

COMMON COUNCIL MEETING

FEBRUARY 7, 1989

Meeting to be called to order at 8:00 P.M. by the Honorable Mayor Joseph H. Sauer.

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Bourne, Connell, Gallo, Moran, Renz, Esposito, Godfrey, Flanagan, Zotos, Cresci, Nimmons, Fazio, Shaw, Cassano, Charles, Bundy, Butera, Danise, DaSilva, Eriquez, Regan.

18 Present 2 Absent

CONSENT CALENDAR

The Consent Calendar was presented

MINUTES of the Common Council Meeting held January 3, 1989.
The Minutes were

- ✓ 1 **ORDINANCE** - Landfill Ordinance 16A-31 through 16A-34
The Ordinance was

- ✓ 2 **RESOLUTION** - Grant for Lift-Equipped Van for the Elderly and Handicapped
The Resolution was

- ✓ 3 **RESOLUTION** - Grant for Lift - Equipped Van for the Elderly and Handicapped
The Resolution was

- ✓ 4 **RESOLUTION** - East Franklin Street Bridge Reconstruction Easements and Rights
The Resolution was

- ✓ 5 **RESOLUTION** - Lakecrest Drive Drainage Easement
The Resolution was

- ✓ 6 **RESOLUTION** - Acceptance of Donations to the Library
The Resolution was

- ✓ 7 **RESOLUTION** - Entitlement City for the Rental Rehabilitation Program
The Resolution was

- ✓ 8 **RESOLUTION** - Grant from the Connecticut Alcohol and Drug Abuse Commission
The Resolution was

- ✓ 9 **RESOLUTION** - Rental Assistance Program
The Resolution was

- ✓ 10 **RESOLUTION** - Revision of Traffic Control Signal at the Intersection of Route 6 and 202 (Mill Ridge Road)
The Resolution was

- ✓ 11 **RESOLUTION** - Proposed Commerce Park/Eagle Road Connector to Federal Road
The Resolution was

- ✓12 **COMMUNICATION** - Appointments to the Aviation Commission
The Communication was

- ✓13 **COMMUNICATION** - Appointment to the Conservation Commission
The Communication was

- ✓14 **COMMUNICATION** - Appointments to the Parks and Recreation Commission
The Communication was

- ✓15 **COMMUNICATION** - Appointments to the Library Board of Directors
The Communication was

- ✓16 **COMMUNICATION** - Appointments to the Redevelopment Agency
The Communication was

- ✓17 **COMMUNICATION** - Request for Confirmation of Director of Health
The Communication was

- ✓18 **COMMUNICATION** - Request for Funds for Printing of Revised Charter
& **CERTIFICATION**
The Communication and Certification were

- ✓19 **COMMUNICATION** - Lease of Property at 403 Main Street on behalf
of the Danbury AIDS Education Grant
The Communication was

- ✓20 **COMMUNICATION** - Request for an ad hoc committee on tax deferrals
for the Elderly
The Communication was

- ✓21 **COMMUNICATION** - Margerie Drive Easement, New Fairfield
The Communication was

- ✓22 **COMMUNICATION** - Golf Proposal
The Communication was

- ✓23 **COMMUNICATION** - Tarrywile Park Mansion
The Communication was

- ✓24 **COMMUNICATION** - Appointment of Independent Auditors
The Communication was

- ✓25 **COMMUNICATION** - Interconnections Between State Approved Public
Water Supply Systems
The Communication was

- ✓26 **COMMUNICATION** - Locally Maintained Roads State Town Aid Program
The Communication was

- ✓27 **COMMUNICATION** - Request to purchase City owned land on Hakim Street
Ext.
The Communication was

- ✓28 **COMMUNICATION** - Proposed Changes in the Bylaws of HRRR
The Communication was

- ✓29 **COMMUNICATION** - Request for ad hoc committee to review long term
options for recycling
The Communication was

✓30

COMMUNICATION - Lot 103, 103 Lakeview Avenue
The Communication was

✓31

COMMUNICATION - Reports from Planning Commission and Corporation Counsel on Joe's Hill Road Discontinuance
The Communication was

✓32

COMMUNICATION - Reports from Planning Commission and City Engineer on donation of property on Fox Den Road
The Communication was

✓33

COMMUNICATION - Reports from Planning Commission and City Engineer on Contemporary Drive
The Communication was

✓34

COMMUNICATION - Donations for Living Memorials
The Communication was

✓35

COMMUNICATION - Military Museum at Tarrywile Park
The Communication was

✓36

COMMUNICATION - Borrowing of Funds - Lateral Sewers
The Communication was

✓37

COMMUNICATION - General Fund Reserve
The Communication was

✓38

COMMUNICATION - Danbury Cemetery Association
The Communication was

✓39

COMMUNICATION - Request for Water Extension - Joe's Hill and Mill Plain Road
The Communication was

✓40

COMMUNICATION - Easement on Ledgemere Drive for Sewer Extension
The Communication was

✓41

COMMUNICATION - Request for Water Extension - 10 Beckett Street
The Communication was

✓42

COMMUNICATION - Request for Sewer Extension - 6 Hayestown Heights
The Communication was

✓43

COMMUNICATION - Petition for Sewer Extension on Ledgemere Drive
The Communication was

✓44

COMMUNICATION - Petition for Sewers on Myrtle Avenue
The Communication was

✓45

COMMUNICATION - Resignation of Robert D. Godfrey as Council Member from the Fourth Ward
The Communication was

✓46

COMMUNICATION - Recommendation for vacancy of Fourth Ward Common Council Seat
The Communication was

- ✓47 DEPARTMENT REPORTS - Health, Public Works, Building, Fire Chief, Fire Marshall, Police Chief, Airport Administrator
The Department Reports were

- ✓48 REPORT & ORDINANCE - Payment of Delinquent Taxes
The report and Ordinance were

- ✓49 REPORT & ORDINANCE - Appointments to Committees
The report and Ordinance were

- ✓50 REPORT - Public Works Department, Acceptance of Landfill Material
The Report was

- ✓51 REPORT - Request for Water Extension - Meadowbrook Road
The report was

- ✓52 REPORT - Petition for Sewer Line on Oak Lane
The Report was

- ✓53 REPORT - Sewers on Edgewood Street
The Report was

- ✓54 REPORT - Route 7 Aquifers
The Report was

- ✓55 REPORT - Request for Funds for Overtime Account - Fire Department
The Report was

- ✓56 REPORT - Engine Company 6 Apparatus
The Report was

- ✓57 REPORT - Petition regarding Fairview Drive
The Report was

- ✓58 REPORT - Request for Sewer Extension, 25 Olive Street
The Report was

- ✓59 REPORT - Germantown Plaza Easement - Germantown Road
The Report was

- ✓60 REPORT - Request for Sewer Extension - Deer Hill Avenue
The Report was

- ✓61 REPORT - Lakewood Condominium Association, Request to use City Land
The Report was

- ✓62 REPORT - Repaving of Pondcrest Road
The Report was

- ✓63 REPORT - East Starrs Plain Road
The Report was

- ✓64 REPORT - Traffic Signalization, Route 39 and East Gate Road
The Report was

- ✓85 **REPORT** - Tarrywile Park Authority
The Report was

- ✓66 **REPORT** - Compratt Enterprises, Acceptance of Parcel X on Map 6863
The Report was

- ✓67 **REPORT** - Resolution regarding City Historian
The Report was

- ✓88 **REPORT** - Review and Renew Condemnation of Land at Eagle Road and Federal Road
The Report was

- ✓69 **REPORT** - Request for Water Extension - Farm Street
The Report was

- ✓70 **REPORT** - Request to purchase Aerial Ladder Truck for Fire Department
The Report was

- ✓71 **REPORT** - Leased Equipment-Public Works
The Report was

- 72 **REPORT** - Request to purchase land on Maple Avenue, Ashkar Associates
The Report was

- ✓73 **REPORT** - Energy Conservation Study
The Report was

- ✓74 **PROGRESS REPORT** - Review of Section 17-34 of the Code of Ordinances
The Progress Report was

- ✓75 **PROGRESS REPORT** - Transfer of Lease from Scott-Fanton Museum to Community Action
The Progress Report was

- ✓76 **PROGRESS REPORT** - Proposed Ice Skating Rink
The Progress Report was

- ✓77 **PROGRESS REPORT** - Update on City's Garbage Disposal Position
The Progress Report was

- ✓78 **PROGRESS REPORT** - Request to Change Rolfs Drive to Permanent Cul-de-Sac
The Progress Report was

- ✓79 **PROGRESS REPORT** - Request for Sewer Extension - Shannon Ridge and Fairlawn
The Progress Report was

- ✓80 **PROGRESS REPORT** - Railroad Station on White Street
The Progress Report was

PUBLIC SPEAKING SESSION

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

✓ 81 - Report Downtown Redevelopment Project

✓ 82 Report Request for Sewer & Water extension

CONSENT CALENDAR

February 7, 1989

- 2 - Resolution - Grant for Lift-Equipped Van for the Elderly and Handicapped.
- 3 - Resolution - Grant for Lift-Equipped Van for the Elderly and Handicapped.
- 4 - Resolution - East Franklin Street Bridge Reconstruction Easements and Rights
- 9 - Resolution - Rental Assistance Program
- 13 - Communication - Appointment to the Conservation Commission
- 14 - Communication - Appointments to the Parks and Recreation Commission
- 15 - Communication - Appointments to the Library Board of Directors
- 18 - Communication & Certification - Request for Funds for Printing of Revised Charter
- 24 - Communication - Appointment of Independent Auditors
- 33 - Communication - Reports from Planning Commission and City Engineer on Contemporary Drive
- 38 - Communication - Danbury Cemetery Association
- 48 - Report & Ordinance - Payment of Delinquent Taxes
- 51 - Report - Request for Water Extension - Meadowbrook Road
- 52 - Report - Petition for Sewer Line on Oak Lane
- 53 - Report - Sewers on Edgewood Street
- 57 - Report - Petition regarding Fairview Drive
- 58 - Report - Request for Sewer Extension - 25 Olive Street
- 59 - Report - Germantown Plaza Easement - Germantown Road
- 60 - Report - Request for Sewer Extension - Deer Hill Avenue
- 61 - Report - Lakewood Condominium Association, Request to use City Land
- 62 - Report - Repaving of Pondcrest Road
- 66 - Report - Compratt Enterprises, Acceptance of Parcel X on Map 6863
- 67 - Report - Resolution Regarding City Historian
- 68 - Report - Review and Renew Condemnation of Land at Eagle Road and Federal Road
- 69 - Report - Request for Water Extension, Farm Street
- 74 - Progress Report - Review of Section 17-34 of the Code of Ordinances
- 75 - Progress Report - Transfer of Lease from Scott-Fanton Museum to Community Action
- 76 - Progress Report - Proposed Ice Skating Rink
- 77 - Progress Report - Update on City's Garbage Disposal Position
- 78 - Progress Report - Request to change Rolfs Drive to Permanent Cul-de-Sac
- 79 - Progress Report - Request for Sewer Extension - Shannon Ridge and Fairlawn
- 80 - Progress Report - Railroad Station on White Street

#64

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <u>YES</u> | <u>NO</u> |
|------------------------------|------------|-----------|
| LOVIE D. BOURNE | ✓ | |
| BARRY J. CONNELL | ✓ | |
| BERNARD P. GALLO | | ✓ |
| HANK S. MORAN | ✓ | |
| GARY D. RENZ | ✓ | |
| JOHN J. ESPOSITO | | ✓ |
| ROBERT D. GODFREY | | ✓ |
| <i>Farah</i> | | ✓ |
| STEPHEN T. FLANAGAN | | ✓ |
| NICHOLAS ZOTOS | ✓ | |
| ARTHUR T. CRESCI | | |
| JAMES E. NIMMONS, JR. | ✓ | |
| MICHAEL S. FAZIO | ✓ | |
| WILLIAM H. SHAW | ✓ | |
| ANTHONY J. CASSANO | | ✓ |
| LOUIS T. CHARLES | | ✓ |
| ROGER M. BUNDY | | ✓ |
| JANET BUTERA | | |
| MARI ANN DANISE | | ✓ |
| JOSEPH DaSILVA | | ✓ |
| GENE F. ERIQUEZ | | ✓ |
| ARTHUR D. REGAN | 8 yes | 11 no |

49

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <u>YES</u> | <u>NO</u> |
|------------------------------------|------------|-----------|
| LOVIE D. BOURNE | ✓ | |
| BARRY J. CONNELL | ✓ | |
| BERNARD P. GALLO | ✓ | |
| HANK S. MORAN | ✓ | |
| GARY D. RENZ | ✓ | |
| JOHN J. ESPOSITO | | ✓ |
| ROBERT D. GODFREY Farah | ✓ | |
| STEPHEN T. FLANAGAN | | ✓ |
| NICHOLAS ZOTOS | ✓ | |
| ARTHUR T. CRESCI | | |
| JAMES E. NIMMONS, JR. | ✓ | |
| MICHAEL S. FAZIO | ✓ | |
| WILLIAM H. SHAW | ✓ | |
| ANTHONY J. CASSANO | | ✓ |
| LOUIS T. CHARLES | | ✓ |
| ROGER M. BUNDY | | ✓ |
| JANET BUTERA | | |
| MARI ANN DANISE | ✓ | |
| JOSEPH DaSILVA | | ✓ |
| GENE F. ERIQUEZ | | ✓ |
| ARTHUR D. REGAN | | ✓ |

11
yes

8
no -

#46-

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <i>Boyer</i> | <u>YES</u> | <i>Farak</i> <u>NO</u> |
|-----------------------|--------------|------------|---------------------------|
| LOVIE D. BOURNE | | | ✓ |
| BARRY J. CONNELL | | | ✓ |
| BERNARD P. GALLO | | | ✓ |
| HANK S. MORAN | | | ✓ |
| GARY D. RENZ | | | ✓ |
| JOHN J. ESPOSITO | | | ✓ |
| ROBERT D. GODFREY | | | |
| STEPHEN T. FLANAGAN | | ✓ | |
| NICHOLAS ZOTOS | | | ✓ |
| ARTHUR T. CRESCI | | | |
| JAMES E. NIMMONS, JR. | | | ✓ |
| MICHAEL S. FAZIO | | | ✓ |
| WILLIAM H. SHAW | | | ✓ |
| ANTHONY J. CASSANO | | | ✓ |
| LOUIS T. CHARLES | | | ✓ |
| ROGER M. BUNDY | | ✓ | |
| JANET BUTERA | | | |
| MARI ANN DANISE | | | ✓ |
| JOSEPH DaSILVA | | ✓ | |
| GENE F. ERIQUEZ | | ✓ | |
| ARTHUR D. REGAN | | ✓ | |

5

13

12
to table

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <u>YES</u> | <u>NO</u> |
|-----------------------|------------|-----------|
| LOVIE D. BOURNE | | ✓ |
| BARRY J. CONNELL | | ✓ |
| BERNARD P. GALLO | ✓ | |
| HANK S. MORAN | | ✓ |
| GARY D. RENZ | | ✓ |
| JOHN J. ESPOSITO | ✓ | |
| ROBERT D. GODFREY | | |
| STEPHEN T. FLANAGAN | ✓ | |
| NICHOLAS ZOTOS | ✓ | |
| ARTHUR T. CRESCI | | |
| JAMES E. NIMMONS, JR. | | ✓ |
| MICHAEL S. FAZIO | | ✓ |
| WILLIAM H. SHAW | | ✓ |
| ANTHONY J. CASSANO | ✓ | |
| LOUIS T. CHARLES | ✓ | |
| ROGER M. BUNDY | ✓ | |
| JANET BUTERA | | |
| MARI ANN DANISE | | ✓ |
| JOSEPH DaSILVA | ✓ | |
| GENE F. ERIQUEZ | ✓ | |
| ARTHUR D. REGAN | ✓ | |

no-

8903

Amended # 7

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <u>YES</u> | <u>NO</u> |
|-----------------------|------------|-----------|
| LOVIE D. BOURNE | ✓ | |
| BARRY J. CONNELL | ✓ | |
| BERNARD P. GALLO | ✓ | |
| HANK S. MORAN | ✓ | |
| GARY D. RENZ | ✓ | |
| JOHN J. ESPOSITO | | ✓ |
| ROBERT D. GODFREY | | ✓ |
| STEPHEN T. FLANAGAN | | ✓ |
| NICHOLAS ZOTOS | | ✓ |
| ARTHUR T. CRESCI | | |
| JAMES E. NIMMONS, JR. | ✓ | |
| MICHAEL S. FAZIO | ✓ | |
| WILLIAM H. SHAW | ✓ | |
| ANTHONY J. CASSANO | | ✓ |
| LOUIS T. CHARLES | | ✓ |
| ROGER M. BUNDY | | ✓ |
| JANET BUTERA | | |
| MARI ANN DANISE | ✓ | ✓ |
| JOSEPH DaSILVA | | ✓ |
| GENE F. ERIQUEZ | | ✓ |
| ARTHUR D. REGAN | | ✓ |

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Fred

Handwritten signature

COMMON COUNCIL - ROLL CALL

| <u>NAME</u> | <u>YES</u> | <u>NO</u> |
|-----------------------|------------|-----------|
| LOVIE D. BOURNE | | ✓ |
| BARRY J. CONNELL | ✓ | |
| BERNARD P. GALLO | ✓ | |
| HANK S. MORAN | | ✓ |
| GARY D. RENZ | | ✓ |
| JOHN J. ESPOSITO | | ✓ |
| ROBERT D. GODFREY | | |
| STEPHEN T. FLANAGAN | | ✓ |
| NICHOLAS ZOTOS | ✓ | |
| ARTHUR T. CRESCI | | |
| JAMES E. NIMMONS, JR. | | ✓ |
| MICHAEL S. FAZIO | | ✓ |
| WILLIAM H. SHAW | | ✓ |
| ANTHONY J. CASSANO | | ✓ |
| LOUIS T. CHARLES | | ✓ |
| ROGER M. BUNDY | ✓ | |
| JANET BUTERA | | |
| MARI ANN DANISE | | ✓ |
| JOSEPH DaSILVA | | ✓ |
| GENE F. ERIQUEZ | | ✓ |
| ARTHUR D. REGAN | h/ | ✓ |

14 no



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

LANDFILL DEPARTMENT
(203) 797-4605

MICHAEL A. CECH
General Mgr. of Solid Waste

January 31, 1989

The Honorable Joseph H. Sauer, Jr.

Common Council Members

155 Deer Hill Avenue

Danbury, CT 06810

Dear Mayor Sauer and Common Council Members:

I respectfully request that you form a committee to review the attached proposal to modify the code of ordinances pertaining to the Landfill.

Thank you for your consideration.

Sincerely,

Michael A. Cech
Gen. Mgr. of Solid Waste

MAC/sw

cc: Robert Resha, Corp. Counsel
Daniel Minahan
Dave Gervasoni
file



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

January 26, 1989

Mayor Joseph H. Sauer, Jr.
City Hall - 155 Deer Hill Avenue
Danbury, Connecticut
06810

Dear Mayor Sauer:

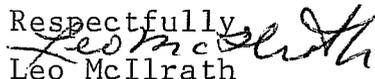
The Department of Elderly Services, City of Danbury, asks your approval to apply for a Van Grant from the State of CT. Department of Transportation.

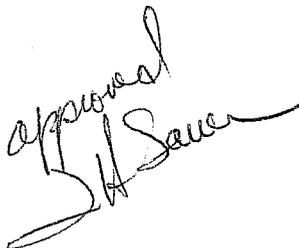
DOT has afforded all municipalities in this state the opportunity to apply for vans that would serve the elderly and handicapped citizens of our city.

This van would be of no cost to the city (other than it's operation) either by way of cash or in-kind match. There are no "strings" attached to this grant award, should we receive it.

Diana Burgos, Tom Williams and I met on January 25 to discuss this matter and decided that it would serve the city well to lease the van to HART - the Housatonic Area Regional Transit district - in order to manifest support to HART's leadership and coordination role for transportation services for the elderly and handicapped.

If you approve of this action, I will request the Corporation Counsel's Office to draw up a Resolution and the Common council to approve of the application.

Respectfully

Leo McIlrath


approved
JH Sauer



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, acting through its Department of Transportation has made grant funds available to municipalities to be used for the purchase of lift-equipped vans to serve the elderly; and

WHEREAS, the City of Danbury wishes to take advantage of said grant offer, should it be made to the City by the State; and

WHEREAS, Said grant is being offered without requiring the municipal recipients to expend any local funds for said purchase.

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

Mayor Joseph H. Sauer, Jr. be and hereby is authorized to make application for said grant and to take any additional action which may be necessary to accomplish the purposes hereof.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

received
1/30/89

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

January 30, 1989

Mayor Joseph H. Sauer, Jr. and
Members of the Danbury Common Council:
City Hall 155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Sauer and Members of the Common Council:

The Department of Elderly Services requests your approval to apply for a Lift-Equipped Van for the Elderly and Handicapped citizens of Danbury.

This grant offered by the State of Connecticut Department of Transportation would be of no cost to the city.

It is suggested that this van would be leased to HART - the Housatonic Area Regional Transit District by the City of Danbury for \$1.00 a year.

A Resolution by the City of Danbury Corporation Council office is enclosed.

Respectfully,
Leo McIlrath
Leo McIlrath, Director
Department of Elderly Services
City of Danbury

*approved
J. Sauer*

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

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

Mayor Joseph H. Sauer, Jr. be and hereby is authorized to make application for said grant and to take any additional action which may be necessary to accomplish the purposes hereof.



4

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

PLEASE REPLY TO:

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

January 23, 1989

DANBURY, CT 06810

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: East Franklin Street Bridge Reconstruction
Easements and Rights

Dear Mayor and Council Members:

Attached herewith please find a proposed resolution which will enable this office to utilize the eminent domain proceedings permitted pursuant to Connecticut General Statutes in order to obtain the necessary easements and rights required for the reconstruction of the East Franklin Street Bridge. Such eminent domain proceedings shall be necessary in the event that negotiations for the utilization of these properties are unsuccessful.

Appraisals for the three properties in question have been obtained and the appropriate descriptions of each easement property is attached for review.

You will recall that funds had earlier been appropriated by this Council, most recently on January 3, 1989.

Should you have any further questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr

Attachment

Re: East Franklin Street Bridge Reconstruction
Easements and Rights
January 23, 1989

- 2 -

c: Robert T. Resha, Esq.
Corporation Counsel

Daniel J. Minahan
Director of Public Works

John A. Schweitzer, Jr.
City Engineer

Dominic A. Setaro, Jr.
Acting Director of Finance/Comptroller

STAR OIL COMPANY

4

A temporary construction easement and rights to grade as shown on a map entitled "East Franklin Street Over Padanaram Brook Danbury, Connecticut Temporary Construction Easement and Right to Grade Property of Star Oil Company" which map is dated March, 1988 and is certified as a Class D survey by Robert H. Anderson, R.L.S. No. 07092 and which map is to be filed in the Danbury Land Records.

AMPHENOL CORP.

A temporary construction easement, rights to grade, rights to relocate gate and driveway, rights to reset fence and rights to relocate guard shack all as shown on a map entitled "East Franklin Street Over Padanaram Brook Danbury, Connecticut Temporary Construction Easement and Right to Grade, Relocate Access Property of Amphenol Corp." which map is dated March, 1988 and is certified as a Class D survey by Robert H. Anderson, R.L.S. No. 07092 and which map is to be filed in the Danbury Land Records.

MARY D. MOLINARO

A temporary construction easement and rights to grade as shown on a map entitled "East Franklin Street Over Padanaram Brook Danbury, Connecticut Temporary Construction Easement and Right to Grade Property of Mary D. Molinaro" which map is dated March, 1988 and is certified as a Class D survey by Robert H. Anderson, R.L.S. No. 07092 and which map is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council, on January 3, 1989 voted to affirm a 1983 bond authorization for the purposes of the reconstruction of the East Franklin Street Bridge; and

WHEREAS, the purposes of said project require the City of Danbury to acquire interest in and to easements and other rights as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners, hereinafter named, upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property 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, respective mortgage holders and lienors, if any, the affected properties being described below and on the attached descriptions.

PROPOSED PROPERTY ACQUISITIONS

1. Star Oil Company - 30 East Franklin Street
2. Amphenol Corporation - 33 East Franklin Street
3. Mary Molinaro - 26 East Franklin Street



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

PLEASE REPLY TO:

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

February 7, 1989

DANBURY, CT 06810

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council
City of Danbury
Danbury, Connecticut

Re: Lakecrest Drive Storm Drainage Easements

Dear Mayor and Council Members:

Attached herewith please find a proposed resolution which will enable this office to renew eminent domain proceedings in order to obtain the necessary drainage easements required to bring Lakecrest Drive into compliance with the appropriate subdivision regulations and enable the City to accept said road.

This issue first arose in 1986 at the request of property owners on said road; funds by an earlier Common Council in the amount of \$57,000.00 were appropriated for this purpose.

Please establish a committee to consider the continuing issues regarding this matter. If you have any further questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr

Attachment

c: Robert T. Resha, Esq.
Corporation Counsel

Daniel J. Minahan
Director of Public Works

Dominic A. Setaro, Jr.
Acting Director of Finance/Comptroller



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on February 4, 1986 duly voted to approve the request to accept Lakecrest Drive and appropriate funding in the amount of \$57,000.00 to bring the road up to specifications for City acceptance; and

WHEREAS, the purposes of said project oblige the City of Danbury to acquire interest 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 several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property 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, respective mortgage holders and lienors, if any, the affected properties being indicated by Tax Assessor's lot numbers.

Partial Property Acquisitions

- | | | |
|----|------------------------------|--|
| 1. | List No. C 12069 (Lot 60) | Robert B. Spremulli and Donna J. Spremulli |
| 2. | List No. C 12081 (Lot 73) | Anthony M. Simonowicz and Maryanna T. Simonowicz |
| 3. | List No. C 12082 (Lot 74) | David S. Grossman, Trustee for Mark Eanniello |
| 4. | List No. C 12083 (Lot 75) | Dennis W. Daugherty and Christine E. Louth |
| 5. | | Southern New England Telephone Co. (Utility Easement) |



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

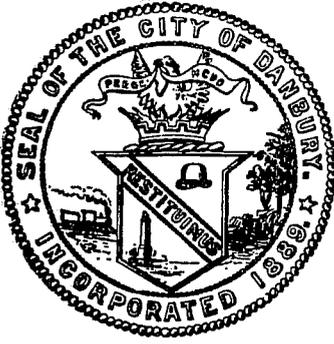
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Danbury Public Library regularly receives cash donations from various individuals or organizations; and

WHEREAS, the Danbury Public Library is desirous of accepting said donations and utilizing same for various library-related programs and activities; and

WHEREAS, it is in the best interest of the City of Danbury and its public library to authorize a general, on-going acceptance of such donations without the necessity of individual approval of acceptance by the Common Council and using them for the aforesaid purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT henceforth cash donations to the Danbury Public Library are hereby deemed accepted for deposit into a City of Danbury separate account as determined by the Comptroller and distribution to the Danbury Public Library account upon Common Council approval, which approval shall be requested by the Library twice annually.



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 Forty-three Thousand Dollars (\$43,000) 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 Forty-three Thousand Dollars (\$43,000) 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 Center for Disease Control of the United States Government sponsors an AIDS Prevention Program, making funds available to local agencies and departments of health through the State of Connecticut Department of Health Services and the Connecticut Alcohol and Drug Abuse Commission; and

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

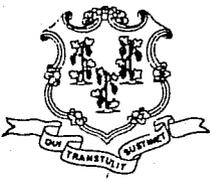
WHEREAS, the Connecticut Alcohol and Drug Abuse Commission, an independent agency attached to the Connecticut Department of Mental Health under its AIDS Prevention and Outreach Program has approved the application of the Danbury Health Department for funds in the amount of \$16,397 to fund two part-time Outreach workers to work in the intravenous drug community to provide comprehensive and understandable information on AIDS prevention, testing and substance abuse treatment under the supervision of the Danbury AIDS Program Coordinator; and

WHEREAS, said funding will cover the period from February 1, 1989 to December 31, 1989; and

WHEREAS, the program will serve the City of Danbury and the surrounding communities;

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

BE IT FURTHER RESOLVED THAT to accomplish said program the Mayor of the City of Danbury is authorized to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the Connecticut Alcohol and Drug Abuse Commission.



STATE OF CONNECTICUT
CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION

RECEIVED
FEB 6 1989
DANBURY HEALTH DEPT.

January 30, 1989

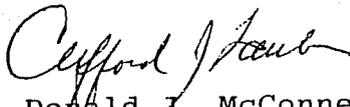
William Campbell
Danbury Department of Health
20 West Street
Danbury, CT 06810

Dear Mr. Campbell:

Attached is an extension of your Letter of Award from 1/1/89 to 2/3/89. The purpose of the extension is to allow you to receive funds while we are processing the current Memorandum of Agreement with the Department of Health Services. Please note that the funding level on the attached L.O.A. is at the same level that the L.O.A. covering the period 2/4/89 to 12/31/89 will be.

We expect to have the current L.O.A. completed within two weeks. Approval of funding has been received from the Centers for Disease Control and the L.O.A. for the balance of the year will be forwarded shortly thereafter. There will be sufficient funds for you to have two part-time (20 hours) Outreach Workers.

Sincerely,

for 
Donald J. McConnell
Executive Director

DJMcC/JD/jp
cc: Helen Merli

cadac

999 Asylum Avenue, Hartford, Ct. 06105

The Commission is an independent agency attached to the Department of Mental Health for administrative purposes only. An Equal Opportunity/Affirmative Action Employer.



CONNECTICUT ALCOHOL and
DRUG ABUSE COMMISSION

999 Aylum Avenue
Hartford, Connecticut
06103
CADAC-1 REV 1/76



ORIGINAL

MODIFICATION "D"

| | |
|---|--|
| DATE ISSUED | July 18, 1988 |
| FISCAL YEAR | 7/1/88 - 6/30/89 |
| AWARD NUMBER | 893012 |
| GRANT APPLICATION NUMBER | 012 |
| FUNDING START DATE | July 1, 1988 |
| FUNDING SOURCE | AUTR |
| LICENSURE COMPLIANCE (C.G.S. 36-57a to 36-57c, inclusive as amended) | <input type="checkbox"/> REQUIRED <input checked="" type="checkbox"/> NOT REQUIRED |
| Statutory Authority: 17-134h (b) (3), (d) (3) and 17-226c. | |

City of Danbury - Health and Housing Department

AWARDEE (Corporate/Legal Name of applicant for funds)

20 West Street
ADDRESS (of Awardee above)

Danbury, CT 06810

AWARDED BY:
CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION (hereinafter called the Commission)

GENERAL CONDITIONS:
The award parties hereby enter into agreement subject to the terms and conditions stated herein and subject to the availability of appropriated funds. The Awardee shall provide the services described in the funding application, which is attached hereto and made a part hereof, for the consideration stated herein. This consideration is the determined maximum annual Commission participation in the funding application budget which states the total ordinary recurring operating expenses incurred directly and specifically in the performance of services funded under this award. If the source of funds is federal, accounting records shall exhibit, separately, the application of such funds.

| FUNDING PERIOD | PROGRAM NAME | AMOUNT | SPECIAL I.D. | SERVICE CATEGORY |
|-----------------|--------------|----------|--------------|------------------|
| 7/1/88-12/31/88 | ARROWS | \$16,397 | 400 | Treatment |
| 1/1/89-2/3/89 | " | \$2,042 | 400 | " |
| | | | | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |

PAYMENT RESTRICTIONS:
The Commission and the State of Connecticut assume no liability for payment hereunder until this Award is approved and signed below by an authorized official of the Commission, and the Awardee is so notified by the Commission in writing. Initial payment shall be made only after such approval. Subsequent payments shall be made in proportionate installments for the duration of this award. This Award may be reduced, suspended, modified or terminated at will by the Commission upon thirty (30) days written notice to the Awardee. The Awardee may terminate this Award at will upon thirty (30) days written notice to the Commission. Continuing payments shall be made only after receipt of the reports required in the terms and conditions of this Award, unless, in its sole discretion, the Commission waives such requirements in writing. Payments made under this Award and acceptance of financial reports are provisional, subject to audit of Awardee's accounting records.
This Award cancels upon its effective date, any Award (original or modification) currently in force between the Commission and the Awardee for a similar or identical program.

CHECK AS APPLICABLE: If yes, show # of LOA cancelled
 YES NO

| | | | | |
|--|---|-----------------------------|---|---------------------|
| ACCEPTANCE OF AWARD, TERMS AND CONDITIONS: | AWARDEE (Corporate/Legal Name of applicant for funds from the Commission) | | | |
| | City of Danbury - Health and Housing Department | | | |
| | SIGNATURE (Authorized Official) | | DATE (of Signature) | |
| | NAME (typed name of Authorized Official) | | TITLE | |
| | I certify that the above named official who signed this Award on behalf of the Awardee holds the position indicated and that said Award is within the scope of the corporate powers of the Awardee. I further certify that the above named authorized official and, in his absence, the official named below, have been empowered to sign legal documents on behalf of the above named Awardee between the Awardee and the Connecticut Alcohol and Drug Abuse Commission. Furthermore, that a resolution to this effect was passed at a meeting of the corporation held as indicated. | | | |
| | AUTHORIZED OFFICIAL (typed name) | | TITLE | |
| RESOLUTION PASSED (date) | | AT (address) | | |
| SECRETARY/CLERK OF THE CORPORATION/TOWN (typed name) | | SIGNATURE (Secretary/Clerk) | | |
| attest | SUBSCRIBED and sworn to before me | DATE | SIGNATURE (Commissioner of Superior Court, Notary Public) | COMMISSION EXPIRES: |
| CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION | TITLE Executive Director | DATE | APPROVED AND ACCEPTED (Signature) | |

2. Uniform Administrative Procedures Act

Comply with any and all applicable regulations adopted by the Commission under the Uniform Administrative Procedures Act, Sec. 4-166 including Regulations of State Agencies sections 17-226d-1 through 17-226d-11, et seq. copies of which will be supplied upon request.

2. Social Services Block Grant Requirements

Agree to take such action as may be required, including the submission of routine reports and statistical information required by the Department of Human Resources. Failure to submit required forms shall result in disallowance of associated expenses.

3. Nondiscrimination

Agree and warrant that in the performance of this award, the Awardee shall not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, sex, mental retardation or mental or physical disability, including but not limited to blindness, unless it is shown by such Awardee that such disability prevents performance of the work involved in any manner prohibited by the laws of the United States or of the State of Connecticut, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the Awardee as relate to the provisions of Section 4-114a of the Connecticut General Statutes, as amended.

4. Cancellation for Noncompliance with Executive Orders

Understand that this award is subject to the provisions of Executive Orders number 3 and 17 of Governor Thomas J. Meskill, promulgated on June 16, 1971 and February 15, 1973, respectively. As such, this Award may be cancelled, terminated, or suspended by the Awarding agency or the State Labor Commissioner for violation of or noncompliance with said Executive Orders, or any state or federal law concerning nondiscrimination, notwithstanding that the Labor Commissioner is not a party to this Award. The parties to this Award, as part of the consideration hereof, agree that Executive Orders number 3 and 17 are incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Orders and agree that the Awarding agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to performance of the Award in regard to the requirements of the above referenced Executive Orders, which are available upon request.

5. Admission and Discharge Reports

Report to the Statistical Information System of the Commission each admission, discharge, cumulative reports and such other routine information as required by the Commission and/or the Department of Human Resources, in accordance with CGS 17-155hh(a)(7). Such reports shall be submitted to the Commission at the time and in the form prescribed by the Commission, but shall be submitted no later than the seventh day of the following month.

6. Inpatient hospital Restriction

Agree not to use Alcohol, Drug Abuse and Mental Health Services Block Grant funds for inpatient hospital services.

7. Budget Variance

The following variances are allowable without prior Commission approval: a) line item of expenses (excluding salaries) up to 20% of the budget category or \$2,000.00, whichever is less; b) program to program shifts up to 10% of the budget category or \$2,000.00, whichever is less; c) annual salary increases up to 5%; however, the Commission must be notified in writing of any such variance.

8. Annual Audit Requirement

Provide, at its own expense, for an audit in accordance with the terms of Sec. 7-39ta of the Connecticut General Statutes.

9. Program/Organizational Revisions

Agree that any proposed revisions in the funded program(s) as described in the attached funding application which substantially alter the nature or scope of such program(s) shall not be implemented until approval has been received in writing from the Commission. In addition, any changes in the organizational structure as shown in the Funding Application shall not be implemented without prior written Commission approval. The awardee shall notify the Commission in writing of any changes in key personnel as shown in the attached funding application.

10. Utilization/Program Performance

Maintain a level of utilization of funded services described as follows:

● Residential Services:

- These services shall be measured by the number of patient days utilized as reported to the Statistical Information System of the Commission and verified by the Commission.
- The minimum acceptable level of utilization for detoxification and shelter programs is 80% of the maximum attainable number of patient days.
- The minimum acceptable level of utilization for all other residential treatment programs is 85% of the maximum attainable number of patient days.

● Outpatient Treatment:

- These services shall be measured by the number of counseling sessions provided and the number of clients in treatment as reported to the Commission's Statistical Information System and in the required quarterly progress report. Such information shall be verified by the Commission.
- The minimum acceptable level of utilization is 80% of the budgeted capacity as indicated on Page 1 of the approved Funding Application and 80% of the number of counseling sessions indicated on "Exhibit B-3" of the approved Funding Application.

● Intervention, Prevention and Community Awareness Services:

- These services shall be measured by completion of service objectives described in "Exhibit B-2" of the approved Funding Application as reported in the required quarterly progress report.
- The minimum acceptable level of program performance is completion of 80% of the service objectives described in "Exhibit B-2" of the approved Funding Application.

- This Award is subject to a reduction in funding in the event of utilization below these minimum levels.

11. Special Conditions

Affirmative Action Statement

The Commission strongly supports the concept and implementation of affirmative action to overcome the present effects of past discrimination. The Commission urges its bidders, suppliers, contractors and awardees to implement affirmative action plans and programs of their own and hereby notifies all Commission bidder's, suppliers, contractors and awardees that the Commission will not knowingly do business with, or make awards to, any individual or organization who has been found to have discriminated against any person or group on the basis of race, color, religious creed, age, marital status, national origin, sex, mental retardation or mental or physical disability.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

(203) 797-4625

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

February 1, 1989

The Honorable Mayor Joseph H. Sauer
and Members of the Common Council
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Honorable Ladies and Gentlemen:

By this letter, I wish to inform you that the Health and Housing Department has received word that funding in the amount of \$16,397 for the grant period February 1, 1989 through December 31, 1989 has been awarded from the Connecticut Alcohol and Drug Abuse Commission.

Therefore, the Health and Housing Department is requesting your approval to receive these funds.

Sincerely,


William J. Campbell
Director of Health

ts

Housing Authority of the City of Danbury

P.O. BOX 86
2 MILL RIDGE ROAD
DANBURY, CONNECTICUT 06811
TEL: AREA CODE 203
744-2500

ROBERT J. DORAN, CHAIRMAN
SAMUEL DEIBLER, VICE CHAIRMAN
ROBERT KOVACS, TREASURER
SHERRY YOUNG
RICHARD J. KILCULLEN

BERNARD FITZPATRICK, EXECUTIVE DIRECTOR

February 1, 1989

Mayor Joseph Sauer
City Hall
155 Deer Hill Avenue
Danbury, Connecticut

Dear Mayor Sauer:

The Department of Housing of the State of Connecticut is offering to increase the number of Rental Assistance Program certificates from the original 25 to 39 certificates. This will increase the amount of money coming into Danbury from the State of Connecticut to \$218,454.00.

These Rental Assistance Certificates allow the Housing Authority of the City of Danbury to provide subsidized housing units in the private community. We look forward to the continued operation of this worthwhile program.

Thank you for all of your help in this matter.

Sincerely



Bernard Fitzpatrick
Executive Director





RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Public Act 87-517, as amended, the Commissioner of Housing is authorized to extend financial assistance to a municipality or its agent; and

WHEREAS, on or about February 5, 1988 the City of Danbury, the Danbury Housing Authority and the State of Connecticut, Department of Housing entered into a written Agreement pursuant to said Public Act to establish a Rental Assistance Program and to obtain funding for said program in an amount not to exceed \$150,000.00; and

WHEREAS, the State of Connecticut, Department of Housing has offered to provide additional funding for said program, provided that the parties to the original agreement execute a modification thereof; and

WHEREAS, it is desirable and in the public interest that the City of Danbury enter into a modification of said agreement to increase State funding for said program from \$150,000.00 to an amount not to exceed \$218,454.00; which increased level of funding would be sufficient to support eight additional dwelling units.

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

The Mayor of the City of Danbury be and hereby is authorized and directed to execute the attached Modification of Agreement, Contract No. 034-RAP-LA-1, on behalf of the City of Danbury, and that the Mayor be further authorized to execute any amendments thereto or to the underlying agreement and to take any additional acts which may be necessary to accomplish 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 City of Danbury wishes to revise a traffic control signal at the intersection of Route 6 and 202 at Mill Ridge Road in the City of Danbury; and

WHEREAS, the State of Connecticut has determined that the revision to said traffic control signal is warranted; and

WHEREAS, the State of Connecticut is willing to complete said revision provided that the City of Danbury is willing to share in the costs thereof; and

WHEREAS, the State of Connecticut has offered to enter into an agreement with the City of Danbury whereby the State of Connecticut would agree to cause the said work to be completed and the City of Danbury would agree to pay to the State, upon demand, a single final payment in full of \$4,050.00.

