

COMMON COUNCIL MEETING

JUNE 1, 1993

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

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Fazio, Scalzo, Falzone, Gallo, Arconti, Coladarci, Boynton,
Dennehy, Setaro, Gogliettino, DaSilva, John Esposito, Dean
Esposito, Outlaw, Cassano, Charles, Butera, Cipriani, Scozzafava,
Trocolla, Yamin

_____ Present _____ Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held May 4, 1993

CONSENT CALENDAR - The Consent Calendar was presented by John Esposito

- ✓ 1 ORDINANCES - Government Entities Review and Evaluation
- ✓ 2 ORDINANCE - Underground or Outdoor Storage of Fuel Oil or Chemicals
- ✓ 3 RESOLUTION - School Based Health Center Planning Grant
- ✓ 4 COMMUNICATION - Appointment of Fire Captain
- ✓ 5 COMMUNICATION - Appointment to the Parking Authority
- ✓ 6 COMMUNICATION - Reappointment to the Tarrywile Park Authority
- ✓ 7 COMMUNICATION - Donation of Paintings to the City
- ✓ 8 COMMUNICATION - Donation of Electric Power Generator
- ✓ 9 COMMUNICATION - Donation of Copier to the City
- ✓ 10 COMMUNICATION - Donation to the Police Department
- ✓ 11 COMMUNICATION - Donations to the Department of Elderly Services
- ✓ 12 COMMUNICATION - Donations to the Department of Health and Housing
- ✓ 13 COMMUNICATION - Request for Grant for Hanahoe Clinic
- ✓ 14 COMMUNICATION - Request for funds for Fire Department Special Services Account
- ✓ 15 COMMUNICATION - Welfare 1993-94 Budget
- ✓ 16 COMMUNICATION - Request to Purchase Computer Equipment

- ✓ 17 COMMUNICATION - Report from Corporation Counsel regarding use of City property for Outdoor Seating

- ✓ 18 COMMUNICATION - Request for Water Extension - Lot No. 44 Juniper Ridge Road

- ✓ 19 COMMUNICATION - Request for Sewer and Water Extension - South Street a/k/a 15 Mannion Lane

- ✓ 20 COMMUNICATION - Offer to sell 5.8 Acres of Land on Scuppo Road to the City

- ✓ 21 COMMUNICATION - Soccer Field Work

- ✓ 22 DEPARTMENT REPORTS - Parks and Recreation, Engineering, Department of Elderly Services, Police, Fire Chief, Fire Marshall, Highways, Department of Public Utilities, Health and Housing

- ✓ 23 REPORT & ORDINANCE - Ambulance Fee Schedule and Regulations

- ✓ 24 REPORT & ORDINANCE - Refusal to Accept Unwrapped Coins

- ✓ 25 REPORT - Renovations and Improvements to Marjorie and West Lake Treatment Facilities

- ✓ 26 REPORT - Request to Use City Land on Mountain Road

- ✓ 27 REPORT & CERTIFICATION - Request to Purchase 911 Communications Equipment

- ✓ 28 REPORT - Request for Sewer and Water Extensions - Pocono Lane, Sunrise Road and Federal Road

- ✓ 29 REPORT - Request for Easement on Maple Avenue

- ✓ 30 COMMUNICATION - Appointment to the Candlewood Lake Authority

- ✓ 31 COMMUNICATION - Resignation of Second Ward Council Member

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.

CONSENT CALENDAR

JUNE 1, 1993

- 3 - Approve application for School Based Health Center Grant - \$4,000
- 5 - Approve appointment of Thomas Devine to Parking Authority
- 6 - Approve reappointment of Nancy Knight to the Tarrywile Park Authority
- 14 - Approve request of \$8,000 to Fire Department Special Services Account
- 23 - Approve Ordinance concerning Ambulance Fee Schedule and Regulations
- 24 - Approve Ordinance concerning refusal to accept unwrapped coins
- 25 - Approve report and recommendations concerning renovations and improvements to Margerie and West Lake Treatment Facilities
- 26 - Approve report and recommendations concerning request to use City Land on Mountain Road
- 27 - Approve request for \$9,900 to purchase 911 Communications Equipment
- 28 - Approve Water and Sewer Extensions on Pocono Lane, Sunrise Road and Federal Road
- 29 - Approve Easement on Maple Avenue
- 30 - Approve appointment of James Panzica to Candlewood Lake Authority



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

May 20, 1993

DANBURY, CT 06810

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

Re: Review and Evaluation of Governmental Entities

Dear Mayor and Council Members:

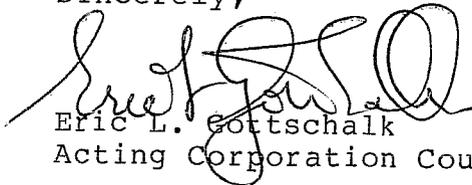
Attached please find two ordinances for your consideration. Both deal with the actions taken this year as a result of your review of the affairs of various governmental entities pursuant to the provisions of section 2-176 of the Danbury Code of Ordinances.

The first is intended to reflect the schedule changes approved by the Council at the regular May meeting. Note that in addition to rescheduling the reviews for the Stanley Lasker Richter Memorial Park Authority, the Conservation Commission, the Environmental Impact commission and the Tarrywile Park Authority, I have also taken the liberty of revising the schedule further to equalize the number of entities to be reviewed in any given year.

The second is intended to repeal the existing ordinance section concerning the former Personnel appeals board.

Please consider both in the usual fashion.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r

Attachments





CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut 06810

Dear Council Members,

The City of Danbury, in coordination with officials of the Health Department, Planning Department and Department of Public Utilities, has developed Water Supply Protection District regulations which apply to these designated areas.

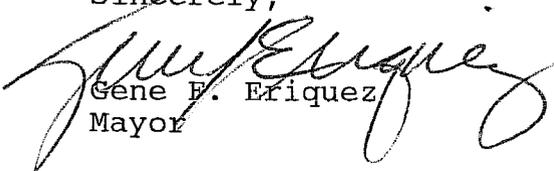
These regulations, and the proposed districts, will allow us to monitor and protect environmentally sensitive areas surrounding our watersheds and reservoirs to ensure we continue to have a high quality of drinking water available to meet present needs and the needs of future generations in our City.

This model program has been supported by the State Department of Environmental Protection. The overall goal of the program will be to control discharge of non-point source pollutants such as oils, gasoline, fertilizers and salt from new developments. The committee strived to balance the need for protecting the long term integrity of the potable water quality of our City's reservoirs in a manner that is consistent with the City's Plan of Development and in ways that do not restrict new development in the Water Supply Protection Districts.

The proposed regulations will be forwarded to the Zoning Commission for consideration and inclusion in the City's Zoning Regulations. The proposed ordinance, which relates to the "Underground or Outdoor Storage of Fuel Oil or Chemicals" only, is hereby presented to you for your consideration and adoption.

Thank you for your cooperation and attention to this matter.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

May 7, 1993

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

Dear Mayor Eriquez and Common Council Members:

The Department of Health and Housing has received notification from the State Department of Health Services that the City of Danbury is eligible to apply for an extension of the School Based Health Center Planning Grant in an amount not to exceed \$4,000.

Extensions are being provided to all grantees in recognition of the volume of work required in the original planning grant. The extension will cover the period of July 1, 1993 to September 30, 1993. There is no cash match required.

The Department of Health and Housing requests that a resolution be adopted which will enable Mayor Eriquez to apply for said Planning Grant Extension funds as per the attached budget.

Sincerely,

William Campbell
Director of Health

cc: Deidre Richardson, Project Coordinator
Dominic A. Setaro, Director of Finance



DIRECT CLIENT EXPENSES:

Medical Supplies	\$ <u>-0-</u>
Educational Supplies and Materials	\$ <u>-0-</u>
Client Transportation	\$ <u>-0-</u>
Other (please specify)	\$ <u>-0-</u>

Direct Client Expenses Subtotal \$ -0-

SUBCONTRACTS (use full legal name of individual or agency)

Consultants: (name, address, phone number
\$ per hour X # of hours)

_____	\$ <u>-0-</u>
_____	\$ <u>-0-</u>
_____	\$ <u>-0-</u>

Fee for Service: (Individual or agency name, address,
phone number, cost per unit of
service)

Temps Inc. (25 hours @ 13.50) 85 West St. Danbury, Ct. (7972-8500)	\$ <u>337.50</u>
_____	\$ <u>-0-</u>
_____	\$ <u>-0-</u>

All Others: (Agency name, address, phone number,
attach copy of approved line item
budget)

_____	\$ <u>-0-</u>
_____	\$ <u>-0-</u>
_____	\$ <u>-0-</u>

Subcontract Subtotal \$ 337.50

Grand Total \$ 4,000.00

BUDGET JUSTIFICATION

A justification for each item in the budget is to be provided. This shall show by reference to the project plan, how the amount and type of item was determined. In the case of personnel the number of person hours of each staff person should be justified in terms of the proposed project activities.

Personnel

Planning Project Coordinator: One hundred thirty three hours are allotted for this position during the extension. It is expected that approximately 70 to 77 hours will be used in July to complete our "Implementation" application. The balance will be utilized in August/September for follow-up activities. The salary line item for this position is based on \$18.50/hr x 133 hrs.

Planning Assistant: Forty two hours were allotted for this position. As with the Coordinator, the major portion of time will be utilized in July. Moreover, due to fixed vacation plans made before knowledge of the "Extension Grant", additional supplemental support services have been budgeted for in the "Fee For Service" line item. The salary line item for this position is based on \$13.00/hr x 42 hours.

Director of Health: An average of six hours per week were allotted to this "in-kind" position. The position will provide supervision, administrative support and program support. Six hours per week is a minimum estimate. The salary line item for this position is based on \$35.69/hr x 6 hrs/wk x 13 weeks.

Health Services Secretary: Three hours per week have been allotted to this "in-kind" position. The position will provide

receptionist/message services and administrative services involving such activities as payroll processing, personnel procedures and purchasing. The salary line item for this position is based on \$15.73/hr x 3 hrs x 13 weeks.

Fringe Benefits:

Grant Funded Positions

The fringe benefit line item for the part time, grant funded positions is based on an anticipated expense of 12% of salary.

City Funded Positions

Fringe benefit costs for full time, city funded positions averages 35% The "in-kind" fringe benefit line item is based on this average cost.

