

COMMON COUNCIL MEETING

FEBRUARY 4, 1992

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, Boughton, Butera, Cipriani,  
Scozzafava, Trocolla

18 Present 3 Absent

PUBLIC SPEAKING

STATE OF THE CITY ADDRESS

MINUTES - Minutes of the Common Council Meeting held January 7, 1992

CONSENT CALENDAR - The Consent Calendar was presented by

✓1 ORDINANCES - Alternates to the Planning and Zoning Commission

✓2 ORDINANCE - Compliance with Permit Parking Regulations

✓3 ORDINANCE - Civilian Parking Violations Enforcement Officers

✓4 RESOLUTION - Utility Easement - National Place

✓5 RESOLUTION - Federal Emergency Management Assistance Program

✓6 RESOLUTION - Proposed Sanitary Sewer Extension 21-25 Tamarack Avenue - Hawley

✓7 COMMUNICATION - Request for Sewer Connection - 21-25 Tamarack Avenue

✓8 COMMUNICATION - Appointment to the Parks and Recreation Commission

✓9 COMMUNICATION - Appointment to the Housatonic Valley Tourism Commission

✓10 COMMUNICATION - Appointment to the Fair Rent Commission

✓11 COMMUNICATION - Appointment to the Economic Development Commission

✓12 COMMUNICATION - Reappointments to the Cultural Commission

✓13 COMMUNICATION - Appointment to the Commission on Persons with Disabilities

- 2 -
- ✓14 COMMUNICATION - Reappointment to the Civil Service Commission

---

  - ✓15 COMMUNICATION - Appointments to the Conservation Commission

---

  - ✓16 COMMUNICATION - Zoning Commission Alternate Vacancy

---

  - ✓17 COMMUNICATION - Donations to the Police Department

---

  - ✓18 COMMUNICATION - Donations to the City's Homeless Services Program

---

  - ✓19 COMMUNICATION - Welfare Department - Contribution from Wood Sale

---

  - ✓20 COMMUNICATION - Fire Marshalls - Special Events

---

  - ✓21 COMMUNICATION - The Danbury Cemetery Association

---

  - ✓22 COMMUNICATION - Request to buy City land on Middle River Road

---

  - ✓23 COMMUNICATION - Request to change a portion of Eden Drive to Woodside Estates

---

  - ✓24 COMMUNICATION - Tanglewood Estates - Transfer of Open Space to City

---

  - ✓25 COMMUNICATION - Report from Corporation Counsel regarding Drainage Problem at 40 King Street

---

  - ✓26 COMMUNICATION - Reports regarding request to rent/own City property at 33 Hayestown Road

---

  - ✓27 COMMUNICATION - Report from Risk Manager regarding Garafola Claim

---

  - ✓28 CERTIFICATION - Narcotics Task Force Grant

---

  - ✓29 DEPARTMENT REPORTS - Health, Police, Parks and Recreation, Highways, Public Buildings, Department of Elderly Services, Fire

---

  - ✓30 REPORT & ORDINANCE - Collection of Sewer Use Charges - Section 16-30

---

  - ✓31 REPORT & ORDINANCE - Citywide Alarm Ordinance

---

  - ✓32 REPORT & CERTIFICATION - Overtime Needs in the Fire Department

---

  - ✓33 REPORT - Fitness Equipment Donation to the Fire Department

---

  - ✓34 REPORT - Exchange of Property at the Railroad Station

---

  - ✓35 REPORT - Request for Sewer and Water Extensions - Old Sherman Turnpike

✓36 REPORT - Offer of land at 116 Main Street for sale to the City

✓37 REPORT - Sanitary Sewer Project - Mill Plain Road

✓38 REPORT - Seahorse Aviation Lease

✓39 REPORT - Request for Sewer Extension - Newtown Road

✓40 REPORT - Interlocal Agreement with Newtown

✓41 REPORT - Review of Ordinance Section 17-34

✓42 COMMUNICATION - Request for meeting - Old Quarry Nature Residence

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

CONSENT CALENDAR

FEBRUARY 4, 1992

- 4 - Approve acquisition of utility easement on National Place
- 5 - Accept Federal Emergency Management Assistance Program Grant of \$9,000
- 6 - Approve sewer extension at 21-25 Tamarack Avenue with standard 8 step
- 7 - Approve sewer extension at 21-25 Tamarack Avenue with standard 8 step
- 8 - Approve appointment of George Rivard to the Parks & Rec Commission
- 9 - Approve appointment of Clark Eno to the Housatonic Valley Tourism Commission
- 10 - Approve appointment of Felix Merante to the Fair Rent Commission
- 11 - Approve appointment to Susan Afflect-Childs to the Economic Development Commission
- 12 - Approve reappointment of Evelyn Durgy, Ada Humphreville, Helen Masterson and Mel Schwartz to the Cultural Commission
- 13 - Approve appointment of Jane Davis to the Commission on Persons with Disabilities
- 14 - Approve reappointment of Ella Roundtree to the Civil Service Commission
- 15 - Approve appointment of Lorraine Herger and reappointments of Dennis Stubelt and Mary McInerney to the Conservation Commission
- 25 - Approve receipt of report from Corporation Counsel regarding drainage problem at 40 King Street and take no action at this time
- 26 - Approve receipt of reports regarding request to rent/own City property at 33 Hayestown Road and deny sale or rent of property
- 27 - Approve receipt of report from Risk Manager and deny claim
- 28 - Approve Narcotics Task Force Grant funding of \$1,300 per month
- 31 - Approve Citywide Alarm Ordinance 3A-40 and 3A-41
- 34 - Approve Exchange of property with the State of Connecticut for Danbury Railroad Station
- 35 - Approve request for sewer and water extensions on Old Sherman Turnpike
- 36 - Approve negotiations for land at 116 Main Street
- 37 - Approve sanitary sewer project on Mill Plain Road
- 38 - Approve Seahorse Aviation Lease
- 39 - Approve request for sewer extension at Newtown Road
- 40 - Approve recommendations to authorize Mayor to appoint an interlocal agreement commission to negotiate with the Town of Newtown for sewer use
- 41 - Approve report concerning the review of Ordinance 17-34

COPY SHOWING ADDITIONS

THAT Chapter 2 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of Section 2-43 entitled "Zoning Commission Alternates", which said Section shall read as follows:

Sec. 2-43. ZONING COMMISSION ALTERNATES.

THE ELECTION AND TERMS OF THE THREE (3) ALTERNATE MEMBERS OF THE ZONING COMMISSION SHALL BE GOVERNED BY THE CHARTER OF THE CITY OF DANBURY. WHEN SEATED AS PROVIDED HEREIN, SUCH ALTERNATE MEMBERS SHALL HAVE ALL THE POWERS AND DUTIES AS SET FORTH IN TITLE 8 OF THE CONNECTICUT GENERAL STATUTES. IF A REGULAR MEMBER OF THE ZONING COMMISSION IS ABSENT, HE OR SHE MAY DESIGNATE IN WRITING AN ALTERNATE MEMBER OF SUCH COMMISSION TO ACT IN HIS OR HER PLACE. IF HE OR SHE FAILS TO MAKE SUCH DESIGNATION, OR IF HE OR SHE IS DISQUALIFIED, THE CHAIR OF THE ZONING COMMISSION SHALL DESIGNATE AN ALTERNATE TO ACT, CHOOSING ALTERNATES IN ROTATION SO THAT THEY SHALL ACT AS NEARLY EQUAL A NUMBER OF TIMES AS POSSIBLE. IF ANY ALTERNATE IS NOT AVAILABLE IN ACCORDANCE WITH SUCH ROTATION, SUCH FACT SHALL BE RECORDED IN THE MINUTES OF THE MEETING.

Additions are indicated by CAPITALIZATION AND UNDERSCORING.

COPY SHOWING ADDITIONS

THAT Section 2-47(d) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-47. Planning commission.

\*\*\*

(d) Alternate members. Three (3) alternate members to the planning commission shall be appointed by the mayor of the City of Danbury and approved by the common council.

The term of office of one (1) of the three (3) persons originally appointed as alternates shall expire on January first in each of the years 1981 to 1983, inclusive and the term of each successor to such person originally appointed shall be three (3) years ending on January 1.

Any vacancy in the office of an alternate which does not arise from the expiration of a term of office shall be filled by the mayor for the unexpired portion of the term and approved by the common council.

Such alternate members WHEN SEATED AS PROVIDED HEREIN shall have all powers and duties as set forth in Title 8 of the Connecticut General Statutes. IF A REGULAR MEMBER OF THE PLANNING COMMISSION IS ABSENT, HE OR SHE MAY DESIGNATE IN WRITING AN ALTERNATE MEMBER OF SUCH COMMISSION TO ACT IN HIS OR HER PLACE. IF HE OR SHE FAILS TO MAKE SUCH DESIGNATION, OR IF HE OR SHE IS DISQUALIFIED, THE CHAIR OF THE PLANNING COMMISSION SHALL DESIGNATE AN ALTERNATE TO ACT, CHOOSING ALTERNATES IN ROTATION SO THAT THEY SHALL ACT AS NEARLY EQUAL A NUMBER OF TIMES AS POSSIBLE. IF ANY ALTERNATE IS NOT AVAILABLE IN ACCORDANCE WITH SUCH ROTATION, SUCH FACT SHALL BE RECORDED IN THE MINUTES OF THE MEETING.

Additions are indicated by CAPITALIZATION AND UNDERSCORING.



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

January 29, 1992

Honorable Members of the Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut

Re: Patriot Garage Parking / Ordinance Amendments

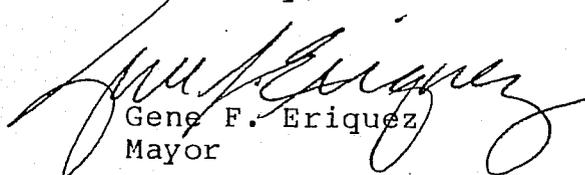
Dear Council Members:

In accordance with the Council's January 7th action in transferring responsibility for the maintenance, security and operation of the Patriot Garage to the Danbury Parking Authority, it is important that the two attached ordinances be adopted.

Section 19-34 establishes the right of the Parking Authority to enforce its rules and regulations with regard to off-street permit parking. It is expected that the public will receive adequate notice of the rules and regulations of the Parking Authority through formal action by the Authority.

Section 19-40(b) permits the Mayor to appoint and the Council to confirm one or more civilian parking violation enforcement officers to serve both the public's interest and that of the City.

Sincerely,



Gene F. Eriquez  
Mayor

Attachments



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

January 29, 1992

Honorable Members of the Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut

Re: Patriot Garage Parking / Ordinance Amendments

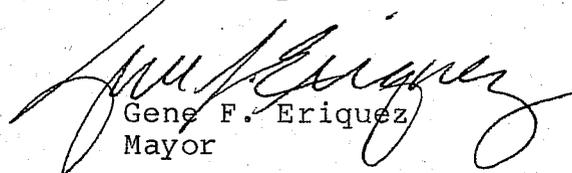
Dear Council Members:

In accordance with the Council's January 7th action in transferring responsibility for the maintenance, security and operation of the Patriot Garage to the Danbury Parking Authority, it is important that the two attached ordinances be adopted.

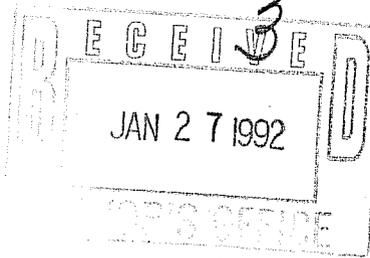
Section 19-34 establishes the right of the Parking Authority to enforce its rules and regulations with regard to off-street permit parking. It is expected that the public will receive adequate notice of the rules and regulations of the Parking Authority through formal action by the Authority.

Section 19-40(b) permits the Mayor to appoint and the Council to confirm one or more civilian parking violation enforcement officers to serve both the public's interest and that of the City.

Sincerely,

  
Gene F. Eriquez  
Mayor

Attachments



# CITY OF DANBURY

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

PLEASE REPLY TO:  
301 Main Street  
DANBURY, CT 06810  
743-9145

January 23, 1992

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

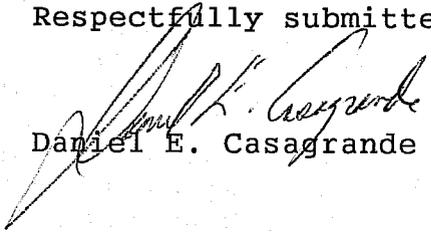
Re: Designation of Planning Commission and Zoning Commission  
Alternates to Act

Dear Mayor and Common Council Members:

The General Statutes provide that the manner of designating Zoning Commission and Planning Commission alternates to act must be specified by ordinance. C.G.S. Sections 8-1b and 8-19a. The Code of Ordinances currently does not contain provisions for how either of these Commissions should designate alternates to act.

I have prepared proposed ordinances to bring the City into compliance with the statutory mandates. The proposals are attached to this letter. Please schedule a public hearing on them.

Respectfully submitted,

  
Daniel E. Casagrande

DEC:ko

Enclosures

cc: Mr. Dennis Elpern  
Mr. Joseph Justino  
Mr. Theodore Haddad, Jr.  
Ms. Heidi Tolo  
Mr. Daniel Leppo  
Mrs. Elizabeth Crudginton



4

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525

January 16, 1992

To: Mayor Gene F. Eriquez and the Common Council

From: Dennis I. Elpern, Planning Director

Re: Acquisition of Utility Easement at National Place  
Property of Joseph Heyman

---

The attached resolution authorizes Corporation Counsel to acquire a utility easement from Joseph Heyman. The easement will allow for the placement of a transformer on a portion of his property located at National Place.

The Downtown Street Improvements program includes utility pole removal and underground installation of utilities on Delay Street. The installation of a transformer is an integral part of this work. The most suitable location for the transformer is an area located partially on property of the City and partially on property owned by Mr. Heyman, necessitating the acquisition of an easement and the subsequent transfer of the easement to CL&P. Alternative locations would require the City to incur significant additional costs.

I respectfully request your favorable consideration of the resolution. Please contact me if you have questions or concerns.

c: Laszlo L. Pinter, Esq.  
John A. Schweitzer, Jr.

UTILITY EASEMENT

JOSEPH HEYMAN

NATIONAL PLACE

A utility easement 20 square feet in area commencing at a point which is the southeast corner of the land described herein, said point also being at the intersection of property lines of parcels of land owned now or formerly by the Redevelopment Agency of the City of Danbury, thence running along the division line between land of the Grantor and land of the Redevelopment Agency of the City of Danbury (Formerly passway)  $S69^{\circ}32'50''W$  a distance of 5.52 feet, thence turning and running through the land of the Grantor  $N21^{\circ}11'01''W$  a distance of 3.79 feet and  $N68^{\circ}25'13''E$  a distance of 4.94 feet to a point on the division line between land of the Grantor and land of the Redevelopment Agency of the City of Danbury (Formerly National Place/Lenox Place), thence turning and running southeasterly along the division line between land of the Grantor and land now or formerly of the Redevelopment Agency of the City of Danbury  $S29^{\circ}43'01''E$  a distance of 3.93 feet to the point or place of beginning..

Bounded:

Northwesterly: by other land of the Grantor

Northeasterly: by land now or formerly of the Redevelopment Agency of the City of Danbury (Formerly National Place/Lenox Place)

Southeasterly: by land now or formerly of the Redevelopment Agency of the City of Danbury (Formerly Passway)

Southwesterly: other land of the Grantor

For a more particular description reference is made to a map entitled "Map Showing Proposed Utility Easement to be Acquired by the City of Danbury from Joseph Heyman Danbury, Connecticut Scale 1"=10' January 15, 1992" prepared by the Engineering Department of the City of Danbury and certified as a Class A-2 survey by Ireneo H. Despajado, P.E. & R.L.S. No. 12050 which map is to be filed in the Danbury Land Records.

UTILITY EASEMENT

JOSEPH HEYMAN

NATIONAL PLACE

A utility easement 20 square feet in area commencing at a point which is the southeast corner of the land described herein, said point also being at the intersection of property lines of parcels of land owned now or formerly by the Redevelopment Agency of the City of Danbury, thence running along the division line between land of the Grantor and land of the Redevelopment Agency of the City of Danbury (Formerly passway) S69°32'50"W a distance of 5.52 feet, thence turning and running through the land of the Grantor N21°11'01"W a distance of 3.79 feet and N68°25'13"E a distance of 4.94 feet to a point on the division line between land of the Grantor and land of the Redevelopment Agency of the City of Danbury (Formerly National Place/Lenox Place), thence turning and running southeasterly along the division line between land of the Grantor and land now or formerly of the Redevelopment Agency of the City of Danbury S29°43'01"E a distance of 3.93 feet to the point or place of beginning.

