

COMMON COUNCIL MEETING

FEBRUARY 4, 1997

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

PLEDGE OF ALLEGIANCE  
PRAYER

ROLL CALL

Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Buzaid  
Valeri, Machado, Shuler, Setaro, Esposito, Levy, Charles, Gomez,  
Basso, Butera, Fox, Gallagher, Mead, Nolan

\_\_\_\_\_ Present \_\_\_\_\_ Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held January 7,  
1997

CONSENT CALENDAR

- 1 ORDINANCE - Amendment to Ordinance 2-148 Award by Purchasing Agent, Board of Awards
- 2 ORDINANCES - Amendment of Connecticut Basic Building Code
- 3 RESOLUTION - Homeownership Opportunities for Police Officers
- 4 RESOLUTION - Construction and Inspection of the Central Business District Traffic Signals Modernization Project
- 5 RESOLUTION - Community Employment Incentive Program (CEIP)
- 6 RESOLUTION - Emergency Shelter Grant
- 7 RESOLUTION - Germantown/First Street Area Proposed Sanitary Sewer Extension
- 8 COMMUNICATION - Reappointments to the Cultural Commission
- 9 COMMUNICATION - Donation to the Homeless Shelter
- 10 COMMUNICATION - Donation of a vehicle to the Police Department
- 11 COMMUNICATION - Donation of Two Emergency Services Vehicles
- 12 COMMUNICATION - Donation to the Still River Restoration Project
- 13 COMMUNICATION - Donations to the Library
- 14 COMMUNICATION - Donations to the Department of Elderly Services

- 15 COMMUNICATION - Reappropriation of Library Donations

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- 16 COMMUNICATION & CERTIFICATION - Reappropriation of Donated Funds  
Department of Elderly Services

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- 17 COMMUNICATION - Fire Department Special Services Account

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- 18 COMMUNICATION & CERTIFICATION - Litigation Expenses

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- 19 COMMUNICATION - Danbury Landfill - Emergency Measures

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- 20 COMMUNICATION - LLEBG Budget & Certification Clarification

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- 21 COMMUNICATION - CL&P Library Rebate

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- 22 COMMUNICATION - Connecticut Medical Properties, Inc. Surplus  
Property Purchase

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- 23 COMMUNICATION - Street Renumbering - Candlewood Drive, etc.

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- 24 COMMUNICATION - Reports regarding Utility Extension Assessment  
Formula Review

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- 25 COMMUNICATION - Silversmith Heights at Sterling Woods

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- 26 COMMUNICATION - Sylvan Road/Sylvan Estates

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- 27 COMMUNICATION - Reports Regarding request to accept Hillside  
Road and Oak Lane as City Roads

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- 28 COMMUNICATION - Report from City Engineer regarding Birch Trail

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- 29 COMMUNICATION - Road Widening Strip - Birch Road

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- 30 COMMUNICATION - Water Extension for Valley Stream Drive

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- 31 COMMUNICATION - Request for Sewer and Water Extension - Denver  
Terrace

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- 32 COMMUNICATION - Request for Water Extension on Wood Street

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- 33 COMMUNICATION - Request for Sewer and Water Extension - North  
Street and Hayestown Avenue

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- 34 COMMUNICATION - Request for Sewer and Water Extension - 56  
Pembroke Road

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- 35 COMMUNICATION - Request for Sewer Extension - 17 Mill Plain Road

- 36 DEPARTMENT REPORTS - Engineering, Public Utilities, Elderly Services, Health and Housing, Public Works, Highways, Police Chief, Fire Chief, Fire Marshall, Welfare
- 
- 37 REPORT & ORDINANCE - Deferral of Assessment Increases Attributable to Construction or Improvements
- 
- 38 REPORT & RESOLUTION - Palace Walk
- 
- 39 REPORT - Sewer Line at 54 Kenosia Avenue
- 
- 40 REPORT - Request for Sewer and Water Extension - Tarrywile Lake Road
- 
- 41 REPORT - Request for Water Extension on Presidents Street
- 
- 42 REPORT - Lease between the City of Danbury and Police Athletic League
- 
- 43 COMMUNICATION - Albert Jowdy v. City of Danbury - Proposed Settlement
- 

There being no further business to come before the Common Council a motion to adjourn was made at \_\_\_\_\_ P.M. by \_\_\_\_\_.

CONSENT CALENDAR

FEBRUARY 4, 1997

- 4 - Approve Resolution authorizing the Mayor to execute Agreement No. 11.01-01(96) between the State of Connecticut and City of Danbury for the construction, inspection and maintenance of intersection improvements utilizing federal funds from the Surface Transportation Program.
- 5 - Approve Resolution and application for the Community Employment Incentive Program Grant from the State of Connecticut Department of Labor in the amount of \$7,587.00
- 6 - Approve Resolution and authorize the Mayor to execute a contract with the State of Connecticut Department of Social Services for receipt of Emergency Shelter Services Grant funds in the amount of \$94,908.00.
- 7 - Approve Resolution authorizing the Office of Corporation Counsel to acquire easements related to Germantown/First Street Area Proposed Sanitary Sewer Extension, Project No.94-19.
- 8 - Approve reappointment of Benjamin DaSilva, Robert Feinson and Harvey Center to the Cultural Commission.
- 10 - Receive communication regarding donation of a vehicle to the Police Department and take no action at this time.
- 15 - Approve reappropriation of \$500 to the appropriate Danbury Library line item for library furnishings.
- 16 - Approve reappropriation of \$194.00 from the Elderly Services Donations Account to the Commission on Aging Budget for printing expenses.
- 17 - Approve transfer of \$10,000 from the General Fund to the Fire Department Special Services Account Number 011011 for Fire Watch.
- 20 - Approved revised Project Fund schedule for one police car and additional police bicycles - Local Law Enforcement Block Grant United States Department of Justice.
- 21 - Approve reappropriation of \$12,941.11 rebate from Connecticut Light and Power to Library Technology Center line item.
- 22 - Receive communication, declare surplus strip of city owned land abutting Lot No. 112165 designated as Parcel X on a survey dated July 11, 1996 from Brautigan Land Surveyors, PC and authorize sale of the property for \$35,200.00 reserving a ten foot easement along the westerly and northerly right of way.
- 26 - Receive communication and approve acceptance of Sylvan Road as a City road contingent upon submission of satisfactory legal documents to the Office of Corporation Counsel
- 27 - Receive negative Planning Commission report regarding request to accept Hillside Road and Oak Lane as City roads and take no action
- 28 - Receive negative report from City Engineer regarding acceptance of Birch Trail as a City road and take no action.
- 37 - Approve report and recommendations regarding deferral of assessment increases attributable to construction or improvements and adopt proposed ordinance as amended.
- 39 - Approve report and recommendations regarding request for a sewer line at 54 Kenosia Avenue
- 40 - Approve report and recommendations regarding request for sewer and water extension on Tarrywile Lake Road.
- 41 - Approve report and recommendations regarding request for water extension on Presidents Street.

**MULVEY & KOROTASH**

**ATTORNEYS AT LAW**  
THE WEST STREET BUILDING  
31 WEST STREET  
DANBURY, CONNECTICUT 06810  
TELEPHONE (203) 792-5900

JAMES R. MULVEY  
MARK W. KOROTASH

February 4, 1997

REPLY TO:  
P.O. BOX 751  
DANBURY, CT 06813  
TELECOPIER (203) 798-2057

Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council  
City of Danbury, Connecticut 06810

**Re: Connecticut Medical Properties, LLC  
Surplus Property Purchase  
Corner of Hospital and Locust Avenues**

Dear Mayor and Council Members:

With regard to the above matter which is on the agenda for action tonight, we respectfully would request that the Common Council declare this property as surplus land. However, we disagree with the value for said parcel as established by the Assessor and we would request that this matter be referred to a subcommittee of the Common Council to determine the value of the property.

We request that we be given an opportunity to submit additional information to the subcommittee as well as the Assessor to establish our position in this matter. We hope that we would be able to be on the agenda at the first meeting in March.

Thank you for your patience and cooperation in this matter.

Very truly yours,  
MULVEY & KOROTASH



Mark W. Korotash

MWK:laf

move the 4  
# 38

COMMON COUNCIL - ROLL CALL

NAME

YES

NO

HARRY W. SCALZO

✓

HELENA ABRANTES

PAUL McALLISTER

✓

THOMAS ARCONTI

✓

EILEEN COLADARCI

✓

ERNEST BOYNTON

✓

EMILE BUZAID

THOMAS VALERI

VALDEMIRO MACHADO

✓

CONNIE SHULER

✓

CHRISTOPHER SETARO

✓

JOHN ESPOSITO

✓

WARREN LEVY

✓

LOUIS CHARLES

ROBERTO GOMEZ

PAULINE BASSO

✓

JANET BUTERA

✓

MARCIA FOX

✓

MATTHEW GALLAGHER

✓

ALBERT MEAD, JR.

VINCENT NOLAN

✓

9

6



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

WARREN W. PLATZ  
PURCHASING AGENT

(203) 797-4571

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## MEMORANDUM

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DATE: January 29, 1997  
TO: Mayor Gene F. Eriquez and Members of the Common Council  
FROM: W.W. Platz, Purchasing Agent   
RE: Amendment to Ordinance 2-148

We propose an amendment to City Ordinance 2-148 to allow for the "piggybacking" on Federal and Educational contracts as well as the State of Connecticut awards as currently provided.

Please review and consider this amendment which we feel would be in the City's best interest.

Thank you for your consideration of this request.

cc: D.A. Setaro, Director of Finance  
L.L. Pinter, Assistant Corporation Counsel

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Section 2-148 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-148. Award by purchasing agent, board of awards.**

All awards for projects, materials or services, including “piggybacking” on state, FEDERAL, EDUCATIONAL OR OTHER GOVERNMENTAL awarded projects or awards for materials or services, shall be made by the purchasing agent after consultation with the department involved in the purchase and in accordance with the provisions hereof so long as the dollar amount of such projects, materials or services does not exceed fifteen thousand dollars (\$15,000.00) All such awards involving expenditure of greater than fifteen thousand dollars (\$15,000.00) shall be awarded by the board of awards, which board shall be composed of any three (3) of the following individuals: the director of finance, the corporation counsel, the department head whose department is involved with the purchase or the purchasing agent. The duly designated assistant to such individual(s) may act in their place in the event of the absence of the board of awards member involved.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING .

Deleted language is indicated by strikeouts.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

January 17, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Proposed amendment to the Code of Ordinances  
Section 6-02 -- Fees and Refunds

Dear Mayor and Council Members:

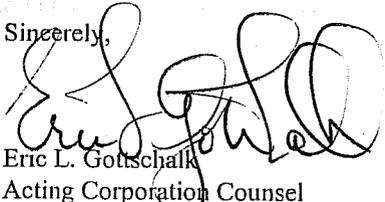
At the suggestion of the Danbury Building Official, Mr. Leo Null, who has worked in concert with the Director of Finance, Mr. Dominic A. Setaro, Jr., I have prepared two proposed ordinance revisions for your review and consideration. One is a revision to Subsection 6-02(a) and the other is a revision to Subsection 6-02(e).

The revision to Subsection 6-02(a) is intended to accomplish two things. First, it will require a payment of the building permit fee before any departmental review is begun. This was in response to an all too frequent occurrence. Apparently, plans are often received and reviewed without fee only to have the developer abandon the project. Second, it establishes a mechanism for handling increases or decreases to the permit fees based upon changes in the scope of the work.

The revision to Subsection 6-02(e) is also a dual purpose amendment. First, it establishes that withdrawal of the permit application will result in a refund of only 80% of the fee. The balance would be retained to cover the costs associated with administrative plan reviews. Second, it also deals with the problem of refunds which result from reductions in the scope of the work. Again, it provides for a refund of 80% of the excess fee, the balance being retained to cover our administrative costs.

Please consider these amendments in the usual fashion. We will make ourselves available to discuss these matters with you in greater detail.

Sincerely,

  
Eric L. Gottschalk  
Acting Corporation Counsel

cc: Leo Null, Building Official  
Dominic A. Setaro, Jr., Director of Finance

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Subsection 6-02(e) the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 6-02. Amendment of Connecticut Basic Building Code.**

(e) Refunds.

(1) IN THE EVENT THAT AN APPLICATION IS WITHDRAWN PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, THE APPLICANT MAY OBTAIN A REFUND OF EIGHTY (80) PERCENT OF THE FEE PAID PURSUANT TO THE PROVISIONS OF SUBSECTION (a)(1) HEREOF. TWENTY (20) PERCENT OF SAID FEE SHALL BE RETAINED TO COVER THE COSTS ASSOCIATED WITH APPLICATION AND PLAN REVIEWS. NO SUCH REFUND MAY BE MADE UNLESS THE APPLICANT SHALL APPLY FOR THE REFUND WITHIN ONE (1) YEAR OF THE DATE OF APPLICATION.

