

COMMON COUNCIL MEETING

JUNE 4, 1991

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

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Fazio, Scalzo, Falzone, Gallo, Coladarci, Mack, Farah, Dean Esposito, Setaro, Gogliettino, DaSilva, John Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri

Present _____ Absent _____

PUBLIC SPEAKING SESSION

CONSENT CALENDAR - The Consent Calendar was presented by

MINUTES - Minutes of the Common Council Meeting held May 7, 1991 and the Special Meeting held May 14, 1991.

- ✓1 ORDINANCE - Amendment to Connecticut Basic Building Code
- ✓2 ORDINANCE - Fire Alarms
- ✓3 RESOLUTION - Community Development Block Grant
- ✓4 RESOLUTION - AIDS Prevention Program
- ✓5 RESOLUTION - Grant for Alzheimers Specialist
- ✓6 RESOLUTION - AIDS Project Grant
- ✓7 RESOLUTION - Fair Housing Initiatives Program Grant Application
- ✓8 RESOLUTION - Department of Health Services Grant
- ✓9 RESOLUTION - Rental Rehabilitation Program
- ✓10 RESOLUTION - Acquisition of Drainage Rights, Grandview Avenue, Howard and Betty Ludlow
- ✓11 COMMUNICATION - Appointment to the Tarrywile Park Authority
- ✓12 COMMUNICATION - Donations to the Library
- ✓13 COMMUNICATION - Donations to the Welfare Department
- ✓14 COMMUNICATION & CERTIFICATION - Request for Funds for Welfare
- ✓15 COMMUNICATION & CERTIFICATION - Traffic Signal Design Changes Main Street at Wooster Street

- ✓ 16 COMMUNICATION - Removal of Wood Chips - Miry Brook Road

- ✓ 17 COMMUNICATION - Conveyance of Property - Moniz

- ✓ 18 COMMUNICATION - Request for Number Change on Bear Mountain Road

- ✓ 19 COMMUNICATION - Danbury Recycling Center - Nonresidential Usage

- ✓ 20 COMMUNICATION - Lake Kenosia Weed Abatement Project

- ✓ 21 COMMUNICATION - The Legality and the Long Term Ramification of Brokering Capacity in the City's Sewage Treatment Plant

- ✓ 22 COMMUNICATION - Surplus Equipment - OSHA

- ✓ 23 COMMUNICATION - Uninsured Claim by City Employee

- ✓ 24 COMMUNICATION - Proposed CL & P Electric Distribution Easement Spruce Mountain Trail

- ✓ 25 COMMUNICATION - Report from Highway Director regarding widening of 59 King Street

- ✓ 26 COMMUNICATION - Report from Planning Commission and Planning Director regarding property at 1 Ann Drive

- ✓ 27 COMMUNICATION - Request for Sewer and Water Extension - Lombardi and Concord Streets

- ✓ 28 COMMUNICATION - Ginsberg Storm Drainage Easement, Starr Street

- ✓ 29 COMMUNICATION - Donald Fiddelman Subdivision, Briar Ridge Road

- ✓ 30 COMMUNICATION - Least at 20 West Street

- ✓ 31 COMMUNICATION - Scott-Fanton Lease

- ✓ 32 COMMUNICATION - Lease, 403 Main Street

- ✓ 33 COMMUNICATION - Gomez v. Sauer

- ✓ 34 COMMUNICATION - J. C. Penney Properties, Inc. v. City of Danbury

- ✓ 35 DEPARTMENT REPORTS - Engineering, Equipment Maintenance, Highways, Health Department, Department of Elderly Services, Fire Chief, Parks and Recreation

- ✓ 36 REPORT & ORDINANCE - Toxic Levels of Lead Paint

- ✓ 37 REPORT & ORDINANCE - Section 16-49(b) Certain Materials Prohibited

- ✓ 38 REPORT & ORDINANCE - Amendment of Connecticut Basic Building Code

- ✓ 39 REPORT & ORDINANCE - Section 16A-48 Recycling Center Permits

✓40 REPORT & ORDINANCE - Designated Sites for Disposal of Recyclable Materials Generated from Residential Properties

✓41 REPORT - Government Entity Review and Revaluation Committee

✓42 REPORT & CERTIFICATION - Fieldstone Drive, Fieldstone Acres Road Completion

✓43 REPORT - Rates at Richter Park

✓44 REPORT - Use of Osborne Street Facility for PAL

✓45 REPORT - Request for Sewer Extension - 46 Kenosia Avenue

✓46 REPORT - Request for Sewer Extension - 32 Clapboard Ridge

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

#42

balls

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO		✓
HARRY W. SCALZO		✓
MICHAEL FALZONE	✓	
BERNARD GALLO	✓	
EILEEN COLADARCI		✓
JOAN M. MACK		✓
MOUNIR A. FARAH		✓
DEAN M. ESPOSITO	✓	
CHRISTOPHER C. SETARO	✓	
D. GOGLIETTINO		
JOSEPH DASILVA	✓	
JOHN ESPOSITO	✓	
STANFORD SMITH	✓	
ANTHONY J. CASSANO		✓
LOUIS T. CHARLES		✓
DONALD BOUGHTON		
ERNEST BOYNTON	✓	
JANET D. BUTERA		
ARTHUR D. REGAN		✓
JOHN SCOZZAFAVA		
THOMAS VALERI		✓
	8	9

40
amendment

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO		✓
HARRY W. SCALZO	✓	
MICHAEL FALZONE	✓	
BERNARD GALLO	✓	
EILEEN COLADARCI	✓	
JOAN M. MACK	✓	
MOUNIR A. FARAH		✓
DEAN M. ESPOSITO	✓	
CHRISTOPHER C. SETARO	✓	
D. GOGLIETTINO		
JOSEPH DASILVA	✓	
JOHN ESPOSITO	✓	
STANFORD SMITH	✓	
ANTHONY J. CASSANO		✓
LOUIS T. CHARLES	✓	
DONALD BOUGHTON		
ERNEST BOYNTON	✓	
JANET D. BUTERA		
ARTHUR D. REGAN		✓
JOHN SCOZZAFAVA		
THOMAS VALERI	✓	34

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CONSENT CALENDAR

June 4, 1991

- 3 - Approve Community Development Block Grant
- 4 - Approve AIDS Prevention Program Grant Application
- 6 - Approve designation of Danbury as Facilitator for AIDS Project Grant
- 7 - Approve Fair Housing Initiatives Program Grant Application
- 8 - Approve application for Department of Health Services Grant
- 9 - Approve application for Rental Rehabilitation Program
- 10 - Approve reauthorization of drainage rights on Grandview Drive
- 11 - Approve appointment of John Leopold to Tarrywile Park Authority
- 16 - Approve removal of wood chips on Miry Brook Road
- 20 - Approve waiver of bids for Lake Kenosia Weed Abatement Project
- 26 - Deny purchase of property at Ann Drive and send report to petitioner
- 27 - Approve request for sewer and water extension at Lombardi and Concord Streets
- 37 - Approve Ordinance Sec. 16-49(b) Certain Materials Prohibited at Recycling Center
- 39 - Approve Ordinance Sec. 16A-48 Recycling Center Permits
- 41 - Approve Government Entity Review and Revaluation Committee recommendations
- 43 - Approve report on rates at Richter Park
- 44 - Approve report to take no action on use of Osborne Street Facility for PAL
- 45 - Approve request for sewer extension at 46 Kenosia Avenue
- 46 - Approve request for sewer extension at 32 Clapboard Ridge Road



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

BUILDING DEPARTMENT
(203) 797-4581

May 28, 1991

LEO P. NULL
BUILDING OFFICIAL

TO: Joseph DaSilva, Common Council President
FROM: Leo P. Null, Building Official
SUBJECT: Building Department Fee Increase

As requested by Dominic Setaro, Jr., Director of Finance, the following Cities were contacted for a comparison of fees to evaluate the practicality of raising our fees in the Building Department.

Bridgeport charges \$24.00 for the first \$1,000. and \$12.00 for each additional \$1,000. and as of June 1st, 1991, will go up to \$28.00 and \$14.00 charges respectively.

Norwalk - \$10.00 per \$1,000. of estimated cost

New Haven - \$15.00 per \$1,000. of estimated cost

Hartford - \$16.00 for the first \$1,000. and \$15.00 for each additional \$1,000. of estimated cost.

West Hartford, - \$14.00 for each 1,000.00

Greenwich - \$20.00 for first 1,000. \$10.00 for each additional

Fairfield - \$10.00 for first 1,000. \$7.00 for each additional and increasing.



Leo P. Null



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CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

To: Elizabeth Crudginton, City Clerk
From: Fire Chief Antonio Lagarto
Date: May 28, 1991
Subject: Fire Alarm Ordinance

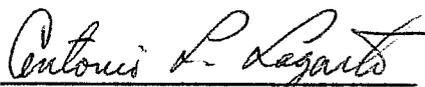
Since May 6, 1986, the City of Danbury has had in effect, a Fire Alarm Ordinance governing all fire alarm systems which generate a response from our department. Since the inception of this ordinance, we have made some changes within our communications area due to the new E-911 emergency response number.

I am asking for the enclosed changes in order to clear up any questions that may arise from anyone having a fire alarm system already in use or planning to install a new system.

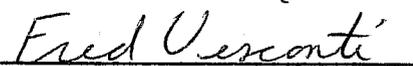
The changes in question are due to the removal of some of our automatic alarms formerly tied in directly to our communications center. This removal was made necessary in order to accommodate our new E-911 equipment and also the new console.

We are very busy with the additional call load generated by E-911 and we are following a pattern that is found in all communications centers throughout the State of Connecticut.

Your cooperation regarding this matter is greatly appreciated.



Antonio L. Lagarto
Fire Chief



Fred Visconti
Communications Supervisor

ALL:ns
Enclosure

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COPY INDICATING DELETIONS AND ADDITIONS

Sec. 3A-40. Purpose and Intent.

The proliferation of fire alarm systems ~~monitored by~~ 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, ~~arranged to transmit a signal to the department of~~ 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. ~~to which firefighters are expected to respond.~~

Deletions are indicated by ~~strikeouts~~.

Additions are indicated by CAPITALIZATION AND UNDERSCORING.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

Honorable Common Council Members
City of Danbury, CT 06810

Dear Council Members,

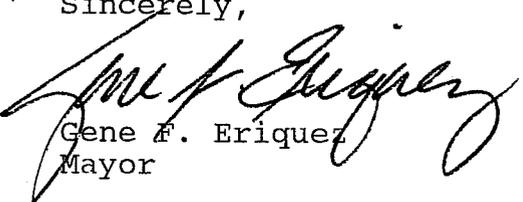
I respectfully request your approval of the distribution of the Community Development Block Grant funds for the 17th year.

The total funding received for the 17th year is \$ 571,000. There were 26 requests totaling \$1,406,953.

The attached listing identifies the recommendations from the CDBG Policy Committee.

Thank you for your prompt consideration of this matter.

Sincerely,


Gene F. Eriquez
Mayor

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DANBURY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
PROGRAM YEAR 17 (AUGUST 10, 1991 - AUGUST 9, 1992)

PROPOSED USE OF FUNDS

ORGANIZATION/ACTIVITY	PROPOSED
1. CDBG Program Administration	\$ 60,000
2. Redevelopment Project Completion/Mayor's Office	114,200
3. Danbury Youth Services/Rental Costs	9,900
4. City Planning Department/Crosby Street Revitalization Plan	20,000
5. Greater Danbury Adolescent Pregnancy Project/Community Awareness Program/Salary Costs	8,000
6. Hispanic Cultural Society/Spanish Learning Center/Rental Costs	12,000
7. Family & Children's Aid/Home Services Program/Salary Costs	5,000
8. Women's Center of Greater Danbury/Homemakers Program/Salary Costs	7,000
9. City Health Department/Lead Paint Abatement Program	88,000
10. Danbury Regional Commission on Child Care, Rights & Abuse/ Child Protection Team/Salary Costs	5,000
11. Western Connecticut Association for the Handicapped & Retarded/ Advocacy Program/Salary Costs	4,000
12. Community Action Committee of Danbury Summer Camp Program Memberships - \$10,000 Elderly Nutrition Program - Rent \$2,400 Teen Parenting Program -Salary Costs\$ 6,000	18,400
13. City Parks & Recreation Department/Liberty Street Playground/ Site Preparation	6,662
14. Creative Recreation Foundation/Kenosia Playground/Handicapped Ramp	400
15. Amos House/Kitchen Renovations	5,000
16. NAACP Youth Center/Rental Costs	4,000
17. City Welfare Department Overflow Shelter- Operating Expenses - \$54,000 Housing Services Coordinator/Salary Costs - \$19,059	73,059
18. Condo Realty Services/Beaver Street Coop Improvements	80,000
19. Danbury Hospital Development Fund, Trustee, Inc./258-262 Main Street/Exterior Lead Paint Removal	37,000
20. Housing Mediation Program/Operating Expenses	4,000
21. Contingency	9,379
TOTAL	\$ 571,000



RESOLUTION

3

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

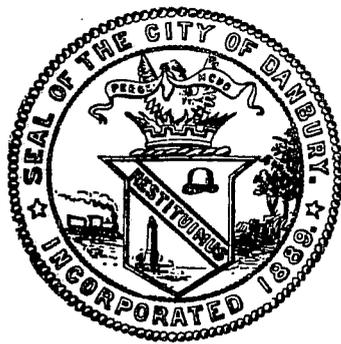
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has allocated funds under Title I of the Housing and Community Development Act of 1974, as amended, which authorized the Community Development Block Grant Program; and

WHEREAS, it is in the best interests of the City of Danbury to apply for a grant under such Act;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Mayor of the City of Danbury is hereby authorized to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for grant funds for the Community Development Program Year commencing August 10, 1991 through August 9, 1992 for the Seventeenth Year Funding in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Community Development Program Policy Committee.

BE IT FURTHER RESOLVED THAT the Mayor of the City of Danbury is hereby authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant application.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the AIDS Prevention Program has made grant funds available from July 1, 1991 to June 30, 1992 to full-time health departments by providing health education information, free counseling and human immunodeficiency virus (HIV) antibody testing services in the Danbury area for both the youth and general public and for individuals concerned about possible exposure to HIV; and

WHEREAS, this program shall serve both residents and non-residents; there are no restrictions on who may be served for AIDS education, counseling or HIV testing; and

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has formulated an Acquired Immuno-deficiency Syndrome (AIDS) Risk Reduction Outreach Education and Counseling and Testing Program for the Danbury area; and

WHEREAS, a grant award of up to \$107,000.00 has been processed by the Danbury Health and Housing Department;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized; and

BE IT FURTHER RESOLVED THAT to accomplish said program, the Mayor of the City of Danbury, Gene F. Eriquez, or the Director of Health and Housing, William J. Campbell, as his designee, are authorized to make, execute and approve on behalf of the City of Danbury all contracts or amendments thereof with the State of Connecticut Department of Health Services and to take all necessary actions to effectuate the goals of said program.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

May 23, 1991

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

Dear Mayor Eriquez and Members of the Common Council:

The Danbury Health and Housing Department AIDS Program will be applying to the State of Connecticut for the 1991 - 1992 AIDS Prevention Grant as approved by the Common Council at the May 14, 1991 meeting.

We request that the Common Council approve the attached resolutions related to the AIDS Prevention Grant.