Bounded:

Northwesterly: by other land of the Grantor

Northeasterly: by land now or formerly of the Redevelopment Agency of the City of Danbury (Formerly National Place/Lenox Place)

Southeasterly: by land now or formerly of the Redevelopment Agency of the City of Danbury (Formerly Passway)

Southwesterly: other land of the Grantor

For a more particular description reference is made to a map entitled "Map Showing Proposed Utility Easement to be Acquired by the City of Danbury from Joseph Heyman Danbury, Connecticut Scale 1"=10' January 15, 1992" prepared by the Engineering Department of the City of Danbury and certified as a Class A-2 survey by Ireneo H. Despajado, P.E. & R.L.S. No. 12050 which map is to be filed in the Danbury Land Records.

4

# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to acquire an interest in real property sufficient to permit the placement of utilities along or through National Place from Ives Street as well as from adjacent properties; and

WHEREAS, said proposal will involve public use of private property for a utility easement 20 square feet in area on property owned by Joseph Heyman as shown on the legal description of said property attached hereto as Schedule A;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel be and hereby is authorized to acquire said property interest either by negotiation or by eminent domain through the institution of suit against the current property owner, his respective encumbrancers and mortgage holders, if any, his heirs, executors, successors and assigns.



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

The Federal Emergency Management Assistance (FEMA) program has designated funds for use in the Danbury area. This year, \$57,135 has been allocated to help meet emergency needs for local human service agencies and programs.

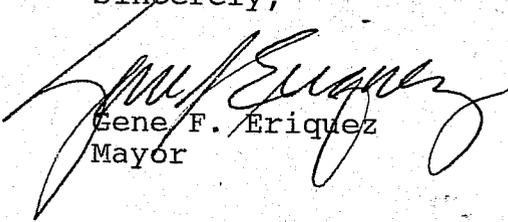
The City of Danbury has been awarded \$9,000 to be used as follows:

\$ 8,000	Mass Shelter (Rent & Utilities)
1,000	Supplies

This money will be managed by Deborah MacKenzie, the Director of Welfare, who is supervising the services for the homeless.

Please accept this grant on behalf of the City of Danbury.  
Thank you for your cooperation.

Sincerely,

  
Gene F. Eriquez  
Mayor



5

# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

December 4, 1991

Mr. Craig Lafferty  
President  
United Way of Northern Fairfield County  
P.O. Box 236  
Danbury, Connecticut 06813

Dear Craig:

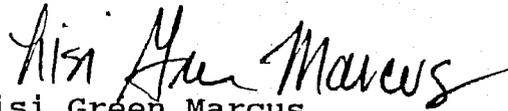
Enclosed you will find the City's request for Phase X FEMA Funding.

As you know, in the past two years the FEMA Funding the City has received has been used to assist us with the costs of operating the homeless shelter. This is true once again this year.

Since Danbury is the community in this area providing emergency shelter for the homeless, these funds are a true necessity. The City cannot continue to bear the cost of operating the facility solely and is asking surrounding communities to assist us.

Thank you for your consideration of this request.

Sincerely,

  
Lisi Green Marcus  
Assistant to the Mayor

LGM/msm

APPLICATION FOR FUNDING  
EMERGENCY FOOD AND SHELTER PROGRAM

PHASE X

LOCAL BOARD - NORTHERN FAIRFIELD COUNTY, CONNECTICUT

Name of Agency CITY OF DANBURY

Address 155 DEER HILL AVENUE

City DANBURY State CT Zip 06810

Telephone 797-4510 04 796-1580

Total Amount Requested \$ 16,000.00

Activity to be provided (use other side if needed)

All funding to be used for the City's Homeless Services

Programs. The Mass Shelter Request will be used to offset the costs of operating the nights shelter based on \$10.00 per day per 15 beds per 60 days. The Supplies/Equipment request will be used for paper and plastic supplies for mass feeding function of Day Center and personal hygiene items for mass shelter users.

	\$ Amount	# Served
A. Served Meals	_____	_____
B. Other Food	_____	_____
C. Mass Shelter	<u>9,000.00</u>	<u>900 bed nights</u> <u>Or 60 full nights</u>
D. Other Shelter	_____	_____
E. Supplies/Equip.	<u>1400/600</u>	<u>75-100</u>
F. Rehabilitation	_____	_____
G. Rent/Mortgage	<u>5,000.00</u>	<u>13</u>
H. Utilities	_____	_____
I. Administration (limited to 2%)	_____	_____
J. Total Requested	<u>16,000.00</u>	_____

(Deadline for Submission - December 5, 1991)





## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

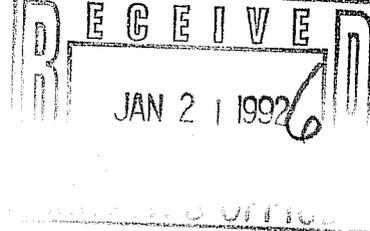
\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in the amount of Nine Thousand (\$9,000) Dollars are available from the Federal Emergency Management Assistance (F.E.M.A.) program in association with the United Way of Northern Fairfield County; and

WHEREAS, the receipt of such monies for purposes of the needs of homeless persons in the City of Danbury and specifically to defray costs associated with the proposed overflow shelter for homeless persons at 113 Main Street is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of Gene F. Eriquez as Mayor of the City of Danbury in applying for said grant funds are hereby ratified and that he is further authorized to execute any grant agreements and any amendments, rescissions and revisions thereto and all other documents necessary to effectuate the purposes of said grant award; provided, however, that any amended provisions requiring expenditure of City of Danbury funds must receive prior approval of the Common Council.



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

January 16, 1992

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

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

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

Dear Mayor Eriquez and Common Council Members:

**Proposed Sanitary Sewer Extension**  
**21-25 Tamarack Avenue**  
**Hawley**

At its April 4, 1978 meeting, the Common Council noted to approve a petition by E. Hawley for a sanitary sewer extension in Tamarack Avenue. A copy of the pertinent report from the April 4, 1978 meeting minutes is enclosed for your reference. This sanitary sewer was not constructed.

It is our understanding that the petitioner intends to apply to the Common Council for a reapproval of this extension.

The proposal to extend the sanitary sewer to 21-25 Tamarack Avenue (Motor Vehicle Department building) is acceptable to Superintendent of Public Utilities William Buckley, Jr., P.E. and to me with the standard 8 "conditions" made a part of the approval.

Also attached is the original of the Resolution prepared by Acting Corporation Counsel Eric L. Gottschalk for this petition.

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

Very truly yours,

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

JAS/PAE/gw

Enclosure

- c: Basil Friscia
- Eric L. Gottschalk, Esq. with encl.
- David Williamson, P.E.
- William Buckley, Jr., P.E.



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in 1978 Ervie Hawley made application to the Common Council of the City of Danbury for permission to construct the extension of a certain sewer line in Tamarack Avenue to serve property located at 21-25 Tamarack Avenue; and

WHEREAS, on April 4, 1978, the Common Council approved said petition and authorized said construction; and

WHEREAS, the petitioner now wishes to undertake said construction; and

WHEREAS, the petitioner wishes to obtain confirmation from the Common Council that said construction is presently authorized notwithstanding the passage of time;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the authorization and approval dated April 4, 1978 be and hereby is confirmed and the construction of the aforesaid sewer line extension approved, subject to the "Eight Steps" attached hereto and made a part hereof.

TAMARACK Ave

APRIL 4, 1978

REPORT - Petition of E. Hawley to hook into sewer line at 21-25 Tamarack Road - dated 2/21/78.

Councilman Walsh submitted a Report stating that the Public Works Committee met with the City Engineer and after reviewing plans, the committee recommends that the Council grant authorization to E. Hawley to hook up to the sewer at the location specified, pending receipt of proper clearance and permission from the actual owners of said sewer line, and documentation of said permission is to be presented to the Common Council Committee for Public Works and subject to the following restrictions and conditions:

1. That the petitioner shall bear all costs relative to the installation of said sewer.
2. That the petitioner shall acquire a perpetual right to use any private lines which connect to any City owned sewer lines without thereby imposing any obligation on the City of Danbury to repair, maintain or pay for the use of said private lines.
3. That detailed engineering plans and specifications are to be approved by the City Engineer and the Supt. of Public Utilities, prior to the start of construction.
4. That upon completion of installation, title to said sewer line within City streets and any necessary documents be granted to the City of Danbury in such form that are acceptable to the City Engineer and the Office of Corporation Counsel.

A motion was made by Councilman Jones and seconded by Councilwoman Crudginton that the Report be accepted as read and permission granted. Motion carried.

## EIGHT STEPS

### Sewer and Water Extension

1. The petitioner shall bear all costs relative to the installation of the sewer and/or water extension.
2. The petitioner shall submit as-built drawings of this extension prepared by a licensed Connecticut Land Surveyor for approval by the City Engineer.
3. Detailed engineering plans and specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a warranty deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury all right, title, interest and privileges required hereunder, and said deed shall be held in escrow for recording upon completion of installation.
5. That upon completion, title to said sewer and/or water line within city streets and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer and/or water lines as the City Engineer's Office determines are of potential benefit to other landowners in the city.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer and/or water lines.
8. This approval shall expire eighteen (18) months following the date of Common Council action.

6

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

148 DEER HILL AVENUE-PO. 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  
OF COUNSEL  
PAULA FLANAGAN

AREA CODE 203  
744-2150

January 21, 1992

TELECOPIER: (203) 791-1126

**HAND DELIVER**

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

Attention: Joseph DaSilva, President

Re: Ervie S. Hawley, Jr.  
Sewer Line  
21-25 Tamarack Road, Danbury

Dear Mr. DaSilva:

Please be advised that I represent Ervie S. Hawley, Jr. in connection with his request to extend the sewer line from its existing location at Hayestown Road and Tamarack Avenue to 21-25 Tamarack Avenue, being the location of the State of Connecticut Motor Vehicle Department building. This extension was approved by the Common Council on April 4, 1978, however, was never installed by Mr. Hawley. Mr. Hawley wishes to install the same at this time because of a deterioration of the existing septic system and requests your confirmation of the existing approval. We understand that any confirmation of the existing approval will be subject to the current conditions placed upon extensions, which conditions are acceptable to us.

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

Yours very truly,



Paul N. Jaber

PNJ/rmc

cc: E. S. Hawley, Jr.

ERVIE HAWLEY, JR.  
30 Germantown Road  
DANBURY, CT. 06810

January 20, 1992

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

Re: Sanitary Sewer Connection  
21-25 Tamarack Avenue

Dear Mayor Eriquez and Council Members:

At your April 4, 1978 meeting, you approved our petition for a sanitary sewer extension to our building at the above referenced location. This sewer extension was not constructed. We would now like to go forward and construct this extension. Because of the length of time that has passed since that approval, the Corporation Council has instructed me that I must re-apply for your approval. Therefore, I am requesting this item be added to your February 4, 1992 agenda.

I have consulted with both the Engineering and Public Utilities Departments on this matter. They have made me aware that there are eight standard conditions with all sewer extensions. We will comply with these conditions.

Thank you for your consideration of this matter.

Sincerely,



Ervie S. Hawley, Jr.

ESH, Jr. /amm



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

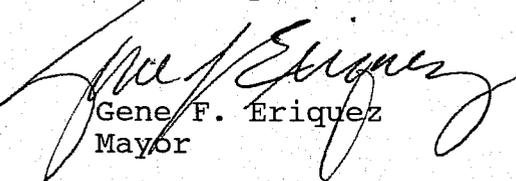
I hereby submit, for your confirmation, the following individual for appointment to the Parks & Recreation Commission:

Mr. George Rivard (D)  
14 Hawley Road Extention  
Term to Expire: December 1, 1994  
Filling vacant term

Mr. Rivard has lived in Danbury since 1971. He is associated with The Columbia Group, Inc. in Ridgefield doing Utility Management Consulting. He has been involved in youth programs in the City for many years. He is a former Little League Coach and past member of the Parks & Recreation Commission. He currently assists with the Bowling program sponsored by PAL at Hatters Park, and is Treasurer and a Commissioner for the Danbury Bambino Baseball League.

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

Sincerely,

  
Gene F. Eriquez  
Mayor



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

I hereby submit, for your confirmation, the following individual to be appointed to the Housatonic Valley Tourism Commission:

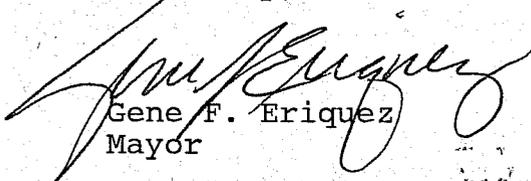
Mr. Clark Eno (D)  
20 Wintergreen Hill  
Term to Expire: June 30, 1994  
(Filling unexpired term of  
S. Burak who resigned)

Mr. Eno is a Danbury native. He is the proprietor of the Flying Squire Restaurant in Danbury and is a professional musician.

He has been active in Danbury's First Night Celebration and is a member of the Columbus Quincentenary Committee.

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

Sincerely,

  
Gene F. Eriquez  
Mayor



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

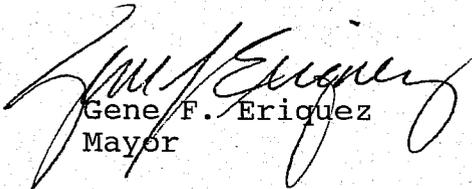
I hereby submit, for your confirmation, the following individual for appointment to the Fair Rent Commission:

Mr. Felix Merante (D)  
64 Clapboard Ridge Road  
Term To Expire: July 1, 1992  
(Filling unexpired term of  
Lou Rotello who resigned)

Mr. Merante is a Danbury native. He is a partner in Merante Real Estate. He currently is a member of the Greater Danbury Chamber of Commerce and the Westconn 100.

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

Sincerely,

  
Gene F. Enriquez  
Mayor



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

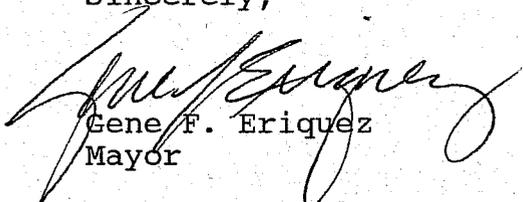
I hereby submit, for your confirmation, the following appointment to the Economic Development Commission:

Mrs. Susan E. Affleck-Childs (D)  
8 Terra Glen Road  
Term to Expire: September 1, 1992  
(Filling the unexpired term to  
Dan Daniels who resigned)

Mrs. Affleck-Childs and her family have lived in the Danbury area for the past year. For the previous 12 years, she worked in a variety of capacities at the state, county and local government levels in community economic development and revitalization. Most recently, Mrs. Affleck-Childs was the Executive Director of the Rochester (MI) Downtown Development Authority.

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

Sincerely,

  
Gene F. Eriquez  
Mayor



12

# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

I hereby submit, for your confirmation, the following individuals for reappointments to the Cultural Commission:

Evelyn Durgy (R)  
41 Fairview Drive  
Term to Expire: February 1, 1995

Ada Humphreville (D)  
9 Cedar Crest Drive  
Term to Expire: February 1, 1995

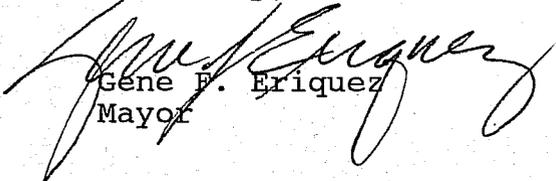
Helen Masterson (D)  
3 Harbor Ridge Road  
Term to Expire: February 1, 1995

Mel Schwartz (D)  
38 Dana Road  
Term to Expire: February 1, 1995

All of these Commission members are active and have excellent attendance records.

Thank you, in advance, for your consideration of these reappointments.

