

COMMON COUNCIL MEETING

JANUARY 7, 1997

Meeting to be called to order at 7:30 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Buzaid,
Valeri, Machado, Shuler, Setaro, Esposito, Levy, Charles, Gomez,
Basso, Butera, Fox, Gallagher, Mead, Nolan

20 Present 1 Absent

STATE OF THE CITY ADDRESS

MINUTES - Minutes of the Common Council Meeting held December 3, 1996

CONSENT CALENDAR

- 1 RESOLUTION - Cops in Shops Pilot Program
- 2 RESOLUTION - Germantown/First Street Area Proposed Sanitary Sewer Extention Project Easements
- 3 RESOLUTION - Palace Walk
- 4 COMMUNICATION - Promotional Appointment - Fire Lieutenant
- 5 COMMUNICATION - Appointment to the Redevelopment Agency
- 6 COMMUNICATION - Appointment to the Candlewood Lake Authority
- 7 COMMUNICATION - Reappointments to the Building Code Board of Appeals
- 8 COMMUNICATION - Reappointments to the Library Board of Directors
- 9 COMMUNICATION - Reappointments as Towing Hearing Officers
- 10 COMMUNICATION - Donation to the Building Department
- 11 COMMUNICATION - Donation to the Fire Department
- 12 COMMUNICATION - Donation to the Library
- 13 COMMUNICATION - Reappropriation of Library Donations
- 14 COMMUNICATION - Donations to the Department of Elderly Services
- 15 COMMUNICATION & CERTIFICATION - Reappropriation of Donated Funds Department of Elderly Services

- 16 COMMUNICATION - Appointment of Independent Auditors
- 17 CERTIFICATION - Local Law Endorcement Block Grant
- 18 COMMUNICATION - Appropriation Request for Police Special Services Account
- 19 COMMUNICATION - Danbury Railroad Station
- 20 COMMUNICATION - Silversmith Heights - Request for Release of Cit Utility Easements
- 21 COMMUNICATION - Purchase of Unused Portion of Olympic Drive
- 22 COMMUNICATION - Terrace Street, Terrace Heights Road, Road Acceptance
- 23 COMMUNICATION - Reports regarding renaming of Custance Road to South Cove Road
- 24 COMMUNICATION - Reports regarding offer of an Exchange of Land at 2 Mountainville Road
- 25 COMMUNICATION - Reports regarding Offer of Sale of Land at the corner of East Franklin and Maple Avenue
- 26 COMMUNICATION - Report from Corporation Counsel regarding reimbursement of broken sewer pipe lateral
- 27 COMMUNICATION - Report from Planning Commission regarding Bluebird Aviation Lease Assignment
- 28 DEPARTMENT REPORTS - Public Utilities, Welfare, Public Buildings, Elderly Services, Engineer, Fire Marshall, Fire Chief, Health and Housing, Highways
- 29 REPORT - Request for Funds for Childcare Connections
- 30 REPORT - Request for Sewer Extension 85 Great Plain Road
- 31 REPORT - Drainage Problem at 23 Woodbury Drive
- 32 REPORT - Request for Sewer Extension - 3 Joe's Hill Road
- 33 REPORT - Request for Water Extension - Edgewood Street
- 34 COMMUNICATION - Drainage Problem at Hayestown Heights Road and Rose Lane
- 35 COMMUNICATION - Lazy Creek Mills, LLC & Flagship Converters, Inc. v. City of Danbury & Board of Assessment Appeals

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

CONSENT CALENDAR

JANUARY 7, 1997

- 2 - Adopt Resolution regarding Germantown/First Street Area Proposed Sanitary Sewer Extension Project Easement Acquisitions
- 3 - Adopt Resolution authorizing Corporation Counsel to acquire interests in real property for purposes of Palace Walk
- 5 - Approve reappointment of Robert Peat and appointment of Michael Steinerd to the Redevelopment Agency
- 6 - Approve appointment of Edward Siergiej to the Candlewood Lake Authority
- 7 - Approve reappointment of John Plecity and Roger LeBlanc to the Building Code Board of Appeals
- 8 - Approve reappointment of Harold Wibling, William Goodman and Joan Damia to the Danbury Library Board of Directors
- 9 - Approve reappointment of Paul Estefan and Francis Kieras as Towing Hearing Officers
- 13 - Approve reappropriation of \$150 for Library equipment for the Danbury Public Library
- 15 - Approve reappropriation of \$2,146 from the Elderly Services donation account to the Commission on Aging budget
- 17 - Approve transfer of \$4,281 from the Contingency Fund into the Police Department Auto Equipment Account for City share of Local Law Enforcement Block Grant
- 18 - Approve appropriation of \$375,000 to the Police Special Services Account
- 19 - Approve reappropriation of \$4,050 of Railroad Station Parking and permit fees.
- 22 - Receive communication regarding acceptance of Terrace Street in Terrace Heights subdivision as a City road and refer to Planning Commission
- 23 - Receive communication and officially designate Custance Road as South Cove Road
- 25 - Receive communication regarding offer of sale of land at the corner of East Franklin Street and Maple Avenue and take no action.
- 26 - Receive communication regarding request for reimbursement for broken sewer lateral at 61 Rowan Street and take no action.
- 29 - Approve report and recommendations regarding request for funds for Childcare Connections

- 30 - Approve report and recommendations regarding request for sewer extension at 85 Great Plain Road
- 31 - Approve report and recommendations regarding drainage problems at 23 Woodbury Drive
- 33 - Approve report and recommendations regarding request for water extension - Edgewood Street

January 6, 1997

Mayor Gene F. Eriquez
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Re: Danbury Landfill Closure

Dear Mayor Eriquez:

I have become increasingly concerned over the situation at the Danbury landfill. With each passing day, there seems to be "new information" available and increased controversy as a result. The most recent information involving the existence of asbestos in the landfill was most disturbing. If my interpretation of the press coverage is correct, your final word on that subject is that we had permission to receive asbestos in our landfill, but chose not to do so. I'm not sure how that concurs with Mr. Buckley's statements that indicate we did receive asbestos in the landfill, and the assertion of the current DEP representative that no such permission had ever been granted.

The point is, I am again in the position of evaluating our actions in the matter of the landfill by way of media reports. When I last corresponded with you on this subject on November 29, 1996, I asked that members of the Common Council be brought up to date on the subject (copy attached). You and I also had a very frank and positive conversation on the subject in your office. Your subsequent action at the next Council meeting, by providing copies of the weekly reports on the landfill situation, was both responsive and sincerely appreciated.

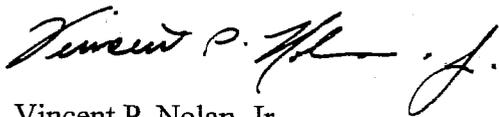
In that same letter, however, I asked that you appoint an ad hoc committee from the Common Council to oversee the closure of the landfill. It was my assumption that since we were on the eve of the December Council meeting when I made that suggestion, that I would find it on the agenda for January. To my dismay, when my legislative package was delivered this past weekend, I discovered no mention of the landfill issue in any of the items on the agenda. I cannot tell you how disappointed I was to discover that you would not pursue such an obvious course of action, as this issue pertains to both the financial well being of our city and the health of our citizens. The Common Council must be involved in the process.

I once again call upon you to appoint a special ad hoc committee of the Common Council to oversee the issues pertaining to the landfill closure, odor abatement and implementation of the gas recovery system. Since this is such an important matter which has many facets to it, I also suggest that this committee be comprised of five members of

the Common Council. This will ensure adequate representation at all times when this committee is called to meet. This is essential, to assure our citizens that proper oversight is being performed by the Common Council in this extremely important matter.

I believe that time is critical in pursuing this issue and I will not make the same poor assumption twice. I therefore ask that you add this item to the agenda at the January Common Council meeting, and appoint the special ad hoc committee. As suggested previously, I would be pleased to serve on that committee. I know that we can work cooperatively to ensure that this serious matter is resolved as economically as possible, with the greatest possible consideration for the welfare of our citizens and our neighbors.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent P. Nolan, Jr.", written in a cursive style.

