

Meeting to be called to order at 8:00 O'Clock P.M. by the Honorable Mayor James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Johnson, Sollose, Philip, Torcaso, Godfrey, Flanagan, Zotos, Hadley, Skoff, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Farah, Smith, Torian.

19 Present 2 Absent.

NOTICES FROM MAYOR DYER

CONSENT CALENDAR

The Consent Calendar was

MINUTES ✓ Minutes of the Common Council Meeting held on March 4, 1986.  
The Minutes were

✓ 01  
CLAIMS

Alvin W. Hall, Jr. - Richard P. Hayes - Kimberly Kovacs -  
Joan Ballin - Betty Read - Vincent Vono Jr. - Anthony Seri -  
Rebecca Lee -

The Claims were

✓ 02  
RESOLUTION

- Release and Abandon Agreement Re: U. S. Rt. 7.

The Resolution was

✓ 03  
RESOLUTION

Preliminary engineering of Municipal Utility Adjustments re:  
I-84 widening.

The

✓ 04  
COMMUNICATION

- Danbury Hospital vs. City of Danbury (Cheng H. Chao)

The Communication was

✓ 05  
COMMUNICATION

- Request from Atty. Riefberg for a Common Council committee to  
review agreement re: Hatters Park Bowling Lanes.

The Communication was

✓ 05-1  
RESOLUTION

- Relocation of Public Utility facilities Rt. 39 & SR 841  
(Down St.)

The Resolution was

✓ 06  
COMMUNICATION - Request for committee re: Recycling Center.

The Communication was

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✓ 07  
COMMUNICATION - New name for the C. D. Parks Property.

The communication was

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✓ 08  
COMMUNICATION - Furniture donation from IBM to Danbury Fire Department.

The communication was

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✓ 09  
COMMUNICATION - Request for the Commission on Aging to accept a gift from Perkin Elmer.

The Communication was

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✓ 010  
COMMUNICATION - Union Savings Bank's donation of funding to the Danbury Police Department re: "P.C. The Police Car"

The Communication was

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✓ 011  
COMMUNICATION - Request for a donation for the Festival to be held at the Locust Avenue School.

The Communication was

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✓ 012  
COMMUNICATION - Request for funds for demolition of Fire Damaged Structure on Main St.

The Communication was

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✓ 013  
COMMUNICATION - Request for funds for Public Welfare.

&  
CERTIFICATION The Communication was & transfer of funds

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✓ 014  
COMMUNICATION - Request from ~~Parade Coordinator~~ Don Melillo for additional funds to participate in "Connecticut's 350th" Parade in New Haven.

The Communication was

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✓ 015  
COMMUNICATION - Request of MetroMobile to lease property at Danbury Airport.

The Communication was

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✓ 016  
COMMUNICATION - Request for revenue generated by the Parks Property to be expended on the Parks Property.

The Communication was

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- ✓017  
COMMUNICATION - Request from the Redevelopment Agency for funds to acquire property on Main St.  
The Communication was
- ✓018  
COMMUNICATION - Redevelopment Master Plan & Phase I Site Plan for Parcel "A"  
The Communication was
- ✓019  
COMMUNICATION - Request of Danbury Mall Limited Partnership to accept portion of relocated Backus Avenue as a City Road.  
The Communication was
- ✓020  
COMMUNICATION - Street Name - Portion of Former Lake Ave. Ext.  
The Communication was
- ✓021  
COMMUNICATION - Request of Thora Skoff to revise a section of the Charter to allow public speakers prior to the Consent Calendar.  
The Communication was
- ✓022  
PETITION - Request for sewers for Boulevard Drive, Ken Oaks Dr. Kimberly Trail, Windaway Road & Jenny Drive (Lake Kenosia)  
The petition was
- ✓023  
COMMUNICATION - Request of Connecticut Health Care Associates, Inc. to extend sewer & water to 52 Main St.  
The Communication was
- ✓024  
COMMUNICATION - Request of Francis Dennehy for sewer extension to 27 East Pembroke Road.  
The Communication was
- ✓025  
COMMUNICATION - Sewer & Water Extensions.  
The Communication was
- ✓026  
COMMUNICATION - Drainage problem - 10 Ridge Road.  
The Communication was
- ✓027  
COMMUNICATION - Drainage problem on Old Hayrake Road.  
The Communication was

✓028  
COMMUNICATION - Drainage Easement Northerly side of Kenosia Avenue

The Communication was

✓  
029

COMMUNICATION - Request for sewer benefit liens for property on Somers Street to be recomputed.

✓  
030

COMMUNICATION - Request of Ward Mazzucco for the City to accept Land on TaAgan Point Road for Road Widening purposes.

The Communication was

✓  
031

COMMUNICATION - Appointment of a Fire Inspector/ Deputy Fire Marshal for the Danbury Fire Dept.

The communication was - & appointment

✓  
032

COMMUNICATION - Eroded pavement on Vespucci Drive & Offer to City of Danbury of the use of the Vespucci beach.

The Communication was

✓  
033

DEPARTMENT REPORTS

|  |                        |
|--|------------------------|
| Fire Chief                                   | Blood Pressure Program |
| Fire Marshal                                 | Housing Inspector      |
| Parks & Recreation                           | Health Inspector       |
| Equal Rights & Opportunities                 | Building Department    |
| Environmental & Occupational Health Services |                        |
| Airport Administrator                        |                        |

The Reports were

AD HOC COMMITTEE REPORTS

✓  
034

REPORT & ORDINANCE

- Sewer Connection Fees.

The Report was accepted and Ordinance deferred for public hearing.

✓  
035

REPORT & ORDINANCE

- Water Connection Charges.

The Report was accepted and Ordinance deferred for public hearing.

✓  
036

REPORT

- Request to rent a lot at the corner of Backus Ave. & Kenosia Ave

The Report was

037  
REPORT

- Sewer Assessment Lien for Dr. Machcinski

The Report was

✓  
038  
REPORT

- Automobile Tax Payments

The Report was

✓  
039  
REPORT

- Blasting Notifications

The Report was

✓  
040  
REPORT

- Drainage on South Avenue

The Report was

✓  
041  
REPORT

- Municipal Brass Band.

The Report was

✓  
042  
REPORT

- Sewer Rates

The Report was

✓  
043  
REPORT

- Sunset Review Committee

The Report was

✓  
044  
REPORT

- Sewer Extension for Friendly Restaurant - Mill Plain Road.

The Report was

✓  
045  
REPORT &  
ORDINANCE

- Ordinance making appropriations for various public improvements for Recreational & Library facilities.

The Report was \_\_\_\_\_ & the Ordinance \_\_\_\_\_

RESOLUTION

- Providing for Special City Meeting to be called by the Mayor pursuant to Section 7-10(a) of the Revised City Charter..

The Resolution was

✓  
046  
REPORT

- Status Report re: Petition for sewer & water - Turner Road.

The Report was

*See New Ordinances*

REPORT & ORDINANCE

- Section 2-56.10(c) (Youth Commission)

The Report was accepted and Ordinance adopted.

✓ 048  
REPORT & ORDINANCE

- Sec. 2-54(c) - Equal Rights & Opportunities.

The Report was accepted and Ordinance adopted.

✓ 049  
REPORT & ORDINANCE

- Section 13A-13 - Richter Park Authority.

The Report was accepted and Ordinance adopted.

✓ 050  
REPORT & ORDINANCE

- Sec. 2-56-14(b) - Commission for the Handicapped.

The Report was accepted and Ordinance adopted.

✓ 051  
REPORT & ORDINANCE

- Amendment to Sec. 14-4 - Retirement Dates.

The Report was accepted and Ordinance adopted.

✓ 052  
REPORT & ORDINANCE

- Road Opening Permits

The Report was accepted and Ordinance adopted.

✓ 053  
REPORT & ORDINANCE

- Delinquent Landfill Use Bills.

The Report was accepted and Ordinance adopted.

✓ 054  
REPORT & ORDINANCE

- Legislation for repeat and re-inspection of construction projects.

The Report was accepted and Ordinance adopted.

✓ 055  
REPORT & ORDINANCE

- Tax Exemptions - Charitable, Religious or Non-Profit Organizations.

The Report was accepted and Ordinance adopted.

✓ 056  
REPORT

- Request for the use of the Danbury Railroad Station.

The Report was

✓ 057  
REPORT

- Retaining Wall on Golden Hill

The Report was

REPORT &  
ORDINANCE

- Tax Credit for the Elderly.

The Report was accepted and Ordinance adopted.

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✓  
059  
REPORT

- Surplus Land on East Franklin St.

The Report was

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✓  
060  
REPORT

- Affordable Housing.

The Report was

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PUBLIC SPEAKING SESSION

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

COMMON COUNCIL MEETING AGENDA - APRIL 1, 1986

CONSENT CALENDAR

- 02 - Resolution - Release and Abandon Agreement Re: U.S. Rt. 7.
- 03 - Resolution - Preliminary engineering of Municipal Utility Adjustments Re: I-84 Widening.
- 04 - Communication - Danbury Hospital vs. City of Danbury (Cheng H. Chao).
- 05-1 - Resolution - Relocation of Public Utility facilities Rt. 39 & SR 841 (Down St.)
- 036 - Report - Request to rent a lot at the corner of Backus Ave. & Kenosia Av
- 037 - Report - Sewer Assessment Lien for Dr. Machcinski.
- 038 - Report - Automobile Tax Payments.
- 039 - Report - Blasting Notifications
- 040 - Report - Drainage on South Ave.
- 042 - Report - Sewer Rates.
- 043 - Report - Sunset Review Committee.
- 044 - Report - Sewer Extension for Friendly Restaurant - Mill Plain Road.
- 046 - Report - Status Report re: Petition for sewer & water - Turner Road.
- 047 - Report & Ordinance - Section 2-56.10(c) - Youth Commission.
- 048 - Report & Ordinance - Sec. 2-54(c) - Equal Rights & Opportunities.
- 049 - Report & Ordinance - Section 13A-13 - Richter Park Authority.
- 050 - Report & Ordinance - Section 2-56-14(b) - Commission for the Handicapped
- 051 - Report & Ordinance - Amendment to Sec. 14-4 - Retirement Dates.
- 052 - Report & Ordinance - Road Opening Permits.
- 053 - Report & Ordinance - Delinquent Landfill Use Bills.
- 054 - Report & Ordinance - Legislation for repeat & re-inspection of construction projects.
- 055 - Report & Ordinance - Tax Exemptions - Charitable, Religious or Non-Profit Organizations.
- 056 - Report - Request for the use of the Danbury Railroad Station.
- 057 - Report - Retaining Wall on Golden Hill.
- 058 - Report & Ordinance - Tax Credit for the Elderly.
- 059 - Report - Surplus land on East Franklin St.

ALVIN W. HALL, JR.  
20 OLD WEST MOUNTAIN ROAD  
RIDGEFIELD, CONNECTICUT 06877

March 22, 1986

Office of The City Clerk  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

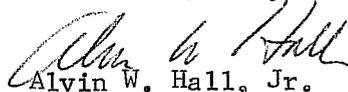
RECEIVED  
MAR 25 1986  
OFFICE OF CITY CLERK

Re: Pot-hole damage

On Friday, March 14, 1986 at approximately 7:40 p.m. I was driving my 1984 Nissan Maxima eastward on Miry Brook Road in Danbury. I was accompanied by my wife and two other people. After the Pine Mountain Road intersection I had to come to a stop to allow a car to back out of a driveway. I then proceeded but a short distance and was going about 25 mph when, approximately 200 yards before the entrance to The Wooster School, I struck a deep pothole which was hidden by water. I checked the right front tire and noticed a mark; the next day I took the car to Bob Sharp Motors, Georgetown. They determined the steel belt in the right front tire had broken and the tire was hazardous. Accordingly, Bob Sharp Motors replaced the tire at a total cost of \$104.85.

I am enclosing a copy of the bill for appropriate reimbursement. Please advise if any additional information is needed.

Sincerely yours,



Alvin W. Hall, Jr.  
20 Old West Mountain Road  
Ridgefield, Ct. 06877

Phone: 203-438-5330

Encl.

VEHICLE IDENTIFICATION NO. **JM1 HW01S14TR38533** ODOMETER READING **14521** MODEL **84 Max** LICENSE **D** COLOR **Grey** SERVICE ADVISER **Mc** REPAIR ORDER NO. **3282**

NAME **Hall** ALVIN

20 Old W **Wheaton RI**

PHONE RES. **06877** PHONE BUS. **06877**

TIME RECD. **11:15** TIME PROM. **11:15** WAIT  YES  NO OTHER

SERVICE LABOR RATE **IS BASED ON \$** PER FLAT RATE HOURS

HOW PAID **CASH** MASTER CARD VISA CHECK

REC BY **BOB SHARP MOTORS, INC.**

Danbury Road, P.O. Box 278, Wilton, Conn 06897

TOTAL MILES DRIVEN

PARTS TO SHOP ORDER

| PART NUMBER        | DESCRIPTION | LIST PRICE |
|--------------------|-------------|------------|
| 185/70XR14 B/stone |             | 7800       |

DEL. DATE **050** MRG. DATE **050** ADD'L R.O. NO. **050**

ORIGINAL ESTIMATE \$ **84** AUTHORIZED ADULT REPAIRS \$ **max** EMPLOYEE RECEIVING AUTHORIZATION **max** SPECIFIC AUTHORIZATION GIVEN **max**

DATE **11/11/85** TIME **11:15** WAIVER OF ADVANCE ESTIMATE  I VOLUNTARILY REQUEST THAT REPAIRS BE PERFORMED ON MY VEHICLE WITHOUT AN ADVANCE ESTIMATE OF THEIR COST. BY SIGNING THIS FORM, I AUTHORIZE REASONABLE AND NECESSARY COST TO REMEDY THE PROBLEMS COMPLAINED OF UP TO A MAXIMUM OF \$ **max**. THE REPAIR SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL CONSENT. VEH. IDENT. # **max** MODEL **max** YEAR, MAKE OR MODEL **max** LABOR INSTRUCTIONS **max** DATE **11/11/85** TIME **11:15**

| MECH. NO. | F.C. | OPERATION | TIME | LABOR INSTRUCTIONS                | LABOR |
|-----------|------|-----------|------|-----------------------------------|-------|
|           |      |           | A    |                                   |       |
|           |      |           | B    | Shine at 55-60 mph - RT tire (26) |       |
|           |      |           | C    | Front wheel - Balan (2)           | 21.00 |
|           |      |           | D    |                                   |       |
|           |      |           | E    |                                   |       |
|           |      |           | F    |                                   |       |

RECOMMENDED SERVICE & REPAIRS

PARTS & SERVICE SALES

| RECOMMENDED SERVICE & REPAIRS | AMOUNT |
|-------------------------------|--------|
| 1. _____                      | 21.00  |
| 2. _____                      |        |
| 3. _____                      |        |
| 4. _____                      |        |
| 5. _____                      |        |
| 6. _____                      |        |

**BOB SHARP MOTORS, Inc.**

Danbury Road, Box 278  
Wilton, Conn. 06897  
Phone (203) 544-8313



THANK YOU

STATEMENT BELOW OF LIMITED WARRANTY  
WE GUARANTEE OUR SERVICE WORK ON DATSUN VEHICLES FOR 90 DAYS OR 4000 MILES, WHICHEVER COMES FIRST. IF OUR REPAIR OR REPLACEMENT FAILS IN

|            |        |
|------------|--------|
| TAX        | 5.85   |
| CASH SALES | 107.85 |
| CASH SALES |        |

29 CHARTERHOUSE RD.  
NEW MILFORD CONN. 06776  
MARCH 24, 1986

RECEIVED

MAR 24 1986

CITY CLERK  
CITY OF DANBURY  
155 DEER HILL AVE  
DANBURY, CONN. 06810

OFFICE OF CITY CLERK

TO WHOM IT MAY CONCERN,

ON FRIDAY (3/21/86) MORNING WHEN DRIVING TO WORK I ENCOUNTER A DEEP POT HOLE ON CROSS ST. (north side, 100 ft. from triangle st. heading south). WITHIN A HALF HOUR UPON REACHING WORK I NOTICED A FLAT TIRE ON MY 1971 "C-10" PICKUP TRUCK. WHEN CHANGING THE TIRE I NOTICED A BENT RIM AND RUINED TIRE.

AT 3:25 pm I SPOKE WITH KATHY MATHISON AT THE PUBLIC WORKS DEPT. AND REPORTED THE ABOVE INCIDENT. SHE RECORDED MY NAME AND INSTRUCTED ME TO GET AN ESTIMATE TO SUBMIT TO YOUR OFFICE.

ENCLOSED PLEASE FIND AN ESTIMATE TO TAKE CARE OF THE MATTER.

THANK YOU VERY MUCH FOR YOUR TIME.

RICHARD P. HAYES

*Richard P Hayes*

# Connecticut Auto Repair Service OF NEW MILFORD, INC.

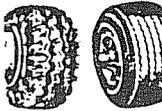
NEW MILFORD SHOPPING PLAZA  
164A DANBURY RD. RT. 7  
NEW MILFORD, CONN. 06776  
Tel. 354 - 4461

①

Name: Hanes Date: 3/22/76  
 Address: 29 Cooper Street Lic. Plate: \_\_\_\_\_  
 City: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Make: Chrysler Model: Chrysler Year: 1971 Mileage: \_\_\_\_\_

| Qty.                 | Work Description           | Each      | Total  |
|----------------------|----------------------------|-----------|--------|
| 1                    | 40390 Rim                  |           | 46.57  |
| 1                    | PAINT/75 3x15<br>LEVA AIRB |           | 54.95  |
| 1                    | Valve Stem                 |           | 2      |
|                      | Cap to Valve (the)         |           | 4      |
| <u>Estimate only</u> |                            |           |        |
|                      |                            | SUB TOTAL | 107.45 |
|                      |                            | TAX       | 7.16   |
|                      |                            | TOTAL     | 114.61 |

TIRE(S)



ALIGNMENT



BRAKES



OIL & FILTER



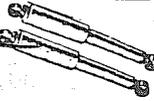
EXHAUST



FRONT END



SHOCKS



BATTERY



SPRINGS



MISC.

C DC

①

*Law Offices*  
*of*  
*William W. Sullivan, P.C.*  
57 NORTH STREET, SUITE 404  
P.O. BOX 331  
DANBURY, CONNECTICUT 06810

RECEIVED  
MAR 20 1986  
OFFICE OF CITY CLERK

WILLIAM W. SULLIVAN  
EDWARD M. BOUCHER, JR.  
CLAUDIA J. MARCHAK

(203) 744-6300

March 18, 1986

Ms. Betty Crudgington  
City Clerk  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Kimberly Kovacs/Jay Belansky

Dear Betty:

I represent Kimberly Kovacs who was the operator of a motor vehicle hit from behind by one Jay Belansky on January 21, 1986.

For your quick reference, I enclose a photocopy of letter from Metropolitan Life Company which insures Mr. Belansky. The insurance company alleges notice on the party of the City to the effect that a water main had broken the evening before the accident causing a flooded and icy condition, which was the proximate cause of the accident.

I felt that I should put the City on notice, in any event, and if you feel the enclosed information is not sufficient, please let me know.

Best regards,

  
William W. Sullivan

WWS:sm

**Metropolitan Property and Liability Insurance Company**

Wethersfield Field Claim Office  
825 Brook Street, P.O. Box 799, Rocky Hill, CT 06067



**Metropolitan Life**  
AND AFFILIATED COMPANIES

March 5, 1986

①

Attorney William Sullivan  
57 North Street  
Danbury, CT 06810

RE:       OUR INSURED:   Jay Belansky  
          OUR CLAIM #:   A261 2557AC  
          LOSS DATE:     1/21/86  
          YOUR CLIENT:   Kimberly Kovacs

Dear Mr. Sullivan:

We have been advised that you represent Kimberly and Richard Kovacs for property damages resulting from the automobile accident of January 21, 1986 in Danbury, Ct.

We insure the other vehicle involved in this accident. Both vehicles were traveling westbound on Germantown Road. Mr. Belansky was behind Ms. Kovacs. Both vehicles lost control on a sudden icy patch in the road. This icy patch was caused by a broken water main in the general area. Ms. Kovacs was able to regain control of her vehicle and Mr. Belansky, while in the process of regaining control of his vehicle, struck the left rear of Ms. Kovacs' vehicle causing damage.

Due to the fact that the Town of Danbury was aware of this hazardous condition and did not take the necessary steps to repair the water main, we are prepared to make a 50% settlement on your client's damages. If this is acceptable to your client, kindly notify our office and we will send our check for \$852.12 (pending further damage.)

Sincerely,

  
Velinda Daniels,  
Claim Representative

VD/ebn

1 800 854-6011

PLEASE INCLUDE CLAIM NUMBER ON ALL CORRESPONDENCE

RECEIVED  
MAR 20 1986

OFFICE OF CITY CLERK

JOAN BALLIN  
147 SETH LOW MT RD  
RIDGEFIELD, CONN.  
06877

3/16/86

City of Danbury  
155 Deer Hill Ave  
Danbury CT 06810  
Dear SIR:

Going to Danbury Thursday night 3/13/86 8:PM

PPROB <sup>10</sup> ~~10~~ - Ridgbury Rd Danbury Ct 06810 sort of opposite fuel hydrant  
I hit a pot hole & tore my

tire ~~to~~ to pieces. Car coming opposite way &  
could not avoid it. Enclosed copy of  
Bill for my tire.

Please send the  
amount to above address

Thank you  
J Ballin

P.S. There are 3 or 4 pot holes  
all sides of the one I hit



57124

33740

ACCOUNT NO.

ROUTE 7, BROOKFIELD, CT TEL. 775-1671

MR. MRS. MS.

JOAN DALVIN

ADDRESS 1147 SEYMOUR

CITY SALE TYPE SALES PERSON MAKE, MODEL, YEAR LICENSE # PHONE # ZIP DATE

3/15/86

QTY DESCRIPTION IBM # PRICE AMOUNT

| QTY | DESCRIPTION | IBM # | PRICE | AMOUNT |
|-----|-------------|-------|-------|--------|
| 1   | 155-80R13   | 0442  |       | 35.20  |
|     | CR10        |       |       |        |
| 1   | Star        | AM    |       | 1      |

| NON-TAXABLE     |                   |       | SUB TOTAL    |
|-----------------|-------------------|-------|--------------|
| QTY             | DESCRIPTION       | IBM # | PRICE AMOUNT |
|                 | STATIC BALANCE    |       | 35.20        |
| 1               | COMPUTER BALANCE  |       | 2.64         |
|                 | ALIGNMENT         |       | 4            |
|                 | TOTAL NON-TAXABLE |       | 41.84        |
| SALES TAX       |                   |       |              |
| NON TAXABLE     |                   |       |              |
| PAY THIS AMOUNT |                   |       |              |

SPECIAL MOUNTING IN AUCTIONS

New to RR #4

COMMENT - COMPLIMENTS - COMPLAINTS

Town Fair serves thousands of customers each year. In order to help us serve you better, if you have a comment, compliment, or complaint or just want to talk to us about our operation - please call - it will be greatly appreciated.

Contact or Write NEIL MELLEN, PRESIDENT TOWN FAIR TIRES 114 HONEYSPOT ROAD, STRATFORD, CT 06497 Out of Town Call Collect (203) 378-8625

LIMITED TIRE WARRANTY

WORKMANSHIP

The tires you have purchased are guaranteed for workmanship. If a defect in workmanship appears, we will, at our option, repair the tire AT NO CHARGE or replace it, charging you only for what you've used, pro rata on tread depth.

YES NO [X] [ ]

ROAD HAZARD

The tires you have purchased are guaranteed for road hazards. If anything should happen to the tire due to a road hazard (glass, curbs, stones, potholes, etc.) we will, at our option, repair the tire AT NO CHARGE or replace the tire - you pay only for what you've used, pro rata on tread depth.

YES NO [ ] [X]

MILEAGE

The tires you have purchased are guaranteed the first time. If you do not receive the miles stated, TOWN FAIR TIRE CENTERS INC. will give you a credit towards a new tire based on the following:

YES NO [ ] [X]

CURRENT MILEAGE \_\_\_\_\_ GUARANTEED MILEAGE \_\_\_\_\_ Mileage Not Received = % Credit Mileage Guaranteed = % Credit Original Cost (Incl. FET) = \$ Credit Due Customer

- A) This Warranty is limited to tire replacement only and does not cover damages of any kind or nature.
- B) Sales slip and guarantee must accompany adjustment tire.
- C) All tires are pro rated to 2/32" depth--Connecticut legal replacement depth.

Terms: 30 days. A finance of 1 1/2% percent, which is an annual percentage rate of 18% percent, will be added to amounts 30 days past due. Customer agrees to pay reasonable attorney fees and costs incurred in collections.

CLEAVE 48  
 SL TYP 51  
 METAL 57124  
 SALE 5991  
 INVO 442  
 ZIP CD 31.20  
 LBN # MERCH 121  
 LBN # MERCH 1.00  
 LBN # MERCH 1.51  
 MERCH 4.00  
 SUBTOTAL 39.20  
 TAX 2.64  
 T.C. VISA TL 41.84



11½ Beech Street  
Bethel, Ct. 06801

March 13, 1986

①

City of Danbury  
Town Hall  
Danbury, Ct. 06810

Att: City Clerk

Dear Sir:

Today while driving my brand new car, I hit a pothole located on Sandpit Road and totally ruined my tire.

You can imagine how upsetting this was to me, I had my car a total of three days and need to replace my tire that had only 75 miles usage on it.

I called Belardinelli Tire to come and fix my flat but they said the tire was beyond repair. I might add that they also ran over the pothole and commented on the condition of the road.

Since my tire was destroyed through no fault of my own I feel it is up to the town of Danbury to absorb the cost of a replacement.

I feel the town was negligent in its responsibility to maintain the road properly and therefore should be expected to be held accountable.

I hope to hear from you soon regarding this matter.

Sincerely yours,



Betty Read

RECEIVED  
MAR 14 1986  
OFFICE OF CITY CLERK

1  
March 10, 1986

City Clerks Office  
155 Deer Hill Ave.  
Danbury, Ct. 06810

RECEIVED  
MAR 11 1986

OFFICE OF CITY CLERK

Attn: Betty Crudginton,

I am writing to the Common Council per the Danbury Clerks Office in reference to an insurance claim for my damaged car.

My car was damaged on February 2, 1986 approx time 7:45 AM on Briar Ridge Road, Danbury, (due to the condition of the road, accumulation of ice and ice ruts). We called the Highway Dept. at approx. 12:45 to get the road cleared & was told it was on the schedule. On return home at 5 PM the road was cleared and the ice pot holes removed.

Enclosed is a statement of repaid estimated by my insurance company Sentry Claims Service, which I just received, their address is 98 South Turnpike Road, Box 5002, Wallingford, CT. 06492-7502. Filed: 73A057221 Insured: Vincent Vono JR. Date of Loss: 2-3-86. Work being done at: Smitty's Garage RT. 53, Bethel, CT. 06801

Sincerely,

*Vincent Vono Jr.*

Vincent Vono Jr.  
23 Rolfs Drive  
Danbury, Ct. 06810  
(203) 743-1677 Home  
(203) 797-1044 Work

enc.



**Sentry Claims Service**

**REPAIR ESTIMATE**  
Roifs Dr.

Company

P/C

|   |              |                         |                     |                     |                      |
|---|--------------|-------------------------|---------------------|---------------------|----------------------|
| OWNER<br>Vince Vono                         |              | ADDRESS<br>23 Ross Dr ↑ |                     | PHONE<br>792-1044   |                      |
| INSURED                                     |              | CLAIM NO.<br>75057221   |                     | DATE OF LOSS<br>7/3 |                      |
| YEAR<br>81                                  | MAKE<br>Ford | MODEL<br>Escort         | BODY STYLE<br>Hatch | MILEAGE<br>8052     | LICENSE NO.<br>D6WBM |
| VEHICLE IDENTIFICATION NO.<br>1F8B9275T1918 |              |                         |                     |                     |                      |

| RE-PAIR      | RE-PLACE | DETAILS OF REPAIRS AND REPLACEMENTS | LABOR HOURS | PARTS AT LIST | SUBLET AND NET ITEMS |
|--------------|----------|-------------------------------------|-------------|---------------|----------------------|
| ✓            |          | Rt Front Wheel                      | 3           | 44.57         | 5                    |
| ✓            |          | Frame Repair                        | 8.0         |               |                      |
| ✓            |          | Front wheel align                   | 1.2         |               |                      |
|              |          | Undercar                            |             | 10            |                      |
|              |          | MMT                                 |             |               |                      |
|              |          | LT front wheel old damage           |             |               |                      |
| <b>TOTAL</b> |          |                                     |             |               |                      |

It is understood that the undersigned is prepared to complete and guarantee the above repairs at a price of \$\_\_\_\_\_ including all charges incidental thereto.

**NO ADDITIONS TO THIS APPRAISAL WITHOUT PRIOR APPROVAL  
THIS INSTRUMENT IS NOT AN AUTHORIZATION TO REPAIR**

|                             |             |                    |      |
|-----------------------------|-------------|--------------------|------|
| AGREED PRICE BY (SIGNATURE) |             | PHONE              |      |
| REPAIR SHOP                 |             |                    |      |
| APPRaiser                   | LICENSE NO. | APPROVED BY        | DATE |
| <i>[Signature]</i>          | 2033        | <i>[Signature]</i> | 7/3  |

|                      |                 |            |
|----------------------|-----------------|------------|
| Labor                | 9.5 Hrs. @ \$28 | \$266.10   |
| Parts - Less         | % \$            | \$54.87    |
| Net                  |                 | \$14.62    |
| LT front wheel allow |                 | \$20.10    |
|                      |                 | \$1        |
| <b>SUBTOTAL</b>      |                 | \$1        |
| Tax                  |                 | \$3.76     |
| <b>TOTAL</b>         |                 | \$358.33   |
| DEDUCTIBLE           | BETTERMENT      | OWNER PAYS |
| \$                   | \$              | \$         |



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

*✓*  
*Murray KC*  
*Agenda*

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

①

PLEASE REPLY TO:

DANBURY, CT 06810

March 7, 1986

The Honorable James E. Dyer  
Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Claim submitted by Mr. Seri  
52 Lake Avenue  
Danbury, Connecticut 06810

Dear Honorable Mayor:

At the time that the standing committees of the counsel were abolished, this claim had not been decided by the claims committee. I attempted to bring this claim to the attention of the committee appointed in December; however, the chairman of the committee informed me that the sole purpose for the committee was to accept and refer those claims submitted to the City in the month of December.

I would appreciate your appointing a committee of the counsel, if you feel it is necessary, to review and make a final determination on this claim. Please advise.

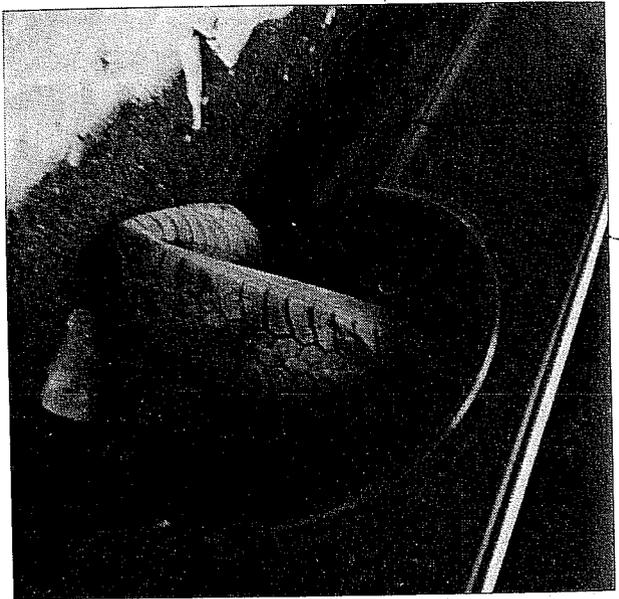
Very Truly Yours,

*Lawrence M. Riefberg*  
*LMR*

Lawrence M. Riefberg

LMR/kf

①



Front Right Wheel damaged  
And fender bent up  
8-27-86



old Shelter Rock rd  
8-27-86

RECEIVED

MAR 3 1986

OFFICE OF CITY CLERK

Feb. 27, 1986

Attention: Betty Crudginton

Dear City of Danbury,

I am making a claim against the city of Danbury My insurance company has been informed., of my clam against you.

The accident took place on Old Shelter Rock Rd.

At approxamently 11:00 am. Today, 2/27-86

I have pictures atesting to the poor road conditions

The accident happend this way; I was climing the hill while a trailer truck was comming in the oposite direction, my side of the road was full of ice biuld up patches, but because of the truck comming at me I had to go thru the ice, right away after the ice patches I hit alarge rock that was on the road in my lane. the rock was so big and sharp that it busted my tire and jammed my steering, and dented my right front fender. The police report # is 86-05028.

Forrany other information you may contact my insurance co. Liberty Mutuel 3715 Main st. Bridgeport, CT.

Or You May call me Rebecca Lee- 792-5851

Thank You for you quick attention;

Rebecca Lee

RECEIVED

MAR 3 1986

OFFICE OF CITY CLERK

Feb. 27, 1986 (1)

Attention: Betty Crudginton

Dear City of Danbury,

I am making a claim against the city of Danbury  
My insurance company has been informed., of my clam  
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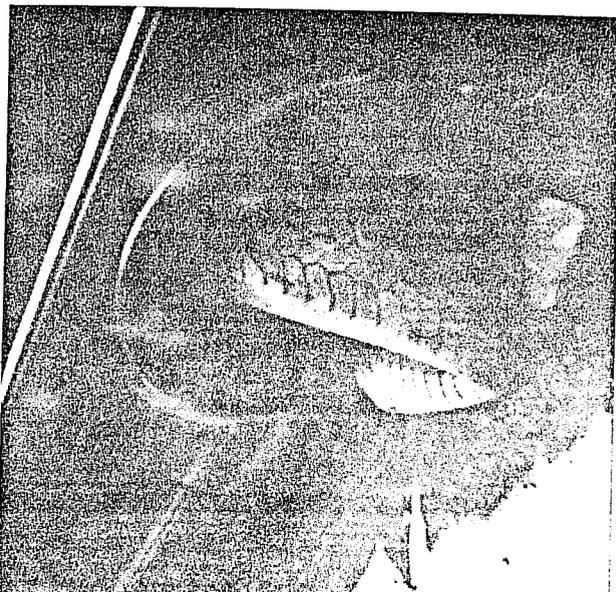
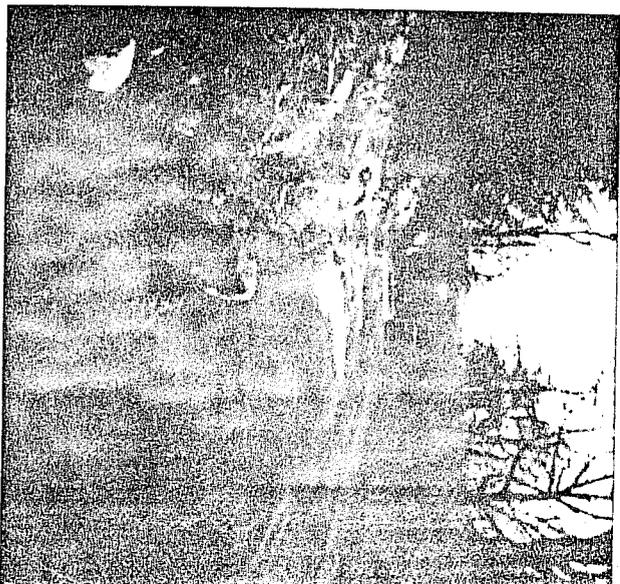
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patches I hit alarge rock that was on the road in my  
lane. the rock was so big and sharp that it busted  
my tire and jammed my steering, and dented my right  
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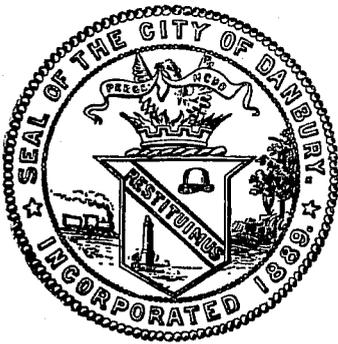
Rebecca Lee



Old Shelter Rock Rd

Front Right wheel damaged

8-57-86



# RESOLUTION 2

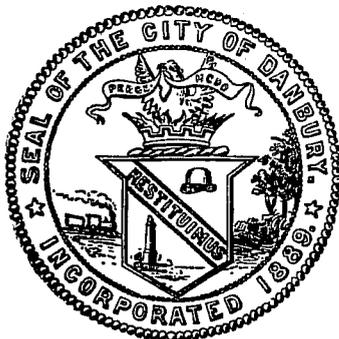
CITY OF DANBURY, STATE OF CONNECTICUT

APR 1 1986

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

THAT James E. Dyer, Mayor of the City of Danbury, be, and hereby is, authorized to sign an agreement entitled: Release and Abandon Agreement Between the State of Connecticut and the City of Danbury, in Conjunction with the Construction of the U. S. Route 7 Expressway in the City of Danbury, State Project Nos. 34-190 and 34-195, Federal Aid Project No. F-7 (103)" identified as Agreement No. 12.11-04(85).



# RESOLUTION

3

CITY OF DANBURY, STATE OF CONNECTICUT

APR 1 1986 A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State plans to widen portions of Interstate Route 84 (State Project No. 34-189; Federal Aid Project No. IR-84-1(57)(4) may involve adjustment to municipal utilities; and

WHEREAS, certain preliminary engineering and test pit charges will be incurred by the City of Danbury in order to prepare necessary plans and estimates for such adjustments; and

WHEREAS, the State of Connecticut is willing to reimburse the City for one hundred percent of the net cost of said preliminary engineering and test pit charges in the amount of Three Thousand, Seventy-One Dollars (\$3,071.00);

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute an agreement with the State of Connecticut to accept said reimbursement and to perform any additional acts that may be necessary to effectuate the purposes hereof.



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

*Mary R. -  
Agenda*

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

4

PLEASE REPLY TO:

DANBURY, CT 06810

March 21, 1986

The Honorable James E. Dyer  
Mayor, City of Danbury  
155 Deer Hill Ave.  
Danbury, CT 06810

Re: Danbury Hospital vs. City of Danbury (Chao)

Dear Mr. Mayor:

On July 15, 1985 Ted Goldstein, Corporation Counsel, turned this matter over to me for handling. As I explained to the standing claims committee during my numerous meetings with them, suit had been brought against the City of Danbury by Danbury Hospital for collection of medical bills relating to the above patient. I have enclosed copies of all the pertinent correspondence for your file.