Respectfully submitted,

Susan Durgy
Susan Durgy
AIDS Program Coordinator

encl.

cc: William Campbell
Lisi Marcus
Laszlo Pinter
Kimberly Redenz



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

July 1, 1991

Certification #1

TO: Common Council via
Mayor Gene F. Eriquez

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

Per Common Council approval we hereby certify the availability of \$8,573.00 to be transferred from the Contingency Fund to the Department of Elderly Services account #02-05-167-010100, Regular Salaries.

The above request for funds was approved by the Common Council on June 4, 1991 pending this certification.

Balance of Contingency Fund	\$636,570.00
Less this request	-8,573.00
	<u>\$627,997.00</u>

Dominic A. Setaro, Jr.
DAS:af





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Copy

CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

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

Municipal Agent
80 Main Street
(203) 797-4687

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

May 21, 1991

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

Mayor Eriquez and Members of the Common Council:

The Department of Elderly Services is the recipient of a grant award from the Western CT Area Agency on Aging and the State of Connecticut for Interweave - the Danbury Adult Day Care Center at 198 Main Street.

The award is \$16,500 to be used for the position of an "Alzheimer Specialist" at Interweave, a position that existed for the past few years.

The award is \$8,573 short of the original amount requested and required to maintain said position at a full-time rate.

This department requests that the Common Council approve the grant award for \$16,500 and also transfer \$8,573 into the Commission on Aging budget to restore the non-funded amount.

The period of this grant is: 07/01/91-06/30/92.

Respectfully,

Leo E. McIlrath, Director
Department of Elderly Services



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, The Administration on Aging of the United States Department of Health and Human Services in accordance with Title III of the Older Americans Act, through the Connecticut Department on Aging, in accordance with Sections 17-137(c)(d) of the Connecticut General Statutes and through the Western Connecticut Area Agency on Aging, Inc. has made available funds to public agencies; and

WHEREAS, application for grant funds in the amount of \$16,500 has been made by the Department of Elderly Services to the Western Connecticut Area Agency on Aging and the State of Connecticut Department on Aging; and

WHEREAS, said application has been approved and the Department of Elderly Services will use the grant provided for Interweave, the Danbury Adult Day Care Center, a division of the Department of Elderly Services to fund its Alzheimer Specialist position, said funding to cover the period of July 1, 1991 through June 30, 1992.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of the Department of Elderly Services and the Mayor of the City of Danbury are hereby ratified concerning the award of \$16,500 in grant funds from the Western Connecticut Area Agency on Aging under Title III-B of the Older Americans Act for Interweave for the purpose herein contained;

BE IT FURTHER RESOLVED THAT the Department of Elderly Services and the Mayor of the City of Danbury be and hereby are authorized to perform all necessary acts to effectuate the purposes hereof.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Human Resources has offered to the AIDS Project Greater Danbury an amended Phase I grant in the amount of \$219,900.00 for the purpose of the purchase of a building (including architectural and legal fees), and an anticipated Phase II grant in an amount not to exceed \$125,000.00 for the accomplishment of renovations; and

WHEREAS, said funds have been approved by the State of Connecticut Bonding Commission; and

WHEREAS, the Department of Human Resources has advised the recipient agency that since it is not permitted to make this allocation directly to said agency, the City of Danbury has been requested to act as the "facilitator" for purposes of passing these funds through from the State of Connecticut Department of Human Resources to the AIDS Project Greater Danbury; and

WHEREAS, said funds are to provide and fund such programs and projects as will further the efforts of the AIDS Project Greater Danbury; and

WHEREAS, the City of Danbury further finds that its role as "facilitator" for these funds would be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT to accomplish the purposes hereof, the Mayor of the City of Danbury, Gene F. Eriquez, be and hereby is authorized to execute and approve on behalf of the City of Danbury any and all documents necessary to permit the passage of these funds from the State of Connecticut Department of Human Resources to the recipient agency, the AIDS Project Greater Danbury.

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CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

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

Dear Council Members:

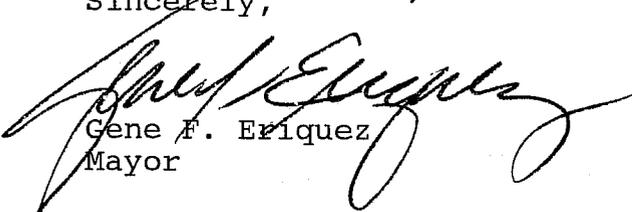
The State of Connecticut Department of Human Resources has offered a grant to the AIDS Project of Greater Danbury.

Accordingly, the City of Danbury has been requested to act as the "facilitator" in a "pass through" capacity so the AIDS Project may receive these grant funds.

The attached resolution is submitted for your consideration.

Thank you for your cooperation.

Sincerely,


Gene F. Enriquez
Mayor

GFE/msm



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

May 28, 1991

The Honorable Gene F. Eriquez
and Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Fair Housing Initiatives
Program Grant Application

Dear Mayor Eriquez and Council Members:

Enclosed for your consideration is a resolution authorizing the City to apply for funding under the Fair Housing Initiatives Program administered by the U.S. Department of Housing and Urban Development.

This program makes funding available for educational and outreach efforts designed to further the aims of Fair Housing and Equal Housing Opportunity for all persons. The City is proposing to apply for \$50,000.00 in grant funds to finance fair housing initiatives. Funds will be used to assist the Danbury Housing Partnership to increase homeownership opportunities through Homeownership Education Efforts, re-establish a Community Housing Resource Board to work in cooperation with the Board of Realtors with respect to Equal Housing Opportunity efforts, to develop educational and informational materials and programs regarding Fair Housing, and for reimbursement of administrative costs with respect to these activities.

We are particularly excited about the chance to work together with the Danbury Housing Partnership to develop and finance programs to educate Danbury residents about homeownership opportunities, how they can become homeowners, and how to manage their home once they do own. The Partnership has found that many Danbury residents, particularly members of our various minority communities, could achieve the dream of homeownership if given "how to" information on homeownership, financial management guidance and, in some cases, credit counseling. The Partnership will be working with the City to develop and implement a comprehensive homeownership education program designed to

increase the number of Danbury residents and workers able to qualify for home mortgages to achieve ownership for the first-time.

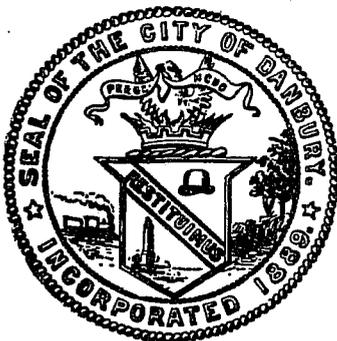
Thank you for your consideration of this request.

Sincerely yours,

Paul Schierloh
Associate Director for Housing

ts

cc: William Campbell, Director, Health and Housing Department
Samuel Deibler, Chairperson, Danbury Housing Partnership
Lewis Wallace, Mayoral Assistant



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, federal monies are available under the Fair Housing Initiatives Program "Education and Outreach Initiative" administered by the United States Department of Housing and Urban Development pursuant to Section 107(b)(4) of the Housing and Community Development Act of 1974 as amended; 42 USC 3535(d); and other applicable regulations; and

WHEREAS, Danbury has been determined to be eligible for the Fair Housing Initiatives Program "Education and Outreach Initiative"; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the Department of Housing and Urban Development for fifty thousand (\$50,000) dollars in order to undertake a Fair Housing Initiatives Program and to execute an agreement therefor, should one be offered;

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

1. That the City of Danbury is cognizant of the conditions and prerequisites for federal assistance imposed by Fair Housing Initiatives Program pursuant to 42 USC 3535(d);
2. That the filing of an application by the City of Danbury in an amount not to exceed fifty thousand (\$50,000) dollars is hereby approved, and that the Mayor of the City of Danbury is hereby authorized and directed to file such application with the Department of Housing and Urban Development, to provide such information as may be necessary, to execute an Assistance Agreement with the Department of Housing and Urban Development for financial assistance if such an agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Danbury;
3. That all prior actions taken by the Mayor of the City of Danbury with respect to this application are hereby ratified.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has made funds available for 1991-1992 to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a program to promote optimal public health quality in the City of Danbury; and

WHEREAS, a continuation grant award request of \$34,104.00 with no local match requirement will be processed by the Danbury Health and Housing Department;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by it required to accomplish said program be and hereby are authorized; and

BE IT FURTHER RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is authorized to make, execute and approve any and all contracts or amendments thereof with the State of Connecticut Department of Health Services and take any actions necessary to effectuate the purposes of said program.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

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

Dear Council Members:

The State of Connecticut Department of Health Services has made grant funds available for FY 1991-1992 for municipal health department services.

The Danbury Health and Housing Department has developed a program to promote optimal public health quality within our community in accordance with Connecticut Statute 19a-202.

The attached resolution is for your consideration.

Thank you for your cooperation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gene F. Eriquez", is written over the typed name and title. The signature is fluid and cursive.

Gene F. Eriquez
Mayor

GFE/msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

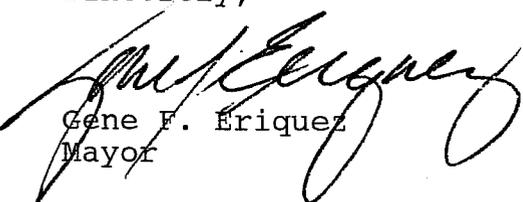
Honorable Members of the Common Council
City of Danbury, Connecticut 06810

Dear Council Members:

The attached resolution, for your consideration, would allow the City of Danbury to receive federal Department of Housing and Urban Development funds for our Rental Rehabilitation Program.

Thank you for your cooperation.

Sincerely,


Gene F. Eriquez
Mayor

GFE/msm



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, federal monies are available under the Rental Rehabilitation Program administered by the United States Department of Housing and Urban Development pursuant to Section 17 of the United States Housing Act of 1937 (the Act) which was enacted into law in Section 301 of the Housing and Urban-Rural Recovery Act of 1983, Public Law 98-181, Statute 1153; and

WHEREAS, Danbury has been determined to be an Entitlement City for the Rental Rehabilitation Program; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the Department of Housing and Urban Development for Twenty Thousand Dollars (\$20,000) in order to undertake a Rental Rehabilitation Program and to execute an Assistance Agreement therefor, should one be offered;

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

1. That it is cognizant of the conditions and prerequisites for federal assistance imposed by Rental Rehabilitation Program regulations recorded at 24 CFR 511;

2. That the filing of an application by the City of Danbury in an amount not to exceed Twenty Thousand Dollars (\$20,000) is hereby approved, and that the Mayor of the City of Danbury is hereby authorized and directed to file such application with the Department of Housing and Urban Development, to provide such additional information as may be necessary, to execute an Assistance Agreement with the Department of Housing and Urban Development for financial assistance if such an agreement is offered, to execute any amendments, recensions and revisions thereto, and to act as the authorized representative of the City of Danbury;

3. That all prior actions taken by the Mayor of the City of Danbury with respect to this application are hereby ratified.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council received a drainage complaint at its meeting of December 1, 1987 from Mr. Howard Ludlow of 15 Grandview Drive; and

WHEREAS, a resolution of said situation is deemed to be in the best interests of the City of Danbury; and

WHEREAS, the above-referenced project requires that the City of Danbury acquire interests in and to real property as hereinafter set forth; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or by eminent domain through the institution of suits against the following named property owners, their successors and assigns and their respective mortgage holders and encumbrancers, if any:

Property Acquisition

Property of Howard Ludlow and Betty Ludlow as shown on Exhibit A attached hereto.



CITY OF DANBURY

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

June 2, 1991

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Acquisition of Drainage Rights - Grandview Avenue /
Howard and Betty Ludlow

Dear Mayor and Members of the Common Council:

This will request re-authorization for purposes of permitting this office to acquire permanent and temporary storm drainage easements across property referenced in the attached resolution and exhibit. The Council last approved property acquisitions concerning this property and that of an abutting land owner in March of 1990. State law, however, requires renewal of authority for this purpose if a six-month time period has elapsed prior to the substantial completion of said acquisition(s). Although the property of the abutting land owner has been acquired, the subject property continues to create some difficulty and will require your action to renew this authority at this time.

Should you have any questions on this in the meantime, please don't hesitate to call us.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:amt
Enclosure

c: Patricia Ellsworth, Assistant City Engineer
William J. Buckley, Jr., Superintendent of Public Utilities



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

Honorable Common Council Members
City of Danbury, Connecticut 06810

Dear Council Members:

I respectfully submit, for your confirmation, the appointment of the following individual to the Tarrywile Park Authority:

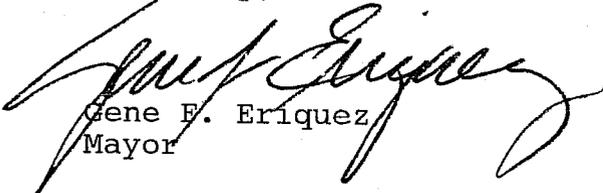
Dr. John Leopold (D)
63 Long Ridge Road
Danbury, CT 06810
(H) 744-3603
(W) 797-4355
Term to Expire: May 1, 1993

Dr. Leopold is filling the unexpired term of Chris Setaro who resigned upon his selection to the Common Council.

A History Professor at Western Connecticut State University, Dr. Leopold has lived in Danbury for over 20 years. He is a former member of the Zoning Commission and also has served on the Common Council.

Thank you for your prompt consideration of this matter.

Sincerely,


Gene F. Eriquez
Mayor



**DANBURY
PUBLIC
LIBRARY**

12
170 MAIN STREET

DANBURY, CONNECTICUT 06810

(203) 797-4505

May 28, 1991

Mayor Gene Eriquez

Danbury City Hall

Dear Mayor Eriquez:

The Library has received the following donations:

<u>DONOR</u>	<u>AMOUNT</u>
1. Patricia A. Cipriano Hayestown Ave. School Danbury, CT 06810	\$25.00
2. FRIENDS OF Danbury Public Library Assoc. 170 Main St., Danbury CT 06810	\$43.35
3. Catherine M. Newell 2350 Sixth Ave., 5B San Diego, CA 92101	5.00

The funds need to be credited to the Book line-item #02-07-101-061201.

Please place the above on the agenda for the June Common Council meeting.

Sincerely,

Betsy

Betsy McDonough
Director

cc: D. Setaro
City Clerk ←



13

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department
797-4569

May 29, 1991

Joseph DaSilva, President
Common Council
City of Danbury

Dear Mr. President:

The City Welfare Department has been fortunate to receive cash donations throughout the year for its homeless services activities. These donations have amounted to \$3,087.00 and have been deposited into a line item in the City Welfare budget; 02-05-100-040102

As the fiscal year comes to a close I am requesting that this money not be returned to the General Fund and be set aside in a special account. This request is based on two reasons:

- 1.) the donations were made to the City for the specific purpose of directly assisting the homeless and not subsidizing the City
- 2.) the shelter and day center staff have submitted a proposal for the use of the money. The proposal involves the creation of a security deposit program to be used to help place homeless clients in available housing.

If the council chooses to honor this request, setting aside the money, then I am also requesting that a committee be assigned to review our proposal for the use of the funds.

Thanking you for your consideration.

Sincerely,

Deborah MacKenzie
Director of Welfare

cc: Dominic Setaro, Director of Finance

DM:bbc





14
RECEIVED
FINANCE DEPT.

MAY 10 1991

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department
797-4569

May 10, 1991

Gene F. Eriquez, Mayor
City of Danbury
Danbury, CT 06810

Dear Mayor Eriquez:

As of April 30, 1991, the Welfare Department allocation balance was only \$180,673.00. Although our May 1st checks had already been processed this amount will not be sufficient to meet our expenses for the balance of the fiscal year. An additional \$120,000.00 may be necessary. As in the past, perhaps it is possible to have \$12,000.00 certified as this amount represents the City's 10% responsibility.