Vincent P. Nolan, Jr.

cc: Elizabeth Crudgington, City Clerk
Christopher Setaro, Common Council President
Albert Mead, Common Council Minority Leader



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

MEMORANDUM

Date: December 23, 1996

To: Hon. Gene F. Enriquez
via the Common Council

From: Noreen C. Buzerak, Grants Administrator/Internal Auditor

Re: Resolution- Cops in Shops Pilot Program

Attached is a resolution for your consideration that will allow the City of Danbury Police Department to apply for and accept a Cops in Shops Pilot Program Grant from the State of Connecticut, Department of Transportation in the amount of \$918.00. This 1997 Cops in Shops Pilot Program will be conducted between January and September 1997. Funding will be provided to have a plainclothes police officer posted in local stores that sell alcohol. This officer will issue citations or make arrests for: (1) attempts by underage individuals to purchase alcohol and (2) adults who attempt to purchase alcohol for minors. This pilot program will fund one officer for a maximum of 2 hours per day for a total of twenty (20) hours.

An impact statement and proposed program budget are attached. No local match is required.

I recommend that the Common Council approve the resolution at its December meeting.

Noreen C. Buzerak

Noreen C. Buzerak
Attach.

cc: Dominic A. Setaro, Jr.
Kimberly G. Redenz
Sgt. R. Guerrero



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

Impact Statement - Cops in Shop pilot program

The City of Danbury will not incur any cost as a result of applying for this grant. All of the funds for the program will be covered by The State of Connecticut and the Century Council.

Submitted by Sgt. R. Guerrero



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

Budget - Cops in Shop Pilot Program

1 police officer @ \$31.73 per hour

10 dates, 2 hours per date, total 20 hours

20 hours @ \$31.73 per hour = \$ 634.60 + BENEFITS OF \$ 283.00 = \$ 917.60

Submitted and prepared by Sgt. R. Guerrero

Sgt. R. Guerrero



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation Division of Highway Safety will make available to the City of Danbury grant funding in the amount of \$918.00 in order to support the Cops in Shops Pilot Program; and

WHEREAS, 100% of the funding, or \$918.00 is to be designated for said program through which officers work with package stores to increase enforcement of "under 21" alcohol laws; and

WHEREAS, no local cash match is required;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to apply for said grant on behalf of the City of Danbury, to accept the grant award, if made, subject to the terms and conditions established in connection therewith by the State of Connecticut, to execute any contracts/agreements therefor and to take any additional actions necessary to effectuate the purposes hereof.

BE IT FURTHER RESOLVED THAT any past actions of Mayor Gene F. Eriquez to effectuate the purposes of this grant award are hereby ratified.

H-Deeb.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

December 19, 1996

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

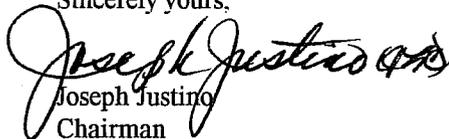
Re: 8-24 Referral - 4 - Resolution - Germantown/First Street Area Proposed Sanitary Sewer Extensions

Dear Council Members:

The Planning Commission at its meeting December 18, 1996 motioned for a positive recommendation for the Resolution to acquire easements for sewer extensions.

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

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc

via certified mail



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on June 4, 1996, approved the use of the remaining funds within the 1977 bond authorization for the installation of a sanitary sewer in the First Street, Beaver Brook Road area and Germantown Road; and

WHEREAS, it is necessary and in the best interests of the City of Danbury to acquire interests in and to real property as hereinafter set forth in order to proceed with the construction of said sanitary sewer in the Germantown Road/First Street portion of this area; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests as set forth herein either by negotiation or by eminent domain through the institution of suits against the named property owners listed below, their heirs, executors/administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any. Legal descriptions of the easement areas to be acquired are attached as Exhibits 1 through 5.

Permanent Sanitary Sewer Easements

<u>Exhibit No.</u>	<u>Owner(s) Now or Formerly</u>	<u>Lot No.</u>	<u>Location</u>	<u>Sq. Ft.</u>
1	Keever, Pamela A.	K10025	8 Michaud Rd.	2,220
2	Montesi, William L. and Donna M. (Together with temporary construction easements 15 feet in width located along the northeast and southwest limits of the permanent sanitary sewer easement.)	J10180	20 Michaud Rd.	1,219
3	Petruzzelli, Dennis and Pamela G. (Together with a temporary construction easement 15 feet in width located along the easterly line of the permanent sanitary sewer easement.)	K10024	6 Michaud Rd.	2,898
4	Robertine, Adam and Anna			
	Parcel A:	J10178	3-7 Great Plain Rd	8,430
	(Together with a temporary construction easement varying from 15 feet to 20 feet in width located along portions of both sides of the permanent sanitary sewer easement.)			
	Parcel B:	J10145	Michaud Rd.	2,171
	(Together with a temporary construction easement generally 15 feet in width along the southerly and westerly boundaries of the permanent sanitary sewer easement.)			
5	Southern New England Telephone Company	K10019	1 Rockwell Rd.	14,708
	(Together with a temporary construction easement 20 feet in width located along a portion of the southerly line of the permanent sanitary sewer easement.)			

3-1000



CITY OF DANBURY

**155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810**

**PLANNING COMMISSION
(203) 797-4525**

December 19, 1996

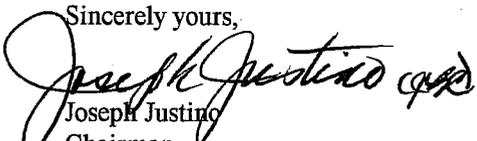
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Ct 06810

Re: 8-24 Referral - 3 - Resolution - Palace Walk

Dear Council Members:

The Planning Commission at its meeting December 18, 1996 motioned for a positive recommendation for the Resolution concerning the easements for Palace Walk.

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

Sincerely yours,

Joseph Justino
Chairman

JJ/jlc

via certified mail



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, State of Connecticut

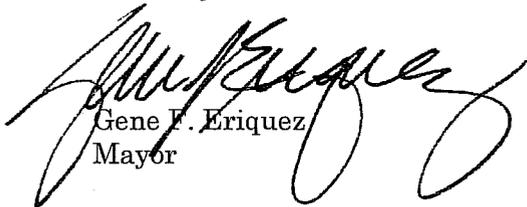
Dear Council Members:

I hereby submit for your confirmation the promotional appointment of Fire Fighter Michael A. Tyskiewicz, 14 Harmony Street, Danbury, CT 06810, to the position of Lieutenant within the Career Division of the Danbury Fire Department. Fire Fighter Tyskiewicz is an 11 year veteran of the department. He has attended Waterbury Technical College studying municipal fire administration and fire science. Additionally, he has completed various courses at the Connecticut State Fire Academy and at the National Fire Academy. Mr. Tyskiewicz is a Certified Fire Fighter, Fire Officer, EMT and EMT-D. He is also certified in Critical Incident Stress Debriefing.

Fire Fighter Tyskiewicz has received a unit citation and honorable service award and has organized the Connecticut Fire Fighters Pipes and Drums, a bagpipe band representing fire fighters throughout the State of Connecticut.

Mr. Tyskiewicz currently ranks first on the civil service eligibility list for this position. Thank you for your consideration of this item.

Sincerely,



Gene F. Eriquez
Mayor

GFE:kgg



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your confirmation the reappointment of the following individual to the Redevelopment Agency:

Robert Peat (D)
3 Dogwood Park North
Danbury, Connecticut 06811
Term to Expire: January 1, 2002

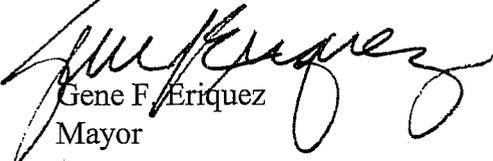
I would also like to submit for your confirmation the appointment of the following individual to the Redevelopment Agency to fill a vacancy:

Michael Steinerd (U)
5 Abbott Street
Danbury, Connecticut 06810
Term to Expire: January 1, 1999

Mr. Steinerd is a lifelong Danbury resident and a graduate of the University of Connecticut. He has earned his MBA degree at Sacred Heart University and is employed as a Marketing Manager at McIntyre Associates in Stamford.

Thank you for your consideration of these appointments.