(2) IN THE EVENT OF A CHANGE IN THE WORK WHICH RESULTS IN A REDUCTION OF THE FEE REQUIRED PURSUANT TO THE PROVISIONS OF SUBSECTION (a)(1) HEREOF, THE APPLICANT MAY OBTAIN A REFUND OF EIGHTY (80) PERCENT OF THE OVERPAYMENT. TWENTY (20) PERCENT OF SAID OVERPAYMENT SHALL BE RETAINED TO COVER THE COSTS ASSOCIATED WITH APPLICATION AND PLAN REVIEWS. NO SUCH REFUND MAY BE MADE UNLESS THE APPLICANT SHALL APPLY FOR THE REFUND WITHIN ONE (1) YEAR OF THE DATE OF APPLICATION.

(3) In accordance with the provisions of Connecticut Basic Building Code, any building permit issued by the building official shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit. In the event of the expiration of a permit in accordance with the foregoing, the permittee may obtain a refund of eighty (80) percent of the fee paid pursuant to the provisions of subsection (a)(1) above. TWENTY (20) PERCENT OF SAID FEE SHALL BE RETAINED TO COVER THE COSTS ASSOCIATED WITH APPLICATION AND PLAN REVIEWS. No such refund may be made unless the permittee shall apply for the refund within one (1) year of the date of issuance of the permit.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Subsection 6-02(a)(1) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 6-02. Amendment of Connecticut Basic Building Code.**

(a) Fees generally.

(1) In accordance with the provisions of Section 29-252-114.3.1 of the Connecticut Basic Building Code, before receiving a building permit the owner, or his agent, shall pay a fee in accordance with the following schedule and based on the value of the work TO BE performed:

| <u>Valuation of Work</u> | <u>Fee</u>   |
|--------------------------|--|
| Below \$1,000.00         | \$15.00  |
| 1,000.00 and above       | \$15.00 for the first \$1,000.00<br>plus \$10.00 for each additional<br>\$1,000.00 or part thereof |

NO APPLICATION FOR A BUILDING PERMIT SHALL BE PROCESSED WITHOUT PAYMENT OF THE FOREGOING FEES. IF AFTER THE FILING OF AN APPLICATION FOR A BUILDING PERMIT A CHANGE IS MADE TO THE SCOPE OF THE WORK TO BE PERFORMED WHICH AFFECTS THE VALUE OF THE WORK, A NEW FEE SHALL BE CALCULATED. ANY INCREASE IN FEE SHALL BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS A BUILDING PERMIT HAS ALREADY ISSUED, IN WHICH CASE SAID INCREASED FEE SHALL BE PAID PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. ANY DECREASE IN FEE RESULTING FROM A CHANGE IN THE WORK SHALL BE REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (e) HEREOF.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1997

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

RE: Palace Walk

The committee appointed to review the Palace Walk easements met on January 28, 1997 at 7:10 PM in Room 432 of City Hall. In attendance were committee members Setaro, Levy and Mead. Also in attendance were Acting Corporation Counsel Eric Gottschalk, Planning Director Dennis Elpern and Council member Nolan ex-officio.

Mr. Setaro read a positive Planning Commission report on the easement acquisitions at issue. Mr. Gottschalk stated that the agreements between the property owners and the City provide for the acquisition of four easements for rights of use and maintenance of property which would be improved by the City for purposes of Palace Walk, that the resolution provided for acquisition of the easement through condemnation proceedings if necessary and that the City would incur costs related to acquisition of the easements only if condemnation was pursued.

Mr. Elpern explained that the property at issue was basically an L shape down the current walkway along the side of the Palace Theater and across to Liberty Street, that negotiations between the parties for acquisition was progressing positively, that the project is included in the current plan of Redevelopment and that the parking lot in the rear of the Palace Theater is privately owned but currently used by the public. He added that the construction of Palace Walk would cost approximately \$100,000 which would be paid for through previously designated Community Development Block Grant Funds, that the proposed walkway would be constructed of either brick or patterned concrete with ornamental lighting and that when completed would improve access between the Main and Liberty Street areas and serve as an additional benefit if the Palace Theater is renovated as a theater for the performing arts.

Mr. Setaro and Mr. Levy spoke in favor of the proposal due to the improvement to the area, benefits to the downtown through greater and easier access for pedestrians between Liberty and Main Streets and the fact that completion of Palace Walk would effectuate the Redevelopment Plan. Mr. Mead spoke against the proposal based upon the fact that the Palace Theater renovation project is currently in the planning stages and that the parking lot in the rear of the theater is privately owned. Mr. Levy moved that the committee recommend to the Common Council adoption of the resolution and easement agreement. Seconded by Mr. Setaro and passed 2-1 with Mr. Mead voting in the negative.

Respectfully submitted,

  
CHRISTOPHER SETARO, Chairman

  
WARREN LEVY

  
ALBERT MEAD, JR.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

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## M E M O R A N D U M

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**DATE:** February 5, 1997

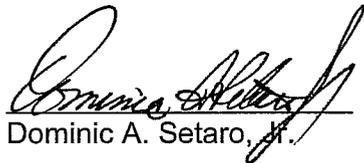
**TO:** Hon. Gene F. Eriquez via the Common Council

**FROM:** Dominic A. Setaro, Jr., Director of Finance

**RE:** Albert Jowdy

**CERTIFICATION #23**

Per the Common Council approval at its February 4, 1997 meeting, I hereby certify the availability of \$59,400 to be transferred from the Fund Balance to the Claims Account #02-09-110-073500. This amount represents the City's share to be paid to Albert Jowdy.

  
\_\_\_\_\_  
Dominic A. Setaro, Jr.

DAS/jg



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

**DATE:** February 5, 1997 **CORRECTED COPY**

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

**FROM:** Dominic A. Setaro, Jr., Director of Finance

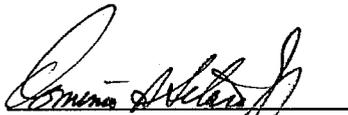
**RE:** Litigation Expenses

**CC:** Eric Gottschalk **CERTIFICATION #22**

As per the request of Acting Corporation Counsel Eric Gottschalk for \$110,000 to be transferred to the Litigation Special account, I hereby certify the remaining available balance of \$2,035.01 to be transferred from the Contingency Fund and the balance of \$107,964.99 to be appropriated from our Fund Balance (surplus) account to Corporation Counsel Litigation Special Account #02-01-150-020108.

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

|                        |                   |
|------------------------|-------------------|
| Balance of Contingency | \$2,035.01        |
| Less this request      | <u>- 2,035.01</u> |
| Balance                | \$ 0.00           |

  
Dominic A. Setaro, Jr.

DAS/jgb



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

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## M E M O R A N D U M

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**DATE:** January 29, 1997  
**TO:** Hon. Gene F. Eriquez  
via the Common Council  
**FROM:** Kevin N. Barry  
**RE:** Resolution -- Homeownership Opportunities for Police Officers

The Connecticut Housing Finance Authority approved procedures for the Homeownership for Police Officers at its November meeting. This program provides mortgage financing at a special low interest rate (6%) to qualified police officers buying homes in designated areas in participating municipalities.

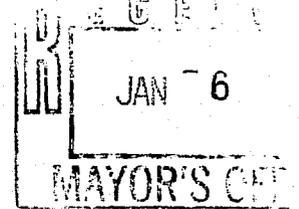
As a municipality with a population over 45,000, Danbury is eligible to participate in this program.

In order to qualify, the Common Council must pass the attached Resolution. If passed, this resolution would provide members of the Danbury Police Department, as well as members of the Connecticut State Police, to take part in the program.

The area designated in the resolution (identified Census Tracts) was chosen to further strengthen our community policing efforts in the city's center core and includes most of the city's South end.

  
Kevin N. Barry

Attach.



January 2, 1997

Honorable Gene Enriquez, Mayor  
City of Danbury  
City Hall  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: CHFA Police Homeownership Program

Dear Gene:

Enclosed please find more information concerning CHFA's police homeownership program that we recently obtained. CHFA is offering 6% fixed rate financing for eligible police officers. This is 1.625% below the current mortgage rate for conventional mortgages.

As the only Danbury hometown bank offering this program, I wanted to keep you informed.

Happy New Year!

Sincerely,

A handwritten signature in cursive script that reads 'Bill'.

William D. Starbuck  
Executive Vice President  
and Chief Lending Officer

Enclosure

eriquez2.wds

**DANBURY**

**NEW FAIRFIELD TOWN**

**2202**

**2203**

**2051**

**2201**

**BROOKFIELD**

NEW YORK (36)  
CONNECTICUT (09)

**2110**

**2113**

**20**

**2109**

**2112**

**2114**

**2108**

PUTNAM COUNTY (079)  
FAIRFIELD COUNTY (001)

**Danbury**

**2103**

**2104**

**2107**

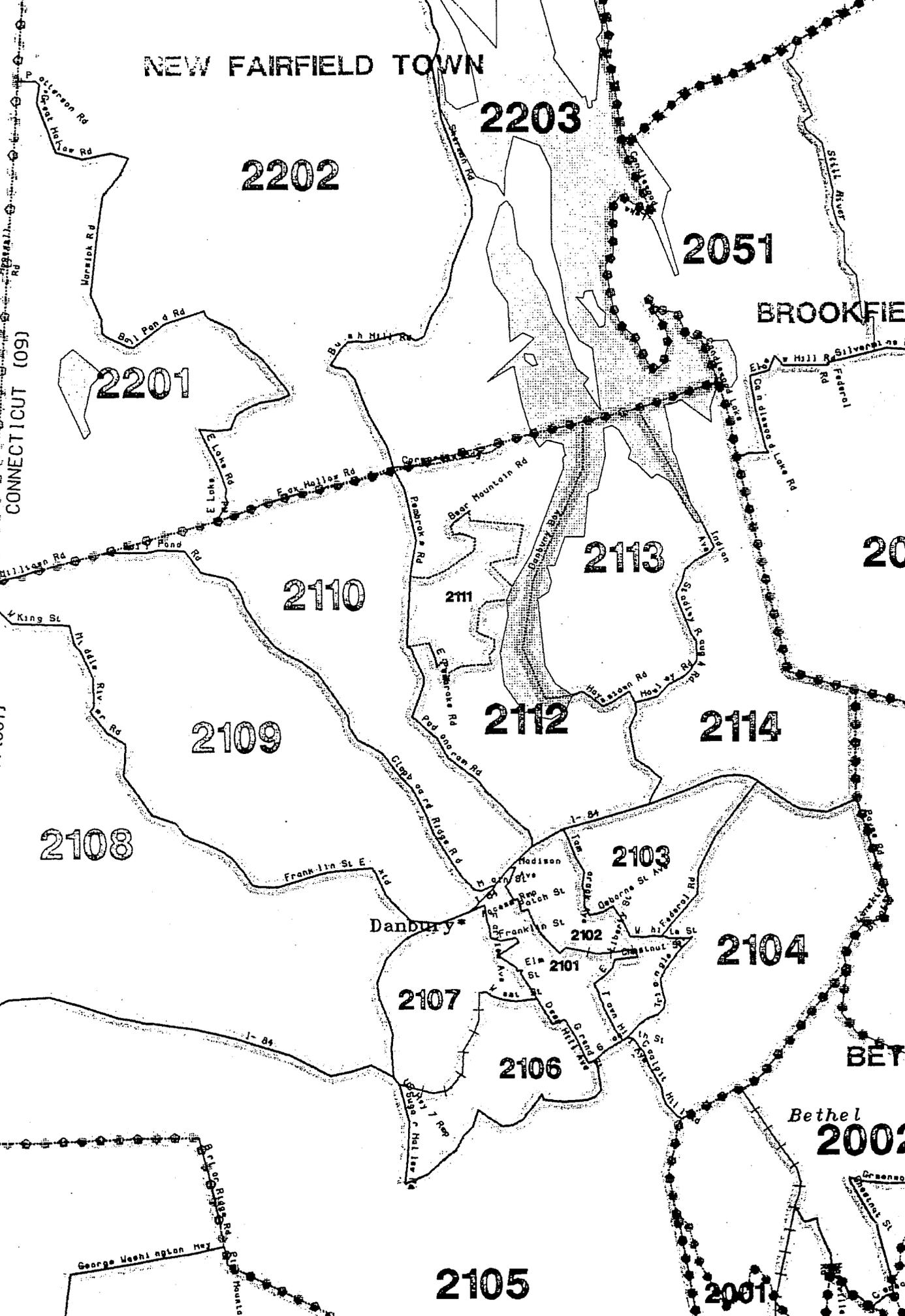
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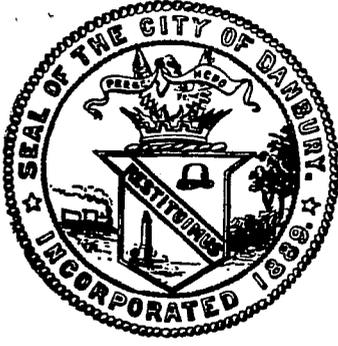
**BET**

**Bethel**  
**2002**

**2105**

**2001**





## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Public Act No. 96-147, the Connecticut Housing Finance Authority ("CHFA") has developed a pilot program to provide low interest, fixed rate home mortgage loans to local and state police officers who are CHFA-eligible homebuyers to encourage them to live in designated neighborhoods in the community in which they are employed; and

WHEREAS, the purpose of the program is to reduce crime by promoting community policing; and

WHEREAS, the City of Danbury, having a population of over 45,000, is eligible to participate in the program; and

WHEREAS, the City of Danbury wishes to participate in the program.

