

COMMON COUNCIL MEETING

JANUARY 5, 1999

Meeting to be called to order at 7:30 P.M. by Mayor Eriquez

**PLEDGE OF ALLEGIANCE
PRAYER**

ROLL CALL

Scalzo, McAllister, Smith, Arconti, Boynton, Buzaid, Dean Esposito,
Machado, Shuler, Adames, Setaro, John Esposito, Levy, Abrantes,
Charles, Basso, Falzone, Fox, Gallagher, Moore, Saracino

18 Present 3 Absent

PUBLIC SPEAKING

STATE OF THE CITY ADDRESS

MINUTES - Minutes of the Common Council Meeting held December 1

CONSENT CALENDAR

- 1 - **RESOLUTION** - Airport Improvement Grant

- 2 - **COMMUNICATION** - Seventh Ward Vacancy

- 3 - **COMMUNICATION** - Donation to the Library

- 4 - **COMMUNICATION** - Donations to the Department of Elderly Services

- 5 - **COMMUNICATION** - Donations to the Millennium Project

- 6 - **COMMUNICATION** - Reappropriation of Donated Funds

- 7 - **COMMUNICATION** - Civil Service Appropriation

- 8 - **COMMUNICATION** - Appointment of Deputy Fire Marshall

- 9 - **COMMUNICATION** - Reappointments to the Library Board of Directors

- 10 - **COMMUNICATION** - Governmental Entity Review and Investigation Committee
-
- 11 - **COMMUNICATION** - Donation of land to the City
-
- 12 - **COMMUNICATION** - J.M.R. Construction/Stadley Acres
-
- 13 - **COMMUNICATION** - 70 Main Street
-
- 14 - **COMMUNICATION** - Berkshire Corporation Park - Sewer and Water
-
- 15 - **COMMUNICATION** - Redevelopment Parcel 5 & 5A - Land and Easement
-
- 16 - **COMMUNICATION & CERTIFICATION** - Fuel Tanks/City Hall and Police Department
-
- 17 - **COMMUNICATION** - Lazy Creek Mills LLC- Proposed Property Acquisition
-
- 18 - **COMMUNICATION** - Surplus Property - Old Hayrake Road
-
- 19 - **COMMUNICATION** - Sewer Repair Bill - 112 South Street
-
- 20 - **COMMUNICATION** - Sewer and Water Extensions - Oil Mill Road
-
- 21 - **COMMUNICATION** - Sewer and Water Extensions - 42A Main Street
-
- 22 - **COMMUNICATION** - Water Extension - 62 Federal Road
-
- 23 - **COMMUNICATION** - Water Extension - Westville Avenue Extension
-
- 24 - **COMMUNICATION** - Sewer and Water Extensions - 45 Maple Avenue
-
- 25 - **COMMUNICATION** - Planning Commission Report - 23-27 1/2 Main
-
- 26 - **COMMUNICATION** - Planning Commission Report - Surplus Property
-
- 27 - **COMMUNICATION** - Planning Commission Report - Datahr Property
-

28 - **COMMUNICATION** - Report from City Engineer - Request for Sidewalks
Great Plain Road

29 - **COMMUNICATION** - Report from Corporation Counsel - Surplus
Property

30 - **COMMUNICATION** - Reports on Jansen Street

31 - **COMMUNICATION** - Report from Superintendent of Public Utilities
regarding item 16 from December agenda

32 - **COMMUNICATION** - Report from City Engineer regarding installation
of Traffic Signal on Newtown Road at Woodside Avenue

33 - **REPORT** - Request for Sewer and Water Extension - Mill Plain Road

34 - **REPORT** - Final Assessments - Water System Improvements Pleasant
Acres

35 - **REPORT** - Proposed Water Mains - Anchor Street, Cedar Street, Denver
Terrace, Ivy Lane, Alison Lane, Eugene Lane, Sylvan Road

36 - **DEPARTMENT REPORTS** - Fire Chief, Fire Marshall, Police Chief,
Engineering, Public Utilities, including Landfill, Health & Housing

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

CONSENT CALENDAR

JANUARY 5, 1999

- 1 - Approve application and resolution for FAA and State DOT Grant for Airport Improvements - \$1,714,964.55
- 2 - Receive correspondence from Corporation Counsel dated December 9, 1998 and declare vacant the seventh ward Council seat formerly held by Ingris Adames
- 6 - Approve reappropriation of \$2,268.50 from Elderly Services donations account to Commission on Aging budget for part time services, printing and binding, outside services, postage, office supplies and equipment not classified
- 7 - Approve transfer of \$8,370 from revenues collected for firefighter candidates application fees to Civil Service Professional Services Account
- 9 - Confirm reappointments of Betty Jane Hull and Dimples Armstrong to Danbury Public Library Board of Directors
- 10 - Receive communication from Mayor Gene F. Eriquez appointing Eileen Coladarci, Joseph Scozzafava and Council Members Boynton, Scalzo and Moore as members of the Governmental Entities Review and Investigations Committee
- 25 - Receive positive Planning Commission report dated December 21, 1998 and approve transfer of title to property located at 27 1/2 Main Street to Transamerica
- 26 - Receive positive Planning Commission report dated December 21, 1998, declare list of City owned properties surplus and offer for sale
- 27 - Receive positive Planning Commission reports dated December 21, 1998 regarding Datahr property acquisition
- 28 - Receive communication from Acting City Engineer dated December 2, 1998 regarding request for sidewalks on Great Plain Road and take no action
- 29 - Receive report from Corporation Counsel dated December 3, 1998 regarding disposal of surplus property
- 31 - Receive report from Superintendent of Public Utilities dated December 18, 1998 regarding item 16 of the December, 1998 Council agenda
- 32 - Receive report from Acting City Engineer regarding request for installation of traffic signal on Newtown Road at Woodside Avenue and take no action pending further information from the State Traffic Commissioner
- 33 - Receive report and positive recommendation and approve request for sewer and water extensions on Mill Plain Road
- 34 - Receive report tabling final assessments for water system improvements at Pleasant Acres

35- Receive report and positive recommendation and approve proposal to proceed with the limited scope water extension project to Anchor Street, Cedar Street, Denver Terrace, Ivy Lane, Alison Lane, Eugene Lane



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 22, 1998
TO: Honorable Gene F. Eriquez via the Common Council
FROM: Kimberly G. Redenz, Assistant Director of Finance
RE: Airport Improvement Grant
CC: Dominic A. Setaro, Jr.

Attached please find a revised resolution for your consideration. At the June 30, 1998 special Common Council meeting, a resolution was approved in the amount of \$1,655,200 for the City to accept funding from the State and Federal governments for the airport project "Rehabilitate the General Aviation Apron, Wildlife Control Study and Install Security Fencing." It is necessary at this time to request another increase in the resolution since additional materials are needed to be excavated from the ramp area. The revised resolution will contain \$1,714,964.55 in state and federal funds. The total budgeted cost of this project is \$1,758,938. An additional local share of \$2,500 will come from the Airport's current operating budget, pending the approval of a transfer.

Should you have any questions, please call me.


Kimberly G. Redenz

KGR/jgb



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Improvement Act of 1987; and

WHEREAS, the City of Danbury intends to rehabilitate the general aviation apron at Executive Air Service, LLC and do a wildlife study at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, additional costs of excavation necessitate an adjustment to the cost of the project, additional grant funds must be requested, resulting in an increased local match; and

WHEREAS, the City of Danbury will amend its original application in total for \$1,758,938; federal and state share in an amended amount not to exceed \$1,714,964.55 with a local match of two and one half percent (2 ½%) equaling an amount not to exceed \$43,973.45.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Enriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

December 9, 1998

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Seventh Ward Vacancy

Dear Mayor and Council Members:

Several weeks ago it came to my attention that former Councilwoman Ingris Adames may have moved out of town. More recently, I was asked to investigate and determine whether or not this was so. Based upon that investigation and a review of relevant state and local law, I am of the opinion that Ingris Adames no longer holds office as a councilwoman for the seventh ward and that the Common Council should act in accordance with the provisions of Charter Section 2-6 to fill the resulting vacancy.

As you know, Section 2-7 of the Danbury Municipal Charter establishes resident elector status as a continuing condition of eligibility to serve on the Common Council.¹ Similarly, Section 9-186 of the Connecticut General Statutes provides that whenever any elected municipal officer ceases to be an elector of the municipality in which he or she is elected, that official ceases to hold office and the office is "deemed to be vacant."²

In order to determine whether or not Ingris Adames continued to be a resident elector from the seventh ward I conducted interviews with a number of city, state and federal officials, including representatives of the Danbury Housing Authority, the Danbury Public School Administration and the United States Postal Service. Based on the results of those interviews I concluded that Mrs. Adames had, in fact, moved out of her home at 70 Mill Ridge Road and indeed, out of the City of Danbury. I then

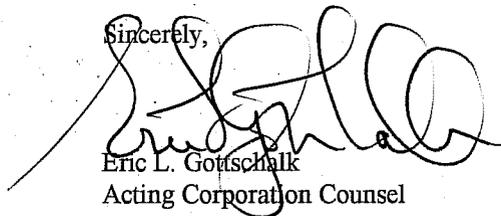
¹ Section 2-7 states that, "[n]o person shall be eligible for election to any City office who is not at the time of his election an elector of the City, and in the case of a member of the Common Council elected from a ward, a resident of the ward to be represented. Any person ceasing to be a resident elector of said City, and/or ward, where such residence is required for eligibility, shall thereupon cease to hold elective office in the City or ward."

² Section 9-186 states that, "[e]ach elected municipal officer and each justice of the peace shall be an elector of the municipality in which he is elected, or in the case of a justice of the peace, nominated or appointed to office and, if for any reason he ceases to be an elector thereof, he shall thereupon cease to hold office therein and such office shall be deemed vacant."

made a written request to Postmaster Michael Kaylor of the Danbury Post Office for formal documentation supporting this conclusion. Today, in response to my request, I received a letter from the Postmaster, a copy of which is attached, confirming that, "[m]ail belonging to Ingris Adames is indeed being permanently forwarded to an address outside of the State of Connecticut."

Declaring a seat on the Common Council vacant is a very serious matter, one that must be carefully considered. Nevertheless, based upon the evidence of her move and the fact that her mail is being forwarded to a location outside of the State of Connecticut (not to mention the fact that recent media publicity given to this matter failed to elicit any response from her), I believe that the only possible conclusion that could reasonably be drawn is that Ingris Adames is no longer a resident elector from the seventh ward. The provisions of our charter and the state statute that I mentioned earlier are what have been described as, "self-executing, requiring no notice, hearing or action."³ In other words, if you conclude, as I have, that Mrs. Adames is no longer a resident elector of the seventh ward, then her seat is "deemed vacant" without the necessity of taking any additional action to create a vacancy. Under such circumstances, in order to insure that the people of the seventh ward are fully and fairly represented, it becomes the responsibility of the Common Council to act promptly to fill that vacancy pursuant to the provisions of Danbury Municipal Charter Section 2-6.⁴

If you have any questions regarding this unfortunate matter or if I may be of assistance in any way, please contact me.

Sincerely,

Eric L. Gottschalk
Acting Corporation Counsel

³ See, McQuillan Mun Corp §§12.65, 12.100 (3rd Ed). Whether or not such a provision is "self-executing" is a matter of proper construction, however in this case I believe the language of both our charter and C.G.S. Section 9-186 are clear.

⁴ Section 2-6 states in part, that, "Except as otherwise provided in the Charter, any vacancy in any elective City office except the Board of Education, from whatever cause, shall be filled within 40 days by appointment by the Common Council for the unexpired portion of the term"

RECEIVED

DEC 09 1998



December 9, 1998

Eric L. Gottschalk
Corporation Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: Information on resident of Danbury
moving out of state

Dear Mr. Gottschalk:

In response to your letter dated December 1, 1998, Postal regulations do allow me to state that, "Mail belonging to Ingris Adames is indeed being permanently forwarded to an address outside of the state of Connecticut." I hope this will be more of a help to you.

If you have any further questions, please feel free to call me at (203)-796-1950, and I will assist in any way I can.