I am requesting that this request be added to the agenda you've prepared for the May 14th special meeting of the Common Council.

Sincerely

Deborah MacKenzie
Director of Welfare

cc: Dominic Setaro
Director of Finance

DM:bbc





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DOMINICA A. SETARO, JR.
DIRECTOR OF FINANCE

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

May 29, 1991

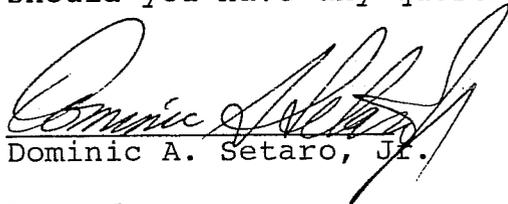
Certification

TO: Common Council via
Mayor Gene F. Eriquez

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

We hereby certify the availability of \$12,000.00 to be transferred from the city's employee group insurance account #02-09-150-071100. These funds are to be placed in the Welfare Department, account #02-05-100-026000. Please note that the public welfare line item will also be increased by an additional \$108,000 which will be reimbursed by the State of Connecticut. The offset will be to the public welfare revenue line item in the amount of \$108,000. This transfer is being made from the insurance account as a result of the contingency account balance being currently at zero. This transfer is permitted by the City Charter during the last four months of the fiscal year.

Should you have any questions, feel free to give me a call.



Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

May 16, 1991

RECEIVED
FINANCE DEPT.

MAY 17 1991

MEMO

To: Mayor Gene Eriquez
From: Chief Nelson F. Macedo
Subject: Traffic Signal Design Changes
Main Street at Wooster Street

Per our discussion, I am requesting funding in the amount of \$11,000 for the change in design for the traffic control signal heads on the above noted traffic signal.

If this funding is not approved, the overhead wires will go across Main Street in the vicinity of Elmwood Park, which will be detrimental to the improvements that are being implemented in the downtown area.

Kindly respond as soon as possible, as the state will forward a cost-sharing agreement so that the design can be completed and equipment ordered for the installation.

Nelson F. Macedo
Chief of Police

NFM:ks

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: 566-5110

May 9, 1991

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

Dear Chief Macedo:

Subject: Traffic Signal Design Changes
Route 53 (Main Street) at Wooster Street
City of Danbury

We have considered the design changes you suggested in your January 16, 1991 letter to Mr. William W. Stoeckert, Executive Director of the State Traffic Commission.

Fifty thousand dollars was allocated for funding of the traffic control signal at this location by Legislative Special Act 89-50. Its original design consisted of a fully actuated traffic control signal with span wire mounted signal heads.

The suggested changes to the design, consisting of changing from span wire mounted to mast arm mounted traffic control signal heads, has increased the estimated cost for the traffic signal from approximately \$50,000 to \$61,000. This cost increase is due to the mast arms and the associated conduit and trenching work. Utilizing a Transyt E1 controller will not add to the cost.

The Department is willing to revise the design to provide mast arms provided the City is willing to pay the cost of the installation in excess of \$50,000.

A cost-sharing agreement will be forwarded to the mayor for \$11,000 if the City indicates it still wants the mast arm design. Please respond as soon as possible so we may complete our design and order equipment for the installation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank M. D'Addabbo, Sr.", written over a circular stamp.

Frank M. D'Addabbo, Sr., P.E.
Director - Traffic Engineering
Bureau of Highways



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINICA A. SETARO, JR.
DIRECTOR OF FINANCE

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

May 29, 1991

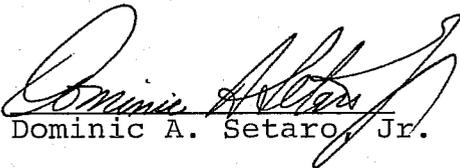
Certification

TO: Common Council via
Mayor Gene F. Eriquez

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

We hereby certify the availability of \$11,000.00 to be transferred from the city's employee group insurance account #02-09-150-071100 to a new capital line item in the capital budget entitled Traffic Signal Design Main & Wooster. This transfer is being made from the insurance account as a result of the contingency account balance being currently at zero. This transfer is permitted by the City Charter during the last four months of the fiscal year.

Should you have any questions, feel free to give me a call.


Dominic A. Setaro, Jr.

DAS:af



16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

FORESTRY DEPARTMENT
(203) 797-4536

RICHARD K. SMITH
TREE SUPERVISOR

May 15, 1991

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

FROM: Richard K. Smith, Tree Supervisor

RE: Removal of Wood Chips--Miry Brook Road

Request permission to allow Carl Sayers (Danbury Top Soil) to remove all wood chips from the Miry Brook Road site. The city is planning to discontinue the use of this property for the storing of wood chips. The removal is of no cost to the City of Danbury and would be saving both time and money by having Mr. Sayers remove the chips which he would like to do as soon as possible.

Thank you for your consideration in this matter.

cc: J. Schweitzer, Acting Director of Public Works
W. Buckley, Director of Operations
file



17

CITY OF DANBURY

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

PLEASE REPLY TO:

May 30, 1991

DANBURY, CT 06810

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

Re: Conveyance of Property

Dear Mayor and Council Members:

Recently, a question arose concerning the ownership of a parcel of property on South Street. The issue results from a review of a site plan application to the Planning Department covering a proposed project on property of Alvaro S. Moniz and Hermina Moniz located on South Street. Included with the application was an A-2 survey which appeared to incorporate an area which we believe may be owned by the City. That property is shown on the attached map as parcel "X".

After receiving the initial inquiry from the City Engineer, a title search was performed which concluded that the property in question was indeed owned by the City, having been acquired from St. James Church in 1979. This information was forwarded to the attorney for Mr. and Mrs. Moniz, Mr. A. Peter Damia.

Mr. Damia has done a considerable amount of research, all of which suggests that the St. James Church may not have had the ability to convey the full parcel to the City. The essence of the Moniz claim is that their predecessors in title acquired ownership of the land in question by adverse possession as against the Church. Adverse possession is a legal method of

Hon. Mayor Gene F. Eriquez, Mayor
Hon. Members of the Common Council
Re: Conveyance of Property
May 30, 1991

- 2 -

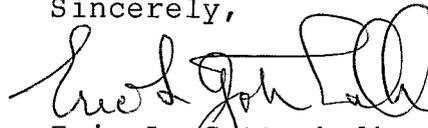
acquiring title to property by possession for a period of time determined by statute. In Connecticut that period of time is fifteen years.

Mr. and Mrs. Moniz have had an appraisal performed and now wish to settle the matter with the City by offering to acquire whatever rights the City may have to this land for the sum of four thousand dollars (\$4,000.00).

It is the suggestion of this office that a Council Committee be established to review this matter and make a recommendation back to the Council. I would further recommend that the question of the transfer be forwarded to the Planning Commission for a report as well as to the Board of Education for confirmation of our belief that the property is no longer needed for school purposes.

We would be pleased to meet with the appropriate committee to review the facts in detail.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

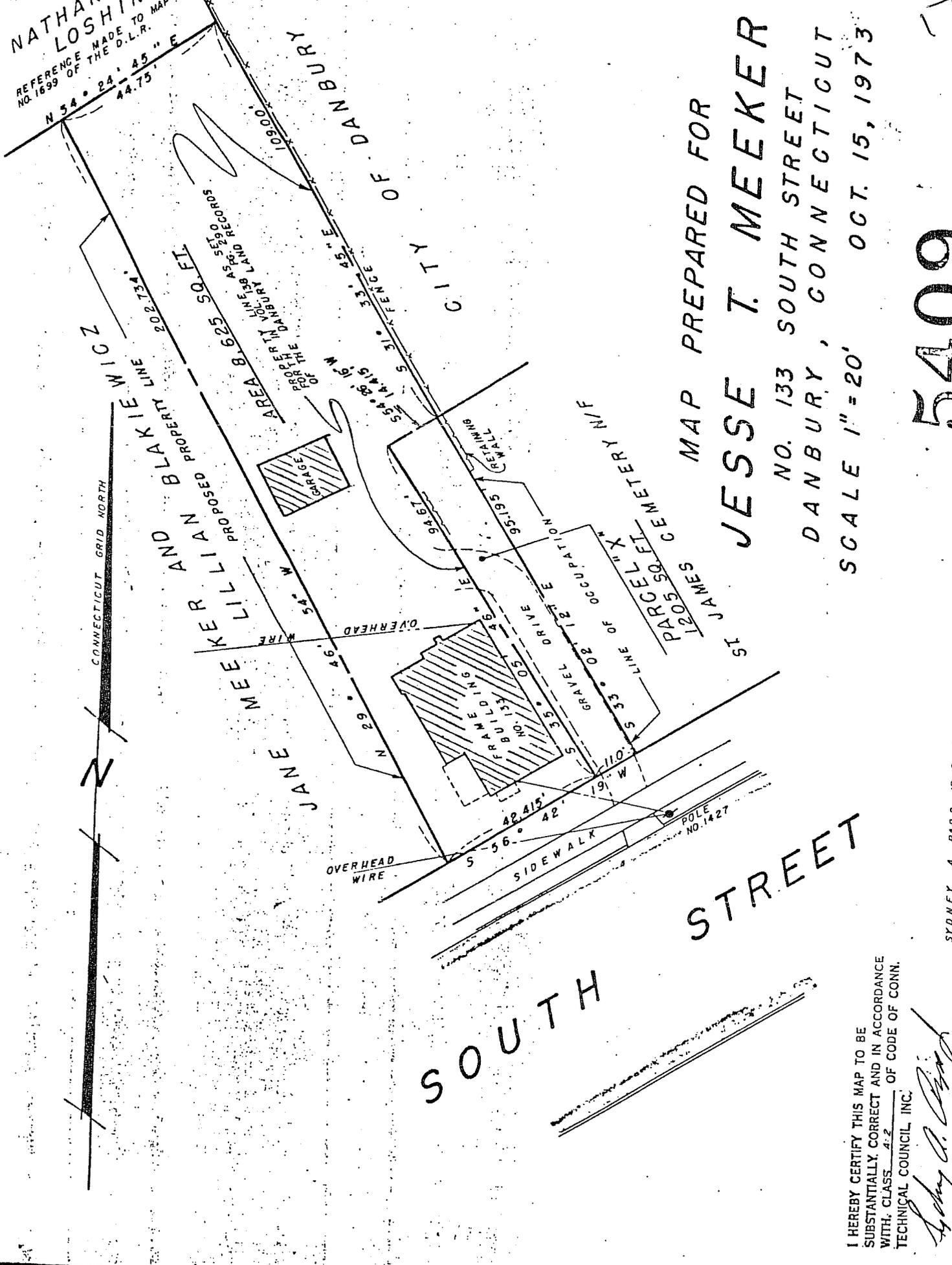
ELG:r

Enclosure (map)

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

A. Peter Damia, Esq.

NATHAN
LOSHIN
REFERENCE MADE TO MAP
NO. 1699 OF THE D.L.R.
N 54° 24' 45" E
44.75'



MAP PREPARED FOR
JESSE T. MEEKER
NO. 133 SOUTH STREET
DANBURY, CONNECTICUT
SCALE 1" = 20' OCT. 15, 1973

5409

SOUTH STREET

I HEREBY CERTIFY THIS MAP TO BE
SUBSTANTIALLY CORRECT AND IN ACCORDANCE
WITH CLASS. 4-2 OF CODE OF CONN.
TECHNICAL COUNCIL, INC.

Sydney A. Rapp

SYDNEY A. RAPP JR. R.L.S. NO. 7400

Danbury CT
06811
5-13-91

18

Dear Mr. Falzone;

The following letter is in reference to a request to have Bear Mountain Road, Danbury, renumbered. I have been in contact with Heidi at the Zoning Office since last fall trying to get a house number that falls in order with my neighbors. In January of 1991 Heidi informed my husband and I that she had worked out a new numbering system for the block and that my house would be number 73 Bear Mountain Road. She said the topic would go before the Zoning Board and we would receive a letter from the board. Never having received any notification I stopped at the Zoning Office late in February to inquire about the number change. At that time I was told I had to write my Committee men because I, as a private party was requesting a change.

My reason for requesting a number change is that everyone has difficulty locating the house. People assume #4 is at the beginning of the road and not 8/10 of a mile in opposite #56 besides from the beginning. When the regular mailman is out for a day or on vacation I don't receive mail - when it does get here it is a large pile rubber banded together. I have also been missing important mail on numerous occasions. UPS usually delivers my packages to 4 Bear Mountain Road,

New Fairfield even though the proper address and zip code is on the package. Florists also deliver to the New Fairfield residence. Repairmen are always calling back asking "Where are you? I can't find the house," even though the mailbox has our name and number on it.

On three occasions I had to request emergency assistance and both the police and ambulance lost valuable time trying to locate my house even though they were told to go $\frac{3}{10}$ of a mile in off of Wood Creek or Route 37. The first call was in Nov of '89 when a hot and run truck ran down our mailbox and several sections of fencing. The responding officer road past our house four times before I could run out to the road to flag him down. The second incident was in Nov of 90 or thereabouts when my husband called both Danbury and New Fairfield police for a male in a pickup truck trying to run over two other males and driving erratically up and down the road. Both the New Fairfield and Danbury police officers had difficulty finding the house. My husband, a New Fairfield Firefighter, was on the phone with the Danbury dispatcher and listening to the New Fairfield Police on his scanner trying to help

3-

the police with the location. The third incident happened on Feb. 8th, 1991 when my daughter called 911 for the ambulance for my late husband who had suffered a massive cerebral hemorrhage. The New Fairfield Firefighter heard the call and arrived well before the Danbury police or ambulance. The ambulance had to have us stand in the street to wave them down to ~~take~~ locate the house even though they were given directions.

I've lived in the house since November 1989 and do give everyone precise directions but still have a continuing problem due to the numbering system on the road. The neighbor to my side is #23 and the neighbor directly across is number 56. I would greatly appreciate any help you could give me to correct the problem.

Thank you for your cooperation in this matter.

Sincerely,

Mrs. Edith M. Lynn

746-3042

residents may also have a desire to use that remote drop off facility to dispose of their recyclables. It is my feeling that the establishment of a fee for non-residents will have no adverse affect on our operation and will have no impact on the cost of recycling residential recyclables.

I respectfully request that a subcommittee of the Common Council be established for the purpose of reviewing this proposal after which, if you deem it appropriate, Rick Gottschalk and I will put the Ordinance into legal form.

WJB:bds

cc: Mr. Rick Gottschalk
Mr. Jack Schweitzer

May 28, 1991

Mayor of Danbury, Gene Eriquez
Members of the Common Council
City Hall
Danbury, CT 06810

Subject: Lake Kenosia Weed Abatement Project

The Lake Kenosia Commission has been working on a plan to combat the severe milfoil weed problem in the lake and has applied to the State Department of Environmental Protection for a permit to apply the chemical Diquat. This approach has the support of Messrs. Buckley and Kosahowski and we expect the state to approve our application.

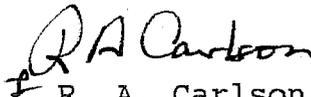
Two bids were received for the treatment:

- Aquatic Control Technology, Inc. \$ 9,000
- Lawler, Matusky & Skelly Engineers \$10,140

The Commission would like to award the contract to the lower bidder, ATC Inc. and requests a waiver of the city's purchasing requirement for three bids. Trying to locate a third vendor would be difficult as there are few in this line of business. Also, this additional step would severely jeopardize the commission's schedule for the treatment. It should be noted the bulk of the funding for this project is coming from private sources and the Commission is not seeking additional funds from the city.

