

COMMON COUNCIL MEETING

OCTOBER 7, 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 September 3,  
1997 and the Special Common Council Meeting held September 11, 1997

CONSENT CALENDAR

- 1 RESOLUTION - 1998-99 Women, Infant and Children's (WIC) Grant
- 2 RESOLUTION - Eastern Connecticut Libraries
- 3 RESOLUTION - Adaptive Technology Grant
- 4 RESOLUTION - Collection Development Grant
- 5 RESOLUTION - First Street, Beaver Brook Road and Germantown Road  
Sewer Project
- 6 COMMUNICATION - Reappointments to the Commission on Aging
- 7 COMMUNICATION - Request for Funds for Danbury Music Center
- 8 COMMUNICATION - Donation to the Police Department
- 9 COMMUNICATION - Donations to the Department of Elderly Services
- 10 COMMUNICATION & CERTIFICATION - Reappropriation of Donated Funds  
Commission on Aging
- 11 COMMUNICATION & CERTIFICATION - Request for Funds for Fire  
Department's Rental Real Estate Account
- 12 COMMUNICATION - Request to declare items surplus for donation to  
Jarabacoa
- 13 COMMUNICATION - Request for Funds to purchase two Voting Machines

- 14 COMMUNICATION - Consent Order Modification - Danbury Landfill
- 
- 15 COMMUNICATION - Report regarding request to alter or improve scenic road site lines
- 
- 16 COMMUNICATION - Request for Hawthorne Cove Road to be accepted as a City Road
- 
- 17 COMMUNICATION - Request to Purchase City land on Deerfield Avenue
- 
- 18 COMMUNICATION - Offer to sell property on Rowan Street to the City
- 
- 19 COMMUNICATION - Lease Agreement for space at First Congregational Church - REACH & REBOUND Programs
- 
- 20 COMMUNICATION - Citycenter Developers, Inc. Request to lease a portion of the Danbury Green
- 
- 21 COMMUNICATION - Negotiations to Acquire Robin Hill Water Company
- 
- 22 COMMUNICATION - Report from City Engineer regarding Sewer and Water Services - Cornell Hills Association, Inc.
- 
- 23 COMMUNICATION - Reports regarding offer to sell land on Scuppo Road to the City
- 
- 24 DEPARTMENT REPORTS - Landfill, Public Works, Engineering, Fire Chief, Fire Marshall, Health and Housing, Public Buildings, Elderly Services, Police Chief, Highways
- 
- 25 REPORT & ORDINANCE - Section 18-25(b) Deferral of Assessment Increases attributable to construction or improvements
- 
- 26 REPORT & ORDINANCE - Department of Permit Coordination
- 
- 27 REPORT & ORDINANCE - Review and Evaluation of Government Entities
- 
- 28 REPORT - Renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road as Old Ridgebury Road and the Renumbering of Old Ridgebury Road
- 
- 29 REPORT - Renumbering of South Cove Road
- 
- 30 REPORT - Campaign Finance Reform
- 
- 31 REPORT - Request for Reimbursement of Sewer Line Expenses at 76 Deer Hill Avenue
- 
- 32 REPORT - Request for Water Extension at 47 Beckerle Street
- 
- 33 REPORT - Request for Sewer and Water Extensions - Briar Ridge Road

34 REPORT - Request for Sewer and Water Extension - Mill Plain Road  
Cut-Off

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35 REPORT - Request for Water Extension - Westville Avenue Ext.

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

APPROVED BY THE  
CITY CLERK



# 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: September 23, 1997

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

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

Re: **1998-99 Women, Infants and Children's (WIC) Grant**

We have been notified that the State of Connecticut has amended the WIC grant application to a bi-annual application whereby fiscal year 1998-1999 is to be included in the current application. To that end, attached is an amended resolution for your consideration that extends the previously approved resolution to include the 1998-1999 time frame. The grant will be funded in the amount of \$232,528 per year with no local match. Attached is a copy of the impact statement and budget for your review.

I request the attached resolution be put on the next Common Council Agenda.

A handwritten signature in cursive script that reads "Noreen C. Buzerak".

Noreen C. Buzerak  
Attach.

cc: Dominic A. Setaro, Jr.  
Kimberly G. Redenz  
M. Montana



## WIC PROGRAM

13 Main Street

Danbury, Connecticut 06810

797-4629

### IMPACT STATEMENT WIC GRANT

#### PROGRAM IMPACT:

The Special Supplemental Food Program for Women, Infants and Children (WIC) is a nutritional education program benefiting infants, children under five and pregnant, postpartum and breastfeeding women with low to moderate family incomes. An estimated 1850 participants currently benefit from the Danbury WIC Program.

WIC's primary mission is to give the community's most vulnerable children the best possible start during the critical stages of fetal and childhood development and to achieve optimal nutritional status for children before they start school.

The program's objectives are to improve the nutritional status of every eligible participant by providing education, nutritional assessment, breastfeeding counseling, and access to other social and health programs. WIC also provides supplemental foods that supply significant amounts of protein, iron, vitamins A & C, calcium and other nutrients that are important during periods of growth. These foods are purchased with vouchers at participating local grocers.

#### FISCAL IMPACT:

There are no direct city personnel, benefit, equipment or other costs associated with this grant. No future costs are anticipated with the exception of a decrease in funding. Should levels decrease... the City may be responsible for severance costs to staff. This is unlikely based on the history of the WIC Program and its proven success rate. Studies have shown that each dollar spent on WIC saves three dollars in medical expenses for infants who may have been premature or had other medical problems if they had not benefited from WIC services.

#### ANTICIPATED GRANT LIFETIME:

This grant period reflects the 21st year of funding for the City of Danbury.

WIC PROGRAM BUDGET  
 NAME OF LOCAL WIC PROGRAM - DANBURY  
 FISCAL YEAR 1998

SUMMARY OF JUSTIFICATION					
	GENERAL ADMINISTRATION	CLIENT SERVICES	NUTRITION EDUCATION	BREAST FEEDING	LINE ITEM TOTAL
SALARIES	17,064	90,601	27,086	18,283	153,034
FRINGE BENEFITS	4,885	29,504	12,081	8,155	54,625
EQUIPMENT	0	0	0	0	0
CONTRACTED SERVICES	0	0	0	0	0
SPACE RENTAL	1,500	6,800	1,000	700	10,000
SUPPLIES	300	0	193	0	493
POSTAGE	500	0	0	0	500
TELEPHONE	300	1,360	200	140	2,000
PRINTING AND REPRODUCTION	195	884	130	91	1,300
TRAVEL, IN-STATE	1,200	0	0	0	1,200
TRAVEL, OUT-OF-STATE	0	0	0	0	0
OTHER	8,976	0	400	0	9,376
TOTALS	34,920	129,149	41,090	27,369	232,528

Special conditions or restrictions in addition to those contained in the state plan.

BUDGET APPROVED BY

*[Signature]*  
 Signature State WIC Director/Date

July 8, 1997

WIC 21 (REV. 7/95)  
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WIC PROGRAM BUDGET  
 NAME OF LOCAL WIC PROGRAM - DANBURY  
 FISCAL YEAR 1999

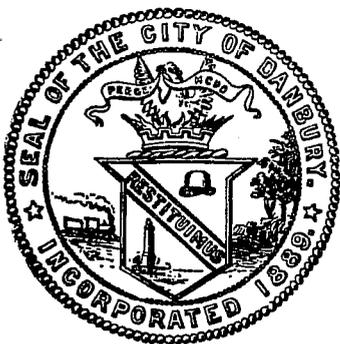
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BUDGET APPROVED BY

*[Signature]* July 8, 1997  
 Signature State WIC Director/Date

WIC 21 (REV. 7/95)  
 C:\123R4W\LOCAL\BUDGET98.WK4



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services has notified the City of Danbury Health and Housing Department of its eligibility to apply for a renewal grant for its Women, Infants and Children's (WIC) Supplemental Nutrition Program; and

WHEREAS, the Danbury Health and Housing Department's WIC Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women, nursing mothers and children up to age five; and

WHEREAS, the Supplemental Nutrition Grant will be in an amount not to exceed \$232,528 and will cover the grant term from October 1, 1997 through September 30, 1998 and an additional grant year of October 1, 1998 through September 30, 1999 in the amount of \$232,528. and will require no matching funds from the City of Danbury.

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said grant on behalf of the Danbury Health and Housing Department, and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury, is hereby empowered to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Public Health Services and to accept said grant funds, if offered.



# 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: September 22, 1997

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

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

Re: Resolution - **Eastern Connecticut Libraries**

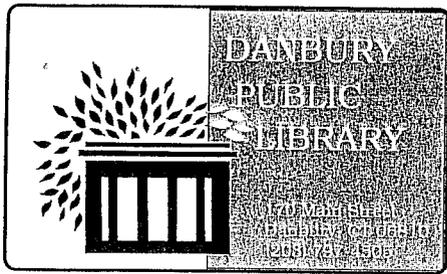
Attached is a resolution for your consideration that will allow the City of Danbury Public Library to apply for and accept a grant funding from the Eastern Connecticut Libraries in the amount of \$3000. This grant will be for the purchase of computer hardware and software to access Connecticut employment opportunities. A local cash match of \$1500 is required. These funds are available in the library's current operating budget.

I request that the Common Council consider this resolution at its October meeting.

*Noreen C. Buzerak*

Noreen C. Buzerak  
Attach.

cc: Dominic A. Setaro, Jr.  
Kimberly G. Redenz  
E. McDonough



September 8, 1997

Dear Honorable Council Members,

Danbury Public Library respectfully requests your support for the attached resolution. The resolution calls for the authorization for the library to apply for a \$3,000 grant from Eastern Connecticut Libraries.

The grant requires a cash match of \$1500. These funds are available in the library's current operating budget.

The purpose of this grant is to provide information on job searching and employment opportunities, especially within Connecticut. It will include Internet access, CD-Rom databases as well as a variety of books on these topics.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Betsy".

Elizabeth McDonough  
Library Director

cc: Mayor Gene F. Eriquez  
City Clerk

EASTERN CONNECTICUT LIBRARIES  
CONNECTICUT WORKS GRANT  
PROJECT BUDGET

Amount requested: \$ 3000Applicant (organization) Danbury Public Library

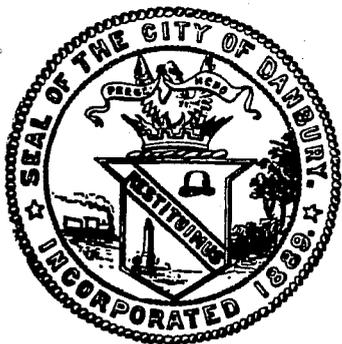
Only the costs listed below are eligible costs under this project.

	Equipment/service	A. Grant Funds Requested	B. Local Match (Cash/In-kind)	C. Total Project Cost (add A + B)
1. a.*	Computer Hardware	\$1772		\$1772
b.*	Computer Software	\$150		\$150
c.	Printer	\$357		\$357
2.	Installation fees			
3.	Internet account/telephone services		\$1027	\$1027
4.	Related materials	\$721	\$473	\$1194
	TOTALS	Total Column A \$3000	Total Column B \$1500	Total Column C \$4500

Signature: E McDonough Date: 8/26/97  
Library Director

\*Equipment purchased or up-graded must meet the following minimum technical standards:

- 1) IBM compatible computers must have at least a 166 MHz 586 processor (200 MHz preferred, with MMX technology where complimentary), with 32 MB RAM, 2.1 GB Hard Disc, 8XCD ROM drive, 1.44 MB 3.5" floppy disc drive, 14" SVGA color monitor with VL bus card, keyboard with trackball or mouse, Windows 95 and DOS 6.2 operating system.
- 2) Macintosh-compatible computers must have at least an 180 MHz Power PC processor, with 32 MB RAM, 2 GB Hard Disc, 8XCD ROM drive, high density floppy disc drive, 14" color monitor, keyboard with trackball or mouse, and System 7.5.
- 3) 28.8 Kbps V.34 modem (internal or external)
- 4) Printer: ink jet or laser printer.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Eastern Connecticut Libraries has made funds for competitive grants available to public libraries within Connecticut for the purpose of supporting job seekers; and

WHEREAS, the Danbury Public Library has made application to Eastern Connecticut Libraries for a grant of \$3,000, which requires a local cash match of \$1,500; and

WHEREAS, the Information Services Desk at the Danbury Public Library aids a wide variety of patrons seeking jobs, through the use of classified ads in newspapers throughout Connecticut as well as guiding job hunters to information on resume writing and job interview skills; and

WHEREAS, the Danbury Public Library wishes to increase and enhance our resources for job seekers to include Internet access to jobs in Connecticut as well as initiate CD-ROM databases on resume writing and job skills and increase the number of books on these subjects;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That in accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$1,500, the sum of which totals at least one half of the amount of the grant.
2. That all prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$3,000, upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.



# 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: September 23, 1997

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

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

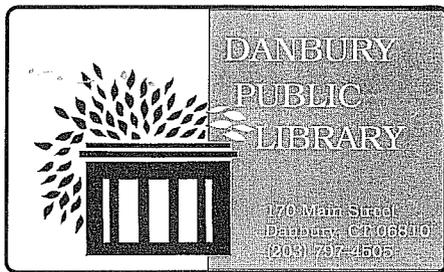
Re: **Adaptive Technology Grant**

Attached is a resolution for your consideration that will allow the City of Danbury Public Library to apply for and accept a grant funding from the Connecticut State Libraries in the amount of \$4988.42. This grant will be for a Library Services and Technology Assistance Grant to assist the library in purchasing computer equipment and software to provide services to individuals with disabilities. A local cash match of \$1,247.11 is required. These funds are available in the library's current operating budget.

I request that the Common Council consider this resolution at its October meeting.

Noreen C. Buzerak  
Attach.

cc: Dominic A. Setaro, Jr.  
Kimberly G. Redenz  
E. McDonough



September 16, 1997

Dear Honorable Council Members,

Danbury Public Library respectfully requests your support for the attached resolution. The resolution calls for the authorization for the library to apply for a \$4,988.42 grant from the Connecticut State Library.

The grant requires a cash match of \$1247.11. These funds are available in the library's current operating budget.

The purpose of this grant is to purchase two computer workstations for the Public Technology Center which would provide wheelchair access and hardware and software to assist our customers who have sight and limb-related or motor control impairments. .

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Betsy".

Elizabeth McDonough  
Library Director

cc: Mayor Gene F. Eriquez  
City Clerk

CONNECTICUT STATE LIBRARY  
LIBRARY SERVICES AND TECHNOLOGY ACT  
ADAPTIVE TECHNOLOGY GRANT  
PROJECT BUDGET

Amount Requested                      \$ 4988.42

Applicant (Organization)              Danbury Public Library

ONLY THE COSTS LISTED BELOW ARE ELIGIBLE COSTS UNDER THIS PROJECT.

		A. LSTA Funds Requested	B. Local Match Cash	C. Total Project A+B
1.	Computer software	3196.72	799.18	3995.90
2.	Installation fees	0	0	0
3.	Adaptive furniture	0	0	0
4.	Equipment	1742.24	435.56	2177.80
5.	Other Please describe	49.46 (1% audit fee	12.37 required by City of Danbury)	61.83
6.	TOTAL	\$4988.42	\$1247.11	\$6235.53

Signature Elizabeth McDonough  
Library Director

Date 9/17/97



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made available Library Services and Technology Assistance grants to assist public libraries in purchasing equipment and software to provide services to individuals with disabilities; and

WHEREAS, the Danbury Public Library seeks to upgrade its computer equipment to provide access to customers with disabilities; and

WHEREAS, the Danbury Public Library has prepared an application to the Connecticut State Library for a grant of \$4,988.42, which requires the library to match \$1,247.11 available in the library's 1997-98 operating budget; and

WHEREAS, this grant will enable the disabled members of public to access information resources more fully in their community library.