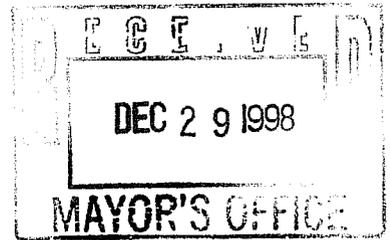
Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kaylor", written over a large, stylized flourish.

Michael Kaylor
Postmaster
U.S. Postal Service
23 Backus Avenue
Danbury, CT 06810

cc: File

3



December 28, 1998

Mayor Gene F. Eriquez

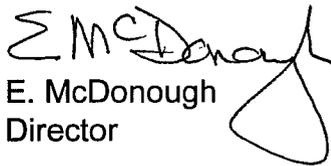
Danbury City Hall

Dear Mayor Eriquez:

We have received a donation from Mr. Wayne r. Fruhwald, 167 Superior Avenue, Newington, 06111 in the amount of \$175.00.

This needs to be credited into the OFFICE SUPPLY line-item #02-07-101-040100. Please place this item on the agenda for the January Common Council meeting.

Sincerely,


E. McDonough
Director

c: D. Setaro - Director of Finance



4

CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

Danbury Senior Center
80 Main Street
(203) 797-4686

Municipal Agent
80 Main Street
(203) 797-4687

Mayor Gene F. Eriquez and
Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

December 21, 1998

Mayor Eriquez and Members of the Common Council:

The following donations of \$2207.75 were sent to the Department of Elderly Services for the use of the new "SeniorNet" Computer Program at the Danbury Senior Center.

Perritt Laboratories	-	106.00
Perritt Laboratories	-	54.00
Perritt Laboratories	-	56.00
Lynne Flanders	-	102.00
Miriam, Sue & Max Lesnick	-	35.00
The Senior Network	-	7.50
Danbury Hospital	-	1,622.25
CL & P	-	100.00
John Buckley	-	100.00
Doris Lawrence	-	<u>25.00</u>
Total		\$2,207.75

Kindly approve of these donations at your next council meeting on behalf of the SeniorNet Grant.

Respectfully,

Leo McIlrath



5

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

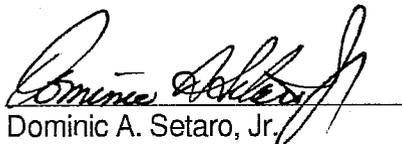
M E M O R A N D U M

To: Hon. Gene F. Eriquez via the Common Council
From: Dominic A. Setaro, Jr., Director of Finance
Date: December 23, 1998
Re: **MILLENNIUM PROJECT**

As per previous correspondence regarding the acceptance of donations for the Millennium Project, attached you will find copies of the following checks representing donations to the project.

Vanguard Products Corporation	\$1,000
Main Street Revitalization, LLC	1,000
Housatonic Valley Travel Commission	1,000
The Village Bank and Trust	1,000
Branson Ultrasonics Corporation	1,000
Denise G. Kurpiewski	1,000

Should you need any additional information, feel free to give me a call.


Dominic A. Setaro, Jr.

DAS/jgb

ANGUARD PRODUCTS CORPORATION

87-NEWTOWN ROAD
DANBURY, CT 06810
PH-203-744-7265
FAX-203-798-2351

UNION SAVINGS BANK
DANBURY, CT 06810

51-7224-2211

019119

CHECK NO. CHECK DATE VENDOR NO.
019119 11/18/98 CITY00

PAY ONE THOUSAND AND 00/100 DOLLARS*****

CHECK AMOUNT

\$*****1,000.00

TO THE ORDER OF CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CT 06810

Robert C. Brown, Jr.

⑈019119⑈ ⑆221172241⑆ 690 018 653⑈

1013

51-7253/2211
512005315

DATE *11/19/98*

MAIN STREET REVITALIZATION, LLC
323 MAIN ST.
DANBURY, CT 06810

PAY TO THE ORDER OF *City of Danbury* \$ 1,000.00

ONE THOUSAND up 100 DOLLARS

Mutemg Federal Savings & Loan
301 Main Street
Woolster Plaza
Danbury, CT 06810

MEMO _____

⑆221172539⑆ 512 005 315⑈ 1013

SAFETY PAPER

THE HOUSATONIC VALLEY
TRAVEL COMMISSION
BOX 406
DANBURY, CT 06813

UNION SAVINGS BANK
DANBURY, CT 06810
51-7224/2211

6757

11/5/98

PAY TO THE ORDER OF The Millennium Project

\$ **1,000.00

One Thousand and 00/100*****

DOLLARS
Security features included.
Details on back.

The Millennium Project
City of Danbury
155 Deer Hill Avenue
Danbury CT 06810

Rita Zorn
Catherine Brubaker

MEMO _____

⑈006757⑈ ⑆221172241⑆ 690 009 853⑈

City of Danbury
Millenium Project
203-797-4651
155 Deer Hill Ave., Finance Department
Danbury, Ct 06810

DATE _____
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

CASH
INCLUDING COINS ▶

51-7224

1000.00

List _____

Checks _____

Singly _____

TOTAL _____

OR TOTAL FROM REVERSE

SUB TOTAL ▶

DEPOSIT TICKET

 **UNION SAVINGS BANK**
DANBURY OFFICE
71 Newtown Road Danbury, Conn. 06810

\$

1000.00

⑆221172241⑆ 690 038 374⑈

© HARLAND CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE AND ANY APPLICABLE COLLECTION AGREEMENT

59178

THE VILLAGE BANK & TRUST CO.

25 PROSPECT ST., P.O. BOX 366
RIDGEFIELD, CONNECTICUT 06877

THE VILLAGE BANK
51-398-211

11/16/98

PAY TO THE
ORDER OF **The Millennium Project**

\$ **1,000.00

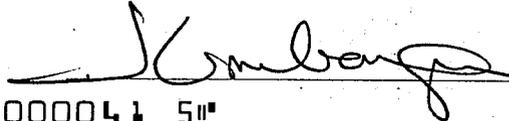
One Thousand and 00/100***** DOLLARS

Millennium Project
Office of the Mayor
155 Deer Hill Avenue
Danbury, CT 06810

EXPENSE CHECK

MEMO

Discover The Danbury Difference prints.



MP

⑈059178⑈ ⑆021103986⑆ 0 000041 5⑈

MERCANTILE BANK
MEMPHIS, MISSOURI

BRANSON ULTRASONICS CORPORATION

EAGLE ROAD W. DANBURY, CT 06813

(203) 796-0400

DATE
12/04/98

STEG NUMBER
300140

AMOUNT
\$ 1,000.00

THOUSAND AND 00/100TH

PAY EXACTLY

VOID AFTER SIX MONTHS

PAY TO THE ORDER OF

CITY OF DANBURY
OFFICE OF THE MAYOR
MILLENNIUM PROJECT
155 DEER HILL AVE.
DANBURY CT 06810



⑈ 300140 ⑈

⑈ 081517693⑈

⑈ 3500700822 ⑈

DENISE G KURPIEWSKI 08/98
34 HUCKLEBERRY HILL RD
BROOKFIELD, CT 06804-2211

E*TRADE® Someday, we'll all invest *this way*™ 1001

Date 12/4/98

18-69/1010

Pay to the
order of

The Millennium Project

\$ 1,000 ^{xx}/₁₀₀

ONE Thousand

^{xx}/₁₀₀

Dollars Security features
included.
Details on back.

E*TRADE Securities, Inc.
Payable Through
United Missouri Bank, N.A.
Kansas City, Missouri - 64141

For Inv. #24 - portfolio prints

Denise Kurpiewski MP

⑆ 101000695⑆ 461001⑆ 96493635520⑆



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES

COMMISSION ON AGING

6

Danbury Senior Center
80 Main Street
(203) 797-4686

Municipal Agent
80 Main Street
(203) 797-4687

Date: 12/21/96

MEMO TO: Hon. Gene F. Eriquez
via the Common Council

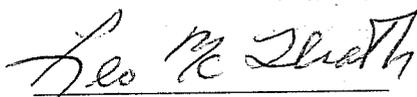
FROM: Leo McIlrath, Director
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$2268.50 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Part Time Services - 011001	200.00
Printing & Binding - 022000	800.00
Outside Services - 029500	100.00
Postage - 020501	181.50
Office Supplies - 040100	250.00
Equipment Not Classified - 069500	737.00

I have been advised by the Director of Finance that these funds exist in my account, and he will provide you with his certification.


Leo McIlrath

LM/jg

cc: Dominic A. Setaro, Jr.
Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 29, 1998
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Commission on Aging

CERTIFICATION

I hereby certify the availability of \$2,268.50 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget to the following accounts:

Part-time Services	02-05-167-011001	\$ 200.00
Postage	02-05-167-020501	181.50
Printing & Binding	02-05-167-022000	800.00
Outside Services	02-05-167-029500	100.00
Office Supplies	02-05-167-040100	250.00
Equipment not Classified	02-05-167-069500	<u>737.00</u>
Total		\$2,268.50

Dominic A. Setaro, Jr.

DAS/jgb



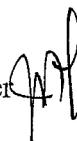
CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

7

**PERSONNEL/CIVIL SERVICE
DEPARTMENT
203-797-4598**

**JULIO A. LOPEZ
ACTING PERSONNEL DIRECTOR
CHIEF EXAMINER**

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

FROM: Julio A. Lopez, Acting Personnel Director/Chief Examiner 

RE: Civil Service Appropriation

DATE: December 17, 1998

With the approval of the Civil Service Commission, I am requesting the sum of \$8,370.00 to be transferred from the revenues collected from the Firefighter candidate's application fee to our Professional Services account. This amount is needed to conduct examinations to promulgate eligibility lists for current openings.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

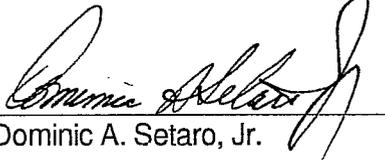
(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

To: Hon. Gene F. Eriquez via the Common Council
From: Dominic A. Setaro, Jr., Director of Finance
Date: December 30, 1998
Re: **CIVIL SERVICE APPROPRIATION**
CC: Julio Lopez

CERTIFICATION

Per the request of Acting Personnel Director/Chief Examiner Julio Lopez, I hereby certify the availability of \$8,370.00 to be transferred from the revenues collected from the Firefighter candidates' application fees to the Personnel/Civil Service Professional Services/Fees Account #02-01-185-020100. We will amend the Revenue account in a like amount.


Dominic A. Setaro, Jr.

DAS/jgb



8

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 5, 1999

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation, the appointment of the following individual to the position of Deputy Fire Marshall in the Danbury Fire Department:

Lt. James H. Johnson
112 Pembroke Road
Danbury, CT 06811

Lt. Johnson is a twenty-five year veteran of the Department. He has served as Lieutenant since 1994. He is a United States Navy veteran and a former member of Padanaram Volunteer Hose Company #3.

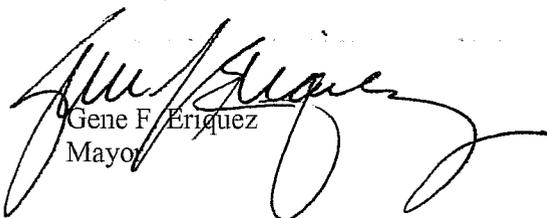
Lt. Johnson has been instrumental in many educational projects and fire prevention endeavors undertaken by the Danbury Fire Department. He currently leads the Babysitter Program, a collaborative effort of the Fire Department and Danbury Hospital.

Lt. Johnson's computer and technological skills also have been an asset to the Department and our City. His leadership role in developing a computerized network for fire incident reporting has benefited the Fire Prevention Bureau as well as Fire Suppression crews.

He has successfully completed all components of the Civil Service testing process to become eligible for appointment in accordance with Civil Service Rules and Regulations. This appointment shall become effective upon your confirmation and the swearing in of the candidate.

Thank you for your consideration of this appointment.