Your prompt consideration of this matter at the June 4, 1991 council meeting is appreciated.

Sincerely,



R. A. Carlson
Chairman, Lake Kenosia Commission

/vc

cc: Lake Kenosia Commission Members

May 26, 1991

Page 1 of 2

Common Council
c/o Messrs. Bernard Gallo & Michael Falzone
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

RE: THE LEGALITY AND THE LONG TERM RAMIFICATIONS OF BROKERING
CAPACITY IN THE CITY OF DANBURY'S SEWAGE TREATMENT PLANT

In The News-Times on March 6, 1991, regarding a sewer pact between Bethel and Newtown "... to add sewer lines to Hawleyville in an attempt to lure development to industrial-zoned land in Newtown's northwest corner...", there is the following quotation attributed to Newtown's Superintendent of Public Works:

"We're talking about something that's never going to happen," Hurley said about Danbury denying Newtown access to the treatment facility. "It's a good business deal for everyone. No one is going to get anything for nothing."

And this comment needs to be contrasted with the November 21, 1990, article in same paper which states:

NEWTOWN - Residents last night rejected a \$4 million proposal to design a waste-water treatment system that will alleviate pollution problems in certain areas of town.

In an article in The News-Times on October 1, 1990, it is reported that:

[Brookfield's WPCA Chairman William Tappan] said current owners and developers ... have plans for the southwest area. ... Third, he said the expansion of sewage plant will attract businesses and thereby increase the tax base.

And this comment needs to be related to the April 2, 1991, article in same paper where plans now go well beyond the southwest area:

BROOKFIELD - A proposal to extend a sewer line up Route 7 to the New Milford border moved along with ease last night as selectmen backed it unanimously....

Two weeks ago, the Planning Commission voted in favor of extending the sewer line, saying it would help attract business and improve the tax base.

These are a few examples of our neighbors' business concerns related to Danbury's municipal sewage treatment capacity. However, such capacity provides not only for industry but for affordable housing. Yet, we don't hear them linking these sewer lines to the issue of the affordable housing needs of the greater Danbury area. (It needs to be acknowledged that Danbury's Superintendent of Public Utilities has championed affordable housing links in such negotiations. But persuasive force can not be made to replace legal standing.)

In The News-Times on February 21, 1991, the population pressures on the greater Danbury area are addressed by the publisher of American Demographics magazine as follows:

" Danbury has become one of the main centers of economic growth in the New York area ...

If Danbury follows national patterns, greater racial and economic diversity are likely to come along with the growth..."

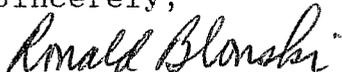
[He] pointed to recent census figures showing a dramatic increase in minority populations in Connecticut over the past decade.

One has to be careful to note that Danbury does not always mean the greater Danbury area. As we look outward from the hub of Danbury's three General Assembly Districts we see the following diversity: urban Roberts Avenue School with 55% for whom English is not the dominant language versus suburban Great Plain School with only 15% for whom English is not the dominant language. And as we look out beyond the City of Danbury into the greater Danbury area we see that in Brookfield, according to an article in The News-Times four days ago regarding diversity, that the minority student body there is about 5% and we see that in Newtown there is only 1% for whom English is not the predominant language. We see 55% go to 1%!

Therefore, whether intended or not, the effect of selling capacity in the City of Danbury's Wastewater Treatment Facility solely for the business considerations of our neighbors coupled with our own short-term monetary considerations bodes ill for the balanced urban development of the City of Danbury. (Not to mention the fact that, if Danbury sells any of its capacity, it will have to rebuild capacity to meet the inevitable growth of areas within the City of Danbury.) In addition to these practical considerations is the legal consideration of discrimination: do we have the legal right as a municipality to abet in our neighbors' exclusive zoning practices?

With these and similar situations involving other neighboring communities in mind, as a taxpayer and native of the City of Danbury I respectfully request that a full legal position (covering both State and Federal laws) be formally defined with respect to brokering capacity in the City of Danbury's Sewage Treatment Plant.

Sincerely,



Ronald Blonski
18 Griffing Avenue
Danbury, Connecticut

CC: Connecticut State Senator James Maloney
The News-Times Managing Editor James Smith



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

22

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

May 29, 1991

TO: Danbury Common Council

FROM: Jack Kozuchowski, Coordinator of Environmental and Occupational Health Services.

RE: Surplus Equipment- OSHA

I have recently become aware of the availability of surplus air monitoring equipment from the US Department of Labor, Occupational Safety and Health Administrator (OSHA).

The equipment includes:

1. Air sampling pump
2. Oxygen monitors
3. Carbon Monoxide monitors
4. Carbon Dioxide monitors
5. Bubble Meters
6. Miscellaneous industrial hygiene instrumentation and supplies

OSHA is willing to donate this equipment to the City of Danbury.

I therefore, request the authorization of the Common Council to accept this donation to the inventory of the Health Department's hazard evaluation equipment.





CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

June 4, 1991

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

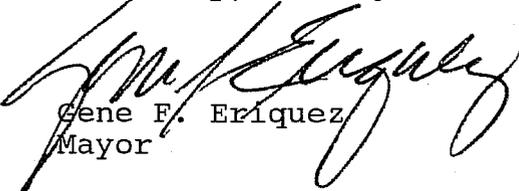
Dear Council Members,

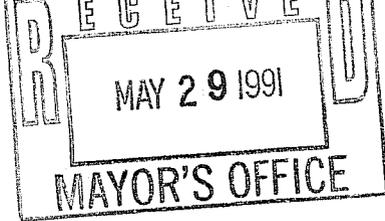
The attached correspondence is for your consideration.

It involves a claim by a City employee not covered by our insurance.

Thank you for your cooperation.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

23

Welfare Department
797-4569

May 29, 1991

Gene F. Eriquez, Mayor
City of Danbury
Danbury, CT 06810

RE: Vandalism to City Employee's Car

Dear Mayor Eriquez:

On May 7, 1991, a Tuesday evening, Jerrilynn Tiso reported to work at the City's Homeless Shelter. She parked her car on Main Street in front of the shelter at 115 Main Street. During the course of the intake process between 9:00 - 10:00 P.M., several people had to be turned away from the shelter in accordance with our rules and regulations. Jerrilynn was directly involved with some of these disciplinary decisions and indeed had a verbal confrontation with one person in particular.

Upon leaving the shelter to go home she found her automobile with two passenger side tires slashed. She called the Danbury Police Dept. and filed a report. She had to have her car towed and the tires replaced.

I wrote to the City's Risk Manager and requested reimbursement on Jerrilynn's behalf. The request was denied. I've attached all the paperwork I have.

I am asking that you review this situation and if necessary refer it to the Common Council for their review and hopefully, approval of her claim.

Ms. Tiso, like myself and the three other staff members who staff the shelter at night, use our own cars to report to work at 115 Main Street. It would not be logical for any of us to park our cars at the 403 Main Street location and pick up the City car, and then go to 115 Main Street. At 9:00 in the evening it seems that it is much more judicious to report to work directly.

I would hope that this claim would be viewed in a favorable manner, as the damage occurred while a person was working for the City. Her personal property was vandalized on a main City street and most likely as a result of her doing her job, enforcing City Shelter rules.

Thanking you for your consideration.

Sincerely,

Deborah MacKenzie
Director of Welfare

DM:bbc





23

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

RISK MANAGER
(203) 797-4619

Date: May 20, 1991
To: Deborah, MacKenzie, Welfare Director
From: Thomas Fabiano, Jr., Risk Manager
Re: Vandalism at Shelter to an Employee's Personal Property

The City of Danbury does not have insurance coverage for vandalism to the property of others.

Please call if you have any questions.

Thomas Fabiano, Jr.

rec'd
5/21/91



23

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department
797-4569

May 15, 1991

TO: Tom Fabiano
FROM: Debbie MacKenzie
RE: Vandalism at shelter to an employee's personal property

Jerrilynn is scheduled to work at the shelter on Tuesday evening from approximately 9:00 P.M. to 10:30 P.M.

It was during this scheduled work time that her tires were slashed.

Please review the enclosed information and advise as to her request for reimbursement.

DM:bbc

DEPARTMENT INCIDENT REPORT

Date of Accident May 7, 1991 Time _____

Location of Accident 115 Main St. City Shelter

Operator's Name Jerrilyn Tiso

Vehicle - Year 1991 Make Mitsubishi

Model Eclipse Plate # 518GXZ

Operator's Description of Accident 2 tires slashed. See copy police report and memo dated May 8, 1991.

Parts of Vehicle/Property Damaged 2 tires passenger side

Estimate of Damages \$ 375.60

Department Signature [Signature]
Department Head or Designee

Date May 14, 1991



CITY OF DANBURY

Day Center
796-1661

Homeless Services
155 Deer Hill Avenue
DANBURY CT 06810

Shelter
792-6097

May 8, 1991

TO: Debbie MacKenzie

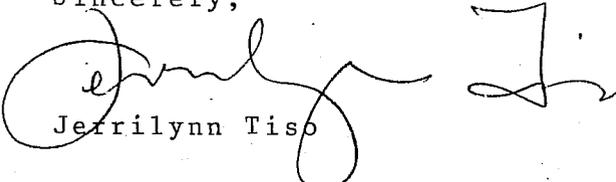
RE: Reimbursement for vandalism to my car

Debbie:

I cannot believe that the terms of my employment would have included vandalism to my car. As you will note from the attached bill, last night's vendetta against me for enforcing the rule on drunkenness at the shelter resulted in two of my tires being slashed while my car was parked in front of 115 Main Street from 9 to 10 pm. I believe that one of the four people who were told to leave is responsible, or perhaps more than one.

I am sure that both you and the City feel I should be reimbursed for the cost of this vandalism. A police report was filed, and I will forward you a copy of it as soon as it is available to me. Thank you very much for processing this reimbursement request.

Sincerely,


Jerrilynn Tiso



24

CITY OF DANBURY

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

PLEASE REPLY TO:

June 4, 1991

DANBURY, CT 06810

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

Re: Proposed CL&P Electric Distribution Easement
Spruce Mountain Trail

Dear Mayor and Council Members:

The attached proposed utility easement would permit Connecticut Light and Power the right to install and maintain a primarily overhead electric distribution system for the benefit of development of property adjacent to the easement property presently owned by the City of Danbury across which the distribution system would run.

Inasmuch as an agreement granting Tancy Jean Gemza and Marcie Elyce Gemza an easement across said property and dated 6/29/89 restricts the right of these parties to install utilities on or across this property, CL&P requires the City of Danbury to grant the easement in question at this time.

In the event the Council delivers this matter to committee, Attorney Theodore Gemza and Superintendent of Public Utilities William Buckley could provide information on this subject. This item should also be sent to the Planning Commission for a report.

Kindly contact us should you have any questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr

Attachment



CORPORATE ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____, who acknowledged _____ to be the _____ of _____, a corporation, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as the free act and deed of said corporation.

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

Notary Public
My Commission Expires: _____

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____, who acknowledged _____ to be the _____ of _____, a corporation, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as the free act and deed of said corporation.

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

Notary Public
My Commission Expires: _____

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____, who acknowledged _____ to be the _____ of _____, a corporation, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as the free act and deed of said corporation.

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

Notary Public
My Commission Expires: _____

CERTIFICATE OF CORPORATE RESOLUTION

I hereby certify that at a meeting of the Board of Directors of

duly called and held on _____, 19 __, at which a quorum was present and acting throughout, the following resolutions were unanimously adopted, to wit:

RESOLVED: That this Company grant and convey to

a corporation chartered by the General Assembly of the State of Connecticut and having its principal office in the Town of _____, in the State of Connecticut, its successors and assigns, permanent rights for the installation, maintenance and repair of electric (and gas) lines over under and across land of the Company situated in the Town of _____, County of _____ and State of Connecticut, as set forth in the proposed easement presented to this meeting, which is hereby ordered filed with the records of this meeting; and

RESOLVED: That _____, the _____ of this Company be and he hereby is authorized to execute and deliver in the name of this Company an easement presented to this meeting and to do any and all other acts necessary to effectuate the foregoing.

I FURTHER CERTIFY that the form of easement attached hereto is an exact copy of the aforesaid proposed easement presented at said meeting.

I DO FURTHER CERTIFY that the foregoing resolutions are still in full force and effect as of this date.

IN WITNESS WHEREOF, I have caused the corporate seal of this Company to be hereunto affixed, duly attested by me this day of _____, 19 __.

Secretary

(CORPORATE SEAL)



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

FORESTRY DEPARTMENT
(203) 797-4536

RICHARD K. SMITH
TREE SUPERVISOR

May 20, 1991

TO: Frank L. Cavagna, Supt. of Highways
FROM: Richard K. Smith, Tree Supervisor
RE: Proposed Highway Change--59 King Street

RLS

Regarding the proposed highway change at 59 King Street, I suggest other possible alternatives be explored as there are trees that must be removed. The trees involved include 6 Locust trees approximately 15" to 20" in diameter and 1 Sugar Maple which is possibly 150-175 years old and 38" in diameter.

Thank you for your cooperation in this matter.

file





CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

May 23, 1991

To: Dennis I. Elpern, Planning Director

From: Susan S. Decina, Assistant Planning Director

Re: Request to Purchase Property at 1 Ann Drive

We have been asked to review an offer to purchase property at 1 Ann Drive. Mr. Walter Brown has offered to sell a three family house to the City for an undisclosed price.

I discussed this offer with Paul Schierloh, Associate Director of Housing. As it is not customary for the City to purchase housing units, he suggested that Mr. Brown contact the Housing Authority and the Non-Profit Development Corporation. These are entities that are often involved in the purchase of housing units and may have some interest in the subject property.

There are no planning issues that would preclude the purchase of this property by the City.

c: Walter Brown



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

May 20, 1991

PLANNING COMMISSION
(203) 797-4525

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

Re: 8-24 Referral - Offer by Walter Brown to sell property at 1 Ann Drive to City

Dear Council Members:

The Planning Commission at its May 15, 1991 meeting voted to recommend that the Common Council should poll the various City departments and agencies to see if there is a need for this property. If there is no need, the Council may wish to refer Mr. Brown to contact one of three agencies which may be interested in purchasing this property: Habitat for Humanity, the Housing Authority, or the Non-Profit Corporation of Danbury.

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

Sincerely yours,

Steve Zaleta (ccx)
Steve Zaleta
Vice-Chairman

Howard P. Rubinow III, P.E.

CIVIL ENGINEER

118 Coalpit Hill Road
Danbury, Connecticut 06810
(203) 743-0767/778-8060

MAILING ADDRESS: P.O. Box 236, Bethel, CT 06801

27

May 3, 1991

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

Re: Proposed Sanitary Sewer and Water Extension
Lombardi and Concord Streets
Danbury, Connecticut

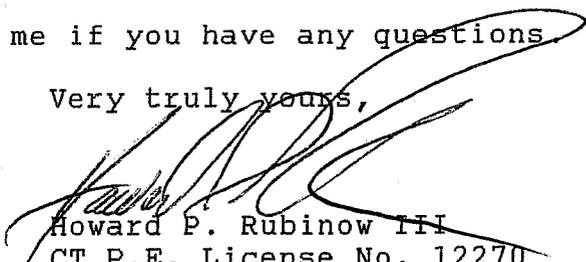
Dear Members of the Council:

In July of 1989, my client Anthony Dacunha, Sr. applied for and subsequently received authorization to extend water and sewer to his subject property. Subsequent to this authorization plans were submitted to and approved by the City of Danbury Engineering Department. However, Mr Dacunha did not proceed with the work at the time and has now exceeded the given time allotment.