Sincerely,


Gene F. Enriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

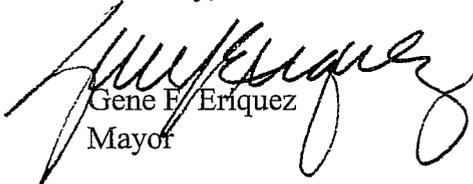
I hereby submit for your confirmation the appointment of the following individual to the Candlewood Lake Authority to fill an unexpired term:

Edward Siergiej (U)
62A Forty Acre Mountain Road
Danbury, Connecticut 06811
Term to Expire: April 1, 1999

Mr. Siergiej is a lifelong Danbury resident and has lived on Lake Candlewood since 1944. He has been active as a volunteer to various lake projects since 1970, and would be an excellent addition to the Authority. Mr. Siergiej is employed as a mechanical engineer at Kimberly -Clark in New Milford.

Thank you for your consideration of this appointment.

Sincerely,


Gene F. Enriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your confirmation the reappointment of the following individuals to the Building Code Board of Appeals:

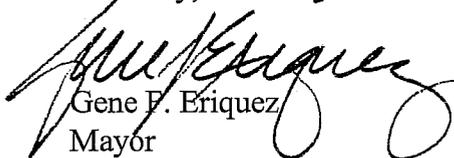
John Plecity (D)
97 Middle River Road
Danbury, Connecticut 06810
Term to Expire: January 1, 2002

Roger LeBlanc (D)
25 Bel Air Drive
Danbury, Connecticut 06811
Term to Expire: January 1, 2002

Both individuals are active members of the Building Code Board of Appeals and are willing to serve another term.

Thank you for your consideration of these reappointments.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit for your confirmation the reappointment of the following individuals to the Danbury Library Board of Directors:

Harold Wibling (U)
Willow Lake Drive
Danbury, CT 06811
Term to Expire: January 1, 2000

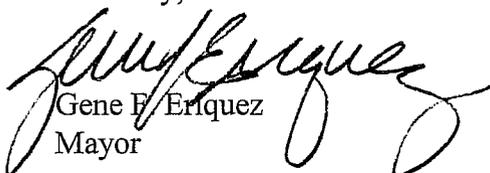
William Goodman (D)
1 Lakeside Road
Danbury, CT 06811
Term to Expire: January 1, 2000

Joan Damia (R)
Clapboard Ridge Road
Danbury, CT 06810
Term to Expire: January 1, 2000

The above individuals are members in good standing and are eager to serve The Danbury Library for another term.

Thank you for your consideration of these reappointments.

Sincerely,


Gene F. Enriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 7, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

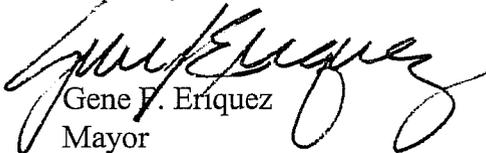
I hereby submit for your confirmation the reappointment of the following individuals as
Towing Hearing Officers:

Paul Estefan
156 Triangle Street
Danbury, CT 06810
Term to Expire: December 31, 1997

Francis Kieras
74 Sheridan Street
Danbury, CT 06810
Term to Expire: December 31, 1997

Thank you for your consideration to these reappointments.

Sincerely,

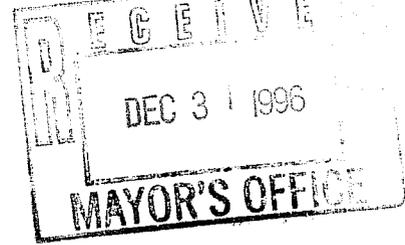

Gene F. Enriquez
Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810



BUILDING DEPARTMENT
(203) 797-4581

LEO P. NULL
BUILDING OFFICIAL

MEMO TO: MAYOR GENE ERIQUEZ
FROM: LEO P. NULL, BUILDING INSPECTOR *LPN*
DATE: DECEMBER 31, 1996
RE: REQUEST TO ACCEPT DONATION

We are requesting permission to accept a donation of a fax machine from
Mr. Anthony Lucera for use by the Building Dept.

The fax machine is a "Brother's - Model 600" - Serial # M-21529813
This is a used machine.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

Fire Department
19 New Street

Carmen J. Oliver, Chief
(203) 796-1550
Fax (203) 796-1533

December 30, 1996

To: Mayor Gene F. Eriquez & Members of the Common Council
From: Carmen J. Oliver, Fire Chief
Subject: Fire Department Donation

Dear Mayor Eriquez & Members of the Common Council:

Attached please find correspondence from Connecticut Light & Power Company. We would appreciate your approval for this donation to be put into Account 021001 - Training Courses, to be used for future training courses for our members.

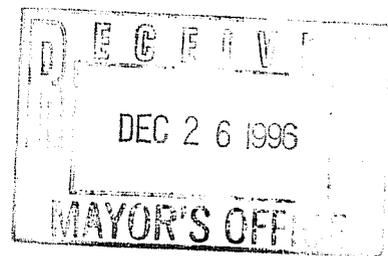
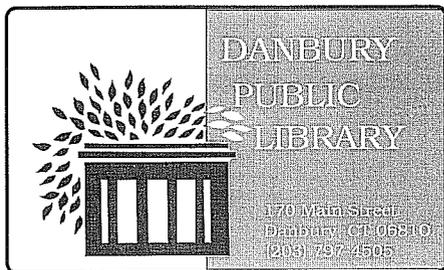
Thank you for your cooperation in this matter, and if additional information is needed, please contact me directly.

Respectfully,

Carmen J. Oliver
Fire Chief

CJO:mw
Attachments

c:D. A. Setaro, Director of Finance



December 24, 1996

Mayor Gene F. Eriquez

Danbury City Hall

Dear Mayor Eriquez:

We have received a donation from Mrs. Dorothy Buono, 2 Fleetwood Drive, Danbury 06810, in the amount of \$32.64. This needs to be credited to the BOOKS line-item #02-07-101-061201. Please place this item on the agenda for the January Common Council meeting.

Sincerely,

E. McDonough
Director

c: D. Setaro - Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.

DIRECTOR OF FINANCE

(203) 797-4652

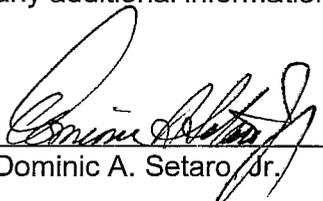
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 16, 1996
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Reappropriation of Library Donations

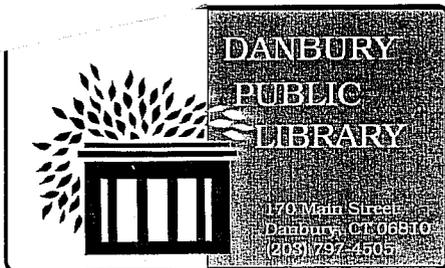
Attached you will find a request from Library Director Elizabeth McDonough in reference to the reappropriation of the funds that have been donated to the Library as a result of the recent fire. As we indicated to you in previous correspondence, at various times, the Library would come back to the Common Council to seek authorization to expend these moneys. I would, therefore, ask that at its January meeting, the Common Council approve the reappropriation of \$150.00 as requested by Ms. McDonough.

In the future, we will seek approval for the remaining unused funds. Should you need any additional information, feel free to give me a call.



Dominic A. Setaro, Jr.

DAS/jgb



RECEIVED

NOV 27 1996

Finance

INTEROFFICE MEMO

DATE: 11/27/96
TO: DOMINIC SETARO - DIRECTOR OF FINANCE
FROM: BETSY MCDONOUGH - LIBRARY DIRECTOR *Betsy Lem*
RE: DONATIONS TO THE DANBURY PUBLIC LIBRARY

I request authorization to use \$150.00 of general donation funds for library equipment.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES

COMMISSION ON AGING

Danbury Senior Center

80 Main Street
(203) 797-4686

Municipal Agent

80 Main Street
(203) 797-4687

**“Interweave”
Adult Day Care Center**

198 Main Street
(203) 792-4482

Mayor Gene F. Eriquez and
Members of the Common Council
City of Danbury - 155 Deer Hill Avenue
Danbury, CT 06810

December 22, 1996

Mayor Eriquez and Members of the Common Council:

The following donations (Total: \$1646.00) were sent to the Department of Elderly Services for the use of programs at the Danbury Senior Center:

Lillian Hull (MR. Social Group)	160.00
Green Funeral Home	150.00
Perritt Laboratories, Inc.	110.00
Perritt Laboratories, Inc.	226.00
John & Sharon Buckley	100.00
Union Savings Bank	800.00
Additions Anonymous	50.00
New Beginnings (Widow/Widowers)	<u>50.00</u>
Total:	\$1646.00

Kindly approve of these donations and transfer the same into the appropriate line items as requested on the accompanying form.