Sincerely,


Gene F. Enriquez
Mayor



RECYCLED
PAPER



9

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 5, 1999

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your approval the following individuals for reappointment to the Danbury Public Library Board of Directors:

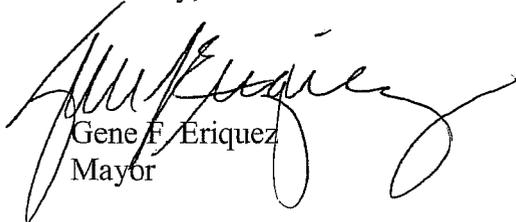
Betty Jane Hull (D)
187 Kohanza Street
Danbury, CT 06811
Term to Expire: January 1, 2002

Dimples Armstrong (D)
Three South Cove
Danbury, CT 06811
Term to Expire: January 1, 2002

Both Mrs. Hull and Ms. Armstrong are Board members in good standing and have expressed their willingness to continue to serve on the Danbury Public Library Board of Directors.

Thank you for your consideration of these reappointments.

Sincerely,



Gene F. Eriquez
Mayor



10

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

December 21, 1998

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

Re: Governmental Entity Review and Investigation Committee

In accordance with Section 2-175 et. seq. of the Danbury code of Ordinances, it is necessary to establish the above-referenced committee to review and evaluate the status of various municipal agencies. Per Section 12-176 of the Code, the following entities are scheduled for review in 1999:

1. Cultural Commission
2. Commission on Aging
3. Parking Authority
4. Youth Commission
5. Commission on the Status of Women

I hereby appoint Council Members Ernest Boynton, Harry Scalzo and Martin Moore as Council Representatives on this Committee. As it is also necessary to appoint two residents not holding any office as members of this Committee, I hereby appoint the following individuals:

Ms. Eileen Coladarci
49 Hospital Avenue
Danbury, CT 06810

Mr. Joseph Scozzafava
68 Driftway Road
Danbury, CT 06811

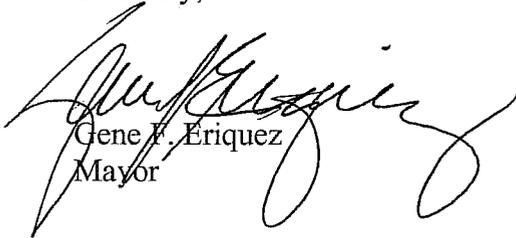


RECYCLED
PAPER

A review of these entities should occur by March 15, 1999 with a report to the Common Council by April 15, 1999. Subsequent to receiving the report and prior to final action, the Common Council should hold a public hearing regarding the recommendations made in the Committee report.

Thank you for your cooperation.

Sincerely,



Gene F. Eriquez
Mayor

11

Kenneth A. Scherwenik
5 Farview Terrace
Danbury, CT 06811-5104

December 29, 1998

Phone: (203) 431-5474(w)
(203) 744-1943(h)

Re: Donation of land to the City of Danbury.

Dear Honorable Members of the Common Council,

I am the son of Albert R. Scherwenik. My father passed away in August 1994. Myself and two sisters are co-executors of his estate and are finalizing the probate process. We have spoken with Probate Judge Yaman for advice, and would like to donate the following parcel of land to the city of Danbury.

This land consists of 2.277 acres off Newtown Road, zoned IG-80, designated as lot L12030 by the Danbury Assessor office. We feel this land would augment Danbury's Open Space Initiative.

If we can be of further help, please do not hesitate to contact us. Thank you for your consideration in this matter and look forward to hearing from you.

Sincerely,



Kenneth A. Scherwenik

cc: Honorable Gene F. Eriquez, Mayor of Danbury

LAW OFFICES OF
DEPANFILIS & VALLERIE, LLC

Anthony J. DePanfilis*
John E. Vallerie, Jr. (1930-1997)
David W. Stergas
Deborah J. Lindstrom
Andrew J. Pianka*
Marc J. Grenier
Carolyn M. Gentile Colangelo
John P. Thygerson
Richard S. DiPreta
*Also admitted in N.Y.

12

December 15, 1998

Mayor Gene F. Eriquez
Honorable Members of the Common Council
for the City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

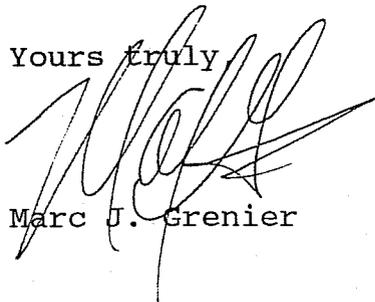
RE: J.M.R. Construction, Inc./Stadley Acres

Dear Mayor Eriquez and Honorable Members
of the Common Council:

On behalf of J.M.R. Construction, Inc., we are requesting that the City of Danbury accept the conveyance of Parcels X and Y on Map No. 10659 which was a condition of subdivision approval for this two lot subdivision. Enclosed is a copy of Map No. 10659. I understand that this matter will be referred for an appropriate committee report, and that this matter will be taken up at the next available council meeting.

If there are any questions, please do not hesitate to contact me.

Yours truly



Marc J. Grenier

MJG:to
Enclosure

cc: Ms. Betty Crudginton
J.M.R. Construction, Inc.

13

COLLINS, HANNAFIN, GARAMELLA, JABER & TUOZZOLO
PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

148 DEER HILL AVENUE-POST OFFICE BOX 440, DANBURY, CONNECTICUT 06813-0440

FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
ROBERT M. OPOTZNER*
E. O'MALLEY SMITH
THOMAS W. BEECHER
EVA M. DEFranCO
CHRISTOPHER K. LEONARD
JILL H. O'CONNOR
LAURA A. GOLDSTEIN
GREGG A. BRAUNEISEN*

*ALSO ADMITTED IN NEW YORK

TELEPHONE (203) 744-2150

EXTENSION:

FACSIMILE (203) 791-1126

RIDGEFIELD OFFICE:

24 BAILEY AVENUE

RIDGEFIELD, CONNECTICUT 06877

TELEPHONE (203) 438-7403

FACSIMILE (203) 438-7425

INTERNET ADDRESS:

[HTTP://WWW.CHGJTLLAW.COM](http://www.chgjtllaw.com)

PLEASE RESPOND TO DANBURY OFFICE

December 28, 1998

The Honorable Christopher Setaro
President
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

**RE: 70 Main Street, Danbury
Our File No. 97-10962-10-P**

Dear Mr. Setaro:

Please be advised that I represent Main Elmwood, LLC, owner of the Premises located at 70 Main Street, Danbury. The Owner will be constructing a health care facility on the Premises, and the same will be occupied by the Danbury Hospital. The health care facility will be constructed in the same location as the previous Chevrolet Automobile building, which was in close proximity to the property lines.

Since the health care facility will contain many small examination rooms and offices, it would be desirable to have windows on the side of the building adjoining the City of Danbury property. The building code requires that any building with windows be at least ten (10') feet from any adjoining building. In order to install windows, we request that the City of Danbury agree not to construct any building within that area identified as "Proposed Restricted Building Area" on the attached map. Also, the owner requests an Easement for electrical utilities in the southeast corner of the property, and shown as "Proposed Utility Easement Area". These requests are both shown on the attached map.

The Owner is currently negotiating with the City for the construction of a Senior Center on property adjoining 70 Main Street. If agreed to by the Council, the Agreement restricting the use of the City land will provide that if the parties reach an agreement to construct the Senior Center, then the restriction will be terminated in that area where the Senior Center will be constructed.

Please advise me of the date of any Committee Hearings. Thank you for your cooperation.

Yours very truly,



Paul N. Jaber

PNJ:ms
encl.

cc: A. Rizzo, L. Zurlo, E. Gottschalk



**BERKSHIRE
INDUSTRIAL
CORPORATION**

2 Parklawn Drive • Bethel, Connecticut 06801
(203) 743-7201 • Fax (203) 744-3905

December 23, 1998

Chris Setaro, President
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: Berkshire Corporate Park Water and Sewer Extensions

Dear Mr. Setaro:

On November 6, 1997, the Common Council approved an eighteen-month extension of time for sewer and water extensions for installation in the Berkshire Corporate Park.

Berkshire Corporate Park would like to request that the Common Council approve the water mains servicing the Park in phases, due to the size and complexity of the water installation. We have discussed this matter with Bill Buckley and have concluded that the easiest way to turn these new water mains over to the city would be to have this done in three phases. In addition, we would request an additional seven-month extension to December 6, 1999 to complete the phases.

Therefore, we are requesting that this item be added to your agenda.

Thank you for your consideration regarding this matter.

Sincerely,

Roy E. Steiner
Vice President

RES/cmr

cmr

cc: W. J. Buckley, Jr., P.E., Superintendent
City of Danbury Water & Sewer Dept.
155 Deer Hill Ave., Danbury, CT 06810



15

CITY OF DANBURY

DEPARTMENT OF PERMIT COORDINATION

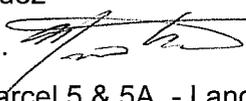
155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

MARIO RICOZZI, P.E.
DIRECTOR

(203) 796-1653
FAX: (203) 796-1656

M E M O R A N D U M

DATE: December 23, 1998
TO: Hon. Gene F. Eriquez
FROM: Mario Ricozzi, P.E. 
RE: Redevelopment Parcel 5 & 5A - Land and Easement
Assessor's Lot # 114286
CC: D. Elpern, P. Ellsworth, E. Gottschalk

Please accept for consideration by the Common Council the following surveys prepared by Matthew E. Reynolds, L.S., New England Land Surveying, P.C.:

1. Map Showing Parcel 5B, Property of the City of Danbury to be conveyed to ARC Icesports Danbury, Inc., Dated November 11, 1998. This shows a request for up to an additional seven inches around the building to accommodate architectural columns and facing which will project beyond the property boundary. It is suggested that an as-built survey be provided and that only that property actually required be transferred.
2. Map Showing Proposed Easements (Below Grade Foundation Easements) Prepared for ARC Icesports Danbury, Inc., Dated October 29, 1998. This is a request to leave the temporary shoring in place to continue to support the roadway or structure should any work be done in the area in the future.

The items have been referred to the Planning Commission for consideration at their January 6, 1999 meeting. Please call me with any questions you may have.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

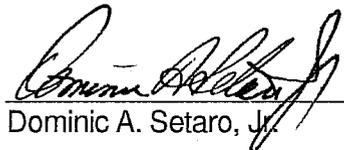
(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

To: Hon. Gene F. Eriquez via the Common Council
From: Dominic A. Setaro, Jr., Director of Finance
Date: December 23, 1998
Re: **FUEL TANKS/CITY HALL AND POLICE DEPARTMENT**
CC: Rick Palanzo **CERTIFICATION #19**

Per the attached request from Superintendent of Public Buildings Rick Palanzo, I hereby certify the availability of \$32,175 to be transferred from the Contingency account to a new Capital line item entitled, "Replace Tanks City Hall/Police Headquarters".

Balance of Contingency	\$236,022
Less pending request	- 15,000
Less this request	- 32,175
Balance	\$188,847



Dominic A. Setaro, Jr.

DAS/jgb



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

RICHARD M. PALANZO
SUPERINTENDENT

JOSEPH V. MOLINARO SR.
ASSISTANT SUPERINTENDENT

Department of Public Buildings
Telephone: (203) 797-4584
Facsimile: (203) 796-1528

MEMORANDUM

To: Honorable Mayor Gene F. Eriquez,
Honorable Members of the Common Council

From: Richard M. Palanzo, Superintendent of Public Buildings 

Subject: *Request for Funds from the Contingency Account to Replace City Hall Diesel Fuel Tank and to Remove and Abandon the Gasoline Tank at the Police Department Headquarters*

Date: December 16, 1998

I am writing to request funds in the amount of \$ 32,175.00, to replace the diesel fuel tank at City Hall; and to properly the abandon gasoline tank at the Police Department Headquarters. The low bidder for this work has bid \$16,750.00 to remove and replace the diesel fuel tank that supplies the emergency generator at City Hall. The price for removal and abandonment of the gasoline tank is \$12,500.00. I have requested a contingency of ten percent to cover the cost of contaminated soil, should any be found.

These items were not included in my current budget; however due to a change in the DEP regulations we are required to remove these tanks now.

I have notified the DEP that we will need an extension of time. This has allowed us to bid the project, follow our purchasing procedures and request approval of funds from the contingency account from you and the Council. I had hoped that we would be able to find surplus funds in the current budget, but Director of Finance, Dominic A. Setaro Jr., has advised me that the only source of funds available at this time are from the contingency account.