I have reached a proposed settlement with Danbury Hospital in the amount of \$3,747.37. You will note that the initial suit claimed hospital services rendered to the value of \$7,377.47. We insisted that the Danbury Hospital bill us for the "state rate". I have been advised by the state officials working on this matter with me that the City of Danbury will be reimbursed 90% of this cost. Therefore, the total City expenditure in this case would be \$347.73 after we received the state reimbursement. This is a claim that is not covered by our insurance company. Therefore, if you feel it is necessary to appoint a claims committee to review this I would appreciate your doing so at the next council meeting. If not, I can certainly present this claim myself at the next meeting. Please advise.

Please do not hesitate to contact me in the event that you have any question or concerns.

Very truly yours,

Lawrence M. Riefberg

LMR/am

**INSTRUCTIONS**

Prepare on typewriter: sign original summons (top sheet) and conform copies of the summons (sheets 3 and 4).  
 If there is more than one defendant, prepare or photocopy conformed summons for each additional defendant.  
 Attach the original summons, with computer sheet attached (page 2), to the original complaint, and attach a copy of the summons to each copy of the complaint. Also, if there are more than 2 plaintiffs or 4 defendants prepare form JD-CV-2 and attach it to the original and all copies of the complaint.  
 After service has been made by officer, file original papers and officer's return with the clerk of the court.  
 The party recognized to pay costs must appear personally before the authority taking the recognizance.  
 Do not use this form for actions in which an attachment, garnishment or replevy is being sought. See Practice Book Section 49 for other exceptions.

a) Amount, legal interest or property in demand ~~exclusive~~ of interest and costs is -  
 less than \$2,500  
 \$2,500 through \$14,999.99  
 \$15,000 or more  
 OR  
 b)  Claiming other relief in addition to or in lieu of money damages.

Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this summons and attached Complaint.

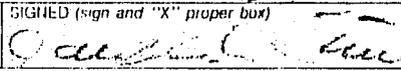
|  |   |   |
|--|---|---|
| JUDICIAL DISTRICT OR G.A. NO.<br><b>D. of Danbury</b>  | CITY (Town in which writ is returnable) (Gen. Stat. 51-346, 51-349)<br><b>Danbury</b> | RETURN DATE (Mo., day, yr.)<br><b>May 7, 1985</b>                           |
| ADDRESS OF CLERK OF COURT WHERE WRIT AND OTHER PAPERS SHALL BE FILED (Gen. Stat. 51-347, 51-350)<br><b>6 White Street, Danbury, CT 06810</b> |   | CASE TYPE (From Judicial dept. code list)<br>Major <b>C</b> Minor <b>40</b> |

|                       |   |   |  |
|-----------------------|---|---|--|
| PARTIES               | NOTE: Individual's Names: Last, First, Middle Initial | NAME AND ADDRESS OF EACH PARTY                                    | <input type="checkbox"/> Form JD-CV-2 attached |
| FIRST NAMED PLAINTIFF |   | <b>DANBURY HOSPITAL, INC., Hospital Avenue, Danbury, CT 06810</b> |  |
| Additional Plaintiff  |   |   |  |
| FIRST NAMED DEFENDANT |   | <b>CITY OF DANBURY, Danbury, CT 06810</b>                         |  |
| Additional Defendant  |   | <b>CHAO, C. H. KU, 14 Pond Crest Road, Danbury, CT 06811</b>      |  |
| Additional Defendant  |   |   |  |
| Additional Defendant  |   |   |  |

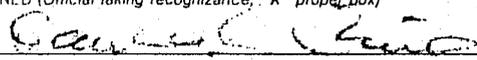
**NOTICE to each DEFENDANT**

You are being sued.  
 This paper is a Summons in a lawsuit.  
 The Complaint attached to these papers states the claims that each Plaintiff is making against you in this lawsuit.  
 To respond to this summons, or to be informed of further proceedings, you or your attorney must file a form called an "Appearance" with the Clerk of the above named Court at the above Court address on or before the second day after the above Return Date.  
 If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default.

- The "Appearance" form may be obtained at the above Court address.
- If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately take the Summons and Complaint to your insurance representative.
- If you have questions about the Summons and Complaint, you should consult an attorney promptly. The Clerk of Court is not permitted to give advice on legal questions.

|                               |  |  |
|-------------------------------|--|--|
| DATE<br><b>April 12, 1985</b> | SIGNED (sign and "X" proper box)<br> <input checked="" type="checkbox"/> Commissioner of Superior Court<br><input type="checkbox"/> Assistant Clerk | TYPE IN NAME OF PERSON SIGNING AT LEFT<br><b>Harold A. Bochino</b> |
|-------------------------------|--|--|

|  |                                  |  |
|--|----------------------------------|--|
| NAME AND ADDRESS OF ATTORNEY, LAW FIRM OR PLAINTIFF IF PRO SE<br><b>Harold A. Bochino, Esq., 57 North St., Danbury, CT 06810</b> | TELEPHONE NO.<br><b>748-4966</b> | JURIS NO. (If atty. or law firm)<br><b>05012</b> |
|--|----------------------------------|--|

|   |                                  |
|---|----------------------------------|
| NAME AND ADDRESS OF PERSON RECOGNIZED TO PROSECUTE IN THE AMOUNT OF \$250<br><b>Peter S. Darling, Brookwood Drive, Newtown, CT 06470</b>  | SIGNATURE OF PLAINTIFF IF PRO SE |
| PLFS.: <b>1</b> NO. DEFS: <b>2</b> NO. CNTS: <b>2</b> SIGNED (Official taking recognizance, "X" proper box)<br> <input checked="" type="checkbox"/> Commissioner of Superior Court<br><input type="checkbox"/> Assistant Clerk | For Court Use                    |

**THIS SUMMONS IS SIGNED by a CLERK:**

The signing has been done so that the Plaintiff(s) will not be denied access to the courts.  
 It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law.  
 The Clerk is not permitted to give any legal

- advice in connection with any lawsuit.
- The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service thereof.

|   |                           |             |            |
|---|---------------------------|-------------|------------|
| whereby certify I have read and understand the above: | SIGNED (Pro se plaintiff) | DATE SIGNED | DOCKET NO. |
|---|---------------------------|-------------|------------|

4

WHEREFORE, the Plaintiff claims COMPLAINT

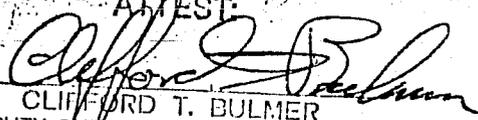
FIRST COUNT: (As to Defendant C. H. Ku Chao)

1. Between December 1, 1984 and December 12, 1984 the Plaintiff rendered hospital services of the value of \$7,377.74 to the Defendant C. H. KU CHAO, as shown on Exhibit A annexed hereto.
2. Said sums remain wholly due and owing to the Plaintiff.

SECOND COUNT: (As to Defendant City of Danbury)

1. Paragraphs 1 and 2 of the First Count are hereby made Paragraphs 1 and 2 of the Second Count.
3. On or about December 3, 1984 the Plaintiff gave Notice to the Defendant CITY OF DANBURY that it intended to look to the Defendant CITY OF DANBURY for payment of the Plaintiff's charges for the aforementioned services rendered or to be rendered to the aforementioned Defendant C. H. KU CHAO. In the Notice provided to the Defendant CITY OF DANBURY, the Plaintiff gave information which was then available to it as to the name, address, age and financial status of the said Defendant, C. H. KU CHAO. A copy of said Notice is annexed hereto as Exhibit B.
4. Although, at the time of said admission to the Plaintiff's hospital, the said Defendant C. H. KU CHAO was liable to be supported by the Defendant CITY OF DANBURY, the Defendant CITY OF DANBURY has failed and refused to furnish the aforementioned necessary hospital services to the Defendant C. H. KU CHAO, as required by Section 17-274 of the Connecticut General Statutes, as amended.

BOCHINO  
 Y AT LAW  
 STREET  
 DX 531  
 CT 06810  
 R-4966  
 O. 09012

A TRUE COPY  
 ATTEST  
  
 CLIFFORD T. BULMER  
 DEPUTY SHERIFF, FAIRFIELD COUNTY

|      |             |     |               |                |
|------|-------------|-----|---------------|----------------|
| NAME | PAID NUMBER | AGE | DATE OF BIRTH | INSURANCE PLAN |
|      | 313200      | 72  | 11/01/1894    | 12710000       |

4

WHEREFORE, the Plaintiff claims damages.  
 Dated at Danbury, Connecticut this 12th day of April, 1985.

PLAINTIFF

By: *Harold A. Bochino*  
 HAROLD A. BOCHINO  
 Its Attorney

|        |        |         |
|--------|--------|---------|
| 450.00 | 450.00 | 1800.00 |
| 205.00 | 205.00 | 1712.00 |
| 850    | 850    | 62.00   |
| 320    | 320    | 543.00  |
| 300    | 300    | 1054.35 |
| 750    | 750    | 440.00  |
| 210    | 210    | 198.85  |
| 200    | 200    | 350.05  |
| 250    | 250    | 250.49  |
| 400    | 400    |         |
| 341    | 341    | 288.00  |
| 981    | 981    | 125.00  |

CHARGED

HAROLD A. BOCHINO  
 ATTORNEY AT LAW  
 7 NORTH STREET  
 P. O. BOX 531  
 DANBURY, CT 06810  
 (203) 748-4966  
 JURIS NO. 05012

A TRUE COPY  
 ATTEST:  
*Clifford T. Bulmer*  
 CLIFFORD T. BULMER  
 DEPUTY SHERIFF, FAIRFIELD COUNTY

|              |                    |
|--------------|--------------------|
| DATE OF BILL | DATE OF PREV. BILL |
| 12/17/84     |                    |

DANBURY HOSPITAL  
 P O BOX 770  
 DANBURY CT  
 203 797-7348  
 FEI # 06-0646597

06810

PAGE NO.  
 HOSP. NO.

| PATIENT NAME | PATIENT NUMBER | SEX | AGE | ADMISSION DATE | DISCHARGE DATE | DAYS |
|--------------|----------------|-----|-----|----------------|----------------|------|
| CHAD, C H KU | 915220         | F   | 72  | 12/01/84       | 12/12/84       | 11   |

| C.O.B. | INSURANCE COMPANY NAME | GROUP NUMBER | POLICY NUMBER |
|--------|------------------------|--------------|---------------|
|        | 0 INSURANCE PLAN       |              |               |

CHAD, C H KU  
 14 POND CREST RD  
 DANBURY, CT, 06811

| DESCRIPTION OF HOSPITAL SERVICES | SERVICE CODE | TOTAL CHARGES  | EST. COVERAGE INS. CO. NO. 1 | EST. COVERAGE INS. CO. NO. 2 | EST. COVERAGE INS. CO. NO. 3 | EST. COVERAGE INS. CO. NO. 4 | AMOUNT DUE     |
|----------------------------------|--------------|----------------|------------------------------|------------------------------|------------------------------|------------------------------|----------------|
| <b>ARY OF CHARGES</b>            |              |                |                              |                              |                              |                              |                |
| ICU 4DAYS@                       | 450.00       | 1800.00        |                              |                              |                              |                              | 1800.00        |
| MED/SUR 7DAYS@                   | 245.00       | 1715.00        |                              |                              |                              |                              | 1715.00        |
| 61 EMER ROOM                     | 450          | 62.00          |                              |                              |                              |                              | 62.00          |
| 51 RADIOL-DIAG                   | 320          | 540.00         |                              |                              |                              |                              | 540.00         |
| 52 LABORATORY                    | 300          | 1554.35        |                              |                              |                              |                              | 1554.35        |
| 54 EKG (ECG)                     | 730          | 440.00         |                              |                              |                              |                              | 440.00         |
| 57 MED SUR GEN                   | 270          | 196.85         |                              |                              |                              |                              | 196.85         |
| 59 IV THERAPY                    | 260          | 350.05         |                              |                              |                              |                              | 350.05         |
| 60 PHARMACY                      | 250          | 250.49         |                              |                              |                              |                              | 250.49         |
| 76 CARDIOLOGY                    | 480          | 97.00          |                              |                              |                              |                              | 97.00          |
| 86 NUCLE CARDI                   | 341          | 268.00         |                              |                              |                              |                              | 268.00         |
| ER. SERVICE                      | 981          | 104.00         |                              |                              |                              |                              | 104.00         |
| <b>TOTAL OF CHARGES</b>          |              | <b>7377.70</b> |                              |                              |                              |                              | <b>7377.70</b> |

DANBURY HOSPITAL

|        |                 |         |
|--------|-----------------|---------|
| 915220 | PAY THIS AMOUNT | 7377.70 |
|--------|-----------------|---------|

**DANBURY HOSPITAL, INC.**  
**P. O. BOX 770**  
**DANBURY, CONNECTICUT 06810**

4

Town/City..... Danbury ..... Date..... 12 3 84  
 Address..... 155 Deer Hill Avenue .....  
 City..... Danbury ..... State..... Ct. ....

Attn: Department of Social Services/General Assistance

Re: Connecticut General Statutes  
 Section 17-274

Gentlemen:

The patient shown below may require assistance to pay his/her Hospital bill. Since State Law requires that we notify each Town of a potential recipient within seven (7) business days from date of admission, we are providing you with as much information as is available to us at this time. You will be advised of any change in the status of this application if we receive more complete information before the patient is discharged.

*Rec'd. 12-14-84*

*Photomark 12-12-84*

|  |                                   |   |                          |
|--|-----------------------------------|---|--------------------------|
| REQUEST FOR GENERAL ASSISTANCE   |                                   | ADMISSION DATE<br>12 1 84   | PATIENT NUMBER<br>913220 |
| NAME<br>C H Ku Chao  |                                   | DATE OF BIRTH<br>9 29 12  | TELEPHONE #<br>746 5428  |
| ADDRESS<br>14 Pond Crest Rd, Danbury, Ct. 06811  |                                   |   | SOC. SEC. #              |
| OCCUPATION<br>not employed   | EMPLOYER'S NAME AND ADDRESS       |   | TEL. #                   |
| SPOUSE/PARENT NAME<br>T. J. Chao   | ADDRESS (IF DIFFERENT FROM ABOVE) |   |                          |
| SPOUSE OCCUPATION  | EMPLOYER'S NAME AND ADDRESS       |   | TEL. #                   |
| NEAREST RELATIVE (NOT SPOUSE) AND ADDRESS  |                                   |   |                          |
| PERSON FINANCIALLY RESPONSIBLE FOR BILL<br>C H Lu Chao                                     |                                   | ADDRESS (IF DIFFERENT FROM ABOVE)   |                          |
| GUARANTOR'S TEL. #<br>746 5428   | ATTENDING PHYSICIAN<br>Weiner     | TYPE OF SERVICE<br><input checked="" type="checkbox"/> MED <input type="checkbox"/> SURGICAL <input type="checkbox"/> OTHER |                          |
| HOSPITAL INSURANCE   |                                   |   |                          |
| IS PATIENT/GUARANTOR A VETERAN<br><input type="checkbox"/> YES <input type="checkbox"/> NO |                                   |   |                          |

*Letter sent 12/3/84*

I authorize the Local Administrator of General Assistance, Town/City of..... Danbury..... to make all necessary inquires and to secure essential verification related to my application and to my continuing eligibility for assistance. In compliance with Section 17-274 of Connecticut General Statutes, I hereby certify that the above financial information is a disclosure of my financial condition. I hereby make application for Town/City aid. I authorize the release of my admitting diagnosis information including psychiatric, drug and alcohol if applicable.

Patient: *X* *C. H. Ku Chao*  
 (or parent's signature if patient is a minor)

Hospital Official:..... D. Sutherland .....  
 Witness:..... J. McGuire .....

Please Cut Along This Line and Return To Us.

C H Ku Chao                      913220                      12 1 84

**DANBURY HOSPITAL**  
**P. O. Box 770**  
**Danbury, Connecticut 06810**

2/27/85

Patient listed above is a citizen of Taiwan. Per instruct of Hartford Policy Consultant, we must deny assistance

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0

CERTIFICATION

THIS IS TO CERTIFY, that the damages claimed in the foregoing action are more than \$2,500.00 but less than \$15,000.00.



HAROLD A. BOCHINO  
Attorney at Law

RECEIVED

APR 12 1982

CLERK OF DISTRICT COURT

RECEIVED AND FILED

APR 12 1982

CLERK OF DISTRICT COURT  
JOHN STEPHENSON'S OFFICE



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

Welfare Department  
797-4569

March 19, 1986

Benjamin Kowalski, Director  
Frederick Hansen, GA Consultant  
State Department of Income Maintenance  
General Assistance Unit  
110 Bartholomew Avenue  
Hartford, Connecticut 06106

re: Danbury Hospital vs. City of Danbury  
Cheng Hwang Ku Chao

Dear Gentlemen:

Pursuant to the recent telephone conversations between ourselves and the City's Corporation Counsel and Jocelyn and Fred, you are aware of the above lawsuit.

The applicant Cheng Chao applied for Ga medical on two separate occasions; both applications are on file. She would have been categorically eligible for GA except for the fact that she was here on a visitor's visa. The case was denied assistance in accordance with the then existing policy and regulations.

Due to the recent State Supreme Court interpretation of the applicable statutes, Mrs. Chao would have been eligible for GA medical. In light of the impending court action, the City of Danbury General Assistance program will assume responsibility for the payment of this bill at the state approved rates.

Please provide written confirmation that this payment will be in accordance with current GA policy and regulations.

Sincerely,

Deborah MacKenzie  
Director

DM/fac  
c.c. Lawrence Reifberg,  
Assistant Corporation Counsel

HAROLD A. BOCHINO

ATTORNEY AT LAW

~~POST OFFICE BOX 93~~

4

SUITE 105  
57 NORTH STREET  
DANBURY, CONNECTICUT 06810  
TELEPHONE (203) 748-4966

March 19, 1986

Lawrence M. Riefberg, Esq.  
Assistant Corporation Counsel  
City of Danbury  
P. O. Box 7  
Danbury, CT 06813

Re: Danbury Hospital vs. City of Danbury (Chao)

Dear Larry:

This is to confirm our telephone conversation of March 18, 1986 at which time we agreed to settle the above entitled matter for the amount that would be owed to my client according to State rates. My client has advised me that the State rate in this case would be \$340.67 per day. Thus, for the eleven-day hospitalization a total of \$3,747.37 would be payable.

Enclosed herewith please find a copy of the Withdrawal of action which has now been filed with the Superior Court.

Kindly request your client to make the settlement check payable to me as trustee and to mail the same to my office.

Thank you for your cooperation.

Very truly yours,



Harold A. Bochino

HAB/sy

Enclosure

4

Docket No. CV-85-0286936S

Return Date .....

DANBURY HOSPITAL, INC.  
(First Named Plaintiff)

SUPERIOR COURT  
(Court)

vs.

JUDICIAL DISTRICT OF DANBURY  
(District or G. A.)

CITY OF DANBURY, ET AL  
(First Named Defendant)

MARCH 19, 1986  
(Date)

WITHDRAWAL

- This case is withdrawn as to all defendants without costs to any party.
- This case is withdrawn as to the defendant ..... only, without costs.

The

CERTIFICATION

- Complaint
- Counterclaim
- Cross Complaint
- .....  
(Insert Other Pleading Being Withdrawn)

THIS IS TO CERTIFY, that a copy of the foregoing was mailed this date, postage prepaid, to all counsel of record.

  
Harold A. Bochino  
Attorney at Law

in the above entitled action is hereby withdrawn.

Plaintiff

DANBURY HOSPITAL, INC.

; By

  
HAROLD A. BOCHINO

Attorney

; By

Attorney

; By

Attorney

Defendant

; By

Attorney

; By

Attorney

; By

Attorney



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

4

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
TERRY L. SACHS

ASSISTANT CORPORATION  
COUNSEL

July 15, 1985

PLEASE REPLY TO:  
P. O. Box 1261  
DANBURY, CT 06810

MEMO TO: Lawrence M. Riefberg, Assistant Corporation Counsel  
FROM: Theodore H. Goldstein, Corporation Counsel  
RE: Danbury Hospital v. City of Danbury Matters

---

Enclosed herewith please find copy of letter of July 8, 1985 from Deborah MacKenzie, Director of Welfare Department to me.

I do not see the same as the basis of any delay in the defense of this action, but it may possibly serve to delay it until the basis for a municipal acceptance is at hand.

  
\_\_\_\_\_  
THG

THG:cr

Enclosure



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

Welfare Department  
797-4569

July 8, 1985

Ted Goldstein  
Corporation Counsel  
City of Danbury  
Foster Street  
Danbury, Connecticut 06810

RE: Danbury Hospital vs City of Danbury - Cheng H. Chao

Dear Ted:

Thursday June 20, 1985, I spoke with Ben Kowalski; the Director of General Assistance in Hartford. He explained that the State Department of Income Maintenance GA Unit has requested a ruling from the Attorney General to clarify cases such as Mrs. Chao's. Ben has received a verbal comment from the Attorney General that will radically effect the Administration of General Assistance.

The expected ruling is going to define residence and domicile. The Cities will have to accept responsibility for the medical care of persons residing in Connecticut, even if they maintain residence in another country or state.

Since this ruling will directly effect the outcome of Mrs. Chao's case, Mr. Kowalski has suggested that the City request that the Hospital's attorney postpone further action, until the Attorney General issues his ruling.

Mr. Kowalski can be reached at 566-3064 if you wish to speak with him regarding this matter.

Sincerely,

Deborah MacKenzie  
Director

DM/fac



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

PLEASE REPLY TO:

109 Main Street  
DANBURY, CT 06810

March 5, 1986

The Honorable James E. Dyer  
Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Hatters Park Bowling Lanes

Dear Honorable Mayor:

As I'm sure you are aware, the above file was turned over to me by former Assistant Corporation Counsel Terry Sachs. When I pursued this matter with Jack Garamella, Esquire, who represented the tenants at the Hatters Park Bowling Lanes, I was informed by him that the matter was completely resolved. After further investigation, I believe it is necessary for a committee of the Common Council to approve of this "resolution". I have enclosed a copy of the pertinent correspondence for your review and would ask if you would appoint a committee of the Common Council to review the "agreement".

I look forward to hearing from you promptly.

Very Truly Yours,

*Lawrence M. Riefberg*  
LMR

Lawrence M. Riefberg

LMR/kf  
Encl.

cc: Eric L. Gottschalk  
Leonard Sedney  
Thomas Fabiano  
Dominic Setaro  
Jack Garamella

I made one payment of \$42.06

CITY OF DANBURY, CONNECTICUT

1984

TAX COLLECTOR CITY OF DANBURY, P.O. BOX 27 DANBURY, CONN. 06810

DISTRIBUTION OF 1984 TAXES

OCTOBER 1, 1983

TAXAL AND ACCOUNT

629 DUCKPIN BOWLING ALLEY

HAYESTON ROAD DANBURY, CONN. 06810

PROPERTY LOCALITY TAX ASSESSMENT DATE TAX COLLECTOR CITY OF DANBURY, P.O. BOX 27 DANBURY, CONN. 06810

ESCROW NUMBER 168-24

PROPERTY LOCALITY TAX ASSESSMENT DATE TAX COLLECTOR CITY OF DANBURY, P.O. BOX 27 DANBURY, CONN. 06810

PROPERTY LOCALITY TAX ASSESSMENT DATE TAX COLLECTOR CITY OF DANBURY, P.O. BOX 27 DANBURY, CONN. 06810

ESCROW NUMBER 168-24

QUARTERLY PAYMENT

QUARTERLY PAYMENT

4/01/85 5/01/85

1/02/85 2/04/85

10/01/84 11/01/84

629

629

629

DUCKPIN BOWLING ALLEY

DUCKPIN BOWLING ALLEY

DUCKPIN BOWLING ALLEY

42.06

168.24

42.06

168.24

42.06

PERSONAL PROPERTY

PERSONAL PROPERTY

PERSONAL PROPERTY

TOTAL

TOTAL

TOTAL

FOR PROPERTY TAX RETURN AND RETURN OF EXCESS PAYMENT CITY OF DANBURY, CONN. 06810

FOR PERSONAL PROPERTY TAX RETURN AND RETURN OF EXCESS PAYMENT CITY OF DANBURY, CONN. 06810

FOR PERSONAL PROPERTY TAX RETURN AND RETURN OF EXCESS PAYMENT CITY OF DANBURY, CONN. 06810

# Connecticut Bowling Operators Assn., Inc.

EVELYN LAROCHELLE Treasurer

P.O. Box 216 Glastonbury, CT 06033

5

To Danbury Duckpin Lanes Date 10-5-84

\_\_\_\_\_  
\_\_\_\_\_

FINAL NOTICE 1st PAYMENT 1984-85 DUES

\$400.00

STRIKEMASTER MANUFACTURING CORP.  
29 WILLOW STREET, P.O. BOX 394  
WASHINGTON, NEW JERSEY 07882

5  
July 22, 1983

Mr. Michael Pane  
Danbury Duckpin Lanes  
7 East Hayestown Rd.  
Danbury, Cn. 06810

Dear Mr. Pane;

We are enclosing our three year contract for the rental of NEW STRIKE-MASTER ALL PLASTIC DUCKPINS for your sixteen (16) lanes with shipment to be made in early August, 1983. The cost and schedule of payments as follows:

1983-84 season: \$130.00 plus 7 $\frac{1}{2}$ % tax per lane, totalling \$2236.00  
Due in 8 monthly payments beginning September 15, 1983  
and ending April 15, 1984 at \$279.50 each.

1984-85 season: \$120.00 plus 7 $\frac{1}{2}$ % tax per lane, totalling \$2064.00  
Due in 8 monthly payments beginning September 15, 1984  
and ending April 15, 1985 at \$258.00 each.

1985-86 season: \$110.00 plus 7 $\frac{1}{2}$ % tax per lane, totalling \$1892.00  
Due in 8 monthly payments beginning September 15, 1985  
and ending April 15, 1986 at \$236.50 each.

We agree to keep enough spares of pins for you to continue normal operation without interruption.

Each pin has to be accounted for and there is a charge for lost pins of \$10.00 each. An inventory of pins will be required at least once per year.

Please sign and return one copy of this agreement, keeping one copy for your records.

We value your business and look forward to a good association.

Yours for bigger & better duckpin bowling,  
STRIKEMASTER MANUFACTURING CORP.

*Max Schneider*  
Max Schneider, President

MS:D  
ENCL.

SIGNED: \_\_\_\_\_

DATED: \_\_\_\_\_

DUPLICATE COPY

*For Peak Performance*



# NORTHEASTERN INSURANCE AGENCY INC.

64 LAKE AVE.

PHONE 792-5052

5

DANBURY, CONN. 06810

501 017725

INSURED NO

SEP 30 1984

PAYMENTS & CHARGES  
AFTER THIS DATE WILL  
APPEAR NEXT MONTH

1859

- KAREN PANE
- DANBURY DUCK PIN LANES
- 35 WELLSVILLE RD
- NEW MILFORD CT 06776

\$ \_\_\_\_\_  
PAYMENT ENCLOSED

## STATEMENT

PLEASE DETACH HERE AND RETURN WITH YOUR REMITTANCE - THANK YOU

| DATE | TYPE OF INSURANCE | TRANSACTION   | POLICY NUMBER  | AMOUNT         |
|------|-------------------|---------------|----------------|----------------|
| 30-4 |                   | PREV BAL      |                | 2249.00        |
|      | 017725            | AMOUNT DUE AS | OF SEP 30 1984 | <u>2249.00</u> |

PLEASE

5

LOSS SUFFERED BY KAREN L. PANE d/b/a DANBURY DUCKPIN BOWLING

Alleys were closed 6/1/84 to 10/15/84 = 9/24 of a year

| ITEM                                | <u>CALCULATION</u>                 | <u>TOTAL</u>        |
|-------------------------------------|------------------------------------|---------------------|
| 1. Insurance                        | 9/24 x \$2,249                     | \$ 843.38           |
| 2. Pin Rental                       | 9/24 x \$2,064                     | 774.00              |
| 3. Bowling Assn.<br>Dues            | 9/24 x \$400                       | 150.00              |
| 4. Taxes                            | 9/24 x \$168.24                    | 63.09               |
| 5. Interest on<br>purchase<br>price | 9/24 x 10.4% x \$15,000            | 585.00              |
| 6. Lost profit                      | 9/24 x \$17,193                    | 6,447.38            |
| 7. Prepaid rental                   | 6/1/84 - 8/31/84<br>3 x \$1,166.67 | 3,500.00            |
| 8. Utilities during<br>shutdown     |                                    |                     |
| Electric                            |                                    | 191.09              |
| Telephone                           |                                    | 318.74              |
| 9. Alley refinish-<br>ing           |                                    | 6,700.00            |
| 10. Attorney's Fees                 |                                    | 1,100.00            |
| 11. Lost leagues                    |                                    | <u>5,699.10</u>     |
|                                     | TOTAL LOSS                         | <u>\$ 26,371.78</u> |

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

ATTORNEYS AT LAW

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

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
JOHN A. CURTAS\*  
PAULA FLANAGAN  
THOMAS W. BEECHER

\*ALSO ADMITTED KENTUCKY AND NEVADA

5  
AREA CODE 203  
744-2150

July 26, 1985

Mr. Leonard Sedney  
Assistant to the Mayor  
City of Danbury  
City Hall  
Danbury, Connecticut 06810

Re: Karen L. Pane d/b/a  
Danbury Duckpin Bowling

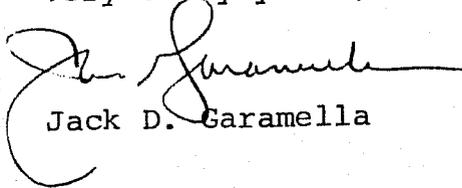
Dear Len:

Enclosed is the back-up material for the loss claim submitted by Karen L. Pane as a result of the roof collapse at Hatters Community Park. Each item is numbered to correspond with the same number on the loss claim.

Please note that the "Lost leagues" figure is different than that submitted to you at our meeting of July 23, 1985. This obviously affects the total.

Would you kindly review and call me at your convenience.

Very truly yours,

  
Jack D. Garamella

JDG/ms  
Enclosures

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

ATTORNEYS AT LAW

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

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
JOHN A. GURTAS\*  
PAULA FLANAGAN  
THOMAS W. BEECHER

5  
AREA CODE 203  
744-2150

July 31, 1985

\*ALSO ADMITTED KENTUCKY AND NEVADA

Mr. Leonard Sedney,  
Assistant to the Mayor  
City of Danbury  
City Hall  
Danbury, Connecticut 06810

Re: Karen L. Pane d/b/a  
Danbury Duckpin Bowling  
Our File #84-8061-1-G

Dear Len:

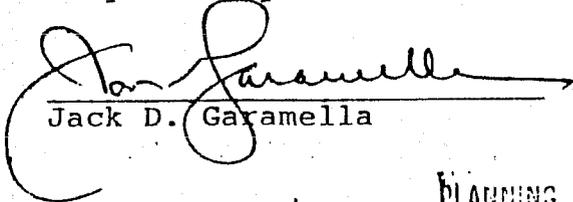
This letter will confirm the agreement reached between the City of Danbury and Karen L. Pane d/b/a Danbury Duckpin Bowling.

Karen L. Pane will relinquish all rights and claims which she has against the City of Danbury as a result of the collapse of the roof at Hatters Community Park, in return for a forgiveness of rent due to the City of Danbury under an agreement dated August 28, 1981 in the total amount of \$26,371.78.

Since the City has already waived rent through August 31, 1985 in the amount of \$14,000.00, the future rent forgiveness would total \$12,371.78. It is our agreement that rent under the aforesaid lease would be forgiven through the month of April, 1986. In May, 1986 Karen L. Pane will pay the City the sum of \$229.22. In June, 1986 the full payment of \$1,400.00 will be made by our client.

I appreciate your assistance in concluding this agreement to the satisfaction of all parties.

Very truly yours,

  
Jack D. Garamella

JDG:p  
cc: Karen L. Pane

PLANNING & ZONING DEPT.

Rec'd By E7 Date 8-7-85

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

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

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
JOHN A. CURTAS\*  
PAULA FLANAGAN  
THOMAS W. BEECHER

\* ALSO ADMITTED KENTUCKY AND NEVADA

5  
AREA CODE 203  
744-2150

January 13, 1986

Lawrence M. Riefberg, Assistant  
Corporation Counsel  
City of Danbury  
P.O. Box 7  
Danbury, Connecticut 06810

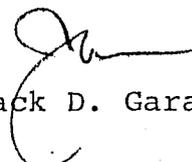
Dear Attorney Riefberg:

Re: Hatters Park Bowling Lanes

I will be away from January 21, 1986 to January 26, 1986.  
Could you please reschedule any meeting on this matter that  
should include me until after the 1st of February.

Thank you for your kind considerations in this matter.

Very truly yours,

  
Jack D. Garamella

JDG:dg

cc: Len Sedney, Planning Director  
City of Danbury  
Dominic Setaro, Jr.



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

5  
PLEASE REPLY TO:  
P. O. Box 7  
DANBURY, CT 06810

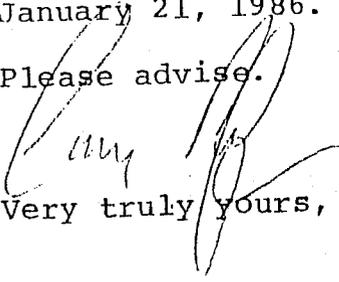
Len Sedney,  
Planning Director  
City of Danbury  
155 Deer Hill Ave.  
Danbury, CT 06810

RE: Hatters Park Bowling Lanes

Dear Len:

I received the enclosed notice from the Claims Committee in today's mail. I believe that the Claims Committee should review the arrangement that you have made with Jack Garamella on the above matter. Therefore, it may be advisable for us to have a meeting with Jack and Dom Setaro prior to the Claims Meeting on January 21, 1986.

Please advise.

  
Very truly yours,

Lawrence M. Riefberg

LMR:vm

Enc.

cc: Jack Garamella  
Dominic Setaro, Jr.



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

5

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

October 25, 1985

PLEASE REPLY TO:

DANBURY, CT 06810

Mr. Dominic A. Setaro, Jr.  
Office of the Comptroller  
City Hall  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Hatters Park Bowling Lanes

Dear Dom:

I received the enclosed package of information from Len Sedney in today's mail. I shall contact you to discuss this matter further.

Sincerely,

Lawrence M. Riefberg

LMR/ms  
Encls.

CC: Tom Fabiano



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

5

DEPARTMENT  
OF FINANCE

October 15, 1985

MEMO TO: Lawrence Riefberg, Assistant Corporation Counsel  
FROM: Dominic A. Setaro, Jr. Acting Comptroller  
RE: Hatters Park Bowling Lanes

I am in receipt of your letter dated October 9, 1985, and I think we have a number of problems in accepting Attorney Garamella's proposal.

1. There was a claim submitted to our insurance carrier in the amount of \$4,673.22 which has not been settled yet. Where did the \$26,371.78 figure come from?
2. I know of no such waiver of rent referred to by Attorney Garamella and, if so, I think the Common Council is the only one that can do this.

If we were to accept Attorney Garamella's proposal, then I believe the Common Council claims committee would have to act on the matter, which would include amending the rental agreement we have with Karen Pane.

3. By accepting Attorney Garamella's proposal we would lose the rent on this property and the insurance company would not make any payments; therefore, the city suffers the loss.

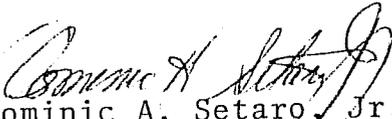
I spoke with Len Sedney and he indicated that he did not realize that there would be a problem agreeing to Attorney Garamella's request.

Once again, it does not seem proper that we not let our insurance company settle this matter and the Common Council. I might add Tom Fabiano and our insurance carrier are not aware of this agreement and no claim has been withdrawn from the insurance company.

5

Lawrence Riefberg  
October 15, 1985  
Page 2

I would suggest that you do some research and see if you agree with my comments, and then take the necessary action.

  
Dominic A. Setaro, Jr.  
Acting Comptroller

DAS/af  
Enc.

cc: Thomas Fabiano, Risk Manager

CUTSUMPAS, COLLINS, HANNAFIN, GARAMELLA, JABER & TUOZZOLO

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

148 Deer Hill Avenue - P.O. Box 440, Danbury, Connecticut 06810 / Area Code 203 744-2150

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
DAVID J. DEMARIS  
PAULA FLANAGAN  
THOMAS W. BEECHER

5  
November 28, 1984

City of Danbury  
City Hall  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

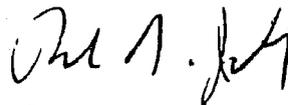
ATTENTION: City Clerk

Dear Sir:

This office represents Karen Pane of 35 Wellsville Avenue, New Milford, Connecticut.

On behalf of our client, this is to notify you that Mrs. Pane suffered damage to property on June 17, 1984, at Hatters Park, Hayestown Road, on property owned by the City of Danbury. This consisted of damage to bowling alleys, lost income, and lost profit resulting from the defective roof and closing of said building. It is our client's position that said damages were as a result of the negligence of the City in its maintenance of said property. Mrs. Pane intends to commence an action against the municipality and any employee responsible for said negligence.

Very truly yours,



Paul N. Jaber

PNJ:pmg

RECEIVED

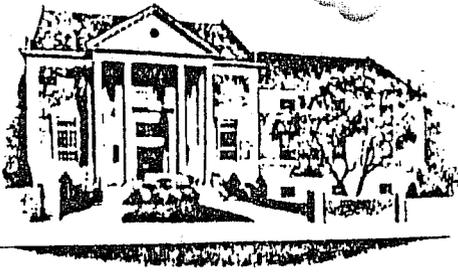
NOV 29 1984

OFFICE OF CITY CLERK

RECEIVED  
INSURANCE DEPT.

NOV 29 1984

★ ★ ★



FOUNDED 1836

# MIDDLESEX MUTUAL ASSURANCE COMPANY

MIDDLETOWN, CONNECTICUT 06457  
TELEPHONE 203 347-4621

5

November 8, 1984

RECEIVED

NOV 9 1984

City of Danbury  
Danbury, CT. 06810

OFFICE OF CITY CLERK

CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED

RE: Insured - Danbury Duck Pin Lanes  
Type of Loss - Collapse  
Date of Loss - 6-20-84  
Subrogation

Gentlemen:

Our insured's property damage amounts to \$4,673.22.

Investigation of this claim indicates that you may be held responsible. Please report the matter to your insurance company. If you are not insured, contact us so that we can discuss settlement arrangements.

Very truly yours,

*Judi Henderson*

Judi Henderson  
Assistant Vice President  
Subrogation Department

JH:ccl

*10/11/85*

*Maria Strano - Expense Fund.*

RECEIVED  
INSURANCE DEPT.

