

COMMON COUNCIL MEETING AGENDA

OCTOBER 4, 1983

Meeting is 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 - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Leopold, Butera, Evans, Farah.

19 Present 2 Absent.

NOTICES FROM MAYOR DYER

CONSENT CALENDAR

The Consent Calendar was

MINUTES ✓

Minutes of Common Council Meeting held on September 6, 1983.
Motion made by _____ & seconded by _____ to waiver reading of the minutes which are to be _____ as submitted.

01
CLAIMS ✓

Emily Merck ✓ James Wilkonson ✓ - Mary Ann Cyr ✓ - Grace Parsons ✓ - Ruth Hlavac ✓ - Frances E. Thomas. ✓

Claims to be referred to the Claims Committee and Assistant Corporation Counsel for Claims.

02
RESOLUTION ✓

- Maintenance Easement, Western Conn. State University.

The Resolution was

03
RESOLUTION ✓

- Park Avenue School Ceiling Replacement.

The Resolution was

04
RESOLUTION ✓

- Agreement between Consolidated Rail Corporation and City of Danbury.

The Resolution was

041
RESOLUTION ✓

- Property Acquisition - Wildman & Locust Ave. Project.

COMMON COUNCIL MEETING AGENDA

October 4, 1983

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05 ✓

COMMUNICATION - Request for the City to abandon waterline - Westerly side of Padanaram Road.

The Communication was

06 ✓

COMMUNICATION - Saw Mill Road Part II Reconstruction Project No. 82-11

The Communication was

07 ✓

COMMUNICATION - Memorandum of Agreement re: City of Danbury Police Department.

The Communication was

08 ✓

COMMUNICATION - Request of Danbury Volunteer Firemen's Council for funds for miscellaneous expenses.

The Communication was

09 ✓

COMMUNICATION - Request to tie into City water line on Sandpit Road.

The Communication was

010 ✓

COMMUNICATION - Request to accept Lily Drive "Apple Orchard Estates"

The Communication was

011 ✓

COMMUNICATION - Request to accept Dogwood Park North

The Communication was

011-1 ✓

COMMUNICATION - Request to improve Starrs Plain Road.

The Communication was

012 ✓

COMMUNICATION - Drainage Problem - Myrtle Ave.

The Communication was

013 ✓

COMMUNICATION - Sewer Assessment - Greenview Road.

The Communication was

014 ✓

COMMUNICATION - Sewer Extension - Bear Mountain Road.

The Communication was

015 ✓

COMMUNICATION - Request from the Conservation Commission to reconsider the purchase of the Benedict Property Overlook Road

016 ✓

COMMUNICATION - Request for amendments to the Code of Ordinances re: Water & Sewer abatements.

The Communication was

016-1 ✓

COMMUNICATION - Funds for Heating Fuel Account - Danbury Fire Department

&

~~CERTIFICATION~~

The Communication was ~~accepted~~ ~~transfer of funds authorized.~~

017 ✓

COMMUNICATION - Appointment of a Lieutenant in the Danbury Fire Department.

The Communication was accepted and appointment confirmed.

017-1 ✓

COMMUNICATION - Request for funds for repair of Bus Shelters.

The Communication was

018 DEPARTMENT REPORTS

- Fire Chief
- Fire Marshal
- Police Dept.
- Sealer of Weights & Measures
- Coordinator of Environmental & Occupational Health Services
- Equal Rights & Opportunities Commission
- Aviation Commission
- Health Inspector
- Housing Inspector
- Blood Pressure Program
- Building Dept.

Motion to be made to dispense with the reading of Department Reports which are on file in the Office of the City Clerk for public inspection. Reports to be accepted as submitted.

AD HOC COMMITTEE REPORTS

019 ✓

REPORT C. D. Parks Property

The Report was

020 ✓

REPORT Relocation of easement on Franklin St. Ext.

The Report was

021 ✓

REPORT Exchange of Easement on Padanaram Road.

The Report was

022 ✓

REPORT Request to synchronize school maintenance procedures.

The Report was

COMMON COUNCIL MEETING AGENDA

October 4, 1983

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024 ✓
REPORT Ramp for Handicapped at WestConn.

The Report was

025 ✓
REPORT &
RESOLUTION

Acceptance of Old Hayrake Road

The Report was accepted & Resolution adopted.

026 ✓
REPORT &
RESOLUTION

Land Use Procedures

The Report was & Resolution was

027 ✓
REPORT

Sale of surplus property

The Report was

028 ✓
REPORT &
ORDINANCE

Abandoned, Inoperable & Unregistered vehicles.

The Report was & Ordinance

029 ✓
REPORT &
ORDINANCE

Proposed Amendments to Itinerant Vendors & Peddlers Ordinance.

The Report was & Ordinance was

030 ✓
REPORT &
ORDINANCE

Repeal of Section 11-4 re: Itinerant Vendors & Peddlers Ordinance.

The Report was & Ordinance was

031 ✓
REPORT

Approval of S.N.E.T. Minihut on Padanaram Road

The Report was

032 ✓
REPORT

Leasing premises with King St. Volunteer Fire Department

The Report was

033 ✓
REPORT

Ives Court Subdivision/Ridgefield & Existing Access Easement for Danbury Airport Beacon No. 6.

The Report was

034 ✓
REPORT

Airport Lighting & Airport Vehicles

The Report was

036
REPORT



Non-Profit Development request to be designated as Housing Development Corporation.

The Report was

037
REPORT



Request from the Women's Center for lease of space.

The Report was

038
REPORT



Budget Restorations - Equal Rights & Opportunities Commission

The Report was

039
REPORT



Funds for Tax Assessor

&

CERTIFICATION

The Report was

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.

M R

COMMON COUNCIL MEETING AGENDA - OCTOBER 4, 1983

- 01 - CLAIMS
- 02 - RESOLUTION - Maintenance Easement, WestConn. Campus.
- 03 - RESOLUTION - Park Ave. School Ceiling Replacement.
- 04 - RESOLUTION - Agreement between Consolidated Rail Corp. & City of Danbur
- 04-1-Resolution - Locust Ave. & Wildman St. Project
- 05 - COMMUNICATION - Request for the City to abandon waterline - Westerly sid
of Padanaram Road.
- 06 - Communication - Saw Mill Road Part II Reconstruction Project. No. 82-11
- 07 - Communication - Memorandum of Agreement re: Danbury Police Dept.
- 08 - Communication - Request by Danbury Volunteer Firemen's Council.
- 09 - Communication - Request to tie into City water line on Sandpit Rd.
- 010 - Communication - Request to accept Lily Drive "Apple Orchard Estates"
- 011 - Communication - Request to accept Dogwood Park North
- 011-1- " to improve Starrs Plain Rd.
- 012 - Communication - Drainage Problem - Myrtle Ave.
- 013 - Communication - Sewer Assessment - Greenview Road.
- 014 - Communication - Sewer Ext. on Bear Mountain Road.
- 015 - Communication - Request from Conservation Commission to reconsider
purchase of Benedict Property - Overlook Rd.
- 016 - Communication - Request for amendments to the Code of Ordinances re:
Water & Sewer abatements.
- 016-1 - " Funds for Heating Fuel Acct. Fire Dept.
- 017 - Communication - Appointment of a Lt. in the Fire Dept.
- 017-1 - " Funds for Bus Shelters
- 018 - DEPARTMENT REPORTS
- 019 - REPORT - C.D. Parks Property.
- 020 - Report - Relocation of easement on Franklin St. Ext.
- 021 - Report - Exchange of Easement on Padanaram Rd.
- 022 - Report - Request to synchronize school maintenance procedures.
- 023 - Report - Drainage problem - Woodbury Dr.
- 024 - Report - Ramp for Handicapped at WestConn.
- 025 - Report & Resolution - Acceptance of Old Hayrake Rd.
- 026 - Report & Resolution - Land Use Procedures.
- 027 - Report - Sale of Surplus Property.
- 028 - Report & Ordinance - Abandoned, Inoperable & Unregistered vehicles.
- 029 - Report & Ordinance - Proposed Amendments to Itinerant Vendors Ordinance.
- 030 - Report & Ordinance - Repeal of Section 11-4 " " "
- 031 - Report - Approval of S.N, E.T. Minihut on Padanaram Rd.
- 032 - Report - Leasing premises with King St. Volunteer Fire Dept.
- 033 - Report - Ives Court Subdivision/Ridgefield & Existing Access Easement etc
- 034 - Report - Airport Lighting etc.
- 035 - Report - Young vs. Zoning Commission.
- 036 - Report - Non-Profit Development request to be designated as Housing
Development Corporation.
- 037 - Report - Request from Women's Center for space.
- 038 - Report - Equal Rights Funds

COMMON COUNCIL MEETING - OCTOBER 4, 1983

CONSENT CALENDAR

- 03 - Resolution - Park Ave. School Ceiling Replacement.
- 04 - Resolution - Agreement between Consolidated Rail Corp and City of Danbury
- 04-1- Resolution - Property Acquisition - Wildman & Locust Ave. Project.
- 08 - Communication - Request of Danbury Volunteer Firemen's Council.
- 17-1- Communication - Request for funds for repair of Bus Shelters.
- 019 - Report - C.D. Parks Property.
- 020 - Report - Relocation of Easement on Franklin St. Ext.
- 021 - Report - Exchange of Easement on Padanaram Road.
- 022 - Report - Request to synchronize school maintenance procedures.
- 023 - Report - Drainage problem - Woodbury Dr.
- 024 - Report - Ramp for Handicapped at WestConn.
- 025 - Report & Resolution - Acceptance of Old Hayrake Road.
- 027 - Report - Sale of surplus property.
- 028 - Report & Ordinance - Abandoned, Inoperable & Unregistered vehicles.
- 031 - Report - Approval of S.N.E.T. Minihut on Padanaram Road.
- 032 - Report - Leasing premises with King St. Volunteer Fire Department.
- 033 - Report - Ives Court Subdivision/Ridgefield & Existing Access Easement
for Danbury Airport Beacon No. 6.
- 034 - Report - Airport Lighting & Airport Vehicles.

#29
recounted
 memo

	#	yes	no
ELDER		✓	
GALLO		✓	
McGARRY		✓	
FOTI		✓	
TORCASO		✓	
ERIQUEZ			✓
ESPOSITO			✓
REPOLE		✓	
ZOTOS			✓
EPPOLITI			
McMANUS			✓
DaSILVA			✓
TORIAN			✓
WHITE			
CASSANO			✓
CHARLES		✓	
BOYNTON		✓	
LEOPOLD XXXXXXXXXX XXXXXXXXXX		✓	
BUTERA		✓	
EVANS		✓	
FARAH		✓	

TOTALS

12-7 no
 yes

Young

033 ✓ ✓ ✓

029

ELDER	✓	✓	
GALLO	✓	✓	
McGARRY	✓	✓	
FOTI		✓	
TORCASO		✓	
ERIQUEZ		✓	✓
ESPOSITO	✓		✓
REPOLE	✓	✓	
ZOTOS	✓		✓
EPPOLITI			
McMANUS	✓		✓
DaSILVA	✓		✓
TORIAN	✓		✓
WHITE			
CASSANO	✓		✓
CHARLES	✓	✓	
BOYNTON	✓	✓	
LEOPOLD XXXXXXXXXX XXXXXXXXXX	✓	✓	
BUTERA	✓	✓	
EVANS	✓	✓	
FARAH	✓	✓	

TOTALS
16 yes 3 nos.

12 7 nos
yes -

29
recommittees

ELDER	✓	
GALLO	✓	
McGARRY	✓	
FOTI	✓	
TORCASO		✓
ERIQUEZ		✓
ESPOSITO		✓
REPOLE	✓	
ZOTOS		✓
EPPOLITI		
McMANUS		✓
DaSILVA		✓
TORIAN		✓
WHITE		
CASSANO		✓
CHARLES	✓	
BOYNTON	✓	
LEOPOLD XXXXXXXXXX XXXXXXXXXX	✓	
BUTERA		✓
EVANS	✓	
FARAH		✓
TOTALS	9 yes	10 no 9

to file # 26-

ELDER		✓
GALLO		✓
McGARRY		✓
FOTI		✓
TORCASO		✓
ERIQUEZ		✓
ESPOSITO		✓
REPOLE		✓
ZOTOS		✓
EPPOLITI		
McMANUS		✓
DaSILVA		✓
TORIAN		✓
WHITE		
CASSANO		✓
CHARLES		✓
BOYNTON		✓
LEOPOLD XXXXXXXXXX XXXXXXXXXX		✓
BUTERA		✓
EVANS		✓
FARAH		✓
TOTALS	13yo	6 nos -

REIVED 9/13/83

Office of City Clerk

Sept. 12, 1983

Whom It May Concern -
On Aug 15th I was on my way to the Danbury Hospital in the morning for blood tests I was going on Lee Mac Rd and heading to Wildmore St. there was broken glass all over the Road and I could not stop due to the traffic in back of me there was no way I could avoid missing it. The next morning I had an appointment in Ridgefield and went to get in my car and

discovered I had a flat
tire. I called Belardielli
Fire Co. near me. They came
out and took my tire off and
said it had three cuts in
the tire from glass. I had
get a new tire. This tire
was a very good tire with
very little wear on it. I
hope in some way I can be
reimbursed for the bill
in enclosing.

Thank you.

Mrs. Grace Parsons
93 Grassy Lane
Bethel, Conn.

"Thou wilt keep him in perfect peace, whose
mind is stayed on thee." Isaiah 26:3



RECEIVED

SEP 15 1983

OFFICE OF CITY CLERK

Cpt 303
19 main St.
Danbury, Conn
Sept 13, 1983

To Whom. It may Concern
Dear Sir:

This morning
about 10:30 AM in front of the
Dad Clothing store on 258 Main
St., I slipped and fell.

My knee swelled, and
my hip and arm are still
very sore.

CLAIM
Frances E. Thomas

I am reporting this accident
in case my condition requires
medical help.

I went to Ives Manor
Clinic, but there was only
~~one~~ one nurse, on duty, and
busy. They advised me to
put cold compress on it.

I was helped up by the
men in the store and police
who direct traffic in front
of Post office.

Sincerely your
Frances E. Thomas

RECEIVED ✓

SEP 13 1983

OFFICE OF CITY CLERK

On June 30th thru about 4PM
a large lite pole owned by
the Parking Authority fell on my
car. It was parked in the lot
across the street from the
near on Howland's. On Monday
June 27th another pole had fallen.
On Friday or Sat. the Parking
Authority had the rest of the
poles taken down. I rented
a No Tills car on Tues July
5th thru July 12th. We rented
a Hertz car on July 15th thru
Aug 9th I've used my husband's
car since. He has used a
van owned by the company he
works for. My car was ready
Sept 7th.

Attached ~~are~~ are copies
of police reports & two
car rental bills.

843.72.

160.18.

1003.90

We would like this
matter taken care of
as soon as possible.

Ms. Ruth Flawz Donnelly

DATE REPORT SUBMITTED: 06/30/83 LOCATION OF INCIDENT: Municipal Parking lot STREET NAME: APT. NO./LOCATION:

CODE: C = COMPLAINANT I = INTERVIEWED J = JUVENILE M = MISSING S = SUSPECT V = VICTIM W = WITNESS O = OTHER DATE OF BIRTH:

STATUS	LAST NAME	FIRST NAME	M.I.	SEX	RACE	NO.	DAY	YR.	TELEPHONE	ADDRESS	VEH. REG. # OR OPER. LIC. # OR B.S. #
V	Hlavac	Ruth		F	C	11	27	30	748-9033	16 Secley St. Danbury	JL4099

ARRESTS: CHARGE 1 STATUTE CLASS CHARGE 2 STATUTE CLASS CHARGE 3 STATUTE CLASS

CODE	CITY	YEAR	ITEM	(BRAND-MODEL)	VEHICLE REGISTRATION	COLOR	CHARACTERISTICS/CONDITIONS - SERIAL OR VIN	EST. VALUE	LOCATION OF PROPERTY
D	1	1982		Buick	JL4099	Gold	Vin# 1G4AS2707CK439619		

INCIDENT DETAILS: AT The above date and time while on Routine patrol This officer observed a light pole lying on top of a 1982 Buick in the parking lot on Delay St. I entered the lot and observed that there were power lines running from the pole to two other poles on or slightly above the ground. I notified dispatch and requested C L & P and the Sgt. C L & P arrived and turned power off. Street Personel Sgt PD Arnold arrived and assisted in stopping traffic and pedestrians from entering lot. Sgt Krupinsky arrived and took photos. C L & P assisted by lifting pole with bucket boom and I drove veh out from under the pole. I observed no damage to bottom of pole which would indicate it had been struck. It appeared to have just fallen over. I observed veh to be heavily damaged to rear and both sides. Owner arrived on scene and also showed damage. Owner was Ruth Hlavac. She stated she is employed at Houdan's and parked in lot this AM.

Rental Agreement No.

L 1738071 6

SHOW THIS NO. ON ALL CORRESPONDENCE

MINIMUM RENTAL CHARGE - ONE DAY (24 HRS)
RATES DO NOT INCLUDE REFUELING SERVICE

91512

TO BE PAID BY

4128 714 272 619

09/11/87 09/83 VISA

WILLIAM HLAVAC

OWNING CITY LOC. NO.	TIME IN	8/9/83 10:00
RH/LIT	TIME OUT	7/15/83 08:00
60 OTHER	VEHICLE NO.	22105
VEH. LIC. NO.	STATE	VEH. LIC. NO. STATE MAKE
ZH7517 CT		
VEH. MAKE - BODY STYLE	CLASS	RETURNED TO CITY/STATE
T-1000	B	
OWNING CITY/ST.	TK. NO.	SUB. AREA/LD
Danbury, Conn.		
MILEAGE IN	30646	ESDC
MILEAGE OUT	29199	4 #18
MILES DRIVEN	1447	0 550
MILEAGE ALLOWED (If Any)	144	3 #100.00
MILES CHARGED	0	MI 100.00
FOR THIS RATE TO APPLY:		
<input type="checkbox"/> VEHICLE MUST BE RETURNED TO RENTING CITY.		SUBTOTAL .18
<input type="checkbox"/> MINIMUM RENTAL PERIOD _____ DAYS		632.45
<input type="checkbox"/> VEHICLE MUST BE RETURNED BY _____		SUBTOTAL .00
REFUELING SERVICE PER MILE <input type="checkbox"/> PER GALLON <input type="checkbox"/>		SERVICE CHARGE 632.46
IN E 1/8 1/4 3/8 1/2 5/8 3/4 7/8		REFUELING SERVICE .00
OUT E 1/8 1/4 3/8 1/2 5/8 3/4 7/8		CDW (Per Day) 2.40
See Par. 6b on Reverse Side for explanation		SUBTOTAL 150.00
DECLINES COLLISION DAMAGE WAIVER (CDW) ACCEPTS CDW		784.86
X		7.5%
BY INITIALS Customer declines or accepts PAI		58.86
Customer declines or accepts PAI		843.72
DECLINES PERSONAL ACCIDENT INSURANCE (PAI) ACCEPTS PAI		0
X		NET DUE 843.72
BY INITIALS Customer declines or accepts PEC		
Customer declines or accepts PEC		
DECLINES PERSONAL EFFECTS COVERAGE (PEC) ACCEPTS PEC		
X		
BY INITIALS Customer declines or accepts REFUND		
Customer declines or accepts REFUND		
REFUND DEPOSIT		
\$ NONE		
REFUND RECD. BY EXPLANATION		
X		
RBR DATE PAID BY CASH CHECK DIRECT BILL CENT. BILL AIR TRAVEL INTL. BILL GUAR ANTEED		

#1 CLUB NO.	C.O.P. I.D. NO.	CREDIT APP./DATE/AMT.
CREDIT CARD	OTHER IDENTIFICATION	CASH ON RET.
DRIVER'S LICENSE NO.	STATE	EXPIRES
071240018	CT	7/85
HOME OR BUSINESS ADDRESS	HOME/BUSINESS PHONE NO.	
16 Seeley St		
CITY/STATE	ZIP CODE	
Danbury, CT		
VEHICLE TO BE RETURNED TO (CITY/STATE) LOC. NO.	DATE DUE	
Danbury, CT	7/29/87	
VEHICLE RENTED AT (CITY/STATE)	AREA & LOCATION NO.	
TOOLEY LANE, DANBURY, CT.	91512-10	
<p>IF CUSTOMER ELECTS TO RETURN THE VEHICLE WITH LESS FUEL THAN WHEN RENTED, A REFUELING SERVICE CHARGE WILL BE MADE. Vehicle shall NOT be operated by any person except Customer and the following Authorized Operators who must be validly licensed to drive and have Customer's prior permission: persons 21 or over who are members of Customer's immediate family and permanently reside in Customer's household; the employer, partner, executive officer, or a regular employee of Customer; additional authorized operator(s) approved by Lessor in writing. THE VEHICLE IS RENTED UPON THE CONDITIONS SHOWN ON THIS PAGE AND UPON THE REVERSE HEREOF. CUSTOMER REPRESENTS HE HAS READ, UNDERSTANDS AND AGREES WITH THE CONDITIONS. ALSO SEE NOTE BELOW.</p>		
<p>X William J. Lawrence</p>		
RESERVATION I.D. NO.	REFERRAL SOURCE	RATE/PLAN OUT
I.T. NO.	VOUCHER CERTIF. NO.	RATE/PLAN IN
	PREPARED BY	COMPUTED BY

20-1-1-D-1-A-D

Rental Agreement No. L 1738071 6

91512

4-1-B (3/83)

NOTE • Customer is liable for all parking and driving and must remit payment directly to proper authorities and complete a Hertz accident report

ADDITIONAL INFORMATION

NO FRILLS AUTO RENTAL CORP.
 63 Main Street Telephone (203) 797-1675
 DANBURY, CONN. 06810

7-5-83

RO-778

LESSEE (PRINT) Bill Hlavac
 ADDRESS: 16 Seeley St
Danbury Conn
 STATE CT ZIP 06810

DRIVER'S LICENSE NO. 071340018 STATE CT EXP. DATE 7-95
 AGE 7-31 HOME PHONE _____
 LOCAL CONTACT OR ADDRESS _____ PHONE _____

EMPLOYER'S NAME _____
 EMPLOYER'S ADDRESS 203-748-9033 PHONE _____
 CITY Ruth STATE CT

CREDIT REFERENCE: Paulin Fuel
 CREDIT CARD CO. _____ CARD NO. _____
 OTHER: Ruthie H Tank Gas.