Administrative Expenses:

Photocopying - A cost sharing arrangement with the department's existing copier will was not feasible. The line item represents a contribution of 1500 copies @ \$0.05 per copy.

Printing - This \$104.50 line item will allow for printing special layouts.

Telephone - This "in-kind" contribution represents the provision of two of sixteen lines to the SBHC grant staff. The dollar amount is calculated at 12.5% of the average monthly expense times three months.

Office Materials and Supplies - This \$51.50 line item will cover supplemental office supplies needed during the extension period.

Postage - This \$55 line item will provide supplemental postage

needed during the extension period. etc.

Occupancy/Rent - This "in-kind" \$419 line item is based on 1991-1992 Department costs.

Travel - This \$84 line item will provide for 3,00 miles @ \$0.28/mile or a smaller number of miles and related travel expenses such as parking.

Agency Name	<u>Danbury Health & Housing Department</u>	TOTAL Project
Program Type	<u>SBHC Planning Grant Extension</u>	Budget
Contract Period	<u>7/1/93 - 9/30/93</u>	(include grant funds, other funds in-kind services, etc.) (Sources must be identified)

BUDGET

PERSONNEL

Job Title	(\$ per hour X average # of hours per week X approximate # of weeks per contract period.)	Source
<u>Planning Project Coordinator</u>	<u>\$ 2,460.50</u>	<u>CSDHS</u>
<u>Planning Assistant</u>	<u>\$ 546.00</u>	<u>CSDHS</u>
<u>Director of Health (6hrs/wk x 13weeks)</u>	<u>\$ 2,784.00</u>	<u>City of Danbury</u>
<u>Health Services Secretary</u>	<u>\$ 613.00</u>	<u>City of Danbury</u>
(3hrs/wk x 13 weeks)		
Personnel Subtotal	<u>\$</u>	

FRINGE BENEFITS

	<u>\$ 361.00</u>	<u>City of Danbury</u>
(Total amount paid based on amount of salaries actually paid)	<u>\$1,189.00</u>	<u>City of Danbury</u>
Fringe Sub-Total	<u>\$1,550.00</u>	<u></u>

ADMINISTRATIVE EXPENSES:

		Source
Photocopying	<u>\$ 75.00</u>	<u>City of Danbury</u>
Printing	<u>\$ 104.50</u>	<u>CSDHS</u>
Advertising	<u>\$ -0-</u>	<u></u>
Telephone (12.5% of AUG. Month x3)	<u>\$ 128.00</u>	<u>City of Danbury</u>
Office Materials & Supplies	<u>\$ 51.50</u>	<u>CSDHS</u>
Postage	<u>\$ 55.00</u>	<u>CSDHS</u>
Occupancy/Rent (150 sq.ft.@ 9.50/sq.ft. + 5% of Heat/Utilities)	<u>\$ 419.00</u>	<u>City of Danbury</u>
Staff Training	<u>\$ -0-</u>	<u></u>
Staff Travel (include reimbursement rate per mile)	<u>\$ 84.00</u>	<u>CSDHS</u>
Other (please specify)	<u>\$ -0-</u>	<u></u>
Administrative Expenses Subtotal	<u>\$ 917.00</u>	

DIRECT CLIENT EXPENSES:

Source:

Medical Supplies \$ -0-

Educational Supplies and Materials \$ -0-

Client Transportation \$ -0-

Other (please specify) \$ -0-

Direct Client Expenses Subtotal \$ -0-

SUBCONTRACTS (use full legal name of individual or agency)

Consultants: (name, address, phone number
\$ per hour X # of hours)

Source:

_____ \$ -0-

_____ \$ -0-

_____ \$ -0-

Fee for Service: (Individual or agency name, address,
phone number, cost per unit of

Temps Inc. service)
85 West St. (25Hrs.@ \$13.50)
Danbury,CT. (792-8500) \$ 337.50

Source:

CSDHS

_____ \$ -0-

_____ \$ -0-

All Others: (Agency name, address, phone number,
attach copy of approved line item
budget)

Source:

_____ \$ -0-

_____ \$ -0-

_____ \$ -0-

Subcontract Subtotal \$ 337.50

Grand Total \$ 9,208.00



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 Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for an extension of its School-Based Health Center Planning Grant in an additional amount of \$4,000; and

WHEREAS, the extension will cover the period of July 1, 1993 through September 30, 1993 with no local cash match required; and

WHEREAS, the State's purpose in providing Planning Grant funds is to enable municipal health and housing departments to review and identify unmet health needs of public school students, to develop a plan to coordinate existing services and to apply for funding for a School-Based Health Center;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, and the Danbury Health and Housing Department, acting through William J. Campbell, its Executive Director, are hereby authorized to apply to the State of Connecticut Department of Health Services for said Planning Grant Extension and to accept additional grant funds in the amount of \$4,000 if the application is approved;

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez and Director of Health William J. Campbell are hereby authorized to take any and all actions necessary to effectuate the purposes of said grant.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation, the promotional appointment of Lieutenant Jeffrey Tierney to the position of Captain in the Career Division of the Danbury Fire Department.

Lieutenant Tierney is a life-long Danbury resident. He is a 19 year veteran member of the department, having served for the past 9 1/2 years as Lieutenant.

In addition to extensive training and education credits he has earned in a variety of courses related to the Fire Sciences, Lieutenant Tierney has been actively involved in the community with organizations such as the Greater Danbury Soap Box Derby association, the PAL Soccer program, and Danbury Youth Wrestling.

He fills a vacancy created by the promotional appointment of Eugene Singer to the position of Assistant Chief.

Lieutenant Tierney placed first on the recently promulgated Civil Service List for this position. Thank you for your prompt consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Gene F. Eriquez".

Gene F. Eriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut 06810

Dear Council Members,

I hereby submit, for your confirmation and approval, the following individual for appointment to the Parking Authority:

Mr. Thomas Devine (U)
155 Oil Mill Road #20
Danbury, CT 06810
(H) 798-2052
(W) 791-0404
Term to Expire: June 30, 1995
(Filling vacancy)

Mr. Devine has been a resident of Danbury for the past ten years. He owns two local restaurants, Ciao Cafe and Two Step's Downtown Grille, both located in CityCenter. He is interested in the further development of our City's downtown and, especially, the availability of parking.

Thank you for your consideration of this matter.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

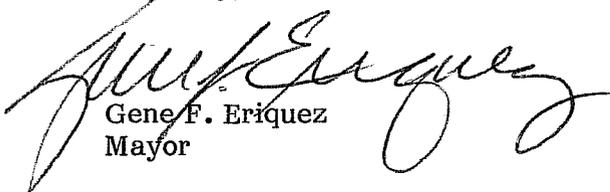
I hereby submit, for your confirmation and approval, the reappointment of the following individual to serve as a member of the Tarrywile Park Authority:

Ms. Nancy Knight (D)
6 Jandee Drive
Danbury, CT 06810
Term to expire: May 1, 1996

Ms. Knight is currently serving on the Authority. She has a good attendance record and is a member in good standing.

Thank you for your consideration of this matter.

Sincerely,



Gene F. Eriquez
Mayor

GFE:sr



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut

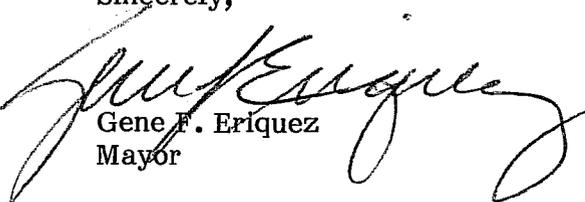
Dear Council Members:

A fellow Danbury resident, Victor Cascio, has painted two pictures, one of the Hearthstone Castle and one of Tarrywile Mansion which he has graciously presented to the City of Danbury.

I would ask you to accept these paintings of two such city landmarks and allow me to present them to the Tarrywile Park Authority at their next meeting.

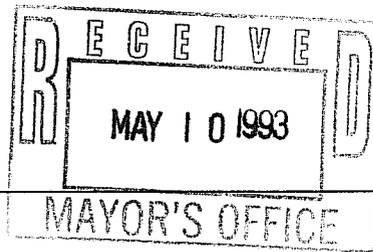
Thank you, in advance, for your consideration of this request.

Sincerely,



Gene F. Enriquez
Mayor

GFE:sr



8



May 6, 1993

Mayor Gene Eriquez
City Hall
Deer Hill Ave.
Danbury, CT 06810

Dear Mayor Eriquez,

Per a telephone conversation with Paul Estafan, I am writing on behalf of Berkshire Broadcasting to offer as a free donation to the City of Danbury Office of Emergency Management one electric power generator. This generator currently resides on the roof penthouse at 198 Main Street. At one time, we had hoped to use this generator for emergency purposes, however, the fire codes and hookup costs proved this idea to be unreasonable. I understand that the penthouse is going to be sealed as part of the current roofing project.

Paul informs me that his department can put the machine to good use. Once again, I would like to thank you for the cooperation the City has provided WLAD/98Q in the past. We look forward to working together in the future.

Sincerely,

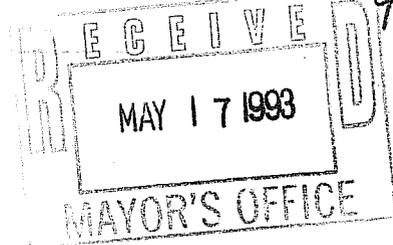
Thomas G. Osenkowsky
Chief Engineer, WLAD/98Q



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810



WARREN W. PLATZ
PURCHASING AGENT

(203) 797-4571

May 13, 1993

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

From: Warren W. Platz, Purchasing Agent *WP*

Re: Donation of Copier to the City of Danbury

As you are aware, IBM Corporation has closed down their Danbury operation. On Friday, April 30th, I received a call that they had a copier which they were willing to donate to the City, but that it had to be removed from their premises that same day.

Because of the time element involved, I accepted the donation of the copier pending Common Council approval, and had it removed to a storage area at Public Works.

I respectfully request that you approve the donation of this copier, and if approval is granted we will relocate it to a department that can maximize its use.

Thank you for your consideration of this request.