NOV 9 1984

★ ★ ★

11. Lost leagues

|                         |  |             |
|-------------------------|--|-------------|
| Monday Men's League     | Two 5-men teams<br>16.50/team<br>33.00 x 22 weeks  | \$ 726.00   |
| Tuesday Bar League      | Two 3-men teams<br>9.90/team<br>19.80 x 22 weeks   | 435.60      |
| Wednesday Men's League  | Two 5-men teams<br>16.50/team<br>33.00 x 22 weeks  | 726.00      |
| Thursday Women's League | Four women teams<br>13.20/team<br>52.80 x 22 weeks | 1,161.60    |
| Friday Mix League       | 14 bowlers<br>3.30/person<br>46.20 x 22 weeks      | 1,016.40    |
| Saturday Morning Kids   | 13 kids<br>2.75/kid<br>35.75 x 22 weeks            | 786.50      |
| Sunday Night Kids       | 14 kids<br>2.75/kid<br>38.50 x 22 weeks            | 847.00      |
|                         |  | <hr/>       |
|                         |  | \$ 5,699.10 |

674 BARK STREET

SWANSEA, MASSACHUSETTS 02777

TELEPHONE 673-6942

Danbury Bowl  
Danbury Conn.

10-13-84

5

Repaired 10 lanes #7-16 leveled bases

Patched with maple red stock

Sanded and refinished with 5 coats  
of Lane finish

Sanded 10 ~~lanes~~ approaches and applied

two coats of Approach finish

For the sum of \$4900.<sup>00</sup>

C. Durand

674 BARK STREET

SWANSEA, MASSACHUSETTS 02777

TELEPHONE 673-6942

Lanbury Boat  
Lanbury House.

5

10-17-54

Stained patches and refinished  
Treads and approaches - 12"  
applied 5 coats of same finish  
and two coats of approach paint

\$180.00

(A. L. Lusk)

GAMMELLA, JABER & TUOZZOLO  
PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
148 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

5

AREA CODE 203  
744-2150  
P.O. Box 440

LLOYD CUTSUMPAS  
FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO  
DAVID J. DEMARS  
PAULA FLANAGAN  
THOMAS W. BEECHER

July 25, 1985

IN ACCOUNT WITH

Mrs. Karen L. Pane  
d/b/a Danbury Duckpin Bowling  
35 Wellsville Avenue  
New Milford, Connecticut 06776

Our File Number: 84-8061-1-G  
Responsible Attorney: Jack D. Garamella

PROFESSIONAL SERVICES

Review of Lease  
Conferences with: R. Gottschalk, Esq.,  
T. Fabiano, D. Garamella, R. Steinberg,  
R. Ryerson  
Meetings with client  
Review of accountant's statement  
Calculation of loss  
Presentation to City of Danbury  
Correspondence, telephone conversations and  
office conferences with client re: above.

|                                 |                    |
|---------------------------------|--------------------|
| 12.5 hours @ \$100.00 . . . . . | \$ 1,250.00        |
| Professional courtesy . . . . . | 150.00             |
| Balance Due                     | <u>\$ 1,100.00</u> |

ALL ACCOUNTS UNPAID AFTER  
30 DAYS BEAR INTEREST AT  
THE RATE OF 1% PER MONTH

RECEIVED PAYMENT

Fixing the 1984  
Please Consider Adding \$1 for OPERATION FUEL to Each Bill Payment

**NORTHEAST UTILITIES**



THE CONNECTICUT LIGHT AND POWER CO.  
083084 18 1 0 3 4 02

5

AMOUNT NOW DUE

\$40.36

SEE  
LATE PAYMENT  
DATE BELOW

78032424131 0000040363 0000040363

KAREN PANE  
7 EAST HAYESTOWN RD  
DANBURY CT 06810

NORTHEAST UTILITIES  
BOX NUMBER 2960  
HARTFORD, CT. 06104

Please Make Checks Payable To **CL & P** / Return This Portion With Your Payment

| Customer Information |   |  | Account Status |  |  |
|----------------------|---|--|----------------|--|--|
| Statement Date       | Account Number  |  |                |  |  |
| AUG 30 1984          | 7 803242 4 1  |  |                |  |  |
| Service Used At      | KAREN PANE<br>7 EAST HAYESTOWN RD<br>DANBURY CT 06810 |  |                |  |  |

| CL&P ELECTRIC RATE 030 IS PRORATED |                |        |         |               |         |          | BALANCE     | \$0.00                 |
|------------------------------------|----------------|--------|---------|---------------|---------|----------|-------------|------------------------|
| METER #                            | BILLING PERIOD |        | DAYS    | METER READING |         | CONSTANT | DEMAND      | KILOWATT<br>HOURS USED |
|                                    | FROM           | TO     |         | PREVIOUS      | CURRENT |          |             |                        |
| 51016572                           | AUG 21         | AUG 29 | 8*      | 1214          | 1220    | 40.00    | 10.4        | 240                    |
| BILLING DEMAND *                   |                |        | 10.3 KH |               |         |          |             |                        |
| RATE 030 CHARGE                    |                |        |         |               |         |          | \$40.146933 |                        |
| FUEL ADJUSTMENT                    |                |        |         |               |         |          | \$0.124800  |                        |
| OC ADJUSTMENT                      |                |        |         |               |         |          | \$0.090240  |                        |
| TOTAL CHARGE RATE 030              |                |        |         |               |         |          | \$40.361973 | \$40.36                |
| AMOUNT NOW DUE                     |                |        |         |               |         |          |             | <b>\$40.36</b>         |

- "AMOUNT NOW DUE" MUST BE RECEIVED BY SEP 25, 1984 TO AVOID LATE PAYMENT CHARGE OF 1 1/4%.
- PLEASE HELP US PROTECT YOUR SERVICE BY NOT POSTING SIGNS ON UTILITY POLES.
- \* BILLING DEMAND BASED ON 98.8% OF ACTUAL DEMAND.
- \* THIS RATE IS PRORATED BECAUSE THE BILLING PERIOD IS LESS THAN 25 DAYS.



THE CONNECTICUT LIGHT AND POWER CO.  
072084 18 1 0 3 4 99

AMOUNT NOW DUE

\*\* FINAL \*\* \$0.00

78032423332 0000000000 0000150736

KAREN PANE  
DBA DNBRY DUCKPIN LANES  
7 EAST HAYESTOWN RD  
DANBURY CT 06810

NORTHEAST UTILITIES  
BOX NUMBER 2960  
HARTFORD, CT. 06104

Please Make Checks Payable To **CL & P** / Return This Portion With Your Payment

| Customer Information |                         | Account Status      |                 |
|----------------------|-------------------------|---------------------|-----------------|
| Statement Date       | Account Number          |                     |                 |
| JUL 20 1984          | 7 803242 3 3            | PREVIOUS BILL       | JUN 28          |
| Service Used At      | KAREN PANE              | APPLY DEPOSIT       | JUL 20          |
|                      | DBA DNBRY DUCKPIN LANES | INTEREST ON DEPOSIT | JUL 20          |
|                      | 7 EAST HAYESTOWN RD     | REFUND              | JUL 20          |
|                      | DANBURY CT 06810        |                     |                 |
|                      |                         |                     | \$344.43        |
|                      |                         |                     | \$1,000.00 CR   |
|                      |                         |                     | \$44.49 CR      |
|                      |                         |                     | <b>\$549.33</b> |

| CL&P ELECTRIC RATE 030 IS PRORATED |                |        |      |               |         | BALANCE               |        |                     |
|------------------------------------|----------------|--------|------|---------------|---------|-----------------------|--------|---------------------|
| METER #                            | BILLING PERIOD |        | DAYS | METER READING |         | CONSTANT              | DEMAND | KILOWATT HOURS USED |
|                                    | FROM           | TO     |      | PREVIOUS      | CURRENT |                       |        |                     |
| 51016572                           | JUN 26         | JUL 16 | 20*  | 1169          | 1214    | 40.00                 | 5.2    | 1800                |
| BILLING DEMAND *                   |                |        |      | 5.1 KH        |         |                       |        |                     |
| RATE 030 CHARGE                    |                |        |      |               |         |                       |        |                     |
| FUEL ADJUSTMENT                    |                |        |      |               |         | 1800 KWH X \$0.001080 | CR     | \$151.562666        |
| GU ADJUSTMENT                      |                |        |      |               |         | 1800 KWH X \$0.000240 |        | \$1.944000 CR       |
| OC ADJUSTMENT                      |                |        |      |               |         | 1800 KWH X \$0.000376 |        | \$0.432000          |
|                                    |                |        |      |               |         |                       |        | \$0.676800          |
| TOTAL CHARGE RATE 030              |                |        |      |               |         |                       |        | \$150.727466        |
|                                    |                |        |      |               |         |                       |        | <b>\$150.73</b>     |
|                                    |                |        |      |               |         |                       |        | <b>\$0.00</b>       |

- "WHY IS MY BILL NO LOWER EVEN WHEN I'M AWAY?" CONSUMER NEWS HAS SOME ANSWERS.
- \*\* FINAL BILL \*\*
- \* BILLING DEMAND BASED ON 98.8% OF ACTUAL DEMAND.
- \* THIS RATE IS PRORATED BECAUSE THE BILLING PERIOD IS LESS THAN 25 DAYS.

Electric Bill # 150.73  
how I could get it shut off!

8

5

Telephone Bill

R 203 744-4504 862 B28

SEP 19, 1984

PAGE 1

28

MRS KANEN PANE  
DBA DANBURY DUCK PIN LANES  
7 E HAYESTOWN RD  
DANBURY CT

06810

|  |               |
|--|---------------|
| TOTAL AMOUNT OF LAST BILL                    | 210.32        |
| PAYMENTS APPLIED THRU SEP 21                 | 0.00          |
| BALANCE FROM LAST BILL (DID YOU FORGET?)     | 210.32        |
| SUMMARY OF CURRENT CHARGES-SEE DETAIL PAGES  | 108.42        |
| 1004 TOTAL AMOUNT DUE (PAYABLE UPON RECEIPT) | <u>318.74</u> |

5

6. Lost profit

Calculation of lost profit for four (4) months as per statement of Daniel F. Tantimonaco (see attached).

\$5,731.00 X 3 = \$17,193 net profit per year

9/24 X \$17,193 = \$6,447.38

DANBURY DUCKPIN BOWLING

PROJECTED STATEMENT OF PROFIT & LOSS

JUNE 1, 1984 THRU SEPTEMBER 30, 1984

5

INCOME

|                 |              |
|-----------------|--------------|
| Inc. - Bowling  | \$14,952     |
| Inc. - Pro Shop | 350          |
| Inc. - Food     | 1,500        |
| Inc. - Parties  | <u>1,500</u> |

TOTAL INCOME

\$18,302

COST OF GOODS SOLD

|                   |            |
|-------------------|------------|
| Purch. - Alleys   | \$ 150     |
| Purch. - Food     | 750        |
| Purch. - Pro Shop | <u>100</u> |

TOTAL COST OF GOODS SOLD

\$ 1,000

GROSS PROFIT

\$17,302

OPERATING EXPENSES

|                      |            |
|----------------------|------------|
| Salaries             | \$ 4,046   |
| Rent                 | 2,800      |
| Pin Rental           | 1,118      |
| Maintenance          | 350        |
| Electric             | 1,600      |
| Telephone            | 450        |
| Taxes & Licenses     | 357        |
| Legal & Professional | 300        |
| Supplies             | 350        |
| Advertising          | <u>200</u> |

TOTAL OPERATING EXPENSES

\$ 11,571

NET PROJECTED PROFIT

\$ 5,731



# New Milford Bank & Trust Company

TWO CONVENIENT LOCATIONS 55 MAIN STREET NEW MILFORD CONNECTICUT 06776 TEL (203) 355-1171  
18 DANBURY RD

## DISCLOSURE STATEMENT — TIME LOAN

5

Account No. \_\_\_\_\_

My (the Borrower) Name and Address \_\_\_\_\_  
\_\_\_\_\_

|  |   |   |   |
|--|---|---|---|
| <b>ANNUAL PERCENTAGE RATE</b><br>The cost of my credit as a yearly rate<br><br>_____ % | <b>FINANCE CHARGE</b><br>The dollar amount the credit will cost me<br><br>\$ 250.00 | <b>Amount Financed</b><br>The amount of credit provided to me or on my behalf<br><br>\$ 15,000.00 | <b>Total of Payments</b><br>The amount I will have paid after I have made all payments as scheduled<br><br>\$ 15,250.00 |
|--|---|---|---|

I have the right to receive at this time an itemization of the Amount Financed

- I want an itemization
- I do not want an itemization

My payment schedule will be:

| Number of Payments | Amount of Payment | When Payments Are Due |
|--------------------|-------------------|-----------------------|
| _____              | _____             | _____                 |

Security: I am giving the Bank a security interest in

\_\_\_\_\_

(Description of Property)

Filing Fees: \$ \_\_\_\_\_ Non-Filing Insurance \$ \_\_\_\_\_

I may obtain property insurance from anyone I want that is acceptable to the Bank

Prepayment: If I pay off early, I

- may  will not have to pay a penalty
- may  will not be entitled to a refund of part of the finance charge

See promissory note for any additional information about nonpayment, default, any required repayment in full before the scheduled date, and prepayment refunds and penalties.

e means an estimate

I have received a copy of this statement

Karen J. Pano  
Borrower

Loan to Buy Business \$ 15,000



# RESOLUTION 5-1

CITY OF DANBURY, STATE OF CONNECTICUT

APR 1 1986

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, State plans to repave portions of State Route 39 and SR 841 (Down Street), State Project No. 174-133, may involve adjustment to municipal utilities; and

WHEREAS, the State of Connecticut is willing to reimburse the City for one hundred percent of the net cost of said adjustments in the amount of Four Thousand, One Hundred, Fifty Dollars (\$4,150.00);

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute an agreement with the State of Connecticut to accept said reimbursement and to perform any additional acts that may be necessary to effectuate the purposes hereof.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

6  
April 1, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

During the past few weeks Council Members have received complaints that the recycling center is no longer accepting all recyclable material. As you will recall, last summer the former Public Works Committee of the Common Council was charged with the task of choosing one of several applicants to run the recycling center. During the interviews with the various applicants, each one was requested to assure the committee that services to the City would not be diminished and that all recyclable materials would continue to be accepted.

Since the former Public Works Committee is the most knowledgeable about those discussion, I respectfully request that those same Council members be appointed to an ad hoc committee to review these complaints.

Respectfully submitted

Constance McManus  
Common Council President

mr



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

One of the charges to the C. D. Parks Advisory committee was to find a new name for the property. In response to this charge, the committee organized a contest to "Name the Park" with prizes being donated by local restaurants and limousine services. The winner of the contest is Margaret McSpirit of Ives Manor who entered the name "Tarrywile Park".

At this time, I respectfully request that the Common Council officially accept the name "Tarrywile Park" and also extend our gratitude to Chuck's Steak House, Fitzwilly's, Rick's, Rosy Tomorrow's, Ethan Allen Inn, The Hilton, Gillotti Limousine, Kovacs Limousine and R & R Limousine for their generous donations of prizes.

Respectfully submitted

Constance McManus, Chairperson  
C. D. Parks Advisory Committee

cc: C. D. Parks Advisory Committee  
Parks & Recreation Commission.

mr



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

April 1, 1986

TO: Common Council - City of Danbury, Connecticut  
FROM: Philip J. Capozzi - Administrative Assistant to  
the Mayor.  
RE: Furniture donation from I.B.M. to Danbury Fire Dept.

The Mayor's Office has received this information from Chief Monzillo and it is a very generous gesture by I.B.M.

I am now asking that the Common Council place this on the April Agenda and vote to accept this offer, allowing the Fire Department to update its office equipment throughout the City.

PC/mr

Enc.



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

8

FIRE DEPARTMENT  
19 NEW STREET

JAMES E. DYER, MAYOR

CHARLES J. MONZILLO, CHIEF  
(203) 748-5260

March 11, 1986

Hon. James E. Dyer  
155 Deer Hill Avenue  
Danbury, Conn. 06810

Dear Mayor Dyer:

In a review of our office equipment throughout the Fire Department, we found that the current equipment is either broken, inadequate and in need of replacement.

We have been offered office furniture for our Department from IBM, 44 South Broadway, White Plains, New York.

Enclosed is a copy of the list of furniture requested. We have been assured that some, if not all, the equipment listed will be given at NO COST to our City.

I am requesting permission to follow through, and acquire the furniture we need.

Sincerely,

Charles J. Monzillo  
Chief of Department

CJM:kod  
IBM-FURN file  
MAYOR DYER disk 3

FURNITURE LIST ( I.B.M. )

S/C OFFICE

- 1- "L" UNIT DESK, 2021-293 60"X30" ( LEFT HAND L )
- 1- 5 DRAWER DESK
- 2- MANAGER DESK CHAIRS
- 1- CLERICAL DESK CHAIR
- 2- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 2- 2 DRAWER FILE CABINETS ( LEGAL SIZE )

CAPTAINS OFFICE

- 2- 5 DRAWER DESKS
- 2- MANAGER DESK CHAIRS
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- CLERICAL SIDE CHAIR

LIEUTENANTS OFFICE

- 1- 5 DRAWER DESK
- 1- MANAGER DESK CHAIR
- 1- 5 DRAWER FILE CABINET
- 2- CLERICAL SIDE CHAIRS

DRILLMASTERS OFFICE

- 1- 5 DRAWER DESK
- 1- MANAGER DESK CHAIR
- 2- CLERICAL SIDE CHAIRS
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- CREDENZA ( 18" DEEP )
- 1- "L" UNIT DESK, 2102-R63 36"X18"  
( LEFT HAND L )

CONFERENCE ROOM

- 1- CREDENZA ( 18" DEEP )
- 1- 5 DRAWER DESK
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- MANAGER DESK CHAIR

AMBULANCE SUPERVISORS OFFICE

- 1- 5 DRAWER DESK
- 1- MANAGER DESK CHAIR
- 2- CLERICAL SIDE CHAIRS
- 1- CLERICAL DESK CHAIR
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )

BUNK ROOM

- 11 CLERICAL SIDE CHAIRS

DAY ROOM

- 20 CLERICAL SIDE CHAIRS

UNION SUPPLIES

- 1- 5 DRAWER DESK
- 1- MANAGER DESK CHAIR
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- 2 DRAWER FILE CABINET ( LEGAL SIZE )

SICK AND SURGICAL SUPPLIES

- 2- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 2- 5 DRAWER FILE CABINETS ( LEGAL SIZE )

8

FURNITURE LIST ( I.B.M. ) CONTINUED

MECHANICS ROOM

- 1- 5 DRAWER DESK
- 5- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- MANAGER DESK CHAIR
- 1- CREDENZA ( 18" DEEP )
- 2- CLERICAL SIDE CHAIRS
- 1- CLERICAL DESK CHAIR

ENG. 23

- 1- MANAGER DESK CHAIR
- 1- 5 DRAWER DESK
- 1- CREDENZA ( 18" DEEP )
- 2- CREDENZAS ( 24" DEEP )
- 2- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- "L" UNIT DESK 60"X30" ( RIGHT OR LEFT HAND L )
- 10 CLERICAL SIDE CHAIRS
- 1- CLERICAL DESK CHAIR

ENG. 24

- 1- "L" UNIT DESK 2102-R63 36"X18" ( RIGHT HAND L )
- 1- 5 DRAWER DESK
- 1- MANAGER DESK CHAIR
- 1-CLERICAL SIDE CHAIR
- 1- CLERICAL DESK CHAIR
- 1- CREDENZA ( 18" DEEP )
- 2- CREDENZAS ( 24" DEEP )
- 4- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 10 CLERICAL SIDE CHAIRS

ENG. 25

- 1- 5 DRAWER DESK
- 1- "L" UNIT DESK 2102-R63 36"X18" ( LEFT HAND L )
- 2- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 1- MANAGER DESK CHAIR
- 1- CLERICAL DESK CHAIR
- 1- CLERICAL SIDE CHAIRS
- 1- CREDENZA ( 18" DEEP )
- 10 CLERICAL SIDE CHAIRS

FIRE MARSHALS OFFICE

- 2- 5 DRAWER FILE CABINETS ( LETTER SIZE )
- 2- 5 DRAWER FILE CABINETS ( LEGAL SIZE )
- 1- CREDENZA ( 18" DEEP )
- 10 MAP FILES
- 6- CLERICAL DESK CHAIRS

FURNITURE LIST ( I.B.M. ) TOTALS

8

- 2- "L" UNIT DESK, 2021-293 60"X30" ( LEFT HAND L )
- 12-5 DRAWER DESKS
- 13-MANAGER DESK CHAIRS
- 13-CLERICAL DESK CHAIRS
- 71-CLERICAL SIDE CHAIRS
- 2- "L" UNIT DESK, 2102-R63 36"X18" ( RIGHT HAND L )
- 3- "L" UNIT DESK, 2102-R63 36"X18" ( LEFT HAND L )
- 40-5 DRAWER FILE CABINETS ( LETTER SIZE )
- 7- 5 DRAWER FILE CABINETS ( LEGAL SIZE )
- 7- CREDENZAS ( 18" DEEP )
- 4- CREDENZAS ( 24" DEEP )
- 5- 2 DRAWER FILE CABINETS ( LEGAL SIZE )
- 10-MAP FILES



**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**  
**JAMES E. DYER, MAYOR**

9

**Commission on Aging**  
**Municipal Agent**  
80 Main Street

(203) 797-4686  
(203) 797-4687

March 12, 1986

Members - The Danbury Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut

Members of the Common Council:

The Danbury Commission on Aging requests that the Common Council approve \$2,057 gift from the Good Neighbor Fund of the Perkin Elmer Corporation.

This gift is for the purchase of a copier machine, the maintenance agreement and the balance owed on this current year for the rental of the same.

Should the council approve of this gift, we would ask that \$405 be transferred to the Commission on Aging Leased Equipment line item (024501) and that \$1,652 be transferred to Office Equipment (060500).

The Comptroller has indicated that no certification is necessary. He will make the required adjustments.

Sincerely,

*Raymond Gomoll (L.E.M.)*  
Raymond Gomoll  
The Danbury Commission on Aging



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



DEPARTMENT OF POLICE  
120 MAIN STREET

JAMES E. DYER, MAYOR

NELSON F. MACEDO, CHIEF  
10  
(203) 797-4611

March 3, 1986

Hon. Constance McManus, President  
Common Council  
City of Danbury  
Danbury, Connecticut

Dear Councilwoman McManus:

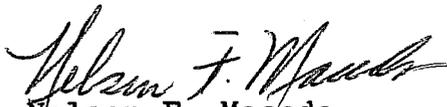
I am asking the approval of the Common Council of the City of Danbury, to accept the generous gift of the Union Savings Bank for the purchase of "P.C. The Police Car" for use in our community crime prevention programs.

This "P.C." is an educational tool similar to the robot fire hydrant the Union Savings Bank donated to the fire department last year.

I am enclosing information on the "P.C." and a letter from Charles F. Frosch, president of the Union Savings Bank.

I lookforward to the Council's approval.

Very truly yours,

  
Nelson F. Macedo  
Chief of Police



# UNION SAVINGS BANK

10

CHARLES F. FROSCH, CPA  
PRESIDENT - TREASURER

February 28, 1986

Kevin N. Barry, Lieutenant  
City of Danbury  
Department of Police  
120 Main Street  
Danbury, CT 06810

Dear Kevin:

Union Savings Bank would be happy to provide funding to the Danbury Police Department for the acquisition of "P.C. The Police Car". We will forward our check for \$3,495 to the City of Danbury once the Common Council acts to accept this gift. We are happy to work with the Danbury Police Department in your effort towards crime prevention and child safety programs.

Very truly yours,

Charles F. Frosch  
President

CFF/mcr



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

March 3, 1986

Mr. Charles F. Frosch, C.P.A.  
Union Savings Bank  
226 Main Street  
P.O. Box 647  
Danbury, Connecticut 06810

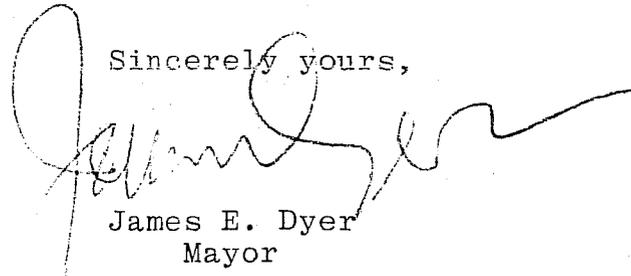
Dear Mr. Frosch:

On behalf of the City of Danbury, please accept our sincere appreciation for Union Savings Bank's donation of funding to the Danbury Police Department "P.C. The Police Car."

We are delighted to be able to accept this gift to the City, and we do so with full recognition of Union Savings Bank's generosity and civic-minded commitment.

Please extend my good wishes and appreciation to the Board of Trustees.

Sincerely yours,



James E. Dyer  
Mayor

JED:sls

cc: Common Council ✓

A lternative

C enter for

E ducation

RECEIVED

MAR 13 1986

OFFICE OF CITY CLERK

Locust & Roberts Ave.  
Danbury, CT 06810  
(203) 797-4762

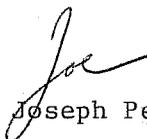
February 10, 1986

Mayor James Dyer  
Danbury City Hall  
155 Deer Hill Ave.  
Danbury, CT 06810

Dear Mayor Dyer:

Attached is a brief outline of our planned "Turn of the Century Festival" for which the Cultural Commission and the Board of Education have both indicated their support by donating \$500 each. I am writing to request a similar donation by the City of Danbury. As you can see, we have scheduled many interesting and turn-of-the-century events, and welcome yours and the city's involvement. Thank you for your consideration.

Sincerely,



Joseph Pepin, Director

JP/jab  
enclosures

"A Turn of the Century Festival:

"A Day at Locust Avenue School"

(A Community Celebration)

Purpose: To celebrate the placement of the Locust Avenue School on the National Register of Historic Places.

"The finest example of a 19th Century school building" Connecticut Historical Commission, 1985.

Date: Saturday, May 10, 1986

Time: 10:00 a.m. - 4:00 p.m.

Place: Locust Avenue School (Alternative Center for Education)

Sponsored by: The Alternative Center for Education and Danbury Preservation Trust

\* \* \* \* \*

PROPOSED ACTIVITIES

1. Food

Popcorn
Penny Candy all
Homemade Donuts at
Hot Dogs 1895
Root Beer prices

2. Games

(i.e., weight guessing, sack racing, penny toss, pie eating, etc.)

Ice Cream(Harbor Bar)
(charge \_\_\_\_\_, get
50% of profits)

3. Events

Clowns & Balloons
Sweet Adelines
Mad Hatters
Banjo Band
Blue Grass Band
Square Dancing

Jack Barrows - drawings @ \$3.00
(get 10% of profits)
Unicycle
Tri-Centennial will have a booth
to sell their souvenirs &
memorabilia about Danbury

Locust Avenue School

- A. Alumni Room (interviewing & videotaping alumni)
B. Period Classroom
C. Puppet School

Proposed Activities (continued)

4. Miscellaneous

Old Camera - Cut-out pictures  
Blacksmith  
Antique Cars  
Antique Fire Hose Wagon  
Animals - Down-on-the-Farm

5. Ceremony - 1:00 p.m.

Invited guests: (who may be asked to say a few words)

|                     |                                     |
|---------------------|-------------------------------------|
| Governor O'Neill    | Senators Dodd & Weicker             |
| Congressman Rowland | CT State Reps. & Senators           |
| Mayor Dyer          | Superintendent                      |
| Board of Education  | Assistant/Associate Superintendents |
| Former Mayors       | William Ratchford                   |
| Cultural Commission | Connecticut Historical Commission   |

Presentation of Historical Preservation Award to Locust Avenue School by Danbury Preservation Trust, Director: William Devlin

U

"A Turn of the Century Festival - A Day at Locust Avenue School"

Budget

|                                   |                           |
|-----------------------------------|---------------------------|
| Printing: invitations,<br>posters | \$ 350.00                 |
| Mailing                           | 300.00                    |
| Penny Candy                       | 100.00                    |
| Homemade Donuts<br>(ingredients)  | 50.00                     |
| Coca-Cola                         | 100.00                    |
| Root Beer (A & W)                 |                           |
| Lumber (to make 5 to 6 booths)    | 700.00                    |
| Banjo Band (BuckShots)            | 300.00                    |
| Blue Grass Band                   | 300.00                    |
| Helium Tank                       | 80.00                     |
| Sound Person                      | 100.00                    |
| Uni-Cycle                         | 35.00/hr. X 6 =<br>210.00 |

Memoriums:

|                |              |
|----------------|--------------|
| Sweet Adelines | 50.00        |
| Mad Hatters    | <u>50.00</u> |

Approximate Total \$ 2,690.00

\* \* \* \* \*

Donated  
(must be solicited)

|   |  |
|---|--|
| Popcorn Machine<br>(Union Savings Bank) | Cut-out Drawings                             |
| Hot Dogs<br>(WLAD)                      | Cardboard & Paint                            |
| Rolls<br>(Pepperidge Farms)             | Pie Eating<br>(Supermarkets - day old pies)  |
|   | Balloons (500)<br>(Tri-Centennial Committee) |



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

DEPARTMENT  
OF FINANCE

April 2, 1986

TO: Common Council via  
Mayor James E. Dyer

Certification #35

FROM: Dominic A. Setaro, Jr.

Per Common Council action taken on April 1, 1986, we hereby certify the availability of \$500.00 to be transferred from the General Fund fund balance account to the Mayor's Discretionary Fund for the "Turn of the Century Festival" at Locust Avenue School.

|                                       |                |
|---------------------------------------|----------------|
| Previous balance of G.F. Fund Balance | \$1,626,215.71 |
| Less pending requests                 | 112,096.00     |
| Less this request                     | 500.00         |
|                                       | <hr/>          |
|                                       | \$1,513,619.71 |

*Dominic A. Setaro, Jr. KIG*  
Dominic A. Setaro, Jr.

Acting Director of Finance - Comptroller

KIG/af



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

TO: Mayor James E. Dyer, and  
Members of the Common Council

FROM: Leonard Sedney, Executive Assistant to the Mayor

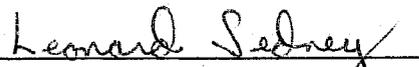
RE: Fire Damaged Structure - Main Street

DATE: March 25, 1986

---

The City issued an order to Jackson and Hanson Realty to remove the debris from the fire that damaged buildings at 221-229 Main Street. This order was issued on February 11, 1986, by Leo Null. Jackson and Hanson Realty was given thirty (30) days to comply with this order. The order has been ignored and the thirty (30) days have expired.

State Statutes provide for the City to authorize demolition work and recover its expenses by lienning the property. Therefore, I am requesting that \$99,000 be authorized by the Common Council for demolition and backfilling work, and that the necessary liens be placed on the property in accordance with State Statutes. The \$99,000 cost is a firm price received from a qualified demolition contractor through the City's normal bidding procedures.

  
Leonard Sedney



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

Welfare Department  
797-4569

March 24, 1986

James E. Dyer, Mayor  
City of Danbury  
Danbury, Connecticut 06810

Dear Mayor Dyer:

This is a request for additional funds for the balance of FY 85-86.

An additional \$125,000.00 will be necessary for Public Welfare. These funds will be expended for financial, medical, and hospital assistance for GA eligible persons. Ninety percent of this amount, \$112,500.00 will be reimbursed by the State of Connecticut.

Relocation and emergency housing funds are also needed. There is a person currently in emergency housing due to code enforcement activity and replacement housing has been extremely difficult to find due to the person's rental track record. When replacement housing is found, she will be entitled to an additional \$4000.00, in the meantime we must continue to pay for emergency housing. Therefore I am requesting \$6,500 for emergency housing and relocation.

Thank you for your consideration.

Sincerely,

*Deborah MacKenzie*

Deborah MacKenzie  
Director

DM/fac



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

13

DEPARTMENT  
OF FINANCE

March 26, 1986

TO: Common Council via  
Mayor James E. Dyer

Certification #32

FROM: Dominic A. Setaro, Jr.

We hereby certify the availability of \$19,000.00 to be transferred from the General Fund fund balance account to the Welfare Department. The following accounts in the Welfare Department's budget will be amended:

|                  |                  |                     |
|------------------|------------------|---------------------|
| 02-05-100-026000 | Public Welfare   | \$125,000.00        |
| 02-05-100-029500 | Outside Services | 6,500.00            |
|                  |                  | <u>\$131,500.00</u> |

We will also amend the Public Welfare Revenue Account in the amount of \$112,500.00 (90% of \$125,000.00 which is reimbursable from the State of Connecticut).

|                                       |                       |
|---------------------------------------|-----------------------|
| Previous balance of G.F. Fund Balance | \$1,626,215.71        |
| Less pending requests                 | 36,546.00             |
| Less this request                     | 19,000.00             |
|                                       | <u>\$1,570,669.71</u> |

*Dominic A. Setaro, Jr.*

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

KIG/af

March 25, 1986

Danbury Comon Council  
City Hall  
Danbury Conn.

14

Dear Members:

Several months ago Mayor Dyer appointed me the coordinator for Danbury's participation in the Conn. 350th. parade on April 19th in New Haven Conn. Our city is allowed to have 5 units in this event of 169 cities and towns in the State. Each town must select what would represent their community and all must be in compliance with the rules of the 350th committee.

How to best represent the community with just 5 units was the challenge. My first thought was music and how best to be part of this was the Danbury Drum Corps who for almost 60 years have represented the community so well and carry our city's flag. along with our Danbury High school Band who again as the youth of Danbury it represents the future of our City and State. Both of these units were contacted and agreed to participate. The fee for the Danbury Drum Corps contracted for was \$750.00 which includes their Bus transportation, and this fee is considerably lower than their standard fee for a day parade as a senior corps. and the High School Band fee was \$400.00 for Bus transportation and the usual \$350.00 Stipend allowance to help pay for this 90 piece group either for refreshments or to be used for helping defray the so many little costs in having a band as this.

The Banner the city must have with our name and with the size the state gave us was given to a sign painter with the job of getting the pole and complete the sign which will lead our community groups. I contacted Col. Rispoli of the R.O.T.C. and they will provide 4 cadets to carry this banner and will travel with the High School Band under Mr. Geddes direction as Band Director. This Banner will cost ~~\$125.00~~ \$125.00 complete

I asked and gave the challenge to represent our community to the Exchange Club of Danbury because I knew that not only were they uniformed but their group did such an outstanding job in planning and carrying out the opening of our tricentennial celebration. I asked this service club to march and come up with a reason and represent our community in some way. They again formed a committee and many ideas were discussed. It was their unanimous decision that the best way to depict Danbury in the parade was to design a float in a unique way as well as march. An artist was contacted and an advertising firm was consulted on the design of the float. From Hat center of the world, Danbury State Fair and Space telescope as well as being the Hub of Conn. with a rich history of accomplishments will be the story of the Float. You read and voted on the Exchange's request for \$6000.00 a short time ago. The cost of the float will be about \$5,000.00 with added expenses of driver, Insurance, bus transportation, will come to another 500.00. or more. We wanted to do more but there are no more funds and so the after reception in Danbury will be eliminated.

As you can see I am asking the common Council to approve an additional \$1250.00 to pay for the cost of the music. With the left over money of the Exchange Club we would then have enough to do this total package. I urge you to consider this so our part in this state parade will be one our community will be proud of.

Sincerely yours,  
*Don Melillo*  
Don Melillo  
Parade coordinator



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

DEPARTMENT  
OF FINANCE

April 2, 1986

TO: Common Council via Certification #34  
Mayor James E. Dyer

FROM: Dominic A. Setaro, Jr.

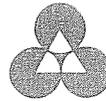
Per Common Council action taken on April 1, 1986, we hereby certify the availability of \$1,250.00 to be transferred from the General Fund fund balance account to a new account in the grants section of the budget entitled Parade Music.

|                                       |                       |
|---------------------------------------|-----------------------|
| Previous balance of G.F. Fund Balance | \$1,626,215.71        |
| Less pending requests                 | 110,846.00            |
| Less this request                     | 1,250.00              |
|                                       | <u>\$1,514,119.71</u> |

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

KIG/af

# Metro Mobile CTs



*Mary R -*  
*Agenda*

March 19, 1986

15

Mayor James Dyer and  
Members of the Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Dear Mayor Dyer,

I have met with Paul Estefan, Danbury airport administrator to discuss the feasibility of sharing tower space on the airport Beacon site for the purpose of locating a cellular mobile telephone cell site in order to provide service to the City of Danbury.

Metro Mobiles' system supplier, Motorola, has reviewed the location and has indicated it would be acceptable for our needs. Therefore, Metro Mobile would like to enter into an agreement for consideration to lease property owned by the city for the above stated purpose. Since we are considered a utility in the State of Connecticut, our cell sites are under the jurisdiction of the Connecticut Siting Council and it is essential we obtain an agreement from a prospective lessor prior to entering this detailed process of obtaining certification to construct. With regard to this, I would appreciate our request be given to the Council at the April meeting in order to proceed in a timely manner.

Metro Mobile appreciates the opportunity to work with the City on this matter. As you are aware, direct benefits to the City of Danbury will be both in leasing space and accommodating the entry of cellular mobile telephone service to the Danbury area. Thank you.

Very truly yours,

Armand Mascioli  
General Manager

AM/lm

cc: Mr. Paul D. Estefan, Danbury Airport Administrator  
Mr. Len Sedney, Planning Director



10

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

March 11, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

On March 5, 1986, the C. D. Parks Advisory Committee unanimously voted to request that the Common Council adopt a resolution which would designate any revenue generated by the Parks Property to be expended on the Parks Property.

A similar program has been in effect at Hatters Park during the past several years with encouraging results. In view of the very considerable need for repair and renovation at the Parks Property, such a program will serve to lessen the impact of such repairs on the annual budget requirements while ensuring an ongoing enhancement of this very valuable asset.

Respectfully submitted

Constance McManus

Chairperson

C. D. Parks Advisory  
Committee

*Constance McManus*

cc: C. D. Parks Advisory Committee



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

March 11, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

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Respectfully submitted  
Constance McManus  
Chairperson  
C. D. Parks Advisory  
Committee

cc: C. D. Parks Advisory Committee

# DANBURY REDEVELOPMENT AGENCY

142 Deer Hill Avenue  
Danbury, Connecticut 06810

Keith J. Colgan, *Executive Director*

Area Code 203 792-1135

17

March 17, 1986

The Honorable Constance McManus, President  
Common Council of the City of Danbury &  
Common Council Members  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

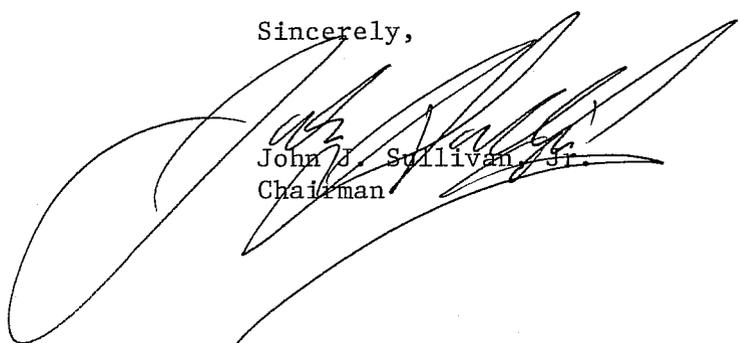
Dear President McManus & Council Members:

The Jackson-Hanson property is located within the potential development area for the MidTown East Neighborhood Development Project.