Accordingly, I would petition the Common Council to regrant the authorization to provide water and sewer in accordance with your previous guidelines and with the approved plans.

Please feel free to contact me if you have any questions.

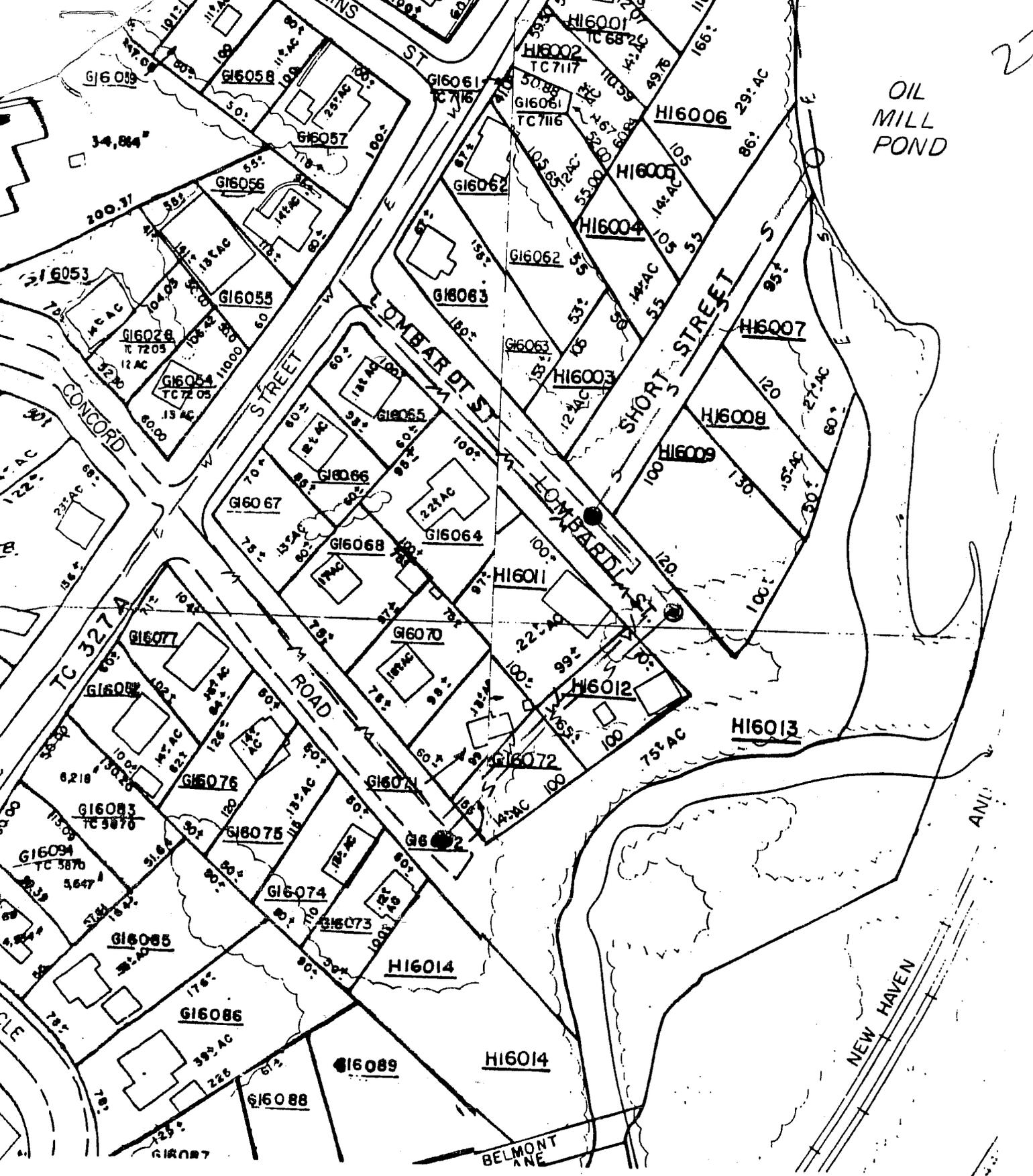
Very truly yours,



Howard P. Rubinow III
CT P.E. License No. 12270

HPR:hr
Enclosures

CC: Anthony Dacunha Sr.



115a

SKETCH
 Scale: 1" = 100'



2
RECEIVED
NOV 3 1989

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

November 1, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

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

Mr. Howard P. Rubinow III, P.E.
P. O. Box 236
Bethel, Ct. 06801

Dear Mr. Rubinow:

**Proposed Water Main and Sanitary Sewer Extensions
Anthony DaCunha, Sr.
Lombardi and Concord Streets**

This office has reviewed the revised plans and profiles submitted under cover of your October 31, 1989 letter of transmittal.

The revised plans and profiles are acceptable.

If you have any questions, please give us a call.

Very truly yours,


John A. Schweitzer, Jr., P.E.
City Engineer

JAS/PAE/gw

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

200

COHEN AND WOLF, P. C.
ATTORNEYS AT LAW

AUSTIN K. WOLF
MARTIN F. WOLF
ROBERT J. ASHKINS
STUART A. EPSTEIN
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
RICHARD A. KRANTZ
DAVID L. GROGINS
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON
JORAM HIRSCH
PAUL B. EDELBERG
ROBIN A. KAHN
RICHARD G. KENT
RICHARD L. NEWMAN

RICHARD SLAVIN
FREDERICK S. GOLD
STEPHEN GLAZER
LINDA LEDERMAN
DANIEL S. NAGEL
RICHARD J. DI MARCO
DAVID B. ZABEL
MARK A. KIRSCH
CHRISTOPHER J. SMITH
NEIL W. SUTTON
ROBERT J. YAMIN
DAVID M. LEVINE
JOSEPH G. WALSH
STEPHEN M. MOORE
ALEXANDER H. SCHWARTZ
MARY ANN CONNORS
MARY H. CASDEN
GABRIEL MILLER
STEPHEN M. CARRUTHERS
STEPHEN H. GOLDBLUM

OF COUNSEL
BERNARD GLAZER
EMIL H. FRANKEL

HERBERT L. COHEN
(1928-1983)

1115 BROAD STREET
P. O. BOX 1821
BRIDGEPORT, CONNECTICUT 06601
TELEPHONE (203) 368-0211
FACSIMILE (203) 576-8504

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 792-2771
FACSIMILE (203) 791-8149

595 SUMMER STREET
STAMFORD, CONNECTICUT 06901
TELEPHONE (203) 964-9907
FACSIMILE (203) 967-4452

PLEASE REPLY TO Danbury

May 24, 1991

Common Council of the
City of Danbury
c/o Ms. Betty Crudginton
City Clerk
155 Deer Hill Avenue
Danbury, CT 06810

RE: Ginsberg Storm Drainage Easement, Starr Street

Dear Ms. Crudginton:

Please consider this letter a request that the Common Council accept the conveyance of the attached Drainage Easement which is located at 5 Starr Street in Danbury. All of the necessary documents have been reviewed by the Engineering Department and Eric Gottschalk, Corporation Counsel, and they have found them to be satisfactory.

Please place this matter on the agenda of the next meeting of the Common Council.

Very truly yours,

Robin A. Kahn

Robin A. Kahn

RAK/dd
Enclosure
cc: Eric Gottschalk
Patricia Ellsworth

DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, GARY GINSBERG and LOUIS GINSBERG, doing business as 3 G REALTY, a Connecticut Co-partnership, having an office and principal place of business at 5 Starr Street in the City of Danbury, County of Fairfield and State of Connecticut (hereinafter the "Grantor"), for the consideration, of ONE DOLLAR (\$1.00) and other valuable consideration, received to its full satisfaction of the CITY OF DANBURY, a municipal Corporation located in the County of Fairfield and organized and existing under and by virtue of the laws of the State of Connecticut, does give, grant, bargain, sell and confirm unto the said CITY OF DANBURY (hereinafter the "Grantee"), its successors and assigns, the right, privilege, authority and easement to lay, construct, alter, repair, replace and maintain an open drainage channel approximately 101.88' in length together with the necessary appurtenances therefor, in, through, under and over a certain strip or parcel of land shown and designated as "PROPOSED DRAINAGE EASEMENT TO BE GRANTED TO THE CITY OF DANBURY" on a certain Map entitled "MAP PREPARED FOR JERRY GINSBERG, LOUIS GINSBERG AND GARY GINSBERG SHOWING PROPOSED DRAINAGE EASEMENT TO BE GRANTED TO THE CITY OF DANBURY 5 STARR STREET, DANBURY, CONNECTICUT, SCALE 1" = 20', AUGUST 15, 1986 REVISED APRIL 29, 1988 TO SHOW EXISTING CULVERT REVISED 12-10-1990" which Map was prepared by Sydney A. Rapp, Jr., a copy of which map is annexed hereto and made a part hereof to which reference is made for the exact location of said drainage channel and easement.

TOGETHER WITH all right, title and interest of the Grantor in and to all drainage structures and other items appurtenant or affixed to any of said drainage easement or existing in, through or under the above-described strip or parcel of land, together also with the right to pass and repass over said drainage easement area and other lands of Grantor being an existing driveway and parking area from Starr Street to the easement for the purpose of maintaining said drainage structures and appurtenances thereto and the drainage channel in the easement as shown on the aforesaid map.

IT BEING HEREBY AGREED that the CITY OF DANBURY, its successors and assigns shall assume the responsibility for maintenance subsequent to the initial construction of same by the Grantor and shall, subsequent to such repair or maintenance restore the area of the drainage easement to the condition that existed upon the grant hereof or as reasonably close thereto.

PROVIDED, HOWEVER, the Grantor shall install, at its sole cost and expense, the box culvert in said drainage easement in accordance with plans submitted to and approved by the Grantee acting through its Engineering Department and under the supervision of said Engineering Department and shall submit to said Engineering Department an "as-built" drawing of the completed drainage structure within said easement prior to the final acceptance by Grantee. It being the intention of the Grantor to construct said drainage structures to the Grantee's satisfaction.

TO HAVE AND TO HOLD the above granted rights, privilege, authority and easement unto the said Grantee, its successors and assigns, forever, to its and their own proper use and behoof.

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

Know Ye, That DHF REALTY CORPORATION, a Connecticut corporation with offices at Francis J. Clarke Circle, Bethel, Connecticut, acting herein by Donald H. Fiddelman, its President, duly authorized

for the consideration of ONE DOLLAR (\$1.00) received to its full satisfaction of the CITY OF DANBURY

does give, grant, bargain, sell and confirm unto the said CITY OF DANBURY the following described premises, to wit:

All that certain piece or parcel of land on the southerly side of Briar Ridge Road in the City of Danbury, County of Fairfield and State of Connecticut shown and designated as "Parcel 'X' 1,878 S.F. 0.043 Ac. To be dedicated to The City of Danbury" on a certain map entitled "FINAL SUBDIVISION MAP Prepared For DONALD FIDDELMAN Danbury, Connecticut Scale: 1" = 40' Area: 5.001 Ac. Zone: IL-40 Date: Dec. 24, 1990 Revisions Jan. 9, 1991" certified by Robert M. Bennison, L.S. #12964, which map is to be filed in the office of the Danbury Town Clerk

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee its successors ~~heirs~~ and assigns forever, to its and their own proper use and behoof. And also, the said grantor does for itself and its successors ~~heirs~~, executors, and administrators, covenant with the said grantee its successors ~~heirs~~ and assigns, that at and until the ensembling of these presents, it is well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, the said grantor does by these presents bind itself and its successors ~~heirs~~ forever to WARRANT AND DEFEND the above granted and bargained premises to it the said grantee its successors ~~heirs~~ and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, Grantor has ~~made~~ hereunto set its hand and seal this 17th day of May in the year of our Lord nineteen hundred and Ninety-one.

Signed, Sealed and Delivered in presence of

Edward J. Hannafin
Edward J. Hannafin

Ellen M. Brandi
Ellen M. Brandi

DHF REALTY CORPORATION

By:

Donald H. Fiddelman

Donald H. Fiddelman, Its President
Duly Authorized



Please execute this document in the presence of two witnesses and a Notary Public who should complete the acknowledgment and affix his or her impression seal and the date upon which his or her commission expires. Under the signatures of the witnesses and the Notary, their names should be either printed or typed in. The Notary may serve as one of the two witnesses if you so desire.

State of Connecticut }
County of FAIRFIELD } ss. Danbury

On this the 17th day of May, 19 91, before me, Ellen M. Brandi, the undersigned officer, personally appeared Donald H. Fiddelman, duly authorized President of DHF REALTY CORPORATION

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, as his free act and deed, and the free act and deed of said corporation.

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

Ellen M. Brandi
ELLEN M. BRANDI
Notary Public NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 31, 1992
Title of Officer

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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
PAULA FLANAGAN
THOMAS W. BEECHER
CHRISTINE M. ELLIS
C. ANTHONY VOURNAZOS
EVA M. DEFranco
CHRISTOPHER K. LEONARD

AREA CODE 203
744-2150
TELECOPIER: (203) 791-1126

May 28, 1991

Hand Delivery

Eric Gottschalk, Esq.
Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: Donald Fiddelman Subdivision
Briar Ridge Rd., Danbury

Dear Ric:

This deed is being sent to you as part of the above-captioned subdivision application submitted to the Planning commission. Dan Leppo advised that you should get the executed deed for review so it can be accepted by the Common Council.

Very truly yours,

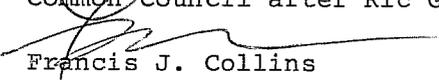
Francis J. Collins

FJC/emb

cc: Mr. Donald H. Fiddelman
City Clerk
Planning Department

Dear Betty:

Would you please put the above-captioned item on the agenda for the Common Council after Ric Gottschalk approves of it.


Francis J. Collins



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

May 30, 1991

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

Dear Mayor Eriquez and Members of the Common Council:

The Danbury Health and Housing Department AIDS Program is requesting approval to enter into a lease agreement with DaSilva and Sons for the use of space at 20 West Street, Danbury, Ct. The space would be used to house the AIDS Program, including the educational and clinical components.

The use of this space is being offered at no charge through February, 1993, which coincides with the end of the lease the Danbury Health and Housing Department has at the same address with DaSilva and Sons. The only expense requested by the landlord would be a reasonable attorney's fee of no more than \$150 for the landlord's cost of preparation of the lease document. I ask that should this Council approve the proposed lease, it also approve the attorney's fee to be paid by the AIDS Prevention Grant.

Thank you for your consideration of this matter.

Respectfully submitted,

Susan Durgy
Susan Durgy
AIDS Program Coordinator

encl.

cc: William Campbell
Lisi Marcus
Laszlo Pinter
Kimberly Redenz



30

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

May 24, 1991

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

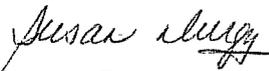
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The use of this space is being offered at no charge through February, 1993, which coincides with the end of the lease the Danbury Health and Housing Department has at the same address with DaSilva and Sons.

Thank you for your consideration of this matter.