Sincerely,

  
Gene F. Eriquez  
Mayor



13

# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

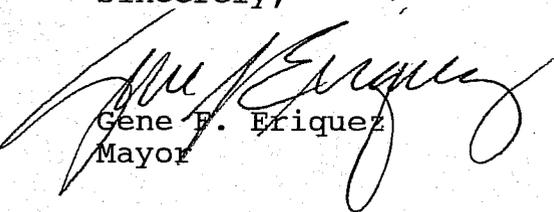
I hereby submit, for your confirmation, the following individual for appointment to the Commission on Persons with Disabilities:

Jane Davis (R)  
78 Hayestown Road  
Term to Expire: March 1, 1995  
(Filling vacant alternate position)

Ms. Davis is Program Manager for the Supported Independent Living Program at DATHAR Rehabilitation Institute where she has worked for 8 years. She is very familiar with the many problems the disabled face in our community. She is also very involved in the day-to-day operations of one of DATHAR's group homes. Many of her interests surround work with the disabled and she has been active in the Special Olympics for a number of years.

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

Sincerely,

  
Gene F. Eriquez  
Mayor



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

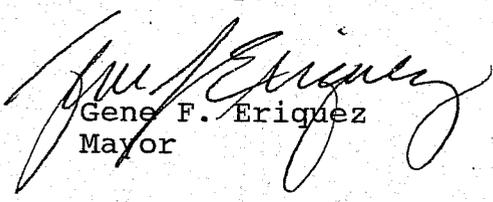
I hereby submit, for your confirmation, the following individual for reappointment to the Civil Service Commission:

Mrs. Ella Rountree (D)  
20 Harding Place  
Term To Expire: January 1, 1998

Mrs. Rountree has been a member of the Civil Service Commission since 1983. She had a perfect attendance record at last year's meetings of the Commission.

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

Sincerely,

  
Gene F. Eriguez  
Mayor



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

February 4, 1992

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

Dear Council Members,

I hereby submit, for your confirmation, the following individual for appointment to the Conservation Commission:

Mrs. Lorraine Herger (D)  
9 Seeley Street  
Term to Expire: July 1, 1992  
Filling vacant term

Mrs. Herger has been involved in conservation issues for 20 years. She is a Danbury native and currently works as an Engineering Manager at IBM in Hawthorne, NY. She is very active in St. Peters Church where she is a member of the Choir and currently Chairman of the Organ Restoration Project.

In addition, I would like to reappoint the following two individuals:

Mr. Dennis Stubelt (R)  
8 Sturdevant Drive  
Term to Expire: July 1, 1994

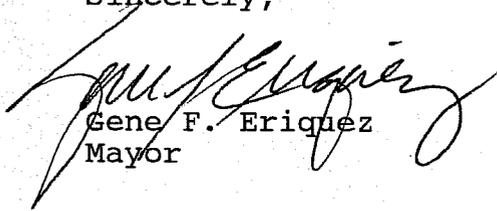
Ms. Mary McInerney (D)  
26 Apple Blossom Lane  
Term to Expire: July 1, 1993

15

Both of these commissioners are active members and attend meetings regularly.

Thank you, in advance, for your consideration of these appointments.

Sincerely,



Gene F. Enriquez  
Mayor



# CITY OF DANBURY

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

PLEASE REPLY TO:

January 2, 1992

DANBURY, CT 06810

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

Re: Zoning Commission Alternate - Vacancy

Dear Mayor and Council Members:

Paragraph 2 of subsection 2-2A(h) of the Danbury Municipal Charter requires that there shall be three alternate members of the Danbury Zoning Commission who shall be elected and who shall serve for terms of two years. As you know, only two such alternates were elected at the last municipal election. As a result of the failure to elect a third alternate, a vacancy was created which must be filled by action of the Common Council pursuant to the provisions of Section 2-6 of the Charter.

Attached please find a copy of a letter from Mr. Michael Finn, Chairman of the Danbury Republican Town Committee which suggests that the Town Committee recommends that Mr. John Von Uffel be considered for this position. The Council may act on the basis of this recommendation or may make a different selection, as it sees fit. Bear in mind, however, that state minority representation rules prevent the selection of a democrat for this position.

Before closing, I thought it appropriate to remind you that although the language of Section 2-6 of the Charter suggests that this vacancy should be filled within 40 days, we have ruled in the past that this language is directory in

Hon. Gene F. Eriquez, Mayor  
Hon. Members of the Common Counsel  
Re: Zoning Commission Alternate - Vacancy  
January 2, 1991

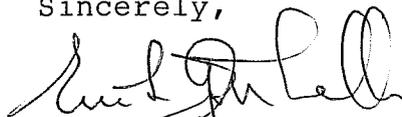
- 2 -

---

nature rather than mandatory. The net effect of that ruling is that the Council must use its best efforts to fill the vacancy as soon as reasonably possible, notwithstanding the fact that the language of Section 2-6 provides that the vacancy, "...shall be filled within 40 days...."

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

Sincerely,



Eric L. Gottschalk  
Acting Corporation Counsel

ELG:r

Attachment

DANBURY REPUBLICAN TOWN COMMITTEE

P.O. BOX 116

DANBURY, CONNECTICUT 06813

December 10, 1991

Michael Seri, Town Clerk  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Dear Mike,

This is to inform you that the Danbury Republican Town Committee at their meeting Monday, December 9th 1991 elected the following people to fill the vacancies noted:

For ZONING BOARD OF APPEALS:

Mari Ann Danise  
Tree Terrace End  
Danbury, Ct. 06810  
(203) 743-0640

For ALTERNATE: ZONING COMMISSION:

John Von Uffel  
21 Spruce Mountain Road  
Danbury, Ct. 06810  
(203) 798-2488

If you would be so kind as to notify these new members of the next meeting they are expected to attend, it would be greatly appreciated.

Yours truly,

*Michael Finn (per M.E.D.)*  
Michael Finn  
(Chairman, D.R.T.C.)

MF:med

RECEIVED

DEC 16 1991

TOWN CLERK'S OFFICE  
DANBURY, CT



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



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

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

January 9, 1992

MEMO

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

From: Chief Nelson F. Macedo

Subject: Donation - MADD

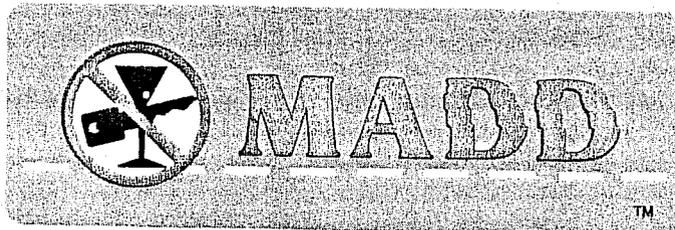
Permission is hereby requested to accept the donation of \$210.00 from MADD Fairfield County Chapter.

If approved, this donation will be used to have the 1986 Grand Fury that is assigned to the Traffic Unit and used for DUI enforcement marked "DUI ENFORCEMENT UNIT".

  
Nelson F. Macedo  
Chief of Police

NFM:ks

enc.



## Mothers Against Drunk Driving

---

4083 Main Street • Bridgeport, CT 06606 • (203) 372-2291 • FAX: (203) 373-0454

FAIRFIELD COUNTY CHAPTER

January 7, 1992

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

RE: DUI Vehicle

Dear Chief Macedo:

On behalf of MADD Fairfield County Chapter, I would like to thank you and your department once again for the excellent DUI enforcement. We know that good DUI enforcement is a deterrent to drunk driving and a life saver.

I understand that you have a 1986 Grand Fury that has recently been assigned to the Traffic Unit and will be used as a DUI enforcement vehicle. Because DUI deterrence is one of our main goals, we would be pleased to have the car marked "DUI ENFORCEMENT UNIT" for the department. We understand that the cost for this is \$210.00.

Please let me know if the City of Danbury approves of our gift. We are pleased to be able to support the efforts of your department.

Yours truly,

  
L. Patricia Palombi  
Chapter Administrator

cc: Officer Lee Teicholz



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



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

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

January 3, 1992

MEMO

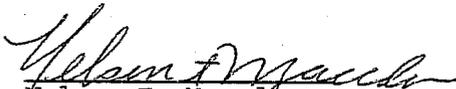
**TO:** Elizabeth Crudginton, City Clerk  
Members of the Common Council

**From:** Chief Nelson F. Macedo

**Subject:** Donation - Philip Morris U.S.A.

Permission is hereby requested to accept the donation of \$250.00 from Philip Morris U.S.A. as part of their Safe Driving Grant.

If the donation is approved, the grant will be used to purchase a wide angle lens with macro capability to give the Accident Investigation Unit the needed capability to do on scene close up photography.

  
Nelson F. Macedo  
Chief of Police

NFM:ks

C: Dominic Setaro

Pd 12-12-91  
CP # 2525  
\$ 250.00

DATE: December 6, 1991

Mr. Bennie C. Darden, Section 12 S.O.P.M.

M: R. Hildebrand,  
Safety and Accident Control Administrator

SUBJECT: APPROVED COMMUNITY GRANT NOMINATION(S)

The enclosed community grant nomination form has been approved by the New York office:

<u>Name</u>	<u>Organization</u>
Mike Bender	Danbury Police Dept.

If for any reason you believe this grant should not be made, please contact me immediately. Otherwise, please sign the accompanying yellow slip and return it to my attention. A presentation check to the organization nominated can be issued now, or at a Section or Division meeting.

As you receive grant nominations from the field, keep in mind that direct grant recipients should not be organizations whose services are directed primarily to minors. If your personnel would like to discuss grant nomination proposals in advance, I can be reached at (212) 880-4134 or (800) 235-3380.

The nominated organization may be non-profit, charitable, or private; this will not affect approval of the nomination. However, if a 501 (c) (3) organization is nominated, Philip Morris needs to know. A photocopy of the IRS letter stating the organization has been granted 501 (c) (3) tax status attached to the nomination form, will expedite processing of the grant nomination.

Thank you for your help in making this Community Service Grant program a success.

COMMUNITY SAFE DRIVING GRANT NOMINATION  
APPROVAL

(To be completed by the Region or Section office  
and the New York office.)

Date: 11/27/91

Mike Bender Terr #: 12 01 02  
(Name of Philip Morris Employee Requesting Grant)

The attached Safe Driving Grant request  
has been reviewed and approved:

Danbury Police Dept  
(Name of Organization to Receive Grant)

501 (c) (3) Tax Exempt:        Yes   X   No

Award Level:   X   \$250 (5 yrs)        \$500 (10 yrs)

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

Section Office: Bernie Jordan

Fleet Management RL 11/27

PM USA Legal: BCP 12/3

Date Check Issued: \_\_\_\_\_

Region or Section Office: Attach photocopies of  
this Nomination Form and Grant Approval to all  
copies of your Field Office Expense Report.

# COMMUNITY SAFE DRIVING GRANT NOMINATION FORM

(Please print or type)

Date: 11/20/91

Name: Mike Bender

Territory #: 12-01-02

Address: 11 Fleetwood Drive  
Danbury, CT 06810

Your Award Level:  Five-Years  Ten-Years

Community Organization to Receive Grant:

Organization: Danbury Police Dept- Traffic Services Unit

Purpose of Organization: Law Enforcement-Accident reconstruction

Tax Payer Filing Status & I.D. Number: \_\_\_\_\_

Address: 120 Main St

Danbury, Ct 06810

*P.O. [Signature]*

Contact Name: Sgt William R. Melillo

Title: Commander, traffic services Unit

Telephone #: 203-797-4695

Authorized Signature on Behalf of Organization: *W. R. Melillo*

Please provide a brief description of how the grant will be used:

A wide angle lens with macro capability will be purchased to give the Accident  
team the sorely needed capability to do on-scene close up photography. We presently  
lack this capability.

*Michael J. Bender*

(Your Signature)

*J.H. Bray*

(Your Supervisor's Signature)

Territory #: 12-01-00

Please forward photocopies of the completed form to your Section office and retain a copy for your files. Return the original in the enclosed envelope or mail it to: Rich Hildebrand/Fleet Management Department/120 Park Avenue/New York, NY 10017.



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



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

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

January 3, 1992

MEMO

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

From: Chief Nelson F. Macedo

Subject: Donation - St. Nicholas Church

Permission is hereby requested to accept the donation of \$50.00 from Reverend Hutter, St. Nicholas Byzantine Catholic Church.

If approved, I would like to deposit the check in the Police Department D.A.R.E. account to be used by our D.A.R.E. officers to educate the youth of this city against the abuses of drugs.

  
Nelson F. Macedo  
Chief of Police

NFM:ks

c: Dominic Setaro



18

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department  
797-4569

January 3, 1992

Joseph DaSilva, President  
City of Danbury Common Council  
Danbury, CT 06810

RE: Donations to the City's Homeless Services Program

Dear Mr. President:

The Homeless Services program is fortunate to receive donations of food items on a regular basis from the **Ridgefield Deli** and **Marcus Dairy**.

Both of these businesses contribute their excess food and beverages as they have them. These items offset our budget line item and for this we are most appreciative. They are sent thank-you letters on a regular basis from Shelter Staff, but as I have in the past, I am asking that the Council formally recognize their contributions.

During the month of December we also received very generous contributions from the following groups and/or individuals:

- \*Inset Systems, Inc. - Toiletries and personal hygiene items for use by the persons using the shelter
- \*The Danbury Grange - Toiletries, socks, gloves and hats
- \*United Methodist Church of Danbury - Toiletries, socks, gloves and hats
- \*QSP, Inc. - Donated wrapped Christmas presents of thermal underwear, socks and gloves for 50 homeless persons
- \*Karen King - Donated a new toaster oven and electric frying pan
- \*The Covered Bridge Garden Center - Donated a live Christmas Tree
- \*PHH Homequity Employees from Teams #6 & 14 - Donated a new Zenith television set valued at \$300.00  
In excess of 40 wrapped Christmas gifts for homeless persons including sweaters, sweatsuits and thermal underwear  
\$105.00 in cash gifts
- \*The Staff at "Physicians for Women" - Donated \$100.00

Addresses of Contributors

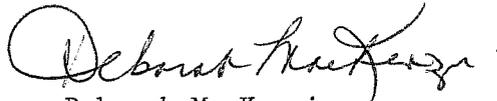
Ridgefield Deli	590 Danbury Road, Ridgefield 06877
Marcus Dairy Office	5 Sugar Hollow Road, Danbury 06810
Inset Systems, Inc.	71 Commerce Drive, Brookfield 06804
Physicians for Women	90 Locust Avenue, Danbury 06810
QSP, Inc.	P.O. Box 2003, 38a Grove Street, Ridgefield 06877
PHH Homequity Teams #6 & 14 Attention: Pat Nigro	42 Old Ridgebury Road, Danbury 06810
United Methodist Church of Danbury	Clapboard Ridge Road, Danbury 06811
The Danbury Grange Master Robert Sendewicz	2 Cole Drive, Danbury 06810
The Covered Bridge Garden Center	34 Padanaram Road, Danbury 06811
Karen King	2 High Meadow Hill, Danbury 06811

Please accept these donations and approve the deposit of cash donations into the special reserve account: #0150-027-000000.

I've attached a list of the contributors and their addresses.

Thank you for your continued cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah MacKenzie".

Deborah MacKenzie  
Director of Welfare

Enc./

cc: Dominic Setaro, Director of Finance  
Jerrilynn Tiso, Coordinator, Homeless Services

DM:bbc



19

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department  
797-4569

January 28, 1992

Joseph DaSilva, President  
Common Council  
City of Danbury  
Danbury, CT 06810

RE: Contribution from wood sale

Dear Mr. President:

The Common Council's \$225.00 donation to the Homeless Services Program is greatly appreciated!

I spoke with you concerning the logistical problem we may have in ensuring that the \$225.00 goes specifically to women and children. I also spoke with Mr. Setaro about this situation.

So that the Council's directive may be carried out, this money should perhaps be redirected to the Battered Women's Shelter or the Good Neighbor House, both of whom serve women and children exclusively.

You may want to make the change at the February meeting of the Council.

Sincerely,

Deborah MacKenzie  
Director of Welfare

cc: Dominic Setaro  
Director of Finance

DM:bbc



20

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

February 4, 1992

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

Re: Fire Marshall - Special Events

I respectfully request that an ad hoc committee be formed to review the policy of the Danbury Fire Department regarding the necessity of hiring a Fire Marshall for various events.

I have had numerous calls from constituents in the recent past questioning this practice.

