August 25, 1982 at 7:30 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole on Thursday, August 26, 1982 at 7:00 O'Clock P.M. and voted to recommend to the Common Council that the Road Bond Ordinance in the amount of \$9,202,000 be referred to referendum.

A motion was made by Councilman Boynton and seconded by Councilman Evans that the Report be accepted. Motion carried.

02 - ORDINANCE - Councilman DaSilva introduced and read the following Ordinance:

AN ORDINANCE APPROPRIATING \$9,202,000 FOR THE RECONSTRUCTION AND IMPROVEMENT OF VARIOUS CITY ROADS AND AUTHORIZING THE ISSUE OF \$9,202,000 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 \$9,202,000 is appropriated for the planning and construction of improvements to various roads, avenues and streets in the City including Balmforth Avenue, Main Avenue, Franklin Street/Osborne Street, Locust Avenue/Wildman Street, West Street/Lake Avenue, and Hayestown Avenue/Walnut Street, 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, new stream and railroad crossings, traffic safety improvements to certain intersections and a long-range transportation study, all to be completed in substantial accordance with the preliminary plans therefor entitled "Schematic Design for Danbury Road and Traffic Improvements" prepared by CE Maguire, Inc., Engineers, of New Britain, Connecticut, dated August, 1982.

Section 2. To meet said appropriation \$ 9,202,000 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 semi-annually. 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 referendum called for such purpose, pursuant to the revised Charter of the City of Danbury.

Councilwoman C. McManus moved that said Ordinance be adopted as introduced and read, and the motion was seconded by Councilman E. Torian. Motion carried.

The Ordinance was approved by the affirmative vote of at least two-thirds of the members of the Common Council.

18 Members voted Aye - 3 Members were absent: Council Members, Eppoliti, White and Merullo were absent.

Mayor Dyer expressed his appreciation to the Committee, Legislative Leaders - Members of the Common Council and C. E. McGuire, Inc. for their time and efforts in submitting this program.

In reply to questions from the floor, Attorney Theodore H. Goldstein, Corporation Counsel, stated that this issue could include other roadways by the Council. The Common Council can make recommendations to the Engineer.

Councilman Evans asked if the City would be involved in relocating. Mayor Dyer replied that they would be, subject to referee to protect owners. The final condemnation must come from the Council.

Attorney Goldstein stated that negotiations would be made first and then the Court would make final decisions on value of property.

Councilman Foti asked if progress reports would be made to the Council, to which Mayor Dyer replied that Quarterly reports certainly can be made available.

Councilwoman Butera spoke in opposition stating that she was totally disillusioned but that the Public should have the final vote.

03 - RESOLUTION - Providing for Referendum Re: Road Bond Ordinance.

Councilman Joseph DaSilva introduced and read the following Resolution:

RESOLVED by the Common Council of the City of Danbury:

THAT the ordinance entitled "An Ordinance Appropriating \$9,202,000 For the Reconstruction And Improvement Of Various City Roads And Authorizing The Issue of \$9,202,000 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 the general election to be held November 2, 1982, between the hours of 6:00 O'Clock A.M. and 8:00 O'Clock P.M. (E.S.T) that the Warning of said referendum state the question to be voted on as follows:

"Shall the ordinance entitled 'An Ordinance Appropriating \$9,202,000 For The Reconstruction And Improvement Of Various City Roads and Authorizing the Issue Of \$9,202,000 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 August 31, 1982, be approved?"

The designation of said question on the ballot label shall read as follows: "For approval \$9,202,000 Bond Ordinance For Reconstruction and Improvement Of Various City Roads. YES NO", and that the Warning of such referendum state that the full text of said Ordinance is on file open to public inspection at the office of the City Clerk.

Councilman J. DaSilva moved that said Resolution be adopted as introduced and read, and the motion was seconded by Councilman R. Foti. Motion carried. The Resolution was adopted unanimously.

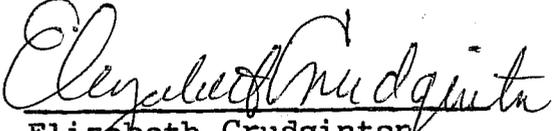
A question was asked whether or not taxpayers can vote at the referendum. Attorney Goldstein replied "Yes they can".

As there was no one requesting to speak during the Public Speaking Session and there being no further business to come before the Common Council, a motion was made by Councilman Evans and seconded by Councilman Torian for the meeting to be adjourned at 8:30 O'Clock P.M.

Respectfully submitted


Mary Rickert
Assistant City Clerk

Attest:


Elizabeth Crudginton
City Clerk