NOW, THEREFORE, BE IT RESOLVED THAT approval is hereby given for said application and that Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to sign said application and that the Mayor and the Director of the Danbury Public Library are hereby authorized to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said applications requiring additional expenditure of the City of Danbury funds must receive prior approval by the Common Council.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

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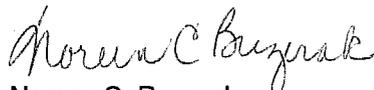
## M E M O R A N D U M

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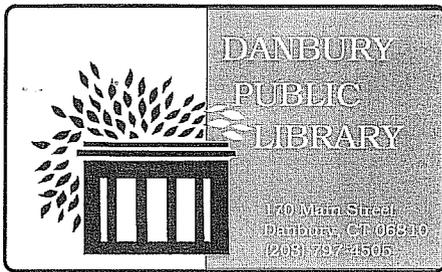
**DATE:** September 24, 1997  
**TO:** Hon Gene F. Eriquez  
via the Common Council  
**FROM:** Noreen C. Buzarak, Grants Administrator/Internal Auditor  
**RE:** Collection Development Grant

Attach is a resolution for your consideration that enables the City of Danbury Public Library to apply for funds from the Connecticut State Library for a Collection Development Grant to assist the Library in providing materials and services for non-English speaking populations. The grant is for \$12,238.50 and requires an in-kind match of \$1,108.80, and a cash match of \$2,000 which will be provided thru the current Library Operating Budget.

I request that the Common Council consider this resolution at its October meeting.

  
Noreen C. Buzarak

cc: Dominic A. Setaro, Jr.  
Kimberly G. Redenz  
E. McDonough



September 22, 1997

Dear Honorable Council Members,

Danbury Public Library respectfully requests your support for the attached resolution. The resolution calls for the authorization for the library to apply for a \$12,238.50 grant from the Connecticut State Library.

The grant requires a cash match of \$2,000. These funds are available in the library's current budget. It also requires an in-kind match of \$1,108.80 which will allow our bilingual librarian to go out into the Spanish and Portuguese communities to inform them of the ESL resources at the Danbury Library.

The purpose of this grant is to provide ESL support to the adult population in Danbury through the use of computers and databases, videos, audiobooks and dictionaries, as well as instruction on using the Internet.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Betsy".

Elizabeth McDonough  
Library Director

cc: Mayor Gene F. Eriquez  
City Clerk

CONNECTICUT STATE LIBRARY  
LSTA PROJECT BUDGET

Amount Requested \$12,238.50

Funding Category Collection Development

Applicant (Organization) Danbury Public Library

	A. LSTA Funds Requested	A. LSTA Funds Requested	C. Local Match Cash	C. Local Match In-Kind	D. Total Project A-B-C
1.	Personnel a. Salary				
	b. fringe			\$1,108.80	
2.	Travel	\$31.50			
3.	Supplies	\$250.00			
4.	Equipment	\$7,036.00			
5.	Rental*				
6.	Postage				
7.	Phone				
8.	Contractual				
9.	Printing	\$1,000.00			
10.	Library Materials	CD ROMS \$500.00 Audio Cassettes \$1,500.00 Videocassettes \$1,500.00 Dictionaries \$300.00	CD ROMS \$2,000.00		
11.	Other (Specify)	City audit \$121.00			
12.	TOTAL	\$12,238.50	\$2,000.00	\$1,108.80	\$15,347.50

\*In Kind only

Signature Susan J. Abston  
Project Director

Date September 19, 1997

Signature \_\_\_\_\_  
Fiscal Agent

Date \_\_\_\_\_



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut State Library has made funds for competitive grants available to public libraries within Connecticut for the purpose of assisting Connecticut libraries in providing materials and services which will increase access to information resources for non-English speaking populations; and

WHEREAS, the Danbury Public Library has made application to the Connecticut State Library for a grant of \$12,238.50, which requires a local cash match of \$2,000 and an in-kind match of \$1,108.80; and

WHEREAS, the Danbury Public Library has used documentation from the Danbury schools, Greater Danbury Literacy Volunteers, the Greater Danbury Chamber of Commerce and its own circulation records of ESL materials to determine the need for ESL support in the Spanish and Portuguese speaking communities; and

WHEREAS, the Danbury Public Library wishes to provide increased numbers of books, audiobooks and videos to assist in learning English from Spanish and Portuguese and initiate a two workstation computer center with CD-ROMS for independent learning of English as a Second Language.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

1. In accordance with the requirements of the Grant Award, the City of Danbury will provide a local cash match of \$2,000 and an in-kind match of \$1,108.80, the sum of which totals at least 25% of the amount of the grant.
2. All prior acts of authorized personnel of the Danbury Public Library and the Mayor of the City of Danbury in making application for said grant are hereby ratified and that the Mayor of the City of Danbury and the Director of the Danbury Public Library are hereby authorized to accept grant funds in the amount of \$12,238.50 upon approval of the City's application and to do any and all things necessary to effectuate the purposes thereof, provided, however, that any amendments to said application requiring expenditure of City of Danbury funds must receive prior approval by the Common Council.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

September 22, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: First Street, Beaver Brook Road and Germantown Road Sewer Project

Dear Mayor and Council Members:

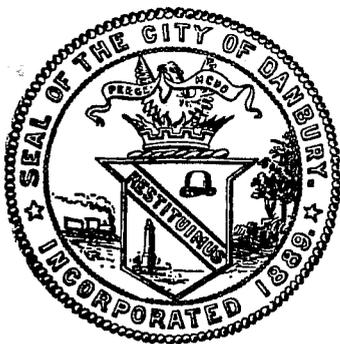
In March of 1997 the Common Council authorized the last of the property acquisitions required in order to proceed with the above referenced sewer extension project. The last of the related title searches was just completed and forwarded to us last week. Since acquisitions must be initiated within six months of council approval, council re-approval is now necessary.

Planning Commission approval is already in hand, therefore please consider and act upon the attached resolution at your earliest opportunity.

Sincerely,

Eric L. Gotschalk  
Acting Corporation Counsel

ELG/msm



# 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;

WHEREAS, resolutions authorizing the acquisition rights were submitted to and approved by this Council in December 1996 and March 1997; and

WHEREAS, due to the requirement that rights of eminent domain be renewed every six months where the acquisitions have not occurred, re-authorization of the referenced attached acquisitions is now required;

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire on or prior to April 7, 1998 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 13.

## Sanitary Sewer Easements

<u>Exhibit No.</u>	<u>Owner(s) Now or Formerly</u>	<u>Lot No.</u>	<u>Location</u>
1.	Lamson, Annie M.	J10173	Hawley Ave.
2.	St. Platons Russian Orthodox Greek Catholic Church	J10171	Hawley Ave & Shepard Road
3.	Ridnert, Mary Cerrone, Jean & Hatstat, Joan M.	J10176	Great Plain Rd.
4.	Wanetski, Lucy	J10175	Great Plain Rd.
5.	Barry, S. Ray and Gloria	J11266	First Street
6.	Simao, Joseph & Gail	J11276	Oak Ridge Gate
7.	Dahl, James and Evelyn	J11277	Oak Ridge Gate
8.	Geraldine A. Rank	J11265	First Street
9.	Keever, Pamela	K10025	8 Michaud Rd.
10.	Montesi, William & Donna	J10180	20 Michaud Rd.
11.	Petruzzelli, Dennis & Pamela	K10024	6 Michaud Rd.
12.	Robertine, Adam and Anna Parcel A	J10178	3-7 Great Plain Road
	Parcel B	J10145	Michaud Road
13.	Southern England Telephone	K10019	1 Rockwell Road



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

October 7, 1997

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your approval the reappointment of the following individuals to serve on the Commission on Aging for a term to expire October 1, 2000:

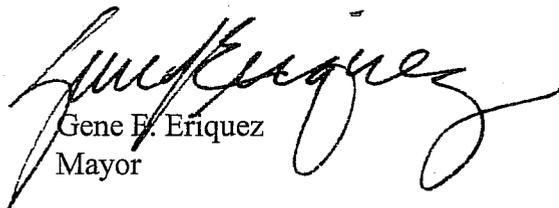
Olita Grigors (U)  
28 Spruce Mountain Road  
Danbury, CT 06810

Katherine Santuro (U)  
12 Crofut Place  
Danbury, CT 06810

John Grimes (D)  
21 1/2 Walnut Street  
Danbury, CT 06810

The aforementioned individuals are members in good standing and are willing to serve another term. Thank you for your consideration of these reappointments.

Sincerely,



Gene F. Enriquez  
Mayor

GFE:kgg



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

October 7, 1997

Honorable Members of the Common Council  
City of Danbury, Connecticut

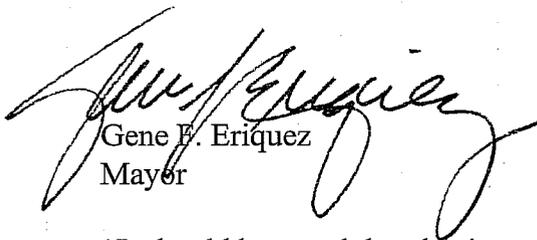
Dear Council Members:

As you are aware, the Danbury Music Centre has presented the "Nutcracker" ballet for thirty years for the benefit of our community. During this time, the production has been a highlight of the holiday season in Danbury. Each year features outstanding performances by local talent.\*

Due to a change in the choreographer, the practice facility that has been used is no longer available. Because of this, a new site, preferably at Danbury High School where the ballet is to be performed, is needed for rehearsals. The rehearsals usually take place when the school is closed which necessitates the payment of custodial fees for which the Music Centre is not able to pay with their limited budget. I, therefore, respectfully request an appropriation of \$5,000 to the Danbury Music Centre to allow our timeless "Nutcracker" to be performed again this year.

I thank you for your consideration in this matter.

Sincerely,



Gene F. Eriquez  
Mayor

\*It should be noted that this is one of the only productions in the United States that uses all community volunteers on the stage as well as in the orchestra.



**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**

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

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

September 16, 1997

**Memorandum**

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

From: Chief Robert L. Paquette

Subject: Acceptance of Donation - Explorers Post #33

Permission is requested to accept the donation of a van from Joseph DeSimone, Danbury Ambulance Company. The van has been offered to Danbury Police Explorers Post #33.

The van is a 1986 Ford Econoline 350, Vin. #1FTHS3417GHA72634.

  
Robert L. Paquette  
Chief of Police

RLP:ks  
c: Mayor Gene Eriquez



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810  
DEPARTMENT OF ELDERLY SERVICES  
COMMISSION ON AGING

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

**Municipal Agent**  
80 Main Street  
(203) 797-4687

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

September 29, 1997

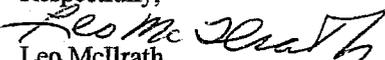
Mayor Eriquez and Members of the Common Council:

The following donations (\$73.00) were sent to the Department of Elderly Services to be used for the Danbury Senior Center.

Perritt Laboratories, Inc.	48.00
Sally A. Mortara	<u>25.00</u>
	73.00

Please transfer these to the line item as requested on the accompanying form and thank you for all of your generous, good work.

Respectfully,

  
Leo McIlrath



# 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

Date: 09/30/97

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 \$679.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Office Supplies - \$100.00

Professional Service Fees - 579.00

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

  
Leo McIlrath

LM/jg

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



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

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

---

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

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**DATE:** October 1, 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 \$679.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget to the following accounts:

Office Supplies	02-05-167-040100	\$100.00
Professional Services-Fees	02-05-167-020100	\$579.00

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

DAS/jgb



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

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

---

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

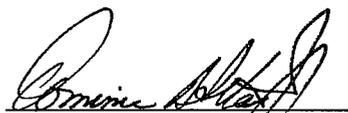
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**DATE:** September 29, 1997  
**TO:** Hon. Gene F. Eriquez via the Common Council  
**FROM:** Dominic A. Setaro, Jr., Director of Finance  
**RE:** Fire Department - Rental Real Estate  
**CC:** Carmen Oliver

**CERTIFICATION #12**

As per the attached request from Fire Chief Carmen J. Oliver, I hereby certify the availability of \$7,294.000 to be transferred from the Contingency Fund to the Fire Department's Rental Real Estate Account #02-02-110-024500.

Balance of Contingency	\$138,251.32
Less this request	<u>7,294.00</u>
Balance	\$130,957.32

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

DAS/jgb

**DANBURY FIRE DEPARTMENT  
19 NEW STREET  
DANBURY, CT. 06810-6511**

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**MEMORANDUM**

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**DATE:** September 24, 1997

**TO:** Gene F. Eriquez, Mayor  
Common Council Members

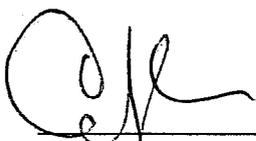
**FROM:** Carmen J. Oliver, Fire Chief

**RE:** Account 0202110-024500 - Rental Real Estate

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

I am requesting the transfer of \$7,294.00 from the contingency fund to Account 0202110-024500, Rental Real Estate. These funds will be utilized for rental payment to King Street Volunteer Fire Company for the quarters of Engine Company #25 for the remaining six (6) months of fiscal year 1997-1998.

If additional information is needed, please contact me directly.



---

Carmen J. Oliver  
Fire Chief



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

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

October 7, 1997

Honorable Members of the Common Council  
City of Danbury, Connecticut

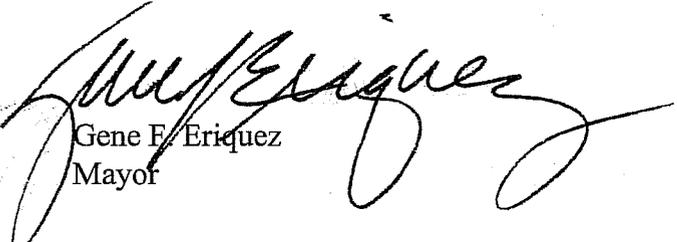
Dear Council Members:

An opportunity has arisen that will allow Danbury to promote its Sister City relationship with Jarabacoa, Dominican Republic. The State of Connecticut Department of Transportation (DOT) has made available various traffic signalization equipment to the City of Danbury. While this equipment has been used, it is operational. There are several items that are available at no cost to the City which are not of benefit to us but would be of significant use to the City of Jarabacoa. Members of the local Dominican community have offered to cover the cost of shipping this equipment to the Dominican Republic.

I, therefore, respectfully request the Common Council declare these various items of traffic signalization equipment surplus and offer them to our Sister City of Jarabacoa, Dominican Republic.

Thank you for your consideration of this matter.

Sincerely,

  
Gene F. Enriquez  
Mayor



RECYCLED  
PAPER

October 1, 1997

TO: Honorable Mayor Eriquez  
Members of the Common Council

RE: Purchase two reconditioned voting machines

The Secretary of the State has informed Danbury because of its voting population it must acquire two additional voting machines for the upcoming November 1997 election. With the increasing number of voters in Danbury we will have to rent two or more additional machines for future elections (i.e. we will need to rent 4 machines for the 1998 election).

It will be cost effective to purchase two reconditioned voting machines rather than to rent them. The cost of renting two voting machines is \$1,000.00 per election. The cost of purchasing two reconditioned voting machines with a 5 year warranty is \$3,000.00.

Our research has shown in 3 recent elections we have spent \$6,000.00 on renting 2 or more voting machines.

In checking with Mariano Brothers (our storage facility landlord), there would be a one time handling charge of \$52.00 for the two additional machines and no additional yearly storage charges.

We are requesting the funds, \$3,000.00, to purchase the two reconditioned voting machines in time for the November 4 election.

Respectfully submitted,



Marge Gallo  
Registrar of Voters



Jean Natale  
Registrar of Voters



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

September 30, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Consent Order Modification  
Danbury Landfill

Dear Mayor and Council Members:

Since the decision to cover the landfill with a geosynthetic membrane was made some months ago, we have been working with Robinson & Cole as well as with staff members in the Connecticut Department of Environmental Protection to develop a revision to the existing Consent Order. The purpose of that revision, which we have now crafted, is to insure that our new plan and the timetable for its implementation are consistent with our contractual obligations as well as with our concern for the environment.

The proposed revision is attached for your review and approval. Please consider it in the usual fashion and if you are inclined to do so, please authorize the Mayor to execute it on behalf of the City of Danbury. If you have any questions with regard to it, we will be available to assist you.

Sincerely,

Eric L. Gottschalk *MSM*  
Acting Corporation Counsel

cc: John A. Schweitzer, Jr., Public Works Director



15

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

October 7, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: September agenda item #32  
Lecher -- Long Ridge Road  
Request to alter or improve scenic road sight lines

Dear Mayor and Council Members:

Since my last letter to you in connection with the above referenced request we have had occasion to speak with Tax Assessor Robert Coyne about the above referenced application. During that discussion we were advised that the property in question, 100 Long Ridge Road, is not located along the portion of Long Ridge Road which the Council designated as a scenic road. Since 100 Long Ridge Road is not so located, it is not subject to the restrictions that would otherwise apply to proposals to correct sight lines along scenic roads.