THE LESSEE MAY PERMIT ANY OF THE FOLLOWING PERSONS TO DRIVE IF THEY ARE QUALIFIED LICENSED DRIVERS AND 21 YEARS OF AGE OR OLDER.

NAME	AGE	REASON
NAME	AGE	REASON

This Vehicle covered with Full Coverage Collision Protection, for which the Lessee agrees to pay the sum of \$ _____ per day or \$ _____ per week over and above the rental charge.

The Lessee DOES NOT want Full Coverage Collision Protection and accepts full responsibility for all damage to rented vehicle up to \$ 300.00 per collision or other incident.

BY: _____ LESSEE BY: Bill Hlavac LESSEE

VEHICLE CONDITION	LESSEE		VEHICLE CONDITION	LESSEE	
	OUT	IN		OUT	IN
FENDERS			WHEEL COVERS		
BODY			RADIO		
GLASS			TOOLS		
UPHOLSTERY			SPARE TIRE		
TIRES			C. LIGHTER		
GRILL			LIGHTS		
SEAL OR SPEEDO.			WARRANTY MANUAL		
BUMPERS			CK'D OUT BY		CK'D IN BY

VEHICLE NO.	LICENSE NO.
YEAR-MAKE <u>1978 Ply Fur</u>	MODEL AND COLOR <u>2Dr Green</u>
SPEEDOMETER IN <u>54839</u>	DATE DUE AND EXPIRATION OF CONTRACT <u>7/12/83</u> A.M. P.M.
SPEEDOMETER OUT <u>64739</u>	DATE AND TIME IN <u>7/12/83</u> A.M. P.M.
MILES DRIVEN <u>100</u>	DATE AND TIME OUT <u>7/5/83</u> A.M. P.M.

RENTAL RATES		CHARGES	
HOURS @ <u>10</u> PER HOUR	\$ <u>10.50</u>	\$ <u>11</u>	<u>50</u>
<u>1st day</u> @ \$ <u>13.50</u>	\$ <u>13.50</u>	\$ <u>11</u>	<u>50</u>
WEEK @ \$ _____	\$ _____		
MONTH @ \$ _____	\$ _____		
MILES @ <u>10</u> PER MILE	\$ _____		<u>0</u>
TOTAL MILEAGE AND RENTAL CHARGE	\$ <u>149.00</u>		
SALES TAX <u>7/2%</u>	\$ <u>11.18</u>		
COLLISION PROTECTION	\$ _____		
TOTAL CHARGES	\$ <u>160.18</u>		
LESS CREDITS	\$ <u>1</u>		
TOTAL CHARGES	\$ <u>160.18</u>		
LESS DEPOSIT	\$ _____		
BALANCE DUE	\$ _____		
CASH REFUND	\$ _____		

"THE OPERATION OF THE VEHICLE BY ANY DRIVER UNDER 21 YEARS OF AGE IS PROHIBITED. UNDER PARAGRAPHS 1 AND 5 ON PAGE 2 OF THIS AGREEMENT, LIABILITY INSURANCE DOES NOT PROTECT LESSEE OR DRIVER IF DRIVER IS UNDER 21."

Lessee agrees to rent the above vehicle subject to the terms and conditions stated above and on the reverse side.

RENTAL AGREEMENT PREPARED BY: John Goulet SIGNATURE OF LESSEE: William Hlavac

September 12, 1983

To Whom It May Concern:

On September 11, 1983, approximately 2:30 P.M., I was traveling on Beaver Brook Road in Danbury when I hit a hole causing severe damage to my muffler system. There were not any road signs indicating that the road was under construction. I feel that the city is responsible for the damages done to my car. I would like to here from you in response to this problem. If I do not here from you within ten (10) days, I will be in touch with you.

Thank you,

RECEIVED

SEP 13 1983

OFFICE OF CITY CLERK

Mary Ann Cyr
41 Virginia Road
Danbury, CT 06810
(203) 748-4787

TO the Sign Shop
89 Main St
Danby

FROM SEP 9 1983
THE CARPET FAIR, INC.
246 WHITE STREET
DANBURY, CONNECTICUT 06810
(203) 748-2478

SUBJECT: Replace Carpet 54 yds Blue DATE: 9/2/83
FOLD ↑ to Flood from City Sewers, Carpet is
approx. 4 years old

<u>Pick up old Carpet</u>	<u>200 yds</u>	<u>=</u>	<u>108⁰⁰</u>
<u>Install new Carpet</u>	<u>250 yds</u>	<u>=</u>	<u>135⁰⁰</u>
<u>Cost of Carpet</u>	<u>795 yd</u>	<u>=</u>	<u>429³⁰</u>
	<u>TX</u>		<u>32²⁰</u>

PLEASE REPLY TO → SIGNED TOTAL 704.50

REPLY

DATE: SIGNED

SEP 9 1983

RECEIVED

SEP 13 1983

OFFICE OF CITY CLERK

September 7, 1983

Corporation Council
City of Danbury
Danbury Ct 06810

Dear Sir:

My client, James Wilkonson, owner of the Liquor Shop, 89 Main Street, Danbury, Ct has requested that I write you regarding a continuing problem that he has at his store.

Whenever there are heavy rains, the drains that service the area are insufficient to carry the waters. Consequentially, he has had a severe water damage problem to his carpet.

Enclosed please find a bill from The Carpet Fair for replacing his damaged carpet. Mr. Wilkonson would appreciate a speedy settlement.

Thankyou,



Andrew R Sullivan

RECEIVED

SEP 2 1983

OFFICE OF CITY CLERK

my phone # 748-4754

Emily Merck ✓

19 Main St. apt. 805

Danbury, Ct. 06810

Danbury City Hall
City Clerk

155 Deer Hill Ave.

Danbury, Ct. 06810

Sept. 2, 1983

Dear City Clerk:

I fell down Thursday Aug. 11, 1983 at about 11:00 clock a.m. on the corner of Main & Liberty St. I called and spoke to the City Clerk Aug. 18, about falling.

The walk sign say walk, before I crossed one third of the road, the light changed to do not walk. The cars started moving and coming from Main St. and Liberty St. so I ran, so the cars wouldn't hit me. My foot hit the curb and I fell on my hand & knees, and my face hit the sidewalk.

Police man was in a patrol car stopped and help me, wanted to call a ambulance I said no. I went with a lady to the clinic in Iue ~~manor~~ manor on Main St. I was all wet from the rain and they were very busy

so I left. A friend of mine called the police station and the police man came to Ives Manor and took a report of how and why I fell.

I hurt my elbows and my knees and ankle hurt and turned black & blue. I scraped my nose and chipped a tooth, and scratched my eye glasses and my neck. I couldn't touch my nose and couldn't wear my eye glasses. I have a big scar on my nose and it still hurts and my neck.

I went to Geriatric Health Center in Ives Manor later on to see if I broke my nose or my neck. The nurse practitioner says to take aspirins or tylenol. I still hurt all over, my back hurts, I have been taking very hot baths.

When lights on the corner of Main St., the walk sign doesn't give you a change to go a few ft. before it changes for the traffic.

Something should be done about that.

Thank you.

INVOICE/REPAIR ORDER

BELARDINELLI TIRE CO., INC.



New Tires-All Brands-Wholesale and Retail
Truck Tires and Road Service our Specialty
7 BEECH ST.-BETHEL, CONN. 06801
Phone 748-0889 748-7077

NAME *Grace Parsons* No. **75253**

ADDRESS *Crossy Pl. St.*

CITY *Bethel Ct.*

DATE *8/16/83* CUST. ORDER NO. *Retail* WHEN PROMISED *Cha* PHONE

AMT.	PARTS	UNIT PRICE	AMOUNT
------	-------	------------	--------

sent truck to house

YEAR & MAKE OF CAR-TYPE OR MODEL SERIAL NO. MOTOR NO.

LICENSE NO. MILEAGE WRITTEN BY *73*

TIRES AND TUBES

*1- LT8X15 FASTRAK
235/21X15*

FED. TAX UNIT PRICE

57.00

*PAID
OK 7/18
8/16*

TOTAL PARTS →

LABOR

	HOURS	AMOUNT
--	-------	--------

ROAD SERVICE 15.00

1 Spin Bal 5.00

TOTAL *20.00*

FEDERAL TAX

TIRES & TUBES

57.00

PARTS

LABOR

20.00

SALES TAX

4.28

1 1/2% per month service charge will be added to all accounts 30 days old. Interest after 30 days 1 1/2% per month plus collection costs including attorney's fees on all past due accounts.

AUTHORIZED BY

TOTAL

81.28

ESTIMATES ARE FOR LABOR ONLY, MATERIAL ADDITIONAL

HEREBY AUTHORIZE THE ABOVE REPAIR WORK TO BE DONE ALONG WITH NECESSARY MATERIALS. YOU AND YOUR EMPLOYEES MAY OPERATE ABOVE VEHICLE FOR PURPOSES OF TESTING, INSPECTION OR DELIVERY AT MY RISK. AN EXPRESS MECHANIC'S LIEN IS ACKNOWLEDGED ON ABOVE VEHICLE TO SECURE THE AMOUNT OF REPAIRS THERETO. IT IS UNDERSTOOD THAT THIS COMPANY ASSUMES NO RESPONSIBILITY FOR LOSS OR DAMAGE BY THEFT OR FIRE TO VEHICLES PLACED WITH THEM FOR

PAY THIS AMOUNT





CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

October 4, 1983

PLEASE REPLY TO:

DANBURY, CT 06810

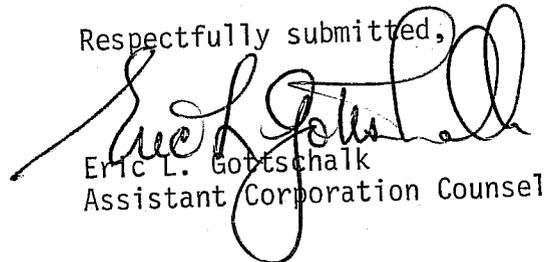
Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut

Re: Maintenance Easement, WestConn Campus, Danbury, Connecticut

Dear Mayor and Council Members:

Please find attached a resolution together with an easement document authorizing construction and maintenance of a water line at the WestConn Campus. Please consider the adoption of this resolution following a report from the Planning Commission in the usual manner.

Respectfully submitted,



ERIC L. GOTTSCHALK
Assistant Corporation Counsel

ELG:cr

Attachment

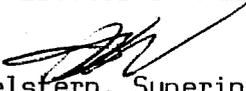


CITY OF DANBURY
PUBLIC BUILDINGS DIVISION

49 OSBORNE STREET
DANBURY, CT. 06810
(203) 797-4588

ROBERT W. WINKELSTERN
SUPERINTENDENT OF PUBLIC BUILDINGS

TO: Dan Garamella, Director of Public Works

FROM:  Robert W. Winkelstern, Superintendent of Public Buildings

SUBJECT: Park Avenue School Ceiling Replacement- State Reimbursement

DATE: September 21, 1983

On September 7, 1983, I requested that Dr. Lober file the necessary forms with the State to secure the reimbursement for the City.

Walter Skowronski replied on September 19, 1983, indicating that we require Common Council action to authorize the Board of Education to seek the grant.

Therefore, please initiate the necessary action to secure certified authorization from the Common Council. Such certification must be attached to the enclosed forms, and returned to Dr. Lober for signature and follow-through.

cc: ✓ Mayor Dyer
Dr. Lober
W. Skowronski
J. Edwards



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

October 4, 1983

PLEASE REPLY TO:

DANBURY, CT 06810

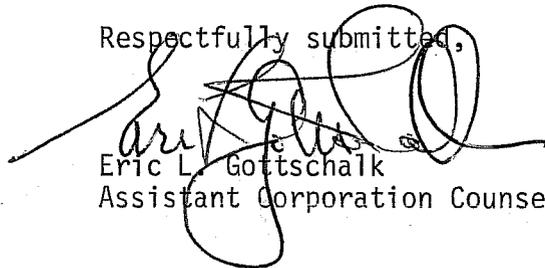
Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Park Avenue School Grant Application

Dear Mayor and Council Members:

Please find attached an application for a school building grant in connection with the above together with a resolution prepared for your consideration. Pursuant to Connecticut General Statutes § 10-283 any town desiring a grant for a public school building project may by a vote of its legislative body authorize the board of education of the town to apply to the State Board of Education for such a grant. Please consider the adoption of the attached resolution in accordance with the usual procedure.

Respectfully submitted,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG:cr

Attachments



CITY OF DANBURY
PUBLIC BUILDINGS DIVISION

ROBERT W. WINKELSTERN
SUPERINTENDENT OF PUBLIC BUILDINGS

48 OSBORNE ST.
DANBURY, CT. 06410
(203) 797-1111

TO: Dr. Irene Lober, Superintendent of Schools

FROM:  Robert W. Winkelstern, Superintendent of Public Buildings

SUBJECT: Park Avenue School Ceilings
Project Number 034-83-40CV

DATE: September 7, 1983

Please be informed that the above captioned code violation project has been completed as per the specifications approved by the State Board of Education. The local Fire Marshal has inspected the installation and it meets with his approval.

Since this closes Phase I of the code removal project, please take what steps are necessary to secure reimbursement from the State for the City.

The following is furnished for your information.

Date of Completion and Acceptance -	September 7, 1983
Name of Contractor -	Central Connecticut Acoustics, Inc. P. O. Box 519 Wallingford, Connecticut 06492
Bid Number -	05-82-3-03
Cost of Contract -	\$26,000.00 (Code violation work)
Extras to contract, not reimbursable by the state -	1,312.00 (Hallways and teachers' room)
TOTAL	\$27,312.00

cc: Mayor Dyer
John Edwards
Dan Garamella
Robert Montesi

1. Return one (1) completed original to address below.
2. Include revised Area Analysis if any major changes have occurred since filing ED-064.
3. DUE NO LATER THAN 30 DAYS AFTER ACCEPTANCE OF THE SCHOOL BUILDING PROJECT BY THE LOCAL BOARD OF EDUCATION.

TO: CONNECTICUT STATE DEPARTMENT OF EDUCATION, School Buildings Unit, P.O. Box 2219, Hartford, Connecticut 06115

Town/Region Name Danbury	Facility Name and Address Park Ave. Elementary School Danbury, Conn 06810	Project Number 034-83-40 CV
------------------------------------	---	---------------------------------------

Project Type (Check Appropriate Response)

<input type="checkbox"/> Administration Facility	<input type="checkbox"/> New School Plant	<input type="checkbox"/> Replacement	<input type="checkbox"/> Plant Purchase	<input type="checkbox"/> Extension	<input type="checkbox"/> Major Alteration
<input type="checkbox"/> Equipment and Furnishing	<input type="checkbox"/> Site Improvement	<input checked="" type="checkbox"/> Code Violation	<input type="checkbox"/> Fire Replacement	<input type="checkbox"/> Vo-Ag	<input type="checkbox"/> Co-op Spec. Ed.

Project Includes (Check Appropriate Responses)

<input type="checkbox"/> Outdoor Athletic Facilities	<input type="checkbox"/> Tennis Courts	<input type="checkbox"/> Natatorium	<input type="checkbox"/> Gym Seating	<input type="checkbox"/> Auditorium
--	--	-------------------------------------	--------------------------------------	-------------------------------------

Project Description: **Replace ceilings in classrooms & Lower level hallway
Phase 1 of fire code compliance**

Plans and Specifications Prepared By: (Name and Address of Architect, Engineer, or Local Board of Education)

Robert Winkelstern, 49 Osborne St., Danbury, Conn 06810

Phone
797-4584

Name and Address of Construction Manager:

Phone

Name and Address of Applicant's Fiscal Officer:

John Edwards, City Hall, 155 Deer Hill Ave., Danbury, Conn 06810

Phone
797-4650

DATE PROJECT COMPLETED AND ACCEPTED BY THE LOCAL BOARD OF EDUCATION

Month	Day	Year
9	7	83

NOTE: Attach a certified copy of the resolution passed by the Legislative body of the applicant as required by Section 10-283, authorizing the local board of education to apply to the State Board of Education and to accept or reject such grant.

PUPIL CAPACITY OF BUILDING	<input checked="" type="checkbox"/> Elem.	<input type="checkbox"/> Jr. High	Grades Housed: K - 6	Existing Capacity	Additional Capacity	Final Capacity
	<input type="checkbox"/> Middle	<input type="checkbox"/> Sr. High		333	Pupils	Pupils
BUILDING INFORMATION	Year Permanent Facilities Constructed			Existing Floor Area	Additional Floor Area	Final Floor Area
	1951			48,800	Sq. Ft.	Sq. Ft.

NOTE: If bonds have been issued, submit Notice of Bond Issue (ED-070) with this application.

INDICATE METHOD OF FINANCING PROJECT COSTS	<input checked="" type="checkbox"/> GENERAL FUND	Month	Day	Year	Amount
		7	1	82	\$ 30,000.00
	<input type="checkbox"/> SCHOOL BOND ISSUE	Month	Day	Year	Amount
INDICATE METHOD OF FINANCING SITE ACQUISITION COSTS	<input type="checkbox"/> GENERAL FUND	Month	Day	Year	Amount
	<input type="checkbox"/> SCHOOL BOND ISSUE	Month	Day	Year	Amount
	<input type="checkbox"/> OTHER (EXPLAIN)	Month	Day	Year	Amount
INDICATE METHOD OF FINANCING PLANT PURCHASE	<input type="checkbox"/> GENERAL FUND	Month	Day	Year	Amount
	<input type="checkbox"/> SCHOOL BOND ISSUE	Month	Day	Year	Amount
	<input type="checkbox"/> OTHER (EXPLAIN)	Month	Day	Year	Amount

Indicate the amount of federal, other state, or other funds which may be applied to this project:

Federal	Other State	Private	Total Amount
\$	\$	\$	\$ 30,000.00

"In computing the amount of a state grant for a school building project for which a grant application is submitted within five years after any abandonment, sale, lease, demolition or redirection of use of any school facility constructed or renovated with state assistance, the state board of education shall deduct the amount of money or value received from such abandonment, sale, lease, demolition or redirection of use from the total cost of such school building project." (Section 10-283) Indicate the amount of money or value received by the applicant:

Abandonment	Sale	Lease	Demolition	Redirection of Use	Total Amount
\$	\$	\$	\$	\$	\$

FINAL PROJECT COSTS	NEW PLANT PROJECT	EXTENSION PROJECT	ALTERATION PROJECT	SITE IMPROVEMENT PROJECT	TOTAL PRELIMINARY COSTS
BUILDING ONLY CONSTRUCTION COST	\$	\$	\$ 27,312.00	\$	\$
CONSTRUCTION MANAGEMENT FEE					
ARCHITECTURAL AND ENGINEERING FEE					
SITE DEVELOPMENT					
BUILT-IN EQUIPMENT					
EQUIPMENT AND FURNISHING					
OTHER EXPENSES (*DETAIL BELOW)					
PROJECT COST	\$	\$	\$ 27,312.00	\$	\$ 27,312.00
*OTHER EXPENSES	Legal Fees	Blueprints	Clerk of the Works	Survey Tests	Miscellaneous
	\$	\$	\$	\$	\$

PLANT PURCHASE	Land Area	Land Cost	Building Floor Area	Building Cost	Total Cost
	Acres	\$	Sq. Ft.	\$	\$
SEPARATE CONTRACTS AWARDED (e.g. SITE PREPARATION, EQUIPMENT) OR NOT INCLUDED IN FINAL COSTS ABOVE	1.			Month Day Year	Amount
	2.			Month Day Year	Amount
LIMITED ELIGIBLE COSTS	Outdoor Athletic Facilities	Tennis Courts	Natorium	Gym Seating	Auditorium Seating
	\$	\$	\$	\$	\$

NOTE: Outdoor Athletic Facilities and Tennis Courts include equipment and drainage.
 Natatorium includes attendant facilities.
 Gym Seating includes total area for extended folding seats.
 Auditorium Seating includes total area and seats of 50% of the designed enrollment.

INELIGIBLE COSTS (Repair, Maintenance, Replacement)			
OFF-SITE IMPROVEMENTS	\$	ORDINARY BUILDING REPAIR	\$ 1,312.00
SITE FACILITY RELOCATION		ORDINARY EQUIPMENT MAINTENANCE	
ATHLETIC FACILITY LIGHTING		REPAINTING AND REDECORATING	
ATHLETIC FACILITY PARKING		BOILER AND EQUIPMENT REPAIR	
ARTIFICIAL TURF		ROOF REPAIR/REPLACEMENT	
SITE REFINISHING		WINDOW OR GLASS REPLACEMENT	
OTHER		OTHER	
TOTAL INELIGIBLE			\$ 1,312.00

ACQUISITION INFORMATION	Existing Area	Additional Area	Total Area	Acres Used	Site Acquisition
	Acres	Acres	Acres	Acres	Acres
	Cost (Existing Area) \$	Cost (Additional Area) \$	Other Costs \$		Cost (Site Acquisition) \$

NOTE: Other costs may include: feasibility studies, property survey, appraisal fee, legal fee.