It has always been the objective of the Danbury Redevelopment Agency to develop a Master Plan on Parcel "A" that would eventually provide a strong pedestrian access-way to Main Street. The general vicinity of the Jackson-Hanson property has been targeted, since the early years of planning by this Agency, as the most appropriate area for a Parcel "A" Main Street integration.

Although the Agency was sorry to see the tragic fire resulting in the destruction of existing downtown businesses and historic structures, the Agency feels it is an appropriate time to pursue the acquisition of the property. Therefore, the Danbury Redevelopment Agency respectfully requests \$475,000 for acquisition and related costs to pursue acquiring title to the Jackson-Hanson property located at 221-229 Main Street.

Sincerely,



John J. Sullivan, Jr.  
Chairman

JJS:cl

cc: Mayor James E. Dyer

# DANBURY REDEVELOPMENT AGENCY

142 Deer Hill Avenue  
Danbury, Connecticut 06810

Keith J. Colgan, *Executive Director*

Area Code 203 792-1135

March 26, 1986

The Honorable Constance McManus, President  
Common Council of the City of Danbury &  
Common Council Members  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Dear President McManus & Council Members:

In accordance with the Master Agreement, between John A. Errichetti and the City of Danbury acting by and through the Redevelopment Agency, it gives me great pleasure to officially submit to the Common Council, for your review, the Master Plan and Phase I Site Plan for Parcel "A".

In depth professional evaluation and meticulous attention to detail has been provided in the development of the design concepts resulting in a Master Plan which not only provides an aesthetically pleasing architectural character, but also functions with the existing urban fabric of the central business district.

I look forward to your invitation to formally present these design concepts to the Common Council.

Sincerely,

John J. Sullivan, Jr.  
Chairman

JJS:c1

PS: This letter is submitted to place the matter on your agenda of 4-1-86. A formal resolution of the Redevelopment Agency further to this correspondence will be submitted subsequent to our next regular agency meeting.

DRISCOLL, LANE, MANNION & DRISCOLL

JAMES C. DRISCOLL, JR.  
D. JOSEPH LANE, JR.  
JAMES M. MANNION  
JAMES C. DRISCOLL III  
JEROME A. MAYER  
THOMAS NESSEL

19

LAW OFFICES  
235 GREENWOOD AVENUE  
P. O. BOX 248  
BETHEL, CONNECTICUT 06801  
TELEPHONE 744-5000  
AREA CODE 203

March 20, 1986

Elizabeth Crudginton  
City Clerk  
Danbury City Hall  
155 Deer Hill Avenue  
Danbury, CT 06801

Re: Danbury Mall Associates Limited Partnership:  
Relocation of a portion of Backus Avenue

Dear Betty:

As attorney for Danbury Mall Associates Limited Partnership I am writing to petition the Common Council to accept as a city road that portion of relocated Backus Avenue which my client has constructed in accordance with the Common Council Resolution of February 1, 1983, a copy of which is enclosed. I also enclose a copy of Sear-Brown Map No. 2309, 20-04 which shows the portion dedicated for the relocated roadway and the portion which will be abandoned upon the Council's acceptance of the newly constructed portion.

I have supplied Attorney Ted Goldstein with a fully executed Warranty Deed to that portion of my client's property which was dedicated to the City in 1983 and my Certificate of Title to said premises.

Thanking you in advance for your usual most courteous cooperation.

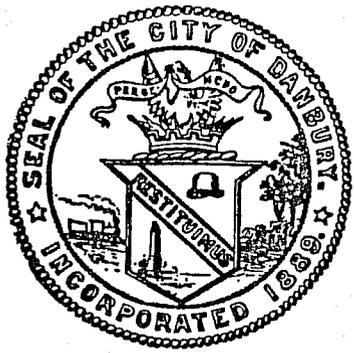
Cordially,



D. Joseph Lane, Jr.

DJLJR:abf  
Encl.

cc: Atty. Ted Goldstein



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

February 1 A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

19

WHEREAS, Danbury Mall Associates Limited Partnership has petitioned the Common Council of the City of Danbury for the abandonment of a portion of Backus Avenue as shown on Sear-Brown Map Nos. 2309.20-04 and 23090-22, attached hereto; and

WHEREAS, the petitioner offers to relocate said portion of Backus Avenue on other property owned by the petitioner and dedicated by it for that purpose, also as shown on the aforementioned maps; and

WHEREAS, the relocation of Backus Avenue in accordance with the proposal submitted by Danbury Mall Associates Limited Partnership is in the best interests of the City of Danbury;

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

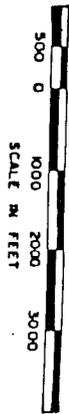
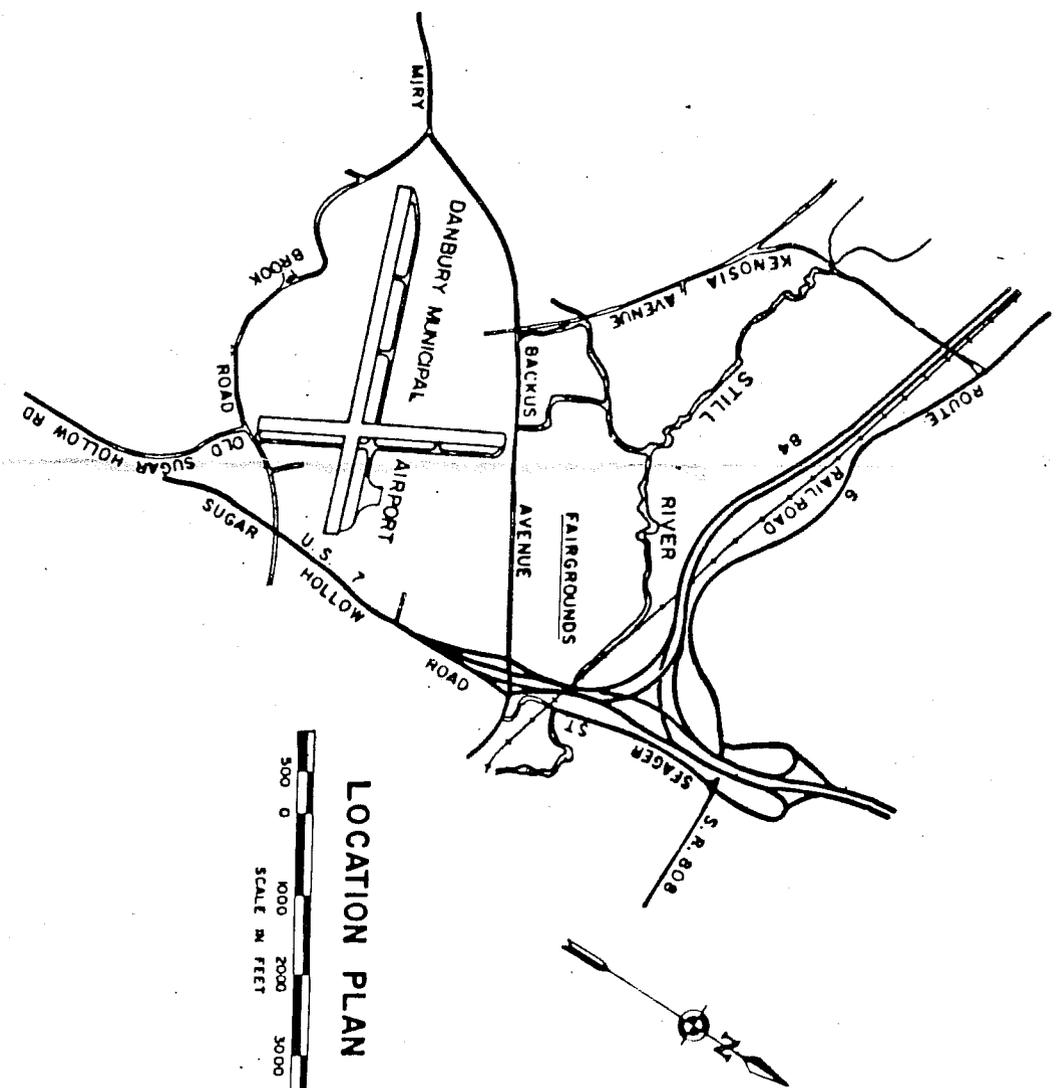
1. THAT the dedication of property for the relocation of Backus Avenue be and hereby is accepted and that the petitioner, Danbury Mall Associates Limited Partnership be and hereby is authorized to construct a portion of Backus Avenue on the property so dedicated, said construction to be performed in accordance with the ordinances and regulations of the City of Danbury and in accordance with plans and specifications approved by the City Engineer and the Superintendent of Highways;

2. THAT the portion of Backus Avenue to be abandoned as shown on the aforementioned maps shall be discontinued and abandoned upon acceptance by the Common Council of the City of Danbury of that portion of Backus Avenue to be constructed by the petitioner in accordance herewith.

PART 'B'  
 BACKUS AVE. TO BE DEDICATED  
 AREA 153,887 S.F. = 3.53 AC.

645.09'  
 5' 0" 0' 0" 4' W

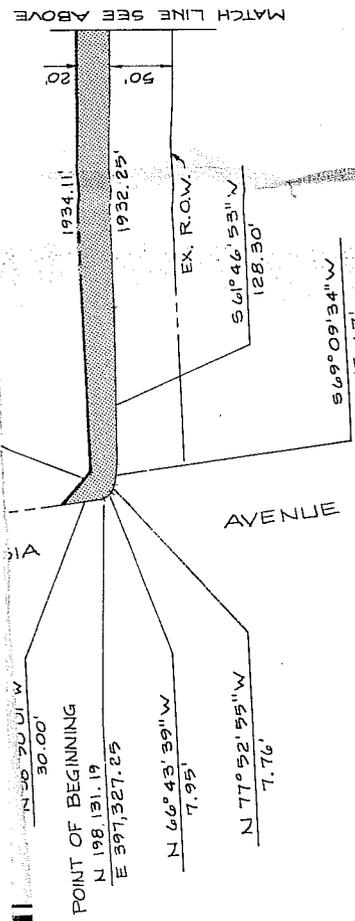
19



LOCATION PLAN

|                                      |   |
|--------------------------------------|---|
| DRAWING NO.<br><b>2309.20</b><br>-04 | TITLE OF PROJECT<br><b>DANBURY FAIR</b>   |
|                                      | TITLE OF DRAWING<br><b>DEDICATION AND ABANDONMENT OF BACKUS AVENUE</b>                              |
|                                      | LOCATION OF PROJECT<br><b>DANBURY, CONNECTICUT</b>  |
|                                      | CLIENT<br><b>WILMORITE, INC.<br/>         1265 SCOTTSVILLE RD.<br/>         ROCHESTER, NEW YORK</b> |

**SEAR · BROW**  
**ASSOCIATES, P.C.**  
 engineers · architects · survey  
 landscape architects  
 85 METRO PARK, ROCHESTER, NEW YORK  
 GOUVERNEUR · HORNELL



N/F DANBURY MUNICIPAL A  
 CITY OF DANBURY

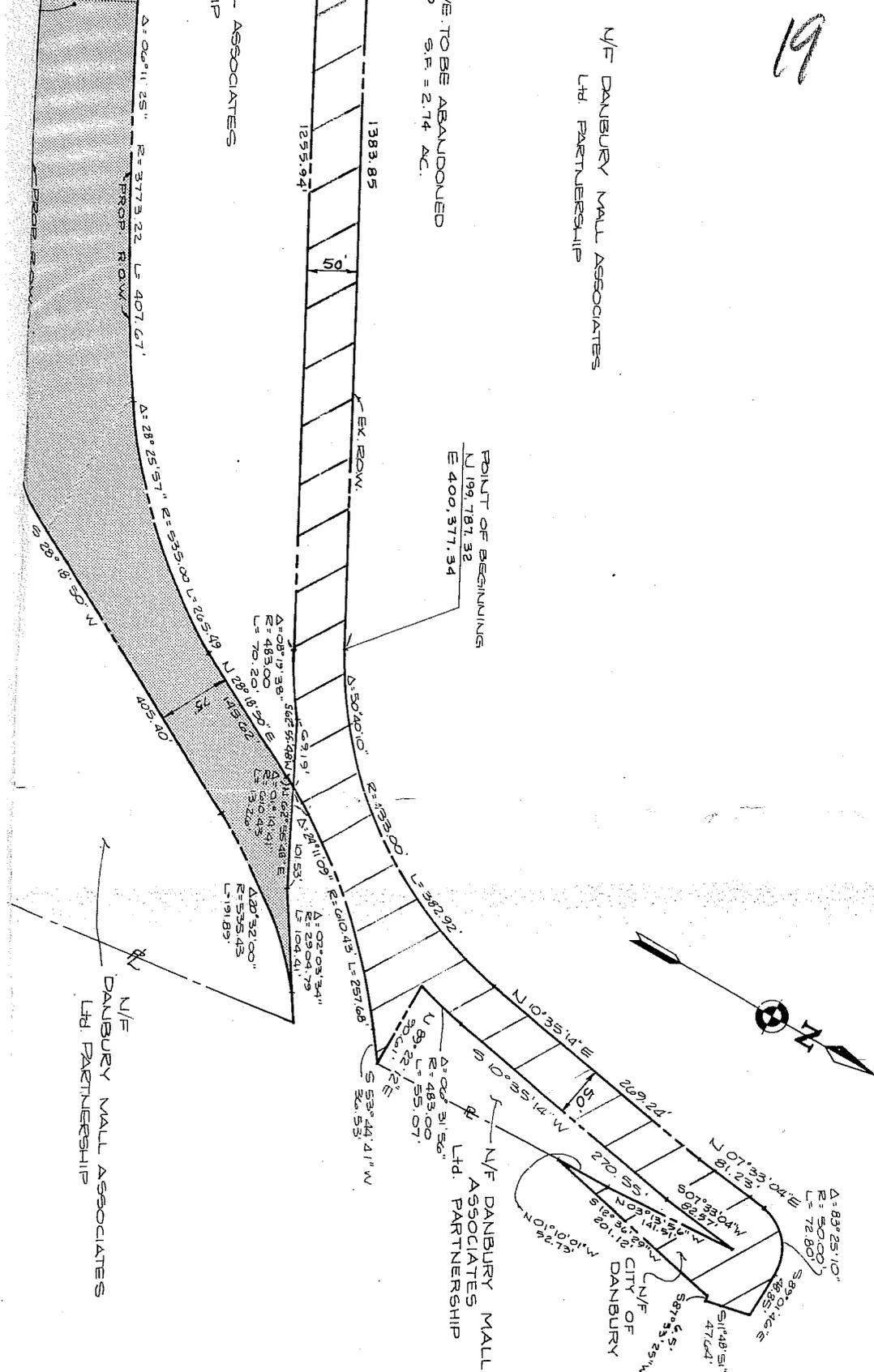
NOTES

THIS MAP WAS MADE UTILIZING BOUNDARY DATA SHOWN ON  
 PREPARED FOR WILMORITE INC. BY SIDNEY A. RAPP JR., REG  
 LAND SURVEYOR IN THE STATE OF CONNECTICUT NO. 7400, A  
 SHOWING PROPERTY LOCATED ON BACKUS AVENUE AND K  
 AVENUE, DANBURY, CONNECTICUT, JULY 19, 1979.

ABANDONMENT OF ROADWAY RIGHT-OF-WAY SHOWN IS TO  
 SUBJECT TO THE GRANTING OF NECESSARY EASEMENTS TO T  
 OF DANBURY FOR THE RELOCATION OF UTILITIES NORTH OF THE P  
 BACKUS AVENUE.

19

19



**DRAWING ALTERATION**

The following is an excerpt from the New York Education Law, Article 145, Section 7209, and applies to this drawing:

"It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor, to allow an item in any way, if an item bearing the seal of an engineer or land surveyor is altered. The altering engineer or a person's seal shall not be used to indicate approval of the alteration. The altering engineer or a person's seal shall not be used to indicate approval of the alteration, and a specific description of the alteration."

| NO. | REVISIONS  | DATE    | BY     |
|-----|--|---------|--------|
| 7   |  |         |        |
| 6   |  |         |        |
| 5   |  |         |        |
| 4   |  |         |        |
| 3   | REVISED NOTE NO. 2                                 | 1-28-83 | SG/LC  |
| 2   | WIDENED & EXTENDED PROPOSED R.O.W. TO KENOSIA AVE. | 1-10-83 | SG/DB  |
| 1   | ADDED DIMENSIONS                                   | 9-21-82 | I.Z.G. |



PROJECT ENGINEER  
T.B.S.

DRAWN BY  
M.M.F./S.G.

DATE  
AUG. 1982

SCALE  
1" = 100'

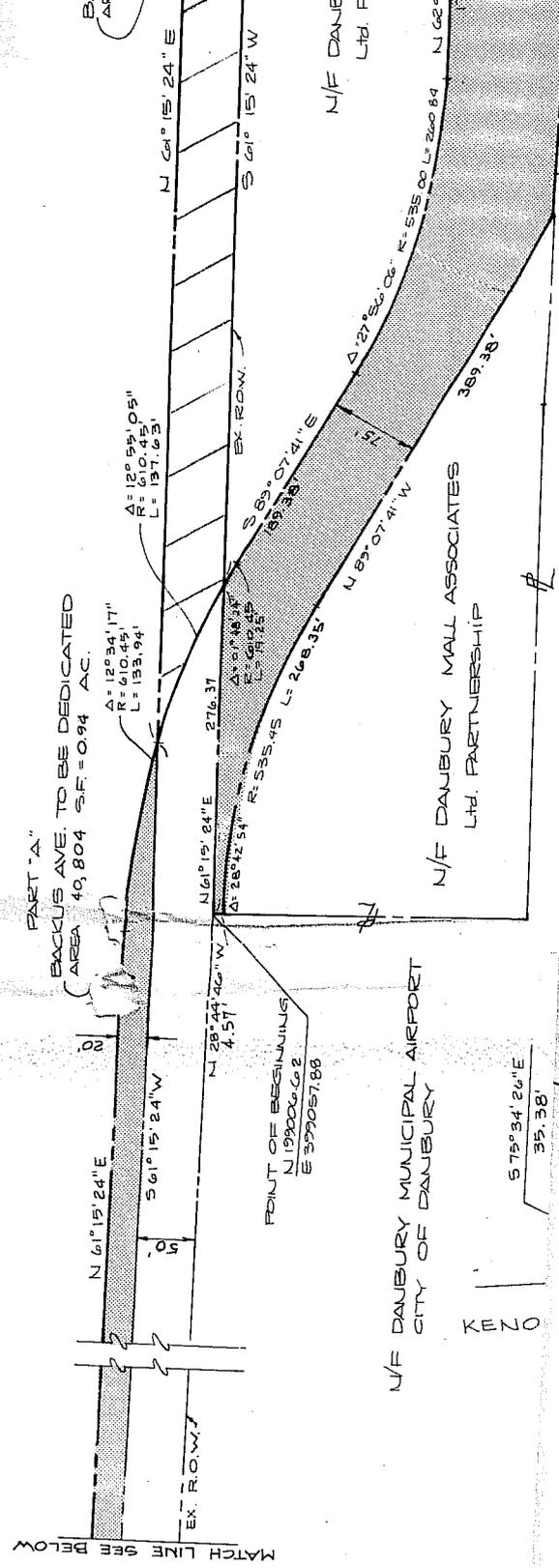
DATE ISSUED

**N**

**SPS**

**623**

19



VE  
S  
DRK



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

20

ENGINEERING DEPARTMENT  
203-797-4641

March 10, 1986

JOHN A. SCHWEITZER, JR.  
City Engineer

Honorable James E. Dyer  
Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT. 06810

Dear Mayor Dyer:

Street Name  
Portion of Former  
Lake Avenue Extension

A question has arisen as to the correct name for the portion of roadway which runs along the east side of the former Mill Plain Firehouse from Mill Plain Road to the Conrail right of way.

Some people are calling this section of the roadway North Kenosia Avenue which is not its official name and which name does not appear in any of our records.

This section of roadway is a City street. Prior to the construction of I-84, Lake Avenue Extension swung southwesterly from its present location near Crestdale Road in front of St. Peter's Cemetery and then northwesterly to Mill Plain Road just east of Driftway Road. For your reference, I have attached hereto a copy of a portion of the Assessor's map showing the section of road in question and a copy of a section of our City street map on which we have shown the former route of Lake Avenue Extension.

Although this section of roadway is really part of Lake Avenue Extension, in our opinion the name "Lake Avenue Extension" is inappropriate. It is also our opinion that "North Kenosia Avenue" is a street name which would cause confusion because of the existence of roads already called Kenosia Avenue and West Kenosia Avenue.

20

March 10, 1986

Honorable James E. Dyer

Mayor

Re: Street Name, Portion of Former Lake Ave. Ext.

---

We would appreciate your review of this matter. If you agree that a new name is warranted for this road, please indicate the appropriate process for having this done.

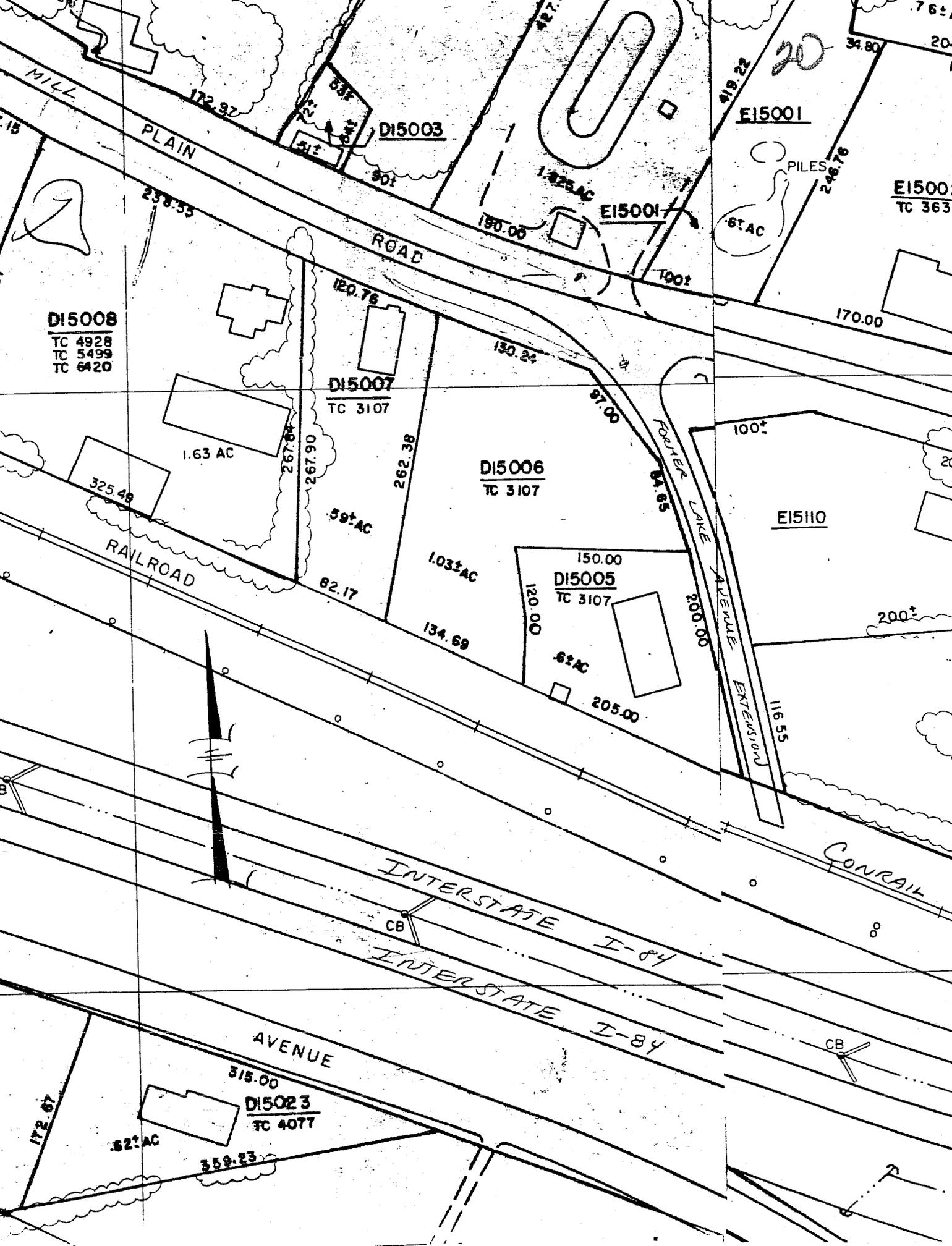
If you have any questions please contact me.

Very truly yours,

  
John A. Schweitzer, Jr.  
City Engineer

JAS/PAE/isr

Enclosures



**DI5008**  
TC 4928  
TC 5499  
TC 6420

**DI5007**  
TC 3107

**DI5006**  
TC 3107

**DI5005**  
TC 3107

**DI5023**  
TC 4077

**E15001**

**E15001**  
TC 363

**E15110**

MILL PLAIN ROAD

RAILROAD

INTERSTATE I-84  
INTERSTATE I-84

AVENUE

FOLLER LAKE AVENUE EXTENSION

CONRAIL

172.97

238.55

120.76

130.24

87.00

100'

325.49

1.63 AC

267.64

267.90

262.38

59± AC

82.17

134.69

1.03± AC

150.00

120.00

62 AC

205.00

81.85

200.00

116.55

170.00

34.80

20

7.6±

PILES

248.78

62 AC

20

20

20

248.78

170.00

7.6±

20

TC 363

20

200'

8

CB

CB

172.67

62± AC

315.00

359.23





# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

The Charter of Danbury reads: The Council, at each meeting, shall reserve at least one-half hour period prior to adjournment for the expression of views ... on the matter before the Council at such meeting.

I respectfully propose and ask the Common Council to investigate moving the public speaking session to a place on our agenda prior to the Consent Calendar. Perhaps we can improve the situation of the taxpayers having better input if they can speak to an issue before a vote. I ask for your consideration.

Respectfully yours,

Thora C. Skoff

Councilwoman - 6th District



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

21

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

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Respectfully yours,

Thora C. Skoff  
Councilwoman - 6th District

✓  
22

We, the undersigned property owners of, Boulevard Drive, Ken Oaks Drive, Kimberley Trail, Windaway Road, and Jenny Drive, all on Lake Kenosia, as a result of the high water table rendering the present septic system of sewage effluent disposal ineffective, do request the installation of sewer lines by the City of Danbury.

- Robert & Judith D'Andrea 2 Windaway Rd
- William & Patricia McSparran 34 Boulevard Drive
- Frank & Murielle Forzano 4 Windaway Road
- Norton & Susan Andrews. 10 WINDAWAY RD.
- Karen Zorcher 7 Jenny Dr.
- Thomas A Bell 13 Windaway Rd
- J. Beene 5 WINDAWAY RD
- Mr. & Mrs. Anthony Picente Sr. 2 Windaway Rd
- Mr. & Mrs. Alfred Ischa 3 Windaway Rd.
- Mr. [unclear] 8 Windaway Rd
- Sandra P. White 4 Ken Oaks Dr.
- Sandra Esposito 7 Ken Oaks Dr
- Nugod Rose Jena 3 Ken Oaks Dr.
- Kathleen [unclear] 17 Ken Oaks Dr.

RECEIVED  
MAR 26 1986  
OFFICE OF CITY CLERK

We, the undersigned property owners of Boulevard Drive, Ken Oaks Drive, Kimberley Trail, Windaway Road, and Jenny Drive, all on Lake Kenosia, as a result of the high water table rendering the present septic system of sewage effluent disposal ineffective, do request the installation of sewer lines by the City of Danbury.

22

Gerri & Joe Brenna

Michael and Judy White

Barbara & Joe Clap

Gustav & Kay Johnson

Rocco Gross

Norman Williams

Sonja Zeh

Patricia Talbot

Man Johnson

Thos Zekaldi Fala

Nick & Nilda DePuffa

Bob & Janet Crain

Albert & Joyce Snyder

2 Kimberley Trail, Danbury

3 Kimberley Trail Danbury Ct

8 Kimberley Trail Danbury Ct

5 Ken Oaks DR Danbury Ct

18 Ken Oaks Dr, Danbury, Ct

5 Jenny Drive Danb, Ct.

6 Ken Oaks - Danb. Ct.

1 Ken Oaks P. Danbury Ct.

1 Ken Oaks Drive, Danbury Ct.

5 Kimberley Trail Danbury, Ct

11 Kimberley Trail

12 Windaway Rd.

March 10, 1986

27

We, the undersigned property owners of. Boulevard Drive, Ken Oaks Drive, Kimberley Trail, Windaway Road, and Jenny Drive, all on Lake Kenosia, as a result of the high water table rendering the present septic system of sewage effluent ineffective, do request the installation of sewer lines by the City of Danbury.

*Danbury Mosse Lodge 1373 - Len J. Flannery Governor*

COMMON COUNCIL

CITY OF DANBURY

28

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Residents of Lake Kenosia who signed petition

Address: Lake Kenosia

Telephone No: D'Andrea - 744-6519 Forzono 792-7657  
McSparron - 792-9035

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

Located at: Boulevard Drive / Ken Oaks to Windaway / Windaway

Assessor's Lot No: \_\_\_\_\_

Zone in which the Property Lies: RA-40

Intended Use:

Retail

Single Family Residential

Office

Multiple Family Development

Mixed Use

Industrial

\_\_\_\_\_ Number of Efficiency Units

\_\_\_\_\_ Number of 1 Bedroom Units

\_\_\_\_\_ Number of 2 Bedroom Units

\_\_\_\_\_ Number of 3 Bedroom Units

28.  
Signatures  
on  
petitions

Total Number of Units

Patricia A. McSparron  
Judith D. Andrea

(Signature)

March 24, 1986  
March 26, 1986

(Date)

HAND-DELIVER

23

LAW OFFICES OF  
WARD J. MAZZUCCO, P. C.

WARD J. MAZZUCCO\*<sup>o</sup>  
SHARON WICKS DORNFELD  
STEPHEN THOMAS ROBERTS  
JAMES F. STORER

57 NORTH STREET SUITE 416  
DANBURY, CONNECTICUT 06810  
(203) 794-9144

\*ALSO ADMITTED IN NEW YORK  
<sup>o</sup>ALSO ADMITTED IN FLORIDA

March 10, 1986

Danbury Common Council  
155 Deer Hill Avenue  
Danbury, CT 06810

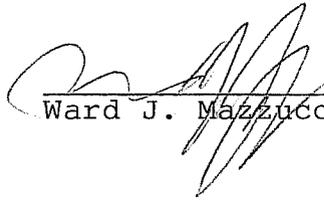
Re: Connecticut Health Care Associates, Inc.

Honorable Council Members:

I am pleased to enclose an application on behalf of Connecticut Health Care Associates, Inc., to extend sewer and water lines to property at 52 Main Street. The use of the property would be a nursing home with congregate housing, in accordance with the existing approval of the Planning Commission. I would appreciate it if you could let me know when the appropriate committee might consider this application. Thank you for your cooperation.

Very truly yours,

WARD J. MAZZUCCO, P. C.

  
\_\_\_\_\_  
Ward J. Mazzucco

WJM:nak

Enclosure

RECEIVED  
MAR 10 1986  
OFFICE OF CITY CLERK



**MULVEY & KOROTASH**

ATTORNEYS AT LAW  
THE WEST STREET BUILDING  
31 WEST STREET  
DANBURY, CONNECTICUT 06813  
TELEPHONE (203) 792-5900

24

REPLY TO:  
P.O. BOX 751  
DANBURY, CT 06813

JAMES R. MULVEY  
MARK W. KOROTASH

March 10, 1986

Mrs. Elizabeth Crudgington,  
City Clerk  
Town Hall  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Francis Dennehy  
27 East Pembroke Road  
Danbury, Connecticut

Dear Mrs. Crudgington:

Enclosed herewith in connection with the above matter please find the following:

a. Application to Common Council for sewer extension on East Pembroke Road.

b. Copy of letter from Jeanne L. Williamson to John A. Schweitzer, Jr..

c. Copy of proposed plan and profile for sewer extension.

Would you kindly place this on the Common Council's agenda.

Thank you for your attention.

Very truly yours,  
MULVEY & KOROTASH



James Ryan Mulvey

JRM:tu  
Enclosures

**CONSULTANTS & ENGINEERS, INC.**

9 HARMONY STREET - DANBURY, CONNECTICUT 06810

TELEPHONE (203) 748-1442

February 3, 1986

24

Mr. John A. Schweitzer, Jr.  
City Engineer  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Sewer Extension, East Pembroke Road, Danbury (Dennehy)

Dear Mr. Schweitzer:

Enclosed please find the proposed plan and profile for sewer extension on East Pembroke Road. The proposed tie-in service is also included on the plan and profile.

This is being respectfully submitted for your review and approval.

If you have any questions or comments regarding the above, please do not hesitate to contact this office.

Very truly yours,

CONSULTANTS & ENGINEERS, INC.

*Jeanne L. Williamson*

Jeanne L. Williamson  
Civil Engineer

jlw/JLW

Enclosure

COMMON COUNCIL

CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

24

Applicant: FRANK DENNEY

Address: 27 EAST PEMBROKE ROAD

DANBURY, CONN. 06810

Telephone No: ATTORNEY JAMES MULVEY, DANBURY, 792-5900

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

Located at: 27 EAST PEMBROKE ROAD, DANBURY

Assessor's Lot No: I 09044

Zone in which the Property Lies: RA-20

Intended Use:

Retail

Single Family Residential

Office

Multiple Family Development\*

Mixed Use

8 Number of Efficiency Units

Industrial

\_\_\_\_\_ Number of 1 Bedroom Units

\_\_\_\_\_ Number of 2 Bedroom Units

\_\_\_\_\_ Number of 3 Bedroom Units

\_\_\_\_\_ Total Number of Units

\* THIS IS AN EXISTING BOARDING HOUSE.

Francis J. Denney  
(Signature)

3/7/86  
(Date)



**CITY OF DANBURY**

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

*Wm R -  
Agenda*

ENGINEERING DEPARTMENT  
203-797-4641

March 20, 1986

*JS*

JOHN A. SCHWEITZER, JR.  
City Engineer

Honorable James E. Dyer  
Mayor  
City of Danbury  
Danbury, CT 06810

Dear Mayor Dyer:

Water and Sewer Extensions

To clarify future water and sewer extensions, it is recommended that the Common Council add an eighth stipulation to the existing seven. This eighth stipulation should give a date on which the water and sewer extension approval expires.

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

Very truly yours,

*John A. Schweitzer, Jr.*  
John A. Schweitzer, Jr.  
Director of Public Works, Acting

JAS/isr



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

26

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Dear Mayor Dyer:

I am requesting that you appoint a Common Council committee to investigate a drainage problem at 10 Ridge Road.

On March 15, 1986 I met with Atty and Mrs. Moy and Gene Austin to discuss the problem. A letter from Mrs. Moy is attached which I feel, is a thorough presentation of the facts.

Also attached is a copy of a November 6, 1984 letter from the Moys pertaining to this matter.

Your attention to this matter is appreciated.

Sincerely,

✓ Philip N. Hadley  
Councilman - Ward - 6

cc: Mrs. Sandra Moy  
10 Ridge Rd.

10 Ridge Road  
West Terrace  
Danbury, Connecticut 06810  
November 6, 1984

The Honorable James Dyer  
Mayor of the City of Danbury  
The Common Council of the City of Danbury  
City Hall  
Deer Hill Avenue  
Danbury, Connecticut 06810

RE: Drainage problem at 10 Ridge Road West Terrace

Dear Honorable Mayor Dyer & Members of the Common Council:

Request is made for the installation of a storm drain in front of 10 Ridge Road to alleviate the overflow of water from Ridge Road.

During heavy rains and the melting of frozen rain or snow, water floods onto my property towards my house which is seventy (70) feet from the road. The flooding problem has increased since the repaving of the roadway which has pitched surfaces so that water flows toward my property with greater ease and force.

Your attention to this matter at your earliest would be appreciated. I can be reached at 743-2633 if I can be of further assistance.

Very truly yours,

Mr. Henry H. Moy  
Property Owner of  
10. Ridge Road West Terrace

10 Ridge Road, West Terrace  
Danbury, Connecticut 06810  
March 24, 1986

Mr. Philip Hadley  
6th Ward Councilman  
15 Ridge Road, West Terrace  
Danbury, Connecticut 06810

26

RE: Drainage problem at 10 Ridge Road, West Terrace

Dear Mr. Hadley:

As Councilman from our area, I am appealing to you for help in solving a drainage problem that exists in front of our property at 10 Ridge Road.

As you can see from the attached copy of a letter addressed to Mayor James Dyer and the Common Council, this problem has been unresolved for a number of years. To our knowledge there has been no response or action taken in response to this letter.

Several years ago, the City of Danbury repaved the street and thereupon increased the height of the street. Our driveway is situated below the street level. This causes the water from the street and other driveways to flow into our driveway and causes excessive flooding of our front yard. There is an existing storm drain on the property at 12 Ridge Road, but its location (i.e. being so far set back from the road, and over thirty (30) feet from our front yard) has defeated the function for which it was built.

The previous owner installed two (2) six inch (6") diameter flexible perforated drain pipes at the end of our driveway which are under the ground along the front of our neighbors' yard and run parallel to the road. These pipes are attached to a City storm drain. But having been installed by an amateur and not having any grating to cover the pipes entrance, the pipes collect with dirt and debris washed from the road and the latter clog the pipes, causing the water to collect at the end of our driveway, forming a very large sized pond, not only at the end of the driveway but half way up it at times. (Our driveway is almost seventy (70) feet long!)

We have consulted with Gene Austin of Austin Paving. We contacted Gene to give us an estimate to resurface our driveway due to the fact that it is sinking and cracking because of the water being diverted from the road which was caused by the City's repaving of the road. His inspection of the driveway revealed that our driveway entrance is cracked and is sinking because of the large amounts of water that flow down our driveway from the road. He suggested that the City should replace the drainpipe that was installed by the previous owner and that a second storm drain with a sump be installed at the driveway entrance.

