

COMMON COUNCIL MEETING

October 4, 1988

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

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.

_____ Present _____ Absent

CONSENT CALENDAR

The Consent Calendar was

MINUTES of the Common Council Meeting held September 7, 1988.
The Minutes were

- ✓ 1 **ORDINANCE** - Danbury Housing Partnership
The Ordinance was
- ✓ 2 **ORDINANCES** - Amendments to Subsections 18-15(b) and 18-16(a)
The Ordinances were
- ✓ 3 **RESOLUTION** - Interweave Grant
The Resolution was
- ✓ 4 **RESOLUTION** - Premium Point Subdivision between City of Danbury and Town of Brookfield
The Resolution was
- ✓ 5 **RESOLUTION** - Contributions to the D.A.R.E. Program
The Resolution was
- ✓ 6 **COMMUNICATION** - Contingency Account and Pending Claims
The Communication was
- ✓ 7 **COMMUNICATION** - Appointment as Manager of Solid Waste
The Communication was
- ✓ 8 **COMMUNICATION** - Request for Approval of Formation of an Inter-local Negotiating Committee
The Communication was
- ✓ 9 **COMMUNICATION** - Request for an ad hoc committee for leased equipment - Public Works
The Communication was
- ✓ 10 **COMMUNICATION** - Purchase of Doppler Weather Radar System for Airport
The Communication was

- ✓11. **COMMUNICATION** - Compratt Enterprises - Conveyance of Parcel X on Map 6863 to City of Danbury
-
- ✓12. **COMMUNICATION** - Offer of land on Scuppo Road for sale to the City
-
- ✓13. **COMMUNICATION** - Report from City Engineer on Change of Name for Old Forty Acre Mountain Road
-
- ✓14. **COMMUNICATION** - Request for Extension of Time for installation of Water Line on Lake Avenue Extension
-
- ✓15. **COMMUNICATION** - Request for Sewer Extension - 25 Olive Street
The Communication was
-
- ✓16. **DEPARTMENT REPORTS** - Public Works, Health Department, Parks and Recreation, Airport Administrator, Building Department
The Department Reports were
-
- ✓17. **REPORT** - Reinstatement of George Garcia as a Firefighter
The Report was
-
- ✓18. **REPORT** - Donation of Gravel to the City
The Report was
-
- ✓19. **REPORT** - Conditions on Post Office Street
The Report was
-
- ✓20. **REPORT** - Request for Restoration of Funds for Richter Park
The Report was
-
- ✓21. **REPORT** - Amendment to Ordinance 16A-32
The Report was
-
- ✓22. **REPORT** - Change in Code of Ordinances Section 16A-34
The Report was
-
- ✓23. **REPORT** - Effective Date for Garbage Haulers Increase
The Report was
-
- ✓24. **REPORT** - Request for Water Extension - Old Mill Plain Road
The Report was
-
- ✓25. **PROGRESS REPORT** - Downtown Redevelopment and the Mill Rate
The Progress Report was
-
- ✓26. **PROGRESS REPORT** - Update Report on the City's Garbage Disposal Position

✓27 - Fire Station

✓28 - WIC

29 - Special P.O. Officer



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

September 28, 1988

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

Dear Council Members:

I am requesting your approval on the attached ordinance, which establishes a local housing partnership in accordance with Public Act 88-305, in order to develop ways to increase the supply and availability of affordable housing in Danbury.

Under this program, the Commissioners of Housing, Transportation and Environmental Protection will give the City priority consideration in order to provide financial assistance. This will occur when any activity, development or project increasing the availability of affordable housing is complete.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:cjz
Attachment



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

OFFICE OF ASSESSOR
797-4556

ANNE T. DeFLUMERI, C.C.M.A.
ASSESSOR

September 26, 1988

Honorable Members of the Common Council
City of Danbury
City Hall

Dear Council Members:

A State Statute has been passed which provides that the income limits for benefits granted under Section 12-81F, 12-81G and 12-81J be uniform and be adjusted annually to reflect the annual inflation adjustment in social security income, with each adjustment of qualifying income determined to the nearest one hundred dollars.

In order to conform to State Statute, it will be necessary to amend the following ordinances: 18-15 and 18-16: only as regards to income levels.

Attached is a proposed amendment for your consideration which will resolve this matter.

Respectfully,

Anne T. DeFlumeri, C.C.M.A.
Assessor

ATD/is
CC: Dominic Setaro, Comptroller



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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

September 14, 1988

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

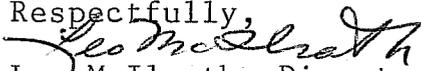
Dear Mayor Sauer & Members of the Common Council:

The Department of Elderly Services has been offered additional funding for the operation of the Danbury Adult Day Care Center - "Interweave," by the Western Area Agency on Aging.

The additional funds are \$5,771 and would need to be used for equipment for the center. There would be no increased match by the City of Danbury.

The original resolution would need to be amended to reflect the new grant award. The Corporation Counsel's Office has been requested to make such a change.

It is the approval of this amended grant award that I make in this letter, allowing the Department of Elderly Services to purchase needed equipment to expand the services now offered by our adult day care center.

Respectfully,

Leo McIlrath, Director
Department of Elderly Services
City of Danbury

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RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:



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

WHEREAS, the Department of Elderly services has processed a grant application, (approved by resolution of the Common Council on January 5, 1988) for funds in an amount not to exceed \$28,000 for Interweave, the Danbury Adult Day Care Center, for the period 1/4/88 to 12/31/88; and

WHEREAS, the amount of the award actually received was \$26,516; and

WHEREAS, the Department of Elderly Services has been notified that an additional amount of \$5,771 has been awarded to its Interweave program; and

WHEREAS, said additional money will be used for the purchase of equipment, i.e., two typewriters and a copier machine;

NOW, THEREFORE, BE IT RESOLVED that the resolution passed on 1/5/88 is hereby amended to include said \$5,771 bringing the total grant approved by the Common Council to \$32,287; and

BE IT FURTHER RESOLVED that any past actions of the Department of Elderly Services in applying for said grant be and hereby are ratified and that any and all additional acts by the Department of Elderly Services and Mayor Joseph H. Sauer, Jr. necessary to effectuate the purposes hereof be and hereby are authorized.



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

October 4, 1988

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

Re: Memorandum of Understanding - Premium Point Subdivision
City of Danbury and Town of Brookfield

Dear Mayor Sauer and Council Members:

The attached documents represents a proposed joint effort by the two municipalities referenced to share road maintenance responsibilities with respect to a proposed subdivision to be planned and built off Old Sherman Turnpike. In order to put said agreement into effect, and prior to any consideration thereof by any party or municipal agency, council ratification of this agreement should be obtained.

Should you have any questions regarding this matter, please call.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:dms

Attachment

c: Robert T. Resha, Corporation Counsel
Danbury Planning Commission
Bobby S. Payne

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MEMORANDUM OF UNDERSTANDING

RE: PREMIUM POINT RESIDENTIAL SUBDIVISION
OFF OLD SHERMAN TURNPIKE, BROOKFIELD/DANBURY

In respect to the servicing of Premium Point Lane re the above, and recognizing that it is located partly in the Town of Brookfield and partly in the City of Danbury, the undersigned by this declaration agree as follows:

1. The Public Works Department of the Town of Brookfield will be responsible for snow and ice removal and sanding from and of the entire road and cul-de-sac area.
2. The City of Danbury will be responsible for the sweeping and removal of sand from the entire road and cul-de-sac area, which shall also include the cleaning of catch basins. The City of Danbury will also be responsible for the filling in and repairing of any potholes in the entire road and cul-de-sac area.
3. Each city and/or town shall otherwise be responsible for the maintenance and repair of that portion of the entire road and cul-de-sac area that is located within the boundary lines of the respective city and/or town.
4. Each city and/or town shall be responsible as to the other city or town for any damage or injury caused to others or others' properties by such town's or city's activities or omissions, irrespective of whether such damage and/or injury occurs within the City of Danbury and/or the Town of Brookfield.

Dated this 1st day of September, 1988.

BY: D.J. Minahan
DANIEL MINAHAN
Director of Public Works
City of Danbury

BY: Ronald Klimas 9/1/88
RONALD KLIMAS
Director of Public Works
Town of Brookfield



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Premium Point Subdivision, a private development, is proposed for construction off Old Sherman Turnpike on the border of Danbury and Brookfield; and

WHEREAS, it is desirable that road maintenance of said subdivision be jointly undertaken by both municipalities; and

WHEREAS, in order to obtain Planning and Zoning Commission approvals of said project, such joint maintenance is required in written form; and

WHEREAS, a Memorandum of Understanding dated September 1, 1988 requires ratification by the Common Council of the City of Danbury; and

NOW THAT BE IT RESOLVED that the Memorandum of Understanding is hereby ratified and approved and Daniel J. Minahan is hereby authorized to execute the same on behalf of said City of Danbury and undertake the obligations therein.



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

September 22, 1988

MEMO

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

From: Chief Nelson F. Macédo

Subject: D.A.R.E. PROGRAM

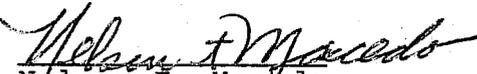
At the September Common Council meeting, permission was granted by the Common Council for the Danbury Police Department to accept a \$200.00 donation to support the D.A.R.E. Program.

A donation of \$100.00 has now been received by Officer Robert Yakacki to assist in funding the D.A.R.E. Program. This donation has been received from Immaculate High School.

I have requested that a resolution be drafted by the Corporation Counsel's office, so that the Danbury Police Department may receive donations to support this program. We expect a substantial amount of donations to be received and would like to deposit these funds in a special reserve account in the General Fund. These funds will be used solely for the D.A.R.E. Program.

I am requesting permission from the Common Council to accept the \$100.00 donation from Immaculate High School, and I am further requesting your consideration of the proposed resolution attached hereto.