NOW, THEREFORE, be it resolved:

1. The Common Council of the City of Danbury hereby authorizes participation in the program and directs Mayor Gene F. Eriquez to indicate said authorization, in writing, to CHFA promptly.
2. The following neighborhoods are designated for participation in the program as the presence of police living in these neighborhoods would be of benefit to the city.

Census tracts numbered: 2101, 2102, 2103, 2104, 2105, 2106, 2107

3. To be eligible for the program, an applicant must, among other requirements:
  - a. be purchasing a home in a neighborhood designated in paragraph 2 above; and
  - b. be a local police officer employed by this town, or a Connecticut state police officer.
4. Mayor Gene F. Eriquez is hereby authorized to take such action as is necessary and appropriate to implement this resolution.



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ENGINEERING DEPARTMENT**  
(203) 797-4641

**JOHN A. SCHWEITZER, JR., P.E.**  
CITY ENGINEER

January 29, 1997

MEMO TO: Honorable Gene F. Eriquez  
Members of the Common Council

FROM: John A. Schweitzer, Jr., P.E.  
Director of Public Works

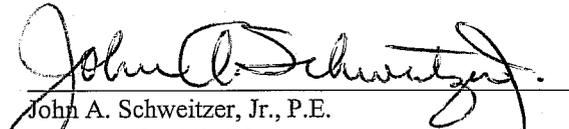
SUBJECT: Construction and Inspection of the Central Business District  
Traffic Signals Modernization Project

As you may be aware, on June 1, 1993 the City of Danbury entered into an Agreement with the State of Connecticut Department of Transportation for the study and design phases for the Modernization and Coordination of Traffic Signals within the City's Central Business District. Subsequently, a resolution was passed by the Common Council on August 6, 1996 relative to the City's commitment to operate and maintain the traffic signal infrastructure that will be constructed under this project.

Design of the project is currently in its final stages. Advertisement is scheduled for April 9, 1997 and construction is planned to commence in June 1997. In order to authorize advertisement and construction as well as utilization of an estimated \$3.7 million dollars for these purposes, the City is required to enter into Agreement with the State of Connecticut Department of Transportation. One hundred (100) percent of the project construction and related incidental costs would be borne by the Federal Highway Administration and construction administration would be provided by the State of Connecticut Department of Transportation.

We, therefore, hereby request that Honorable Gene F. Eriquez be authorized to execute Agreement No. 11.01-01 (96) (copy enclosed) on behalf of the City of Danbury for construction of the above noted project. If you have any questions regarding the subject, please do not hesitate to contact me.

Very truly yours,

  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

JAS/ABM/sd

enclosure

c: Laszlo Pinter, Esq.  
Dominic Setaro, Jr., w/enc.

**\*Copy on file in the Office of the City Clerk for inspection.**



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

State Project No. 34-255 and 34-285

Federal Aid Project No. STPO-000S (474) and STPO-000S (763)

Description: Agreement between the State of Connecticut and the City of Danbury for the construction, inspection and maintenance of intersection improvements utilizing Federal funds from the Surface Transportation Program.

RESOLVED THAT Gene F. Eriquez, Mayor, be, and hereby is, authorized to sign the agreement entitled: "Agreement Between the State of Connecticut and the City of Danbury for the Construction, Inspection and Maintenance of Intersection Improvements Utilizing Federal Funds from the Surface Transportation Program".



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

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## MEMORANDUM

---

Date: January 28, 1997

To: Hon. Gene F. Eriquez  
via the Common Council

From: Noreen C. Buzerak, Grants Administrator/Internal Auditor

Re: Resolution - Community Employment Incentive Program (CEIP)

Attached is a resolution for your consideration that will allow the City of Danbury to apply for and accept funds from the State of Connecticut, Department of Labor. This grant is in the amount of \$7,587.00 and is for the time period April 1, 1997 through June 30, 1997. This is a continuation of the Phase I Grant which is currently in place.

The grant will provide employment placement services for General Assistance recipients. The funds received will be used to partially fund salaries of personnel already employed by the City.

I recommend that the Common Council approve the resolution at its February meeting.

Noreen C. Buzerak  
Attach.

cc: Dominic A. Setaro, Jr.  
Kimberly G. Redenz  
D. MacKenzie

## **IMPACT STATEMENT CEIP-PHASE 2**

THE IMPACT ON THE WELFARE DEPARTMENT BUDGET WILL IN EFFECT BE POSITIVE IN THAT THE FUNDS RECEIVED WILL BE USED TO PAY PARTIAL SALARIES FOR PERSONS ALREADY EMPLOYED BY THE CITY.

THESE FUNDS WILL BE USED TO PAY FOR 35 DAYS OF CASE MANAGEMENT BY DA CHANCE  
AND 20 DAYS OF JOB SKILLS TRAINING BY CM FOGARTY.

IN PERFORMING THE ACTIVITIES REQUIRED BY DOL, THE CONSOLIDATION OF SPACE AND THE REMOVAL OF CASE FILES WILL BE DELAYED.



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

February 4 \_\_\_\_\_ A. D., 19 97

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Labor will make grant funds available to municipalities under its Community Employment Incentive Program (CEIP) to fund employment placement projects for recipients of General Assistance; and

WHEREAS, the State of Connecticut Department of Labor and municipal Welfare Departments are working together to advance their mutual goal of assisting recipients of General Assistance to secure employment and attain economic self-sufficiency; and

WHEREAS, the City of Danbury Welfare Department is eligible to receive a grant of \$7,587. for the grant period of April 1, 1997 to June 30, 1997 upon approval of an application therefor;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah A. MacKenzie, Director of Welfare, are hereby authorized to apply for said funds, to accept the grant if approved, and the Mayor is further authorized to execute any contracts therefor and to do all things necessary to effectuate the purposes of the grant award.

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

---

## MEMORANDUM

---

Date: January 28, 1997

To: Hon. Gene F. Eriquez  
via the Common Council

From: Noreen C. Buzerak, Grants Administrator/Internal Auditor

Re: Resolution - Emergency Shelter Grant

Attached is a resolution for your consideration that will allow the City of Danbury to accept additional funds from the State of Connecticut, Department of Social Services. This grant was originally awarded in November 1996 in the amount of \$86,512.00 and was for the time period October 1, 1996 through September 30, 1997. The State of Connecticut, Department of Social Services has notified the City of its intent to restore the funding the FY 95 level of \$94,908.00, for the same time period.

The grant will be used to fund the operating costs of the Homeless Emergency Shelter. No local matching funds are required.

I recommend that the Common Council approve the resolution at its February meeting.

*Noreen C. Buzerak*

Noreen C. Buzerak

Attach.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

THAT Gene F. Eriquez, Mayor of the City of Danbury, is empowered to execute and deliver in the name and on behalf of the City of Danbury a certain contract with the Department of Social Services of the State of Connecticut for an Emergency Shelter Services Grant and to affix the corporate seal.



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ENGINEERING DEPARTMENT**  
(203) 797-4641

**JOHN A. SCHWEITZER, JR., P.E.**  
CITY ENGINEER

January 28, 1997

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

Dear Mayor Eriquez and Common Council Members:

Germantown / First Street Area  
Proposed Sanitary Sewer Extension  
Project No. 94-19  
Easements

At the June 4, 1996 Common Council meeting our office was directed to prepare for bidding and construction the above noted sanitary sewer extension project.

Our department has prepared the maps and legal descriptions for all of the easements required for this project. The list of the first six easements prepared was forwarded to you on November 12, 1996. The hereinafter listed eight ( 8 ) easements represent the balance of the easements needed to construct this sewer.

We hereby request that the Corporation Counsel's office be authorized to obtain the following easements:

Annie Margaret Lamson  
Hawley Avenue  
Lot No. J10173

St. Platons Russian Orthodox Greek Catholic Church  
Hawley Avenue and Shepard Road  
Lot No. J10171

Marie Ridnert, Jean Cerrone, and Joan M. Hatstat  
Great Plain Road  
Lot No. J10176

( cont. on page 2 )

Lucy Wanetski  
Great Plain Road  
Lot No. J10175

S. Ray Barry and Gloria Barry  
First Street  
Lot No. J11266

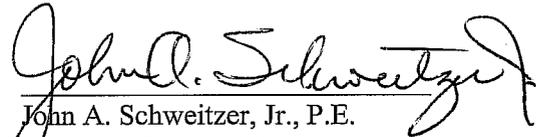
John and Linda Swanson  
Oak Ridge Gate  
Lot No. J11276

James Dahl and Evelyn Dahl  
Oak Ridge Gate  
Lot No. J11277

Jeffrey D. Brown and Maura K. Brown  
First Street  
Lot No. J11265

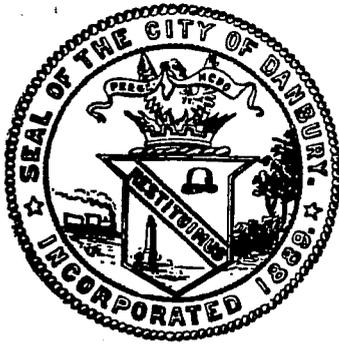
If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

JAS/PAE/pe

c: Eric Gottschalk, Esq.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on June 4, 1996, approved the use of the remaining funds within the 1977 bond authorization for the installation of a sanitary sewer in the First Street, Beaver Brook Road area and Germantown Road; and

WHEREAS, it is necessary and in the best interests of the City of Danbury to acquire interests in and to real property as hereinafter set forth in order to proceed with the construction of said sanitary sewer in the Germantown Road/First Street portion of this area; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several property owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property listed below;

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to August 3, 1997 said property interests as set forth herein either by negotiation or by eminent domain through the institution of suits against the named property owners listed below, their heirs, executors/administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any. Legal descriptions of the easement areas to be acquired are attached as Exhibits 1 through 8.

## Permanent Sanitary Sewer Easements

| <u>Exhibit No.</u> | <u>Owner(s)<br/>Now or Formerly</u>                   | <u>Lot No.</u> | <u>Location</u>              | <u>Sq. Ft.</u> |
|--------------------|---|----------------|------------------------------|----------------|
| 1.                 | Lamson, Annie M.                                      | J10173         | Hawley Ave.                  | 2,088          |
| 2.                 | St. Platons Russian<br>Orthodox Greek Catholic Church | J10171         | Hawley Ave &<br>Shepard Road | 5,292          |
| 3.                 | Ridnert, Mary<br>Cerrone, Jean & Hatstat, Joan M.     | J10176         | Great Plain Rd.              | 883            |
| 4.                 | Wanetski, Lucy  | J10175         | Great Plain Rd.              | 3,262          |
| 5.                 | Barry, S. Ray and Gloria                              | J11266         | First Street                 | 2,591          |
| 6.                 | Swanson, John and Linda                               | J11276         | Oak Ridge Gate               | 486            |
| 7.                 | Dahl, James and Evelyn                                | J11277         | Oak Ridge Gate               | 3,142          |
| 8.                 | Brown, Jeffrey D. and Maura K.                        | J11265         | First Street                 | 1,754          |



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



**DEPARTMENT OF POLICE**  
**120 MAIN STREET**

**NELSON F. MACEDO, CHIEF**  
**(203) 797-4614**

January 8, 1997

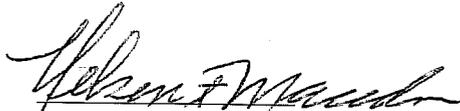
MEMO

To: Elizabeth Crudginton, City Clerk  
Members of the Common Council

From: Chief Nelson F. Macedo

Subject: Donation of Vehicle

Permission is requested to accept the donation of a vehicle from Danbury Ambulance Service. The vehicle would be donated to and used by this department's Scuba Dive Team.

  
Nelson F. Macedo  
Chief of Police

NFM:ks

enc.

c: Capt. Weston



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department  
797-4569

TO: MAYOR ERIQUEZ AND MEMBERS OF THE COMMON COUNCIL OF THE CITY

CITY OF DANBURY

FROM: DEBORAH MACKENZIE

DIRECTOR OF WELFARE

RE: DONATION TO THE SHELTER

DATE: 1/10/97

PARKER TYLER JR. CHAIRMAN OF TYLER FOUNDATION, INC. C/O GCS SERVICE, INC. OF DANBURY CONTRIBUTED \$50.00 TO THE CITY'S EMERGENCY SHELTER FOR THE HOMELESS. PLEASE ACCEPT THIS DONATION AND AUTHORIZE THAT IT BE DEPOSITED TO THE CITY HOMELESS SERVICES LINE ITEM 02-20-000-072930.