Under these circumstances, the Common Council need not take any further action on this request. If you have any additional questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk  
Acting Corporation Counsel

ELG/msm

cc: Dennis I. Elpern, Planning Director  
Andrew Lecher, applicant



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

September 30, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: September agenda item #32  
Lecher -- Long Ridge Road  
Request to alter or improve scenic road sight lines

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report with regard to the above-referenced matter. Section 17-115 of the Danbury Code of Ordinances requires that any application requesting permission to alter or improve a scenic road must be referred to the Planning Commission for a report. The Commission must then consider the matter, which may include a public hearing, and report its findings and recommendations to the Common Council within 35 days. The Council must hold its own public hearing within 35 days of receiving the Planning report and then decide the matter within 45 days after that public hearing.

Accordingly, please refer this request to the Planning Commission to formally initiate the review process. If you have any questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk *MSM*  
Acting Corporation Counsel

cc: Dennis I. Elpern, Planning Director

DATE: September 28, 1997

TO: Common Council  
City of Danbury  
City Hall  
Danbury, Ct. 06810

RE: Petition to Have Ownership of Hawthorne Cove Road,  
a Private Road, taken over by the City of Danbury

Dear Members of the Common Council:

We the undersigned property owners with property abutting Hawthorne Cove Road wish to request this private road - Hawthorne Cove Road - be accepted into the City public road system.

It is a substandard road having been built by a developer in 1950. It is owned by the Hawthorne Cove Property Owners Association, an association of 25 property owners in the Hawthorne Cove Development.

Ordinance 17-34 was set up to allow the City to accept substandard roads. The basic requirements of this ordinance are: at least 50% of the property owners with property abutting the road sign the petition, the road have a passable width of at least 20 feet, and the road be certified safe by the City Engineer and the Director of Public Works.

The undersigned represent the required number of property owners. The passable width is at least 20 feet. In terms of being safe, we residents and thousands of other drivers have driven over this road for 47 years.

We would like to bring to your attention the unique feature of this road. It is short road - approximately 2500 feet long - but it connects two public roads in Danbury. It is the connecting road between Shore Road and Forty Acre Mountain Road. Up to 90% of the traffic on our road is nonresident traffic. It is traffic going to and from Hawthorne Terrace Lake Community and Pocono Point Lake Community. If these people did not use our road to their homes they would have a five mile detour to enter their lake communities from another direction. Also City vehicles, including fire trucks and

ambulances, use our road.

For all intents and purposes our road is a public road. It is used continually by the public. But it has private ownership.

It would be in the best interests of all for this road to be owned by the City of Danbury.

William D. Slayen	- William G. GLAZIER	= 13 Hawthorne Cove Road
Laura K. Sock	Laura K. Sock	30 Hawthorne Cove
Maurum Feibusch	Maureen Feibusch	6 Hawthorne Cove
Sharon Bartley	Sharon Bartley	8 Hawthorne Cove
Lynne Koran	Lynne Koran	20 Hawthorne Cove Rd.
Robert Gianfransio	<del>Robert Gianfransio</del>	15 Hawthorne Cove Rd.
Richard Composto	Richard Composto	HAWTHORNE COVE
<del>Bob</del>	Saioree Benete	HAWTHORNE COVE
Susan M. Setaro	SUSAN M. SETARO	14 Hawthorne Cove
Bob Blantin	Bob Blantin	24 Hawthorne Cove
<del>Thomas Healy</del>	THOMAS HEALY	23 Hawthorne Cove
Sheila M. Kuhn	Sheila M. Kuhn	26 Hawthorne Cove
Laura A. HZ	Laura Heneghan	14 Hawthorne Cove

October 1, 1997

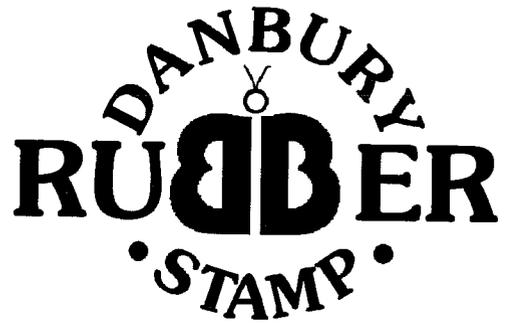
Dear President of The Common Council Mr. Chris Setaro and Councilmen:

I, Nando Casali am interested in buying a City Of Danbury owned property located at Deerfield Avenue, which is the rest of the Deerfield road that was not constructed. My intention is to buy the (5) five lots on both sides of the Deerfield Avenue from Mr. Dominick Peburn Sr. and the rest of Deerfield. I would then combine them all together to create one parcel. The reasons to combine them is because there is no city sewer or water on Deerfield Avenue and the properties are not large enough to build on. My main objective from these proposed transactions is for my Company. My proposal is to have a new place of business for my Company, which is presently located in Danbury, CT.

I know as of now that the properties owned by Mr. Peburn have overdued property taxes payments. **Note:** If there is any questions regarding this letter please contact me at (203)744-4877.

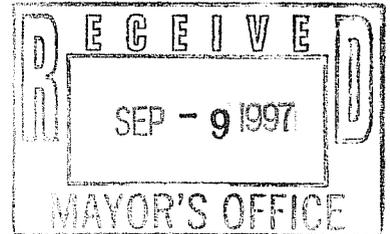
Thankyou, Nando Casali

A handwritten signature in black ink, appearing to read "Nando Casali". The signature is written in a cursive style with a large, sweeping initial "N".



September 6, 1997

Mayor Gene Eriquez  
& Common Council Members  
City Hall  
Deer Hill Avenue  
Danbury, Connecticut 06810



Dear Mayor Eriquez and Common Council Members,

Allow me to begin by saying how I appreciate your efforts in improving the Castro property located on Rowan Street.

Our property, numbers 23 and 25 Rowan Street, abuts 1 Rowan Street. We would like to discuss the possibility of the City of Danbury purchasing it to add to the Action Day Care Center. I believe this would eliminate the problem of entering and exiting the school on Balmforth Avenue. Also, if the park was made smaller, you may consider having both the Day Care Center and The Head Start in the same area.

The lot numbers for my property are C12068 and C12069. The total area is approximately six tenths of an acre.

Your consideration of this proposal will be, I believe, mutually beneficial.

Respectfully yours,

William M. Wichman

enc.  
1 plot plan  
2 real estate tax bills

wmw:sc

The Danbury Rubber Stamp and Marking Device Company  
25 Rowan Street  
Danbury, Connecticut 06810  
203-744-2858 Fax 203-778-3469

N/F Clarence E & Dorothy Cherry

125 Square

1270 Square Ft.

STONE PARKING

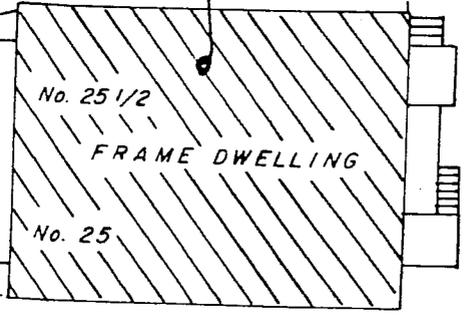
POLE #8402

S 67° 17' E

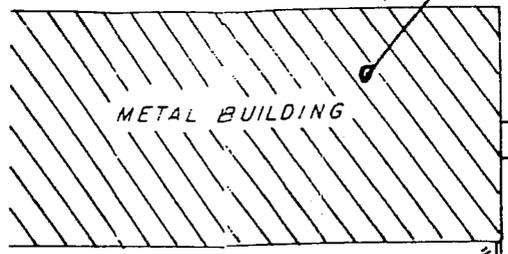
CLOTHES LINE POLE

270.41

SER. WIRES (TYPICAL)



PAVEMENT



16'

PK. NAIL FOUND

IRON PIPE FOUND

CHAIN LINK FENCE

N 67° 17' W

96.30

22,382 S.F. - 0.514 AC.

50.00  
S 23° 11' W

N 67° 17' W

CHAIN

16'

LINK

176.00

FENCE

SEWER M.H.

APPROXIMATE LOCATION - 16' SEWER  
REFER TO VOL. 265 - PG. 407 - D. L.

REAL ESTATE TAX BILL ASSESSMENT DATE - October 1, 1996

DISTRIBUTION OF YOUR TAXI

LIST NUMBER	NAME AND ADDRESS					TAXING AGENCY
96/23089	WICHMAN WILLIAM M & ELIZABETH A					GENERAL GOVERNMENT PUBLIC SAFETY PUBLIC WORKS HEALTH PUBLIC WELFARE, SOCIAL AGENCIES EDUCATION LIBRARIES RECREATION PARKS & CELEBRATIONS RECURRING COSTS DEBT SERVICE - GENERAL DEBT SERVICE - SCHOOL BUILDINGS CAPITAL PROGRAM TRANSPORTATION CONTINGENCY ACCOUNTS
LOT NUMBER	6 MOODY DR					
069	DANBURY CT 06811-4909					
PROPERTY LOCATION	0023 ROWAN ST					
CROSS ASSESSMENT	EXEMPTION	NET ASSESSMENT	TAX RATE	TAX CREDIT	TOTAL TAX DUE	
27,500	0	27,500	.019130		526.08	

PLEASE PRESENT ENTIRE BILL WHEN MAKING PAYMENTS IN PERSON  
 IF NOT PAID IN FULL PROPERTY WILL BE LIENED  
 VALIDATION ON REVERSE SIDE

ESTIMATED STATE MONEY  
 WILL BE \$19,460,659  
 OTHERWISE THE TAX  
 RATE WOULD BE .026150

**TOTAL TAX**

**QUARTERLY PAYMENT**

04/01/98 **4** 05/01/98  
 DATE DUE PAY ON OR BEFORE

LIST NUMBER LOT NUMBER  
 96/23089 I12069

**QUARTERLY PAYMENT**

01/01/98 **3** 02/02/98  
 DATE DUE PAY ON OR BEFORE

LIST NUMBER LOT NUMBER  
 96/23089 I12069

**QUARTERLY PAYMENT**

10/01/97 **2** 11/03/97  
 DATE DUE PAY ON OR BEFORE

LIST NUMBER LOT NUMBER  
 96/23089 I12069

**NAME**  
 WICHMAN WILLIAM M & ELIZABETH

**NAME**  
 WICHMAN WILLIAM M & ELIZABETH

**NAME**  
 WICHMAN WILLIAM M & ELIZABETH

TOTAL TAX	4TH PAYMENT
526.08	131.52
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY PAYMENTS WILL BE SUBJECT TO PENALTIES AS SPECIFIED BY CONNECTICUT STATE LAW.	
<b>TOTAL</b>	

TOTAL TAX	3RD PAYMENT
526.08	131.52
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY PAYMENTS WILL BE SUBJECT TO PENALTIES AS SPECIFIED BY CONNECTICUT STATE LAW.	
<b>TOTAL</b>	

TOTAL TAX	2ND PAYMENT
526.08	131.52
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY PAYMENTS WILL BE SUBJECT TO PENALTIES AS SPECIFIED BY CONNECTICUT STATE LAW.	
<b>TOTAL</b>	

FOR PROPER CREDIT DETACH AND RETURN  
 THIS STUB WITH YOUR PAYMENT  
 CITY OF DANBURY, CONN. 06813

FOR PROPER CREDIT DETACH AND RETURN  
 THIS STUB WITH YOUR PAYMENT  
 CITY OF DANBURY, CONN. 06813

FOR PROPER CREDIT DETACH AND RETURN  
 THIS STUB WITH YOUR PAYMENT  
 CITY OF DANBURY, CONN. 06813

REAL ESTATE TAX BILL ASSESSMENT DATE - October 1, 1996

DISTRIBUTION OF YOUR TAXI

LIST NUMBER	NAME AND ADDRESS					TAXING AGENCY
96/23090	WICHMAN WILLIAM M & ELIZABETH A					GENERAL GOVERNMENT PUBLIC SAFETY PUBLIC WORKS HEALTH PUBLIC WELFARE, SOCIAL AGENCIES EDUCATION LIBRARIES RECREATION PARKS & CELEBRATIONS RECURRING COSTS DEBT SERVICE - GENERAL DEBT SERVICE - SCHOOL BUILDINGS CAPITAL PROGRAM TRANSPORTATION CONTINGENCY ACCOUNTS
LOT NUMBER	6 MOODY DR				PROPERTY	
068	DANBURY CT 06811-4909				CARD #	
PROPERTY LOCATION	0025 ROWAN ST				ESCROW NUMBER	
GROSS ASSESSMENT	EXEMPTION	NET ASSESSMENT	TAX RATE	TAX CREDIT	TOTAL TAX DUE	
151,800	0	151,800	.019130		2,903.96	

Other Tax is due: 96/23089 ESTIMATED STATE MONEY  
 PLEASE PRESENT ENTIRE BILL WHEN MAKING PAYMENTS IN PERSON WILL BE \$19,460,659  
 IF NOT PAID IN FULL PROPERTY WILL BE LIENED OTHERWISE THE TAX  
 RATE WOULD BE .026150  
 VALIDATION ON REVERSE SIDE

**QUARTERLY PAYMENT**

04/01/98 DATE DUE **4** 05/01/98 PAY ON OR BEFORE

LIST NUMBER 96/23090 LOT NUMBER I12068

**QUARTERLY PAYMENT**

01/01/98 DATE DUE **3** 02/02/98 PAY ON OR BEFORE

LIST NUMBER 96/23090 LOT NUMBER I12068

**QUARTERLY PAYMENT**

10/01/97 DATE DUE **2** 11/03/97 PAY ON OR BEFORE

LIST NUMBER 96/23090 LOT NUMBER I12068

NAME: WICHMAN WILLIAM M & ELIZABETH

NAME: WICHMAN WILLIAM M & ELIZABETH

NAME: WICHMAN WILLIAM M & ELIZABETH

TOTAL TAX	4TH PAYMENT
2,903.96	725.99
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY	
PAYMENTS WILL BE SUBJECT	
TO PENALTIES AS SPECIFIED	
BY CONNECTICUT STATE	
LAW.	TOTAL

TOTAL TAX	3RD PAYMENT
2,903.96	725.99
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY	
PAYMENTS WILL BE SUBJECT	
TO PENALTIES AS SPECIFIED	
BY CONNECTICUT STATE	
LAW.	TOTAL

TOTAL TAX	2ND PAYMENT
2,903.96	725.99
<b>REAL ESTATE</b>	INTEREST
DELINQUENT PENALTY	
PAYMENTS WILL BE SUBJECT	
TO PENALTIES AS SPECIFIED	
BY CONNECTICUT STATE	
LAW.	TOTAL

FOR PROPER CREDIT DETACH AND RETURN  
THIS STUB WITH YOUR PAYMENT  
CITY OF DANBURY, CONN. 06813

FOR PROPER CREDIT DETACH AND RETURN  
THIS STUB WITH YOUR PAYMENT  
CITY OF DANBURY, CONN. 06813

FOR PROPER CREDIT DETACH AND RETURN  
THIS STUB WITH YOUR PAYMENT  
CITY OF DANBURY, CONN. 06813

Other Tax is due: 96/23089

Other Tax is due: 96/23089

Other Tax is due: 96/23089

DANBURY PUBLIC SCHOOLS

Administrative Center  
83 Beaver Brook Road  
Danbury, Connecticut 06810-8211  
(203) 797-4701  
FAX (203) 790-2875  
FAX (203) 830-8566

September 30, 1997

TIMOTHY P. CONNORS  
Superintendent of Schools

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

Dear Mayor Eriquez,

Corporation Counsel has been working with the Danbury Public Schools in finalizing a lease agreement for space with the First Congregational Church this school year to run our REACH and REBOUND programs. The cost for this lease is \$25,000, which is an increase from the \$11,500 from last year but includes a significant increase in space from last year. We are going to be using four (4) classrooms and the gymnasium and kitchen. We are also running two programs instead of one this year. The REBOUND program will work with middle school students and the REACH program will work with high school students. We reached agreement with the First Congregational Church on all the specifics and the program is currently in operation, but we do need formal concurrence from the Common Council for this lease agreement.