26

We have also been in contact with Dave Gervasoni of the City garage. He is aware of the problem but says that he does not have the authority to correct this problem without authorization from the Common Council.

In addition to the above named, we have also spoken on several occasions with Larry Bostock, also an employee of the City garage. Mr. Bostock has been to the house several times during the past few years to inspect the water problem and to open up the drains for us.

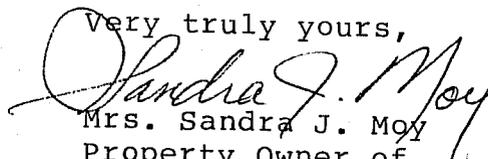
There have been numerous people whom I have contacted over the past 2 years who have been sympathetic to our problems but have been unable to correct them.

As a taxpayer in the City of Danbury, I feel that the time has come to have this problem resolved. The City resurfaced the roadway approximately 2 summers ago, and since then our problems have increased. The road is higher in the middle and all the water runs towards us. We feel that after talking with Gene Austin and also with you last Saturday March 15, 1986 in front of our home that this problem can be resolved to our satisfaction with a minimum expense to the city. We are not asking the city to redesign the roadway but to install drainage that will accept the large flow of water.

We would appreciate hearing from you as soon as possible on this matter. We will be having our driveway resurfaced this spring or summer but hesitate to do so until this problem has been resolved. Please feel free to call on me when your committee meets to discuss the problem. I would be more than happy to help in clarifying any information which may not be clear. I may be reached at 743-2833 at any time.

I would also hope that you would feel free to contact Gene Austin as a consultant in this matter. I believe he is also going to contact the City Engineer to discuss any possibilities.

Very truly yours,



Mrs. Sandra J. Moy  
Property Owner of  
10 Ridge Road West Terrace

Enc.

27

13 Old Hayrake Road  
Danbury, Ct. 06811  
March 21, 1986

Danbury City Hall  
Attn: Common Council  
155 Deer Hill Avenue  
Danbury, Ct. 06810

The residents of Old Hayrake Road have been living with two recurring water problems. We believe the time has come for the City to rectify these problems before accidents or health problems develop. Silt, dirt and refuse build up across the entrance to our road during the winter permitting water to collect and freeze. Attempting to enter an ice covered Clapboard Ridge Road is quite an experience. We believe there are three possible remedies. The entrance to the road could be swept periodically during thaws to reduce the risk of icing, the road surface could be scored or grooved to provide better traction or the size of the storm drain could be increased to divert more water.

The second problem exists at the end of Old Hayrake Road. We have water flowing down the road from late fall to early summer. We believe an additional storm drain is needed at the top of the hill to catch water entering the road at Number 23 Old Hayrake. At present, the water flows an additional 200+ feet to a drain at Number 13 Old Hayrake. The drain is filling with silt. This winter we had ice extending four feet into the street and received a complaint from the Post Office. The ice was giving the postman a traction problem. It should also be noted that the water has a rather interesting odor and will probably be stronger in late Spring. We believe four remedial steps are necessary:

1. An additional storm drain is needed to catch the runoff at the top of the cul-de-sac.
2. A health inspector should determine whether a septic system has failed given the aroma from the approximate source of the water.

27

3. The runoff could be diverted to run down both sides of the road thereby reducing the build-up of silt in one drain.
4. The storm drain at Number 13 Old Hayrake Road should be cleaned of silt as the demands on the drain are high.

We would like you to consider these issues and suggestions and hope you can correct both problems. Thank you for considering our requests.

  
\_\_\_\_\_  
P. Stagen

CC: City Engineer  
John A. Schweitzer



28

# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

March 3, 1986

TO: Honorable Members of the Common Council  
FROM: Phil Capozzi - Administrative Assistant to the Mayor  
RE: Drainage Easement

It has come to the attention of the Mayor's Office that the State of Connecticut is offering to grant an easement for drainage on property located on the Northerly side of Kenosia Avenue. The cost to the City for this easement will be \$500.00 which represents the administrative costs incurred by the State.

City Engineer Jack Schweitzer has stated the City should pursue this and Dominic Setaro has told me that there is money available to obtain the easement.

I respectfully submit this to the Common Council for it's acceptance.

Sincerely yours,

  
Phil Capozzi



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

*ms*

ENGINEERING DEPARTMENT  
203-797-4641

JOHN A. SCHWEITZER, JR.  
City Engineer

DATE: February 20, 1986  
TO: Leonard Sedney, Planning Director  
FROM: John A. Schweitzer, Jr., City Engineer  
SUBJECT: State of Connecticut - State Land  
to be Sold - Northerly Side of  
Kenosia Avenue - Drainage Easement

In response to your request relative a drainage easement on the above-referenced property we feel this easement should be obtained.

JAS/isr

*John A. Schweitzer, Jr.*  
John A. Schweitzer, Jr.  
(encl)

PLANNING & ZONING DEPT.

*2-20-86*



28

HENRY E. PARKER  
TREASURER

State of Connecticut  
OFFICE OF THE TREASURER  
STATE CAPITOL, HARTFORD 06115

PAUL J. McDONOUGH  
DEPUTY TREASURER

The Honorable James E. Dyer  
City of Danbury  
City Hall, 155 Deer Hill Avenue  
Danbury, Connecticut 06810

May 29, 1985

Re: State Land to be Sold: Northerly side of Kenosia Avenue, Danbury  
Size: 0.43± acre  
Map Number: 34-93-37

Dear Mayor Dyer:

Section 3-14b of the General Statutes of Connecticut provides that prior to the sale of state owned land, the State Treasurer shall first notify in writing the Chief Executive Officer of the municipality in which the land is situated of the state's intention to sell such land.

This letter shall serve as notification pursuant to the statute concerning the parcel or parcels of land described above. Subsection (a) of the statute requires the municipality to give written notice to the state of the municipality's desire to purchase such land, subject to the conditions of sale acceptable to the state.

If the Chief Executive Officer or Officers of the municipality fail to give notice to the state of the municipality's desire to purchase said land within forty-five days, the municipality shall have waived its right to purchase said land.

Please advise if the municipality is interested, or is not interested, in acquiring this subject property. Send your notification to: Peter A. D'Angona, Director, Special Funds and Escheat Division, Office of the Treasurer, State of Connecticut, 20 Trinity Street, Hartford, Connecticut 06106.

Sincerely yours,

HENRY E. PARKER  
STATE TREASURER

HEP.b

( ) Interested



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

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

Phone : 566-4487



28

January 10, 1986

Hon. James E. Dyer  
City of Danbury  
City Hall, 155 Deer Hill Avenue  
Danbury, Connecticut 06810

Dear Mayor Dyer:

Subject: State Land to be sold - Danbury  
File No. 34-93-37 (B)

Please be advised that the State is proposing to release the subject parcel (map attached). The Town was notified on May 29, 1985 in accordance with Section 3-14b of the Connecticut General Statutes and indicated their disinterest. It has come to our attention that Kenosia Avenue has a run-off onto this parcel and we were advised to offer the Town of Danbury an opportunity to purchase a drainage easement for this purpose.

In order to process for the granting of the easement, \$500.00 will be required to cover our administrative costs.

Please review and, if the easement is required, submit a check made payable to "Treasurer, State of Connecticut" and we will process for the granting of the easement.

In the meantime, if you require additional assistance, do not hesitate to contact me.

Very truly yours,

Joseph O'Hearn  
Division Chief  
Property Management Division  
Office of Rights of Way

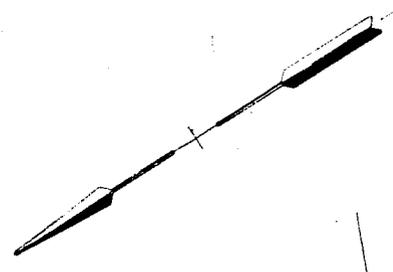
Attachments: 2

00

PRESENT

INTERSTATE

ROUTE 84



1626' CHD.  
Highway Line Non Access  
(See ROW Map No. 34-15 Sh. No. 3 of 4)

Rights of Access  
Denied

Release Line 345.89'

RELEASE AREA:  
0.43± ACRE

STATE OF CONN.  
FORMERLY  
EDWARD V. ANDRULONIS  
ET AL  
Quit Claim Deed  
Vol. 334 Pg. 194  
34-93-37

N/F  
KLAUS THIEL

Highway Line  
Non Access  
(See ROW Map No.  
34-15 Sh. 2 of 4)

PRESENT

Former Highway Line Non Access

STATE OF CONN.  
FORMERLY  
KENOSIA AVE.

KENOSIA

AVENUE

Easement to Drain Reserved  
in favor of The Town of Danbury

28

TOWN OF DANBURY  
MAP SHOWING LAND RELEASED TO  
KLAUS THIEL  
BY  
THE STATE OF CONNECTICUT

U.S. ROUTE 6  
(LIMITED ACCESS HIGHWAY)

SCALE 1" = 40'  
ROBERT W. GUBALA  
TRANSPORTATION CHIEF ENGINEER - BUREAU OF HIGHWAYS

JUNE 1985

| DATE | REVISION | REC. BY |
|------|----------|---------|
|      |          |         |
|      |          |         |
|      |          |         |

I HEREBY CERTIFY THAT THIS MAP IS SUBSTANTIALLY CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

TOWN NO. 34  
PROJECT NO. 34-93  
SERIAL NO. 37A  
SHEET 1 OF 1

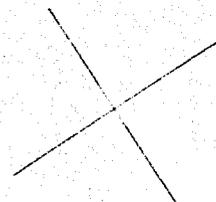
DATE: JUNE 1985  
TITLE: Supervisor of Prop. Maps  
Signature: *Michael J. Pava*  
Title: Supervisor of Prop. Maps

THIS MAP CONFORMS TO CLASS D OF CODE OF CONNECTICUT TECHNICAL COUNCIL INC

by B.M.C. DATE 6-7-85  
A.P.D. DATE 6-10-85  
Date

PRESENT

INTERSTATE



Rights of Access Denied

Release Line - 345.8

RELEASE 0.43 ± AC

C.H.D.

334.40

Former Highway Line Non Access

Highway Line Non Access (see ROW Map No. 34-15 Sh. 2 of 4)

STATE OF CONN. FORMERLY KENOSIA AVE.

PRESENT

KENOSIA

AV

|      |  |
|------|--|
| DATE |  |
|      |  |
|      |  |

by B.M.C. Date 6-7-85  
by A.P.D. Date 6-10-85  
Date

THIS MAP CONFORMS TO CLASS D OF CODE OF CONNECTICUT TECHNICAL COUNCIL INC

TOWN NO. 34  
PROJECT NO. 34-9  
SERIAL NO. 37A  
SHEET 1 OF 1

CORDALIE BENOIT  
ATTORNEY AT LAW  
48 LOCUST AVENUE  
DANBURY, CONNECTICUT 06810  
TELEPHONE (203) 797-1545

29

Mrs. Elizabeth A. Crudginton, City Clerk  
Danbury, CT. 06810

Re: 15 Somers Street, Danbury, CT.

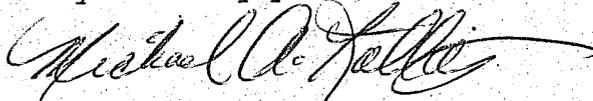
Dear Mrs. Crudginton:

I purchased the above captioned property from DATAHR, Inc. by deed dated June 26, 1985 and recorded in Vol. 739 at Page 283 of the Danbury Land Records. Said property is subject to assessment for sewer benefits liens J12 185 and J12 186.

The property which I purchased has been subdivided, pursuant to Planning Commission approval, and map reflecting said subdivision has been filed in the office of the Danbury Town Clerk as Map No. 8248. A portion of the property has now been conveyed to Somers Village, Inc., which is located at Somers Street, Danbury, CT and a portion is now in the process of being conveyed to Charles M. Scott of New Fairfield, Connecticut. The two purchasers have agreed that the aforesaid assessment for sewer benefits liens may be recomputed so as to make each purchaser responsible for one-half of the balance due on said liens as it applies to the property of each.

I trust that you will place this petition before the Common Council of the City of Danbury for action at its next meeting. It is understood that we all waive our right of appeal to any action taken by the Common Council.

Very cordially yours,

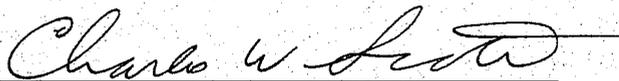


Michael Kallas

cc: Somers Village, Inc.

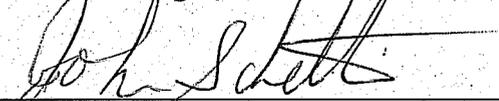
Dr. Charles W. Scott

Agreed and accepted this 14th day of March, 1986.



Dr. Charles Scott

Somers Village, Inc.

By:   
John Schettino, Pres.

30

LAW OFFICES OF  
WARD J. MAZZUCCO, P. C.

WARD J. MAZZUCCO\*<sup>o</sup>  
SHARON WICKS DORNFELD  
STEPHEN THOMAS ROBERTS  
JAMES F. STORER

57 NORTH STREET SUITE 418  
DANBURY, CONNECTICUT 06810  
(203) 794-9144

\*ALSO ADMITTED IN NEW YORK  
<sup>o</sup>ALSO ADMITTED IN FLORIDA

March 19, 1986

Elizabeth Crudginton,  
Danbury City Clerk  
155 Deer Hill Avenue  
Danbury, CT 06810

RE: Mazzucco Subdivision

Dear City Clerk Crudginton:

I would respectfully request the question of the City's acceptance of a small parcel for road widening purposes be placed on the next Common Council agenda.

The parcel is depicted on the proposed subdivision map, a copy of which is enclosed. A copy of the proposed warranty deed and certificate of title are also enclosed. It should be noted that the subdivision applicant is the contract purchaser of the land in question. Thus, the representations as to title reflect a future state of facts.

Additionally, it should be noted that the entire parcel does have some back taxes owed on it. There is some \$274.69 due the City. This sum will be taken care of at closing, and should not affect the small parcel offered to the City, which comprises some 412.79 square feet.

Thank you for your time and attention to this matter.

Very truly yours,

WARD J. MAZZUCCO, P.C.

  
Stephen Thomas Roberts

STR:sm

Enclosures

cc: Corporation Counsel  
Planning Commission

ALL LETTERS HAND DELIVERED: 03/19/86

CERTIFICATE OF TITLE

Danbury, Connecticut

30 , 1986

TO: THE CITY OF DANBURY

This is to certify that as of the date set forth above and as disclosed by the land records of the City of Danbury, Connecticut, title to the premises situated on the Easterly side of Ta'Agan Point Road in the City of Danbury, which is more particularly shown on a certain map entitled "FINAL SUBDIVISION MAP SHOWING TA'AGAN ROAD SUBDIVISION DANBURY, CONNECTICUT. Prepared for Philip E. and Veronica E. Mazzucco Scale: 1" = 40' Total Area: 3.404 AC Zone: RA-20 Date: Feb. 28, 1986." Certified substantially correct by Paul Fagan of Surveying Associates, P.C., a copy of which map is attached hereto and made a part hereof is vested in Philip E. Mazzucco and Veronica E. Mazzucco free and clear of all encumbrances except:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.
2. Tax liens in favor of any municipal taxing authority for real property.

THE FIRM OF WARD J. MAZZUCCO, P.C.

BY: Stephen Thomas Roberts,  
Attorney At Law

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

Know Ye, That, we PHILIP E. MAZZUCCO and VERONICA E. MAZZUCCO

50

for the consideration of ONE DOLLAR (\$1.00)-----

received to our full satisfaction of THE CITY OF DANBURY

do give, grant, bargain, sell and confirm unto the said CITY OF DANBURY

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, shown and designated as "Parcel X" on a map entitled, "FINAL SUBDIVISION, TA'AGAN POINT ROAD SUBDIVISION Danbury, Connecticut. Prepared for Philip E. & Veronica E. Mazzuco. Scale: 1" = 40' Total Area: 3.404 AC Zone: RA-20 Date: Feb. 28, 1986." Certified substantially correct by Paul Fagan of Surveying Associates, P.C. A copy of this map will be filed on the Danbury Land Records prior to the recording of this deed. This parcel of land to be conveyed to the City of Danbury for the general purpose of road widening.

This conveyance is subject to no encumbrances save the following:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.
2. Tax liens in favor of any municipal taxing authority for real property.

To Have and to Hold the above granted and bargained premises, with the appurtenances there-  
of, unto it the said grantee its heirs, successors and assigns for-  
ever, to its and their own proper use and behoof.

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

And Furthermore, we the said grantors do by these presents bind  
ourselves and our heirs, executors and administrators forever to WAR-  
RANT AND DEFEND the above granted and bargained premises to the said  
grantee successors, heirs and assigns, against all claims and demands  
whatsoever, except as hereinbefore mentioned.

In Witness Whereof, we have hereunto set our hand  
and seal this 19th day of March in the year of our Lord nineteen  
hundred and eighty six.  
Signed, Sealed and Delivered in presence of

\_\_\_\_\_  
Philip E. Mazzucco   
\_\_\_\_\_  
Veronica E. Mazzucco   
\_\_\_\_\_  


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

On this the 19th day of March, 19 86, before  
me, Stephen Thomas Roberts, the undersigned officer, personally  
appeared PHILIP E. MAZZUCCO & VERONICA E. MAZZUCCO

known to me (or satisfactorily proven) to be the person whose  
name s subscribed to the within instrument and acknowledged that t he y executed the same for  
the purposes therein contained, as t heir free act and deed.

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

\_\_\_\_\_  
Stephen Thomas Roberts,  
~~Commissioner of the Superior~~  
Title of Officer Court

State of Connecticut, }  
County of } SS.

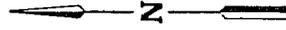
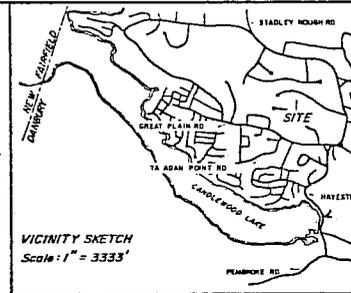
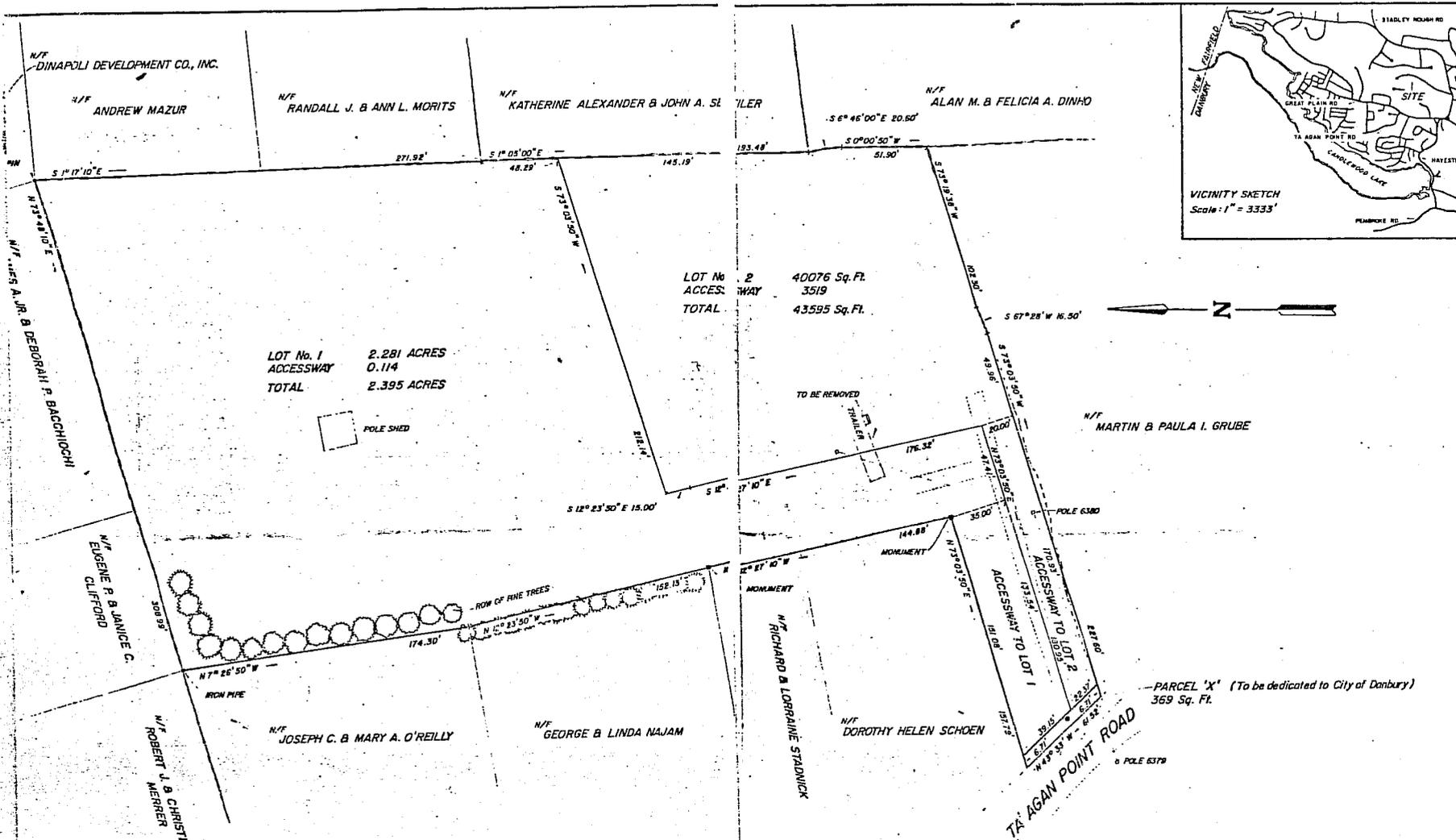
On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me,  
\_\_\_\_\_, the undersigned officer, personally appeared  
who acknowledged himself to be the \_\_\_\_\_  
of \_\_\_\_\_, a corporation, and that he as such \_\_\_\_\_, being authorized  
so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the  
corporation by himself as \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

Latest address of Grantee:  
No. and Street \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_

30



**FINAL SUBDIVISION MAP**  
SHOWING  
**TA'AGAN ROAD SUBDIVISION**  
Danbury, Connecticut  
PREPARED FOR  
**PHILIP E. & VERONICA E. MAZZUCCO**

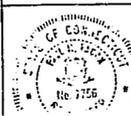
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Scale: 1" = 40' Total Area: 3.404 Ac. Zone: RA-20 Date: Feb. 28, 1975

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I HEREBY CERTIFY THAT THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE STANDARDS OF A CLASS A-2 SURVEY AS DEFINED IN THE CONN. PRACTICE FOR STANDARDS OF ACCURACY OF SURVEYS AND MAPS, ADOPTED DECEMBER 10, 1975 AS AMENDED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC.

**SURVEYING ASSOCIATES, P.C.**



30

LAW OFFICES OF  
WARD J. MAZZUCCO, P. C.

WARD J. MAZZUCCO\*<sup>o</sup>  
SHARON WICKS DORNFELD  
STEPHEN THOMAS ROBERTS  
JAMES F. STORER

57 NORTH STREET SUITE 418  
DANBURY, CONNECTICUT 06810  
(203) 794-9144

\*ALSO ADMITTED IN NEW YORK  
<sup>o</sup>ALSO ADMITTED IN FLORIDA

May 1, 1986

Elizabeth Crudgington  
City Clerk  
Town Hall  
155 Deer Hill Avenue  
Danbury, CT 06810

Dear Ms. Crudgington:

Enclosed please find updated copies of the proposed conveyance of a road widening strip to the City of Danbury, along with an updated Certificate of Title.

Please let me know if these are in order, and kindly refer to the City Council. Thank you for your cooperation in this matter. Please feel free to contact me if you should have any questions pertaining to the enclosed.

Very truly yours,

WARD J. MAZZUCCO, P. C.

  
Stephen Thomas Roberts

STR:nak

Enclosures

cc: Eric Gottschalk

30

MINAPOLI DEVELOPMENT CO., INC.

N/F ANDREW MAZUR

N/F RANDALL J. & ANN L. MORITS

N/F KATHERINE ALEXANDER & JOHN A. S.

S 1° 17' 10" E 271.92' S 1° 05' 00" E 48.29' 145.19'

S 73° 03' 50" W

212.14'

S 12° 23' 50" E 15.00' S 12°

LOT No.  
ACCES.  
TOTAL

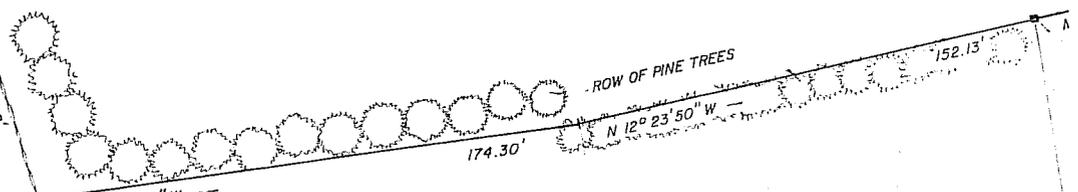
LOT No. 1 2.281 ACRES  
ACCESSWAY 0.114  
TOTAL 2.395 ACRES

POLE SHED

BACCHIOCHI

N/F EUGENE P. & JANICE C. CLIFFORD

308.99'



ROW OF PINE TREES

N 7° 26' 50" W

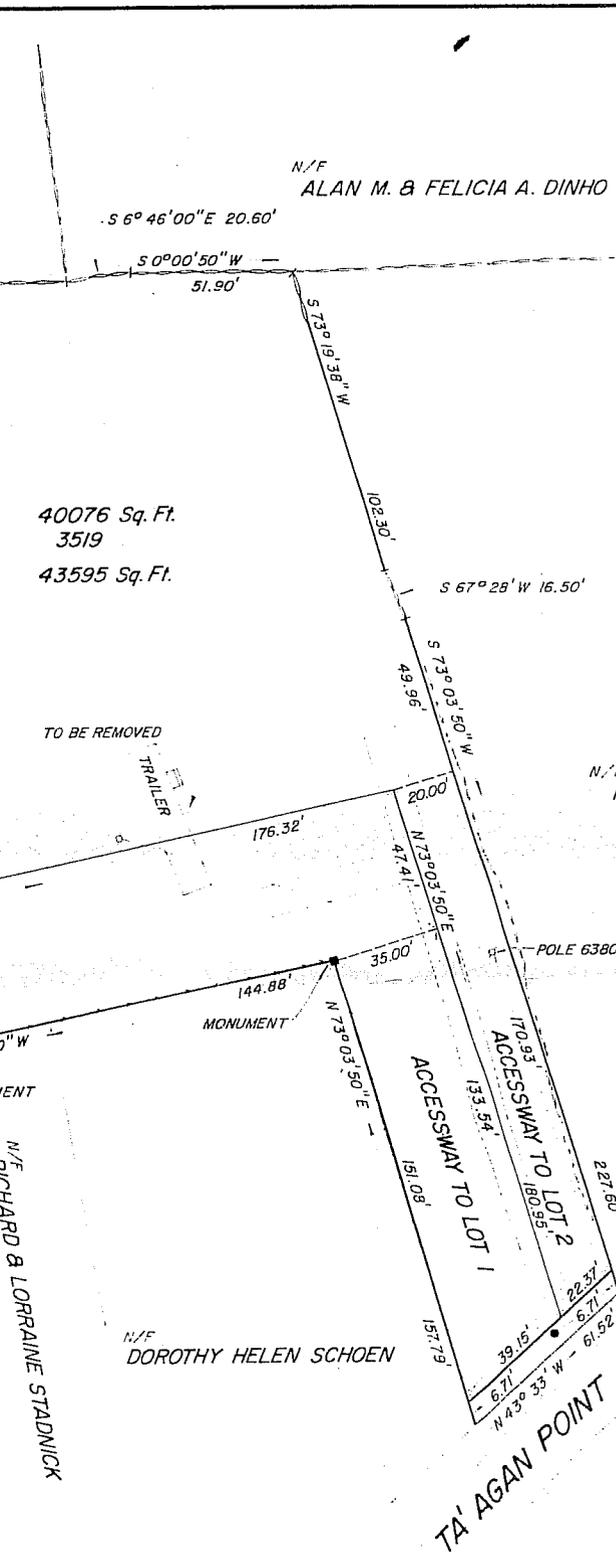
IRON PIPE

N/F ROBERT J. & CHRISTINE M. MERRER

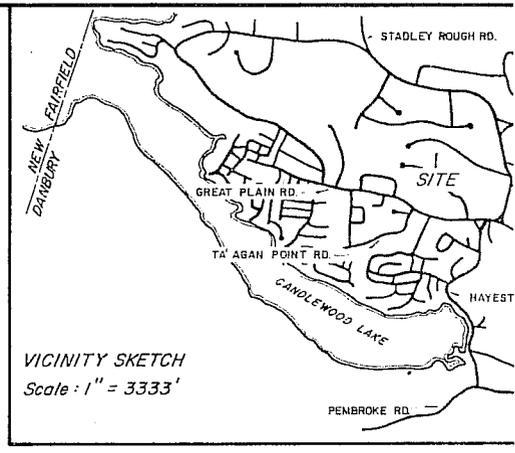
N/F JOSEPH C. & MARY A. O'REILLY

N/F GEORGE & LINDA NAJAM

152.13'



40076 Sq. Ft.  
3519  
43595 Sq. Ft.



PARCEL 'X' (To be dedicated to City of Danbury)  
369 Sq. Ft.

FINAL SUBDIVISION MAP  
SHOWING  
**TA' AGAN ROAD SUBDIVISION**  
Danbury, Connecticut  
PREPARED FOR  
**PHILIP E. & VERONICA E. MAZZUCCO**

Scale: 1" = 40' Total Area: 3.404 Ac. Zone: RA-20 Date: Feb. 28,



I HEREBY CERTIFY THAT THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE STANDARDS OF A CLASS A-2 SURVEY AS DEFINED IN THE CONN. PRACTICE FOR STANDARDS OF ACCURACY OF SURVEYS AND MAPS, ADOPTED DECEMBER 10, 1975 AS AMENDED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC.





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# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

March 26, 1986

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

I hereby request confirmation of the appointment of Barry W. Rickert to the position of Fire Inspector/Deputy Fire Marshal with the Danbury Fire Department effective upon swearing in at a rate of pay of \$25,097.00 yearly.

Mr. Rickert has been a member of the Danbury Fire Department since 1973. During his tenure as a Firefighter, Barry gained experience while serving as an interim Fire Inspector from January 1985 to January 1986.

Sincerely yours,

James E. Dyer  
Mayor

cc: Chief Monzillo  
Personnel Department  
Comptroller's Office  
Payroll Department  
Civil Service Department

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Rec'd  
3-27-86  
[Signature]

Amerigo Vespucci Lodge  
Danbury, Ct.  
March 12, 1986

Mayor Dyer/Common Council  
c/o City Clerk  
City Hall  
Danbury, Ct.

Dear Mayor and Common Council:

The Amerigo Vespucci Lodge would like to become part of the agenda of a forthcoming Common Council meeting to discuss two items which affect our organization and the Town of Danbury.

The first concerns the eroded pavement on Vespucci Drive from Kenosia Avenue. It is in a bad state of disrepair, and we would like to discuss the possibility of the street crews addressing the problem.

The second matter is in the form of a proposal. The majority of Vespucci members would like to give the residents of Danbury an opportunity to use our beach during the summer months. But in order to open the beach to the general public, it would be necessary for the town to help with keeping it in good condition. If an agreement can be reached, we believe the beach would get substantial use. It would also be an attractive addition to Kenosia Park.

The consideration given to these two requests will be greatly appreciated. The Vespucci plans to have representatives attend the council meeting at which these issues are discussed. Please inform us of the date and time of the meeting.

Sincerely,

[Signature: Anthony Fanelli]

Anthony Fanelli  
Amerigo Vespucci President

File on the Vespucci beach



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Sewer Connection Fees.

The Common Council committee appointed to review the sewer connection charges met with William Buckley, Superintendent of Public Utilities, on March 13, 1986 at 7:30 P.M. and with Mr. Buckley and City Comptroller Dominic Setaro on March 18, 1986 at 8:00 P.M.

The committee charges are not applicable to any property on which a sewer assessment has been levied, but only to those properties hooking into an already paid for sewer line. The committee feels that the connection fee is an equitable method of having all users contribute to the sewer fund and recommends that the Common Council defer the attached Ordinance to public hearing.

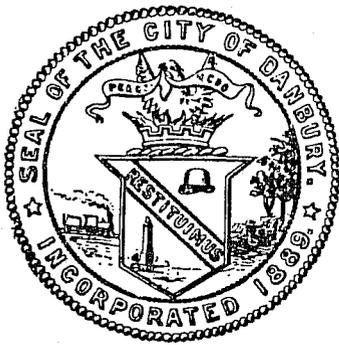
Respectfully submitted

*Constance McManus*  
Constance McManus, Chairperson

*Bernard Gallo*  
Bernard Gallo

*John Esposito*  
John Esposito

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# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

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

THAT subsection 16-4(b) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

(b) *Connection fee.* If no prior sewer assessment has been paid on the premises to be connected to said sewer, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following schedule:

(1) *Residential:*

\$500.00 per unit.

(2) *All Other (nonresidential):*

\$500.00 plus \$0.30 per square foot of building to be connected. Connection fees may be waived by action of the common council, providing the city benefits from this connection by permitting future extensions to said connection.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

*JS*

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Water Connection Charges and Water Rate Increase.

The committee met on March 17, 1986 with committee members Carole Torcaso, Philip Hadley and Gene Enriquez present. J. Schweitzer, W. Buckley, D. Setaro were also present. L. Charles attended ex-officio.

Mr. Buckley discussed the need for water connection charge increases. He explained that the charges would affect only new customers (new building) and would not affect any single family, or other residential housing already existing.

Mr. Setaro reported that the large surplus we had enjoyed for the last few years no longer exists because we have been paying off bonds for our water upgrades. He also explained that one quarter of anticipated revenues needs to be kept in reserve because billing is done after the water is used.

The committee discussed the size of meters used for many of the condos and commercial buildings presently occurring. It was felt that some of the connection charges Mr. Buckley proposed were too low and that they should be increased. It was also felt that a \$750.00 charge for a 5/8" meter serving 3 family, single family residence was less than 1/2 of 1% of the total cost of the total cost of the building, and that the sewer connection charges should be viewed as buying into the entire water system.

After a lengthy discussion, Gene Enriquez moved to recommend to the Council that the connection charges as listed in the attached Ordinance, be sent to a public hearing as Section 21-48 of the Code of Ordinances. Motion seconded by Philip Hadley and passed unanimously.

Also discussed at this meeting was the need to increase water rates. It was felt that without a budget to work from, rates could not be determined. Committee members felt that after the Public Works Budget Committee makes a recommendation on the Water Department Budget, another meeting be held to set the rate before June 30th.

Respectfully submitted

*Gene Enriquez*  
Gene Enriquez

*Carole Torcaso*  
Carole Torcaso, Chairpers

*Philip Hadley*  
Philip Hadley



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

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Honorable Members of the Common Council

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Respectfully submitted

Carole Torcaso, Chairper

Gene Enriquez

Philip Hadley

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# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

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

THAT Section 21-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-48. Connection charges.

The following charges shall be applied for all new customers serviced by the city water system:

| <i>Size of Meter<br/>(inches)</i> | <i>Connection<br/>Charge</i> |
|-----------------------------------|------------------------------|
| 5/8 .....                         | \$ 750.00                    |
| 3/4 .....                         | 1,500.00                     |
| 1 .....                           | 3,000.00                     |
| 1 1/2 .....                       | 6,000.00                     |
| 2 .....                           | 12,000.00                    |
| 3 .....                           | 25,000.00                    |
| 4 .....                           | 50,000.00                    |
| 6 .....                           | 100,000.00                   |
| 8 .....                           | 200,000.00                   |
| 10 .....                          | 400,000.00                   |



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Request to rent a lot on the corner of Backus Ave. & Kenosia Ave.

The committee met with Councilman Philip attending.  
Not attending were Councilmen Godfrey & Flanagan and James Muliolis.

The Planning Department advises that the City has not entered into any rental agreements similar to Mr. Muliolis' request. They also advise that Vending and Health permits would be required if food were to be sold from the site.

If a wheeled vehicle were used it would have to be moved every night. No permanent structure could be built without complete approval of the Planning Department.

Since Mr. Muliolis was unable to attend the meeting, Councilman Philip will contact him to determine if he has changed his plans or if he wants to reschedule a meeting with this committee.

Respectfully submitted

✓ Councilman Peter W. Philip

mr



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## PROGRESS REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Dr. Machcinski Sewer Assessment Lien.

The committee appointed to study a request for a rebate on a tax lien for Dr. & Mrs. Machcinski, met at 7:30 P.M. on March 19, 1986. In attendance were committee members Hadley and DaSilva. Also in attendance was Assistant Corporation Counsel E. Gottschalk, Attorney Karin Nejame, representing the Machsinskis and Councilman Charles. Mrs. Torcaso was ill.

Mr. Hadley reviewed the progress made so far in this request. The committee feels the petitioners were wronged and want to return the interest. Corporation Counsel T. Goldstein has stated that there is no vehicle to return tax monies.

Atty. Gottschalk stated that taxing power comes from the State of Connecticut and that sewer assessments must be collected in the same fashion as are taxes. That leaves no power to go beyond the State Statutes which do not allow the return of money in cases such as this.

Atty. NeJame stated that it might be considered as an overpayment and rebated as are other overpayments.

Atty. Gottschalk said he cannot say at this time as to whether the laws at the time of the clerical error would allow the rebate of the interest fees paid. He will get a response to the committee as soon as possible. The committee will meet again when all information is available.

Respectfully submitted

\_\_\_\_\_  
Philip Hadley Chairman

\_\_\_\_\_  
Joseph DaSilva

\_\_\_\_\_  
Carole Torcaso



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT

Re: Automobile Property Tax Payments.

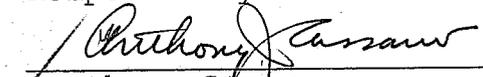
The committee chartered to consider the petition to allow multiple payments of automobile property taxes met on March 20, 1986 in City Hall. Present at the meeting were committee members A. Cassano and J. DaSilva. Also present was L. Charles.