THANK YOU FOR THIS CONSIDERATION.

C.C. CITY CLERK

DIRECTOR OF FINANCE





# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

February 4, 1997

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your confirmation the reappointment of the following individuals to serve as regular members to the Cultural Commission:

Benjamin DaSilva (U)  
174 Franklin Street Ext.  
Danbury, CT 06810  
Term to Expire: February 1, 2000

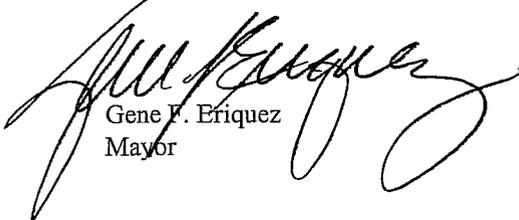
Robert Feinson (D)  
Two Cedar Crest Drive  
Danbury, CT 06811  
Term to Expire: February 1, 2000

Harvey Center (D)  
27 Bullet Hill Road  
Danbury, CT 06811  
Term to Expire: February 1, 2000

These individuals are members in good standing with excellent attendance records and are interested in serving another term.

Thank you for your consideration of these reappointments.

Sincerely,



Gene F. Eriquez  
Mayor



# CITY OF DANBURY

Homeless Services

41 New Street  
Danbury CT 06810

Day Center / Shelter  
796-1661

January 8, 1997

Mr. Parker Tyler Jr.  
Chairman  
GCS Service, Inc.  
83 Wooster Heights Road  
Danbury, CT 06810

Dear Mr. Tyler:

Thank you for your interest in the City of Danbury Emergency Shelter and Day Center.

I am enclosing an information sheet which will give you an idea of Shelter/Day Center operations, and the services we provide on an ongoing basis to homeless individuals in the City of Danbury.

If you should need any further information, please feel free to call me at 796-1661.

Sincerely,

Jerrilynn Tiso  
Coordinator of Homeless Services

JT tj

|   |              |   |      |
|---|--------------|---|------|
| <b>TYLER FOUNDATION, INC.</b>   |              | 1-108/280   | 0790 |
| C/O GCS SERVICE, INC.<br>83 WOOSTER HEIGHTS ROAD<br>DANBURY, CT 06810           |              | 1/8 1997  |      |
| PAY TO THE ORDER OF   | City Shelter | \$  | 50   |
| Fifty and no/100  |              | DOLLARS  Security features included. Details on back. |      |
| <b>Marine Midland Bank</b>  |              | AUTH. SIG.  |      |
| BEDFORD HILLS OFFICE<br>800 NORTH BEDFORD ROAD<br>BEDFORD HILLS, NEW YORK 10507 |              |   |      |
| FOR   | Contribution | MP  |      |
| ⑆02800108⑆⑆5⑆1005784⑆   |              | 0790  |      |





**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



**DEPARTMENT OF POLICE**  
**120 MAIN STREET**

**NELSON F. MACEDO, CHIEF**  
**(203) 797-4614**

December 19, 1996

The Honorable Gene Eriquez and The Common Council, City of Danbury,

On Monday, December 15, 1996, Mr. Joseph DeSimone from Danbury Ambulance Service called and stated that he had a vehicle that the Danbury Police Scuba Dive Team might be able to use to transport dive equipment. He stated that he would be willing to donate the vehicle to the city if the team is in fact interested.

As you are aware, the Police Scuba Dive Team is an all volunteer unit of the Police Department and presently in need of a vehicle for equipment storage and transport in the event our services are needed. This vehicle will be a very important part of the operations of the Police Scuba Dive Team both in response time and ease of movement.

Because the vehicle is being donated, we would appreciate your accepting this generous gift from Danbury Ambulance Service for use by The Danbury Police Department Scuba Dive Team.

Respectfully Yours,

Mitchell B. Weston, Captain  
Danbury Police Scuba Dive Team, Commanding Officer

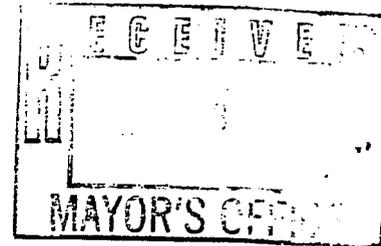
NELSON AMBULANCE  
279 Noble Avenue  
Bridgeport, CT. 06604  
(203) 333-9433



DANBURY AMBULANCE  
14 Walnut Street  
Danbury, Connecticut 06811  
(203) 748-3433



NELSON AMBULANCE  
60 Spruce Street  
Stamford, CT. 06901  
(203) 359-4341



January 8, 1997  
Via Facsimile

Honorable Mayor Gene Eriquez  
Danbury City Hall  
155 Deer Hill Avenue  
Danbury, CT 06810

Dear Gene:

Danbury Ambulance Service, Inc. and the DeSimone family would like to donate two emergency services vehicles to the City.

The first vehicle is a 1983 Chevrolet Suburban Ambulance. We would like for this vehicle to be placed into service by the City of Danbury Police Department Dive Team.

The second vehicle is a 1986 Ford F350 Ambulance. We would prefer that the City Common Council donate this ambulance to a City or municipality of their choosing in the country of Italy, as a gift from the City of Danbury.

We have enjoyed serving the City of Danbury in various capacities over the past 18 years and these charitable donations are just a token of our sincere appreciation for the continued assistance, cooperation and camaraderie extended to us by the Police Department and the Mayor's office.

The vehicles, in working order, are available for pickup at our facility at 14 Walnut Street. Please contact me if you have any questions concerning this donation and to arrange for pickup of the vehicles.

Please accept my personal best wishes for a happy and prosperous new year.

Sincerely,

Joseph DeSimone  
President

JD:nb



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT  
20 WEST STREET

(203) 797-46

September 26, 1996

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

Dear Mayor Eriquez and Members of the Common Council :

I am pleased to submit, for your approval, an offer of a financial donation for the Still River Restoration project from Mr. Mel Powers, the owner of the land in Commerce Park which is the southern gateway to our proposed linear park. As indicated, Mr. Powers is offering the donation for the design of a handicap access walkway to the River and the footbridge which crosses the River in Commerce Park. This will supplement the funding which we have received from the State of Connecticut, the National Fish and Wildlife Foundation and the Duracell Corporation. The generosity of our corporate donors provides funds that were not covered in our original grant from the State Department of Environmental Protection (DEP) and will allow us to continue to move forward in the development of the River Restoration corridor.

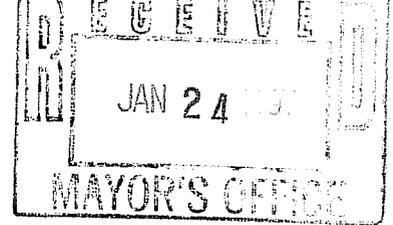
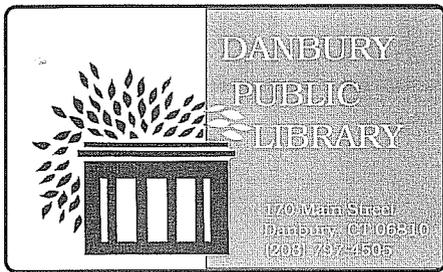
I respectfully request your authorization to accept this donation on behalf of the City and direct the funding to the River restoration account.

Respectfully Yours,

Jack S. Kozuchowski

Coordinator of Environmental and  
Occupational Health Services

cc : Noreen Buzerak



January 22, 1997

Mayor Gene F. Eriquez

Danbury City Hall

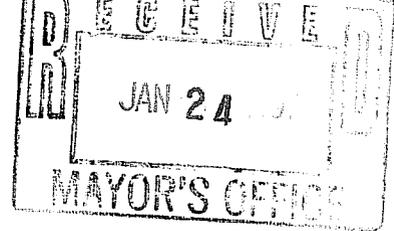
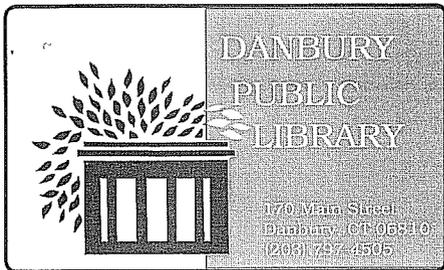
Dear Mayor Eriquez:

FRIENDS Volunteers New Canaan Library, 151 Main St., New Canaan, 06840, Att: Robert C. Drummond, donated \$500 this past month to the Danbury Library Restoration Fund. Please place this item on the agenda for the February Common Council meeting.

Sincerely,

E. McDonough  
Director

c: D. Setaro - Director of Finance



January 22, 1997

Mayor Gene F. Eriquez

Danbury City Hall

Dear Mayor Eriquez:

We have received a donation from Mrs. Dorothy Buono, 2 Fleetwood Drive, Danbury 06810, in the amount of \$27.17. This needs to be credited to the BOOKS line-item #02-07-101-061201. Please place this item on the agenda for the February Common Council meeting.

Sincerely,

E. McDonough  
Director

c: D. Setaro - Director of Finance



# 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

**"Interweave"**  
**Adult Day Care Center**  
198 Main Street  
(203) 792-4482

To: Mayor Eriquez and  
Members of the Common Council  
From: Elderly Services  
Re: Approval of Donations  
Date: 01/25/97

The following donations (total - \$66.00) have been sent to the Department of Elderly Services to be used by the Danbury Senior Center:

|                            |              |
|----------------------------|--------------|
| Perritt Laboratories, Inc. | 36.00        |
| The Senior Network, Inc.   | <u>30.00</u> |
| <u>Total</u>               | <u>66.00</u> |

Please approve of these and transfer them into the appropriate line items as indicated on the accompanying form.

Thank you,

Leo McIlrath, Director



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

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## M E M O R A N D U M

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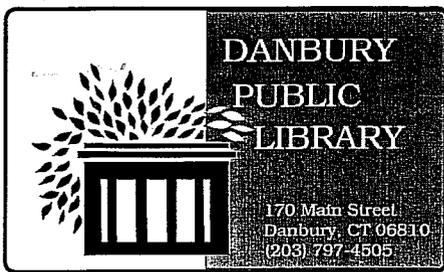
**DATE:** January 24, 1997  
**TO:** Hon. Gene F. Eriquez via the Common Council  
**FROM:** Dominic A. Setaro, Jr., Director of Finance  
**RE:** Reappropriation of Library Donations

Attached you will find a request from Library Director Elizabeth McDonough in reference to the reappropriation of the funds that have been donated to the Library as a result of the recent fire. As we indicated to you in previous correspondence, at various times, the Library would come back to the Common Council to seek authorization to expend these moneys. I would, therefore, ask that at its February meeting, the Common Council approve the reappropriation of \$500.00 as requested by Ms. McDonough.

In the future, we will seek approval for the remaining unused funds. Should you need any additional information, feel free to give me a call.

  
\_\_\_\_\_  
Dominic A. Setaro, Jr.

DAS/jg



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**INTEROFFICE MEMORANDUM**

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**TO:** DOM SETARO - DIRECTOR OF FINANCE  
**FROM:** BETSY MCDONOUGH - LIBRARY DIRECTOR *Betsy*  
**SUBJECT:** DONATIONS TO THE DANBURY PUBLIC LIBRARY  
**DATE:** JANUARY 22, 1997

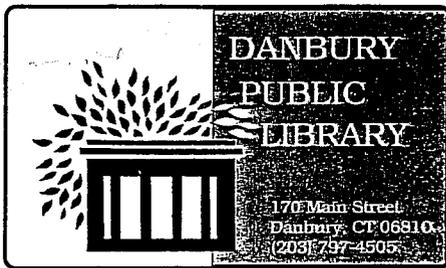
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I request authorization to use \$500.00 of general donation funds for library furnishings.

**RECEIVED**

JAN 23 1997

Finance Dept.



January 22, 1997

Mayor Gene F. Eriquez

Danbury City Hall

Dear Mayor Eriquez:

FRIENDS Volunteers New Canaan Library, 151 Main St., New Canaan, 06840, Att: Robert C. Drummond, donated \$500 this past month to the Danbury Library Restoration Fund. Please place this item on the agenda for the February Common Council meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "E. McDonough".