I respectfully request your support for this request and ask that the council approve the funds. If you require any further information, please do not hesitate to contact me. Thank you for your attention to this request.

CC: Dominic A. Setaro Jr., Director of Finance

RP/ ra - MRQUFT



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

17

PLEASE REPLY TO:

December 18, 1998

DANBURY, CT 06810

Honorable Gene F. Eriquez, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: Lazy Creek Mills LLC -- Proposed property acquisition

Dear Mayor and Council Members:

Back in the spring of 1997 as part of the landfill closure effort you authorized the acquisition of certain property and easement rights from Lazy Creek Mills LLC. You may recall that the closure effort required the acquisition of a 3.47 acre parcel and related easement rights over an additional 8.62 acres in connection with the construction of a detention pond and the installation of monitoring wells.

Since then, negotiations with the owners have resulted in a tentative agreement by Lazy Creek Mill LLC to convey the full 12 acres to the city, in fee, in exchange for a 2.38 acre parcel of city property and a payment of \$15,000. Attached please find copies of the property descriptions and maps which identify the parcels to be exchanged.

Please present this proposal to the Planning Commission for a report in the usual fashion. If you have any questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk
Acting Corporation Counsel

cc: Dominic A. Setaro, Jr., Director of Finance
William J. Buckley, Jr., Director of Public Works
Sanford D. Kaufman, Esq.

LAZY CREEK MILLS, LLC.

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield, State of Connecticut, containing 103,685 square feet (2.38 Acres), in area and described as follows:

Beginning at an iron pin located on the easterly street line of Plumtrees Road which point being the southerly corner of land herein described , thence running along the easterly street line of Plumtrees Road N. $32^{\circ} 16' 43''$ W. a distance of 160.08 feet to a point, thence N. $24^{\circ} 52' 56''$ W. a distance of 191.16 feet to a point, thence N. $29^{\circ} 31' 15''$ W. a distance of 64.00 feet to the centerline of a swale, thence running easterly along the trace of a swale S. $76^{\circ} 00' 21''$ E. a distance of 63.27 feet to a point , thence N. $75^{\circ} 23' 15''$ E. a distance of 63.95 feet to a point, thence N. $88^{\circ} 47' 37''$ E. a distance of 120.29 feet to a point, thence S. $79^{\circ} 06' 21''$ E. a distance of 121.12 feet to a point, thence S. $85^{\circ} 15' 19''$ E. a distance of 197.67 feet to a point on the westerly boundary line of now or formerly Lazy Creek Mills, LLC, thence running southerly along the westerly boundary line of Lazy Creek Hills, LLC S. $47^{\circ} 19' 00''$ W. a distance of 310.00 feet to a point, thence S. $48^{\circ} 33' 45''$ W. a distance of 178.92 feet to the point or place of beginning.

Bounded :

Northerly : by other land now or formerly of the City of Danbury.

Easterly : by land now or formerly of Lazy Creek Mills, LLC

Southerly : by land now or formerly of Lazy Creek Mills, LLC in part and by Plumtrees Road in part.

Westerly : by Plumtrees Road

For a more particular description reference is made to a map entitled " Map Prepared for The City of Danbury Plumtrees Road Danbury , Connecticut Scale 1" = 40' August 24, 1998 " which map was prepared by Ireneo H. Despojado, P.E. & R.L.S. # 12050 and is to be filed in the Danbury Land Records.

Lazy Creek Mills, L.L.C.

A certain piece or parcel of land containing 526,629 square feet (12.0897 Acres) situated in the City of Danbury, County of Fairfield, State of Connecticut and more particularly described as follows:

Commencing at an iron pin located at the end of a stonewall and said corner also being the most northerly corner of land herein described , thence running southeasterly along land of now or formerly City of Danbury S. 06° 54' 16" E. a distance of 21.05 to a point, thence S. 28° 55' 49" E. a distance of 218.85 feet to an iron pin located between the land of now or formerly City of Danbury and by land now or formerly Connecticut Light and Power Company right of way, thence running southerly along the land of now or formerly Connecticut Light and Power Company right of way S. 02° 08' 42" E. a distance of 95.73 feet to an iron pin with copper cap , thence S. 02° 08' 42" E. a distance of 395.30 feet to an iron pin with copper cap , thence S. 03° 43' 43" E. a distance of 345.76 feet to a point located on East Swamp Brook, thence running westerly through the land of the Grantor N. 73° 49' 03" W. a distance of 856.67 feet to a point on the easterly boundary line of now or formerly City of Danbury, thence running notheasterly along the easterly boundary line of now or formerly City of Danbury N. 30° 36' 32" E. a distance of 210.41 feet to a point, thence N. 22° 22' 32" E. a distance of 128.45 feet to a point, thence N. 33° 23' 41" E. a distance of 526.18 feet to a point, thence N. 73° 27' 39" E. a distance of 191.63 feet to a point on a stonewall, thence running along said stonewall N. 70° 26' 37" E. a distance of 46.82 feet to the point or place of beginning.

Bounded:

Northerly : by land now or formerly City of Danbury.

Easterly : by land now or formerly Connecticut Light and Power Company right of way in part and by land now or formerly City of Danbury in part.

Southerly : by other land of the Grantor.

Westerly : by land of now or formerly City of Danbury.

For a more particular description, reference is made to a map entitled " Map Showing Land To Be Acquired By The City of Danbury From Lazy Creek Mills, L.L.C. Plumtrees Rd. Danbury, Ct. Scale : 1" = 4 0' Dec. 14, 1998 " which map was prepared by The Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despiado P.E. & R.L.S. # 12050 and said map is to be filed in the Danbury Land Records.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

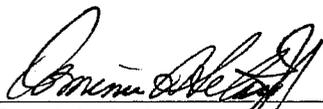
M E M O R A N D U M

To: Hon. Gene F. Eriquez via the Common Council
From: Dominic A. Setaro, Jr., Director of Finance
Date: December 23, 1998
Re: LAZY CREEK MILLS LLC
CC: Eric Gottschalk

CERTIFICATION #18

Per the attached request from Corporation Counsel Eric Gottschalk, I hereby certify the availability of \$15,000 to be transferred from the Contingency account to a new Capital line item entitled, "Land Acquisition/Lazy Creek".

Balance of Contingency	\$236,022
Less this request	<u>- 15,000</u>
Balance	\$221,022



Dominic A. Setaro, Jr.

DAS/jgb

December 8, 1998

18

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

Re: Surplus Property Old Hayrake Road Parcel EO7116

The purpose of this memo is to respectfully request the Council to continue to maintain this heavily wooded parcel as permanent open space and reverse its prior decisions to dispose of this land.

There are two reasons supporting my request. First, the parcel, which is also partially swampy, borders my property, 9-Old Hayrake Rd. Parcel EO7115, on three sides. Attached is a city map showing my property and the parcel in question. One of those sides is a 17' wide accessway which runs 276' from Old Hayrake Rd. down to the main body of this parcel. The accessway runs between my house and my neighbor's house and is situated very close to both houses and in addition is full of large trees and boulders. There is, however, an additional 50' wide accessway on the opposite side of my property closer to Sturdevant Dr.

Second, the subject parcel is located very close to and in fact may be part of the City's reservoir system and watershed for the King St. pond which feeds directly into Padanaram Reservoir. I was always under the impression that this parcel was permanently protected as open space.

However, should the Council continue to pursue the sale of this parcel then I ask the Council to consider my offer of \$1,300.00 to purchase this parcel and maintain it as permanent open space. This offer represents the assessed valuation as per the attached real estate record verified with the Tax Assessors Office. I also need your guarantee that this parcel will remain designated as open space with future assessed valuations remaining at \$1,300.00.

Thank you for your cooperation and I look forward to hearing from you.

Very truly yours,



Otto G. Densk

9-Old Hayrake Rd.

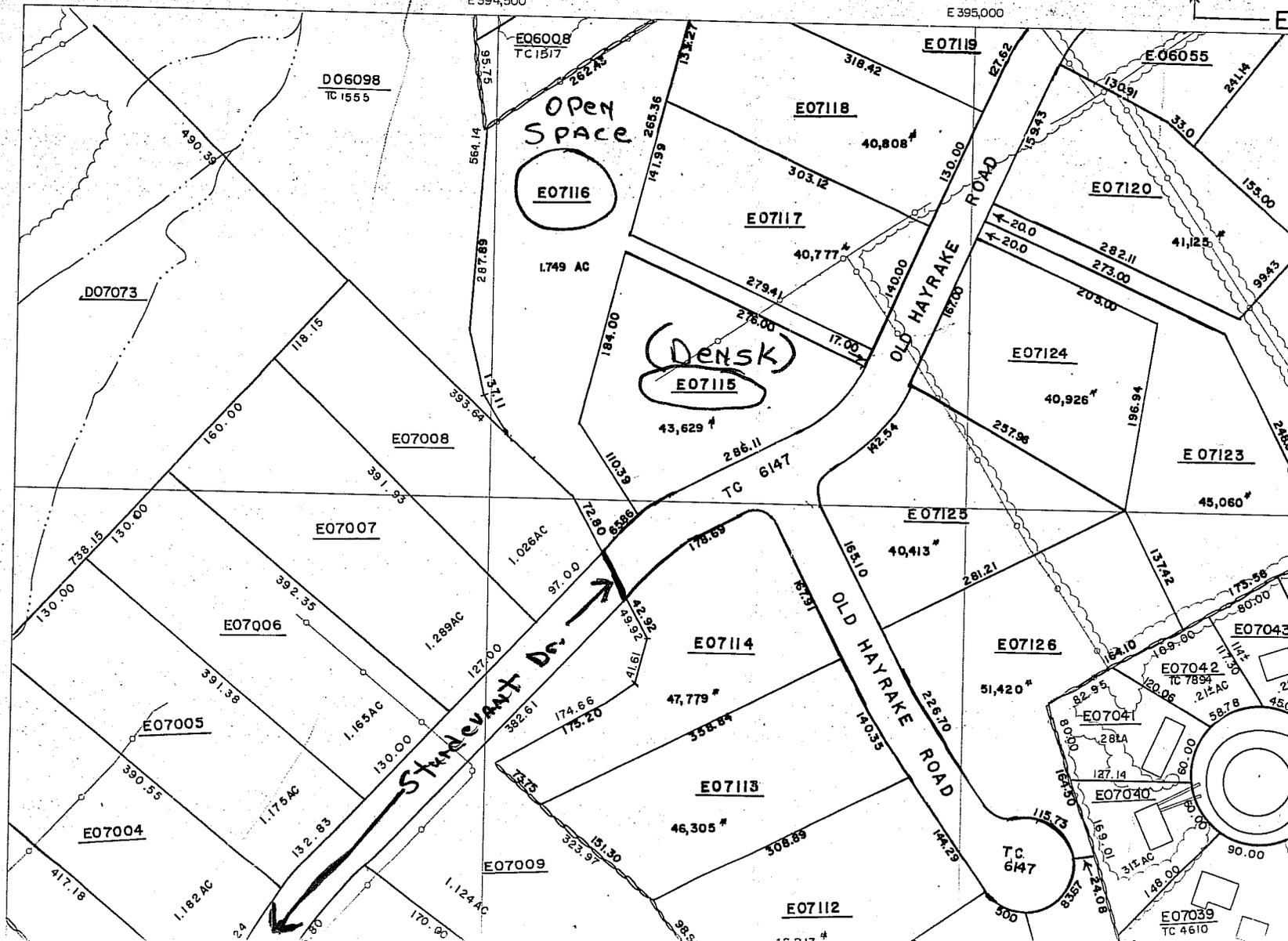
Danbury, Ct. 06811-3648

TOP

E 394,000

E 394,500

E 395,000



D06098
TC 1555

E06008
TC 1517

OPEN SPACE

E07116

1.749 AC

E07118
40,808 #

E07117
40,777 #

DENSK
E07115
43,629 #

E07008

TC 6147

E07007

E07125

E07006

E07114

E07126

E07005

1.026 AC

E07113

E07042
TC 7894

E07004

E07009

E07112

E07040

E07039
TC 4610

Studevant Dr.