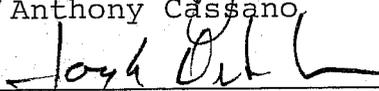
The committee reviewed a letter from Catherine Skurat, Tax Collector, to the chairman. The letter presented some points that should be considered relative to the petition. The tax office presently processes over 44,000 regular motor vehicle tax notices and over 11,000 supplemental motor vehicle tax notices. Going to a quarterly payment plan would quadruple this paperwork and require additional personnel in the Tax Office and Data Processing Department. Also, it would become harder to collect delinquent auto taxes. At the present time, auto registration requires a clearance from the City Tax Office stating that the taxes have been paid. The possibility exists that people will pay taxes only up to the time that the City certifies to the State that the taxes have been paid. This allows the auto to be registered and non-payment of the subsequent tax installments will not affect the registration.

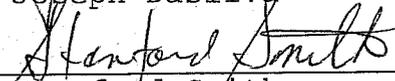
The City comptroller informed the chairman that multiple auto tax payments could also create a cash flow payment for the City. In July, the City collects over Two-Million dollars in auto taxes. Using a multiple quarterly payment plan could reduce the cash received by a factor of 4. This could create the cash flow problem.

Mr. DaSilva moved that the committee recommend that the Common Council take no action on this petition at this time because of the added burden it would pose to the Tax Collector's office and the potential cash flow problem. Mr. Cassano seconded the motion and there was unanimous approval.

Respectfully submitted

  
\_\_\_\_\_  
Anthony Cassano

  
\_\_\_\_\_  
Joseph DaSilva

  
\_\_\_\_\_  
Stanford Smith



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

The Common Council committee appointed to investigate notification of residents when blasting is to occur met on March 20, 1986. In attendance were committee members Philip and Hadley. Councilwoman Skoff was excused. Also attending were Fire Marshal Alan Schacht and Deputy Chief J. Murphy.

Mr. Philip reviewed the new blasting ordinance, the reasons for it and his suggestion of incorporating in it a means to inform the public when blasting will occur.

A statement now has been added to the Application to Use Explosives which states "All occupied buildings, within 100 yards of blasting operation shall be notified by the blaster."

Mr. Philip suggested a form letter be prepared for the blasting to distribute to people in range of the blasting effort which will indicate the right of the property owner.

Atty. Gottschalk will compose the form letter and Mr. Philip, Fire Marshal Alan Schacht and Deputy Chief J. Murphy will offer suggestions for additions or deletions.

It is the wish of the committee that the letter be in place as soon as possible.

Respectfully submitted

\_\_\_\_\_  
Peter W. Philip, Chairman

\_\_\_\_\_  
Philip N. Hadley

\_\_\_\_\_  
Thora Skoff



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Drainage on South Avenue.

The members of the ad hoc committee appointed to review the drainage problem on South Avenue, met in room 432 at 7:00 P.M. on March 20, 1986.

Members of the committee were Councilwoman Torcaso, and Councilmen Cassano and Charles. Councilman Cassano suggested that the Public Works Department be contacted about the curbing that was to be constructed in 1985 to alleviate the water flooding.

Councilman Esposito, ex-officio, brought up the possibility that the drainage project planned for the numbers three and four ball fields could be tied in with the drainage at the South end of the Street.

Councilwoman Torcaso moved to take no action on the problem until it is determined how much the \$100,000.00 project, planned by the Parks and Recreation Department would help alleviate the problem. Seconded by Councilman Cassano and passed unanimously.

Respectfully submitted

\_\_\_\_\_  
Louis T. /Charles - Chairman

\_\_\_\_\_  
Carole Torcaso

\_\_\_\_\_  
Anthony Cassano

mr



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

The Committee appointed to review the request for a Municipal Brass Band met on March 12, 1986 in City Hall. In attendance were committee members Sollose, Flanagan, Charles and Alan Raph. Mr. Raph expressed his ideas for his Municipal Brass Band which consists of 17 professional musicians, to perform at public events, at dedications and openings at State holidays and special observances along with giving concerts to promote the "Image and name of Danbury".

Each performance would cost approximately \$2,000. The Band would find the funding through public, private and corporate support.

The committee discussed the request and found that Mr. Raph's main concern is primarily for formal recognition of the Danbury Municipal Brass Band before the City Council.

Mr. Flanagan made a motion that the City Council adopt a Resolution that recognizes the Danbury Municipal Brass Band as the "Official Brass Band of Danbury". Motion was seconded by Councilman Charles and passed.

The committee emphasized that recognition did not guarantee funding now or in the future.

Donald Sollose Chairman  
Donald Sollose

Stephen Flanagan  
Stephen Flanagan

Louis Charles  
Louis Charles



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Sewer Rates.

The Common Council committee appointed to review the sewer rates, met with William Buckley, Superintendent of Public Utilities, on March 13, 1986 at 7:30 P.M. and with Mr. Buckley and City Comptroller Dominic Setaro on March 18, 1986 at 8:00 P.M.

Although the committee has been able to do substantial groundwork concerning the sewer rates, no conclusions can be reached until the Sewer Budget is approved by the Common Council. The committee respectfully requests an extension of time until the Budget has been completed.

Respectfully submitted

*Constance McManus*  
Constance McManus

*Bernard Gallo*  
Bernard Gallo

*John Esposito*  
John Esposito



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# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Sewer Rates.

The Common Council committee appointed to review the sewer rates, met with William Buckley, Superintendent of Public Utilities, on March 13, 1986 at 7:30 P.M. and with Mr. Buckley and City Comptroller Dominic Setaro on March 18, 1986 at 8:00 P.M.

Although the committee has been able to do substantial groundwork concerning the sewer rates, no conclusions can be reached until the Sewer Budget is approved by the Common Council. The committee respectfully requests an extension of time until the Budget has been completed.

Respectfully submitted

✓ Constance McManus

Bernard Gallo

John Esposito



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Sunset Review Committee Report.

The committee appointed to review and investigate, under Section 2-175 - 2-187 of the Code of Ordinances, the Parks and Recreation Commission, Board of Ethics and Fair Rent Commission, met on January 9, 1986 at 7:30 P. with Mrs. Torcaso, Mrs. Butera, Mr. Flanagan, Mr. Noonan and Mr. Goldman present.

At this time it was decided to develop a schedule for reviewing the three entities. The committee decided that March 3rd be the deadline for each entity under review to submit a report, using the guidelines set forth in prior years. On March 6th a meeting would be held to determine if all necessary information was received. If not, a meeting would be held on March 13th to review, discuss and write the report. It was also decided that if pertinent information was not presented, the entity would be terminated in accordance with the Ordinance.

On March 3, 1986, the deadline for reports, no reports had been received. The Assistant City Clerk was directed to contact chairpersons to attend a meeting already scheduled for March 6, 1986.

Mr. Thomas Evans attended the meeting on March 6, 1986, representing the Parks and Recreation Commission. He discussed the Commission's role as an advisory to the Parks & Recreation Department and that they did not have a budget. Mr. Evans detailed several plans that the Commission had been a part of.

Mrs. Butera stated that she felt that all questions had been answered properly and that she felt the Parks & Recreation Commission should be continued as a viable part of our City's system.

Since no other entities were present, it was decided that the Chairperson should contact Assistant Corporation Counsel E. Gottschalk to inquire about appropriate termination procedures. Mr. Gottschalk stated he would contact the Fair Rent Office to advise them of the committee's intention.

During this time, the Board of Ethics' Report was submitted and each member was sent a copy to review.

On March 13, 1986, at 8:00 P.M. the final meeting was held with committee members Mrs. Torcaso, Mrs. Butera, Mr. Flanagan, Mr. Noonan and Mr. Goldman present.

The Fair Rent Commission has submitted their report that day. Each member was given a copy to review. It was found to be in compliance with their ordinances, however, members of the committee were irritated with the lateness of the report.

It was noted that the Board of Ethics' lack of holding regular meetings is explained by their unique role of acting as an advisory for opinions and to sit in judgment only when requested. It was also noted that there had been some difficulty in getting a quorum at meetings due to vacancies on the Board.

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In keeping with the provisions set forth in Section 2-175 - 2-187 of Code of Ordinances, the following motions were made:

1. Mr. Flanagan made a motion to continue the Parks & Recreation Commission. Mr. Goldman seconded the motion which passed unanimously.
2. Mr. Goldman made a motion to continue the Board of Ethics. Mrs. Buter seconded the motion which passed unanimously.
3. Mrs. Butera made a motion to continue the Fair Rent Commission. Mr. Noonan seconded the motion which passed unanimously.

A decision followed regarding the need to change the Ordinance so that it would perpetually continue. It was noted that in its present form, the Ordinance would end with the review in 1987. It was also discussed that the Ordinance should allow for new entities to become a part of the review process at its enactment. All present felt that the Ordinance serves the purpose for which it was intended and should be continued.

Mrs. Butera made a motion to direct Assistant Corporation Counsel Eric Gottschalk to make the following changes in the "Sunset Ordinance":

1. Make appropriate changes so that the Ordinance would perpetually continue.
2. Make appropriate changes so that new entities would automatically be added to the review process.

Motion was seconded by Mr. Flanagan and passed unanimously.

Mrs. Torcaso thanked Mr. Noonan and Mr. Goldman for taking time from their busy schedules to attend the meetings.

Respectfully submitted

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Carole Torcaso, Chairperson

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Janet Butera

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Stephen Flanagan

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Joseph Noonan

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Hillel Goldman



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Re: Petition for sewer extension -Friendly Restaurant - Mill Plain.

The committee to review a petition for sewer extension for Friendly Restaurant met on March 17, 1986. Present were committee members Carole Torcaso, Stephen Flanagan, Nicholas Zotos; J. Schweitzer, City Engineer and W. Buckley Superintendent of Public Utilities; Ms. Joan Williamson for the Friendly Restaurant interest.

Mr. Schweitzer stated that the plan had been reviewed by his office and with a very minor change was acceptable. Mr. Buckley stated that the 1900 gal/day projected sewer discharge was well under the 2160 gal/day allowable discharge.

Mrs. Torcaso reported that she had spoken to a planner in the Planning Department who had informed her that there was a problem with a Deed restriction on one of the two parcels, however this was not something this committee could discuss.

Mr. Zotos questioned why the planning problems had not been solved. Mrs. Torcaso stated that if the committee would desire to permit the sewer extension, it could be made with a restriction that all other permits be secured before the sewer extension permit would be issued.

Mr. Flanagan moved that the committee recommend that the Council approve the petition subject to the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Council 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 sewer line within City streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer line 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.

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7. No Certificate of Occupancy shall be issued until the above requested forms, Documents, Plans, etc. are received and the City owns the extended sewer line.
8. That all Deed restrictions be removed and all planning and zoning permits be secured. That this petition for extension be valid only until Dec. 1, 1987. After that date, this approval would be null and void.

Respectfully submitted

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Carole Torcaso, Chairperson

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Stephen Flanagan

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Nicholas Zotos



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Ordinance making appropriations for various public improvements for Recreational and Old Library facilities.

The Common Council held a public hearing concerning the proposed Recreation Bond, on March 20, 1986 at 8:00 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearings and recommends that the proposed Ordinance be adopted with the following amendments:

1. The title be changed to read "Old" Library instead of Library.
2. The Ordinance be presented in two questions - one question being the expenditure for the skating rink and the other question representing all of the other items in the original ordinance.

Respectfully submitted

Councilwoman C. McManus  
Common Council President

mr

AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS FOR RECREATIONAL AND LIBRARY FACILITIES AGGREGATING \$5,264,000 AND AUTHORIZING THE ISSUANCE OF \$5,264,000 BONDS OF THE CITY TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, including costs of surveys, borings and easement acquisitions, and engineering, construction, equipment, legal, administrative and other related costs, each of said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof:

(a) Parks and Recreation - Equipment and Improvements

Rogers Park-Improvements to baseball fields, softball fields, soccer field, and playground, including construction of a shelter, demolition of two structures, and installation of lighting, fencing, dugouts, benches, goals, bleachers, backstops, scoreboards and new playground equipment;

Highland Avenue-Improvements to playground, including the installation of two backboards, one backstop and new playground equipment;

Camp Thunderbird-Improvements to soccer field, including fencing, goals, and benches;

Candlewood Park-Improvements to beach areas, including new changing room facilities, picnic tables and roof for concession stand;

Kenosia Park-Acquistion of picnic tables;

Hatters Park-Improvements to recreational facilities including bleachers and bench;

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Danbury High School - Improvements  
to baseball field, including  
lighting, bench and dugout;

Parks and Recreation - Equipment  
and Improvements - Subtotal \$ 495,000

(b) Contingency \$ 74,250  
Interest, Legal and Administrative \$ 102,010

Parks and Recreation - Equipment  
and Improvements - Total \$ 671,260

(c) Parks and Recreation - Fields and Tennis Courts

Rogers Park-Restoration of four  
baseball fields, one soccer field  
and four softball fields, including  
grading and drainage; and reconstruc-  
tion of eight tennis courts;

Camp Thunderbird-Restoration of soccer  
field, including grading;

Hatters Park-Construction of four new  
baseball diamonds, installation of  
constant pressure watering system,  
and provision for topsoil;

Danbury High School-Reconstruction  
of four tennis courts;

Parks and Recreation - Fields and  
Tennis Courts - Subtotal \$ 792,000

(d) Contingency \$ 118,800  
Interest, Legal and Administrative \$ 163,215

Parks and Recreation-Fields and  
Tennis Courts - Total \$ 1,074,015

(e) Ice Skating Rink

Planning, acquisition, construction,  
and equipment \$2,145,000

(f) Contingency \$ 321,750  
Interest, Legal and Administrative \$ 441,739

Ice Skating Rink-Total \$ 2,908,489

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|     |   |    |                  |
|-----|---|----|------------------|
| (g) | <u>Old Library Elevator and Ramp</u>                                      |    |                  |
|     | Installation of an elevator and construction of a ramp in the Old Library | \$ | 175,000          |
| (h) | Contingency   | \$ | 26,250           |
|     | Interest, Legal and Administrative  | \$ | <u>36,064</u>    |
|     | Old Library-Total   | \$ | <u>237,314</u>   |
| (i) | <u>Bear Mountain Barn</u>   |    |                  |
|     | Planning, constuction and equipping of a new barn at Bear Mountain        | \$ | 275,000          |
| (j) | Contingency   | \$ | 41,250           |
|     | Interest, Legal and Administrative  | \$ | <u>56,672</u>    |
|     | Bear Mountain Barn-Total  | \$ | <u>372,922</u>   |
|     | GRAND TOTAL   | \$ | <u>5,264,000</u> |

Section 2(a). To meet the appropriation for the equipment and improvements included under Section 1(a), and the appropriation for contingency, interest, legal and administrative costs in Section 1(b), bonds of the City shall be issued maturing not later than the tenth year after their date.

Section 2(b). To meet the appropriations for the various public improvements included under Sections 1(c), 1(e), 1(g) and 1(i), and the appropriations for contingency, interest, legal and administrative costs in Sections 1(d), 1(f), 1(h) and 1(j), respectively, bonds of the City shall be issued maturing not later than the twentieth year after their date.

Section 3. Said bonds shall be issued in one or more series as determined by the Common Council and the amount of bonds of each series to be issued shall be fixed by the Common Council in the amount necessary to meet the cost of the various improvements, provided that the aggregate amount of bonds issued to meet any appropriation shall in no event exceed the actual costs or estimated costs as determined by said Council of the public improvement or improvements for which such appropriation was made less the aggregate amount or estimated amount as

determined by said Council of any Federal and State grants-in-aid thereof. The bonds of each series shall be issued in bearer form with interest coupons attached, or in fully registered form, be in the denomination of \$1,000 or a whole multiple thereof, be dated as of the first or fifteenth day of the calendar month in which they are issued or as of the first or fifteenth day of a calendar month within the three calendar month period next prior thereto, be payable both principal and interest at a bank or trust company designated by the Mayor, be signed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City Clerk and the City Treasurer, bear the facsimile of the City seal, be certified by a bank or trust company designated by the Mayor, which bank or trust company may also be designated as registrar and transfer agent, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, and the interest coupons attached, if any, shall bear the facsimile signature of the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of bonds of each series to be issued, the annual installments of principal, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Common Council, in accordance with the requirements of the General Statutes of the State of Connecticut, as amended.

Section 4. The bonds of each series shall be sold by the Mayor at public sale or private sale, in his discretion. If sold at public sale, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net interest cost to the City. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. Any premium received upon the sale of the bonds, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first of the bonds to mature and contributions from other sources for the payment thereof shall be reduced accordingly.

Section 5. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be payable at a bank or trust company designated by the City Treasurer, be signed by the Mayor, City Clerk and City Treasurer, have the seal of the City affixed, be certified by a bank or trust company designated by the City Treasurer pursuant

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to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates not more than two years from the date of issue, but notes issued with shorter maturities may be renewed from time to time by the issue of other notes provided the period from the date of issue of the original note or notes to the date of maturity of the last note or notes issued in renewal thereof, shall not be more than two years or, subject to the provisions of Section 7-378a of the General Statutes of Connecticut, as amended, not more than four years. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the improvements described in Section 1. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on said notes or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The balance of any appropriation described in Section 1 not needed for its respective purpose, after deducting therefrom any Federal or State grant-in-aid paid or estimated to be paid with respect thereto, or the proceeds of any bonds issued to meet any such appropriation not needed for its respective purpose, may be transferred by the Mayor and Director of Finance to meet the additional costs of any other purpose described in Section 1.

Section 7. This ordinance shall become effective upon its approval at a Special City Meeting called by the Mayor for such purpose, pursuant to the revised City Charter.

COMMON COUNCIL OF THE CITY OF DANBURY

Committee on the Petition for Sewer and Water on Turner Road

Status Report

The Committee held its first meeting on the petition of Danbeth Corp. for City sewer and water to property straddling the Danbury-Ridgefield town line on March 11, 1986 in the Common Council Chambers at City Hall. (The Committee thanks the Chairman of the Zoning Commission, Russell Foti, for allowing it to switch rooms with the Commission because of the high constituent turnout at the committee meeting.) Present were committee members Godfrey, Skoff, and Hadley; Councilmen McManus and Esposito (ex officio); City Engineer Jack Schweitzer, and Superintendent of Public Works William Buckley. Representing the petitioner were Attorneys Bobby Payne and James Maloney. Appearing were Attorneys David Bennett and Joseph Cogen for Novo Laboratories, Inc., Carolyn O'Boyle, Donald Lombardo, and former Councilman Peter Kennedy, in opposition to the petition.

Because of the unusual turnout, and the presence of attorneys on both sides of the issue of whether or not to permit sewer and water extension, the committee adopted a meeting format similar to that used by the City's land use agencies at their public hearings. The chair called on Messrs. Schweitzer and Buckley to report or comment upon the petition. Speaking for both staff members, Mr. Schweitzer stated that they were not prepared at this time to advise the committee on the technical aspects of the petition. They had only recently received the technical information on the petition, and had been advised by Corporation Counsel to refrain from commenting at this time because of legal questions arising out of an interlocal agreement with the Town of Ridgefield regarding provisions for sewers on the subject site. The committee concluded that this would not permit it to make a decision at this meeting, but that it would accept information and opinion from any

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interested parties now.

The committee heard from the petitioner, which explained its petition, utilizing models, maps, and testimony from its engineer, Richard Lanart. Reference was made to the interlocal agreement with the Town of Ridgefield. Petitioner intends that its proposal conform to the provisions of the agreement regarding sewers. Petitioner also offered to give the City \$500,000.00 to permit it to tap into the City's water system. No other persons spoke in favor of the petition.

The committee heard from opponents of the petition. Novo Laboratories, Inc., a Danbury corporation represented by Attorney David Bennett, raised the threshold issue of standing. It alleged that the petition submitted to the Common Council on the forms required by ordinance was from the Danbeth Corporation. Appearing tonight was Danbeth Partnership, a different entity, and a successor in interest to Danbeth Corporation. Novo submitted documentary evidence to delineate the differences between the two entities, and a memorandum of law supporting its contention that Danbeth Partnership was the "wrong applicant." The chair noted that this question was serious, and potentially dispositive of the petition before the committee. However, the chair was not prepared to entertain any immediate call for dismissal of the petition. The committee referred the memorandum of law and other documentary evidence to the Corporation Counsel for advice. The committee invited the petitioner to submit its own memorandum of law and any other evidence directly to Corporation Counsel within a reasonable time. Novo suggested that it and petitioner exchange all pertinent documents in the future to expedite this matter. The chair endorsed this request, and petitioner agreed to extend this courtesy to Novo.

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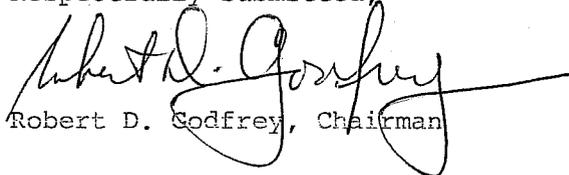
The committee heard additional testimony in opposition to the petition on the merits from Novo Laboratories, Inc., its experts on engineering and industrial wastewater, and other nearby property owners and residents, Carolyne O'Boyle, Donald Lombardo, and former Councilman Peter Kennedy.

Due to the late hour, and the need for both technical and legal advice to be received by the committee at a future date, the committee agreed to adjourn. The chair noted that interested parties still were to be afforded opportunity to cross-examine each other, and requested that they all bring their expert witnesses to the next meeting. All parties agreed to this.

Unable to predict how long it would be for Corporation Counsel to provide a ruling, the chair opined that the committee would not be able to meet before the April Common Council meeting. Therefore, the committee requests that it be extended so as to permit the completion of its information and opinion gathering.

A copy of the request for a ruling on legal points from Corporation Counsel is attached and made a part of this report.

Respectfully submitted,

  
Robert D. Godfrey, Chairman

Thora Skoff

Philip Hadley

COMMON COUNCIL OF THE CITY OF DANBURY

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Robert D. Godfrey  
Councilman, Fourth Ward  
March 12, 1986

Theodore Goldstein, Esq.  
Corporation Counsel

Re: Petition for Sewer and Water on Turner Road

Dear Ted,

Last night's committee meeting on the Danbeth petition was long and involved. The committee was unable to complete its review for several reasons, including the raising of a critical legal point.

Novo Laboratories, Inc, speaking in opposition to the petition, has raised the issue of standing, or "wrong applicant." It alleges that the petition before the Council was submitted by Danbeth Corporation, while the entity that appeared at the committee meeting was Danbeth Partnership. Novo's counsel, led by Atty. David Bennett, has submitted a memorandum of law and supporting documentary evidence in support of this allegation. I have directed Novo to submit all of this to you. I have granted the petitioner's attorneys, led by James Maloney, a reasonable time in which to provide you with their memorandum and any other applicable documentation.

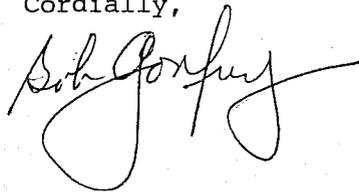
I have been instructed by the committee to request of you a formal opinion as to whether or not Danbeth Partnership has standing to pursue the petition of Danbeth Corporation. I would appreciate any advice you may have regarding the consequences of action relying on this opinion, too.

I also understand that you have instructed Jack Schweitzer and Bill Buckley to refrain from discussing the petition until you have considered the legal implications of the interlocal agreement with the Town of Ridgefield. Please keep me advised on this as you may feel appropriate.

The petitioner has also offered a grant of \$500,000.00 to the City if it permits it to connect into our water system. Please comment on the appropriateness of such an offer, and describe the means by which the City may consider or accept such an offer.

The legal aspects of this petition are involved, and will obviously continue to be so. I request that Corporation Counsel be present at future committee meetings in order to give us proper legal guidance on this controversial petition.

Cordially,



cc: Atty. Maloney  
Atty. Bennett  
City Clerk  
Councilwoman Skoff  
Councilman Hadley



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendments to Subsection 2-56.10(c) - Youth Commission.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



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

April 1, 1986

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

THAT subsection 2-56.10(c) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(c) Members, appointments and terms. The commission shall be composed of nine (9) members, and no more than three (3) alternate members, appointed by the mayor, subject to confirmation by the common council. Each member shall be a legal resident and elector of the City of Danbury. The terms of office for each member shall be for three (3) years or until his or her successor shall qualify. Alternate members may attend meetings, participate in discussions, and give suggestions, but shall not engage in voting unless a regular member is absent.

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest: Elizabeth Crudginton  
Elizabeth Crudginton  
City Clerk



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendments to Subsection 2-54(c) re: Equal Rights & Opportunities.

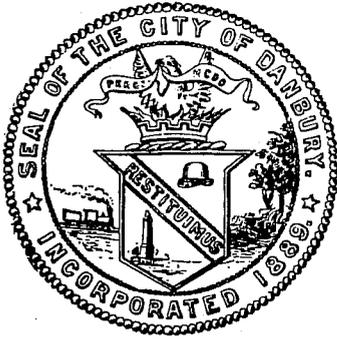
The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



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

April 1, 1986

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

THAT subsection 2-54(c) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(c) Created; membership; appointment; term; vacancy; meetings.

There is hereby created a commission on equal rights and opportunities. It shall consist of nine (9) members, broadly representative of the community and concerned with the advancement of human rights, serving without compensation, to be appointed by the mayor and confirmed by the common council. The members of said commission shall elect a chairperson and other officers yearly from its membership. All appointments to the commission shall be for a term of three (3) years. In the event of the death or resignation of any member, his or her successor shall be appointed by the mayor and confirmed by the common council. Any such successor shall serve for the unexpired portion of the term for which such member had been appointed. Said commission shall meet monthly.

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

49  
April 1, 1986

REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendments to Section 13A-13 re: Richter Park Authority.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



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

April 1, 1986

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

THAT Section 13A-13 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

The mayor of the city with the approval of a majority of the common council shall select and appoint the members of the commission of said authority which shall consist of nine (9) members. Among the members so appointed shall be one member of the Stanley L. Richter Association for the Arts, Inc. One of the appointees selected by the mayor shall be a person nominated by Irene Myers Richter, so long as she shall live, or upon her death, nominated by Ann Myers Williams, now or formerly of Westport, Connecticut. The terms of three (3) of the initial members of the commission shall be one (1) year, of another three (3) initial members, two (2) years, and of the last three (3) initial members, three (3) years. Upon expiration of the term of an initial member, all appointments will be made for a term of three (3) years.

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

Adopted by the Common Council April 1, 1986.

Approved by Mayor James E. Dyer, April 2, 1986.

Attest:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk



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# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendments to Subsection 2-56.14(b) re: Commission for the Handicapped

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr

50



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

April 1, 1986

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

THAT subsection 2-56.14(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(b) Hereafter all appointments or reappointments shall be for a term of three (3) years. All members shall be residents or taxpayers of the City of Danbury. All members shall serve without compensation. Each member shall serve until his or her successor is duly appointed and qualified.

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

Adopted by the Common Council April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest: Elizabeth Crudginton  
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

51  
April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendment to Section 14-4 re: Retirement Dates.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

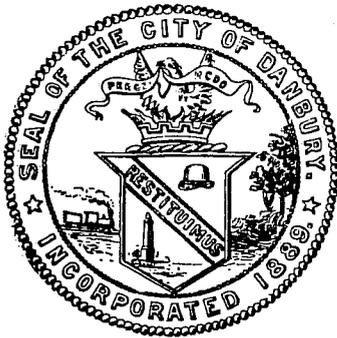
The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr

51



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

April 1, 1986

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

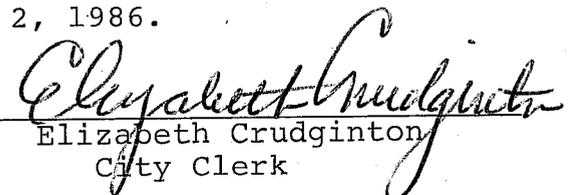
THAT Section 14-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Retirement dates.

Effective June 1, 1973 the normal retirement date shall be the first of the month following a member's sixty-fifth (65th) birthday, except that in the case of elected officials it shall be the later of the first day of the month following the member's sixty-fifth (65th) birthday or the date upon which the member is no longer an employee as defined in Section 14-2(e). A member, active or inactive, who has attained age fifty-five (55) may retire and commence benefits on the first day of any month following the member's fifty-fifth (55th) birthday subject to the provisions of Section 14-5. For all members retiring prior to January 1, 1984 no pension benefits shall accrue beyond normal retirement date. For all members retiring after January 1, 1984 credited service shall continue to accrue beyond the normal retirement date until actual retirement or until the first of the month following the member's seventieth (70th) birthday when retirement shall be mandatory. For members who were sixty-five (65) years of age or more on January 1, 1984, the mandatory retirement age shall be seventy-five (75) years of age. However, service and salary credits will not accrue after the first of the month following such member's seventieth (70th) birthday.

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

Adopted by the Common Council April 1, 1986  
Approved by Mayor James E. Dyer April 2, 1986.

Attest:   
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

52

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendment to Section 17-48 re: Road Opening Permits.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



52

# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT COMMON COUNCIL

April 1, 1986

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

THAT Section 17-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

"An application for a permit must be filed with the city before a preliminary investigation will be undertaken in connection with the issuance of a permit. Standard application forms for this permit may be secured from the department of public works. Each application form shall be completely filled in, signed and mailed or delivered to the department of public works together with a non-refundable permit fee in the amount of twenty-five dollars (\$25.00). An explanation of the application sketches shall be made either in the space provided on the application form or on a separate sheet, in duplicate, and which shall be attached to the application. Such diagrams or sketches shall show the character and extent of the work as well as the location of the work to be done in relation to the outstanding features of the road, such as: property lines, intersections, pavement lines, sidewalks, trees, drainage structures and utility poles identified by number. The applicant will be required to disclose, upon request, the methods and materials proposed to be used on projects which the director of the department of public works, in his discretion, deems unusual or complex."

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

Adopted by the Common Council April 1, 1986.  
Approved by Mayor James E. Dyer April 2, 1986.

Attest: \_\_\_\_\_

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk



93

053

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

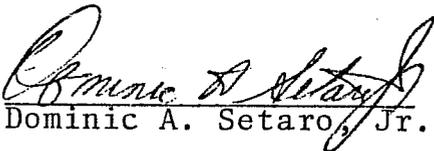
JAMES E. DYER, MAYOR

DEPARTMENT  
OF FINANCE

December 24, 1985

TO: James E. Dyer, Mayor  
FROM: Dominic A. Setaro, Jr., Comptroller  
RE: Auditors' Comment - Landfill

As you know, our auditors have recommended for the last two years that the City should charge interest on delinquent Landfill use bills. In order to do this the Common Council will have to pass an ordinance to establish a rate of interest charge and other guidelines. Although our collection rate at the landfill has been excellent because it is the City's policy not to let delinquent users use the landfill, I feel a committee of the Common Council should be formed to establish an ordinance.

  
Dominic A. Setaro, Jr.

DAS/af



53

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendment to Subsection 16A-34(a) re: Delinquent Landfill  
Use Bills.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



ORDINANCE  
CITY OF DANBURY, STATE OF CONNECTICUT  
COMMON COUNCIL

April 1, 1986

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

THAT subsection 16A-34(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(a) *Refusal of access upon noncompliance or nonpayment.* From and after the effective date of this article any person, firm, corporation, business, partnership or other entity may be refused access to the Danbury Sanitary Landfill site where compliance with this article has not been effected or where any payment required pursuant to section 16A-33 has not been made within thirty (30) days of billing. In addition to the remedy provided in the immediately preceding sentence, in case of failure or refusal to make payment of any fees or charges due pursuant to the provisions of this article within thirty (30) days of billing, said fees and charges shall thereupon be delinquent and shall be subject to interest commencing upon the due date set for said payment. Such interest shall accrue at the rate established by the Connecticut General Statutes for delinquent real property taxes. The provisions of this subsection relating to interest shall become effective on July 1, 1986.

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986

Attest: Elizabeth Crudginton  
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

54  
April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendment by adding Sec.17-35 - Legislation for repeat and re-inspection of construction projects.

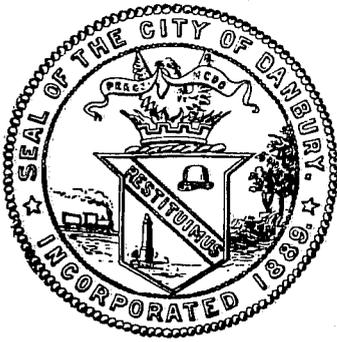
The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



54

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

April 1, 1986

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section to be numbered 17-35 which said section reads as follows:

17-35(a) The Common Council shall take no action on any petition requesting the acceptance of a road or highway until the road or highway has been constructed and corresponding as-built plans have been referred to the engineering department for review. Said as-built plans shall conform to the requirements contained in Section 17-24(b) of the Danbury Code of Ordinances.

(b) Upon such referral the city engineer shall perform an inspection of the road or highway and shall prepare a preliminary inspection report indicating whether or not the road or highway has been constructed in conformance with applicable provisions of this code, applicable provisions of the Danbury subdivision regulations and any other requirements imposed by governmental authorities having jurisdiction over such construction projects or any portions thereof. The city engineer shall provide copies of the preliminary inspection report to the common council and the petitioner.

(c) The petitioner shall then be required to correct all items of work identified as inadequately completed in the preliminary inspection report.

(d) The city engineer shall then perform an inspection of the road or highway and shall prepare a final inspection report indicating whether or not the inadequately completed items of work identified in the preliminary inspection report have been corrected and whether or not the road or highway is then in conformance with applicable provisions of this code, provisions of the Danbury subdivision regulations and any other requirements imposed by governmental authorities having jurisdiction over such construction projects or any portions thereof. The city engineer shall provide copies of the final inspection report to the common council and the petitioner.

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

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

- (e) Any supplementary inspection required after completion of the final inspection due to the failure of the petitioner to correct any item of work identified as inadequately completed in the final inspection report, or in any supplementary inspection report shall be performed by the city engineer at a cost to the petitioner of one hundred dollars (\$100.00) per supplementary inspection. Copies of all supplementary inspection reports shall be provided to the common council and to the petitioner.

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest: Elizabeth Crugginton  
Elizabeth Crugginton  
City Clerk



55

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Amendment to add Section 18-16 re: Tax Exemptions - Charitable, Religious or non-profit.

The Common Council held a public hearing concerning the above Ordinance on March 23, 1986 at 7:30 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and unanimously recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

Constance McManus  
Common Council President

mr



55

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

April 1, 1986

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section to be numbered 18-16 which said section reads as follows:

"Pursuant to the provisions of subsection 58 of Section 12-81 of the Connecticut General Statutes, the City of Danbury does hereby exempt any real or personal property leased to a charitable, religious or non-profit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or non-profit organization. Said exemption shall apply to the tax list of October 1, 1984 and to each tax list thereafter.

"Any such organization may, at any time prior to the payment of the tax or within one year subsequent to the payment thereof, request a Certificate of Correction from the Tax Assessor removing leased property from the tax list of such organization pursuant to Connecticut General Statutes Section 12-57. Thereafter, in the event of prior payment of the tax, any such organization may make application, in writing, to the Tax Collector for a refund of said tax pursuant to Section 12-129 of the Connecticut General Statutes."

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Request for the use of the Danbury Railroad Station.

The Committee met on March 26, 1986 at 7:35 P.M. Present were committee members T. Skoff, and G. Eriquez. Mrs. Butera had family illness so could not attend. Also present were Mr. & Mrs. Turner, originators of the request, and Miss Judy Gross representing the Planning Department.

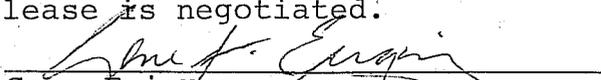
The chairperson read the original request of Mrs. Lolly Turner, Whistle Stop Muffin Co. The Chairperson also read communications to and from Corporation Counsel. Summation of these memos are as follows:

1. The primary lease between the City of Danbury and the D.O.T. of the State of Connecticut has not been finalized. (It has been in negotiation for many months.)
2. The Office of the Corporation Counsel negotiates any sub-lease in this matter.
3. The Common Council authorizes any said lease.
4. The Common Council may wish to have the City solicit proposals for the use of this property.
5. The Common Council would want to determine the financial viability of a tenant.
6. Any alteration of these grounds (building, land) would be part of the primary and secondary lease agreements and subject to State and perhaps Federal approval.

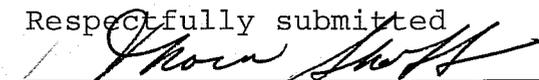
Mrs. Turner was mainly interested in the present legal status of the use of this building.

Following discussion of the merits of this particular request, the committee recommends that Corporation Counsel send to the Common Council and the Planning Department a status report of this negotiation (with the State) within thirty days.

Mr. Eriquez moved that the committee take no action on this particular request because the City has not entered into a lease agreement with the State, although merits of this request are recognized. Motion seconded and passed. The intent of the committee is that the rental of this property be investigated by the Common Council once the primary lease is negotiated.

  
Gene Eriquez

Respectfully submitted

  
Thora Skoff, Chairperson



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

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The chairperson read the original request of Mrs. Lolly Turner, Whistle Stop Muffin Co. The Chairperson also read communications to and from Corporation Counsel. Summation of these memos are as follows:

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3. The Common Council authorizes any said lease.
4. The Common Council may wish to have the City solicit proposals for the use of this property.
5. The Common Council would want to determine the financial viability of a tenant.
6. Any alteration of these grounds (building, land) would be part of the primary and secondary lease agreements and subject to State and perhaps Federal approval.

Mrs. Turner was mainly interested in the present legal status of the use of this building.

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Respectfully submitted

\_\_\_\_\_  
Gene Eriquez

\_\_\_\_\_  
Thora Skoff, Chairperson



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Golden Hill Retaining Wall.

The Common Council committee assigned to consider the request that the Common Council reverse its decision on the Golden Hill retaining wall met on March 26, 1986 at 7:30 P.M. Councilman Gallo was excused as he had to return to work.

The committee was in receipt of the attached letter from City Engineer J. Schweitzer stating that the land in question may be needed for future road widening and should not be sold.

Councilman Esposito moved that the petition be denied at this time and that the applicants be encouraged to resubmit if another solution to the problem is found. Motion seconded and passed.

Respectfully submitted

*Constance McManus*  
Constance McManus, Chairperson

*Bernard Gallo*  
Bernard Gallo

*John Esposito*  
John Esposito

mr



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

ENGINEERING DEPARTMENT  
203-797-4641

January 22, 1986

JOHN A. SCHWEITZER, JR.  
City Engineer

Councilwoman Constance McManus  
Common Council  
City of Danbury  
Danbury, CT. 06810

Dear Councilwoman McManus:

Golden Hill Condominiums  
Retaining Wall

This department has investigated the proposal to sell a portion of existing City right of way in front of the Golden Hill Condominiums to the condominium association. This proposal was made as an alternative to the removal by the developer of a section of gabion retaining wall which was constructed within the City's right of way.