E. McDonough  
Director

c: D. Setaro - Director of Finance ✓



# 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

**"Interweave"**  
**Adult Day Care Center**  
198 Main Street  
(203) 792-4482

Date: 01/27/97

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 \$194.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Printing - 02-05-167-022000

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

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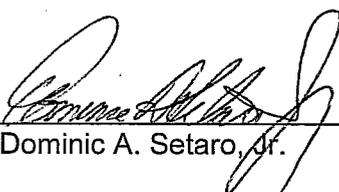
## M E M O R A N D U M

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**DATE:** January 28, 1997  
**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 \$194.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget for the following account:

|          |                  |          |
|----------|------------------|----------|
| Printing | 02-05-167-022000 | \$194.00 |
|----------|------------------|----------|

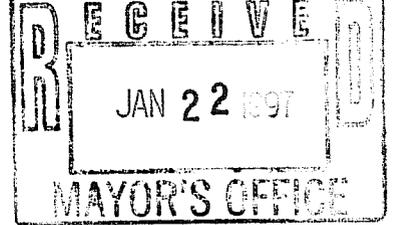
  
Dominic A. Setaro, Jr.

DAS/jgb



## CITY OF DANBURY

DANBURY, CONNECTICUT 06810



Fire Department  
19 New Street

Carmen J. Oliver, Chief  
(203) 796-1550  
Fax (203) 796-1533

January 21, 1997

To: Mayor Gene F. Eriquez and Members of the Common Council  
From: Carmen J. Oliver, Fire Chief  
Subject: Special Services Account #011011

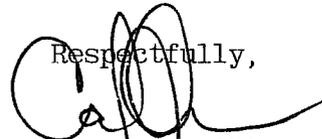
Dear Mayor Eriquez and Members of the Common Council:

I am requesting that \$ 10,000.00 be added to the Special Services Account #011011.

Unencumbered balance as of week ending 1/18/97 was \$ 2,900.00, and fire watch continues at locations throughout the City.

The transfer will allow funding for the upcoming months, depending on the amount of fire watch required, and all revenues received are returned to the General Fund.

Respectfully,



Carmen J. Oliver  
Fire Chief

CJO:mw

c:D.Setaro, Finance Director



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

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## MEMORANDUM

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**DATE:** January 31, 1997  
**TO:** Hon. Gene F. Eriquez via the Common Council  
**FROM:** Dominic A. Setaro, Jr., Director of Finance  
**RE:** Litigation Expenses  
**CC:** Eric Gottschalk

**CERTIFICATION #22**

As per the request of Acting Corporation Counsel Eric Gottschalk for \$11,000 to be transferred to the Litigation Special account, I hereby certify the remaining available balance of \$2,035.01 to be transferred from the Contingency Fund and the balance of \$107,964.99 to be appropriated from our Fund Balance (surplus) account to Corporation Counsel Litigation Special Account #02-01-150-020108.

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

|                        |                   |
|------------------------|-------------------|
| Balance of Contingency | \$2,035.01        |
| Less this request      | <u>- 2,035.01</u> |
| Balance                | \$ 0.00           |

Dominic A. Setaro, Jr.

DAS/jgb



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

January 22, 1997

DANBURY, CT 06810

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

Re: Litigation Expenses

Dear Mayor and Council Members:

As many of you are keenly aware, the Union Carbide Corporation has taken an appeal from a decision of the Danbury Board of Assessment Appeals claiming that the City of Danbury has substantially over-assessed its real property. The possibility of an adverse decision and the potential impact of such a decision have forced us to expend an extraordinary amount of time and effort in defense of the City's position.

As a result, I am obliged to report to you that additional funds will be necessary in order to insure that the City is properly protected. Based upon discussions with Assistant Corporation Counsel Daniel Casagrande and Director of Finance Dominic Setaro, I anticipate that if the Carbide case goes to trial, and we have every reason to believe that it will, associated fees for legal and other professional services could easily amount to \$110,000.00 during the current fiscal year. Given the fact that our entire litigation budget for the year amounts to only \$55,000.00, you can readily appreciate the extraordinary nature of this case.

Accordingly, I hereby request that the Common Council approve a transfer of funds, in the amount of \$110,000.00 to account 020108 -- Litigation Special to cover these expenses. As this matter develops and we have a clearer picture of what the costs of this and other pending litigation will actually be, I will advise you.

Honorable Mayor Gene F. Eriquez  
Honorable Common Council Members  
January 22, 1997

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- 2 -

Sincerely,



Eric L. Gottschalk  
Acting Corporation Counsel

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



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

January 9, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Danbury Landfill -- Emergency Measures

Dear Mayor and Council Members:

As a result of the continuing odor problems at the Danbury Landfill, immediate action is required to minimize the impact on property owners in the area. At this time, it is anticipated that Common Council approval will be necessary in order to allow administration staff to complete the process in the most expeditious way possible. Of critical concern are consultant and design services, the purchasing of materials such as piping and related storm drainage materials, lime for odor control, chemicals for dust control, pumps, blowers and electrical equipment, monitoring equipment, soil and other cover material and hydroseeding as well as construction related services such as well drilling, installation of temporary and permanent flares, a leachate pump station and the purchase and installation of the geomembrane which will cap the landfill.

With these elements in mind, we ask that you consider allowing the purchasing department to waive the customary bidding procedure only where necessary. Please understand that while we seek the authority for this waiver, we intend to take great care to act consistent with the spirit of the purchasing procedures by obtaining informal proposals and quotations which will insure that the City obtains these goods and services at the lowest possible price. Your approval will permit us to process the necessary contracts and purchase orders in the shortest possible time frame and provide the prompt relief that our neighbors seek.

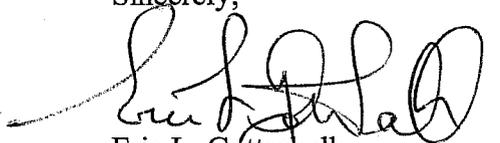
Honorable Mayor Gene F. Eriquez  
Honorable Common Council Members  
January 9, 1997

---

- 2 -

Staff representatives will be prepared to discuss this matter in detail with you and answer any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gottschalk", written in a cursive style.

Eric L. Gottschalk  
Acting Corporation Counsel



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

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## M E M O R A N D U M

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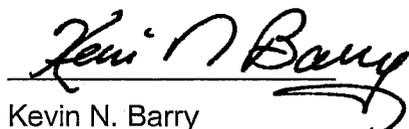
**DATE:** January 13, 1997  
**TO:** Hon. Gene F. Eriquez and the Common Council  
**FROM:** Kevin N. Barry, Project Director, LLEBG  
**RE:** Clarification, LLEBG Budget & Certification  
**CC:** Dominic A. Setaro, Jr., Director of Finance

At the January 7, 1997 meeting, the Common Council approved Certification #21, for the transfer of \$4,281 from the Contingency Fund to the Police Department's Automotive Equipment Fund, based on the original grant budget.

As the result of the meeting of the LLEBG Advisory Board and a Public Hearing, both requirements of the grant as outlined by the US Department of Justice, Bureau of Justice Assistance, this budget was changed. A copy of the budget as recommended by the Advisory Board is attached. No objection to the Advisory Board's budget was voiced at the Public Hearing.

The memorandum presented at the January Common Council meeting listed "two vehicles" as the intended purchase under this grant. As the result of considered input on the part of the advisory board, one police car and additional vehicles in the form of police bicycles, rather than the original request, will be obtained. Additional items will also be purchased as listed.

The City's required match will remain in the account to which it was transferred and will be used toward the purchase of one police car. The remainder of the funds will be expended as suggested by the Advisory Board.

  
Kevin N. Barry

*Local Law Enforcement Block Grant  
City of Danbury, Connecticut  
Use of Project Funds*

Available Funds

|                          |           |           |
|--------------------------|-----------|-----------|
| US Department of Justice | 38,524.00 |           |
| City of Danbury, match   | 4,280.00  |           |
| Total                    |           | 42,804.00 |

Suggested Expenditures

|                              |        |           |
|------------------------------|--------|-----------|
| 1997 Ford Crown Victoria     | 24,600 |           |
| Five Mountain Bicycles       | 6,500  |           |
| Nine Police Bicycle Uniforms | 9,000  |           |
| Computer w/police programs   | 1,600  |           |
| Printer and cables           | 500    |           |
| Miscellaneous *              | 604    |           |
| Total                        |        | 42,804.00 |

\* Any remaining funds available from miscellaneous and lower bid will be applied toward purchase of additional police bicycles.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DOMINIC A. SETARO, JR.**  
DIRECTOR OF FINANCE

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

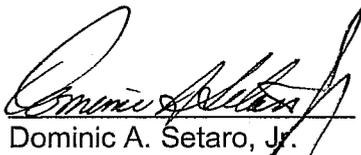
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## M E M O R A N D U M

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**DATE:** January 10, 1997  
**TO:** Hon. Gene F. Eriquez via the Common Council  
**FROM:** Dominic A. Setaro, Jr., Director of Finance  
**RE:** CL&P Library Rebate  
**CC:** Elizabeth McDonough

Recently, we received a \$12,941.11 rebate from CL&P for the new lighting at the Library as part of the reconstruction of the Library. I would recommend that the Common Council at its February meeting authorize the reappropriation of these funds to a new Capital line item entitled, "Library Technology Center" so that these funds can be used for the additions and renovations to the new technology center that we will be purchasing from Union Savings Bank.

  
Dominic A. Setaro, Jr.

DAS/jgb



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

February 4, 1997

DANBURY, CT 06810

Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council  
City of Danbury, Connecticut 06810

Re: Connecticut Medical Properties, Inc.  
Surplus property purchase

Dear Mayor and Council:

The above matter was first presented to you in October. It involves a request by the applicant, Connecticut Medical Properties, Inc. to purchase a strip of land along Hospital Avenue in order to cure a pre existing encroachment upon City land.

At the October meeting, you approved the request, subject to conditions being met, including a survey review, determination of value and declaration of this property as surplus land. Based upon the favorable reports of the Planning Commission, the Engineering Department and a market value price established by the Assessor, we are prepared to advise the petitioner that the transaction of sale can occur. This office will review a deed of sale along with any other attendant documents prior to actual transfer. A ten foot wide easement will be retained by the City for municipal purposes.

The Assessor has determined a fair value of \$35,200.00 for this property. If you wish to dispose of this property as you had earlier determined, you need to formally declare it surplus and authorize the sale at the fair value or a value you otherwise deem appropriate. As set forth in the City Charter, a two-thirds vote is required for the sale of the property.

We have attached a few relevant documents in the event you have any questions regarding this proposed transaction.

Very truly yours,

Laszlo L. Pinter  
Assistant Corporation Counsel

Attachments

cc: John A. Schweitzer, City Engineer  
Mark Korotash, Esquire  
Robert Coyne, Assessor

JAN 28 1997



# CITY OF DANBURY

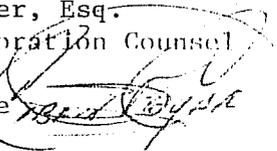
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

OFFICE OF ASSESSOR  
(203) 797-4556

ROBERT F. COYNE  
ASSESSOR

January 28, 1997

To: Laszlo L. Pinter, Esq.  
Assistant Corporation Counsel

From: Robert F. Coyne   
Assessor

Subject: Connecticut Medical Properties, LLC  
Hospital Avenue and Locust Avenue  
Map/Lot 112165

I have reviewed the attached correspondance and the survey dated 7-11-96 from Brautigam Land Surveyors P.C. making reference to parcel X showing an area of 2,344 square feet more or less.

It is my understanding the City will sell 2,344 square feet and retain a ten foot easement along the westerly and northly right of way a/k/a Hospital Avenue and Locust Avenue.

I have viewed the subject site and the current market sales and it is my opinion a reasonable value, adjusting for size, shape and frontage would be fifteen dollars a square foot (15.00).

2,344 sq ft x \$ 15.00 = \$ 35,160 rounded to \$ 35,200  
(thirty five thousand two hundred dollars)

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

RFC/is



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT  
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.  
CITY ENGINEER

January 14, 1996

MEMO TO: Laszlo L. Pinter, Esq.  
Assistant Corporation Counsel

FROM: John A. Schweitzer, Jr., P.E.  
Director of Public Works

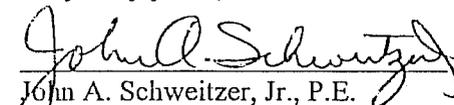
SUBJECT: Connecticut Medical Properties, LLC  
Hospital Avenue and Locust Avenue

The survey maps submitted under cover of your December 5, 1996 memo have been reviewed.

It is the recommendation of our office that a 10 foot wide easement be retained by the City of Danbury along the westerly and northerly proposed rights of way lines to allow for the relocation of the sidewalk, for shoulder regrading, for snow storage and for related purposes other than construction of a road within the easement as may be needed for possible road widening and other types of roadway improvements in the area.