SITE ACQUISITION APPROVALS	SCHOOL BUILDING COMMITTEE	Month	Day	Year
	LOCAL BOARD OF EDUCATION	Month	Day	Year
	STATE BOARD OF EDUCATION	Month	Day	Year

Has an application been made, or do you plan to make an application for grant-in-aid assistance under the open space land acquisition provisions of the General Statutes, on this site or on adjoining land? Yes No

If Yes, indicate the amount to be applied to this project: Amount Received \$

If the site has been purchased, and a site acquisition grant has been paid, indicate:	No. of Acres Purchased	Cost
	Acres	\$
	No. of Acres in Grant	Amount of Grant
	Acres	\$

NEW BUILDING OR EXTENSION COST ANALYSIS

GROSS FLOOR AREA	Sq. Ft.	PUPIL CAPACITY	Pupils
GROSS FLOOR AREA	()	()	()
PUPILS	()	()	()
		Sq. Ft. / Pupils	Sq. Ft. Per Pupil
BUILDING ONLY COST	(\$)		
GROSS FLOOR AREA	()		
		Sq. Ft.	Per Sq. Ft.
PROJECT COST	(\$)		
GROSS FLOOR AREA	()		
		Sq. Ft.	Per Sq. Ft.
BUILDING ONLY COST	(\$)		
PUPILS	()		
		Pupils	Per Pupil
PROJECT COST	(\$)		
PUPILS	()		
		Pupils	Per Pupil

BUILDING ONLY COST	(\$)		%	EQUIP. & FURNISHING COSTS	(\$)		%
PROJECT COST	(\$)			PROJECT COST	(\$)		
ARCH. & ENG. FEES	(\$)		%	BUILT-IN EQUIP. COSTS	(\$)		%
PROJECT COST	(\$)			PROJECT COST	(\$)		
SITE DEVELOPMENT COSTS	(\$)		%	OTHER COSTS	(\$)		%
PROJECT COST	(\$)			PROJECT COST	(\$)		

CERTIFICATION

BOARD OF EDUCATION	The Board of Education approves as complete and accepts the school building project herein identified for public school purposes.		
	Name of Chairperson Dr. Philip Fenster	Signature	Month Day Year
SCHOOL BUILDING COMMITTEE	The School Building Committee approves and accepts as complete, the school building project identified herein.		
	Name of Chairperson	Signature	Month Day Year
ARCHITECTURAL, ENGINEERING FIRMS & CONSTRUCTION MANAGEMENT FIRMS	I hereby certify that to the best of my knowledge and belief, the complete school building project herein described, conforms to the final plans and specifications including all authorized change orders, and complies with all applicable laws, codes, ordinances and regulations; it has been issued a Certificate of Occupancy.		
	Name of Architectural, Engineering Firm	Signature, Duly Authorized Member	Month Day Year
	Name of Construction Management Firm	Signature, Duly Authorized Member	Month Day Year
TOWN/REGION FISCAL OFFICER	Certification is hereby made that the grant received for this school building project does not represent a duplication of funding from federal or other state sources and in no event do the funds received exceed 100% of the total cost of the project. I hereby certify that, according to the financial records of the district, the total sum noted in this application was expended for the school building project herein described, that all proceeds of the grant will be used to meet project costs, or, to the extent made for such purpose, site acquisition costs.		
	Indicate amount established in Escrow Account:		Escrow Amount \$
	Name and Title of Fiscal Officer John Edwards, Comptroller	Signature, Fiscal Officer	Month Day Year
SUPERINTENDENT OF SCHOOLS	Application is hereby made, under the provisions of Chapter 173 of the General Statutes as amended, for payment of the grant due on account of the completion of the public school building project herein described. I hereby certify that all the statements contained in this application are true and correct to the best of my knowledge and belief.		
	Name of Superintendent of Schools Dr. Irene M. Lober	Signature	Phone 797-4701 Date



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4 A. D., 1983

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, classroom and hallway ceilings in Park Avenue Elementary School are in need of replacement; and

WHEREAS, grant funds may be available from the State of Connecticut for such purpose; and

WHEREAS, Connecticut General Statutes § 10-283 permits the Common Council to authorize the Board of Education of the City of Danbury to apply to the State Board of Education for such a grant; and

WHEREAS, said grant would be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Danbury Board of Education be and hereby is authorized to apply to the State Board of Education for a grant to cover the costs involved in the above-referenced project in the amount of \$26,000.00.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

October 4, 1983

PLEASE REPLY TO:

DANBURY, CT 06810

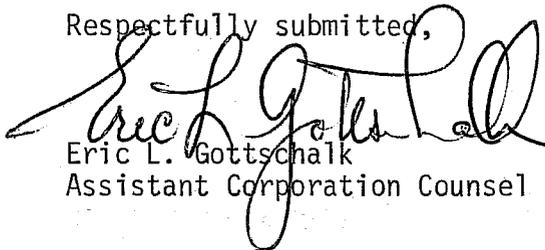
Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Agreement Between Consolidated Rail Corporation and City of Danbury

Dear Mayor and Council Members:

Please find attached a resolution prepared at the request of City Engineer John A. Schweitzer, Jr. for your consideration. The resolution, if adopted, would authorize the Mayor to enter into an agreement between the City of Danbury and Conrail and authorizing the City to install a water main on Conrail property. Please consider this item in the usual course.

Respectfully submitted,



Eric L. Gottschalk
Assistant Corporation Counsel

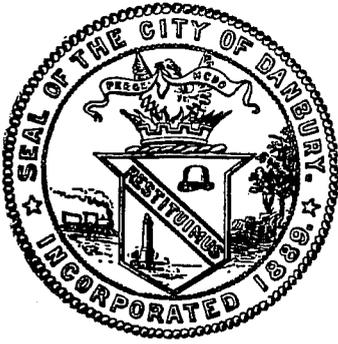
ELG:cr

Attachment

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4 A. D., 1983



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Public Works Department has completed plans for the installation of a water main in Mill Plain Road which will close the loop between the dead ends at One Plaza West on the east, and Old Ridgebury Road on the west; and

WHEREAS, these plans have been submitted to the Consolidated Rail Corporation for review and approval; and

WHEREAS, the installation of said water main is in the best interest of the City of Danbury;

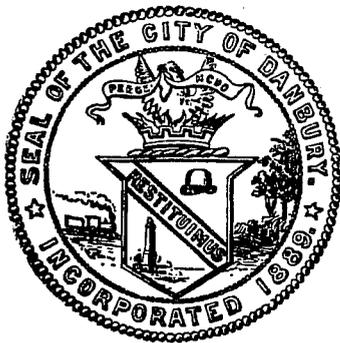
NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to executed an agreement between the City of Danbury and Consolidated Rail Corporation permitting the installation of a water main on property of Consolidated Rail Corporation; and

BE IT FURTHER RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to take any additional steps necessary to effectuate the purposes hereof.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4, _____ A. D., 19 83



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council has duly voted to approve the Wildman Street-Locust Avenue Road Improvement Project; and

WHEREAS, the purposes of said project oblige the City of Danbury to acquire interests in and to real property more particularly described herein and in the exhibits attached hereto; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount to be paid for the respective interests of each to be taken in, and to, the real property described herein and in the several exhibits attached hereto;

NOW, THEREFORE, BE IT RESOLVED that the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests described either by negotiation or by eminent domain through the institution of suits against the following named property owners and their respective mortgage holders, if any.

A. Fee Simple Interests to be acquired:

1. Benjamin Epstein and Muriel G. Epstein (See Exhibit A)
2. Edward Regner and Susan Regner (See Exhibit B)
3. Discovery Realty Corp. (See Exhibit C)

B. Sloping Rights to be acquired on and over property of:

1. Louis J. & Irene Renda at 115 Triangle St. & Wildman St.
2. Maria Emilia Fernandes a/k/a Maria Emilia DaCunha at 41-43 Wildman St. & Austin St.
3. Emily A. Lahoud at 35-37 Wildman St. & Austin St.
4. Michael A. Palanzo and Edith R. Palanzo at 25-27 Wildman St. & Chestnut St.
5. Elli Marquardt and Ernst Marquardt at 21 Wildman St. & Chestnut St.
6. Stanley Frank & Loretta W. Kunicki at 34 Wildman St.
7. Jose Mingachos and Leopoldina Mingachos at 28 Wildman St.
8. Anna Louise Barchi at 26 Wildman St. & Chestnut St.
9. Consolidated Rail Corporation at Wildman St.
10. Irving Goldstein and Valerie Goldstein & Valerie Goldstein, Trustee at 212 White St. & Durant St.
11. Marvin E. Payton and Ruth L. Payton at 10-12 Wildman St. & Durant St. Marvin E. Payton & Ruthie L. Payton at 12 Wildman St.
12. Discovery Realty Corp. at 6 Locust Avenue, 227-229 White St. & Locust Ave.
13. Benjamin Epstein at 8 Locust Ave.
14. Loretta E. Valluzzo at 11 Wildman St.
15. Felix A. Merante & Francis P. Saunders at 228 White St. & Wildman St.
16. Antonio Venancio at 40 Wildman St.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4 A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

C. Sloping Rights and Temporary Construction Easements to be Acquired on and Over Property of:

1. Carlos S. Soriano and Elizabeth M. Soriano at 75 Wildman St.
2. Nicola DiCello and Lidia DiCello at 73 Wildman St.
3. Mario R. Talin and Antoinette Talin at 71 Wildman St.
4. Frank S. Tomaino and Anna Tomaino at 69 Wildman St.
5. Mary Koss at 67 Wildman St.
6. Carlo DeGrazia and Raffaella DeGrazia at 65 Wildman St.
7. Richard Mullins at 63 Wildman St.
8. Colonial Gardens Condominiums Owners Assoc., Inc. at 51-61 Wildman St.
Colonial Gardens Condo.
9. Carl G. Wenzel and Evelyn B. Wenzel at 49 Wildman St.
10. Robert S. Hirst at 45-47 Wildman St.
11. Joseph E. Kuczko, Gerald M. Kuczko & Joseph John Kuczko at 31-33 Wildman St.
12. Joseph E. Pudelko and Ethel Irene Pudelko at 29 Wildman St.
13. Clarence Farmer, Sr. & Susie Ann Farmer & Laura Coles at 19 Wildman St.
14. Evelyn R. Ghecas & Lena Hammer at 15 Wildman St. & NHRR, 15 Wildman St.,
17 Wildman St.
15. Antonio Venancio & Lorinda Venancio at 36 Wildman St.
38 Wildman St.
16. Walter Wayman & Helen Wayman at 32 Wildman St.
17. Jose Alberto & Delaria Dias at 30 Wildman St.
18. Marcel Mendes & Maria Mendes at 39 Chestnut St. & Wildman St. & 37 Chestnut St.
19. Francisco DaSilva & Zita DaSilva at 18 Wildman St.
20. Nicholas DePalma & Reginald DePalma at 14 Wildman St.
21. Edward J. Regner & Susan C. Regner at 2 Wildman St., 4 Wildman St.,
6 Wildman St. & Durant St. and 222-224 White St. & Wildman St.
22. John DeGrazia & Frances DeGrazia at 13 Wildman St.
23. Emilio DeGrazia & Pasqualina DeGrazia at 5 Locust Ave, Locust Ave.
24. Robert W. Dillon & Lenore M. Dillon at 7 Locust Ave.

D. Sloping and drainage rights together with the right to clean and regrade a certain drainage ditch on and over property of Matz Lumber Co. located on Wildman St.

BENJAMIN & MURIEL G. EPSTEIN

A certain triangular parcel of land containing 138 square feet, more or less, lying on the westerly side of Locust Avenue, in the City of Danbury, Fairfield County, State of Connecticut and described as follows:

Commencing at the Southeasterly corner of land herein described, thence going westerly a distance of 9.89 feet, thence northerly a distance of 28.98 feet, thence southeasterly along westerly side of Locust Avenue a distance of 27.90 feet to the point or place of beginning. Bounded:

Easterly: by Locust Avenue

Southerly: by land of Discovery Realty Corporation

Westerly: by other land of Benjamin Epstein and Muriel G. Epstein

For a more particular description reference is made to map entitled "City of Danbury - Map Showing Land Acquired From Benjamin & Muriel G. Epstein By City of Danbury, Reconstruction of Wildman Street and Locust Avenue", scale 1" = 40', dated September, 1983 and certified substantially correct by Emilio J. Delmastro L.S. #7384, and which map is on file or to be filed in the office of the Town Clerk of the City of Danbury.

Together with the rights to slope, as shown on the above mentioned map.

EDWARD & SUSAN REGNER

A certain parcel of land containing 2,306 square feet, more or less, lying on the Southwesterly corner of Wildman Street and White Street, in the City of Danbury, Fairfield County, State of Connecticut and described as follows:

Commencing at the Northeasterly corner of land herein described and being the Southwesterly corner of White Street and Wildman Street, thence along the westerly side of Wildman Street a distance of 234.62 feet, thence continuing along the westerly side of Wildman Street a distance of 55.00 feet to the Northwesterly corner of Wildman Street and Durant Street, thence Northwesterly a distance of 49.10 feet, thence Northeasterly a distance of 103.48 feet, thence N.07°41'18.41" E a distance of 120.00 feet, thence Northwesterly a distance of 19.81 feet, thence Easterly along the Southerly side of White Street a distance of 20.00 feet to the point or place of beginning. Bounded:

Northerly: by White Street

Easterly: by Wildman Street

Southerly: by Durant Street

Westerly: by other land of Edward Regner and Susan Regner.

For a more particular description reference is made to map entitled "City of Danbury - Map Showing Land Acquired From Edward & Susan Regner By City of Danbury, Reconstruction of Wildman Street and Locust Avenue", scale 1" = 40', dated September, 1983 and certified substantially correct by Emilio J. Delmastro, L.S. #7384 and which map is on file or to be filed in the Office of the Town Clerk of the City of Danbury.

Together with the rights to slope, as shown on the above mentioned map.

DISCOVERY REALTY CORPORATION

A certain parcel of land containing 13,756 square feet, more or less, lying on the Northwesterly corner of Locust Avenue and White Street, in the City of Danbury, Fairfield County, State of Connecticut and described as follows:

Commencing at the Southeasterly corner of land herein described and being the Northwesterly corner of Locust Avenue and White Street, thence along the Northerly side of White Street a distance of 150.50 feet, thence Northeasterly a distance of 15.42 feet, thence N 20°-00'-00"E a distance of 101.30 feet, thence along a curve to the left, having a radius of 120.00 feet, and a length of arc of 51.52 feet thence northwesterly a distance of 28.77 feet, thence northeasterly a distance of 9.89 feet, to a point on the westerly side of Locust Avenue, thence along westerly side of Locust Avenue a distance of 115.95 feet, thence continuing along westerly side of Locust Avenue a distance of 68.52 feet, thence a distance of 27.49 feet to the point or place of beginning. Bounded:

Northerly: by land of Benjamin Epstein and Muriel G. Epstein.

Easterly: by Locust Avenue

Southerly: by White Street

Westerly: by other land of Discovery Realty Corporation.

For a more particular description reference is made to map entitled "City of Danbury - Map Showing Land Acquired From Discovery Realty Corporation by City of Danbury Reconstruction of Wildman Street and Locust Avenue", scale 1" = 40', dated September, 1983 and certified substantially correct by Emilio J. Delmastro, L.S. #7384 and which map is on file or to be filed in the office of the Town Clerk of the City of Danbury.

Together with the rights to slope, as shown on the above mentioned map.



Property Owner (WILDMAN ST)	Slope Rights	Driveway Reconstruct
Penn Central	✓	
House #115 (TRIAHLE ST)	✓	
Soriand #75	✓	✓
DiCello #73	✓	✓
Talin #71	✓	✓
Tomairid #69	✓	✓
Koss #67	✓	✓ + walk
DeGrazia #65	✓	walk only
Mullins #63	✓	✓ + walk
Colonial Gardens Condos	✓	✓ (x2)
Wenzel #49	✓	✓
HIRST	✓	✓
Kernandes	✓	
Labad	✓	
Kuczko	✓	✓
Pudelko	✓	✓
Polanzo	✓	
Marguardt	✓	
Farmer #19	✓	✓
Hammer	✓	✓
Penn Central R.R.	✓	
Verancio #36	✓	✓
KUNILKI #34	✓	
Wayman #32	✓	✓
Dias #30	✓	✓
Mingachos	✓	
Burchi	✓	
Mendes	✓	✓
Dasilva #18	✓	✓
Depalma	✓	✓

BY EJD DATE 10/1
 CHKD. BY DATE

SUBJECT LIST OF PROPERTY OWNERS REQUIRING SLOPE RIGHTS

SHEET NO. 2 OF 2
 JOB NO. 23-274



PROPERTY OWNER	HOUSE NO.	SLOPE RIGHTS	DRIVEWAY RECONSTRUCTION
NICHOLAS DEPALMA ETAL	WILDMAN	✓	
CONN. RAIL	"	✓	
MATZ LUMBER	"	✓	
MARVIN E. PAYTON ETAL	"	✓	
EDWARD PEQUER ETAL	" & WHITE	✓	✓?
DISCOVERY REALTY CORP.	WHITE & LOCUST	✓	
BENJAMIN EPSTEIN	8 LOCUST	✓	
JOHN DEGRAZIA ETAL	WILDMAN	✓	✓
ROCCO VALLUZZO ETAL	" & CHAPPELE	✓	
FELIX A. MERANTE	" & WHITE	✓	
EMILIO DEGRAZIA	LOCUST	✓	✓
ROBERT W. DILLON	7 LOCUST	✓	✓

REQUIRES D.P.O.W (Don't require a drainage ditch. (drainage right of way))
 RIGHTS TO CONSTR. SIDEWALK

LAW OFFICES

NAHLEY & SULLIVAN, P.C.

RICHARD L. NAHLEY
RONALD M. SULLIVAN
JAMES E. RYAN

46 MAIN STREET
P. O. BOX 974
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 744-4720

September 12, 1983

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

Dear Mayor:

This office represents Peter DiMasi of 28 Royal Road, Danbury who has a contractual interest in premises located on the westerly side of Padanarum Road as shown on the enclosed map.

Running through this property is a waterline no longer in operation. It is our understanding that this waterline has not been operable for forty (40) years, since a bigger line is in Padanarum Road itself.

My clients would like the City to abandon its interest in the line as it has done with adjoining properties and thus clear the title. We would be willing to enter into a new agreement for a line with the City if it is necessary in another location.

I would appreciate your placing this request on the agenda for the next regular or special meeting of the Common Council.

Many thanks for your co-operation. If you have any questions please do not hesitate to contact me.

Very truly yours,

NAHLEY & SULLIVAN, P.C.


Richard L. Nahley

RLN/blfg
Enclosure - Map

HAND DELIVERED



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JOHN A. SCHWEITZER, JR.
City Engineer

ENGINEERING DIVISION
797-4641

DATE: September 16, 1983
TO: Mayor James E. Dyer
FROM: John A. Schweitzer, Jr., City Engineer
SUBJECT: Saw Mill Road Part II Reconstruction, Project No. 82-11.

This office has nearly completed the design work required to put the above-captioned road reconstruction project to bid. We anticipate that we could be ready to advertise around the 26th of September. We estimate that the project will cost approximately \$120,000.00.

Before we can put the contract document together we need to know the source of the project's funding. If Community Block Grant or other Federal money is involved our contract must be in a form which satisfies all compliance requirements and which is different from our typical contract.

We therefore would appreciate your determining for us the source of funding.

If you have any questions please give me a call.

Very truly yours,

John A. Schweitzer, Jr.
City Engineer

JAS/mem

c: Daniel Garamella, Dir. Public Works



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

September 28, 1983

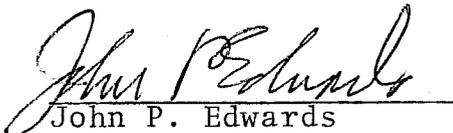
MEMO TO: Mayor James E. Dyer

FROM: John P. Edwards

RE: Lisa Searles

In order to pay Lisa Searles beyond the benefits prescribed by contract we need the approval by the Common Council of a memorandum of agreement (sample attached).

I have spoken to Tony Yakacki of the Police Union, and I conclude that the City and the union have mutually negotiated a change in the contract on a single exception basis, however, Common Council action is required as well. This is a requirement of state law since there is an impact on funds (\$2,363.75).


John P. Edwards
Comptroller

JPE/af
Enc.

cc: Elizabeth Crudginton
Emanuel Merullo
Police Officer Anthony Yakacki
Eric Gottschalk

P.S. I have asked the City Clerk to reserve a "spot" on the October agenda.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

September 28, 1983

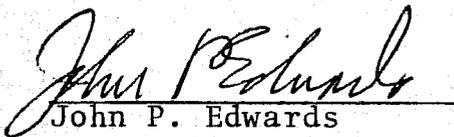
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FROM: John P. Edwards

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John P. Edwards
Comptroller

JPE/af
Enc.

cc: Elizabeth Crudginton ✓
Emanuel Merullo
Police Officer Anthony Yakacki
Eric Gottschalk

P.S. I have asked the City Clerk to reserve a "spot" on the October agenda.

Suggested Memorandum of Agreement:

The City of Danbury and Danbury Police Union Local 891
and Council 15 AFSCME, AFL-CIO.

The City and the union agree as an exception without
establishing precedent to extend Police Officer Lisa
Searles' paid sick leave through October 23, 1983.

The City of Danbury, Connecticut

Danbury Police Union Local 891
Council #15, AFSCME, AFL-CIO

DATE: _____

Suggested Memorandum of Agreement:

The City of Danbury and Danbury Police Union Local 891 and Council 15 AFSCME, AFL-CIO.

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The City of Danbury, Connecticut

Danbury Police Union Local 891
Council #15, AFSCME, AFL-CIO

DATE: _____



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 4, 1983

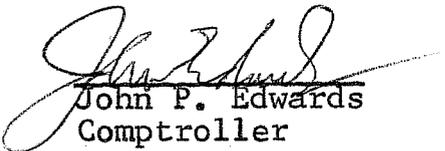
To: Common Council via
Mayor James E. Dyer

Certification #14

From: John P. Edwards

We hereby certify to the availability of \$4,540.50 in the Contingency Fund to be transferred to the Fire Department to support a request for funds from the Danbury Volunteer Firemen's Council.

Previous balance of Contingency Fund	\$183,360.08
Less this request	<u>4,540.50</u>
	\$178,819.58


John P. Edwards
Comptroller

DANBURY VOLUNTEER FIREMEN'S COUNCIL

POST OFFICE BOX 1135
DANBURY, CONNECTICUT 06810

PADANARAM CITIZENS BECKERLE MILL PLAIN
INDEPENDENT WATER WITCH GERMANTOWN MARY BROOK
WOOSTER PHOENIX BEAVER BROOK KING STREET

September 15, 1983

Mayor James E. Dyer
City Hall
Danbury, Conn. 06810

Re: Miscellaneous expenses incurred while covering Fire
Houses from February until June 30, 1983.

Breakdown is as follows:

Padanaram #3	\$316.27
Independent	\$400.00
Wooster	\$394.77
Phoenix	\$325.00
Beckerle	\$292.29
Germantown	\$148.99
Beaver Brook	\$263.18
King Street	<u>\$1,500.00</u>

Sub total \$3,640.50

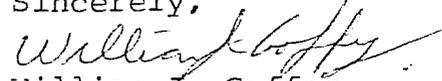
Pete's Auto & Furniture

12 Roll Away Beds \$900.00

Total \$4,540.50

Please make check payable to Danbury Volunteer Firemen's Council.
Enclosed are the statements from each individual Fire House.