Thank you for your anticipated assistance in this matter.


Nelson F. Macedo
Chief of Police

NFM:ks

Attach.

c: Attorney Eric Gottschalk
Dominic A. Setaro, Jr.

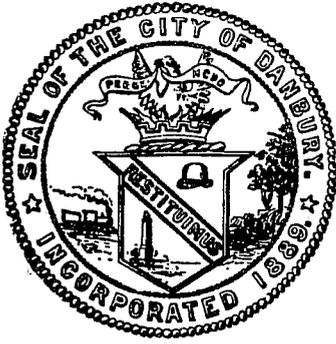
5

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:



WHEREAS, the Danbury Police Department has implemented the Drug Abuse Resistance Education (D.A.R.E) Program in the Danbury School System; and

WHEREAS, this nationally recognized program has been well received locally; and

WHEREAS, the Danbury Police Department has already received two donations for the D.A.R.E. Program and anticipates that additional donations will be offered;

NOW, THEREFORE, BE IT RESOLVED THAT the following rules and procedures be and hereby are established governing the receipt and disbursement of said donations:

1. All funds received shall be deposited in a special reserve account in the General Fund.
2. All funds so received shall be used solely for the D.A.R.E. Program.
3. All proposed expenditures shall be submitted to the Director of Finance for initial review and thereafter to the Mayor for final approval.
4. All legal provisions pertaining to purchasing shall be complied with in the expenditure of funds so received.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

September 21, 1988

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

Dear Mayor and Council Members:

I respectfully request that Dominic Setaro and Robert Resha be permitted to address the Common Council at its October meeting, in Executive Session if necessary, with respect to pending claims and the contingency account.

Sincerely yours,

Michael S. Fazio
Majority Leader



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

September 21, 1988

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

Dear Mayor and Council Members:

I respectfully request that Dominic Setaro and Robert Resha be permitted to address the Common Council at its October meeting, in Executive Session if necessary, with respect to pending claims and the contingency account.

Sincerely yours,

Michael S. Fazio
Majority Leader



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

October 4, 1988

MEMO TO: Common Council via
Mayor Joseph H. Sauer

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

RE: Landfill Fund Adjustments and Others

As requested, attached you will find a proposed amendment to the Landfill-Solid Waste Management Budget which was requested of this office.

I hereby certify to the availability of \$63,967.00 to be appropriated from the Landfill-Solid Waste Management Fund fund balance (surplus) to the attached accounts. Please note that after this transfer from fund balance (surplus) the city will still have enough monies left to appropriate for the closure of the landfill whenever the date of the closure is determined, based on estimates which have been received by this office from the Coordinator of Environmental Health Services Jack Kozuchowski.

At this time I would like to explain the attached budget amendment sheet which includes a couple of personnel changes within the Landfill-Solid Waste Management Fund. According to these most recent amendments, there will be the establishment of a manager within the fund and a full-time secretary. The foreman in the Landfill Fund will be deleted and transferred to the Highway Department. This amount is reflected in the regular salary account. Please remember that the salary of the foreman will be deducted and the net result is a \$28,969.00 increase to be appropriated.

In reference to the professional service and fees account, this addition represents a 50% charge to the General Fund for the salary of Coordinator of Environmental Health Services and the Assistant Highway Superintendent in the Public Works Department. It also deletes the charge due to the General Fund for the secretary's

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Common Council via
Mayor Joseph H. Sauer
October 4, 1988
Page 2

position which was previously budgeted in this account. This will now reflect in the regular salary account. The net result of those three transactions amounts to \$22,746.00.

As a result of the changes in the table of organization and the increases in salaries which will be granted to the Coordinator of Environmental Health Services and the Assistant Highway Superintendent, adjustments will need to be made within the General Fund Budget.

At this time I would request that the Common Council approve the appropriation of \$2,490.00 in the General Fund to the Health Department Budget's regular salary account \$02-04-101-010100. I would also request that the regular salary account in the Highway Department, account #02-03-110-010100, be increased by \$18,030.00. At the same time I will amend the city's revenue since these monies will be reimbursed from the Landfill Fund in the amount of \$20,520.00. Please note that the salary of the Assistant Highway Superintendent will be increased from \$35,393.00 to \$37,000.00, and the salary of the Coordinator of Environmental Health Services will be increased from \$37,200.00 to \$40,700.00. According to the information received, these adjustments are a result of the additional job responsibilities that will be assumed by these individuals.

Please make sure that this communication is approved in its entirety so that the necessary budget adjustments can be made to both the Landfill Fund and the General Fund. Also note, as I indicated earlier, the General Fund transaction does not affect the city's Contingency Account.


Dominic A. Setaro, Jr.

DAS/af
Attachment

LANDFILL-SOLID WASTE MANAGEMENT

BUDGET AMENDMENTS

<u>Account #</u>		
02-03-126-010100	Regular Salaries	\$28,969
02-03-126-020100	Professional Service & Fees	22,746
02-03-126-020300	Communication Services	1,500
02-03-126-020501	Postage	500
02-03-126-021000	Mileage	200
02-03-126-021002	Conferences	500
02-03-126-021500	Subscriptions - Memberships	400
02-03-126-022000	Printing & Binding	500
02-03-126-040100	Office Supplies	500
02-03-126-060500	Office Equipment	2,000
02-03-126-061500	Automotive Equipment	5,000
02-03-126-070100	F.I.C.A.	908
02-03-126-071002	Union Welfare - Contribution	<u>244</u>
		\$63,967



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

September 27, 1988

(203) 797-4511

Dear Common Council Members:

We have reached the point where the city's garbage disposal situation needs a designated person to coordinate activities.

I am therefore recommending that Michael Cech be appointed to a new position in the Public Works Department entitled Manager of Solid Waste. This position -- a Mayoral appointment -- would report directly to both the Public Works Director and to my office.

The garbage situation is at the point where we must act quickly. Decisions on continuing our membership in the Housatonic Resources Recovery Authority, implementing recycling in our city, handling our horizontal and vertical landfill expansion applications with the state, and disposing of our garbage once our landfill is at capacity (and before a resource recovery project is built) must be made very soon. In addition, we need someone who can work with our hired consultants on a regular basis, advise and work with all branches of government, and who can communicate well with the public. There is already a need for a more coordinated effort between our landfill operations, our recycling center, and our generators of solid waste.

I believe you'll join me in approving of Mr. Cech's appointment. All costs to be incurred by this new position can be paid for by existing funds in our city's landfill enterprise fund.

Due to the urgency of the situation, I would respectfully ask that you act on this appointment at your October 4, 1988, meeting. If I can answer any further questions at that time, I will be glad to do so.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

September 28, 1988

(203) 797-4511

Dear Common Council Members,

I respectfully request that you approve the formation of a three-member interlocal negotiating committee.

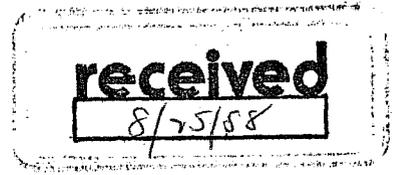
The purpose of this committee is to negotiate an agreement with the town of Brookfield for possible increased amounts of sewage being sent from that town to the City of Danbury's Sewage Treatment Facility. Any such agreement would be brought before you for your approval or rejection.

I am asking that you approve the team of Public Works Director Daniel Minahan, City Engineer John Schweitzer, and Public Utilities General Foreman Paul Glavin.

Thank you for your consideration.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS
(203) 797-4537

DANIEL J. MINAHAN
DIRECTOR OF PUBLIC WORKS

August 23, 1988

DJM
TO: JOSEPH H. SAUER JR., & MEMBERS OF THE COMMON COUNCIL
FROM: D.J. MINAHAN, DIRECTOR OF PUBLIC WORKS
RE: FORMATION OF SUB COMMITTEE FOR LEASED EQUIPMENT
PUBLIC WORKS DEPARTMENT

Please place on the Common Council agenda for consideration a committee to further discuss and look into the possible lease purchase program of equipment for the Public Works Department.

Due to limited budget funding and critical budget years ahead it appears the only viable method of updating our equipment is to go this route. I am suggesting that Dominic Setaro, Comptroller and myself be included in this committee.

Thank you for your consideration in this matter.

DJM:mp

cc: D. Setaro
J. Schweitzer, Engineering
G. Massoud, Equip. Maint.
F. Cavagna, Supt. Highways
W. Buckley, Supt. Public Utilities
R. Palanzo, Supt. Public Buildings
B. Johnson, City Forester
file



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS
(203) 797-4537

DANIEL J. MINAHAN
DIRECTOR OF PUBLIC WORKS

st.sub. August 23, 1988

nd.sub. September 8, 1988

DJM
TO: JOSEPH H. SAUER JR., & MEMBERS OF THE COMMON COUNCIL

FROM: D.J. MINAHAN, DIRECTOR OF PUBLIC WORKS

RE: FORMATION OF SUB COMMITTEE FOR LEASED EQUIPMENT
PUBLIC WORKS DEPARTMENT

Please place on the Common Council agenda for consideration a committee to further discuss and look into the possible lease purchase program of equipment for the Public Works Department.

Due to limited budget funding and critical budget years ahead it appears the only viable method of updating our equipment is to go this route. I am suggesting that Dominic Setaro, Comptroller and myself be included in this committee.

Thank you for your consideration in this matter.

DJM:mp

cc: D. Setaro
J. Schweitzer, Engineering
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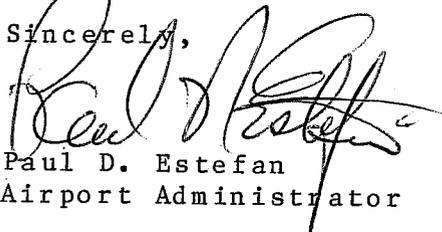
September 28, 1988

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

Dear Mayor Sauer:

Recently the City of Danbury has sold land to the State of Connecticut for various improvements to the Route 7 project. The F.A.A. stipulated that the monies from this sale be used for Airport improvements that they would not fund. As we have previously discussed I am requesting that the airport be allowed to purchase a Doppler Weather Radar System for operational use here at the airport from the monies received from the State. I am further requesting that \$125,000.00 be transferred from the account the money is held in and put into a capital line item to purchase the radar and related equipment.