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

Joseph H. Sauer, Jr. Mayor, City Hall, 155 Deer Hill Avenue, Danbury, Connecticut 06810, is hereby authorized to execute Agreement No. 12.13-07(88) between the State of Connecticut and the City of Danbury for the revision of a traffic control signal at the intersection of Route 6 and 202 at Mill Ridge Road in the City of Danbury.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

February 7, 1989

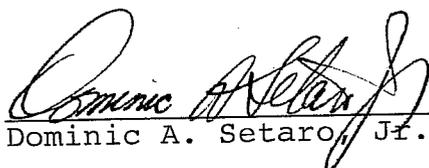
Certificatin #19

TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr, Acting Director of Finance/
Comptroller

We hereby certify the availability of \$4,050.00 to be transferred from the General Fund fund balance to a new Capital account entitled Traffic Signal Route 6 and Mill Ridge Road.

| | |
|--|---------------------|
| Estimated Balance of G.F. Fund Balance | \$338,390.84 |
| Less pending request | 1,250.00 |
| Less this request | 4,050.00 |
| | <u>\$333,090.84</u> |



Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

February 7, 1989

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

Please find enclosed a resolution authorizing me to execute an agreement between the City of Danbury and the State of Connecticut.

The agreement would require the state to revise traffic control signals located on Route 6 and 202 at Mill Ridge Road in return for a contribution by the City in the amount of \$4,050.

I would appreciate your support of this worthwhile project.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph H. Sauer, Jr." followed by a period.

Joseph H. Sauer, Jr.
Mayor

JHS:l

119, A. 2⁰



STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION



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

Office of the
Commissioner

An Equal Opportunity Employer

January 25, 1989

received
1/27/89

Hon. Joseph H. Sauer, Jr.
Mayor, City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Sauer:

Subject: Cost Sharing Agreement No. 12.13-07(88)
Traffic Control Signal Revision
Route 6 and 202 at Mill Ridge Road
State Project No. 270-205(034-2023)

It is requested that the City of Danbury, to facilitate inclusion in the current funding program, sign the enclosed agreement and return it as soon as possible, but not later than thirty (30) days.

The agreement states, in part, that the City of Danbury shall deposit with the State, upon demand, a single final payment in full of \$4,050.00.

Enclosed are four copies of our cost sharing agreement, a resolution certificate and an "Agreement Execution Information" form. Please complete these items in accordance with the steps outlined in the information form.

not decided

Should you have any questions concerning this matter, please telephone Mr. Paul Bixby at 566-3590.

Very truly yours,

J. William Burns
J. William Burns
Commissioner

needs to go to agenda by next week

Enclosures



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

February 1, 1989

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Proposed Commerce Park / Eagle Road Connector to
Federal Road

Dear Mayor Sauer and Council Members:

This office on July 20, 1988 indicated that a resolution would be forthcoming for purposes of authorizing negotiation and/or condemnation for certain properties enabling the necessary construction respecting the above property. The office of City Engineer has prepared the revised legal descriptions and taking maps. This office has prepared the appropriate resolution for your consideration. The resolution sets forth the properties to be acquired either by negotiation or by eminent domain action. This matter should appropriately be considered by committee of the Common Council and subsequent action of the full Common Council. Upon authorization as indicated in the resolution, the authority of this office for negotiation and/or acquisition shall remain valid for a period of six months.

If you have any questions on this matter in the meantime, please don't hesitate to call this office.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr

Attachment

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council
Re: Commerce Park/Eagle Road Connector
February 1, 1989

- 2 -

c: Robert T. Resha, Esq.
Corporation Counsel

Eric L. Gottschalk, Esq.
Assistant Corporation Counsel

Daniel J. Minahan
Director of Public Works

Dennis Elpern
Planning Director

Parcel 'B'
Stony Hill Corporation

A certain piece or parcel of land containing 10,508 square feet, more or less, located on Federal Road Route 7 in the City of Danbury, Connecticut and more particularly described as follows:

Commencing on a point located on the easterly side of Federal Road Route 7, said point being the northwesterly corner of land herein described, thence going in a southeasterly direction S. 62° 04' 37" E. a distance of 320.85 feet to a point on the westerly line of property now or formerly of Consolidated Rail Corporation, thence going southwesterly along westerly boundary line of land now or formerly of Consolidated Rail Corporation S. 38° 11' 43" W. a distance of 34.64 feet to a point, thence turning in a northwesterly direction N. 62° 04' 37" W. a distance of 295.72 feet to a point on the easterly line of Federal Road Route 7, thence going northerly along the easterly line of Federal Road Route 7 N. 01° 09' 02" W. a distance of 39.00 feet to the point or place of beginning.

Bounded :

- Northerly : By land now or formerly of Federal Welding Service, Inc., also known as Parcel 'CR'.
- Easterly : By land now or formerly of Consolidated Rail Corporation.
- Southerly : By land now or formerly of Albert J. Jowdy in part and by Parcel 'D' in part.
- Westerly : Federal Road Route 7.

For a more particular description reference is made to map entitled " Proposed 'Taking' Map Eagle Road Connector Danbury Connecticut " Scale 1" - 40' dated Sept. 23, 1987 with latest revision dated Dec. 28, 1988 and certified to be substantially correct by Robert M. Bennison, L.S. No. 12964. Said map is to be filed in the Danbury Land Records.

Parcel 'AR'
Stony Hill Corporation

A certain piece or parcel of land containing 35,540 square feet more or less, located on Eagle Road in the City of Danbury, Connecticut and more particularly described as follows:

Commencing on a point located on the easterly boundary line of property now or formerly of Consolidated Rail Corporation said point being the southwesterly corner of land herein described, thence going northeasterly along the easterly boundary line of land now or formerly of Consolidated Rail Corporation N. $38^{\circ} 11' 43''$ E. a distance of 715.44 feet to a point, thence turning southeasterly through the property of the grantor S. $62^{\circ} 04' 37''$ E. a distance of 48.78 feet to a point, thence continuing through the property of the grantor S. $38^{\circ} 11' 43''$ W. a distance of 765.42 feet to a point on the northerly boundary line of land of State of Connecticut Interstate 84, thence going along the northerly boundary line of land of State of Connecticut Interstate 84 N. $11^{\circ} 06' 27''$ W. a distance of 63.31 feet to the point or place of beginning.

Bounded :

Northerly : By other land of the grantor.

Easterly : By other land of the grantor.

Southerly : By land of State of Connecticut Interstate 84.

Westerly : By land now or formerly of
Consolidated Rail Corporation.

For a more particular description reference is made to a map entitled "Proposed 'Taking' Map Eagle Road Connector Danbury, Connecticut" Scale 1" =40' dated Sept. 23, 1987 with latest revision dated Dec. 28, 1988 and certified to be substantially correct by Robert M. Bennison, L.S. No. 12964. Said map is to be filed in the the Danbury Land Records.

Parcel 'CR'
Federal Welding Service, Inc.

A certain piece or parcel of land containing 12,827 square feet, more or less, located on Federal Road Route 7 in the City of Danbury, Connecticut and more particularly described as follows:

Commencing on a point located on the easterly side of Federal Road Route 7, said point being the southwesterly corner of land herein described, thence going northerly along easterly line of Federal Road Route 7 N. $01^{\circ}09'02''$ W. a distance of 286.27 feet to a point on the southeasterly corner intersection of White Turkey Road Extension and Federal Road Route 7, thence going northeasterly along southerly line of White Turkey Road Extension N. $70^{\circ}47'44''$ E. a distance of 15.78 feet to a point, thence going southerly through the property of the grantor S. $01^{\circ}09'02''$ E. a distance of 232.00 feet to a point, thence continuing through the property of the grantor S. $20^{\circ}39'15''$ E. a distance of 50.00 feet to a point, thence turning in a easterly direction S. $62^{\circ}04'37''$ E. a distance of 303.69 feet to a point on the westerly line of property now or formerly of Consolidated Rail Corporation, thence going southwesterly along the westerly line of property now or formerly of Consolidated Rail Corporation S. $38^{\circ}11'43''$ W. a distance of 26.34 feet to a point, thence turning in a northwesterly direction N. $62^{\circ}04'37''$ W. a distance of 320.85 feet to the point or place of beginning.

Bounded:

- Northerly: By other land of Federal Welding Service, Inc. in part and by White Turkey Road Extension in part.
- Easterly : By other land of Federal Welding Service, Inc. in part and by land now or formerly of Consolidated Rail Corporation in part.
- Southerly : By land now or formerly of Stony Hill Corporation, also known as Parcel 'B'.
- Westerly : By Federal Road Route 7.

For a more particular description reference is made to a map entitled "Proposed 'Taking' Map Eagle Road Connector Danbury Connecticut" Scale 1" = 40' dated Sept. 23, 1987 with the latest revision dated Dec. 28, 1988 and certified to be substantially correct by Robert M. Bennison, L.S. No. 12964. Said map is to be filed in the Danbury Land Records.

PARCEL "D"
ALBERT J. JOWDY

A certain piece or parcel of land containing an area of 2,143 square feet, more or less, located on Federal Road Route 7 in the City of Danbury, Connecticut and more particularly described as follows:

Commencing on a point located on the easterly side of Federal Road Route 7, said point being the northwesterly corner of land herein described, thence going southeasterly along the northerly boundary line of the grantor S. $62^{\circ}04'37''$ E. a distance of 58.72 feet to a point, thence going southwesterly through the property of the grantor S. $50^{\circ}23'00''$ W. a distance of 58.00 feet to a point, thence continuing through the property of the grantor S. $08^{\circ}12'43''$ W. a distance of 125.00 feet to a point on the easterly side of Federal Road Route 7, thence going northerly along easterly side of Federal Road Route 7 on a curve to the left with a central angle of $08^{\circ}44'12''$, a radius of 1237.40 feet and length of arc of 188.68 feet to the point or place of beginning.

Bounded :

- Northerly : By land now or formerly of Stony Hill Corporation, known as Parcel 'D'.
- Easterly : By other land of the Grantor.
- Southerly : By other land of the Grantor in part, and by Federal Road Route 7 in part.
- Westerly : Federal Road Route 7

For a more particular description reference is made to a map entitled " Proposed 'Taking' Map Eagle Road Connector Danbury Connecticut" Scale 1"=40' dated Sept. 23, 1987 with the latest revision dated Dec. 28, 1988 and certified to be substantially correct by Robert M. Bennison , L.S. No. 12964. Said map is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council has allocated funds for the construction of a Commerce Park Crossing; and

WHEREAS, this project will oblige the City of Danbury to acquire interest 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 several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in and to the real property as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY 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 with respect to the following properties and owners thereof, their successors and assigns and their respective mortgage holders, if any, the affected properties being indicated by the legal descriptions annexed hereto.

Partial Property Acquisitions

1. Stony Hill Corporation - "Parcel B"
2. Stony Hill Corporation - "Parcel AR"
3. Albert J. Jowdy - "Parcel D"
4. Federal Welding Service, Inc. - "Parcel CR"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, JR.
MAYOR

February 7, 1989

(203) 797-4511

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I am appointing the following people to the Aviation Commission
for terms to expire 7/1/91:

Lawrence W. Landermann, 21 Olympic Drive, Danbury, CT and

A. J. Bernard, 59-67 Federal Road, Danbury, CT.

Resumes are enclosed.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:1

RESUME - FOR AIRPORT COMMISSION

NAME:

A. J. BERNARD

ADDRESS:

59-67 FEDERAL ROAD (MAILING)

DANBURY, CT 06811-4039

PHONE:

Home: 792-5057

Work: 743-2545

RESIDENT OF DANBURY:

30 + YEARS

HIGH SCHOOL:

COLLEGE:

WORK HISTORY:

DEGREE:

Present: ENCLOSED

Position/Title:

Duties:

Past:

Position/Title:

Duties:

ASSOCIATIONS/PUBLIC SERVICE:

10 YEARS - FAIR RENT COMMISSION

9 YEARS AS CHAIRMAN

MAYOR GINO J. ARCONTI: TASK FORCE ON TAXATION.

REASONS FOR SEEKING OFFICE:

EXPERIENCE AS CONSULTANT TO F.B.O. AND THEIR RELATED REAL

ESTATE VENTURES ON VARIOUS AIR PORTS IN THE NORTH EASTERN

UNITED STATES. THIS IS NO LONGER A PORTION OF MY BUSINESS

BUT THIS EXPERIENCE SHOULD BE OF BENEFIT TO THE CITY OF DANBURY.



RESUME

Alfred J. Bernard

Building and Sales 1957

Building operations complete from subdivision planning, purchase of the property, planning commission consultation, road building, designing, personal supervision of all personnel, office and field, to completed project, building.

1959 added real estate sales both residential and business properties, including zoning and tax consultation, real estate trading, trustee for partnerships in land investments, parking lots, other diversified businesses.

December, 1973, withdrew from residential home sales, focusing on sales and leasing in industrial; commercial; land; general investments, both local and nationwide, with services on a fee basis offered in appraisal, investment consulting, site analysis.

1980, Established RE/MAX Professionals, a 100% concept realty firm.

Appraisals completed in Connecticut, New York, Nova Scotia for ICI America, Inc.; Getty Oil Co.; State of Connecticut; City of Danbury; Mormon Church; Eastman Kodak; Hallmark Cards; Del Monte Corporation; Equitable Relocation; Polymer Industries; Coca-Cola; Bemis Company; Honeywell; Nestle Corp.; plus private appraisals from estates to foreclosures; accepted as expert witness for court appearances, I.R.S. and State of Connecticut Tax Department.

Feasibility Studies - Consulting in New England; New York; Arizona; Virginia, Nova Scotia.

On airports; tennis clubs; industrial parks; condo sites; shopping complexes; tract land investments; fast service locations such as gas stations and fast foods.

Designations

- 1970 - Graduate Realtor Institute (GRI)
- 1976 - Certified Review Appraiser (CRA)
- 1979 - Certified Real Estate Consultant (CREG)
- 1980 - Certified Residential Specialist (CRS)
- 1983 - Senior Member Review Mortgage Underwriters (RMU)
- 1986 - Certified Real Estate Broker/Manager (CRB)

Continuing Education

Appraisal Law (Federal Level), New York, New York
Condominium Law - Western Connecticut State College, Danbury, CT
Exchange and Taxation on Real Estate - Quinnipac College, CT
Real Estate Finance and Investment - University of Connecticut.

Modern Market Analysis and Real Estate Projections - Washington, DC
Real Estate Office Management - Charlotte, NC
Obtaining, Training, & Retaining Real Estate Sales Personnel, -
Chicago, Illinois
Realtors Institute - Yale, New Haven, CT
Realtors Institute - University of Connecticut
Blueprint Drafting and Reading - Henry Abbott Technical, Danbury, CT
Computers for Real Estate Executives, Dallas, Texas

General

Lecture and Teaching Real Estate firms; updating their personnel.
Have appeared as guest lecturer in Connecticut, Massachusetts, and
New York on Investment Real Estate before private investment groups
and Realtors.

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LAWRENCE W. LANDERMANN

21 Olympic Drive
Danbury, CT 06810-8216
(203) 748-3217

Mayor Joseph Sauer
Mayors Office
155 Deer Hill Ave
Danbury CT 06810

1 November 1988

Dear Mayor Sauer;

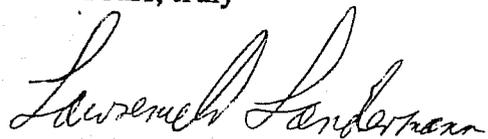
I would like to volunteer my services to the community as a commissioner on the Danbury Municipal Airport Commission. As a pilot who attended flight school at Danbury Airport in 1971 and who has been actively flying out of the airport since and who had moved to Danbury in 1977 for the purpose of being near the airport I feel I would be a valuable asset to the Danbury Airport commission.

My concerns are for the airports continued and future use by the community as an asset that should be developed to benefit all of the citizens of The Greater Danbury Region. As this area grows and with the pressures increasing on the transportation network a viable airport will be of the utmost importance. Its future depends on the decisions that are made today and I would like to be one of those that help shape those decisions

I hope that my offer to volunteer for service to the community is accepted, as a registered Republican I look forward to serving.



Yours, truly



Lawrence W. Landermann

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LAWRENCE W. LANDERMANN

21 Olympic Drive
Danbury, CT 06810-8216
(203) 748-3217

OBJECTIVE

Commissioner Danbury Airport Commission

AERONAUTICAL EDUCATION

United States Army Aviation Center

Ft. Rucker, AL

Appointed Warrant Officer and designated Army Aviator 100B Rotary Wing, February 1981.

FAA Commercial Pilot, Rotorcraft-Helicopter, Instrument Helicopter

Connecticut Air Service Inc

Danbury Municipal Airport, Danbury, CT

- a. Commercial Pilot, Airplane Single Engine Land. Completed all academic and flight requirements under FAA FAR Part 141, approved flight schools. October 1975.
- b. Private Pilot, Airplane Single Engine Land. Completed all academic and flight requirements under FAA FAR Part 141, approved flight schools. June 1973.

AERONAUTICAL EXPERIENCE

New York Army National Guard

Albany County Airport, Latham, NY

March 1981 to Present. Chief Warrant Officer CW2 U.S. Army Reserve. Assigned as an attack helicopter pilot 100GO and designated as pilot in command (PIC) on AH-1 (MOD) S Cobra attack helicopters. Fly tactical low level, contour and nap of the earth (NOE) missions while flying aircraft to its maximum performance capabilities, simultaneously operating the numerous weapons systems on board and interfacing with copilot-gunner in a professional and safety conscious manner in order to successfully carry out the assigned mission.

Total Helicopter Time to date = 976 hours.

Awarded "Senior Army Aviator Wings", 26 Feb 1988

Assigned additional duty as Unit Threat/Intelligence Officer, briefing Division thru Company Commanders and troops on Geopolitical/ Strategic world situations both as to

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LAWRENCE W. LANDERMANN

current affairs and future military political developments. Generate tactical scenarios, teach threat weapons, vehicle identification and threat nations military capabilities.

Danbury Municipal Airport

Danbury, CT

1979-Present. Fly N1791V, a fully IFR equipped Cessna C-172, in a wholly owned partnership with 3 other pilots. Aircraft is based at Danbury Municipal Airport, in the tower tie down area and has been based there since 1979.

Total Fixed Wing Flight Time to date = 1000 hours.

Total combined Fixed Wing and Helicopter Flight Time to date = 1976 hours

EMPLOYMENT

IBM T.J. Watson Research Center

Yorktown Heights, NY

1974 - Present. Senior Laboratory Specialist. Design and fabricate highly specialized custom scientific and complex electronic and mechanical devices utilizing, optics, lasers, high voltage and UHV equipment. Employed Computer Augmented Design CADAM to design and draft concepts and generate prints for fabrication.

1974 - 1977. Worked for Dr. Oliver C. Wells, a noted scientist, as his assistant in the scientific field of Scanning Electron Microscopy (SEM). Performed scientific experiments in an attempt to improve the resolution and magnification in state of the art SEM technology.

1968 - 1974. IBM ASDD Mohansic and IBM GTD East Fishkill, electronic technician and integrated circuit layout designer.

1964 - 1968. Sergeant, U.S. Air Force. Received one year of comprehensive electronic schooling as a Electronic Communication Cryptographic Systems Equipment Repairman, AFSC 30650C. Installed, tested and maintained cryptographic (code) machines in West Berlin and Stuttgart, Germany. Held a TOP SECRET CRYPTO security clearance.

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LAWRENCE W. LANDERMANN

EDUCATION

The University of the State of New York

Albany, NY

Associate in Science Degree

U.S.A.F. 3275th Technical School

Lackland A.F.B., San Antonio, TX

Electronic Communication and Cryptographic Systems Equipment Repairman (Encrypted Teletype/Data-Facsimile) ABR 30630C 972 hours KW-26, KG-12/13, HN-1

U.S.A.F.

RAF Croughton, England

Field and Organizational Maintenance TSEC/KW-7 ADF30650-1, 246 hours.

George Washington High School

New York, NY

General High School Diploma

MEMBERSHIPS INTERESTS AND HOBBIES

Member "Greater Danbury Vietnam Veterans Memorial Fund Committee, Experimental Aircraft Association, U.S. Army Association, National Guard Association of the United States.

Interests include modern military / political history, military aircraft and equipment.

Hobbies are color aerial photography and color printing, airplane camping, boating, recreational sports and landscaping.

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LAWRENCE W. LANDERMANN

PERSONAL BACKGROUND INFORMATION

21 Olympic Drive
Danbury, CT 06810-8216
(203) 748-3217

Lawrence W. Landermann came from Montreal Quebec, Canada to New York City in 1959 and attended the New York City School system. After High School graduation he entered the United States Air Force and served from 1964 to 1968 in West Berlin and Stuttgart Germany as a Sergeant in the "Cryptographic" career field.

Upon honorable discharge from the USAF and up to the present time Larry has been employed by the IBM Corp at the Thomas J Watson Research Center Yorktown Hts NY. as a Senior Laboratory Specialist.

Since 1977, he has been a member of Co A, 1st Battalion, 42nd Aviation Brigade, 42nd Infantry Division New York Army National Guard at Albany. He currently holds the rank of Chief Warrant Officer and is assigned as a pilot in command of an AH-1S Cobra Attack Helicopter, and also serves as the unit Threat/Intelligence Officer.

Larry obtained an Associate in Science Degree from the State University of New York at Albany and holds an FAA Commercial Helicopter, Fixed Wing, and Instrument pilots' ratings.

He and his wife Dorothy reside here in Danbury. He has two step sons, Jerry and Danny.

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Aviation Commission

| <u>CURRENT MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> | <u>PROPOSED MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> |
|--|--------------|------------------|--|--------------|------------------|
| Donald Crudginton 57 Kohanza Street | D | 7/1/90 | | | |
| Geoffrey Nye Marc Road | D | 7/1/89 | | | |
| John Scarfi Driftwood Point | D | 7/1/89 | | | |
| Kenneth Taylor 2 Clearbrook Road | R | 7/1/90 | | | |
| Raymond Sherwood, Sr. 0 Spruce Mtn. Rd. | U | 7/1/91 | | | |
| Paul Werner Clearbrook Road | D | 7/1/90 | | | |
| Robert Gawe* 5 Great Plain Road | U | 7/1/89 | | | |
| Donald V. Scalzo 4 Southern Blvd. | U | 7/1/88 | Lawrence W. Landermann 21 Olympic Drive | R | 7/1/91 |
| Bob Platt 5 Autumn Drive | D | 7/1/88 | A. J. Bernard 59-67 Federal Road | R | 7/1/91 |
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Note: AFFL. - R - Republican; D - Democrat; U - Unaffiliated
Note: * After individual's name, indicates "Chairman"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, JR.
MAYOR

February 7, 1989

(203) 797-4511

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I am appointing Barbara G. Monsky, 14 Shepard Road,
Danbury, CT to the Conservation Commission, for a
term to expire 7/1/91.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:1

B

TO WHOM IT MAY CONCERN:

As a person who grew up in a large farm in nearby Brookfield, conservation was always a part of our life to maintain a healthy and productive farm.

My interest in gardening has continued from the time I moved to Danbury in 1960 and has included vegetable and flower gardens and numerous fruit, ornamental and conventional trees. There are ever changing gardens and experimental conservational controls in practices at our home.

My interest in conservation was awakened on a community level a few years ago when I took an Earth Science course at Wesconn. Infra-red photographs taken from an airplane clearly showed what stage of dying many trees were in at that time. With proper conservation measures they could have been saved.

My concern is for orderly growth with conservation for the future generations in Danbury and I am willing to donate my time to help achieve that premise.

Respectfully,

Barbara G. Monsky

Barbara G. Monsky
14 Shepard Road
Danbury, Ct. 06810

Barbara Gereg Monsky

EDUCATION: Brookfield School
Danbury High School
Western Connecticut College

Work Experience:

Owner-Operator Berkshire Building Wreckers
28 years

Other Activities:

Den Mother
Girl Scout Leader
Board of Directors Daisy Lawrence Girl Scout Neighborhood
Worked in many capacities to establish Battered Women's
Service(Original head of Counseling, researched establishment
of Hotline, Speaker's Bureau, Funding

Current Activities:

Co-founder of PECOS(Parents for the Enforcement of Court
Ordered Support) a group of six hundred members throughout
Connecticut principal in establishing all child support
legislation passed in Connecticut since 1983. Strong input
In National Welfare Reform-Family Support Act of 1988
Currently sit on PECOS board of directors.
Raise Guide Dogs for the Blind-current legislative pending
for free licensing guide dog puppies in Connecticut

legislation pending in Connecticut

Conservation Commission

| <u>CURRENT MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> | <u>PROPOSED MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> |
|---|--------------|------------------|-----------------------------------|--------------|------------------|
| Alfred Cipriani* 27 Indian Head Road | D | 7/1/89 | | | |
| Bernadette DeMunde 110-B7 Coalpit Hill | D | 7/1/88 | | | |
| Mary McInerney 26 Apple Blossom Lane | D | 7/1/87 | | | |
| Vacancy | | 7/1/87 | | | |
| Vacancy | | 7/1/88 | | | |
| Vacancy | | 7/1/88 | Barbara Monsky 14 Shepard Road | R | 7/1/91 |
| Vacancy | | 7/1/89 | | | |
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Note: AFFL. - R - Republican; D - Democrat; U - Unaffiliated
Note: * After individual's name, indicates "Chairman"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, JR.
MAYOR

February 7, 1989

(203) 797-4511

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I am appointing Robert E. Dunikowski, 20 Cushing Drive, Danbury, CT to the Parks and Recreation Commission, for a term to expire 12/1/90. A letter of endorsement is enclosed.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:l

DANBURY FISH AND GAME ASSOCIATION, INC.

DANBURY, CONNECTICUT 06810

14
Received
3-14-88

His Honor, The Mayor
City Hall
Danbury, Connecticut 06810

March 10, 1988

Re: Danbury Parks & Recreation Commission
Mr. Robert E. Dunikowski
20 Cushing Drive
Danbury, Connecticut 06810
743-0322

My Dear Mr. Mayor:

The membership of the Danbury Fish & Game Association would like to endorse Mr. Robert E. Dunikowski for your consideration for appointment to the Parks & Recreation Commission of the City of Danbury.

Bob, as President of our Association has provided outstanding leadership over the previous five years. During that time, Bob has managed to bring together the efforts of our club with other sporting groups as well as state and local agencies to effectively undertake several projects of value to our community. Some of those projects were:

Rescue of game fish from East Lake Reservoir when it was drained for repairs.

Clean-up of town park and boat launch areas by local sportsmen.

Re-stocking program for East and West Reservoirs.
Organized and ran fishing derby as part of Danbury's Tri-Centennial Celebration.

Organized and runs the Annual Bill Lauf Memorial Ice Fishing Derby since its inception.

Organized and runs Danbury Junior Baseball League since its inception.

Manages team for Danbury Industrial Softball League (Rapid Power Technologies).

Sincerely,



Stephen P. Monti
Secretary
Danbury Fish & Game Assoc.

cc: Mr. Robert Ryerson
Director of Parks & Recreation
City of Danbury
7 East Haystown Road
Danbury, Connecticut 06810

*I favor the
involvement of
fish + Game!*

Parks and Recreation Commission

| <u>CURRENT MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> | <u>PROPOSED MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> |
|--|--------------|------------------|--|--------------|------------------|
| A. Paul Nichols 13 Valerie Lane | D | 12/1/89 | | | |
| Arnold Cresci 74 East Pembroke Road | R | 12/1/90 | | | |
| Carol Smith 106 Deer Hill Avenue | R | 12/1/91 | | | |
| David Coelho 15 Jefferson Avenue | D | 12/1/91 | | | |
| Jane Keane 11 Deer Hill Avenue | D | 12/1/90 | | | |
| Peter W. Krajc 5 Karen Road | U | 12/1/91 | | | |
| Richard L. Chambon 12 Dogwood Drive | R | 12/1/87 | Robert E. Dunikowski 20 Cushing Drive | U | 12/1/90 |
| Thomas Evans * 8 Benson Drive | D | 12/1/89 | | | |
| William Lavelle 5 Terre Haute Road | D | 12/1/89 | | | |

Note: AFFL. - R - Republican; D - Democrat; U - Unaffiliated
Note: * After individual's name, indicates "Chairman"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, JR.
MAYOR

February 7, 1989

(203) 797-4511

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I am reappointing the following people to the Library Board of Directors, for terms to expire 1/1/92:

Edward Moore, Sr, 3 Ezra Road, Danbury, CT;

Eugenia Vecchiarino, Ohehyahtah Place, Danbury, CT; and

John Hoffer, 10 Oak Ridge Avenue, Danbury, CT.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:1

Library Board of Directors

| <u>CURRENT MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> | <u>PROPOSED MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> |
|---|--------------|------------------|---|--------------|------------------|
| Betty Jane Hull 187 Kohanza Street | D | 1/1/90 | | | |
| Edward Moore, Sr. 3 Ezra Road | D | 1/1/89 | Edward Moore, Sr. 3 Ezra Road | D | 1/1/92 |
| Eugenia Vecchiarino Ohehyahtah Place | R | 1/1/89 | Eugenia Vecchiarino Ohehyahtah Place | R | 1/1/92 |
| Gino Arconti 22 Karen Road | D | 1/1/90 | | | |
| Joan Damia 113 Clapboard Ridge | R | 1/1/91 | | | |
| John Hoffer* 10 Oak Ridge Avenue | R | 1/1/89 | John Hoffer 10 Oak Ridge Avenue | R | 1/1/92 |
| Margaret Pastorino 11 Lakeside Road | R | 1/1/91 | | | |
| Mary Nahley Clapboard Ridge | D | 1/1/90 | | | |
| Shirley Demuth 110 Deer Hill Avenue | R | 1/1/91 | | | |

Note: AFFL. - R - Republican; D - Democrat; U - Unaffiliated
 Note: * After individual's name, indicates "Chairman"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, JR.
MAYOR

February 7, 1989

(203) 797-4511

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I am reappointing Art Roberts, 229 Middle River Road, Danbury, CT
to the Redevelopment Agency, for a term to expire 1/1/94.

I am appointing JoAnne Chelednik, 157 Westville Avenue, Ext.,
Danbury, CT for a term to expire 1/1/94.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:l

12/8/88

Attn: Mayor Joseph Sauer
40 City Hall
Dear Hill Ave
Danbury, Ct 06810

Dear Mayor Sauer:

Please consider me for the January 1989 openings on the Danbury Redevelopment Agency of which I would like to become a member.

I was born and raised and lived in Danbury. Birth date May 3rd, 1931. I am the owner and proprietor of Park Terrace Center for the Elderly, the first adult day care center in Danbury.

I belong to St. Peters Church, the Ct. Adult Day Care Center, and have had an active interest in the Danbury community.

I would like to add a contribution of common sense to the Danbury Redevelopment Agency.

Sincerely, Jo Anne
Chelednik
Joanne M Chelednik
157 Westville Ave Ext
Danbury Ct. 06811
748-2055

Redevelopment Agency

| <u>CURRENT MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> | <u>PROPOSED MEMBER</u> | <u>AFFL.</u> | <u>TERM EXP.</u> |
|---------------------------------------|--------------|------------------|---|--------------|------------------|
| Art Roberts 229 Middle River Road | R | 1/1/89 | Art Roberts 229 Middle River Road | R | 1/1/94 |
| Barbara Susnitzky 8 Field Road | R | 1/1/91 | | | |
| Boyd O. Losee Crestwood Drive | D | 1/1/91 | | | |
| Evald Mukk 15 Henso Drive | R | 1/1/90 | | | |
| Jack Sullivan * Snug Harbor | R | 1/1/93 | | | |
| John Addressi Aunt Hack Road | R | 1/1/90 | | | |
| John Turk 6 Timbercrest Drive | R | 1/1/93 | | | |
| Linda O'Connor 20 East Pembroke Rd | D | 1/1/89 | JoAnne Chelednik 157 Westville Ave Ext | U | 1/1/94 |
| Robert Peat 3 Dogwood Park North | D | 1/1/92 | | | |
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Note: AFFL. - R - Republican; D - Democrat; U - Unaffiliated
Note: * After individual's name, indicates "Chairman"



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

January 25, 1989

Honorable Members of the Common Council
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Council Members:

Attached is a letter sent to the State of Connecticut in accordance with Section 19 (a) - 200 of the Connecticut General Statutes.

Please confirm the appointment of William J. Campbell, Director of Health for the City of Danbury.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:cjz



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

November 14, 1988

Frederick G. Adams, D.D.S., M.P.H.
Commissioner of Health Services
150 Washington Street
Hartford, Connecticut 06106

Dear Dr. Adams:

Please be advised that I have appointed Mr. William J. Campbell, Director of Health for the City of Danbury.

Mr. Campbell is currently the Health Director for Oneida County in New York, prior to that, he served as Health Director for the Northeast District Director of Health. He will begin working for the City of Danbury, December 7, 1988.

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

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:cjz



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

January 27, 1989

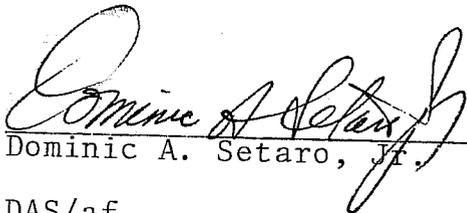
Revised Certification #17

TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

We hereby certify the availability of \$1,250.00 to be transferred from the General Fund fund balance to the Ordinances Printing and Binding Account #02-01-112-022000.

| | |
|--|---------------------|
| Estimated Balance of G.F. Fund Balance | \$338,390.84 |
| Less this request | 1,250.00 |
| | <u>\$337,140.84</u> |



Dominic A. Setaro, Jr.

DAS/af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

February 7, 1989

To: Members of the Common Council
From: City Clerk Elizabeth Crudginton
Re: Funds for Printing of Revised Charter

As you know, the voters of the City of Danbury approved a change to the existing Charter. In order to have new charter books printed, we will need to appropriate the sum of \$1,250 to cover the cost of same. Please authorize the transfer of funds.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

January 18, 1989

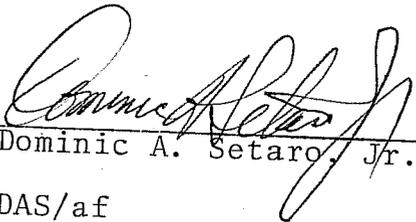
Certification #17

TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

We hereby certify the availability of \$1,250.00 to be transferred from the General Fund fund balance to the Charter Revision Printing and Binding Account #02-01-189-022000.

| | |
|--|---------------------|
| Estimated Balance of G.F. Fund Balance | \$338,390.84 |
| Less this request | 1,250.00 |
| | <u>\$337,140.84</u> |



Dominic A. Setaro, Jr.

DAS/af



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

February 1, 1989

Elizabeth Crudginton
City Clerk
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear City Clerk Crudginton:

Please add to the agenda for consideration the lease of property at 403 Main Street, Danbury, on behalf of the Danbury AIDS Education Grant.

Sincerely,


William J. Campbell, M.P.H.

ts

THIS INDENTURE, made by and between VICTORIAN ASSOCIATES, INC., a Connecticut Corporation with offices in the City of Danbury, County of Fairfield and State of Connecticut, hereinafter referred to as Landlord, and City of Danbury, hereinafter referred to as Tenant.

WITNESSETH:

- PREMISES:** Landlord has leased and does hereby lease to Tenant the following described premises situated in Danbury, Connecticut, on 403 Main Street to wit: Unit 2B
- TERM:** The term of this agreement shall begin on March 1, 1989 and end at midnight on December 31, 1990 . A two year option will be extended to the tenant for the amounts listed in Part 3, upon mutual consent of both parties. Tenant shall provide written notice 90 days before the termination of this agreement regarding extension of this agreement into the option period. Landlord shall respond in writing to said written notice within 31 days of notice from tenant.
- RENT:** Tenant shall pay to the Landlord, without demand, an annual rent as shown in the schedule immediately following on the first day of each month, in advance.

| | | | | | <u>Annual</u> | <u>Monthly</u> |
|---------------------|--------|------|--------|------|---------------|----------------|
| Year 1 | Mar 1 | 1989 | Dec 31 | 1989 | 6,000 | 600 |
| Year 2 | Dec 31 | 1989 | Dec 31 | 1990 | 7,500 | 625 |
| <u>OPTION YEARS</u> | | | | | | |
| Year 3 | Dec 31 | 1990 | Dec 31 | 1991 | 7,800 | 650 |
| Year 4 | Dec 31 | 1991 | Dec 31 | 1992 | 8,100 | 675 |

Monthly payments should be mailed directly to the following address and should be mailed with sufficient lead time to allow reasonable delivery on the first of the month.

Victorian Associates, Inc.
4 Ridgewood Drive
Danbury, CT 06811

- SECURITY DEPOSIT:** Tenant will deposit with the Landlord the sum of six hundred fifty dollars (650) representing security for the performance of the terms of this lease. The Landlord may use, apply or retain the whole or any part of the security so deposited to the extent required for the payment of any rent and additional rent or other sum which the Landlord may expend or may be required to expend by reason of Tenant's default in respect of any of the terms of this lease, including, but not limited to, any damages or deficiency in the reletting of the leased property, whether such damages or deficiency accrued before or

after summary proceedings or other re-entry by the Landlord. In any such event, Landlord shall act to mitigate costs incurred in such reletting or reentry. The preceding provision shall be superior to and shall exist notwithstanding paragraph 15(d) of this agreement. In the event that the Tenant shall comply with all of the terms of this lease, the security shall be returned to it after the date fixed as the end of the lease and after delivery of possession of the leased property to the Landlord. In the event of a sale of the premises of which the leased property forms a part, the Landlord shall have the right to transfer the security to the buyer and the Landlord shall thereupon be released from all liability for the return of such security. Landlord agrees to notify the Tenant of such transfer in writing. The Tenant shall look solely to the vendee for the return of such security. Landlord shall not assign or encumber the money deposited as security, and neither the Tenant nor its successors or assigns shall be bound by any such assignment or encumbrance.

5. UTILITIES AND COMMON CHARGES: Tenant shall at its own cost and expense pay all charges when due for gas, electricity, heat relating to the use of the leased premises. Tenant shall also be responsible for cleaning services for this unit along with any electronic surveillance cost generated. Landlord shall provide all snow removal, plowing, sanding or salting or other required clearing of snow or ice from common areas of the premises, including sidewalks, driveway and parking areas during the term of this agreement.
6. USE OF PREMISES: Tenant agrees to use the leased premises for office purposes. Any other unrelated use is prohibited without the written approval of the Landlord. Tenant will not allow for an unreasonable length of time any debris belonging to it to remain in the leased premises or in any adjacent areas or "common areas", and it will remove from the Landlord's premises all debris to a proper place of disposal.
7. CONDITION OF PREMISES: (a) Landlord shall have carpet in the premises shampooed prior to occupancy by the Tenant. Provided that the building is completed, the Tenant accepts premises in their current state and condition; (b) The Tenant shall make no alteration, addition or improvement in the premises without the prior written consent of Landlord and then only by contractors or mechanics approved by Landlord, which consent and/or approval shall not be unreasonably withheld; (c) Throughout the terms of this lease and for so long as the Tenant or its assigns shall occupy said premises, Tenant, and its sole expense, shall keep the leased premises as now or hereafter constituted in good condition and shall make repairs, replacements, and renewals, ordinary and extraordinary, necessary to maintain the leased property and all appliances and appurtenances thereto. All repairs, replacements and renewals shall be least equal in quality of workmanship and materials to that existing in the leased premises at the commencement of this lease. Tenant shall

liabilities, losses, damages, suits, fines, penalties, claims and demands, including reasonable attorney's fees, because of Tenant's failure to comply with the foregoing covenant. The Landlord shall in no event be required to make any repair, alteration or improvement to the leased premises. Landlord will be responsible for all maintenance and repairs of roof, sidewalk, foundation and other common areas whether or not they affect the leased premises.

(d) The necessity for and adequacy of repairs, replacements and renewals to the leased premises shall be measured by the standard which is appropriate for improvements of similar construction and class, provided that Tenant shall in any event make all repairs necessary to comply with the building, health and fire codes of Danbury, Connecticut.

(e) Upon the last day or sooner termination of the term hereof, Tenant shall surrender to Landlord the leased premises in broom clean condition. All alterations, additions and improvements, whether temporary or permanent in character, which may be made upon the premises, either by the Landlord or the Tenant, except furniture and movable trade fixtures, shall be surrendered with the premises as a part thereof upon the termination of this lease without compensation to the Tenant.

8. ASSIGNMENT: Tenant shall not assign, mortgage, or encumber this lease in whole or in part, or subject all or any part of the leased premises to a sublease without the prior written consent of the Landlord, which consent shall not be unreasonably withheld. The consent by the Landlord to any assignment or subletting shall not constitute a waiver of the necessity for such consent to any subsequent assignment or subletting. This prohibition against assigning or subletting shall be construed to include a prohibition against assigning or subletting by operation of law. If this lease be assigned or if the leased premises or any part thereof be occupied by anybody other than the Tenant, Landlord may collect rent from the assignee, or occupant and apply the net amount collected to the rent herein reserved, but no such assignment, underletting, occupancy or collection shall be deemed a waiver of this provision or the acceptance of the assignee, undertenant or occupant as lessee, or as a release of Tenant from the further performance by it of the provisions on its part to be observed or performed herein. Notwithstanding any assignment or sublease, Tenant shall remain fully liable and shall not be released from performing any of the terms of this lease. If Tenant is a corporation and if any transfer, sale, pledge, or other disposition of the common stock shall occur, or power to vote the majority of the outstanding capital stock be deemed to be an assignment of this lease, requiring the written consent of the Landlord. It is anticipated that the city shall sub-lease all or part of this unit to either another part of the City of Danbury or possible a state agency that would use the space in a like manner.