Sincerely,


William J. Coffey

President, Danbury Firemen's Council

CUTSUMPAS, COLLINS & HANNAFIN
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
DAVID J. DEMARS
PAULA FLANAGAN

AREA CODE 203
744-2150

September 28, 1983

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

Re: Theodore Moody - John Hyatt
Route #7 Industrial Park
Sand Pit Road, Danbury, Ct.

Dear Council Members:

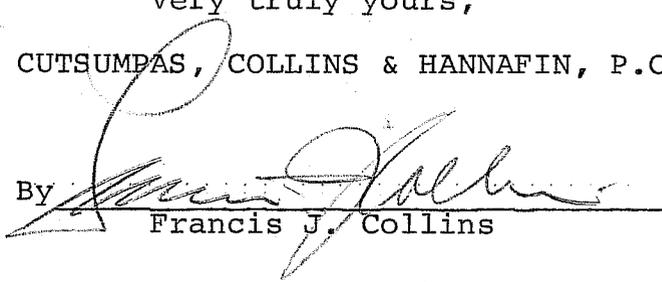
Please be advised that this office represents the above captioned individuals with regard to Route 7 Industrial Park. My clients wish to request authorization to tie into the City's water line on Sand Pit Road.

Please accept this letter as a formal request for permission to extend the water line to the above captioned property.

If this matter is referred to a subcommittee of the Council, please advise the undersigned of the date and time of the subcommittee's next meeting.

Very truly yours,

CUTSUMPAS, COLLINS & HANNAFIN, P.C.

By 

Francis J. Collins

FJC:lz

bcc: John Hyatt

charles e. williams inc. residential builder and developer

65 North Street, Danbury, Conn. 06810

Tel. (203) 748-5514

September 26, 1983

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

Reference: Request for Road Acceptance

Dear Members:

I, hereby, submit application for Lily Drive (Apple Orchard Estates" as a city accepted road in Danbury.

Very truly yours,

CHARLES E. WILLIAMS INC.

Charles E. Williams
By Charles E. Williams, Its
President

CEW:jw

✓
11
September 23, 1983

City Clerk
City Hall Building
115 Deerfield Avenue
Danbury, Connecticut

Re: Dogwood Park Partnership

Gentlemen:

Please be advised that we desire the City Council, at their next regular meeting, to approve "Dogwood Park North" as a city street.

Sincerely,



Angelo Pirovane
Partner

✓ 11-1

Sunset Ridge
Danbury, CT
06810

Sept. 13, 1983

COMMON COUNCIL
CITY OF DANBURY
DANBURY, CT 06810

I am, hereby, requesting a meeting with the Common Council Committee for the purpose of asking the City of Danbury to improve 300 ft. of road on E. Starrs Plain Road (a town road) to City specifications in front of 4 lots which I purchased.

I am unable to sell the lots as it is, and no one can apply for a mortgage to purchase same.

I purchased this property 4 years ago and have been paying a balloon mortgage on it and am unable to sell same. I request this road building on the premise that E. Starrs Plain is a town road.

Thank you for your consideration.

Yours truly,
Karthene Gallagher
Karthene Gallagher

RECEIVED
CITY OF DANBURY
SEP 14 1983

12 ✓
RECEIVED

SEP 26 1983

OFFICE OF CITY CLERK

3 Myrtle Ave
Danbury, Conn.
06810

9-28-83
748-5008

City Clerk.

Betty Crudgenton.

Dear Betty,

I am appealing to you for your
utmost + sincere attention to help
solve the inadequate drainage
system on my property.

During a rain storm, my yard is
completely engulfed in water, resulting
in flooding my cellar.

I trust that you will please
give the matter your immediate
attention.

Sincerely
Joseph + Mary Howard

✓ 13

PINNEY, PAYNE, VAN LENTEN, BURRELL, WOLFE & DILLMAN, P. C.

ATTORNEYS AT LAW

26 WEST STREET

POST OFFICE BOX 650

DANBURY, CONNECTICUT 06810-0650

(203) 743-2721

A. SEARLE PINNEY
BOBBY S. PAYNE*
THOMAS W. VAN LENTEN
HUGH A. BURRELL
ROBERT J. WOLFE
JOHN M. DILLMAN
WILLIAM S. STEELE, JR.
JEFFREY B. SIENKIEWICZ
TED D. BACKER**

JAMES H. MALONEY

NEW MILFORD OFFICE
46 MAIN STREET
NEW MILFORD, CONNECTICUT 06776
(203) 355-1181

RIDGEFIELD OFFICE
401 MAIN STREET
RIDGEFIELD, CONNECTICUT 06877
(203) 438-3726

COUNSEL
THOMAS L. CHENEY

September 20, 1983

*ALSO ADMITTED IN VA
**ALSO ADMITTED IN D.C. AND NY

City Clerk
Danbury Common Council
City Hall
155 Deer Hill Avenue
Danbury, Conn. 06810

Re: 1-3 Greenview Road
Danbury, Connecticut

Dear Madam Clerk:

This letter concerns the Sewer Assessment for property located at 1-3 Greenview Road, Danbury, Connecticut known as Lot G10063.

The above premises consists of a dwelling house and a separate adjoining building lot. The vacant building lot is 3 Greenview Road and the land with the dwelling thereon is 1 Greenview Road.

Both premises were owned by the late Anna Susnitzky. Subsequent to her death, and by her Will, the premises were devised to her son, Carl Susnitzky, and her niece, Cerinda Somers. On June 23, 1983 Miss Somers and Mr. Susnitzky sold and conveyed the lot with the building thereon, 1 Greenview Road, to Edward J. Brennan and Jane N. Brennan and retained title to the building lot.

Mr. and Mrs. Brennan recently received an Installment Payment Notice for the Sewer Assessment from the City of Danbury requesting payment due for the current installment for the entire undivided premises. A copy of the Installment Payment Notice is attached hereto.

Mr. and Mrs. Brennan, Mr. Susnitzky and Miss Somers all agree that it is neither fair nor appropriate for either one of the property owners to assume liability for the entire debt since the sewer benefits both premises. The parties have come

City Clerk

-2-

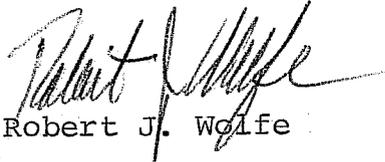
September 20, 1983

to an agreement concerning their liability for this obligation based on a percentage of their front footage on Greenview Road as it relates to the total front footage on Greenview Road for both properties. Therefore, Mr. and Mrs. Brennan have agreed to be responsible for 52.6% of the balance owed the City of Danbury and Miss Somers and Mr. Susnitzky for 47.4% of the balance.

We have been advised by William Hanna, Tax Collector for the City of Danbury, that he cannot make such a change in his records and bill the parties separately without the approval of the Common Council for the City of Danbury. We are, therefore, requesting the Common Council to so advise Mr. Hanna to allow for a proper division of this bill to be paid by the owners of the respective premises.

I would appreciate it if you would advise me as to when this matter might appear on the Common Council's Agenda so we can be present to accomplish the aims of the owners of the properties.

Very truly yours,



Robert J. Wolfe

RJW:phh

cc: Mr. Carl Susnitzky
Mr. and Mrs. Edward J. Brennan
Thomas L. Ryan, Esquire

COHEN AND WOLF, P.C.

HERBERT L. COHEN
AUSTIN K. WOLF
MARTIN F. WOLF
ROBERT J. ASHKINS
STUART A. EPSTEIN
BARRY WAXMAN
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
MORTON R. RUDEN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN

NEIL R. MARCUS
DAVID L. GROGINS
EMIL H. FRANKEL
MARY E. SOMMER
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON
ROBIN A. KAHN
RANDI LEVINE
JORAM HIRSCH
RICHARD L. NEWMAN
PATRICK J. LAPERA

LAW OFFICES
1115 BROAD STREET
P.O. BOX 1821
BRIDGEPORT, CONNECTICUT 06601
(203) 368-0211

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 792-2771

ONE ATLANTIC STREET
STAMFORD, CONNECTICUT 06901
(203) 964-9907

PLEASE REPLY TO _____

September 21, 1983

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

Dear Ms. McManus:

This office represents Ann Marie Sanchez and Frank J. Scalzo in connection with the Bear Mountain sanitary sewer extension previously approved by the Common Council on July 3, 1979. It has been brought to my attention that a motion was made by you at the Common Council meeting of September 6, 1983 to revoke the previously approved permit. On behalf of my clients, I hereby petition the Council to pass a motion rescinding the action of September 6, 1983 as it pertains to the Sanchez and Scalzo permit for the following reasons:

1. The permit to extend the sewer line originally granted in July of 1979 called for the extension of the line from Capitola Road to a ten acre parcel owned by my client located on the corner of Route 37 and Bear Mountain Road. In reliance on this approval, my client purchased the subject property which was approved for a seventeen lot subdivision to

14
COHEN AND WOLF, P. C.

Honorable Constance McManus

Page 2

September 21, 1983

be serviced by city sewer. Without this approval, my client would not have expended the monies to have purchased the property. Therefore, the city may be estopped legally from revoking the permit based on the fact that my client has taken action in reliance thereon.

2. The action of the council on September 6, 1983 appears to be based on the belief that the July 3, 1979 action of a prior Common Council limited the proposed use of the sewer on the Bear Mountain and Route 37 project. I have made an extensive examination of the minutes of both the Public Works Committee and the council and find that there is nothing in the record which would indicate any limitation on the use of the sewer. In point of fact, the City Engineer has made an allocation showing a peak flow of 26,775 gallons per day from this site which would indicate that there may have been a contemplation of a use in excess of a seventeen-lot single family subdivision which would require a peak flow of approximately 6,000 gallons per day.

3. The action of the council on September 6, 1983 may have been taken on the part of some members on the mistaken belief that no work had been performed in connection with the sewer permit. In fact, almost 5,000 feet of sewer line have been laid to date in reliance on the permit and my client has expended almost \$500,000 in connection with the work performed to date. The revocation of the permit would effectively discard the value of the work to date insofar as there remains only a small portion of the line to be installed from the Marjorie Reservoir to the ten acre parcel on the corner of Route 37 and Bear Mountain Road.

4. The City of Danbury has already benefited, in part, from the work performed in connection with the sewer permit to date insofar as the completion of the line to the Marjorie Reservoir has enabled the city to qualify for state and/or federal funding in connection with the original Bear Mountain collector project. The revocation of the permit may in fact expose the city to a claim for reimbursement by any federal or state agency which has paid monies in connection with the completion of the Bear Mountain collector project to the Marjorie Reservoir site.

5. The action of the council on September 6, 1983 appears to be based in part on a letter dated September 1, 1983 from John A. Schweitzer, Jr., City Engineer to James E. Dyer, Mayor. The letter indicates that if the developer were to

COHEN AND WOLF, P. C.

Honorable Constance McManus

Page 3

September 21, 1983

change the proposed sewer service concept from that which was originally proposed and approved by the Common Council additional approval may be required. It does not indicate that the City Engineer was actually aware of any change in concept and, in fact, as the records of the City Planning Commission will reveal, the proposal is to seek permission for a cluster subdivision of 22 units in lieu of the conventional half acre seventeen-lot subdivision. The reason for this change in plan is not to alter substantially the character of the sewer use (the actual gallons per day for 22 townhouse units comprising of two to three-bedrooms each will be less than the gallonage required to service seventeen three to five-bedroom houses) but to avoid the necessity of destroying natural buffers protecting the adjoining neighbors from the development of the subject property and to avoid any driveway or road cuts on Bear Mountain Road in order to improve public health, safety and welfare in the vicinity of the property. When this plan was proposed to the Zoning Board of Appeals for the required variances, it was deemed to be a far better plan to the conventional seventeen-lot subdivision. It is fairly clear that that agency did not determine this to be a potential or a serious disruption of a residential neighborhood. In point of fact, a cluster subdivision is allowed on the property by current planning and zoning regulations.

6. The action of the Common Council on September 6, 1983 was a hasty action taken without benefit of disclosure of all the facts pertaining to the subject sewer approval. Basic administrative due process requires a city, state or federal agency to hold a hearing on notice prior to taking any action to revoke a license where the licensee has a vested interest and/or property right in the license granted by the governing authority. To the extent that the Common Council of the City of Danbury grants sewer and/or water approvals, it is acting as an administrative agency and as such it must afford to any applicant or licensee the basic rights of administrative due process which require a hearing upon notice prior to revocation of a permit.

For the reasons set forth hereinabove, the undersigned on behalf of Ann Marie Sanchez and Frank J. Scalzo petitions the Common Council to rescind the motion passed on September 6, 1983 revoking the permit issued by the Common Council on July 3, 1979

COHEN AND WOLF, P. C.

Honorable Constance McManus
Page 4
September 21, 1983

and to remand this matter for any further study of the facts
pertaining to this to the Sewer and Water Subcommittee of the
Common Council.

Yours truly,

ANN MARIE SANCHEZ AND FRANK
J. SCALZO

By:



Neil R. Marcus
Cohen and Wolf, P.C.
Their Attorneys

NRM:mjc

cc: Planning Commission of the City of Danbury
Mr. Bernard P. Gallo, Sr.
Mr. John A. McGarry, Jr.
Mr. Russell M. Foti
Ms. Carole A. Torcaso
Mr. Ernest A. Boynton
Mr. Joseph DaSilva
Mr. John Leopold
Mr. Thomas E. Evans
Ms. Janet A. Butera
Mr. Edward T. Torian
Mr. Gene Enriquez
Mr. John Esposito
Mr. Mounir Farah
Mr. Nicholas Zotos
Mr. Frank Reploe
Ms. Diane Eppoliti
Mr. Richard M. White
Mr. Anthony J. Cassano
Mr. Louis T. Charles, Jr.
Mr. Richard B. Elder



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

CONSERVATION COMMISSION

September 15, 1983

To: Members of the Common Council
From: Bernadette DeMunde-Chairperson *B. DeM.*
Conservation Commission
Re: Benedict Property-Overlook Road

The Conservation Commission respectfully requests that the Common Council reconsider the purchase of the Benedict property located on Overlook Road in Danbury. This request is based upon the following factors.

1. The original price of \$82,500.00 has been reduced to \$48,000.00.
2. The wild life pond in the rear of the property is adjacent to Old Quarry Nature Center and has been used as a part of it since Mrs. Benedict allowed the City to dredge her back yard to create it. Loss of the pond through a sale would greatly diminish the potential of the Nature Center.

TO: MEMBERS OF THE COMMON COUNCIL

FROM: LOUIS T CHARLES, MEMBER OF THE COMMON COUNCIL

SUBJECT: SEWER USE CHARGES

DATE: SEPTEMBER 2, 1983

I RESPECTFULLY REQUEST THAT THE CODE OF ORDINANCES
BE AMENDED AS FOLLOWS:

Sec. 16-30.1 ABATEMENT OF DISUSE OR UNOCCUPIED PREMISES.

- (C) DURATION. ANY ABATEMENT SO GRANTED SHALL BE FOR A PERIOD TO BE DETERMINED BY THE SUPERINTENDENT OF PUBLIC UTILITIES PROVIDED THAT SAID PREMISES REMAIN UNOCCUPIED.
- (D) RETROACTIVITY. ANY PERSON GRANTED AN ABATEMENT OF WATER RENTS PURSUANT TO SECTION 21-38 OF THE CODE OF ORDINANCES SHALL BE GRANTED A SEWER USE ABATEMENT RETROACTIVE TO JULY 1, 1983, PROVIDED SUCH WATER ABATEMENT WAS IN EFFECT ON THAT DATE.
(ORD. NO. 227 § 1, 9-6-77

Louis T. Charles, Jr.

LOUIS T. CHARLES, JR.

016-1



CITY OF DANBURY

FIRE DEPARTMENT
19 NEW STREET
DANBURY, CONNECTICUT 06810

MAYOR JAMES E. DYER
155 DEER HILL AVE.
DANBURY, CT. 06810

Charles J. Monzillo,
OFFICE: 748-5260
HOME: 748-2487

September 26, 1983

To: Mayor James E. Dyer
Members of the Common Council

The purpose of this communication is to request that the sum of \$4000 be appropriated from the Contingency Fund, and transferred to line item #042000 (Heating Fuel).

This sum was transferred from the Heating Fuel Account into the Rental Real Estate account (#024500), because a deficit was created when the Common Council voted to approve a 50% increase in the annual rental of Engine Co. #25 from the King St. Volunteer Fire District #14.

Respectfully submitted,



Charles J. Monzillo, Fire Chief

CJM:kod



CITY OF DANBURY

FIRE DEPARTMENT
19 NEW STREET
DANBURY, CONNECTICUT 06810

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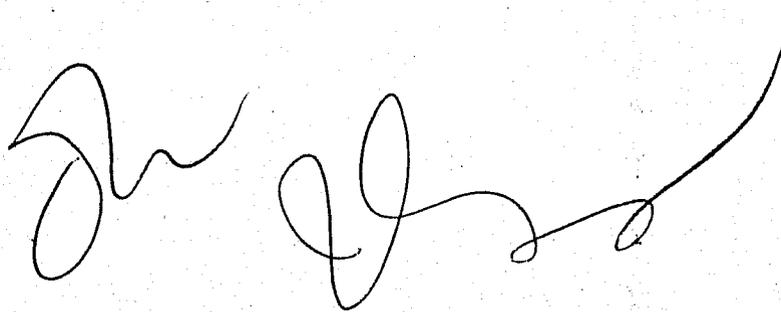
Respectfully submitted,


Charles J. Monzillo, Fire Chief

CJM:kod

Dear Mayor: The attached request from the Fire Chief will require a certification if you so authorize. Thank you.

Mary R.



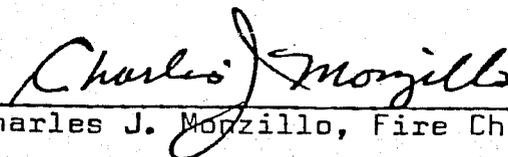
September 20, 1963

To: Mayor James E. Dyer
Members of the Common Council

The purpose of this communication is to request that the sum of \$4000 be appropriated from the Contingency Fund, and transferred to line item #042000 (Heating Fuel).
02-02-110-

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Respectfully submitted,


Charles J. Morzillo, Fire Chief

CJM:kod



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

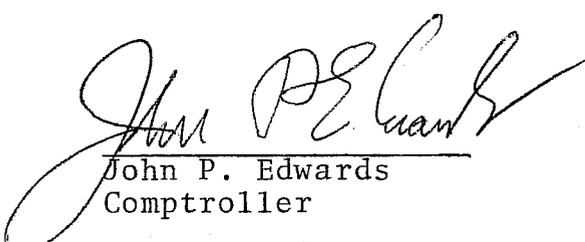
September 30, 1983

TO: Common Council via Certification #11
Mayor James E. Dyer

FROM: John P. Edwards

We hereby certify to the availability of \$4,000.00 in the Contingency Fund for transfer to the Danbury Fire Department, Account #02-02-110-042000 (Heating Fuel).

Previous balance of Contingency Fund	\$189,775.08
Less this request	4,000.00
	<u>\$185,775.08</u>



John P. Edwards
Comptroller

/af



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER

MAYOR

October 4, 1983

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I am making the following promotional appointment in the
Danbury Fire Department:

Lieutenant

Edward Vachovetz
33 Harrison Street
Danbury, Conn. 06810

Effective:

Upon swearing in.

Firefighter Vachovetz has been with the Department for 4½ years, and
was a volunteer prior to appointment. He has a B.S. in Fire Science,
E.M.T. experience.

Very truly yours,

James E. Dyer
Mayor

cc: Chief Monzillo
Comptroller
Payroll
Personnel Dept.



017-1
✓

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANIEL GARAMELLA
Director of Public Works

Telephone:
797-4537

September 13, 1983

TO: Common Council
FROM: D.A. Garamella, Director of Public Works *DAG*
SUBJECT: Reimbursement

Two Bus Shelters were severely damaged by vandalism during the month of August.

No department was designated to include the repairs and/or maintenance in the 1983-84 budget.

I am requesting the sum of \$1730.00, which was taken out of account # 02-03-111-047000 be reimbursed.

Our next year request will include the maintenance and repair of Bus Shelters.

DAG:mp



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 4, 1983

To: Common Council via
Mayor James E. Dyer

Certification # 13

From: John P. Edwards

We hereby certify to the availability of \$1,730. in the Contingency Fund to be transferred to the Public Works Department Account #02-03-110-047000 for expenses incurred as the result of vandalism to bus shelters.

Previous balance of Contingency Fund	\$185,090.08
Less this request	1,730.00
	<hr/>
	\$183,360.08



John P. Edwards
Comptroller

PURCHASE REQUISITION

CITY OF DANBURY, CONNECTICUT

THIS IS NOT AN ORDER

177-13684

DELIVER TO: Highway Dept
Picked up.

DEPARTMENT	DIV.
REQUISITION DATE	DATE REQUIRED
P.O. NUMBER 59547	
CHARGE TO ACCOUNT NUMBER →	DEPT. DIV. ACT. OBJECT CODE
02	03 110 047000

SUGGESTED VENDORS (NAME & ADDRESS) ENCUMBER ▶ **1730.**

(1) <u>COLUMBIA EQUIPMENT CO.</u> <u>180-10 93RD AVE</u> <u>JAMAICA, NY 11433-1499</u> <u>(212) 658-5900</u>	(2)	(3)
---	-----	-----

ITEM	QUANTITY	UNIT	DESCRIBE COMMODITY OR SERVICE REQUIRED IN DETAIL	NEW	REB	FOR PURCHASING USE ONLY				
						ESTIMATED UNIT PRICE	ESTIMATED TOTAL PRICE	(1)	(2)	(3)
1	1	EA	ROOF FOR BUS SHELTER MODEL #2001							
2	2	EA	BACK WALLS							
3	1	EA	RIGHT SIDEWALL							
			Confirmation				1730.00			

I HEREBY CERTIFY THAT COMMODITIES OR SERVICES REQUISITIONED ARE NECESSARY TO CONDUCT PROPERLY THE ACTIVITIES OF THIS AGENCY AND THAT UNENCUMBERED BALANCES ARE AVAILABLE IN THE APPROPRIATION CONCERNED TO DEFRAY THE ESTIMATED COST.

