



16

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ENGINEERING DEPARTMENT**  
(203) 797-4641  
FAX (203) 796-1586

**WILLIAM J. BUCKLEY, JR., P.E.**  
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

December 12, 2005

Mayor Mark Boughton  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: 54 Elm Street, Danbury, Connecticut

Dear Mayor Boughton and Members of the Common Council:

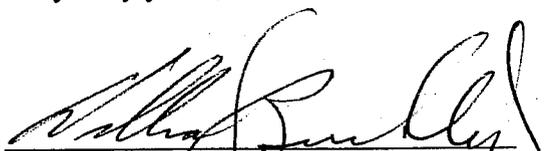
Earlier this year, the property owner of 54 Elm Street contracted with Seven A. Company, Inc. to repair and replace the concrete sidewalk in front of the property. During the construction, the contractor encountered a situation where a portion of the sidewalk spanned the Blind Brook, just short of its discharge into the Still River. Under State statutes and City ordinances, maintenance and repair of sidewalks are the responsibility of the property owner in front of whose property the sidewalk is located. These State and City regulations are in place regardless of who owns the property. That is to say, even properties that are part of the public right of way are the responsibility of the property owner to maintain and repair.

The situation that occurred here resulted in a portion of the bridge, which carries water underneath Elm Street in Danbury along the Blind Brook to the Still River, being in need of repair. Ordinarily, on any bridge job, the sidewalks would be repaired at the expense of the City and the State, along with the bridge. In working with the owners at 54 Elm Street, I asked them to come up with a design of the sidewalk bridge across the Blind Brook, and to complete construction of the design, after it was approved by our department. I agreed to forward the expenses associated with the design and construction of the bridge portion of the sidewalk to the Common Council for their review, with the recommendation that the Common Council authorize the City to pay for those additional extraordinary expenses associated with "the bridge."

Attached for your information is correspondence between my department and the property owner. Additionally, copies of invoices from both the property owner's engineer and contractor are presented. The cost of engineering associated with the bridge portion of the sidewalk is \$1,100.00, while the additional work associated with the construction portion of the bridge is \$3,285.00. It is my recommendation that the City reimburse the property owner for these costs, in the total amount of \$4,385.00. I would be happy to meet with a subcommittee of

the Council to review and discuss this matter in greater detail, if you are so inclined. If you choose to reimburse the property owner for these expenses, I would ask that you do so with the condition that the City's Director of Finance approve the funding source. Should you have any questions regarding this matter, do not hesitate to bring them to my attention.

Very truly yours,



William J. Buckley, Jr., P.E.  
Director of Public Works/City Engineer

encls.

C: Dena R. Diorio, Director of Finance/Personnel, with encls.  
Duke Hart, Superintendent of Highways, with encls.



A. PAPPALJOHN  
COMPANY

RECEIVED

OCT 24 2005

ENGINEERING DEPT.

October 20, 2005

Tom Hughes  
City of Danbury  
255 Deer Hill Avenue  
Danbury, CT 06810

Re: 54 Elm Street

Dear Tom,

Per our conversation I am forwarding the invoices for the sidewalk replacement and bridge construction at the above referenced project. The total cost for this work including engineering and construction is \$12,885.00. As you know these sidewalks and bridge are on city property and represent a very unique situation due to the river easement through my mother's property. I am hoping due to these extraordinary conditions that my mother might see some relief from the city for the cost of this work.

I appreciate all your consideration and look forward to speaking with you soon.

Sincerely

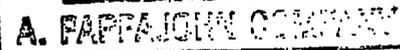
A handwritten signature in cursive script, appearing to read 'Gus'.

Gus

A. PAPPALJOHN COMPANY, CONSTRUCTION

500 SUMMER ST. STAMFORD CT 06901 • TEL 203.348.6933 • FAX 203.356.1752  
589 EIGHTH AVE. NEW YORK NY 10018 • TEL 212.931.6844 • FAX 212.931.6842

  
**B.G.M. Engineering, LLC**  
 52 Ascolese Road  
 Trumbull, CT 06611  
 Phone: (203) 452-9408

**RECEIVED**  
  
 A. PAPPAJOHNS COMPANY

**INVOICE#** BGM 05-95  
**DATE** 8-Oct-04

**TO**

Pappajohn Company  
 500 Summer Street  
 Stamford, CT 06905

**RECEIVED**  
 NOV 08 2005  
 ENGINEERING DEPT.

**RE:** 54 Elm Street, Danbury. Suspended Slab over existing stream

SERVICE	Proposal	Previous Billing	Current Billing	Balance
Engineering	\$ 1,100.00		\$ 1,100.00	
<b>TOTAL</b>				

**PLEASE PAY**

**\$ 1,100.00**

THANK YOU FOR YOUR PROMPT PAYMENT



JOSEPH BADINTER, PE

**RECEIVED**  
 OCT 24 2005  
 ENGINEERING DEPT.

**SEVEN A COMPANY, INC.**  
"We Concrete Your Projects"  
28 Woodbury Dr. Danbury, CT 06810

# Invoice

1060

(203) 792-5023 (203) 743-1657

TO PAPPAJOHN

DATE SEP/18/05 JOB NO. \_\_\_\_\_

JOB NAME 17 ELM ST.

JOB LOCATION DANBURY, CT

TERMS

	DESCRIPTION	PRICE	AMOUNT
>	AS PER AGREEMENT		
	ORIGINAL CONTRACT		8,500 <sup>00</sup>
	CHANGE ORDER (SUSPENDED CONCRETE SLAB)		3,285 <sup>00</sup>
	TOTAL AMOUNT DUE		11,785 <sup>00</sup>