Sincerely,



Paul D. Estefan
Airport Administrator

Mayor928



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

September 15, 1988

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

RE: Compratt Enterprises
Conveyance of Parcel X on Map 6863 to City of Danbury

Dear Mayor and Council Members:

The above matter was originally on the September 1, 1987 Common Council agenda and was referred to the Planning Commission, Engineering and this office. The subject proposal is a standard request for the acceptance of a parcel of land for road widening and is required pursuant to City subdivision regulations.

This office has received favorable reports from both offices to which this item had been referred. The legal documents are in order and prepared. If the Council determines it to be in the best interests of the City of Danbury to accept this parcel, this office will execute the documents.

Please call should you have any questions regarding this item.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:dms

c: Robert Talarico, Esq.
Patricia A. Ellsworth, Assistant City Engineer

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H & B ASSOCIATES

100 Clapboard Ridge Road
Danbury, Connecticut 06810
203-748-7121

September 9, 1988

Mr. James Nimmons
Common Council
c/o City Clerk
City of Danbury
Deer Hill Avenue
Danbury, CT 06810

Dear Mr. Nimmons:

Attached is copy of letter we sent to Mayor Sauer on July 14, 1988 regarding our property on Scuppo Road.

We have not had any response from Mayor Sauer and have since been advised that this letter should be sent to your attention.

Please feel free to contact us at any time if you have an interest in this site and we will be happy to supply you with further information.

Sincerely,



Tamas Biro
General Partner

TB/bss
Attachment

12

H & B ASSOCIATES

100 Clapboard Ridge Road
Danbury, Connecticut 06810
203-748-7121

July 14, 1988

COPY

The Honorable Mayor Joseph Sauer
City of Danbury
City Hall
Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Sauer:

We understand the City of Danbury is looking for land to support 60 units for lower-income housing.

We have a 6-acre lot with water and sewer located on SCUPPO ROAD. This property is a larger piece than you require but it allows for additional amenities, i.e. playground, recreation area, parking, etc.

We will be happy to furnish you with additional information as we feel this location is ideal for your needs.

If there is any interest, please call either myself, Tom Biro or my partner, Vilmos Havasi.

Thank you for your consideration.

Sincerely,

Tamas Biro

TB/bss
Enclosures



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
203-797-4641

September 8, 1988

JOHN A. SCHWEITZER, JR.
City Engineer

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

Dear Mayor Sauer and Councilpersons:

Old Forty Acre Mountain Road
Robert A. Collischonn

This office has reviewed the letter to the Common Council from Robert A. Collischonn (received by our department July 8, 1988) requesting that Old Forty Acre Mountain Road be renamed.

We agree that there is confusion with respect to the name(s) of this old passway.

For your reference we are enclosing a copy of an August 8, 1988 letter from Attorney Stephen C. Gallagher relative to another development on this passway. Attorney Gallagher's letter notes two names given this passway as well as provides a short history for the road.

The legal status of the roadway is not clear. As Attorney Gallagher states, he was unable to find a formal abandonment of the road on record. Our files contain no abandonment information either. An opinion from the Corporation Counsel's office on the status of the road is recommended.

We have no problem with the renaming of the roadway as long as it is done properly and by the person or agency which has the authority to do so. If the passway is not the City's, do City officials have the authority to rename it? We recommend that the Planning Department review the proposed name of the road to insure that it will not conflict with other existing or proposed road names.

(continued on page 2)

September 8, 1988

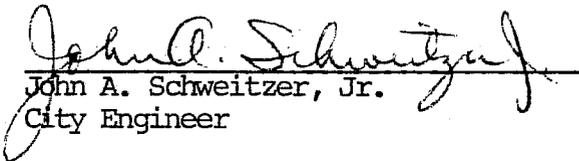
Mayor Joseph H. Sauer, Jr., Common Council Members
RE: Old Forty Acre Mountain Road, Robert A. Collischonn

If it is determined that this is a City road, the numbering should be done by the Planning Department. We question the use of the Number 1 by Mr. Collischonn since his lot is not the first lot on the roadway.

For your information, as part of the Richard T. Johnson subdivision plan referred to by Attorney Gallagher and which plan is under review by the Planning Commission, approximately 500 feet of the existing passway on the Brookfield end of the old roadway will be rebuilt to City standards.

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

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

PAE/JAS/sd

Enclosure

Copy: Daniel Minahan
Eric Gottschalk
Dennis Elpern

GALLAGHER & GALLAGHER

ATTORNEYS AT LAW

DANBURY EXECUTIVE TOWER

30 MAIN STREET

SUITE 201

DANBURY, CONNECTICUT 06810

EDWARD J. GALLAGHER
STEPHEN C. GALLAGHER

RECORDED

AUG 9 1988

Engineering Dept.

TELEPHONE
(203) 792-0525

August 8, 1988

John A. Schweitzer, Jr.
Engineering Department
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Richard T. Johnson, Subdivision
Old Forty Acre Mountain Road
Code No. 88-04
Assessor's Lot Number K03041

Dear Mr. Schweitzer:

Please be advised that this office represents Travis Development Corporation, the owner of property adjoining the above on the opposite side of the unimproved portion of Old Forty Acre Mountain. Travis Development Corporation currently has a three-lot subdivision application pending before the Planning Commission. Travis Development and Mr. Johnson propose to share the cost of improving the section of Old Forty Acre Mountain running between their two properties.

This letter is in response to Paragraph B of your letter of June 23, 1988 to the Chairman of the Planning Commission. The passway running between the two properties was once referred to as "Forty Acre Mountain Road" or "Old Forty Acre Mountain". At one time, the road went over the mountain and eventually into the main part of Danbury (see copy of a portion of map of Danbury made in approximately 1867).

A later map, (copy attached), prepared by the Connecticut Light and Power Company showing the parcels from which my client derives title shows the road with one arrow pointing to Danbury and another to Brookfield. The portion in question apparently fell into disuse after the development of Lake Candlewood but I could find no formal abandonment. Even if abandoned, the fee to the centerline would have passed to adjoining property owners, now Mr. Johnson and Travis Development Corporation.

cont.

RECEIVED 13

AUG 10 1988

John A. Schweitzer, Jr.
August 8, 1988
Page Two

Engineering Dept.

Upon approval of the two pending subdivision and the subsequent rebuilding of the road for acceptance this office is prepared to submit the necessary title certificate to the City.

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

Very truly yours,



STEPHEN C. GALLAGHER

SCG/alp

Enclosure

cc: Paul Jaber, Esquire
Richard Durkin



Marguerite Island

Verarsen's Pond

PEMBROKE

GREAT PLAIN

New Reservoir

Old Reservoir

CENTER

DANBURY

BEAVER

BROOK

HOUSATONIC RIVER

MOUNTAIN BROOK

TRILL RIVER

STONINGTON RIVER

BROOK

CENTER

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

September 28, 1988

*ALSO ADMITTED KENTUCKY AND NEVADA

HAND DELIVER

Common Council
c/o City Clerk
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: A & K Associates
Lake Avenue Extension
Our File No. 86-5216-14-P

Dear Members of the Common Council:

Please be advised that my client received an approval to extend the water line to its property in accordance with the attached report. The water line has not yet been installed and we hereby request an extension of the approval for a period of two (2) years to October 1990.

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

Yours very truly,



Paul N. Jaber

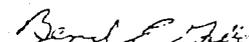
PNJ/rmc
Enclosure
cc: Albert Salame

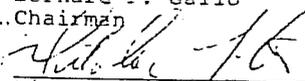
The Sewer & Water Extension committee of the Common Council has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

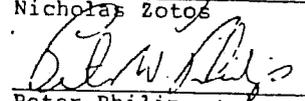
It is the recommendation of this committee that the petition be granted with the following conditions and restrictions:

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 of Danbury, all right, title, interest and privileges required hereunder and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion 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. Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above request forms, documents, plans, etc. are received and the City owns the extended water lines.
8. Extension must be completed by October, 1988.

Respectfully submitted,


Bernard P. Gallo
Chairman


Nicholas Zotos


Peter Philip

COMMON COUNCIL

CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Howard P. Rubinow, III

Address: 118 Coalpit Hill Road

Danbury, CT 06810

Telephone No: 743-0767

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

Located at: Property of Therese Servas, 25 Olive Street

Assessor's Lot No: K12125

Zone in which the Property Lies: RA-20

Intended Use:

Retail

Office

Mixed Use

Industrial

Single Family Residential

Multiple Family Development

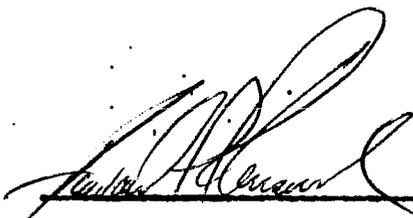
Number of Efficiency Units

Number of 1 Bedroom Units

Number of 2 Bedroom Units

1 Number of 3 Bedroom Units

1 Total Number of Units



(Signature)

September 7, 1988

(Date)

17
September 20, 1988

Honorable Mayor Joseph H. Sauer Jr.
Honorable Members Common Council

The Common Council Committee appointed to review the petition submitted concerning the reinstatement of George Garcia to the Fire Department met on Monday, September 19, 1988 at 7:30 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Hank Moran (Chairman), Roger Bundy, and Bob Godfrey. Also in attendance were Council members Mike Fazio, John Esposito, Bill Shaw, Barry Connell, Louis Charles, Art Regan and Lovie Bourne (all ex-officio). In addition, at the invitation of the Chairman, Fire Department Chief Charles Monzillo and Fire Department Lieutenant Joseph Fasone were also present. Others invited by the Chairman to attend the meeting but were not in attendance include George Garcia, Louis Demici (Fire Department Union President), Robert Keenan (Lieutenant in the Fire Department) and Robert Resha Esquire (Corporation Counsel). Also attending the meeting were twenty - seven (27) members of the Danbury Fire Department.