WWP/bmm

cc: Dominic A. Setaro, Jr., Director of Finance
Linda Dawson, Inventory Control Clerk



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

May 18, 1993

MEMO

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

From: Chief Nelson F. Macedo

Subject: Donation - War Memorial Dog Obedience Class

Permission is requested to accept the donation of \$100.00 from the membership of the Danbury War Memorial Dog Obedience Class in recognition of the services of Canine Falk to the Danbury Police Department and the City of Danbury.

If approved, this donation will be used by P.O. Bruce Bertram for the purchase of canine training equipment.

Thank you for your anticipated assistance in this matter.


Nelson F. Macedo
Chief of Police

NFM:ks
enc.

c: P.O. Bertram

①

May 13, 1993

Chief Nelson Macedo

The membership of the Danbury War Memorial Dog Obedience Class voted; back in March; a one hundred dollar (\$100.00) donation to you canine, Officer Falk in recognition of his service to the force, and the city of Danbury.

It was a quandry to us as to how to address the check, and to what purpose to dedicate it.

After speaking to Officer Bertrum personally, I was told to write to the department Chief who would properly handle going thru the channels necessary to be able to except this donation.

It was mentioned that the best use would be for the purchase of Canine Training Equipment.

It is our wish that the donation, small as it is, be earmarked for that purpose, in the name of Officer Falk.

Please feel free to call me;
Mrs Judy Eastwood, at 354-6625 with
any questions you may have, I wouldn't
want to think we as a club, didn't
recognize the dedication the Officer +
his dog have shown to their community.

As director of the Obedience class
I am available to answer any questions
you may have.

Please let me know when you receive
approval to accept the donation, how the
check should be made out, and to whom
it should be sent.

Gods Blessings to Officers Falk +
Bertram.

Phone: 354-6625

Sincerely
Judy A Eastwood.
27 Stuart Road E.
Bridgewater, Ct. 06752
D.W.M.D.O.C.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES

COMMISSION ON AGING

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

Municipal Agent
80 Main Street
(203) 797-4687

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

May 24, 1993

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

Mayor Eriquez and Members of the Common Council:

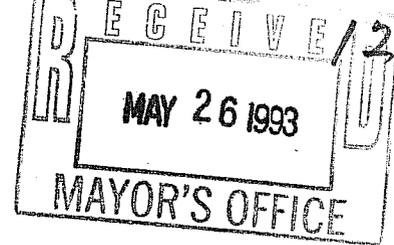
Please accept the following donations to the Department of Elderly Services:

Hancock Hall	25.00
New Milford Nursing H.	50.00
King Street PTO	50.00
Janet Keeler	20.00
Common Cause/CT	25.00
Helen Cole	5.00
	<hr/>
Total:	175.00

We request that you would approve of the donations and transfer the total of \$175.00 into Office Supplies (040100) of the Commission on Aging budget.

Respectfully,


Leo McIlrath



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

May 25, 1993

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

Dear Mayor Eriquez and Members of the Common Council:

Attached please find two donations made to the Danbury Health and Housing Department AIDS Program. One donation in the amount of \$100.00 is from Mr. and Mrs. Joseph Bevan, of 1 Cadey Lane, Newtown, CT. The other donation in the amount of \$25.00 is from the United Methodist Women, 141 Greenwood Avenue, Bethel, CT.

I asked that the Common Council accept and acknowledge these very generous donations.

Thank you for your attention to this matter.

Respectfully submitted


Susan Durgy
AIDS Program Coordinator

encl: (2)

JOSEPH T. BEVAN
MARGARET J. BEVAN
1 CADEY LANE 426-8697
NEWTOWN, CT 06470

820

May 20 19 93

51-32
211 B5

PAY TO THE ORDER OF AIDS - Health + Housing Dept. \$ 100.00

One Hundred Dollars $\frac{00}{100}$ DOLLARS

Connecticut National Bank

MEMO

Margaret J. Bevan

+1:021100329: 0117 4259 0820

SAFETY PAPER

UNITED METHODIST WOMEN

April 26 19 93 254

51-110/211

Pay to the order of Danbury Health Dept. Aids Program \$ 25.00

Twenty Five Dollars

Union Trust

UNION TRUST COMPANY
BETHEL OFFICE
BETHEL, CONNECTICUT 06801

Memo

Donation

Elizabeth W. Repus

+1:021101108: 1531 876 0254

Ann Hines, M.D.

HANAHOE CHILDREN'S CLINIC
40 OSBORNE STREET
DANBURY, CONNECTICUT 06810

May 17, 1993

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

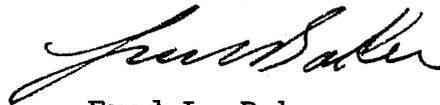
Dear Mayor Eriquez and Common Council Members:

The Hanahoe Memorial Children's Clinic has moved its health center from its former location at 40 Osborne Street to 205 Main Street. It is apparent that this move to a larger and more central location was essential because the annual increase in patient visits has grown dramatically: 1,385 in 1980, 2,473 in 1992. We continue to see the lingering recession and unemployment as the main causes for the rapid growth.

The clinic has been operating for 19 years, starting in 1974 when Dr. Hines and her husband, Paul, established the facility in honor of Dr. Hines' parents. During those years it has provided, without charge, basic medical care for more than three thousand children whose parents or guardians are without medical insurance. The clinic has survived on the contributions of individuals, service clubs, corporations and special events. Regrettably this wonderful generosity is now insufficient for the growing need.

The Board respectfully requests an emergency grant of \$20,000 from the City or Community Development Funds to enable the Hanahoe Clinic to continue performing the essential health services it has so effectively provided these many years.

Sincerely,



Fred L. Baker
Chairman, Board of Directors
Hanahoe Memorial Children's Clinic



14

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

ANTONIO L. LAGARTO, CHIEF
(203) 796-1550

May 21, 1993

To: Mayor Eriquez & Members of the Common Council
From: Antonio L. Lagarto, Fire Chief
Subject: Special Services Account #011011

I am requesting that \$ 8,000.00 be added to my Special Services Account #011011 which I believe will carry us until July 1st.

The balance in the account, as of 5/20/93, is \$ 3,808.84. The cost for the circus on June 9th-10th and 11th will be about \$ 3,500.00, based on last year's cost. This leaves a balance of about \$ 308.84. Based on what we know at this time, we have about \$ 7,600.00 worth of Fire Watch coming before the end of June, 1993.

This account is a wash item because all Fire Watch is billed to the party needing the Fire Watch.

Thank you for your consideration of this request.

Sincerely,

Antonio L. Lagarto
Fire Chief

ALL:mw

c:D.Setaro, Director of Finance



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

May 24, 1993

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

CERTIFICATION #1

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

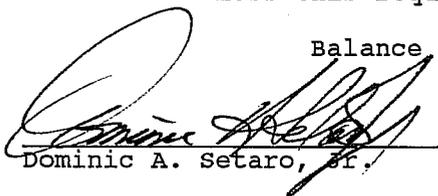
RE: Welfare 1993-94 Budget

Now that the State Legislature has passed its budget, the Welfare Department adjustments to the 1993-94 budget can be made based on that adopted budget. The City's budget was based on the Governor's proposed budget which would have reduced the caseload by 70% effective July 1, 1993. The Legislature's budget will now require the City to reinstate the deleted positions in the Welfare Department since there will be no change to the caseload of the department under the new state budget. We will also be required to adjust the public welfare line item as well.

The total budget adjustment will reflect both the salary accounts and public welfare line items in the amount of \$545,953. Of that amount, \$315,000 can be offset by revenue adjustments reflecting the net change in the reimbursement rate from 85% to 80% and the increase in reimbursement due to the public welfare line item being increased. The net impact of these adjustments is \$230,953, which must be transferred from the Contingency account. The 1993-94 Contingency fund did contain approximately \$83,000 of this amount, but since the reimbursement rate was changed by the Legislature, we will be forced to further reduce the Contingency.

I hereby certify the availability of \$230,953 to be transferred from the Contingency fund. I would request that the Common Council at its June meeting approve this transfer effective July 1, 1993 and also the attached budget adjustments that reflect both the revenue and expenditure accounts in the General Fund for the Welfare Department.

Balance of Contingency Fund	\$1,727,157
Less this request	<u>- 230,953</u>
Balance	\$1,496,204



Dominic A. Setaro, Jr.

DAS/jg

Attach.

cc: Deborah MacKenzie

WELFARE BUDGET ADJUSTMENTS

<u>Account Code</u>	<u>Account</u>	<u>Adopted Budget</u>	<u>Revised Budget</u>	<u>Adjustment</u>
02-05-100-010100	Regular Salaries	\$179,075	\$ 261,885	\$+ 82,810
02-05-100-011001	Part-time Services	-0-	13,143	+ 13,143
02-05-100-026000	Public Welfare	550,000	1,000,000	<u>+450,000</u>
				\$+545,953
02-65-000-523100	Revenue - State Welfare Aid	\$ 295,000	\$ 570,000	\$+275,000
02-65-000-652100	Revenue - Welfare Reimbursement	45,000	85,000	<u>+ 40,000</u>
	Net Revenue Adjustment			\$ 315,000
	Balance from Contingency			\$ 230,953



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

ANTONIO L. LAGARTO, CHIEF
(203) 796-1550

Date: May 24, 1993
To: Mayor Eriquez and Common Council Members
From: Fred Visconti, Comm. Supervisor
Subject: REQUEST TO PURCHASE COMPUTER EQUIPMENT

I am requesting to encumber the remainder of the monies in the City of Danbury Fire Alarm Ordinance Revenue Account Number 02-65-000-683500. As of this date there is approximately \$1,590.00 in the account with additional monies expected on a day to day basis.

The funds will be used to upgrade our computer network program. The following software will be used in order to complete our present plans:

1. ARTISOFT NODERUNNER STARTER KIT WITH TWO NODE CAPACITY.
2. ART-NR-EA ARTISOFT NODERUNNER ETHERNET ADAPT (ADDITIONAL FOUR NODE CAPACITY)
3. TRIPPLITE 450W BATTERY BACKUP RG58AU
4. RG58AU ETHERNET COAX CABLE BNC-CONN.
5. PER NODE NETWORK INSTALLATION

We feel that this will give us somewhat of a start, and perhaps in the near future we will have funding available to finish the entire network system as originally planned.

Please be advised that we have had to scale down our original request due to funding from this account that was used to complete the radio "PL" work for the volunteer section.

Your cooperation regarding this request is greatly appreciated.