Respectfully,

Leo McIlrath, Director of Elderly Services



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES

COMMISSION ON AGING

Danbury Senior Center

80 Main Street
(203) 797-4686

Municipal Agent

80 Main Street
(203) 797-4687

**"Interweave"
Adult Day Care Center**
198 Main Street
(203) 792-4482

Date: 12/22/96

MEMO TO: Hon. Gene F. Eriquez
via the Common Council

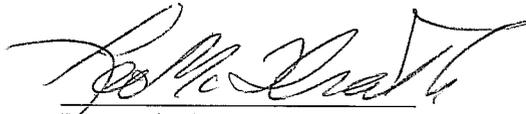
FROM: Leo McIlrath, Director
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$2146.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Office Supplies -	646.00	Prof. Service Fees -	300.00
Office Equipment -	400.00	Legal/Public Notices -	300.00
Postage -	500.00		

I have been advised by the Director of Finance that these funds exist in my account, and he will provide you with his certification.



Leo McIlrath

LM/jg

cc: Dominic A. Setaro, Jr.
Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 26, 1996
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Commission on Aging

CERTIFICATION

I hereby certify the availability of \$2,146.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget for the following account:

Office Supplies	02-05-167-040100	\$646.00
Office Equipment	02-05-167-060500	400.00
Postage	02-05-167-020501	500.00
Prof. Service Fees	02-05-167-020100	300.00
Legal/Public Notices	02-05-167-022500	300.00

Dominic A. Setaro, Jr.

DAS/jgb



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

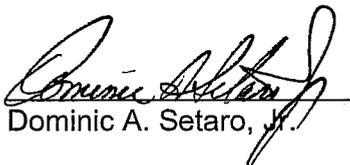
M E M O R A N D U M

DATE: December 27, 1996
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Appointment of Independent Auditors

It is once again time for the City of Danbury to consider the appointment of its auditors to perform the City audit for the fiscal year ending June 30, 1997. At this time I would recommend we appoint Ernst & Young as our City auditors for the fiscal year ending June 30, 1997 and request that you place this on the agenda of the Common Council meeting to be held in January for the Common Council's approval as required by the State law.

I have attached a copy of Ernst & Young's fee schedule for the audit. I am happy to report to you that this proposal represents a -0- increase over last year's fee.

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


Dominic A. Setaro, Jr.

DAS/jg

Attach.

December 26, 1996

Mr. Dominic A. Setaro, Jr.
Director of Finance
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Dom:

In response to your request for our proposed fees relative to our audit of the June 30, 1997 financial statements of the City of Danbury, we hereby delineate our proposed fees as follows:

	<u>Proposed</u> <u>1997 Fee</u>	<u>Actual</u> <u>1996 Fee</u>
Audit and report on the City's general purpose financial statements (a)	\$116,000	\$116,000
Board of Education:		
School lunch program	4,200	4,200
School activity funds	4,500	4,500
ED 001 including special education grants	11,000	11,000
Federal and State Single Audit Act - Reports	<u>39,000</u>	<u>39,000</u>
	<u>58,700</u>	<u>58,700</u>
 Total	 <u>\$174,700</u>	 <u>\$174,700</u>

(a) Includes management letter and report on combining and individual fund financial statements, a portion of which is allocable as follows: Water Fund - \$17,500; Sewer Fund - \$17,500 and Pension Trust Funds - \$16,000. This amount also reflects Ernst & Young LLP assistance with respect to the City's "Certificate of Achievement" and \$39,000 for the Federal and State Single Audit Act.

Mr. Dominic A. Setaro, Jr.
City Hall

December 26, 1996
Page 2

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

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

Very truly yours,



Robert A. Gilchrist

RAG/kl



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 19, 1996
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Local Law Enforcement Block Grant
CC: Noreen Buzerak

CERTIFICATION #21

At its July 2, 1996 meeting, the Common Council authorized the City to make application to the U.S. Department of Justice Bureau of Justice Assistance for a grant for the purchase of two police vehicles. We have now received approval from the Department of Justice and the State's share is \$4,281. I would ask that the Common Council at its January 7 meeting authorize the transfer of that amount from the Contingency Fund into the Police Department's Automotive Equipment Account #02-02-100-061500.

Balance of Contingency	\$6,316.01
Less this request	<u>-4,281.00</u>
Balance	\$2,035.01



Dominic A. Setaro, Jr.

DAS/jgb



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

Memorandum

*To: Elizabeth Crudginton, City Clerk
Member of the Common Council*

From: Nelson F. Macedo, Chief of Police

Date: 12/01/1996

Subject: Appropriation Request for Police Special Services 011011

I am requesting that a minimum of \$375,000 be appropriated and added to the 1996-1997 fiscal year Police Budget, Police Special Services funding account.

The City of Danbury appropriated \$425,000 for Police Special Services for FY 1996-1997. Due to the increased demand for police special services, all Police Special Services funds have been exhausted as of this date.. The Danbury Police Department invoices the private sector for these services to recover the full cost of police services. These funds are an indirect revenue for the City of Danbury.

Nelson F. Macedo
Chief of Police

c: Mayor Gene F. Eriquez
Dominic A. Setaro, Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

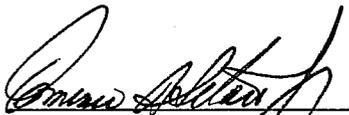
(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: December 26, 1996
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Danbury Railroad Station

As part of the agreement between the City of Danbury and the State Department of Transportation, the City is permitted to charge for parking at the new railroad station facility and those funds must be used to offset the cost of running the facility. For the month of November and December, the City received \$4,050 in parking fees and permit fees which were collected by the Parking Authority on behalf of the City.

Attached is a budget based on the \$4,050 that we have received to date. I will make future requests of the Common Council as additional funds are received. I would ask that the Common Council at its January meeting approve the reappropriation of the \$4,050. Should you need any additional information, feel free to give me a call.


Dominic A. Setaro, Jr.

DAS/jgb

BUDGET

Supplies	\$ 412.24	Purchase of permits
Administration	1,110.00	Administrative fee due to Parking Authority November 1996-February 1997
Cleaning Services	<u>2,527.76</u>	Balance for monthly cleaning costs
	\$4,050.00	

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

ATTORNEYS AT LAW

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

LLOYD CUTSUMPAS
FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
ROBERT M. OPOTZNER*
THOMAS W. BEECHER
EVA M. DEFranCO
CHRISTOPHER K. LEONARD
PAULA FLANAGAN
THOMAS J. MONKS
LAURA A. GOLDSTEIN
PETER A. SCALZO

AREA CODE 203
744-2150

FACSIMILE (203) 791-1126
EXTENSION: 304

November 27, 1996

HAND DELIVER

OF COUNSEL
MARK D. NIELSEN

*ADMITTED IN CONN. & N.Y.

Common Council
c/o City Clerk
CITY OF DANBURY
155 Deer Hill Avenue
Danbury, CT 06810

Attention: Christopher Setaro, President

Re: Silversmith Heights, LLC
Release of City Utility Easement
Silversmith Heights at Sterling Woods
McKay Road and Nabby Road, Danbury
Our File No. 94-12407-9-P

Dear Mr. Setaro:

Please be advised that I represent Silversmith Heights, LLC, owner of the proposed development known as Sterling Woods off Nabby Road in Danbury. The prior developer granted certain utility easements to the City of Danbury. That development plan has been terminated, a new plan has been approved in its place and is actually under construction.

A portion of a utility easement granted to the City encroaches on a building to be constructed under the new plan. I am enclosing herewith five (5) sets of plans which identify the encroachment area. Please accept this letter as the owner's request to release that portion of the utility easement which is no longer necessary and encroaches on the proposed improvements.

Thank you for your consideration.

Yours very truly,



Paul N. Jaber

PNJ/rmc
Enclosures

cc: Carl J. Kuehner
Paul Kuehner

JOSEPH A. SAFFI, P.C.
ATTORNEY AT LAW
68 NORTH STREET
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 790-7747

J. TIMOTHY DEAKIN, ESQ.

FAX NO: (203) 790-9538

December 13, 1996

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

RE: PURCHASE OF UNUSED PORTION OF OLYMPIC DRIVE

Dear Mrs. Crudginton:

Please be advised that this office represents Mr. and Mrs. Eric Bengtson and Mr. Charles Donais who are presently under Contract to purchase a 26 acre parcel of land known as Spruce Mountain. This parcel of undeveloped land is located to the south of the Olympic Drive turn-around. It is presently a land locked parcel for which the owners of the property have obtained a forest land (exemption) with respect to the real property taxes.