Mr. Moran called the meeting to order and began by reading the petition submitted to Mayor Sauer and the Common Council (exhibit #1), regarding the reinstatement of George Garcia. This petition was originally presented by Danbury Firefighters and signed by sixty - one (61) members of the Department. Mr. Moran asked if Mr. Garcia was present at the meeting and, upon receiving no response, asked Chief Monzillo if he had anything to say. Chief Monzillo stated that his position is governed by case law and legal decisions and, he as Chief would abide by decisions made by the Mayor and Corporation Counsel. Mr. Moran recognized Mr. Connell who had a comment directed toward the Chief. Mr. Connell produced some documentation concerning the validity of Mr. Garcia's re-certification as an Emergency Medical Technician (EMT) and asked whether or not proper procedures were followed. The Chief expressed the opinion that Corporation Counsel would have to make the determination as to the validity of any re-certification.

Mr. Moran asked if Mr. Louis Damici (Fire Department Union President) was present and, there was no response.

Mr. Moran asked if Lieutenant Joseph Fasone was present and, upon receiving an affirmative response asked him if he wished to speak. Lieutenant Fasone responded in the affirmative and read a prepared statement written by Lieutenant Robert Keenan (exhibit #2) who, according to Lieutenant Fasone was unable to attend the meeting in person because he was out of town. Lieutenant Fasone then read his own prepared statement (exhibit #3). Lieutenant Fasone then asked the committee what an ad hoc committee is empowered to do as regards the Garcia matter. Mr. Moran responded by reading the August 2, 1988 letter from Corporation Counsel Robert T. Resha Esquire to the committee members (exhibit #4).

Mr. Moran asked if anyone present wished to speak. Phillip Curran (ph) responded affirmatively and stated to the committee that he has been a member of the Danbury Fire Department for ten years and feels that all firefighters have taken an oath to protect the people and property in this city. He went on to state that Mr. Garcia does not have the public trust and he reflects negatively on the entire department. Mr. Curran further stated that it is his feeling that a severe morale problem will occur if Garcia is reinstated. He advised

that in his opinion, the city should let the case go to court.

Mr. Moran asked if anyone else wished to speak. Mr. Michael Pascuzzi (ph) responded by stating that he has been a Danbury Firefighter for fourteen years, has worked with George Garcia, and knows him personally. He went on to state that he is fearful of Garcia both on and off the job.

Mr. Moran asked if anyone else wished to speak. Captain Thomas Morris (ph) advised that he has been a Danbury Firefighter for fifteen years and it is his feeling that the case should be taken to court. Captain Morris went on to state that the Garcia situation if not taken to court, could create a dangerous precedent.

Mr. Bundy asked all the firefighters present if it was their feeling that the case of Mr. Garcia's reinstatement should be sent to a court of law for a decision. All firefighters present responded affirmatively to the question indicating their desire that the case should be decided by the court and not the city. Mr. Godfrey stated that there are times when the city should defer decisions to the courts as opposed to abiding by our Corporation Counsel's opinion, especially when dealing with a criminal case.

Mr. Moran asked if anyone else wished to speak. David Sable (ph) responded affirmatively and stated that he is a firefighter and a taxpayer in the city and, is opposed to Garcia's reinstatement without proper court procedures.

Lieutenant Fasone requested permission to speak again and Mr. Moran recognized him. Lieutenant Fasone acknowledged several police officers that were in attendance at the meeting and discussed their role in this matter being that they as Danbury Police Officers were responsible for Garcia's arrest. He went on to state that in his opinion it would be a travesty to allow Garcia back on the city's payroll working in tandem on occasion with the same police department that arrested him.

Mr. Moran asked if anyone else wished to speak. Mr. Bundy asked Chief Monzillo if it was within his power to ask for a complete physical including a psychological examination of any firefighter to determine that persons' fitness for reinstatement. Chief Monzillo advised he was not sure and would check back with the Mayor after finding the answer.

Mr. Moran recognized firefighter Brian Sullivan (ph) who wished to speak. Mr. Sullivan read a prepared statement (exhibit #5) and commented on the ramifications that could ensue between Garcia and the Danbury Police Department. Mr. Moran then called upon Detective Captain George Johnson, Danbury Police Department, who submitted a written statement for the record (exhibit #6). Captain Johnson stated that he has a brother that is a firefighter and at no time has he discussed the Garcia matter with him. He went on to state that his involvement in the case would be strictly a professional one.

Mr. Moran recognized Mr. Patrick Sniffen (ph) who advised that he was appointed to the Danbury Fire Department in 1983, in the same time frame as Garcia. He voiced concern over Garcia's ability to protect the citizens of Danbury.

Mr. Moran asked if anyone else wished to speak. There were no more requests to speak.

Mr. Bundy made a motion as follows:

The committee recommends to the Common Council that the City of Danbury not enter into an agreement with George Garcia at this time but instead, examine any additional criteria that may affect reinstatement of a firefighter, re-affirm the accuracy of the Emergency Medical Technician (EMT) qualifications regarding re-certification and, pursue action in a court of law so as to arrive at a decision regarding the legality of the rein-

statement as, a Danbury firefighter of Mr. George Garcia. The motion was seconded by Mr. Godfrey and passed unanimously.

Mr. Godfrey made a motion to adjourn which was seconded by Mr. Bundy. The meeting was adjourned.

Respectfully Submitted,

Frank Moran

FRANK MORAN, Chairman

Roger M. Bundy

ROGER M. BUNDY

Robert D. Godfrey

ROBERT D. GODFREY

EXHIBITS - SIX

TO: THE HONORABLE MAYOR AND COUNCIL MEMBERS
CITY OF DANBURY, CONNECTICUT

FROM: THE UNDERSIGNED MEMBERS OF THE
DANBURY FIRE DEPARTMENT

SUBJECT: REINSTATEMENT OF GEORGE GARCIA TO
THE CITY OF DANBURY FIRE DEPARTMENT.

DEAR MAYOR SAUER AND COUNCIL MEMBERS,

THIS STATEMENT IS TO INFORM YOU THAT WE, THE UNDERSIGNED, WISH TO EXPRESS OUR EXTREME DISPLEASURE WITH THE CITY OF DANBURY'S DECISION TO ALLOW FORMER FIREFIGHTER GEORGE GARCIA REINSTATEMENT TO THE CAREER FIRE DEPARTMENT OF THIS CITY.

WE FEEL THAT THE CITY OF DANBURY HAS NOT ONLY A RIGHT, BUT AN OBLIGATION TO UPHOLD CERTAIN STANDARDS OF MORAL CONDUCT IN ORDER THAT DEPARTMENT PERSONNEL CAN MAINTAIN ESPRIT DE CORPS, AND PRIDE IN THEMSELVES AS PROFESSIONALS. WE ALSO FEEL THAT THE CITIZENS OF DANBURY DESERVE BETTER THAN TO HAVE AN INDIVIDUAL WITH MR. GARCIA'S BACKGROUND RESPONDING TO THEIR NEEDS IN TIMES OF TROUBLE. TO INTRUST THIS MAN WITH THE LIVES AND PROPERTY OF OTHERS, BASED ON HIS FELONIOUS RECORD, WOULD BE LUDICROUS AT BEST.

MR. GARCIA WAS INVOLVED WITH, AND CONVICTED, OF A CRIME WHICH COULD HAVE, AND WAS INTENDED TO HAVE TAKEN THE LIFE OF A HUMAN BEING. THIS CRIME ALSO INVOLVED CONSPIRACY AND ILLEGAL DRUG PROCUREMENT. A CONVICTION ON CHARGES OF THIS HEINOUS A CRIME WOULD CERTAINLY BE CAUSE FOR THE DISBARMENT OF AN ATTORNEY, OR A MEDICAL DOCTORS REVOCATION OF LICENSE. HAD MR. GARCIA NOT BEEN ALLOWED TO PLEA-BARGAIN, HE PROBABLY WOULD STILL BE INCARCERATED.

A READING OF THE POLICE DOCUMENTS INCLOSED WILL REVEAL THE CIRCUMSTANCES OF THE CRIME, AND ATTEST TO THE FACT (BY HIS OWN ADMISSION) THAT HE KNOWINGLY ABANDONED A PATIENT WITH A POTENTIALLY LIFE THREATENING INJURY.

PERHAPS NOTHING CAN BE DONE TO KEEP THIS INDIVIDUAL FROM RETURNING TO FIRE DEPARTMENT, BUT WE FEEL THAT WE MUST MAKE OUR FEELINGS KNOWN. PLEASE CONSIDER OUR SITUATION, WE CARE!!!

Joseph Fasone

James Thom

Walt J Keen

Del Albano

Brian W Sullivan

W J Murphy

Harry Heerin

Dee Mattson

Wade Sauer

Edell Toloch

Ther he hui

Fury Asanti

Cherry

Patricia

Barry McCreary

Stephen G. Williams

William B. Schmitt

Hermit E. Stilton Jr

Joseph Smith

Freinda X. Maline

Karl Drenth

Peter D. Hochsprung

Alfred J. Mui

Alvin J. J.

William A. K. G.

Philip D. Curran

James A. Leonard

James E. Lewis

Wm A. T. S.

Charles S. G.

Bong L. Molis

John Ralph Herald

Candy Moutz

Michael K. Pasuszyn

Robert F. Edmund

Michael J. S.

John C. S.

Stephen A. White

Charles R. Ballard

Will D. S.

Raynoldo Rodriguez

Richard A. Gold Sr.

J. W. Winter

J. M. Surong

R. J. Jankovich

Charles Bonner

Doug Seland

Pat M. C. J.