Sincerely yours,

*Joseph DaSilva*

Joseph DaSilva

*JDS*



21

# CITY OF DANBURY

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

January 2, 1992

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: The Danbury Cemetery Association

Dear Mayor and Council Members:

Please find enclosed a copy of a letter I received today from Attorney Richard Hanna who represents the Danbury Cemetery Association. Attorney Hanna wishes to know if the City of Danbury is interested in extending the existing agreement between his client and the City concerning the maintenance of City owned graves. Also enclosed for your review is a copy of the proposed extension agreement which he has already prepared.

I have compared the proposed agreement to the existing agreement (copy also enclosed) and I am of the opinion that if it is your desire to extend the term of our current understanding, the proposed form will meet our needs. Note that the modifications which have been proposed relate to both the term of the agreement as well as the compensation to be paid to the Association.

Please review this matter in the usual fashion and advise me of your intentions.

Sincerely,

Eric L. Gottschalk  
Acting Corporation Counsel

ELG:r

Enclosures

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

Richard Hanna, Esq.



WANDERER, HANNA & TALARICO

ATTORNEYS AND COUNSELORS AT LAW

142 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810-7727

(203) 792-8333

TELECOPIER (203) 778-9570

RICHARD HANNA  
ROBERT N. TALARICO  
HERBERT B. WANDERER  
(1902-1979)

MAILING ADDRESS  
P. O. Box 57  
DANBURY, CT 06813-0057

December 30, 1991

Eric Gottschalk  
Assistant Corporation Counsel  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

**Re: Danbury Cemetery Association**

Dear Ric:

I am herewith enclosing the proposed letter agreement concerning the graves owned by the City of Danbury in the cemetery operated by the Cemetery Association. I understand that you will get this approved by the counsel and then we can arrange for the execution by the association and by the Mayor.

If you have any questions please feel free to call me.

Very truly yours,



RICHARD HANNA

RH:lea  
Enclosure  
HAND DELIVERED

20 Ellsworth Avenue  
Danbury, Connecticut 06810

January , 1992

City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

**Re: Danbury Cemetery Association / Agreement**

Dear Sir/Madam:

This will confirm that we previously entered into an agreement dated March 3, 1987 for the maintenance of some 2,002 graves owned by the City of Danbury for the fiscal years commencing July 1, 1987 and 1988, which agreement was extended by a letter agreement dated January 24, 1989 to cover the fiscal years of July 1, 1989 through July 1, 1991.

We are willing to redo this agreement for an additional one year for the fiscal year commencing July 1, 1992 at a cost per grave of \$7.20 or a total cost of \$14,414.40. If this arrangement is satisfactory we will consider that the agreement has been extended for this additional year by our signing this letter and your signing and acceptance thereof in the lower left hand corner.

Danbury Cemetery Association, Inc.

By: \_\_\_\_\_  
MICHAEL BALDASARE, PRESIDENT

Agreed to and Accepted.

The City of Danbury.

By: \_\_\_\_\_  
GENE ERIQUEZ, ITS MAYOR

AGREEMENT

This Agreement entered into this 3rd day of March, 1987 by and between THE CITY OF DANBURY, a municipal corporation acting herein by James E. Dyer, its Mayor, (hereinafter called "City") and THE DANBURY CEMETERY ASSOCIATION, INC., a Connecticut corporation having an office and place of business at 20 Ellsworth Avenue, Danbury, Connecticut 06810, acting herein by Michael Baldasare its President, (hereinafter called "Cemetery").

W I T N E S S E T H :

WHEREAS, the City owns two thousand and two (2,002) graves in the premises controlled and maintained by THE DANBURY CEMETERY ASSOCIATION and

WHEREAS, the City is desirous to contract with the Cemetery for the maintenance of said graves and the Cemetery is willing to provide said maintenance and

WHEREAS, the parties hereto desire to set forth terms and conditions under which maintenance will be provided as set forth hereafter.

NOW, THEREFORE, the parties hereto agree as follows:

1. The Cemetery will maintain the two thousand two (2,002) graves owned by the City for the fiscal years commencing July 1, 1987 and July 1, 1988 and shall keep the lots in good repair and preservation, maintain the lots in a neat and clean condition, have the soil and turf properly attended to, the grass cut as often as necessary, and the access roads clear and in good repair, except when the cemetery is closed.

2. The City will pay the Cemetery the sum of Five Dollars and 30/100 (\$5.30) per grave or a total of Ten Thousand Six Hundred Ten Dollars and 60/100 (\$10,610.00) per year for said maintenance for the fiscal year beginning July 1, 1987 and the sum of Five Dollars and 55/100 (\$5.55) per grave or a total Eleven Thousand One Hundred Eleven Dollars and 10/100 (\$11,111.10) per year for the fiscal year commencing July 1, 1988. Said sum is to be paid during the month of July of each year in advance.

3. This Agreement shall be only for the period of the fiscal years commencing July 1, 1987 and July 1, 1988, but the Agreement may be extended for additional years by mutual agreement of both parties at whatever rates shall be agreed to between both parties at that time. This Agreement may be extended for additional years without the necessity of a preparation or execution of a separate agreement by a letter agreement between the parties setting forth the term of the new agreement and the cost thereof. The maintenance provided by the Cemetery in the event of such an extension of this Agreement shall be the same as set forth in this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 3rd day of March, 1987

Signed, sealed and delivered in the presence of:

Eric L. Gottschalk  
Paul R. [unclear]

CITY OF DANBURY  
BY: James E. Dyer, Its Mayor

DANBURY CEMETERY ASSOCIATION  
BY: Michael [unclear]

1-27-92

CITY CLERK  
CITY OF DANBURY  
DEER HOLL AVE  
DANBURY CT.

TO WHOM MAY CONCERN,

I AM INTERESTED IN BUYING  
A PLOT OF CITY LAND REFERRED TO  
ON CITY MAPS AS # B08004,  
REAR OF MIDDLE RIVER RD. PLEASE  
CONTACT ME WITH A YES, OR NO  
AT 744-5599 OR DENNIS CROWLEY,  
ROCKWOOD CA. DANBURY CT 06811

SINCERELY

Dennis Crowley

December 30, 1991

MEMBERS OF THE COMMON COUNCIL  
CITY OF DANBURY  
155 DEER HILL AVE  
DANBURY CT 06810

Dear Members,

I am writing on behalf of the Executive Board and Owners of The Woodside Estates Community Association located at 7-9 Eden Drive here in Danbury. We want to propose the changing of our street address.

Our current address is 7 - 9 Eden Drive Unit #  
Danbury CT.

We would like it changed to Unit # Woodside Estates  
Danbury CT.

The reason for this request is that we wish to break away from the "Eden Drive" label. Many of us find it diffiuclet to enlist services because of our address. People automatically assume that we are part of the Eden Drive housing project and refuse to come and perform the services that we seek. We can't even get pizza delivery because they are scared. We are not part of that complex and would prefer not to be labeled as such.

Woodside Estates Community Association was formed shortly after the condominiums were built in October of 1984. We are a planned urban development consisting of 12 (twelve) townhouses. We sincerely hope that you will consider this proposal during your January session. Thank you for your time in reading this proposal, and we hope to hear from you soon.

Respectfully,

  
Steve Crespo  
President/Treasurer

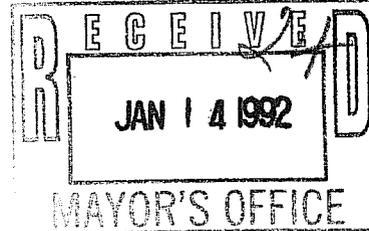
Woodside Estates Comm. Assn. Inc.  
7 Eden Dr. #1  
Danbury, CT 06810-7138

29

# DAVON

DEVELOPMENT CORP.

- REAL ESTATE CONSULTING -  
DEVELOPMENT, CONSTRUCTION  
AND MANAGEMENT



January 10, 1992

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

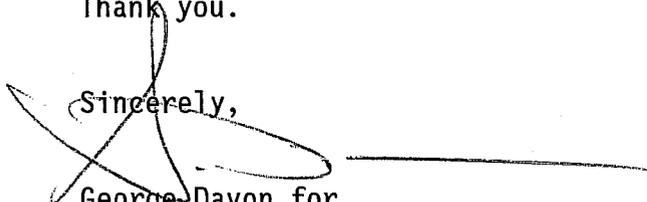
Dear Mr. Mayor:

I am writing to you on behalf of Tanglewood Realty, Developers of Tanglewood Estates. We have completed all activities on that property and sold all the parcels except for lot No. B12029 which has been dedicated to open space.

Since our activities in Tanglewood are complete and it makes no sense to retain ownership of the open space, we would like to transfer it to the city of Danbury. Please accept this letter as our request to do so.

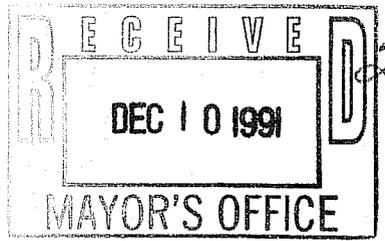
Thank you.

Sincerely,



George Davon for  
Tanglewood Realty

cc: Neil Marcus



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

December 9, 1991

ENGINEERING DEPARTMENT  
(203) 797-4641

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

MEMO TO: Eric Gottschalk  
Acting Corporation Counsel

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

SUBJECT: 40 King Street - Assessor's Lot #D07070

At the November 7, 1991 Common Council meeting, item #27, both the Superintendent of Highways and the City Engineer were requested to make a 30 day report on the communication received regarding property at 40 King Street.

Reference is made to TC Map No. 5123 (copy enclosed) which is a "Map of Property owned by Donald G. Morrow dated December 3, 1971", for the creation of lot #D07070. This map was filed in the Danbury Land Records on September 8, 1972. Storm drainage is shown by a catch basin and a pipe discharging onto the northerly side of the property in question. A note on the map indicates "Subject to such drainage rights as may exist".

Volume 524, Page 443 is a warranty deed of the property from Engelford, Inc. to Richard DeMarco and Lorraine DeMarco. Reference is made in this deed to TC Map No. 5123 and that the property is subject to "such drainage rights as may exist".

Our review of this property in the field determined that area drainage does cross the property in question near its northerly boundary. The City's topographic maps from 1965 (Copy enclosed) shows that the low point of the roadway is near the aforementioned northerly boundary.

Please review the preceding information and determine if the City is under any obligation to remedy a long standing drainage course.

If you have any questions or require additional information, please contact me.

Very truly yours,

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

JAS/gw

c: Mayor Gene F. Eriquez  
Common Council  
Frank Cavaena



# CITY OF DANBURY

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

PLEASE REPLY TO:

January 13, 1992

DANBURY, CT 06810

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

Re: 40 King Street / Drainage Problem  
January Agenda Item #32

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report in connection with the above. As you may have noted, this inquiry was originally addressed to my office by Mr. Schweitzer on December 9, 1991. I responded to him directly on December 26, 1991.

The substance of that response was that without a title search I was unable to evaluate the City's right to drain this area of King Street onto the property in question. I asked that Mr. Schweitzer order the search. Once that has been done, I will meet with Mr. Schweitzer and discuss the City's rights and possible remedies. I will also make a point of advising you further at that time.

Sincerely,

Eric L. Gottschalk  
Acting Corporation Counsel

ELG:r

c: John A. Schweitzer, Jr.  
Acting Director of Public Works



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

## PLANNING COMMISSION

(203) 797-4525

January 21, 1992

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

Re: 8-24 Referral - Request to own/rent City property -  
33 Hayestown Road

Dear Council Members:

The Planning Commission at its meeting January 15, 1992 motioned for a negative recommendation for the request to own/rent City property at 33 Hayestown Road for the reason that no benefits have been demonstrated for the City and the site is presently being used beneficially by the City.

The motion was made by Mr. Elder, seconded by Mr. Sibbitt and passed with "ayes" from Commissioners Elder, Sibbitt, and Justino.

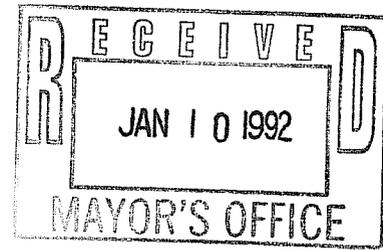
Sincerely yours,

  
Joseph Justino  
Chairperson



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810



ENGINEERING DEPARTMENT  
(203) 797-4641

January 8, 1992

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

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

Dear Mayor Eriquez and Common Council:

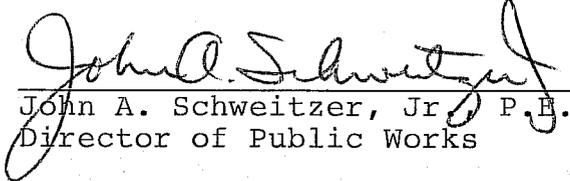
33 Hayestown Road

Item 22 of the December 3, 1991 Common Council meeting requested a report from this department on the sale or lease of property at 33 Hayestown Road.

This parcel is contiguous with other City owned land on the south side of Hayestown Road. A large portion of this parcel is presently being used for parking for the various parks and recreation functions in the area. The proposal to open a store to supply boating and fishing items would likely conflict with the time that City uses for the parking lot would be at its greatest demand.

It is our recommendation that the City retain ownership of this parcel.

Very truly yours,

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

JAS/sd



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525

January 3, 1991

To: Mayor Gene F. Eriquez and the Common Council

From: Susan S. Decina, Assistant Planning Director *S.D.*

Re: 33 Hayestown Road

---

We have been asked to review the offer of William M. Duffield to purchase or rent the City owned building located at 33 Hayestown Road. The attached map indicates the location of the property.

The Tax Assessor's records indicate that the 1,422 square foot building is located on a lot of approximately .62 acres. The building is used regularly by the City Constables and the Animal Welfare Society for meetings.

Mr. Duffield has requested to purchase or rent the subject property for the purpose of establishing a retail business, offering boating and fishing items. As the property is zoned RR-10, Waterfront Residential/ Recreational Zone, the sale of the above noted items would be permitted, subject to the granting of special exception and site plan approval by the Planning Commission. Conversion of the building to retail use would require the provision of 8 parking spaces on the property.

Our primary concern with regard to the sale or rental of this property is the displacement of the groups currently using the building for meetings. Also of concern is the potential elimination of a portion of the parking serving the Town Park and providing overflow parking for Hatters Park. Presently, at least half of the subject lot is used for parking to serve these other City owned properties. In the event the building is leased, the City can continue to utilize the some of the lot for parking.

Another consideration is the fact that the City skating rink proposal included this property. If there is interest in pursuing this or other development at this site in the future, the City should retain ownership of the property.

c: Dennis I. Elpern





27

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT  
OF FINANCE

RISK MANAGER  
(203) 797-4619

Date: January 27, 1992

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

From: Thomas Fabiano, Jr., Risk Manager

Re: Claim - Harold Garofalo

---

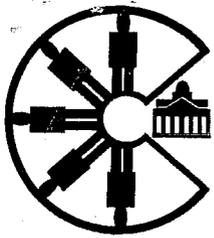
Attached is a copy of the letter from our insurance carrier denying the claim of Mr. Garofalo.

*Thomas Fabiano, Jr.*

Thomas Fabiano, Jr.

TF/de

Attachment



CONNECTICUT  
INTERLOCAL  
RISK  
MANAGEMENT  
AGENCY

WORKERS' COMPENSATION POOL AND  
LIABILITY—AUTOMOBILE—PROPERTY POOL  
CLAIMS ADMINISTRATION SERVICE PROVIDER



FRANK B. HALL RISK MANAGEMENT  
a Division of Frank B. Hall Insurance Brokers, Inc.  
210 Pomeroy Avenue  
Meriden, Connecticut 06450  
Telephone (203) 238-2897

January 24, 1992

Tom Fabiano, Risk Manager  
c/o City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Our Insured: City of Danbury  
Claimant: Harold Garofalo

Dear Tom:

I am writing in follow-up to a claim submitted by your office regarding the individual above. Based upon the information given to me in our conversation the other day, I must inform you that coverage is not afforded for this loss under the policy of insurance issued by CIRMA to the City of Danbury.