I wrote to the City Council on August 20, 1996 regarding my clients' interest in obtaining the title to the fifty foot wide strip of land which runs from the north end of the Spruce Mountain parcel to the Olympic Drive turn-around. On behalf of my clients, I obtained title searches for the Spruce Mountain parcel as well as for the fifty foot wide strip which connects the Spruce Mountain parcel with the Olympic Drive turn-around. Our title search indicates that the City of Danbury owns this fifty foot strip of land because Mr. Ervie Hawley conveyed the entire Olympic Drive to the City of Danbury by way of a Warranty Deed recorded in Volume 548 at Page 685 of the Danbury Land Records.

Because the Spruce Mountain parcel does not have any road frontage, my clients are interested in obtaining title to this strip of land which would provide them access to Olympic Drive. As I stated above, I wrote to the Common Council in August on behalf of my clients in order to have this proposal placed on the Council's agenda. The matter was referred to a sub-committee. Unfortunately, I was under the impression that our appearance before the sub-committee would provide us with the opportunity to outline the details of our proposal at which time the matter would be referred to the appropriate city agencies. However, prior to our meeting with the sub-committee, the matter was referred to the Building Department and the Planning Department and these departments provided the sub-committee with reports prior to the meeting. Because of several concerns raised by Mr. Elpern of the Planning Department, the sub-committee took no action on our proposal. My clients and I feel that

Mrs. Elizabeth Crudginton
City Clerk
December 13, 1996
Page 2

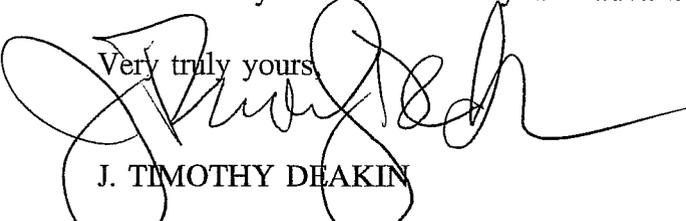
had we had the opportunity to provide the sub-committee with the details of our proposal, we could have eliminated many of the concerns raised by Mr. Elpern.

I am writing to the Council once again in order to resurrect our proposal for a second time. However, this time, I am providing the Council with a more detailed proposal.

First and foremost, my clients would like to buy the Spruce Mountain parcel and possibly divide it into two building lots. They have no intention of dividing the parcel into more than two lots. Therefore, they would be willing to accept a deed from the City for the fifty foot wide strip of land which contained a restriction stating that the parcel could not be utilized as a driveway for more than two lots. Second, it would appear from our title search that my clients would be entitled to a free split of the Spruce Mountain parcel. A split of the parcel into two lots would not constitute a sub-division in this particular situation. Needless to say, my clients' ability to split the parcel into two building lots would be contingent upon their ability to design and install the appropriate septic system, comply with the zoning regulations, and all other municipal regulations. In the event that my clients are unable to split the parcel into two lots, they are still willing to purchase the property for one lot so long as they are able to obtain a building permit. However, before my clients can begin to focus their energies on the building and engineering aspects of the Spruce Mountain parcel, we must obtain access to the parcel which is why I am writing to the Council regarding this fifty foot wide strip of land.

I have enclosed a copy of my letter to you dated August 20, 1996. I have also enclosed copies of the maps and deeds referenced in my previous letter. My clients are under Contract to purchase this lot from Mr. and Mrs. James E. Turgeon. Our Contract with Mr. and Mrs. Turgeon is contingent upon obtaining title to the strip of land owned by the City so that access may be provided to the Spruce Mountain property. On behalf of my clients, I would request that the Council place this proposal on its agenda again. We would appreciate a reconsideration in light of the fact that we are providing the City with a more detailed proposal. Hopefully, I have addressed the issues raised by the Building and Planning Department so that any subcommittee to which this proposal is referred will be provided with the necessary details. I thank you in advance for your cooperation.

Very truly yours,



J. TIMOTHY DEAKIN

JTD/sc

Enclosures

JOSEPH A. SAFFI, P.C.
ATTORNEY AT LAW
68 NORTH STREET
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 790-7747

J. TIMOTHY DEAKIN, ESQ.

FAX NO: (203) 790-9538

August 20, 1996

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

RE: PURCHASE OF UNUSED PORTION OF OLYMPIC DRIVE

Dear Mrs. Crudginton:

Please be advised that this office represents Mr. and Mrs. Eric Bengtson and Mr. Charles Donais who are presently under contract to purchase a twenty six parcel of land known as Spruce Mountain. This parcel of undeveloped land is located to the south of the Olympic Drive turn-around. It is presently a landlocked parcel for which the owners of the property have obtained a "forest land" exemption with respect to real property taxes.

As stated above, the twenty six acre parcel did not have any road frontage. However, upon a closer examination of maps of the surrounding parcels, it was discovered that there is a fifty foot wide strip of land which runs from the north end of the parcel to the Olympic Drive turn-around which was conveyed to the City of Danbury by Ervie S. Hawley, Jr. by way of a Warranty Deed recorded in Volume 548 at Page 685. It would appear from our title search that Mr. Hawley conveyed the entire area depicted as Olympic Drive to the City of Danbury by virtue of the Warranty Deed referenced above. I have enclosed a copy of map #5304 for your records. Although the City of Danbury owns the fee simple title up to the southern end of Olympic Drive as shown on the map, the road terminates at the cul-de-sac. In order to obtain access to the twenty six acre parcel, my clients would like to propose that the City of Danbury convey this strip of land to them which would thereby give them access to the twenty six acre parcel.

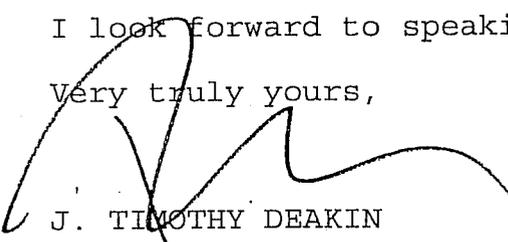
I would appreciate it if you would contact me upon receipt of this letter so that we might discuss this proposal in greater detail. At that time, we could formalize some of the other terms of our proposal (i.e. closing date, etc.). Once we reach an agreement regarding the proposed terms, we would ask that the

Mrs. Elizabeth Crudginton
August 20, 1996
Page 2

proposal be submitted to the Common Council for approval.

I look forward to speaking with you in the very near future.