REQUISITIONED BY B. S. Johnson DEPT. OR DIV. HEAD APPROVAL

CERTIFICATION OF FUNDS
 CERTIFIED BY OR FOR THE COMPTROLLER

BY [Signature] DATE 9/7

REQUISITIONER - RETAIN PINK COPY AND FORWARD BALANCE OF FORM TO PURCHASING AGENT



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

REPORT

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

Re: C. D. Parks Property

The Common Council held a public hearing regarding the purchase of the C.D. Parks property on August 31, 1983 at 8:00 P.M. and again on September 20, 1983 at 8:00 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole on September 20th, following the public hearing and recommends that the Mayor appoint a committee to review the Kings Mark study and the recommendations of Keith Colgan in order to develop a long range plan for the intended use of the Park's property should it be purchased by the City of Danbury.

The committee further recommends that the committee be comprised of representatives of the Common Council, the Planning Department and the private sector. The committee members will be appointed by the Mayor and confirmed by the Common Council. The size of the committee will be at the discretion of the Mayor but the reporting date of the committee to the Common Council will be no later than February 1, 1984. Voting in opposition to the reporting date were Councilmen Eriquez, Esposito and Repole.

Respectfully submitted

Constance McManus

Constance McManus

Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS COMMITTEE REPORT

COMMON COUNCIL

October 4, 1983

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

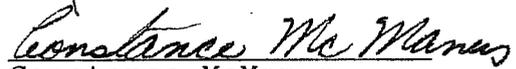
Re: Relocation of easement on Franklin St. Ext.

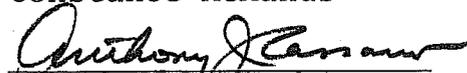
The Public Works Committee reviewed a petition from Rea-Lubar Inc. for the relocation of an easement on a building lot on Franklin Street Extension. The owner petitioned to relocate the easement so as to construct his home over a small stream. A Planning Commission report was received that recommended approval of the petition. The committee ascertained that the supporting piles, which straddle the stream, will cause no obstruction. A fifty foot easement was agreed to by the property owner.

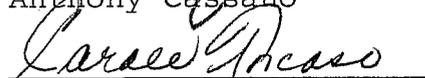
As City safeguards are assured for the upkeep of the streambed, the Public Works Committee recommends approval of the petition.

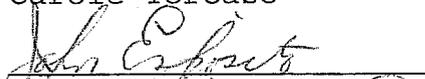
Respectfully submitted


Joseph DaSilva Chairman

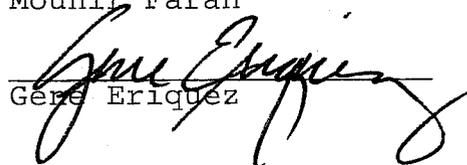

Constance McManus


Anthony Cassano


Carole Torcaso


John Esposito


Mounir Farah


Gene Enriquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS COMMITTEE REPORT

COMMON COUNCIL

October 4, 1983

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

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As City safeguards are assured for the upkeep of the streambed, the Public Works Committee recommends approval of the petition.

Respectfully submitted

Joseph DaSilva Chairman

Constance McManus

Anthony Cassano

Carole Torcaso

John Esposito

Mounir Farah

Gene Enriquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

PUBLIC WORKS COMMITTEE REPORT

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

Re: Exchange of easement on Padanaram Rd. (Petition of D. Barton)

The Public Works Committee reviewed a request to exchange an easement on Padanaram Road. The present easement is over one-hundred years old and houses a feeder line from a City Reservoir which is no longer in use. The City would turn over this easement to the petitioner in exchange for a much larger parcel adjacent to existing piece. This exchange had the approval of the Engineering Department.

The Public Works Committee recommends approval of the exchange of easements. The approval is contingent upon an agreement between the petitioner and the Office of the Corporation Counsel as to the contents of the easements.

Respectfully submitted

Joseph DaSilva Chairman
Joseph DaSilva

Constance McManus
Constance McManus

Anthony Cassano
Anthony Cassano

Carole Torcaso
Carole Torcaso

John Esposito
John Esposito

Mounir Farah
Mounir Farah

Gene Enriquez
Gene Enriquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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Honorable Members of the Common Council

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Respectfully submitted

Chairman

Joseph DaSilva

Constance McManus

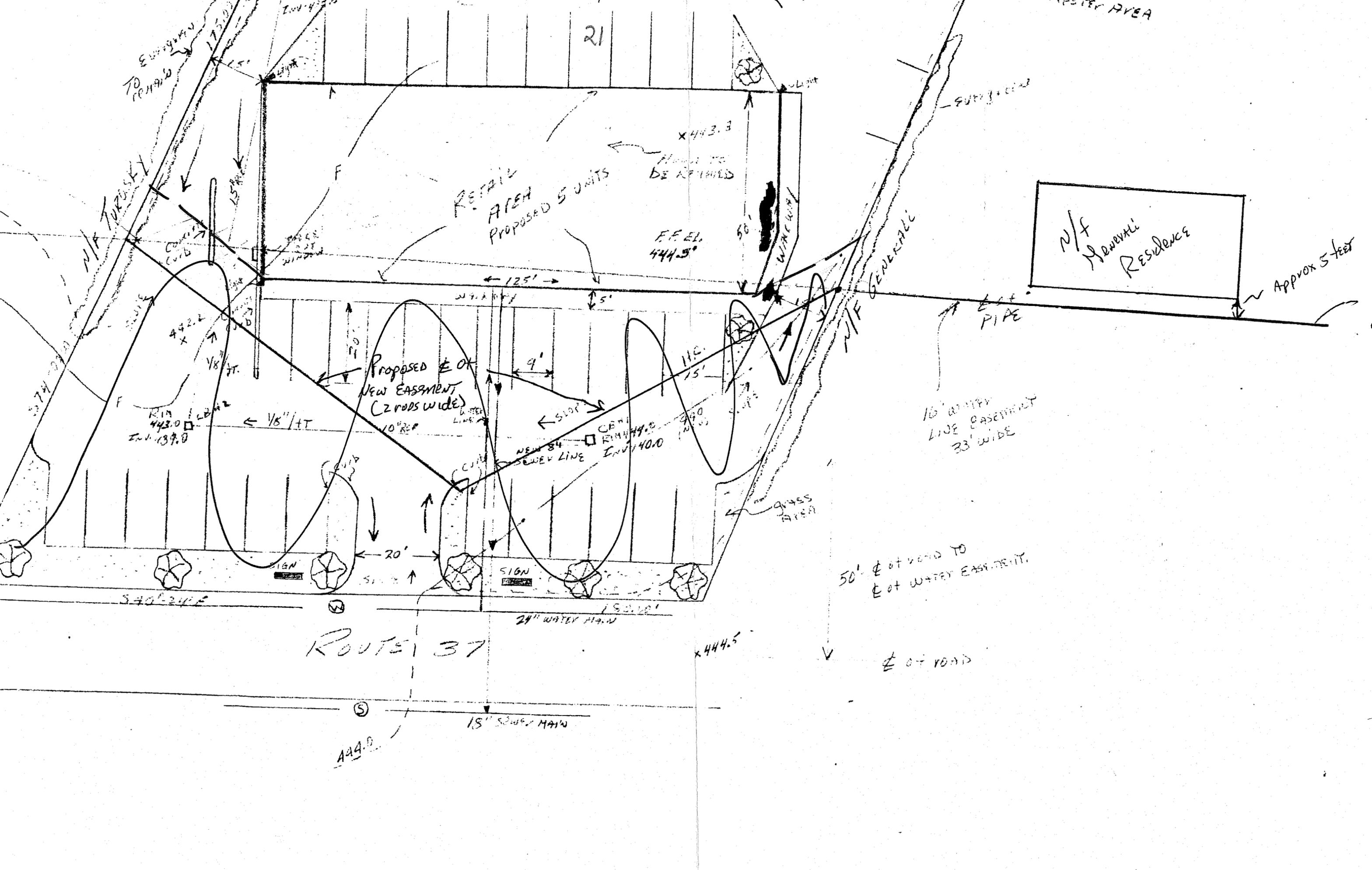
Anthony Cassano

Carole Torcaso

John Esposito

Mounir Farah

Gene Eriquez



21

RETAIL AREA
PROPOSED 5 UNITS

x 443.3
HALL TO
BE REMOVED

F.F. EL.
444.5'

N/f
Mowahli
Residence

Approx 5 feet

Proposed E of
New Easement
(2 rods wide)

ROUTE 37

50' E of road TO
E of WATER EASEMENT.

E of road

18" SEWER MAIN

24" WATER MAIN

10' UTILITY
LINE EASEMENT
33' WIDE

N/A TURUSKY

N/F GENERAL

TO
REMAIN

N/f
Mowahli
Residence

RIN
443.0
IN 139.0

CENT
RIN 444.0
IN 140.0

SIGN

SIGN

x 444.5

444.0

340'-24" E

190'-10" E

← 125' →

← 9' →

← 1/8" HT

← 20' →

1/8" HT

110'
15'

15' FT

GRASS
AREA

PIPE

10' UTILITY
LINE EASEMENT
33' WIDE

50' E of road TO
E of WATER EASEMENT.

E of road

18" SEWER MAIN

24" WATER MAIN

x 444.5

444.0

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x 444.5

444.0



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE

REPORT

October 4, 1983

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

Re: Request to synchronize school maintenance procedures.

The Public Works Committee reviewed a request from the Board of Education to synchronize the procedures for the maintenance of City Schools. The committee met with Superintendent of Schools Dr. Irene Lober, Business Manager W. Skronski and several members of the Board.

After a discussion between the Public Works Committee, representatives of the Board and the Public Works Department, it was decided that the establishment of procedures for the setting of priorities in school maintenance is not the province of the Public Works Committee.

The committee recommended that representatives of the School Administration and representatives of the Public Works Department meet to mutually establish the procedures for priority setting. These should include the making of budget requests and the day to day maintenance problems. The committee could review the procedures upon completion by the parties involved. It is also the hope of the Public Works Committee that a cooperative effort along these lines will bring about the elimination of any friction that may have existed between the two parties concerning school maintenance. It was further recommended that Parks and Recreation Director R. Ryerson, also be consulted as to the upkeep of grounds used both for school and city recreational purposes.

Respectfully submitted

Joseph DaSilva Chairman
Joseph DaSilva

Constance McManus
Constance McManus

Carole Torcaso
Carole Torcaso

John Esposito
John Esposito

Mounir Farah
Mounir Farah

Gene Enriquez
Gene Enriquez
Anthony Cassano
Anthony Cassano



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE
REPORT

October 4, 1983

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

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Respectfully submitted

Joseph DaSilva Chairman

Constance McManus

Carole Torcaso

John Esposito

Mounir Farah

Gene Eriquez

Anthony Cassano



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT

October 4, 1983

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

Re: Drainage and erosion problem on Woodbury Road.

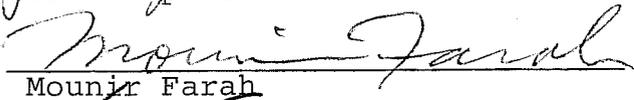
The Public Works Committee re-examined a petition of a drainage and erosion problem on Woodbury Road. The drainage problem apparently comes from an adjacent property on Lamar Road and the erosion problem from a stream running through the petitioner's back yard. These problems were discussed with Public Works D. Garamella, City Engineer, J. Schweitzer, Supt. of Highways, E. Fusek, and Third Ward Councilman R. Foti.

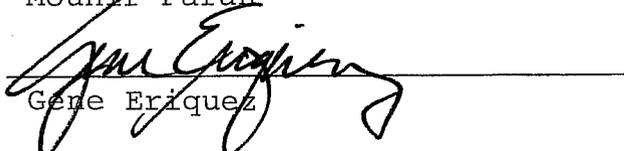
The drainage from LaMar Road is a problem known to the Highway Department. The correction of the problem however, can only be reasonably accomplished by draining the water from the street into the stream that runs through the petitioner's property. While solving one problem it would obviously compound the other, that of the erosion of the banks of the stream.

The problem of the stream bank erosion is well known to the committee. An on-site inspection of the property was held in the Spring. A check on up-stream conditions showed nothing that would have increased the flow of the stream except the excessive rainfall earlier in the year.

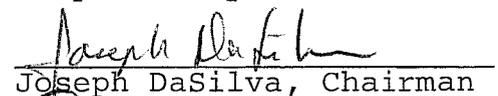
The committee sympathizes greatly with the problems endured by the petitioner but has difficulty recommending solutions. The major problem is that the location of the stream, running through private property, takes the liability out of the City's hands. Unless something is found that shows culpability by the City, we cannot recommend City intervention. By going on to private property to work on a river bank a precedent would be set that the City cannot abide. There are innumerable situations throughout the City that would call for similar City intercession on private property. This, of course, would cause legal and financial problems to the City of great magnitude. As there is no viable solution to the problems presented at this time, the Public Works Committee regretfully recommends that no action be taken.

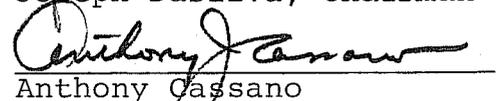

John Esposito


Mounir Farah

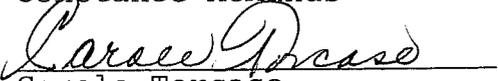

Gene Enriquez

Respectfully submitted


Joseph DaSilva, Chairman


Anthony Cassano


Constance McManus


Larace Procase



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT

October 4, 1983

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

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John Esposito

Joseph DaSilva, Chairman

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Anthony Cassano

Gene Eriquez

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT October 4, 1983

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

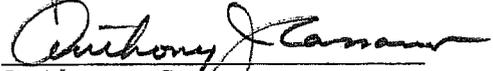
Re: Handicapped ramp at WestConn.

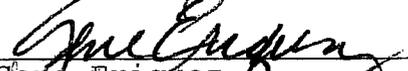
The Public Works Committee studied a request for the installation of a handicapped ramp on Seventh Avenue for the use of Western Connecticut State University. The committee heartily agrees with the need and usefulness of the ramps at this location.

The Public Works Committee recommends the granting of permission to Western Connecticut State University for the installation of handicapped ramps on Seventh Avenue, under the supervision of the Public Works Department.

Respectfully submitted

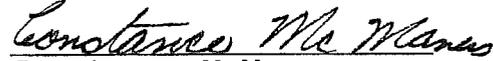

Joseph DaSilva Chairman

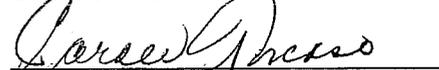

Anthony Cassano


Gene Ericquez


John Esposito


Mounir Farah


Constance McManus


Carole Torcaso



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT October 4, 1983

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

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Anthony Cassano

Gene Eriguez

John Esposito

Mounir Farah

Constance McManus

Carole Torcaso



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT

October 4, 1983

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

Re: Acceptance of Old Hayrake Road as a City Highway.

The Public Works Committee reviewed a petition to accept Old Hayrake Road. An on-site inspection was held by the committee. A report from the City Engineer states that all specifications for acceptance have been met. The Public Works Committee therefore recommends approval of Old Hayrake Road as a City Highway. (Resolution attached)

Respectfully submitted,

Joseph DaSilva Chairman
Joseph DaSilva

Anthony Cassano
Anthony Cassano

Gene Enriquez
Gene Enriquez

John Esposito
John Esposito

Mounir Farah
Mounir Farah

Constance McManus
Constance McManus

Carole Torcaso
Carole Torcaso



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PUBLIC WORKS COMMITTEE REPORT

COMMON COUNCIL

October 4, 1983

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

Re: Acceptance of Old Hayrake Road as a City Highway.

The Public Works Committee reviewed a petition to accept Old Hayrake Road. An on-site inspection was held by the committee. A report from the City Engineer states that all specifications for acceptance have been met. The Public Works Committee therefore recommends approval of Old Hayrake Road as a City Highway. (Resolution attached)

Respectfully submitted,

Joseph DaSilva Chairman

Anthony Cassano

Gene Eriquez

John Esposito

Mounir Farah

Constance McManus

Carole Torcaso

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4, 1983 A. D., 19



RESOLVED by the Common Council of the City of Danbury:

THAT OLD HAYRAKE ROAD be accepted as a Public Highway of the City of Danbury subject to the following conditions:

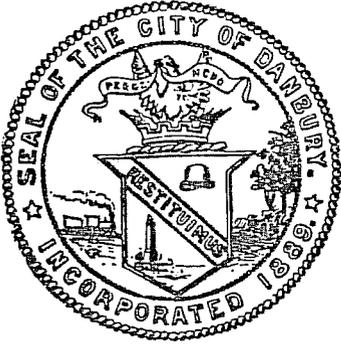
THAT a Deed and Certificate of Title, in form satisfactory to the Office of the Corporation Counsel, be delivered to the City of Danbury.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4, 1983 A. D., 19

RESOLVED by the Common Council of the City of Danbury:



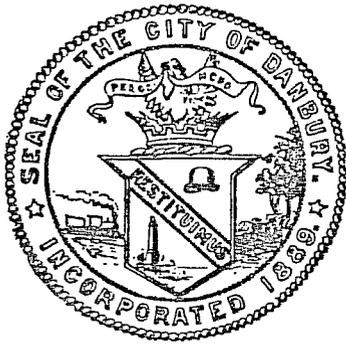
THAT OLD HAYRAKE ROAD be accepted as a Public Highway of the City of Danbury subject to the following conditions:

THAT a Deed and Certificate of Title, in form satisfactory to the Office of the Corporation Counsel, be delivered to the City of Danbury.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4, 1983 A. D., 19



RESOLVED by the Common Council of the City of Danbury:

THAT OLD HAYRAKE ROAD be accepted as a Public Highway of the City of Danbury subject to the following conditions:

THAT a Deed and Certificate of Title, in form satisfactory to the Office of the Corporation Counsel, be delivered to the City of Danbury.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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

Re: Committee Report - Land-Use Procedures

The Common Council committee established to review land-use procedures met on September 22, 1983 at 7:30 P.M. with committee members Torcaso, Eriquez, Foti, Gallo and Leopold present. Also present were Planning Director Leonard Sedney, Assistant Corporation Council Eric Gottschalk and Assistant Corporation Counsel Thomas West.

After a lengthy discussion regarding the need for a policy or Ordinance to determine land-use procedures, with Attorney Gottschalk and Attorney West advising the committee and Mr. Sedney answering questions, Councilman Leopold moved that the committee recommend to the Common Council that they adopt a Resolution that would establish policy for sewer and water extension approval by the Common Council. (Resolution attached). Councilman Foti seconded the motion which passed unanimously.

The committee also decided it should continue its charge by working with land-use entities to determine their role and effects this new policy may have on their agencies.

Respectfully submitted

Carole Torcaso Chairperson
Carole Torcaso

Gene Eriquez
Gene Eriquez

Russell Foti
Russell Foti

Bernard Gallo
Bernard Gallo

John Leopold
John Leopold



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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

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The committee also decided it should continue its charge by working with land-use entities to determine their role and effects this new policy may have on their agencies.

Respectfully submitted

Carole Torcaso Chairperson

Gene Eriquez

Russell Foti

Bernard Gallo

John Leopold

Mary - Rich will write this up?
I don't know what the procedure is.

Resolution —

NO PETITION FOR SEWER LINE EXTENSION OR WATER
LINE EXTENSION SHALL BE APPROVED BY THE COMMON
COUNCIL UNTIL ALL NECESSARY PERMITS, APPROVALS AND/OR
VARIANCES HAVE BEEN OBTAINED FROM THE ZONING BOARD
OF APPEALS, PLANNING COMMISSION, ZONING COMMISSION,
ENVIRONMENTAL IMPACT ^{COMMISSION,} ETC. AFFECTING PROPERTY TO BE
SERVED BY SUCH EXTENSION OR EXTENSIONS

This will have to be on resolution paper, right?

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4 A. D., 1983

RESOLVED by the Common Council of the City of Danbury:



THAT no petition for sewer line extension or water line extension shall be approved by the Common Council until all necessary permits, approvals and/or variances have been obtained from the Zoning Board of Appeals, Planning Commission, Zoning Commission or Environmental Impact Commission affecting the property to be served by such extension or extensions.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 4 _____ A. D., 1983

RESOLVED by the Common Council of the City of Danbury:

THAT no petition for sewer line extension or water line extension shall be approved by the Common Council until all necessary permits, approvals and/or variances have been obtained from the Zoning Board of Appeals, Planning Commission, Zoning Commission or Environmental Impact Commission affecting the property to be served by such extension or extensions.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PUBLIC WORKS COMMITTEE REPORT

October 4, 1983

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

Re: Sale of surplus property.

The Public Works Committee studied a proposal for the sale of surplus city property. A list of all properties owned by the City was first obtained from Mr. T. Fabiano, Risk Manager for the City.

Public Works Department personnel then called from this list the various parcels that are of no use to the City. The Committee then requested a fair market value of these properties from the Office of the Purchasing Agent and the Assessor. An on-site inspection of all the parcels was also performed by the committee.

After study of the properties and their proposed values, the Public Works Committee recommends that the attached list of surplus properties be sold following normal sales procedures of the City, and that the prices listed be the minimum sale price for each parcel.

Respectfully submitted

Joseph DaSilva Chairman
Joseph DaSilva

Constance McManus
Constance McManus

Anthony Cassano
Anthony Cassano

Carole Torcaso
Carole Torcaso

John Esposito
John Esposito

Mounir Farah
Mounir Farah

Gene Enriquez
Gene Enriquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Office of Assessor
797-4556

EVO J. BUTERA C.C.M.A.
Assessor

September 9, 1983

To: Sharon B. Hamilton, C.P.M.

Re: Surplus Property

In reply to your request of September 8, 1983, I have arrived at the following fair market values on the parcels on the attached sheets:

Segar Street:	Lot G16048	7,500.
Pleasant Drive:	Lot J07042 J07045 J07046 J07047 J07049	Minimum 10,000. each
Sandpit Road:	Lot J10185 J10186 K10039 K10037 K10038	3,000. 2,000. 500. 500. 200.
Oakland Avenue:	Lot I11102	10,000.
Virginia Avenue:	Lot J11093	5,000.
Willow Trail:	Lot G04047	5,000.
Great Pasture Road:	Lot K16160	100,000.
Berkshire Place:	Lot J17032	10,000.