9. FIRE AND OTHER CASUALTY: (a) If the leased premises are totally destroyed by fire or other casualty during the term herein, then and in that event, by virtue of this express stipulation, the lease shall cease and terminate. In that event that the Tenant shall give immediate written notice to the Landlord. If said partial destruction or casualty shall amount to less than 25% of the leased improvements, Landlord shall cause the leased premises to be repaired as speedily as possible. The Tenant's obligation to pay rent shall abate in direct proportion to either that portion of the premises destroyed as related to the whole of the leased premises, or that proportion of use which tenant is denied utilization of.

(b) In the event that the partial destruction or casualty to the leased premises is more than 25%, the Landlord in its sole discretion shall determine whether or not to repair the leased premises. In the Event that the Landlord decides not to repair the leased premises, then and in that event, this lease shall cease and be terminated.

10. INDEMNITY AND INSURANCE: From and after the commencement of this lease, Tenant will indemnify and hold Landlord harmless absolutely from and against any and all claims, suits, actions, damages, costs, expenses or judgment, by reason of any actual or claimed injury to person and/or property or loss of life sustained in or about the lease premises during the term hereof which injury or loss of property or life is caused by the negligent act or acts of Tenant. If Landlord is made party to any litigation instituted against Tenant, to which the foregoing indemnity may relate, Tenant will pay all expenses, costs, damages, judgments and reasonable fees for counsel incurred by or imposed on Landlord in connection therewith or as a result thereof. Without limiting the foregoing and other indemnification provisions herein contained, Tenant agrees, at Tenant's sole cost and expense, throughout the term of this lease, but for the mutual benefit of Landlord and Tenant, to maintain general public liability insurance against claims for bodily injury or death to any one person, and to limit of not less than \$1,000,000.00 in respect to property damage.

All insurance provided for in this paragraph shall name Landlord as owner and additional insured and Tenant as insured, as their respective interests may appear, and shall be effected under valid and enforceable policies issued by insurers licensed to do business in the State of Connecticut. Tenant may carry the insurance required under this paragraph under a blanket policy. Upon the commencement of the term of this lease and thereafter not less than forty-five (45) days prior to the expiration dates of the expiring policies theretofore furnished pursuant to this paragraph, originals of the policies or certificates thereof issued by the respective insurers shall be delivered by Tenant to Landlord. Tenant agrees to pay the cost of any such insurance and to furnish Landlord, if requested, with evidence satisfactory to Landlord of such payment. All such policies shall, to the extent obtainable, contain an agreement by the insurers that such policies shall not be cancelled without at least forty-five (45) days' prior written notice to Landlord.

Tenant agrees that if it shall at any time fail to take out, pay for, maintain or deliver any of the insurance policies as provided for in this paragraph, or to make any other payment or perform any other act on the part of Tenant to be made or performed, then Landlord may, but shall not be obligated to do so, an on not less than fifteen (15) day period, and without waiving or releasing Tenant from any obligations of Tenant in this lease contained, (i) take out, pay for, maintain or deliver any of the insurance policies provided for in this paragraph, or (ii) make any other payment or perform any other act on Tenant's part to be made or performed as in this lease provided. All sums so paid by Landlord and all necessary incidental costs and expenses in connection with the performance of any such act by Landlord, together with interest thereon at the rate of 12% per annum from the date of the making of such expenditure by Landlord, at the option of Landlord, shall be payable to Landlord on demand or shall be added to any rent then due or thereafter becoming due under this lease, and Tenant agrees to pay any such sum or sums with interest as aforesaid. All sums which may become payable to Landlord by Tenant, as in this paragraph provided, and all sums payable by Tenant pursuant to any other provision of this lease, shall be deemed obligations of Tenant hereunder and Landlord shall have (in addition to any other right or remedy) the same rights and remedies in the event of non-payment of any such sums by Tenant as in the case of default by Tenant in the payment of rent. The notice provided for herein shall not in any way affect the other provisions of this lease.

11. PROPERTY LOSS OR DAMAGE: Landlord or its agents shall not be liable for any damage to property of Tenant or of others entrusted to employees of Landlord nor the loss or damage to any property of Tenant by theft or otherwise unless caused by the negligence of Landlord, its agents, servants or employees. The Landlord or its agents shall not be liable for any injury or damage to persons or property resulting from fire, explosion, falling plaster, steam, gas, electricity, water, rain or snow, or leaks from any part of said building or from the pipes, appliances or plumbing works or from the roof, street or sub-surface or from any other place or by dampness or by any other cause of whatsoever nature, unless caused by or due to the negligence of Landlord, its agents, servants or employees or unless such injury or damage is due to the failure of the Landlord to maintain the premises as per paragraph 7 (c) of this lease. Tenant shall give immediate notice to Landlord in case of fire or accidents in the demised premises or in the building, or of defects therein or in any building fixtures or equipment. If Tenant shall move any safe, machinery, equipment, freight, bulky matter or fixtures which require special handling, Tenant agrees to employ only persons holding a license to do said work and all work in connection therewith shall comply with any regulations, law or ordinance affecting such work. Tenant shall indemnify Landlord for, and hold Landlord harmless and free from damages sustained by person or property for any damages or monies paid out by Landlord in settlement of any claims or judgments, as well as for all expenses and reasonable attorney fees incurred in connection therewith and all costs incurred in repairing any damage to the building or appurtenances.

12. ACCESS: The Landlord, its servants and agents, including representatives of the insurance company or companies carrying insurance on the building containing the leased premises, shall have the right to enter upon the said premises with reasonable notice to Tenant for repairs to building or equipment or in an emergency or to take preventative measures to protect and preserve the property of the Landlord.
13. CONDEMNATION: In the event of a condemnation of the premises, which shall include a taking of all or a substantial part of the building on the premises, this lease shall, at the option of either party, terminate upon the completion of such taking. The rent shall be apportioned as of that date. The condemnation award shall belong solely to the Landlord. Tenant shall be entitled to relocation costs, if any, provided said costs may be separately determined as an element of the award and not included in their determination of the value of the interest of the Landlord in the leased premises. In the event of a partial taking of the premises in such manner that the Tenant is able to continue without substantial modification, the operation then being conducted on the leased premises, then this lease shall remain in full force and effect. Any award for partial taking shall belong solely to the Landlord. Nothing herein shall be construed to deprive Tenant of its rights upon condemnation as set forth in the Connecticut General Statutes.
14. SUBORDINATION: This lease is subject and subordinate to all mortgages which may now or hereafter effect such leases or the real property of which the demised premises form a part, and to all renewals, modifications, consolidations, replacements and extensions thereof. This clause shall be self-operative and no further instrument of subordination shall be required by any mortgagee. In confirmation of such subordination, Tenant shall execute promptly any certificate that Landlord may request. Tenant hereby constitutes and appoints Landlord as the Tenant's attorney-in-fact to execute any such certificate or certificates for and on behalf of the Landlord. Landlord, however, covenants and agrees that it will use its best efforts to obtain from all future mortgagee's holding a mortgage on the premises written assurance that so long as the Tenant is not in default under the terms and conditions of this lease, Tenant's use, occupation and possession of the possession of the premises and all rights of Tenant under this lease shall not be affected or disturbed by the bringing of any action to foreclose or otherwise enforce any such mortgage.
15. DEFAULT: (a) The occurrence of any of the following shall constitute an event of default:
(1) Delinquency in the payment of any rent or additional rent payable under this lease when such rent shall become payable, for a period of ten days.

(2) Delinquency by the Tenant in the performance of or compliance with any of the conditions contained in this lease other than those referred to in the foregoing sub-paragraph (1), for a period of 15 days after written notice thereof from the Landlord to the Tenant, except for any default not susceptible of being cured within such 15 day period, in which event the time permitted to the Tenant to cure such default shall be extended for as long as shall be necessary to cure such default, provided the Tenant commences promptly and proceeds diligently to cure such default, and provided further that such period of time shall not be so extended as to jeopardize the interest of the Landlord in this lease or so as to subject the Landlord or the Tenant to any civil or criminal liabilities.

(3) Filing by the Tenant in any court pursuant to any statute, either of the United States or any state, of a petition in bankruptcy or insolvency, or for reorganization, or for the appointment of a receiver or trustee of all or a portion of the Tenant's property, or an assignment by the Tenant for the benefits of creditors.

(4) Filing against the Tenant in any court pursuant to any statute, either of the United States or of any state, of a petition in bankruptcy or insolvency, or for reorganization or for appointment of a receiver or trustee of all or a portion of the Tenant's property, if within 90 days after the commencement of any such proceeding against the Tenant such petition shall not have been dismissed.

(5) Upon the business of the Tenant being closed for a period of fifteen (15) days in succession, except for reason of death in the family of the Tenant or ordinary business practice or accident or emergency beyond Tenant's control.

(b) Upon the occurrence of an event of default, the Landlord at any time thereafter may give written notice to the Tenant specifying such event of default and stating that this lease shall expire on the date specified in such notice, which shall be at least 20 days after the giving of such notice, and upon the date specified in such notice this lease and all rights of the Tenant hereunder shall terminate.

(c) Upon the expiration of this lease pursuant to sub-paragraph 15(b) above, the Tenant shall peacefully surrender the leased property to the Landlord and the Landlord, upon or at any time after any such expiration, may without further notice reenter the leased property and repossess it by force, summary proceedings, ejection, or otherwise, and may dispossess the Tenant and remove the Tenant and all other persons and property from the leased property and may have, hold, and enjoy the leased property and the right to receive all rental income therefrom.

(d) At any time after such expiration, the Landlord may relet the leased property or any part thereof for such term and on such conditions as the Landlord, in its uncontrolled discretion, may determine and may collect and receive the rent therefor. The Landlord shall in no way be responsible or liable for any failure to relet the leased property or any part thereof, or for any failure to collect any rent due upon any such reletting.

(e) No such expiration of this lease shall relieve the Tenant of its liability and obligations under this lease, and such liability and obligations shall survive any such expiration. In the event of any such expiration and only after Landlord has taken all reasonable steps and made all reasonable efforts to relet and has been unable to relet, the Tenant shall pay to the Landlord the rent and additional rent required to be paid by the Tenant up to the time of such expiration, and thereafter the Tenant, until the end of what would have been the term of this lease in the absence of such expiration, shall be liable to the Landlord for, and shall pay to the Landlord, as and for liquidated and agreed current damages for the Tenant's default;

(1) the equivalent of the amount of the rent and additional rent which would be payable under this lease by the Tenant if this lease were still in effect, less

(2) the net proceeds of any reletting effected pursuant to the provisions of sub-paragraph 15(d) above, after deducting all the Landlord's expenses in connection with such reletting, including, without limitation, all repossession costs, brokerage commissions, legal expenses, reasonable attorneys' fees, alteration costs and expenses of preparation for such reletting.

(f) The Tenant shall pay such current damages, call deficiency, to the Landlord monthly on the days on which the rent and additional rent would have been payable under this lease if this lease were still in effect, and the Landlord shall be entitled to recover from the Tenant each monthly deficiency as such deficiency shall arise. At any time after such expiration, whether or not the Landlord shall have collected any monthly deficiency, the Landlord shall be entitled to recover from the Tenant, and the Tenant shall pay to the Landlord, on demand, as and for liquidated and agreed final damages for the Tenant's default, an amount equal to the difference between the rent and additional rent reserved hereunder for the unexpired portion of the lease term and the then fair and reasonable rental value of the leased property for the same period. In the computation of such damages the difference between any installment of rent becoming due hereunder after the date of termination and the fair and reasonable rental value of the leased property for the period for which such installment was payable shall be discounted to the date of termination at the rate of twelve percent per annum. If the leased property or any part thereof is relet by the Landlord for the unexpired term of this lease, or any part thereof, before presentation of proof of such liquidated damages

to any court, commission, or tribunal, the amount of rent reserved upon such reletting shall be deemed prima facie to be the fair and reasonable rental value for the part or the whole of the leased property so relet during the term of the reletting. Nothing herein contained shall limit or prejudice the right of the Landlord to prove for and obtain as liquidated damages by reason of such termination an amount equal to the maximum allowed by any statute or rule of law in effect at the time when, and governing the proceedings in which, such damages are to be proved, whether or not such amount be greater, equal to, or less than the amount of the difference referred to above.

(g) The Tenant hereby expressly waives, so far as permitted by law, the service of any notice of intention to reenter provided for in any statute, or of the institution of legal proceedings to that end. The Tenant, for and on behalf of itself and all persons claiming through or under the Tenant, also waives any right of redemption or reentry or repossession or to restore the operation of this lease in case the Tenant shall be dispossessed by a judgment or by warrant of any court or judge or in case of reentry or repossession by the Landlord. In case of any expiration of this lease, the Landlord and the Tenant, so far as permitted by law, waive trial by jury in any action, proceeding, or counterclaim brought by either of the parties hereto against the other on any matter arising out of or in any way connected with this lease, the relationship of landlord and tenant, the Tenant's use or occupancy of the leased property, or any claim of injury or damage. The terms "enter", "reenter", "entry", or "reentry", as used in this lease are not restricted to their technical legal meaning.

(h) Notwithstanding any of the provisions of paragraph 15 of this agreement, any damages due Landlord by default of Tenant shall be limited to the rent due under paragraph 3 of this agreement plus any liquidated damages judicially provable. Landlord will at all times endeavor to mitigate rental obligations of Tenant and will use all reasonable effort to rerent or relet said premises and charge Tenant only for any excess between the amount of rerental and the amount of rent under this agreement.

16. COSTS AFTER DEFAULT: The Tenant shall pay and indemnify the Landlord against all legal costs and charges, including counsel fees lawfully and reasonable incurred, in obtaining possession of the leased premises after a default of the Tenant or after the Tenant's default in surrendering possession upon the expiration or earlier termination of the term of the lease or enforcing any covenant of the Tenant herein obtained.
17. QUIET ENJOYMENT: The Landlord covenants with the Tenant that it has good right to lease said premises in the manner aforesaid, and it will permit the Tenant, upon Tenant's keeping all the covenants on its part as herein contained, to occupy, possess and enjoy said premises during the term aforesaid, without hindrance or molestation from the Landlord or any other person claiming by, from or under it.

18. NOTICE: Any notice or notices provided for in this agreement must be in writing and may be personally served upon the party or parties to receive such notice either within or without the State of Connecticut, or may be deposited in the United States Mail, postage fully prepaid, in a registered or certified envelope addressed to the party or parties to be served at following addresses to wit:

TO LANDLORD: Victorian Associates, Inc.
4 Ridgewood Drive
Danbury, CT 06811

TO TENANT: City of Danbury
403 Main Street
Danbury, CT 06811

19. CHANGE OF ADDRESS: The persons and places to which notices are to be mailed may be changed from time to time by Landlord or Tenant upon written notice to the other.
20. SHORT FORM: Either party may request the other to execute a memorandum of lease suitable for recording containing information required by Section 47-19 of the Connecticut General Statutes (Rev. 1958) but specifically excepting the rental provisions hereof.
21. INTERPRETATION: In construing this lease, the singular shall include the plural and the plural the singular, and the neuter gender shall include the masculine and feminine genders, and vice versa, as the context may require.

If there is more than one party tenant, the covenants of the Tenant shall be the joint and several obligations of each such party. If the Tenant is a partnership, the covenants of the Tenant shall be the joint and several obligations of each of the partners and the obligations for the firm.

22. CAPTIONS: The captions of this agreement are inserted for convenience in reference only and do not constitute a part of this agreement and shall not be construed as defining or limiting in any way the scope or intent of the provisions hereof.
23. SUCCESSORS: This lease shall be binding upon the parties hereto, and the respective successors, assigns, heirs, and legal representatives of the parties hereto.
24. MODIFICATION: This lease contains the entire agreement between the parties and shall not be modified in any manner except by an instrument in writing executed by the parties. If any term or provision of this lease or the application thereof to any person or circumstances shall to any extent be invalid and be enforced to the fullest extent permitted by law.

25. ASSIGNMENT WITHOUT PERMISSION: In the event the tenant sublets or assigns this lease with the Landlord's permission, as herein provided, any increase or assigns this lease with the Landlord's permission, as herein provided, any increase in rent shall belong to the Landlord. Any agreement to circumvent this provision, such as an increase in the sale price of Tenant's business in lieu of a rental increase, shall be cause of violation and breach of this lease.

26. WAIVERS OF LIEN: Landlord herein reserves the right to request from the Tenant Waivers of Lien in the event Tenant shall commence to do interior repairs to said premises. In the event the Landlord requests such Waivers of Lien, he shall supply the same to the Tenant and the Tenant shall have the same executed by all suppliers of material and labor to said demised premises prior to the commencement of said work.

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 _____, 1989.

Signed, Sealed and Delivered
in the Presence of:

LANDLORD
VICTORIAN ASSOCIATES

BY: _____
ROBERT BOTELHO

BY: _____
JAMES MATHER

TENANT
CITY OF DANBURY
DANBURY, CONN

BY: _____
MAYOR

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

Personally appeared _____ of City of Danbury, who acknowledges the foregoing to be free act and deed and free act and deed of said corporation, before me.

Notary Public

COMMON COUNCIL

20 January 1989

Honorable Mayor Joseph H . Sauer
Honorable Members of the Common Council

Dear Mayor and Council Members;

I respectfully request an ad hoc committee be appointed to research the enclosed request. This correspondence was sent to the Mayor's office on 2 Sep 1988, with a follow-up phone call to Ken Tripp. After no response Mrs Sigrid Benyei contacted the undersigned.

Respectfully,

William H Shaw

William H Shaw
Councilman, Sixth Ward



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

JOSEPH H. SAUER, MAYOR

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

September 2, 1988

Mayor Joseph H. Sauer
City Hall
Danbury CT 06810

Dear Mayor Sauer:

The recent new property assessments and the resulting increases in property taxes prompted the Commission on Aging to undertake a preliminary study of a possible tax deferral for property owners 65 years and over. A committee was formed consisting of the following:

Commission on Aging: Elisabeth McKee, Ray Gomoll, Walter Wayman, Sigrid Benyei, and Municipal Agent Margaret Emerito as advisor.

AARP Legislative Committee: Helen Morris, Lynette McPherson, Dorothy Creter, Philip Hadley, and Julian Castillo-Coyle.

This committee has carefully studied the programs other towns have either proposed or already in place, as seen on the attached comparison pages. The proposed alternatives (A),(B),(C) are for Danbury's consideration.

We heard personally from Fran Reynolds of Westport about their successful program, and from Al Garzi, who is Ridgefield's tax assessor and a resident of Brookfield, about both Brookfield's and Ridgefield's proposals.

The common denominator of all existing and suggested programs is the desire to enable seniors to stay in their homes, even though they may have more income than the limit for state and local relief. As you will see, this deferral program will ultimately be of no cost to the city.

In its January 1987 session the Connecticut Legislature passed Public Act No. 87-116: PROPERTY TAX RELIEF FOR ELDERLY HOMEOWNERS - LIENS, "An act enabling any municipality to adopt a plan allowing deferral of real property taxes in amounts up to one hundred per cent for certain elderly homeowners."

We, as representatives of about 9,500 Danburians over the age of 65, ask the City of Danbury to appoint a committee as stipulated in PA 87-116 to undertake an investigation of such tax deferral with all its financial and administrative ramifications.

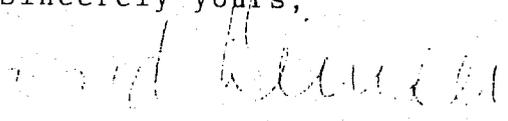
We will be most happy to answer any questions, explain our recommendations, and assist this committee in any way.

Attached for your information are the following:

- Copy of Public Act 87-116
- Copy of our comparison study with recommended alternatives for Danbury and explanatory tables.
- Copy of Westport's Program
- Copy of Trumbull's Program
- Copy of Brookfield's study and recommendation
- Copy of Ridgefield's study and recommendations

We are now looking forward to the appointment of the Danbury Committee and hope that our effort to lay the groundwork and provide background information will be of help to them.

Sincerely yours,


Sigrid Benyei
Chair-Commission on Aging

COMPARISON STUDY OF AREA PROPERTY TAX DEFERRAL PROGRAMS

Prepared by the Danbury Commission on Aging

| | <u>WESTPORT</u> (Established) | <u>TRUMBULL</u> (Established) | <u>BROOKFIELD</u> (Proposed) | <u>RIDGEFIELD</u> (Proposed) | <u>DANBURY</u> (Proposed) |
|----------------------------|--|--|---|--|--|
| <u>INCOME DEFINITION</u> | Adjusted gross income (per IRS Code of 1954 plus Soc. Sec., Railroad, tax exempt retirement & annuities ; tax exempt bonds, | Same definition as Westport, | Income limitation as indexed to state eligibility limits | No means testing | A) No means testing B) Same as Westport |
| <u>Annual Income Limit</u> | Single or married \$30,000 | \$20,000 | Not to exceed 1.5x max. limit per CT 12-170 a HEART, single or married: \$24,750 | Currently no income limit. | A) No income limit B) \$30,000 |
| <u>APPLICATION</u> | On forms provided by Assessor of town with most recent tax return and documentation of all other income. Must state if applicant is or has previously applied for other tax relief. Prior to May 15th of tax year. | Must have first applied for any other tax relief (if eligible) Febr. 1 and May 15 for tax deferral in following fiscal year. | Initial application must be filed between Febr. 1 and May 15 for tax deferral in following fiscal year. | Assessor to establish application procedure. | A) Initial application must be filed between Feb. 1 and May 15 for tax deferral in following fiscal year. B) Same as A) |
| <u>RENEWAL</u> | Annually. | Every two (2) years unless there has been a change of income exceeding income limit. | Between Feb. 1 & May 15 every ODD year. | | A) Annually. B) Same as A) |

DEFERRED TAX

WESTPORT
(Established)

TRUMBULL
(Established)

BROOKFIELD
(Proposed)

RIDGEFIELD
(Proposed)

DANBURY
(Proposed)

Up to 100% of the tax bill inclusive of any state provided tax relief.

First year: 25%
Second year: 50%
Third year: 75%
of tax due., including all other tax relief.

Initial deferral is excess over prior year's tax (year 1). Subsequent deferrals are for total increase over Year One base, which will be frozen and all other increases above Year One can be deferred.

50 % with a \$2,000 cap.

A) The deferred tax shall not exceed twice the tax increase over prior five year average multiplied by the cost of living adjustment rates used by Social Security Admin. for that period; i.e.: a moving 5-year average COLA is applied to the tax bases at the beginning of the period
B) A straight percentage inclusive of all other state & local tax relief.
C) See Brookfield.

Spouse:
Living
Spouse:

65 or over or 65 or over
Under 65 with certain conditions.

65 or over, or 65 or over
60 or over

65 or over, or 65 or over
60 or over

Tax payer or spouse to be 65 or over.

65 or over, or 65 or over
A) 60 or over
B) Subject to PA 87-116

CTOR
STATUS:

not mentioned

not mentioned

Must be elector of Brookfield

not mentioned

No requirement to be elector or citizen

K STATUS:

not mentioned

not mentioned

not mentioned

not mentioned

A) Non-wage earner
B) No restriction on earned income.

| RESIDENCE: | WESTPORT (Established) | TRUMBULL (Established) | BROOKFIELD (Proposed) | RIDGEFIELD (Proposed) | DANBURY (Proposed) |
|---|---|--|--|---|---|
| Single family Trailer Condominium | Applicant must have paid property tax in Westport for at least one (1) year. and lived in residence 183 days per calendar year preceding application. | Applicant have lived and paid taxes in Trumbull for 1 yr. and resided in dwelling at least 183 days prior to applic. | Taxpayer applicant must occupy dwelling for which he asks tax deferral as legal residence for 183 days per year. | Tax payer must have resided at and paid real estate taxes in Ridgefield for 1 yr. Property to be legal residence & occupied for 183 days each year. | Tax payer must occupy dwelling as legal residence at least 183 days/yr. |

Multiple Housing: Yes, if income is under \$30,000 and deferral is prorated to reflect fractional share.

Tax deferral shall be prorated to reflect fractional share of property occupied by applicant.

not mentioned

not mentioned

not mentioned

A) Tax deferral shall be prorated to reflect fractional share of property occupied by applicant.,
B) Same as A) above

RENTALS

House -
Apartment-
room-
excluding sub-si-
dized housing

Not mentioned

Not mentioned

Not mentioned

not mentioned

not mentioned

A) On application of the qualified rentee, the landlord must adjust the rental to reflect a reduction proportionate to that which would have been granted to the rentee had he owned the house or apartment.
B) Consider later.

MAXIMUM TOTAL AMOUNT OF DEFERRAL

Total deferrments, including accrued INTEREST, for all years, shall not exceed the assessed value of the real property.

same as Westport

Same as Westport

Total deferrments may not exceed 10% of total residential real estate tax.

A) Same as Westport
B) Same as A)

INTEREST:

50 basis points less than average Bond Buyer Eleven Index for January each yr.
SIMPLE INTEREST

SIMPLE interest at a rate equal to yield on 5-yr. Treasury Notes as of 2/1/ of year of application,.

To be determined by the finance director after reviewing the Average Bond Buyers Eleven Index.

A) SIMPLE Interest at half percentage point above local savings account rate paid by Danbury banks (abt. 6%.)
B) See Westport



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER AND SEWER DEPARTMENTS
797-4539

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

February 1, 1989

TO: City of Danbury Common Council
FROM: Mr. William J. Buckley, Supt. of Public Utilities
RE: MARGERIE DIKE EASEMENT, NEW FAIRFIELD

Dear Common Council Members:

In the early 80's the City of Danbury was ordered to make improvements to all of its water supply dams. One of the first things I did after starting on board with the City of Danbury in 1981 was to survey the dams and analyze the work that was necessary to bring them up to current Department of Environmental Protection's standards. In viewing the dike located on the northern end of Margerie Reservoir in New Fairfield, it became immediately obvious to me that the 3 easements that we had to get to the property were easements over which it would be very difficult to gain access to the dike. Only one of the three would get you on the top of the dike while the other two it was nearly impossible without some major improvements to even get in the vicinity of the dike.

We have been able to reach an agreement with one of the property owners involved, the owner of the property over which the two difficult easements existed, to modify the easements so that the result would be one which would be easily traversed by us in order to get to the Margerie Dike. We have reviewed the surveying data with the Engineering Department and have dealt with the engineer for the property owner in New Fairfield and finally with our own legal staff

in getting the easement documents in a form acceptable to all of the City staff as well as to the property owner in New Fairfield. What is needed at this time is for you, the Common Council, to give your approval to us to acquire and modify the new easement and the one that existed on the property, respectively. I would appreciate your referring this to a subcommittee for review and if anyone so desires I will be happy to arrange an on site inspection of the dike and the proposed easements for you.

WJB:bds

cc: Mr. Dan Minahan
Mr. Jack Schweitzer
Mr. Rick Gottschalk



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT OF PARKS & RECREATION
HATTERS COMMUNITY PARK
7 E. HAYESTOWN RD.

ROBERT G. RYERSON, DIRECTOR
(203) 797-4632

January 12, 1989

TO: Mayor Joseph H. Sauer, Jr.
FROM: Robert G. Ryerson, Director, Parks & Recreation
RE: Golf Proposal

Enclosed is a letter from Jack Garamella on behalf of Ken Green.

I certainly would be in favor of pursuing this project. Many golfers are seen daily trying to find space to practice and a Junior Program is merited.

I am sure there must be an area suitable for this activity.

I would request that a Common Council committee be established to investigate this project's possibility.

RGR:fl

Enc.

c: J. Garamella
K. Green

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
JOHN A. CURTAS*
PAULA FLANAGAN
THOMAS W. BEECHER
CHRISTINE M. ELLIS
C. ANTHONY VOURNAZOS
EVA M. DEFranCO

AREA CODE 203
744-2150

TELECOPIER: (203) 791-1126

December 20, 1988

*ALSO ADMITTED KENTUCKY AND NEVADA

Department of Parks & Recreation
7 East Hayestown Road
Danbury, Connecticut 06810

Attention: Robert Ryerson, Director

Dear Bob:

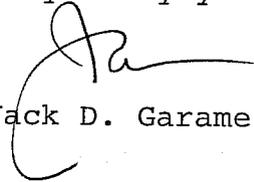
Ken Green has asked that I inquire on his behalf about the possibility of developing a piece of municipally owned property into a golf "driving range/practice area". The exact nature of the project would depend on the size and nature of the property available.

Ken would be willing to lend his time and raise some money to start a program of junior golf in Danbury. Such a program would ideally be administered through the Parks & Recreation Department.

If one or more parcels of land are available for this sort of project, I would be available to sit with you and discuss your thoughts about such a project. If we think we can put together a viable program for the juniors, Ken can lend his expertise and put the details in place.

Please let me know your reaction.

Very truly yours,


Jack D. Garamella

JDG:dg

cc: Ken Green



received
2/10/89

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

February 9, 1989

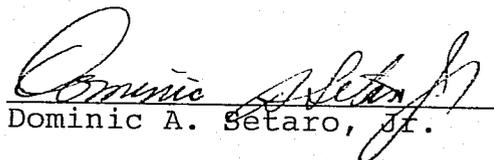
Certification - Water Fund

MEMO TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

Per Common Council approval, we hereby certify the availability of \$30,000.00 to be transferred from the Water Fund fund balance to the Water Fund capital budget line item 10-01-343-000000, transmission and distribution lines.

The above request for funds was approved by the Common Council on February 7, 1989 pending this certification.


Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

February 9, 1989

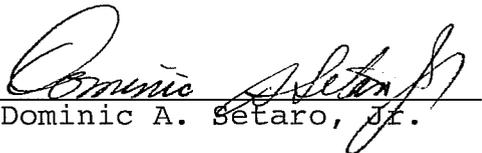
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Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER AND SEWER DEPARTMENTS
797-4539

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

January 10, 1989

TO: City of Danbury Common Council

FROM: Mr. William J. Buckley, Supt. of Public Utilities

RE: TARRYWILE PARK MANSION

In order for the Tarrywile Mansion to be opened to the public, certain requirements for domestic and fire water service have to be met. The sprinkler system that was installed in the mansion has a requirement of approximately 250 gallons per minute at a pressure of approximately 55 pounds per square inch. Our current drinking water system that exists in the road on Southern Boulevard is not capable of delivering that type of flow at that type of pressure.

In 1987 we commissioned a comprehensive water study which concluded that that entire area of the City needs distribution system improvements to improve the fire flow capabilities. The report recommended that a 3 million gallon storage tank be built on the Tarrywile property and that a 20 inch main come down from the property onto Southern Boulevard and supply water through smaller mains to that entire section of the City. Fire flows as a result of this improvement would be greatly increased.

The Tarrywile Mansion needs water this year and it is proposed to develop a 3 year plan which will provide water to the Mansion by July of 1989 and will result in the completion of the Water Department's improvements by July of 1992. The plan is outlined on the attached for your review, comment and subsequent approval and I will certainly

make myself available to you or a Council subcommittee to respond to any questions you may have regarding the plan. I have enclosed also a proposed timetable for implementation of each phase of the plan and some estimated budgetary expenses for your review.

In my estimation the plan is not a very complex one, it is one that certainly can work to the betterment of the entire City, and it is one that helps the Tarrywile Mansion project get off the ground at this time.

WJB:bds

ENCLOSURES

cc: Mayor Joseph H. Sauer, Jr.

Mr. Dennis Elpern

Mr. Rick Palanzo

Mr. Dan Minahan

Mr. Jack Schweitzer

Mr. Dom Setaro

Mr. Rick Gottschalk

Letter to the Common Council regarding Tarrywile Park Mansion.

PROPOSED PLAN FOR PROVIDING WATER TO TARRYWILE MANSION & TO
IMPROVING WATER SERVICE TO THAT AREA OF THE CITY

The plan for Water Department system improvements was outlined in the 1987 Comprehensive Water Study of the City of Danbury Water Department. For your reference refer to map number Fig. 8 of that report. On that map the system improvements are outlined in dark lines on Southern Boulevard, Lincoln Ave, and Rogers Park area. In addition the report makes note that many areas of the City contain transite piping and that when possible those lines should be replaced. You will note by looking at the map that the section of Southern Boulevard adjacent to Wooster Heights Road has a 6 inch transite pipe located in it. It is proposed to replace that 6 inch transite with 12 inch ductile iron on Southern Boulevard between Wooster Heights and Tarrywile Lake Road. You will also note by looking at the map that on the end of Tarrywile Lake Road on the Tarrywile property is proposed a 3 million gallon storage tank.

In order to get water to the Mansion, an 8 inch line is presently being installed from Southern Boulevard up to the Mansion off of which two hydrants will be located. This line is being put in at this time because it will be necessary regardless of how the City choses to provide water to the Mansion. Off of this line, the 8 inch line, must be a pump station with standby power. As part of the plan it is proposed to put the pump station and generator facility in the basement of the Mansion. From a preliminary survey I believe that additional pumps could be placed in the same location to provide for future service to the Castle.

It is not possible to build all of these facilities at one time and therefore, it is proposed to lay the improved water lines from Wooster Heights Road along Southern Boulevard around to the front entrance in the vicinity of the driveway to the Mansion. This line will tie into the 8 inch line that is presently being placed up to the

Mansion. In order to get adequate fire flow and pressure at the site by July 1, 1989, it is proposed to temporarily connect this new main to our high service main which exists on Wooster Heights Road in the vicinity of Terre Haute Road. This will then allow us to deliver 90 pounds of pressure at the Mansion at a rate well in excess of the required 255 gallons per minute.

In the second year of the plan, it is proposed to put in the pump station and generator facility in the basement of the Mansion. In the third year it is proposed to build the 3 million gallon storage tank on the Tarrywile property.

The funding for the project will be out of the Water Department fund and a separate account will be kept of those costs that are solely the responsibility of the Tarrywile Park Mansion. Those costs would involve the installation and purchase and design of the pump station and generator in the basement of the Mansion, as well as the initial installation of the 8 inch line up to the Mansion. It is proposed that the maintenance and operation of the pump station and generator be under the jurisdiction of the City's Building Maintenance Department. There is a value that the Water Department customers must compensate the general fund for the use of the land on which the 3 million gallon storage tank will sit. This is consistent with our entire operation in that the water fund is a separate fund from the City of Danbury general fund. You will recall that the land and park was purchased under a general obligation fund for the City of Danbury. When the project is complete, it is proposed to tally up the total cost that the Water Department incurred for those items that were solely benefiting the water supply to the Mansion. The items that were Water Department system improvements, would be rightfully paid for by the Water Department customers. We would take the total cost of the improvements benefiting the Mansion and compare that to the Assessor's value for the land on which the storage tank was placed. We would take then the difference between these two costs and that difference would be paid to either the Water Department fund or the general fund depending on where the imbalance existed. Once the financial end was resolved, the project would be complete, the Mansion would have adequate water supply with future means of supplying the Castle and the City of Danbury Water Department's system in the vicinity of the Mansion would have realized its improvements.

Letter to the Common Council regarding Tarrywile Park Mansion.

PROPOSED TIME TABLE

| <u>ITEM #</u> | <u>DATE</u> | <u>EVENT</u> |
|---------------|---------------|--|
| 1 | Jan. 1, 1989 | Advertise for qualification statements for water improvement program |
| 2 | Jan. 13, 1989 | Submit proposal to Common Council |
| 3 | Jan. 20, 1989 | Hold special Common Council meeting to refer matter to subcommittee |
| 4 | Jan. 25, 1989 | Advertise bids for 12", 16", 20" pipe and material |
| 5 | Jan. 25, 1989 | Select engineer for labor |
| 6 | Feb. 1989 | Subcommittee must meet and get back to Common Council with approval by 3/1/89 |
| 7 | Feb. 15, 1989 | Sign contract with engineer |
| 8 | Feb. 28, 1989 | Engineer completes design of 12", 16" & 20" pipe |
| 9 | March 1, 1989 | Common Council approval |
| 10 | March 1, 1989 | \$100,000 appropriation from Water fund to Water Budget |
| 11 | March 1, 1989 | Award bid for pipe and material |
| 12 | March 1, 1989 | Authorize engineer to design pump station and generator |
| 13 | June 1, 1989 | Engineer completes design of pump station and generator |
| 14 | June 1, 1989 | Building Dept. brings in service line to Mansion under direction of engineer |
| 15 | July 1, 1989 | City bids pump station and generator |
| 16 | July 1, 1989 | Water Dept. completes (8", 12", 16", 20" pipeline work) *Highway Dept. must provide daily and final paving services. |
| 17 | July 1, 1990 | City completes construction & installation of pump station and generator |

ATTACHMENT #2
(continued)

| <u>ITEM #</u> | <u>DATE</u> | <u>EVENT</u> |
|---------------|--------------|---|
| 18 | July 1, 1990 | Water Dept. completes entire 16" pipeline improvements in 1987 report in area |
| 19 | July 1, 1991 | Water Dept. begins tank construction phase of project |
| 20 | July 1, 1992 | Project work complete |

WJB:bds

Letter to Common Council regarding Tarrywile Park Mansion.

ESTIMATED COST

| | | |
|----|---|-------------|
| 1) | Water Department Distribution system Improvements (Southern Blvd., Wooster Heights, Lincoln Ave) | \$ 500,000 |
| 2) | Tarrywile 8" service line with 2 hydrants | \$ 30,000 |
| 3) | Tarrywile generator | \$ 30,000 |
| 4) | Tarrywile pumps and piping | \$ 25,000 |
| 5) | Tarrywile electrical | \$ 15,000 |
| 6) | Tarrywile contingency | \$ 30,000 |
| 7) | Water Department distribution system improvements (Tarrywile Lake Road) | \$ 100,000 |
| 8) | 3MG storage tank | \$1,500,000 |

NOTE A: Item 1, 7, 8 are all 100 percent Water Department and will be budgeted for accordingly. Rates will not increase more than 8 percent which is about average for last 4 years. This is more to keep up with wages (25% of budget), chemical cost and power cost than to fund these projects.

NOTE B: An appropriation of \$100,000 from Water fund to the current water budget will be necessary to buy pipe and for design services so job can begin this fiscal year. Mr. Setaro will have to certify that this money is available. This will in no way affect the rates for this or next year. That rate (effective Sept. 1989) is already proposed at 7 percent increase. Next year's improvements are already budgeted for and fit into my 7 percent proposed increase.

NOTE B: Mr. Palanzo is placing a \$130,000 budget request in his capital budget for next fiscal year (1989-90) for the water system. This appropriation is good for 3 years and I estimate it will cover all Tarrywile Mansion water system expenses.

WJB:bds



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

January 24, 1989

MEMO TO: Common Council via
Mayor Joseph H. Sauer

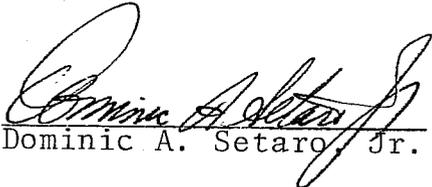
FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

RE: Appointment of Independent Auditors

It is once again time for the City of Danbury to consider the appointment of its auditors to perform the City audit for the fiscal year ending June 30, 1989. I would at this time recommend that we appoint Ernst & Whinney as our city auditors for the fiscal year ending June 30, 1989 and request that you place this on the agenda of the Common Council meeting to be held in February for their approval as required by state law.

I have attached a copy of Ernst & Whinney's fee schedule for the audit. It should be noted that the increase in the City's portion is a result of a number of changes that have occurred over the last year in reference to requirements in the Accounting Rules and Regulations that must be followed by our auditors. Once again, the attached fee schedule also includes an explanation of these changes.

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


Dominic A. Setaro, Jr.

DAS/af
Enclosure



Six Landmark Square, Suite 500
Stamford, Connecticut 06901

203/348-3700

January 18, 1989

Mr. Dominic A. Setaro, Jr.
Acting Director of Finance - Comptroller
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mr. Setaro:

In response to your request for our proposed fees relative to our audit of the June 30, 1989 financial statements of the City of Danbury, we hereby delineate our proposed fees as follows:

| | <u>Proposed</u> <u>1989 Fee</u> | <u>Actual</u> <u>1988 Fee</u> |
|---|------------------------------------|----------------------------------|
| Audit and report on the City's general purpose financial statements | \$ 52,300 (a) | \$ 43,200 |
| School lunch program | 3,500 | 3,000 |
| Special education grants | 5,500 | 5,500 |
| School activity funds | 4,000 | 5,000 |
| ED 001 report | 3,500 | 3,300 |
| Revenue sharing | - | 2,500 |
| | <u>68,800</u> | <u>62,500</u> |
| Single Audit Act-reports | 19,200 | 8,500 |
| | <u>\$ 88,000</u> | <u>\$ 71,000</u> |
| | ===== | ===== |

(a) Includes report on combining and individual fund financial statements, a portion of which is allocable as follows: Water Fund--\$9,000, Sewer Fund--\$9,000, Landfill Fund--\$5,000, and Pension Trust Funds--\$4,000 which includes the new GASB reporting requirements. This amount also reflects Ernst & Whinney assistance with respect to the City's adoption of new GASB statements, and assistance in maintaining the City's "Certificate of Achievement." Comparable allocable amounts for 1988 with respect to the Water Fund, Sewer Fund and Landfill Fund were \$4,000, \$4,000, and \$3,000, respectively. The increase in the 1989 fees for these Funds over 1988 is reflective of a more appropriate allocation of the time required to audit the Funds and an increased level of audit effort required to perform an examination of the expanded operations of the Funds.

Mr. Dominic Setaro

January 18, 1989

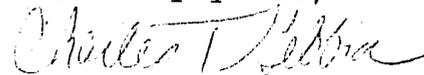
Page 2

- (b) This amount reflects the substantial time and effort required to determine Federal and State compliance with respect to financial assistance received and expended (i.e. Federal regulations require a low audit scope).