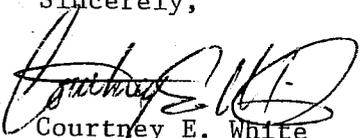
To be brief, the Property Policy in force at the time of this repair would not provide coverage as it appears there is no actual date of occurrence. The Property Policy only responds to a specific occurrence which causes damage to the City property. This appears to have occurred over time and would be subject to the Wear-and-Tear Exclusion. (Property Coverage Section B - Comprehensive (All Risk), 3. Perils Excluded, d.) Also, the City has a deductible per occurrence of \$10,000. Cleraly, this total claim falls far below that deductible.

With reference to the General Liability Policy, there is an exclusion which does not provide coverage for damage to property owned by the City. (A. Coverage Section A. - Bodily Injury and Property Damage Liability (General Liability). 2. Special Exclusion, f., (1)) As this was a City sidewalk, this exclusion would apply.

I hope you will excuse the informal nature of this letter. I did not feel it was necessary to drag you through each exclusion verbatim. If you require any further information from me with regard to this matter, please do not hesitate to contact me directly.

I hope this is of assistance to you.

Sincerely,



Courtney E. White  
Senior Claims Representative

CEW/lkg

RECEIVED  
JAN 17 1991  
GENERAL INVESTIGATIVE DIVISION



28

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

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

DATE: January 23, 1992

MEMO TO: Common Council via  
Mayor Gene F. Eriquez

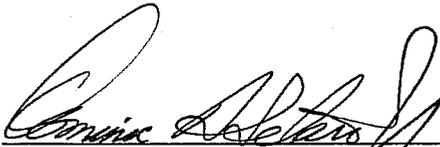
FROM: Dominic A. Setaro, Jr., Director of Finance

RE: Certification - Grant Narcotics Task Force

On August 23, 1992, I sent the attached memo to you requesting Common Council approval of funding from the State of Connecticut Statewide Narcotics Task Force for the police department. We have since been notified that the monthly amount has been changed from \$1200.00 to \$1300.00 effective January 15, 1992.

Therefore, an additional \$600 will be received for this fiscal year and the overtime account in the police department should be increased by that same \$600. We will make an offset adjustment to the revenue account to reflect the additional monies to be received from the State of Connecticut.

I have attached a copy of my August 23, 1992 memo that was approved at the September meeting of the Common Council along with recent information forwarded to me from Police Chief Nelson Macedo.

  
\_\_\_\_\_  
Dominic A. Setaro, Jr.  
Director of Finance

DAS/bdb  
Attachments



**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



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

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

January 21, 1992

MEMO

To: Dominic A. Setaro, Jr., Director of Finance  
From: Chief Nelson F. Macedo  
Subject: Statewide Narcotics Task Force

Enclosed please find a copy of a letter from the Statewide Narcotics Task Force.

Effective with the January 15th payment, the monthly financial incentive will be increased to \$1,300.00.

Nelson F. Macedo  
Chief of Police

NFM:ks  
enc.



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF STATE POLICE  
STATEWIDE NARCOTICS TASK FORCE

January 17, 1992

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

Dear Chief Macedo:

This letter is written to amend the previous letter of understanding you received concerning your officer's participation in the Statewide Narcotics Task Force.

Due to a lower level of local police officer participation, we have additional funds in the current grant. Therefore, we intend to increase the monthly financial incentive to \$1,300.00 from the current \$1,200.00, starting with the January 15th payment and continuing through the end of the grant fund later this year. We intend to submit another application for federal funds to hopefully continue this program in the future.

Such funds shall only be used for law enforcement purposes.

It is further understood that if personnel are assigned to or removed from the Statewide Narcotics Task Force, the fifteenth of the month shall be used as the deadline for payment. Personnel assigned to the Statewide Narcotics Task Force on or before the fifteenth shall be credited for the month. Those who are assigned after that date will not receive payment for the month.

Sincerely,

A handwritten signature in cursive script that reads "Captain Kenneth H. Kirschner".

Captain Kenneth H. Kirschner  
Commanding Officer  
Statewide Narcotics Task Force

KHK:rr



30

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

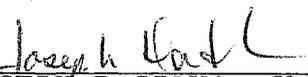
Re: Revision to Section 16-30  
Collection of Use Charges

The Common Council met as a committee of the whole at 7:15 P.M. on January 27, 1992 to review a proposed revision to the Code of Ordinances, Section 16-30, Collection of Use Charges. The revision is meant to codify a procedure that is now the present practice in the collection of sewer use charges.

Mr. Boughton moved to recommend approval of the proposed revision. The motion was seconded by Mr. Cipriani. Mr. Charles proposed an amendment that would lower the interest rate from 18% to 12% and the lien fee from \$24 to \$12. The amendment was seconded by Mr. Boughton. The amendment failed 11-3 with Council Members Charles, Boughton and Trocolla voting in the negative.

The main motion passed 12-2 with Council Members Charles and Boughton voting in the negative.

Respectfully submitted,

  
\_\_\_\_\_  
JOSEPH DaSILVA, Chairman



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

February 4, 1992

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

THAT Section 16-30 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

The Danbury Tax Collector is hereby authorized to collect all sewer user charges established by the common council, together with any applicable interest and lien fees. If any charge is not paid in full on or before the same date of the next succeeding month corresponding to that of the month on which it became due and payable, the whole or such part of such charge as is unpaid shall thereupon be delinquent and shall be subject to interest from the due date of such delinquent charge. The delinquent portion of the charge shall be subject to interest at the rate of eighteen (18) per cent per annum from the time it became due and payable until the same is paid.

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 - February 4, 1992.  
Approved by Mayor Gene F. Eriquez - February 5, 1992.

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



31

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Citywide Alarm Ordinance

The Common Council met as a committee of the whole on January 27, 1992 to review a proposed amendment to the Citywide Alarm Ordinance.

Mr. Gallo moved to recommend approval of the proposed amendment. The motion was seconded by Mrs. Butera. After explanation by Fire Department Communications Supervisor, Fred Visconti, the motion passed unanimously.

Respectfully submitted,

  
\_\_\_\_\_  
JOSEPH DaSILVA, Chairman



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

February 4, 1992

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

THAT Section 3A-40 and Subsection 3A-41(a) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

**Sec. 3A-40. Purpose and Intent.**

The proliferation of fire alarm systems to which the Danbury Fire Department is required to respond has imposed an increasing burden on said department. In addition, the erroneous and mistaken use of fire alarm systems and those that are not installed, maintained or operated properly has resulted in increased service calls by the Danbury Fire Department and is creating a hazard to the members of said department and to the general public. The purpose of this article is to regulate the use of said alarm systems and to reduce the incidence of false alarms.

**Sec. 3A-41. Definitions.**

(a) Alarm system: Any assembly of equipment, mechanical or electrical, that is intended to result in a response by the Danbury Fire Department to the occurrence of a fire emergency, including any system which transmits an alarm directly to the Danbury Fire Department or to any other answering or monitoring service.

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 - February 4, 1992  
Approved by Mayor Gene F. Eriquez - February 5, 1992.

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



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Overtime Needs in the Fire Department

The Common Council Committee appointed to review the overtime needs in the Fire Department met at 8:00 P.M. in Room 432 on January 23, 1992. In attendance were committee members Gallo, Dean Esposito and Fazio. Also in attendance were Council Members John Esposito and Al Cipriani, ex-officio, Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Personnel Director Emanuel Merullo, and members of the Fire Department.

Dean Esposito moved to suspend the rules. Seconded by Mr. Fazio. Motion carried unanimously. The following are statements or questions and answers by persons present. It appears that until we have some answers from our negotiating attorney, Saranne Murray, the Common Council's hands are tied as to the funding of this account.

The Fire Chief started by saying that the Table of Organization was not filled until December. The salary money for these people had been transferred to the Overtime Account. The Chief also stated that the amount of sick time was not abnormal. Mr. Setaro stated that there were three fewer positions in the Table of Organization to transfer salaries from. He also stated that there was more sick leave than usual.

Mr. Gallo asked if we could temporarily transfer Deputy Fire Marshalls to line duty to meet the required manpower clause of 24 people per group. He also asked if the drillmaster's hours could be varied to accommodate evenings and weekends training in lieu of paying overtime. These questions will be answered by Ms. Murray.

Mr. Merullo stated that sick time is unlimited, but a doctor's note is required after three consecutive sick days. Dean Esposito questioned the process by which a firefighter becomes a dispatcher. Chief Lagarto stated that they are promoted and certified after passing a Civil Service exam.

Mr. Fazio questioned the difference in the Overtime Account for 1988-89 (\$474,816) and the present year 1990-91 (\$986,709). The Chief stated that the only way to eliminate overtime is to add personnel to the Table of Organization. Mr. Gallo stated that the way to eliminate overtime is to eliminate the mandatory manpower clause in the contract as well as the unlimited sick time.

Mr. Setaro stated that at the present time tax collections are down approximately 3%. Mr. Gallo asked what would happen if the Common Council was unable to provide the necessary funds to complete the fiscal year? Would the City still be liable to fill the 24 person manpower clause or could we lay people off? These answers will be supplied by Attorney Murray. Mr. Setaro stated that the Contingency Account has a balance of \$31,299.15 prior to this meeting.

Dean Esposito made a motion to transfer \$31,299.15 to the Fire Department Overtime Account and also request that additional funding sources be brought to this committee by late February and request that the Mayor reappoint this committee so that it can have some questions answered. Seconded by Mr. Fazio. Under discussion Mr. Fazio stated that he was not comfortable with depleting contingency, but felt he had no choice. The motion carried unanimously.

Respectfully submitted,

  
BERNARD P. GALLO, Chairman

  
DEAN E. ESPOSITO

  
MICHAEL S. FAZIO



32

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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

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

January 29, 1992

TO: Common Council via  
Mayor Gene F. Eriquez Certification #8

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

We hereby certify the availability of \$31,299.15 to be transferred from the Contingency Fund to the Fire Department overtime account #02-02-110-010500.

Balance of Contingency Fund	\$31,299.15
Less pending requests	-0-
Less this request	<u>31,299.15</u>
Balance	-0-

  
\_\_\_\_\_  
Dominic A. Setaro, Jr.  
Director of Finance

DAS/jg



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Overtime Needs in the Fire Department

The Common Council Committee appointed to review the overtime needs in the Fire Department met at 8:00 P.M. in Room 432 on January 23, 1992. In attendance were committee members Gallo, Dean Esposito and Fazio. Also in attendance were Council Members John Esposito and Al Cipriani, ex-officio, Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Personnel Director Emanuel Merullo, and members of the Fire Department.

Dean Esposito moved to suspend the rules. Seconded by Mr. Fazio. Motion carried unanimously. The following are statements or questions and answers by persons present. It appears that until we have some answers from our negotiating attorney, Saranne Murray, the Common Council's hands are tied as to the funding of this account.

The Fire Chief started by saying that the Table of Organization was not filled until December. The salary money for these people had been transferred to the Overtime Account. The Chief also stated that the amount of sick time was not abnormal. Mr. Setaro stated that there were three fewer positions in the Table of Organization to transfer salaries from. He also stated that there was more sick leave than usual.

Mr. Gallo asked if we could temporarily transfer Deputy Fire Marshalls to line duty to meet the required manpower clause of 24 people per group. He also asked if the drillmaster's hours could be varied to accommodate evenings and weekends training in lieu of paying overtime. These questions will be answered by Ms. Murray.

Mr. Merullo stated that sick time is unlimited, but a doctor's note is required after three consecutive sick days. Dean Esposito questioned the process by which a firefighter becomes a dispatcher. Chief Lagarto stated that they are promoted and certified after passing a Civil Service exam.

Mr. Fazio questioned the difference in the Overtime Account for 1988-89 (\$474,816) and the present year 1990-91 (\$986,709). The Chief stated that the only way to eliminate overtime is to add personnel to the Table of Organization. Mr. Gallo stated that the way to eliminate overtime is to eliminate the mandatory manpower clause in the contract as well as the unlimited sick time.

Mr. Setaro stated that at the present time tax collections are down approximately 3%. Mr. Gallo asked what would happen if the Common Council was unable to provide the necessary funds to complete the fiscal year. Would the City still be liable to fill the 24 person manpower clause or could we lay people off? These answers will be supplied by Attorney Murray. Mr. Setaro stated that the Contingency Account has a balance of \$31,299.15 prior to this meeting.

Dean Esposito made a motion to transfer \$31,299.15 to the Fire Department Overtime Account and also request that additional funding sources be brought to this committee by late February and request that the Mayor reappoint this committee so that it can have some questions answered. Seconded by Mr. Fazio. Under discussion Mr. Fazio stated that he was not comfortable with depleting contingency, but felt he had no choice. The motion carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

DEAN E. ESPOSITO

MICHAEL S. FAZIO



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Fitness Equipment Donation to the Danbury Fire Department

The subcommittee to discuss the donation of fitness equipment from Mr. Frank Johnson to the Danbury Fire Department met January 23, 1992 at 7:00Pm in Room 432 of Danbury City Hall. In attendance were Councilwoman Eileen Coladarci, Councilman John Esposito and Councilman Mike Fazio. Also in attendance were Fire Chief Tony Lagarto, Jack Murphy, Tom Fabiano, Danbury Risk Manager, Les Pinter of Danbury Corporation Council, Pete Siecieniki, Stephen Quarta, David Dirkwood, Paul Omasta and Councilman Al Cipriani, ex-officio.

Esposito moved to waive the rules so those in attendance could speak, seconded by Fazio and the motion passed unanimously.

Coladarci asked who would use the equipment besides the firemen and what type of training would be needed. Chief Lagarto said that Mr. Larry Johnson, the provider of the equipment wanted to use the equipment and also provide training. He was then asked what type of training or certification does this individual have. No one was able to answer exactly what type of training Mr. Johnson has had except that he worked at the Harambee Youth Center.

Coladarci then asked about the cost of training if Mr. Johnson was unqualified. She was told that a qualified trainer would be available from Danbury Orthopedics at no cost because the firemen have access there.

A discussion regarding the liability of the City ensued and Tom Fabiano, the City's Risk Manager said that any injuries would be covered by worker's compensation. Esposito brought up the recommendations of Frank Hall of the Risk Manager Administration that no outsiders should be allowed to use the equipment. Chief Lagarto said that if the individual is able to train then he should be able to use the equipment because the use could be totally controlled.

Fazio then asked about the loss analysis and loss control. Fabiano explained that we are the largest client that the Insurance Company CIRMA has and that frequency is the number of occurrences and the loss ratio is the actual money lost as compared to the premium we paid. He added that the insurance company covers both the police and the fire department in the City of Danbury, which both have many uncontrolled situations.

Fazio then asked Fabiano's opinion as to whether the equipment would provide a positive impact to the conditioning of the men and thus lead to fewer losses and less costs. Fabiano agreed. Fazio then asked if the negative aspects outweigh the positive aspects. Fabiano said that the strengthened bodies would be the most beneficial aspect, but those who will be using the equipment are more physically fit than those who will not and that they will be properly trained and not out to hurt themselves.

Esposito then brought up the subject of whether the program will be voluntary or compulsory. Lagarto said that for now it would have to be voluntary because it has to be brought up by the union and agreed to by the City to be compulsory.

Esposito said that a fitness program has been brought up before and he does not want to contribute to something that the department does not want and also does not want the City at too much risk. Chief Lagarto that those who use the equipment will be better fit for the job.

Fabiano said there is a town in Connecticut in which a fitness program is compulsory. Lagarto added that other departments have equipment available to those who want to use it and the effects will be positive in a long run.

Fabiano said if the equipment is to be used on a volunteer basis, then set hours must be scheduled so personnel will be there as spotters and trainers. Lagarto said that controls will be set in place along with signups. Lagarto stated that the men can be trained on use, will only use the equipment within working hours, and must work out only if another individual is in training room. Fazio brought up the fact that off-duty fire men might want to use the equipment, but the city must stay away from increased exposure to an additional liability.

Coladarci asked about the possibility of the firemen from outlying units use of equipment. Lagarto said they can regulate the non use for outlying houses and a discussion ensued that they may want to use the equipment.

Esposito then asked why add to the possibility for more injuries. This should be supervised by the fire department and approved by the administration. He doesn't understand the voluntary basis of the usage and why the Council is being put in this position.

Les Pinter was asked what proper procedure should be. He reminded the committee that our charge was to decide whether the donation should be accepted. He added that the Council can accept the donation and leave the decision to others to resolve the liability, make sure equipment is maintained and properly located. Acceptance can be contingent to the fire department putting in safety measures, possibly using signed releases from those using the equipment to the City of Danbury. Fabiano brought up the fitness program in other cities and that they can be contacted to see what type of problems they had.