Respectfully submitted,


Susan Durgy
AIDS Program Coordinator

encl.

cc: William Campbell
Lisi Marcus
Laszlo Pinter
Kimberly Redenz



25

CITY OF DANBURY

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

PLEASE REPLY TO:

May 28, 1991

DANBURY, CT 06810

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

Re: Scott-Fanton Lease

Dear Mayor and Council Members:

In June of 1970, the City of Danbury acquired a parcel of land from the Scott-Fanton Museum and Historical Society containing 13.64 acres, more or less, located in the vicinity of what is now Rogers Park. In that same month, the City leased back a portion of the overall site designated in the lease as Parcel "A", containing 6.639 acres, to Scott-Fanton as the site for the so-called Charles A. Ives home.

Apparently, some time after the signing of that lease, the Ives house was moved to another portion of the 13.64 acre site, Parcel "B", containing 7.001 acres. Surprisingly, the lease was never formally amended to change the description of the leased area. That change is the subject of this letter.

After discussing the matter with Attorney Albert Hornig, who represents Scott-Fanton, a new lease has been prepared together with a document terminating the old lease. Note that the new lease would extend the term of the arrangement for a total of ninety nine years; the old lease would have expired in the year 2066. Both the old and new versions contained an option to extend the term for an additional ninety nine years.

31

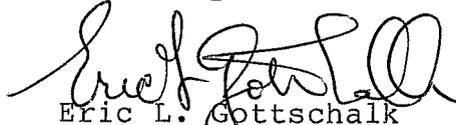
Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
Re: Scott-Fanton Lease
May 28, 1991

- 2 -

Other minor changes relate to and acknowledge the existence of the King Street School House on the site as well as the elimination of a right to pass over parcel B which would no longer be necessary.

Please consider this request in the usual fashion. A report from the Planning Commission should be obtained in accordance with state law. If you find everything in order, please authorize the Mayor to sign the documents and take any additional action that may be necessary to finalize this matter. Feel free to contact me if you have any questions with regard to this.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r

Attachments

c: Albert H. Hornig, Esq.

This Indenture,

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Made by and between the CITY OF DANBURY, a municipal corporation located in the County of Fairfield, State of Connecticut, acting herein by Gene F. Eriquez, its Mayor, hereunto duly authorized,

Lessor, and

THE DANBURY SCOTT-FANTON MUSEUM AND HISTORICAL SOCIETY, INC., a specially chartered corporation of the State of Connecticut, acting herein by
, its President, hereunto duly authorized,

Lessee, WITNESSETH: That the Lessor has leased, and does hereby lease to the said Lessee

A CERTAIN PIECE or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, on Mountainville Avenue, so-called, containing 7.001 acres and being designated as Parcel "B" on a certain map entitled, "MAP SHOWING THE PROPERTIES OF THE DANBURY SCOTT-FANTON MUSEUM & HISTORICAL SOCIETY, INC.", Scale 1" = 60', dated April 27, 1970, and certified substantially correct by Donald T. Hambidge, R.L.S. #3922, City of Danbury Engineering Division, and which map is on file as Map No. 4577 in the Office of the Town Clerk of the City of Danbury.

for the term of ninety-nine years from the day of A.D., 19 91,
for the term rent of NINETY-NINE Dollars,
~~payable in~~ ----- ~~payments of~~ ----- ~~Dollars,~~
~~each, to wit: on the~~ ----- ~~day of~~ -----

Payable as follows:

ONE (\$1.00) DOLLAR on the execution of this Lease and
ONE (\$1.00) DOLLAR annually thereafter during the term of this Lease.

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

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

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

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

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

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

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

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

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

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

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

1. The Lessee shall have the option to renew this Lease for an additional 99 year term upon the same terms and conditions as contained herein, by giving written notice to the Lessor six (6) months prior to the expiration of this Lease.
2. The Lessee shall retain ownership of all buildings located on said premises, including the so-called Charles A. Ives House and the King Street School House.
3. The Lessee shall have the right to the use of the parking facilities of the Rogers Park Junior High School located on Parcel "A" as shown on the aforesaid map, for the use of the members of the Museum and visitors thereto, subject to the imposition of reasonable regulations and the approval of the appropriate governmental authority.
4. It is agreed by and between the parties hereto that the demised premises will only be used as a Museum and Historical Society in accordance with the corporate purposes of the Lessee.

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In Witness Whereof, the parties hereto have hereunto set their hands and seals, and to a duplicate of the same tenor and date, this _____ day of _____ A. D. 1991

Signed, Sealed and Delivered in presence of

_____ CITY OF DANBURY LS

_____ By: _____ LS
Gene F. Eriquez, its Mayor

_____ THE DANBURY SCOTT-FANTON MUSEUM LS
AND HISTORICAL SOCIETY, INC.

_____ By: _____ LS
Its President

State of Connecticut, } ss.
County of _____

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

_____ known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

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

State of Connecticut, } ss.
County of _____

Title of Officer

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

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

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

Title of Officer

AGREEMENT

THIS AGREEMENT, by and between the City of Danbury, a municipal corporation located in Fairfield County, organized and existing under and by virtue of the laws of the State of Connecticut, acting herein by Gene F. Eriquez, its Mayor, hereunto duly authorized, and The Danbury Scott-Fanton Museum and Historical Society, Inc., a specially chartered corporation of the State of Connecticut, acting herein by

its President, hereunto duly authorized, is made and entered into this _____ day of _____ 199 .

WHEREAS, the City of Danbury, hereinafter designated as the "City", entered into a certain Lease with The Danbury Scott-Fanton Museum and Historical Society, Inc., hereinafter designated as the "Museum", on June 29, 1970, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City and the Museum wish to terminate said Lease;

NOW, THEREFORE, IT IS HEREBY AGREED THAT for good and valuable consideration, the Lease of June 29, 1970 by and between the City, as Lessor, and the Museum, as Lessee, be and hereby is terminated without cost or obligation to either party. Said termination shall be effective as of the date first above written and as of said date the aforesaid Lease shall be null and void and of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this _____ day of _____, 199 .

Signed, sealed and delivered in the presence of:

CITY OF DANBURY

By: _____
Gene F. Eriquez
Its Mayor

THE DANBURY SCOTT-FANTON
MUSEUM AND HISTORICAL
SOCIETY, INC.

By: _____
President

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THIS LEASE,

Made by this agreement between

THE CITY OF DANBURY, a municipal corporation located in the State of Connecticut, acting herein by **GINO J. ARCONTI**, Its Mayor, hereunto duly authorized,

LANDLORD and

THE DANBURY SCOTT-FANTON MUSEUM AND HISTORICAL SOCIETY, INC., a specially chartered corporation of the State of Connecticut, acting herein by **WALTER A. LAUF**, Its President, hereunto duly authorized,

TENANT, WITNESSETH:

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

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

A certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, on Mountainville Avenue, so-called, containing 6.639 acres and being designated at Parcel "A" on a certain map entitled, "MAP SHOWING PROPERTIES OF THE DANBURY SCOTT-FANTON MUSEUM AND HISTORICAL SOCIETY, INC.", Scale 1" = 60', dated April 27, 1970, and certified substantially correct by Donald T. Hambidge, R.L.S., and which map is on file in the office of the Town Clerk of the City of Danbury.

for the term **of ninety-nine (99) years**

for the term rent of **NINETY-NINE (\$99.00) DOLLARS**
payable as follows: **ONE (\$1.00) DOLLAR on the execution of this Lease,**
and ONE (\$1.00) DOLLAR annually thereafter during the term of
this Lease.

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

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

Provided, however, and it is further agreed that if the said rent shall remain unpaid 10 ³¹
days after the same shall become payable as aforesaid, or if the said Tenant shall assign this Lease, or
underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any
purpose but that hereinbefore authorized, or make any alterations therein without consent of the Landlord
in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse
the same, or shall violate any of the agreements herein by the Tenant to be performed, then this Lease
shall thereupon, by virtue of this express stipulation therein, expire and terminate, and the Landlord
may, at any time thereafter re-enter said premises, and the same have and possess as of the Landlord's
former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the
statute relating to summary process; it being understood that no demand for rent, and no re-entry for
condition broken, as at common law, shall be necessary to enable the Landlord to recover such possession
pursuant to said statute relating to summary process, but that all right to any such demand, or any such
re-entry is hereby expressly waived by the said Tenant.

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

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

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

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

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

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

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

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

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

I witness whereof, the parties hereto have hereunto set their hand and seals, and to a duplicate of the same tenor and date, this 29th day of June A. D., 1970.

Signed, Sealed and Delivered

THE CITY OF DANBURY

in the presence of
Albert H. Hornig
Albert H. Hornig

BY: Gino J. Arconti (Seal)
Gino J. Arconti
Its Mayor (Seal)

Richard L. Nahley
Richard L. Nahley

THE DANBURY SCOTT-FANTON MUSEUM (Seal)
AND HISTORICAL SOCIETY, INC.

BY: Walter A. Lauf (Seal)
Walter A. Lauf, Its President,
hereunto duly authorized

State of Connecticut,
County of FAIRFIELD }

ss. Danbury June 29, A. D., 19 70

Personally appeared THE CITY OF DANBURY, acting herein by GINO J. ARCONTI, its Mayor, hereunto duly authorized,
signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of said corporation, before me.

Richard L. Nahley COMMISSIONER OF SUPERIOR COURT,
~~NOTARY PUBLIC~~

State of Connecticut,
County of FAIRFIELD }

ss. Danbury June 29, A. D., 19 70.

Personally appeared THE DANBURY SCOTT-FANTON MUSEUM AND HISTORICAL SOCIETY, INC., acting herein by WALTER A. LAUF, Its President hereunto duly authorized
signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of said corporation, before me.

Albert H. Hornig COMMISSIONER OF SUPERIOR COURT,
~~NOTARY PUBLIC~~

LEASE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Welfare Department
797-4569

May 23, 1991

City of Danbury
Common Council
Danbury, CT 06810

RE: Lease for 403 Main Street

Dear Members of the Council:

Please find attached a lease agreement prepared by Victorian Associates. The agreement is between Victorian Associates and the City of Danbury and it concerns the office space located at 403 Main Street. The Welfare Department has occupied these offices since 1987.

This agreement will freeze the current rental rate for the next two years. It also gives the City the opportunity to be released from the lease after three years should other space options become available.

This agreement was reviewed by the Corporation Counsel and is being submitted for your review and approval.

Sincerely,

Deborah MacKenzie
Director of Welfare

cc: Dominic Setaro
Laszlo Pinter

DM:bbc



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

June 5, 1991

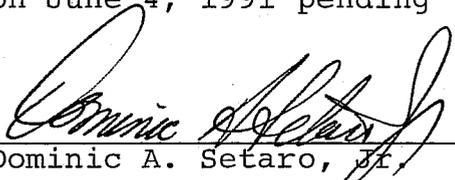
Certification

TO: Common Council via
Mayor Gene F. Eriquez

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

We hereby certify the availability of \$7,500.00 to be transferred from the city's employee group insurance account #02-09-150-071100 to the claims account #02-09-110-073500.

The above request for funds was approved by the Common Council on June 4, 1991 pending this certification.



Dominic A. Setaro, Jr.

DAS:af

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SECOR, CASSIDY & McPARTLAND
P. C.

ATTORNEYS AT LAW
WOOSTER PLAZA
301 MAIN STREET

DANBURY, CONNECTICUT 06810-5856

(203) 743-9145

TELECOPIER (203) 798-9844

◊ ADMITTED ALSO IN OHIO
* ADMITTED ALSO IN MASSACHUSETTS
† ADMITTED ALSO IN NEW YORK
** ADMITTED ALSO IN DISTRICT OF COLUMBIA
AND NEW YORK
+ ADMITTED ONLY IN NEW YORK
OHIO AND CALIFORNIA

DANBURY OFFICE
RESIDENT ATTORNEYS
MARTIN A. RADER, JR.
RICHARD D. ARCONTI
DANIEL E. CASAGRANDE

WATERBURY OFFICE
41 CHURCH STREET
POST OFFICE BOX 2818
WATERBURY, CONNECTICUT 06723-2818

(203) 757-9261
TELECOPIER (203) 756-5762

CHESHIRE OFFICE
325 SOUTH MAIN STREET
CHESHIRE, CONNECTICUT 06410-3113
(203) 272-5001

JOHN H. CASSIDY, JR.
DONALD McPARTLAND
W. FIELDING SECOR
RAYMOND F. VOELKER ◊
MARTIN A. RADER, JR.
THOMAS P. RUSH *
GAIL E. MCTAGGART
RICHARD D. ARCONTI
THOMAS G. PARISOT
DANIEL E. CASAGRANDE †
ELIZABETH A. BOZZUTO
PATRICK W. FINN
RICHARD R. TALBOT

SPECIAL COUNSEL
JOHN G. MANNING**

OF COUNSEL
WILLIAM J. SECOR, JR.
J. WARREN UPSON
CHARLES E. HART 3RD +
MILTON A. SEYMOUR †

May 17, 1991

Betty Crudgington
City Clerk
City Hall
155 Deer Hill Ave
Danbury, CT 06810

Re: June Common Council meeting agenda
Gomez v. Sauer litigation

Dear Betty:

Please schedule the pending litigation matter of Gomez v. Sauer for executive session at the June Common Council meeting, in order to discuss settlement.

Thank you.

Very truly yours,



Richard D. Arconti

RDA/pd
cc: John L. Ponzini, Esq.



CITY OF DANBURY

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

PLEASE REPLY TO:

DANBURY, CT 06810

May 17, 1991

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

Re: J. C. Penney Properties, Inc. v. City of Danbury

Dear Mayor and Council Members:

After several months of discussion and negotiation in this matter, there is a settlement proposal on the table which has been deemed acceptable by the Assessor and will be able to resolve this litigation. Consideration of the Common Council of this proposal is requested.

Please note that no specific information regarding the settlement proposal is attached inasmuch as this matter of litigation is best discussed in executive session.

Should you have any further questions in the meantime, please do not hesitate to call.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr

c: Attorney Lisa Kelly Morgan

Anne T. DeFlumeri
Tax Assessor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Toxic Levels of Lead Paint

The Common Council met as a Committee of the Whole on May 20, 1991 at 8:00 P.M. to review a proposed ordinance concerning toxic levels of lead paint. Health Department Representative Paul Shierloh explained that this ordinance brings City regulations up to State standards.

Mr. Boynton moved to recommend approval of the proposed ordinance. The motion was seconded by Dean Esposito and passed 12-1 with Mr. Scalzo voting in the negative.

Respectfully submitted,


JOSEPH DaSILVA, Chairman



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

June 4, 1991

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

THAT existing Subsection 10-4(5) of the Code of Ordinances of Danbury, Connecticut is hereby repealed and replaced with a new Subsection 10-4(5) the provisions of which shall read as follows:

(a) All painted portions of all buildings used in whole or in part for human habitation, as well as any accessory structures on the premises thereof, shall be kept free of cracked, chipped, blistered, flaked, loose or peeling paint. Any such surface shall be properly prepared and repainted with a paint or other covering conforming to the standards as required in accordance with the Lead-Based Paint Poisoning Prevention Act, Chapter 63 of the Social Security Act, as the same may be amended from time to time.

(b) The owners of all dwellings shall comply with the requirements of Section 19a-111c of the Connecticut General Statutes concerning the removal of toxic levels of lead from dwellings, as the same may be amended from time to time. The Director of Health may require any such owner to submit evidence of compliance with the requirements of the aforesaid provisions of the Connecticut General Statutes from qualified testing firms acceptable to the Director.