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

Very truly yours,

  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

c: Dennis Elpern  
Robert Coyne

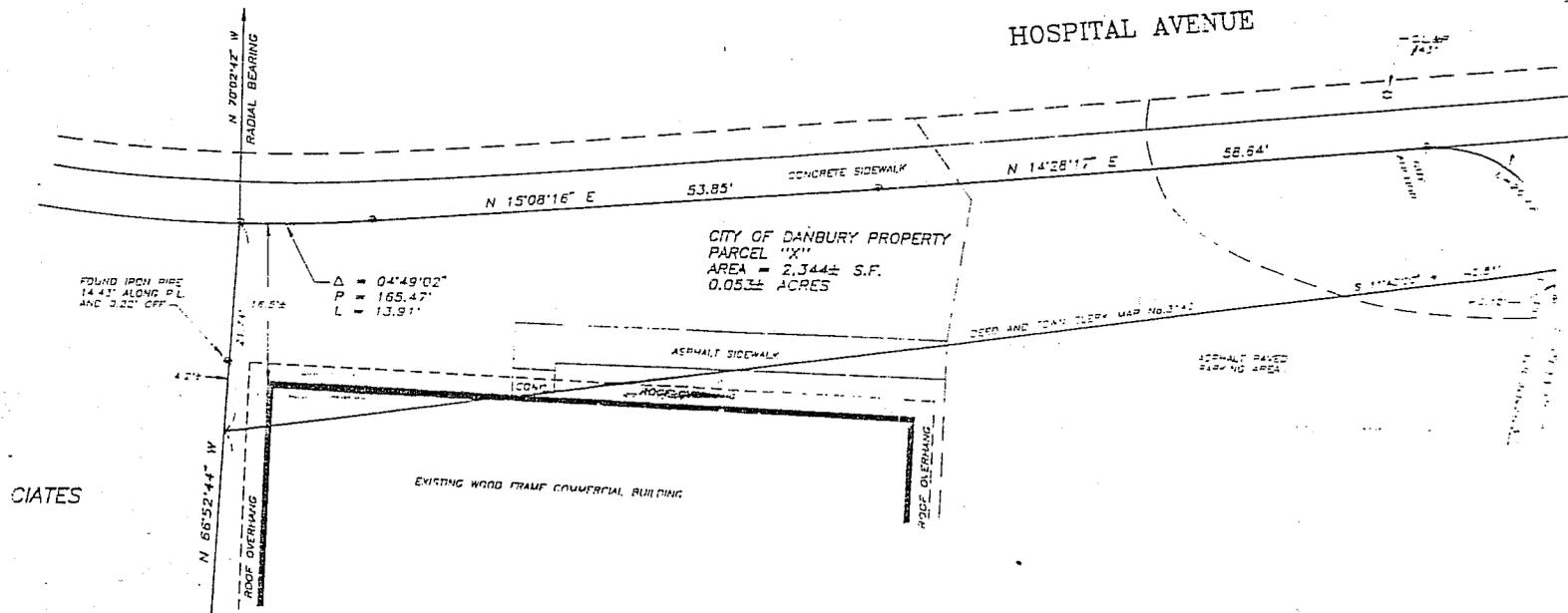
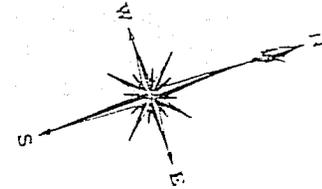
RECEIVED  
JAN 15 1997  
ASSESSOR'S OFFICE

PROPERTY SURVEY

PREPARED FOR

TICUT MEDICAL PROPERTIES, L.L.C.

94 LOCUST AVENUE  
DANBURY, CONNECTICUT



75  
76  
TO THE DETERMINATION OF THE



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810  
OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

January 7, 1997

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

Re: Utility Extension Assessment Formula Review  
Letter from Attorney Lawrence M. Riefberg  
December Agenda Item #31

Dear Mayor and Council Members:

Please accept the following in response to your request for a report concerning the above referenced matter. In his letters to you, Attorney Riefberg raised two issues, both are related to the current method of calculating sewer and water assessments. As things stand now, all assessments are based upon a four part formula (See Danbury Code of Ordinances §16-45 and §21-60). The formula provides that one fourth of the assessment is to be based upon area, one fourth on frontage, one fourth on value and one fourth on the number of building units on the lot (for commercially or industrially zoned property this portion of the formula is based upon lot size).

First, Mr. Riefberg asks whether or not the City's assessment formula should be based on permissible building size, based upon current zoning regulations, rather than lot size. Second, Mr. Riefberg asks whether or not the City's assessment formula should properly be applied to properties not actually "fronting" on a street through which the utility line will run.

As a result of our review it is our belief that no changes to the assessment ordinances are warranted at this time. We began our evaluation with the observation that any formula is at best an approximation of the actual benefit received by a property owner when utilities are installed near his or her property. Actual benefit is determined by comparing the value of the property before the utility installation with the value of the property after installation. Any increase in value represents the true benefit to the property. The problem arises because, as a practical matter, the City cannot readily ascertain true benefit. It would be economically and administratively burdensome in the extreme to obtain appraisals for each property and thus determine opinions of before and after value. In fact, state law recognizes this and allows for another, more practical approach the use of a general formula for apportioning the cost of an extension project.

Our four part formula represents an improvement over the City's original method of assessment which was based strictly upon front footage. That approach led to severe inequities as to any shallow lots particularly those with relatively long lengths of frontage. Now we use four criteria, but even that formula cannot avoid the possibility that our calculation will not truly reflect actual benefit.

What Mr. Riefberg suggests might well improve on our estimating formula in some cases, however, not without cost and not in every instance. While actual useable area might better reflect some element of property value, determining that figure will entail substantially more work on the part of the Engineering and land use officials. Rather than calculate lot size as is currently the approach, each lot would have to be evaluated based upon a variety of new considerations such as setback requirements, variances, wetlands and lot coverage limitations, to name a few. In addition to the time commitment, such a case by case analysis will surely add ambiguity and confusion to the process. Further, there is no assurance that, over all, the result will be any closer to true benefit. Bear in mind that all statutorily authorized methods of assessment use construction cost to approximate benefit (increase in property value). No one can assure us that construction cost, no matter how apportioned, will tell us anything about value.

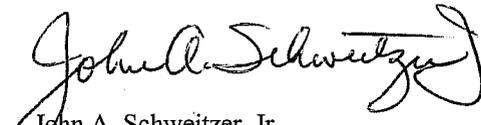
Second, Mr. Riefberg suggested that our formula or assessment methodology should be modified to limit assessments to those cases in which the utility line passes the front of the property to be assessed. This approach would avoid an assessment when the line passes to the rear of the property. In our view, such an approach would in all likelihood add to the potential unfairness inherent in any assessment process. Specifically, we fear that some properties might derive a benefit from a utility extension but avoid a responsibility to share in its cost. Clearly, actual connection to such a line could occur whether the line runs in front of the property or behind it. Further, any increase in property value attributable to the line exists because of proximity to it, no matter the direction in which it runs.

We look forward to discussing the matter further with you at your convenience.

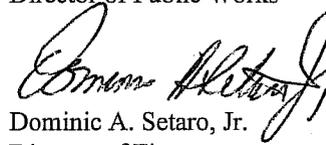
Sincerely,



Eric L. Gotschalk  
Acting Corporation Counsel



John A. Schweitzer, Jr.  
Director of Public Works



Dominic A. Setaro, Jr.  
Director of Finance



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

January 29, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council  
Danbury, Connecticut 06810

Re: Silversmith Heights, LLC  
December agenda item #20  
Silversmith Heights at Sterling Woods

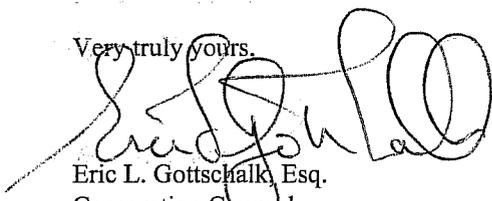
Dear Mayor and Council:

The referenced matter was referred to this office and to the Planning Commission. This matter should also be referred to the Engineering Department in order that they may review the new plans specified in Attorney Paul Jaber's initial correspondence to you. The record does not indicate that this matter was so referred.

Once the Planning Commission and the Engineering Department have reported positively, this office will arrange with counsel for the petitioner to have the necessary release(s) executed.

Please call us with any questions in the meantime.

Very truly yours,

  
Eric L. Gottschalk, Esq.  
Corporation Counsel

cc: John A. Schweitzer, Jr.  
City Engineer

Dennis Elpern  
Director of Planning

Paul Jaber, Esquire



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ENGINEERING DEPARTMENT**  
**(203) 797-4641**

**JOHN A. SCHWEITZER, JR., P.E.**  
**CITY ENGINEER**

January 29, 1997

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

Dear Mayor Eriquez and Common Council Members:

Sylvan Road / Sylvan Estates

At the October 1, 1996 Common Council meeting a request that the City accept Sylvan Road was forwarded to our office for a thirty day report ( reference Item 31 of the Common Council minutes ).

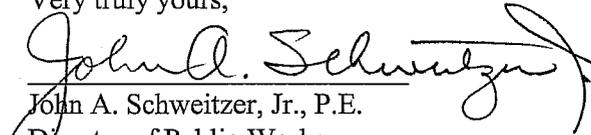
Since that time, all of the construction related items noted in our October 18, 1996 report to you have been addressed to our general satisfaction.

We have also received an acceptable mylar record drawing of the roadway.

We, therefore, recommend that Sylvan Road be accepted as a City street contingent on the submittal to the Corporation Counsel's office of satisfactory legal documents ( title, easements, rights to drain, etc. ).

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

JAS/PAE/pe

c: Eric L. Gottschalk, Esq.  
Frank Cavagna  
Dennis Elpern  
Jason Sivo

36-100



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**PLANNING COMMISSION**  
**(203) 797-4525**

December 10, 1996

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

Re: 8-24 Referral - 36 - Request to accept Hillside Road and Oak Lane as City roads

Dear Council Members:

The Planning Commission at its meeting December 4, 1996, motioned for a negative recommendation for the request to accept Hillside Road and Oak Lane as City roads because the road does not meet City road standards.

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

Sincerely yours,

  
Joseph Justino  
Chairman

JJ/jlc



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

December 26, 1996

**ENGINEERING DEPARTMENT**  
(203) 797-4641

**JOHN A. SCHWEITZER, JR., P.E.**  
CITY ENGINEER

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

Dear Mayor Eriquez and Common Council Members:

**Hillside Road and Oak Lane  
Acceptance Request**

At the November 7, 1996 Common Council meeting a request to accept Hillside Road and Oak Lane as City Roads was forwarded to our office for a report (reference Item 36 of the meeting minutes).

It has been requested that these roads be accepted under Section 2-143 (Assessments for Public Improvements) or Section 17-43 (assume they mean 17-34 Acceptance of certain existing private roads).

With respect to Section 17-34, these roads do not meet the "General requirements" for acceptance:

1. A petition signed by the majority of the owners of properties which abut the roads has not been submitted.
2. Rights of way are approximately 25 feet in width which is less than the 30 foot minimum width set for in the ordinance.
3. Hillside Road varies from approximately 12 feet to 18 feet in width and Oak Lane varies from approximately 16 feet to 18 feet in width which widths are all less than the 20 foot minimum width set for in the ordinance.
4. The Director of Public Works and the City Engineer must certify that the roads are adequate to support the traffic which is expected to use it and that the roads are in conditions such that they are reasonably safe for public travel. I cannot certify as such for either of the roads in question. Besides being inadequate width wise with respect to road right of way and pavement widths, Hillside Road is excessive in grade (over 16%), there is a question whether the paved roadways are located entirely within the road rights of way and neither road has an adequate turnaround area for City maintenance vehicles.

(continued on page 2)

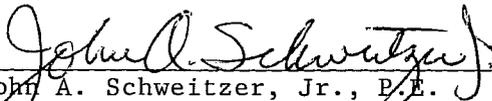
For thereasons noted above it is recommended that these roads not be accepted under the Section 17-34.

With respect to acceptance under Section 2-143, this is a long and fairly complicated process. Our office would have to be directed by the Common Council to prepare plans and cost estimates for bringing the road into compliance with standards for acceptance. Public Hearings would be needed to allow property owners to comment on proposed assessments to be levied against their properties. Property takings and slope rights would be required. Zoning variances may be warranted as a result of takings. Based on the comments provided above relative to road right of way and pavement deficiencies, to the lack of turnarounds, to the excessive road grades, and to potential impacts on existing driveways and properties, it may not even be possible to economically and/or physically improve these roads.

It is, therefore, my recommendation that these roads not be accepted under either road ordinance section.

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

  
\_\_\_\_\_  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

JAS/PAE/gw

c: Dennis Elpern  
Frank Cavagna



28

**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

January 13, 1997

**ENGINEERING DEPARTMENT**  
(203) 797-4641

**JOHN A. SCHWEITZER, JR., P.E.**  
**CITY ENGINEER**

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

Dear Mayor Eriquez and Common Council Members:

**Birch Trail**

At the April 2, 1996 Common Council meeting a petition for the acceptance of Birch Trail was forwarded to our office for a report (reference Item 20 of the meeting minutes).