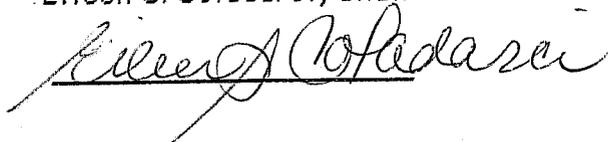
Murphy added that the insurance people did not have a problem with the equipment only the proper area within the room. They also did not require trainers at each session only someone in the room as spotter.

Fazio moved that the Council accept the donation and that the fire chief work with the risk manager, corporation council and the Union, if necessary, to take steps to insure that there is significant controls in place to ensure the safe use of said equipment as well as conform to all of the recommendations of CIRMA. (enclosed)

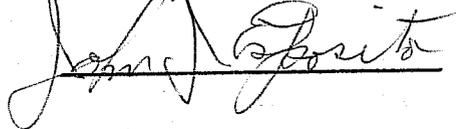
The motion by Fazio was seconded by Coladarci. The motion passed two to one with Esposito voting in the negative. The meeting was adjourned by motion by Esposito second by Fazio at 7:55 PM.

Respectfully Submitted,

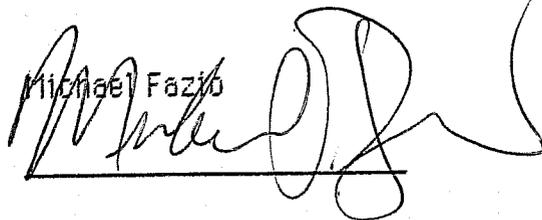
Eileen S. Coladarci, Chair

Handwritten signature of Eileen S. Coladarci in cursive script, underlined.

John Esposito

Handwritten signature of John Esposito in cursive script, underlined.

Michael Fazio

Handwritten signature of Michael Fazio in cursive script, underlined.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

MINORITY REPORT

February 4, 1992

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

Re: Donation of Physical Fitness Equipment to the Fire Department

In reference to the consideration of a donation of physical fitness equipment to the Fire Department referred to an ad hoc committee, I would like to state that, in my opinion, the presentation to the committee was vague to say the least.

Although it was within the purview of the ad hoc committee to recommend approval of the donation, I felt that in essence the committee was also recommending the usage plan and by such action put the Common Council in the compromising position of being the responsible body for this idea. The result was my voting in the negative.

Respectfully submitted,

  
\_\_\_\_\_  
JOHN J. ESPOSITO

Murphy added that the insurance people did not have a problem with the equipment only the proper area within the room. They also did not require trainers at each session only someone in the room as spotter.

Fazio moved that the Council accept the donation and that the fire chief work with the risk manager, corporation council and the Union, if necessary, to take steps to insure that there is significant controls in place to ensure the safe use of said equipment as well as conform to all of the recommendations of CIRMA. (enclosed)

The motion by Fazio was seconded by Coladarci. The motion passed two to one with Esposito voting in the negative. The meeting was adjourned by motion by Esposito second by Fazio at 7:55 PM.

Respectfully Submitted,

Eileen S. Coladarci, Chair

---

John Esposito

---

Michael Fazio

---



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Exchange of Property at the Danbury Railroad Station

The Common Council Committee appointed to review the request to exchange property at the Danbury Railroad Station met at 4:15 P.M. on January 17, 1992 in City Hall. In attendance were committee members Dean Esposito, Chris Setaro and Mike Fazio. Also in attendance were Mayor Gene Eriquez, Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, Deputy Commission of the Bureau of Public Transportation James Byrnes and members of his staff, and Howard Pincus of the New England Train Museum.

Councilman Setaro made a motion to waive the rules. Seconded by Mr. Fazio. Motion carried unanimously. Mayor Eriquez offered the committee background information on the proposed land exchange with the State Department of Transportation. He explained that in the past the City made attempts to purchase the train station building and the surrounding property. He also explained the State's proposals to purchase 2½ acres of City owned property that is landlocked between the Still River and Pahquioque Avenue. This land would be used for the construction of a new railroad station and commuter parking lot with an estimated value of 2½ to 3 million dollars. The State's appraisal of the two properties showed the parcels being basically of equal value.

Deputy Commissioner Byrnes of the Bureau of Transportation explained how this project was part of a plan to enhance the Danbury branch service which has a projected increase of three times the usage over the next ten years. Councilman Setaro asked if the upgrades would increase accessibility to and from Danbury to lower Fairfield County. Mr. Byrnes stated that it would, particularly with Norwalk and Stamford. Mr. Esposito questioned the startup time for the project. Mr. Byrnes stated that withstanding no delays, the project could start as early of Spring, 1992. Mr. Fazio asked the exact worth of each parcel. Mr. Gottschalk stated that the City parcel was worth \$595,000 and the State parcel was worth \$590,000.

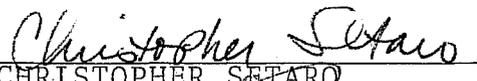
Mayor Enriquez explained that all costs of a new sidewalk along the railroad side of Patriot Drive and the installation of new traffic signal lights and controls at the intersection fo Patriot Drive and the new station access drive would be borne by the State. Mr. Fazio questioned the cost to restore the old station and where the money would come from. Mayor Enriquez explained that his office is currently working with State and Federal Representatives to attain money available for such projects. The old train station building is currently on the National Register of Historical Sites.

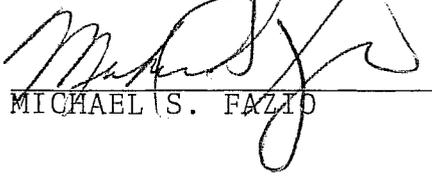
After further discussion, Mr. Byrnes stated that he and the Bureau of Public Transportation would work with the City to encourage any type of development at the old train station site.

Councilman Setaro made a motion for a positive recommendation for the exchange of property at the Danbury Railroad site. The motion was seconded by Dean Esposito and passed unanimously.

Respectfully submitted,

  
DEAN ESPOSITO, Chairman

  
CHRISTOPHER SETARO

  
MICHAEL S. FAZIO



34

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Exchange of Property at the Danbury Railroad Station

The Common Council Committee appointed to review the request to exchange property at the Danbury Railroad Station met at 4:15 P.M. on January 17, 1992 in City Hall. In attendance were committee members Dean Esposito, Chris Setaro and Mike Fazio. Also in attendance were Mayor Gene Eriquez, Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, Deputy Commission of the Bureau of Public Transportation James Byrnes and members of his staff, and Howard Pincus of the New England Train Museum.

Councilman Setaro made a motion to waive the rules. Seconded by Mr. Fazio. Motion carried unanimously. Mayor Eriquez offered the committee background information on the proposed land exchange with the State Department of Transportation. He explained that in the past the City made attempts to purchase the train station building and the surrounding property. He also explained the State's proposals to purchase 2½ acres of City owned property that is landlocked between the Still River and Pahquioque Avenue. This land would be used for the construction of a new railroad station and commuter parking lot with an estimated value of 2½ to 3 million dollars. The State's appraisal of the two properties showed the parcels being basically of equal value.

Deputy Commissioner Byrnes of the Bureau of Transportation explained how this project was part of a plan to enhance the Danbury branch service which has a projected increase of three times the usage over the next ten years. Councilman Setaro asked if the upgrades would increase accessibility to and from Danbury to lower Fairfield County. Mr. Byrnes stated that it would, particularly with Norwalk and Stamford. Mr. Esposito questioned the startup time for the project. Mr. Byrnes stated that withstanding no delays, the project could start as early of Spring, 1992. Mr. Fazio asked the exact worth of each parcel. Mr. Gottschalk stated that the City parcel was worth \$595,000 and the State parcel was worth \$590,000.

Mayor Enriquez explained that all costs of a new sidewalk along the railroad side of Patriot Drive and the installation of new traffic signal lights and controls at the intersection fo Patriot Drive and the new station access drive would be borne by the State. Mr. Fazio questioned the cost to restore the old station and where the money would come from. Mayor Enriquez explained that his office is currently working with State and Federal Representatives to attain money available for such projects. The old train station building is currently on the National Register of Historical Sites.

After further discussion, Mr. Byrnes stated that he and the Bureau of Public Transportation would work with the City to encourage any type of development at the old train station site.

Councilman Setaro made a motion for a positive recommendation for the exchange of property at the Danbury Railroad site. The motion was seconded by Dean Esposito and passed unanimously.

Respectfully submitted,

\_\_\_\_\_  
DEAN ESPOSITO, Chairman

\_\_\_\_\_  
CHRISTOPHER SETARO

\_\_\_\_\_  
MICHAEL S. FAZIO

Setare  
34 Fazio



2

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

## PLANNING COMMISSION

(203) 797-4525

December 20, 1991

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

Re: 8-24 Referral - Exchange of Property - Danbury  
Railroad Station

Dear Council Members:

The Planning Commission at its meeting December 18, 1991 motioned for a positive recommendation for the exchange of property, Danbury Railroad Station for the reason the project will provide more efficient rail service and help spur economic revitalization downtown.

The motion was made by Mr. Zaleta, seconded by Mr. Sibbitt and passed with "ayes" from Commissioners Zaleta, Sibbitt, Elder and Null.

Sincerely yours,

*Joseph Justino*  
(474C)  
Joseph Justino  
Chairperson

JJ/jlc



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

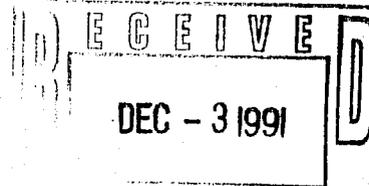
34



24 WOLCOTT HILL ROAD, P.O. DRAWER A  
WETHERSFIELD, CONNECTICUT 06109-0801

Phone:

November 26, 1991



Hon. Gene Eriquez  
Mayor  
City of Danbury  
155 Deer Hill Road  
Danbury, CT 06810

Dear Mayor Eriquez:

Subject: Danbury Railroad Heritage Park

This is in reference to our meeting of November 19 concerning the proposed Danbury Railroad Heritage Park.

As my staff and I indicated at our meeting, we have determined the future passenger service requirements in the Danbury Yard area. We also discussed Conrail's offer to transfer its operations in western Connecticut to other railroads. Since Conrail's transfer process is in its early stages, it was not possible to define exactly what property in the yard would be available for museum purposes. It is anticipated that it will be a few months before Conrail has completed its evaluation of the offers from other railroads and has decided on a course of action. The Department will keep you and the Museum informed as the Conrail transfer process proceeds. Once Conrail's plans have been firmed up, we will be in a better position to determine the future freight service rights and requirements and what property may be available for use by the Museum.

There were three other issues discussed with the following determinations.

1. Disposition of the present station building - the Department will ensure that the building is clear of any railroad material (containers, etc.) prior to the railroad's vacating the building.
2. Sidewalk - the Department will include in the design of the new station complex a sidewalk along Patriot Drive to connect with the planned sidewalk along the new station's access drive.
3. Traffic signal at the intersection of Patriot Drive with the new station's access drive - the Department's consultant will perform the engineering, the Department will provide for the controllers and the signal installation, and the City will provide the poles for the traffic signal.

Very truly yours,

James F. Byrnes, Jr.  
Deputy Commissioner  
Bureau of Public Transportation



35

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

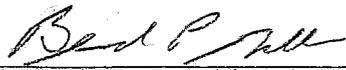
Re: Request for Sewer and Water Extension on Old Sherman Turnpike

The Common Council Committee appointed to review the request to accept sewer and water extensions on Old Sherman Turnpike met at 7:00 P.M. on January 15, 1992 in Room 432 in City Hall. In attendance were committee members Gallo, Charles and Boughton. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Bobby Payne, Attorney William Steele.

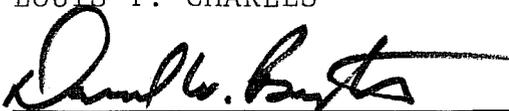
Attorney Payne explained to the committee the request which is for the City to accept existing sewer and water lines. Both Mr. Schweitzer and Mr. Buckley were in favor of this request, as was the Planning Commission.

Mr. Boughton moved to approve the request pursuant to the regular eight steps. Seconded by Mr. Charles. Motion carried unanimously.

Respectfully submitted,

  
BERNARD P. GALLO, Chairman

  
LOUIS T. CHARLES

  
DONALD BOUGHTON



35

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Request for Sewer and Water Extension on Old Sherman Turnpike

The Common Council Committee appointed to review the request to accept sewer and water extensions on Old Sherman Turnpike met at 7:00 P.M. on January 15, 1992 in Room 432 in City Hall. In attendance were committee members Gallo, Charles and Boughton. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Bobby Payne, Attorney William Steele.

Attorney Payne explained to the committee the request which is for the City to accept existing sewer and water lines. Both Mr. Schweitzer and Mr. Buckley were in favor of this request, as was the Planning Commission.

Mr. Boughton moved to approve the request pursuant to the regular eight steps. Seconded by Mr. Charles. Motion carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

LOUIS T. CHARLES

DONALD BOUGHTON



16

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Offer of Property for Sale at 116 Main Street

The subcommittee to review the offer to sell property at 116 Main Street met January 28, 1992 in room 432 of Danbury City Hall at 8:00PM. In attendance were Councilwoman Eileen Coladarci, chair, Councilwoman Janet Butera, and Councilman Joseph Scozzafava. Also in attendance were Police Chief Nelson T. Macedo, Lt. Art Sullo, Director of Finance - Dominic Setaro Jr., Assistant Planning Director - Susan DeCina, Director of Public Works - Jack A. Schweitzer, Jr., Attorney Paul DeLuca, and Attorney Elie S. Coury.

Scozzafava moved to waive the rules so those in attendance can speak, the motion was seconded by Butera and passed unanimously.

Schweitzer submitted reports from the building inspector and the Department of Public Buildings listing the conditions of the Mullins house (enclosed). He said that it would need upgrading in electrical, plumbing and handicap accessibility. The second floor of the building could have a possible modification for handicapped. The building is well kept but old. There is a dentist office in front and the fire marshal still has not inspected the building.

A discussion ensued regarding the work needed for occupancy by the fire department.

Macedo said that in 1972 the Police Department had an opportunity to buy the property behind the station for \$17,000 but the City said they did not have the money. Feinson bought the property, and now the police department leases that same piece of land from Feinson at \$8,000/year to park cars.

Setaro was then asked what the proper procedure should be. He explained that the City should be presented with a written offer, the assessor will place a value on the property, negotiations will ensue between the mayor's office or his appointees, a method of funding has to be decided upon, and then the package is presented back to the Council for approval or disapproval.

The attorneys were then asked for their offer. Coury stated he represents two heirs to the Mullins property and Deluca represents one. Coury's clients want \$250,000 and Deluca's will come in lower, but for now they have to agree upon \$250,000 as starting figure.

Butera made a motion to recommend to the full Council that there is some interest in the offer and a hand written bid be submitted to the Mayor's office. If the price is reasonable negotiations should proceed as cited by Setaro. The motion was seconded by Scozzafava and passed unanimously.

Respectfully Submitted,

---

Eileen S. Coladara, Chair

---

Janet Butera

---

Joseph Scozzafava



36

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

RECEIVED  
JAN 24 1991

DEPARTMENT OF PUBLIC BUILDINGS  
(203) 797-4584

RECEIVED

RICHARD M. PALANZO  
SUPERINTENDENT

JAN 24 1992

January 24, 1992

Engineering Dept.

TO: Jack A. Schweitzer, Jr., Director of Public Works  
FROM: Richard M. Palanzo, Superintendent *RMP*  
SUBJ: Dwelling at 116 Main Street

On December 5, 1991, I accompanied the Building Official, representatives of the Police Department and yourself for an inspection of this property. For the age of this property it is in very good condition. The location is very good in that it were to be used for the expansion of services for the Danbury Police Department its location, proximal to the Police Station building would allow for ease of access and communications.

The building does not currently conform for use as a commercial building and would require renovations and modifications. All items noted on the Building Officials report would have to be taken care of and the building brought up to code for commercial use. Any work performed on this building would require total handicapped accessibility, consistent with the new A.D.A. Act.

It is not possible at this time for me to put together a comprehensive renovation budget for this structure until I know exactly the scope and nature of the future use of this building. When the use of this building is determined I will be glad to participate in the planning of the renovation of this building.