OLD HAYRAKE ROAD

TC 6147



DOUGLAS KING
D&F JEWELRY AND COINS
112 SOUTH STREET
DANBURY, CT 06810
743-6738

19

Dec. 17, 1998

To: Common Council-- City of Danbury and City Clerk
Re: Sewer repair bill-112 South St. formerly 98 South St.,
Danbury, CT 06810

Dear Council Members,

Enclosed please find a sewer repair bill for work done at 112 South St., formerly 98 South St. This bill reflects work done to REATTACH OUR SEWER LINE WHERE 12 FEET OF OUR LINE WAS CUT OUT TO MAKE WAY FOR THE NEW WATER LINE THAT WAS INSTALLED APPROXIMATELY 4 YEARS AGO.

Since the installation of this line, we have been having problems with our sewer line backing up into the house and commercial building that is serviced by this line. We had to have the line snaked & approximately 3 years ago the city of Danbury opened up our front yard to put in a high pressure hose in an attempt to open up the line.

The situation occurred time and time again. People living in the building as well as the business were inconvenienced repeatedly because they could not use their toilets without a back-up. I again phoned the city & was told again that the problem could not be caused by the city sewer but had to be in our line. We were also told that the city does not dig up the streets in these situations & that we must get someone who is licensed to do this kind of work. Frank Shook contractor was hired & opened the street on Monday July 20, 1998

The cause of our sewer problem was a approximately 12 foot section of our sewer line had been cut out to make way for the water pipe.

DOUGLAS KING
D&F JEWELRY AND COINS
112 SOUTH STREET
DANBURY, CT 06810
743-6738

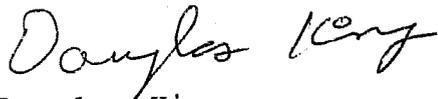
This pipe was never re-connected once the water line was put through thus causing our sewage to empty into our basement as well as the dirt at the end of the pipe.

This situation was witnessed by not only Frank Shook and employees but also by Ernie Desperajo of the water & sewer department.

I find it very difficult to believe that this situation could have gone un-noticed while the water pipe was being installed with sewage still coming out of the cut pipe from our building. Was the work being supervised & inspected by whomever is responsible for such inspections during construction?

In conclusion, I am asking the city of Danbury to pay for the expense of correcting this inconvenient circle of events that was caused by whomever the City of Danbury contracted to install the water main. Please see attached statements from Frank Shook contractor, Arc-O-Rooter and Howard Russell. I can also provide names and dates from the 10 phone calls made regarding the reimbursement of moneys paid out.

Respectively submitted,



Douglas King
D&F Jewelry and Coins

P.S. It has come to my attention that our neighbor Richard Botelho experienced the same problems from the installation of this same waterline & was reimbursed for his expenses.



ARC-O-ROOTER

Sewer/Drain
Expert Service Guaranteed
P.O. Box 8
DANBURY, CONNECTICUT 06813
(203) 743-9291

CUSTOMER'S ORDER NO.		PHONE		DATE		
NAME		D & F Jewdry & coin				
ADDRESS		112 South St Danbury Ct				
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RETD.	PAID OUT
QTY.	DESCRIPTION		PRICE	AMOUNT		
	Bridge main line from CO in yard to street possible broken line			75.00		
Paid ck # 115						
Company not responsible for damage to, or resulting from weak or outdated plumbing.				TAX	4.50	
RECEIVED BY				TOTAL	79.50	

09856

All claims and returned goods
MUST be accompanied by this bill.

Thank You



Proposal

FRANK SHOOK
Danbury, CT 06810
PHONE: (203) 798-0093
PAGER: (203) 289-0866

DATE: July 25, 1998

PAGE: 1

CUSTOMER: D&F Jewelry & Coins
112 S South St.
Danbury, CT 06810

LOCATION: Same

PHONE: 203.743.6738

DESCRIPTION:

Sewer line:

- Replace sewer line that City tore out

<u>DATE</u>	<u>DESCRIPTION</u>	<u>TIME (HOURS)</u>	<u>RATE</u>	<u>TOTAL</u>
7/19/98	Clean & disinfect basement			\$600.00
7/20/98	510 Backhoe	12	\$100.00	\$1,200.00
	Labor	11	\$35.00	\$385.00
	Dump truck	8	\$60.00	\$480.00
	Process Gravel			\$463.82
	Pipe			\$57.95
	Shook's Oil			\$1,719.87
7/21/98	510 Backhoe	4	\$100.00	\$400.00
	Dump truck	6	\$60.00	\$360.00
	Labor	6	\$35.00	\$210.00
	Sealer			\$31.50
	Black top			\$565.42
			TOTAL	\$6,473.56

TERMS: Due on Receipt.

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

20

Sewer
Water

Name of Applicant: ANTHONY DACYNHA
NANCY FARMS, INC

Address: P.O. BOX 2030
DANBURY, CT 06813

Telephone: 798-8123

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: OIL MILL RD

Assessors's Lot No. H15066 + H15065

Zone: RMF-4 + R-3

Intended Use: Retail _____ Single Family Residential _____
Office _____ Multiple Family Development
Mixed Use _____
Industrial _____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 42[±]

Number of 3 Bedroom Units _____

Total Number of Units 42[±]

Michael J. Morano, AGENT
SIGNATURE
12/10/98
DATE

COMMON COUNCIL - CITY OF DANBURY

21

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer ✓

Water ✓

Name of Applicant: JEFF BRUNO

 CITY CENTER SOUTH, LLC

Address: P.O. Box 3925

 DANBURY CT 06813

Telephone: 778-9349

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 42 A MAIN STREET / GRANO ST

Assessors's Lot No. I 15258

Zone: C-CBD

Intended Use:	Retail <u> </u>	Single Family Residential <u> </u>
	Office <u> </u>	Multiple Family Development <u> ✓ </u>
	Mixed Use <u> </u>	
	Industrial <u> </u>	

Number of Efficiency Units

Number of 1 Bedroom Units

Number of 2 Bedroom Units 20

Number of 3 Bedroom Units

Total Number of Units 20

 Michael A. Maguire AGENT
 SIGNATURE
 12/10/98
 DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

22

Sewer _____

Water X

Name of Applicant: ABFHAD Investors, LLC (Sports Leagues America)

Address: 304 Federal Road
 Brookfield, CT 06804

Telephone: (203) 740-2266

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 62 Federal Road, Danbury

Assessors's Lot No. K 11059

Zone: IL-40

Intended Use: Retail _____ Single Family Residential _____
Office _____ Multiple Family Development _____
Mixed Use _____ Other: Recreational Facility
Industrial _____

Number of Efficiency Units N/A
Number of 1 Bedroom Units N/A
Number of 2 Bedroom Units N/A
Number of 3 Bedroom Units N/A
Total Number of Units N/A



SIGNATURE
 12/23/98

DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

24

Sewer

Water

Name of Applicant: JOE DeSILVA Jr.

Address: 288 Main St.
Danbury, Ct.

Telephone: 748-9112

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 45 Maple Ave

Assessors's Lot No. E 13077

Zone: RMF-4

Intended Use: Retail _____ Single Family Residential _____
Office _____ Multiple Family Development
Mixed Use _____
Industrial _____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 20

Number of 3 Bedroom Units _____

Total Number of Units 20

[Signature]
SIGNATURE
12/29/98
DATE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

December 21, 1998

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

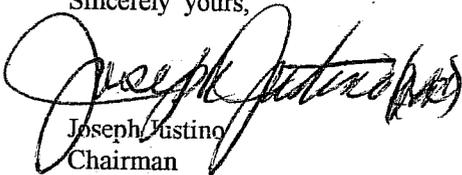
Re: 8-24 Referral - 23 - 27 1/2 Main Street

Dear Council Members:

The Planning Commission at its meeting December 16, 1998, motioned for a positive recommendation for 27 1/2 Main Street so that the administration problem associated with transferring "Title" to the property to Transamerica can be corrected.

The motion was made by Mr. Malone, seconded by Mr. Zaleta and passed with "ayes" from Commissioners Malone, Zaleta, Deeb, Boughton, and Justino.

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc

23-DEC
25

26- Dec



CITY OF DANBURY

26

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

December 21, 1998

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

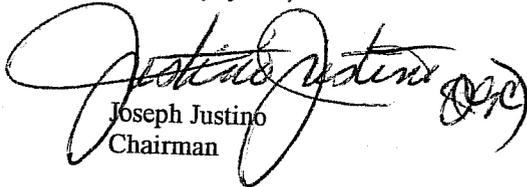
Re: 8-24 Referral - 26 - Surplus Property

Dear Council Members:

The Planning Commission at its meeting December 16, 1998, motioned for a positive recommendation for the Surplus Property because the City has no future use of these properties and they should be returned to the tax rolls.

The motion was made by Mr. Deeb, seconded by Mr. Malone and passed with "ayes" from Commissioners Deeb, Malone, Zaleta, Boughton, and Justino.

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc



30-Dec

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

27

PLANNING COMMISSION
(203) 797-4525

December 21, 1998

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

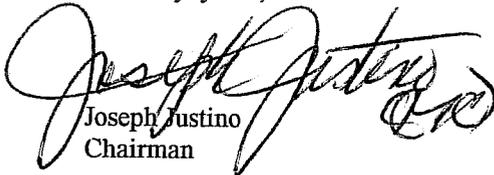
Re: 8-24 Referral - 30 - Datahr Property Acquisition

Dear Council Members:

The Planning Commission at its meeting December 16, 1998, motioned for a positive recommendation for the acquisition of the Datahr Property because it will be protected as open space and is part of the Mill Plain Swamp, an environmentally sensitive and important eco-system within the City.

The motion was made by Mr. Deeb, seconded by Mr. Zaleta and passed with "ayes" from Commissioners Deeb, Zaleta, Malone, Boughton, and Justino.

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc



28

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT

(203) 797-4641

FAX (203) 796-1586

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

December 2, 1998

PATRICIA A. ELLSWORTH, P.E.
ACTING CITY ENGINEER

Dear Mayor Eriquez and Common Council Members:

Request for Sidewalks - Great Plain Road

At the November 5, 1998 Common Council meeting the October 16, 1998 letter from Keri Perna requesting that sidewalks be installed on Great Plain Road between St. Gregory's Church and the State of Connecticut DOT facility near the intersection of Stadley Rough Road was referred to our office for a thirty day report (reference Item 21 of the November 5, 1998 meeting minutes).

The sidewalk being requested would measure approximately 4,600 feet (0.87 mile) in length. Before locations for a sidewalk could be determined, the area would have to be surveyed to determine locations of septic systems and wells which may exist in front yards and to locate trees, utility poles, ditches, etc. which exist within and along the road right-of-way. In all likelihood a number of trees would have to be removed and easements / grading rights would need to be acquired from adjacent property owners.

It is estimated that this sidewalk work would cost approximately \$345,000 (\$15 per square foot of 5 foot wide concrete sidewalk - unit price includes surveys, legal work, site preparation and construction).

Sec. 17-7 of the Danbury Code assigns responsibility for the maintenance and repair (including snow and ice removal) as well as liability related to sidewalks to the abutting property owner. Input from property owners (who will be both impacted and become responsible for maintenance) along the route of the proposed sidewalk should be solicited.

If you have any questions, please feel free to contact me.

Very truly yours,

Patricia A. Ellsworth, P.E.

Acting City Engineer

c: William Buckley, Jr., P.E.



RECYCLED PAPER
Dominic Setaro, Jr.
Frank Cavagna



CITY OF DANBURY

29

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

December 3, 1998

PLEASE REPLY TO:

DANBURY, CT 06810

Honorable Mayor Gene F. Eriquez
Honorable Common Council Members
City of Danbury, Connecticut

Re: December agenda item #20
Disposal of surplus property

Dear Mayor and Council Members:

The above referenced item concerns the city's efforts to sell a parcel of city owned property on Old Hayrake Road. That property, designated as Lot No. E07116 on the maps of the City Assessor, was acquired by the city as the result of a tax delinquency. The property was declared surplus by the common council in 1996 and the minimum purchase price was fixed at \$7,610.43. The Purchasing Agent has reported to you by letter dated November 18, 1998 that he put this parcel out to bid on three separate occasions and each time received no bids. You have now referred this matter to me for a recommendation.