The overall fee structure detailed above is indicative of the increased awareness of the business of government on the part of regulatory and rule making organizations such as the Governmental Accounting Standards Board (GASB), including its evolving accounting and reporting requirements, as well as its continuing professional education requirements; and the increased emphasis on compliance reporting on the part of the Federal and State agencies that are providing financial assistance to local municipalities. Such fee structure is based on the continued quality of the City's financial records and the high level of professional participation in the audit effort by you and your staff.

We are proud to be associated with the City of Danbury in the capacity of serving as its auditors, and you may be assured that we will continue to provide the high quality service that is in accordance with your expectations.

Very truly yours,



Charles T. Gebbia
Partner

CTG:sf



25

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER AND SEWER DEPARTMENTS
797-4539

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

January 30, 1989

TO: City of Danbury Common Council

FROM: Mr. William J. Buckley, Supt. of Public Utilities

RE: INTERCONNECTIONS BETWEEN STATE APPROVED PUBLIC WATER SUPPLY SYSTEMS

Dear Common Council Members:

As you are aware, there are approximately 31 public water supply systems within the City of Danbury in addition to the City of Danbury Water Department. Many of these smaller systems do not have any emergency power and in some instances are marginal in terms of source of supply. The one thing we have in common is that we are all public service companies serving citizens of the City of Danbury and I would like you to consider an Ordinance change which would allow us to work cooperatively together with these other water companies to the benefit of the public that we serve.

I would like you to consider establishing an Ordinance that would exempt the current existing approved public water supply systems in the City of Danbury from paying a connection fee when they interconnect with the City of Danbury. They still would be required to install a meter, meter chamber and proper backflow protection as is good engineering practice, and would be required to pay for any water that travels from the City of Danbury system into their system as well as paying the minimum fee as established in the Code of Ordinances for water service; however, they would be exempt from paying a connection fee as established in the Code of Ordinances.

If the interconnection required an extension, they would still have to come before the Council and seek your approval of that extension and if the interconnection was no more than a service connection off of an existing main, they would only have to submit an application to Mr. Schweitzer's office as is currently the case.

I believe that this proposed Ordinance will benefit the City of Danbury and will result in us providing a public service to the citizens of Danbury in a much more reliable and dependable manner. Interconnections in the water business between systems should be encouraged and should be practiced by all of us in the water business. The City of Danbury is in that particular business and I urge that you consider this concept favorably.

WJB:bds

cc: Mr. Dan Minahan
Mr. Jim O'Krongly
Mr. Sid Albertson
Mr. Rick Albani
All Public Water Supply Systems in Danbury



26
received
1/10/89

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 6, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR.
CITY ENGINEER

Mayor Joseph H. Sauer, Jr.
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Ct. 06810

Dear Mayor Sauer and Common Council Members:

Locally Maintained Roads
State Town Aid Program

Each year the City notifies the State of Connecticut Department of Transportation as to newly accepted City roads and roads "missing" from the certified road list/TRU-34 mapping prepared by the State to show locally maintained roads for which Town Aid is received by the City from the State each year.

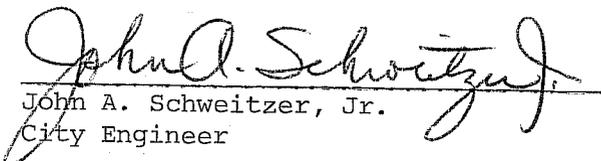
On the form submitted to DOT by Superintendent of Highways Frank Cavagna on October 21, 1988 were five roadways (Briarwood Drive, Butternut Lane, Michaud Road, Ridge Road and Ridgebury Road) which are and have been fully maintained by the City of Danbury but are not recognized by the State DOT.

According to a November 8, 1988 letter (a copy is enclosed for your use) from the State of Connecticut Department of Transportation, formal acceptance of these roads by the City is needed before the State will certify them.

It is hereby requested that the Common Council take the necessary actions to officially accept these roadways.

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

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/PAE/gw
Enclosure

c: Eric Gottschalk with enclosure
Frank Cavagna



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

RECEIVED

Phone : 665-0072

NOV 10 1988

November 8, 1988

Engineering Dept.

Mr. John Schweitzer
Town Engineer - Town of Danbury
155 Deer Hill Road
Danbury, CT 06810

Dear Mr. Schweitzer:

Subject: 1988 Changes to the Locally Maintained
Public Highway System

We have received the 1988 edition of the questionnaire form ENG-029 which was submitted by Mr. Cavagna on October 21, 1988.

Four major types of change were reported:

- 1) Resurfacing/reconstruction of certified roadways,
- 2) Road name discrepancies,
- 3) New road acceptance/extension, and
- 4) Roads "missing" from the certified road list/TRU-34 mapping.

The reconstructed roads will be inspected and our records will be revised to reflect their current condition.

The practice of this office regarding road name assignments is to record the name that appears on the street sign(s) "in the field". Thank you for advising us of these changes. If our inspection reveals that the street signs corroborate the names reported, we will revise the road list and TRU-34 mapping.

As an introduction to the discussion of the latter two types of change reported, the following is offered:

The criteria for inclusion of a locally maintained public highway in the Town Aid program are:

- 1) Acceptance of legal liability and maintenance responsibility by the municipality in which the road is physically located,
- 2) Absence of gates or restrictive signs (e.g. "Residents Only"),
- 3) Accessibility via the public highway network,
- 4) Passability in a standard passenger vehicle, and
- 5) Request for certification made by the municipality and granted by the State.

Failure to meet any of these conditions precludes certification. Failure to continue to meet these conditions will lead to the rescinding of certification.

In light of the above, the cases of Briarwood Drive, Butternut Lane, Michaud Road, Ridge Road and Ridgebury Road can be placed in proper perspective.

The Town of Danbury may "own" Briarwood Drive and maintain the others, but without a local legal action resulting in the formal "acceptance" of legal liability and maintenance responsibility, these roads cannot be certified. If such legal action has occurred, please provide this office with the date(s) of that action.

The location of Jonathan Court is, to the best of our knowledge, not within the geographical limits of the Town of Danbury and, therefore, cannot be credited to the Town of Danbury.

If you have any questions on the preceding please direct them to Mr. David McCorkle of this office at 667-3957.

Very truly yours,



Mario Tonarelli
Trans. Assist. Planning Director
Planning Inventory & Data
Bureau of Planning

cc: Mr. Frank Cavagna
Highway Superintendent



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 6, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

26
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CITY ENGINEER

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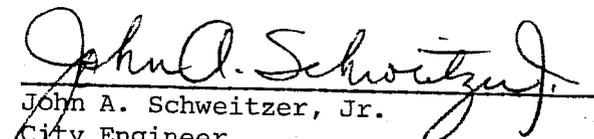
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JAS/PAE/gw
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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Very truly yours,



Mario Tonarelli
Trans. Assist. Planning Director
Planning Inventory & Data
Bureau of Planning

cc: Mr. Frank Cavagna
Highway Superintendent

27

B. Shawn McLoughlin
46 Hakim St. Ext.
Danbury, Ct. 06810

January 11, 1989

Common Council
155 Deer Hill Ave.
Danbury, Ct. 06810

RE: PURCHASE OF CITY OWNED LAND

Dear Sirs:

At present I own and live at 46 Hakim St. Ext., which is a two family house that is zoned R3, three family. I am the last house on a dead end street, bordered on the right by interstate 84 and in the rear by a parcel of property owned by the city of Danbury, parcel G13043 which is zoned R3. There also is a small strip of land between the right side of my property and Interstate 84, as well as a strip of land between my property and Hakim St. Ext. This also is owned by the city of Danbury.

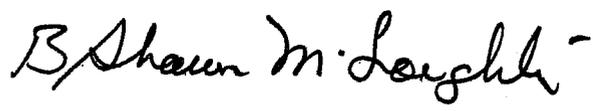
I would like to purchase approximately 3700 sq. ft. of land which is bordering my property. This land was used by the previous owner, now used and maintained by me, but is owned by the city of Danbury. Please refer to the enclosed plot plan to see the property I wish to purchase.

The addition of this land to my present property would give me the required 7500 sq. ft. to conform to the R3 zoning. This would enable me to add an apartment to my existing two family house.

The advantage to the city would be to add affordable housing to the area, taking tax exempt land from the city putting it on the tax rolls, as well as increase the taxable value of my property.

Thank you for your consideration.

Very truly yours,



B. Shawn McLoughlin

Enclosure



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

LANDFILL DEPARTMENT
(203) 797-4605

MICHAEL A. CECH
General Mgr. of Solid Waste

January 19, 1989

The Honorable Joseph H. Sauer, Jr.
Common Council Members
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Sauer and Common Council Members:

I respectfully request that you form a committee to review proposed changes in the By-Laws of the Housatonic Resources Recovery Authority.

As attached documents will demonstrate, several of these changes require the alteration of our concurrent ordinance.

Thank you for your consideration.

Sincerely,

Michael A. Cech
Gen. Mgr. of Solid Waste

MAC/sw

cc: Robert Resha, Corp. Counsel
Daniel Minahan
Dave Gervasoni
file

**HOUSATONIC
RESOURCES RECOVERY AUTHORITY**

Old Town Hall, Route 25
Brookfield Center, Connecticut 06805
203-775-6256

December 28, 1988

MEMO

TO: Members & Alternates

FROM: Jacqueline Heneage

RE: Ordinance Revisions

The following is the proposed re-wording of certain sections of your concurrent ordinances. Incidentally I have noticed that in certain cases (such as HRRRA's name) some of your ordinances may already conform.

ORDINANCE

Section 2 First Sentence:

A public body politic and corporate of the state to be known as the "Housatonic Resources Recovery Authority" - - - - -.

(By-laws Article I)

Section 4 Last Sentence Substitution:

Said alternate representative shall have a voice at Authority meetings and vote at Authority meetings if the regular representative from said municipality is absent from the meeting.

(By-laws Article III)

Section 6 Add underlined to first sentence:

Except in the case of membership termination the Authority shall operate with one hundred voting units - - - - -.

(By-laws Article III,D,V)

Section 6 Add underlined in last paragraph:

Members of the Authority holding a majority of the voting units shall constitute a quorum, provided that no quorum shall be deemed to exist unless at least fifty-one percent of the members of the Authority shall be present.

(By-laws Article IV E 2)

Section 6 Add one more paragraph at end:

In case of membership termination each member municipality shall have one vote and there shall be no vote by voting units.

(By-laws Article III, D, V)

Section 7 Reword:

Members of the Authority shall serve without compensation but may be reimbursed for their necessary expenses.

(By-laws Article III A)

JH:nj
reword

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**HOUSATONIC
RESOURCES RECOVERY AUTHORITY**

Old Town Hall, Route 25
Brookfield Center, Connecticut 06805
203-775-6256

BYLAWS OF THE HOUSATONIC
RESOURCES RECOVERY AUTHORITY

As Adopted on 10/10/86
with Amendments on 4/10/87 and 12/14/88

ARTICLE I - NAME

** The name of this Authority shall be the Housatonic Resources Recovery Authority.

ARTICLE II - PURPOSE

The Authority is established and created for the purpose of providing solid waste management and disposal services within the region of the Authority, which shall be the region within the jurisdiction of all of the member municipalities of the Authority, and which purpose includes providing for the disposal of residential and commercial solid waste, the financing, construction and operation of one or more solid waste disposal facilities for such purpose, and the delivery of solid waste thereto, including facilities for incineration of solid waste and production of steam, electricity and other by-products for sale to public utilities and others.

In the pursuit of this purpose, the Authority shall exercise such rights, powers, and duties as are conferred or imposed on it by Chapter 103b, Sections 7-273aa to 7-237oo inclusive and Chapters 446d and 446e of the Connecticut General Statutes, as revised to 1987 and as amended from time to time.

ARTICLE III - MEMBERSHIP

A. Members. The membership of the Housatonic Resources Recovery Authority shall consist of one representative from each member municipality of the Authority. Each such representative, including each of the first representatives of the Authority, shall be appointed for the term and in the manner set forth in the concurrent ordinance adopted by each member municipality, provided

however, that representatives shall continue to serve until their successors are appointed and have qualified. In the event that a representative is the Chief Elected Officer of a municipality and ceases to hold office, the municipality may appoint a successor to fill the unexpired term for that municipality. In no event shall the terms of more than one half of the representatives expire simultaneously. If because of the addition or reduction of the number of member municipalities, the terms of more than one half of the representatives would expire simultaneously, then the terms of a sufficient number of representatives shall be automatically extended for a period of one year. Said extensions shall be based upon the alphabetical order of the member municipalities.

** Each member municipality may appoint one alternate representative of the Authority who shall act in the event of the disability or absence for any other reason of the regular representative of the municipality. Said alternate representative shall have a voice at Authority meetings and vote at Authority meetings if the regular representative from said municipality is absent from the meeting.

The terms of all alternate representatives shall be co-terminus with regular representatives.

The Authority shall be notified in writing of the appointment of any regular or alternate representative by the Chief Elected Officer of the member municipality.

** Representatives of the Authority shall serve without compensation but may be reimbursed for their necessary expenses.

B. Membership Policies. The Authority shall establish, by 2/3 majority vote of all voting units present and voting, policies, including the levying of surcharges, for the admission of future members.

C. Withdrawal. Member municipalities may withdraw from the Authority only after agreeing, in writing, to comply with the terms and conditions contained in any contracts between such municipality and the Authority, or the holders of any bonds of the Authority. No such withdrawal shall relieve such municipality of any liability, responsibility or obligation incurred by it as a member municipality of the Authority or as a user of any of the Authority's projects.

D. Termination.

1. Grounds: In the event any member municipality shall fail to pay in full any dues, assessments, fines, surcharges, or other financial obligations, whether involving contractual agreements or not; or shall fail to abide by a vote of the Authority or to take such action as is necessary following a vote of the Authority that

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such action be taken, such member municipality may be terminated. The Chairman shall cause written notice of the default to be sent to the Chief Elected Officer of the member municipality by certified mail, return receipt requested, setting forth the default and requiring that the default be remedied within 30 days. If the default is not cured within 30 days of the receipt of said notice, the membership of the defaulting municipality may be terminated in accordance with the provisions of this section.

2. Determination: At any time after the expiration of said 30-day period if the default remains uncured, the officers of the Authority shall meet to determine if probable cause exists for termination of said defaulting member municipality. If any officer of the Authority is the voting representative of the member municipality whose default is the subject of the meeting, that officer shall not participate in the discussion or determination. A unanimous vote of all four (4) officers shall be required to determine that probable cause exists for termination of a member municipality, except that the votes of three (3) officers shall suffice if one officer is disqualified as aforesaid. If such a determination is made, the officers shall at that meeting set a date, time and place for the public hearing on said termination consistent with the time requirements hereinafter provided.

3. Notice: The Chairman of the Authority shall promptly after such determination cause written notice to be sent by certified mail, return receipt requested, to the Chief Elected Officer of the member municipality. Such notice shall set forth the grounds for termination as to which the officers determined that probable cause exists; the date, time and place for the hearing on such termination; the procedure to be followed at such hearing; and the provisions of these bylaws governing the termination process.

4. Hearing:

(a) No member municipality shall be terminated without a public hearing before the full Authority. The termination hearing shall be held in public no earlier than thirty (30) days from the member municipality's receipt of the aforesaid notice and no later than sixty (60) days thereafter. The hearing, once convened, may be recessed to a date, time and place certain in conformity with the provisions of the Freedom of Information Act.

(b) At the hearing, the Chairman of the Authority shall preside unless he is the voting representative of the member municipality which is the subject of the hearing, in which event the Vice-Chairman shall preside. The Authority shall call in a competent stenographer to take the evidence, or shall cause the evidence to be recorded by a sound-recording device.

(c) At such hearing an officer of the Authority, or someone previously designated by the officers, shall present the evidence

in support of termination of the member municipality. The member municipality shall be afforded an opportunity to respond and present evidence and argument on all issues involved. Both the Authority and the member municipality may be represented by counsel. All persons presenting testimony shall be sworn, and shall be subject to cross-examination.

(d) Any oral or documentary evidence may be received, but the Authority shall give effect to the rules of the privilege recognized by law. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

(e) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the Authority or the member municipality shall be given an opportunity to compare the copy with the original.

(f) Notice may be taken of judicially cognizable facts, provided the member municipality is informed of the matter to be so noticed and is given the opportunity to contest the matter.

(g) Rulings on all objections and procedural matters shall be made by the presiding officer.

5. Decision:

(a) Within thirty (30) days of the conclusion of the hearing, the Authority shall vote on its decision and on the findings of fact on which it is based. In the vote on the decision to terminate, each member municipality shall have one vote, there shall be no vote by voting units. No decision to terminate a member municipality shall be effective unless it has been approved by a vote of two-thirds of the full membership.

**

(b) The decision shall be reduced to writing and shall include the findings of fact on which it is based. It shall be signed by two qualified officers who are not a representative of the member municipality in default. Within five (5) days of the vote on it, the decision shall be sent by the Chairman or the Secretary via certified mail, return receipt requested, to the Chief Elected Officer of the member municipality which is the subject of the decision.

6. Effective Date of Termination: The termination shall be effective seven days after receipt by the member municipality of a decision terminating it. No such termination shall relieve the member municipality so terminated of any liability, responsibility or obligation incurred by it as a member of the Authority or as a user of any of its projects.

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ARTICLE IV - MEETINGS

A. Annual Meeting. Unless otherwise specified by resolution of the Authority, the annual meeting shall be held at the regularly scheduled meeting in June.

B. Regular and Special Meetings. An annual schedule of regular meetings of the Authority shall be approved by the Authority prior to January 31 of each year. Special meetings may be called at any time by the Chairman of the Authority, or by petition in writing signed by not less than three representatives of the Authority entitled to vote and filed with the Secretary of the Authority.

C. Budget Meeting. The budget meeting of the Authority shall be held at the regularly scheduled meeting in June of each year beginning in 1987.

D. Call of Meetings.

(1) The Authority shall comply with Section 1-21 of the Connecticut General Statutes with respect to filing schedules and notices of meetings with the clerks of member municipalities.

(2) Each representative to the Authority shall be sent written notice of meetings, postmarked not more than twenty nor less than seven days before said meeting date. Notice of the meeting shall include the place and time of the meeting and a proposed agenda for the meeting. In the case of an emergency meeting, proper notice shall be deemed to be actual oral or written actual notice delivered at least twenty-four hours before said meeting.

E. Voting.

** (1) For the conduct of business, member municipalities of the Authority holding a majority of the voting units shall constitute a quorum, provided that no quorum shall be deemed to exist unless at least fifty-one percent of the member municipalities of the Authority, at present at least 8 towns or cities, shall be present and voting.

(2) There shall be no voting by proxy.

(3) Except as otherwise specified herein, the Authority shall operate with one hundred voting units which shall be assigned to member municipalities in proportion to each municipality's share of the total population of all members of the Authority as determined by the latest decennial federal census of population. There shall be no fractional votes and each municipality shall have a minimum of one vote. The distribution of voting units among members shall be recomputed following each decennial federal census and upon the withdrawal or termination of any member municipality or the admission of a new member municipality.

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(4) All actions by the Authority unless otherwise specified herein or by other law shall require the affirmative vote of at least fifty-one percent of the total voting units present and voting at a duly called meeting of the Authority at which a quorum is present.

(5) If a quorum shall not be present at any meeting, those representatives present may set a time and place for an adjourned meeting, provided that the notice of such meeting shall comply with Article IV, Section D. of these bylaws.

(6) All meetings shall be conducted in accordance with Roberts Rules of Order, latest edition.

ARTICLE V - OFFICERS

A. Officers. The officers of the Authority shall be a Chairman, Vice Chairman, Secretary and Treasurer. Officers shall be elected by the Authority at its annual meeting or whenever a vacancy occurs. Each officer shall serve until a successor is elected and qualified.

B. Powers and Duties. The officers shall have such powers and duties as are customary for their respective offices and such additional powers as the Authority may by vote confer.

C. Succession. In the absence of the Chairman the Vice Chairman shall act. In the absence of the Vice Chairman the Secretary shall act. In the absence of the Secretary the Treasurer shall act.

D. Nominating Committee. Prior to the annual meeting, or in the event of a vacancy the Chairman shall appoint a committee consisting of three representatives who hold no elective office in the Authority to nominate persons for the officer positions. Nominations may also be made from the floor. The nominating committee shall report its recommendations to the HRRRA members at the meeting prior to the election.

ARTICLE VI - COMMITTEES

The Authority may appoint such committees from time to time as it may see fit with such powers and duties as the Authority may determine, not inconsistent with law or these bylaws. Alternate representatives as well as regular representatives of the Authority may serve on committees and may vote at committee meetings. Each member municipality, however, shall have only one vote on a committee.

ARTICLE VII - FINANCIAL MATTERS

A. Fiscal Year. The fiscal year of the Authority shall end on the

30th of June of each year.

B. Budget. Annually, at the regularly scheduled meeting in June, the Authority shall adopt a budget for the upcoming fiscal year. Adopted budgets may be amended from time to time by 2/3 majority vote of all voting units present and voting as the Authority deems necessary. Any representative may request postponement of vote on any amendment to the budget to the next regular or special meeting.

C. Bank Accounts. The funds of the Authority shall be deposited in one or more banks designated by the Authority. Checks shall bear the signature of such officer or staff person as the Authority may designate. Persons authorized to sign checks shall be covered by bond, the premium of which shall be paid by the Authority.

D. Audits. Upon completion of its fiscal year, the Authority shall have an audit of its financial management by an independent auditor. Each representative to the Authority and the Chief Executive Officer of each member municipality shall receive a copy of the audit.

ARTICLE VIII - STAFF OR CONSULTANTS

The Authority may employ such staff or consultants to accomplish its purposes as it may from time to time determine.

ARTICLE IX - REPORTS AND PLANS

The minutes of each meeting shall be prepared by the Secretary, with such staff assistance as may be required, and be circulated to the chief elected officials or each member municipality, and its representative and alternate. The Annual Report shall also be similarly circulated. All reports and plans adopted by the Authority shall be available at the Office of the Authority, unless specifically voted by the Authority for further distribution.

ARTICLE X - CORPORATE SEAL

The Authority shall have a corporate seal of such design as it may approve.

ARTICLE XI - AMENDMENTS

These bylaws may be amended by vote of the Authority at a duly called meeting, provided that the notice of the meeting shall be accompanied by the complete text of the proposed amendment and shall be postmarked not more than twenty nor less than seven days before said meeting date. No amendment may be approved which is in conflict with the concurrent ordinance adopted by the member

28

municipalities.

Any regular representative of a member municipality may propose an amendment to these bylaws by submitting a proposal to the Chairman of the Authority. Said chairman shall cause the proposal to be placed on the agenda of the next regularly scheduled meeting for discussion. Upon favorable consensus of the full Authority the proposed amendment shall be drafted by the Bylaws Subcommittee and returned to the full Authority for adoption.

Effective Date. If any subsections or any articles in the proposed amendments to the by-laws are in conflict with the concurrent ordinances as adopted by the member municipalities, such subsections or articles shall not become effective until two-thirds (2/3) of the member municipalities have amended the concurrent ordinance to eliminate the conflict. Otherwise these by-laws and amendments shall become effective immediately upon their adoption.

** These particular amendments become effective when two-thirds (2/3) of the member municipalities have amended their concurrent ordinances to eliminate the conflict.

by_laws6

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by_laws6



29

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

LANDFILL DEPARTMENT
(203) 797-4605

MICHAEL A. CECH
General Mgr. of Solid Waste

January 19, 1989

The Honorable Joseph H. Sauer, Jr.
Common Council Members
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Sauer and Common Council Members:

I respectfully request the formation of a Council committee to review our long term options for recycling.

As the attached documents will show, the State of Connecticut wishes for us to pass a resolution declaring our intent to either pursue their regional recycling plan when mandatory recycling takes effect in 1991 or to handle the separation, cleansing, and marketing of these items on our own.

It should be noted that the state informed us this month that they desire a reply by the end of February.

Thank you for your consideration.

Sincerely,

Michael A. Cech
Gen. Mgr. of Solid Waste

MAC/sw

cc: City Clerk
Robert Resha, Corp. Counsel
Daniel Minahan
Dave Gervasoni
file

27



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



December 28, 1988

William Stuart
Housatonic Resources
Recovery Authority
Old Town Road, Route 25
Brookfield Center, CT 06805

Dear Mr. Stuart:

The recycling feasibility study which your agency has been conducting should now be almost complete. A major goal of the study was to enable the participating municipalities to determine whether it is in their best interests to meet the requirements of the Mandatory Recycling Act (P.A. 87-544) through a regional program or through a purely local program. One of the tasks of your grant is to seek resolutions from participating municipalities indicating their decision in this matter. Even though your study may not be finalized, there should at this point be enough information available so that municipalities can make a decision with respect to the value of regionalization.

I am enclosing sample resolutions which municipalities can use to indicate their intent and authorize application for a preliminary program design grant. Grant guidance for the program design phase will follow shortly. Both resolutions should be presented to the municipalities at the same time unless the applicant for the program design phase has not been determined. In any case, the resolution indicating intent to recycle either locally or regionally should be acted upon by the legislative body of each municipality at least by the end of February 1989.

Please convey these resolutions to the appropriate municipal officials and encourage them to take prompt action. The Department hopes that they will choose to support regionalization because it has many advantages:

1. Capital Assistance from the Recycling Trust Fund - It is expected that each region having a population base of approximately 400,000 will receive a maximum of \$5.0 million from the Recycling Trust Fund of which \$3.0 million has been budgeted to provide intermediate processing facilities (exclusive of land costs) and \$2.0 million has been budgeted to support municipal or regional purchases of recycling collection vehicles, household recycling containers, composting equipment, initial public education materials, etc.
2. Savings in Operating Costs through Economies of Scale - The state will not pay the operating costs for municipal recycling programs. Given the amount of material which will require management under the mandatory law and the volatility of markets for some recyclables, it will be extremely difficult and expensive for any municipality to accomplish the state mandate alone. By establishing adequately sized regional intermediate processing centers and having regional personnel take long-term responsibility for many essential recycling functions, the costs of operating recycling programs will be significantly reduced. Typical regional functions include: grants administration; processing center development and management; technical assistance to municipalities and businesses in the areas of collection, materials management, quality control, and commercial outreach; public education; marketing for almost all the mandated materials generated by the residential sector (whether centrally collected and processed or not); reporting and program evaluation.

Phone:

3. Flexibility and Marketability - Regionalization allows flexibility to deal with fluctuating markets, changing market specifications and technological advances. With recycling becoming a major component of solid waste management throughout the Northeast, control over sizable flows of recyclable materials and the ability to prepare them to the newest market specifications will help ensure success.

Municipalities should be made aware of the fact that because the Department believes in the value of the regional approach to recycling and because the Mandatory Recycling Act encouraged this approach, municipalities which choose the purely local approach will receive a low priority for state recycling assistance. Furthermore, in accordance with Section 5 of the Act, such municipalities can also be directed to deliver their recyclables to a planned or operating intermediate processing center if they have not implemented comparable local processing systems by July 1, 1990.

The Mandatory Recycling Act takes effect just two years from now. It is important that municipalities indicate at this time whether or not they intend to be involved in regional recycling and, if so, in what regional program they intend to participate so that the appropriate programs can be designed and appropriate facilities built by the 1991 deadline. Although final commitments to implement regional programs will be made after the program designs are completed at the end of the next planning phase, statements of intent through the enclosed resolutions should be submitted to the Department by the end of February 1989.

If you have any questions about the content or timing of the resolutions, please contact Carmine DiBattista at 566-2860 or Lois Hager at 566-8722.

Sincerely yours,



Leslie Carothers
Commissioner

Draft Municipal Resolution
(Alternate Forms)

WHEREAS, the Mandatory Recycling Act (P.A. 87-544) prohibits the permanent disposal in landfills and energy recovery facilities after January 1, 1991, of items designated in regulation by the Department of Environmental Protection as required to be recycled, and

WHEREAS, the Department of Environmental Protection has proposed in regulation that the following items be recycled: cardboard, glass food containers, leaves, metal food containers, newspaper, office paper, scrap metal, storage batteries and waste oil.

WHEREAS the (municipality) has been a participant in a regional recycling feasibility study conducted on its behalf by the (regional authority/agency),

[Form 1: Committing to pursue the regional approach and identifying the preferred region.]

NOW THEREFORE, BE IT RESOLVED that, for the purposes of meeting the requirements of the Mandatory Recycling Act, the (municipality) declares its intent, in accordance with Section 3 of the Act, to participate in a regional recycling program organized to serve a single region encompassing the municipalities which participated in recycling feasibility studies undertaken by the following agencies/authorities: (Add names of feasibility study recipients whose aggregate population approaches or exceeds 400,000).

[Form 2: Indicating intent to pursue a purely local approach.]

NOW THEREFORE, BE IT RESOLVED that the (municipality) declares its intent, in accordance with Section 3 of the Mandatory Recycling Act, to meet the requirements of the Mandatory Recycling Act as a single municipality and not as part of a region.

NOTE: Be sure the resolution (whichever form is chosen) bears the proper signatures, seals and certifications.

Draft Municipal Resolution

Authorizing Application for Preliminary Program Design Grant

WHEREAS, the Mandatory Recycling Act (P.A. 87-544) prohibits the permanent disposal in landfills and energy recovery facilities after January 1, 1991, of items designated by the Department of Environmental Protection as required to be recycled, and

WHEREAS, the Department of Environmental Protection has proposed in regulations that the following items be recycled: cardboard, glass food containers, leaves, metal food containers, newspaper, office paper, scrap metal, storage batteries and waste oil.

WHEREAS, the State Department of Environmental Protection will provide a preliminary program design grant to prepare a program plan for a comprehensive regional recycling program which will assist participating municipalities to accommodate the requirements of the Mandatory Recycling Act, and

WHEREAS, the (regional authority/agency) has stated its intent to apply for a DEP grant to undertake and develop a comprehensive program plan for a recycling region encompassing the municipalities in the region(s),

NOW THEREFORE, BE IT RESOLVED that the (name of municipality) municipal council/town meeting authorizes the (regional authority/agency) to act on behalf of (name of municipality) in making an application to the Commissioner of Environmental Protection and to receive a grant to develop a comprehensive regional recycling program plan, and

BE IT FURTHER RESOLVED that the (name of municipality) agrees to cooperate in the project by providing relevant data to the (regional authority/agency) and attending meetings when requested, and agrees to evaluate and take action in a timely fashion on proposals made regarding the project.

NOTE: Be sure the resolution bears the proper signatures, seals and certifications.

Green and Gross, P.C.

LAW OFFICES

BERNARD GREEN
ERIC M. GROSS
SAMUEL T. ROST
JOEL Z. GREEN
SUSAN C. WEBB

1087 BROAD STREET
BRIDGEPORT, CT 06604-4231
(203) 335-5141
FAX (203) 367-9964

January 24, 1989

Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut, 06810

Re: Lot #103
103 Lakeview Avenue
Danbury, Connecticut

Gentlemen:

I represent Stelco Industries, Inc. which owns a vacant parcel of land known as lot #103, with an address of 103 Lakeview Avenue, Danbury, Connecticut.

Lot #103 is shown on that certain map entitled "Cedar Heights", which map is on file in the Town Clerk's office as map no. 1909. The lot is located adjacent to a lot which contains a well, storage tanks and pump station for the community water system operated by Rural Water Co., Inc. of Bethel, Connecticut.

In November of last year Eric L. Gottschalk, assistant corporation counsel, filed a report dated November 23, 1988 recommending that my client's offer to donate the vacant lot to the City of Danbury would have no direct benefit to the City and the proposal would involve the expenditure of City funds. Coupled with my client's offer to donate the lot, Stephen C. Polizzi, president of Rural Water Co., Inc., by his letter of July 13, 1988, offered to pay the City of Danbury a nominal sum of \$1,000 to obtain title to the lot after its transfer to the City by my client. A copy of Mr. Polizzi's letter is attached hereto.

I have recently spoken to Attorney Gottschalk and have explained to him in more detail that, if my client's proposal and that of Mr. Polizzi is accepted by the City of Danbury, I would be more than happy to prepare the appropriate quit claim deeds

Green and Gross, P.C.

30

Hon. Members of the Common Council
Re: Lot #103
103 Lakeview Avenue
Danbury, Connecticut
January 24, 1989

Page Two

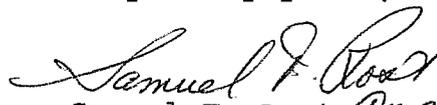
from my client to the City and, in turn, from the City to Rural Water Co., Inc. I also pointed out to Mr. Gottschalk that consummation of the transfer of the lot to the City and subsequently to the water company will allow the water company to improve the Cedar Heights system so as to be able to keep the company's rates to its customers as low as possible. This would indirectly benefit the City of Danbury and also directly benefit the customers of the water company.

One of the conditions of my client's offering the lot to the City of Danbury as set forth in my letter of August 9, 1988, a copy of which I enclose herein, was that the City obtain an appraisal for the lot indicating a fair market value of at least \$64,000. In order to not involve the City with respect to the appraisal, I am asking the president of the water company to take on the responsibility of obtaining this appraisal so that the City can then complete the second requirement of my letter which is the execution of any tax appraisal form required by the Internal Revenue Service which needs to be filed by my client so as to substantiate the gift of the lot to the City and its fair market value. I will take on the responsibility of preparing any tax appraisal form required for signature by the appropriate officials of the City of Danbury.

I would appreciate the Common Council's reconsidering my client's offer to donate the lot as described above.

If you have any questions concerning this proposal or require my presence at any meeting to discuss this matter further, please let me know. Thank you for your attention to this matter.

Very truly yours,


Samuel T. Rost *amg*

STR/amg
Enc.

cc: Eric L. Gottschalk, Esq.
Mr. Stephen C. Polizzi

30

RURAL WATER CO., INC.
225 Greenwood Avenue
P.O. Box 86
Bethel, CT 06801
(203) 744-5459

July 13, 1988

Ms. Elizabeth Crudgington
Danbury City Clerk
155 Deer Hill Rd.
Danbury, Ct. 06810

Dear Ms. Crudgington,

I am writing about a lot on Lakeview Avenue in Danbury owned by Stelco Inc. The lot is identified on Tax Assessor's map K-4 (an excerpted copy of which is attached) as lot number KO4114, and is adjacent to my Company's pump house property which serves the entire Cedar Heights area.

I understand that the owner of the property had offered to donate the property to the City of Danbury, but that such request was denied because the property is of no value to the City. The property is of value to Rural. Rural is under orders from the DPUC and the Department of Health Services to complete three major improvements in Cedar Heights in 1989. They are as follows:

- 1) Install a 20 kilowatt standby electric generator.
- 2) Install an additional 15,000 gallon atmospheric storage tank.
- 3) Drill a new well to complete the upgrading of well supply begun in 1987.

As can be seen from the attached map of Rural's pump house property, there is room for items 1) and 2) on our existing lot, but installation would require crossing the newly installed tank which now lays parallel to Lakeview Ave. It would be substantially less difficult to install the new generator and tank on the adjacent property.

There is no room for the additional well listed as item 3) on the existing lot. You may recall that Rural petitioned the City last summer for the right to drill a well on City owned property along either Lakeview Ave. or Valley Rd. Two wells were subsequently drilled, with great success, one on Rural's pump house property and one across the street on a property owned by a neighbor who granted an easement. If we were to obtain the Stelco lot, a new well could be drilled near the southern border, a reasonable distance from the existing wells.

RECEIVED

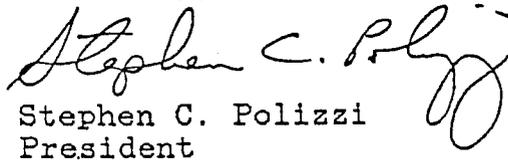
JUL 15 1988

GREEN & GROSS, P.C.

The attorney for Stelco advises me that his client is not willing to make Rural the same offer which it made to the City. I request that the City consider accepting Stelco's offer, accomplish the transfer, and then transfer the property to Rural. I am prepared to pay the City a nominal amount of \$1,000 to obtain the property in this manner.

The consumation of the transaction would allow me to make the necessary improvements to the Cedar Heights system at the least possible cost, which translates into being able to keep the rates as low as possible. Assistance of this kind can be the difference between a company being able to improve its system itself and the City or State being stuck with the headache of a failing system. If you require further information, please do not hesitate to contact me.

Sincerely,


Stephen C. Polizzi
President

cc: W. Buckley
J. Schweitzer
S. Rost, esq.

LOT (106)

LOT (104)

LOT (102)

30

I.P. SET
9/87

I.P. SET
9/87

S 13° 30' 00" E

50.00'

LOT AREA

4621 S.F.

0.11 Ac.

STELCO
EST

LOT (103)

LOT (107)

N 76° 30' 00" E
91.70'

S 76° 30' 00" W
93.15'

Tanks moved

HATCH

TANK

TANK

CONC. SLAB

NOTE: UNDERGROUND
ENCROACHMENT

I.P. SET
9/87

CL&P
3377

WELL

I.P. SET
9/87

50.02'

N 11° 50' 20" W

LAKEVIEW

AVENUE

2'

2' WIDE STRIP RESERVED
BY DEVELOPERS

RIGHT-OF-WAY LINE ESTABLISHED
FROM FIELD LOCATED MONUMENTATION

NOTE: REFER TO TC MAP No.
1909 ON FILE D.L.R.

Green and Gross, P.C.

LAW OFFICES

BERNARD GREEN
ERIC M. GROSS
SAMUEL T. ROST
JOEL Z. GREEN
SUSAN C. WEBB

1087 BROAD STREET
BRIDGEPORT, CT 06604-4231
(203) 335-5141
FAX (203) 367-9964

August 9, 1988

Miss Elizabeth Crudgington
Danbury City Clerk
155 Deer Hill Road
Danbury, Connecticut 06810

Re: Stelco Industries, Inc.
Lot #103, Lakeview Avenue
Danbury, Connecticut

Dear Miss Crudgington:

Back in the fall of last year I had been in touch with the City of Danbury through its Corporation Counsel and Mr. James Nimmons as President of the Common Council concerning the offer by my client, Stelco Industries, Inc., to donate a vacant parcel of land known as Lot #103, Lakeview Avenue, in Danbury to the City of Danbury. In January of 1987 I was advised that the City of Danbury decided that it was not in its best interest to accept my client's donation of the lot.

At this time I am now authorized to offer, once again, the lot to the City of Danbury conditioned upon my client's receiving the following:

1. An appraisal arranged for and obtained by the City of Danbury for my client indicating a fair market value of the lot of at least \$64,000.00; and
2. The proper completion of any tax appraisal form required by the Internal Revenue Service to be filed by my client substantiating the gift of the lot to the City of Danbury and its fair market value.

Please note that the \$64,000.00 fair market value was arrived at based upon the prior assessment as established by the tax assessor of the City of Danbury for \$44,700.00. This figure was based upon what

Miss Elizabeth Crudgington
Page Two
August 8, 1988

the City believed to be 70% of the fair market value of the lot at that time.

I would appreciate your presenting this letter to the appropriate town officials for proper consideration as soon as possible.

Thank you for your cooperation. If you have any questions, please do not hesitate to contact me.

Very truly yours,

GREEN AND GROSS, P.C.

SAMUEL T. ROST

STR/nu

cc: Mr. Kurt B. Hersher
Mr. Stephen C. Polizzi



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

December 22, 1988

DANBURY, CT 06810

Hon. Joseph H., Sauer, Jr., Mayor
Hon. Members of the Common Council
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Joe's Hill Road Discontinuance - December agenda item #41

Dear Mayor and Common Council Members:

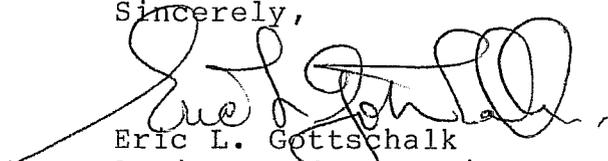
Please accept the following in response to your request for a report in connection with the above. Enclosed you will find a copy of Connecticut General Statutes section 13a-7 which provides that the Common Council has authority to discontinue unused portions of roads and highways within the City.

As indicated in the letter from the State which was attached to Mr. Schweitzer's letter to you, the State is interested in having the Council formally discontinue this portion of Joe's Hill Road.

Since the Council has legal authority to accomplish this, and since the City Engineer has indicated to you that he sees no potential benefit to the City in keeping this portion of Joe's Hill on the books as a City road, this office has no objection to the proposed Common Council action.

If you have any additional questions please contact us.

Sincerely,


Eric L. Gottschalk
Assistant Corporation Counsel

ELG:g



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

January 17, 1989

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

Re: 8-24 Referral - Discontinuance of a Portion of Joe's Hill Road

Dear Council Members:

The Planning Commission at its meeting January 4, 1989 voted a positive recommendation for the discontinuance of a portion of Joe's Hill Road providing that this portion of property cannot increase the density of the corner property if the land is conveyed to the owner of that property.

The motion was made by Mr. Boughton amended by Mr. Hajj and the amended motion was seconded by Mr. Deeb and passed with "ayes" from Commissioners Boughton, Hajj, Deeb and Justino.

Sincerely yours,

Frank Bondatti, Jr.
(79)

Frank Bondatti, Jr.
Chairman



32

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

January 11, 1989

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

Re: 8-24 Referral - Donation of property on Fox Den Road

Dear Council Members:

The Planning Commission at its meeting January 4, 1989 voted a negative recommendation for the donation of property on Fox Den Road unless a City Agency will take full responsibility for its maintenance.

The motion was made by Mr. Deeb, seconded by Mr. Hajj and passed with "ayes" from Commissioners Deeb, Hajj, and Justino. Commissioner Boughton voted "nay".