Please place this item on the October 7 Common Council agenda

Sincerely,

  
Timothy P. Connors

C: Board of Education members  
City Clerk  
Dr. K. Matusiak  
R. Riley

# This Indenture,

Made by and between the FIRST CONGREGATIONAL CHURCH AND ECCLESIASTICAL SOCIETY, UNITED CHURCH OF CHRIST, located at 164 Deer Hill Avenue, Danbury, Connecticut 06810, acting herein by Gene D. Bonney, Chairperson of the Society's committee, hereunto duly authorized,

**Lessor**, and the CITY OF DANBURY, a municipal corporation, located in Fairfield County and organized and existing under and by virtue of the laws of the State of Connecticut, acting herein by its Mayor, Gene F. Eriquez, and hereinafter designated as the

**Lessee**, WITNESSETH: That the Lessor has leased, and does hereby lease to the said Lessee certain areas of said Church, consisting of a gymnasium and kitchen area, 2nd floor classroom 201A, and 3rd floor classrooms 301A/B, 302 and 303A/B, as more particularly shown and designated on Schedule A which is attached hereto and made a part hereof.

Said areas shall be used for classroom and instructional purposes only, by the Danbury Public Schools REACH AND REBOUND Programs in accordance with such further restriction(s) as are identified and set forth herein; ~~including a student teacher ratio not to exceed 5 to 1 for each program~~ teachers must be present at all times including bus arrivals and dismissal in the afternoons,

\*\*Danbury Public Schools will assume the responsibility for providing adequate supervision for maintaining the educational content of the REACH and REBOUND Programs.

This lease shall be

for the term of ten (10) months from the second day of September A.D., 19 97, for the period rent of Twenty five Thousand (\$25,000.00) Dollars, payable in ten (10) equal payments of Two thousand five hundred (2,500) Dollars, each, to wit: on the first day of each month; provided, however, that the first such payment shall be due and payable on or before the 10th day of September, 1997. It is further provided that a good faith deposit of one month's rent shall be made in advance of the first payment.

Janitorial services are included in the monthly rent.

And the said Lessor covenants with the said Lessee that it has good right to lease said premises in manner aforesaid, and that it will suffer and permit said Lessee (it keeping all the covenants on its part, as hereinafter contained) to occupy, possess and enjoy said premises during the term aforesaid, without hindrance or molestation from it or any person claiming by, from or under it.

And the said Lessee covenants with the said Lessor to hire said premises and to pay the rent therefor as aforesaid, that it will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; and also that it will not assign this lease nor underlet a part or the whole of said leased premises, nor make alterations therein, nor use the same for any purpose but that hereinbefore authorized, without written permission from said Lessor but will deliver up the same at the expiration or sooner determination of its tenancy in as good condition as they are now in, ordinary wear, fire and other unavoidable casualties excepted.

**Provided, however,** and it is further agreed that if the said rent shall remain unpaid ten (10) days after the same shall become payable as aforesaid, or if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration therein without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation therein expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken, as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee

**And it is further agreed** between the parties hereto, that whenever this Lease shall terminate either by lapse of time or by virtue of any of the express stipulations therein, the said Lessee hereby waive all right to any notice to quit possession, as prescribed by the statute relating to summary process.

**And it is further agreed** that in case the said Lessee shall, with the written consent of the said Lessor endorsed hereon, or on the duplicate hereof, at any time hold over the said premises, beyond the period above specified as the termination of this Lease, then the said Lessee shall hold said premises upon the same terms, and under the same stipulations and agreements as are in this Instrument contained, and no holding over by said Lessee shall operate to renew this Lease without such written consent of said Lessor

**And it is further agreed** between the parties hereto, that the Lessee agrees to comply with, and to conform to all the Laws of the State of Connecticut, and the by-laws, rules and regulations of the City and Town within which the premises hereby leased are situated, relating to Health, Nuisance, Fire, Highways and Sidewalks, so far as the premises hereby leased are, or may be concerned; and to save the Lessor harmless from all fines, penalties and costs for violation of or non-compliance with the same, and that said premises shall be at all times open to the inspection of said Lessor its agents, to applicants for purchase or lease, and for necessary repairs.

~~And it is further agreed that the said Lessee to pay the water rates or rent for all water used and consumed on said leased premises during the term of said lease in addition to the rent hereinbefore provided for~~

**And it is further agreed** between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Lessor; that in case the damage shall be so extensive as to render the building or demised premises untenable, the rent shall cease until such time as the building shall be put in complete repair; but in the case of the total destruction of the premises, by fire or otherwise, the rent shall be paid up to the time of such destruction and then and from thenceforth this Lease shall cease and come to an end.

If the whole or any part of the demised premises shall be acquired or condemned by Eminent Domain for any public or quasi public use or purpose, then and in that event, the term of this lease shall cease and terminate from the date of title vesting in such proceeding and Lessee shall have no claim against Lessor for the value of any unexpired term of said lease.

**And Lessee** further covenants and agrees that no accumulation of boxes, barrels, packages, waste paper, or other articles shall be permitted in or upon the premises.

**And the Lessee** covenant that in the event the Lessor is required to employ an attorney in order to enforce a provision of this lease, the Lessee shall pay a reasonable attorney's fee.

AND THE LESSEE further covenants to permit neither smoking within the leased premises nor the use of the leased premises for cooking.

AND THE LESSEE agrees that it shall maintain a policy of general liability insurance covering losses arising from property damage or bodily injury, with limits of not less than \$1,000,000.00 (combined, each occurrence) and naming the LESSOR as an additional insured thereon. A certificate of insurance describing said coverage shall be provided to the LESSOR at the commencement of the lease term.

IT IS FURTHER AGREED THAT THE LESSOR shall maintain such property insurance as it deems sufficient to protect its interests in this property, which interests shall include any and all use of the leased property by LESSOR at such times when not in use by LESSEE.

LESSOR shall use the premises in accordance with the Danbury School System Calendar:

MONDAY thru FRIDAY 7:15 a.m. - 2:30 p.m.

Any non-school hour requirements must be requested separately.

**In Witness Whereof,** the parties hereto have hereunto set their hands and seals, and to a duplicate of the same tenor and date, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

Signed, Sealed and Delivered in presence of

_____	CITY OF DANBURY	LS
Laszlo L. Pinter		
_____	Gene F. Enriquez, Mayor	LS
_____	FIRST CONGREGATIONAL CHURCH AND	LS
	ECCLESIASTICAL SOCIETY, UNITED CHURCH	
	OF CHRIST	LS
_____		LS

State of Connecticut, }  
County of \_\_\_\_\_ } ss.

On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me, \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

**In Witness Whereof,** I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

State of Connecticut, }  
County of FAIRFIELD } ss. Danbury

On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me, \_\_\_\_\_, the undersigned officer, personally appeared Laszlo L. Pinter, GENE F. ERIQUEZ, who acknowledged himself to be the Mayor of City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

**In Witness Whereof,** I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

September 30, 1997

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: August agenda item #35  
City Center Developers, Inc.  
Request to lease a portion of the Danbury Green

Dear Mayor and Council Members:

Please be advised that based upon the action taken by the Common Council at its meeting of August 5, 1997, the above-referenced applicant has developed a proposed lease, a copy of which is enclosed, for your consideration. The property to be leased is a strip of land thirty eight feet long by five feet wide. The term is established at 99 years and the rent is fixed at \$190.00 per year. Based upon comments received from staff, the lease also provides that the city will retain the right to approve of design elements in the construction of the ramp, stairs and platform to insure their compatibility with the architectural features of adjacent properties.

Please consider this proposal and if you find it acceptable, authorize the Mayor to sign a lease in a form substantially similar to the one presented here. If you have any questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk  
Acting Corporation Counsel

cc: Dennis I. Elpern, Planning Director  
John A. Schweitzer, Jr., Public Works Director

# THIS LEASE,

Made by this agreement between

CITY OF DANBURY, acting herein by Gene Eriquez, Mayor

LANDLORD and CITY CENTER DEVELOPERS, INC.

TENANT, WITNESSETH:

Whenever used herein, the singular number shall include the plural, and plural the singular, and the use of any gender shall be applicable to all genders.

The Landlord does hereby lease to the Tenant and the Tenant does hereby hire from the Landlord

A certain strip of land being five (5) feet wide and thirty-eight (38) feet in length, as more particularly shown on the attached Plan.

for the term NINETY-NINE (99) years, commencing November 1, 1997 and terminating on October 31, 2096.

for the annual rent of ONE HUNDRED NINETY AND NO/00 (\$190.00) per year, commencing November 1, 1997 and payable on the 1st day of November thereafter, until the end of the term.

And the said Landlord covenants with the said Tenant that he has good right to lease said Premises in manner aforesaid, and that Landlord will suffer and permit said Tenant (he keeping all the Covenants on his part, as hereinafter contained) to occupy, possess and enjoy said premises during the term aforesaid, without hindrance or molestation from Landlord or any person claiming by, from or under Landlord.

And the said Tenant covenants with the said Landlord to hire said premises and to pay the rent therefor as aforesaid, that Tenant will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same, ~~and also that Tenant will not assign this lease nor underlet a part or the whole of said premises, nor make alterations therein, nor use the same for any purpose but that hereinbefore authorized, without written permission~~ from said Landlord but will deliver up the same at the expiration or sooner determination of this tenancy, in as good condition as they are now in, ordinary wear, fire and other unavoidable casualties excepted.

days after the same shall become payable as aforesaid, or if the said Tenant shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized, or make any alterations therein without consent of the Landlord in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, or shall violate any of the agreements herein by the Tenant to be performed, then this Lease shall thereupon, by virtue of this express stipulation therein, expire and terminate, and the Landlord may, at any time thereafter re-enter said premises, and the same have and possess as of the Landlord's former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken, as at common law, shall be necessary to enable the Landlord to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Tenant.

And it is further agreed between the parties hereto, that whenever this Lease shall terminate either by lapse of time or by virtue of any of the express stipulations therein, the said Tenant hereby waives all right to any notice to quit possession, as prescribed by the statute relating to summary process, as well as any right to a trial by jury.

And it is further agreed that in case the said Tenant shall, with the written consent of the said Landlord endorsed hereon, or on the duplicate hereof, at any time hold over the said premises, beyond the period above specified as the termination of this Lease, then the said Tenant shall hold said premises upon the same terms, and under the same stipulations and agreements as are in this Instrument contained, and no holding over by said Tenant shall operate to renew this Lease without such written consent of said Landlord.

And it is further agreed between the parties hereto, that the Tenant shall comply with, and conform to all the Laws of the State of Connecticut, and the by-laws, rules and regulations of the City and Town within which the premises hereby leased are situated, relating to Health, Nuisance, Fire, Highways and Sidewalks, so far as the premises hereby leased are, or may be concerned; and to save the Landlord harmless from all fines, penalties and costs for violation of or non-compliance with the same.

And it is further agreed that said premises shall at all times be open to the inspection of the Landlord and his agents and for necessary repairs by either party. Upon reasonable notice, said premises shall also be open to the Landlord and his agents to show for purchase, mortgage or lease.

And it is further agreed that the said Tenant shall pay for all water, gas and electricity used and consumed on said leased premises during the term aforesaid, in addition to the rent hereinbefore provided for.

~~And it is further agreed between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Landlord; that in case the damage shall be so extensive as to render the building or demised premises untenable the rent shall cease until such time as the building shall be put in complete repair; but in the case of the total destruction of the premises, by fire or otherwise, the rent shall be paid up to the time of such destruction and then and from thenceforth this Lease shall cease and come to an end.~~

And Tenant further covenants and agrees that no refuse or garbage shall be allowed to accumulate or remain in or upon the leased premises.

~~And it is further agreed that this lease shall cease and terminate at the option of the Landlord if the Tenant shall be adjudicated bankrupt or shall compound Tenant's debts or assign Tenant's estate or effects contained in the leased premises for payment thereof, or if a receiver of the Tenant's property shall be appointed, or if this Lease shall, by operation of law, devolve upon or pass to anyone other than the Tenant, or if an execution shall be levied against the estate of the Tenant contained in leased premises, and shall not be satisfied within seventy-two (72) hours thereof. Upon such termination all future installments of rent and other sums due or to become due hereunder shall immediately become due and payable and acceptance by the Landlord of any sum from other than the Tenant shall not be deemed to be a waiver of any of the Landlord's rights and remedies hereunder.~~

And it is further agreed that the failure of the Landlord to insist upon a strict performance of any of the terms, conditions and covenants herein shall not be deemed a waiver of any rights or remedies that the Landlord may have, and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions and covenants herein contained.

And it is further agreed that this Lease contains the entire agreement between the parties and that all representations relating to said premises and to this Lease are included herein.

And the said Landlord covenants and agrees that this Lease and all the rights of the Landlord herein shall be subordinate to the lien of any bona fide mortgage or mortgages now on or which may hereinafter be placed upon the said premises by the Tenant or the successor in title to the Tenant, during the term of this Lease; and said Landlord further covenants and agrees to execute any further instrument or instruments which the Tenant or successor in title to the Tenant may, at any time, require to subordinate this Lease to the lien of any such mortgage or mortgages.

And the said Tenant covenants and agrees that in the event the Landlord is required to employ an attorney in order to enforce any provisions of this Lease, the Tenant shall pay a reasonable attorney's fee to the Landlord.

From and at commencement of this Lease, the Tenant will indemnify and hold the Landlord harmless absolutely from and against any and all claims, suits, damages, actions, costs, expenses, or judgments by reason of any actual or claimed injury to personal property or loss of life sustained in or about the premises during the term hereof. Tenant agrees, throughout the term of this Lease and any renewal, to maintain comprehensive general liability insurance against claims for bodily injury or death or injury to property occurring upon or in the premises, such insurance to afford protection to the limit of not less than \$1,000,000.00 combined single limit coverage for bodily injury, death and property damage for each occurrence. All insurance shall name Landlord as owner and additional insured and Tenant as insured as their respective interests may appear and shall be effected under valid and enforceable policies issued by insurers licensed to do business in the State of Connecticut. The Tenant shall provide the Landlord with a copy of such insurance before the commencement date of this Lease.

Landlord or its agents shall not be liable for any damage to property of Tenant or of others or damage to any property of Tenant by theft or otherwise. Landlord or its agents shall not be liable for any injury or damage to persons or property resulting from fire, explosions, falling plaster, steam, gas, electricity, water, rain, or snow, or leaks from any part of said building or from the pipes, appliances, or plumbing works or from the roof, street, subsurface, or from any other place or by dampness or by any other cause of whatsoever nature. Landlord or its agents shall not be liable for any such damage caused by other tenants or persons in said building or caused by operations and construction of any private, public, or quasi-public work.

In addition to the yearly rent set forth in this Lease, Tenant shall also be responsible for the payment of all real estate taxes levied against the premises; all insurance, including public liability, extended coverage and fire insurance on the premises; and any and all assessments which may be levied against the premises.

The Landlord hereby consents that the Tenant may mortgage this Lease, or assign its interest in this Lease to any successor.

Tenant agrees that the area to be leased will be for the purpose of constructing a ramp, stairs and/or platform to service their existing building which adjoins this leased parcel. The Tenant agrees that it will not commence construction until it receives design approval for the improvements to be constructed on the leased parcel from the Planning Director of the City of Danbury. Construction of the improvements will be in accordance with the approved design and any future changes will be constructed in accordance with any approved design.

In witness whereof, the parties hereto have hereunto set their hand and seals, and to a duplicate of the same tenor and date, this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 19\_\_

Signed, Sealed and Delivered  
in the presence of

CITY OF DANBURY

Gene Eriquez, (Seal)  
Its Mayor duly authorized

CITY CENTER DEVELOPERS, INC. (Seal)

BY: (Seal)

Its \_\_\_\_\_ duly authorized (Seal)

State of Connecticut,  
County of FAIRFIELD }

ss. Danbury

A. D., 1997

Personally appeared CITY OF DANBURY, acting herein by Gene Eriquez, its Mayor duly authorized,

signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of said Municipality before me.

COMMISSIONER OF SUPERIOR COURT,  
NOTARY PUBLIC.

State of Connecticut,  
County of FAIRFIELD }

ss. Danbury

A. D., 1997

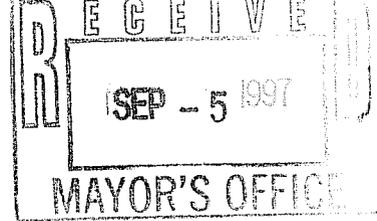
Personally appeared CITY DENTER DEVELOPERS, INC., acting herein by  
its \_\_\_\_\_ duly authorized,

signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of said corporation, before me.

COMMISSIONER OF SUPERIOR COURT,  
NOTARY PUBLIC.