Under the circumstances, it would seem that a new approach is warranted. Alternatives that occur to me include advertising more widely, reducing the minimum purchase price, seeking the services of a real estate broker or some combination of these.

Sincerely,

Eric L. Gottschalk
Acting Corporation Counsel

c: Dominic A. Setaro, Jr., Director of Finance
Warren Platz, Purchasing Agent



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

27-OCT

30

PLANNING COMMISSION
(203) 797-4525

October 27, 1998

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: 8-24 Referral - 27 - Request to Purchase Property - Jansen Street

Dear Council Members:

The Planning Commission at its meeting October 21, 1998 motioned for a negative recommendation for the request to purchase property at Jansen Street because of the issues relative to possible contamination on the property.

The motion was made by Mr. Boughton, seconded by Mr. Deeb and passed with "ayes" from Commissioners Boughton, Deeb, Malone, Manuel, and Zaleta.

Sincerely yours,


Steve Zaleta
Vice-Chairman

SZ/jlc



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

October 26, 1998

Honorable Gene F. Eriquez, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: October agenda item #27
John H. Pasquence
Request to Purchase Property
Jansen Street -- K14127

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report concerning the matter referenced above. This item involves a request to purchase property acquired by the city as the result of a tax delinquency. Prior to the tax sale in 1994, the property had been encumbered by tax liens securing a delinquency in the amount of \$36,157.88. I am also advised that there were unsecured sewer and water arrearages associated with utility services to the site in the amount of \$185,242.07.

At the October Council meeting this matter was also referred to the City Engineer, the Director of Finance, the Director of Planning and the Planning Commission for review. Once all reports have been received, the Council may proceed with the conveyance, if it so chooses, by declaring the parcel surplus and then by electing either to convey it directly to Mr. Pasquence or to offer it for sale, through the purchasing agent, to the general public. Bear in mind that any proposal to dispose of municipally owned property requires a two-thirds vote of all of the members of the Common Council (See §3-17 of the Danbury Municipal Charter).

You should also be aware that environmental contamination has been discovered on the site. While remediation costs cannot be readily ascertained, it seems fair to say that they will not be insignificant. Therefore, a site remediation commitment might well justify some reasonable setoff against the tax and utility arrearages. Accordingly, I recommend that this site be conveyed to a party that is ready, willing and able to complete and file the necessary documentation with the

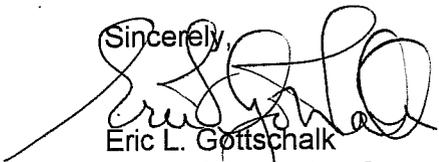
Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council
October 26, 1998

2

Connecticut Department of Environmental Protection, pay the necessary filing fees,
and then correct the condition of the property.

If you have any questions, please feel free to contact me.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

cc: John A. Schweitzer, Jr., Director of Public Works
Dominic A. Setaro, Jr., Director of Finance
Dennis I. Elpern, Director of Planning

ELG/msm

ccouncil\surplus3



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DENNIS I. ELPERN
DIRECTOR OF PLANNING

(203) 797-4525

November 20, 1998

TO: Common Council, City of Danbury

FROM: Dennis I. Elpern, Director of Planning

RE: 8-24 Referral #27 – Request to Purchase Property on Jansen St.

The Planning Department is in agreement with the negative recommendation made by the Planning Commission at their October 21, 1998 meeting, regarding the above referenced request. We feel that any decision on this matter should wait until after the environmental assessment is completed and the property is cleared by the Department of Environmental Protection.

Attachment



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT

(203) 797-4641

FAX (203) 796-1586

PATRICIA A. ELLSWORTH, P.E.

ACTING CITY ENGINEER

December 23, 1998

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

Request to Purchase Property
Jansen Street – K14127

At the October 6, 1998 Common Council meeting the September 29, 1998 request by John H. Pasquance to purchase property on Jansen Street was forwarded to our office for a thirty day report (reference item 27 of the minutes of the October 6, 1998 Common Council meeting).

The lot in question is a 37,881 square foot piece of property located on the east side of Jansen Street.

It is my understanding that the property in question is a Brownfield (contaminated) site. Jack Kozuchowski of the City Health Department has informed me that the City has received a notice of violation from the State DEP relative to this site. The violation resulted from the City's failure to file a Connecticut Transfer Act filing form (Form III). This form is required when title to a piece of property changes. To complete Form III requires an environmental assessment. Mr. Kozuchowski has applied for and received a Brownfield grant from the Environmental Protection Agency (EPA) that provides funding for a consultant to complete the Phase II environmental assessment, prepare a Phase III remediation plan for clean-up of contaminants, and preparation of bid documents that would be the basis of decontaminating the property. The City and EPA have executed a contract which commits the City to completing these studies. If the property is transferred without EPA approval, the grant may be voided.

If the Common Council decides to transfer the property to Mr. Pasquance, the transfer cannot be made until an environmental assessment is done and Form III completed and filed with the State DEP. The contract of sale between the City and Mr. Pasquance should contain language by which Mr. Pasquance acknowledges that this is a contaminated site, states that the City will not in any way be held responsible for existing conditions and remediation, as well as includes provisions requiring that he complete and file Form III, an Environmental Condition Assessment Form and submit the required filing fee to DEP. Furthermore, prior to the transfer occurring, the City's Coordinator of Environmental and Occupational Health Services and the Assistant



Corporation Counsel should be consulted regarding the modifications that would have to be made to the City's current Brownfield grant contract with EPA.

A 42" corrugated metal storm drain runs through this site and connects to additional piping at the rear of the site which piping flows to the Still River. A 25 foot wide storm drainage easement should be retained by the City where possible along the entire length of this drainage system. A roof overhangs a portion of the storm drain. The storm drain is located only several feet off the existing building. The legal document transferring the property should include (if possible) language freeing the City from any responsibility for damage to the overhang or building which occurs as a result of normal maintenance on the storm drain. The document should also provide the City with rights to pass and repass over the driveway and parking areas on site to access the storm drain for maintenance purposes.

If you have any questions or require additional information, please feel free to contact Jack Kozuchowski or me.

Very truly yours,



Patricia A. Ellsworth, P.E.
Acting City Engineer

C: Eric L. Gottschalk, Esq.
William Buckley, P.E.
Dennis Elpern
Dominic Setaro, Jr.
Jack Kozuchowski



31

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

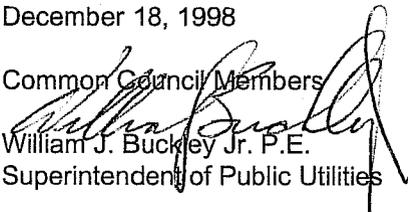
WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

Memorandum

DATE: December 18, 1998

TO: Common Council Members

FROM: 
William J. Buckley Jr. P.E.
Superintendent of Public Utilities

RE: Item #16 of the December 1998 Common Council Meeting Agenda

As directed by the Common Council at their December meeting attached is a report concerning Item #16:

1. The first problem presented by Mr. Wesley Pollitt was that of the property damage by a top heavy deer population. Deer populations are regulated by the State of CT Department of Environmental Protection through the number of hunting permits they issue and the number of allowed deer per each hunter permitted each and every year. Additionally, the deer populations, as well as other wild life populations in Connecticut, are a sign of survival. They are a function of the amount of snowfall and the harshness of the winters. At times when the previous winter is not so harsh, the deer population escalates. On the other hand, when we have a harsh winter, the population of wild life diminishes because of their survival rates through different types of winters.
2. Mr. Pollitt is concerned that the members of the Danbury governing body are having discussions of considering bringing a minor league baseball team into our city. As with any matter that is brought before a governing body in Danbury, or any other town, these matters are subject to public hearing and public comment. While there may be people that think that these proposals will eat away tax dollars there are other people that think differently. Since these discussions will take place publicly at hearings held by Danbury should the appropriate time come, I would suggest that Mr. Pollitt take advantage of those hearings and make his points known to you should this come before us at a public hearing.

3. Mr. Pollitt that the Richter Drive pavement is in need of preventive maintenance and I will bring that matter to their attention. Mr. Cavagna and I have looked at portions of the public road in and around Richter Park and have addressed that on our proposed paving schedule. As you are aware, we have made improvements to various roadways in and around Richter Park over the past few years and I don't see any reason why those improvement projects would not continue.

WJB:sam

sam\billword\memo\item#16.doc



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

December 18, 1998

Mr. Dennis Keeler, Chairman
Richter Park Authority
100 Aunt Hack Road
Danbury, CT 06810

RE: Paving

Dear Mr. Keeler:

Attached you will find a letter to the Common Council from Mr. Wesley Pollitt. Mr. Pollitt raises a number of questions one of which concerns the driveway and the condition of the pavement at Richter Park. Please take a look at it and see if there is anything that needs to be done and I will report back to the council that I have notified you of such. If you need any assistance from me or Mr. Cavagna in your review of this area please do not hesitate to contact us.

Sincerely,

William J. Buckley, Jr. P.E.

Superintendent of Public Utilities

cc: Common Council Members

WJB:sam





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DEC 17 1998

MAYOR'S OFFICE

32

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

PATRICIA A. ELLSWORTH, P.E.
ACTING CITY ENGINEER

December 16, 1998

Memo to: Honorable Gene F. Eriquez and
the Common Council

From: Patricia A. Ellsworth, P.E.
Acting City Engineer

Subject: **Common Council Referral**
Request for Installation of Traffic Signal on
Newtown Road at Woodside Avenue

During its meeting December 1, 1998, the Common Council referred to City Traffic Engineer Abdul B. Mohamed a request from Deacon Samuels B. Mills regarding installation of a traffic signal at the intersection of Newtown Road and Woodside Avenue for review and report within thirty (30) days. Abdul has reviewed the condition and his comments are as follows:

1. During the peak commuter hours motorists attempting to egress Woodside Avenue experience difficulty in entering Newtown Road. This condition may be attributed to a combination of factors including lack of adequate traffic gaps in the flow of traffic along Newtown Road as well as inadequate intersection sight distances.
2. The westerly sightline for Woodside Avenue is frequently restricted by parking activity taking place within the parking lot serving a commercial establishment located adjacent to the intersection. The easterly sightline is frequently restricted by vegetation overgrowth, roadside embankment as well as a vertical down grade along the roadway.
3. Driveways serving commercial establishments located within close proximity of the intersection are either poorly designed or located. This is especially the case for the driveway serving Woodside Variety and Janesky Liquor Stores which are located on the southwesterly corner of the intersection. The driveway lacks a defined opening and the parking lot is not striped. As a result, motorists access and park wherever it is convenient without much regard to safety. It should be noted that the City's regulations do not provide tools to address deficiency in design or operation of existing driveways.
4. A similar request for installation of a traffic signal at the referenced located was received by the City in 1989. The City requested a State of Connecticut DOT evaluation of the condition and installation of a traffic signal if warranted. (cont'd.)



A study conducted by the DOT indicated that the intersection does not qualify for installation of a traffic signal. The DOT conclusion was based on the following reasons:

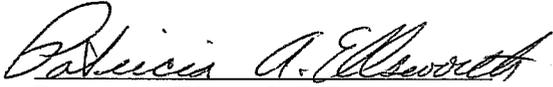
- o The volume of traffic egressing Woodside Avenue is significantly low.
- o The type of traffic accidents experienced at the intersection are not susceptible to correction by installation of a traffic signal.
- o The majority of accidents experienced at the intersection are caused by turning movements into commercial driveways located within close proximity of the intersection.
- o Installation of a traffic signal at the intersection would have detrimental effects on the operation of driveways serving commercial establishments located within close proximity of the intersection.

Notwithstanding the above, it is our opinion that traffic conditions at the intersection of Newtown Road and Woodside Avenue have changed since the State of Connecticut conducted a study in 1989. The volume of traffic on Woodside Avenue has remained steady. However, a significant growth in traffic has been experienced along Newtown Road. As a result, a request has been sent to Mr. Joseph Santaniello, P.E., Executive Director of the State Traffic Commission requesting that the Connecticut DOT re-evaluate existing conditions at the intersection to determine if installation of a traffic signal is warranted.

It should be noted that if the installation is warranted, the City will be responsible for up to approximately \$20,000 as matching funds for the project. In anticipation of the DOT approval of the project, a request for the matching funds will be made in the 1999/2000 City Capital Budget.