Very truly yours,

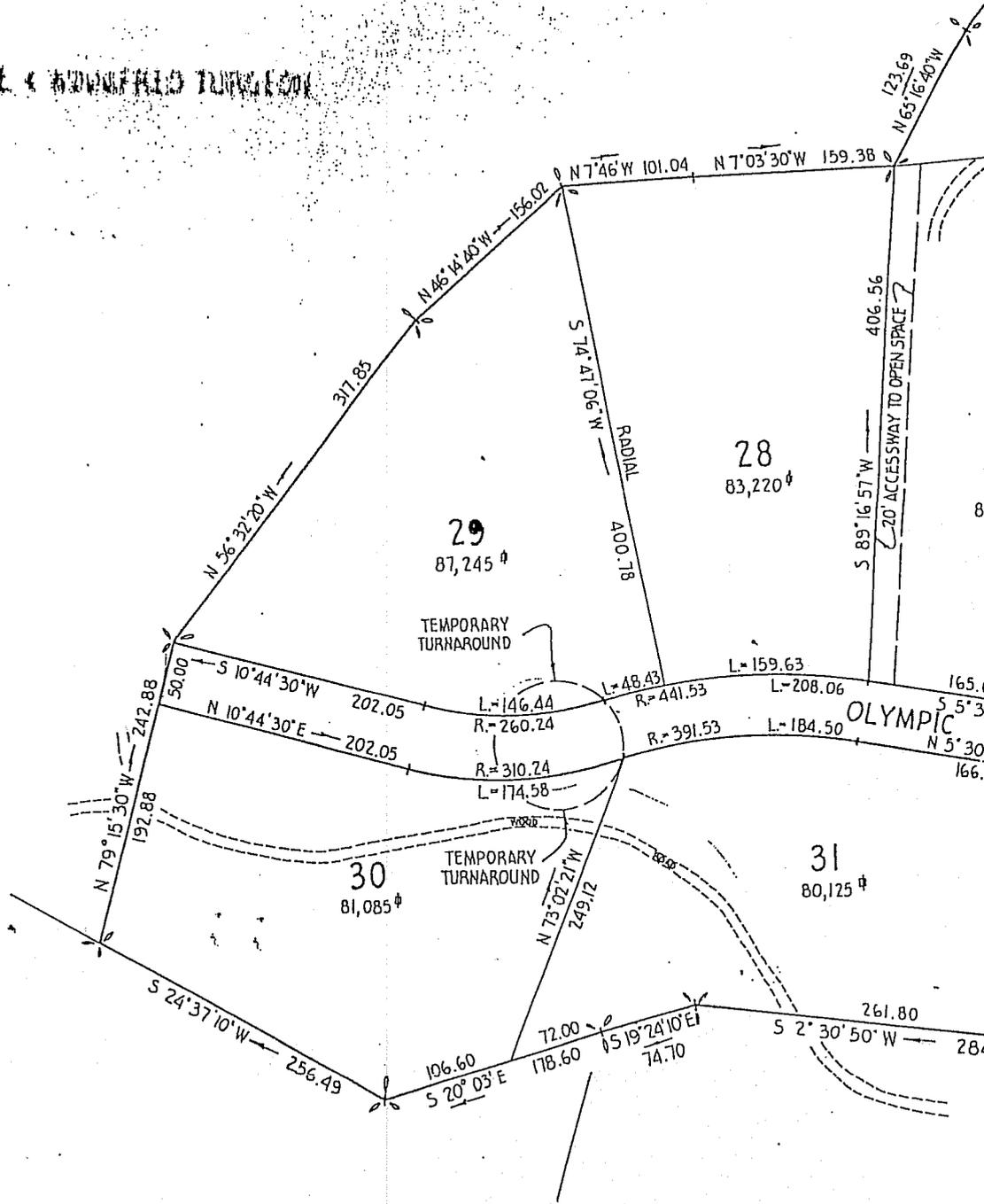


J. TIMOTHY DEAKIN

JTD/sc
Enclosure

cc: Mr. Eric Gottschalk
Corporation Council

JAMES L. HUNTERFIELD ENGINEER



STATE OF CONNECTICUT

5304

SPRU

NOTES:

⊕ DENOTES STONE BOUND OR STONE HEAP.

THE SUBDIVISION REGULATIONS OF THE DANBURY CITY PLANNING COMMISSION ARE A PART OF THIS PLAN AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS EXCEPTING ONLY ANY VARIANCE OR MODIFICATION MADE IN WRITING BY THE DANBURY CITY PLANNING COMMISSION AND ATTACHED HERETO.

ER

TOT

SCALE: 1"=100'

OWNED & TO

STATE OF CONNECTICUT)
: SS.
COUNTY OF FAIRFIELD)

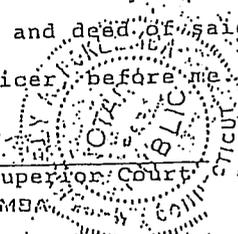
January 16, 1974

Personally appeared THE DANBURY SAVINGS AND LOAN ASSOCIATION, INCORPORATED, acting herein by Peter Filous its Assistant Treasurer hereunto duly authorized, Signer and Sealer of the foregoing instrument and acknowledged the same to be the free act and deed of said corporation and his free act and deed as said officer before me

Received for record Feb. 13 1974
at 4:50 P.M.

Attest: *Margaret M. Uhard*
Town Clerk

Beverly A. Poklemba
Commissioner of Superior Court
BEVERLY A. POKLEMBAS
NOTARY PUBLIC



-3-

FORM 173 A CONNECTICUT - WARRANTY DEED



TITLE LANK REGISTERED U. S. PAT. OFFICE
TITLE LAW FIRM, PUGHRENS, WELLS, & CO.

In all People to Whom these Presents shall Come Greeting:

Know Ye, That We, ERVIE S. HAWLEY, JR. of Danbury and SAMUEL ROBERTS, of Fairfield, County of Fairfield, State of Connecticut,

for the consideration of One Dollar and other valuable considerations,

received to our full satisfaction of CITY OF DANBURY, a municipal corporation in the State of Connecticut, located in the County of Fairfield,

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

PARCEL I: All those certain pieces or parcels of land situate in the City of Danbury, County of Fairfield, State of Connecticut, shown and designated as Ole Muskett Lane and Olympic Drive on a certain map entitled "FINAL SUBDIVISION SHOWING SECTION ONE, SPRUCE MOUNTAIN ACRES, DANBURY, CONNECTICUT PREPARED FOR ERVIE S. HAWLEY, JR.", which Map is dated September 6, 1972, revised September 22, 1972 and on file in the Office of the Town Clerk of said Danbury as Map #5200.

PARCEL II: All that certain piece or parcel of land situate in the City of Danbury, County of Fairfield, State of Connecticut shown and designated as Olympic Dr. on a certain map entitled "FINAL SUBDIVISION SHOWING SECTION TWO, SPRUCE MOUNTAIN ACRES, DANBURY, CONNECTICUT PREPARED FOR ERVIE S. HAWLEY, JR.", which Map is dated March 7, 1973 and is filed in the Office of the Town Clerk as Map #5304.

PARCEL III: All that certain piece or parcel of land located in the City of Danbury, County of Fairfield, State of Connecticut, shown and designated as "PARCEL C 0.205 AC" on a certain Map entitled "MAP PREPARED FOR ERVIE S. HAWLEY, JR., DANBURY, CONNECTICUT" which Map is dated September 28, 1972 and is on file in the Office of the Town Clerk of said Danbury.

Said premises being SUBJECT TO:

1. The rights of others to pass and repass over the same.
2. Pole line easement in favor of the Southern New England Telephone Company as recorded in Vol. 488 Page 83 of the Danbury Land Records.

The above described premises being the same roadways accepted by the Common Council of the City of Danbury at meeting held on February 5, 1974.

Vol 548 Page 885

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto It, the said grantee its successors and assigns forever, to Its and their own proper use and behoof.

And also, we, the said grantor do for ourselves, our heirs, executors and administrators, covenant with the said grantee, Its successors, heirs and assigns, that at and until the enseling of these presents,

we are well seized of the premises, as a good indefeasible estate in FREE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

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

In Witness Whereof, We have hereunto set our hand and seal this 6th day of February in the year of our Lord nineteen hundred and seventy-four.

Signed, Sealed and Delivered in presence of

"No Conveyance Tax collected
Margaret M. Ward
Town Clerk of Danbury"

Richard Hanna
Richard Hanna

Ervie S. Hawley, Jr.
Ervie S. Hawley, Jr.

Helen Blaska
Helen Blaska

Samuel Roberts
Samuel Roberts

State of Connecticut,
County of Fairfield

SS. Danbury, February 6 A. D. 1974

Personally Appeared ERVIE S. HAWLEY, JR. and SAMUEL ROBERTS

Signers and Seales of the foregoing Instrument, and acknowledged the same to be their free act and deed before me.

Received for record Feb. 13 1974 at 4:51 P.M. Richard Hanna

Attest: Margaret M. Ward
Town Clerk

Notary Public
Commissioner of the Superior Court



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

December 11, 1996

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

**Terrace Street
Terrace Heights
Road Acceptance**

In a December 2, 1993 letter to the Common Council Attorney Joseph A. Saffi requested the release of the bond for the above noted roadway. This request was forwarded to our office at the January 5, 1994 Common Council meeting (reference Item 19 of the meeting minutes). We have interpreted this letter as both a petition for road acceptance and a request that the bond be released. If our interpretation is incorrect, the developer should be informed that a formal request for acceptance is needed.

Since January of 1994 we have been working with the developer to address remaining construction type issues.

On December 11, 1996 personnel from our office reinspected the road. All construction related issues have been addressed to our general satisfaction. We have also received acceptable record drawings.

We, therefore, recommend that Terrace Street in Terrace Heights be accepted as a City street subject to the submittal of all necessary easement mapping and legal documents satisfactory to the Corporation Counsel's office.

If you have any questions or require additional information, feel free to contact our office.

Very truly yours,



John A. Schweitzer, Jr., P.E.