	<p>CITY OF DANBURY</p> <p>to</p> <p>CENTER DEVELOPERS, INC.</p>	<p>LEASE</p>		
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PETER C. HUNT  
ATTORNEY AT LAW  
109 NORTH STREET  
DANBURY, CONNECTICUT 06811



(203) 797-8860  
TELECOPIER (203) 797-9540

September 4, 1997

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

Dear Mayor Eriquez:

Please be advised that I represent the Deer Ridge Condominium Association. Members of the association are very concerned with the negotiations being conducted by Mr. William Buckley to acquire the Robin Hill Water Company which supplies water to the complex for BRT. All information I have received strongly suggests that the City will be paying a greatly inflated price if the transaction is consummated on the terms currently being discussed.

I realize that my clients water bills may be slightly reduced if the transfer takes place, but this does not excuse paying for more for the system than it is worth according to conventional methods of appraising water systems. My concerns are more fully set forth in my letter of August 22, 1997 to Mr. Buckley and my letter of September 4, 1997 to Mr. Robert Murphy.

Please let me know the status of this matter with respect to the Common Council. In addition, I ask that the President of the Association, a representative of the management company and I be given the opportunity to appear before any committee of the Common Council appointed to consider this matter.

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter C. Hunt".

Peter C. Hunt

PCH:lt

cc: Ms. Jacqueline Love-Szarka  
Steve Knortz  
William Buckley, Jr.

PETER C. HUNT  
ATTORNEY AT LAW  
109 NORTH STREET  
DANBURY, CONNECTICUT 06811

(203) 797-8860  
TELECOPIER (203) 797-9540

August 22, 1997

Mr. William J. Buckley, Jr.,  
Superintendent of Public Utilities  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

**Re: Deer Ridge Condominium Association**

Dear Mr. Buckley:

Please be advised that I represent Deer Ridge Condominium Association, and I have a number of questions and comments pertaining to your plans to acquire the Robin Hill Water Company..

First of all, I am hereby requesting a complete update on the status of these negotiations. Also, I would like an explanation as to the basis for the proposed price of this water company. This is very relevant since residents of Deer Ridge will ultimately pay for the water company from the assessments to be imposed. I am particularly concerned since the price paid for the Racing Brook Water Company, cited as a precedent for the proposed price for the Robin Hill Water Company by Mr. Buckley, seems greatly excessive when compared to the sales price for other water companies in this State I have reviewed.

Also, I do not understand why you seem to be cooperating in allowing BRT to postpone submitting the information necessary for the rate hearing before the DPUC. Isn't this information necessary to determine a fair price for the water company?

Finally, please let me know if you intend to comply with the provision of Section 16-43 of the Connecticut General Statutes with respect to the purchase of this water company (see attached copy of Decision pertaining to Application of Racing Brook Water Company dated December 18, 1996) issued by the DPUC.

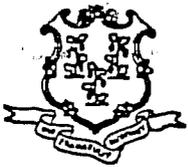
A prompt response to this letter would be greatly appreciated.

Very truly yours,

Peter C. Hunt

PCH:lt  
Enclosure

cc: Ms. Jackie Love-Szarka/w/encl.  
Mr. Steve Knortz, Reliance Property Management, Inc./w/encl.  
Mayor Gene Eriquez/w/encl.  
Mr. RbbertJ. Murphy, Executive Secretary DPUC/w/encl.



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL  
TEN FRANKLIN SQUARE  
NEW BRITAIN, CT 06051

DOCKET NO. 93-11-15 APPLICATION OF RACING BROOK WATER COMPANY  
TO INCREASE ITS RATES

December 18, 1996

By the following Commissioners:

Reginald J. Smith  
Thomas M. Benedict  
Jack R. Goldberg

CITY OF DANBURY.
PUBLIC UTILITIES
DEC 21 1996
Discard Date _____
Permanent _____
File Code _____

DECISION

In the June 8, 1994, Decision in the instant docket, the Department of Public Utility Control (Department) ordered the Racing Brook Water Company (Racing Brook or Company) to obtain three bids for installation of individual meters for each of the Racing Brook Condominium Association (Association) condominium units to which the Company provides water service. On February 22, 1995, the Department reopened the record in the case and noticed a hearing to consider the bids. At the March 14, 1995, hearing the Company, Danbury Water Company (Danbury) and the Association represented that negotiations for purchase of the Racing Brook by Danbury had commenced. At the February 5, 1996, hearing the Department was informed that a tentative agreement for purchase of the Company by Danbury had been reached. Finally, at the May 22, 1996, hearing a Company witness testified that the sale was going forward pending approval by the Danbury City Council.

DOCKET NO. 93-11-15 APPLICATION OF RACING BROOK WATER COMPANY  
IN INCREASE ITS RATES

This Decision is adopted by the following Commissioners:

Reginald J. Smith

Thomas M. Benedict

Jack R. Goldberg

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

  
\_\_\_\_\_  
Robert J. Murphy  
Executive Secretary  
Department of Public Utility Control

12/19/96  
Date

PETER C. HUNT  
ATTORNEY AT LAW  
109 NORTH STREET  
DANBURY, CONNECTICUT 06811

(203) 797-8860  
TELECOPIER (203) 797-9540

September 4, 1997

Mr. Robert J. Murphy  
Department of Public Utility Control  
Ten Franklin Square  
New Britain, CT 06051

Re: Deer Ridge Condominium Association  
Robin Hill Water Company

Dear Mr. Murphy:

Please let me know when the rate hearing is scheduled for the above mentioned company. There is really no reason why it should be postponed any longer.

I would also like to confirm that you will require State approval for the acquisition of this water company by the City of Danbury as required under Section 16-43 of the Connecticut General Statutes. This is a particularly significant concern to my client, the Deer Ridge Condominium Association for these reasons: **First**, the City did not seek approval in connection with the acquisition of the Racing Brook Water Company (see enclosed decision in Docket #93-11-15). **Secondly**, the City is negotiating with the owner of the company to purchase this water company without seeking any real input from my client whose members will have to pay the cost of the acquisition through an assessment. Finally, the City has no appraisal for the water company and has tentatively agreed to pay what we consider to be a highly inflated price. Without the information required to be submitted in connection with the rate hearing, I do not believe it is even possible to establish what is a fair price for the system.

I would appreciate a prompt response to this letter.

Very truly yours,



Peter C. Hunt

PCH:lt

Enclosure/

cc: Ms. Jacqueline Love-Szarka  
Steve Knortz



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

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

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

September 26, 1997

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

Dear Mayor Eriquez and Common Council Members:

Petition for Sanitary Sewer and Water Services  
Cornell Hills Association, Inc.

At the September 3, 1997 Common Council meeting the August 1, 1997 petition by Cornell Hills Association, Inc. for the extension of sanitary sewer and water mains by the City to its community was referred to our office for a thirty day report. Reference is made to item 33 of the meeting minutes.

The results of our mail survey for the previous petition for water and sanitary sewer mains in the East Pembroke Road / Jeanette Heights Areas were forwarded to you in our March 10, 1997 letter ( copy enclosed for your reference ). At the April 1, 1997 Common Council meeting our report was received and " no action taken at this time.". A copy of the pertinent page of the meeting minutes is also enclosed for your information.

According to Reliance Property Management, Cornell Hills includes Cornell Road, Hunter Road, and Albert Road. We reviewed the responses received to the previous mail survey and isolated the Cornell Hills area.

The February 1997 survey was sent to each property owner along Cornell Road and Albert Road. Hunter Road was not included in the survey area. There are 52 lots which front these two roads. The survey results broke down as follows:

WATER

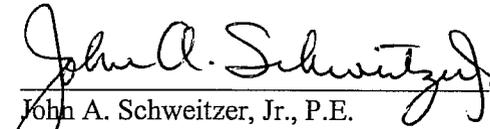
	<u>Number of Lots / %</u>
In favor of extension	13 / 25%
Not in favor of extension	16 / 31%
No response	23 / 44%

SANITARY SEWER

	<u>Number of Lots / %</u>
In favor of extension	15 / 29%
Not in favor of extension	14 / 27%
No response	23 / 44%

If you have any questions or would like to discuss this further, please feel free to contact our office.

Very truly yours,

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

JAS/PAE/pe  
encls.

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

27 - COMMUNICATION - Letter from Superintendent William J. Buckley asking that Mr. Frank Euvard be reimbursed for \$790 for a break in the lateral line at 100 Franklin Street in February. The reimbursement was approved on the Consent Calendar.

28 - COMMUNICATION - Request for reimbursement of uninsured claim by Stephen DiMauro for damage done to his vehicle. Miss Fox asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

29 - COMMUNICATION - Letter from Mayor Gene F. Eriquez requesting that an ad hoc committee be formed to investigate ways to protect the City's interest in the property known as "Down on the Farm". Mr. Arconti asked that this be referred to an ad hoc committee, the Assistant Superintendent of Schools, the Supervisor of Public Building Maintenance and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Setaro, Arconti and Mead to the committee.

30 - COMMUNICATION - Request for Common Council Member Warren Levy that an ordinance be adopted requiring the fencing of private pools. Miss Fox asked that this be referred to an ad hoc committee, the building inspector and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Levy, Coladarci and Nolan to the committee.

31 - COMMUNICATION - Renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road. Mr. McAllister asked that this be referred to a public hearing and the Planning Commission. Mayor Eriquez so ordered.

32 - COMMUNICATION - Petition from residents of Hayestown Heights asking for a review of a drainage problem on Hayestown Heights and Rose Lane. Mrs. Abrantes asked that this be referred to an ad hoc committee and the City Engineer. The Mayor so ordered and appointed Council Members Abrantes, McAllister and Basso to the committee.

33 - COMMUNICATION - Survey from City Engineer regarding Sanitary Sewer and Water Main Extensions on East Pembroke Road/Jeanette Heights. The communication was received on the Consent Calendar and no action taken at this time.

34 - COMMUNICATION - Petition to accept Hayestown Heights as a City road. Mr. Scalzo asked that this be referred to the City Engineer for a report back within thirty days. The Mayor so ordered.

35 - COMMUNICATION - Request to purchase City Property on Terre Haute Road. Miss Fox asked that this be referred to the City Engineer, the Planning Director and the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

36 - COMMUNICATION - Property Acquisition at 156 Deer Hill Avenue. Mr. McAllister asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

37 - COMMUNICATION - Property acquisition at 158 Main Street. Miss Fox asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

38 - COMMUNICATION - Property at 22 Padanaram Road to be donated to I CAN, Ann's Place. Mrs. Abrantes asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

39 - COMMUNICATION - Request for water extension at Whitney Avenue to Broad Street. Mr. Arconti asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Esposito, Boynton and Mead to the committee.



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

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

March 10, 1997

**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:

Sanitary Sewer and Water Main Extensions  
East Pembroke Road / Jeanette Heights Area

At the March 5, 1996 Common Council meeting, petitions for sanitary sewer and water services in the above noted area were referred to our office for a mail survey.

Conceptual plans and cost estimates have been developed by our office as well as estimates of the assessments which would be levied against those properties which would benefit from the extensions.

On February 11, 1997 letters were sent to each of the property owners informing him/her of the estimated costs of the sanitary sewer and water facilities for his/her particular property. Each property owner was also provided a ballot on which to indicate whether he/she was in favor of each project or not as well as a stamped envelope in which to return the ballot to our department.

The results of the surveys are as follows:

SANITARY SEWER

	<u>Number of Lots / %</u>	<u>Area of Lots / %</u>
In favor of extension	42 / 32%	15.974 / 28%
Not in favor of extension	50 / 38%	20.996 / 36%
Not deliverable by Post Office	11 / 8%	6.062 / 10%
No response	29 / 22%	14.893 / 26%
Total Number Lots / Total Area	132	57.925 acres

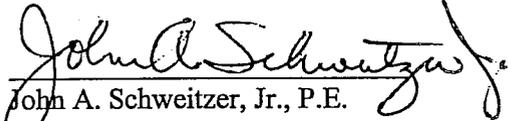
WATER

	<u>Number of Lots / %</u>	<u>Area of Lots / %</u>
In favor of extension	32 / 24%	9.849 / 16%
Not in favor of extension	60 / 45%	31.671 / 50%
Not deliverable by Post Office	11 / 8%	6.062 / 10%
No response	30 / 23%	15.343 / 24%
Total Number Lots / Total Area	133	62.925 acres

A review of the locations of the lots whose owners voted in favor of each of the proposed projects did not result in a determination that any part of either project could be separated and become a smaller project for which the majority of property owners would then be in favor of the project.. The "yes" and the "no" votes for each project were randomly located.

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: William Buckley, Jr., P.E.

36- July



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

August 25, 1997

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

Re: 8-24 Referral - 36 - Offer to sell property on Scuppo Road to the City

Dear Council Members:

The Planning Commission at its meeting August 20, 1997 motioned for a negative recommendation for the offer to sell property on Scuppo Road to the City, for the reason that the development of this site, except for very limited residential use, would be very difficult. The 5.8 acre parcel contains wetlands for approximately 2/3 of the site and the remaining non-wetland areas have steep slopes of between 18% to 22% grade.

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

Sincerely yours,

  
John Deeb  
Acting-Chairman

JD/jlc



36-July

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

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

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

August 5, 1997

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

Dear Mayor Eriquez and Common Council Members:

Scuppo Road - 5.8 Acres  
Tax Assessor Lot No. F14072

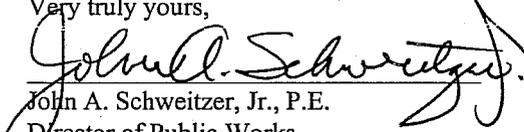
At the July 1, 1997 Common Council meeting an offer of sale of land on Scuppo Road was made to the City (minutes Item #36).

This is the same parcel of land H & B Associates offered to the City in 1988, 1992 and 1993. Enclosed please find copies of our June 9, 1993 and September 29, 1992 letters to you and our November 15, 1988 memo to Mayor Joseph Sauer, Jr. and the Common Council. At the December 6, 1988, October 6, 1992 and July 6, 1993 meetings of the Common Council, the requests to have the City buy the parcel of land in question were denied.

With respect to the present offer of up to 31 units of affordable housing, we are still of the opinion that the development of this site except for very limited residential use would be very difficult. This 5.8 acre parcel contains wetlands for approximately 2/3 of the site and the remaining non-wetland areas have steep slopes of between 18% to 22% grade.

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

Very truly yours,

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

JAS/sd

enclosures

c: Joseph Justino  
Dennis Elpern  
Housing Authority

33 - COMMUNICATION - Request for discontinuance of Ye Old Road. Mrs. Abrantes asked that this be referred to the Director of Planning the Planning Commission, the City Engineer and the Corporation Counsel for reports back within thirty days. Mayor Eriquez so ordered.

34 - COMMUNICATION - Mayfair Estates. Mr. Scalzo asked that this be referred to an ad hoc committee, the City Engineer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Coladarci, Boynton and Basso to the committee.

35 - COMMUNICATION - Request to purchase City Property off Ives Street. Mrs. Abrantes asked that this be referred to the Corporation Counsel, the Planning Director and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

36 - COMMUNICATION - Offer to sell property on Scuppo Road to the City. Mrs. Abrantes asked that this be referred to the Planning Director, the Planning Commission, the Housing Authority and the City Engineer for reports back within thirty days. Mayor Eriquez so ordered.

37 - COMMUNICATION - Offer to sell property abutting Tarrywile Park to the City. Mrs. Butera asked that this be referred to an ad hoc committee, the Planning Director, the Planning Commission, and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Mead to the committee.

38 - COMMUNICATION - Request for Water Extension on Kevin Drive. Mr. Arconti asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Fox, Boynton and Nolan to the committee.

39 - COMMUNICATION - Request for sanitary sewers on East Pembroke Road. Mr. Scalzo asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

40 - COMMUNICATION - Request for extension of time for sewer and water extensions on Broad Street. The request was granted on the Consent Calendar.

41 - COMMUNICATION - Report regarding renumbering of Ford Avenue. Mr. McAllister asked that this be deferred to public hearing. Mayor Eriquez so ordered.

42 - COMMUNICATION - Street renaming - Lake Shore Drive to Lower Lake Drive; Street renumbering: Lower Lake Drive. Mrs. Abrantes asked that this be deferred to public hearing. Mayor Eriquez so ordered.

43 - COMMUNICATION - Reports regarding the the request to purchase City property on Virginia Avenue. The request to purchase the property was granted on the Consent Calendar at a price to be determined by the Tax Assessor.