(c) Whenever the Director of Health receives a report of lead poisoning or otherwise determines that a child under the age of six has an abnormal body burden of lead, the Director may cause the paint or water on the premises of the dwelling in which said child resides to be tested for lead content. The Director shall take appropriate action to compel abatement of hazardous conditions if the lead content of paint or water on said premises exceeds the permissible limits thereof as established in this Subsection. For purposes of this Subsection, abatement shall be required if the lead content of paint on said premises exceeds the standards established in accordance with the Lead-Based Paint Poisoning Act, Chapter 63 of the Social Security Act as the same may be amended from time to time. Similarly, abatement shall be required if the lead content of water on said premises meets or exceeds five one hundredths of one milligram per liter (0.05 milligram/liter).

(d) The Director of Health may engage, or order the engagement of qualified firms to perform testing for lead content in paint and water. In addition, the Director may engage or order the engagement of firms to monitor compliance with abatement regulations or with abatement orders issued pursuant to this Section or to certify that abatements have been successfully accomplished.

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

Adopted by the Common Council - June 4, 1991
Approved by Mayor Gene Eriquez - June 5, 1991.

ATTEST: Jummetta L. Samaha
JUMMETTA L. SAMAHA
Assistant City Clerk

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ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT existing Subsection 10-4(5) of the Code of Ordinances of Danbury, Connecticut is hereby repealed and replaced with a new Subsection 10-4(5) the provisions of which shall read as follows:

(a) All painted portions of all buildings used in whole or in part for human habitation, as well as any accessory structures on the premises thereof, shall be kept free of cracked, chipped, blistered, flaked, loose or peeling paint. Any such surface shall be properly prepared and repainted with a paint or other covering conforming to the standards as required in accordance with the Lead-Based Paint Poisoning Prevention Act, Chapter 63 of the Social Security Act, as the same may be amended from time to time.

(b) The owners of all dwellings shall comply with the requirements of Section 19a-111c of the Connecticut General Statutes concerning the removal of toxic levels of lead from dwellings, as the same may be amended from time to time. The Director of Health may require any such owner to submit evidence of compliance with the requirements of the aforesaid provisions of the Connecticut General Statutes from qualified testing firms acceptable to the Director.

(c) Whenever the Director of Health receives a report of lead poisoning or otherwise determines that a child under the age of six has an abnormal body burden of lead, the Director may cause the paint, soil or water on the premises of the dwelling in which said child resides to be tested for lead content. The Director shall take appropriate action to compel abatement of hazardous conditions if the lead content of paint, soil or water on said premises exceeds the permissible limits thereof as established in this Subsection. For purposes of this Subsection, abatement shall be required if the lead content of paint on said premises exceeds the standards established in accordance with the Lead-Based Paint Poisoning Act, Chapter 63 of the Social Security Act as the same may be amended from time to time. Similarly, abatement shall be required if the lead content of soil on said premises meets or exceeds five hundred parts per million (500 p.p.m.) or if the lead content of water on said premises meets or exceeds five one hundredths of one milligram per liter (0.05 milligram/liter).

(d) The Director of Health may engage, or order the engagement of qualified firms to perform testing for lead content in paint, soil and water. In addition, the Director may engage or order the engagement of firms to monitor compliance with abatement regulations or with abatement orders issued pursuant to this Section or to certify that abatements have been successfully accomplished.

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ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

June 4, 1991

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

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 16A-49(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(b) Certain materials prohibited. No person, firm, corporation or other entity shall dispose of any items at the Danbury Recycling Center except those recyclable materials, as defined in section 16A-69 of this Code, which have been designated for disposal at the Danbury Recycling Center by the City of Danbury and which originate from residential households within the corporate boundaries of the City of Danbury.

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

Adopted by the Common Council - June 4, 1991
Approved by Mayor Gene F. Eriquez - June 5, 1991.

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



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Certain Materials Prohibited

The Common Council met as a Committee of the Whole on May 20, 1991 at 8:00 P.M. to review an ordinance concerning certain prohibited material at the recycling center. After discussion of the workings of the recycling center with Superintendent of Public Utilities William Buckley, Mr. Boynton moved to recommend approval of the proposed ordinance. Motion was seconded by Mr. Charles and passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



23

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Amendments to the Connecticut Basic Building Code

The Common Council met as a Committee of the Whole at 8:00 P.M. on May 20, 1991 to review proposed amendments to the Connecticut Basic Building Code. Discussion was held as to the various aspects of the proposed changes such as the reasons for the increased fees, the amount to be raised by the fees and the use of the money raised.

Mr. Boynton moved to recommend approval of the proposed amendments pending communication on the questions raised from the Building Inspector and the Director of Finance. The motion was seconded by Mrs. Butera.

Mr. Charles moved to amend the recommendation to change section (b) 6-02 no. 4 "Permits for Tanks with a Capacity of 250 Gallons" from 250 gallons to 1,000 gallons. The motion was seconded by Mr. Scozzafava and defeated by a vote of 10-3. Several members stated that they were not opposed to the amendment but were waiting for more information.

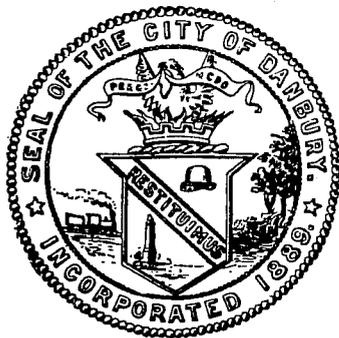
The motion passed 12-1 with Mr. Charles voting in the negative.

Respectfully submitted,



JOSEPH DaSILVA, Chairman

3700



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

June 4, 1991

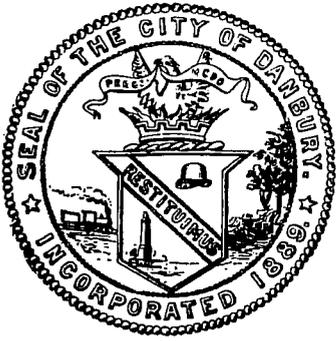
Be it ordained by the Common Council of the City of Danbury:

THAT subsection (b) of Section 6-02 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

(b) [Additional fees.] In accordance with the provisions of Section 19-395-117.3 of the Connecticut Basic Building Code, before receiving a permit or certificate for the following uses or for the conduct of any of the following activities the owner or agent shall pay the fee prescribed below:

Type of Permit or Certificate	Fee
(1) Demolition permits	Three (3) per cent of the actual cost of demolition
(2) Permits for the moving of buildings	\$25.00 per building
(3) Permits for wood stoves	\$10.00 each
(4) Permits for tanks with a capacity in excess of 250 gallons	\$50.00 each
(5) Permits for signs	
a. If ten (10) square feet or less	\$10.00
b. If in excess of ten (10) square feet:	
1. For the first ten (10) square feet	\$10.00
2. Per square foot for each additional square foot or part thereof	\$0.50
(6) Certificate of Occupancy	\$10.00 each

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ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

June 4, 1991

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

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

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

(a) [Fees generally:]

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

Valuation of Work:	Fee:
Below \$1,000.00	\$15.00
\$1,000.00 and above	\$15.00 for the first \$1,000.00, plus \$10.00 for each additional \$1,000.00 or part thereof.

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

Adopted by the Common Council - June 4, 1991
Approved by Mayor Gene F. Enriquez - June 5, 1991

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

89



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

June 4, 1991

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

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 16A-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

16A-48. Recycling Center permits.

No person, firm, corporation or other entity shall be permitted access to the Danbury Recycling Center unless said person or entity shall possess a valid permit issued pursuant to the provisions of section 16A-31 of this Code. Notwithstanding the provisions of the preceding sentence, no person, firm, corporation or other entity operating as a solid waste collector and required to register with the City pursuant to the provisions of section 16A-71 of this Code shall be permitted access to the Danbury Recycling Center for commercial purposes in the course of said collector's business.

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

Adopted by the Common Council - June 4, 1991
Approved by Mayor Gene F. Eriquez - June 5, 1991.

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



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

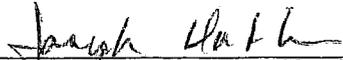
Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Recycling Center Permits

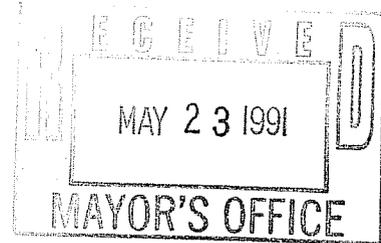
The Common Council met as a Committee of the Whole at 8:00 P.M. on May 20, 1991 to review a proposed ordinance concerning Recycling Center Permits. Superintendent of Public Utilities William Buckley explained that the permit for the Recycling Center will be the same as that for the landfill. There will be no charge for the permit that will be issued at the Recycling Center.

Mr. Boynton moved to recommend approval of the proposed ordinance. Motion seconded by Dean Esposito and passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



CITY OF DANBURY

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

PLEASE REPLY TO:

May 21, 1991

DANBURY, CT 06810

Councilman Joseph DaSilva, President
City of Danbury Common Council
155 Deer Hill Avenue
Danbury, Connecticut

Re: Section 16A-79 -- Recycling Flow Control Ordinance

Dear Council President:

It is my understanding that following last night's public hearing the Common Council, acting as the Committee of the Whole, voted to recommend that the above referenced ordinance be adopted with an amendment that would make "flow control" permissive rather than mandatory. That was apparently accomplished by deleting the word "shall" in one or more instances and by replacing it with the word "may". Since compelling the delivery of unwanted recyclables to a particular location is the essence of flow control, I strongly recommend that you consider the adoption of the ordinance as originally written.

I would like to point out several things that may help you to evaluate this proposal more fully. I will, of course, be prepared to discuss this matter with you, should that be necessary, at the regular June meeting.

First, note that Section 3 of Public Act 90-220, adopted by the Connecticut General Assembly at its regular session in February 1990, specifically authorizes the designation of sites where certain kinds of recyclables generated from residential properties must be taken for processing or sale. A copy is enclosed for your review.

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Councilman Joseph DaSilva, President
City of Danbury Common Council
Re: Section 16A-79 -- Recycling Flow Control Ordinance
May 21, 1991

- 2 -

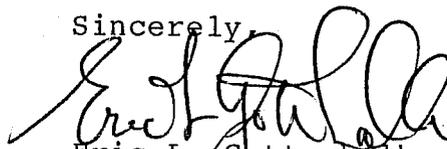
Second, Article III of the Municipal Recycling Services Agreement between the City and HRRRA dated February 20, 1991 and approved by the Council last winter provides that the City must designate, pursuant to the state law that I mentioned earlier, the IPC vendor's facility as the place where certain recyclables "shall" be taken for processing or sale. Those recyclables include cardboard, newspaper, glass food and beverage containers and metal food and beverage containers.

Third, I should tell you that although the proposed ordinance requires collectors to deliver all of these items to 307 White Street, individuals are still afforded the opportunity to make separate arrangements to give away or sell their recyclables before they are set out on the street or delivered to recycling drop-off facilities. The language that we used to accomplish this may be found in subsections (b) and (c) of Section 16A-79. In both cases, the subsections begin with the phrase, "Subject to the provisions of subsection 16A-75(c) hereof,..." That subsection provides:

Nothing in this ordinance shall abridge the right of any person to give or sell their recyclables, including deposit beverage containers, to any person provided that such materials shall not have been set out on the street or curblin, or at any designated collection, pick-up or disposal site.

I hope that this information will be of assistance to you. If any questions come up before the meeting, please call me.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r

Attachment

c: Mayor Gene F. Eriquez ✓

All Common Council Members
William J. Buckley, Jr., Supr. Pub. Utilities

expiration of the ninety-day remedial period, the commissioner determines that the municipal recycling program remains deficient in meeting statutory requirements he may hold a hearing and issue an order. No such order which imposes a duty on the municipality to appropriate funds for the budget of such municipality so as to comply with the order shall be effective earlier than the first fiscal year beginning after five months following the date of issuance of such order.

Sec. 3. Section 22a-220a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The legislative body of a municipality may designate the area where refuse solid waste generated within its boundaries by residential, business, commercial or other establishments shall be disposed. The disposal of such refuse solid waste at any other area is prohibited, except that a municipality may approve, in writing, disposal at another area, either within or outside the boundaries of such municipality, prior to disposal. A municipality may refuse to approve disposal at another area if such disposal would adversely affect its solid waste disposal program. Notwithstanding the provisions of this section, a municipality shall not refuse to approve the transportation of preseggregated recyclable material directly to facilities which accept and process recyclable material. The legislative body of a municipality may also designate where the following items generated within its boundaries from residential properties shall be taken for processing or sale: (1) Cardboard, (2) glass, food and beverage containers, (3) leaves, (4) metal food and beverage containers, (5) newspapers, (6) storage batteries, (7) waste oil, and (8) plastic food and beverage containers. The processing or sale of such items at any other area shall be prohibited, except that a municipality may approve, in writing, processing or sale elsewhere, either within or outside the boundaries of such municipality, prior to processing or sale. A municipality may refuse to approve processing or sale elsewhere if such processing or sale would adversely affect its recycling program. For purposes of this act, residential property means real estate containing one or more dwelling units but shall not include hospitals, motels or hotels.

(b) The legislative body shall give not less than sixty days' notice of its intent to designate the a disposal area for solid waste or to designate where the items generated from residential property listed in subsection (a) of this section shall be taken for processing or sale to all collectors hauling refuse solid waste or such items of the municipality. At the conclusion of such period, the legislative body shall cause notice of such designation to appear in a newspaper of general circulation in the municipality and shall conduct a public hearing thereon. Prior to designating where the items generated from residential property and listed in subsection (a) of this section shall be taken for sale or processing, the municipality shall consider the private recycling occurring within the municipality, the effects of its proposed designation on such recycling, and the policy set forth in subdivision (4) of section 22a-259.

(c) Recyclable Except as provided in subsection (a) of this section, recyclable material, including but not limited to, glass, metal, paper, corrugated paper or plastic, may be removed or segregated at the source of generation or prior to disposal at the designated area and preseggregated recyclable material may be transported directly to facilities which accept and process recyclable material.

(d) Any collector hauling refuse solid waste generated by residential, business, commercial or other establishments in a municipality shall register in such municipality and disclose the name of any other municipality in which such collector hauls such refuse solid waste.

(e) The door of any private vehicle used to haul refuse solid waste shall be clearly marked with the business name and address of the hauler.

(f) Any collector who dumps more than one cubic foot in volume of refuse solid waste at one time in an area not designated for such disposal by a municipality pursuant to the provisions of this section shall for a first violation be liable for a civil penalty of one thousand dollars for each violation and five thousand dollars for a subsequent violation. Any municipality or the attorney general, at the request of the commissioner, may bring an action under this section. All such actions shall have precedence in the order of trial



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

NOTICE

June 4, 1991

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

Re: Designated Sites for Disposal of Recyclable Materials
Generated from Residential Properties

The Common Council met as a Committee of the Whole at 8:00 P.M. on May 20, 1991 to review a proposed ordinance Designating Sites for Disposal of Recyclable Materials Generated from Residential Properties. Discussion was held on Sections (b) and (c) concerning the option of residents to dispose of recyclable materials at a location of their choice.

Mr. Boynton moved to recommend approval of the proposed ordinance with the exception of Sections (b) and (c) where the word "shall" to be replaced with the word "may". The motion was seconded by Dean Esposito and passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



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ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

June 4, 1991

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a new section number 16A-79, which said section reads as follows:

Sec. 16A-79. Designation of Sites for the Disposal of Recyclable Materials Generated From Residential Properties.