Barry Rickard

Robert Vorburgh

David Bonner

Peter L. Radtke

William G.

Robert G. S.

J. C. S.

James Pearce

Doug Howley

Kenneth H. Webb

Alan B.

E. A. S.

J. P. S.

17
September 15, 1988

City of Danbury Common Council (Garcia Committee)

Re: George Garcia re-instatement

Dear Gentleman,

I would like to express my personal opinion on the situation concerning the rehiring of a person to the Fire Department after he has served in jail for a felony crime. My concern is that the job of Firefighter is a job of personal and public trust and by rehiring a person that has been involved in this type of activity, the City may be causing an effect on the working conditions that may be traumatic for all. Because the effects of this action may be far reaching into other areas such as civil service and morale, I would like to see the City give both Mr. Garcia and the other members the benefit of letting our Judicial system decide this matter to the satisfaction of a court.

Sincerely,



Robert J. Keenan Jr.

17

TO: THE COMMON COUNCIL AD-HOC COMMITTEE
REVIEWING THE RE-INSTATEMENT OF
GEORGE GARCIA

DEAR COMMITTEE MEMBERS,

MY NAME IS JOSEPH FASONE, I AM A 20 YEAR MEMBER OF THE DANBURY CAREER FIRE DEPARTMENT. I AM A BLUE COLLAR WORKER WITH BLUE COLLAR ETHICS, MORALS, AND ATTITUDES. I TAKE PRIDE IN MY PROFESSION AND I HURT WHEN IT IS DEMAIGNED OR RIDICULED BY PEOPLE WHO DON'T UNDERSTAND IT. I CRY WHEN PEOPLE WHOM I'VE BEEN CALLED UPON TO HELP CANNOT BE SAVED. I'M ANGERED WHEN I SEE LIBERALISM FORCED DOWN THE THROATS OF PEOPLE BY OTHERS WHO WOULD BE THE FIRST TO OBJECT IF IT WERE FORCED DOWN THEIRS. I'M BEWILDERED WHEN I SEE OR READ ABOUT MURDERERS, RAPISTS, AND DRUG DEALERS BEING SET FREE BECAUSE OF SOME TECHNICALITY, OR BEING ABLE TO PLEA BARGAIN. THESE ARE THE REASONS WHY I AM UPSET WITH THE CITY OF DANBURYS DECISION TO RE-INSTATE A CONVICTED FELON WITHOUT SO MUCH AS A BLINK OF AN EYE. THIS TELLS ME THAT THE SYSTEM IS ONLY DESIGNED TO WORK FOR CERTAIN PEOPLE, OR THAT NO ONE CARES ABOUT THE LAW ABIDING SEGMENT OF SOCIETY.

HAD I, OR MOST ANY OTHER MEMBER OF THE DANBURY FIRE DEPARTMENT FOUND OURSELVES IN MR. GARCIA'S SHOES, I DOUBT THAT WE WOULD EVEN HAVE THE AUDACITY TO THINK ABOUT RETURNING TO A PROFESSION IN WHICH THE LIVES OF OTHER HUMAN BEINGS ARE PLACED IN SUCH PERIL WHEN DUTY CALLS. A PROFESSION WHERE ON A REGULAR BASIS WE ARE FORCED TO WORK IN CLOSE PROXIMITY TO ILLICIT DRUGS, PEOPLES PROPERTY, POSSESSIONS AND THEIR VERY LIVES.

THE FIRE SERVICE IS A BROTHERHOOD OF PROUD INDIVIDUALS WHO MUST TRUST AND RESPECT ONE ANOTHERS ABILITIES KNOWLEDGE AND MORALS. BASED UPON POLICE DOCUMENTS READ BY MOST MEMBERS OF THIS DEPARTMENT,

WHICH READ LIKE A LURID MURDER NOVEL, AND REAKS OF LIES AND UNTRUTHS, ITS IMPOSSIBLE FOR ALL BUT A VERY FEW TO TRUST OR RESPECT THE ACCUSED INDIVIDUAL.

I THINK THAT I AM VOICING THE FEELINGS OF ALL DEPARTMENT MEMBERS IN ATTENDANCE HERE TONIGHT, AS WELL AS QUITE A FEW WHO COULD NOT MAKE IT DUE TO PRIOR COMMITMENTS OR WORK SCHEDULES, THAT IF AN INDIVIDUAL IS BRAZEN ENOUGH TO LOOK FOR REINSTATEMENT TO OUR PROFESSION AFTER SUCH SERIOUS CHARGES HAVE BEEN LEVELED AGAINST HIM, THAN WE SHOULD HAVE THE RIGHT TO ASK THAT HE BE FORCED TO FIGHT FOR HIS RE-INSTATEMENT IN A COURT OF LAW. HOWEVER NAIVE THAT MAY SOUND TO SOME, IT IS HOW WE, AS PROFESSIONAL FIRE FIGHTERS FEEL IT SHOULD BE DONE.



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

August 2, 1988

Councilman Roger Bundy
C/O City Hall
Deer Hill Avenue
Danbury, Connecticut 06810

Re: Mr. George Garcia

Dear Councilman Bundy:

I have received numerous requests from Council representatives for information regarding the George Garcia case, and although the Corporation Counsel's office cannot comment on the merits of this case before its final resolution, I believe the following facts may be helpful in answering any questions that may be put to you by your constituents.

George Garcia was, by everyone's admission, an excellent firefighter; he performed his job well.

As a result of his involvement with a criminal investigation he plead guilty to Assault II and as a result a letter terminating his employment was sent to him by ex-mayor James Dyer.

Mr. Garcia filed a grievance with the City of Danbury claiming his job termination was improper and hearings were held on that issue. The basis of his claims were essentially twofold: First, that he was deprived of his rights of due process in the manner James Dyer terminated his employment, and secondly that the stated reasons for his termination were not sufficiently related to his ability to perform his job (a legal requirement under case law).

An agreement was reached to allow Mr. Garcia to continue his employment; and whereby Mr. Garcia would waive claim to any and all rights he may have been entitled to as a result of his allegations.

Councilman Roger Bundy
August 2, 1988
Page 2

It was known to both Mayor Sauer and Attorney Gottschalk that the EMT certification was a requirement to a firefighter's employment but, of course, not known that Mr. Garcia had allowed his EMT certification to lapse.

As with any pending litigation, a discussion on the merits may ultimately put the city in a disadvantaged position if the case cannot be resolved. What I can state to you is the following:

1. The Corporation Counsel's office advised Mayor Sauer there was a degree of risk and legal exposure as a result of Mr. Garcia's termination.

2. Nothing was done in secret! What is involved in this case is a normal grievance procedure with the appropriate and necessary parties participating therein. (I believe the New-Times allegation of secrecy stems from the refusal of the Corporation Counsel's office to discuss the merits of this case-which, of course, it cannot do until the matter is finally resolved).

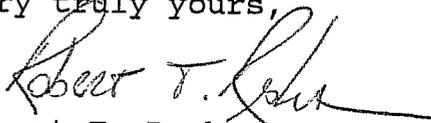
3. This case will not alter or affect the hiring practices of the City of Danbury. This is not a case of hiring or re-hiring of a City employee.

4. The Civil Service Commission is not properly a party to this grievance procedure.

Hopefully, this information will allay some of the primary fears and concerns that may be addressed to you. Once this matter is finally resolved, I shall speak to the merits of this case if you should so desire.

As usual, please feel free to call me for any individual questions.

Very truly yours,



Robert T. Resha
Corporation Counsel

RTR:lf

18 Sept 88

To Mayor Sauer & the Common Council -

My statement to you is brief, ALL I ASK OF YOU IS NOT TURN TO YOUR BACK ON YOUR FIREFIGHTERS OR YOUR POLICE OFFICERS.

80 of this Cities Firefighters are publicly against the appointment or Rehiring of A CONVICTED FELON. AT least AS MANY of the hardworking cops who investigated the case and successfully got a conviction are ALSO AGAINST the rehiring of A CONVICTED FELON.

You MUST Favor the majority of your honest, hard working loyal firefighters AND POLICE OFFICERS WHO ARE AGAINST THIS Rehiring. Let THIS CASE Go TO COURT. LET A JUDGE DECIDE, Do NOT TURN YOUR BACKS ON YOUR Firefighters OR SCAP the FACE OF YOUR POLICE

Bruce Sullivan
D. FD Local 801

Mr. Chairman:

I would like to include into the record, a brief statement, if I may.

First of all, I have a brother who is a full-time regular employee of the Danbury Fire Department.

I do not know if he is protesting the re-hiring of Mr. George Garcia to his former position of employment & I have not discussed this matter with him ~~the~~ in any form or ^{to any} degree.

I would like to limit any comments, statements or remarks by the police

02/10/83



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Donation of Gravel to the City

The Common Council Committee appointed to review the donation of gravel to the City met on Wednesday, September 28, 1988 at 6:30 P.M. in the Fourth Floor Lobby in City Hall. Present were committee members Bundy and Connell. Also attending were Dominic Setaro, Daniel Minahan and Paul Estefan.

The committee held a thorough discussion regarding a proposed donation of approximately 25,000 yards of gravel offered by the Wilmorite Corporation to the City of Danbury. As a point of fact, Mr. Bundy examined the material in question on September 23, 1988. On that date at approximately 1:45 P.M., Mr. Bundy accompanied by Mr. Estefan went to the site where the material in question was being excavated. It was determined by physical inspection and discussion with a tractor operator that the material being offered as a donation was not gravel per se but was in fact clean fill used currently as road bed foundation for an on-ramp from Route 7 onto Interstate 84. Close inspection revealed this fill to be of good quality containing no foreign substance on large rocks. Through questioning the tractor operator told Mr. Bundy that the "fill" could be used for any number of purposes and was suitable for many uses including road construction, replacement fill for major building projects, etc.