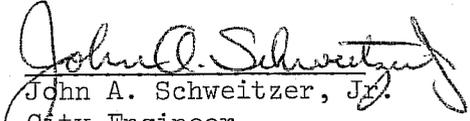
Existing Golden Hill Road varies in width in this area from 32 feet more or less near Aiken Avenue. This section of road fronts the condominium site and runs north of it three hundred feet more or less. This particular section of roadway is fairly steep (grade 12.5% for approximately 250 feet) and includes a curve to the east.

From safety and engineering points of view, this section of road should be improved. Future improvements may include widening the road, straightening the existing curve and if possible lowering the road grade.

This office recommends that the entire existing Golden Hill Road right of way be retained by the City for future widening, realignment and sloping purposes.

If you have any questions please feel free to contact us.

Very truly yours,

  
John A. Schweitzer, Jr.  
City Engineer

JAS/PAE/isr



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT & ORDINANCE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Tax Credit for Elderly Homeowners.

The Common Council held a public hearing on the above Ordinance on March 26, 1986 at 7:15 P.M. in the Council Chambers in City Hall.

The Common Council met as a committee of the whole immediately following the public hearing and recommends that the Common Council adopt the Ordinance as submitted.

Respectfully submitted

*Constance McManus*

Councilwoman C. McManus  
Common Council President



58

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

\_\_\_\_\_  
April 1, 1986

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

THAT Section 18-12 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

18-12. Tax credit for elderly homeowners.

(a) The City of Danbury hereby enacts a tax credit for elderly homeowners, pursuant to Section 12-129n of the Connecticut General Statutes for eligible residents of the City of Danbury on the terms and conditions provided herein. This section is enacted for the purpose of assisting elderly homeowners with a portion of the cost of property taxation commencing with the Assessment List of 1985.

(b) Any person who owns real property in the City of Danbury or is liable for the payment of taxes thereon, pursuant to Section 12-48 of the Connecticut General Statutes, and who occupies the property as a principal residence shall be entitled to a credit of up to one hundred fifty dollars (\$150.00) if single, or to a credit of up to two hundred fifty dollars (\$250.00) if married, on the real estate tax bill provided the following conditions are complied with:

- (1) Such person is sixty-five (65) years of age or over at the close of the previous calendar year, or his or her spouse is sixty-five years of age or over at the close of the previous calendar year and resides with such person, or sixty (60) years of age or over and the surviving spouse of a taxpayer qualified for tax credit under this section at the time of his or her death.
- (2) Such person must have a principal residence located in Danbury and must have paid taxes in Danbury for one year immediately preceding his or her receipt of tax benefits hereunder.
- (3) The property for which the credit is claimed must be the primary legal residence of such person and occupied more than one hundred eighty-three (183) days of each calendar year.



# ORDINANCE

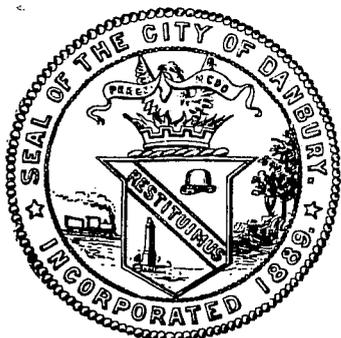
## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL 58

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

- (4) Before the tax credit or any portion thereof under this section shall be given, such person must first apply for tax relief under any state statute for which he or she is eligible. If such applicant has not applied for tax relief under any state statute because he or she is not eligible, he or she shall so certify by filing on a form acceptable to the assessor an affidavit testifying to his or her ineligibility.
- (5) Applications must be filed with the assessor's office between February 1st and May 15th in the year following the list year with respect to which benefits are claimed hereunder, in triplicate, one copy going to the taxpayer, one to the tax collector and one to the assessor. The applicant must reapply every two (2) years in order to continue eligibility for relief hereunder.
- (6) The application must include an affidavit stating whether income, individually is between twelve thousand nine hundred dollars (\$12,900.00) and fifteen thousand nine hundred dollars (\$15,900.00) or jointly if married is between fifteen thousand five hundred dollars (\$15,500.00) and eighteen thousand five hundred dollars (\$18,500.00). "Income" is defined as total adjusted gross income, tax exempt interest, realized capital gains, and social security payments, as determined under the Internal Revenue Code of 1954, earned during the calendar year preceding the fiscal year for which a tax benefit is claimed.
- (7) No tax credits shall be given under this section to any persons who owe delinquent taxes to the City of Danbury. The applicant shall submit a certificate from the tax collector to the effect that no such delinquent taxes are owed.

58



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

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

(8) No property tax relief authorized hereunder with respect to any eligible taxpayer shall exceed seventy-five (75) per cent of the tax which would, except for this section, be laid against the taxpayer.

(c) The tax credit for real property as provided herein shall apply to only the residence itself and the lot on which the residence is located, but such credit shall not apply to more than the minimum lot size permitted by the zoning ordinances of the City of Danbury.

(d) (1) The assessor shall determine whether each applying taxpayer is entitled to tax credit under this section and shall compute the amount of tax credit to which each qualified taxpayer is entitled and cause a certificate of tax credit to be issued in such form as to permit the tax collector to reduce the amount of tax levied against the taxpayer. The tax credit shall be applied proportionately to the tax payments.

(2) If the income for an unmarried applicant drops below twelve thousand nine hundred dollars (\$12,900.00) or the income for a married couple applying hereunder drops below fifteen thousand five hundred dollars (\$15,500.00) then the applicant must switch to the state program. If an applicant's income goes over the state's legal ceiling he or she may make application for city benefits hereunder as a new applicant.

(e) Only one tax credit shall be allowed for each parcel of land eligible for the tax credit under this section. In any case where title to such real property is recorded in the name of the taxpayer or his or her spouse, who are eligible for tax credit, and any other person or persons, the amount shall be prorated to allow a tax credit equivalent to the fractional share in the property of such taxpayer or spouse, and if such property is a multiple-family dwelling such credit shall be prorated to reflect the fractional portion of such property



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

58

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

occupied by the taxpayer, as provided by state statutes, as they may be amended. Persons not otherwise eligible shall not receive any tax credit. No tax credit shall be allowed hereunder if such dwelling is used for more than four (4) families.

(f) The tax credit allowed hereunder shall not apply to any water rent, water use charge, water tax, sewer tax or sewer use charge which may be levied against real property in the City of Danbury.

(g) If a taxpayer has qualified and received tax relief under the provisions of this section and subsequently becomes disqualified for any reason, he or she shall notify the tax assessor on or before February 1st of the year in which he or she becomes disqualified and his or her exemption shall cease for such fiscal year and such disqualification shall continue until he or she becomes eligible again and has filed a new application.

(h) The total of all tax credits granted under this section shall not exceed for each fiscal year an amount equal to five (5) per cent of the total real estate property tax assessed in the City of Danbury during the preceding fiscal year; tax credits given to eligible applicants hereunder shall be prorated in such a manner so that the total amount of city tax relief hereunder shall remain within the limits fixed herein.

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

Adopted by the Common Council, April 1, 1986.  
Approved by Mayor James E. Dyer, April 2, 1986.

Attest:

*Elizabeth Crudginton*  
Elizabeth Crudginton  
City Clerk



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Request to purchase land on East Franklin Street.

The Common Council committee appointed to review the request from  
Louis W. Owen III, Precision Laminates Corp., to purchase land on  
East Franklin Street, met on March 26, 1986 at 7:00 P.M. in City Hall.

Present were Committee Members - Esposito, Johnson and Zotos. Also  
attending was L. Owens, Vice President of Precision Laminates.

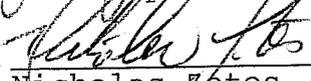
Chairman Esposito read a letter from Attorney Goldstein, Corporation  
Counsel (letter attached) stating that at the present time the said  
property is part of roadway construction and at this time has not been  
declared surplus property.

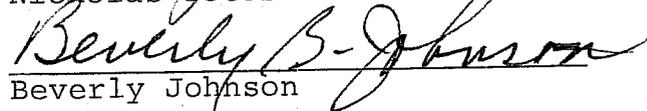
L. Owens was informed of the situation and advised by the committee  
to contact the City Purchasing Department as to if and when the property  
question becomes surplus.

Councilman Zotos moved that because of the above information no action  
be taken at this time on the request. Seconded by Councilwoman Johnson  
and passed.

Respectfully submitted

  
\_\_\_\_\_  
John Esposito, Chairman

  
\_\_\_\_\_  
Nicholas Zotos

  
\_\_\_\_\_  
Beverly Johnson



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**CITY OF DANBURY**

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

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Chairman Esposito read a letter from Attorney Goldstein, Corporation Counsel (letter attached) stating that at the present time the said property is part of roadway construction and at this time has not been declared surplus property.

Mr. Owens was informed of the situation and advised by the committee to contact the City Purchasing Department as to if and when the property in question becomes surplus.

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John Esposito, Chairman

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59

# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

ASSISTANT CORPORATION  
COUNSEL

March 5, 1986

PLEASE REPLY TO:  
P. O. Box 1261  
DANBURY, CT 06810

Councilman John Esposito, Chairperson  
Ad Hoc Committee, Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Surplus Land on East Franklin Street  
(Hardware Emporium)

Dear Councilman Esposito:

The above matter appeared as Item 017 on the Common Council meeting agenda of March 4, 1986.

On or about July 1, 1985 the City of Danbury took title to property of The Goos Realty Company located on Main Street and East Franklin Street in Danbury. Said property was required as part of the Franklin Street/Osborne Street Road Project. One of the tenants on said property was The Decorator Emporium and Hardware, Inc. which was in no way vested with any portion of title to said property.

Roadway construction is underway, but it will not be known until the project is completely concluded as to whether there is any extraneous property which might be thereafter declared surplus by the Common Council, although it does appear to me that such will be the case. When declared surplus, I anticipate that such surplus property will be put to bid by the Purchasing Department. This will involve submission of bids and the entering into an agreement for sale of the property to the highest responsible bidder. I anticipate that this will not occur until very late this year, or early next year.

Very cordially yours,

Theodore H. Goldstein  
Corporation Counsel

*C.R.*

THG:cr

Dictated but not read



# CITY OF DANBURY

59

THEODORE H. GOLDSTEIN  
CORPORATION COUNSEL

DANBURY, CONNECTICUT 06810

ERIC L. GOTTSCHALK  
SANDRA V. LEHENY  
LAWRENCE M. RIEFBERG

March 5, 1986

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DANBURY, CT 06810

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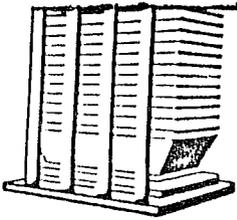
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Theodore H. Goldstein  
Corporation Counsel

C.R.

THG:cr

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# recision Laminates Corporation

7 EAST FRANKLIN STREET, DANBURY, CONNECTICUT 06810

59  
February 10, 1986

Mayor James Dyer  
City Hall  
Deer Hill Avenue  
Danbury, CT 06810

RE: Surplus Land on E. Franklin Street (Hardware Emporium)

Dear Mayor Dyer:

Per our telephone conversation on 2/6/86, I discussed our urgent need for the surplus land that will be available after the construction of the new road.

As you may or may not know, we have been in this location, as a family owned business, since the mid fifties and employ fifteen to twenty people.

This industry has been growing rapidly into high tech products. We need to follow this trend or fear the possibilities of going out of business. We've looked into the possibility of moving our location to a larger facility, but have greatly feared the four and a half plus million dollars of such a move. This amount of money is not within our grasp.

I plead to the Common Council to consider the possibility of considering our interest in purchasing this partial of surplus land on East Franklin Street for parking. This will enable us to expand our facility big enough to keep up with the high tech in the industry, employ more workers, compete with the industry and keep us in business.

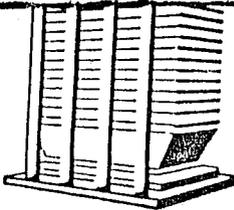
To the people involved in this request, I thank you for your time and consideration in this most urgent matter.

Sincerely yours,

Louis S. Owen III  
Vice President

March 4  
to HOE COMM. AND PLANNING  
JOHNSON

ESPO



# recision Laminates Corporation

7 EAST FRANKLIN STREET, DANBURY, CONNECTICUT 06810

February 10, 1986

59

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Deer Hill Avenue  
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Sincerely yours,

Louis S. Owen III  
Vice President

March 4  
to the COMM. AND PLANNING  
Expos - Johnson  
ZOTOS



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

JAMES E. DYER, MAYOR

DEPARTMENT  
OF FINANCE

March 27, 1986

TO: Common Council via Certification #33  
Mayor James E. Dyer

FROM: Dominic A. Setaro, Jr.

We hereby certify the availability of \$55,300.00 to be transferred from the General Fund fund balance account to the Health and Housing account 02-04-101-020100 (Professional Services) for the City's affordable housing proposal.

|                                       |                       |
|---------------------------------------|-----------------------|
| Previous balance of G.F. Fund Balance | \$1,626,215.71        |
| Less pending requests                 | 55,546.00             |
| Less this request                     | 55,300.00             |
|                                       | <u>\$1,515,369.71</u> |

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

KIG/af

**THE HOMEOWNERSHIP GROUP, INC.**

EXHIBIT B

COMMONWEALTH BUILDING

SUITE 201

UNIVERSITY OFFICE PLAZA

NEWARK, DELAWARE 19702

302-731-8411

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**A PROPOSAL:**

To provide technical assistance and staffing in the development of a lease/purchase housing program for moderate income families for the City of Danbury, Connecticut.

March 10, 1986

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## I. SUMMARY

The lease/purchase housing program herein proposed is structured around the sale of a tax exempt, special revenue bond issued Danbury Redevelopment Agency. The short-term bond issue will be for approximately two to three years. A predetermined number of units would be under contract to tenants/homebuyers and permanent mortgage commitments arranged before going to market with the issue. The houses would be constructed using the proceeds from the bond sale. Tenants would be required to make a downpayment \$1,000, then lease the units for a one to two year period and be approved in advance by a lending institution for a mortgage at the end of the lease period. During the lease phase the rent payments are sufficient to pay the interest on the bonds while allowing equity to be built up for the tenants to be applied as a downpayment at final settlement. This equity should range between \$6,000 and \$10,000 during the two year lease period, depending on prevailing interest rates at the time of the bond sale.

At the end of the lease period the tenants would settle on their properties using the initial deposit, the equity generated through the rents and the mortgage proceeds. The bonds would then be paid off using these proceeds and the City and Redevelopment Agency would exit from the program.

The lease/purchase program has the following major advantages compared to a conventional, for-sale project.

\* The tax exempt, low interest financing can allow

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the tenant to build between \$6,000-\$10,000 in equity during the lease phase. The equity results from rent payments that exceed the interest charges on the bonds and interest earnings generated by reinvesting idle funds at prevailing rates.

- \* The initial development and construction costs for each unit could be 10% to 15% below conventional costs because of a reduction in construction financing costs, low marketing expenses and a minimal risk for the builder.

The net effect is to provide the tenant/homebuyer with a far more attractive home ownership investment opportunity than with a conventional purchase. The downpayment required is smaller and, more importantly, the mortgage required at the end of the lease period can be reduced by \$10,000-\$15,000. Further, the tenant/homebuyer can lock in today's prices on a home that will not be purchased for three years.

The exact structure of the program will depend upon the status of the Tax Reform Act of 1985 (H.R.3838) which is now being considered by the United States Senate. The Act, which was adopted by Congress in December of last year, has created considerable uncertainty in the municipal bond and real estate markets during the past several months. Although the Act will not become law unless it is approved by the Senate and signed by the President, it includes an effective date of January 1, 1986 for those provisions that would affect the lease/purchase

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housing program. Accordingly, we do not know at this point which set of tax laws should apply in structuring the program. In developing the Danbury lease/purchase housing program, we would work with the City and its bond counsel to structure a program under both the present tax law and the proposed tax law as outlined in H.R. 3838. Further, in the event the Senate changes the legislation in a way that would render the program illegal or impractical, we will examine the possibility of using conventional financing for the project.

The Homeownership Group, Inc. acts as consultant to the City in the development of the program and serves as staff during its implementation. Our services would include the following:

- \* Undertake efforts to evaluate the most feasible price ranges, types, sizes and numbers of housing units to be constructed. We will work with the City to establish criteria based on economic and demographic trends to be used in making these decisions.
- \* Assist the City in evaluating potential sites for development.
- \* Prepare financial analyses of all possible rent structures and equity build up requirements based on various bond and reinvestment interest rate assumptions.
- \* Assist the City in developing a process to select a builder/developer for the project to be constructed on a turnkey basis.

W

- \* Coordinate all activities between bond counsel, the City and the appropriate financial institutions to develop a viable economic package.
- \* Negotiate with local lending institutions for a commitment for permanent financing.
- \* Work with the City to develop and implement a marketing and public relations strategy.
- \* Review and evaluate sources of supplemental funding.
- \* Establish tenant selection criteria and assist in the formation of a tenant selection committee.

In essence, we would act as the staff for the City in the development of the project up until the beginning of construction. Again, The Homeownership Group would develop the program under each of the various tax law scenarios previously discussed.

## II. LEASE/PURCHASE PROGRAM COMPONENTS

### A. Non-Profit Sponsor

The Homeownership Group will work with bond counsel and the City to select the most appropriate entity (sponsor) to oversee the Danbury Homeownership Program. The potential sponsor could be the City of Danbury, the Redevelopment Agency or an existing tax exempt, non-profit corporation.

The sponsor would be given the overall policy making and administrative responsibilities for the program which would

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include:

- \* acquisition of land, including its ownership during the construction and lease phase;
- \* selection of a builder/developer;
- \* determination of the rent/price structure;
- \* selection of the property manager; and,
- \* the overall scope of the program.

Staff support for the sponsor would be provided by The Homeownership Group along with someone appointed by the sponsor to act as liaison with The Homeownership Group.

B. Developer and Site Selection

The selection of sites for development and the builder/developer for the project will be the responsibility of the sponsor with assistance being provided by the Homeownership Group.

The Homeownership Group will evaluate alternate rent/price structures based on housing construction cost estimates along with various interest rate assumptions.

C. Short Term Financing Mechanism

The Homeownership Group will structure a financing mechanism that permits the construction/lease phase to take place. The mechanism will likely take the form of short term, tax exempt bonds. The bonds will be supported by the economic viability of the project along with other backing as may be required, such as a letter of credit from a major lending institution or corporation. Every effort would be made to minimize any financial liability on the part of the City for the bond issue.

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A financial analysis of the program will be provided by the Homeownership Group for the potential bond purchasers and the Homeownership Group will assist the sponsor in negotiating the bond sale along with bond counsel.

D. Mortgage Commitment

A commitment for permanent financing for the program in the form of mortgage commitments for the purchaser will be negotiated by The Homeownership Group with local lending institutions or the Connecticut Housing Finance Agency. The purchasers will agree to lease the unit for a period of two years at an agreed upon rental. A portion of the rent will be used to meet the downpayment requirements for the mortgage.

While it is assumed that the mortgages will carry an interest rate equal to the lending institution's prevailing rate for residential mortgages, the best possible arrangement for the buyer will be sought.

Although the sponsor's tenant selection committee will have to approve each tenant, final approval will rest with the lending institution.

E. Alternate Sources of Financing

The Homeownership Group, on behalf of the sponsor, will explore alternate sources of funding with the specific goal of making the units more affordable to middle income people. Such funds could be used to buy down the price or interest rates on a certain number of houses.

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#### F. Marketing Plan

A marketing plan will be developed and implemented. It may be desirable to establish certain priority groups both in terms of advertising and approval for purchase such as income level, first time homebuyers or current city residents. Final approval for such criteria would be required by the sponsor.

All media outlets will be utilized and extensive use will be made of community based referral organizations and private industry to identify potential buyers. The media campaign will be designed to emphasize the unique character of the program and its appeal for households who do not consider themselves able to purchase a new home in the Danbury area.

It is anticipated that the program will begin with a major publicity effort on the part of the city government, i.e., press releases, briefings and press conferences with city officials. Such a publicity campaign will also help publicize the city's economic development efforts.

Advertising and production costs, if any, would be borne by the sponsor and later refunded from the proceeds of the bond sale.

#### G. Tenant Selection

A committee that could include representatives from the lending institution, the property management firm, the sponsor and appropriate city departments will be responsible for selecting the tenants. The Homeownership Group will not be represented on the committee but will provide staff assistance to the committee.

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The sponsor and the lending institution will be responsible for establishing eligibility and in establishing procedures for applying the criteria for individual applicants. The criteria, at a minimum, should ensure that the applicant meets the various priorities established and that the household income meets program standards. Final approval, however, will rest with the lending institution.

#### H. Property Manager

An experienced property management firm will be selected to oversee the management of the units during the lease phase. The sponsor, however, may choose to manage the property during the lease phase. The projected rental fees will include allowances for a management fee and maintenance expenses.

In order to encourage homeownership responsibility, the occupant will be responsible for all maintenance and repairs not covered by a warranty. The occupants would also be expected to pay for all utility costs.

The management firm or sponsor will collect rents, maintain common areas, prepare a unit in the event of turnover, handle rental delinquencies and respond to occupant complaints and questions. The management firm would be expected to report on a regular basis to the sponsor on the status of the units which would include physical condition, status of rental payments, and problem areas requiring special action.

### III. SCOPE OF WORK

The Homeownership Group will work closely with the sponsor

and other appropriate agencies in all phases of the program. Outlined below are the specific activities to be performed by The Homeownership Group.

- \* Undertake efforts to evaluate the most feasible price ranges, types, sizes and numbers of units to be constructed. We will work with the sponsor to establish criteria based on economic and demographic trends to be used in making these decisions.
- \* Work with bond counsel to determine the appropriate sponsoring agency.
- \* Assist in evaluating potential sites for development.
- \* Assist the sponsor in selecting a builder or builders.
- \* Prepare financial analyses of all possible rent structures and equity build up requirements based on various bond and reinvestment interest rate assumptions.
- \* Coordinate all activities between the bond counsel, the sponsor and the appropriate financial institutions to develop a viable economic package.
- \* Negotiate with local lending institutions for a commitment for permanent financing.
- \* Work with the City to develop and implement a marketing and public relations strategy.
- \* Review and evaluate sources of supplemental funding.
- \* Establish tenant selection criteria and assist in the formation of a tenant selection committee.
- \* Assist in the selection of a property management

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firm or in the development of a property management plan for the sponsor.

Further, The Homeownership Group will develop different scenarios for the lease/purchase housing program working under the existing tax law, the tax law as contained in H.R.3838 and through conventional financing methods.

#### IV. TIMETABLE

The lease/purchase program is divided into a development phase, a marketing phase and a construction phase.

The development phase will last approximately three to four months. During this period The Homeownership Group will identify the most appropriate sponsoring entity, negotiate the long and short term financing commitments, complete a full legal analysis with bond counsel, prepare alternate economic and rent structure analyses, assist in the selection sites for development and a builder/developer, establish a tenant selection committee, review supplemental funding sources and develop a marketing strategy.

The marketing phase should last one to two months. The Homeownership Group will work with the sponsor and the developer in the implementation of the marketing strategy.

The construction phase should last approximately six to twelve months. This proposal provides for activities up to the beginning of the construction phase. If any services are required from the Homeownership Group by the sponsor during

the construction phase, they will be negotiated at that time and the costs included in the bond sale. In addition, in the event outside engineering consultants, attorneys or appraisers are required they would be retained by the sponsor with the costs recovered from the bond sale. The sponsor would designate a staff person to work with the Homeownership Group and this individual would be responsible for acting as the liaison with the sponsor and other policy making agencies.

#### V. STAFF

Two senior members of The Homeownership Group, Mr. Gerald P. Doherty and Mr. J. Brian Murphy, will have overall responsibility for the implementation of this proposal.

Mr. Doherty and Mr. Murphy were involved in the development and implementation of the highly successful lease/purchase housing program in Wilmington, Delaware which is now in its second phase with 99 units of housing. Mr. Doherty and Mr. Murphy designed and implemented the recently successful lease/purchase housing program in New Brunswick, New Jersey which is now beginning its second phase. References for these projects are Wilmington's Mayor Dan Frawley (302) 571-4555, and New Brunswick's Economic Development and Policy Administrator Mr. Frank Nero (201) 745-5050.

Mr. Doherty and Mr. Murphy are also currently working on programs for the Borough of Princeton, New Jersey (Mayor Barbara Sigmund 609-924-3118), the City of Charleston, West Virginia (Mary Lou Hill 304-348-8176), Bally's Park Place Casino Hotel

in Atlantic City (Redenia Gilliam 609-340-2216) and Richmond, Virginia (John Baker 804-644-9881).

Mr. Doherty is an economic consultant with extensive experience in housing market analysis. He was the chief legislative assistant for U.S. Senator Joseph Biden of Delaware in Washington, D.C. from December of 1976 through February of 1979. He worked as the Policy Advisor to the Mayor of Wilmington, Delaware from 1972 through November of 1976, during which time he was also chairman of the task force that developed the nation's first urban home-steading program. He has a Master's Degree in Economics from the University of Connecticut.

Mr. Murphy served as an assistant to Mayor William T. McLaughlin of Wilmington, Delaware from 1978 to March of 1982 where his duties included Communication Director, special projects coordinator and legislative liaison with the State Legislature. Prior to that time Mr. Murphy administered the City's Tax Incentive Program for new and rehabilitated structures. Mr. Murphy was involved in the development and implementation of the Wilmington, Delaware lease/purchase housing program. Mr. Murphy currently serves as a Commissioner of the Wilmington Housing Authority.

#### VI. BUDGET

The Homeownership Group will carry out the scope of work outlined in this proposal for a fixed fee of \$55,300 for a project of up to fifty units of housing. If the project were to exceed fifty units, the fee would increase by \$1,000 per unit for each unit exceeding fifty.

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As previously stated, all costs of other professional services such as engineering, appraising and legal work will be borne by the sponsor and reimbursed from the bond proceeds. These costs can be minimized by using professionals currently on the staff of the city government, the redevelopment agency or other participating groups. We would also suggest that the bond issue be structured in such a way as to allow the sponsor to be reimbursed for the fee paid to The Homeownership Group.

The payment schedule could be structured with an initial payment of 20% of the total base contract with the remaining payments made as various work goals were completed. A suggested contract has been included with this proposal for your consideration.

## COMMON COUNCIL COMMITTEE REPORT

April 1, 1986

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Affordable Housing Program.

The Ad Hoc Committee formed to consider the proposal for development and implementation of an affordable housing program for moderate income families for the City of Danbury, met on January 14, February 25, and March 19, 1986 in City Hall. Members of the committee present were Councilmen Eriguez, Flanagan and Smith. Also, in attendance were Associate Director of Housing, Paul Schierloh and Assistant Corporation Counsel Eric Gottschalk.

At the January meeting, the committee entertained a presentation by the Homeowners Group Inc. of Newark, Delaware, on their specific proposal chosen by a select ad hoc group of key City Officials.

Mr. Gerald Doherty and Mr. Brian <sup>MURPHY</sup> ~~Numphrey~~, two senior members of the Homeownership Group, explained their proposal in detail and responded to the various questions posed by members of the committee. Len Sedney, Keith Colgan, Bill Quinn, Paul Schierloh and Dominic Setaro were also present at this meeting.

Concern was expressed about the viability of pending <sup>SALIENT</sup> tax reform legislation (referred to as H.R. 3838) and its impact on the ~~solvent~~ issues related to public purpose tax-exempt bonding, which would be the most desirable method to finance such a project under existing tax law.

It was determined to further review this proposal with the City's Bond Counsel to resolve this issue. Upon consideration of Bond Counsel's views, the committee determined to have the Homeownership Group revise their proposal to include financing methods through three possible scenarios:

1. Using tax-exempt bonding under the present law.
2. Using tax-exempt bonds under the Tax Reform Act of 1985, adopted by the U.S. House of Representatives and pending before the Senate, or
3. Using taxable bonds or conventional financing if tax-exempt financing is rendered illegal or impractical under changes in the tax law.

Upon receipt of these revisions, the committee met in March and agreed that the revised proposal was preferred. Also, the committee negotiated the contract costs for the Homeownership Group's consulting fees and the language of the contract working with the Homeownership Group, Paul Schierloh and Eric Gottschalk.

The Homeownership Group will provide technical assistance and staffing in the development of this lease/purchase program for those moderate income families of Danbury.

Costs related to this contract are reimbursable to the City via the financing method employed for the project.

It is important to note that the development of this program will proceed regardless of any decisions on tax reform (the proposal and contract have been structured accordingly).

The committee, having extensively reviewed this proposal and having negotiated a contract, moved to recommend to the Council approval of the proposed contract for \$55,300 for consultants services identified in Exhibit A of the Contract.

It should be reported that this Contract can be terminated by the City at any time for any cause per Section V of the Contract. All work completed by the Homeownership Group on Items 1-4 of Exhibit A will be submitted to the City for review and approval.

The Homeownership Group will not proceed with any additional work beyond Item 4 in Exhibit A until notice of approval to proceed is given in writing.

*Gene Eriguez*  
Gene Eriguez, Chairman

*Stephen Flanagan*  
Stephen Flanagan

*Stafford Smith*  
Stafford Smith

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Costs related to this contract are reimbursable to the City via the financing method employed for the project.

It is important to note that the development of this program will proceed regardless of any decisions on tax reform (the proposal and contract have been structured accordingly).

The committee, having extensively reviewed this proposal and having negotiated a contract, moved to recommend to the Council approval of the proposed contract for \$55,300 for consultants services identified in Exhibit A of the Contract.

It should be reported that this Contract can be terminated by the City at any time for any cause per Section V of the Contract. All work completed by the Homeownership Group on Items 1-4 of Exhibit A will be submitted to the City for review and approval.

The Homeownership Group will not proceed with any additional work beyond Item 4 in Exhibit A until notice of approval to proceed is given in writing.

Gene Eriquez, Chairman

Stephen Flanagan

Stanford Smith



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

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COMMON COUNCIL

JAMES E. DYER, MAYOR

April 1, 1986

## REPORT

### AFFORDABLE HOUSING PROGRAM

#### Attachments:

1. Committee Report.
2. Certification of funds.
3. Revised Proposal dated March 10, 1986, from the Homeownership Group, Inc. for the development/implementation of a lease/purchase housing program for moderate income families for the City of Danbury.
4. Proposed Contract between the City of Danbury and the Homeownership Group Inc.
5. March 14, 1986 Wall Street Journal article regarding the effect of pending tax reform on public - purpose tax exempt bonds.
6. Series of articles on programs enacted by the Homeownership Group Inc. in New Jersey and West Virginia.

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ing to of erch A ge str r d r ur ne ed il r v t k



Rendering shows the 1,800-square foot Oxford Street rehabs, lease-purchase units to be made available in the city.

# Lease-purchase townhouses offer low down payment, gradual buy-in

By PETER PARISI  
Home News staff writer

**NEW BRUNSWICK** — There are 180 people signed up to apply for the city's second group of lease-purchase townhouses — and the project won't even go before the Zoning Board until tomorrow night.

Though lower mortgage rates have made homebuying more affordable to people in general, the city's plan still seems to represent a pretty special deal.

Those who are accepted in the program must pre-qualify for a state-backed mortgage. Family income must be about \$30,000 and city residents are given preference.

Once qualified, however, participants put down only \$1,000. They then rent their homes for about two and a half years at about \$675 per month. These payments plus appreciation of the real estate over the rental period mount up to the equivalent of a conventional downpayment.

Participants then assume the mortgage for which they prequalified. The 30-year mortgages, provided by the state Housing and Mortgage Finance Agency, will be for about \$65,000, according to an information sheet on the program. The rates have not yet been set, but city Director of Economic Development Frank Nero said they will not exceed 11 percent.

### \$85,000 purchase price

The total home prices of about \$85,000 are higher than the approximately \$67,000 paid for lease-purchase homes in the first phase. He said the general rise in housing prices plus some special requirements at the Remsen Avenue site account for the difference.

Additional expenses for the site include the

purchase of adjacent commercial and multi-family buildings, and lighting and landscaping to screen the Conrail loading spur that runs behind the site.

Two types of townhouses are available under this second phase of the city program.

Sixty-two three-story, prefabricated townhouses will be constructed on Remsen Avenue, near the St. Mary's senior citizen apartments and Lawrence and Fulton streets. Forty contain two bedrooms and 20 units, two bedrooms and a den.

Both models, built in what the developers call "colonial style," contain 1,630 square feet. The master bedroom of the two-bedroom models is divided to create a bedroom and den. All units contain 1½ baths, garage, built-in range, dishwasher, garbage disposal and refrigerator.

On Oxford Street, 10 rehabilitated townhouses are being produced from what formerly was a rowhouse of 20 units.

The Oxford Street townhouses contain about 1,800 square feet, Nero said.

Prefabricated construction was chosen for the new units, Nero said, because they would ease the need for subcontractors, who are in short supply because of the area housing-construction boom.

Construction of prefabricated homes is also speedier and less dependent on good weather. Nero said the Remsen Avenue homes could be constructed in six months. Allowing for the application and mortgage approval process, Nero said he expected the homes to be available in February or March.

The city's gain from offering the lease-purchase homes is an increased population of resident homeowners. Absentee homeowners have sometimes been linked by city officials with run-down, overcrowded properties.

To discourage speculation the city requires that the units be owner-occupied during the lease and the state HMFA repeats that requirement for the mortgage. Nero added that buyers can purchase only one unit and must sign affidavits that they own no other residential property.

Nero said the city this time sought designs for the lease-purchase home in a different way.

### The way to go

"Last time we had a design and asked builders to submit construction proposals. This time we gave builders general guidelines for square footage, number of bedrooms, garage and so on, and said submit to us your best-designed unit."

"We got modular and stick-built proposals. Because of all the housing construction in the area and the great demand being placed on various trades, we felt the modular unit was the way to go."

He said the Kaplan Organization, which is building the Remsen Avenue units, "has a good reputation in the area and has built a lot of units."

Nero said his office will start taking official applications for the program after Labor Day.

Prospective homebuyers who want to be informed of the first public meeting on the program should write Nero at 390 George St., New Brunswick, 08903.

Homebuyers who miss out on this round of lease-purchase homes can console themselves with the thought that the city would like to provide more.

Mayor John A. Lynch has said that over time the city may offer as many as 500 lease-purchase townhouses. Nero said that Conrail may in time vacate the railroad unloading spur behind the Remsen Avenue site. "That gives us the ability to expand that site for further housing."

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# Townhouse project in New Brunswick draws eager buyers

By JOHN T. WARD  
Home News staff

NEW BRUNSWICK — With temperatures below 10 degrees and sunrise still an hour away, prospective buyers began lining up outside a George Street storefront office yesterday for a chance to buy one of 43 low-cost, city-sponsored townhouses.

By 10:30, half-an-hour after the office doors opened, nearly 45 househunters had dropped off their applications and \$100 deposits. All were there hoping to qualify for coveted 11 percent, 30-year mortgages, to be offered on a first-come basis in conjunction with what the sponsors said is a unique lease-purchase financing arrangement.

The plan involves five completed townhouses at the corner of Lee Avenue and Seaman Street, and 38 units at two other sites, known as Douglass Estates North and South, on Commercial Avenue. New Brunswick Development Corp. is the project developer. The homes will cost between \$55,000 and \$75,000.

"It's a chance to get a real good deal," said Clark Beck, a Rutgers University librarian whose 9 a.m. arrival put him 27th in line. "They give you the opportunity to rent for two years and all the rent counts towards a down payment when you go to buy. It's a great deal."

City economic development director Frank Nero further explained that portions of rent payments, which range from \$575 to \$650 per month, would go toward property

taxes and interest payments on city-sponsored bonds supporting the construction and lease phases of the project. The bulk of the rent payments in the two-year lease period however, would be applied directly toward the principal on the price of the homes.

The technique effectively lowers the purchase price on the units by as much as \$7,000, he said, largely eliminating the need for a hefty down payment at the time of purchase.

Yesterday's activity at the converted service station office on the corner of George Street and Commercial Avenue involved the numbering of applications for consideration. Applicants also made \$100 refundable deposits. Nero said the applications will be given a preliminary screening before being processed through the Franklin State Bank. The first 43 qualifiers will be eligible to sign leases.

The City Council has required that 32 homes be sold before construction on the unbuilt Douglass Estates North and South can commence.

Nero said applications must be hand-delivered to 390 George St. and will be accepted through the week and possibly into next weekend.

Since city residents and first-time homebuyers are to be given preference in the selection of eligible buyers, Joanne Amante of Highland Park said she was keeping her fingers and "everything else" crossed in hope of being chosen.

"I'm really excited — I hope I get



Home News Photo by Pat Ferraro

Would-be buyers began lining up before dawn for a chance at an 11 percent, 30-year mortgage on a New Brunswick townhouse.

one," said Ms Amante, who works in finance for the state Economic Development Authority. "I think this is one of the best, most creative programs of its nature because it allows people with moderate incomes to buy. This will bring more moderate income earners back into the Second Ward, which the city might otherwise have had difficulty doing.

Wali Haqq, an insurance sales-

man, said he's been renting in the city for about 13 years. When the lease purchase plan was unveiled, he figured it would be a good way to "begin planting my roots here."

"Without this type of program, I think I would be unable to buy anything decent in the city," Haqq said. Among the anxious throng of prospective buyers and administrators crowding into the small office yesterday morning was Constance Gibson, assistant executive director of the state Housing and Mortgage Finance Agency, which is sponsoring the low cost mortgages with funds reserved from a 1983 bond issue.

"I wanted to come out and see what the demand was like and to be part of the fun," said Mrs. Gibson, a resident of South Brunswick. "It's really very exciting to see."



Elaine Simon, left, an employee of New Brunswick Development Corp., shows the floor plan of one of the low-cost, city-sponsored townhouses to prospective buyer Joanne Amante of Highland Park.

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The Home News  
Region

# Editorial Page

## Charleston Daily Mail

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4A

Saturday Evening, February 9, 1985

## Moving Along

**W**HAT'S going on right now at City Hall augurs well for the future of downtown Charleston.

Although it is not yet time for unbridled celebration, sensible action by city planners offers the hope that Charleston can move through one of its toughest transitions and emerge in good shape.

Despite knee-deep snow, dozens of applicants recently lined up at City Hall to put money down on Clendenin Square townhouses along Court Street. When completed late this year, the development will consist of 47 capacious townhouse units.

Location, perhaps, is not pulling in buyers as much as attractive terms. Low-interest financing made possible through the sale of revenue bonds, plus a clever rent-purchase mechanism, will allow customers to own a townhouse for as little as \$1,000 down.

But by drawing homeowners downtown, Charleston is paving the way for a revitalization of its ailing core.

A quick survey of city streets, with their empty storefronts, illustrates the fact that retail commerce has been sponged up by the city's two new malls. Some see this as a sign of irreversible damage to the old downtown, which they are too quick to write off as a new wasteland.