Should you require any additional information please do not hesitate to contact me.

RMP:i

JSD116MS



RECEIVED  
JAN 14 1992 36

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Engineering Dept.

BUILDING DEPARTMENT  
(203) 797-4581

LEO P. NULL  
BUILDING OFFICIAL

January 13, 1992

MEMO TO: Jack Schweitzer, City Engineer  
FROM: Leo P. Null, Building Inspector  
RE: 116 Main St. (Mullins House)

---

On December 5, 1991, at the request of the Danbury Engineering Dept., our department inspected the dwelling located at 116 Main Street - the Mullins House.

The following was noted:

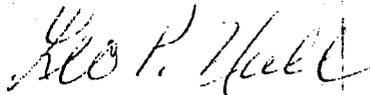
1. The first floor has at least three (3) floor joists which are split and will need repair.
2. Some of the first floor sheathing shows signs of water damage and may need replacement.
3. The roof will need reshingling and has no ventilation as the rafter cavities have been improperly insulated. Some sheathing may have to be replaced.
4. The porch roof needs to be redone and possibly some sheathing replacement.
5. Some of the electrical fixtures need to be replaced.
6. The electrical service needs to be upgraded.
7. Many boxes show exposed wiring and will need covers.
8. Service needs blanks added for protection where missing.
9. AC-DC smoke detectors need to be installed.
10. The air pump needs to be re-wired if tenant is kept. (dentist office)
11. Much of the plumbing's waste lines should be replaced.

12. Both the water lines and drainage show problems have occurred in the past as there is an abundance of different materials used throughout. It is likely the water lines will need replacement also.
13. The gas fired water heater is 10 to 20 years old. If the fixtures remain some minor repairs will be necessary.
14. Heating is provided by an oil fired steam boiler which is approximately 20 years old. The insulation (being asbestos) should be removed and reinsulated. The boiler appears to be in good shape and has had periodic maintenance. *big cost*
15. Since the tank is buried it is very likely it may need replacement. Observation is impossible. *app 10-15,000*

If the building is used for office space in the future some major renovation will be required.

We are not aware of the City's eventual plans for this building and reserve the right to comment until the City makes it's intentions known.

Respectfully,



Leo P. Null  
Building Inspector

LPN:pg



37

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Sanitary Sewer Project  
Mill Plain Road

The Common Council Committee appointed to review a report for the installation of a sanitary sewer on Mill Plain Road met at 7:30 P.M. on January 22, 1992. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were Director of Public Works Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Lawrence Riefberg representing the Foresome Investment Corporation, Louis Moffa, Carmine Moffa, Mr. and Mrs. Watson, Attorney Paul Jaber representing John Lucchesi and John Lucchesi.

Mr. DaSilva gave the background of this situation. Because connections to the force main on Mill Plain Road are no longer allowed, a petition was made last year for a sewer installation. At the public hearing last August, most property owners on the eastern end of the proposed line were opposed to the sewer. The Common Council then approved the sewer with these eastern properties eliminated from the project. Subsequent to this action, Mr. Schweitzer notified the Common Council that the assessment to the five remaining property owners on the sewer line would now be more expensive. The Common Council directed Mr. Schweitzer to have his office conduct a survey of those property owners with the new estimated assessments. This survey revealed that three of the five property owners (60%) were in favor of the sewer line. These owners represent approximately 30% of the total acreage along this line. Because of the results of this survey the Common Council referred this item to an ad hoc committee to study the proposal more closely.

Mr. Riefberg stated that his clients are in great need of a sewer because of a failed septic system that cannot be repaired. Their property, the Manorbrook Motel, has been closed because of this and the property has little or no use without a sewer. He further stated that Mill Plain Road is one of the major arteries in the City. The development on this road has expanded over the past several years because of its location, access and condition. He said that the Mill Plain Road area has been designated as an area to be sewered by the latest consultant study in 1987. This was done by City consultants, the Haestad Company.



37

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Sanitary Sewer Project  
Mill Plain Road

The Common Council Committee appointed to review a report for the installation of a sanitary sewer on Mill Plain Road met at 7:30 P.M. on January 22, 1992. In attendance were committee members DaSilva, John Esposito and Scozzafava. Also in attendance were Director of Public Works Jack Schweitzer, Superintendent of Public Utilities William Buckley, Attorney Lawrence Riefberg representing the Foresome Investment Corporation, Louis Moffa, Carmine Moffa, Mr. and Mrs. Watson, Attorney Paul Jaber representing John Lucchesi and John Lucchesi.

Mr. DaSilva gave the background of this situation. Because connections to the force main on Mill Plain Road are no longer allowed, a petition was made last year for a sewer installation. At the public hearing last August, most property owners on the eastern end of the proposed line were opposed to the sewer. The Common Council then approved the sewer with these eastern properties eliminated from the project. Subsequent to this action, Mr. Schweitzer notified the Common Council that the assessment to the five remaining property owners on the sewer line would now be more expensive. The Common Council directed Mr. Schweitzer to have his office conduct a survey of those property owners with the new estimated assessments. This survey revealed that three of the five property owners (60%) were in favor of the sewer line. These owners represent approximately 30% of the total acreage along this line. Because of the results of this survey the Common Council referred this item to an ad hoc committee to study the proposal more closely.

Mr. Riefberg stated that his clients are in great need of a sewer because of a failed septic system that cannot be repaired. Their property, the Manorbrook Motel, has been closed because of this and the property has little or no use without a sewer. He further stated that Mill Plain Road is one of the major arteries in the City. The development on this road has expanded over the past several years because of its location, access and condition. He said that the Mill Plain Road area has been designated as an area to be sewered by the latest consultant study in 1987. This was done by City consultants, the Haestad Company.

The Moffa and Watson families spoke in favor of the proposed sewer. They are very willing to pay the assessment for the benefit a sewer will bring to their properties.

Mr. Jaber, speaking for Mr. Lucchessi, stated opposition to the sewer installation. He said his client does not need a sewer and has no desire to sell the property at this time. The assessment for this property will be difficult to pay. Mr. Lucchessi also spoke about his problems with this installation. After discussion it was explained that sewer assessment can be paid over a period of twenty years, and that the prevailing interest rates are the lowest in many years. Mr. Lucchessi said that his assessment would be much more palatable under these conditions. All property owners along the proposed sewer were invited to this meeting. There was no representation or communication from the Worldwide Realty Company.

Mr. Buckley and Mr. Schweitzer explained why a hookup into a force main is not desirable. They further explained that this area is one that is slated for sewer expansion in consultant studies and that a sewer would benefit this area of the City.

After discussion, John Esposito moved to recommend the approval of the installation of a sanitary sewer on Mill Plain Road, from the existing area pump stations to the property owned by Foresome Investment Co. (Tax Assessor Lot No. D14014). The committee further recommends that the payment of assessment be for a period of twenty years and that the sum of \$308,900 be appropriated from the sewer fund balance (surplus) upon certification. The motion was seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,

  
\_\_\_\_\_  
JOSEPH DaSILVA, Chairman

  
\_\_\_\_\_  
JOHN ESPOSITO

  
\_\_\_\_\_  
JOSEPH SCOZZAFAVA

The Moffa and Watson families spoke in favor of the proposed sewer. They are very willing to pay the assessment for the benefit a sewer will bring to their properties.

Mr. Jaber, speaking for Mr. Lucchessi, stated opposition to the sewer installation. He said his client does not need a sewer and has no desire to sell the property at this time. The assessment for this property will be difficult to pay. Mr. Lucchessi also spoke about his problems with this installation. After discussion it was explained that sewer assessment can be paid over a period of twenty years, and that the prevailing interest rates are the lowest in many years. Mr. Lucchessi said that his assessment would be much more palatable under these conditions. All property owners along the proposed sewer were invited to this meeting. There was no representation or communication from the Worldwide Realty Company.

Mr. Buckley and Mr. Schweitzer explained why a hookup into a force main is not desirable. They further explained that this area is one that is slated for sewer expansion in consultant studies and that a sewer would benefit this area of the City.

After discussion, John Esposito moved to recommend the approval of the installation of a sanitary sewer on Mill Plain Road, from the existing area pump stations to the property owned by Foresome Investment Co. (Tax Assessor Lot No. D14014). The committee further recommends that the payment of assessment be for a period of twenty years and that the sum of \$308,900 be appropriated from the sewer fund balance (surplus) upon certification. The motion was seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,

\_\_\_\_\_  
JOSEPH DaSILVA, Chairman

\_\_\_\_\_  
JOHN ESPOSITO

\_\_\_\_\_  
JOSEPH SCOZZAFAVA

PRELIMINARY ASSESSMENTS - SANITARY SEWER PROJECT

MILL PLAIN ROAD

<u>HOUSE NO.</u>	<u>LOT NO.</u> ( <u>OLD LOT NO.</u> )	<u>OWNER</u>	<u>TOTAL</u> ( <u>REVISED 10/91</u> )	<u>PREVIOUS</u> <u>TOTAL</u>
Old Mill Plain Rd.	C14030 (4)	Thomas W. Watson Verna Watson	\$20,400.00	\$12,900.00
Mill Plain Road	C14014 (9M)	WW-CPI Associates Ltd. Partnership	\$107,500.00	\$66,400.00
Mill Plain Road	C14015 (10)	Louis Moffa, Jr. Joseph C. Moffa Carmine Moffa	\$37,000.00	\$23,200.00
Mill Plain Road	C14016 (3B & 5B)	Barrett Holding Corporation	\$88,600.00	\$52,700.00
Mill Plain Road	D14014 (15)	Foresome Investment Company	\$55,400.00	\$38,900.00



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1992

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

### Re: Seahorse Aviation Lease

The Common Council Committee appointed to review the Seahorse Aviation lease met at 7:30 P.M. on January 28, 1992 in the Fourth Floor Lobby of City Hall. In attendance were committee members Setaro, Dennehy and Scozzafava. Also in attendance were Airport Administrator Paul Estefan, Assistant Corporation Counsel Laszlo Pinter, Director of Finance Dominic Setaro, Jr., Mr. Greg Brinkman of Seahorse Aviation, Mr. Zohn of Business Aircraft Center, and Mr. Frank Giumarra.

Councilman Setaro stated that the committee adjourned on January 14, 1992 pending negotiations between Seahorse Aviation and City officials of a rental payment structure which would satisfy the requirements of the BAC arbitration decision. Councilman Scozzafava moved that the rules be waived in order that those in attendance could engage in a dialogue with the committee. Seconded by Councilwoman Dennehy. Motion passed unanimously.

The Director of Finance explained that Exhibit C of the twenty-five year lease represents the aforementioned negotiations. He further stated that subsection (a) shows that rental payments would begin at \$13,000 upon the issuance of a certificate of occupancy to Seahorse, expected in 1993, and increase by \$928 per year until the year 2000. At that time the base rent would become \$18,568, again increasing by \$928 per year or the Consumer Price Index, whichever is less, for the remainder of the lease term. Subsection (b) would operate if the maximum rent was triggered in the BAC lease, where the base rent would be \$19,856, with an escalator clause. Mr. Pinter stated that this structure comports with that of the BAC lease based on the arbitration decision.

Mr. Estefan stated that the FAA had approved the Seahorse project in March, 1991. He added that he supported the proposed rental structure and that the City would benefit by an expansion of the Grand List since Seahorse would pay

real property taxes on improvements made to the five acre parcel in addition to the rental payments specified in the lease. Upon the expiration of the lease the improvements made by Seahorse would revert to the ownership of the City. Mr. Estefan also stated that several other proposed amendments were included in the lease which were technical in nature or deletions of sections related to the former lease structure.

Councilwoman Dennehy moved that the lease be amended with the proposed rent structure and the technical language changes so that the Seahorse lease satisfies the requirements of the BAC arbitration decision, with a positive recommendation of the amended lease to the full Council. Seconded by Councilman Scozzafava. Motion passed unanimously. Mr. Scozzafava moved that the meeting adjourn at 8:00 P.M. Seconded by Councilwoman Dennehy. Motion passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO, Chairman

KATHLEEN DENNEHY

JOSEPH SCOZZAFAVA



# NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

Aeronautical Study Number  
**91-ANE-059-OE**

### 1. Nature of Proposal

A. Type <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration	B. Class <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration _____ months)
--	---

C. Work Schedule Dates Beginning <u>EAR 91</u> End <u>SPRING 92</u>
---

### 2. Complete Description of Structure

- A. Include effective radiated power and assigned frequency of all existing, proposed or modified AM, FM, or TV broadcast stations utilizing this structure.
- B. Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports.
- C. Include information showing site orientation, dimensions, and construction materials of the proposed structure.

### 3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration. (Number, Street, City, State and Zip Code)

(203) 790-6800  
area code Telephone Number

SEAHORSE AVIATION INC  
49 MARYBROOK RD  
DANBURY CONN. 06810

*SEE AIRCRAFT PLAN*

### B. Name, address and telephone number of proponent's representative if different than 3 above.

GREG BRINKMAN

(if more space is required, continue on a separate sheet.)

### 4. Location of Structure

A. Coordinates (To nearest second) <u>41° 22' 25"</u> Latitude <u>73° 28' 45"</u> Longitude	B. Nearest City or Town, and State <u>DANBURY</u> (1) Distance to 4B <u>2</u> Miles (2) Direction to 4B <u>EAST</u>	C. Name of nearest airport, heliport, flightpark, or seaplane base <u>DANBURY</u> (1) Distance from structure to nearest point of nearest runway <u>600'</u> (2) Direction from structure to airport <u>ON AIRPORT</u>
---	--	---

### 5. Height and Elevation (Complete to the nearest foot)

A. Elevation of site above mean sea level <u>455'</u>	B. Height of Structure including all appurtenances and lighting (if any) above ground, or water if so situated <u>40'</u>	C. Overall height above mean sea level (A + B) <u>495'</u>
--	--	---

D. Description of location of site with respect to highways, streets, airports, prominent terrain features, existing structures, etc. Attach a U.S. Geological Survey quadrangle map or equivalent showing the relationship of construction site to nearest airport(s). (if more space is required, continue on a separate sheet of paper and attach to this notice.)

ON THE NORTH EAST SIDE OF Runway 08-26 AND 17-35 INTERSECTION.

Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1101). Persons who knowingly and willingly violate the Notice requirements of Part 77 are subject to a fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472(a)).

I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards if necessary.

Date <u>2/12/91</u>	Typed Name/Title of Person Filing Notice <u>GREG BRINKMAN</u>	Signature <i>Greg Brinkman</i>
------------------------	--	-----------------------------------

### FOR FAA USE ONLY

FAA will either return this form or issue a separate acknowledgement.

<p><b>The Proposal:</b></p> <p><input type="checkbox"/> Does not require a notice to FAA.</p> <p><input checked="" type="checkbox"/> Is not identified as an obstruction under any standard of FAR, Part 77 (Subpart C) and would not be a hazard to air navigation.</p> <p><input type="checkbox"/> Is identified as an obstruction under the standards of FAR, Part 77 (Subpart C), but would not be a hazard to air navigation.</p> <p><input type="checkbox"/> Should be obstruction marked <input type="checkbox"/> lighted per FAA Advisory Circular 70/7460-1 Chapter(s)</p> <p><input checked="" type="checkbox"/> Obstruction marking and lighting are not necessary.</p> <p>Remarks <u>SEE REVERSE</u></p>	<p>Supplemental Notice of Construction (FAA Form 7460-2) is required any time the project is abandoned or</p> <p><input type="checkbox"/> At least 48 hours before the start of construction.</p> <p><input type="checkbox"/> Within five days after the construction reaches its greatest height.</p> <p>This determination expires on <u>OCTOBER 27, 1992</u> unless</p> <p>(a) extended, revised or terminated by the issuing office.</p> <p>(b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.</p> <p>NOTE: Request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date.</p> <p>If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.</p>
--	---

Issued In <u>BURLINGTON MA</u>	Signature <i>Maureen Bergeron</i>	Date <u>MARCH 20, 1991</u>
-----------------------------------	--------------------------------------	-------------------------------



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## PROGRESS REPORT

January 15, 1992

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

### Re: Seahorse Aviation Lease

The Common Council Committee appointed to review the Seahorse Aviation lease met at 8:00 P.M. on January 14, 1992 in Room 432 of City Hall. In attendance were committee members Setaro and Dennehy. Also in attendance were Airport Administrator Paul Estefan, Director of Finance Dominic Setaro, Mr. Greg Brinkman of Seahorse Aviation and Mr. Zohn of BAC Aviation.