Very truly yours,

PAE/ABM/gw


Patricia A. Ellsworth, P.E.
Acting City Engineer

c: William Buckley, Jr., P.E.



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

ROBERT L. PAQUETTE, CHIEF
(203) 797-4614

January 5, 1999

MEMORANDUM

To: Danbury Common Council
Attn: Councilman Christopher Setaro

From: Chief Robert L. Paquette

Subject: **Signalization – Newtown Road @ Woodside Avenue**

Enclosed are the following reports:

1. Traffic Division Report, Officer Forel Lance Brevard, dated 12/31/98.
2. Traffic Survey, Department of Transportation, dated 07/03/89.

As you may or may not be aware, the issue of signalization at Newtown Road and Woodside Avenue has been a topic of interest for a good number of years. This issue was evaluated by the State of Connecticut during 1989 at which time the State concluded that signalization was unwarranted. The State was obviously consulted since Newtown Road is a State roadway and under their domain. (See attached report.)

By report dated December 31, 1998, Officer Forel Lance Brevard conducted an evaluation of this same site. It was Officer Brevard's opinion that based on the pertinent traffic statistics used in evaluating items of this nature, that signalization is still unwarranted. (See attached report.)

Sincerely,

Robert L. Paquette
Chief of Police

RLP:ks
Attach.

Danbury Police Department Traffic Division Traffic Survey

Date of Survey: 12/21/98

Time: 0800 am - 0900 am

Location: Newtown Road and Woodside Avenue

Speed Limit: 25 mph

Summary

A vehicle count was taken at the above intersection on the above date and time. Vehicles traveling east and westbound on Newtown Road as well as vehicles exiting Woodside Avenue were counted. A stop sign and stop bar are posted and draw on Woodside Avenue at the intersection heading northbound. During this count I observed no motor vehicle accidents or any indication of possible collisions. Based upon the statistics gathered for the 1998 period, only one accident was the result of vehicle's exiting Woodside Avenue in front of Newtown Road traffic. There were no injuries involved in this accident. Below are some statistics the first set are estimates from the informal count and may not be total accurate for the periods presented.

Vehicle Survey Statistics

*1600 vehicles per hour

*38,400 per day

*14,016,00 per year

*1 accident every 2,803,200 vehicles

* estimates

1998 Accident Statistics

Three (3) motor vehicle accidents occurred on Newtown Road a short distance east or west of Woodside Avenue. Two (2) motor vehicle accidents occurred in or at the intersection of Newtown Road and Woodside Avenue. No minor, serious or fatal injuries occurred in any of the accidents.

*See diagram page 2

1991-1998 Accident Statistics

Forty-two (42) motor vehicle accidents occurred on or about Newtown Road. No fatal accidents occurred during this period at that location.

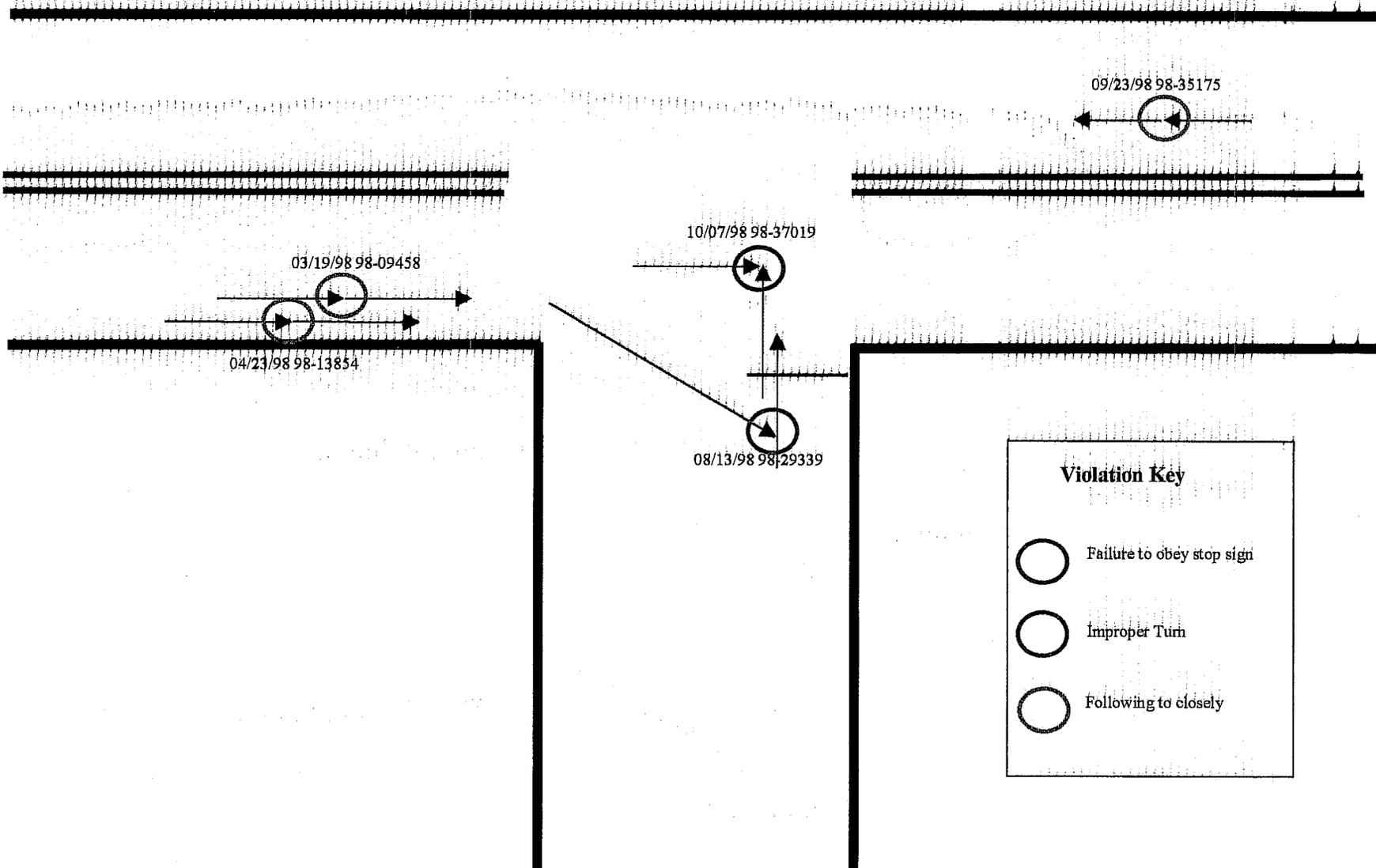
Conclusion

Based upon the above survey and statistics it appears that there is not a need for a traffic signal at this intersection at this time.

NEWTOWN ROAD AND WOODSIDE AVENUE

01/01/98-12/31/98

5 ACCIDENTS



Violation Key

-  Failure to obey stop sign
-  Improper Turn
-  Following too closely



STATE OF CONNECTICUT

TRAFFIC COMMISSION *Department of Transportation*

24 Wolcott Hill Road • P.O. Drawer A
Wethersfield, Connecticut 06109

Phone : 566-5228

MEMBERS

Commissioner of Transportation
Commissioner of Public Safety
Commissioner of Motor Vehicles

July 3, 1989

Chief Nelson F. Macedo
Police Department
120 Main Street
Danbury, CT 06810

Dear Chief Macedo:

Subject: Traffic Signal Denial
Route 806 (Newtown Road)
at Woodside Avenue

Enclosed is a copy of Traffic Investigation Report No. 034-8901-03
which was submitted to the State Traffic Commission as a result of a
traffic survey at the subject location.

Very truly yours,

William W. Stoeckert
Executive Director

Report By Edwin L. Brown

Date 4/89

Checked By Richard Nicol

Date 4/89

S.M. No. _____

See Previous S.T.C. Report

No. _____

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

**TRAFFIC INVESTIGATION
REPORT TO THE
STATE TRAFFIC COMMISSION**

TOWN Danbury

LOCATION Route 806
(Newtown Road) at
Woodside Avenue

REQUESTED BY
Chief of Police
Nelson F. Macedo

HOW REQUESTED Letter

DATE 1/12/89

S.T.C. NO. _____

Loc. No. _____

Date to S.T.C. MAY 18 1989

Received By S.T.C.

Date MAY 19 1989

Approved By S.T.C.

Date JUN 20 1989

[Signature]
Executive Secretary

Recommendations

That a traffic control signal not be installed on Route 806 (Newtown Road) at Woodside Avenue.

Chief Nelson F. Macedo was contacted and concurred with the above recommendation on April 27, 1989.

Existing Conditions:

Route 806 at this location is a two-lane road approximately 37 feet wide with continuous illumination. The 85th percentile speeds are 39.6 mph and 40 mph eastbound and westbound, respectively. The posted speed limit is 35 mph.

This location is also listed on the 1985 - 1987 SLOSS list.

The sight line distance from Woodside Avenue 10 feet back from the edge of travel way of Route 806 is 365'+ to the east and 700'+ to the west. Present Department of Transportation design standards call for 505 feet desirable, and 365 feet minimum for a 40 mph design speed.

A study of the latest three-year accident experience, covering the period from October 1, 1985 to September 30, 1988, revealed that 17 accidents occurred at the intersection of Route 806 and Woodside Avenue. However, there were less than five reported accidents within a 12-month period, which were susceptible to correction by traffic signal control. The accident experience also indicated that only two accidents at the intersection involved a vehicle traveling westbound on Route 806. (See attached sheet). Although the number of accidents are higher than expected, the pattern suggests that the number of commercial access points near the intersection seem to be the major contributing factor in the number and type of accidents occurring. Turning movements into and out of these drives interferes with thru traffic flow and is a significant factor in the majority of the accidents.

BY *[Signature]*

OFFICE OF TRAFFIC ENGINEERING
BUREAU OF HIGHWAYS

URBAN WARRANT VALUES

Minimum Vehicular Volume

Number of vehicles per hour for each of any 8 hours of an average day on the major street (total of both approaches).

One Lane
500 veh.

Two or More
600 veh.

(Check)

PERCENT SATISFIED
FOR EACH HOUR

1. 267 5. 282
2. 279 6. 340
3. 313 7. 341
4. 298 8. 335

NO. OF HOURS
SATISFIED TO:
100% 80%

8 8

Number of vehicles per hour for each of the same 8 hours on the higher volume minor street approach.

One Lane
150 veh.

Two or More
200 veh.

1. 59 5. 47
2. 38 6. 56
3. 48 7. 53
4. 37 8. 61

0 0

Interruption of Continuous Traffic

Number of vehicles per hour for each of any 8 hours of an average day on the major street (total of both approaches).

One Lane
750 veh.

Two or More
900 veh.

1. 178 5. 188
2. 186 6. 227
3. 209 7. 228
4. 199 8. 223

8 8

Number of vehicles per hour for each of the same 8 hours on the higher volume minor street approach.

One Lane
75 veh.

Two or More
100 veh.

1. 117 5. 95
2. 76 6. 112
3. 96 7. 107
4. 75 8. 123

4 6

Minimum Pedestrian Volume

Number of vehicles per hour for each of any 8 hours of an average day on the major street (total of both approaches).

Undivided Hwy.
600 veh.

Divided Hwy.
1000 veh.

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

Number of pedestrians per hour for each of the same 8 hours crossing the major street on the highest volume crosswalk.

Undivided Hwy.
150 ped.

Divided Hwy.
150 ped.

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

NUMBER
SATISFIED

Combination of Warrants

Number of warrants satisfied to the extent of 80 per cent or more of the stated values.