Sincerely yours,

Frank Bondatti, Jr.
Frank Bondatti, Jr. *(Signature)*
Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 4, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR.
CITY ENGINEER

MEMO TO: Mayor Joseph H. Sauer, Jr.
and Common Council Members

FROM: Patricia A. Ellsworth,
Assistant City Engineer

SUBJECT: Fox Den Road Parcel

I have reviewed the letter to Mayor Joseph Sauer and to the Corporation Counsel's office relative to the offer of land (Assessor's Lot #C07063) to the City of Danbury by Ruth E. Grindell.

The following facts may assist in the determination as to whether or not to accept title to this parcel:

1. According to the Assessor's map (copies of a section of this map and Town Clerk Map 3805 are enclosed) the lot contains 0.43 acres of land. The lot falls within a RA-40 zone (minimum lot size 40,000 square feet) and therefore is non-conforming. It may however be a legal non-conforming lot if it predates zoning. The Planning and Zoning Department can advise you on this.
2. The lot slopes downward from Fox Den Road at a generally uniform slope averaging 10 percent. A copy of a section of the City's topographical map is enclosed for your reference.
3. The lot falls within an area shown on the Environmental Impact Commission (EIC) map (a copy of a section is enclosed) as a designated wetlands. EIC approval of the development of this lot will be required.
4. The "as built" drawing (a copy of a section is enclosed) for Fox Den Road indicates that an 18" RCP culvert discharges onto this lot. The topographical map also indicates that a ditch or swale runs from Fox Den Road to the rear of this lot. I would recommend that whoever takes title to this property, be it the City or a private developer, review this situation with the Corporation Counsel's Office or their own attorney. The existence of a discharge from Fox Den Road, which is a City accepted road, onto this parcel and a drainage ditch across it for a period of time which seems to be over twenty years may mean that the City of Danbury has by use acquired a storm drainage easement and rights which might encumber this parcel.

(continued on page 2)

TO: Mayor Joseph H. Sauer, Jr.

January 4, 1989

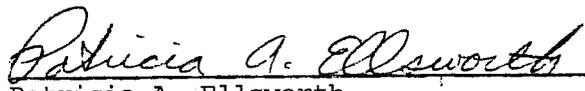
5. This parcel abuts no other City or open space land. Reference is made to the enclosed Assessor's map for the names of abutting property owners.

6. Because of the lot's size and the existence of a drainage ditch across it, the installation of a well and septic system would not be feasible. There are no municipal facilities in this area.

If the Planning Department and Parks and Recreation Department foresee no future use or benefit to the City by the acquisition of this parcel, we would recommend that the City not accept the land and that it be offered to adjoining property owners thereby remaining taxable property.

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

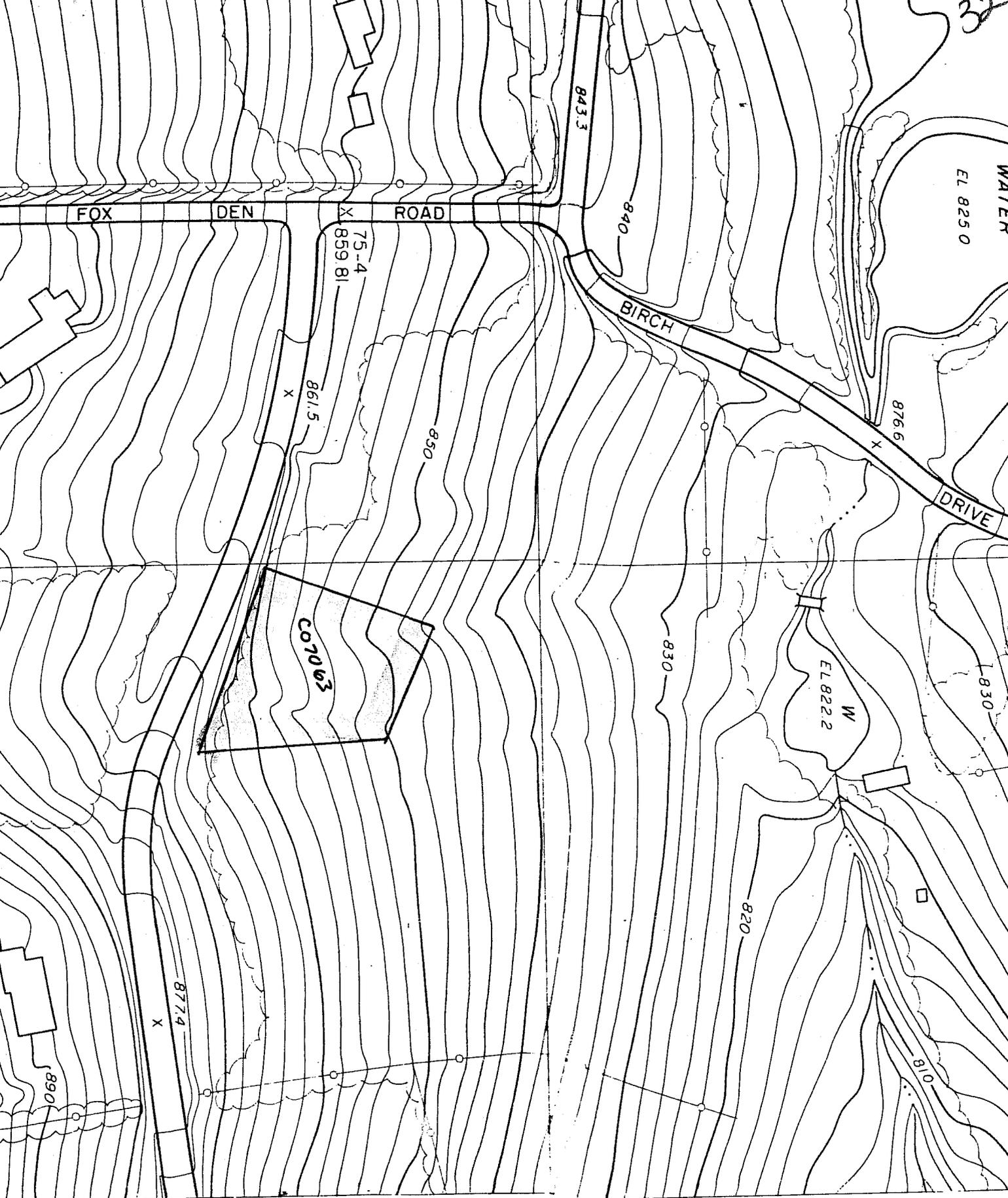
Very truly yours,


Patricia A. Ellsworth,
Assistant City Engineer

PAE/gw

Enclosures

c: Dennis Elpern
Robert Ryerson
Eric Gottschalk



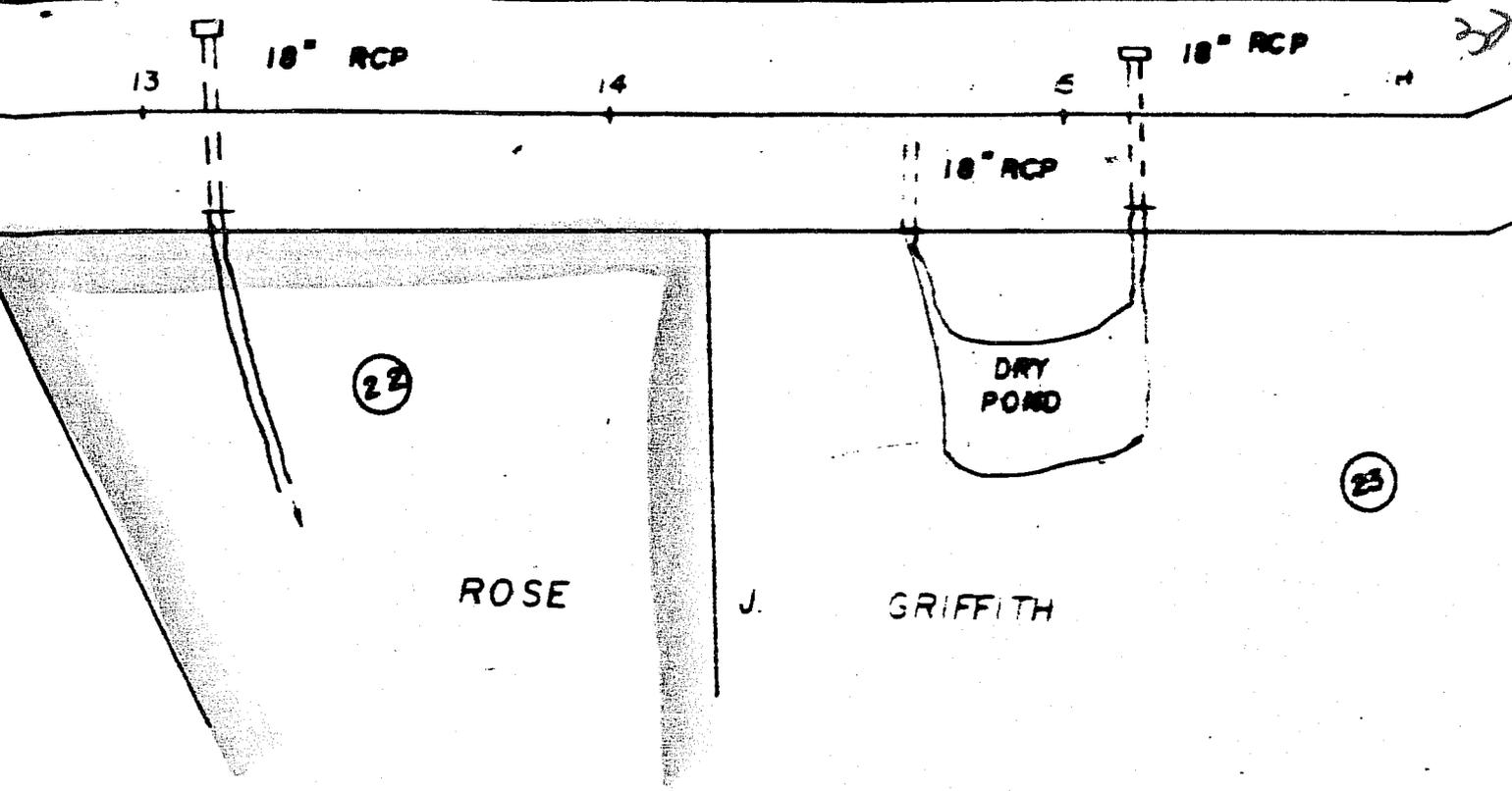
N 21 30 E

TOPOGRAPHICAL MAP



32

WETLANDS MAP



PLAN SCALE 1" = 40'

AS BUILT PROFILE

— KING RIDGE ESTATES —

FOX DEN ROAD

TOWN OF DANBURY

AND

COUNTY OF FAIRFIELD

STATE

OF

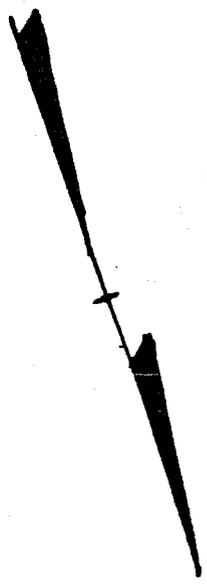
CONNECTICUT

SCALE:

HORIZONTAL 1" = 40'

VERTICAL 1" = 4'

APRIL 16 1966



ROAD

KING RIDGE ESTATES

MAP OF LOTS 21 & 23

KING STREET DISTRICT

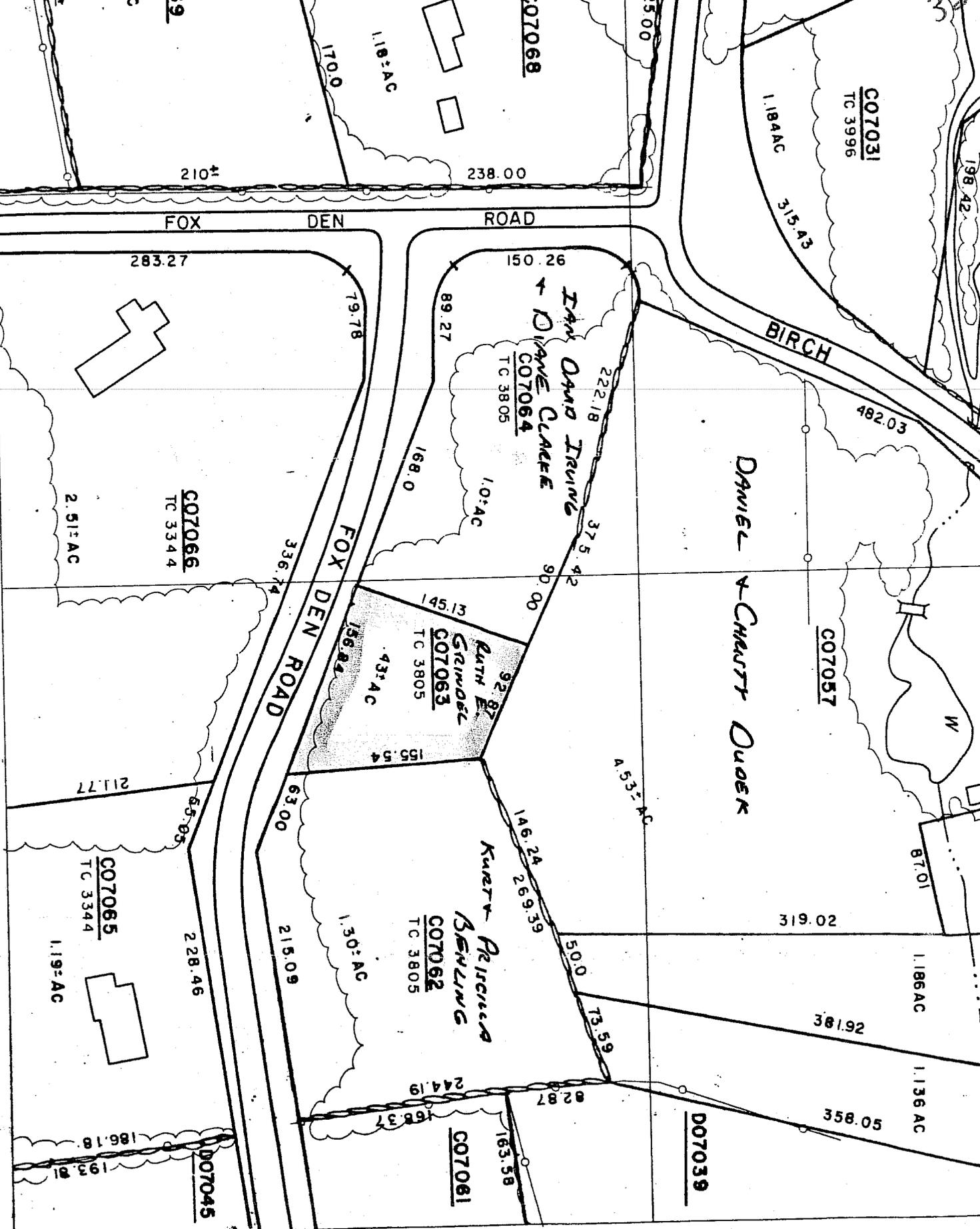
DANBURY CONNECTICUT

SCALE 1" = 100'

BE CONVEYED
ELL

3805

TAX ASSESSOR'S MAP



C07068

C07031
TC 3996

FOX DEN ROAD

BIRCH

DANIEL & CHRISTY DUOK

Ian and Diane Clarke
C07064
TC 3805

Ruth E. Grimes
C07063
TC 3805

Kurt & Patricia Benning
C07062
TC 3805

C07057

C07066
TC 3344

C07065
TC 3344

D07039

C07061

D07045

N 218,900

N 218,500



33

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

received
12/27/88

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR.
CITY ENGINEER

December 22, 1988

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

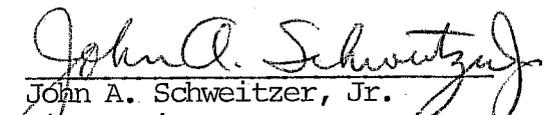
Dear Mayor and Council Members:

Contemporary Drive

Item # 27 of the December 6, 1988 Common Council meeting requested a report on the above referenced road.

Please be advised that both the Code of Ordinances and the Subdivision Regulations require that petitions for acceptance of roads must be submitted to the Common Council between April 1 and October 31 inclusive.

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/sd

c: Daniel Minahan



27 Dec 33

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

January 17, 1989

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

Re: 8-24 Referral - Acceptance of Contemporary Drive

Dear Council Members:

The Planning Commission at its meeting January 4, 1989 voted that the the Common Council request further information from the Corporation Counsel's Office as to whether or not this is a valid petition.

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

Sincerely yours,

Frank Bondatti, Jr.

Frank Bondatti, Jr.
Chairman



34
received
1/18/89

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS
(203) 797-4537

DANIEL J. MINAHAN
DIRECTOR OF PUBLIC WORKS

January 17, 1989

DM
TO: MAYOR JOSEPH H. SAUER, JR., & MEMBERS OF THE COMMON COUNCIL
FROM: D.J. MINAHAN, DIRECTOR OF PUBLIC WORKS
RE: ACCEPTANCE OF MONITORIAL DONATIONS TO THE CITY OF DANBURY
FORESTRY DIVISION, LINE ITEM: LIVING MEMORIALS

I have been approached by several civic service groups in the community to establish a "Living Memorial" program by which various select trees and plantings may be made in memory of members from the civic groups.

My request to the Council is that they authorize us to accept these gifts in the form of monetary contribution to the Forestry Division budget. A line item will be established solely for that purpose. The City of Danbury in turn will order and purchase the necessary trees and plantings and plant them throughout the city as a beautification program to supplement our normal spring and fall planting programs.

I have briefly discussed this with Comptroller, Dominic Setaro and Acting Tree Warden, Richard Smith, both are in favor of the program. I ask your permission to establish it so it will be an ongoing program.

Thank you for your consideration in this matter.

cc: K. Tripp
B. Crudginton
D. Setaro
R. Smith
file



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS
(203) 797-4537

DANIEL J. MINAHAN
DIRECTOR OF PUBLIC WORKS

January 17, 1989

TO: MAYOR JOSEPH H. SAUER, JR., & MEMBERS OF THE COMMON COUNCIL
FROM: D.J. MINAHAN, DIRECTOR OF PUBLIC WORKS
RE: ACCEPTANCE OF MONITORIAL DONATIONS TO THE CITY OF DANBURY
FORESTRY DIVISION, LINE ITEM: LIVING MEMORIALS

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Thank you for your consideration in this matter.

cc: K. Tripp
✓ B. Crudginton
D. Setaro
R. Smith
file



65

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Military Museum

Dear Mayor and Council Members:

A Military Museum to commemorate World War II is being proposed by John Valluzzo. Mr. Valluzzo has been in contact with Mr. Nimmons and Mr. Ryerson regarding locating this proposed museum at Tarrywile Park.

It is requested that an ad hoc committee be formed to address this proposal.

Sincerely yours,

Roger M. Bundy

Roger M. Bundy
Councilman at Large



36

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

January 23, 1989

MEMO TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

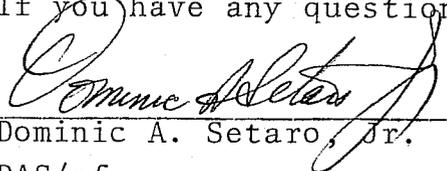
RE: Borrowing of Funds - Lateral Sewers

As you know, we have been experiencing some cash flow difficulties over the last few months. One of the most recent problems which has occurred is in the Lateral Sewer Fund whereby we have a bond payment to be made on February 15th and a payment to be made to a contractor for the completion of work of a sewer project on Hillandale Road. Because of the problems with the Hillandale project, sewer assessments have not been levied yet and we are required to make our bond payment for that project and previous projects. Needless to say, we will have a shortage of funds (cash) to make this payment this year, and I am projecting that we will have even more serious problems next year.

I would request that you place this item on the agenda of the Common Council for its February meeting for the Council's approval of our request to borrow money temporarily from the Sewer Fund so that the payments can be made to the contractor and the bank for our obligations. I would also request that a subcommittee of the Common Council be established to discuss the potential problem that will exist next year. We will have a payment due for principal and interest on our bonds for approximately \$386,000, and based on our previous collections we do not anticipate that we will have those funds available.

It should be noted that the Engineering Department is working on the proposed assessments for Hillandale, and hopefully they will be levied within a short period of time. The estimated amount of funds that we will need to borrow from the Sewer Fund this year is approximately \$65,000.

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



Dominic A. Setaro, Jr.
DAS/af
c: William Buckley



37

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

January 24, 1989

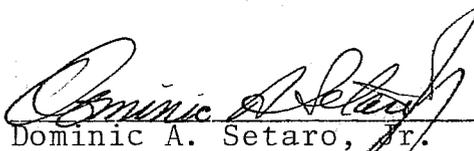
MEMO TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

RE: General Fund Reserve

I hereby request that a committee of the Common Council be established to discuss the City's reserve that will be required in the upcoming budget and also permission that will be needed from the Common Council for this office to borrow from any fund within the City to meet cash flow problems as they occur. I would suggest that the committee that is being established to discuss my memo in regard to the Lateral Sewer collection problems be appointed to this committee also so that there is an understanding of what is happening to the City's cash flow position. It is important that members of the Common Council understand the impact that this will have on the upcoming budget for 1989-90. Therefore, I request that this item be placed on the February Common Council agenda for the establishment of this committee.

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


Dominic A. Setaro, Jr.

DAS/af



38

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

January 26, 1989

DANBURY, CT 06810

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: The Danbury Cemetery Association

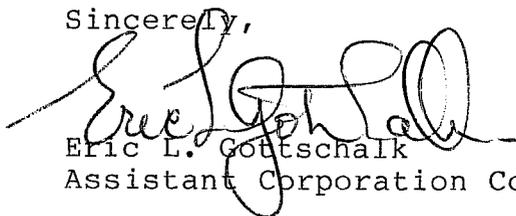
Dear Mayor Sauer and Members of the Common Council:

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

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

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

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG:r

Enclosures

c: Dominic A. Setaro, Jr.
Acting Director of Finance/Comptroller
Richard Hanna, Esq.

35

20 Ellsworth Avenue
Danbury, Connecticut 06810
January 24, 1989

City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Gentlemen:

This will confirm that we had previously entered into an agreement dated March 3, 1987 for the maintenance of some 2,002 graves owned by the City of Danbury for the fiscal years commencing July 1, 1987 and July 1, 1988. This Agreement provided that it would be effective only for that period but that the Agreement could be extended for additional years by letter agreement setting forth the terms of the new Agreement and the cost thereof.

We are willing to redo this Agreement for an additional three years, for the fiscal years of July 1, 1989 through July 1, 1991 at the following cost per grave to be paid during the month of July in each year in advance:

| | | |
|----------------|-------------------|-------------------|
| July 1, 1989 - | \$6.15 per grave; | total \$12,312.30 |
| July 1, 1990 - | 6.45 per grave; | total 12,912.90 |
| July 1, 1991 - | 6.80 per grave; | total 13,613.60 |

If this arrangement is satisfactory, we will consider that the Agreement has been extended by our signing this letter and your signing an acceptance thereof in the lower left hand corner.

DANBURY CEMETARY ASSOCIATION,

BY: MICHAEL BALDASARE, President

AGREED TO AND ACCEPTED
THE CITY OF DANBURY

BY: JOSEPH SAUER, ITS MAYOR

AGREEMENT

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

W I T N E S S E T H :

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

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

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

NOW, THEREFORE, the parties hereto agree as follows:

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

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

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

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

Signed, sealed and delivered in the presence of:

[Signature]
Eric L. Gottschalk

[Signature]

CITY OF DANBURY

BY: [Signature]
James E. Dyer, Its Mayor

DANBURY CEMETERY ASSOCIATION

BY: [Signature]

Howard P. Rubinow III, P.E.

CIVIL ENGINEER

(203) 743-0767
(203) 775-1871

MAILING ADDRESS
P.O. BOX 236
BETHEL, CT 06801

OFFICE ADDRESS
118 COALPIT HILL ROAD
DANBURY, CT 06810

LETTER OF TRANSMITTAL 389

| | | | |
|-----------|---|---------|-------|
| DATE | 1/6/89 | JOB NO. | 88059 |
| ATTENTION | City Clerk | | |
| RE | Water Main Extension | | |
| | Old Mill Country Day Care Center | | |
| | Joe's Hill Road & Mill Plain Rd. Cutoff | | |
| | | | |
| | | | |
| | | | |

TO: City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

GENTLEMEN:

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
 Shop drawings Prints Plans Samples Specification
 Copy of letter Change order _____

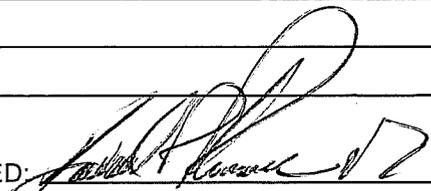
| COPIES | DATE | NO. | DESCRIPTION |
|--------|----------|-------|---|
| 1 | 12/29/88 | 1 Sht | Plan and Profile, Water Main Extension - Sheet 1 of 2 |
| 1 | 12/29/88 | 1 Sht | Water Details - Sheet 2 of 2 |
| 1 | 1/4/89 | 1 Sht | Application for Extension of Sewer and/or Water |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: 

31

COMMON COUNCIL
CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

- Sewer
 Water

Applicant: Gary Kurpiewski dba Old Mill Realty

Address: c/o Howard P. Rubinow III, P.E.
P. O. Box 236, Bethel, CT 06801

Telephone No: 743-0767

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

Located at: Joe's Hill Road and Mill Plain Road Cutoff

Assessor's Lot No: C14009

Zone in which the Property Lies: RA-40

Intended Use:

- | | |
|---|--|
| <input type="checkbox"/> Retail | <input type="checkbox"/> Single Family Residential |
| <input type="checkbox"/> Office | <input type="checkbox"/> Multiple Family Development |
| <input type="checkbox"/> Mixed Use | |
| <input type="checkbox"/> Industrial | |
| <input checked="" type="checkbox"/> Day Care Center (Proposed Building 7800 SF ±) | |

_____ Number of Efficiency Units
_____ Number of 1 Bedroom Units
_____ Number of 2 Bedroom Units
_____ Number of 3 Bedroom Units

_____ Total Number of Units



(Signature)

January 4, 1989

(Date)

January 17, 1989

CITY OF DANBURY
COMMON COUNCIL
155 Deer Hill Ave
Danbury, CT. 06810

This letter is to give an easement to the city of Danbury to extend the sewer line through the properties listed below of Ledgemere Drive, Danbury CT.

These lots are listed on the attached map #1423 of the city of Danbury land records.

The street drain right of way presently exists along the stone wall boundary of lot#32, #27 Ledgemere Drive and continues through the property of Barbara Flanagan, 03 Doogwood Park North.

We, hereby, owners of said listed lots do give an easement to the city of Danbury to extend the sewer line through the listed lots, at any future date, to connect Ledgemere Drive to the city sewer system.

Lot# (32) 27 Ledgemere Drive

Lot# (31&So¹/₂of30) 25 Ledgemere Dr

Henry Kenneth Ruppell
Henry Kenneth Ruppell

Frances J. Ruppell
Frances J. Ruppell
27 Ledgemere Drive
Danbury, CT 06811
203-748-5521

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer _____

Water X

Name of Applicant: JAMES Bodner

Address: 10 HIGH MEADOW RD
BRKFLD CT. CT. 06805

Telephone: 792-1403 775-6881

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

Located at: 10 Beckett St LOTS A+B

Assessors's Lot No. A G 14007 B G 14388

Zone: _____

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

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 4

Number of 3 Bedroom Units _____

Total Number of Units 4

2 Houses 2 units each

James Bodner
SIGNATURE

1-27-89

DATE

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer

Water

Name of Applicant: JANOS PAP-NEMES

Address: 37 ACRE DRIVE
DANBURY CT. 06811

Telephone: 743-5383

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

Located at: 6 HAYSTOWN HEIGHTS

Assessors's Lot No. H09170

Zone: RA 20

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

Number of Efficiency Units _____
Number of 1 Bedroom Units 2
Number of 2 Bedroom Units _____
Number of 3 Bedroom Units _____
Total Number of Units _____

János Pap-Nemes
SIGNATURE

1-25-89
DATE

January 17, 1989

CITY OF DANBURY
COMMON COUNCIL MEMBERS
155 Deer Hill Avenue
Danbury CT 06810

Dear Members,

Attached is our Ledgemere Drive petition for sewer
line extension.

Sincerely,

Frances J. Ruppell

Frances J. Ruppell
27 Ledgemere Drive
Danbury CT 06811

748-5521

January 17, 1989

CITY OF DANBURY
Common Council
155 Deer Hill Avenue
Danbury, CT. 06810

WE THE UNDERSIGNED RESIDENTS AND TAXPAYERS OF LEDGEMERE DRIVE, DANBURY, CT. PETITION THE CITY OF DANBURY COMMON COUNCIL TO EXTEND THE EXISTING SEWER LINE OF DOGWOOD PARK NORTH, TO LEDGEMERE DRIVE.

WE ALSO REQUEST AN ESTIMATED COST TO EACH HOMEOWNER FOR INSTALLING SUCH SERVICE.

01 Ledgemere Drive
(Residence) Lot size: 100'X 1001
Robert Charles Leonard
Tel: 203 743-4731

02 (none)

03 Ledgemere Drive Lot size: 100'x 100'
(Residence)

Tel: _____

04 (none)

05 Ledgemere Drive Lot size: 100'x 100'
(Residence)
Ella L. Moore
Tel: _____

06 Ledgemere Drive Lot size: 65.70'x 212.41
(Lot)
Reginald J. DePalma
Ersilia M. DePalma
Tel: 203 748-5209

Reginald J. DePalma
Ersilia DePalma (RJD)

07 (none)

08 (none)

09 Ledgemere Drive
(Residence)

Lot size: 110.00'x 150.56'

Tel: 203-

10 Ledgemere Drive
(Residence)
Bernice N. Merrick
Tel: 203-743-9759

Lot size: 208.00'x 110.19'

11 Ledgemere Drive
(Residence)
Munir Fakhreddine
Nassab Fakhreddine
Tel: 203-743-2294

Lot size: 100.00'x 150.00'

Munir Fakhreddine
Munir Fakhreddine Nassab Fakhreddine

12 Ledgemere Drive
(Residence)
Gerald J. Palanzo
Alice Palanzo
Tel: 203-744-6073

Lot size: 105.00'x 102.50'

Gerald J. Palanzo
Gerald J. Palanzo Alice Palanzo

13 Ledgemere Drive
(Residence)
Frank Zappala

Lot size: 100.00'x 150.00'

Frank A Zappala
Frank A Zappala

Tel: 203-797-1397

14 Ledgemere Drive
(Residence)
Gerald J. Palanzo Jr
Margaret M. Palanzo
Tel: 203-792-7421

Lot size: 105.00'x 100.34'

Gerald J. Palanzo Jr
Gerald J. Palanzo Jr Margaret M. Palanzo

15-17 Ledgemere Drive
(Residence)
Anna Katherine Nicholas
Tel: 203-748-7219

43
Lot size: 175.00' x 150.00'

Anna Katherine Nicholas

16 Ledgemere Drive
(Residence)
Benjamin Castruccio
Ardith J. Castruccio
Tel: 203-748-1037

Lot size: 105.00' x 100.00'

Benjamin Castruccio
Ardith Castruccio

18 Ledgemere Drive
(Lot)
Frances J. Ruppell

Lot size: 105.00' x 100.00'

Frances J. Ruppell

19 Ledgemere Drive
(Residence)
Rocco Cardillo
Vera Cardillo
Tel: 203-748-9004

Lot size: 135.00' x 150.00'

Vera Cardillo
Rocco Cardillo

20 Ledgemere Drive
(Lot)
Frances J. Ruppell

Lot size: 105.00' x 100.00'

Frances J. Ruppell

21 Ledgemere Drive
(Residence)
Fred W. Eggers
Barbara A. Stauber
Tel: 203-743-5728

Lot size: 200.00' x 150.00'

Fred W. Eggers
Barbara A. Stauber

22 Ledgemere Drive
(Lot)
Frances J. Ruppell

Lot size: 105.00' x 100.00'

Frances J. Ruppell

23 Ledgemere Drive
(Residence)
Aris Lutviu
Zifer Lutviu
Ruhi Taska
Tel: 203-

Lot size: 150.00'x 150.00'
Aris Lutviu
Zifer Lutviu
Ruhi Taska

24 Ledgemere Drive
(Lot)
Frances J. Ruppell.

Lot size: 105.00'x 100.00'
Frances J. Ruppell

25 Ledgemere Drive
(Lot)
Henry Kenneth Ruppell
Frances J. Ruppell
Tel: 203-749-5521

Lot size: 135.00'x 150.00'
H. Kenneth Ruppell

26 Ledgemere Drive
(Residence)
Monica M. Ustie
Daniel T. Ustie
Tel: 203-794-9515

Lot size: 157.50'x 100.00'
M. Monica Ustie
Daniel T. Ustie (m.m.)

27 Ledgemere Drive
(Residence)
Henry Kenneth Ruppell
Frances J. Ruppell
Tel: 203-748-5521

Lot size: 124.74'x 150.00'
H. Kenneth Ruppell

28 Ledgemere Drive
(Residence)
Roberta M. Hodge
Tel: 203-794-0311

Lot size: 154.53.00'x 100.00'

JH

P E T I T I O N

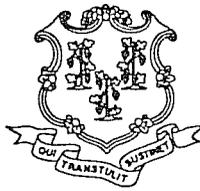
WE THE UNDERSIGNED, Property Owners of Myrtle Avenue Danbury Connecticut 06810, hereby petition the Common Council of the City of Danbury to review and approve our request for Sewers to be installed on our street.

NAME

ADDRESS

| | |
|---------------------------|-------------------|
| Christine Jurik | 55 Myrtle Ave. |
| Mr & Mrs Mathias Rios | 51 Myrtle Ave |
| Carver West | 45 Myrtle Ave. |
| Albert & Mary Scherwenick | 30 Myrtle Ave. |
| Joe & Anne Madan | 43 Myrtle Ave. |
| Peter J. Koukos (KOUKOS) | Myrtle & Edgewood |

Louis T. Charles,
7TH WARD - Councilman



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106

43

REPRESENTATIVE BOB GODFREY
ONE HUNDRED TENTH DISTRICT

13 STILLMAN AVENUE
DANBURY, CONNECTICUT 06810
TELEPHONE
HOME : (203) 778-5127

January 31, 1989

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

Dear Michael,

I hereby resign from the position of Common Council
member from the Fourth Ward.

Sincerely,

RDG/

Received for record
at 9.05 A.M.

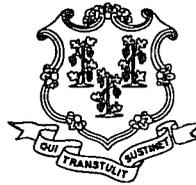
FEB 3 1989

Attest: *Michael A. Seri*
Town Clerk

RECEIVED

FEB 3 1989

TOWN CLERK'S OFFICE
DANBURY, CT



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106

REPRESENTATIVE BOB GODFREY
ONE HUNDRED TENTH DISTRICT

13 STILLMAN AVENUE
DANBURY, CONNECTICUT 06810
TELEPHONE
HOME : (203) 778-5127

January 31, 1989

The Honorable Joseph Sauer, Jr.
The Honorable Members of the Common Council

Dear Friends and Colleagues

My thanks to you for your kind words and best wishes offered at the January Common Council meeting. Were that I could have attended! Plainly the duties of my new position require that I devote my priority to them. As I had previously announced, I have sent my resignation from the Council to the Town Clerk today.

Not to let an opportunity pass, however, I am enclosing for your entertainment and my gratification a copy of the remarks I had prepared in anticipation of responding to you last month. I'm not about to let a perfectly good speech go to waste! Please accept them and remember all the good feelings that can come to us personally in the service of the people of Danbury.

God bless you all.

RDG/

My ancient Italian predecessors, the Romans, named this month after Janus, the god with a face looking backward and a face looking forward. Even then, it was a time of reflection and resolution. Times of transitions in our lives, of beginnings and endings, are also such times. It is appropriate occasion then that I, too, reflect and resolve, and maybe prophesize, about my public life and this Common Council.

I begin with reflection.

This is my sixty-second regular Common Council meeting. In the five-plus years I have been privileged to serve the people of the Fourth Ward, I have never missed one of these monthly meetings. I have also attended thirty out of the thirty-six special meetings convened during my terms. I spent a goodly part of yesterday reviewing the minutes of those many meetings, in search of a common theme or motif that would characterize the work of the Council.

Of course, there were the "big" issues which I have considered (for good or ill) over the years: five annual budgets; the Parks property purchase and creation of Tarrywile Park; Downtown Development, including not only the now notorious Redevelopment Project and the (thus far) failed attempt at a parking garage, but the notable successes of the Ives/Post Office Street area, the creation of a historic district, and a tax district; and no less than two Charter Revision Commissions.

There were also lesser issues, some of which were fought over with much emotion, resolved, and now taken for granted. Few remember the problems of the drought of the early '80's, and the adoption of emergency water regulations, but they are nonetheless of critical importance to our city. The creation of the Housing Site Development Agency and its program to foster affordable housing is now a part of our routine, but it took effort to create and begin. So were the initial programs for temporary housing for the homeless, which have regrettably become more necessary as time has passed. And I recall my participation in keeping my first campaign's promise to open the partisan caucuses, which I believe raised both the credibility and the importance of the Council in the eyes of the public.

Things always weren't rosy, though. I was unsuccessful in prompting equal treatment to infractors of parking fines: "boot-ees." An attempt to give veterans groups a timely hearing on an issue of importance to them failed by one vote. And I lost a passionate battle on equal voting rights that to my deep disappointment remains unresolved to this day (and indeed is the subject of one bill I will be introducing in the legislature).

EXCERPT ONE!

95

But none of this really provided me with the common theme I was searching for. So I looked for recurring issues, similar captions that appeared month after month. There were many: public works projects of roads, and water lines, and sewers, and drainage problems; appropriations and grants and gifts both from and to the city; the school system; and the growing list of names for fire fighters and police officers. Is this provision of basic services, and meeting the needs of the people of Danbury the theme I sought? It seemed to be, but I was still unsatisfied.

There remained one additional item that appears on our agenda consistently, though, that gave me my clue. Every month we confirm appointments to hundreds of position on boards, commissions, and agencies of the city, including this council. It struck me with force, as if I had seen the forest through the trees for the first time, what this enterprise that is Danbury really is. It is the countless and uncountable hours spent by these hundreds of men and women who voluntarily serve the people of our city. The tasks are not only uncompensated, but by and large, thankless ones: they are often performed with little public attention (except when omitted, or something goes wrong); they sometimes expose the volunteers to unwarranted and unhelpful harassment and even name-calling, beyond either the strict standards of public accountability, scrutiny, and constructive criticism, or of good taste; and they can result in many sleepless nights in the agony of decision-making. But they remain somehow personally satisfying. I can only hope and believe that these volunteers feel, as I do, that such unselfish service is both recognized and rewarded by a beneficent Providence.

It is to all of these volunteers that I give my gratitude, and whose efforts I applaud. I am particularly grateful to the (give or take) thirty five individuals who have served with me on this Council with good will and concern for the people's best interests, regardless of party affiliation or ideology. I learned from them that those who serve with good heart and motives will, in the long-run, be happy and content; and that those who serve out of self-interest, greed, and revenge will ultimately fail and fall.

45

I am going to take a great risk, and perform an act that all politicians are supposed to avoid, for fear of hurting feelings. And that is recognize particular individuals, in my case four, to whom my thanks are especially extended. To those unnamed I beg that you not take this badly, but understand that I'm dealing not with reason, but with feeling.

First and foremost is my partner, three-time running mate, and literally my right-hand-man, John Esposito. John, you exemplify that spirit of unselfish service of which I spoke. Your concern for this City and the people of our fourth ward cannot be surpassed. Your attendance to the routine, and therefore important, work of this body is without equal. I am very glad to have had the opportunity to serve and work with you these last five years.

And second, third, and fourth are my fellow travellers of the "gang of four," conceived in our deep, mutual spirit of service and caring, and born of necessity on November 18, 1985. Together we have fought many a good fight, and even won a few of the really important ones. Not bad for people incorrectly characterized a short time ago as "dead meat," and "party animals."

Steve Flanagan: you have been our conscience, always expressing the feelings that we so often have shared. Joe DaSilva, the "coach": you have been our consciousness, the voice of experience and pragmatism that have kept all of our feet firmly on the ground. Gene Eriquez, the facilitator: you have the uncanny ability to turn ideas and words into actions, to pull us together into a unit that is somehow greater than the sum of its parts. To have been a part of this group has been and will continue to be one of the high points of my life.

I end with resolution.

The position into which I will be moving tomorrow morning is the one particular office I have ever sought of my own initiative, and not in response to the requests and exhortations of others. Yet I have done so because I believe nonetheless that such a position is a "calling," or vocation. And like all true vocations, it is both an end in itself, and a means to a greater end. So my resolution brings to full circle my reflection: for that end is service to and for the public good. May I take the examples and experience gathered here among the men and women of good will of the City of Danbury, and apply that with equal industry and fervor for the People of the State of Connecticut.

God bless this house, and all who truly serve in it.

12:00 noon
2/2/89
46

DEMOCRATIC TOWN COMMITTEE

P. O. BOX 164

DANBURY, CONNECTICUT 06810

February 2, 1989

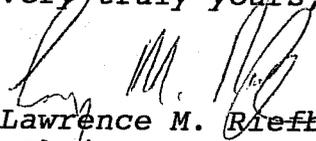
Common Council
City of Danbury
-Hand Delivered-

Dear Honorable Council Members:

On Monday, January 30, 1989 the Danbury Democratic Town Committee met to recommend a candidate to the Council to fill the vacancy created by the resignation of Robert Godfrey.