Sincerely,
Fred Visconti
Fred Visconti
Comm. Supervisor
FV/jk



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

May 26, 1993

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Seattle Espresso
May Common Council agenda item #18

Dear Mayor and Council Members:

As you may recall, the proprietor of the Seattle Espresso restaurant is seeking the Council's permission to use a portion of the sidewalk on Main Street for outdoor dining. At the May meeting, you referred the item to this office, with a request that we work up a description of the area to be used. I then contacted the City Engineer who will work with us to review the petitioner's request as well as any special circumstances that may be involved. If possible, we intend to use the same approach that we used in the case of Ciao's restaurant on Ives Street.

As soon as we are able to prepare a complete package for your review, we will advise you.

Sincerely,

Eric L. Gottschalk
Acting Corporation Counsel

cc: John A. Schweitzer, Jr.

COMMON COUNCIL

CITY OF DANBURY

18

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Gary DeFilipo

Address: 30 Huntington Street

Shelton, CT 06484

Telephone No: (203) 926-0058

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

Located at: Lot No. 44 Juniper Ridge Road

Assessor's Lot No: H11253

Zone in which the Property Lies: RA-20

Intended Use:

Retail

Single Family Residential

Office

Multiple Family Development

Mixed Use

_____ Number of Efficiency Units

Industrial

_____ Number of 1 Bedroom Units

_____ Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

Total Number of Units

Gary DeFilipo

(Signature)

5/24/93

(Date)

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water X

Name of Applicant: SCOPE REALTY ASSOCIATES, INC.

Address: 131 West Street

 Danbury, CT 06810

Telephone: 744-2000

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

Located at: South Street a/k/a 15 Mannion Lane

Assessors' Lot No. K16126

Zone: RM-12

Intended Use: Retail _____ Single Family Residential _____

 Office _____ Multiple Family Development X

 Mixed Use _____

 Industrial _____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 62

Number of 3 Bedroom Units _____

Total Number of Units 62



 SIGNATURE PAUL N. JABER

Attorney for Applicant

 May 20, 1993

DATE

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

ATTORNEYS AT LAW

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

LLOYD CUTSUMPAS
FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
ROBERT M. OPOTZNER
THOMAS W. BEECHER
EVA M. DEFranco
CHRISTOPHER K. LEONARD
THOMAS J. MCCARTHY
MARK D. NIELSEN

OF COUNSEL
PAULA FLANAGAN

AREA CODE 203
744-2150

TELECOPIER: (203) 791-1126

May 20, 1993

HAND DELIVER

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

Attention: Joseph DaSilva, President

Re: Scope Realty Associates, Inc.
Water and Sewer Line
South Street a/k/a 15 Mannion Lane
Our File No. 92-5216-66-P

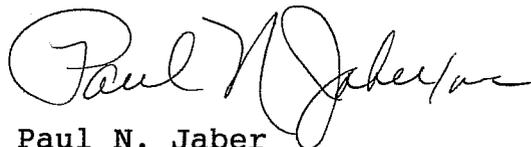
Dear Mr. DaSilva:

Please be advised that I represent Scope Realty Associates, Inc. in connection with the construction of a condominium project located on South Street (a/k/a 15 Mannion Lane).

Enclosed herewith please find an application for the extension of water and sewer lines to said property. Please put this application on the agenda for the next Common Council meeting and advise us of any sub-committee hearings in connection with said application.

If you should have any questions regarding this matter, please do not hesitate to contact me.

Yours very truly,



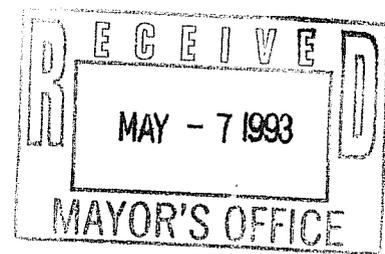
Paul N. Jaber

PNJ/rmc

Enclosure

cc: A. J. Salame
P. J. LaPointe

H & B ASSOCIATES
6 Mill Plain Road
Danbury, CT 06811
797-8156



May 3, 1993

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

Dear Mayor Eriquez:

RE: Scuppo Road, Danbury - 5.8 Acres

Attached is our letter dated August 5, 1992, which is self explanatory. We also forwarded a copy to the Common Council at the same time.

Last year, we verbally quoted a price of \$550,000. This year, we are Florida-bound and very anxious to sell. Therefore, we will consider any reasonable offer.

Please advise if the City of Danbury has any interest in this parcel. We appreciate your prompt response.

Sincerely,

A handwritten signature in cursive script that reads "Vilmos Havasi".

Vilmos Havasi,
General Partner

VH/bss
Enclosure (Map & Letter)
cc Common Council

H & B ASSOCIATES
6 Mill Plain Road
Danbury, CT 06811
797-8156

August 5, 1992

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

Dear Mayor Eriquez:

RE: Scuppo Road, Danbury - 5.8 Acres
Tax Assessor No. F14072

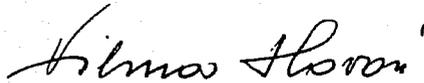
We understand the City may have a budget for elderly and low-income housing.

This parcel on Scuppo Road is 5.8 acres of vacant land with over 1,000 ft. frontage. The City has installed new water lines in front of the property, and we extended the sewer approximately 15 years ago for the entire frontage with several collaterals from the sewer line into the 5.8 acres.

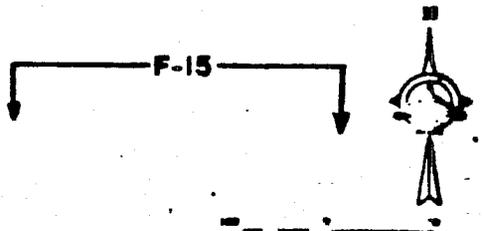
It is our opinion that this property could be utilized effectively with a large building with plenty of land left for recreation; or, because of its frontage, it could be cut into several 3-family building lots (18 lots).

We have intentions of selling our property, or developing it with your cooperation and necessary state funds. Please advise if there is any interest. We look forward to your response.

Sincerely,


Vilmos Havasi,
General Partner

HB/bss
Enclosure: Map
cc Common Council



TAX ASSESSOR'S
CITY OF DANBURY, CONNECTICUT
 COMPILED 1979 - 1980

INFORMATION SHOWN HEREON COMPILED
 A. FROM OFFICIAL MAPS SUPPLIED BY THE
 ENGINEERING DEPARTMENT OF THE
 CITY OF DANBURY.
 B. FROM AERIAL PHOTOGRAPHS AND RECORDS.

PREPARED
LAND PLANNING
 NEWTOWN.

these services, free of charge, from Mr. Haestad and that will enable us to use these materials to complete our work. Be advised further that it is my intent to attempt to secure as many donations as possible to complete this project for the youth of the City. I think it is a worthwhile project and we will be touching base with many of the civic groups and city businesses in an attempt to get supplies and materials which will allow us to complete this project. As I receive donations I will forward them for your review and action. Thank you.

WJB:bds



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

June 1, 1993

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

THAT Section 8-22 of the Code of Ordinances of Danbury, Connecticut entitled, "Fee schedule and regulations for the ambulance and rescue division of the Danbury Fire Department" be and hereby is repealed.

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, Connecticut.

Adopted by the Common Council - June 1, 1993
Approved by Mayor Gene F. Eriquez - June 2, 1993

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



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 1, 1993

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

Re: Refusal to accept unwrapped coins

The Common Council met as a committee of the whole on May 17, 1993 at 7:10 P.M. to review a proposed ordinance concerning the refusal to accept unwrapped coins. Tax Collector Catherine Skurat explained that on occasion taxes will be paid in unwrapped coins in totals of hundreds of dollars. This takes personnel in the Tax Collector's Office many hours to count and verify. The proposed ordinance will allow payment of taxes in coins but only in an amount of up to Twenty (\$20.00) Dollars in an unwrapped state.

Mr. Yamin moved to recommend approval of the proposed ordinance 18-24. The motion was seconded by Mrs. Coladarci and passed un-animously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

June 1, 1993

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 18-24, which said section reads as follows:

Sec. 18-24. Refusal to accept unwrapped coins.

Neither the tax collector nor any other officer or employee of the finance department of the City of Danbury shall be required to accept unwrapped coins in excess of twenty dollars (\$20.00) in value in payment of any amounts owed to the City for taxes, assessments, use charges or other debts of any kind. All wrapped coins shall be suitably wrapped in standard coin wrappers acceptable to the City of Danbury.

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, Connecticut.

Adopted by the Common Council - June 1, 1993

Approved by Mayor Gene F. Eriquez - June 2, 1993

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



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 2, 1993

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

Re: Renovations and Improvements to Marjorie and West Lake
Treatment Facilities

The Common Council Committee appointed to review a request for renovations and improvements to the Marjorie and West Lake Treatment facilities met on May 11, 1993 at 8:00 P.M. in Room 432. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were Superintendent of Public Utilities William Buckley, Assistant Superintendent of Public Utilities M. Ricozzi and Director of Finance Dominic Setaro.

Mr. Buckley explained the need for the requested repairs and improvements. He stated that the Marjorie plant was last redone in 1935. There are problems there with water quality and component parts. Because of these problems this plant will probably not meet State and Federal regulations that take effect in July and October, 1993. The clarity of the water (turbidity) specifically will not meet the upcoming specifications. Parts for much of the machinery can no longer be purchased and must be fabricated. Only two million gallons per day out of a capacity of five million gallons per day can be produced because of the condition of the plant.

The West Lake Plant has design problems in its chemical feed systems and its filters. Much of the equipment breads down often. The plant should, however, meet the new regulations. The Kenosia wells are no longer providing water service because they do not meet regulations. They will be pumped to West Lake when needed.

Mr. Buckley and Mr. Setaro stated that the most expedient method of handling this problem is through a water bond issue which is estimated to cost between twenty and twenty-one million dollars. This would allow for construction of the projects with a completion date of 1997. This would coincide with the termination of payments for the 1979 Water Bond Issue and lessen the impact of charges to water users. Mr. Buckley said that he would like a professional feasibility study done that would be more specific in costs. This would cover all phases of the project and its impact.

The committee then discussed the presentation to the voters of an authorization of water bonds for water installation such as those used in neighborhood sewer projects.