The City of Danbury does hereby designate the following authorized sites for the disposal of certain recyclable materials generated from residential properties within the City:

(a) Each collector authorized to collect recyclable materials from residential properties within the City shall deliver all newspapers, cardboard, glass food and beverage containers and metal food and beverage containers so collected to the site of the recycling facility operated by Recycling Technologies, Inc., located at 307 White Street, Danbury, Connecticut. Said recyclable materials shall be so delivered for subsequent processing or sale in accordance with the agreement executed or to be executed by the City of Danbury and the Housatonic Resources Recovery Authority titled, "Municipal Recycling Services Agreement Between Housatonic Resources Recovery Authority and the City of Danbury", copies of which are on file in the Office of the City Clerk for public inspection.

(b) Subject to the provision of subsection 16A-75(c) hereof, all persons not served by a collector shall deliver their newspapers, cardboard, glass food and beverage containers and metal food and beverage containers generated from residential properties to the Danbury Recycling Center, located on Plumtrees Road, Danbury, Connecticut for subsequent processing or sale.

(c) Subject to the provisions of subsection 16A-75(c) hereof, all persons shall deliver their storage batteries and waste oil generated from residential properties to the Danbury Recycling Center, located on Plumtrees Road, Danbury, Connecticut, for subsequent processing or sale.

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

Adopted by the Common Council - June 4, 1991

Approved by Mayor Gene F. Eriquez - June 5, 1991.

ATTEST


JIMMETTA L. SAMAHA
Assistant City Clerk



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Governmental Entity Review and Evaluation Committee

The Common Council met as a Committee of the Whole at 8:00 P.M. on May 20, 1991 to discuss the Governmental Entity Review and Evaluation Committee report. Mr. Boynton moved to recommend the re-establishment of the Parks and Recreation Commission, the Board of Ethics and the Fair Rent Commission and exclude the recommendation in the report calling for an ad hoc committee to look into various aspects of the Tarrywile Park Authority. The motion was seconded by Mr. Regan.

Mr. Boynton explained that most of the questions concerning the Tarrywile Park Authority have been answered since the meeting of the Review Committee. The motion carried unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 2, 1991

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

Re: Governmental Entity Review and Evaluation Committee

The Governmental Entity Review and Evaluation Committee held its organizational meeting on January 22, 1991. A Public Hearing and final meeting were held on March 14, 1991 in the Common Council Chambers. In attendance were committee members Boynton, Coladarci, Scozzafava and Carl Susnitzky. Also in attendance was Assistant Corporation Counsel Les Pinter.

Reports were given by the Chairperson regarding each of the three agencies under review:

1. Parks and Recreation Commission - Chairman Thomas Evans had submitted his written report in response to the Committee's letter and questionnaire which had been reviewed by all members prior to the Public Hearing. Mr. Evans outlined his Commission's objectives and outlined areas of concern.

a. The commission consists of nine members, five of which regularly attend meetings, two vacancies, and two members who have problems attending meetings. This has created a problem with the Commission achieving a quorum at its meetings. One of the members holds positions on both the Parks and Recreation Commission and the Tarrywile Park Authority. Mr. Evans expressed a concern that this may be a conflict of interest.

b. Mr. Evans expressed a concern as per Section 2-181 that there is a duplication of powers and duties as it pertains to the Tarrywile Park Authority and the Parks and Recreation Commission. Mr. Evans explained that he believes that the Parks and Recreation Commission should have responsibility for open space areas for passive recreation activities that were intended for this \$5,000,000 purchase. Mr. Evans stated that his Commission believes that the Tarrywile Park Authority should only have responsibility for the castle and the mansion. Mr. Evans pointed out that the Parks and Recreation Commission is a non-paid

no budget advisory commission reporting directly to the Parks and Recreation Director and is not affected by the creation of the Tarrywile Park Authority. There is now a second Director whose salary is now \$45,000 per year with a budget of \$150,000 doing the same job functions as the Parks and Recreation Commission.

Mr. Evans, as per Sec. 2-181, Question 6, made a recommendation that the Parks and Recreation Commission be given the responsibility to govern the open areas of Tarrywile Park for passive recreation and that the Tarrywile Park Authority be limited to the responsibility for the mansion and the castle.

2. Fair Rent Commission - Chairman Steven Gillotti responded to the Commission in writing and also spoke of the duties and responsibilities of the Fair Rent Commission. There were no recommended changes made or suggested by Mr. Gillotti.

3. Board of Ethics - Chairman Barbara Flanagan submitted a written report and also spoke to the duties and responsibilities of the Board of Ethics. Ms. Flanagan explained that there were very few formal complaints and several informal and formal advisory opinions given. There were concerns expressed by Ms. Flanagan that persons or agencies might not know of this Board or the procedures of how to enter a complaint or seek an opinion on a possible conflict of interest.

The Committee suggested that Ms. Flanagan and the Board draft guidelines for both employees and elected officials as to what possible conflicts of interest might be problem areas. These guidelines would be reviewed by the Corporation Counsel for legality.

The Members of the Governmental Entity Review and Evaluation Committee makes the following recommendations:

1. The Parks and Recreation Commission be re-established for a period of five (5) years as per Section 2-184. The motion was made by Mr. Susnitzky and seconded by Mrs. Coladarci. The motion passed unanimously.

The Commission also recommends that an ad hoc committee of the Common Council be formed to address the concerns of the Parks and Recreation Commission Chairman as to the size and makeup of the Parks and Recreation Commission Members and also to review the concern as to the duplication of services with the Tarrywile Park Authority and open space. This was made into a motion by Mr. Susnitzky and seconded by Mrs. Coladarci. Motion passed unanimously.

2. The Fair Rent Commission be re-established for a period of five (5) years as per Section 2-184. The motion was made by Mrs. Coladarci and seconded by Mr. Susnitzky. The motion passed unanimously.

3. Board of Ethics be re-established for a period of five (5) years as per Section 2-184. The motion was made by Mrs. Coladarci and seconded by Mr. Susnitzky. The motion passed unanimously.

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Respectfully submitted,


ERNEST BOYNTON, Chairman


EILEEN COLADARCI


JOSEPH SCOZZAFAVA

CARL SUSNITZKY

RITA GODFREY



42

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

May 29, 1991

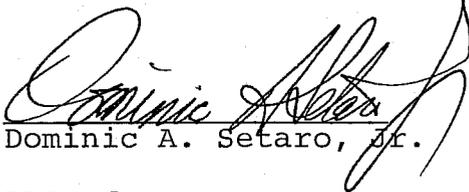
Certification

TO: Common Council via
Mayor Gene F. Eriquez

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

We hereby certify the availability of \$36,000.00 to be transferred from the city's employee group insurance account #02-09-150-071100 to a new capital line item in the capital budget entitled Fieldstone Drive & Fieldstone Acres Road Construction. This transfer is being made from the insurance account as a result of the contingency account balance being currently at zero. This transfer is permitted by the City Charter during the last four months of the fiscal year.

Should you have any questions, feel free to give me a call.


Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Fieldstone Drive, Fieldstone Acres, Road Completion

The Common Council Committee appointed to review road completion of Fieldstone Drive, Fieldstone Acres, met on May 28, 1991 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and Smith. Also in attendance were City Engineer Jack Schweitzer and Director of Finance Dominic Setaro.

Fieldstone Drive is a road that was bonded in the early 1970's. This road was never completed to the satisfaction of the Public Works Department. Mr. Schweitzer explained that it is in the best interest of the City to complete this road before it deteriorates further and exceeds the estimated completion bid of \$36,000. The City has already collected \$3,436.57 from the Performance Bond put up for this road. This money has been credited to the City's revenue side of the budget.

Upon the suggestion of Mr. Setaro, the committee recommends that the Common Council approve this project and appropriate the full \$36,000 subject to the certification of available funds. The motion was made by Mr. Smith and seconded by Mr. Boynton. Motion carried unanimously.

Respectfully submitted,

ERNEST M. BOYNTON, Chairman

STANFORD SMITH

JOSEPH SCOZZAFAVA



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Rates at Richter Park

The Common Council Committee appointed to review the rates at Richter Park met on Monday, April 22, 1991 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, Charles and Boughton.

Citing a meeting held between Mayor Eriquez and the Richter Park Authority and resultant compromise that was reached allowing for a reduced rate, limited play membership, Mr. Boughton made a motion to take no action at this time. Seconded by Mr. Charles. Motion carried unanimously.

Respectfully submitted,

THOMAS J. VALERI, Chairman

LOUIS T. CHARLES

DONALD BOUGHTON



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Use of Osborne Street Facility for PAL

The Common Council Committee appointed to review the request to consider the future possibility of leasing the Danbury Schools administration facility on Osborne Street to the Danbury Police Athletic League upon completion of the reorganization project met on Tuesday, April 23, 1991 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Valeri and Fazio. Also in attendance were Board of Education Member Barbara Baker, PAL Director Nelson Neves, Superintendent of Public Buildings Rick Palanzo, Schools Building Superintendent Anthony Paivo and Bob Guerrera from PAL.

For the benefit of those not present at previous meetings, Mr. Valeri read the committee report from the January 7, 1991 meeting, citing the Board of Education's intent to form a committee to study future use of affected space under the reorganization plan and its guarantee of PALs involvement with that committee and its respective consideration for the requested facility.

Mrs. Baker reported no knowledge of such a committee and Mr. Neves stated that no communication has come from the Board of Education regarding this committee. Mr. Valeri reminded everyone that approximately 3½ months had passed since the 'promise' of this committee and expressed serious concern over the Board's apparent lack of attention to the request.

Mr. Paivo cited a previously determined list of issues that the Schools' Administration has under consideration during the ongoing reorganization project, one of which is the future use of anticipated space as a result of consolidation under that plan. However, recommendations for future uses are scheduled no sooner than December 1, 1991. Mr. Paivo further stated that regardless of those recommendations, no other anticipated space could accommodate the operations at the Osborne Street facility, thus making it a somewhat moot request.

Mr. Valeri expressed further disappointment with the Board's failure to address this issue and put it to rest without holding all concerned in suspense for 3½ months.

Mr. Fazio stated his desire to seek advice from the Office of the Corporation Counsel with regard to the jurisdiction of administration of various buildings throughout the City. Mr. Fazio moved to take no action at this time. Motion seconded by Mr. Valeri and passed un-animously.

Respectfully submitted,

Thomas J. Valeri
THOMAS J. VALERI, Chairman

Juan M. Mack
JUAN MACK

Michael S. Fazio
MICHAEL S. FAZIO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Request for Sewer Extension - 46 Kenosia Avenue

The Common Council Committee appointed to review the request for Sewer Extension at 46 Kenosia Avenue met on May 16, 1991 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Gallo, Falzone and Boughton. Also in attendance were City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley.

Mr. Gallo stated that the Planning Commission had issued a favorable recommendation. Mr. Schweitzer and Mr. Buckley gave favorable responses also.

Mr. Boughton made a motion to approve this request subject to the usual eight steps. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

MICHAEL FALZONE

DONALD BOUGHTON



46

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Request for Sewer Extension - 32 Clapboard Ridge

The Common Council Committee appointed to review the request for Sewer Extension at 32 Clapboard Ridge met on May 16, 1991 at 7:15 P.M. in Room 432 in City Hall. In attendance were committee members Gallo, Falzone and Boughton. Also in attendance were City Engineer Jack Schweitzer and Director of Public Utilities William Buckley.

Mr. Gallo stated that the Planning Commission issued a favorable recommendation. Mr. Barry, the applicant, was present and stated that his septic system was failing and he wanted to extend the sewer line to allow him to hook up his single family home. Mr. Buckley and Mr. Schweitzer gave favorable responses to this request.

Mr. Boughton moved to approve this request subject to the usual eight steps. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

MICHAEL FALZONE

DONALD BOUGHTON



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

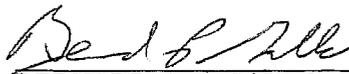
Re: Request for Sewer Extension - 32 Clapboard Ridge

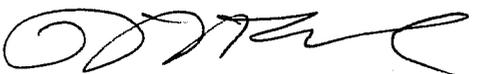
The Common Council Committee appointed to review the request for Sewer Extension at 32 Clapboard Ridge met on May 16, 1991 at 7:15 P.M. in Room 432 in City Hall. In attendance were committee members Gallo, Falzone and Boughton. Also in attendance were City Engineer Jack Schweitzer and Director of Public Utilities William Buckley.

Mr. Gallo stated that the Planning Commission issued a favorable recommendation. Mr. Barry, the applicant, was present and stated that his septic system was failing and he wanted to extend the sewer line to allow him to hook up his single family home. Mr. Buckley and Mr. Schweitzer gave favorable responses to this request.

Mr. Boughton moved to approve this request subject to the usual eight steps. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,


BERNARD P. GALLO, Chairman


MICHAEL FALZONE


DONALD BOUGHTON



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 4, 1991

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

Re: Request for Sewer Extension - 46 Kenosia Avenue

The Common Council Committee appointed to review the request for Sewer Extension at 46 Kenosia Avenue met on May 16, 1991 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Gallo, Falzone and Boughton. Also in attendance were City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley.

Mr. Gallo stated that the Planning Commission had issued a favorable recommendation. Mr. Schweitzer and Mr. Buckley gave favorable responses also.

Mr. Boughton made a motion to approve this request subject to the usual eight steps. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,

BERNARD P. GALLO, Chairman

MICHAEL FALZONE

DONALD BOUGHTON



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

May 21, 1991

MEMO TO: Joseph DaSilva, Common Council President
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Building Fee Increase

Per your request, attached you will find a copy of a memo that was sent by Mayor Gene F. Eriquez to Leo Null, Building Inspector, in reference to the Building Department fees for the 1991-92 fiscal year. As you can see from this memo, approximately \$180,000 in additional revenue has been estimated which required a 42% increase in the fees. These funds were needed to balance the 1991-92 budget. In response to your question concerning the use of these additional funds, these monies are deposited into the city's general fund revenue line item for building fees and they are used to balance expenditures against revenue.

As I indicated to you over the telephone, Building Inspector Leo F. Null did some extensive background work in reference to fees charged by other municipalities in the State of Connecticut, and it is the opinion of Mr. Null, the mayor and me that these fees reflect what the majority of the municipalities in the State of Connecticut are charging today. I have requested that Leo Null send you a memo indicating this to you so you can pass it on to any of the Common Council individuals who may have had questions at your recent committee meeting.

Should you have any further questions, feel free to give me a call.

Dominic A. Setaro, Jr.

DAS:af
Enclosure

c: Mayor Gene F. Eriquez
Leo Null



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CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 787-4511

MEMORANDUM

TO: Leo Null, Building Inspector

FROM: Gene F. Eriquez, Mayor

RE: Building Department Fees

DATE: April 3, 1991

As I'm sure you are aware, my 1991-92 budget contains a projected increase for Building Department fees. As a result of your analysis, it appears that in order for us to obtain approximately \$180,000 in additional revenue based on your original revenue estimate, we will need to raise the fees to a level that would result in approximately a 42% increase. It is my understanding that in order to accomplish this we will have to charge \$15.00 for the first \$1,000.00 and \$10.00 for each thousand thereafter.

Based on a proposal that you submitted to Director of Finance Dominic A. Setaro, Jr., please make sure that the necessary ordinances or resolutions are changed and in effect by June if possible. I will send a copy of this memo to Acting Corporation Counsel Eric Gottschalk so that he will get together with you to prepare the necessary documents.

msm

cc: Dominic A. Setaro, Jr.
Eric Gottschalk

RECEIVED
FINANCE DEPT.

APR 4 1991