44 - DEPARTMENT REPORTS - Engineering, Public Works, Public Buildings, Public Utilities, Welfare, Fire Chief, Fire Marshall, Health and Housing, Elderly Services, Housing. Mr. Setaro made a motion to accept the department reports as presented and waive the reading of same as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Levy. Motion carried unanimously.

45 - REPORT - Bluebird Aviation Lease

Mr. Scalzo submitted the following report:



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

June 9, 1993

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:

**Scuppo Road - 5.8 Acres**  
**Tax Assessor Lot No. F14072**

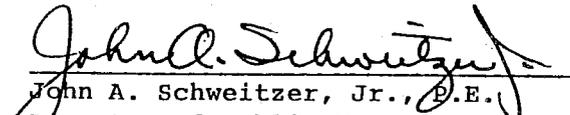
At the June 1, 1993 Common Council meeting an offer of sale of land on Scuppo Road was made to the City (minutes Item #20).

This is the same parcel of land H&B Associates offered to the City in 1988 and in 1992. Enclosed please find copies of our September 29, 1992 letter to you and our November 15, 1988 memo to Mayor Joseph Sauer, Jr. and the Common Council. At both its December 6, 1988 and October 6, 1992 meetings of the Common Council, the requests to have the City buy the parcel of land in question were denied.

With respect to the present offer, we are still of the opinion that development of this site for elderly and/or low-income housing is not recommended.

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

JAS/PAE/gw

Enclosures

c: Joseph Justino  
Dennis Elpern



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT  
(203) 797-4641

September 29, 1992

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:

Scuppo Road - 5.8 Acres  
Tax Assessor Lot No. F14072

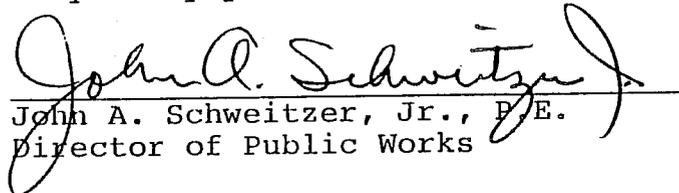
At the September 1, 1992 Common Council meeting (minutes Item #35) an offer of sale of land on Scuppo Road was made to the City.

This is the same parcel of land H & B Associates offered to the City in 1988. Enclosed please find a copy of the November 15, 1988 memo we sent to Mayor Joseph Sauer, Jr. and the Common Council relative to the previous offer. At its December 6, 1988 meeting, the Common Council accepted my report that the land was not recommended for 60 housing units.

With respect to the present offer, we are still of the opinion that developemnt of this site for elderly and low income housing is not recommended.

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

JAS/PAE/sd  
enclosures  
c: Susan Decina



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

November 15, 1988

ENGINEERING DEPARTMENT  
(203) 797-4641

JOHN A. SCHWEITZER, Jr.  
CITY ENGINEER

MEMO TO: Mayor Joseph Sauer, Jr.  
Common Council

FROM: John A. Schweitzer, Jr.  
City Engineer

SUBJECT: Scuppo Road - Tax Assessor's Lot #F14072

---

At the October 4, 1988 Common Council meeting (Agenda Item #12) the Common Council referred to the Housing Authority and the City Engineer the request received from H & B Associates offering land on Scuppo Road. H & B Associates offered this land to the City as a potential site for 60 units of low-income housing.

The following comprises the Engineering Department report on this property:

1. Location of Lot: North and West side of Scuppo Road.
2. Tax Assessor's Lot #: F14072
3. Area of Lot: 5.825 Acres
4. Elevation range of Lot: 509<sub>+</sub> to 567<sub>+</sub>
5. Percentage of Lot within designated wetlands: 66%<sub>+</sub>  
(3.8<sub>+</sub> Acres)
6. Percentage grade of Lot to the east of the wetlands 18%<sub>+</sub>.
7. Percentage grade of Lot to the west of the wetlands 22%<sub>+</sub>.

The area of wetlands and the percentage grade of the remaining portions of this lot would make this lot very difficult to develop for high density use. If one assumed that the wetlands area could not be used for development, this would result in the placement of 60 units of housing on approximately two acres of steep sloping ground.

(continued on page 2)

TO: Mayor Joseph Sauer, Jr.  
Re: Scuppo Road

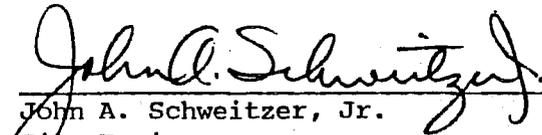
November 15, 1988

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Although this lot in its present condition may be suitable for limited development, we could not recommend that it would be suitable for 60 units of housing.

If you have any questions regarding this matter, please contact me.

Very truly yours,

  
\_\_\_\_\_  
John A. Schweitzer, Jr.  
City Engineer

JAS/gw

c: Daniel Minahan

11/16/1988

✓ 54 - REPORT - Report from City Engineer Jack Schweitzer regarding land on Scuppo Road. The land may be suitable for limited development, the City Engineer would not recommend it for 60 units of housing. The report was accepted on the Consent Calendar.

Council to consider the sale of parcel 8 to the Davon Development Corp and also to consider the transfer to the Davon Development Corporation rights to use an adjacent area for parking. Mr. DaSilva asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Planning, the Redevelopment Agency, the Director of Finance and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Setaro, Arconti and Scozzafava to the committee.

29 - COMMUNICATION - Request to purchase City property on Golden Hill Road. Ms. Dennehy asked that this be referred to an ad hoc committee, the Director of Planning, the City Engineer, the Tax Assessor, and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, Outlaw and Boughton to the committee.

30 - COMMUNICATION - Request to purchase City owned land on Alexander D Avenue. Mr. Setaro asked that this be referred to an ad hoc committee, the Director of Planning, the City Engineer, the Tax Assessor and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Trocolla, Charles and Fazio to the committee.

(At 8:10 P.M. Dean Esposito arrived and was marked present).

31 - COMMUNICATION - Offer to sell property on Bear Mountain Road to the City. Mr. DaSilva asked that this be referred to the Director of Planning, the City Engineer, the Director of Parks and Recreation, the Planning Commission and the Conservation Commission. Mayor Eriquez so ordered.

32 - COMMUNICATION - Request for sewer extension on Golden Hill Road. Mrs. Coladarci asked that this be referred to an ad hoc committee, the Director of Health, the City Engineer and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Gallo, Dennehy and Boughton to the committee.

33 - COMMUNICATION - Zoning Violations at 84 Franklin Street. Dean Esposito make a motion to receive the communication and recommend that the petitioner go to the Zoning Board of Appeals. Mayor Eriquez so ordered.

34 - COMMUNICATION - Reports regarding land for sale on Scuppo Road. The reports were accepted and the request was denied on the Consent Calendar.

35 - COMMUNICATION - Reports regarding land for sale at 20 Main Street. The reports were accepted and the request denied on the Consent Calendar.

36 - COMMUNICATION - Reports regarding proposed charitable donation at 3-5 Beach Street. The reports were accepted and the request denied on the Consent Calendar.

37 - COMMUNICATION - Reports regarding Lot #12, Hillandale Road. Mr. Setaro asked that this be referred to an ad hoc committee, the Corporation Counsel and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Boynton, Butera and Scozzafava to the committee.

38 - COMMUNICATION - Letter from Asst. Corporation Counsel Daniel Casagrande listing local law firms who have expressed an interest in prosecuting foreclosure lawsuits for the City. The names were approved on the consent calendar.

39 - DEPARTMENT REPORTS - Public Utilities, Health and Housing, Police, Highways, Department of Elderly Services, Fire Chief, Fire Marshall, Parks and Recreation. Mr. DaSilva made a motion that the Department Reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Charles. Motion carried unanimously.

40 - PROGRESS REPORT - Restrictions on Use of Athletic Fields to Residents/Taxpayers.

✓ 34 - COMMUNICATION - Reports regarding land for sale on Scuppo Road. The reports were accepted and the request was denied on the Consent Calendar.

27 - COMMUNICATION - Reports regarding offer to sell land on Scuppo Road to the City. The reports were accepted and the offer denied on the Consent Calendar.

28 - DEPARTMENT REPORTS - Engineering, Public Utilities, Health and Housing, Parks and Recreation, Police, Fire, Senior Center. Mr. DaSilva made a motion that the department reports be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Setaro. Motion carried unanimously.

29 - REPORT & RESOLUTION - Recreational Fields and Open Space

Mr. Arconti submitted the following report and recommendation:



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENNIS I. ELPERN**  
**DIRECTOR OF PLANNING**

(203) 797-4525

August 28, 1997

To: Mayor Gene F. Eriquez  
Members of Common Council

From: Dennis I. Elpern,  
Director of Planning

Re: Offer to Sell Property on Scuppo Road  
Tamas Biro and Vilmos Havasi

We are in receipt of an offer from Tamas Biro and Vilmos Havasi to sell property on Scuppo Road to the City. This property recently applied for and received approval for 31 affordable housing units.

Potential development of this parcel is severely constrained by the presence of wetlands and steep slopes. Consequently, we find little reason for the City to consider its purchase.

c: John A. Schweitzer, Jr., P.E.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

September 22, 1997

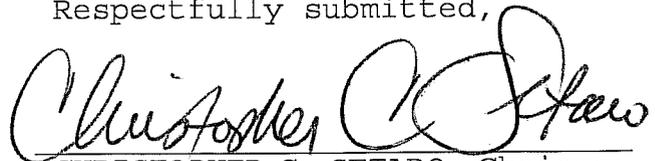
Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council

RE: ORDINANCE-Deferral of assessment increases attributable to construction or improvements

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance revision regarding deferral of assessment increases attributable to construction or improvements. Acting Corporation Counsel Eric Gottschalk explained that the proposed revision of Section 18-25 of the Code of Ordinances allows retail to be added to the list of permissible uses which are eligible for deferral of assessment increases in the Redevelopment Area, that the list of property uses which may be made eligible for deferrals such as that at issue are limited by state statute and that the broadening of the ordinance was intended to include uses such as the proposed skating rink which had previously obtained the approval of the Redevelopment Agency. He added that the broadening of the ordinance to include retail uses was meant to be narrowly construed and to apply only to the redevelopment area and that the language of the revision was limited by state statute.

Ms. Fox moved to recommend to the Common Council approval of the revision of Section 18-25 of the Code of Ordinances pertaining to deferrals of assessment increases attributable to construction or improvements as proposed by the Corporation Counsel. Seconded by Mr. Arconti and passed unanimously.

Respectfully submitted,

  
CHRISTOPHER C. SETARO, Chairman

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Subsection (b) of Section 18-25 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 18-25. Deferral of assessment increases attributable to construction or improvements.**

(b) Application and eligibility. An application to the City for a deferral of assessment increases for real property, air space and all improvements thereon or therein and to be constructed thereon or therein may be made by any party owning or proposing to acquire an interest in real property, or any party owning or proposing to acquire an interest in air space, or any party who is the lessee of, or who proposes to be the lessee of, air space in such a manner that the air space leased or proposed to be leased shall be assessed to the lessee pursuant to section 12-64 of the Connecticut General Statutes. In order to be eligible for the benefits provided by this section, upon receipt of a report from the Planning Department, the Common Council must find that:

- (1) The applicant proposes to use the construction or improvements to real property (or property subject to air rights) for office, manufacturing, or for warehouse, storage or distribution use OR, IF THE REAL PROPERTY IS LOCATED WITHIN THE DANBURY DOWNTOWN REDEVELOPMENT AREA, THE APPLICANT PROPOSES TO USE THE CONSTRUCTION OR IMPROVEMENTS TO REAL PROPERTY (OR PROPERTY SUBJECT TO AIR RIGHTS) FOR OFFICE, MANUFACTURING, RETAIL OR FOR WAREHOUSE, STORAGE OR DISTRIBUTION USE;
- (2) The property or property subject to air rights is not delinquent in the payment of taxes owed to the City or taxes owed to the Downtown Special Services District at the time of application;
- (3) The applicant proposes to enter into a written agreement with the City fixing the assessment of the real property, air space and all improvements thereon or therein and to be constructed thereon or therein, upon such terms and conditions as are provided for herein and therein.

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 ~~strikeout~~.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

October 7, 1997

Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (b) of Section 18-25 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 18-25. Deferral of assessment increases attributable to construction or improvements.**

(b) Application and eligibility. An application to the City for a deferral of assessment increases for real property, air space and all improvements thereon or therein and to be constructed thereon or therein may be made by any party owning or proposing to acquire an interest in real property, or any party owning or proposing to acquire an interest in air space, or any party who is the lessee of, or who proposes to be the lessee of, air space in such a manner that the air space leased or proposed to be leased shall be assessed to the lessee pursuant to section 12-64 of the Connecticut General Statutes. In order to be eligible for the benefits provided by this section, upon receipt of a report from the Planning Department, the Common Council must find that:

- (1) The applicant proposes to use the construction or improvements to real property (or property subject to air rights) for office, manufacturing, or for warehouse, storage or distribution use or, if the real property is located within the Danbury Downtown Redevelopment Area, the applicant proposes to use the construction or improvements to real property (or property subject to air rights) for office, manufacturing, retail or for warehouse, storage or distribution use;
- (2) The property or property subject to air rights is not delinquent in the payment of taxes owed to the City or taxes owed to the Downtown Special Services District at the time of application;
- (3) The applicant proposes to enter into a written agreement with the City fixing the assessment of the real property, air space and all improvements thereon or therein and to be constructed thereon or therein, upon such terms and conditions as are provided for herein and therein.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - October 7, 1997  
Approved by Mayor Gene F. Eriquez - October 8, 1997.

ATTEST: Jimmetta L. Samaha  
JIMMETTA L. SAMAHA  
Assistant City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

September 22, 1997

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

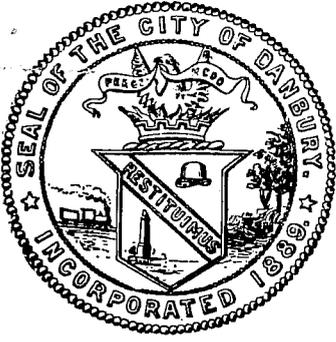
RE: ORDINANCE-Department of Permit Coordination

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance creating a department of permit coordination. Acting Corporation Counsel Eric Gottschalk explained that the proposed ordinance would designate a director of permit coordination to monitor applications for municipal permits, including prioritizing of projects, that the sense was to give aide to applicants, and that the department will not have the ability to override existing law. The Mayor stated that this initiative was borne out of the CityWorks 2000 project, that the director of permit coordination would set time lines for review, approval and issuance of permits and that this initiative was supported by the Zucker study. Ms. Clarice Osiecki spoke in favor of the ordinance on behalf of the Greater Danbury Chamber of Commerce at the public hearing preceding the meeting.

Mr. Arconti moved to recommend to the Common Council approval of the proposed ordinance section 2-60 creating a department of permit coordination. Seconded by Ms. Fox and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

October 7, 1997

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 2-60, which said section reads as follows:

**Sec. 2-60. Department of Permit Coordination.** The Department of Permit Coordination shall be responsible for coordinating action by all municipal departments upon permit applications submitted to them. The Department of Permit Coordination shall monitor the permitting activities of the departments, insuring that each department works in concert with every other department as well as with every land use board and commission, so that to the maximum extent possible, permit applications are handled fairly and efficiently while balancing the needs of the applicants with those of the general public. The Department of Permit Coordination shall meet with the staff of each municipal land use board and commission to coordinate action on pending land use proposals by each such agency with action by municipal departments. Subject to existing provisions of federal, state and local law, the Department of Permit Coordination shall have authority to prioritize and establish timetables and deadlines for review of and action upon permit applications by municipal departments. The Department of Permit Coordination shall be responsible for coordinating and evaluating existing training programs and when necessary, making recommendations to the Mayor regarding training enhancements as they relate to the permit process. The Department of Permit Coordination shall be responsible for public dissemination of information relating to the permit process, thereby promoting public awareness of the process. The Department of Permit Coordination, working in concert with appropriate municipal officials, shall propose and advocate amendments to existing laws relating to municipal permits in an effort to facilitate economic development within the City of Danbury.