Director of Public Works

JAS/PAE/gw

c: Eric Gottschalk, Esq.
Dennis Elpern
Frank Cavagna
Joseph Saffi, Esq.

JOSEPH A. SAFFI, P.C.
ATTORNEY AT LAW
68 NORTH STREET
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 790-7747

J. TIMOTHY DEAKIN, ESQ.

FAX NO: (203) 790-9538

December 2, 1993

Danbury Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Bond Reduction
Woodland Construction Corp.
Terrace Heights Subdivision

To Whom It May Concern:

This is to notify you that I represent Mr. Jesse Buzzeo of Woodland Construction Corp., the developer of Terrace Heights Subdivision located in Danbury, Connecticut. As of this date, all work has been completed on the roadways of the Subdivision and I would appreciate your reduction and ultimate release of the Bond for the Subdivision. I would appreciate your placing this matter on your next agenda and contacting my client and myself regarding the date of the hearing so that he may attend to answer any questions should there be any on this matter.

Sincerely yours,

JOSEPH A. SAFFI

JAS:sj

cc: Woodland Construction Corp.
Engineering Department, City of Danbury



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DENNIS I. ELPERN
DIRECTOR OF PLANNING

(203) 797-4525

December 16, 1996

MEMORANDUM

To: Mayor Gene F. Eriquez
Members of City of Danbury Common Council

From: Dennis I. Elpern, Director of Planning

Referral: Item #34, Renaming of Custance Road to South Cove Road

Applicant: Linda M. Wetherbee

We have reviewed the letter from Ms. Wetherbee to the Danbury Common Council dated November 8, 1996 regarding the request to officially rename Custance Road to South Cove Road.

As accurately described in Ms. Wetherbee's correspondence, the street map of the City of Danbury identifies this street, located off of Hayestown Road, as South Cove Road. The Fire Department, E911 SNET, and the Post Office also recognize this right-of-way as South Cove Road. The Tax Assessor's office, however, identifies this road as Custance Road, although there are South Cove Road mailing addresses shown for some of the Custance Road properties.

To resolve all inconsistencies regarding the road name, we concur with the Director of Public Works' recommendation that Common Council officially name the road South Cove Road.

Please do not hesitate to contact me if you have any questions regarding this recommendation.



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

December 12, 1996

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

South Cove Road

At the December 3, 1996 Common Council meeting the November 8, 1996 request that South Cove Road aka Custance Road be officially named "South Cove Road" was forwarded to our office for a thirty day report (reference Item 34 of the meeting minutes).

A review of our files indicates that by many people this private roadway has long been considered to be "South Cove Road".

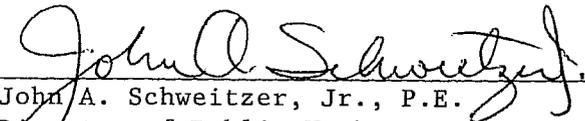
1. In June of 1972 the Common Council received a petition to accept "South Cove Road".
2. Numerous sanitary sewer and water main extension requests received since 1980 refer to the roadway as "South Cove" or "South Cove Road".
3. The "Water Line Easement" and "Bill of Sale" provided to the City for the 1991 transfer of a water line to the City indicate that the property owners formed a corporation called "South Cove Road, Inc.".

It is also our understanding that property owners along the roadway use "South Cove Road" as their mailing addresses.

Although we are not clear as to whether we have the authority to change the name of a private road, we recommend that in order to clear up any confusion and to bring all City records and private records into agreement, the roadway in question be officially named "South Cove Road".

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,


John A. Schweitzer, Jr., P.E.
Director of Public Works

JAS/PAE/gw

c: Dennis Elpern



37-nou

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DENNIS I. ELPERN
DIRECTOR OF PLANNING

(203) 797-4525

November 20, 1996

To: Mayor Gene F. Eriquez
✓ Members of Common Council

From: Dennis I. Elpern
Director of Planning

Re: Offer of an Exchange of Land
Edward M. & Maureen Jencik, 2 Mountainville Road

We have received a request from Mr. and Mrs. Jencik for an exchange of property adjacent to their home at 2 Mountainville Road. The Jenciks own two parcels impacted by the offer: Lot J16019 (see attached map), the site of their home, and Lot J16020, a vacant parcel of 3.96 acres which abuts Roger's Park. The Jenciks are offering the City Lot J16020 in exchange for a 60'x180' (10,800 sq.ft.) parcel adjoining the northern boundary of Lot J16019.

The Jenciks wish to construct a garage off their home on the northern side of their property (Lot J16019). However, the distance from their house to the property line is only six inches. Thus, the need to acquire the additional land. For this, they are willing to give the City Lot J16020. Note that this lot is largely made up of wetlands.

The northern side of their property abuts lands used for the site of the Ives House. The Jenciks property and the Ives House are separated by a small wooded hill and the Ives House is approximately 175' from the property line. We can find no evidence of easements located between the two properties.

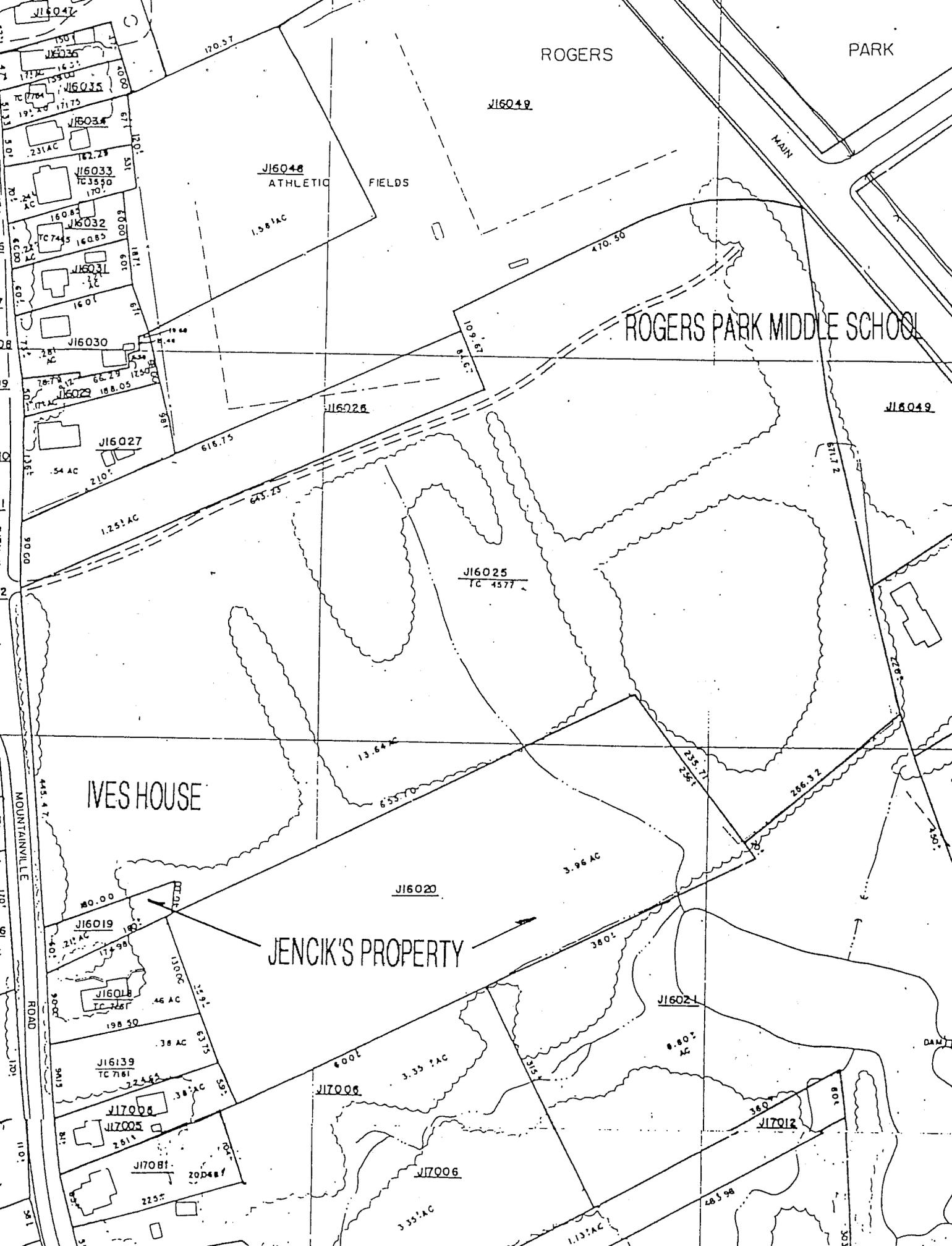
We have been advised, however, that the Ives House land was granted to the City by the Federal government in accordance with Title VII of the Housing Act of 1961 with the stipulation that the City "...agrees to retain said land for permanent open-space purposes and the open-space use or uses of said land shall be for park and recreational purposes, conservation of land and other natural resources, or historic or scenic purposes."