It is with great pride that we recommend that the Council choose Ernest Boynton. Mr. Boynton has a long record of service to our community. He was an alternate member of the Zoning Board of Appeals from 1972-1974 and then served as a full member from 1974-1979. He presently sits on that Board. Additionally from 1979-1987, Mr. Boynton actively represented his constituents as a member of the Common Council. He is an honorable man and we urge you to support his candidacy.

Very truly yours,


Lawrence M. Riefberg,
Chairman

LMR



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

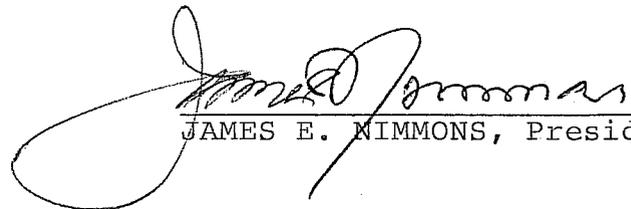
Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Payment of Delinquent Taxes

The Common Council met as a committee of the whole immediately following a public hearing on January 17, 1989 in the Common Council Chambers in City Hall.

Mr. Charles made a motion that the ordinance be adopted.
Seconded by Mr. Bundy. Motion carried unanimously.

Respectfully submitted,


JAMES E. NIMMONS, President



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ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

February 7, 1989

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-21, which said section reads as follows:

The Tax Collector of the City of Danbury shall not accept payment of any delinquent motor vehicle personal property tax unless said payment is made in cash or by bank check, money order or through the use of a credit card which has been approved by the said Tax Collector.

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

Adopted by the Common Council - February 6, 1989
Approved by Mayor Joseph H. Sauer - February 9, 1989

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk



49

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

Re: Appointments to Committees

February 7, 1989

The committee appointed to review a proposed change in ordinance 2-95 met in the fourth floor lobby at 7:38 P.M. in City Hall. In attendance were committee members Bourne, Enriquez and Fazio. Also in attendance were councilmen Bundy, Charles, Danise, and Connell. A brief review of the proceedings of the previous committee meeting held on January 19, 1989 was presented by the chair. A motion was made by Mr. Fazio and second by Mrs. Bourne that the original proposed change to ordinance 2-95 as presented in the motion at the meeting of January 19, 1989 and recommended to the Council be amended to read as follows:

"All committees of the Common Council shall be appointed by the Majority and Minority leaders of the Council. Said appointments shall be made during that session of the Common Council. In the absence of an agreement between the majority and minority leader to the contrary, all committee assignments shall be made and in proportion to the majority / minority party representation of the Council."

A discussion followed. Mr. Enriquez expressed the opinion that since it was clearly stated in the charter that the Mayor presides over the meetings of the Common Council and that recognizing that the charter provides for a strong mayor form of government that it appears clear that the intent of the charter [sec.3-2] was to have the mayor appoint the committees of the council.

Mr. Fazio stated that in his opinion, Mr. Enriquez' interpretation of section 3-2 was not correct because it did not specify the duties of the presiding officer and would have spelled out the appointment powers over the council if the writers had so intended that to be the case just as it is spelled out in the other sections of the charter where the mayor is granted specific appointment powers. [i.e. sec.4-3,6-3,6-4,6-5,6-6a,6-7a,6-9a,6-10a,6-11a,6-12a,6-13a]

Mr. Fazio indicated that only section 3-13 deals with committees of the council and that section says "All committees of the Common Council shall be ad hoc committees." He stated further that if the charter had given specific appointment power of the council committees to the Mayor there would have been no need for an ordinance

ordinance 2-95 that grants this power to the mayor not the charter and that since it was the council who gave that power to the mayor the council can now take that power back. Mr. Fazio went on to say that it is his belief that since the charter is specific in clearly defining the appointment powers of the mayor with confirmation by the council it is clearly the intent of the charter to maintain a separation of power with checks and balances, therefore it is inconsistent to assume the intent to be to give the executive branch appointment power over the legislative branch. 49

Mr. Fazio then noted that both the State and Federal governments separate legislative and executive powers... neither the Governor of Connecticut or the President of the United States appoint committees of the respective legislative bodies, the General Assembly and Congress.

Mrs. Bourne then reviewed the list that she had provided the committee at the January 19th meeting which showed that of all the cities in Connecticut that have populations equal to or greater than Danbury and have a Mayor-Council form of government, no other city, only Danbury allows the executive branch appointment power over the committees of the legislative branch. [attached] She also noted that even Stamford which is said to have a very strong mayor form of government like Danbury does not allow the mayor to appoint committees of the council. "Council committees relate and report solely to the council and should be appointed by the council leadership to conduct council business," she said.

Mr. Enriquez restated his concerns about the mechanical problems that might arise with the president of the council involved in the process in the event of an unexpected floor referral. It was noted that former councilman Bob Godfrey had advised that any change should reflect in such a way to make committees proportionate to the party composition of the council. Mr. Fazio stated that the change in the motion reflected that advice and that this change should eliminate any anticipated mechanical problems.

Mr. Bundy expressed concern that the council may be violating section 4-2 of the charter which says "The council shall not diminish by ordinance, vote or otherwise the powers and duties of the mayor, except those powers and duties imposed on the mayor by the council under the provisions of this section."

Mrs. Bourne pointed out that the last part of that section says except those powers and duties imposed on the mayor by the council under the provisions of this section and that since the power to appoint committees was given to the mayor expressly and explicitly by ordinance it is not a violation of the charter.

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Mr. Fazio expressed the opinion that the charter is explicit in the duties and powers it gives to the mayor. He felt that it is not in the best interest of the citizens of Danbury for the Council to continue to allow the executive branch to maintain appointment power over the legislative branch.

There should be a distinct separation between the two branches of government. The executive branch is responsible for the administration and operation of all city departments. The Council sometimes has to examine or investigate the operations of any department or agency of the city as provided for in section 3-14. It makes no sense for the mayor to have appointment power over a committee that

might be established to investigate an agency or department that reports directly to the mayor. He also stated that the charter is clear in that intent and that this further shows that it was never the intent to give that power to the mayor.

Mrs. Bourne then moved the question. Second by Mr. Fazio. Motion carried. On the original motion, Mrs. Bourne and Mr. Fazio voted in the affirmative, Mr. Enriquez in the negative.

Respectively submitted,

Michael S. Fazio
Chairman

Lovie Bourne

Gene Enriquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

January 30, 1989

DANBURY, CT 06810

Councilman Michael Fazio
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Appointments to Committees - Your Memo of January 27, 1989

Dear Councilman Fazio:

Thank you for your inquiry regarding the authority of the Common Council to alter the current method of appointing committees of the Council. Specifically, you have asked if the Council may amend the provisions of Section 2-95 of the Code of Ordinances to shift the authority to appoint committees of the Council from the Mayor to the Common Council leadership.

Currently, Section 2-95 of the Code provides, in pertinent part that, "All committees of the Common Council shall be appointed by the presiding officer." Further, Section 3-2 of the Danbury Municipal Charter provides, also in part that, "The mayor shall preside over all meetings of the common council...." Taken together, these provisions establish the authority of the Mayor to appoint committees of the Common Council.

Although the Common Council cannot amend the Charter by its act alone, it does have express authority to amend ordinances. Section 3-4 of the Charter provides, among other things, that, "The legislative power of the city shall be vested exclusively in the council. Said council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes of the state;..." Accordingly, the Common Council may amend Section 2-95 of the Code of Ordinances provided that the amendment is not in conflict with the requirements of either the Charter or State law.

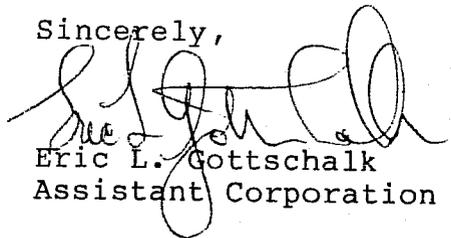
Councilman Michael Fazio
Appointments to Committees
January 30, 1989

A review of both the Charter and State Statutes discloses no prohibition which would prevent the Common Council from adopting amendments to Section 2-95 of the Code that would place the responsibility for making committee appointments on the Council or its leadership.

For the sake of clarity, it should be noted that Section 4-2 of the Charter provides that, "The council shall not diminish, by ordinance, vote or otherwise, the powers and duties of the mayor, except those powers and duties imposed on the mayor by the council under the provisions of this section." However, observe that earlier in that section it is stated that, "The mayor shall have all the duties imposed by the Charter and the ordinances of the city and the laws of the state and of the United States." Accordingly, since the power to appoint committees of the Common Council was granted to the Mayor by action of the Common Council, that power may be withdrawn by the Common Council without violating the restriction established by the language of Section 4-2 first quoted in this paragraph.

If you require anything further, please let me know.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG:r

c: Mayor Joseph H. Sauer, Jr.

Common Council Members ✓



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

November 1, 1988

TO: Honorable Mayor Joseph Sauer
Honorable Members of the Common Council

RE: Danbury Code of Ordinance Section 2-95 - Committees

Sec. 2-95 states that, "All committees of the Common Council shall be appointed by the presiding officer. Said appointments shall be made during that session of the Common Council."

I respectfully request that the Council review changing this ordinance so that committees can be appointed by the Council leadership.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Fazio", is written over the typed name.

Michael Fazio
Majority Leader

BRIDGEPORT

Standing Committees.

President of the Council appoints the committees.

Mayor has no veto power over President's committee assignments.

NEW HAVEN

Ad Hoc & Standing Committees.

President of the Board (Board of Aldermen) appoints the committees.

Mayor does not have veto power over committee appointments.

MILFORD

Ad Hoc & Standing Committees (Ordinance, Claims, Public Works, Rules & Public Safety & Welfare).

Chairman of the Council (same as Council President) appoints all committees.

Mayor has no veto power over committee appointments.

STAMFORD

Standing Committees (17).

President of the Board (Board of Representatives) appoints all committees.

Mayor has no veto power over committee appointments.

WATERBURY

Standing Committees (18).

President of the Board appoints all committees.

Mayor does not have veto power over committee appointments.

NORWALK

Standing Committees.

Committees are appointed by the leadership of the Council.

Mayor has no veto power over committee appointments.

NEW BRITIAN

Standing Committees (all encompassing).

Leadership of the Council appoints the committees.

Mayor has no veto power over committee appointments.

CONNECTICUT TOWNS AND CITIES HAVING LOCAL CHARTERS AND FORM OF GOVERNMENT (102)

| Form of Gov. (1) | Municipality, Year of Adoption (2) | Population (3) | Form of Gov. (1) | Municipality, Year of Adoption (2) | Population (3) |
|------------------|------------------------------------|----------------|------------------|------------------------------------|----------------|
| MC | Ansonia/1901 | 19,145 | MC | New Canaan/1957 | 17,791 |
| CM | Avon/1959 | 12,741 | MC | New Haven/1899 | 124,188 |
| TM | Berlin/1973 | 15,558 | MC | New Milford/1974 | 20,986 |
| TM | Bethel/1973 | 16,744 | CM | Newington/1966 | 29,056 |
| CM | Bloomfield/1945 | 19,023 | CM | New London/1921 | 28,842 |
| TM | Bolton/1976 | 4,098 | TM | Newtown/1961 | 20,268 |
| RTM | Branford/1958 | 24,496 | CM | North Branford/1965 | 11,930 |
| MC | Bridgeport/1895 | 142,140 | TM | North Haven/1961 | 21,904 |
| MC | Bristol/1911 | 58,068 | MC | Norwalk/1913 | 78,189 |
| TM | Brookfield/1975 | 13,566 | CM | Norwich/1951 | 38,504 |
| TM | Canton/1984 | 8,061 | TM | Old Saybrook/1973 | 9,763 |
| CM | Cheshire/1961 | 22,953 | TM | Orange/1963 | 12,977 |
| TM | Clinton/1969 | 11,798 | CM | Plainfield/1984 | 17,109 |
| TM | Columbia/1970 | 3,689 | TM | Plainville/1959 | 13,461 |
| CM | Coventry/1967 | 9,359 | MC | Plymouth/1974 | 10,946 |
| TM | Crowell/1973 | 10,564 | TM | Portland/1982 | 8,288 |
| MC | Danbury/1963 | 63,240 | MC | Prospect/1967 | 6,956 |
| RTM | Darien/1951 | 18,502 | TM | Putnam/1984 | 8,695 |
| MC | Derby/1921 | 12,098 | TM | Ridgefield/1978 | 21,604 |
| TM | Durham/1972 | 5,330 | CM | Rocky Hill/1967 | 15,598 |
| CM | East Hampton/1971 | 8,888 | TM | Seymour/1971 | 13,326 |
| MC | East Hartford/1929 | 52,018 | MC | Shelton/1912 | 33,255 |
| MC | East Haven/1959 | 25,196 | TM | Siasbury/1958 | 21,916 |
| TM | East Lyme/1964 | 14,174 | TM | Somers/1961 | 9,025 |
| TM | Ellington/1975 | 10,312 | TM | Southbury/1974 | 14,555 |
| CM | Enfield/1962 | 42,251 | CM | Southington/1957 | 37,881 |
| RTM | Fairfield/1947 | 53,431 | CM | South Windsor/1960 | 18,935 |
| CM | Farmington/1947 | 17,005 | MC | Stamford/1932 | 101,917 |
| CM | Glastonbury/1965 | 25,640 | CM | Stratford/1921 | 50,357 |
| CM | Granby/1961 | 8,569 | TM | Suffield/1984 | 10,003 |
| RTM | Greenwich/1933 | 58,704 | CM | Tolland/1970 | 10,235 |
| CM | Groton/1957 | 41,629 | MC | Torrington/1923 | 31,317 |
| TM | Guilford/1965 | 18,474 | MC | Truebull/1953 | 33,265 |
| TM | Haddam/1975 | 6,750 | MC | Vernon/1964 | 29,794 |
| MC | Hamden/1953 | 51,107 | MC | Wallingford/1957 | 37,907 |
| CM | Hartford/1859 | 135,720 | MC | Waterbury/1931 | 102,861 |
| CM | Killingly/1959 | 14,609 | RTM | Waterford/1957 | 17,728 |
| TM | Killingworth/1981 | 4,407 | CM | Watertown/1961 | 19,503 |
| MC | Ledyard/1970 | 14,274 | CM | West Hartford/1935 | 60,227 |
| TM | Madison/1969 | 15,126 | MC | West Haven/1957 | 53,351 |
| CM | Manchester/1947 | 49,237 | TM | Weston/1966 | 8,424 |
| CM | Mansfield/1970 | 20,117 | RTM | Westport/1949 | 25,360 |
| TM | Marlborough/1959 | 5,202 | CM | Wethersfield/1954 | 25,640 |
| TM | Meriden/1922 | 57,989 | TM | Wilton/1962 | 15,588 |
| TM | Middlefield/1971 | 3,914 | CM | Winchester/1960 | 10,827 |
| MC | Middletown/1934 | 38,857 | TM | Windham/1983 | 20,647 |
| MC | Milford/1939 | 51,501 | CM | Windsor/1947 | 26,064 |
| CM | Monroe/1967 | 14,881 | TM | Windsor Locks/1980 | 11,915 |
| MC | Montville/1958 | 16,800 | MC | Wolcott/1965 | 12,814 |
| MC | Naugatuck/1893 | 28,989 | TM | Woodbridge/1960 | 7,870 |
| MC | New Britain/1905 | 72,537 | TM | Woodbury/1974 | 7,539 |

(1) Form of Gov.: MC-Mayor-Council (29); CM-Council-Manager (31); RTM-Representative Town Meeting (6); TM-Selectmen-Town Meeting (36); Total (102).

(2) Year in which the first Charter was adopted.

(3) Final 1984 Census Population Count, Bureau of the Census, U.S. Department of Commerce.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL
REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Public Works Department - Acceptance of Landfill Material

The ad hoc committee appointed to review the acceptance of landfill material by the Public Works Department met on January 21, 1989 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Danise and Cresci. Committee Member Godfrey was absent. Also in attendance were Michael Cech, Daniel Minahan, Jack Kozuchowski and Council Members Moran and Connell, ex-officio.

After some discussion a motion was made by Mr. Cresci to authorize the Public Works Department to inspect all offered materials and if useable to the City, the Public Works Department through Daniel Minahan, is free to accept same. Motion seconded by Mrs. Danise and carried unanimously.

Respectfully submitted,

MARI ANN DANISE, Chairman

ARTHUR CRESCI

ROBERT D. GODFREY



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Water Extension - Meadowbrook Road

The Common Council Committee appointed to review the above captioned matter met at 7:00 P.M. on January 25, 1989 in Room 432 in City Hall. Present were committee members Nimmons, Regan and Gallo. Also attending were City Engineer Jack Schweitzer, William Buckley and the petitioner Frank Nazzaro.

The Progress Report of the committee dated November 1, 1988 was read and the motion in the report was noted by all present. The motion stated that the petitioner should consult with Mr. Buckley. The petitioner has not contacted Mr. Buckley as of this date. Mr. Frank Nazzaro stated that he is no longer interested in this request.

Mr. Gallo made a motion that the request be denied without prejudice. Seconded by Mr. Regan. Motion carried unanimously.

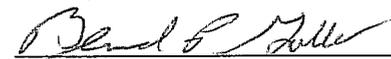
Respectfully submitted,



JAMES E. NIMMONS, Chairman



ARTHUR D. REGAN



BERNARD P. GALLO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

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Mr. Gallo made a motion that the request be denied without prejudice. Seconded by Mr. Regan. Motion carried unanimously.

Respectfully submitted,

JAMES E. NIMMONS, Chairman

ARTHUR D. REGAN

BERNARD P. GALLO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Petition for Sewer Line on Oak Lane

The committee appointed to review the request for sewer lines on Oak Lane met in the Fourth Floor Lobby in City Hall on January 18, 1989 at 7:00 P.M. In attendance were committee members Moran, Regan and Gallo. Also attending were Councilman Charles, ex-officio; Jack Schweitzer, William Buckley and Tom Morra of Oak Lane.

Mr. Schweitzer stated that as a result of this committee's recommendation of April 5, 1988 a survey had been done, by mail, informing the residents of Oak Lane as to their individual costs regarding the installation of sewers and asking if they were in favor of it. The results of the survey showed 71.4% opposed and 28.6% in favor.

Since the majority of residents did not want sewers on Oak Lane, Mr. Regan made a motion that this committee recommend to the Common Council that the petition for sewers on Oak Lane be denied. Seconded by Mr. Gallo. Motion carried unanimously.

Respectfully submitted,


HANK S. MORAN, Chairman


ARTHUR D. REGAN


BERNARD P. GALLO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

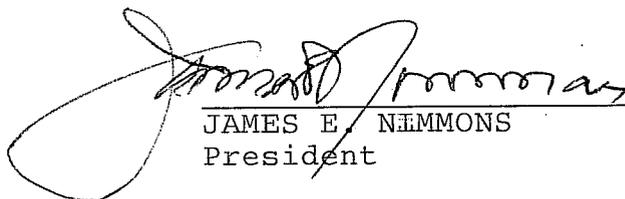
Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Sewers on Edgewood Street

The Common Council met as a committee of the whole immediately following a public hearing on January 17, 1989 in the Common Council Chambers in City Hall.

Mr. Charles made a motion that the sewer project for Edgewood Street be approved. Seconded by Mr. Flanagan. Mr. Bundy offered an amendment that approval is contingent upon verification that a majority of the property owners are in favor of the project. Seconded by Mr. Esposition. Motion to amend carried unanimously. Main motion, as amended, carried unanimously.

Respectfully submitted,



JAMES E. NIMMONS
President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Route 7 Aquifers

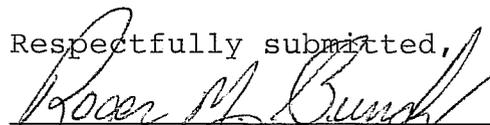
The Common Council Committee appointed to review the issue of Route 7 Aquifers met on January 19, 1989 at 8:00 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Bundy, Godfrey and Danise. Also in attendance were Planning Director Dennis Elpern and Environmental Superintendent Jack Kozuchowski. Also attending was Representative Barbara Ireland.

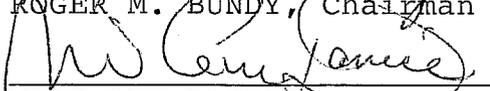
Discussion was focused on the protection to be afforded to the Sugar Hollow Aquifer located in the path of the proposed Super 7 roadway. Representative Ireland and Representative Godfrey gave presentations regarding the background and current status of the project including references to the Department of Transportation, Department of Environmental Protection and the Army Corps of Engineers. Reference was also made to an aquifer study completed by the Town of Wilton concerning the Cannondale Aquifer. Since the Sugar Hollow Aquifer is one of the largest and deepest aquifers in the State of Connecticut and serves a most important function, it was determined that an interlocal commission encompassing Danbury, Ridgefield and Redding be formed.

Mr. Bundy made the following motion:

"The committee recommends to the Common Council that an interlocal agreement be made between the City of Danbury and the Town of Ridgefield and the Town of Redding whose purpose shall be to examine the protection of aquifers located within or abutting to the boundaries of the three towns consistent with the construction of Super 7. Environmental impact assessments on such aquifers, with specific attention to the Sugar Hollow Aquifer, should be considered before any decision on construction is made. Seconded by Mr. Godfrey. Motion passed unanimously.

Respectfully submitted,


ROGER M. BUNDY, Chairman


MARI ANN DANISE

ROBERT D. GODFREY



54

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

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Respectfully submitted,

ROGER M. BUNDY, Chairman

ROBERT D. GODFREY

MARI ANN DANISE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

February 7, 1989

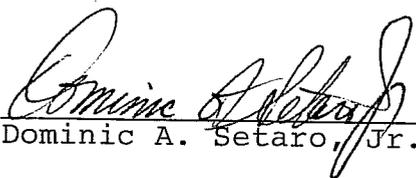
Certification #18

TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

We hereby certify the availability of \$106,528.00 to be transferred from the Contingency Account to the Fire Department Overtime Account #02-02-110-010500.

| | |
|--|---------------------|
| Previous balance of encumbered Contingency Acct. | \$969,721.60 |
| Less pending requests | -0- |
| Less this request | 106,528.00 |
| Remaining encumbered Contingency balance | <u>\$863,193.60</u> |



 Dominic A. Setaro, Jr.

DAS:af



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Funds for Overtime Account - Fire Department

The ad hoc committee appointed to review the Overtime Budget in the Fire Department met on January 26, 1989 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Connell and Esposito. Committee Member Renz was absent. Also present were Comptroller Dominic Setaro, Fire Captain Tom Morris, Fire Chief Anthony Lagarto and Fire Union President Louis Damici.

The discussion focused on the need for additional funding for the Fire Department Overtime Account. Mr. Setaro advised that this item is not negotiable and is covered by contractual agreements. The requested amount of \$106,528, which represents the necessary funding for the Fire Department overtime for the balance of the fiscal year (projected), would have to come out of the contingency account or the surplus. These funds are available according to Mr. Setaro.

Mr. Esposito made a motion that the committee recommend to the full Common Council that the sum of \$106,528 for the additional Fire Department Overtime Account be approved pending certification by Mr. Setaro. Seconded by Mr. Connell. Motion carried unanimously.

Respectfully submitted,

BARRY J. CONNELL, Chairman

JOHN J. ESPOSITO

GARY D. RENZ



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Engine Company 6 Apparatus

The Common Council Committee appointed to review Engine Company 6 Apparatus (Fire Department) met on January 24, 1989 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Connell, Danise and Esposito. Also in attendance were Fire Chief Lagarto, Firefighter Jay Rotella, Richard Tomaino and Comptroller Dominic Setaro.

After lengthy discussion which focused on the proposed purchase of a backup fire pumper truck, Mr. Logarto gave an overview of the circumstances surrounding the need for this vehicle. The committee then reviewed a written proposal by Mr. Tomaino which supported the need for the pumper truck. The reasons for the proposed acquisition of said truck focus on cost savings, preventive maintenance, safety and modernized compartmentation.

Mr. Esposito asked Mr. Setaro if the City's appropriation to Citizen Hose Company could be increased by \$10,000 per year for the next four years to purchase this vehicle. Mr. Setaro initially stated that he did not think this could be done. However, in a subsequent conversation with Mr. Connell, Mr. Setaro stated that Mr. Esposito's suggestion could indeed be accomplished if the Council authorized it.

Mr. Esposito made a motion that the committee recommend to the Common Council that the City be authorized to purchase the fire pumper truck at a cost of \$40,000 upon certification from the Comptroller that the necessary funds are available. Seconded by Mrs. Danise. The motion carried with Mr. Esposito and Mrs. Danise voting in the affirmative and Mr. Connell voting in the negative.

Mr. Connell stated that it is his opinion that although the vehicle in question would be a good acquisition for our Fire Department, it is a fact that the City has purchased two new pumpers over the past two years at a cost of approximately \$400,000 (a new one was delivered the week of 1/21/89), and at this point in time it would be more prudent to delay spending an additional \$400,000 until the 1989-90 budget is reviewed and submitted to the Mayor and the Common Council.

Respectfully submitted,

To: Common Council Subcommittee on Engine #6
 From: Richard F. Tomaino, Superintendent of Apparatus
 Date: 01/23/89
 Re: Acquisition of Citizens Hose Co. Engine #6 Pumper

I have outlined what I feel are several very important reasons why the career fire department should purchase Citizens Hose Company's pumping engine at this time. First and most important is our goal to reduce apparatus down time. The department operates five engine companies. These companies must remain in service at all times. We have just received a replacement pumper for Engine #21, an eighteen-year-old unit that has served the city well and will continue to operate as a reserve unit. Unfortunately this reserve unit is our only reserve unit and will remain in service practically always. This is due to on-going scheduled preventive maintenance as well as unscheduled mechanical difficulties. Therefore, when another pumping engine goes down we have no maintenance back-up unit. This situation usually forces us to borrow a volunteer unit when we can. As maintenance records will verify, in more cases than not when a volunteer unit is borrowed, unscheduled maintenance problems of various natures do occur of which we take care. We have an obligation to do this since these problems occur while our department is utilizing the equipment and we have no problem with this setup. But there is a cost factor, a cost factor that can be high at times. The department's policy is to return the unit in at least the condition it was in when we borrowed it, if not better.

Another reason to consider acquiring their unit is whenever it is not being used as a fill-in pumper it can be utilized as a "temporary" truck company, filling in for Truck #2 until a new unit is received.

The final reason is the return on our cost. This is a 1975 Ward LaFrance in excellent condition. We have borrowed this unit many times and our firefighters are familiar with its operation. They have modernized compartmentation and have had other updating procedures performed on it. I feel their asking price of \$40,000.00 is at the top end of the scale but its condition can command it. Additionally, at this time, given our situation, it's definitely worth pursuing.

Thanking you in advance for your consideration,

Richard F. Tomaino
 Richard F. Tomaino,
 Superintendent of Apparatus



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Petition regarding Fairview Drive

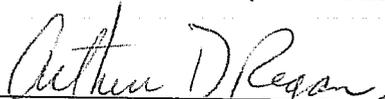
The committee appointed to review the petition concerning Fairview Drive met in the Fourth Floor Lobby in City Hall on January 18, 1989 at 8:00 P.M. In attendance were committee members Moran, Regan and Zotos. Also in attendance were City Engineer Jack Schweitzer, Director of Public Utilities Bill Buckley and Frank Cavagna, Highway Superintendent.

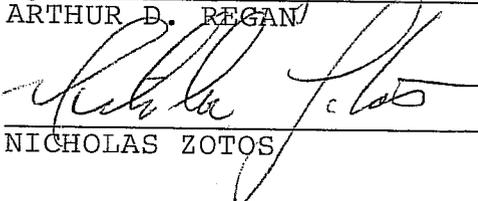
Mr. Cavagna stated that the City has replaced culverts and patched potholes in the area in question and would plow the street when required. However, due to the parking of the residents on both sides of the street a City snowplow cannot get through. This is a violation of the Fairview Condo Association's regulations. Mr. Cavagna showed the committee a copy of said regulations. The committee also was presented with a letter from Dan Minahan dated July 25, 1988 which stated the work the City would and/or has done on this street.

Mr. Moran made a motion that this committee take no action on this petition due to the above situation. Seconded by Mr. Zotos. Motion carried unanimously.

Respectfully submitted,


HANK S. MORAN, Chairman


ARTHUR D. REGAN


NICHOLAS ZOTOS



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Sewer Extension - 25 Olive Street

The committee regarding the above captioned matter met on January 10, 1989. In attendance were committee members Nimmons, Danise and Gallo. Also attending were William Buckley, Jack Schweitzer and David Bratz.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

September 29, 1988

JOHN A. SCHWEITZER, JR.
CITY ENGINEER

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

Dear Mr. Rubinow:

Sanitary Sewer Engineer
Olive Street-Therese A. Servas

This office has reviewed the plan and profile submitted under cover of your September 7, 1988 letter of transmittal.

The plan and profile are generally acceptable. We offer two minor comments which should be included in the final plan.

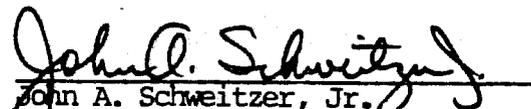
- 1.) Please show a lateral run to the edge of the road for the house across from 25 Olive Street.
- 2.) Please remind the contractor that the City recently revised its manhole frame and cover detail to call for a webbed frame. (The Campbell Foundry frame specified comes webbed.)

When and if Common Council approval of the extension is granted we will send a copy of the plan to DEP for review and approval.

Please send us 3 copies of the final plan addressing the two comments above.

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

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/PAE/sd
c: William Buckley, Jr.

7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

Respectfully submitted,

JAMES E. NIMMONS, Chairman

MARI ANN DANISE

BERNARD P. GALLO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Germantown Plaza Easement, Germantown Road

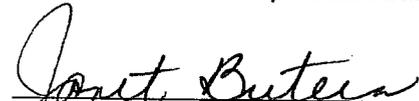
The ad hoc committee appointed to review the request for a drainage easement for Germantown Plaza met in Room 432 in City Hall on January 25, 1989 at 8:00 P.M. In attendance were committee members Moran and Butera. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Paul Jaber and Gary Hawley, Mike Mazzucco and Council Member Louis Charles, ex-officio.

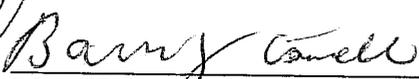
Mr. Schweitzer explained the change in the easement as shown on the submitted map. He stated that the Engineering and Highway Departments have no problem with this request.

Mrs. Butera made a motion that the committee recommend to the Common Council granting the request and that the Corporation Counsel prepare the necessary paperwork for the easement change. Seconded by Mr. Moran. Motion carried unanimously.

Respectfully submitted,


HANK S. MORAN, Chairman


JANET A. BUTERA


BARRY J. CONNELL



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Germantown Plaza Easement, Germantown Road

The ad hoc committee appointed to review the request for a drainage easement for Germantown Plaza met in Room 432 in City Hall on January 25, 1989 at 8:00 P.M. In attendance were committee members Moran and Butera. Also present were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Paul Jaber and Gary Hawley, Mike Mazzucco and Council Member Louis Charles, ex-officio.

Mr. Schweitzer explained the change in the easement as shown on the submitted map. He stated that the Engineering and Highway Departments have no problem with this request.

Mrs. Butera made a motion that the committee recommend to the Common Council granting the request and that the Corporation Counsel prepare the necessary paperwork for the easement change. Seconded by Mr. Moran. Motion carried unanimously.

Respectfully submitted,

HANK S. MORAN, Chairman

JANET D. BUTERA

BARRY J. CONNELL



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Sewer Extension on Deer Hill Avenue

The committee regarding the above captioned matter met on January 25, 1989. In attendance were committee members Regan and Zotos, City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said sewer line line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the sewer lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

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7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

Respectfully submitted,


ARTHUR D. REGAN, Chairman


NICHOLAS ZOTOS


ROGER M. BUNDY



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Sewer Extension on Deer Hill Avenue

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60

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Respectfully submitted,

ARTHUR D. REGAN, Chairman

NICHOLAS ZOTOS

ROGER M. BUNDY



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Lakewood Condominium Association - Request to Use
City Land

The ad hoc committee appointed to review the request of Lakewood Condominium Association to use City owned land adjacent to the condominium as a recreational area for the residents of the building met on January 10, 1989 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Regan, Cresci and Gallo. Also in attendance were Superintendent of Public Utilities William Buckley and City Engineer Jack Schweitzer.

Mr. Schweitzer stated that he had sent a letter to the petitioner requesting additional information on September 26, 1988 after an initial telephone request on August 18, 1988. Both times the response was that further information was imminent. Mr. Schweitzer has not received any additional information and feels that the request should be denied due to a lack of information. Mr. Buckley said that the land in question is a public watershed area and that he does not condone any development on this type of land. He recommended denial of this request.

Mr. Gallo made a motion to deny the request. Seconded by Mr. Cresci. Motion carried unanimously.

Respectfully submitted,

ARTHUR D. REGAN, Chairman

ARTHUR CRESCI

BERNARD GALLO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

Repaving of Pondcrest Road

February 7, 1989

The committee appointed to review the petition for re-paving of Pond Crest Road met in the 4th floor lobby at 7:30 P.M. in City Hall. In attendance were committee members DaSilva, Bourne and Fazio. Also in attendance were Frank Cavagna, Supt, of Highways, Dan Minahan, Director of Public Works, approximately 20 taxpayers from Pond Crest Road and councilmen Connell and Bundy ex-officio.

Mr. Cavagna stated that he was familiar with the existing condition of Pond Crest Road and presented the situation from the city's perspective. Even though the condition of the road is very poor in the opinion of the attending taxpayers, it rated a 3.6 on a 0 to 5 scale in a recent survey of the condition of all city roads.

The worst road in the city rated as 1.8. He also stated that since the overall rating was not as bad as the worst 36% of Danbury's roads and since it was considered a local street as are 75% of Danbury's 228 miles of roads, it is not on the priority list for re-paving.

According to Mr. Cavagna, the city has spent only \$400,000 / year for the last 8 years on paving and since that amount can only pave approximately 6 miles of road, then it would take approximately 35-40 years to pave every road in the city once.

Since it is obvious that roads don't last that long, Mr. Cavagna has proposed an aggressive 5 year plan to re-pave the worst 36% of the cities roads accomplishing about 20% of that number each year at an estimated annual cost of \$2,000,000. Therefore the best that he could hope for was to possibly pave Pond Crest in the fifth year; but even that would be contingent on the availability of funds and only if Pond Crest fell into the worst 36%.

This was deemed unreasonable and unacceptable by the residents who stated that they wanted to know why they pay higher taxes and get little to no services from the city other than education? They repeatedly asked where their taxes are being spent? Several more questions were raised concerning the options available to solve their problem. Others criticized the city departments for not communicating in allowing construction to be done in a way that dosen't

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be done to curbs and city streets during construction before issuing a C.O..

Mr. Minahan agreed to send a letter to Mr. Null's office to see if the building inspectors could coordinate with the DFW and issue a report before a C.O. is issued to cut down on some of the costs to the city.

Additional complaints included the partial repairs done on potholes, that is, that some are left not filled while others are filled on the same street on the same day. Mr. Cavagna responded with his apology stating "there is no excuse for shoddy workmanship."

Mrs. Notaro a resident of Pond Crest, asked why the city could pave the street she used to live on (Stuart Drive), 2 times in a 7 year period? Mr. Minahan indicated that he wasn't aware that it had been since he was not involved at that time and Mr. Notaro responded with a complaint that he believed it was done because a city hall employee lived on Stuart Drive.

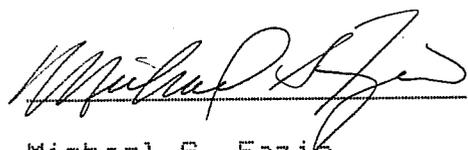
After a lengthy discussion Mr. Cavagna offered to try expedite the situation in the spring. He proposed that at least the potholes be repaired and also wedging along the sides of the road where the greatest damage has occurred. He also proposed to repair damaged curbs and back them with soil if there are sufficient funds available. He also stated that he would like to chip seal providing the funds are available. He noted that in the future he would like to use chip seal only on all local streets and reserve paving dollars for roads categorized as major, minor and collector roads.

The approximate cost for all the above mentioned work excluding paving on Pond Crest would be \$60,000 according to Mr. Cavagna.

Mr. DaSilva made a motion to recommend that Mr. Cavagna perform the necessary work as outlined contingent on the availability of funds in the spring. Mr. Fazio then stated that some of the necessary funds may be available from the snow removal account if we continue to enjoy a mild winter. Second by Mrs. Bourne, motion carried unanimously.

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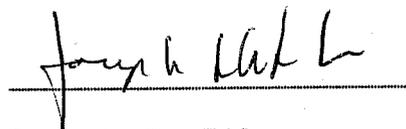
Respectfully submitted,



Michael S. Fazio
Chairman



Lovie Bourne



Joseph Da Silva



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

Repaving of Pondcrest Road

February 7, 1989

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Mr. Cavagna stated that he was familiar with the existing condition of Pond Crest Road and presented the situation from the city's perspective. Even though the condition of the road is very poor in the opinion of the attending taxpayers, it rated a 3.6 on a 0 to 5 scale in a recent survey of the condition of all city roads.

The worst road in the city rated as 1.8. He also stated that since the overall rating was not as bad as the worst 36% of Danbury's roads and since it was considered a local street as are 75% of Danbury's 228 miles of roads, it is not on the priority list for re-paving.

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This was deemed unreasonable and unacceptable by the residents who stated that they wanted to know why they pay higher taxes and get little to no services from the city other than education? They repeatedly asked where their taxes are being spent? Several more questions were raised concerning the options available to solve their problem. Others criticized the city departments for not communicating in allowing construction to be done in a way that dosen't

68

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Additional complaints included the partial repairs done on potholes, that is, that some are left not filled while others are filled on the same street on the same day. Mr. Cavagna responded with his apology stating "there is no excuse for shoddy workmanship."

Mrs. Notaro a resident of Pond Crest, asked why the city could pave the street she used to live on (Stuart Drive), 2 times in a 7 year period? Mr. Minahan indicated that he wasn't aware that it had been since he was not involved at that time and Mr. Notaro responded with a complaint that he believed it was done because a city hall employee lived on Stuart Drive.

After a lengthy discussion Mr. Cavagna offered to try expedite the situation in the spring. He proposed that at least the potholes be repaired and also wedging along the sides of the road where the greatest damage has occurred. He also proposed to repair damaged curbs and back them with soil if there are sufficient funds available. He also stated that he would like to chip seal providing the funds are available. He noted that in the future he would like to use chip seal only on all local streets and reserve paving dollars for roads categorized as major, minor and collector roads.

The approximate cost for all the above mentioned work excluding paving on Pond Crest would be \$60,000 according to Mr. Cavagna.

Mr. DaSilva made a motion to recommend that Mr. Cavagna perform the necessary work as outlined contingent on the availability of funds in the spring. Mr. Fazio then stated that some of the necessary funds may be available from the snow removal account if we continue to enjoy a mild winter. Second by Mrs. Bourne, motion carried unanimously.

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Respectfully submitted,

Michael S. Fazio
Chairman

Lovie Bourne

Joseph Da Silva



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

Re: East Starrs Plain Road

February 7, 1989

The committee to review the request of Mrs. Katherine Gallagher concerning E. Starrs Plain road met on January 25, 1989 in the fourth floor lobby at City Hall.

In attendance were committee members DaSilva, Danise and Fazio. Also in attendance were Assistant Corporation Rick Gotshalk, Supt. of Highways Frank Cavagna, Director of Public Works Dan Minahan Attorney Frizzell and Mr. Gallagher.

A brief review of the problem was presented by Mr. Frizzell, who stated that Mrs. Gallagher could not develop a parcel of land on E. Starrs Plain Road because she could not get a permit due to a lack of frontage on a public highway.

It was the contention of Mr. Frizzell that E. Starrs Plain road remained a public highway even though a former Common Council had ruled that it was abandoned by the city.

But his argument was that the road had never been formally abandoned and that the road did not meet all the tests to be considered an abandoned road by statute.

Mr. Gallagher stated that it was not his intention to have the city improve the road and he only wanted permission to access E. Starrs Plain Road in a way that would allow him to transfer clear title with access.

After a lengthy discussion of the problem it became evident that the best solution for both Mrs. Gallagher and the city would be to have the city formally discontinue a section of E. Starrs Plain Road since it had been a town road and never was formally discontinued by action of the Council.

It was also discussed that by our formal discontinuance of the road beyond the Gallagher property, and our acknowledgement that the short piece that runs in front of the Gallagher parcel is still a public road would not in any way require the city to improve the road but would make the city responsible in a way that it is for any public highway.

Mr. DaSilva made a motion that the committee recommend to the council that since E. Starrs Plain is a public highway that the council discontinue that portion of E. Starrs Plain Road from the southerly line of the Gallagher

property[I-25009] as shown on assessors maps I-25 and H-25 (see attached schedule for specific discription) in a southely and westerly direction to the resumption of the improved portion. Second by Mrs. Danise. Motion Carried unamiously.

Respectfully submitted,

Michael S. Fazio
Chairman

Marianne Danise

Joseph DaSilva



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 31, 1989

COMMON COUNCIL

Honorable Members of the Common Council
Honorable Mayor Joseph Sauer

RE: **Traffic Signalization, Route 39 and East Gate Road
December 1988, Item #25**

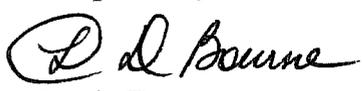
The committee assigned to review the above met on January 18, 1989 at 7:35 P.M. in Room 432 of City Hall. In attendance were committee members-Bourne (Chair), Fazio, Cassano, and ex-officio member Charles; also, City Engineer, Jack Schweitzer and Public Utilities Director, Bill Buckley.