URBAN
WARRANT VALUE

2

0

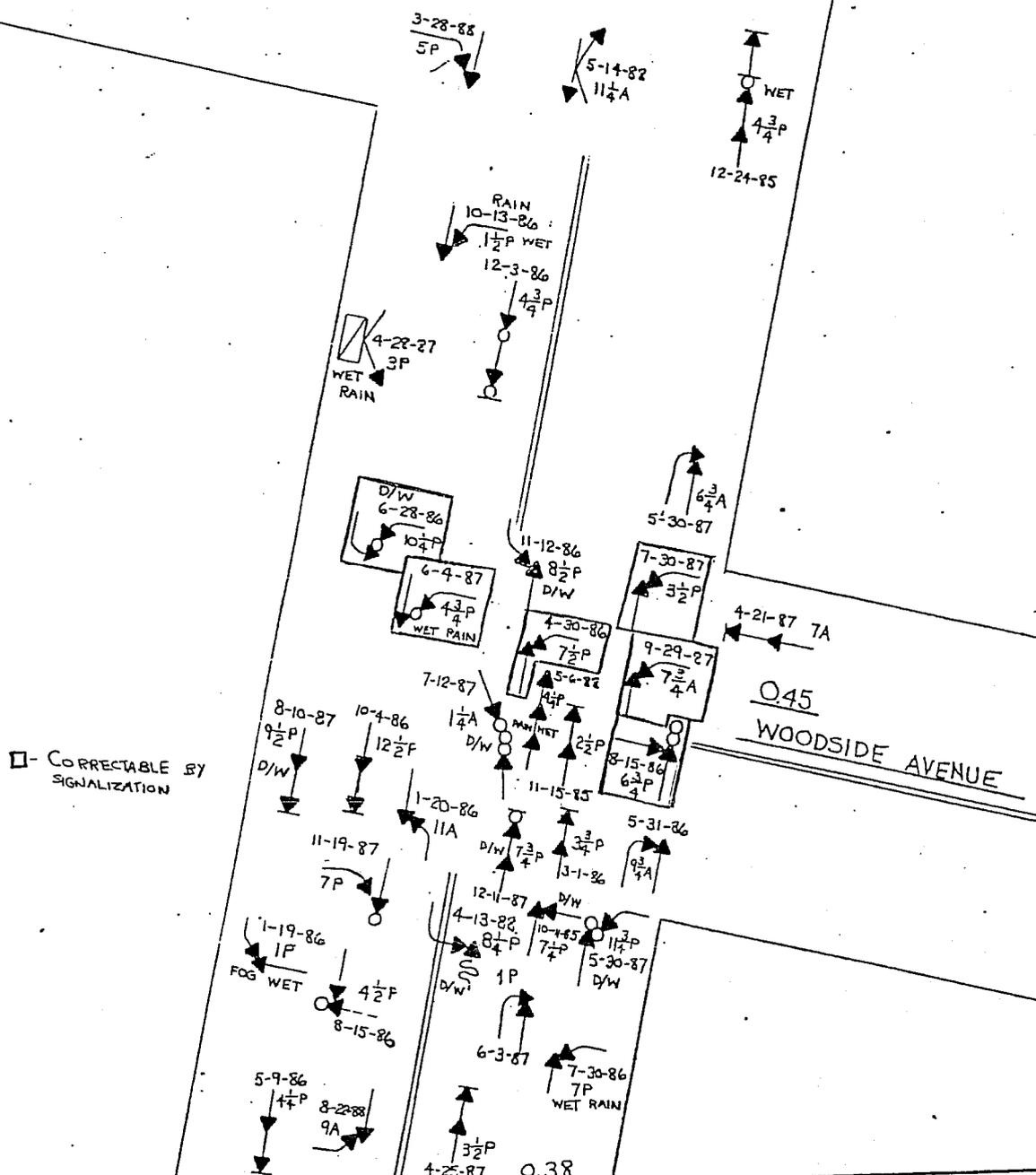
Signal justification under this warrant should be decided on the basis of a thorough analysis of facts.

Date of Count MARCH 7-8, 1989

0.50
WHITNEY AVENUE

S.R. 806 (NEWTOWN ROAD)

WET RAIN 5P
9-3-86
7 1/2 P
8-15-86



□ - CORRECTABLE BY SIGNALIZATION

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAYS

COLLISION DIAGRAM
SCALE: NONE

PERIOD COVERED
10/1/85 TO 9/30/88

- | | | | |
|---|----------------------|---|----------------|
| ⊙ | FATAL ACCIDENT | ▭ | PARKED VEHICLE |
| ⊙ | PERSONAL INJURY | ⊖ | OUT OF CONTROL |
| → | PROPERTY DAMAGE ONLY | ⊖ | FIXED OBJECT |
| ↔ | REAR END COLLISION | ⊖ | OVERTURN |
| ↔ | SIDESWIPE COLLISION | ⊖ | PEDESTRIAN |
| ↔ | VEHICLE BACKING | → | MOTOR VEHICLE |

TOWN OF DANBURY
LOCATION ROUTE 806 @ WOODSIDE AVENUE
COMPILED BY / / DRAWN BY E.L.B. 3/14/89

A review of the 24-hour directional machine counts, taken on March 7-8, 1989, showed that the Volume Signal Warrants were not satisfied (see attached sheet).

The closest traffic signal to the west of Woodside Avenue is approximately 1950 feet away. East of Woodside Avenue, the closest traffic signal is approximately 1370 feet away.

Also, signalization at this intersection would be detrimental to the many commercial drives in the vicinity.

Based on the preceding information, the Office of Traffic Engineering recommends that a traffic control signal not be installed at this time.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 5, 1999

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

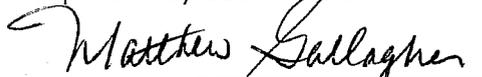
Re: **Request for Sewer and Water Extension - Mill Plain Road**

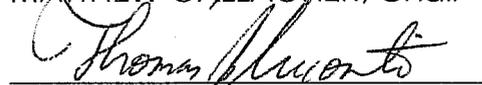
The Common Council Committee appointed to review the request for sewer and water extension on Mill Plain Road met on December 14, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Gallagher and Arconti. Also in attendance were Acting City Engineer Patricia Ellsworth, Director of Public Utilities William Buckley and the applicant's representatives Peter Scott and Robin Kahn.

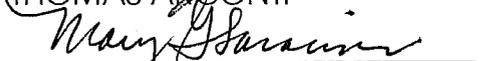
Mr. Scott gave an overview of the request for sewer and water extension for the project which will entail development of the Hilton Garden Inn. Mr. Gallagher stated that the Planning Commission had given a positive recommendation for this request. Ms. Ellsworth and Mr. Buckley both recommended granting this request in conjunction with the standard eight steps.

Mr. Arconti moved to approve the request for sewer and water extensions for the Hilton Garden Inn on Mill Plain Road in conjunction with the standard eight steps. The motion was seconded by Mr. Gallagher and passed unanimously.

Respectfully submitted,


MATTHEW GALLAGHER, Chair


THOMAS ARCONTI


MARY SARACINO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 23, 1998

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

RE: Final Assessments - Water System Improvements Pleasant Acres

The Committee of the Whole met at 8:10PM on December 21, 1998 in the Common Council Chamber of City Hall to review final assessments regarding water system improvements at Pleasant Acres. Superintendent Bill Buckley explained that the residents of Pleasant Acres had petitioned the City to extend water to their area and that the project included a pump station. At the public hearing prior to the meeting many residents raised questions regarding their assessments and, in particular, several property owners on Valley Stream Drive indicated that they were assessed for the water line when the line runs behind their properties.

After discussion, Mr. Boynton moved to table the issue of final assessments to Pleasant Acres pending calculation and of new assessments excluding the Valley Stream Drive homes, that the proposed final assessments for Pleasant Acres be listed according to street address, and that the Council schedule a future meeting to take up the issue of final assessments to Pleasant Acres. Seconded by Mr. Arconti and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman

34



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 23, 1998

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

RE: Proposed Water Mains - Anchor Street, Cedar Street, Denver Terrace, Ivy Lane, Alison Lane, Eugene Lane, Sylvan Road

The committee of the whole met at 8:10PM on December 21, 1998 in the Common Council Chambers of City Hall to review proposed water mains to Anchor Street, Cedar Street, Denver Terrace, Ivy Lane, Alison Lane, Eugene Lane and Sylvan Road. Petitions had previously been submitted to the Council requesting the water extension to these streets based upon possible health concerns and failing wells. The City Engineer submitted to Council members survey responses showing a majority of property owners opposed to the extension. Superintendent of Public Utilities Bill Buckley stated that the project could be scaled down to include a majority of those residents in favor of the water extension, that the preliminary cost assessments sent to residents would not be substantially changed if the project were delayed and that the cost assessment is based upon a four part formula. The limited scope project would include all of Anchor Street and Denver Terrace and portions of Cedar Street and Ivy Lane.

Approximately twenty residents spoke at the public hearing preceding the meeting, evenly divided between those in favor and opposed to the project, at which time many residents of Anchor Street implored approval of the project citing the urgency of the situation. After discussion, Mr. Gallagher moved to recommend to the Council approval of the limited scope water extension project as outlined by the Superintendent of Public Utilities. Seconded by Mr. McAllister and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 5, 1999

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: **Proposal for Use of City owned Land on Union Avenue**

The Common Council Committee appointed to review the proposal for use of City owned land on Union Avenue met on December 28, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Shuler, Dean Esposito and Saracino. Also in attendance were Mayor Gene F. Eriquez, Acting City Engineer Patricia Ellsworth, Corporation Counsel Eric Gottschalk, Director of Planning Dennis Elpern, Director of Finance Dominic Setaro and the petitioners, Joseph DaSilva, Jr., and Hal Stillson of H&R Designs.

A presentation was made by Mr. DaSilva and Mr. Stillson for new, affordable home ownership opportunities. Mayor Eriquez presented the proposal to provide the City owned Union Avenue property for the development of affordable, owner occupied housing in accordance with the Maples LLC plans.

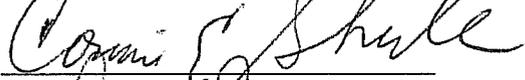
The Common Council is requested to consider the discontinued use of Union Avenue in an effort to join City owned property on Union Avenue (approximately 1/4 acre) with property owned by DaSilva and Sons Real Estate. The purpose is to facilitate the development of fourteen to twenty town homes on the combined site with owner occupancy as a requirement. The Planning Commission, in accordance with existing land use regulations, will determine the number of homes to be set for the site. All homes will have a two car garage and a minimum of 1,400 square feet of living space. The prices are to be within the \$125,000 level. The committee requests that the homes be built in accordance with the architectural design presented and replicate elements of the former Erickson House.

A motion was made by Mrs. Saracino to request that the Common Council deed the land to Maples, LLC, discontinue Union Avenue, quit claim the deed to the road to Maples LLC and the office of the City Engineer determine the right of way for the northern portion of Union Avenue. The Council would deed the City land for \$1.00 to Maples LLC for the proposed project. All of the above is in reference to the map dated November 17, 1998 for Maples LLC and a conceptual site plan prepared by New England Land Survey dated November 17, 1998.

This project is to commence within six months subsequent to Planning Commission approval. Maples LLC would provide the City of Danbury the necessary easement for sewer and water extension to facilitate the project.

The motion was seconded by Mr. Shuler and passed unanimously. A motion to adjourn was made by Mrs. Saracino at 8:15 P.M., seconded by Mr. Shuler and passed unanimously.

Respectfully submitted,



CONNIE SHULER, Chairman



DEAN ESPOSITO



MARY SARACINO

CHIPMAN, MAZZUCCO,
LAND & PENNAROLA, LLC
ATTORNEYS AT LAW

DAVID R. CHIPMAN
RICHARD S. LAND
WARD J. MAZZUCCO
FRANCIS G. PENNAROLA
CHRISTINE L. CHIPMAN
DALE C. VAN DEMARK
COURTENAY L. TISCHER

DANBURY EXECUTIVE TOWER
30 MAIN STREET, SUITE 204
DANBURY, CT 06810-3005
TELEPHONE (203) 744-1929
TELECOPIER (203) 790-5954

December 30, 1998

VIA HAND DELIVERY

Common Council
c/o City Clerk
155 Deer Hill Avenue
Danbury, CT 06810

Re: Sewer and Water Extension - Broad Street

Honorable Council Members:

We represent Broad Street Associates, the owners of property on Broad Street in Danbury. The common council granted a sewer and water extension for this property which expired December 3, 1998. We respectfully request an extension of those approvals as construction is now imminent. Thank you as always for your consideration.

Very truly yours,

Ward J. Mazzucco /sjk

Ward J. Mazzucco

WJM/sjk
cc: Broad Street Associates
Mr. Marcus S. Riefenhauser