Mr. Scozzafava moved to recommend a feasibility study be conducted with financing from the Water Fund to pin down costs of renovations and improvements to the Marjorie and West Lake Water Treatment Facilities. This report would also reflect the impact on the cost to water users, using various scenarios concerning the amount of work that can be done in-house by the Water Department. It was also recommended that the charge of the committee be expanded to include the possibility of the inclusion of an additional authorization of bonds for water installations similar to the existant provision for sewer installation. The motion was seconded by Mr. Scozzafava. Motion carried unanimously.

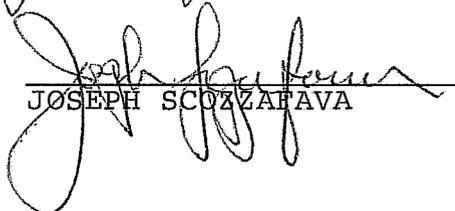
Respectfully submitted,



JOSEPH DaSILVA, Chairman



JOHN J. ESPOSITO



JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 2, 1993

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

Re: Renovations and Improvements to Marjorie and West Lake
Treatment Facilities

The Common Council Committee appointed to review a request for renovations and improvements to the Marjorie and West Lake Treatment facilities met on May 11, 1993 at 8:00 P.M. in Room 432. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were Superintendent of Public Utilities William Buckley, Assistant Superintendent of Public Utilities M. Ricoszi and Director of Finance Dominic Setaro.

Mr. Buckley explained the need for the requested repairs and improvements. He stated that the Marjorie plant was last redone in 1935. There are problems there with water quality and component parts. Because of these problems this plant will probably not meet State and Federal regulations that take effect in July and October, 1993. The clarity of the water (turbidity) specifically will not meet the upcoming specifications. Parts for much of the machinery can no longer be purchased and must be fabricated. Only two million gallons per day out of a capacity of five million gallons per day can be produced because of the condition of the plant.

The West Lake Plant has design problems in its chemical feed systems and its filters. Much of the equipment breads down often. The plant should, however, meet the new regulations. The Kenosia wells are no longer providing water service because they do not meet regulations. They will be pumped to West Lake when needed.

Mr. Buckley and Mr. Setaro stated that the most expedient method of handling this problem is through a water bond issue which is estimated to cost between twenty and twenty-one million dollars. This would allow for construction of the projects with a completion date of 1997. This would coincide with the termination of payments for the 1979 Water Bond Issue and lessen the impact of charges to water users. Mr. Buckley said that he would like a professional feasibility study done that would be more specific in costs. This would cover all phases of the project and its impact.

The committee then discussed the presentation to the voters of an authorization of water bonds for water installation such as those used in neighborhood sewer projects.

Mr. Scozzafava moved to recommend a feasibility study be conducted with financing from the Water Fund to pin down costs of renovations and improvements to the Marjorie and West Lake Water Treatment Facilities. This report would also reflect the impact on the cost to water users, using various scenarios concerning the amount of work that can be done in-house by the Water Department. It was also recommended that the charge of the committee be expanded to include the possibility of the inclusion of an additional authorization of bonds for water installations similar to the existant provision for sewer installation. The motion was seconded by Mr. Scozzafava. Motion carried unanimously.

Respectfully submitted,

JOSEPH DaSILVA, Chairman

JOHN J. ESPOSITO

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 2, 1993

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

Re: Request to Use City Land on Mountain Road

The Common Council Committee appointed to review the request to use City land on Mountain Road met on May 11, 1993 at 7:40 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo and Scozzafava. Mrs. Gogliettino was away on vacation. Also in attendance was the petitioner, Oliva St. Jean.

Mr. Scalzo reviewed the request and also the positive recommendation from the Planning Commission at its April 21, 1993 meeting. The petitioner stated that the cordwood is stored there for only a short period of time, April-June, while it is being split and hauled up to the house to be used as an alternative source of fuel.

Mr. Scozzafava made a motion to recommend approval for Mr. St. Jean to use the City property on Mountain Road pending the execution of a revocable license agreement and hold harmless agreement with the City. The motion was seconded by Mr. Scalzo. Discussion ensued by Mr. Scozzafava commending Mr. St. Jean for his honesty and also the concern of liability. Mr. St. Jean stated that he would be agreeable to signing the revocable license and hold harmless agreement. Motion carried unanimously.

Respectfully submitted,

HARRY W. SCALZO, Chairman

DEBORAH R. GOGLIETTINO

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 2, 1993

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

Re: Request to Use City Land on Mountain Road

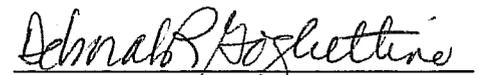
The Common Council Committee appointed to review the request to use City land on Mountain Road met on May 11, 1993 at 7:40 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo and Scozzafava. Mrs. Gogliettino was away on vacation. Also in attendance was the petitioner, Oliva St. Jean.

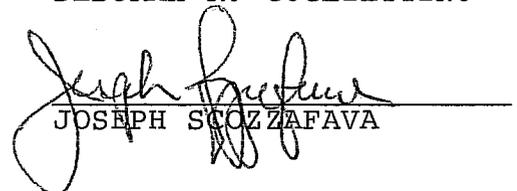
Mr. Scalzo reviewed the request and also the positive recommendation from the Planning Commission at its April 21, 1993 meeting. The petitioner stated that the cordwood is stored there for only a short period of time, April-June, while it is being split and hauled up to the house to be used as an alternative source of fuel.

Mr. Scozzafava made a motion to recommend approval for Mr. St. Jean to use the City property on Mountain Road pending the execution of a revocable license agreement and hold harmless agreement with the City. The motion was seconded by Mr. Scalzo. Discussion ensued by Mr. Scozzafava commending Mr. St. Jean for his honesty and also the concern of liability. Mr. St. Jean stated that he would be agreeable to signing the revocable license and hold harmless agreement. Motion carried unanimously.

Respectfully submitted,


HARRY W. SCALZO, Chairman


DEBORAH R. GOGLIETTINO


JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 1, 1993

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

Re: Request to Purchase 911 Communications Equipment

The Common Council Committee appointed to review the request to purchase 911 Communications Equipment met on May 18, 1993 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Dean Esposito and Scozzafava. Also in attendance were Communications Supervisor Fred Visconti, Fire Chief Antonio Lagarto, Assistant Chief Tom Morris, Airport Administrator Paul Estefan, Finance Director Dominic Setaro, President of Danbury Volunteer Firemen Council Warren Levy, Council Members Gallo and John Esposito, ex-officio, and Mayor Gene Eriquez.

The committee was given background information on the communications system and its operation by Mr. Visconti and Mr. Estefan. They further informed the committee of the continuous interference with communications from areas in Connecticut and New Jersey which are operating on the same frequency. This has been ongoing since a new antenna was installed on Spruce Mountain. PL is a filtering system to be installed on the numerous pieces of communication equipment which will eliminate the interference. Mr. Visconti has also learned that in the near future all of New London and Middlesex Counties will be operating on the same frequencies creating more interference and probable dangerous situations. He has cost estimates of \$6,500 to update the equipment of the Career Department which is the amount requested. The cost to update the Volunteer Department would be between \$3,200 and \$3,400.

Mr. Gallo and John Esposito and Mr. Levy were emphatic that the entire Fire Department communications equipment should be included in the installation of the PL system, otherwise the Volunteer's equipment would be deemed useless. They also stated that three radios in Car 2 are not made available to the Volunteers at the scene of a disaster. They strongly believed that the entire system should be upgraded at the same time from monies from the Citywide Alarm Ordinance. Chief Lagarto stated that it was only necessary to upgrade the Career Department at this time and the Volunteer Department should pay for their own PL installation out of their own funds.

Mr. Scozzafava inquired as to what would happen to the other funds in the account. Mr. Visconti stated that the money was needed to purchase a new computer with accessories, software and hardware to set up a network with the existing 15 computers in the fire stations. Assistant Chief Morris explained how the computers are being used for reports and storing various information systems and the necessity for purchasing the new equipment and networking with the existing computers.

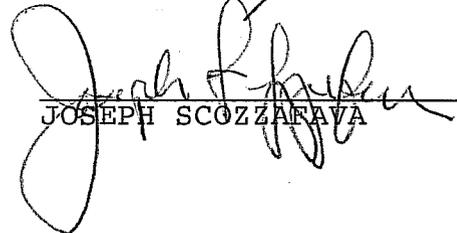
Chief Lagarto was asked if he would have any monies remaining in any line items on June 30, 1993 and if he would be requesting additional funds between now and June 30th. He replied that there would be no monies left and he would be requesting additional funds between now and June 30th.

Dean Esposito made a motion to approve the amount of \$9,900 for the installation of PL to upgrade the radio systems for the entire Fire Department, Career and Volunteer. The motion was seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,


HARRY W. SCALZO, Chairman


DEAN E. ESPOSITO


JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

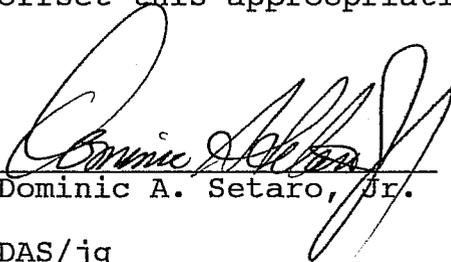
June 1, 1993

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

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

RE: 911 Communications Equipment

In reference to the request to purchase Communications Equipment and per the Committee report of June 1, 1993, I hereby certify the availability of \$9,900.00 to be transferred to the Communications Equipment Account #02-02-110-062000. I will amend the revenue in a like amount to offset this appropriation.



Dominic A. Setaro, Jr.

DAS/jg



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 1, 1993

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

Re: Request to Purchase 911 Communications Equipment

The Common Council Committee appointed to review the request to purchase 911 Communications Equipment met on May 18, 1993 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Dean Esposito and Scozzafava. Also in attendance were Communications Supervisor Fred Visconti, Fire Chief Antonio Lagarto, Assistant Chief Tom Morris, Airport Administrator Paul Estefan, Finance Director Dominic Setaro, President of Danbury Volunteer Firemen Council Warren Levy, Council Members Gallo and John Esposito, ex-officio, and Mayor Gene Eriquez.