The Chair begin by making the following statements:

- The original request was made by the Police Chief to the State DOT following the accident involving a school bus at the intersection.
- The DOT findings show that traffic volume is so heavy that traffic on minor intersecting streets suffer excessive delay or hazard entering the major street.
- During 4/1/84 - 3/30/87, 11 accidents took place resulting in two personal injuries.
- The cost of installing the light is \$26M, with the City and State contributing equally (\$13M).
- The signal design includes, "when flashing stop ahead" signs for both Rt. 39 approaches.
- Per John Vivari (DOT), the design for the traffic control signal is virtually complete. Therefore, barring any unforeseen circumstances it will be installed prior to the end of 1989.
- This is not a signal that affects just those individuals living in or around the Rt. 39 and East Gate Road area, but all families in the City whose children attend Danbury High School.

After intense discussion of the above, the merits of the proposal and review of the Traffic Engineer's report (copy attached), Mr. Fazio moved that we recommend to the Council the installation of a traffic light at East Gate and Route 39 pending certification of funds. Seconded by Mrs. Bourne. The motion passed with Mr. Cassano voting in the negative.

Respectfully submitted,


Lovie Bourne
Chair


Michael Fazio


Anthony Cassano



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 31, 1989

COMMON COUNCIL

Honorable Members of the Common Council
Honorable Mayor Joseph Sauer

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Lovie Bourne
Chair

Michael Fazio

Anthony Cassano



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

January 18, 1989

JOHN A. SCHWEITZER, JR.
CITY ENGINEER

MEMO TO: John A. Schweitzer, Jr., City Engineer
FROM: Abdul B. Mohamed, Traffic Engineer
SUBJECT: Traffic Control Signal/Clapboard Ridge Road
at East Gate Road

This is relative to a request for information by the Common Council Committee appointed to authorize the Mayor to enter into an agreement with the State at the above noted intersection.

A: BACKGROUND:

A request for installation of a traffic control signal at the East Gate Road intersection has been made by the Chief of Police to the STC on or about September 23, 1987. The request was based on the increase of traffic volume and an accident involving a school bus at the intersection. A similar request had been presented to the State Traffic Commission in 1983. However, due to a failure of the intersection to meet signal warrant, the request was turned down. It was recommended that the intersection be re-studied when traffic volumes increase.

B: TRAFFIC CONDITIONS:

In November 1987 the State Department of Transportation investigated traffic conditions at the intersection. The findings indicated that the intersection satisfies the Interruption of Continuous Traffic Warrant. This warrant applies to operating conditions where traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or hazard entering the major street.

Traffic safety conditions at the intersection indicate that eleven (11) accidents took place during the period from April 1, 1984 through March 30, 1987. An average of approximately three (3) accidents per year. The accidents resulted in a total of two (2) personal injuries.

The STC Report and accident data relative to this subject is enclosed.

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| | | |
|--|---|---|
| Mark F. Makuch Report By _____ Date <u>8/88</u> Wayno J. Andelin Checked By _____ Date <u>8/88</u> | STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION TRAFFIC INVESTIGATION REPORT TO THE STATE TRAFFIC COMMISSION | S.T.C. No. <u>034-8709-03</u> Loc. No. <u>034-259</u> Date to S.T.C. _____ |
| -Completion Dates- Signals _____ Signs _____ Markings _____ S.T.C. Notified _____ Memo No. _____ See Previous S.T.C. Report No. <u>034-8308-03</u> | | TOWN <u>Danbury</u> LOCATION Route 39 (Clapboard Ridge Road) at East Gate Rd. REQUESTED BY <u>Chief Nelson F. Macedo</u> City of <u>Danbury</u> HOW REQUESTED <u>Letter</u> DATE <u>9/23/87</u> |

Recommendations

Approve the installation of a fully actuated traffic control signal at the intersection of Route 39 (Clapboard Ridge Road) and East Gate Road.

The Department of Transportation and the City of Danbury will participate in the cost of the signal equipment and installation.

The Department of Transportation will provide normal maintenance for the signal.

The City of Danbury will pay for the electrical energy required to operate the signal.

Chief Nelson F. Macedo, Legal Traffic Authority for the City of Danbury, was informed of the above recommendation on August 25, 1988 and concurred.

EXISTING CONDITIONS:

In a September 23, 1987 letter to Mr. William W. Stoeckert, Chief Nelson F. Macedo requested that a traffic study be conducted at the subject location citing a serious accident involving a school bus and an increase in traffic volumes as the reasons for the request.

BY _____

DIVISION OF TRAFFIC

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City of Danbury
Route 39 (Clapboard Ridge Road)
at East Gate Road
STC No. 034-8709-03
Page 2

A previous STC report approved in October, 1983 recommended that a signal not be installed at this location, however, it was noted in the report that the intersection should be re-studied in the future if traffic volumes increased.

Traffic counts taken on November 9, 1987 and November 10, 1987 indicate that the Interruption of Continuous Traffic warrant is satisfied at this location. A copy of the signal warrant sheet is attached.

The City of Danbury has agreed to overlay the East Gate Road approach to Route 39 to provide an adequate surface for detector.

The signal design includes "When Flashing Stop Ahead" signs for both Route 39 approaches to alert approaching traffic to the intersection.

PRELIMINARY

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State of Connecticut
Department of Transportation
Bureau of Planning
Planning Inventory and Data

ACCIDENT DATA CONTENT

Data in the attached report reflects that which was contained in our computer files on the date that this report was generated and represents accidents occurring during the period April-1, 1984 through March 31, 1987.

RECORDING CRITERIA

Only accidents which have been reported to the Connecticut Motor Vehicle Department have been reviewed for inclusion in the Accident Records System.

Operators involved and investigating police authorities are required to file an accident report subject to the following. Any accident in which a person is killed or injured, or in which damage to the property of any one person, in excess of four hundred dollars (\$400), is sustained. On October 1, 1984, the property damage value was increased to six hundred dollars (\$600). During the Current Period, all operator reported accidents, which meet the criteria of a reportable accident, as noted above, and all police reported accidents were reviewed and recorded.

RECORDING LIMITATIONS

The Department of Transportation devotes considerable resources to the analysis of each accident received from the Motor Vehicle Department and to the codification of the dynamics and location of each accident. Each accident prior to entry into our computerized system is reviewed for accuracy and completeness. Computer programs have been developed which monitor accident data and generate reports containing suspect data for review and correction, however the user of data contained in the attached report, should be aware of certain limitations.

All accidents which actually occurred within the area covered by the report:

May not have been reported to the Motor Vehicle Department and/or subsequently received by the Department of Transportation;

May not have contained sufficient information to have been properly located in the physical area covered by this report; or

May not have been properly located by the Department of Transportation during codification, data entry, file maintenance or data retrieval activities.

Accidents contained within the attached report may not have actually occurred within the physical area covered by the report, but have been placed there due to, either, insufficient or incorrect information contained in the accident report or to imprecise handling of the accident during codification, data entry, file maintenance or data retrieval activities.

CONTRIBUTING FACTORS

The contributing factors indicated on the accident experience and/or accident summary have been determined by the Department of Transportation's Accident Records Section and are used by the Department in its ongoing engineering evaluation of Connecticut's Roads and Highways. Each contributing factor has been determined subjectively and is not meant to assign legal responsibility.

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RURAL WARRANT VALUES

| <u>Minimum Vehicular Volume</u> | (Check) | PERCENT SATISFIED FOR EACH HOUR | NO. OF HOURS SATISFIED TO: |
|--|--|--|----------------------------|
| | | | 100% 80% |
| Number of vehicles per hour for each of any 8 hours of an average on the major street (total both approaches). | One Lane 350 veh. <input checked="" type="checkbox"/> | 1. <u>314</u> 5. <u>188</u> 2. <u>246</u> 6. <u>187</u> 3. <u>169</u> 7. <u>216</u> 4. <u>158</u> 8. <u>276</u> | 8 8 |
| | Two or More 420 veh. <input type="checkbox"/> | | |
| Number of vehicles per hour for each of the same 8 hours on the higher volume minor street approach. | One Lane 105 veh. <input checked="" type="checkbox"/> | 1. <u>185</u> 5. <u>116</u> 2. <u>74</u> 6. <u>166</u> 3. <u>52</u> 7. <u>74</u> 4. <u>79</u> 8. <u>51</u> | 3 4 |
| | Two or More 140 veh. <input type="checkbox"/> | | |
| <u>Interruption of Continuous Traffic</u> | | | |
| Number of vehicles per hour for each of any 8 hours of an average on the major street (total both approaches). | One Lane 525 veh. <input checked="" type="checkbox"/> | 1. <u>209</u> 5. <u>125</u> 2. <u>115</u> 6. <u>125</u> 3. <u>113</u> 7. <u>144</u> 4. <u>105</u> 8. <u>183</u> | 8 8 |
| | Two or More 630 veh. <input type="checkbox"/> | | |
| Number of vehicles per hour for each of the same 8 hours on the higher volume minor street approach. | One Lane 53 veh. <input checked="" type="checkbox"/> | 1. <u>366</u> 5. <u>230</u> 2. <u>147</u> 6. <u>328</u> 3. <u>111</u> 7. <u>147</u> 4. <u>157</u> 8. <u>102</u> | 8 8 |
| | Two or More 70 veh. <input type="checkbox"/> | | |
| <u>Minimum Pedestrian Volume</u> | | | |
| Number of vehicles per hour for each of any 8 hours of an average on the major street (total both approaches). | Undivided Hwy. 420 veh. <input type="checkbox"/> | 1. _____ 5. _____ 2. _____ 6. _____ 3. _____ 7. _____ 4. _____ 8. _____ | |
| | Divided Hwy. 700 veh. <input type="checkbox"/> | | |
| Number of pedestrians per hour for each of the same 8 hours crossing the major street on the highest volume crosswalk. | Undivided Hwy. 105 ped. <input type="checkbox"/> | 1. _____ 5. _____ 2. _____ 6. _____ 3. _____ 7. _____ 4. _____ 8. _____ | |
| | Divided Hwy. 105 ped. <input type="checkbox"/> | | |

| <u>Combination of Warrants</u> | <u>RURAL WARRANT VALUE</u> | <u>NUMBER SATISFIED</u> |
|---|----------------------------|-------------------------|
| Number of warrants satisfied to the extent of 80 per cent or more of the stated values. | 2 | 1 |
| Signal justification under this warrant should be decided on basis of a thorough analysis of facts. | | |



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Tarrywile Park Authority

The ad hoc committee appointed to review the ordinance creating the Tarrywile Park Authority met on February 1, 1989 at 7:45 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Regan, DaSilva and Bundy. Also in attendance were Council Member Stephen Flanagan, ex-officio; William Buckley, Jack Schweitzer, Dominic Setaro, Richard Palanzo, Dennis Elpern, Paulette Pepin, and Edward Prybylski.

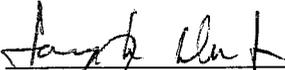
The ordinance establishes the powers and responsibilities of the Authority while at the same time retaining final approval for a number of decisions by the Common Council.

In order to insure that all citizens are considered in the decisions of the Authority, one member of the Authority shall be a member of the Parks and Recreation Commission and the Director of Parks and Recreation shall be an ex-officio member of the Authority.

Mr. DaSilva made a motion to recommend to the Common Council that the Ordinance creating the Tarrywile Park Authority be approved. Seconded by Mr. Bundy. Motion carried unanimously.

Respectfully submitted,


ARTHUR D. REGAN, Chairman


JOSEPH DaSILVA


ROGER M. BUNDY



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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Respectfully submitted,

ARTHUR D. REGAN, Chairman

JOSEPH DaSILVA

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Compratt Enterprises - Acceptance of Parcel X on Map 6863

The committee appointed to review the request for the City to accept Parcel X on Map 6863 met in Room 432 in City Hall at 7:00 P.M. on January 10, 1989. In attendance were committee members Moran and Charles. Also in attendance were City Engineer Jack Schweitzer and John Constantino.

Mr. Schweitzer gave the committee a history dating back to 1987 and said that the Engineering Department had no problem with this proposal. A letter from the Corporation Counsel was read which stated that this is required by sub-division regulations and that the appropriate legal documents have been submitted and reviewed and are in order.

Mr. Charles made a motion to recommend to the Common Council that the land offered as Parcel X on Map 6863 be accepted by the City for road widening purposes. Seconded by Mr. Moran. Motion carried un-animously.

Respectfully submitted,

HANK S. MORAN, Chairman

LOUIS T. CHARLES

MARI ANN DANISE



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Resolution regarding City Historian

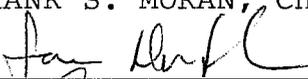
The ad hoc committee appointed to review a resolution concerning the City Historian met in Room 432 in City Hall on January 30, 1989 at 7:00 P.M. Committee Members present were Moran and DaSilva. Also present were Assistant Corporation Counsel Eric Gottschalk, City Historian Jerrold Davis and Council Members Louis Charles, ex-officio.

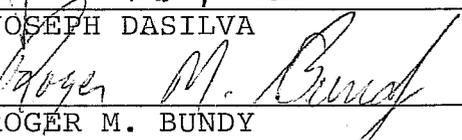
A discussion took place regarding Section 2-34 of the City Ordinance, specifically Section B, PARAGRAPH 5 pertaining to expending funds, obtaining contributions and grants and salary, if at some future time the position becomes a paid position. Mr. Gottschalk explained that if this position were to become paid the position and/or its staff would come under Civil Service Regulations and funding would need approval by the Common Council

Mr. DaSilva made a motion that the committee recommend to the Common Council that it take no action at this time due to the fact that the establishment of a salary for the City Historian or of a separate City Department action by the Common Council and the Civil Service Department would be needed". Seconded by Mr. Moran. Motion carried unanimously.

Respectfully submitted,


HANK S. MORAN, Chairman


JOSEPH DASILVA


ROGER M. BUNDY



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

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ROGER M. BUNDY



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Review and Renew Condemnation of Land at Eagle Road and
Federal Road

The ad hoc committee appointed to review and renew the condemnation of land at Eagle and Federal Roads to make a new entrance and exit to Commerce Park met on January 19, 1989 at 7:30 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Regan and DaSilva. Also attending were City Engineer Jack Schweitzer and Director of Public Works Dan Minahan.

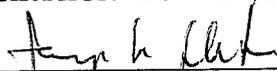
This condemnation had previously been granted by the Council but has since expired. It has also been determined that additional land is needed to meet with width requirements of Eagle Road and to provide a right turn lane on Federal Road from Eagle to White Turkey Road Extension. The Planning Commission voted a positive recommendation for this request.

Purcell Associates estimated the cost at \$685,000. The City received \$500,000 from the State in 1987 for this project. Approximately \$422,000 remains in the account. The developer of the Berol property has indicated that he would contribute to the project in order to complete it.

Mr. DaSilva made a motion to recommend to the Common Council to acquire, either through negotiations or eminent domain, parcels B, D, AR & CR on the "proposed taking map Eagle Road Connector" dated September 23, 1987 Revised October 21, 1987, June 7, 1988 and December 28, 1988, prepared by New England Land Surveying. Seconded by Mr. Regan. Motion carried unanimously.

Respectfully submitted,


ARTHUR D. REGAN, Chairman


JOSEPH DaSILVA


LOVIE D. BOURNE



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

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Honorable Members of the Common Council

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Respectfully submitted,

ARTHUR D. REGAN, Chairman

JOSEPH DaSILVA

LOVIE D. BOURNE



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Water Extension - Farm Street

The committee regarding the above captioned matter met on January 30, 1989. In attendance were committee members Bundy, Cresci and Zotos. Also in attendance were William Buckley and Hans Otto who represents the owner Joseph DaSilva.

It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said water line.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.

5. That upon completion of installation, title to said water line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.

6. The petitioner shall convey ownership of and easements to all or such portions of the water lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

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7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

Respectfully submitted,

ROGER M. BUNDY, Chairman

ARTHUR CRESCI

NICHOLAS ZOTOS



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request to Purchase Aerial Ladder Truck

The Common Council Committee appointed to review the above captioned matter met at 7:30 P.M. on February 2, 1989 in the Fourth Floor Lobby in City Hall. In attendance were committee members Gallo, Nimmons and Connell. Also attending were Chief Lagarto and 24 Fire Firefighters.

Since this matter is a non-partisan subject, Mr. Nimmons asked Mr. Gallo to chair this meeting.

After some discussion and closing remarks by Chief Lagarto and Union President Louis DeMici, Mr. Connell moved this committee to recommend to the full Council that we purchase a new aerial ladder on the basis of a lease purchase agreement with the purchase price of \$340,000, cost overruns not to exceed 10% of the purchase price and with the sale of the old ladder truck the funds received should be applied to the first payment providing this agreement can be worked out with the Comptroller. Seconded by Mr. Nimmons. Motion carried unanimously.

Respectfully submitted,

JAMES E. NIMMONS

BARRY J. CONNELL

BERNARD P. GALLO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 30, 1989

Fire Chief Antonio Lagarto
Danbury Fire Department
New Street
Danbury, Connecticut 06810

Dear Chief Lagarto:

Please be advised that the ad hoc committee appointed to review the request to purchase an aerial ladder truck is in favor of the proposal. However, before we can make an informed presentation to the full Common Council, we will need responses to the following questions:

1. Why the cost went from \$28,500 to \$450,000 in thirty days as the initial request for funds considered the \$28,500 purchase an "excellent buy"?
2. How could the "cost to repair and refurbish our current older aerial ladder truck run from \$70,000 to \$200,000?
3. The Tarrytown Truck has 16,000 miles. How come our truck has 32,000 miles on it?
4. Excessive usage of the ladder truck caused the City to spend \$40,000 for rust repair. Would it not be wiser to keep the ladder truck "in house" except for actual need and training to cut operational costs and preserve its longevity as other fire companies do?
5. The ladder truck goes to most fires, not for its use but for the manpower on the truck. Please explain.
6. 40% of the calls are false alarms. This again creates wear and tear on our ladder truck, a very expensive piece of equipment.
7. With a call on a nine or ten story building, you are rolling with the ladder truck because that may or may not be a 500 gallon fire. However, since most fires are extinguished with 500 gallons of water, what kind of support is needed for 500 gallon fires? Specifically, equipment and manpower - certainly not the aerial ladder truck.

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8. Finally, we need hard numbers on the cost and design of the new ladder truck.

If you could respond to these questions as soon as possible, we will then be able to present the proposal with our recommendation to the full Common Council.

Sincerely,

James E. Nimmons
Chairman

cc: Councilman Bernard P. Gallo
Councilman Barry J. Connell



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CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

January 31, 1989

James E. Nimmons, Chairman
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Jim:

I am setting forth the answers to the eight questions your Committee has requested regarding the request to purchase an Aerial Ladder Truck. My answers are as accurate and concise as I can make them.

Question #1: The answer to why the cost went from \$28,500.00 to \$450,000.00:

The initial cost of \$28,500.00, which was considered by us to be an "excellent buy" was for a 1968 Maxim 100' Aerial Ladder, 5-man Custom Cab, with new ground ladders and other equipment. This Aerial Ladder was for sale by the Tarrytown Volunteer Fire Department. Our Apparatus Superintendent went to Tarrytown, NY to look the unit over and reported that it was in good shape and would be a good temporary solution to our aerial ladder needs. After we submitted our request to the Mayor for the \$28,500.00, and before your Committee met, we found out that the ladder was sold. We expressed this to your Committee and also that the present 1965 Maxim Aerial Ladder owned by the City is no longer worth spending money on. We requested that the Committee recommend the purchase of a new Aerial Ladder at a cost of approximately \$340,000.00. We also suggested a five-year lease purchase plan.

Question #2: In regard to the question of how could the cost to repair and refurbish our current, older Aerial Ladder Truck run from \$70,000.00 to \$200,000.00:

The \$70,000.00 figure is the cost provided to us by the Maxim Company to replace the upper three fly sections of the Aerial Ladder and to do all other necessary repairs in order to meet U. L. Requirements for

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certification. It is the opinion of our Apparatus Superintendent and also my opinion, that this 24 year-old Aerial Ladder is not a candidate for this kind of expenditure of funds. If the Council Committee felt that they wanted to repair the Aerial Ladder, then the truck should be totally refurbished, and the cost would then be over \$200,000.00. We do not recommend that any money be spent on this Unit!

Question #3: This question asks why the "Tarrytown Truck has 16,000 miles and our truck has 32,000 miles on it":

First, our Truck has almost 39,000 miles on it; second, it is 3 years older; third, Tarrytown has about 5 square miles of area to cover while Danbury has almost 45 square miles; fourth, Tarrytown's population is about 20,000 and Danbury's is 70,000. I think that all of these factors are the reasons why Danbury's truck has more miles on it.

Question #4: The City has not spent \$40,000.00 for rust repairs as indicated, but there is rust damage to the Ladder Tower that will require an expenditure of approximately \$40,000.00. It is our opinion that the rust is due to poor design of the unit and not due to exposure to the weather alone.

As far as keeping the Ladder Truck "in house" except for actual need and training to cut operational costs and preserve its longevity as other companies do - It is my educated opinion that the Truck Company doesn't respond or leave the building except for actual need, and we evaluate on a "as need" basis where and when it does respond. There is no doubt that if we kept the ladder "in house" almost all of the time, there would be less damage from wear and tear. However, our operations at the scene of a fire require the Truck Company as part of our Standard Operating Procedures. It also seems to me that our Department has done quite well in preserving the longevity of our present Aerial Ladder which is in its 24th year and should have been replaced during its 20th year. The Tarrytown Fire Department replaces its equipment on its 20th anniversary even if it is in very good shape.

Question #5: The Ladder Truck responds to all reported structure fires and automatic alarms. The response of the Truck Company is not just for the manpower but for the functions that the Truck Company performs such as forcible entry, search and rescue, ventilation, salvage and overhaul, laddering of building, etc. The Truck Company's function has a direct result on the total firefighting operation and without this coordinated effort of both the Truck Company and the Engine Companies, there is no doubt that there is a greater threat to

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life and potential for greater property damage. Manpower is always important whenever we have a working fire on arrival, especially when there is a severe life threat. Time is our enemy and it is always better to have enough help on arrival than to have to call for more help and then to have to try to play "catch up".

Question #6: The response to false alarms is about 25% of the calls, not 40%, as stated. When the alarm comes in, we must assume that there is a fire and respond, prepared to operate as a complete team, incorporating all factions of the firefighting effort.

Question #7: The question about fires requiring less than 500 gallons of water and what kind of support is needed - specifically, equipment and manpower - certainly not the Aerial Ladder Truck:

The answer to this question must take into account where the fire is; how big is the building; What is burning; Is there a severe threat to life and property; Is there easy access to the fire; Can we get the water onto the fire? Why are all these things important for a fire that can be put out with 500 gallons of water? The reason is quite simple - If I can't get the 500 gallons of water directly on the fire, I can't put it out and then I will need a lot more than 500 gallons of water. How does the Truck Company play their part in making it possible to get water onto the fire? First by doing search and rescue, proper ventilation, so the Engine Company can get water to the seat of the fire - raising ladders for ventilation.

A good example of a fire that didn't require a lot of water but required full use of the Truck Company was the fire at the Federal Correctional Institution that claimed 5 lives and injured 65 inmates. Another example of the need for the Truck Company for the purpose of getting water to the seat of a fire that, most times, won't need more than 500 gallons to extinguish, would be a fire in the Ives Manor or Martha Apartments. There isn't water available inside of these buildings and our Standard Operating Procedure calls for the use of the Truck company to get a supply of water to the upper floors as quickly as possible. This requires the raising of the ladder to the floor of the fire so that hose lines can be advanced from the ladder into the building and to the seat of the fire.

You must understand that 500 gallons of water can put out a very large fire if the water can be applied directly to the seat of the fire. This takes the efforts of all manpower at the scene of the fire doing their assigned tasks with the proper equipment which must be available to them on their arrival.

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Question #8: The estimated cost to replace our Aerial Ladder is \$350,000.00 - This is a fairly accurate cost estimate for a unit designed to meet our requirements. The cost may vary slightly in either direction when bid. However, based on current cost projections provided by a major fire apparatus manufacturer, we feel this is an accurate figure. Delivery would be approximately 10-12 months from issuance of the purchase order.

The Aerial Ladder Truck has to be designed as a "midship" mounted device, similar to our old one. This is required due to clearances necessary to negotiate the Lake Avenue and Rose Street railroad bridge overpasses.

Respectfully submitted,
Antonio L. Lagarto
Antonio-L. Lagarto
Chief Fire Executive

ALL:mw
#26

c:Mayor Joseph H. Sauer, Jr.
Councilman Bernard P. Gallo
Councilman Barry J. Connell



(203) 798-0018

Danbury Fire Fighters Association, Local 801

ORGANIZED OCTOBER 9, 1944

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

*Affiliated with Uniformed Fire Fighters Association of Connecticut, American Federation of Labor
Connecticut Federation of Labor*



P.O. BOX 901
DANBURY, CT 06813

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January 23, 1989

Members of the Common Council Committee:

Re: Funding for Repairs and/or Purchase of a 2nd Aerial
Device

Dear Members:

The Union recognizes that it is the sole responsibility of this committee in determining the need to allocate funds to repair and/or purchase a 2nd Aerial Device, based on recommendations from the Fire Department Administration.

We are here this evening to represent the Health and Safety issue that not only impacts members of the bargaining unit, but also the Community.

Over the years we have experienced numerous occasions on having a 2nd aerial at the scene of a fire, which as a result has proven to be a significant factor in fire ground operations.

For example, the Main Street fire, the Assistant Chief on-duty recognized immediately upon his arrival, that he was confronted with a serious life hazard situation, and further realized that the first arriving Truck Company would be committed to rescue operations. Therefore, he requested that the 2nd Ladder Company be dispatched to the scene to establish a defensive position to control the spread of fire. This action prevented the possible lost of the entire block.

On other occasions, we have experienced fire scene situations where the Truck Company would be in operation for a lengthy period of time. And by having a 2nd Ladder Unit at Headquarters would enable the Officer-in-Charge to place this unit into service, to cover the City in the event of a 2nd fire.

Another factor that must be considered by this committee, as a result of Truck-2 being disabled, is the restrictions placed on Truck-1 (81 LTI) because of its size.

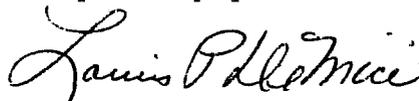
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For example, Oil Mill Apartments located off Lake Ave., is approximately on One (1) minute response from Fire Headquarters. This unit would have to use an alternate route, due to the Lake Ave., bridge which may place this unit at the scene 3 to 5 minutes behind the first arriving Engine Company, and therefore alter fire ground tactics in a fire situation.

I have eluded to a few situations that we have encountered over the years, but I hope these incidents will show the significant need of having a 2nd Ladder Company available.

I would like at this time to thank members of this committee, for allowing the Union to express their concerns on this issue.

Very truly yours,



Louis P. DeMici
President

file: pers-1

To: C.J.Monzillo, Chief Fire Executive
From: R.F.Tomaino, Fire Apparatus Division
Date: 11/10/88
Re: 1965 Maxim 100' Aerial Ladder Truck

Chief:

This memo is to advise you that effective immediately I am recommending restricted use of Truck 2, as per our previous discussion. The truck's main hydraulic aerial ladder system has been disabled to prevent its use. Over the next several days I will be working with the manufacturer in obtaining a cost estimate to perform all necessary repairs needed to return the truck to service, as well as studying the feasibility of such a costly project vs the cost of a complete refurbish or total replacement of the unit.

As soon as I compile the necessary information I will forward it to you along with the preliminary U.L. report, defining all the discrepancies found during the examination on 11/09/88 and my recommendations based on that information. If you require additional information in the meantime, please let me know.

Thanks,

Rich

70 (2)

To: C. J. Monzillo, Chief Fire Executive
From: R. F. Tomaino, Superintendent of Fire Apparatus
Date: 11/22/88
Subject: Report on 1965 Maxim Ladder Truck

Chief:

I have received an estimate from The Maxim Motor Company, the manufacturer of our ladder truck. After conversing via telephone with Mr. Earl Everhart at Maxim, he agreed to visit Danbury, at which time we reviewed the preliminary findings of the Underwriters examination and discussed what options we have in dealing with these areas. I expressed my concern as to the amount of downtime we could expect and the cost of the project given the fact that the unit is twenty-three years old.

Mr. Everhart stated that the manufacturer will not authorize any field repair of any metal fatigued areas and/or resultant cracks in the ladder base rails. The manufacturer will not perform any repairs to a cracked base rail at their facility either. The entire ladder section, in this case the second section, has to be replaced. Any attempt to repair base rail cracks on any section of the aerial ladder is deemed "not permissible" by the manufacturer, the manufacturer will not assume liability and the ladder will not be certified by U.L.. This is a generally accepted practice throughout the industry and is not unique to Maxim units.

The bottom line - Any repair or replacement of any ladder section of this unit must be performed at the Maxim facility in Middleboro, Mass. or by a major bonded fire apparatus manufacturer capable of assuming liability for the repair and replacement of defective components. The Replacement ladder sections and associated repair parts can be furnished only by The Maxim Motor Company.

Maxim's estimate to make all the necessary repairs as outlined in the UL report is \$70,000.00. Their estimated turn-around time is approximately 10 to 12 weeks once the truck is scheduled into their facility.

I have presented for your consideration under separate cover, my recommendations regarding this matter. Please advise.

Thank you,

R. F. Tomaino

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To: C. J. Monzillo; Chief Fire Executive
From: R. F. Tomaino; Superintendent of Fire Apparatus
Date: 11/22/88
Subject: Recommendations on 1965 Maxim Aerial Ladder Truck

Chief:

As stated in my memo to you dated 11/10/88, I removed from service the aerial device on Truck 2. I am now in receipt of the cost estimate from Maxim to make all the repairs needed to put this unit back in service and am recommending to you that effective at once, we do not expend any additional funds towards the repair of this unit and to explore post haste the options I have outlined. My concern for a "priority one" action on this matter is not focused directly on fire suppression logistics. My main concern is with the accelerated wear and tear on our Ladder Tower which is now being required to respond to areas where there is very limited or no accessibility for a unit of its size and for which its design was not intended. Maintenance costs on this unit will more than double because of what it is being subjected to as the result of the Maxim Ladder being out of service. The Ladder Tower was purchased with Federal HUD funds in 1981 to complement the Fire Department's existing ladder and to enhance its operations by servicing the inner city's elderly and high rise complexes and not intended as a replacement unit for the Maxim. With the situation that now exists, we can expect increased down time with no back-up unit in the city. Therefore I strongly recommend that we pursue the following course of action:

Immediately set in process an emergency request for appropriation of funds to do one of two things: either refurbish the existing unit, as was approved, bid and awarded several years ago but then rescinded; or to purchase a replacement ladder truck. Either project will take approximately 8 to 12 months to complete. The refurbishing project is usually more cost effective and a very good alternative to total equipment replacement, especially with apparatus costs as they are today, and in this case it was an excellent program several years ago when first addressed by the city. But after several more years of extended use, I am fearful that it will be a lot more difficult to justify the refurbishing project because the difference in the cost of refurbishing vs that of a new unit will be a lot closer. Had the city followed through as originally planned, the life of this unit would have been extended at least another ten to fifteen years. But we must decide what direction we are to take immediately.

Please advise.

Thank you;

Rich



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

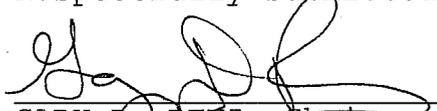
Re: Public Works Leased Equipment

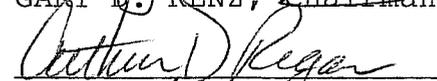
The Common Council Committee appointed to review the request concerning leased equipment for the Public Works Department met on January 31, 1989 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Renz, Regan and Esposito. Also attending were Dan Minahan, Warren Platz, Frank Cavagna and Dom Setaro.

A statement was made by Mr. Minahan describing the current status of equipment in the Public Works Department. He further gave a scenario of equipment being purchased under a lease/purchase plan. Mr. Setaro gave an illustration of costs including interest over the life of the purchase. Discussion ensued regarding, among other things, the best and cheapest way to procure equipment, how the equipment came to be in such condition, expense of interest payments, types of equipment planned to be purchased.

It was the desire of Mr. Minahan that the idea of lease/purchase equipment be one that is considered during the budget process and a motion was made by Mr. Regan, seconded by Mr. Esposito, to recommend the consideration of lease purchase to facilitate equipment replacement in the Department of Public Works. Motion carried unanimously.

Respectfully submitted,


GARY D. RENZ, Chairman


ARTHUR D. REGAN


JOHN J. ESPOSITO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

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Respectfully submitted,

GARY D. RENZ, Chairman

ARTHUR D. REGAN

JOHN J. ESPOSITO



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Energy Conservation Study Agreement

The Common Council Committee appointed to review the above captioned matter met at 7:00 P.M. on February 6, 1989 in Room 432 in City Hall. In attendance were committee members Nimmons, Renz and DaSilva. Also in attendance were Richard Palanzo, Dominic Setaro, Dr. Anthony Singe, Eric Gottschalk, Esq., and Kevin O'Connor from the Ventana Corporation, Art Jones and Walt Skronski.

Mr. DaSilva moved to recommend to the Common Council that the City enter into an Energy Conservation Agreement with the Ventana Corporation and appropriate \$64,000 to the Department of Public Buildings. Seconded by Mr. Nimmons. Motion carried unanimously.

Respectfully submitted,

JAMES E. NIMMONS, Chairman

GARY D. RENZ

JOSEPH DaSilva



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

February 8, 1989

Certification #20

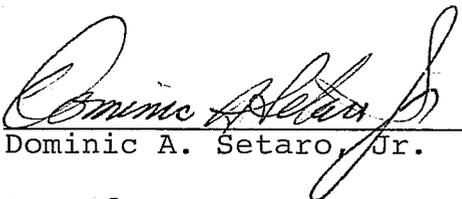
TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

Per Common Council approval, we hereby certify the availability of \$64,000.00 to be transferred from the General Fund fund balance to Public Buildings, Professional Service and Fees Account #02-03-116-020100.

The above request for funds was approved by the Common Council on February 7, 1989 pending this certification.

| | |
|--|------------------|
| Estimated Balance of G.F. Fund Balance | \$333,090.84 |
| Less this request | <u>64,000.00</u> |
| | \$269,090.84 |



Dominic A. Setaro, Jr.

DAS:af



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Review of Section 17-34 of the Code of Ordinances

The ad hoc committee appointed to review Section 17-34 of the Code of Ordinances met in Room 432 of City Hall on January 30, 1989 at 7:30 P.M. In attendance were committee members Moran and Bourne. Also in attendance were City Engineer Jack Schweitzer, Corporation Counsel Assistant Eric Gottschalk, Director of Public Works Daniel Minahan and Highway Superintendent Frank Cavagna. Also present were members of the Hawthorne Cove Homeowners Association.

Mrs. Bourne asked Mr. Schweitzer if, in his opinion, this ordinance worked as it was intended. He stated that it did not and that since 1974 only two or three roads had been accepted under this ordinance. Mr. Minahan and Mr. Cavagna stated that there are 874 road in Danbury and of those the City maintains 692. They also stated that of 874 roads, 8 are State roads, one is maintained by Bethel and one is maintained by New Fairfield. The balance of 172 roads is the issue being addressed. All those present conceded that Ordinance 17-34 is not working, but no one could address the problem.

Mrs. Bourne made a motion that the committee recommend to the Common Council that it take no action regarding this ordinance at this time. Seconded by Mr. Moran. Motion carried unanimously.

The discussion continued as to how this ordinance could be more effective. Mr. Gottschalk stated that as the ordinance now reads, the liability of the City would be to maintain the road as it was accepted according to sub-section E, page 318.15 in the Code of Ordinances.

Mr. Kuhn made a recommendation that this committee consider looking into the feasibility of a phase-in program of accepting these roads over a 10 or 15 year time period for limited maintenance including plowing, sanding and paving, but excluding those items that are required by Section 17-21 through 17-34 which are required for a road to be fully accepted.

It was requested of Mr. Minahan that he put together a synopsis of the various unapproved roads, their types and conditions. Mr. Minahan stated that he would do this but it would take time. The committee granted 60 days for completion of this project.

Respectfully submitted,


HANK S. MORAN, Chairman


LOVIE D. BOURNE


ANTHONY J. CASSANO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

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Respectfully submitted,

HANK S. MORAN, Chairman

LOVIE D. BOURNE

ANTHONY J. CASSANO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Transfer of Lease from Scott-Fanton Museum to Community Action

The Common Council Committee appointed to review the transfer of a lease from the Scott-Fanton Museum to the Community Action Committee met on January 24, 1989 at 8:10 P.M. in Room 432 in City Hall. In attendance were Danise and Connell. Committee Member Flanagan was absent. Also in attendance were Mayor Joseph Sauer, State Senator James Maloney, Mayoral Aide Diana Burgos, Lynn Taborsak, Bernard Fitzpatrick, Dorothy Outlaw and Council Member Gene Eriquez, ex-officio.

Mr. Eriquez read sections from the booklet put together by the Mayoral Task Force on Daycare of which he is the Chairman. Roberts Rules of Order were suspended to give the people present an opportunity to address the committee. After hearing the testimony of those present who desired to speak, a motion was made by Mr. Connell to accept the report of the Mayor's Task Force and upon necessary approvals by the Environmental Impact Commission, the Planning Commission, the Engineering Department and upon the Corporation Counsel's approval of the lease, within thirty days, the committee will meet again to take final action. The report was given to the committee at the start of the meeting.

Respectfully submitted,

MARI ANN DANISE, Chairman

BARRY J. CONNELL

STEPHEN T. FLANAGAN



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Proposed Ice Skating Rink

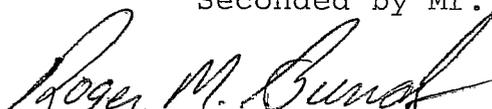
The committee appointed to review the proposed ice skating rink met on January 24, 1989 at 7:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Bundy, and DaSilva. Also in attendance were Comptroller Dominic Setaro, Director of Parks and Recreation Robert Ryerson, Planning Director Dennis Elpern, Assistant Corporation Counsel Eric Gottschalk, Superintendent of Public Utilities William Buckley, and Council Member Hank Moran, ex-officio.

Discussion was focused on the original bond ordinance approved by the voters and the appropriation of \$2,909,000 to be used to construct an ice skating rink on City property at Hatters Park. Mr. Gottschalk responded to a request in a report dated November 29, 1988 (attached). The City's Bond Counsel also responded to the committee's questions in a letter dated December 5, 1988 addressed to Mr. Gottschalk and forwarded to the committee (attached). In essence these reports support the fact that a change in the siting of the proposed ice skating rink cannot be made without a new referendum. After much discussion of the facts presented in the November 1, 1988 Progress Report, Mr. DaSilva made the following motion:

"This committee will pursue within the scope of its authority a site selection process specifically designed to identify a suitable site meeting all requirements for accomodating the proposed ice skating rink. The criteria to be used in selecting a site will be:

1. traffic and mass transit;
2. utilities;
3. soil;
4. environmental constraints;
5. land use conflicts;
6. convenience of location;
7. engineering considerations;
8. comparison to Hatters Park Site.

Seconded by Mr. Bundy. Motion carried unanimously.


ROGER M. BUNDY, Chairman


JOSEPH DaSILVA

Respectfully submitted,

BARRY CONNELL



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

November 29, 1988

Councilman Roger M. Bundy
Common Council
City of Danbury
Connecticut

Re: Ice Rink

Dear Roger:

The following is in response to your request for a report in connection with the above. This item appeared on the November Common Council agenda as item #50.

As you have observed, the bond ordinance approved by the voters authorized the appropriation of \$2,909,000 to be used to construct an ice skating rink on City property at Hatters' Park. In the past, we have always taken the position that questions like the ones you posed should properly be addressed to bond counsel. In this instance, however, I feel rather comfortable telling you that it is my impression that our bond counsel, Atty. Frank D'Ercole, is likely to advise us that if we wish to change the conditions upon which the referendum was based, we need to resubmit the question to the voters.

Accordingly, although the final word should be left to Mr. D'Ercole, I believe that any proposed change in either the amount to be borrowed or the location of the rink (since the location was also fixed in the ordinance) must be resubmitted to the voters. By copy of this letter, I am requesting that Mr. D'Ercole review the matter and advise both of us.

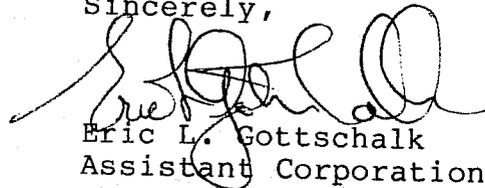
Councilman Roger M. Bundy
Re: Ice Skating Rink
Page 2.

November 29, 1988

Finally, you asked about the Common Council's responsibility regarding the appropriation; as it now stands. As I see it, since you have determined that insufficient funds exist to accomplish the project, it is up to the Common Council to determine whether or not to support an increase in funding or to drop the concept. The ramifications of a decision to let the plan lie dormant might also be worth reviewing with bond counsel.