Our office has reviewed various City files and records and field inspected the roadway.

The following comments are offered:

1. The road right of way width as per Town Clerk Map #1287 is approximately 25 feet. The minimum right of way width allowed by Section 17-34 is 30 feet.
2. Pavement width as measured in the field varies between 10 feet and 15 feet more or less. The minimum pavement width allowed by Section 17-34 is 20 feet. Pavement is "bumpy" and in relatively poor condition.
3. Access to Birch Trail is off of either Hull Road or Pine Trail. Neither road is City accepted. Section 17-34 requires that access be off of a City or State accepted road.
4. Road grades based on topographic maps in our files range from 11% to 20% for a number of sections along the road. The City Subdivision Regulations and Road Ordinance both set maximum allowed road grades at 10%.
5. Shoulders are inadequate. Shrubs, rocks, etc. are located immediately outside of the pavement area in some sections. In other sections the shoulder drops off sharply from the edge of pavement. Guard railing would need to be installed in these areas.

(continued on page 2)

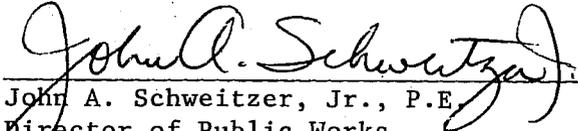
6. The northerly sight line at the intersection of Birch Trail and Hull Road is inadequate.
7. Pavement ends approximately 800 feet in from Hull Road. From that point on the road narrows and is rutted.
8. No turnaround area is provided where the pavement ends.

For the reasons noted above I cannot certify that the road is adequate to support the traffic expected to use it and that it is in a condition reasonably safe for vehicular travel.

I, therefore, recommend that Birch Trail not be accepted by the City.

If you have any questions or require additional information, feel free to contact our office.

Very truly yours,

  
\_\_\_\_\_  
John A. Schweitzer, Jr., P.E.  
Director of Public Works

JAS/PAE/gw

c: Frank Cavagna

BIELIZNA, FRIZZELL, PAPAZOGLU, OLIVO & SWENSON

ATTORNEYS - AT - LAW

66 WEST STREET

DANBURY, CT 06810

(203) 743-5556

FAX: (203) 792-1546

THOMAS A. FRIZZELL  
STEVEN M. OLIVO  
PAUL E. SWENSON  
GEORGE PAPAZOGLU  
(OF COUNSEL)

JULIUS J. BIELIZNA  
(1914-1988)

COUNSEL TO:  
RICHARD A. SMITH, ESQ.  
71 ROUTE 39  
NEW FAIRFIELD, CT 06812

January 22, 1997

Mr. Joseph DaSilva, President  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Road Widening Strip  
Lang Construction Corp.  
Birch Road, Danbury, Connecticut

Dear Mr. DaSilva:

I represent Union Savings Bank, owner of Lot 1 as shown on a subdivision map of property of Lang Construction Corp. on Birch Road. The subdivision was approved in February, 1988, and the map filed on the Danbury Land Records in March, 1988, as Map No. 8863. A road widening strip, designated on the subdivision map as, "'Parcel X' 1,732 S.F. 0.040 AC. to be conveyed to the City of Danbury for further road widening purposes," had not been conveyed at that time.

Request is hereby made that the City of Danbury accept a conveyance of said "Parcel X" from Lang Construction Corp. as set forth in the approved subdivision.

Please let me know if further information will be required. Thank you.

Very truly yours,



Thomas A. Frizzell

TAF/lml

cc: Robert J. Wolfe, Esq.  
Mr. Brian Skarda

Ludwig Soder  
Katharina Soder  
28 Valley Stream Drive  
Danbury, CT 06811  
December 31, 1996

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

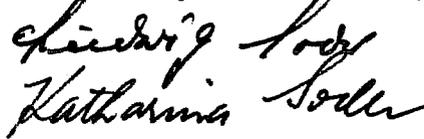
Dear Sirs,

We are writing you regarding the matter of the "Acquisition of Pleasant Acres Water System." We have received notice that we would be assessed for this water system (reference lot I08074). Our lot on Valley Stream Drive is not part of the Pleasant Acres community, and we are not part of the Association of Homeowners of Pleasant Acres. Our property has its own private well and does not receive water from the Pleasant Acres community water system. In addition, the "frontage" on Orchard Drive that was calculated for our home is at the rear of our property. Our lot has "frontage" on Valley Stream Drive. The "frontage" calculated along Orchard Drive is 203.61' and our actual road "frontage" on Valley Stream Drive is 70.78'. This assessment is an unfair cost burden for two senior citizens on a limited income.

At this time, Orchard Drive dead ends before it reaches our property line. Past that point, Orchard Drive is swampy woodland; it is not a city maintained road. It appears on city planning maps for the benefit of lots 80, 81, 83, and 85 in Pleasant Acres which are not developed, and should not be due to the steepness and rockiness of the land. In all fairness it is inappropriate for residents of Valley Stream Drive to subsidize water access for undeveloped lots in the Pleasant Acres Community that in all likelihood will never be developed.

At some point in the future access to the public water system may be requested for Valley Stream Drive. At that time it would be appropriate to include this property in the assessment and development of that public works project.

Thank you for your consideration,



Ludwig Soder  
Katharina Soder

cc: John A. Schweitzer Jr. P.E.  
Gene Enriquez, Mayor of Danbury  
William Buckley, Superintendent Sewer & Water

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water X

Name of Applicant: EUGENE McNAMARA

Address: 1 EUGENE LANE  
DANBURY CT 06811

Telephone: 203-743-1506

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

Located at: DENVER TERRACE

Assessors's Lot No. J09001

Zone: RA 20

Intended Use:      Retail \_\_\_\_\_      Single Family Residential X  
                         Office \_\_\_\_\_      Multiple Family Development \_\_\_\_\_  
                         Mixed Use \_\_\_\_\_  
                         Industrial \_\_\_\_\_

Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units \_\_\_\_\_

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units \_\_\_\_\_

E. J. McNamara  
SIGNATURE

1-23-97  
DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

COMMUNICATION

Vertical text on the left side of the page, possibly a routing slip or administrative note.

Name of Applicant:

Lawrence M. Risthey, Agent for  
North Street Shopping Center

Address:

66 H. Downs St.  
Danbury, Ct 06810

Telephone:

708-9259

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

Located at:

NORTH STREET AND HAMASTOWN AVE @ PADANRUK ROAD

Assessor's Lot No.

H-1125-8

Zone:

CC-10

Intended Use:

Retail \_\_\_\_\_ Single Family Residential \_\_\_\_\_  
Office \_\_\_\_\_ Multiple Family Development \_\_\_\_\_  
Mixed Use X  
Industrial \_\_\_\_\_

Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units \_\_\_\_\_

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units \_\_\_\_\_

Handwritten signature of Lawrence M. Risthey, Agent

SIGNATURE

1/29/97

DATE

|                   |           |         |       |            |   |
|-------------------|-----------|---------|-------|------------|---|
| Post-It® Fax Note | 7371      | Date    | 1/29  | # of pages | 1 |
| To                | Jimmie DA | From    | LARRY |            |   |
| Co./Dept.         |           | Co.     |       |            |   |
| Phone #           |           | Phone # |       |            |   |
| Fax #             |           | Fax #   |       |            |   |

COMMON COUNCIL - CITY OF DANBURY

REVISED

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer  X

Water  X

Name of Applicant:  HUNGARIAN-AMERICAN CLUB OF DANBURY, INC.

Address:  c/o Paul N. Jaber, Esq.   
 148 Deer Hill Avenue

Danbury, CT 06810

Telephone:  (203) 744-2150

The undersigned submits for consideration an application for extension of sewer and ~~xxx~~ water facilities for property

Located at:  56 Pembroke Road

Assessors's Lot No.  G05018

Zone:  RMF-4

Intended Use: Retail \_\_\_\_\_ Single Family Residential \_\_\_\_\_

Office \_\_\_\_\_ Multiple Family Development  X

Mixed Use \_\_\_\_\_

Industrial \_\_\_\_\_

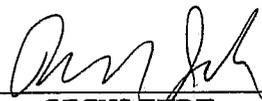
Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units  16

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units  16



SIGNATURE   
Paul N. Jaber, Attorney for Applicant

January 27, 1997   
DATE

CUTSUMPAS, COLLINS, HANNAFIN, GARAMELLA, JABER & TUOZZOLO  
PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

148 DEER HILL AVENUE - P.O. BOX 440, DANBURY, CONNECTICUT 06810

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
ROBERT M. OPOTZNER\*  
THOMAS W. BEECHER  
EVA M. DEFranco  
CHRISTOPHER K. LEONARD  
THOMAS J. MONKS  
LAURA A. GOLDSTEIN  
PETER A. SCALZO

AREA CODE 203  
744-2150  
EXTENSION: 304  
FACSIMILE (203) 791-1126

January 23, 1997

**HAND DELIVER**

OF COUNSEL  
MARK D. NIELSEN

\*ADMITTED IN CONN. & N.Y.

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

Attention: Christopher Setaro, President

Re: Application for Extension of Sewer/Water  
Hungarian-American Club of Danbury, Inc.  
Pannonia Village - 56 Pembroke Road  
Our File No. 95-8320-2-P

---

Dear Mr. Setaro:

Please be advised that I represent Hungarian-American Club of Danbury, Inc., owner of property located at 56 Pembroke Road in Danbury.

Enclosed please find our Application for Extension of Sewer/Water to the above-referenced development. Please advise me of the date and time of the Committee hearing for this matter.

Thank you for your cooperation in this matter.

Yours very truly,



Paul N. Jaber

PNJ/rmc

Enclosure

cc: Frank Ipkovich  
Theodore Haddad, Sr.  
Ralph Gallagher

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer  X

Water  X

Name of Applicant:  HUNGARIAN-AMERICAN CLUB OF DANBURY, INC.

Address:  c/o Paul N. Jaber, Esq.   
 148 Deer Hill Avenue

Danbury, CT 06810

Telephone:  744-2150

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

Located at:  56 Pembroke Road

Assessors's Lot No.  G05018

Zone:  RMF-4

Intended Use: Retail \_\_\_\_\_ Single Family Residential \_\_\_\_\_  
Office \_\_\_\_\_ Multiple Family Development  X   
Mixed Use \_\_\_\_\_  
Industrial \_\_\_\_\_

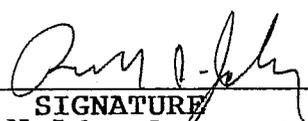
Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units  14

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units  14



Paul N. Jaber, Attorney for Applicant

January 23, 1997   
DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer

Water

Name of Applicant: RAYMOND A. ASMAR

Address: 17 MILL PLAIN RD.  
DANBURY CT.

Telephone: 203-744-5388

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

Located at: 17 MILL PLAIN RD.

Assessors's Lot No. E15033

Zone: CA80

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

Number of Efficiency Units \_\_\_\_\_  
Number of 1 Bedroom Units 1  
Number of 2 Bedroom Units \_\_\_\_\_  
Number of 3 Bedroom Units \_\_\_\_\_  
Total Number of Units \_\_\_\_\_

Ray Asmar  
SIGNATURE  
11/15/97  
DATE



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 27, 1997

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

RE: Ordinance - Deferral of Assessment Increases Attributable to Construction or Improvements

The Committee of the Whole met on January 27, 1997 at 7:10 PM in the Common Council Chambers of City Hall to review a proposed ordinance regarding deferral of assessment increases attributable to construction or improvements. Director of Finance Dominic Setaro, Jr. explained that the ordinance proposal was a recommendation of the Mayor's Economic Incentive Task Force, that the aim of the ordinance was to improve Grand List growth by offering deferrals of municipal tax assessments for new construction and that he did not anticipate a negative impact on future budgets due to lost tax revenue. Assistant Corporation Counsel Les Pinter added that the ordinance would expand the scope of tax deferrals currently offered for development of redevelopment parcels to development within the entire City, that each petition for deferral would be decided upon individually by the Council and that the categories of deferrals are mandated by State statute.

Ms. Clarice Osiecki, President of the Greater Danbury Chamber of Commerce spoke in favor of the ordinance at the public hearing which preceded the committee meeting. Council members discussed with unanimity their desire and intent that the deferrals be limited to non-residential development. Mr. Pinter recommended that in order to clarify this intent, Section 18-25(b)(1) of the proposed ordinance be amended. Mrs. Butera moved to amend the proposed ordinance by placing parentheses around the language "or property subject to air rights" in Section 18-25(b)(1). Seconded by Mr. Shuler and passed unanimously. Mr. Levy moved that Section 18-25 of the Code of Ordinances be repealed and replaced with the proposed ordinance as amended. Seconded by Ms. Fox and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 27, 1997

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

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Ms. Clarice Osiecki, President of the Greater Danbury Chamber of Commerce spoke in favor of the ordinance at the public hearing which preceded the committee meeting. Council members discussed with unanimity their desire and intent that the deferrals be limited to non-residential development. Mr. Pinter recommended that in order to clarify this intent, Section 18-25(b)(1) of the proposed ordinance be amended. Mrs. Butera moved to amend the proposed ordinance by placing parentheses around the language "or property subject to air rights" in Section 18-25(b)(1). Seconded by Mr. Shuler and passed unanimously. Mr. Levy moved that Section 18-25 of the Code of Ordinances be repealed and replaced with the proposed ordinance as amended. Seconded by Ms. Fox and passed unanimously.