The committee was given background information on the communications system and its operation by Mr. Visconti and Mr. Estefan. They further informed the committee of the continuous interference with communications from areas in Connecticut and New Jersey which are operating on the same frequency. This has been ongoing since a new antenna was installed on Spruce Mountain. PL is a filtering system to be installed on the numerous pieces of communication equipment which will eliminate the interference. Mr. Visconti has also learned that in the near future all of New London and Middlesex Counties will be operating on the same frequencies creating more interference and probable dangerous situations. He has cost estimates of \$6,500 to update the equipment of the Career Department which is the amount requested. The cost to update the Volunteer Department would be between \$3,200 and \$3,400.

Mr. Gallo and John Esposito and Mr. Levy were emphatic that the entire Fire Department communications equipment should be included in the installation of the PL system, otherwise the Volunteer's equipment would be deemed useless. They also stated that three radios in Car 2 are not made available to the Volunteers at the scene of a disaster. They strongly believed that the entire system should be upgraded at the same time from monies from the Citywide Alarm Ordinance. Chief Lagarto stated that it was only necessary to upgrade the Career Department at this time and the Volunteer Department should pay for their own PL installation out of their own funds.

Mr. Scozzafava inquired as to what would happen to the other funds in the account. Mr. Visconti stated that the money was needed to purchase a new computer with accessories, software and hardware to set up a network with the existing 15 computers in the fire stations. Assistant Chief Morris explained how the computers are being used for reports and storing various information systems and the necessity for purchasing the new equipment and networking with the existing computers.

Chief Lagarto was asked if he would have any monies remaining in any line items on June 30, 1993 and if he would be requesting additional funds between now and June 30th. He replied that there would be no monies left and he would be requesting additional funds between now and June 30th.

Dean Esposito made a motion to approve the amount of \$9,900 for the installation of PL to upgrade the radio systems for the entire Fire Department, Career and Volunteer. The motion was seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,

HARRY W. SCALZO, Chairman

DEAN E. ESPOSITO

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 1, 1993

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

Re: Request for Sewer and Water Extension on Pocono Lane, Sunrise Road and Federal Road

The Common Council Committee appointed to review the request for sewer and water extension on Pocono Lane, Sunrise Road and Federal Road by Berkshire Industrial Corporation met on May 11, 1993 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members John Esposito and Harry Scalzo. Mr. Fazio was unable to attend. Also in attendance were Council President Joseph DaSilva, ex-officio, Superintendent of Public Utilities William Buckley and Assistant Director of Public Utilities Mario Ricoszi and Attorney Bobby Payne and staff representing the Berkshire Industrial Corporation.

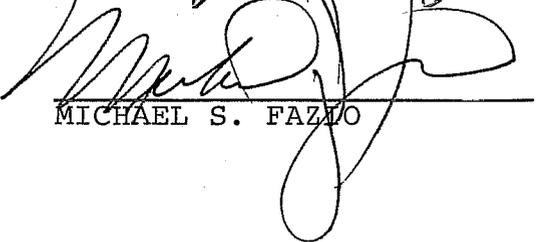
The Committee reviewed the petition and plans, as well as the positive recommendation of the Planning Commission dated April 26, 1993 for the reason that the site is within the scope of service set in the comprehensive sewer and water distribution study. Mr. Buckley spoke of his approval of the request to date.

Mr. Scalzo made a motion to recommend to the full Common Council the approval of the petition subject to the eight steps of conditions and restrictions concerning sewer and water extensions. Seconded by John Esposito. Motion carried unanimously.

Respectfully submitted,


JOHN J. ESPOSITO, Chairman


HARRY W. SCALZO


MICHAEL S. FAZIO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 1, 1993

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

Re: Request for Sewer and Water Extension on Pocono Lane, Sunrise
Road and Federal Road

The Common Council Committee appointed to review the request for sewer and water extension on Pocono Lane, Sunrise Road and Federal Road by Berkshire Industrial Corporation met on May 11, 1993 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members John Esposito and Harry Scalzo. Mr. Fazio was unable to attend. Also in attendance were Council President Joseph DaSilva, ex-officio, Superintendent of Public Utilities William Buckley and Assistant Director of Public Utilities Mario Ricozzi and Attorney Bobby Payne and staff representing the Berkshire Industrial Corporation.

The Committee reviewed the petition and plans, as well as the positive recommendation of the Planning Commission dated April 26, 1993 for the reason that the site is within the scope of service set in the comprehensive sewer and water distribution study. Mr. Buckley spoke of his approval of the request to date.

Mr. Scalzo made a motion to recommend to the full Common Council the approval of the petition subject to the eight steps of conditions and restrictions concerning sewer and water extensions. Seconded by John Esposito. Motion carried unanimously.

Respectfully submitted,

JOHN J. ESPOSITO, Chairman

HARRY W. SCALZO

MICHAEL S. FAZIO

LEASE AGREEMENT

City of Danbury and Norman and Dorothy Carvalho

THIS INDENTURE, made this day of June, 1993, by and between the City of Danbury ("City"), a municipal corporation organized and existing pursuant to the laws of the State of Connecticut, and acting herein by Gene F. Eriquez, its Mayor, duly authorized hereinafter referred to as the Landlord, and Norman Carvalho and Dorothy L. Carvalho of 1 Purchase Street, Danbury, Connecticut 06810, hereinafter referred to as Carvalhos or the Tenants,

WITNESSETH:

THAT the Landlord hereby demises and leases unto the Tenants, and the Tenants hereby leases from the Landlord, for the term and covenants and upon the rentals hereinafter specified, the premises described as follows, situated in the City of Danbury, County of Fairfield and State of Connecticut, viz:

PREMISES TO BE LEASED:

The Demised Premises are described as a parcel of land shown and described as ~~PARCEL "B" AREA = 4,329 SQ. FT.+ as shown on a certain Map entitled "Map Prepared For THE CITY OF DANBURY, Maple Avenue, Danbury, Connecticut, Scale 1"= 20', March 17, 1993" prepared by Ireneo H. Despojado, P.E., for the City of Danbury, Engineering Department, John A. Schweitzer, Jr., City Engineer, filed in the office of the Danbury Town Clerk as Map No. 9698. To the extent any portion of the Demised Premises contains a right of way for public travel, this Lease is non-exclusive.~~

PURPOSE:

This Lease is intended to provide parking, access, and temporary storage of vehicles dedicated to the Carvalhos' businesses of selling new and used motor vehicles, repairing motor vehicles and repossession of motor vehicles for lenders, and incidental uses, all of which are conducted on adjacent property owned by the Carvalhos. Such businesses are hereinafter referred to as the "Car Business".

TERM:

The Term of this demise shall be for 30 years beginning, the late of (i) May 1, 1993 or (ii) the date on which both a site plan has been approved and a zoning permit has been issued and terminating on April 30, 2023 A.D., unless sooner terminated as provided herein. The Term shall be renewed for successive 5-year periods, automatically and indefinitely, unless either Party elects not to renew by written notice given to at least 90 days before the

commencement of any renewal period. At any time after May 1, 1998, the Tenants shall be entitled to terminate this Lease, without penalty, upon 90 days written notice to the Landlord.

RENT:

The initial rent for the demised Term shall be the yearly amount of Nine Hundred Eighteen Dollars (\$918). Said rent amount(s) shall increase/decrease in subsequent years in the manner set forth in Paragraph Thirtieth hereof. The intent of the parties was to set a rent approximately equal to twice the annual municipal real estate tax, if one were to be imposed.

The said rent is to be payable quarterly in advance on the first day of each calendar quarter for the Term hereof in equal installments of \$229.50. For any partial calendar quarters, the rent shall be pro-rated.

THE ABOVE LETTING IS UPON THE FOLLOWING CONDITIONS:

QUIET ENJOYMENT:

FIRST: The Landlord covenants that the Tenants, on paying said rental and performing the covenants and conditions in this Lease contained, shall and may peaceably and quietly have, hold and enjoy the Demised Premises for the term aforesaid.

USE OF PREMISES:

SECOND: The Tenants covenant and agree to use the Demised Premises solely for the parking and temporary storage of motor vehicles accessory to the Car Business and any other reasonably incidental uses. It may be used for such other uses as may, from time to time, be authorized by Landlord. The Tenants agree not to use or permit the Demised Premises to be used for any other purpose without prior written consent of the Landlord. The Tenants are specifically prohibited from using the Demised Premises for direct access to Maple Avenue without the City's express written consent. The Tenants may have indirect access to Maple Avenue, however, through their other land.

DEFAULT IN PAYMENT OF RENT:

THIRD: The Tenants shall, without any previous demand therefor, pay to the Landlord, or its agent, the said rent at the times and in the manner above provided. In the event of the non-payment of said rent, or installment thereof, at the times and in the manner above provided, and if the same shall remain in default for ten days after becoming due, then the City may accelerate the installments of rent which would have become due over the succeeding twenty-four months or may regain possession of

the Demises Premises through summary process. The City may also collect interest of one percent per month on any overdue or accelerated rent payments. If any other default by tenant under this Lease can be cured by the expenditure of money, then the City is authorized, but not required, to expend money to cure that default and to recover that sum from Tenants as additional rent. The Tenants further agrees to pay, as additional rent, all attorney's fees and other expenses incurred by the Landlord in enforcing any of the Tenants' obligations under this Lease.

SUBLETTING AND ASSIGNMENT:

FOURTH: The Tenants shall not sublet the Demised Premises nor any portion thereof, nor shall this Lease be assigned by the Tenants without the prior written consent of the Landlord endorsed hereon except in accordance with Paragraph Thirty-Second hereof. Any party to whom this Lease shall actually be assigned shall assume all obligations thereafter.

CONDITION OF PREMISES:

FIFTH: The Tenants have examined the Demised Premises, and accept them in their present condition (except as otherwise expressly provided herein) and without any representations on the part of the Landlord or its agents as to the present or future condition of the said premises. The Tenants shall quit and surrender the premises at the end of the demised term in as good condition as the reasonable use thereof will permit, and shall not make any alterations, additions or improvements to said premises without prior written consent of the Landlord.