Evo J. Butera, C.C.A., C.C.M.A.
Assessor

cc: Mr. J. P. Edwards

RECEIVED
SEP 9 1983
SBP
PURCHASING DEPT.

cc: J. D. ... - Committee
sent on 9/12/83

K16157
TC 6919

5.37 AC

L16005
TC 2960

L16005
TC 2960
TC 6755

K16159
TC 3465

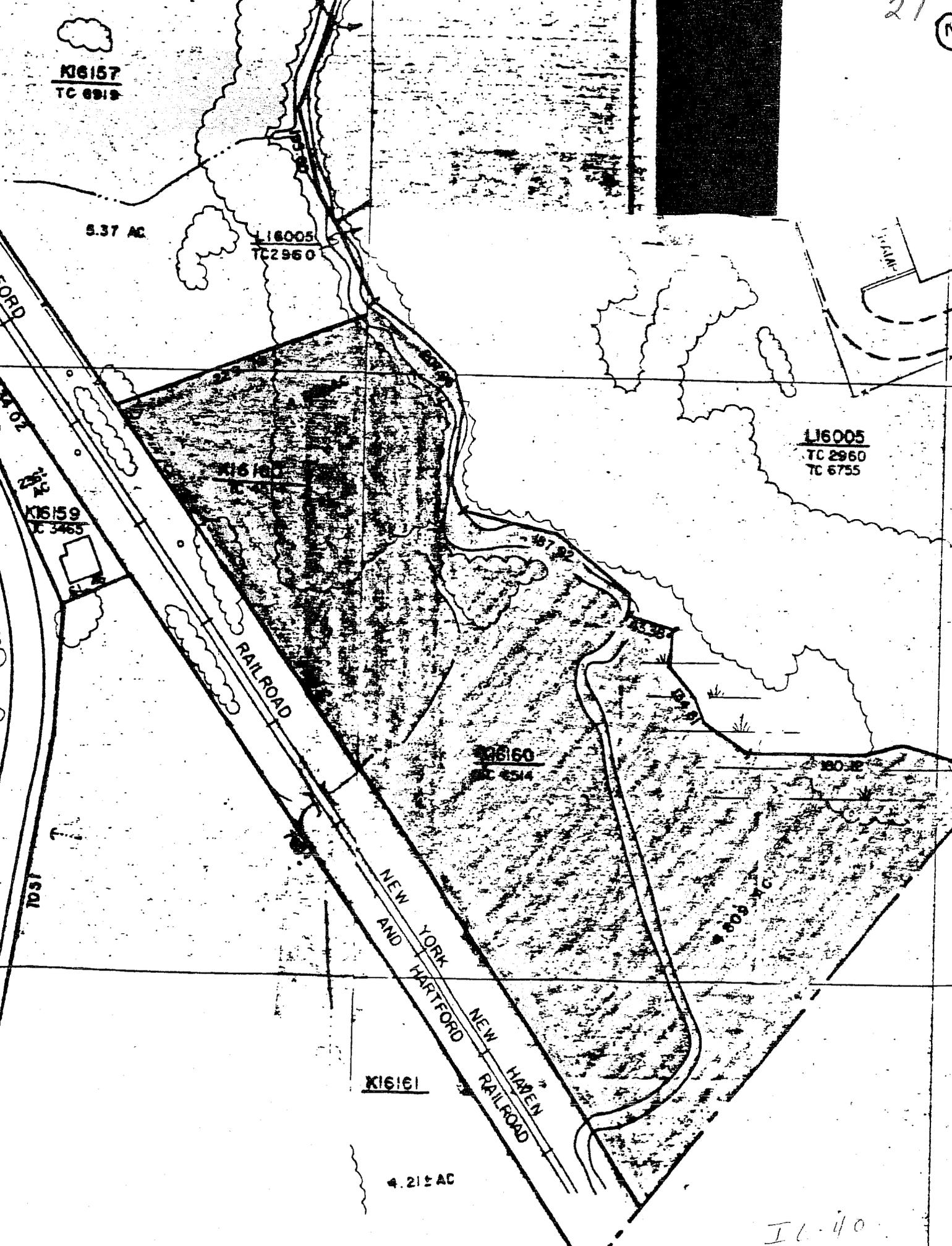
K16160

K16160
TC 6514

K16161

K16161

4.21 ± AC



IL-40



N

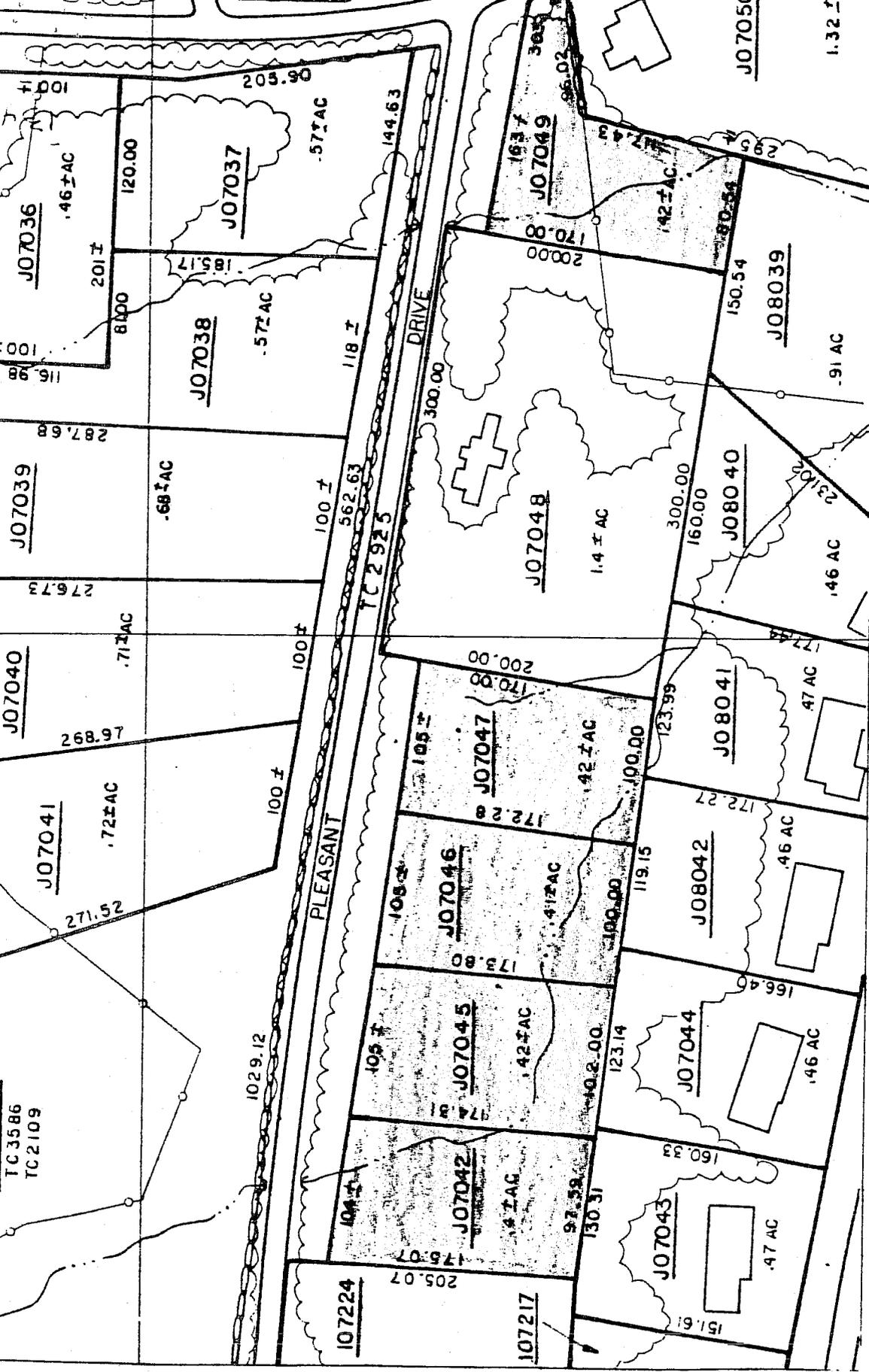
OAKLAND AVENUE

AVENUE

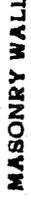
AVENUE

Map labels include lot numbers and acreage measurements such as:

- 120 AC, 150 AC, 170 AC, 180 AC, 190 AC, 200 AC, 210 AC, 220 AC, 230 AC, 240 AC, 250 AC, 260 AC, 270 AC, 280 AC, 290 AC, 300 AC, 310 AC, 320 AC, 330 AC, 340 AC, 350 AC, 360 AC, 370 AC, 380 AC, 390 AC, 400 AC, 410 AC, 420 AC, 430 AC, 440 AC, 450 AC, 460 AC, 470 AC, 480 AC, 490 AC, 500 AC, 510 AC, 520 AC, 530 AC, 540 AC, 550 AC, 560 AC, 570 AC, 580 AC, 590 AC, 600 AC, 610 AC, 620 AC, 630 AC, 640 AC, 650 AC, 660 AC, 670 AC, 680 AC, 690 AC, 700 AC, 710 AC, 720 AC, 730 AC, 740 AC, 750 AC, 760 AC, 770 AC, 780 AC, 790 AC, 800 AC, 810 AC, 820 AC, 830 AC, 840 AC, 850 AC, 860 AC, 870 AC, 880 AC, 890 AC, 900 AC, 910 AC, 920 AC, 930 AC, 940 AC, 950 AC, 960 AC, 970 AC, 980 AC, 990 AC, 1000 AC.



LEGEND

-  DARY
-  ADS
-  ROADS
-  MASONRY WALL
-  FENCES
-  STONE WALL



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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

The Common Council held a public hearing concerning the Ordinance of Abandoned, Inoperable or Unregistered Motor Vehicles on private property, on September 20, 1983 at 8:15 P.M. in the Council Chambers in City Hall.

The Council met as a committee of the whole following the public hearing and recommends to the Council that the Ordinance be adopted.
Councilmen McGarry, Repole, Cassano and Evans voted in the negative.

Respectfully submitted

Constance McManus
Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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Respectfully submitted

Constance McManus
Common Council President



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

October 4, 1983

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

Sec. 1. The common council, pursuant to § 14-150a of the Connecticut General Statutes, declares that abandoned, inoperable or unregistered motor vehicles represent a public nuisance and a hazard to the health and welfare of the citizens of the City of Danbury which may be abated as such in accordance with the provisions of this ordinance.

Sec. 2. No person shall park, store, or leave any motor vehicle of any kind which is abandoned, inoperable or unregistered upon property other than his own without the consent of the owner thereof.

Sec. 3. Any officer of the Danbury Police Department shall upon initial discovery of an abandoned, inoperable or unregistered motor vehicle, affix to that vehicle, in a manner readily visible, a notification sticker containing the following information:

1. the date and time when the sticker was affixed;
2. a statement that the vehicle must be removed within thirty (30) days;
3. a location and telephone number where additional information can be obtained;
4. the identity of the affixing officer.

In addition, the affixing officer shall inform the Chief of Police in writing of the location and description of each such abandoned, inoperable or unregistered motor vehicle.

Sec. 4. Upon receipt of such information the chief shall cause notice to be mailed by certified mail, return receipt requested, to the last registered owner of the abandoned, inoperable or unregistered motor vehicle, if known, and to the owner of the property upon which such motor vehicle remains, requesting removal of said vehicle. Such notice shall also provide fair and adequate warning of the authority of the city to dispose of the vehicle involved thirty (30) days following written notice and publication as required herein and further advising the owner of the motor vehicle, if known, of his right to a hearing in accordance herewith.



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

October 4, 1983

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

Sec. 5. In addition to the notice provided for in Sec. 4 hereof, the chief shall cause notice to be published twice in a newspaper having general circulation within the City of Danbury of the intention of the city to dispose of such abandoned, inoperable or unregistered motor vehicle thirty (30) days following publication and advising of hearing rights accorded pursuant to Section 6.

Sec. 6. Any motor vehicle owner receiving notice pursuant to Section 4 or 5 hereof may, within seven (7) days of receipt of such notice, file a written request for a hearing before a hearing officer to be appointed by the Mayor. All such hearings shall be held as soon as practicable after the filing of the request. Individuals so requesting a hearing shall be advised of the time and place of said hearing at least five (5) days in advance thereof. At any such hearing the City and the owner may introduce such witnesses and evidence as either party deems necessary. The disposal of vehicles authorized by Section 7 hereof shall be stayed pending the outcome of any hearing held pursuant hereto.

Sec. 7. Subject to the provisions of Section 6 the chief or his designee is empowered to remove and dispose of abandoned, inoperable or unregistered motor vehicles at any time after the thirtieth day next succeeding the publication provided for in Section 5 upon such terms and conditions, including sale, as he deems to be in the best interests of the City of Danbury.

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

Adopted by the Common Council October 4, 1983.
Approved by Mayor James E. Dyer, October 5, 1983.

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

REPORT

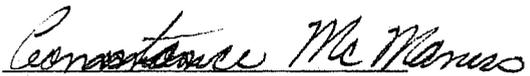
Honorable Mayor James E. Dyer
Honorable Members of the Common Council

The Common Council held a public hearing for the proposed amendments to the Itinerant Vendors and Peddlers Ordinance, on September 20, 1983 at 8:30 P.M. in the Council Chambers at City Hall.

The Council met as a committee of the whole following the public hearing and again on September 27, 1983 at 7:30 P.M.

The committee recommends that the amendments not be adopted.

Respectfully submitted


Constance McManus
Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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

The Common Council held a public hearing for the proposed amendments to the Itinerant Vendors and Peddlers Ordinance, on Sept. 20, 1983 at 8:30 P.M. in the Council Chambers in City Hall.

The Council met as a committee of the whole following the public hearing and again on September 27, 1983 at 7:30 P.M.

1. The committee recommends that the existing Ordinance be repealed.
2. The committee further recommends that a committee be appointed to formulate a new Itinerant Vendors & Peddlers Ordinance.

Respectfully submitted

Constance McManus

Constance McManus
Common Council President



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by the repeal of Section 11-4 thereof.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983
~~September 6, 1983~~

PUBLIC WORKS COMMITTEE REPORT

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

Re: S.N.E.T. minihut on Padanaram Rd.

The Public Works Committee reviewed a request from the S.N.E.T. Co. for an easement on City property on Padanaram Road. They wish to build a minihut on the property to service telephone lines in the area.

The Public Works Department personnel report no problems with the site of the building, which also houses a City pumping station.

Discussions with representatives of S.N.E.T. brought forth an agreement to plant adequate shrubbery around the structure and to face it with brick so that it would conform with the present building on the location.

The Public Works Committee recommends the attached easement for the location of a minihut on Padanaram Road be granted to the S.N.E.T. Co. with the stipulation that adequate shrubbery be planted and that the exterior walls of the structure be faced with brick.

Respectfully submitted

Joseph DaSilva Chairman
Joseph DaSilva

Constance McManus
Constance McManus

Anthony Cassano
Anthony Cassano

Carole Torcaso
Carole Torcaso

John Esposito
John Esposito

Mounir Farah
Mounir Farah

Gene Erquez
Gene Erquez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

PUBLIC WORKS COMMITTEE REPORT

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

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Respectfully submitted

Joseph DaSilva Chairman

Constance McManus

Anthony Cassano

Carole Torcaso

John Esposito

Mounir Farah

Gene Erquiez



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 4, 1983

To: Common Council via
Mayor James E. Dyer

Certification # 15

From: John P. Edwards

We hereby withdraw Certification #11 in the amount of \$4,000. and recertify from the Contingency Fund Account this amount to support item 032 of the Common Council Agenda "Leasing premises with King St. Volunteer Fire Department". Money to be transferred to the Danbury Fire Department to support the appropriate disbursement.

Previous balance of Contingency Fund	\$178,819.58
Certification #11 withdrawn	+4,000.00
Less this request	-4,000.00
	<hr/>
	\$178,819.58


John P. Edwards
Comptroller



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

REPORT

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

Re: Leasing Premises with the King Street Volunteer Fire Department.

The committee appointed to study the renewal of this lease met on September 1, 1983 in room 432 at City Hall.

Committee members T. Evans and J. Leopold were present; C. Torcaso was excused because of business out of town. Also present were Warren Levey, President of the King Street Volunteer Fire Department and several trustees of the department, namely, M. Hrobcsak, J. Nimmons, E. Hannah, and A. Roberts.

After a discussion of terms, Mr. Evans moved and Mr. Leopold seconded a motion that the same lease be written for a ten year period, but that references to construction be deleted, that the annual rent retroactive to July 1, 1983 be raised to \$12,000 (from \$8,000) a year and that the tenant pay metered electrical costs after the Landlord at his own expense installs a separate meter for the leased portion of the premises. The new text is to be approved by the Corporation Counsel. Motion carried.

Since the meeting, the Common Council approved an interim report detailing the changes suggested by the committee. A lease has now been drawn up and approved by the Corporation Counsel and the King St. Volunteer Fire Department. The committee recommends approval of the lease and the release of funds necessary to complete the agreement.

Respectfully submitted

John A. Leopold

Chairman

Thomas Evans

Carole Torcaso

THIS INDENTURE OF LEASE made this day of September, 1983 by and between KING STREET VOLUNTEER COMPANY, INC., a non-stock corporation, with its principal office at South King Street, Danbury, Connecticut, hereinafter referred to as LANDLORD and CITY OF DANBURY, a municipal corporation located in the County of Fairfield and State of Connecticut, hereinafter referred to as TENANT,

W I T N E S S E T H :

1. The LANDLORD, in consideration of the rents and covenants hereinafter reserved and contained on the part of the TENANT to be paid, performed and observed, does hereby demise and lease unto the TENANT that certain portion of a building situate at South King Street, being shown as the proposed twenty foot addition, being sixty-four feet, more or less, by twenty feet, on a certain plot plan entitled "PLOT PLAN SHOWING PROPOSED ADDITION PREPARED FOR KING ST. VOLUNTEER FIRE COMPANY, DANBURY, CONNECTICUT, SCALE 1" = 100'", which plot plan is dated April 19, 1972 and is certified substantially correct by Surveying Associates, P.C., Danbury, Conn.

Together with the use of the parking area as shown on said plot plan.

The leased premises shall be used by the TENANT only for the purposes of a municipally owned and operated fire department with uses reasonably related thereto.

2. The term of this lease shall commence on JULY 1, 1983 and shall terminate JUNE 30, 1993 unless extended by TENANT as hereinafter provided. The TENANT shall have the right and privilege to renew this lease for three (3) successive five (5) year periods on the same terms and conditions EXCEPT as to rental which is hereinafter provided for and EXCEPT as to any further renewals at the termination of said third five (5) year period provided, however, that TENANT shall give to LANDLORD notice in writing of its intention to renew said lease at least one year prior to the termination of said initial

ten (10) year term and/or one year written notice prior to the termination of any such five (5) year renewal period as the same may apply.

3. The rent for the first ten (10) years of the leased term shall be One Hundred Twenty Thousand (\$120,000) Dollars which shall accrue annually at the rate of Twelve Thousand (\$12,000) Dollars payable on the first day of JULY in each and every year.

The TENANT shall be responsible for all telephone charges as well as for all metered electrical charges incurred by it. The LANDLORD shall be responsible for the installation of an electricity metering device as well as for all other utility charges.

After the termination of the first ten (10) year term, the annual rent thereafter shall be determined by the LANDLORD and notice thereof shall be given to the TENANT within thirty (30) days of the commencement of each such successive year after said ten (10) year term and in determining said annual rent the LANDLORD shall be allowed all of its projected costs and expenses in connection with the upkeep, repair and maintenance and charges including utilities connecting and relating to said leased premises. The payment of said annual rent shall continue to be due and payable on the said first day of JULY of each and every year.

4. LANDLORD covenants that it has fee simple title to the leased premises and full right and authority to make this lease; that said premises are free and clear of all liens, restrictions, or leases which would restrict, limit or prevent TENANT'S operation as hereinafter provided. TENANT, on paying the rent and performing and observing the covenants and provisions hereof, may peaceably and quietly hold and enjoy said leased premises for the term hereinafter specified, but not otherwise, subject, however, to all the terms and provisions of this lease.

5. The TENANT covenants and agrees with the LANDLORD that it, the said TENANT, will, during the term of this lease pay to the LANDLORD the

annual rents above stipulated as well as all other sums that may become due hereunder, or be payable by the TENANT hereunder, at the times and in the manner herein provided. All of said other sums shall be deemed to be, and treated as building services payable hereunder and, in the event of non-payment the LANDLORD shall have all the rights and remedies herein provided for in case of non-payment of rent.

6. TENANT further covenants and agrees with LANDLORD and LANDLORD covenants and agrees with TENANT as follows:

A. TENANT shall take good care of the leased premises and, at its own cost and expense, shall make all necessary repairs of a minor nature to the interior of the leased premises other than repairs due to a common use by other occupants of the building rather than by TENANT only, and shall correct or repair any damage to the interior or the exterior of the leased premises specifically caused by the acts or omissions of the TENANT, its agents, servants, employees, visitors or licensees; LANDLORD shall, except as noted above, make all necessary structural repairs to the leased premises, including repairs to the roof and the heating, plumbing and electrical systems. The TENANT shall quit and surrender the leased premises at the end of the demised term in as good condition as the reasonable use thereof will permit, and shall not make any alterations, additions or improvements other than herein specified to said premises without the prior written consent of the LANDLORD, which consent shall not be unreasonably withheld after receipt of written request by TENANT, and in the event that no answer is received within thirty (30) days after receipt of said written request, LANDLORD shall be deemed to have given its consent to the request as made. In each and every case, TENANT in making necessary repairs and authorizing alterations, additions or improvements, shall do all work at its own cost and expense and in full accordance with all rules and regulations of the municipal authorities in control of such matters and shall save the LANDLORD harmless for any cause

arising from the making of such repairs or alterations. TENANT shall have the right, if it so desires, to erect and remove movable partitions within the leased premises, to remove or relocate existing movable partitions, to install and remove its own lighting fixtures, shelving and window air-conditioning units, providing that it takes all reasonable and necessary steps to prevent damage to the part of the building to which these items might be attached or from which they might eventually be removed.

TENANT further covenants and agrees that LANDLORD or its duly designated representatives shall, at all reasonable times, have the right to inspect the leased premises and to make necessary repairs therein which TENANT is obligated to make if said TENANT, after reasonable notice, fails to do so (there being, however, no obligation on the part of LANDLORD to make any such repairs). Any and all expenses incurred by the LANDLORD in making such repairs shall be added to and become a part of the amounts due hereunder as building services.