A. Director of Permit Coordination. The Director of Permit Coordination shall manage and supervise all activities and employees of the Department. The Director of Permit Coordination shall have a degree from an accredited four year college or university with a Bachelor's degree in architecture, engineering, planning, public administration or a related field, and shall have a minimum of five years experience in a management capacity. The Director of Permit Coordination shall be responsible to the Mayor.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - October 7, 1997  
Approved by Mayor Gene F. Eriquez - October 8, 1997

ATTEST: Jimmitta L. Samaha  
JIMMETTA L. SAMAHA  
Assistant City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 22, 1997

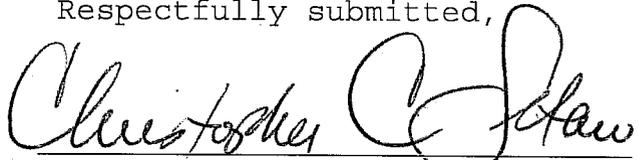
Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council

RE: ORDINANCE-Schedule of termination of government entities

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the proposed ordinance regarding government entities review. Acting Corporation Counsel Eric Gottschalk explained that the proposed ordinance incorporates the results of the review of government entities completed last May and sets the termination dates of the City boards and commissions pending review by the committee. Among other commissions, the Lake Kenosia Commission will again face review next year. In response to inquiry by Mrs. Basso, Mr. Gottschalk stated that the Lake Kenosia Commission had had an organizational meeting in June at which officers were elected.

Mr. Arconti moved to recommend to the Common Council approval of the proposed ordinance section 2-176 regarding review and evaluation of governmental entities. Seconded by Mr. Scalzo and passed unanimously.

Respectfully submitted,

  
CHRISTOPHER C. SETARO, Chairman

COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-176. Schedule of termination of government entities.**

~~(a) The following governmental entities are terminated, effective June 30, 1997, unless re-established in accordance with the provisions of section 2-184:~~

- ~~(1) The Commission for Persons with Disabilities.~~
- ~~(2) The Danbury Aquifer Protection Agency.~~
- ~~(3) The Fair Rent Commission.~~
- ~~(4) The Board of Ethics.~~
- ~~(5) The Lake Kenosia Commission.~~

(A) The following governmental entities are terminated, effective June 30, 1998, unless re-established in accordance with the provisions of section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority.
- (2) The Conservation Commission.
- (3) The Environmental Impact Commission.
- (4) The Tree Advisory Commission.
- (5) THE LAKE KENOSIA COMMISSION.

(B) The following governmental entities are terminated, effective June 30, 1999, unless re-established in accordance with the provisions of section 2-184:

- (1) The City of Danbury Cultural Commission.
- (2) The Youth Commission.

- (3) The Commission on the Status of Women.
- (4) The Commission on Aging.
- (5) The Parking Authority of the City of Danbury.

(Cd) The following governmental entities are terminated, effective June 30, 2000, unless re-established in accordance with the provisions of section 2-184:

- (1) The Redevelopment Agency of the City of Danbury.
- (2) The Housing Site Development Agency.
- (3) The Flood and Erosion Control Board of the City of Danbury.
- (4) The Tarrywile Park Authority.

(De) The following governmental entities are terminated, effective June 30, 2001, unless re-established in accordance with the provisions of section 2-184:

- (1) The Economic Development Commission.
- (2) The Danbury Parks and Recreation Commission.
- (3) The Danbury Housing Partnership.
- (4) The Aviation Commission.

(E) THE FOLLOWING GOVERNMENTAL ENTITIES ARE TERMINATED, EFFECTIVE JUNE 30, 2002, UNLESS RE-ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 2-184:

(1) THE COMMISSION FOR PERSONS WITH DISABILITIES.

(2) THE DANBURY AQUIFER PROTECTION AGENCY.

(3) THE FAIR RENT COMMISSION.

(4) THE BOARD OF ETHICS.

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~~.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

October 7, 1997

Be it ordained by the Common Council of the City of Danbury:

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-176. Schedule of termination of government entities.**

(a) The following governmental entities are terminated, effective June 30, 1998, unless re-established in accordance with the provisions of section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority.
- (2) The Conservation Commission.
- (3) The Environmental Impact Commission.
- (4) The Tree Advisory Commission.
- (5) The Lake Kenosia Commission.

(b) The following governmental entities are terminated, effective June 30, 1999, unless re-established in accordance with the provisions of section 2-184:

- (1) The City of Danbury Cultural Commission.
- (2) The Youth Commission.
- (3) The Commission on the Status of Women.
- (4) The Commission on Aging.
- (5) The Parking Authority of the City of Danbury.

(c) The following governmental entities are terminated, effective June 30, 2000, unless re-established in accordance with the provisions of section 2-184:

- (1) The Redevelopment Agency of the City of Danbury.
- (2) The Housing Site Development Agency.
- (3) The Flood and Erosion Control Board of the City of Danbury.
- (4) The Tarrywile Park Authority.

(d) The following governmental entities are terminated, effective June 30, 2001, unless re-established in accordance with the provisions of section 2-184:

- (1) The Economic Development Commission.
- (2) The Danbury Parks and Recreation Commission.
- (3) The Danbury Housing Partnership.
- (4) The Aviation Commission.

(e) The following governmental entities are terminated, effective June 30, 2002, unless re-established in accordance with the provisions of section 2-184:

- (1) The Commission for Persons with Disabilities.
- (2) The Danbury Aquifer Protection Agency.
- (3) The Fair Rent Commission.
- (4) The Board of Ethics.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

September 22, 1997

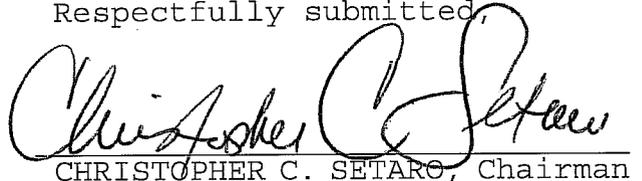
Honorable Mayor Gene F. Eriquez  
Honorable Members of the Common Council

RE: Renaming of Old Ridgebury Road, North Ridgebury Road, and a portion of Briar Ridge Road as Old Ridgebury Road and the Renumbering of Old Ridgebury Road

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the renaming and renumbering of Old Ridgebury Road. Assistant City Planner Sharon Calitro explained that the renaming was prompted by area residents, that the public safety of residents was at issue and that nearly all property owners at issue were in favor of the change. Several residents spoke in favor of the changes at the public hearing preceding the meeting.

Mr. Mead moved to recommend to the Common Council approval of the renaming of Old Ridgebury Road, North Ridgebury Road and a portion of Briar Ridge Road as Old Ridgebury Road and the renumbering of Old Ridgebury Road as proposed by the Planning Department. Seconded by Ms. Abrantes and passed unanimously.

Respectfully submitted,

  
CHRISTOPHER C. SETARO, Chairman



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

September 22, 1997

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

RE: Renumbering of South Cove Road

The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the renumbering of South Cove Road. Assistant City Planner Sharon Calitro explained that the renumbering was prompted by residents of the street at issue and that no survey responses were against the renumbering. No one spoke against the renumbering at the public hearing preceding the meeting.

Mr. Mead moved to recommend to the Common Council approval of the renumbering of South Cove Road as proposed by the Planning Department. Seconded by Mr. Charles and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525

## MEMORANDUM

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

FROM: Department of Planning and Zoning

DATE: July 10, 1997

RE: Renumbering of South Cove Road

Subsequent to the January, 1997 decision of Common Council to rename Custance Road to South Cove Road, a Survey of property owners along South Cove Road was conducted to obtain their opinions regarding the proposed renumbering of the properties fronting on the roadway.

The Survey was sent out on June 6, 1997 to 14 property owners. Ten (10) property owners responded in favor of the proposed action. Although 4 property owners did not respond, it should be noted that three of the properties are owned by the same individual. None of the responses received were against the proposed action. A copy of the Survey and proposed renumbering is attached.

Please notify this Department when the public hearing has been scheduled so that a representative may be present to answer any additional questions.

SBC  
attachments

cc: Elizabeth Crudginton, City Clerk  
Chief Carmen Oliver, Fire Department  
Lazlo Pinter, Assistant Corporation Counsel  
Pat Sniffen, Communications Coordinator, Fire Department  
Coleen Velez, Assistant Tax Assessor  
George Fisher, Postmaster



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525

June 6, 1997

Dear Property Owner:

In January, 1997, the City of Danbury Common Council officially renamed Custance Road to South Cove Road. In association with this action, we are now in the process of assigning official street addresses to each property with frontage or access off of South Cove Road. This is required to ensure appropriate E-911 emergency services response. Inadequate and nonsequential numbering of parcels creates confusion for anyone attempting to locate a particular residence. More importantly, it is potentially dangerous as emergency personnel may have difficulty locating the site of an emergency.

We will ask Common Council to approve the renumbering of South Cove Road in accordance with the attached table. It is likely that an ad hoc committee of Common Council will be assigned to review the request and will want to know the feelings of the property owners on this issue. Please review the table and complete the bottom portion of this letter and return it in the enclosed envelope no later than July 6, 1997. Please feel free to add any comments regarding this matter on the back of this sheet. Thank you for your cooperation.

Sincerely,

Sharon B. Calitro  
Assistant Planning Director

\_\_\_\_\_  
Please print your name and the address you are currently using.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you are a non-resident property owner, print your tenant's name.

\_\_\_\_\_

If you are a tenant, please print the property owner's name.

\_\_\_\_\_

Please check one of the statements below:

- I am in favor of renumbering the street addresses on South Cove Road.
- I am not in favor of renumbering the street addresses on South Cove Road.

Signed \_\_\_\_\_ Date \_\_\_\_\_



**PROPOSED RENUMBERING**

South Cove Road  
Danbury, Connecticut

<b>Assessor's Lot Number</b>	<b>Property Owner</b>	<b>Existing Property Location *</b>	<b>Existing Mailing Address *</b>	<b>Proposed South Cove Road Property Location</b>	<b>Proposed Mailing Address</b>
I08008	Showah, Samuel S.	Custance Road	PO Box 303 Danbury CT 06813	1	PO Box 303 Danbury CT 06813
I09145	Armstrong, Dimples L.	Custance Road	3 South Cove Road	3	3 South Cove Road
I09144	Wetherbee, Linda M.	Custance Road	5 South Cove Road	5	5 South Cove Road
I09143	Cohen-Hecht, Patti	Custance Road	Rockwood Lane Danbury CT 06811	7	Rockwood Lane Danbury CT 06811
I09142	Corey, Robert E.	Custance Road	2 Stony Hill Road Bethel CT 06801	9	2 Stony Hill Road Bethel CT 06801
I09141	Popp, Mary	Custance Road	South Cove Road	11	11 South Cove Road
I09140	Tressic, David M.	Custance Road	South Cove Road	13	13 South Cove Road
I08009	Showah, Samuel S.	Custance Road	PO Box 303 Danbury CT 06813	2	PO Box 303 Danbury CT 06813
I09146	Showah, Samuel S.	Custance Road	PO Box 303 Danbury CT 06813	4	PO Box 303 Danbury CT 06813
I09147	Martin, Sandra E. DeFazio, Thomas M.	Custance Road	South Cove Road	6	6 South Cove Road
I09148	Loudon, Mary Ann	Custance Road	South Cove Road	8	8 South Cove Road
I09149	Tressic, David M.	Custance Road	South Cove Road	10	10 South Cove Road
I09150	Tressic, David M.	Custance Road	South Cove Road	12	12 South Cove Road
I09136	South Cove Road Inc. C/O Sandra Martin	Custance Road	South Cove Road	ROW	C/O Sandra Martin 6 South Cove Road

\* As indicated in City of Danbury Tax Assessor Records.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

September 22, 1997

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

RE: Renumbering of South Cove Road

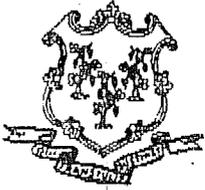
The Common Council met as the committee of the whole on September 22, 1997 at 7:40PM in the Common Council Chambers of City Hall to review the renumbering of South Cove Road. Assistant City Planner Sharon Calitro explained that the renumbering was prompted by residents of the street at issue and that no survey responses were against the renumbering. No one spoke against the renumbering at the public hearing preceding the meeting.

Mr. Mead moved to recommend to the Common Council approval of the renumbering of South Cove Road as proposed by the Planning Department. Seconded by Mr. Charles and passed unanimously.

Respectfully submitted,

---

CHRISTOPHER C. SETARO, Chairman



STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

Warren Levy  
Legislative Leader  
Danbury Common Council  
124 West Street  
Danbury, CT 06810

October 6, 1997

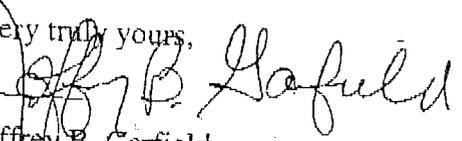
Dear Mr. Levy:

This will respond to your inquiry concerning whether the Danbury Common Council is empowered to adopt an ordinance which regulates campaign contributions of candidates for election to a municipal office in the city.

It is the opinion of counsel that Section 7-192a, C.G.S., effectively precludes any municipality from adopting such an ordinance. Moreover, some ten years ago the City of New Haven was considering an ordinance to provide for partial public financing of candidates seeking election to municipal offices in that city, and I advised the City Clerk that section 7-192a would preclude New Haven from adopting such an ordinance.

I trust this information is useful to you.

Very truly yours,

  
Jeffrey B. Garfield  
Executive Director &  
General Counsel

JBG/eac



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

October 7, 1997

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

Re: Campaign Finance Reform

The Common Council Committee appointed to review a proposed change to the Code of Ordinances met in Room 432 in City Hall on September 23, 1997 at 7:30 P.M. In attendance were committee members Gallagher, Levy and Nolan. Also in attendance were Common Council Member Christopher Setaro, ex-officio, Assistant Corporation Counsel Laszlo Pinter, Democratic State Central Committee Member Jimmetta Samaha and Democratic Town Committee Chairman Joseph Walkovich.

The meeting began with the petitioner, Councilman Vincent Nolan, explaining the rationale for his proposed change to the Code of Ordinances, Part II, Chapter 2, Article VII, Code of Ethics, Section 2-16 Actions Constituting Unfaithfulness to Public Office. Mr. Nolan explained that during the 1995 municipal election it was reported in the media that certain individuals doing business with the City had made contributions to the campaign of the incumbent Mayor, and that while he knew of no wrongdoing associated with these contributions, nonetheless felt they gave an appearance of impropriety. He further added that the appearance of impropriety was felt by some of his constituents and contributed to cynicism toward the political process. Mr. Nolan's proposed change to the Code was in his opinion similar to a recent State law regarding the office of the State Treasurer, and would help alleviate the perceived impropriety. At this point in the meeting the rules were suspended to allow all present to speak.

Mr. Pinter gave a brief overview on the sections of Danbury's Code of Ordinances already dealing with the duties and responsibilities of candidates and public officials. He also stated that Connecticut law looked unfavorable on local regulation regarding elections.

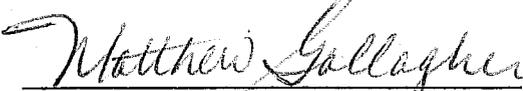
Mr. Levy, while agreeing with Mr. Nolan's concerns about perceived impropriety and the potential for campaign finance reform felt that this could not and should not be dealt with at the local level. He further questioned Mr. Nolan's timing for addressing his concerns and recommended that we, as public officials, could help remedy the public's cynicism toward the political process by alerting them to the various measures already in place to protect their interests.

Mr. Setaro asked various questions relating to the wording and intent of Mr. Nolan's proposal and the potential problems therein. Mr. Walkovich referenced Sections 7-191a -7-193 of State Statutes which stated that no local ordinance shall be adopted which prohibited acts relating to elections. He also warned about certain ambiguities in the proposed change and suggested we seek an opinion from the State's Attorney General's office if we were intent on pursuing this change.

Mr. Gallagher opined that any regulation such as this must balance the need to guard the public trust and confidence with the rights of individuals to participate in the political process, and felt that the existing practices and regulations adequately balanced those needs.

After a brief discussion, Mr. Levy, while restating his agreement toward reforming existing campaign finance laws but disagreement with the proposed change, moved to take no action at this time. The motion was seconded by Mr. Gallagher and passed by a 2-1 vote with Mr. Nolan dissenting.

Respectfully submitted,

  
MATTHEW GALLAGHER, Chairman

  
WARREN LEVY

  
VINCENT NOLAN

**Sec. 7-191a. Adoption of home rule ordinance.** Any home rule ordinance in effect on October 1, 1982, shall be part of the organic law of the municipality and the special act superseded thereby and any other special act relating to the government of such municipality inconsistent therewith are repealed.