If you have any other questions in the meanwhile, please let me know. As soon as we hear from bond counsel it will probably be a good idea to sit down and review where we stand.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG:g

c: Hon. Joseph H. Sauer, Jr., Mayor

S. Frank D'Ercole, Esq.

ROBINSON & COLE

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LAW OFFICES

ONE COMMERCIAL PLAZA
HARTFORD, CONNECTICUT 06103-3597
203-275-8200

FINANCIAL CENTRE
POST OFFICE BOX 10305
STAMFORD, CONNECTICUT 06904-2305
203-964-1200

TELECOPIER HARTFORD 203-275-8299
TELECOPIER STAMFORD 203-359-8576
TELEX BOTH OFFICES 99-4407

PLEASE REPLY TO HARTFORD

S. FRANK D'ERCOLE
HARTFORD
203-275-8246

December 5, 1988

Eric L. Gottschalk, Esq.
Assistant Corporation Counsel
City of Danbury
P.O. Box 1261
Danbury, CT 06810

Dear Rick:

In reply to your letter of November 29, 1988 addressed to Councilman Roger M. Bundy, please reference my letter of December 1 to Mr. Robert G. Ryerson, (copy enclosed) which covers the matters raised in your letter. Further, you are correct in assuming that changes in the scope of the project or any change in the estimated cost of the project above the amount of the appropriation must be submitted to the voters at referendum to approve an amendment to the ordinance.

Very truly yours,


S. Frank D'Ercole

SFD:epm
Enclosure

cc: Councilman Roger M. Bundy
Dominic A. Setaro, Jr., Comptroller

ROBINSON & COLE

LAW OFFICES

ONE COMMERCIAL PLAZA
HARTFORD, CONNECTICUT 06103-3597
203-275-8200

FINANCIAL CENTRE
POST OFFICE BOX 10305
STAMFORD, CONNECTICUT 06904-2305
203-964-1200

TELECOPIER HARTFORD 203-275-8299
TELECOPIER STAMFORD 203-359-8576
TELEX BOTH OFFICES 99-4407

S. FRANK D'ERCOLE
HARTFORD
203-275-8248

-PLEASE REPLY TO HARTFORD

December 1, 1988

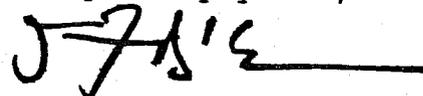
Mr. Robert G. Ryerson
Director, Parks & Recreation
City of Danbury
Hatters Community Park
7 E. Hayestown Road
Danbury, CT 06810

Re: An Ordinance Appropriating \$2,909,000 For The
Planning, Acquisition And Construction Of An Ice
Rink And Authorizing The Issuance Of \$2,909,000
Bonds Of The City To Meet Said Appropriation And
Pending The Issue Thereof The Making Of Temporary
Borrowings For Such Purpose

Dear Mr. Ryerson:

In reply to your inquiry by memorandum of November 21, 1988 to Eric Gottschalk which was forwarded to me under cover letter from Mr. Gottschalk, dated November 28, 1988, the appropriation made under the captioned bond ordinance may only be used for an ice rink to be constructed in Hatters Park. Further, the appropriation shall be null and void if the project is abandoned by action of the Council or if three fiscal years shall elapse without expenditure from or encumbrance of the appropriation, in which case the project shall be deemed to have been abandoned. City of Danbury Revised Charter, Section. 7-9(g).

Very truly yours,



S. Frank D'Ercole

SFD:epm
cc: Eric Gottschalk
Dominic Setaro



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

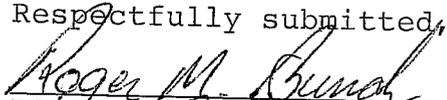
Re: Update on City's Garbage Disposal Position

The Common Council Committee appointed to update the City's Garbage Disposal Position met on January 18, 1989 in Room 432 in City Hall. In attendance were Committee Members Bundy, Fazio, Flanagan, Regan and Renz. Also attending were Michael Cech, Daniel Minahan, Dave Gervasoni, Frank Cavagna and Council Member Charles, ex-officio.

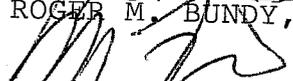
The purpose of this meeting was to discuss the siting of a proposed incinerator in the City of Danbury. However, since a recently released State of Connecticut Department of Environmental Protection (DEP) report has suggested that an ash landfill be located in the City of Danbury, the discussion focused on the ash issue. Mr. Minahan and Mr. Cech had only recently reviewed the DEP report and were not prepared for an indepth discussion. Therefore, it was decided that the Chairman of the committee will obtain copies of the DEP report and distribute them to the committee members for their review.

The committee will reconvene in approximately two weeks to discuss the recent developments regarding the siting of an incinerator and the siting of an ash dump in the City of Danbury.

Respectfully submitted,



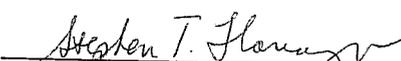
ROGER M. BUNDY, Chairman



MICHAEL A. FAZIO



GARY D. RENZ



STEPHEN T. FLANAGAN

ROBERT D. GODFREY



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

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Respectfully submitted,

ROGER M. BUNDY, Chairman

MICHAEL S. FAZIO

GARY D. RENZ

STEPHEN D. FLANAGAN

ROBERT D. GODFREY



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

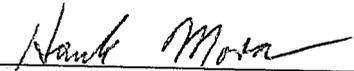
Re: Request to Change Rolf Drive to a permanent
Cul-de-Sac

The committee appointed to review the request to change Rolfs Drive to a permanent cul-de-sac met in the Fourth Floor Lobby in City Hall on January 18, 1989 at 7:30 P.M. In attendance were committee members Moran and Charles. Also in attendance were City Engineer Jack Schweitzer and Director of Public Utilities Bill Buckley and Council Member Art Regan, ex-officio.

A letter from Daniel C. Leppo, Associate Planner was read which raised some legal questions regarding accuracy of maps on file and undeveloped land in the area (copy attached).

Mr. Charles made a motion that this request be referred to the Corporation Counsel to review the questions raised in Mr. Leppo's letter and report back to this committee in thirty days. Seconded by Mr. Moran. Motion carried unanimously.

Respectfully submitted,


HANK S. MORAN, Chairman


LOUIS S. CHARLES



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLANNING & ZONING DEPARTMENT
(203) 797-4525

TO: Councilman Hank Moran
FROM: Daniel C. Leppo, Associate Planner 
RE: Request to Change Rolfs Drive
to a "Permanent Cul-de-Sac"
DATE: November 17, 1988

In reviewing the present situation, it was noted that on the Tax Assessor's maps there is a certain parcel connecting to the end of Rolfs Drive titled "Ye Olde Road." While this tract is undeveloped in this area, the maps do show it runs down until it connects with the existing Ye Olde Road. Prior to making a decision, the committee should have Corporation Counsel determine the legal ownership of this tract. Is the tract a City road in disuse? Was it ever a City road? Is it a private road that through the years came to be shown erroneously as a City road on the Tax Assessor's maps?

In addition to the above, it should be noted that there is undeveloped land surrounding Rolfs Drive development. Corporation Counsel should also determine if any of the owners of the undeveloped land have a right to pass and repass over the above mentioned tract. If such is the case, what are the legal ramifications of closing Rolfs Drive to that tract of land. The Committee should consider that by making Rolfs Drive a permanent cul-de-sac, they are taking away a possible way of access to assist in the development of the surrounding land.

The above issues should be considered by the Committee prior to making a decision.

c: Carolyn O'Boyle



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

February 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Request for Sewer Extension - Shannon Ridge and Fairlawn

The ad hoc committee appointed to review the request for a sewer line on Fairlawn Avenue and Shannon Ridge met on January 18, 1989 at 8:30 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Regan and Charles. Also attending were City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley and the petitioners Frank Radeschi, Ray and Najrah Antous and R. A. Baldwin.

Mr. Regan stated that he had checked with the Health Department and they had no reported septic failures in the Fairlawn - Shannon Ridge survey area. The survey results of the area indicated 14 for sewers and 16 against with 7 not responding. Mr. Schweitzer stated that a no response indicated a lack of interest in the sewer. Based on these facts it appears that the request should be denied. The petitioners asked that an additional survey be conducted due to the fact that some people were unaware that the sewer line could be paid off over a 14 year period and they felt this would change the survey results. Also, they requested that the possibility of going out Fairlawn Avenue to Westville Avenue and tying into the new sewer line at Edgewood Street be looked at.

Mr. Regan made a motion that a new survey be conducted by the Engineering Department and also to see if Fairlawn Avenue could be tied into the sewer line on Westville Avenue. Seconded by Mr. Charles. Motion carried unanimously.

Respectfully submitted,

Arthur D. Regan
ARTHUR D. REGAN, Chairman

Louis T. Charles
LOUIS CHARLES

Mari Ann Danise
MARI ANN DANISE



CITY OF DANBURY

155 DEER HILL AVENUE

Progress Report

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

1-11-89

The committee appointed to review the proposal to lease the railroad station on White St. from the DOT met on January 11, 1989 at 7PM in room 432 in City Hall.

In attendance were committee members Enriquez and Fazio. Also in attendance were Comptroller Dom Setaro, Director of Public buildings Rick Polanzo and Councilman Hank Moran ex-officio.

A brief outline of the charge of the committee and correspondence to date were presented by the chair. It was stated that the committee should either recommend or reject the concept of entering into a lease agreement with DOT for the RR station on white street for \$1.00/year to be used by the city or a sub leasee.

Several problems with the lease were outlined by the chair. All agreed that these problems should be resolved prior to the committee making their final recommendation. Mr. Enriquez advised that recognizing these problems; the major one being the apparant lack of sufficient parking to make subleasing a viable option, the committee may wish to take the following steps before making a final recommendation:

- 1) Have the city building inspector and director of public buildings complete a walk through inspection of the building and provide the committee with a written estimate of the cost of all potential improvements necessary for the city to sublease the building as an attractive rental property. All interior leasehold improvements necessary to open a business would be born by any potential leasee.

- 2) Ask that the comptroller provide estimates of potential costs and /or savings to the city in the event an existing city lease could be shifted to the RR station facility.

- 3) Arrange for the committee to meet with State DOT officials to discuss potential uses that they might approve as well as which ones they would discourage.

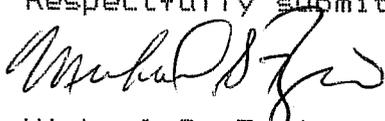
- 4) Request that the mayors office explore the interest level in the property and possibly seek to stimulate additional interest through a press release.

5) Research the possibility of obtaining state funding to refurbish the building if it were to be used by one of the city shelters or social agencies.

6) Check to see if the parties that had proposed the railroad museum are still interested in the potential of that proposal.

Mr. Enriquez then moved to adjourn, second by Mr. Fazio, motion carried.

Respectfully submitted,



Michael S. Fazio
Chairman

Pro



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 30, 1989

The Committee appointed to review the Downtown Redevelopment Project met on Monday January 30, 1989 at 8:15 p.m. in the Common Council Chambers of City Hall. In attendance were committee members Roger M. Bundy Chairman, Barry Connell, Gary Renz, Joseph DiSalva and Steven Flanagan. Also attending the meeting were Councilmen Arthur Cresi, Louis Charles and Mary Ann Danise (all ex-officio). Others present at the meeting included City Comptroller Dominic Setaro, City Corporation Counsel Robert Resha, Esquire, Chairman of the Redevelopment Agency (RDA), Jack Sullivan, Attorney Ward Mazzucco, RDA Attorney Neil Marcus, and Errichetti Representatives Scott Ziegler and Robert Marano.

Mr. Bundy opened the meeting by highlighting the results of the meeting of this committee held on January 17, 1989. Wherein specific requests were made vis a vis a motion contained in a Progress Report (attached). In particular was a request made to Mr. Errichetti through Mr. Sullivan that substantial proof be provided to the committee as regards his inability to obtain a letter of credit as the security instrument (described in the Master Agreement) to insure the completion of the redevelopment project. Mr. Errichetti was also requested to provide updated financial data and the rating of the company providing the performance bond (i.e. A.E. Best Rating). The aforementioned requests were to be addressed and answered by Mr. Errichetti or a representative for this project at a meeting held on January 27, 1989, attended by Chairman Bundy, Mr. Setaro, Mr. Resha, Mr. Gottschalk (Assistant Corporation Counsel), Mr. Sullivan, Mr. Marcus, Mr. Robert Peat (member of RDA) and Mayor Sauer. Mr. Sullivan acting as "emissary" delivered to those present a package (attached) consisting of:

- (1) Cover letter from John Errichetti, associates signed by Scott M. Ziegler.
- (2) A letter from Bank of Boston, Connecticut.
- (3) A letter from Connecticut National Bank (for an overview of what was contained in the above cited letter, see attached Progress Report).



CITY OF DANBURY

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COMMON COUNCIL

- (4) A document citing Mr. Errichetti's financial situation 1987 - 1988 which is not to be divulged or disclosed).

(for an interpretation of item #4 see attached letter from Mr. Setaro and Attorney Resha dated January 30, 1989).

(Ten minute recess - Committee reconvened at 8:30 p.m.)

Mr. Setaro addressed the Committee and focused his remarks on the material provided by Errichetti Associates which addressed the problems of securing a letter of credit and his financial position. A vigorous discussion ensued with Mr. Resha, Mr. Mazzuco, Mr. Marcus and Mr. Sullivan addressing the committee by essence, the result of the discussion was that:

- (1) Errichetti is in a better financial condition now than when the project was first awarded or bid out.
- (2) The letters provided from the two banks do not constitute denials. Rather they state refusals for consideration of a letter of credit based on the fact Mr. Errichetti wished to use the project itself as collateral instead of established assets. The requests were never even sent to underwriting.
- (3) The company providing the bond proposed by Errichetti to RDA is purported Reliance of Philadelphia which carries an A+ rating. This information was not given to the committee in writing by was expressed orally by Mr. Jack Sullivan.
- (4) To date, there is no proof that a letter of credit was ever actively pursued and/or denied.

During further discussion it was revealed that Errichetti would have to provide, if a letter of credit was used, an amount equal to or exceeding (100% - 200%) the value of the entire project, however their still is no proof of this and no documentation to support this claim.

It appears that Mr. Errichetti is unwilling to pledge sufficient assets to build the project in question, which may or may not require 100% - 200% in real estate assets and there is no proof that providing a letter of credit would create an undue or unreasonable hardship to Mr. Errichette. In short, it is readily



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apparent that Mr. Errichetti did not provide the information requested of him by this committee. This committee must therefore conclude that either Mr. Errichetti is unwilling to provide the data or the data does not exist.

Mr. Sullivan stated that it is his opinion that neither a bond nor a letter can be obtained that would meet the requirements as outlined in the Master Agreement. Mr. Sullivan went on to state however, that a letter of credit can be obtained if Mr. Errichetti would pledge \$18 million in assets in addition to an \$18 million mortgage. Mr. Sullivan feels that this scenario would be an undue hardship, an over commitment of assets. He (Mr. Sullivan) feels that a bond provided by Reliance is acceptable to RDA and a prudent business decision by Mr. Errichetti.

It should be noted that the performance bond also requires collateral, however the amount of collateral was not revealed to the committee when the Chairman asked Mr. Marano what the figure was, Mr. Marano stated that he did not know how much collateral is being required to secure the bond.

The Chairman commented that in previous communications, both written and oral, Mr. Setaro, Mr. Resha, Mr. Robinson, and Mr. Cole (City Bond Counsel) have expressed the fact that a letter of credit is a superior instrument for securing the redevelopment project and it is an obtainable commodity in the marketplace.

As regards the proposed bond, the attached Progress Report and letter from Attorney Resha accurately describes this security as one that would, if accepted, necessitate a substantial change in the Master Agreement (see document). There is according to Mr. Resha, Mr. Gottschalk and Attorney Neil Marcus (see progress Report) a substantial difference between the bonding security as described in the Master Agreement and the bond being proposed by Mr. Errichetti for acceptance by RDA. Acceptance of this bond would necessitate a change in the Master Agreement which must be approved by the Common Council. The bond, it is agreed, does meet the objective of the Master Agreement which is to provide protection to the city in the event of an unforeseen circumstance i.e. default. However, not only does the bond differ substantially from what was asked for it also changes the beneficiaries and these beneficiaries place in line in the event



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

a default is declared. Instead of being the just beneficiaries the city becomes the third or fourth obligee. When the Master Agreement and its inherent requirements was adopted it was viewed as a document that any potential builder would have to adhere to this was done by design to protect the city. When the initial process began fourteen different contractor/builders availed themselves of the opportunity to review the particular of the project including the Master Agreement and original plans, four of those contractors/builders submitted bids with Mr. Errichetti being selected as the contractor based to a great degree on his financial situations which was considered excellent to outstanding and it must be remembered that Mr. Errichetti after nearly five years has failed to put forth a good faith effort to adhere to the Master Agreement be signed. The despite the fact that he is according the RDA and Mr. Setaro it is a better financial position than he was five years ago. If a change in the Master Agreement is indeed authorized by the counsel and the change is enacted to benefit the redeveloper, we the city are running the risk of being challenged in a court of law by the companies that originally expressed an interest in our project, but, in one reason or another felt they could not complete it within the constuction proposed in the Master Agreement.

The Counsel has to remember that there is in place an alternate form of security which pursued agreement. That security is a letter of credit. Mr. Errichetti refuses to make an effort to secure a letter of credit and has steadfastly stonewalled our project quite successfully, I might add. By his refusal to abide by the Master Agreement that he signed with both eyes opened.

Mr. Renz made the following motion:

This committee recommends that the Common Counsel look at the proposed bond presented by Errichetti Associated to the Redevelopment Agency in a favorable light in that it meets the Corporation Counsels approval that said bond meets the objective and amend the Master Agreement to accept this bond or Corporation Counsel deems necessary.

The motion was seconded by Mr. DaSilva. The motion was defeated by a vote of 3 to 2 with Mr. Renz and Mr. DaSilva voting in the affirmative and Mr. Bundy, Mr. Connell and Mr. Flanagan voting in the negative.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

A motion was made and seconded to adjourn and the meeting was adjourned.

Respectfully Submitted,

Roger M. Bundy -Chairman

Joseph DaSilva

Barry J. Connell

Gary Renz

Stephen T. Flanagan



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

January 17, 1989

Honorable Mayor Joseph H. Sauer Jr.
Honorable Members of the Common Council

Re: Downtown Redevelopment Project- Errichetti

The Committee appointed to review the Downtown Redevelopment Project met on Tuesday January 17, 1989 at 8:00 p.m. in the Common Council Chambers of City Hall. In attendance were Committee Members Roger M. Bundy, Chairman, Barry Connell, Gary Renz, Joe DaSilva and Steven Flanagan. Also in attendance were Common Councilman Michael Fazio (ex-officio), City Comptroller Dominic Setaro, Corporation Counsel Robert Resha, Jack Sullivan, Chairman of the Redevelopment Agency (RDA), Robert Peat, Member of RDA, Ward Mazzucco, Attorney for John Errichetti, Dr. Robert Fand and others.

Mr. Bundy began the meeting by presenting an overview of the meetings he had attended as Chairman of this committee with Attorneys Resha and Gottschalk (Corporation Counsels Office) at City Hall and with Attorney Neil Marcus (representing RDA), Attorney Eric Gottschalk, Jack Sullivan and Attorney Ward Mazzucco at the offices of Neil Marcus on Deer Hill Avenue and the most recent redevelopment Agency meeting at their offices on Deer Hill Avenue.

Discussion then focused on the written response from Attorney Resha to a request from the committee at its last meeting. Mr. Resha's letter was not informative and answered to the committee's questions in a most professional manner (copy attached). Briefly, there are five areas of concern which needed to be addressed and are covered quite adequate in the attached letter. Mr. Resha was asked to go through his findings and he did so, noting that he was unable to uncover any evidence per se that supported the fact that Mr. Errichetti ever tried to obtain a letter of credit and was rejected. This was disturbing to the committee in that a letter of credit was the alternative means of security to complete the project as outlined in the Master



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performance bond. As regards the bond being proposed to Mr. Errichetti, it is Mr. Resha's opinion and the opinion of Mr. Marcus and Mr. Sullivan that it (the bond) meets the objective or intent of the Master Agreement. However it is also the opinion of Mr. Resha, Marcus, Sullivan, and Bundy that acceptance of this bond would require a change in the wording of the Master Agreement. Since the bond offered differs substantially with the bond specifications. This change in the Master Agreement would have to be made by the Common Council in order to effect the proposed bond as acceptable security for the project.

The committee feels that before any changes in the Master Agreement are addressed all questions regarding the original agreed upon security options be answered as thoroughly as possible. In that regard Mr. Flanagan made the following motion:

The committee requests that the redeveloper (Errichetti) produce proof that he was unable to obtain a letter of credit as security for the redevelopment project as outlined in the Master Agreement, such proof exhibiting the fact that Mr. Errichetti did not qualify for said letter of credit or obtaining said letter of credit would have put Mr. Errichetti at undue hardship as regards his assets proof of which is to be supported with an updated recent financial statement from Mr. Errichetti. In addition it is requested that the redeveloper (Errichetti) provide to the committee the exact name and bond rating (i.e. A.E. Best Rating) of the carrier that is to provide the bond proposed as security of the redeveloper. All information requested in this motion is to be delivered to the Chairman of this Committee Roger M. Bundy with copies to the Corporation Counsel Robert Resha and City Comptroller Dominic Setaro no later than January 27, 1989. The motion was seconded by Mr. Bundy and passed unanimously.

A motion was made and seconded to adjourn and the meeting was adjourned.

Respectfully submitted,

Roger M. Bundy, Chairman

cc: Mayor Joseph H. Sauer, Jr.
Mr. Sullivan
Attorney Resha
Comptroller Setaro



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

January 30, 1989

MEMO TO: Councilman Roger Bundy

FROM: Dominic A. Setaro, Jr.
Acting Director of Finance/Comptroller

Robert T. Resha, Esq., Corporation Counsel

RE: Redevelopment Project

As you know, both Bob Resha and I were recently asked by your committee to investigate what financial hardships Mr. Errichetti would suffer if he had to obtain a letter of credit as required in the phase agreement. The committee also requested that information be submitted to them by John Errichetti Associates in reference to any applications that may or may not have been made for a letter of credit and any other financial information that would show your committee whether or not there would be financial restrictions placed on Mr. Errichetti that would be prohibitive.

A letter was sent to all parties concerned on January 23, 1989 by Mr. Scott M. Ziegler of John Errichetti Associates in which Mr. Ziegler indicated that Connecticut National Bank and the Bank of Boston have responded to recent requests for letters of credit in connection with the downtown redevelopment project.

We must point out to you that the cost of a letter of credit versus the cost of a performance bond is not an issue as confirmed by Mr. Ziegler in his letter of January 23, 1989.

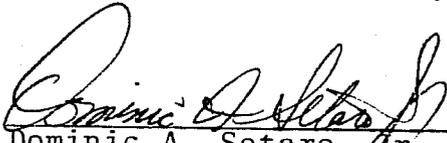
In reference to the two letters that you have copies of from the Bank of Boston and the Connecticut National Bank, it appears from the contents of those letters that the requests for a letter of credit made to the banks were based on the developer requesting that the redevelopment project be used as a form of security.

Councilman Roger Bundy
January 30, 1989
Page 2

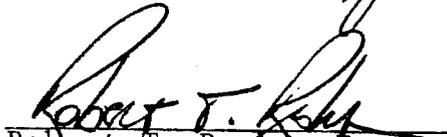
However, for a letter of credit to be issued as called for in the phase agreement, there must be a willingness of the developer to pledge various assets other than the project itself. It should be noted that Mr. Errichetti and Mr. Robert Murano, Vice President of Mortgage Finance at John Errichetti Associates, have indicated that it is not practical for them and they are not willing to pledge the assets that the bank would require for a letter of credit. It should also be noted that it is our understanding that at no time has any bank indicated to Mr. Errichetti what they would require from him as security for a letter of credit. Mr. Murano indicated to me that, based on his business experience and what is currently being required for other letters of credit, he knows what the banks would be asking for and that they are not willing to pledge those assets.

At the last meeting held by the subcommittee of the Common Council I recommended that there be a review of the financial statements that were submitted at the time the bid was awarded and the most recent financial statement of Mr. John Errichetti. This afternoon I met with Mr. Robert Durgy of the accounting firm of Larsen, Durgy and Melillo who was retained by the Redevelopment Agency to review those financial statements. It should be noted that the 1987 financial statement was the most recent statement available since the 1988 statement is currently being completed. Based on my review of those statements, Mr. Errichetti's net worth increased substantially from what it was at the time the bid was awarded to Mr. Errichetti. Therefore, assuming that a letter of credit was obtainable at the time of the signing of the master agreement, it would appear that one could be obtained now. I am sure that Mr. Errichetti as a business man does not want to pledge assets to a particular project if he does not have to, simply because he may want to use those assets for other projects which may be ongoing right now or coming up in the future.

Both Bob and I have been presented with no written documentation as to what hardship Mr. Errichetti would suffer as a result of the requirement in the phase agreement for a letter of credit. We would be willing at your meeting to answer any financial and legal questions you may have in reference to this matter.



Dominic A. Setaro, Jr.



Robert T. Resha, Esq.



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ROBERT T. RESHA
CORPORATION COUNSEL

PLEASE REPLY TO:

ERIC L. GOTTSCHALK
LASZLO L. PINTER
JOHN JOWDY
GEORGE S. SAKELLARES
ASSISTANT CORPORATION
COUNSEL

December 30, 1988

DANBURY, CT 06810

Councilman Roger M. Bundy
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Downtown Redevelopment Project (Errichetti)

Dear Roger:

This letter is specifically in response to the questions presented to me by both your letter dated December 14, 1988 and your committee meeting of December 21, 1988.

First, let me state the obvious - this is an extremely complex case. The Pre-Development Master Agreement and the Phase Agreement are sophisticated and lengthy legal documents. The language used in these writings does not lend itself to simple answers or conclusions. Differing interpretations and opinions have been issued by the principal parties to these Agreements and their respective counsel. While I believe that the opinions expressed in this writing are based upon solid legal principles, we cannot overlook the fact that the language of these Agreements may be subject to other interpretations. Also, it would appear obvious that to explain legal opinions on an issue this complex to anyone not having a working knowledge of these instruments is most difficult. I would like to commend you and your committee on your hard work in researching these documents to the extent necessary to present challenging questions and issues. I would also like to extend an offer to you, as well as any other member of the Common Council, that I will be available to review and discuss this or any other legal matter that this office is involved with to help facilitate your background research or understanding of that matter.

Councilman Roger M. Bundy
Re: Downtown Redevelopment Project
December 30, 1988

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With regard to your letter of December 14, 1988, the first question set forth was as follows:

"Can the Danbury Common Council nullify and/or declare null and void the resolutions of June 3, 1986 and February 5, 1985 regarding the Downtown Redevelopment Project?"

I have attached copies of both the referenced resolutions for your review.

The February 5, 1985 resolution resolves that the City of Danbury enter into an agreement with John Errichetti, authorizes the Mayor to sign on behalf of the City and sets the sales price for Parcel A. Since the Agreement referenced in this resolution has already been fully executed this act cannot be nullified.

The June 3, 1986 resolution approves Step No. 5 of the Pre-Development Master Agreement and grants the authority to both the Mayor and the Redevelopment Agency to convey the land and execute any deed necessary to accomplish same. It is my opinion that the approval cannot be nullified since it is a complete and accomplished act and reliance has apparently been placed on that act by the developer. An attempt to nullify this approval would certainly not enhance the City's position either from a strictly legal or an equitable standpoint. With regard to the authority granted to both the Mayor and the Redevelopment Agency, although this authority could seemingly be withdrawn or nullified, to do so would leave the City in the somewhat hapless position of being bound by whatever effect the Pre-Development Master Agreement provides, but yet being unable to convey the properties or execute the deeds. This could potentially place the City in a position of default.

The second question referenced in your letter of December 14, 1988 was as follows:

Councilman Roger M. Bundy
Re: Downtown Redevelopment Project
December 30, 1988

"Can the Danbury Common Council approve and enact legislation specifically as proposed by me at the December 6, 1988 Danbury Common Council meeting which was:

"'Based on the report from the Corporation Counsel, I and Councilman Stephen Flanagan would like to make a motion to recommend that the Mayor declare John A. Errichetti in default under the Pre-Development/Master Agreement and direct the Corporation Counsel to take appropriate steps to terminate said agreement and pursue whatever remedies are available to compensate the City for the damages it has sustained as a result of the redeveloper's breach of contract?'"

I view the essence of this motion as a collective recommendation to the Mayor that he take certain action. Although I question whether this recommendation really constitutes legislation, I am of the opinion that the Common Council can voice its opinion and collectively make recommendations to the Mayor. Rather than recommend that the Mayor declare Errichetti in default, however, if you should elect to pursue the making of this motion, I would suggest that the language be changed to read as follows:

"Based on the report from the Corporation Counsel, I and Councilman Stephen Flanagan would like to make a motion to recommend that the Mayor take appropriate steps to terminate said agreement and pursue whatever remedies are available to compensate the City for the damages it has sustained as a result of the redeveloper's breach of contract."

The next question was posed to me as a result of your committee meeting of December 21, 1988:

"What was my opinion of the bond presented to the Redevelopment Agency by the developer?"

Councilman Roger M. Bundy
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Despite Sarah Passell's description of my verbal opinion rendered at the last Common Council meeting i. e. "in nearly incomprehensible language", I believe I stated very clearly that, in my opinion, the offered bond does not meet the requirements of the Phase Agreement (hopefully, Sarah's description meant that my remarks were only incomprehensible to her). The Phase Agreement calls for both a payment bond and a performance bond. The payment bond generally assures the owner that subcontractors and suppliers will be paid by the contractor and therefore the property being built upon will not be subjected to mechanics' (materialmen's) liens. The proposed payment bond seems to satisfy the requirements of the Agreement. With regard to the performance bond, however, the Phase Agreement calls for a bond, typically called a completion bond, that will provide to the City its full amount upon default by the developer. The bond offered by the developer, on the other hand, is a conventional performance bond which effectively assures the owner that the project costs will not exceed the price set between the developer and the owner.

Please keep in mind that the owner of the land is the party who is usually protected by these bonds. However, here the developer will be the actual owner of the property (subject to the terms of the Agreements) and the Agreements provide that the bonds protect the City (the lenders further require protection as a result of their own lending policies).

Also, please keep in mind that although the offered performance bond does not meet the terms of the Phase Agreement, it appears that the type of bond called for in the Phase Agreement may not be commercially available. If this is the case, the developer may be excused from performing this element of the contract as a matter of law. Further, notwithstanding what the language of the Phase Agreement states to the contrary, if the forfeiture of a bond or sum of money constitutes a penalty, a court will so declare it and most probably will not enforce it. I believe you should test the appropriateness and acceptability of the proposed bond by what the City hopes to accomplish by its terms.

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Re: Downtown Redevelopment Project
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The next question asked both at the last Common Council meeting and at your committee meeting was basically, "If the form of the bond is acceptable to the Redevelopment Agency, does the Common Council have any authority to act?" To answer this question we must first define the difference between form and substance. Clearly, the Phase Agreement states that the bonds have to be "in form acceptable to the Agency." With regard to questions of form, the Common Council cannot substitute its discretion for that of the Redevelopment Agency. On the other hand, however, the Redevelopment Agency cannot change the basic terms and conditions of the Agreements by claiming that they have the right to determine form. Many times a fine line distinguishes form from substance. In this case, however, it is my opinion that what has been offered by way of performance bond (all questions of reasonableness, commercial availability, etc. aside) differs substantially from what has been required by the Phase Agreement.

At this point, I believe the City of Danbury acting by its Common Council and Mayor should consider the acceptability of the proposed bond in terms of not only what the Phase Agreement provides but also what is commercially reasonable and affords safe and adequate protection for the City. If found to be acceptable, the Agreements should be altered to reflect that fact and provisions that differ should be likewise modified. If found to be not acceptable, the City should reflect that finding and pursue whatever course it chooses in that light.

Finally, I was asked whether the developer's refusal to pursue the letter of credit option has any effect on the Agreements or the City's legal position. First, it must be noted that the developer had a choice of providing the City of Danbury with financial security in the form of either a bond or a letter of credit. Given this alternative, it is not necessary that he pursue one form of security if he can, in fact, provide the other. Errichetti has offered a performance bond which allegedly meets the requirements of the Phase Agreement. If the City decides to accept this bond, then this particular issue is necessarily moot. Secondly, it has not been established to what extent the developer pursued or

Councilman Roger M. Bundy
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otherwise tried to secure a letter of credit. Although told by the developer that a letter of credit was not financially feasible, I am not aware that anything was offered to the City to substantiate that assertion. The City does not know for a fact whether the developer either pursued or refused to pursue this form of financial security. Determination of that fact must be made first. If it is found that the developer cannot secure the type of performance bond called for in the Phase Agreement, it certainly becomes relevant as to whether he can secure the letter of credit. In this regard, I find Councilman Stephen Flanagan's inquiry to the Redevelopment Agency most relevant: "Has the developer proven that he cannot secure the letter of credit?" Once again, I do not believe that question has been adequately answered. I personally suggested to the representatives of the developer that they provide current financial statements, applications to commercial banking institutions and rejection letters (setting forth the reasons for rejection). Although this would not in and of itself relieve the developer from his contractual obligations, it would substantiate his assertions and show good faith in seeking alternative financial security. This, of course, has not been done.

In summary, I would suggest the following sequence of events:

That the Council determine the acceptability of the proposed bond.

- A. If found to be acceptable, then a motion would be in order to so change the bond requirements of the Phase Agreement; or
- B. If found to be not acceptable, then a motion, as set forth herein, would certainly seem appropriate.

If you or any other member of the Common Council wishes me to discuss any of these points any further, please contact me.

Very truly yours

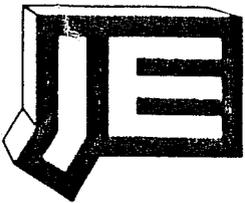


Robert T. Resha
Corporation Counsel

RTR:cr

Enclosures

Hon. Joseph H. Sauer, Jr., Mayor
Hon. Members of the Common Council



JOHN ERRICHETTI ASSOCIATES

ONE EXCHANGE PLACE, P.O. BOX 825, WATERBURY, CT 06725-0825
REAL ESTATE DEVELOPMENT (203) 753-1000

January 23, 1989

Mr. Jack Sullivan
Chairman
Redevelopment Agency of the City of Danbury
142 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Inverness Towers

Dear Mr. Sullivan:

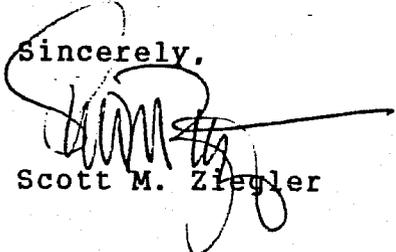
Attached is a correspondence from Connecticut National Bank and the Bank of Boston Connecticut in response to our requests for letters of credit in connection with the downtown redevelopment project. These letters will confirm the position that the banks have taken during our conversations with them since the signing of the Master Agreement. As you and I discussed, you will forward copies to Robert Resha, Domenic Setaro and Roger Bundy. This should satisfy the Common Council subcommittee reviewing the guaranty requirements of the Phase Agreement.

I would also like to address a comment which has been made continually with regard to our attempts to secure the letters of credit. At no time has the cost of the letter of credit been an issue. The fee for the letter of credit would be higher than the cost of the bond but not enough to make it infeasible.

As you also requested, we will provide you with John Errichetti's personal statement of financial condition which is being sent under separate cover. We are sending the 1987 statement since the 1988 statement will not be complete for a couple of months.

Please call me if you have any questions.

Sincerely,


Scott M. Ziegler

SMZ:jr 0262z
Enclosure
cc: John B. Nocera



**BANK OF BOSTON
CONNECTICUT**

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January 10, 1989

Mr. John Errichetti
John Errichetti Associates
P.O. Box 825
Waterbury, Connecticut

RE: Letter of Credit
Inverness Towers Project

Dear Mr. Errichetti:

Bank of Boston Connecticut has again reviewed your request for a Letter of Credit in favor of the City of Danbury pursuant to the Phase Agreements between John Errichetti, The Redevelopment Agency and the City of Danbury. As we have previously discussed Bank of Boston Connecticut is able to issue Letters of Credit for construction projects.

As described in the Phase Agreement, the full amount of the Letter of Credit will be available to the City of Danbury throughout the entire construction process. In addition, the City and/or Redevelopment Agency has certain reversionary rights with respect to the project. There is no provision in the Phase Agreement which considers the status of the project's completion and which can limit recovery by the City of Danbury. Therefore, Bank of Boston Connecticut would be unable to rely on the real estate to recover funds drawn under the Letter of Credit. This represents a fundamental source of recovery for any bank and is a key factor in our underwriting criteria. Therefore, we cannot provide the Letter of Credit you have requested. If the Letter of Credit can be structured in a satisfactory manner, we would be prepared to submit your request to our underwriting department for a thorough review.

Sincerely,

BANK OF BOSTON CONNECTICUT

Marcia S. Narciso
Vice President

MSN/jm

Connecticut National Bank

777 Main Street
Hartford, Connecticut 06115

Real Estate Division

January 12, 1989

David Griffin, Esq.
John Errichetti Associates
One Exchange Place
Waterbury CT 06725

Re: Danbury Downtown Redevelopment Project

Dear Mr. Griffin:

The Connecticut National Bank has reviewed your proposal for the issuance of a letter of credit in favor of the City of Danbury pursuant to agreements between John Errichetti and the City of Danbury. Based upon the scope of our knowledge of the rights and obligations of the parties to the redevelopment agreements, we have concluded that the structure of the letter of credit described in the agreements provided to us does not meet standard underwriting requirements of the Bank for issuance of construction-related letters of credit and, therefore, we must deny its issuance.

Connecticut National is able to issue letters of credit in connection with the construction of real estate projects; a requirement of such issuance would be that Connecticut National would be in the position of recovering amounts drawn through completion of development of the project and liquidation of the project collateral. The documents provided to us appear to permit the City of Danbury to draw upon the full amount of the letter of credit, notwithstanding the status of completion or level of investment by the developer, retain the full proceeds and, additionally, exercise its rights with respect to the project under the redevelopment agreements. In addition to creating an assessment in the nature of a penalty against the developer, the structure described above would eliminate an essential avenue of recovery to the Bank and, therefore, make issuance of the letter of credit infeasible.

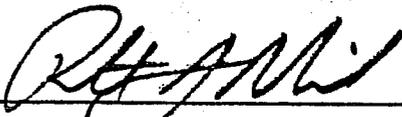
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David Griffin, Esq.
January 12, 1989
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We are sorry that we are unable to assist you in the manner requested.

Very truly yours,

THE CONNECTICUT NATIONAL
BANK

By



Its VICE PRESIDENT

Honorable Mayor Joseph Sauer, Jr.

Honorable Members of the Common Council

Feb. 7, 1989

The committee appointed to review the request for sewer and water service for the Crystal Bay Yacht Club at Hayestown and E. Pembroke Rds. met on October 24, 1988 and Jan. 31, 1989 in City Hall at 7:30 and 7:00 p.m. respectively. Present were committee members DaSilva, Moran, and Flanagan; City Engineer Mr. Schweitzer, Sup. of Public Utilities Mr. Buckley, Mr. Attick, Jr. the developer's son, and Atty. Mr. David Glissman representing the applicant. Arthur Regan and John Esposito attended ex-officio.

The committee reviewed the plan which calls for the construction of 140 "luxury" condominiums on a 14 acre parcel on Lake Candlewood. Included in the plan are a 280 car underground parking garage, a pool, and docks for the condominium owners. The committee tabled the application to study the extensive data presented and to permit the engineering and public utilities depts. to examine the plans. (Motion to table by Flanagan, seconded by Moran, passed unanimously.)

The committee reconvened on Jan. 31st to resume discussion of the application. (Motion to take off table by Moran, seconded by Flanagan, unanimous.) Mr. Schweitzer could not attend this meeting due to a prior commitment. Applicant was not present, but was notified, to the best knowledge of the committee. Mr. Buckley explained that the public utilities nor the engineering dept. had any problems with the application. All normal criteria have been met in the plans submitted. In addition, the water line will be extended down E. Pembroke road to the intersection of Hayestown, improving service to the residents of that area. A sewage pump station will be built on the applicants property and an easement granted to the city for it. The improved sewer system can potentially benefit the Town Park and the surrounding area.

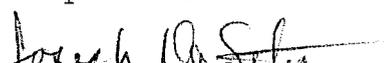
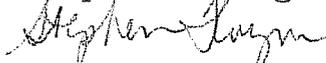
After much discussion Mr. Moran moved that the committee recommend to the Common Council approval of the applications for sewer and water service for the Crystal Bay Yacht Club with the usual eight step criteria plus the addition of a ninth step: The City Engineer and the Sup. of Public Utilities will take all steps necessary during the development and construction of the sewer and water systems to protect Lake Candlewood. Second by Mr. DaSilva and passed unanimously. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Stephen Flanagan, Chrm.

Hank Moran

Joseph DaSilva





CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

STATEMENT

TO: Members of the Common Council

FROM: Joseph H. Sauer, Jr. *JAS*

DATE: February 7, 1989

In the past few weeks, I have heard many discussions concerning the responsibility for assigning Council Members to Ad Hoc Committees. One of the reasons stated compared these committees to those at Federal and State levels. This is not a fair analogy because State and Federal governments have two houses and their committees are standing committees.

One of the questions in our attempt to revise the Charter addressed the idea of forming standing committees and the idea was turned down by the voters at the polls. In effect, this attempt to take away the Mayor's responsibility of assigning committees is an "end run" around the will of the people.

In the one year and three months of our administration, we have appointed some 300 committees. Only on 2 occasions did I use the discretionary powers to appoint a person other than those suggested by the Majority or Minority Leaders. As you cast your vote tonight, I hope you remember this.

The voters seem satisfied with the system as it now exists.