B. TENANT shall promptly execute and, at its own expense, comply with all statutes, ordinances, rules, orders, regulations and requirements of the Federal, State and municipal governments within the time required by law, provided that same relate to TENANT'S activities on the leased premises. LANDLORD agrees to give TENANT prompt notice of any such applicable statutes, ordinances, rules, regulations and requirements that shall be directed to LANDLORD as owner of the demised premises.

In case the TENANT shall fail or neglect to comply as aforesaid or to make any repairs necessary for such compliance, then the LANDLORD or its agents may enter said premises and make said repairs and comply with any and all of the said statutes, ordinances, rules, regulations, orders
/and requirements at the cost and expense of the TENANT and in case of the TENANT'S failure to pay therefore, the said cost and expense shall be added to the next year's rent and be due and payable as building services or the

LANDLORD may deduct the same from the balance of any sum remaining in the LANDLORD'S hands.

C. If the TENANT shall be dispossessed for non-payment of rent, or for other breach of the covenants and obligations hereunder made, or if the leased premises shall be deserted or vacated, the LANDLORD or its agent shall have the right to and may enter the said premises as the agent of the TENANT, either by force or otherwise, without being liable for any prosecution or damages therefor, and may re-let the premises as the agent of the TENANT, and receive the rent therefor, upon such terms as shall be satisfactory to the LANDLORD, and all rights of the TENANT to repossess the premises under this lease shall be forfeited. Such re-entry by the LANDLORD shall not operate to release the TENANT from any rent to be paid or covenants to be performed hereunder during the full term of this lease.

The LANDLORD shall be authorized to make such repairs or alterations in or to the leased premises as may reasonably be necessary to place the same in good order and condition for the purpose of re-letting. The TENANT shall be liable to the LANDLORD for the cost of such repairs or alterations, and for other reasonable expenses of such re-letting. LANDLORD shall use its best efforts to re-let the leased premises and to collect the rent under such lease, but LANDLORD shall not be liable in any respect for failure to re-let the leased premises or, in the event of re-letting, for failure to collect such rent.

If the sum realized or to be realized from the re-letting is insufficient to satisfy the monthly or term rent provided in this lease, the LANDLORD, at its option, may require the TENANT to pay such deficiency month by month, or may hold the TENANT in advance for the entire deficiency to be realized during the term of the re-letting, except as to that portion of the rent that relates to LANDLORD'S actual cost in providing the leased premises with electricity. The LANDLORD shall not in any event be required

to pay the TENANT any surplus of any sums received by the LANDLORD in a re-letting of said premises in excess of the rent reserved in this lease.

D. TENANT shall immediately remove all of its personal property from the leased premises upon the termination of this lease, (unless TENANT is prevented from same by causes beyond its control, in which case a reasonable time shall be allowed for removal) and shall at its own cost and expense make all repairs necessitated by the removal of said personal property; if the TENANT fails to remove said personal property as herein provided, the LANDLORD, at the option of the LANDLORD, may remove the same in any manner that the LANDLORD shall choose, and store said property without liability to the TENANT for loss thereof, and the TENANT agrees to pay the LANDLORD on demand any and all expenses incurred in such removal, including court costs and attorney fees and storage charges on such personal property for any length of time the same shall be in the LANDLORD'S possession; or the LANDLORD, at the option of the LANDLORD, without notice, may sell all of said property, or any parts of the same, at private sale and without legal process for such prices as the LANDLORD may obtain, and apply the proceeds of such sale to any amounts due under this lease from the TENANT to the LANDLORD and/or to the expense incident to the removal and sale of said property, rendering the surplus, if any, to the TENANT.

E. TENANT shall not assign this lease or sub-let the leased premises.

7. THE LANDLORD shall not be responsible at any time or in any event for any latent defect, deterioration or change in the condition of the demised premises, nor for damage to the same, or to any property contained therein, nor for injury to person whether caused by any overflow or leakage upon or into the demised premises of water, steam, gas or electricity, or by any breakage in pipes or plumbing, or breakage, leaking or obstruction of soil pipes, nor for damage from any other source, nor for loss of property by theft or otherwise unless the said damage, loss or injury shall be caused

by or due to the negligence of the LANDLORD, or the LANDLORD'S agent, servant or employee. In the event that the demised premises, or any part thereof, are rendered untenable, or the TENANT is deprived of the use of the demised premises by any cause whatever, or the TENANT claims that there is any defect in the premises caused by the negligence of the LANDLORD or otherwise, the TENANT shall give notice to the LANDLORD and a reasonable opportunity shall be given to the LANDLORD to remedy the condition set forth in said notice. Failure to give such notice shall be construed as a waiver of such condition or defect and of any and all claims to the effect that the TENANT has been evicted, wholly, partly or constructively, from the demised premises. Any provisions contained elsewhere herein are not to be construed as an increase of the LANDLORD'S obligations hereunder.

Except as otherwise expressly provided in this lease, and particularly as provided in Paragraphs 9 and 10 hereof, no compensation, reduction of rent or claim shall be made by the TENANT by reason of inconvenience or annoyance or loss of business, arising from the necessity of the LANDLORD'S entering the demised premises for any of the purposes in this lease authorized, or for repairing the demised premises or any other portion of the building, however the necessity may occur, provided that LANDLORD pursues with all due diligence and effort any such repairs or other matters for which LANDLORD so enters and that LANDLORD also uses its best efforts to avoid causing such inconvenience, annoyance or loss of business to TENANT.

In case the LANDLORD is prevented from making any repairs, improvements, decorations or alterations, or installing any fixtures or articles of equipment, furnishing any services or performing any other covenant or duty, whether expressed herein or implied, to be performed on the LANDLORD'S part, due to the LANDLORD'S inability to obtain labor or materials necessary therefor, or due to any governmental rules or regulations relating to the priority of national defense requirement or due to any other cause beyond the LANDLORD'S control, the LANDLORD shall not be liable to the

TENANT for damages resulting therefrom nor, except as and if expressly otherwise provided in this lease, shall the TENANT be entitled to any abatement or reduction of rent by reason thereof, nor shall the same give rise to a claim in the TENANT'S favor that such failure constitutes actual or constructive, total or partial, eviction from the premises.

8. A. The TENANT at the TENANT'S sole cost and expense and for the mutual benefit of the LANDLORD and the TENANT shall maintain comprehensive public liability insurance, including property damage, covering the demised premises and in amounts not less than \$100,000.00 for any one person injured or killed and not less than \$750,000.00 for any one accident and not less than \$100,000.00 for property damage per accident. The TENANT agrees that it will procure endorsements on the said policy wherein and whereby the insurance company will agree that the LANDLORD will be given ten (10) days advance written notice of any cancellation or reduction of insurance under such policy and that copies of all endorsements issued after the date of such policy will be forwarded to the LANDLORD. Such policy is to name the LANDLORD as insured. In the event the TENANT fails to pay any premium on such policy when due, the LANDLORD may at its option pay same and add the amount of such payment as additional rent to the next year's rent, and the LANDLORD shall have all rights and remedies including summary proceedings, with respect to the same as with respect to rent. TENANT shall furnish LANDLORD with a certificate of said insurance.

B. TENANT agrees that it will, at its own cost and expense, keep its own machinery, equipment, fixtures and other personal property adequately insured during the demised term against loss or damage by fire under a policy containing usual extended coverage endorsements.

C. LANDLORD agrees to keep the building complex of which the leased premises are a part insured against loss or damage by fire under a policy containing usual extended coverage endorsements.

9. In the event of the destruction of the leased premises or the building containing the same premises by fire, explosion, the elements or otherwise during the term hereby created, or previous thereto, or such partial destruction thereof as to render the premises wholly untenable or unfit for occupancy or should the demised premises be so badly injured that the same cannot be repaired within ninety days from the happening of such injury, then and in such case the term hereby created shall at the option of either party, cease and become null and void from the date of such damage or destruction, and the TENANT shall immediately surrender said premises and all the TENANT'S interest therein to the LANDLORD, and shall pay rent only to the time of such surrender, in which event the LANDLORD may re-enter and re-possess the premises thus discharged from this lease and may remove all parties therefrom. Should the demised premises be rendered untenable and unfit for occupancy, but yet be repairable within ninety days from the happening of said injury, the LANDLORD agrees to enter and repair the same with reasonable speed, and the rent shall not accrue after said injury or while repairs are being made, but shall recommence immediately after said repairs shall be completed. In the event that the premises are rendered partially untenable during such period of repair, the rent shall be abated pro rata. But if the premises, without fault of the TENANT, shall be so slightly injured as not to be rendered untenable and unfit for occupancy, then the LANDLORD agrees to repair the same with reasonable promptness and in that case the rent accrued and accruing shall not cease or determine. The TENANT shall immediately notify the LANDLORD in case of fire or other damage to the premises.

10. A. In the event the leased premises or any part thereof shall be condemned and taken for a public or quasi-public use or by any right of eminent domain, any award made as compensation either to LANDLORD or TENANT for the taking of said premises, or part thereof, except for property

thereon belonging to TENANT including TENANT'S personal property and any building additions or alterations which TENANT constructs, shall be paid to and retained by LANDLORD, and TENANT agrees to execute such instruments of assignment as may be reasonably required by LANDLORD in any petition or action for recovery of such damage. Any award made as compensation for the taking of any property belonging to TENANT shall be payable to TENANT. TENANT may at its expense take independent proceedings against the public authority exercising the power of eminent domain to prove and establish any special damage TENANT may have sustained because of such taking, including, but not limited to, moving expenses, and shall be entitled to any award for such damage.

B. In the event that the whole of the demised premises is taken in condemnation proceedings or by any right of eminent domain, or in the event that a portion of the premises is taken and as a result thereof TENANT is unable to conduct its business in a normal manner then, on the happening of any such event, this lease and the term hereby granted and all rights of TENANT hereunder shall cease and expire as of the date when TENANT is required to vacate said premises.

C. In the event that portion of the leased premises, or any part thereof, including the parking areas and access ways, shall be taken by any method referred to above and said taking does not give rise to a termination of this lease, then this lease shall not terminate but shall continue on either of the following bases:

(i) LANDLORD may provide suitable and reasonably accessible parking area and access ways for the TENANT to replace any such area taken and may construct an addition to the remaining portion of the building sufficient to allow the TENANT to continue to use the leased premises for the same purpose for which it was used immediately prior to such taking so that the leased premises shall be equivalent to the original leased premises, in which event the rent shall be reduced only on a temporary basis to adjust for TENANT'S temporary partial loss of use of the leased premises,

OR

(ii) LANDLORD may not replace the parking area or construct such addition, in which event the rent paid by TENANT hereunder shall be

permanently reduced by an amount which fairly represents the TENANT'S partial loss of use of the leased premises.

In the event the parties are unable to agree as to whether the taking is of all or so much of the leased premises as will render the remaining premises unusable or inadequate for the TENANT'S business, or if such taking is partial and the LANDLORD and TENANT cannot agree as to the amount by which the rent should be reduced, the matter shall be submitted to arbitration unless the TENANT is otherwise prevented by law from submitting same to arbitration, then and in that event same shall be submitted to a proper court of law. The LANDLORD shall choose one arbiter and the TENANT shall choose one arbiter, and if the two arbiters cannot agree, then the said two arbiters shall choose a third arbiter, and the decision of the majority of the three arbiters shall be final. Each party must choose its arbiter within ten (10) days of being notified that one of the parties cannot agree with the contention of the other party, and the decision of the arbiters shall be made in writing and delivered to the respective parties within thirty (30) days after the appointment of the two arbiters representing the respective parties. Each party shall pay the expense of its own arbiter; and the expenses of the third arbiter, if one shall be necessary, shall be equally divided between the LANDLORD and the TENANT.

Other than the provisions in regard to arbitration herein set out, the arbitration shall be governed by the applicable laws of the State of Connecticut.

11. This lease is made and accepted subject and subordinate in law and in equity to the lien of any future mortgages or any extensions, modifications or renewals thereof, so long as the same are conventional bank mortgages (or the equivalent), which may encumber or be made a lien upon the land and buildings herein leased. The TENANT agrees to execute, acknowledge and deliver any and all instruments requested by the LANDLORD to subordinate this lease to the liens of such future mortgages and such extensions, modifications and

renewals thereof. In this respect, however, LANDLORD and TENANT agree that in the event LANDLORD defaults in the payment of any mortgage obligations affecting said premises, then TENANT shall have the right to make said mortgage payments on LANDLORD'S behalf and in turn shall have the right and privilege to offset said payments against the rentals to be paid by it hereunder. LANDLORD further agrees that the TENANT shall have the right to give all existing mortgage holders notice of this provision and so request that any copies of notice of any default be sent to TENANT.

12. If the TENANT shall fail to pay any installment of the fixed rent or any additional rent or other charges as and when the same shall become due and payable, and such default shall continue for a period of ten (10) days after notice, or if the TENANT shall default in the performance of any of the other terms, covenants or conditions of this lease and such default shall continue for a period of twenty (20) days after notice, or if any execution shall be issued against the TENANT or any of TENANT'S property whereby the demised premises shall be taken or occupied by someone other than the TENANT, or if the TENANT shall fail to take possession of the demised premises within forty-five (45) days after the commencement of the term of this lease, or if the TENANT shall vacate and abandon the leased premises, or if this lease or the estate of the TENANT hereunder shall be transferred or pass to or devolve upon any other person, firm or corporation, except in the manner provided in this lease, or if the TENANT shall assign, mortgage or encumber this lease, without the prior written consent of the LANDLORD or, as otherwise provided in this lease the LANDLORD shall have the right, at the LANDLORD'S option, to terminate this lease and the term hereof, as well as all the right, title and interest of the TENANT hereunder, by giving the TENANT fifteen (15) days' notice in writing of such intention, and upon the expiration of the time fixed in such latter notice, if such default be not cured prior thereto or (except a default for non-payment of rent or additional rent) TENANT shall not then be diligently engaged in good faith in prosecuting

the work necessary to remove said cause or in taking the steps necessary to remedy said default, this lease and the term hereof, as well as all the right, title and interest of the TENANT hereunder, shall wholly cease and expire in the same manner and with the same force and effect (except as to the TENANT'S liability) as if the date fixed by such latter notice were the expiration of the term herein originally granted; and the TENANT shall immediately quit and surrender the leased premises to the LANDLORD and the LANDLORD may enter into or repossess the leased premises, either by force, summary proceedings or otherwise, without being liable for any damages therefor.

The right granted to the LANDLORD in this article or any other article of this lease shall apply to any extension or renewal of the term hereby granted, and the exercise of any such right by the LANDLORD during the term hereby granted shall terminate any extension or renewal of the term hereby granted and any right on the part of the TENANT thereto.

13. All notices or demands provided for or which may be given by either party to the other under the terms of this lease, notwithstanding statutory authority permitting the service of such notices or demands in some other manner, shall be in writing and signed by the party giving the notice or making the demand. All such notices to or demands on the LANDLORD shall be either delivered personally or be sent by registered or certified mail to the LANDLORD, South King Street, Danbury, Connecticut, or at such other place as the LANDLORD shall designate in writing to the TENANT. All such notices to or demands on the TENANT shall either be delivered personally by leaving the same with the person in charge of the leased premises or be sent by registered or certified mail addressed to the TENANT at the leased premises or at such place as the TENANT shall designate in writing to the LANDLORD.

14. It is understood and agreed between the parties hereto that any payment or receipt thereof by the LANDLORD or its agents of any amount less than the full amount to which it deems it is entitled shall not operate or be deemed to operate as a settlement or satisfaction of the rent or other amount

due, notwithstanding any statement or endorsement on the check or other paper accompanying the payment, but it shall be deemed to have accepted said payment without prejudice and subject to its right to collect the balance as well as subject to any and all other rights available to it by law and under this lease.

It is further understood and agreed between the parties that the receipt by the LANDLORD of any rent or of any other sums of money or any other consideration hereunder paid by the TENANT after the termination in any manner of the term herein leased, or after the giving by the LANDLORD of any notice hereunder to effect such termination, shall not reinstate, continue or extend the term herein leased, or destroy, or in any manner impair the efficacy of any such notice of termination as may have been given hereunder by the LANDLORD to the TENANT prior to the receipt of any such sum of money or other consideration unless so agreed to in writing and signed by the LANDLORD. Neither acceptance of the keys or any other act or thing done by the LANDLORD or any agent or employee during the term herein leased shall be deemed to be an acceptance of a surrender of said premises, excepting only an agreement in writing signed by the LANDLORD accepting or agreeing to accept such a surrender.

15. It is distinctly understood and agreed between the parties hereto that the failure of either party to insist upon the strict performance of any of the terms, covenants or conditions of this lease, or the consent of either party, expressed or implied, to any act or omission to act by the other party in breach or default thereof, shall not be deemed or construed to be a waiver of any such term, covenant, or condition or of any term, covenant or condition in this lease, except for that instance only, and shall not constitute or be construed as a waiver of any such term, covenant or condition or of any further or future breach or default thereof.

16. It is further understood and agreed between the parties that any and all provisions in this lease which provide for the payment to the

LANDLORD of certain amounts as "additional rent" shall be in addition to the right of LANDLORD to terminate this lease by reason of any default on the part of the TENANT as herein provided.

17. The TENANT shall pay and indemnify the LANDLORD against all legal costs and charges, including counsel fees, lawfully and reasonably incurred, in obtaining possession of the leased premises after a default of the TENANT or after the TENANT'S default in surrendering possession upon the expiration or earlier termination of the term of the lease or in enforcing any covenant of the TENANT herein contained.

18. TENANT does further covenant and agree to and does hereby waive demand and notice to quit under the statutes relating to summary process which, were it not for said waiver, might otherwise be necessary in obtaining possession of said premises.

19. The provisions of this lease shall inure to the benefit of and be binding upon the respective parties hereto, their heirs, successors and assigns.

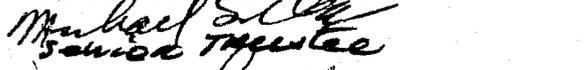
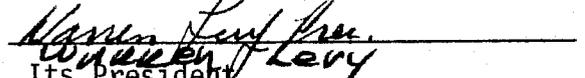
IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 28 day of September, 1983.

Signed, sealed and delivered
in the presence of:


Americo S. Ventura


Joan D. Barbarie

KING STREET VOLUNTEER COMPANY, INC.
Michael G. Wrabcsak, Sr. (L.S.)


By: 
Its President
duly authorized

CITY OF DANBURY (L.S.)

Eric L. Gottschalk

By: _____
James E. Dyer
Its Mayor, duly authorized

State of Connecticut
County of Fairfield

ss: Danbury

September 28, 1983

Personally appeared MICHAEL G. HRABCSAK, SR. and WARREN LEVY
of KING STREET VOLUNTEER COMPANY, INC., signer(s) and sealer(s)
of the foregoing instrument, they being thereunto duly authorized, and
acknowledged the same to be ~~their~~ free act and deed and the free act of
said corporation, before me.


~~Notary Public~~
Commissioner of the Superior Court
Americo S. Ventura

State of Connecticut
County of Fairfield

ss: Danbury

September 1983

Personally appeared James E. Dyer, Mayor of the CITY OF DANBURY,
signer and sealer of the foregoing instrument, he being thereunto duly
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free act of said corporation, before me.

Eric L. Gottschalk
Commissioner of the Superior Court



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

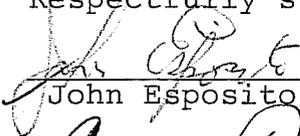
Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Ives Court Subdivision/Ridgefield & Existing Access Easement
for Danbury Airport Beacon No. 6.

The Common Council committee appointed to review the above request met on September 27, 1983 at 7:15 P.M. in City Hall. Present were committee members Esposito and Gallo. Councilperson Torcaso was out of Town and unable to attend. Also in attendance were Paul Estefan, Chairman of the Aviation Commission, Assistant Corporation Counsel E. Gottschalk.

The impact of moving of overhead wiring to underground in conduit was discussed and unaccessibility to some of our easements and due to the absence of the Land Plan Partnership Representative, Mr. John Curtis, a motion was made by Councilman Gallo and seconded by Councilman J. Esposito that the matter be referred to the Planning Commission and Engineering Department.

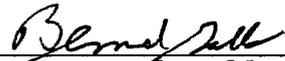
Respectfully submitted,



John Esposito Chairman



Carole Torcaso



Bernard Gallo



CITY OF DANBURY

155 DEER HILL AVENUE

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Respectfully submitted

Chairman

John Esposito

Carole Torcaso

Bernard Gallo



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

REPORT

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

Re: Request of the Chief of the Danbury F.F.A. Control Tower regarding updating letters of agreement on operation of Airport Lighting when the tower is closed and operation of Airport Vehicles not equipped with two-way radios.

The Common Council committee appointed to review the above request met on September 27, 1983 at 7:00 P.M. in City Hall. Present were Committee members Esposito and Gallo. Councilperson Torcaso was out of town and unable to attend. Also in attendance were Paul Estefan Aviation Commission chairman, and Assistant Corporation Counsel E. Gottschalk,

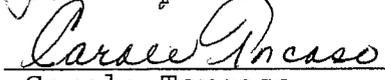
It was noted in discussion that letters of agreement on operating the lights at the Danbury Airport have been in effect since 1973, and that this request is an amendment to the already existing Agreement.

Motion was made by Councilman Gallo and seconded by Councilman Esposito that the amendment to the letters of agreement Sec. 4, Procedures A.B.C. be approved by the Council. In reference to Section 3 Procedures, the committee recommends no action be taken until a report from the Aviation Commission as to the possibility of Equipping Airport vehicles with two-way radios is explored.

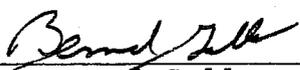
Respectfully submitted



John Esposito Chairman



Carole Torcaso



Bernard Gallo



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

October 4, 1983

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Respectfully submitted

John Esposito Chairman

Carole Torcaso

Bernard Gallo

COMMON COUNCIL COMMITTEE REPORT - OCTOBER 4, 1983

Re: Appeal of Superior Court Decision - Young vs. Zoning Commission.

The committee appointed to consider the petition of the Corporation Counsel to pursue the above captioned appeal, met on September 28, 1983 at 6:30 P.M. in room 432 at City Hall. Present at the meeting were committee members A. Cassano and J. Esposito, Assistant Corporation Counsel Sandra Leheny and Roy Young, President of Fairfield Processing. Councilman Gallo was not able to attend the meeting due to a previous Common Council commitment.