All improvements, whether temporary or permanent in character, which may be made upon the premises either by the Landlord or the Tenants, shall be the property of the Landlord and shall remain upon and be surrendered with the premises as a part thereof at the termination of this Lease, without compensation to the Tenants. The Tenants further agree to keep said premises and all parts thereof in a clean and sanitary condition and free from trash, inflammable material, and similar objectionable matter. The Tenants shall be allowed to install and maintain a fence along the perimeter of the Demised Premises, of a type in a location subject to the approval of the Landlord, which shall not be unreasonably withheld. To install the fence along the CONCRETE SIDEWALK as shown on the Map, Tenants may remove a portion of the City's guard rail. Tenant shall take care in removing that guard rail and shall deliver all usable portions of it to the City. Before disturbing any of the Demised Premises, the Tenants shall give the City notice and opportunity to remove any usable shrubs. In no event shall the Tenant move, cut, or otherwise disturb the three white pine trees on the Demises Premises.

MECHANICS' LIENS:

SIXTH: In the event that any mechanics' lien is filed against the premises as a result of alterations, additions or improvements made by the Tenants, the Landlord, at its option, after sixty days' notice to the Tenants, may pay the said lien, without inquiring into the validity thereof, and the Tenants shall forthwith reimburse the Landlord the total expense incurred by the Landlord in discharging said lien, as additional rent hereunder.

SEVENTH: Deleted

LIABILITY OF LANDLORD:

EIGHTH: The Landlord shall not be responsible for the loss of or damage to property, or injury to persons, occurring in or about the Demised Premises, by reason of any existing or future condition, defect, matter or thing in said Demised Premises or the property of which the premises are a part, or for the acts, omissions or negligence of other persons or tenants in and about the said property. The Tenants agree to indemnify and save the Landlord harmless from all claims and liability for losses of or damage to the property, or injuries to persons occurring in or about the Demised Premises.

SERVICES AND UTILITIES:

NINTH: The Landlord shall not be liable for any interruption or delay in any utilities for any reason. The Landlord reserves the right to install utilities, provided that any disturbed areas are fully restored. The Tenants may install utilities with the prior written consent of the Landlord, provided such consent shall not be unreasonably withheld.

RIGHT TO INSPECT AND EXHIBIT:

TENTH: The Landlord, or its agents, shall have the right to enter the Demised Premises at reasonable hours in the day or night to examine the same, or to run telephone or other wires, or to make such repairs, additions or alterations as it shall deem necessary for the safety, preservation or restoration of the improvements, or for the safety or convenience of the users thereof (there being no obligation however, on the part of the Landlord to make any such repairs, additions or alterations), but the Landlord shall restore any areas it disturbs. The Landlord shall be specifically entitled to enter the Demises Premises to maintain and protect Padanaram Brook, Kohanza Brook, and the concrete retaining walls and culverts which serve them. The Tenants shall install a gate for these purposes or allow the Landlord to gain access to the Demised Premises over the Tenant's other land.

DAMAGE BY FIRE OR OTHERWISE

ELEVENTH: In the event of the destruction of the Demised Premises or any parking facility located on said premises by fire, explosion, the elements otherwise during the Term hereby created, or previous thereto, or such partial destruction thereof as to render the premises wholly untenable or unfit for occupancy, then the Tenants shall use any and all applicable insurance policies to restore those premises. If there is no insurance or insufficient insurance to restore those spaces, then the Tenants may restore those Premises at no cost to the City, and in no event shall the rent accrued and accruing cease or abate. The Tenants shall immediately notify the Landlord in case of fire or other damage to the premises.

OBSERVATION OF LAWS, ORDINANCES AND RULES AND REGULATIONS:

TWELFTH: The Tenants agree to observe and comply with all laws, ordinances, rules and regulations of the Federal, State, County and Municipal authorities applicable to the activities to be conducted by the Tenants in the Demised Premises. The Tenants agrees not to do or permit anything to be done in said premises, or keep anything therein, which will conflict with the land-use regulations of the City or with any insurance policy upon said improvements or any part thereof.

SIGNS:

THIRTEENTH: No sign, advertisement or notice shall be affixed to or placed upon any part of the Demised Premises by the Tenants, except in such manner, and of such size, design and color as shall be approved in accordance with the zoning and other local land-use laws.

SUBORDINATIONS TO MORTGAGES AND DEEDS OF TRUST:

FOURTEENTH: This Lease is subordinated to any present or future mortgages.

TAXES:

FIFTEENTH: No municipal real property taxes may be imposed on the Demised Premises because they will at all times be owned by the City of Danbury.

VIOLATION OF COVENANTS:

SIXTEENTH: In case of violation by the Tenants of any of the covenants, agreements and conditions of this Lease, or of the rules and regulations now or hereafter to be reasonably established by the Landlord, which cannot be cured by the City's expenditure of funds under Article Third, the City shall be entitled^a to regain

possession of the premises through summary process or to equitable relief from any court of competent jurisdiction. No waiver by the Landlord of any violation or breach of condition by the Tenants shall constitute or be construed as a waiver of any other violation or breach of condition.

NON-WAIVER OF BREACH:

SEVENTEENTH: All notices and demands, legal or otherwise, incidental to this Lease, or the occupation of the Demised Premises, shall be in writing. If the Landlord or its agent desires to give or serve upon the Tenants any notice or demand, it shall be sufficient to send a copy thereof by certified mail, addressed to the Tenants at the address referred to on Page 1 hereof, or its successors in the manner required by law for the service of legal process. Notices from the Tenants to the Landlord shall be sent by certified mail or delivered to the Landlord at the place hereinbefore designated for the payment of rent, or to such party or place as the Landlord may from time to time designate in writing.

BANKRUPTCY:

EIGHTEENTH: Deleted

HOLDING OVER BY TENANTS:

NINETEENTH: In the event that the Tenants shall remain in the Demised Premises after the expiration of the Term of this Lease without renewal or without having executed a new written lease with the Landlord, such holding over shall not constitute a renewal or extension of this Lease. The Landlord may, at its option, elect to treat the Tenants as one who has not removed at the end of his term, and thereupon be entitled to all the remedies against the Tenants provided by law in that situation, or the Landlord may elect, at its option, to construe such holding over as a tenancy from month to month, subject to all the terms and conditions of this Lease, except as to duration thereof, and in the event the Tenants shall pay monthly rent in advance at the rate provided herein as effective during the last month of the demised term.

EMINENT DOMAIN:

TWENTIETH: If the property or any part thereof wherein the Demised Premises are located shall be taken by public or quasi-public authority under any power of eminent domain or condemnation, this Lease, at the option of the Landlord, shall be equitably adjusted and the Tenants shall have a claim for damages against the condemning authority for such taking.

ARBITRATION:

TWENTY FIRST: Except as provided in SIXTEENTH, any dispute arising under this Lease shall be settled by arbitration. The Landlord and Tenants shall submit their dispute to the American Arbitration Association, or its successor, under the rules then prevailing. The award or decision may be enforced in any court of competent jurisdiction. Where a party seeks an equitable remedy, unavailable through arbitration resort to the courts may be had.

DELIVERY OF LEASE:

TWENTY SECOND: No rights are to be conferred upon the Tenants until this Lease has been signed by the Landlord, and an executed copy of this Lease has been delivered to the Tenants.

LEASE PROVISIONS:

TWENTY THIRD: The foregoing rights and remedies are not intended to be exclusive but as additional to all rights and remedies the Landlord would otherwise have by law and which may be conferred by the contract to which this is appended. The Landlord shall have the right to evict the Tenants for any material breach of this Lease.

LEASE BINDING ON HEIRS, ETC:

TWENTY FOURTH: All of the terms, covenants and conditions of this Lease shall inure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and assigns of the parties hereto.

GOVERNMENTAL ACTION:

TWENTY FIFTH: The obligation of the Tenants to pay rent and to perform the covenants undertaken under this Lease, shall not be excused or impaired because of any action on the part of the Landlord not inconsistent with this Lease.

TERMINATION:

TWENTY SIXTH: Deleted

TWENTY SEVENTH: Deleted

INTERPRETATION:

TWENTY EIGHTH: The employment of the terms "Landlord" and "Tenants" in this Lease, and the personal pronouns thereto referring, shall be construed as including and referring to masculine, feminine or neuter and the singular or plural, wherever the context thereof so requires or admits.

RIDER:

TWENTY NINTH: It is further agreed by the parties hereto that any rider attached hereto, commencing with Paragraph Thirtieth, and identified by the signatures of the parties hereto, is hereby made a part hereof, with the same intent, purpose, force and effect as though the same were a portion of the printed form of this indenture.

RENT ADJUSTMENT/CPI:

THIRTIETH: Tenants agrees that the monthly rent to be paid pursuant to the provisions of this Lease shall be adjusted upward or downward on the fifth anniversary of the commencement date of the Lease, and every five year anniversary thereafter by a percentage equal to the percentage increase/decrease in the national Consumer Price Index appearing in the Wall Street Journal or in official government publications or sources as applicable to the fifth anniversary date then being adjusted, which increase shall be added to the adjusted rent, whether said adjusted rent is greater or lesser than the immediately preceding rent period amount.

INSURANCE:

THIRTY FIRST: Tenants agrees to provide and to maintain liability insurance in amounts and kind acceptable to Landlord sufficient to protect Landlord against claims or actions arising from the use of the Demised Premises for the purpose recited herein. Such insurance policy shall be provided in original form to Landlord prior to the commencement of this Lease, shall name the Landlord as an additional insured, and shall contain a thirty (30) day notice of cancellation clause.

ASSIGNMENT OF LEASE:

THIRTY SECOND: (supplement to Paragraph Fourth). In the event that Tenants sell their land adjoining the Demises Premises or sell the Car Business, then Tenants may assign this Lease to the Buyer with the City's consent, which shall not be unreasonably withheld.

THIRTY THIRD: Deleted.

RIGHTS TO GRADE:

THIRTY FOURTH: It is the understanding of the parties that Tenants, at their sole obligation and expense, shall obtain any grading rights, easements or other rights from others to grade the Demised Premises as may be necessary to accomplish the purposes hereof. Tenants are entitled to grade the Demised Premises to carry out the terms of this Lease subject to the reasonable approval of the City Engineer so that the integrity of the brook

walls can be assured. Such right shall be in accordance with those limitations and requirements set forth in any grading permits issued by Landlord.

MODIFICATION:

THIRTY FIFTH: This Lease, together with the Easement of Access between the City and the Carvalhos dated _____, 1993, and all documents, exhibits, schedules, attachments and other such writings incorporated therein, constitute the entire agreement between the parties and cannot be waived, changed, modified, amended, or terminated in any manner except in writing subscribed by both parties through their duly authorized officers.