Councilman Setaro stated that the previous committee meeting resulted in no action being taken on the lease pending the result of litigation involving the rental structure of the BAC lease. He added that the charge of the committee is to review the Seahorse lease and amend or alter it as it deemed appropriate and make a recommendation to the full Common Council. Councilwoman Dennehy moved that the rules be suspended. Seconded by Mr. Setaro. Motion passed unanimously.

Mr. Brinkman stated that he seeks to negotiate a rent structure in which the parties could foresee what was expected of them for the life of the lease and which comported with the BAC arbitration decision. Mr. Brinkman also stated that he had anticipated that Seahorse's first year rent would be approximately \$15,000 with some type of escalator clause for succeeding years. Councilman Setaro stated that the rent structure presently contained in the Seahorse lease is overly complex and that an attempt at determining the fair rental value of property such as that at issue should be included in this process.

Mr. Estefan and the Director of Finance discussed how the rental structure of the Seahorse lease could not fall below the floor of that in the BAC lease and that language addressing this contingency be included in the Seahorse lease, as well as when the lease would take effect. Councilman Setaro felt that this language must be artfully

drafted and should be the product of negotiations between Seahorse and the City. He added that the negotiation of agreements binding the City is more appropriately undertaken by the executive branch of government and that the committee could better perform its function by reviewing a negotiated rental structure which embodied the expertise of City officials.

Councilwoman Dennehy moved that the committee take no action until the Director of Finance, Corporation Counsel and Airport Administrator enter into negotiations with Seahorse resulting in a rental structure comporting with the BAC lease and report back to the committee within thirty-days when the committee would address this and any other outstanding questions. Seconded by Councilman Setaro. Motion passed unanimously.

Councilwoman Dennehy moved that the committee adjourn at 8:45 P.M. Seconded by Councilman Setaro. Motion passed unanimously.

Respectfully submitted,

---

CHRISTOPHER C. SETARO, Chairman

---

KATHLEEN DENNEHY

---

JOSEPH SCOZZAFAVA



38

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

January 28, 1992

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

### **Re: Seahorse Aviation Lease**

The Common Council Committee appointed to review the Seahorse Aviation lease met at 7:30 P.M. on January 28, 1992 in the Fourth Floor Lobby of City Hall. In attendance were committee members Setaro, Dennehy and Scozzafava. Also in attendance were Airport Administrator Paul Estefan, Assistant Corporation Counsel Laszlo Pinter, Director of Finance Dominic Setaro, Jr., Mr. Greg Brinkman of Seahorse Aviation, Mr. Zohn of Business Aircraft Center, and Mr. Frank Giumarra.

Councilman Setaro stated that the committee adjourned on January 14, 1992 pending negotiations between Seahorse Aviation and City officials of a rental payment structure which would satisfy the requirements of the BAC arbitration decision. Councilman Scozzafava moved that the rules be waived in order that those in attendance could engage in a dialogue with the committee. Seconded by Councilwoman Dennehy. Motion passed unanimously.

The Director of Finance explained that Exhibit C of the twenty-five year lease represents the aforementioned negotiations. He further stated that subsection (a) shows that rental payments would begin at \$13,000 upon the issuance of a certificate of occupancy to Seahorse, expected in 1993, and increase by \$928 per year until the year 2000. At that time the base rent would become \$18,568, again increasing by \$928 per year or the Consumer Price Index, whichever is less, for the remainder of the lease term. Subsection (b) would operate if the maximum rent was triggered in the BAC lease, where the base rent would be \$19,856, with an escalator clause. Mr. Pinter stated that this structure comports with that of the BAC lease based on the arbitration decision.

Mr. Estefan stated that the FAA had approved the Seahorse project in March, 1991. He added that he supported the proposed rental structure and that the City would benefit by an expansion of the Grand List since Seahorse would pay

real property taxes on improvements made to the five acre parcel in addition to the rental payments specified in the lease. Upon the expiration of the lease the improvements made by Seahorse would revert to the ownership of the City. Mr. Estefan also stated that several other proposed amendments were included in the lease which were technical in nature or deletions of sections related to the former lease structure.

Councilwoman Dennehy moved that the lease be amended with the proposed rent structure and the technical language changes so that the Seahorse lease satisfies the requirements of the BAC arbitration decision, with a positive recommendation of the amended lease to the full Council. Seconded by Councilman Scozzafava. Motion passed unanimously. Mr. Scozzafava moved that the meeting adjourn at 8:00 P.M. Seconded by Councilwoman Dennehy. Motion passed unanimously.

Respectfully submitted,



CHRISTOPHER C. SETARO, Chairman



KATHLEEN DENNEHY



JOSEPH SCOZZAFAVA



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Request for Sewer Extension - Newtown Road

The Common Council Committee appointed to review the request to accept existing sewer lines on Newtown Road met on January 15, 1992 at 7:30 P.M. in Room 432. In attendance were committee members Gallo, Outlaw and Boughton. Also in attendance were Council Member Al Cipriani, ex-officio, City Engineer Jack Schweitzer, Director of Public Utilities William Buckley, Mr. Williams, Attorney Bobby Payne and Attorney William Steele.

Mr. Williams explained to the committee the request which is for the City to accept existing sewer lines on Newtown Road, specifically lot numbers L11001, L11031, and L11039. Both Mr. Schweitzer and Mr. Buckley were in favor of this request, as was the Planning Commission.

Mr. Boughton made a motion to approve the request pursuant to the regular eight steps. Seconded by Mr. Gallo. Motion was carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

DOROTHY OUTLAW

DONALD BOUGHTON



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Request for Sewer Extension - Newtown Road

The Common Council Committee appointed to review the request to accept existing sewer lines on Newtown Road met on January 15, 1992 at 7:30 P.M. in Room 432. In attendance were committee members Gallo, Outlaw and Boughton. Also in attendance were Council Member Al Cipriani, ex-officio, City Engineer Jack Schweitzer, Director of Public Utilities William Buckley, Mr. Williams, Attorney Bobby Payne and Attorney William Steele.

Mr. Williams explained to the committee the request which is for the City to accept existing sewer lines on Newtown Road, specifically lot numbers L11001, L11031, and L11039. Both Mr. Schweitzer and Mr. Buckley were in favor of this request, as was the Planning Commission.

Mr. Boughton made a motion to approve the request pursuant to the regular eight steps. Seconded by Mr. Gallo. Motion was carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

DOROTHY OUTLAW

DONALD BOUGHTON



40

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 1992

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

Re: Interlocal Agreement with Newtown

The Common Council Committee appointed to review the request for Interlocal Agreement discussions between Danbury and Newtown met on January 21, 1992 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Cassano and Setaro. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Assistant to the Mayor Basil Friscia, Assistant Corporation Counsel Les Pinter and Council Member Al Cipriani, ex-officio.

Attorney Pinter clarified the committee charge - to recommend, or not, to the Common Council that Danbury enter into interlocal negotiations with Newtown relative to availability of capacity within Danbury's Wastewater Treatment Facility. This is the first time that a request for interlocal negotiations has come to a Common Council Committee. Previously, the response has been for the Mayor to appoint an Interlocal Agreement Commission to persue the negotiations. There are two existing Commissions with common membership addressing previous requests from Brookfield and Ridgefield.

Mr. Buckley provided the committee with a historical prospective of the issue. In 1988, Danbury was directed by court order to increase its Wastewater Treatment Facility capacity to 12.5 MGD (including Bethel 75,000 GPD, Brookfield 500,000 GPD and Ridgefield 140,000 GPD) with Bethel, Brookfield and Ridgefield paying their share of the upgrade cost. Brookfield and Ridgefield requested additional capacity and the existing Interlocal Agreement Commission was formed to conduct the negotiations. Over time, further increases were mandated by the State: to 14.5 MGD to absorb a Bethel capacity of 2 MGD and to 15.5 MGD to absorb "future regional needs", which the State assigned to Brookfield (300,000 GPD) and New Fairfield (700,000 GPD). Brookfield and New Fairfield are not obligated to accept these increases or pay the associated system upgrade costs.

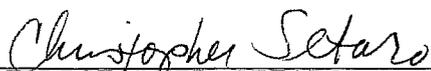
- 2 -

At the present time, Danbury has a capacity requirement of 11.8 MGD and yearly average use of about 8 MGD. While there is no present State direction to include Newtown, the uncertainty surrounding the acceptance of the last 1 MGD increase by Brookfield and New Fairfield indicates the possibility of Newtown assuming a portion of that increase. Mr. Buckley recommended that a Commission be approved to at least conduct preliminary talks with Newtown.

Following some further general discussion, Mr. Setaro moved that, based on language in the State's statutes admonishing municipalities to resolve wastewater treatment issues regionally, the committee recommend to the Common Council that the Mayor be authorized to appoint an Interlocal Agreement Committee to enter into negotiations with the Town of Newtown regarding their request for capacity in Danbury's Wastewater Treatment Facility. Mr. Cassano seconded the motion and there was unanimously approval.

Respectfully submitted,

  
ANTHONY J. CASSANO, Chairman

  
CHRISTOPHER SETARO

  
JOSEPH SCOZZAFAVA



40

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Interlocal Agreement with Newtown

The Common Council Committee appointed to review the request for Interlocal Agreement discussions between Danbury and Newtown met on January 21, 1992 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Cassano and Setaro. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Assistant to the Mayor Basil Friscia, Assistant Corporation Counsel Les Pinter and Council Member Al Cipriani, ex-officio.

Attorney Pinter clarified the committee charge - to recommend, or not, to the Common Council that Danbury enter into interlocal negotiations with Newtown relative to availability of capacity within Danbury's Wastewater Treatment Facility. This is the first time that a request for interlocal negotiations has come to a Common Council Committee. Previously, the response has been for the Mayor to appoint an Interlocal Agreement Commission to persue the negotiations. There are two existing Commissions with common membership addressing previous requests from Brookfield and Ridgefield.

Mr. Buckley provided the committee with a historical prospective of the issue. In 1988, Danbury was directed by court order to increase its Wastewater Treatment Facility capacity to 12.5 MGPD (including Bethel 75,000 GPD, Brookfield 500,000 GPD and Ridgefield 140,000 GPD) with Bethel, Brookfield and Ridgefield paying their share of the upgrade cost. Brookfield and Ridgefield requested additional capacity and the existing Interlocal Agreement Commission was formed to conduct the negotiations. Over time, further increases were mandated by the State: to 14.5 MGPD to absorb a Bethel capacity of 2 MGPD and to 15.5 MGPD to absorb "future regional needs", which the State assigned to Brookfield (300,000 GPD) and New Fairfield (700,000 GPD). Brookfield and New Fairfield are not obligated to accept these increases or pay the associated system upgrade costs.

At the present time, Danbury has a capacity requirement of 11.8 MGD and yearly average use of about 8 MGD. While there is no present State direction to include Newtown, the uncertainty surrounding the acceptance of the last 1 MGD increase by Brookfield and New Fairfield indicates the possibility of Newtown assuming a portion of that increase. Mr. Buckley recommended that a Commission be approved to at least conduct preliminary talks with Newtown.

Following some further general discussion, Mr. Setaro moved that, based on language in the State's statutes admonishing municipalities to resolve wastewater treatment issues regionally, the committee recommend to the Common Council that the Mayor be authorized to appoint an Interlocal Agreement Committee to enter into negotiations with the Town of Newtown regarding their request for capacity in Danbury's Wastewater Treatment Facility. Mr. Cassano seconded the motion and there was unanimously approval.

Respectfully submitted,

ANTHONY J. CASSANO, Chairman

CHRISTOPHER SETARO

JOSEPH SCOZZAFAVA



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Review of Ordinance Section 17-34 (Roads)

The Common Council Committee appointed to review Ordinance Section 17-34 (Roads) met on January 21, 1992 at 8:20 P.M. in Room 432 in City Hall. In attendance were committee members Cassano and John Esposito. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Assistant to the Mayor Basil Friscia, Assistant Corporation Counsel Les Pinter and Council Member Al Cirpriani, ex-officio.

Mr. Cassano reviewed the petition and the history of the 17-34 Ordinance along with the efforts of the previous Common Council Road Study Commission to allow citizens to upgrade their private roads to a level acceptable to the City by a bonding procedure similar to the existing sewer project bonding. These efforts culminated in the passage of Ordinance Section 2-143.1 Assessments for Public Improvements. At that time, there were several petitions under study for acceptance of private roads, some of which involved relatively large areas (e.g. Hawthorne Cove, Aqua Vista, Marjorie Manor). All petitions were withdrawn after the project costs had been developed by the City Engineer's Office. There are presently about 170 private roads in Danbury.

Mr. Schweitzer went over 17-34 and suggested several modifications to facilitate the procedures and requirements for acceptance of private roads while maintaining acceptable engineering and safety criteria. Mr. Friscia and Mr. Buckley described some of the phone calls they have received from citizens concerned with the maintenance and status of private roads on which they live. The City has attempted to do all it can in these cases.

The consensus of the committee was that 17-34 should remain on the books, perhaps in a modified form, along with 2-143.1, which would continue to allow petitioners to pursue road upgrades at lower costs dependent upon the revisions to 17-34.

- 2 -

The Committee further thought that the upgrade of private roads (to meet road acceptance criteria) should not be the responsibility of the City at this time. Monies spent on private roads must necessarily come out of Public Works Budgets devoted to maintenance of the public road system.

The Committee further agreed to continue its review of 17-34 and agreed to Mr. Schweitzer's request that he update his recommendations for the modification of 17-34 in light of the committee meeting and discussions and present these updates at a future committee meeting.

Respectfully submitted,

ANTHONY J. CASSANO, Chairman

JOHN J. ESPOSITO

JOSEPH SCOZZAFAVA



41

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 4, 1992

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

Re: Review of Ordinance Section 17-34 (Roads)

The Common Council Committee appointed to review Ordinance Section 17-34 (Roads) met on January 21, 1992 at 8:20 P.M. in Room 432 in City Hall. In attendance were committee members Cassano and John Esposito. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Assistant to the Mayor Basil Friscia, Assistant Corporation Counsel Les Pinter and Council Member Al Cirpriani, ex-officio.

Mr. Cassano reviewed the petition and the history of the 17-34 Ordinance along with the efforts of the previous Common Council Road Study Commission to allow citizens to upgrade their private roads to a level acceptable to the City by a bonding procedure similar to the existing sewer project bonding. These efforts culminated in the passage of Ordinance Section 2-143.1 Assessments for Public Improvements. At that time, there were several petitions under study for acceptance of private roads, some of which involved relatively large areas (e.g. Hawthorne Cove, Aqua Vista, Marjorie Manor). All petitions were withdrawn after the project costs had been developed by the City Engineer's Office. There are presently about 170 private roads in Danbury.

Mr. Schweitzer went over 17-34 and suggested several modifications to facilitate the procedures and requirements for acceptance of private roads while maintaining acceptable engineering and safety criteria. Mr. Friscia and Mr. Buckley described some of the phone calls they have received from citizens concerned with the maintenance and status of private roads on which they live. The City has attempted to do all it can in these cases.

The consensus of the committee was that 17-34 should remain on the books, perhaps in a modified form, along with 2-143.1, which would continue to allow petitioners to pursue road upgrades at lower costs dependent upon the revisions to 17-34.

The Committee further thought that the upgrade of private roads (to meet road acceptance criteria) should not be the responsibility of the City at this time. Monies spent on private roads must necessarily come out of Public Works Budgets devoted to maintenance of the public road system.

The Committee further agreed to continue its review of 17-34 and agreed to Mr. Schweitzer's request that he update his recommendations for the modification of 17-34 in light of the committee meeting and discussions and present these updates at a future committee meeting.

Respectfully submitted,

  
ANTHONY J. CASSANO, Chairman

  
JOHN J. ESPOSITO

  
JOSEPH SCOZZAFAVA

1-24-92

To Whom it may concern,

I Joseph A. Badaracco would like to request a meeting with the concerned members of the Danbury Common Council, in regards to the Old Quarry Nature Center.

Sincerely,  
Joseph A. Badaracco

return address  
Joseph A. Badaracco  
2 Pembroke Rd  
Danbury, Ct 06811