At the outset of the meeting, the committee made it clear that it's task is the generation of a recommendation to the Common Council either to approve or deny the petition to persue the appeal. The conduct of the appeal, if approved, is the responsibility of the Corporation Counsel's office and is not the subject of the committee's review.

The following scenario was developed from statements by Mr. Young and Mrs. Leheny, and in formation supplied to the committee by Mr. E. DeVeaux and Mr. B. Friscia, Chairmen of the Planning & Zoning Commissions respectively.

1. Around 1971, Fairfield Processing acquired the Mallory Hat property on Rose Hill Avenue. At the time, Fairfield Processing was being run by Mr. Young's father, Samuel Young.
2. During the planning phases of a move to the Rose Hill Avenue plant, an arsonist fired the existing Fairfield Processing facility on Taylor Street.
3. Around the same time, Danbury was conducting a re-zoning program, one result of which was the re-zoning of the Rose Hill property from Industrial to residential. This re-zoning created a non-conforming use of the property.
4. In the confusion of the fire and move, Fairfield Processing did not react to the re-zoning.
5. In the early 1970's, Fairfield Processing petitioned for re-zoning back to Industrial but the petition was denied.
6. In 1980, Roy Young was running the company and petitioned the Planning and Zoning Commissions for a re-zoning to Industrial.

By letter of November 26, 1980, the Planning Commission denied the petition by a vote of 2-0, with one member abstaining.

The Zoning Commission, in a meeting of January 20, 1981, voted 5-4 to accept the petition to re-zone. However, since the Planning Commission had apparently voted to deny the petition, the Zoning Commission did not arrive at the 2/3 vote needed to approve the petition in the face of a Planning Commission denial. In effect, the petition was denied.

7. Mr. Young then appealed the Zoning Commission denial in the Superior Court on the basis that the Planning Commission vote was not binding, since 2 votes out of 5 members is not a majority vote.

8. The Superior Court sustained the appeal and Judge J. Lavery's decision (July 26, 1983) stated:

"The Plaintiff's appeal of the Zoning Commission's decision is sustained. The Zoning Commission is ordered to correct its records to show that the plaintiff's zone change application was approved by the majority vote of the Commission".

9. The Zoning Commission voted to appeal the decision and instructed the Corporation Counsel's Office to initiate the appeal process. The Zoning Commission has indicated that the appeal is desirable not only as it applies to this specific zoning petition, but also to clarify the law concerning the efficacy of Planning and Zoning Commission voting.

10, The Corporation Counsel petitioned the Common Council, at its September meeting, for approval to pursue the appeal.

In addition to the above, the committee discussed and considered the following:

* The Rose Hill property has been industrial "factory" property since the early 1900's and in all likelihood will continue to be used for Industrial purposes.

* The re-zoning petition applies to the Fairfield Processing property only and does not represent an effort to re-zone the entire area.

* Fairfield Processing apparently generates industrial truck traffic through the area. Many of its employees live in the neighborhood and this tends to hold down employee traffic.

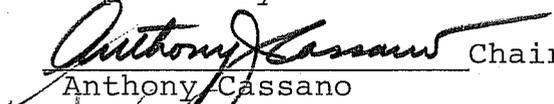
* Probably due to the time elapsed since the decision, the committee was not able to obtain specific information relative to the re-zoning decision of 1971.

* The committee appreciates the fact that clarification of the laws relating to the voting of the Planning and Zoning Commissions is a desirable goal.

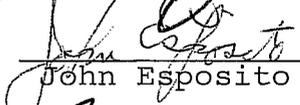
After consideration of all the above, the committee could not convince itself that the appeal process should be pursued in this particular instance.

Mr. Esposito made a motion, seconded by Mr. Cassano that the committee recommend to the Common Council that the petition of the Corporation Counsel to pursue the appeal of the Superior Court's decision be denied. Motion carried unanimously. The meeting adjourned at 7:15 P.M.

Respectfully submitted



Anthony Cassano Chairman



John Esposito



Bernard Gallo, Sr.

COMMON COUNCIL COMMITTEE REPORT - OCTOBER 4, 1983

Re: Appeal of Superior Court Decision - Young vs. Zoning Commission.

The committee appointed to consider the petition of the Corporation Counsel to persue the above captioned appeal, met on September 28, 1983 at 6:30 P.M. in room 432 at City Hall. Present at the meeting were committee members A. Cassano and J. Esposito, Assistant Corporation Counsel Sandra Leheny and Roy Young, President of Fairfield Processing. Councilman Gallo was not able to attend the meeting due to a previous Common Council commitment.

At the outset of the meeting, the committee made it clear that it's task is the generation of a recommendation to the Common Council either to approve or deny the petition to persue the appeal. The conduct of the appeal, if approved, is the responsibility of the Corporation Counsel's office and is not the subject of the committee's review.

The following scenario was developed from statements by Mr. Young and Mrs. Leheny, and information supplied to the committee by Mr. E. DeVeaux and Mr. B. Friscia, Chairmen of the Planning & Zoning Commissions respectively.

1. Around 1971, Fairfield Processing acquired the Mallory Hat property on Rose Hill Avenue. At the time, Fairfield Processing was being run by Mr. Young's father, Samuel Young.

2. During the planning phases of a move to the Rose Hill Avenue plant, an arsonist fired the existing Fairfield Processing facility on Taylor Street.

3. Around the same time, Danbury was conducting a re-zoning program, one result of which was the re-zoning of the Rose Hill property from Industrial to residential. This re-zoning created a non-conforming use of the property.

4. In the confusion of the fire and move, Fairfield Processing did not react to the re-zoning.

5. In the early 1970's, Fairfield Processing petitioned for re-zoning back to Industrial but the petition was denied.

6. In 1980, Roy Young was running the company and petitioned the Planning and Zoning Commissions for a re-zoning to Industrial.

By letter of November 26, 1980, the Planning Commission denied the petition by a vote of 2-0, with one member abstaining.

The Zoning Commission, in a meeting of January 20, 1981, voted 5-4 to accept the petition to re-zone. However, since the Planning Commission had apparently voted to deny the petition, the Zoning Commission did not arrive at the 2/3 vote needed to approve the petition in the face of a Planning Commission denial. In effect, the petition was denied.

7. Mr. Young then appealed the Zoning Commission denial in the Superior Court on the basis that the Planning Commission vote was not binding, since 2 votes out of 5 members is not a majority vote.

8. The Superior Court sustained the appeal and Judge J. Lavery's decision (July 26, 1983) stated:

"The Plaintiff's appeal of the Zoning Commission's decision is sustained. The Zoning Commission is ordered to correct its records to show that the plaintiff's zone change application was approved by the majority vote of the Commission".

9. The Zoning Commission voted to appeal the decision and instructed the Corporation Counsel's Office to initiate the appeal process. The Zoning Commission has indicated that the appeal is desirable not only as it applies to this specific zoning petition, but also to clarify the law concerning the efficacy of Planning and Zoning Commission voting.

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After consideration of all the above, the committee could not convince itself that the appeal process should be pursued in this particular instance.

Mr. Esposito made a motion, seconded by Mr. Cassano that the committee recommend to the Common Council that the petition of the Corporation Counsel to pursue the appeal of the Superior Court's decision be denied. Motion carried unanimously. The meeting adjourned at 7:15 P.M.

Respectfully submitted

Anthony Cassano Chairman

John Esposito

Bernard Gallo, Sr.

Certified a true copy of a resolution duly adopted by the City
of Danbury at a meeting of its Common Council
on October 4, 1983 and which has not been rescinded or modified in
any way whatsoever.

DATE _____

~~XXXXXXXXXX~~ CITY CLERK _____

(SEAL)

WHEREAS, pursuant to Section 8-218 of the Connecticut General Statutes,
the Commissioner of Housing is authorized to extend financial assistance
to a duly organized and authorized Community Housing Development
Corporation; and

WHEREAS, The Non-Profit Development Corporation of Danbury, Incorporated
has been organized for purposes other than to make a profit or gain for
itself and is not controlled or directed by persons or firms seeking to
derive profit or gain therefrom; and,

WHEREAS, The Non-Profit Development Corporation of Danbury, Incorporated
is organized to provide housing as defined in Section 8-217 of the
Connecticut General Statutes.

NOW, THEREFORE, BE IT RESOLVED THAT THE Common Council
of the City of Danbury hereby designates The Non-Profit
Development Corporation of Danbury, Incorporated as a Community Housing
Development Corporation for the purpose of seeking financial assistance
from and entering into contracts with the Connecticut Department of
Housing as provided in Sections 8-217 and 8-218 of the Connecticut
General Statutes.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

RECEIVED

OCT 4 1983 1:00 P.M.

OFFICE OF CITY CLERK

COMMON COUNCIL

October 4, 1983

REPORT

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

Re: Request of the Non-Profit Development Corporation of Danbury to be granted the status of Community Housing Corporation.

The Common Council Committee appointed to study the above request met on August 29, 1983 at 7:30 P.M. in the City Hall. Present were committee members Farah, Gallo, and Cassano. Also in attendance were Andrew Painter and Mark Nolan representing the Corporation and Paul Schierloh of the Danbury Health Department.

Messrs. Painter and Nolan submitted copies of the Corporation's Articles of Incorporation, By-Laws, and other pertinent documents. Then they answered questions that were asked by the Council's Committee members. Mr. Schierloh explained the role of the city in the Corporation's activities.

The Corporation is non-profit, educational and charitable whose goals include the following:

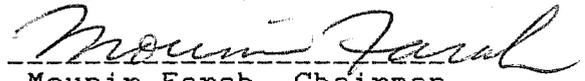
- To improve the housing stock of Danbury.
- To eliminate urban blight through housing and commercial development.
- To engage in the rehabilitation and new construction of affordable housing.
- To provide affordable housing for low and moderate income families.

The directors of the Corporation are Messrs. Gary Bachyrycz, Gary Hawley, Mark Nolan, Andrew Painter, and Paul Valerie. For the foreseeable future, the Corporation's activities will concentrate on improving the housing stock, providing assistance and counseling to low and moderate income families, and rehabilitating blighted areas.

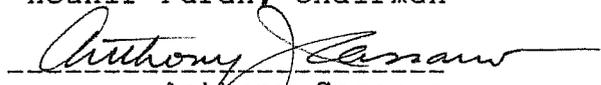
Furthermore, the Corporation was formed upon the recommendation of the Mayor's Task Force and a sum of \$68,000 was assigned to it through the Health Department by the Community Development Block Grant Program last June.

The Council Committee met again briefly on September 28, 1983 at 7:25. Mr. Cassano moved and Mr. Gallo seconded a motion to recommend the designation of the Non-Profit Development Corporation of Danbury, Inc. as a community housing development corporation in the City of Danbury. The motion was approved unanimously.

Respectfully submitted



Mounir Farah, Chairman



Anthony Cassano



Bernard Gallo



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

036
RECEIVED

OCT 4 1983 1:00 P.M.

OFFICE OF CITY CLERK

COMMON COUNCIL

October 4, 1983

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Respectfully submitted

Mounir Farah, Chairman

Anthony Cassano

Bernard Gallo

~~SECRET~~

BOARD MEMBERS ONLY DANBURY RESIDENTS
EXCEPT PAUL VALLERI

Form 61-58

State of Connecticut
OFFICE OF SECRETARY OF THE STATE } SS. HARTFORD.

I hereby certify that the foregoing is a true copy of record in this office

IN TESTIMONY WHEREOF, I have hereunto set my
hand, and affixed the Seal of said State, at
Hartford, this 9th day
of May A.D., 1983

Julia H. Tashjian
Secretary of the State

CERTIFICATE OF INCORPORATION
NON-STOCK CORPORATION

For office use only
ACCOUNT NO.
INITIALS MB

STATE OF CONNECTICUT
SECRETARY OF THE STATE

The undersigned incorporator(s) hereby form(s) a corporation under the Nonstock Corporation Act of the State of Connecticut:

The name of the corporation is THE NON-PROFIT DEVELOPMENT CORPORATION OF DANBURY, INC.

The nature of the activities to be conducted, or the purposes to be promoted or carried out by the corporation, are as follows:

See Article II of Articles of Incorporation, attached hereto.

The corporation is nonprofit and shall not have or issue shares of stock or pay dividends.

The classes, rights, privileges, qualifications, obligations, and the manner of election or appointment of members are as follows: (If the corporation is to have no members, or only members not entitled to vote, so state.)

The corporation is to have no members.

6.) - Other provisions:

See Articles VI, VII and VIII of Articles of Incorporation.

Formed at Danbury, Connecticut this 18th day of April, 1983

I hereby declare, under the penalties of false statement, that the statements made in the foregoing certificate are true.

This certificate of incorporation must be signed by one or more incorporators.

NAME OF INCORPORATOR (Print or Type) <u>Mary M. Bachrycz</u>	NAME OF INCORPORATOR (Print or Type) 2.	NAME OF INCORPORATOR (Print or Type) 3.
SIGNED (Incorporator) <i>[Signature]</i>	SIGNED (Incorporator) 2.	SIGNED (Incorporator) 3.

FRANCHISE FEE <u>\$ 30</u>	FILING FEE <u>\$ 6</u>	CERTIFICATION FEE <u>\$ 14</u>	TOTAL FEES <u>\$ 50</u>
SIGNED (For Secretary of the State)			
CERTIFIED COPY SENT BY (Date)		INITIALS	
TO			
CARD	LIST	PROOF	

FILED
STATE OF CONNECTICUT

APR 21 1983

[Signature]

SECRETARY OF THE STATE

[Signature]

ARTICLES OF INCORPORATION

We, the Incorporators, certify that we hereby associate ourselves as a body politic and corporate under the Nonstock Corporation Act of the State of Connecticut.

ARTICLE I

The name of the corporation is The Non-Profit Development Corporation of Danbury, Inc.

ARTICLE II.

The corporation shall be an educational and charitable, Corporation whose purposes and the nature of whose activities shall be as follows:

- a. To engage in any lawful act in which a corporation incorporated under the Nonstock Corporation Act of the State of Connecticut may engage;
- b. To provide affordable housing opportunities for low and moderate income families and individuals;
- c. To improve the housing stock of Danbury, Connecticut for low and moderate income families and individuals;
- d. To eliminate urban blight and to preserve neighborhoods through a combination of housing and commercial development;
- e. To engage in the rehabilitation and new construction of affordable housing for low and moderate income families and individuals;

f. To acquire and to market sites for carrying out the aforementioned purposes;

g. To provide financial expertise and counseling to low and moderate income families and individuals with regard to affordable housing opportunities;

h. To research and publicize information relevant to housing rehabilitation, maintenance and construction, such as public and private loan programs and other non-profit programs available to low and moderate income families and individuals.

The activities of the corporation shall be charitable and educational as defined in Section 501(c)(3) of the Internal Revenue Code of 1954. The Corporation shall perform all of the activities enumerated above in accordance with that definition.

No part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation; and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE III

The Corporation is nonprofit and shall not have or issue shares of stock or pay dividends. No part of the Corporation's income, net earnings, or assets shall be distributable to its directors, officers, advisors or any persons having a personal and private interest in the activities of the Corporation. Furthermore, the aforementioned persons shall at no time receive any pecuniary profits from the Corporation, except reasonable compensation in connection with the furtherance of the aforementioned purposes and the management of its affairs.

ARTICLE IV

The Corporation shall have no members.

ARTICLE V

The Board of Directors of the Corporation shall manage the fiscal affairs and property of the Corporation. The method of election of the Board of Directors and all other activities and business shall be managed as provided in the By-Laws.

ARTICLE VI

In addition to any powers which may be conferred by law upon the Corporation, the Corporation shall have the power to take and hold by bequest, devise, gift, grant, purchase, or lease, either absolutely or in trust for its purposes as hereinabove set forth, ~~or any of them, any property, real, personal,~~ or mixed, without limitation as to amount of value, except such limitations, if any, as may be imposed by law; to sell, convey, mortgage, lease, assign, exchange, or otherwise dispose of any

such property and to invest and reinvest the principal thereof, and to deal with and expend such principal or the income therefrom for the aforementioned purposes, or any of them, without limitations, except such limitations, if any, as may be imposed by law, or may be contained in the instrument under which such property is received; to receive any property, real, personal or mixed, in trust, under the terms of any will, deed or trust or other instrument for the aforementioned purposes, or any of them, and in administering the same to carry out the directions and exercise the powers contained in the trust instrument under which it is received; and to receive, take title to, hold and use stocks, bonds, obligations, or other securities, or any corporation or corporations, domestic or foreign, to sell, pledge, or otherwise dispose of the same and to use the proceeds or the income thereof, but only for the aforementioned purposes, or any of them.

ARTICLE VII

In the event of the dissolution of the Corporation or the termination of its corporate existence, the assets of the Corporation shall be applied and distributed as follows:

A. All liabilities and obligations of the Corporation shall be paid, satisfied and discharged, or adequate provision shall be made therefor.

B. All assets shall be transferred to such corporations,

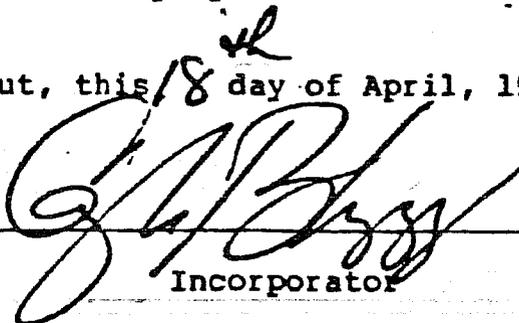
person, groups, or organizations holding a valid tax-exemption permit issued by the Connecticut State Tax Commissioner, and having tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code of 1954 or such equivalent section as may be in effect on the date of dissolution of the Corporation, as the Board of Directors of the Corporation shall designate.

No part of the property or assets of the Corporation shall inure to the benefit of any directors, officers, members or employees of the Corporation.

ARTICLE VIII

Amendments of these Articles of Incorporation may be proposed in writing by any Director, and shall be adopted upon the affirmative vote of a majority of the Board of Directors, provided that at least ten days' written notice of any meeting at which an amendment to this Certificate of Incorporation is to be voted upon shall be given to all of the Directors at their last address listed with the Corporation, and that such notice shall contain a copy of the proposed amendment.

Dated at Danbury, Connecticut, this ^{il} 8 day of April, 1983.



Incorporator

Incorporator

Mary,

9/28/53

Please add to the October agenda the following report:

The Women's Center - Request for Lease
for space

I will have the report to you
on Thursday at noon!

Thank you,

Gene Engquist

038



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 3, 1983

To: Common Council via
Mayor James E. Dyer

Certification # 12

From: John P. Edwards

We hereby certify to the availability of \$685.00 in the Contingency Fund to restore budget items in the Equal Rights and Opportunities budget as per Common Council Committee Report of October 4, 1983.

Previous balance of Contingency Fund	\$185,775.08
Less this request	685.00
	<u>\$185,090.08</u>


John P. Edwards
 Comptroller

COMMON COUNCIL COMMITTEE REPORT

October 4, 1983

Re: Budget Restoration - Dept. 01-186 - Commission on Equal Rights & Opportunities.

Committee Members - Boynton, Foti & Elder.

The Committee met on September 13, 1983 at 7:30 P.M. in the Council Chambers at City Hall. All members were present. Mr. Arthur LaRoche, Director was also present.

Under consideration was the restoration of the following line items within Dept. 01-186.

	Request	Budget 1983-84
020100 - Prof. Service fees.	100.00	-0-
021000 - Mileage	100.00	-0-
021001 - Training Courses	100.00	-0-
021002 - Conferences	100.00	-0-
021500 - Subscriptions-Memberships	125.00	-0-
022500 - Legal & Public Notices	60.00	-0-
035400 - Maintain Office Eq-Furniture	100.00	-0-
* 060500 - Office Equipment	2,000.00	-0-
	<u>\$2,685.00</u>	<u>-0-</u>

Total Request

* Note: only item not in 1982-1983 Budget.

Mr. LaRoche explained that due to the nature of his department it is not always easy to determine where expense items are to be charged. Some expenses can be charged to Block-Grant Funds rather than City Funds. This is the reason that of a total City Budget of \$660.00 in last year's 1982-83 Budget, only \$195.37 was expended and charged to the City Budget. This allowed \$464.63 (6-30-83 preliminary Report) to revert back to the City at the end of the year.

Mr. LaRoche explained that this is not always the case, and in his judgment the requested items may well be necessary this year.

A motion by Councilman Foti and seconded by Councilman Elder to recommend that line items as follows be restored, however line item #060500 not be considered at this time:

Line # 020100 - Prof. Service Fees	\$100.00
" 021000 - Mileage	100.00
021001 - Training Courses	100.00
021002 - Conferences	100.00
021500 - Subscriptions-Memberships	125.00
022500 - Legal & Public Notices	60.00
035400 - Maintain Office Eq.-Furniture	100.00
TOTAL	<u>\$685.00</u>

Comments by Councilman Foti indicated his reasoning as being this being such a small amount and necessary to run the department. Motion passed.

Respectfully submitted

Ernest Boynton, Chairman

Russell Foti

Richard Elder



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

Oct. 4, 1983

REPORT

Re: Assessor's request for funds : Law suit City vs. Boehringer-Ingelheim Ltd.

Committee members: Boynton, Cassano & Charles.

Committee met on October 3, 1983 at 7:00 P.M. in room 432 at City Hall.

Committee members present were Boynton and Charles. Also present was Evo Butera, Tax Assessor.

Oct. 1, 1982 Tax List. Boehringer-Ingelheim Corp. sought an appeal to the tax assessment. The 1982 tax assessment is approximately the same as the prior year assessments, and the Tax Income amounts to \$100,000. The \$8,500 is for the Assessor's office to defend the City's interest in this case. The Tax Assessor wants to hire a professional appraiser to substantiate the City's current appraisal.

A motion was made to grant the \$8,500 request by L. Charles, seconded by T. Cassano. Motion passed. Meeting adjourned at 7:15 P.M.

Respectfully submitted

Chairman

✓ Ernest Boynton

Louis Charles

Anthony Cassano



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

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Respectfully submitted

Ernest Boynton Chairman

Louis Charles

Anthony Cassano



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 4, 1983

To: Common Council via
Mayor James E. Dyer

Certification # 16

From: John P. Edwards

We hereby certify to the availability of \$8,500. in the Contingency Fund for special appraisal work to be done for the Assessor's office.

Previous balance of Contingency Fund	\$178,819.58
Less this request	8,500.00
	<u>\$170,319.58</u>


John P. Edwards
Comptroller