ALL LEGAL PROVISIONS INCLUDED:

THIRTY SIXTH: It is the intention and the agreement of the parties of this Lease that all legal provisions of law required to be inserted herein shall be and are inserted herein. However, if by mistake or otherwise, some such provisions is not herein inserted, or is not inserted in proper form, then on the application of either party, the Lease shall be amended so as to strictly comply with the law and without prejudice to the rights of either party hereunder.

UNLAWFUL PROVISIONS DEEMED STRICKEN:

THIRTY SEVENTH: All unlawful provisions shall be deemed stricken from this Lease, and shall be of no effect. On the application of either party, the unlawful part shall be considered stricken without affecting the binding force of the remainder of the Lease.

HEADINGS:

THIRTY EIGHTH: The heading or titles to sections of this Lease are not a part of the Lease and shall have no effect upon the construction or interpretation of any part of this Lease.

IN WITNESS WHEREOF, said Parties have hereunto set their hands and seals in duplicate at Danbury, Connecticut, on the day and year first above written.

Signed, sealed and delivered
in the presence of:

CITY OF DANBURY

By: _____
Gene F. Eriquez
Its Mayor, hereunto duly
authorized

Norman Carvalho

Dorothy L. Carvalho

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

On this the day of June, 1993, before me, Laszlo L. Pinter, the undersigned officer, personally appeared Gene F. Eriquez, who acknowledged himself to be the Mayor of the 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 City of Danbury by himself as Mayor.

Laszlo L. Pinter
Commissioner of Superior Court

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

On this the day of June, 1993, before me, Ward J. Mazzucco, the undersigned officer, personally appeared Norman Carvalho and Dorothy L. Carvalho, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

Ward J. Mazzucco
Commissioner of Superior Court



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

June 1, 1993

REPORT

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

Re: Request for Easement on Maple Avenue

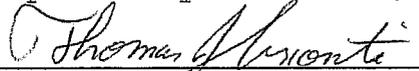
The Common Council Committee appointed to review the proposed easement and lease of City property on Maple Avenue met in Room 432 in City Hall at 5:00 P.M. on May 18, 1993. In attendance were Committee Members Arconti and Cipriani. Also in attendance were Assistant Corporation Counsel Les Pinter, Attorney Ward Mazzucco and the petitioner Norman Carvalho.

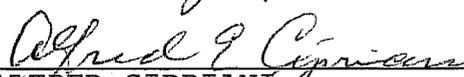
The Common Council previously approved an easement to allow Mr. Carvalho to cross over City land to gain access to his property. The purpose of this meeting was to review a proposed lease to allow Mr. Carvalho the use of approximately 4,300 square feet of City property adjacent to his. Mr. Arconti read the positive recommendation of the Planning Commission.

Much discussion took place regarding the term and value to be set for this lease. It was agreed to start the lease at an amount equal to twice the annual taxes that would be assessed on this property (2 x \$459 = \$918 per year). The term of the lease will be thirty years and the rent will be adjusted annually based on the CPI.

Mr. Cipriani moved to recommend the approval of the easement and lease subject to final review of the amended lease by the Planning Commission and the Corporation Counsel. The motion was seconded by Mr. Arconti and passed unanimously.

Respectfully submitted,


THOMAS ARCONTI, Chairman


ALFRED CIPRIANI


JOSEPH SCOZZAFAVA

MAY 26 1993

LAW OFFICES OF
MAZZUCCO & McGONIGLE, P.C.

WARD J. MAZZUCCO**
HELEN L. MCGONIGLE

**ALSO ADMITTED IN
NEW YORK & FLORIDA

60 WEST STREET
P. O. BOX 800
DANBURY, CT 06813-0800

PHONE (203) 794-9144
FAX (203) 790-4137

May 26, 1993

Planning Commission
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

RE: Carvalho - Property on Maple Avenue

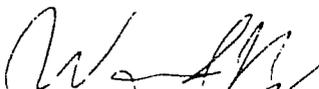
Dear Commission Members:

Your Commission has been kind enough to review and approve our earlier requests for an easement and a Lease of certain City property on Maple Avenue in Danbury. Pursuant to another meeting with a Common Council subcommittee last week, additional changes in the Lease will be required. Les Pinter, Esq., has recommended that we return to your Commission for further approval of the final changes. I would appreciate it if you would put this matter on the agenda for your meeting of June 2, 1993. I expect to deliver the final revisions to the Planning Department shortly before your meeting. I should also note there is a possibility that the full Common Council may approve the Lease, subject to your approval, at its meeting of June 1, 1993.

As always, I thank you for your consideration and regret the need to bring this matter before you an additional time.

Very truly yours,

MAZZUCCO & MCGONIGLE, P.C.



Ward J. Mazzucco

WJM:sm

cc: Norman Carvalho
John A. Schweitzer, Jr., P.E.
Laszlo Pinter, Esquire



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

June 1, 1993

REPORT

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

Re: Request for Easement on Maple Avenue

The Common Council Committee appointed to review the proposed easement and lease of City property on Maple Avenue met in Room 432 in City Hall at 5:00 P.M. on May 18, 1993. In attendance were Committee Members Arconti and Cipriani. Also in attendance were Assistant Corporation Counsel Les Pinter, Attorney Ward Mazzucco and the petitioner Norman Carvalho.

The Common Council previously approved an easement to allow Mr. Carvalho to cross over City land to gain access to his property. The purpose of this meeting was to review a proposed lease to allow Mr. Carvalho the use of approximately 4,300 square feet of City property adjacent to his. Mr. Arconti read the positive recommendation of the Planning Commission.

Much discussion took place regarding the term and value to be set for this lease. It was agreed to start the lease at an amount equal to twice the annual taxes that would be assessed on this property (2 x \$459 = \$918 per year). The term of the lease will be thirty years and the rent will be adjusted annually based on the CPI.

Mr. Cipriani moved to recommend the approval of the easement and lease subject to final review of the amended lease by the Planning Commission and the Corporation Counsel. The motion was seconded by Mr. Arconti and passed unanimously.

Respectfully submitted,

THOMAS ARCONTI, Chairman

ALFRED CIPRIANI

JOSEPH SCOZZAFAVA

29

To all People to Whom these Presents shall Come, Greeting:

Know Ye, That CITY OF DANBURY, a municipal corporation organized and existing pursuant to the law of the State of Connecticut

for the consideration of One Dollar and No/100 (\$1.00)

received to full satisfaction of Norman Carvalho and Dorothy L. Carvalho

do give, grant, bargain, sell and confirm unto the said
Norman Carvalho and Dorothy L. Carvalho

and unto the survivor of them, and unto such survivor's heirs and assigns forever

the following easement:

a non-exclusive easement in common with the City of Danbury and others (a) to pass and repass by vehicle, foot or otherwise and (b) to remove or relocate an existing guide rail, utility pole, and guy wire on and over land designated as Parcel "A" Area: 388 Sq. Ft. on, above, and below that as shown on a certain map entitled "Map Prepared For THE CITY OF DANBURY, Maple Avenue, Danbury, Connecticut Scale 1" = 20', March 17, 1993", prepared by City of Danbury, Engineering Department, John A. Schweitzer, Jr., City Engineer, filed in the office of the Danbury Town Clerk as Map No. 9698. This map was certified by Ireneo H. Despojado, P.E.

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto them the said grantees, and unto the survivor of them, and unto such survivor's heirs and assigns forever, to them and their own proper use and behoof.

And also, the said grantor do for heirs, executors, administrators, and assigns, covenant with the said grantees and with the survivor of them, and with such survivor's heirs and assigns, that at and until the ensembling of these presents well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, the said grantor do by these presents bind and heirs, and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to them the said grantees, and to the survivor of them and to such survivor's heirs and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, have hereunto set hand and seal this day of in the year of our Lord nineteen hundred and Signed, Sealed and Delivered in presence of City of Danbury

_____ by: _____
Gene Eriquez
Mayor

State of Connecticut, }
County of Fairfield } SS. Danbury

On this the day of , 19 93, before me, Gene Eriquez, the undersigned officer, personally appeared

whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, as his free act and deed.

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

Title of Officer

State of Connecticut, }
County of } SS.

On this the day of , 19 , before me, the undersigned officer, personally appeared

of who acknowledged himself to be the , a corporation, and that he as such being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as

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

Title of Officer

Latest address of Grantee:

No. and Street _____

City _____

State _____ Zip _____



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 1, 1993

Honorable Members of the Common Council
City of Danbury, Connecticut 06810

Dear Council Members,

I hereby submit, for your confirmation and approval, the appointment of the following individual to serve as member of the Candlewood Lake Authority (CLA):

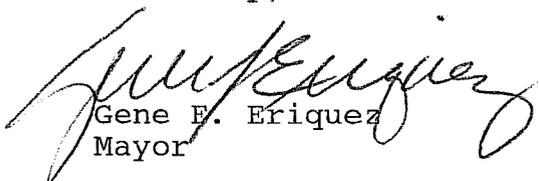
Mr. James Panzica (U)
10 High Rise Road
Danbury, CT 06811
(H) 792-2873
(W) 797-3971
Term to Expire: April 1, 1996

Mr. Panzica is a Marketing Coordinator at Grolier, Inc. A resident of Danbury since 1972, he has been active with the CLA since 1984 as a member of the United States Power Squadron and today serves as Chairman of the Squadron Park Committee. Mr. Panzica trailers his boat and uses the Danbury boat ramp at least once a week during boating season. He is concerned about safety issues and wants to help keep Candlewood Lake a place to be enjoyed by many.

Mr. Panzica will replace Ms. Helga Jensen who requested not to be reappointed following the expiration of her term.

Thank you for your consideration of this matter.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

June 1, 1993

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

Re: Resignation of Second Ward Council Member

Dear Mayor and Colleagues:

After much discussion and soul searching, I have decided to resign from the Common Council effective June 1, 1993. This is my 14th year as a member of the Common Council and have served in the administrations of three Mayors.

At times, serving on the Common Council has been similar to a full time job and although it is very demanding I have enjoyed every minute of it. I wish I had the time necessary to commit to the Common Council but I have a 9 year old son who needs my time.

It has been a pleasure working with all of you on the Common Council as well as other elected officials. I would like to thank all of the department heads for their cooperation over the past 14 years. Good luck and good health for the future.

Respectfully yours,

Bernard P. Gallo
Council Member - 2nd Ward