Respectfully submitted,

---

CHRISTOPHER C. SETARO, Chairman



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1997

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

RE: Palace Walk

The committee appointed to review the Palace Walk easements met on January 28, 1997 at 7:10 PM in Room 432 of City Hall. In attendance were committee members Setaro, Levy and Mead. Also in attendance were Acting Corporation Counsel Eric Gottschalk, Planning Director Dennis Elpern and Council member Nolan ex-officio.

Mr. Setaro read a positive Planning Commission report on the easement acquisitions at issue. Mr. Gottschalk stated that the agreements between the property owners and the City provide for the acquisition of four easements for rights of use and maintenance of property which would be improved by the City for purposes of Palace Walk, that the resolution provided for acquisition of the easement through condemnation proceedings if necessary and that the City would incur costs related to acquisition of the easements only if condemnation was pursued.

Mr. Elpern explained that the property at issue was basically an L shape down the current walkway along the side of the Palace Theater and across to Liberty Street, that negotiations between the parties for acquisition was progressing positively, that the project is included in the current plan of Redevelopment and that the parking lot in the rear of the Palace Theater is privately owned but currently used by the public. He added that the construction of Palace Walk would cost approximately \$100,000 which would be paid for through previously designated Community Development Block Grant Funds, that the proposed walkway would be constructed of either brick or patterned concrete with ornamental lighting and that when completed would improve access between the Main and Liberty Street areas and serve as an additional benefit if the Palace Theater is renovated as a theater for the performing arts.

Mr. Setaro and Mr. Levy spoke in favor of the proposal due to the improvement to the area, benefits to the downtown through greater and easier access for pedestrians between Liberty and Main Streets and the fact that completion of Palace Walk would effectuate the Redevelopment Plan. Mr. Mead spoke against the proposal based upon the fact that the Palace Theater renovation project is currently in the planning stages and that the parking lot in the rear of the theater is privately owned. Mr. Levy moved that the committee recommend to the Common Council adoption of the resolution and easement agreement. Seconded by Mr. Setaro and passed 2-1 with Mr. Mead voting in the negative.

Respectfully submitted,

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CHRISTOPHER SETARO, Chairman

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WARREN LEVY

---

ALBERT MEAD, JR.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury desires to construct a walkway in the area of the former Palace Theatre to be known as Palace Walk; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedules A, B, C and D attached hereto containing the legal descriptions of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said properties upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said schedules;

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to June 3, 1997, property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suits against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrancers, if any.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1997

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

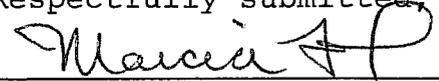
Re: Sewer Line at 54 Kenosia Avenue

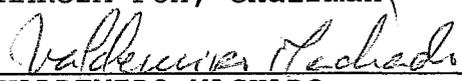
The Common Council Committee appointed to review the request for a sewer line at 54 Kenosia Avenue met on Tuesday, January 14, 1997 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Fox, Machado and Mead, as well as City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Lawrence Riefberg for the applicant and the applicant K. T. Shargouni.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. Buckley outlined the proposal for the committee. The sewer line would pass down Kenosia Avenue from the intersection of Backus and Kenosia towards the airport. The properties affected by the assessment would be 54 and 56 Kenosia Avenue and property owned by the City of Danbury. Attorney Riefberg submitted a letter from Richard Baldwin, the owner of 56 Kenosia Avenue which read that Mr. Baldwin was in favor of a sewer line and would be willing to pay the assessment. Mr. Buckley also indicated that this sewer line could be used in the future for the airport which is without sewers at this time.

Mr. Mead made a motion to services these properties by normal sewer assessment. Seconded by Mr. Machado. Motion carried unanimously.

Respectfully submitted,

  
MARCIA FOX, Chairman

  
VALDEMIRO MACHADO

  
ALBERT S. MEAD, JR.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1997

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

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Mr. Mead made a motion to services these properties by normal sewer assessment. Seconded by Mr. Machado. Motion carried unanimously

Respectfully submitted,

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MARCIA FOX, Chairman

---

VALDEMIRO MACHADO

---

ALBERT S. MEAD, JR.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1997

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

Re: Request for Sewer and Water Extension  
Tarrywile Lake Road

The Common Council Committee appointed to review a request for sewer and water extension on Tarrywile Lake Road met on January 21, 1997 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, Buzaid and Basso. Also in attendance were City Engineer Jack Schweitzer and the petitioner, Ralph Sergi.

The committee had originally attempted to move on this request in November, 1995 when it was then realized that due to the elevation of two of the sites in question, additional engineering would be necessary to supply adequate water pressure and the request was tabled until now. Mr. Schweitzer indicated that an acceptable engineering design had been arrived at for the subject property and that with Council approval the City would provide materials necessary to accommodate certain modifications that would improve service to existing as well as future customers. He further noted that the builder would still be required to install booster pumps in two of the eight planned residences, not unlike systems used in homes with private wells.

The Chair indicated a positive recommendation by the Planning Commission.

Mr. Buzaid motioned to recommend the following:

1. Approval of a sewer extension for the entire project subject to the usual eight steps.
2. Approval of a water extension for the south end (approximately 450-500 feet) of the project subject to the usual eight steps.

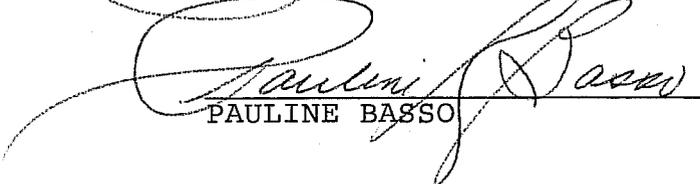
3. Approval of a water extension for the north end (approximately 200 feet) of the project, subject to the usual eight steps with an additional ninth step providing materials to accomodate improved service to existing and future customers.

Motion was seconded by Mrs. Basso and passed unanimously.

Respectfully submitted,

  
THOMAS VALERI, Chairman

  
EMILE BUZAID

  
PAULINE BASSO



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1997

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

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3. Approval of a water extension for the north end (approximately 200 feet) of the project, subject to the usual eight steps with an additional ninth step providing materials to accomodate improved service to existing and future customers.

Motion was seconded by Mrs. Basso and passed unanimously.

Respectfully submitted,

---

THOMAS VALERI, Chairman

---

EMILE BUZAID

---

PAULINE BASSO



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1997

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

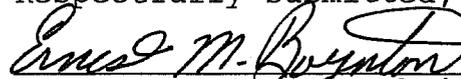
Re: Request for Water on President's Street

The Common Council Committee appointed to review the request for water on Presidents Street met on January 14, 1997 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Boynton and Esposito. Mr. Nolan was absent. Also in attendance were Attorney Lawrence Riefberg for the applicant, Superintendent of Public Utilities William Buckley and City Engineer Jack Schweitzer.

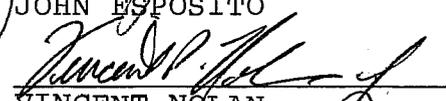
Attorney Riefberg explained his request to extend a water line from its existing position on Presidents Street to lot 1R. Mr. Buckley and Mr. Schweitzer agreed to the request and had no objections to the extension to approximately midpoint of Lot 1R, 32 Presidents Street. During the discussion Mr. Riefberg asked if the City would be completing the loop to Morton Street thereby saving his client hydrant expense. Mr. Buckley suggested that if the applicant would provide all labor, backfill and pavement replacement, the City would provide the materials such as piping, hydrant assembly, valvings and fittings. This would be a win-win situation. The applicant gets the extension and the City would get a completed loop. On behalf of his client Mr. Riefberg agreed to these terms.

Mr. Esposito made a motion to recommend to the Common Council approval of the applicants request subject to the normal eight steps with a ninth step allowing the applicant to complete the water loop from its existing end to Morton Street, subject to the normal eight steps and the additional ninth step. Seconded by Mr. Boynton. Motion carried unanimously.

Respectfully submitted,

  
ERNEST M. BOYNTON, Chairman

  
JOHN ESPOSITO

  
VINCENT NOLAN



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1997

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

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Mr. Esposito made a motion to recommend to the Common Council approval of the applicants request subject to the normal eight steps with a ninth step allowing the applicant to complete the water loop from its existing end to Morton Street, subject to the normal eight steps and the additional ninth step. Seconded by Mr. Boynton. Motion carried unanimously.

Respectfully submitted,

---

ERNEST M. BOYNTON, Chairman

---

JOHN ESPOSITO

---

VINCENT NOLAN



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1997

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

**RE: Lease Between City of Danbury and Police Athletic League**

The committee appointed to review the lease agreement between the City of Danbury and the Police Athletic League ("PAL") met on January 28, 1997 at 6:30 PM in Room 432 of City Hall. In attendance were committee members Setaro, Levy and Mead. Also in attendance were Acting Corporation Counsel Eric Gottschalk, Anthony Lynch and Nelson Neves on behalf of PAL and Council member Nolan, ex-officio.

Mr. Gottschalk explained that the lease at issue was for a period of twenty-five years for which the PAL would pay to the City \$1.00 each year for use of a parcel of property within Hatter's Park on which the PAL would be responsible for the construction and cost of a gymnasium type recreational facility. He added that the promissory note and mortgage for construction and permanent financing which the PAL was to enter into is in the amount of \$650,000.00 payable over ten years, that two related agreements must also be approved by the Council: (i) Assignment of Revenues and (ii) Consent to Leasehold Mortgage and Agreement and that it is possible, though unlikely, that there may be circumstances where if the PAL were to default that the City would incur the financial obligation of the note and mortgage.

Mr. Neves explained that the Planning Commission had made a positive recommendation regarding the lease at issue, that the structure would be one and one-half times the size of the War Memorial, that the financial status of the PAL is strong and that payment of the indebtedness would not be a financial hardship for the organization. He added that the anticipated recreational programming would be substantially the same as that offered at the War Memorial and would benefit thousands of children currently participating in PAL sponsored athletics and that completion of this project was anticipated in the Linear Park plan for Hatter's Park.

Mr. Gottschalk stated that he was in the process of finalizing language which was satisfactory to the lender and the City albeit non-substantive in nature and that any material changes would be brought to the attention of the committee for review. Mr. Mead moved that the committee recommend to the Common Council approval of the lease agreement between the City and the PAL, Assignment of Park Revenues and Consent to Leasehold Mortgage and Agreement in substantially the same form as proposed to the committee. Seconded by Mr. Setaro and passed unanimously.

Respectfully submitted,

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CHRISTOPHER SETARO, Chairman

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WARREN LEVY

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ALBERT MEAD, JR.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810  
OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

January 21, 1997

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

Re: Albert Jowdy v. City of Danbury  
Proposed Settlement

Dear Mayor and Council Members:

Over the past several months we have been engaged in discussions with attorneys for the plaintiff in the above entitled matter. This month these discussions resulted in a tentative agreement which, if approved by the Common Council, would resolve this litigation in a way that best serves the interests of all parties to the action. In order to describe this proposal to you fully, it is my suggestion that the Council meet in executive session. At that time, we will be prepared to answer any questions that you may have.

Sincerely,

Eric L. Gottschalk  
Acting Corporation Counsel

cc: Dominic A. Setaro, Jr., Director of Finance  
Kim Nolan, Esquire



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1997

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

### RE: Lease Between City of Danbury and Police Athletic League

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Mr. Gottschalk explained that the lease at issue was for a period of twenty-five years for which the PAL would pay to the City \$1.00 each year for use of a parcel of property within Hatter's Park on which the PAL would be responsible for the construction and cost of a gymnasium type recreational facility. He added that the promissory note and mortgage for construction and permanent financing which the PAL was to enter into is in the amount of \$650,000.00 payable over ten years, that two related agreements must also be approved by the Council: (i) Assignment of Revenues and (ii) Consent to Leasehold Mortgage and Agreement and that it is possible, though unlikely, that there may be circumstances where if the PAL were to default that the City would incur the financial obligation of the note and mortgage.

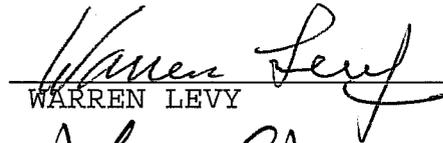
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Respectfully submitted,



CHRISTOPHER SETARO, Chairman



WARREN LEVY



ALBERT MEAD, JR.