Mr. Minahan advised the committee that this type of "fill" is suitable for many of Danbury's major projects such as the proposed hockey rink, King Street salt and sand contamination problem and the landfill.

Discussion was also focused on the transportation and storage problem associated with this proposed donation. Mr. Estefan advised that the donor, Wilmorite, was prepared to truck the fill to a site at the airport which is suitable for storage of the material until it was to be used.

Mr. Minahan advised that the cost to the City to purchase similar fill as that being discussed in this report is between \$5.00 and \$8.00 per yard or an average cost of \$6.50 per yard. As an example Mr. Minahan stated that the King Street salt and sand storage area project requires 4,000 yards of fill and will cost the City approximately \$26,000.

Mr. Bundy discussed the fact that the details regarding the donation were contained in the original proposal to the Common Council at its September meeting and there was no reason to assume that the material in question was of any value. Mr. Bundy stated that in the future it should be understood that as many details as possible should be included in any communication to the Common Council concerning a proposed donation so as to avoid the unfortunate circumstances that prevailed in this case. Due to the fact that the donation was to have been accepted by September 13, 1988 or it would be withdrawn was unknown to Council Members. As a result the City cannot avail itself to this offer and it becomes moot.

Mr. Bundy made a motion to recommend to the Common Council that if within the next six months a similar or like donation is offered to the City of Danbury by Wilmorite Corporation and the material referred to in this similar or like donation equals or exceeds in quality the material offered to the City as outlined in this report, then the City vis a vis the Mayor accept such donation. Seconded by Mr. Connell and carried unanimously.

Respectfully submitted,

ROGER M. BUNDY, Chairman

BARRY J. CONNELL

ROBERT D. GODFREY



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Conditions on Post Office Street

The Common Council Committee appointed to review conditions and recommend solutions to the conditions on Post Office Street and the surrounding area including adjoining alleyways met in Room 432 on September 28, 1988 at 8:00 P.M.. In attendance were committee members Regan, Bundy and Zotos. Also in attendance were Daniel Minahan, Richard Jowdy, owner of Tuxedo Junction Cafe and Council Member Gene Eriquez, ex-officio.

Mr. Regan stated the problems he had discussed through an on-site inspection and that were reported to him from area landlords and tenants. The problems consisted of incidents of indecent exposure, vagrants roaming the area soliciting for money, homeless people in the alleyways, broken bottles and trash in the alleyways, building debris in alleyways, spills on the ground in back of Feinsons where garbage trucks transferred trash from dumpster to truck, the smell of garbage in alleys, grease stains on bricks at rear door to Benedicts leading around to the alley where garbage dumpsters are stored, grease stains on bricks at side of Tuxedo Junction left over from the "Taste of Danbury" Festival", dead bushes and generally poor conditions of the planted areas along Post Office Street, loose trash in planted area and under grates, around trees on Ives Street and broken banner poles on Main Street at loading zone entrance to Post Office Street.

Mr. Jowdy stated his position on the garbage behind his building. Since the closing of Post Office Street all the trash dumpsters that were formerly spread out along the alley have been consolidated behind his building on his property and although most of the garbage is not his, he has been issued warnings or complaints from the Health Department. If he receives another warning he will eliminate his dumpster and force all the other landlords to remove their dumpsters from his property thereby creating a bigger problem for the City. He stated that he does not like to make threats, but that he is getting tired of a run-around from the City. His solution for the problem is to have the City put a trash compactor over at National Place where the Parking Authority is located and then have City employees make three

19

garbage pick ups per day and bringing them over to the compactor. Mr. Jowdy stated that the City caused the problem by closing Post Office Street and should be responsible for the garbage problem in this area. He further stated that this was the plan of the past administration and should be followed.

Mr. Eriquez stated that this was one possible solution discussed approximately one year ago. Mr. Jowdy said that the dumpsters are located against his building and are causing damage to the block and windows in his building from being slammed into the wall. There are seven dumpster located there.

Mr. Minahan stated his possible solutions, one being the locating of a compactor at National Place, the other locating two large garbage containers in Feinsons Parking Lot with sliding doors to contain the smell and reducing the number of garbage containers needed to serve the area. Mr. Minahan further stated that the City is now cleaning the alley and Post Office Street 5 days a week alternating between Public Works personnel and Parks and Recreation personnel. He stated that he has a proposal from an independent contractor to take care of cleaning this area for \$2,400 per month which would include Post Office Street and the alleyways. He said he does not have the staff to do this job and it should be done by either Parks and Recreation or an independent contractor. Mr. Minahan stated that he and Susan Steiner, the Assistant Planning Director and Basil Friscia, the former Director of Public Works visited Faneuil Hall in Boston in investigate how they handled the garbage problem there. He said that they have strict regulations that are enforced regarding the garbage situation and every tenant is required to transport their own garbage. Similar to a situation if a trash compactor were to be located at National Place.

Mr. Zotos stated that he is in the Post Office Street area daily and that conditions there are going downhill. However, he does not believe that it is the City's responsibility to clean the alleys.

Mr. Minahan said that perhaps the tenants of other businesses and buildings in the area could or would like to participate in a remote compactor location and thus reduce the cost to all.

Mr. Reagan stated that the land by the Parking Authority building was Redevelopment land and would be only a temporary solution. Mr. Eriquez said that we should pursue this possible solution and when and if the land is developed then worry about it. Mr. Regan said that one of the problems now is trash is tossed out of windows into the alley and if the garbage was located remotely, that apartment dwellers would be less likely to walk a long distance to get rid of their garbage and thereby increase the problem.

Mr. Regan stated that there is an agreement between the City from the former administration and Mr. Feinson for an easement through his parking lot to pickup garbage in the alley behind Tuxedo Junction. According to this agreement the City is to construct a decorative wall at the entrance to Feinsons parking lot at a rough estimate of \$25,000 to the City. The other possibility is to go down another alley which runs parallel to Post Office Street on the other side of Tuxedo Junction out to Ives Street. Mr. Regan further stated that the problem of garbage in the alley existed before the closing of Post Office Street and is not

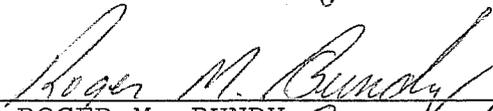
a City problem but a tenant and landlord problem and that the only problem the City caused was a lack of access from the alley to Post Office Street for garbage pickup and therefore it is the City's responsibility to provide access to the alley for garbage pickup. Regarding solutions for the first three problems listed, these can be solved by increase police patrols, items 4 and 5 should be handled by the Health Department enforcement, Items 6 and 7 could be solved by eliminating the transfer of trash by installing 2 large containers with sliding doors to keep the smell down which would be removed and replaced with fresh containers as needed. Items 8 and 9, pressure wash bricks require Benedicts to contain grease in drip proof containers and stop them from washing their greasy floor mats on the bricks. Items 10 and 11 assign the task to the Parks and Recreation Department solely to eliminate the possible confusion as to who is responsible. Item 12, eliminate the loading zone on Main Street. When trucks try to park here the banners are too close to the curb and the boxes of the truck hits them and snaps the poles. The City of Danbury has invested a major amount of money here and it should not be allowed to deteriorate.

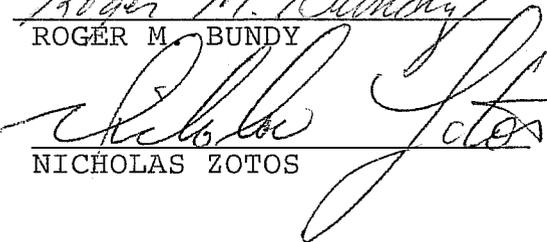
Mr. Bundy made a motion to list the complaints or problems and the solutions as discussed and recommend to the Mayor to try to negotiate an easement with Mr. Feinson instead of the revocable agreement now in place. Seconded by Mr. ~~Bundy~~. Motion carried unanimously.

REGAN

Respectfully submitted,


 ARTHUR D. REGAN, Chairman


 ROGER M. BUNDY


 NICHOLAS ZOTOS



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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Honorable Members of the Common Council

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garbage pick ups per day and bringing them over to the compactor. Mr. Jowdy stated that the City caused the problem by closing Post Office Street and should be responsible for the garbage problem in this area. He further stated that this was the plan of the past administration and should be followed.

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Mr. Bundy made a motion to list the complaints or problems and the solutions as discussed and recommend to the Mayor to try to negotiate an easement with Mr. Feinson instead of the revocable agreement now in place. Seconded by Mr. Bundy. Motion carried unanimously.

Respectfully submitted,

ARTHUR D. REGAN, Chairman

ROGER M. BUNDY

NICHOLAS ZOTOS

August 29, 1988

The Committee appointed to study the "Restoration of Funds for the Richter Park Authority" met on August 29, 1988 at 7:30 P.M. in Room 432 of City Hall. Present at the meeting were committee members Barry Connell, Chairman, Louis Charles, Hank Moran, Nick Zotos and Jim Nimmons. Also in attendance were Councilmen Roger M. Bundy and Bill Shaw (ex-officio). In addition, others in attendance included several members of the Richter Park Authority and the Director of said authority, Richard Branigan.

After a thorough review of information provided to the committee by the Authority and, a lengthy discussion involving the Authority and its' financial situation the committee chairman asked Mr. Branigan what the \$30,000 is to be used for if appropriated. After discussion it was determined that the monies are supposedly needed to keep the Authority operating at its' current level. The committee was not satisfied that the need was one of a critical nature and questioned as to whether or not fiscal belt tightening was in order.

Mr. Moran made the following motion:

The request for \$30,000 by the Richter Park Authority be denied due to a lack of information supporting the need.

Mr. Nimmons seconded the motion and after discussion the motion was voted upon and passed unanimously.