(1959, P.A. 678, S. 6; P.A. 81-451, S. 6, 10.)

History: P.A. 81-451 made ordinances in effect on October 1, 1982, a part of municipality's organic law, replacing provision which had made any home rule ordinance a part of organic law upon its adoption, effective October 1, 1982.

Cited. 178 C. 81, 94. Cited. 188 C. 276, 279. Cited. 193 C. 1, 4. Cited. 196 C. 623, 630.

**Sec. 7-192. Existing provisions not affected. Amendments of charters. Amendment or revision of home rule ordinance. Supersedence of certain special acts by municipal ordinance.** (a) Every charter, special act and home rule ordinance in effect on October 1, 1982, shall continue in effect until repealed or superseded by the adoption of a charter, charter amendments or home rule ordinance amendments in accordance with this chapter, the provisions in any charter in existence on said date governing revision or amendment to the contrary notwithstanding. Nothing in this section shall prohibit the adoption of a revised home rule ordinance or home rule ordinance amendments by any method established in such home rule ordinance if the provisions concerning such method were in effect on July 15, 1959. Any municipality administering its local affairs under the provisions of the general statutes or special acts adopted prior to said date may continue to so administer its local affairs until the electors of such municipality avail themselves of the provisions of this chapter. Any municipality having as its organic law a home rule ordinance or a revised or amended home rule ordinance shall after any revision or amendment of such ordinance publish, in a single document, any such home rule ordinance and shall make such ordinance available at a nominal cost to any member of the public.

(b) Notwithstanding the provisions of subsection (a) of this section, the provisions of any special act relative to the number of holders of an office, or members of a board, commission, department or agency of a municipality (1) which does not administer its affairs under a charter and (2) for which the legislative body, as defined in section 1-1, is a town meeting may be superseded by adoption of a municipal ordinance that is not otherwise inconsistent with the Constitution of the state or the general statutes.

(1957, P.A. 465, S. 6; P.A. 81-451, S. 7, 10; P.A. 85-253, S. 6, 10; P.A. 92-172, S. 1.)

History: P.A. 81-451 transferred former provision concerning imposition of taxes to Sec. 7-192a and added provisions concerning revision of home rule ordinance by methods in effect prior to July 15, 1959, and to publication of home rule ordinances, effective October 1, 1982; P.A. 85-253 amended section to refer to amendment of charters and home rule ordinances rather than to their revision; P.A. 92-172 amended section by designating Subsec. (a) and adding Subsec. (b) re supersedence of special acts by municipal ordinance not inconsistent with the state constitution or general statutes.

Legislature intended procedure outlined in home rule act to be a complete, self-contained method, not involving action by general assembly, of amending charter of a city, irrespective of any existing charter provision. Act confers no power on mayor to exercise a veto. A construction which would import into these amendatory proceedings the power of veto conferred on mayor by charter would be inconsistent with procedure provided for in section 7-191. 150 C. 24. Cited. 155 C. 579. Cited. 171 C. 74, 87. Retention of surplus was not an unauthorized exercise of taxing power in violation of statute. 178 C. 81, 94, 95. Charter provisions regarding consolidation prevail over parallel provisions in home rule act. 179 C. 589, 593, 595. Cited. 188 C. 276, 279. Cited. 193 C. 1, 4. Cited. 196 C. 623, 630.

**Sec. 7-192a. New tax not authorized by general statutes prohibited. Provisions affecting elections and electors not to be adopted.** No provision of this chapter shall be deemed to empower any municipality to levy or collect any tax not authorized by the general statutes or to adopt a charter, charter amendments or home rule ordinance amendments which shall affect matters concerning qualification and admission of electors; duties and responsibilities of registrars of voters; duties and responsibilities of town clerks with respect to electors, voting and elections; forfeiture of electoral rights and

restoration of the  
of voting; canvass  
ing of elections;  
and returns; elec  
nomination of ca  
cal parties and e

(1967, P.A. 417, S.

History: P.A. 81-4  
85-253 amended secti

Cited. 188 C. 276,  
A town is not prob

**Sec. 7-193.**  
adopted or ame  
requirements:

(1) The mu  
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restoration of the same; absentee voting; conduct of and procedures at elections; hours of voting; canvass of electors; preliminary, final and supplementary registry lists; warning of elections; election officials and their duties and responsibilities; election canvass and returns; election contests; corrupt practices; prohibited acts with respect to elections; nomination of candidates; adoption and amendment of party rules; primaries; and political parties and enrolment therein.

(1967, P.A. 417, S. 1; P.A. 81-451, S. 8, 10; P.A. 85-253, S. 7, 10.)

History: P.A. 81-451 added provisions concerning new taxes, formerly in Sec. 7-192, effective October 1, 1982; P.A. 85-253 amended section to refer to amendment of charters and home rule ordinances rather than to their revision.

Cited. 188 C. 276, 279. Cited. 193 C. 1, 4. Cited. 195 C. 524, 532. Cited 196 C. 623, 630.

A town is not prohibited from adopting age requirements for local elective officers by Sec. 7-192a. 31 CS 447.

**Sec. 7-193. Required provisions. Organization of government.** (a) Any charter adopted or amended under the provisions of this chapter shall conform to the following requirements:

(1) The municipality shall have a legislative body, which may be: (A) A town meeting; (B) a representative town meeting; (C) a board of selectmen, council, board of directors, board of aldermen or board of burgesses; or (D) a combination of a town meeting or representative town meeting and one of the bodies listed in subparagraph (C). In any combination, the body having the greater number of members shall have the power to adopt the annual budget and shall have such other powers as the charter prescribes, and the body having the lesser number of members shall have the power to adopt, amend and repeal ordinances, subject to any limitations imposed by the general statutes or by the charter. The number of members in any elective legislative body, the terms of office of such members and the method by which they are elected shall be prescribed by the charter.

(2) The municipality shall have a chief executive officer, who may be one of the following: (A) The first selectman; (B) a chief administrative officer appointed by the board of selectmen; (C) a mayor elected by the electors of the municipality; (D) a warden elected by the electors of the borough; (E) a town, city or borough manager appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses; (F) a chief administrative officer appointed by the mayor. Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be the ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.

(b) Every municipality shall have all municipal officers, departments, boards, commissions and agencies which are required by the general statutes or by the charter. Each municipality may have any municipal officers, departments, boards, commissions and agencies which are specifically allowed by the general statutes or which are necessary to carry out any municipal powers, duties or responsibilities under the general statutes. All such officers, departments, boards, commissions and agencies shall be elected, appointed and organized in the manner provided by the general statutes, except as otherwise provided by the charter or by ordinances or resolutions adopted pursuant to such charter. Any municipality may, by charter or by ordinances or resolutions adopted pursuant to such charter, alter the method of election, appointment or organization of any or all of such officers, departments, boards, commissions or agencies, including combining or



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

October 7, 1997

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

Re: Campaign Finance Reform

The Common Council Committee appointed to review a proposed change to the Code of Ordinances met in Room 432 in City Hall on September 23, 1997 at 7:30 P.M. In attendance were committee members Gallagher, Levy and Nolan. Also in attendance were Common Council Member Christopher Setaro, ex-officio, Assistant Corporation Counsel Laszlo Pinter, Democratic State Central Committee Member Jimmetta Samaha and Democratic Town Committee Chairman Joseph Walkovich.

The meeting began with the petitioner, Councilman Vincent Nolan, explaining the rationale for his proposed change to the Code of Ordinances, Part II, Chapter 2, Article VII, Code of Ethics, Section 2-16 Actions Constituting Unfaithfulness to Public Office. Mr. Nolan explained that during the 1995 municipal election it was reported in the media that certain individuals doing business with the City had made contributions to the campaign of the incumbent Mayor, and that while he knew of no wrongdoing associated with these contributions, nonetheless felt they gave an appearance of impropriety. He further added that the appearance of impropriety was felt by some of his constituents and contributed to cynicism toward the political process. Mr. Nolan's proposed change to the Code was in his opinion similar to a recent State law regarding the office of the State Treasurer, and would help alleviate the perceived impropriety. At this point in the meeting the rules were suspended to allow all present to speak.

Mr. Pinter gave a brief overview on the sections of Danbury's Code of Ordinances already dealing with the duties and responsibilities of candidates and public officials. He also stated that Connecticut law looked unfavorable on local regulation regarding elections.

Mr. Levy, while agreeing with Mr. Nolan's concerns about perceived impropriety and the potential for campaign finance reform felt that this could not and should not be dealt with at the local level. He further questioned Mr. Nolan's timing for addressing his concerns and recommended that we, as public officials, could help remedy the public's cynicism toward the political process by alerting them to the various measures already in place to protect their interests.

Mr. Setaro asked various questions relating to the wording and intent of Mr. Nolan's proposal and the potential problems therein. Mr. Walkovich referenced Sections 7-191a -7-193 of State Statutes which stated that no local ordinance shall be adopted which prohibited acts relating to elections. He also warned about certain ambiguities in the proposed change and suggested we seek an opinion from the State's Attorney General's office if we were intent on pursuing this change.

Mr. Gallagher opined that any regulation such as this must balance the need to guard the public trust and confidence with the rights of individuals to participate in the political process, and felt that the existing practices and regulations adequately balanced those needs.

After a brief discussion, Mr. Levy, while restating his agreement toward reforming existing campaign finance laws but disagreement with the proposed change, moved to take no action at this time. The motion was seconded by Mr. Gallagher and passed by a 2-1 vote with Mr. Nolan dissenting.

Respectfully submitted,

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MATTHEW GALLAGHER, Chairman

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WARREN LEVY

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VINCENT NOLAN



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

October 7, 1997

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

Re: Request for Reimbursement of sewer line expenses at  
76 Deer Hill Avenue

The Common Council Committee appointed to review the request for reimbursement of expenses involved in connecting his property at 76 Deer Hill Avenue met on September 18, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid and Basso. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Finance Dominic Setaro, Superintendent of Public Utilities William Buckley, Mr. Eanniello and Attorney Grossman.

The petitioner was looking to the City for reimbursement involving expenses in connecting in home at 76 Deer Hill Avenue to the sewer line. The city records had indicated that the sewer was connected and the City had been charging the owners for sewer service, when in fact it was not connected. The petitioner claims to have paid in excess of \$2,500.00 in excavation work to find out that he was not connected. It cost \$5,595.00 to connect, which the petitioner paid. A refund check for sewer services was issued to the petitioner by the City. The petitioner did not cash this check.

Mr. Pinter advised the committee that it would be legally inappropriate to reimburse the petitioner for the connection cost, as Ordinance dictates that the property owner is responsible for connection costs. Mr. Pinter did suggest that the Council can award a sum to the petitioner if it feels that it would be a fair settlement to compensate for hardship and expense incurred due to the discrepancy.

Mrs. Basso made a motion to award \$5,000 to the petitioner for expenses and hardship incurred, as the City records were relied upon for the purchase and maintenance of this property. The motion was seconded by Mr. Buzaid and passed unanimously.

Respectfully submitted,

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PAULINE BASSO

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EMILE G. BUZAID, Chairman

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THOMAS VALERI



# CITY OF DANBURY

155 DEER HILL AVENUE

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COMMON COUNCIL

## REPORT

October 7, 1997

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

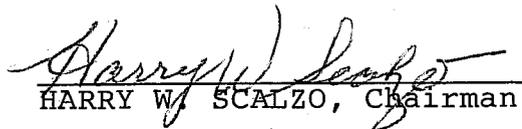
Re: Request for Water Extension - 47 Beckerle Street

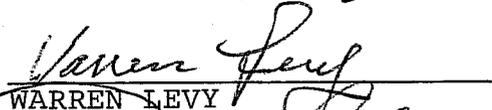
The Common Council Committee appointed to review the request for water extension at 47 Beckerle Street met on June 24, 1997 at 7:00 P.M. in City Hall and on September 25, 1997 at 4:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Levy and Basso. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and the petitioner, Nando Casali.

Mr. Scalzo reviewed the discussion of the June 24th meeting and also read a letter from the Planning Commission which gave a positive recommendation. There were questions concerning the amount of water pressure at the site. Both Mr. Schweitzer and Mr. Buckley stated that there would be sufficient pressure at the site and the approval should be granted following the eight steps in the procedure required by the City.

Mr. Levy made a motion to approve the water extension on 47 Beckerle Street (Assessor's Lot #G10132) subject to the usual eight steps. The motion was seconded by Mrs. Basso and passed unanimously.

Respectfully submitted,

  
HARRY W. SCALZO, Chairman

  
WARREN LEVY

  
PAULINE BASSO



# CITY OF DANBURY

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COMMON COUNCIL

## REPORT

October 7, 1997

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

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Mr. Levy made a motion to approve the water extension on 47 Beckerle Street (Assessor's Lot #G10132) subject to the usual eight steps. The motion was seconded by Mrs. Basso and passed unanimously.

Respectfully submitted,

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HARRY W. SCALZO, Chairman

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WARREN LEVY

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PAULINE BASSO



# CITY OF DANBURY

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COMMON COUNCIL

## REPORT

October 7, 1997

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

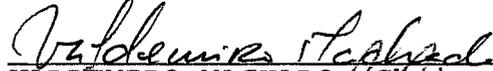
Re: Request for Sewer and Water Extensions - Briar Ridge Road

The Common Council Committee appointed to review the request for sewer and water extensions at Briar Ridge Road met on September 30, 1997 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Machado and Nolan. Mr. Shuler had a prior commitment. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and the petitioners and their attorney Paul Jaber.

A positive recommendation from the Planning Commission was mentioned. Mr. Jaber, with an aerial view photo explained the site were they intend to build 135 multi family rental units. Mr. Buckley, after reviewing the technical aspect of the extensions concluded that it will only benefit future developments in the area. The costs associated with the extensions will be paid by the applicant.

After further discussion, Mr. Nolan made a motion to recommend to the Common Council approval of the applicant's request subject to the normal eight steps. Seconded by Mr. Machado and passed unanimously.

Respectfully submitted,

  
VALDEMIRO MACHADO, Chairman

  
CONNIE SHULER

  
VINCENT NOLAN



# CITY OF DANBURY

155 DEER HILL AVENUE

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COMMON COUNCIL

## REPORT

October 7, 1997

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

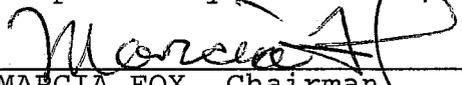
Re: Request for Sewer and Water Extension  
Mill Plain Road Cut-off

The Common Council Committee appointed to review the request for water and sewer extensions on Mill Plain Road cut-off met on Tuesday, September 9, 1997 at 6:00 P.M. in Room 432 in City Hall. In attendance were committee members Fox, Charles and Mead. Also in attendance were Superintendent of Public Utilities William Buckley and Tony DaCunha, agent for the applicant Joe's Hill LLC. Mr. Schweitzer was unable to attend as he was on vacation.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. DaCunha outline the proposal for the committee. The applicant is building six single family residential homes and wants to extend sewer and water to some of them and to an existing single family residential home. Due to several of the lots already having sewer and/or water, the applicant is only requesting sewer extensions to three lots and water extensions to five lots. Mr. Buckley stated that he had conferred with the City Engineer's Office and that he foresaw no problems with the request as proposed.

Mr. Charles made a motion to approve the sewer and water extensions as proposed, subject to the usual eight steps. The motion was seconded by Mr. Mead. The motion passed unanimously.

Respectfully submitted,

  
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MARCIA FOX, Chairman

  
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LOUIS CHARLES

  
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ALBERT MEAD, JR.



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155 DEER HILL AVENUE

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COMMON COUNCIL

## REPORT

October 7, 1997

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

Re: Request for Water Extension - Westville Avenue Ext.

The Common Council Committee appointed to review the request for water extension on Westville Avenue Ext. met on September 18, 1997 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Buzaid and Basso. Also in attendance were Superintendent of Public Utilities William Buckley and the petitioner, Sal Pandolfi.

Mr. Buckley advised that the request for water extension from Westville Avenue Ext. to Middle River Road via Chelsea Drive is a straight forward operation. However, extra caution must be taken not to interfere with the waterline from West Lake Plant.

Mrs. Basso made a motion to accept and approve the plans subject to the normal eight steps. Seconded by Mr. Buzaid. Motion carries unanimously.

Respectfully submitted,

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EMILE G. BUZAID, Chairman

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JANET BUTERA

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PAULINE BASSO