Fact is that few cities Charleston's size can support enough retailing to keep two malls and a central city flush. But moaning about it only takes precious time, time best spent for developing new plans.

Charleston is on a course of redefining what its downtown should be. It involves a touch of retail Darwinism, true, but it is the proper course.

Many retailers will survive, but the city's center must change its focus: small specialty shops and professional offices, exercise clubs, sidewalk cafes, more restaurants, more watering holes, more innovative uses for existing space.

These types of establishments depend on people being around at night and on the weekends, people who see the downtown streets as central to their lifestyle.

There is no better way to encourage that attitude than to get people to live on Court Street, on Capitol Street and even, yes, Summers Street. That's what Clendenin Square is designed to do. And it's going to work.

# Work Starts On Bally's apartments

By JOHN FROONJIAN  
Press Staff Writer

ATLANTIC CITY — Bally's Place casino hotel officials broke ground Tuesday for Jacobs Family Terrace, a \$5.2 million project that will be the first casino-financed housing development. The 72-unit project will provide middle-income housing, mainly for tenants who now live in low-income projects, but whose incomes are actually too high to qualify for such housing. Relocation of those residents to Jacobs Family Terrace will open up subsidized units for others. Bally's paid \$1 million for the site at New York and Balboas avenues. The casino is expected to finance the \$4.2 million construction and receive repayment of that investment without cost or profit from sale of the apartment units.

A feature of the financing arrangement will allow tenants to pay rent for two years before leasing a unit. The rent money will be invested and used as

(Continued on Page 10)

# THE

Key Publishing Company



ATLANTIC CITY, N. J. WEDNESDAY, NOVEMBER 21, 1984

Serving Southern New Jersey

# ATLANTIC

## Bally's Breaks Ground for Housing

(Continued from Page 1)

the down payment for buying the unit.

The system was successfully tested in New Brunswick under the guidance of the Homeowners Group of Delaware, said consultant Jerry Doherty of that firm.

Under the plan, Bally's will purchase a three-year, tax-exempt bond to build the project and finance leasing of it. After a year of construction, tenants will provide rent that will pay interest on the bond, Doherty said.

Since the interest will be low, about \$9,000 to \$10,000 in equity will build up and be used as a buyer's down payment, he said.

Sixty two-bedroom units will likely sell for less than \$60,000 each, with 12 three-bedroom units selling for \$70,000, company spokeswoman Redenia Gilliam said.

Corporate and government officials hailed Tuesday's groundbreaking as representative of what cooperation between government and industry can accomplish.

Actual construction won't begin until weather permits next spring. The ground-breaking came a few weeks before the

gins hearings on the renewal of Bally's casino license. Casino investment in the community's redevelopment has been a factor in such hearings.

Mayor James Usry said the development is "an indication we're turning the corner" in building necessary housing.

"The beauty of the project is that people will have home ownership," said state Sen. William Gormley, R-Atlantic. "They will pay property taxes to the city."

"If you're going to rebuild a community, you have to have home ownership," he said.

Gormley said Usry and housing officials are targeting eight or nine other city blocks in which similar projects could be undertaken.

Even if a casino reinvestment bill spelling out how such investments would be made isn't passed this year, casinos may still start projects because Gov. Thomas Kean has pledged to give credit for development done before he signs a bill, Gormley said.

Although he questioned whether a Senate committee scheduled to hold a hearing on reinvestment will get to it Monday -- Mount Laurel housing leg-



Mayor JAMES USRY  
'We're turning housing corner'

will reach the governor in December.

The project, to be built by minority-owned Tri-Gem Enterprises of Sicklerville, is named after the late Judge Herbert S. Jacobs, the first black judge in Atlantic City. Jacobs presided over the city's Family Court for 14

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# caveats & salvos

by Harry Sayen

## Local answer to housing dilemma worth checking

The genie of Mount Laurel II grows and grows. Numbers climb higher and higher. Lawsuits, tempers, frustrations, and concerns are moving at a rapid pace. Are we, in central New Jersey, trying to effect a cure? Remember the Vietnam?

The imaginative and colorful mayor of Princeton Borough, Barbara Sigmund, has launched another — a municipal plan — to meet "our fair share" — low-, moderate-, and middle- (she stressed middle) income housing.

The hard problem is that "the municipalities are in a dilemma. We should provide a fair share not at the expense of rape and pillage of what's left of our countryside. We are trying to get off the horns of that dilemma. There are hints of regional solutions (county and state) but what I don't want to see are municipally-sponsored programs that don't accomplish the same aim: Produce the necessary low and moderate units without being accompanied by densities four and five times too high."

BARBARA SIGMUND wants each municipality to examine its own specific needs: "Responsibility begins at home. We can get lost in the numbers game. After all, not a house was produced under Mount Laurel I — only endless lawsuits."

In Princeton Borough, the needs include "the generous poor — for past historical and past public policy reasons. And, our existing low- and moderate-income population is in grave danger of being gentrified out of existence."

For example, the mayor mentioned teachers and municipal employees requiring affordable housing: "Only three of our 29-person police force live in Princeton. The underlying point of Mount Laurel is that people should be able to live within a reasonable distance of their job."

The New Jersey Supreme Court's jurists have ruled that a municipality should provide a fair amount of affordable housing in a growth area — and suggested 20 percent of new building as that goal. But, tied to density bonuses, that 20 percent translates into enormous immediate growth numbers for the communities — numbers overwhelming the



PRINCETON BOROUGH Mayor Barbara Sigmund wants to make affordable housing available through a home sale plan.

ability to pay for support infrastructure.

AS A RESULT, new ideas have been spawning of late: revenue bonds (underwritten by taxes), housing trusts (shared by developers), and now Barbara Sigmund's lease/purchase program. One or more of these three plans together with density bonuses could do the trick — but density bonus alone, given the cost of construction, will wreak havoc with the average local municipality.

Lease/purchase has been tried elsewhere. In fact, just go down the road to New Brunswick — 41 units are being built — five at approximately \$43,000 each, 36 at \$56,000.

In simplified terms, the plan is structured around the sale of tax-exempt, short-term (2½ years) bonds issued by a municipality or housing authority. Permanent mortgage commitments would be solidified in advance with a predetermined group of tenants or homebuyers who would each put down \$500 to \$1,000.

Next step. The units would be built under a turnkey arrangement — all to be finished within the two and one half year period. And, during that period (or leasing phase), the rent payments are sufficient to pay the interest on the bonds while allowing equity to be built up for the tenants to be applied as a downpayment on the final settlement.

FINALLY, AS explained by the personable Gerald Doherty, the Delaware consultant who has packaged this idea; "At the end of the lease period the tenants would settle on their properties using the initial deposit, the equity generated through the rents, and the mortgage proceeds." The bonds would be paid off and the municipality or housing authority would be free and clear.

Advantages over the usual for-sale projects? Mr. Doherty spelled them out: "The tax-exempt, low-interest financing can allow the tenant to build between \$6,000 to \$8,000 during the lease phase. That equity results from rent payments that exceed the interest charges on the bonds, and interest earnings generated by reinvesting idle funds at prevailing rates (approximately four points depending on the market).

"The initial development and construction costs for each unit could be 10 to 15 percent below conventional costs because of a reduction in construction financing costs, low marketing expenses, and minimal risk for the developer."

Jerry Doherty's group is presently exploring, at a fee, for the borough the possibilities of building affordable units. If favorable, "we, in essence, would act as staff for Princeton Borough for the development of the project until the beginning of construction."

New Brunswick has done it; Wilmington, Del., has done it; why not the Princetons — or West Windsor — or South Brunswick — or, one step further, Trenton?

This marriage of public and private enterprise has the interesting overtones of meeting an obligation that all agree is needed in an exploding corridor: affordable housing. So, my aside to Judge Eugene Serpentelli: "Check it, you may like it."

Harry Sayen writes "caveats & salvos" on land use issues each week in the Packet newspapers.

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# Home hunters brave snow for good deal

**Rick Steelhammer**

SUNDAY GAZETTE-MAIL

The American dream of home ownership proved to be stronger than the snowiest winter weather in seven years in Charleston Saturday.

Charleston city government opened a third-floor office at 10 a.m. to process applications for those seeking to buy units in the new Clendenin Square townhouse project, to be located along Court Street across from St. Francis Hospital.

"By 10:30 a.m., 16 people had made cash deposits and filed purchase applications," said City Manager Hugh Bosely. "Some of the purchasers used unusual means to be sure that they'd get to City Hall in time to get a unit."

Bosely said a St. Albans couple, worried about road conditions, spent the night in a Charleston motel so that they could be first in line at 5:45 a.m. A South Hills doctor who couldn't get her car out of her driveway hitchhiked to the city building, "and had no idea how she was going to get back home," Bosely said.

Bosely estimated that by the time office hours closed at 2 p.m. Saturday, as many as 25 persons would have signed purchase agreements.

"Considering the adverse weather conditions, we're extremely pleased with the turnout," said the city manager. "Especially when you consider we had to cancel Friday night's informational meeting on Clendenin Square."

Purchase applications can be processed and information on the housing project will be available from 9 a.m. to 4 p.m. Monday through Friday at Room 306 in City Hall. Sales will be made on a first-come, first-served basis.

Clendenin Square — named after George Clendenin,

See HOME Page 10A

## Continued From Page 1A

Charleston's first permanent settler, who moved here in 1747 — is part of an effort by Mayor Mike Roark and the Charleston Renaissance Corp. "to try to get people back to living in the downtown area," Bosely said. Saturday's weather, Bosely said, "was a great advertisement for the convenience of living downtown."

Clendenin Square will consist of 47 three-level townhouses, each with more than 1,500 square feet of living space, and three one-level units for the handicapped.

The units can be bought with down payments of only \$1,000, through a rent-purchase agreement with the city. Buyers will rent the units for \$595 a month from the city for two years, and

that rent money will be placed in an equity account to be applied to the purchase price.

Thanks to low-interest financing through the sale of revenue bonds and through the investment of rent money in the equity fund, participants should be able to apply from \$7,000 to \$9,000 toward the purchase price of their units by the end of two years, Bosely said.

"This will allow a person to own a home valued in excess of \$70,000 with only a \$1,000 down payment," said Bosely.

Groundbreaking on the housing development should start in May, and the units should be available for occupancy by December of this year, according to the city manager.

## Guilt in Barclays Fraud

Seattle office of Barclays Bank PLC of a total of \$550,000.

Andrew Evans, 34, and his wife, Ann Llewellyn, 32, will be sentenced Nov. 8 on charges that they aided and abetted a bank officer in making false statements to a bank and that they aided and abetted the misapplication of bank funds.

Robert Westinghouse, an assistant United States attorney, said the couple also has agreed to make restitution of \$3.25 million that they improperly borrowed from the bank.

Charges of making a false statement and of misapplying bank funds also were filed in the case against Louis G. Wadley, a former assistant manager of the Barclays branch where Mr. Evans and Ms. Llewellyn did business. Mr. Wadley earlier received a suspended sentence on the charges.

According to the charges, Mr. Evans and Ms. Llewellyn, with Mr. Wadley's help, borrowed \$250,000 in October 1983 under a false name, and borrowed another \$300,000 in February 1984, also under a false name. ■

## Retrieve Texts Electronically On InnerLine

With the press of a button you can now obtain important texts on InnerLine, the electronic information affiliate of the *American Banker*. Additional texts, such as the Federal Deposit Insurance Corp. discussion paper on risk-related deposit insurance which FDIC sent to chief executive officers of FDIC-insured banks, are available on-line directly from the American Banker News Service.

The texts now available to InnerLine subscribers are:

- An excerpt from the Federal Deposit Insurance Corp.'s new rules governing bank merger and acquisition activity (issued Oct. 2).
- Key excerpts from Griffin B. Bell's special report looking into E.F. Hutton & Co.'s check-kiting and check overdrafting practices (issued Sept. 4).
- The Federal Reserve Board's deci-

## W. Virginia Regulators Approve One Valley's Acquisition of Seneca

Special to the American Banker

CHARLESTON, W.Va. — The West Virginia Board of Banking and Investments has approved One Valley Bancorp's application to buy Seneca Bancshares Inc. of Ronceverte.

The board has also received the application of Key Bancshares, the parent of First Huntington National Bank, and Centurion Bancorp, the parent of Charleston National, to merge. The two companies have already applied for federal permission to merge the companies into Key Centurion Bancshares.

If approved, the merger would create West Virginia's largest bank holding company, surpassing One Valley, the parent of Kanawha Valley Bank in Charleston.

In other business, the board has approved applications from National Banc of Commerce Co., Charleston, to buy the First National Bank of Belle, W.Va., and from City Holding Co., the parent of City National Bank of Charleston, to buy the Bank of Cross Lanes, W.Va.

Also, First Community Bank of Winfield, W.Va., received permission to merge into the Buffalo Bank under the charter of the latter.

Also approved were applications from M&M Financial Corp. to buy Valley Bank & Trust Co. of Bluefield, and from First Community Bank-Adrian Buckhannon, Buckhannon, W.Va., to purchase First Community Bank-Upshur National, also located in Buckhannon. ■

## 4 West Virginia Banks Buy Tax-Exempt Bonds To Finance Housing

Special to the American Banker

CHARLESTON, W.Va. — Four West Virginia banks are financing the construction of a housing development project in downtown Charleston through the purchase of \$4.75 million worth of short-term, tax-exempt bonds.

It is the first lease-purchase arrangement of this kind in West Virginia involving banks, officials say.

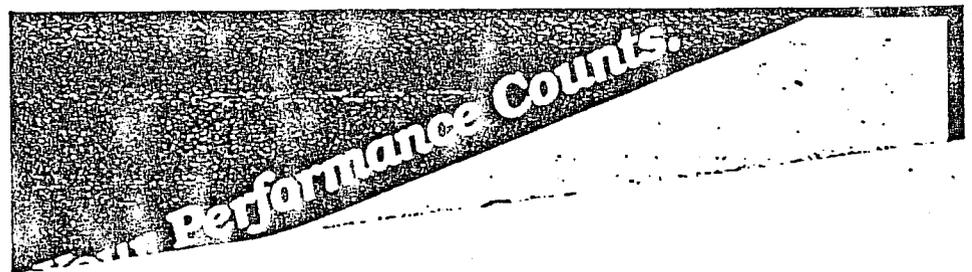
Financing is being done for the Clendenin Square town house development and is provided by the sale of tax-exempt housing bonds from the city of Charleston.

Three-year bonds have been purchased at 7.5% interest by Kanawha Valley Bank, Charleston National Bank, the National Bank of Commerce — all of Charleston — and Community Banking and Trust of Fairmont.

The bonds will be repaid with money from leases and sales of the 50 town houses in the project, officials say. It's the first time that short-term exempt bonds have been used in this state to finance homes being sold with lease-purchase agreements.

This financing is the result of cooperation between city governments and banks to promote downtown revitalization.

Those wanting to live in the town houses must make a down payment of \$1,000 and pay monthly rent of \$595 for two years. After the lease period, each leasee will take out a mortgage of between \$61,000 and \$63,000. Equity built up during the lease applies to the down payment. Each townhouse will sell for \$70,000. ■



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# City Officials Pleased By Housing Response

By BRIAN FARKAS  
Of The Daily Mail Staff

Despite the poor weather of the past four days, public response to a city-backed townhouse development has been good, a city official said.

"Considering the weather conditions, we think the response has been very successful," said Hugh Bosely, director of the Mayor's Office of Economic and Community Development.

So far 26 persons have paid \$100 deposits to apply for the townhouses, slated to be built on a parcel of land at the corner of Court and Donnally streets. Ten persons braved the elements on Saturday to come to city hall to apply, Bosely said.

Yesterday, 16 more people applied for two-bedroom townhouses.

"We only have half the number we need," Bosely said, "But our consultant thinks we're doing very well. We need to have at least 40 people or better before we can start construction."

Bosely said the average age of applicants interested in the townhouses is 48. "We have one person who is 24 and one who is 67. We have a wide variety of professional people applying for the

townhouses," he said.

Applicant occupations range from nurses to lawyers, he said.

After applying with the city, all applicants must pass a bank financial screening to determine if they can successfully purchase the unit at the end of the two-year lease period, Bosely said.

If the bank approves the loan, then the applicant pays the city an additional \$900 to secure a unit.

Under the program, tenants will pay about \$595 per month in rent for two years. After two years they will enter into a mortgage to purchase the townhouse.

Depending on the type of floor plan an applicant selects, mortgages will be \$61,900 or \$63,000.

A minimum family income of \$29,500 is required to participate in the program and the units must be owner-occupied.

Since the response has been good, Bosely said construction on the project should begin sometime in May. A late fall completion date has been set.

Funding for construction will come from the sale of about \$4.7 million in housing bonds, he said.

## Brunswick tries to extend success

### City, admired for its downtown turnabout, targets neighborhoods

Fifth of seven parts

By ANTHONY GNOFFO JR.  
Staff Writer

**NEW BRUNSWICK** — After working here for 15 years, Barbara Van Alstyne decided the time had come to live here, too.

She said the 40-minute commute from Staten Island was beginning to wear on her, and that during the years she worked in her downtown office, she saw this city grow first into a nice place to work, then into a nice place to live.

City officials here say there are lots of people like Van Alstyne, who works at a personnel agency on George Street, the main commercial thoroughfare. The problem has always been, they say, that there are just not enough affordable properties for middle-income home buyers.

So this city, which was the first in New Jersey to find success in bringing commercial development to its downtown streets, decided to be the first in the state to try a new method of bringing the middle-class to the city's neighborhoods.

**UNDER THE** New Brunswick Home Ownership Program, middle-income purchasers with a \$1,000 downpayment can get an 11 percent, \$56,000 mortgage on a new, two-bedroom townhouse after leasing it for two years. The houses are built with funds provided by the New Brunswick Development Corp., and the mortgages are arranged by the New Jersey Housing Finance Agency.

NEW JERSEY'S  
**CITIES**  
POISED FOR RECOVERY?

So far, 41 of the houses have been built and sold. And 246 people are already on the waiting list for the second, 72-house phase.

Ultimately, according to New Brunswick Economic Development Director Frank Nero, the city would like to have about 1,000 new and rehabilitated housing units involved in the program.

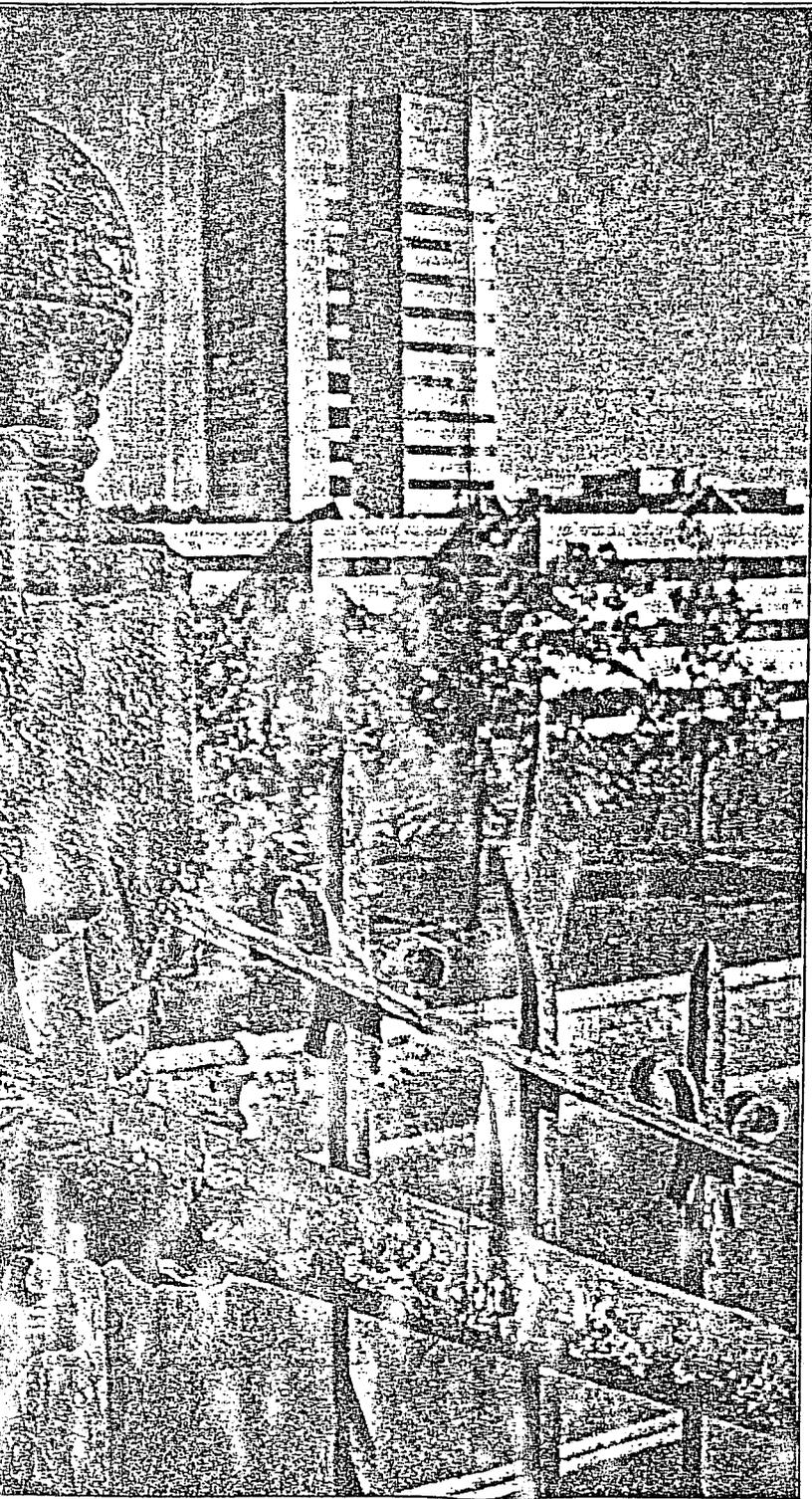
Van Alstyne was among the buyers in the first phase of the program. She moved into her house on George Street in September.

"I WANTED to live in a place where there's a sense of community," said Van Alstyne. "I think I'm going to find that here."

Mayor John Lynch said the program was a response to the public's concern that while downtown New Brunswick was booming, housing was hard to come by and neighborhoods were still waiting for an economic upturn.

"A lot of the housing was being

• continued on C8, column 1



Staff photos by Michael Mancuso

of Johnson & Johnson's new world headquarters was a major component in New Brunswick's downtown revitalization efforts.



Barbara Van Alstyne in the living room of a house she will buy under New Brunswick's lease-purchase program.

Wall Street Journal  
3/14/86

# Packwood, Aiding Drive for Overhaul

By JEFFREY H. BIENBAUM  
AND ALAN MURRAY

Staff Reporters of THE WALL STREET JOURNAL

WASHINGTON—Sen. Russell Long, the influential former chairman of the Budget Committee, gave a boost to Chairman Bob Packwood's tax-overhaul plan by calling it a "vast improvement" over the House-passed bill.

The statement appeared to endorse the Packwood plan, at least as a starting point for the committee's drafting sessions set to begin Wednesday. What's more, the upbeat comments by the panel's ranking Democrat bode well for the chances of passage of the controversial legislation.

"Compared with the House bill, I think it is a better bill for Louisiana and the nation," the Louisiana Democrat said in a statement. "And with some needed improvements it can be an even better bill."

Meanwhile, some corporations that supported tax overhaul in the House last year are becoming its enemies in the Senate because of the Packwood plan. And conversely, some of the enemies of the House will like better what they see in the Senate.

Companies that pay vast amounts of excise taxes, such as consumer-products companies, are chagrined by the plan, which would substantially raise excise-tax revenue. Steelmakers and other heavy manufacturers, however, are likely to be pleased by the provision to refund billions of dollars of unused investment tax credits.

Representatives from corporations that oppose higher excise taxes—including truckers, alcoholic-beverage makers, tobacco companies and airlines—are meeting today at the offices of the American Trucking Associations here to talk about how to fight the new proposal.

Sen. Long said he was "heartened" that the Packwood plan would retain the current timber and oil-and-gas tax breaks, which are important to Louisiana. The House bill would curtail these tax preferences. He also praised the Packwood proposal's retention or enhancement of investment incentives, including its generous depreciation system.

"I am happy to say that we now have a much better bill to work from," he said.

"My job now is to see to it that those in Congress who want to increase the taxes on some of our most vital industries don't get their way."

Sen. Packwood yesterday formally unveiled his plan, and said it would help businesses by lowering the cost of capital, compared with current law. The Oregon Republican added that, compared with the House-passed bill, his plan would be more beneficial to low-income taxpayers and less beneficial to high-income taxpayers, and would impose a more vigorous corporate minimum tax.

The Packwood plan would reduce individuals' taxes 8.4% overall, compared with a 9.1% cut in the House-passed bill. Taxes on businesses would rise about \$130 billion over five years, compared with current law.

low them to write off as much as \$50,000 in property in the first year.

He also noted that the refunding of unused investment tax credits would help ailing industrial companies, such as steel concerns, and farmers. The provision to let companies refund leftover credits at 70 cents on the dollar would mean a government payout of \$32 billion for calendar 1987.

On the subject of excise taxes—the main revenue-raising source in his plan—Sen. Packwood said his proposal to eliminate the deductibility of excise taxes and tariffs would be a burden mostly on business, not consumers.

Critics have charged that the move is a backdoor way to increase excise taxes by about one-third.

Repealing the deductibility would raise \$62 billion over five years. Increasing the excise taxes on wine and adjusting the tax on alcohol, tobacco and motor fuels as their prices change would raise about \$15 billion over the period.

Separately, a labor-backed citizens group criticized the Packwood plan as "an attempt to impose a hidden tax increase on most Americans." Robert McIntyre, director of federal tax policy for Citizens for Tax Justice, said the proposal to deny excise-tax deductions "amounts to a 50% increase in federal excise taxes" and is "nothing but a huge consumption tax that will fall heavily on middle- and low-income families."

Last night, Sen. Packwood and House Ways and Means Chairman Dan Rostenkowski (D., Ill.) neared agreement on a statement that would set the effective date for tax changes regarding public-purpose tax-exempt bonds at Sept. 1, 1986, congressional sources said.

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CONTRACT FOR CONSULTANT SERVICES

THIS AGREEMENT, entered into as of this            day of            ,  
1986, by and between the City of Danbury, a municipal corporation located in  
Fairfield County and organized and existing under the laws of the State of  
Connecticut, hereinafter referred to as the "CITY", and the consultant, The  
Homeownership Group, Inc. of Newark, Delaware, hereinafter referred to as  
the "CONSULTANT", whose office is located at Suite 201, Commonwealth Building,  
Newark, Delaware 19702;

WITNESSETH THAT:

WHEREAS, the CITY desires to engage the CONSULTANT to render certain  
technical advice and assistance in connection with implementation of a  
Lease/Purchase Housing Program in the City of Danbury, Connecticut;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES.

The CONSULTANT shall perform and carry out in a satisfactory manner  
the services set forth in the attachments hereto marked Exhibits A and B,  
which are incorporated herein by reference.

II. SCOPE OF PROJECT.

The services provided herein are for the development of a Lease/  
Purchase Housing Program, the scope of which will be determined by the CITY  
during the preliminary stages of the program's development.

III. TIME OF PERFORMANCE.

The services of the CONSULTANT are to commence upon the execution  
of this contract, and shall be undertaken and completed in such sequence as  
to assure their expeditious completion in light of the purposes of this  
contract. Provided, however, that the CONSULTANT shall complete Items 1  
through 4 of Exhibit A within ninety (90) days of the execution hereof or  
within such other period as is approved by the CITY in writing.

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IV. COMPENSATION AND METHOD OF PAYMENT.

Subject to the further provisions hereof, the CITY will pay to the CONSULTANT the amount of Fifty-five Thousand, Three Hundred Dollars (\$55,300.00) for the development of a project of up to fifty units of housing. Such sum will be paid in the following manner, in every case subject to receipt of a requisition for payment and a written status report from the CONSULTANT specifying that it has performed the work under this contract in conformance with the contract and that it is entitled to receive the amount requisitioned under the terms of this contract:

- \$11,060            Within ten (10) days after executing this contract.
- \$11,060            Upon certification by the CONSULTANT that Items 1 through 4 of Exhibit A have been completed by the CONSULTANT and accepted by the CITY in writing.
- \$11,060            Upon certification by the CONSULTANT that Items 5 through 9 of Exhibit A have been completed by the CONSULTANT and accepted by the CITY in writing.
- \$11,060            Upon certification by the CONSULTANT that Items 10 through 13 of Exhibit A have been completed by the CONSULTANT and accepted by the CITY in writing.
- \$11,060            Upon sale of the bonds or upon execution of conventional financing documents, whichever is applicable.

It is specifically understood, however, that following completion of Items 1 through 4 of Exhibit A and acceptance of said work by the CITY the CONSULTANT shall not proceed with work on remaining items contained in Exhibit A and shall not be entitled to compensation therefor until the CITY shall provide the CONSULTANT with a notice to so proceed. It is further specifically understood that following completion of Items 5 through 9 of Exhibit A and acceptance of said work by the CITY the CONSULTANT shall not proceed with work on remaining items contained in Exhibit A and shall not be entitled to compensation therefor until the CITY shall provide the CONSULTANT with a notice to so proceed.

If the project exceeds fifty units of housing, an additional fee of One Thousand Dollars (\$1,000) per unit shall be paid to the CONSULTANT for each unit exceeding fifty, with said payment being paid upon the sale of the bonds or upon execution of conventional financing documents, whichever is applicable.

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V. TERMINATION OF CONTRACT.

A. Termination of Contract: If, for any cause, the CITY determines that the services of the CONSULTANT are no longer necessary or desired, the CITY shall have the right to terminate this contract by giving written notice to the CONSULTANT of such termination. Such termination shall be effective immediately if so desired by the CITY.

B. Payment Schedule Under Termination of Contract: If the contract is terminated by the CITY, the CONSULTANT will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Contractor covered by this contract, less payments of compensation previously made.

VI. RESPONSIBILITY OF THE CITY.

In the event that outside engineering consultants, appraisers, attorneys, or other professional services are required, the CITY shall engage such services and be responsible for payment of same.

VII. CHANGES.

The CITY may, from time to time, request changes in the scope of the services of the CONSULTANT to be performed hereunder. Such changes, including any increase and decrease in the amount of the CONSULTANT'S compensation, which are mutually agreed upon by and between the CITY and the CONSULTANT, shall be incorporated in written amendments to this contract.

VIII. PERSONNEL.

The CONSULTANT represents that it has, or will secure at its own expense, all personnel required in performing the services under this contract.

All the services required hereunder will be performed by the CONSULTANT or under its supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform services.

IX. COMPLIANCE WITH LAWS.

The CONSULTANT shall comply with all applicable federal, state and local laws, ordinances, codes, rules or regulations as may apply to its

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obligations hereunder, as well as with all orders and decrees of bodies or tribunals having any jurisdiction or authority over the same and shall protect and indemnify the CITY, its officials and agents against any claim or liability arising from or based upon violation of any such law, ordinance, code, rule, regulation, order or decree. The CONSULTANT shall commit no trespass on any public or private property in performing any of the work embraced by this contract.

The CONSULTANT acknowledges that for the purposes of this contract, it shall consent to the jurisdiction of the courts of the State of Connecticut and that service of process upon it outside of the State of Connecticut, whether or not it is subject to the jurisdiction of the courts of such state for any other reason, shall be a valid service of process for the purposes of this contract if such service of process is by mail or in any other manner provided for under the laws of the State of Connecticut regarding service of process.

X. ASSIGNABILITY.

The CONSULTANT shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation) without prior written approval of the CITY. Provided, however, that claims for money due or to become due the CONSULTANT from the CITY under this contract may be assigned to a bank, trust company, or other financial institution, or a Trustee in Bankruptcy, without such approval. Notice of any such assignment or transfer shall be furnished promptly to the CITY.

XI. FINDINGS CONFIDENTIAL.

All of the reports, information, data, etc. prepared or assembled by the CONSULTANT under this contract are confidential and the CONSULTANT agrees that they shall not be made available to any individual or organization without the prior written approval of the CITY.

XII. EMPLOYEE DISCRIMINATION AND AFFIRMATIVE ACTION.

The CONSULTANT agrees and warrants that in the performance of this contract it will not discriminate or permit discrimination against any person

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or group of persons on the grounds of race, color, religion, national origin, sex, or physical disability, including, but not limited to, blindness, unless it is shown by such CONSULTANT that such disability prevents performance of the work involved, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the CONSULTANT as related to the provisions of this section.

The CONSULTANT further agrees and warrants that in the performance of this contract it will comply with the following:

1. Executive Order No. 3 of Governor Thomas J. Meskill promulgated June 16, 1971.
2. Executive Order No. 17 of Governor Thomas J. Meskill promulgated February 15, 1973.

In addition, the CONSULTANT further certifies that it is an affirmative action employer meeting both in policy and practice the principles of the Affirmative Action Program.

XIII. HOLD HARMLESS.

The CONSULTANT covenants and agrees to and shall at all times indemnify, protect and save harmless and defend the CITY from and against all costs or expenses resulting from any and all losses, damages, detriments, suits, claims, demands, costs and charges, including attorneys' fees, if any, which the CITY may directly or indirectly suffer, sustain or be subjected to by reason or on account of the work to be performed pursuant to this contract or any activities of the CONSULTANT in connection with said contract, whether such losses and damages be suffered or sustained by the CITY directly or by its employees, licensees or invitees or be suffered or sustained by other persons or corporations who may seek to hold the CITY liable therefor. The CITY may withhold such portions of any payments that may be due hereunder as may be considered necessary to cover any suits and claims until they have been settled and satisfactory evidence to that effect has been furnished to the CITY. This section shall also apply to "extra work" and all other operations by the CONSULTANT in connection with this contract.

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XIV. CONFLICTING PROVISIONS.

In the event of a conflict between or among the provisions of this contract and the provisions of either Exhibit A or Exhibit B, the provisions of this contract shall govern. In the event of a conflict between the provisions of Exhibit A and the provisions of Exhibit B, the provisions of Exhibit A shall govern.

XV. NOTICES.

All notices required or permitted hereunder shall be in writing and shall be delivered personally to the designated representative of the other party hereto or shall be delivered by mail to such other party at the address specified below. Notices may be sent to the CONSULTANT at:

Suite 201 of the Commonwealth Building  
University Office Plaza  
Newark, Delaware 19702

Notices may be sent to the CITY at:

Office of the Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

XVI. APPLICABLE LAW.

This contract shall be construed and performed in accordance with the laws of the State of Connecticut.

XVII. ALL LEGAL PROVISIONS INCLUDED.

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

XVIII. UNLAWFUL PROVISIONS DEEMED STRICKEN.

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

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XIX. HEADINGS.

The headings or titles to the sections hereof are not a part hereof and shall have no effect upon the construction or interpretation of any part hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

CITY OF DANBURY

By: \_\_\_\_\_  
James E. Dyer, its Mayor

THE HOMEOWNERSHIP GROUP, INC.

By: \_\_\_\_\_, its

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

On this the \_\_\_\_\_ day of \_\_\_\_\_, 1986, before me, Eric L. Gottschalk the undersigned officer, personally appeared James E. Dyer who acknowledged himself to be the Mayor of the City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Eric L. Gottschalk  
Commissioner of the Superior Court

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

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On this the \_\_\_\_\_ day of \_\_\_\_\_, 1986, before me,  
\_\_\_\_\_, the undersigned officer, personally appeared  
\_\_\_\_\_, who acknowledged himself to be the  
\_\_\_\_\_ of The Homeownership Group, Inc. a corporation, and that he as such  
\_\_\_\_\_, being authorized so to do, executed the foregoing  
instrument for the purposes therein contained, by signing the name of the  
corporation by himself as \_\_\_\_\_.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public

My commission expires \_\_\_\_\_.

EXHIBIT A

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THE CONSULTANT'S SCOPE OF SERVICES UNDER THE LEASE/PURCHASE PROGRAM

1. Work with the CITY and bond counsel to identify the most appropriate bond issuing agency and sponsor for the program.
2. Work with the CITY and bond counsel to determine the overall structure of the program. This will include structuring the program under both the existing federal tax laws and the proposed revised federal tax laws as contained in H.R. 3838 which was adopted by the U.S. House of Representatives in December of 1985. Further, if changes in the tax laws render the proposed financing illegal or impractical, a program or program plan shall be developed utilizing conventional methods of financing the project.
3. Based on marketability factors, recommend the number, type, and size of dwelling units to be developed.
4. Provide a preliminary financial analysis of the proposed program which will include projected rents, sales prices and equity buildup estimates for the construction and lease phases of the project. The analysis will include projections of interest earnings and cash-flow requirements during the life of the bond issue, if applicable. An analysis will be provided for each of the federal tax scenarios discussed under section (2) above.
5. Assist the CITY in evaluating sites for the development of the Lease/Purchase Housing Program.
6. Establish a procedure to select a builder/developer to construct the units under a turn key arrangement.
7. Explore alternative sources of funding with the specific goal of utilizing same to reduce overall program costs and/or reduce the sales price.
8. Based on economic analysis, prepare schedule of project economic rents and tenant charges; statement of estimated operating income and expenses during the rental period; and schedule for payments on downpayment of purchase price during said period.
9. Recommend a marketing strategy for sale of housing units on a lease/purchase basis.

Such strategy shall provide for the utilization of all media outlets within the Danbury market area and extensive use of community-based referral organizations and private industry to identify and reach out to potential lease/purchasers. The media campaign shall be designed to emphasize the unique character of the program, its many benefits, and its appeal to households who did not in the past consider themselves able to purchase a home.

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10. Negotiate with local lending institutions for commitments to provide mortgage financing on favorable terms to qualified lessee/purchasers; and seek the assistance of participating lenders in establishing criteria and procedures for determining applicant eligibility for inclusion under the program; and for selecting and recommending to the lenders, for their review and approval, applicants for mortgage loans.
11. Structure the form of Lease/Purchase Agreement to be utilized under the program.
12. Provide the CITY and bond counsel with necessary assistance in analyzing the application of bond financing mechanisms for the program and assist the CITY and bond counsel in structuring the bond issue or other financing vehicles.
13. Assist the CITY in preparing a Property Management Plan for management of the housing units during the lease period.

Management of the project by the CITY, the sponsor or by such other entity as shall be chosen by the CITY shall include responsibility for the day-to-day management operations, including, but not limited to, preoccupancy inspections, admission of lessee/purchasers to occupancy; collection of rents, tenant charges, and monthly payments toward downpayments on purchase of units; coordination and supervision of maintenance activities within common areas; preparation of units in the event of turnover; handling of rental delinquencies; and responding to occupants' complaints.