Respectfully submitted,

Barry J. Connell
Barry Connell - Chairman

James Nimmons

Hank Moran

Louis Charles

Nick Zotos



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 26, 1988

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

Re: Amendment to Ordinance 16A-32

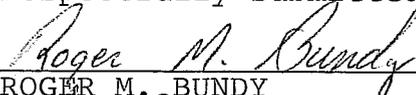
The Common Council Committee appointed to review Ordinance 16A-32 regarding items excluded from the City Landfill met on September 20, 1988 at 9:15 P.M. in City Hall. In attendance were Committee Members Bundy, and Esposito. Also in attendance were Council Members Moran and Regan, ex-officio, Director of Public Works Daniel Minahan, Mayoral Assistant Michael Cech and Assistant Corporation Counsel Les Pinter.

The purpose of this committee was to study a recommendation presented by the Technical Advisory Team dealing with a list of proposed items to be excluded from the Danbury Landfill. Section 16A-32(b) of the Danbury Code of Ordinances is entitled "Certain Materials Prohibited" and is the appropriate area of concern regarding this matter.

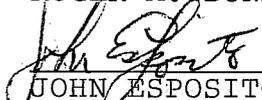
During discussion it was determined by the committee, after consultation and advice from Mr. Pinter, that it was within the purview of Mr. Minahan to determine what items may or may not be permitted in the landfill. According to Mr. Pinter there is no need to amend the Ordinance. If Mr. Minahan (who is also a member of the Technical Advisory Team) deems it necessary to exclude certain items from the landfill or redirect such items to a designated area it is within his described authority to do so.

Therefore, this committee is taking no action other than to endorse the advice of the Assistant Corporation Counsel and no change in the Danbury Code of Ordinances is recommended regarding this issue.

Respectfully submitted,



ROGER M. BUNDY



JOHN ESPOSITO

MARI ANN DANISE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

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ROGER M. BUNDY

JOHN ESPOSITO

MARI ANN DANISE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Change in Code of Ordinance - Section 16A-34

The Common Council Committee appointed to review a change in Ordinance 16A-34 met on September 20, 1988 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Bundy, Renz and Butera. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Public Works Daniel Minahan, Mayoral Assistant Michael Cech and Council Members Regan, Moran and Esposito, ex-officio.

The purpose of this committee was to ascertain the need to amend Section 16A-34(b) and 16A-34(c) to reflect a more substantial penalty for noncompliance with the provisions of Article II (Landfill Operations), Section 16A-31 (Waste Deposits) specifically Section (c) "Deposits of Wastes from Outside Corporate Limits of City Prohibited".

The Code of Ordinances Section 16A-34(b) and 16A-34(c) reads as follows:

16A-34(b) - Violation; penalty - Any person who violates any provisions of this article shall be fined the sum of one hundred dollars (\$100) for each offense.

16A-34(c) - Suspension or revocation of permits. In addition to other remedies provided by law in case of non-payment or noncompliance with the provisions of this article, the director of the department of public works is authorized to suspend or revoke any permits issued hereunder.

During a thorough discussion the committee discerned the following facts:

1. The average tipping fee at municipal landfills across the Country is between thirty dollars and fifty dollars (\$30 - 50) per ton.

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2. The tipping fee schedule of neighboring towns are Bethel - \$90 per ton; Ridgefield - \$90 per ton; and New Milford - \$65 per ton.

3. Danbury charges \$18 per ton increased from \$12 per ton effective July 1, 1988.

4. The amount of trash being deposited at the Bethel and Ridgefield landfills has decreased since both of these towns began charging \$90 per ton and conversely the amount of trash being taken in by Danbury's landfill has increased.

5. It is quite profitable to a hauler if that hauler tips an out of town load of trash in Danbury's landfill. If for example a hauler had 25 yards of Bethel trash (equaling approximately 12 tons) and instead of paying \$90 per ton or \$1,080 to dump in Bethel, the hauler pays \$18 per ton or \$216 by dumping in Danbury. That equals a \$864 difference. It is clear that a \$100 fine is not enough to deter a hauler when he or she can make such a profit.

6. Our landfill is reaching capacity faster than expected due in part to the aforementioned violations. The best estimates is that the City of Danbury has no more than 12 to 18 months left at the landfill.

7. The City's proposal to the State for horizontal expansion is not progressing as well as we would like and contingency measures must be implemented.

8. The Director of Public Works has the means and where-with-all to implement an intensive program to enforce adherence to the law. The Director will take the proper steps to insure adequate inspections by designating this program as a top priority at the landfill.

Mrs. Butera made the following motion: "To advise the Common Council to direct the Corporation Counsel to follow appropriate procedures to amend Section 16A-34(b) (violation; penalty) of the Danbury Code of Ordinances to include a fine of \$5,000 for any violation of the provisions of this article. Seconded by Mr. Renz. Motion carried un-animously.

Mr. Renz made the following motion: To advise the Common Council to amend Section 16A-34(c) (Suspension and Revocation of Permits) of the Danbury Code of Ordinances to state that a hauler's license to dump in the landfill may be revoked if any one of his permits is found to be in noncompliance with the provision of the article. Seconded by Mrs. Butera. Motion carried unanimously.

Respectfully submitted,

Roger M. Bundy
ROGER M. BUNDY, Chairman

Gary D. Renz
GARY D. RENZ

Janet Butera
JANET BUTERA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Change in Code of Ordinance - Section 16A-34

The Common Council Committee appointed to review a change in Ordinance 16A-34 met on September 20, 1988 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Bundy, Renz and Butera. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Public Works Daniel Minahan, Mayoral Assistant Michael Cech and Council Members Regan, Moran and Esposito, ex-officio.

The purpose of this committee was to ascertain the need to amend Section 16A-34(b) and 16A-34(c) to reflect a more substantial penalty for noncompliance with the provisions of Article II (Landfill Operations), Section 16A-31 (Waste Deposits) specifically Section (c) "Deposits of Wastes from Outside Corporate Limits of City Prohibited".

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Respectfully submitted,

ROGER M. BUNDY, Chairman

GARY D. RENZ

JANET BUTERA



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Effective Date for Garbage Haulers Increase

The Common Council Committee appointed to review the effective date for garbage haulers increase met on September 20, 1988 at 7:00 P.M. in City Hall. In attendance were committee members Shaw, Regan and DaSilva. Also attending were Council Members Bundy, Renz and Esposito, ex-officio, Director of Public Works Dan Minahan, Comptroller Dominic Setaro, Assistant Corporation Counsel Les Pinter and Irv Morey from Town and Country Hauling.

During the course of discussion, it was determined that since a public hearing and a committee of the whole meeting were held on June 20, 1988 and a Special Common Council Meeting was held on June 27, 1988 to approve an increase in the landfill fees effective July 1, 1988, that sufficient notice was released relevant to the increase. Mr. Morey questioned the publication date. Attorney Pinter said that with a public hearing and a resolution passed by the Common Council, no publication is required. Mr. Morey said that he would explain that fact to his customers that he was not aware of a July 1, 1988 effective date and attempt to recover his losses.

Mr. Regan made a motion to let the July 1, 1988 effective date remain in effect. Seconded by Mr. DaSilva. Motion carried un-animously.

Respectfully submitted,

WILLIAM H. SHAW, Chairman

ARTHUR D. REGAN

JOSEPH DaSILVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Request for Water Extension on Old Mill Plain Road

The committee regarding the above captioned matter met on September 27, 1988. In attendance were Committee Members Regan and Bundy. Also attending were Jack Schweitzer, William Buckley, Ralph Gallagher and Edward Kilian, Jr.

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 extension.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, 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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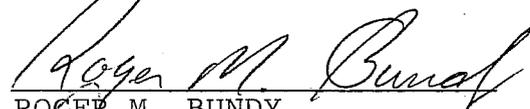
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended water lines.

8. This approval shall expire eighteen (18) months following the date of Common Council action.

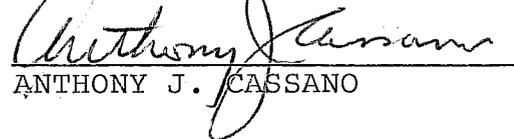
Respectfully submitted,



ARTHUR D. REGAN, Chairman



ROGER M. BUNDY



ANTHONY J. CASSANO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

October 4, 1988

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

Re: Request for Water Extension on Old Mill Plain Road

The committee regarding the above captioned matter met on September 27, 1988. In attendance were Committee Members Regan and Bundy. Also attending were Jack Schweitzer, William Buckley, Ralph Gallagher and Edward Kilian, Jr.

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 extension.

2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.

3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City, 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.

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,

ARTHUR D. REGAN, Chairman

ROGER M. BUNDY

ANTHONY J. CASSANO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

October 4, 1988

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

Re: Downtown Redevelopment Agency and the Mill Rate

The Common Council Committee appointed to review downtown redevelopment and the mill rate met on September 26, 1988 at 7:30 P.M. in Room 432 in City Hall. In attendance were Committee Members Bundy, and Charles. Also present were Dr. Robert Fand, Dick Verdi, Terrie Kopli, Evald Mukk, Joanne Chelednick and Kenneth Wilson.

A thorough discussion was held regarding the recent re-evaluation and subsequent tax increase affecting the taxpayers in what many feel is an adverse and unfair manner. Mr. Wilson, a resident of Danbury for the past 36 years, advised that he had done a study regarding the tax increase and had determined that the average increase was 40% per homeowner. He also determined that several commercial taxpayers incurred a tax decrease, specifically, Sears a -27% (-\$52,600); Perkin Elmer a -16% (-\$64,000); G. Fox a -32% (unknown); Danbury Mall Associates a -17% (unknown); Union Carbide %unknown (-\$351,000). Mr. Wilson further advised that after a complete study of the re-evaluation book, the lowest increase on any street was +20%.

Mr. Dick Verdi a local landlord and licensed builder advised that an apartment building he owns and rents out located at 76 South Street incurred a 93% increase. He cited several other similar such buildings with accompanying increases of 71%, 58% and 76%.

Joanne Chelednik advised that her home located at 157 Westville Avenue incurred a 90% increase in taxes.

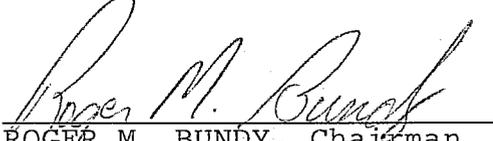
Mr. Charles discussed with those present the three avenues open to pursue the issue of re-evaluation. These areas were committee meetings, Board of Tax Review (which meets in February) and a lawsuit by parties involved.

Discussion regarded United Appraisal Associations and the formulas used by them for re-evaluation was put off until all parties possessing essential facts could attend a committee meeting.

A discussion regarding downtown redevelopment was held with Dr. Robert Fand offering a plan which involves options that could be undertaken by the City of Danbury if and when it is determined that Errichetti Associates will no longer pursue the original plans. Dr. Fand elucidated on the hazards of chemical traces found at the redevelopment site, specifically risks to certain classes of people if the wastes are not cleaned up thoroughly. Dr. Fand questioned the role of the Redevelopment Agency and its past approval process regarding the Errichetti project, specifically, their (RDA) allowing building to begin without title to the land passing to the builder. Dr. Fand requested that the committee obtain a legal opinion as to whether or not RDA is a separate agency of the City and, as such, can they take property and responsibilities of said project from the City vis a vis "eminent domain".

The committee agreed that at a future meeting Corporation Counsel will be present to render an opinion.

Respectfully submitted,



ROGER M. BUNDY, Chairman



LOUIS T. CHARLES



MARI ANN DANISE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

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Respectfully submitted,

ROGER M. BUNDY, Chairman

LOUIS T. CHARLES

MARI ANN DANISE



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

October 4, 1988

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

Re: Update Report on City's Garbage Disposal Position

The Common Council Committee appointed to review an update report on the City's garbage disposal position met on Wednesday, September 28, 1988 at approximately 7:15 P.M. in the Common Council Chambers in City Hall. In attendance were committee members Bundy, Regan and Flanagan. Also present were Mayor Joseph Sauer, Michael Cech, Daniel Minahan, Jack Schweitzer, Jack Kozohowski and William Buckley. Also, Walter Nissen, project manager for Camp Dresser and McKee, Inc and Raymond Porter, meteorologist for Camp Dresser. Camp Dresser and McKee is the consulting firm retained by the City to do a resource recovery evaluation.

Mr. Bundy opened the meeting by expressing to those present that the purpose of the Camp Dresser and McKee report was to advise the City of their findings regarding a study conducted to determine the accuracy of the R. W. Beck study conducted for the Housatonic Resource Recovery Authority (HRRA). The R. W. Beck report concluded that after a thorough study the White Turkey Road site was more preferable for the placement of an incinerator than a site located in Brookfield. Mr. Bundy went on to advise that the City of Danbury, in order to affirm the accuracy of such a conclusion retained a highly reputable consultant to conduct a separate study of the situation. This was done to assure that the City was in possession of all the facts and, the citizens of Danbury would be assured as to the accuracy of any conclusion drawn therefrom.

Mr. Cech described to those present that the consultants report dealt solely with a parallel study of the R. W. Beck report using similar parameters and assumptions. Mr. Nissen presented the methods used and procedures followed which focused on three sites, Brookfield, Old Sherman Turnpike and White Turkey Road. Using basically the same set of circumstances enhancing testing procedures, Camp Dresser and McKee concluded that there was no appreciable difference between the two sites as regards placement of an incinerator. Using air dispersion models and ground level situations several errors were found in the

24

R. W. Beck report, specifically:

1. According to R. W. Beck stated that there is an eight (8) mile difference between the Old Sherman Turnpike site, White Turkey Road site and the Brookfield site. Using this as their base, R. W. Beck in their Transportation Cost Analysis stated that the two Danbury sites are two (2) miles from the center of Danbury and the Brookfield site is ten (10) miles from the center of Danbury. In actuality the Brookfield site is less than one (1) mile from the other sites and therefore should be considered as being three (3) miles from the center of Danbury. When the error is corrected, Danbury is no longer more economically advantageous than the Brookfield site. They are essentially equal.

2. In the Summary of Capital Cost, specifically, the allowance for contingency of the White Turkey Road site is incorrect. The contingency used was 11% as opposed to 20% used for the Brookfield site. When a correction was made to 20% for both sites the economics between these two sites are virtually equivalent.

Mr. Nissen concluded his presentation by stating that basically the R. W. Beck report was thorough and represented a good picture of the situation. However, it is his opinion that there are no appreciable differences between the White Turkey Road site in Danbury and the Brookfield site. They are, in his opinion, equal with one having no advantage over the other as regards parameters used in both studies.

The following people who were in attendance commented regarding the findings of the Camp Dresser and McKee report: Gene Huddy, Brookfield; Harry Wade - HRRRA; Ken Parsons, Bethel; Bonnie Smith, First Selectman of Brookfield; Fergus O'Donnell - HRRRA; Lucille Bathe, Danbury and Louise Strohmeier, Danbury.

Mr. Cech advised the committee that the Technical Advisory Team will prepare a detailed report for the Common Council which will hopefully be completed within two weeks. He also advised that Camp Dresser and McKee may continue to service the City in a consulting capacity to advise the City regarding the feasibility of employing alternate technology to dispose of our waste.

Respectfully submitted,

STEPHEN FLANAGAN

ROGER M. BUNDY, Chairman

ROBERT GODFREY

MICHAEL FAZIO

ARTHUR D. REGAN

COMMON COUNCIL

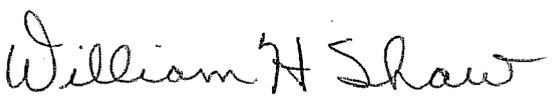
3 October 1988

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 study the long planned West Side Fire Station. The City of Danbury presently owns eighteen acres located at the corner of Kenosia and Backus avenue. Ten of these acres are prime and directly across from the Toys R Us complex. The Toys R Us property was acquired for \$280,000 per acre. If the City of Danbury were to sell ten of the eighteen acres, and negotiate a combined fire station with Miry Brook Volunteer Fire Co., the building could be constructed and equipped with the funds from the sale of the ten acres. In my opinion the West side of Danbury is in dire need of fire protection.

Respectfully,



William H. Shaw
Councilman, Sixth Ward



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

(203) 797-4511

October 4, 1988

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

Dear Council Members:

As you will recall, on July 6, 1988, the Council authorized and ratified an application for Women, Infants, Children's Supplemental Nutrition Program Grant. Enclosed please find, for your approval, the resolution necessary to complete the grant application.

The prior resolution expired on September 30, 1988 and in order for the Grant Award to be executed, the amended resolution must be adopted.

Sincerely yours,

Joseph H. Sauer, Jr.
Mayor

JHS:cjz

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RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the U.S.D.A. has made grant funds available from October 1, 1988 through September 30, 1989 to full-time local health departments to be used for the Women, Infants, Children's Supplemental Nutrition Program; and

WHEREAS, the City of Danbury through the Danbury Health Department has formulated a W.I.C. Program for Danbury area residents; and

WHEREAS, a grant award of up to \$134,782.00 has been processed by the Danbury Health Department; and

WHEREAS, the State of Connecticut Department of Health Services has approved and funded the grant proposal;

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

BE IT FURTHER RESOLVED THAT to accomplish said program Joseph H. Sauer, Jr., 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 State of Connecticut Department of Health Services.



received
10/3/88

received
10/3/88

CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

October 3, 1988

Memo

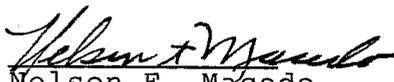
To: Mayor Joseph H. Sauer
From: Chief Nelson F. Macedo
Subject: Special Police Officers - Housing Authority Projects

Per the attached correspondence, I am requesting that the line item for the Housing Authority be increased by an additional \$30,000.

Per the correspondence, the monies will be returned to the city by the Housing Authority.

The Police Department will be billing the Housing Authority on a bi-weekly basis. These monies will be used for Special Police Officers who will be working at the Housing Authority projects.

Dominic Setaro, Comptroller, has indicated that he will make the necessary adjustments to the budget, and this request will have no effect on the city's contingency account.



Nelson F. Macedo
Chief of Police

NFM:ks

Attach.

c: Dominic Setaro, Comptroller

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

September 26, 1988

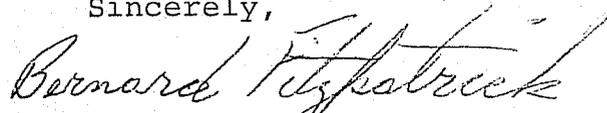
Chief Nelson Macedo
Danbury Police Department
Main Street
Danbury, Connecticut

Dear Chief Macedo:

The Housing Authority of the City of Danbury would like to hire police officers to patrol the family housing developments of Eden Drive, Laurel Gardens and High Ridge Gardens. We would like to pay the police department for this service on a bi-weekly basis. A statement from the Police Department detailing the number of hours worked and the officers doing the patrols will be adequate for payment purposes.

I hope this system meets all of our individual needs and I look forward to this exciting endeavor.

Sincerely,



Bernard Fitzpatrick
Executive Director

cc.
Dominic Setaro, City Comptroller
Diana Burgos, Assistant Staff Director Mayor's Office





CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

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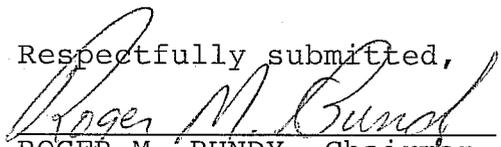
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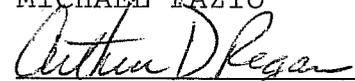


STEPHEN FLANAGAN

ROBERT GODFREY

Respectfully submitted,


ROGER M. BUNDY, Chairman

MICHAEL FAZIO


ARTHUR D. REGAN