We have no objection to the request for the land transfer, though we should point out that the sixty foot addition exceeds that which is necessary for construction of a garage, even when one factors in the 15' side yard required in an RA-20 zoning district. The acquisition of almost four acres of land adjacent to Roger's Park could find future use by the City.

Nevertheless, we caution you to the limitation specified above by the Federal government when the land was granted to Danbury. The extent, applicability, and permanence of this restriction should be researched by Corporation Counsel prior to any further action being taken on this request.

c: Eric Gottschalk, Assistant Corporation Counsel
City of Danbury Planning Commission





ROGERS

PARK

J16049

J16048
ATHLETIC FIELDS

ROGERS PARK MIDDLE SCHOOL

J16049

J16026

J16025
TC 4577

IVES HOUSE

J16020
JENCIK'S PROPERTY

J16021

J16019

J16018
TC 7487

J16139
TC 7781

J17008

J17005

J17001

J17006

J17006

J17012

MOUNTAINVILLE ROAD

MAIN

DAM

J16047
J16036
J16035
J16034
J16033
J16032
J16031
J16030
J16029
J16027
J16019
J16018
J16139
J17008
J17005
J17001

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1.58 AC

1.25 AC

13.64 AC

3.96 AC

3.35 AC

3.35 AC

1.13 AC

470.50

109.51

313.8

616.75

645.75

655.70

235.71

256.7

266.32

380.0

8.80 AC

360.0

285.98

511.2

135.0

300.0

*Edward M. Jencik
Maureen Jencik
2 Mountainville Road
Danbury, CT 06810-8435
(203) 798-6716*

OCT 24 1996

MAJOR'S OFFICE

37

October 23, 1996

The Honorable Gene F. Eriquez
Mayor of the City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mr. Mayor:

Our new home at 2 Mountainville Road is located next door to land owned by Danbury and followed by the Charles Ives Birthplace. Our building lot is described as 95/1947, Map/Block/Lot J16019. The building lot is small and does not include room for a garage.

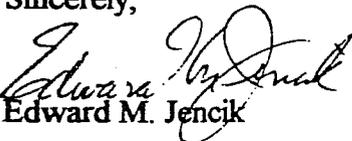
We also own 95/1548, Map/Block/Lot J16020 known as 6A Mountainville Road which approximates 4 acres of wetland. I believe that at certain places 6A is adjacent to Rodgers Park.

It seems to us that the City could make better use of the wetlands acreage than we can since it is adjacent to Rodgers Park. We would therefore like to explore the possibility of exchanging all 4 acres of 6A Mountainville Road for a portion of the property that separates our house from the Ives Birthplace. We would hope for sufficient enough space to at some time build a garage and at the same time enlarge our prime lot slightly. We would hope for an additional 60' in width and 180' in depth in the exchange and therefore the addition would enlarge our lot from approximately 60' X 180' to 120' X 180'. We presume that the additional width and depth would meet the City's zoning requirements for a new garage.

We realize that there may be other items that need to be addressed, but we presumed that we had to start somewhere. We would appreciate any help you or a member of your staff can provide in directing our proposal to the appropriate person or department.

Aside from the above, my wife and I feel that your efforts to rejuvenate downtown Danbury should be commended. We were Danbury homeowners in the early '80s and relocated elsewhere due to Union Carbide's downsizing in 1986. After retiring from Nynex Corporation, we sold our house in New York. Considering the improvements that were made and several other factors, we chose to move back to Danbury for our retirement. We rented for a year and in March of this year purchased our house on Mountainville Road. We are enjoying our return to Danbury.

Sincerely,


Edward M. Jencik



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

December 10, 1996

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

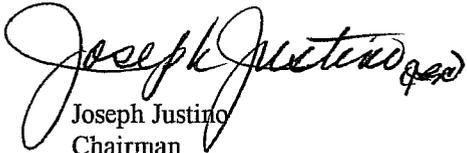
Re: 8-24 Referral - 37 - Exchange of property on Mountainville Avenue

Dear Council Members:

The Planning Commission at its meeting December 4, 1996 motioned for a positive recommendation for the exchange of property on Mountainville Avenue since there are no Federal restrictions on the use or transfer of this property. The exchange of 10,800 square feet, for 4 acres serves the City and Mr. & Mrs. Jencik as well.

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

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

November 25, 1996

DANBURY, CT 06810

Honorable Gene F. Eriquez, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: Offer of an Exchange of Land
Edward M. & Maureen Jencik, 2 Mountainville Road

Dear Mayor and Council Members:

I received a copy of a memorandum from Dennis I. Elpern to you of November 20, 1996 concerning the above. In his memo Mr. Elpern cautions that the City property sought by Mr. and Mrs. Jencik is part of a larger parcel that was acquired with federal funds under the terms of Title VII of the Housing Act of 1961. Mr. Elpern correctly notes that the grant came to the City on the condition that the City restrict the use of the parcel to "park and recreational purposes, conservation of land and other natural resources, or historic or scenic purposes." These restrictions have been the subject of discussion before.

On March 27, 1989 I contacted the Department of Housing and Urban Development to confirm my understanding that federal restrictions on the use of the subject property had been removed by action of Congress in 1983. On April 10, 1989 Mr. Daniel P. Kolesar, Director of the Community Planning & Development Division of HUD responded to my inquiry and indicated that the use restrictions had indeed been removed with the passage of §126(b)(3) of the Housing and Urban-Rural Recovery Act of 1983. Copies of both letters are enclosed for your review.

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

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r
Enclosure

c: Dennis I. Elpern
Director of Planning



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

November 25, 1996

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

Request for Transfer of City Land
Mountainville Road

At the November 7, 1996 Common Council meeting the October 23, 1996 request from Edward M. Jencik and Maureen Jencik was referred to our office for a thirty day report (reference is made to Item 37 of the November 7, 1996 Common Council Minutes).

Conceptually the requested "swap" of Lot No. J16020 (approximately 4 acres) presently owned by the Jenciks for a 60' by 180' parcel fronting on Mountainville Road presently owned by the City is acceptable to us. This transfer of properties would enlarge City holdings in Rogers Park and give the City ownership of the land and brook between the pond at the rear of Rogers Park Middle School and the pond used for ice skating. The enclosed plans indicate the locations of the two parcels presently owned by the Jenciks as well as the general location of the land the Jenciks wish to acquire.

However, a number of issues should be clarified/resolved before a decision is made.

1. In 1989 when consideration was being given to leasing a portion of this property to Community Action for a daycare center, it was discovered that the land in question had been transferred to the City with the condition that it be retained for open space, recreational, historic or scenic purposes (reference enclosed copy of minutes of March 28, 1989 Common Council meeting). Are we correct to assume that these conditions still apply to the land?
2. It is assumed that a condition of the transfer, if it is approved, would be that this parcel would not and never would be considered as a separate building lot.
3. It is assumed that the Planning and Zoning Department will review paragraph three of the Jencik letter as it applies to zoning requirements for the construction of a garage in the future.

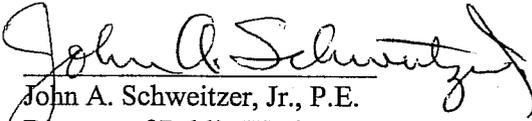
4. Wetlands may exist on the parcel being considered for transfer to the Jenciks. The impact of any wetlands on future development of the parcel would have to be determined by others.

5. If a transfer of property is approved, a condition of approval should be that any future relocation of the driveway to the Jencik property is not to impact the existing drainage system/swale which runs within the road right of way near the corner of the parcel the Jenciks wish to acquire.

6. If a transfer is approved, will the City's existing lease with the Scott Fanton Museum require revision? Would this loss of land negatively impact future expansion plans (relocation of Marian Anderson studio, etc.) of the museum?

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

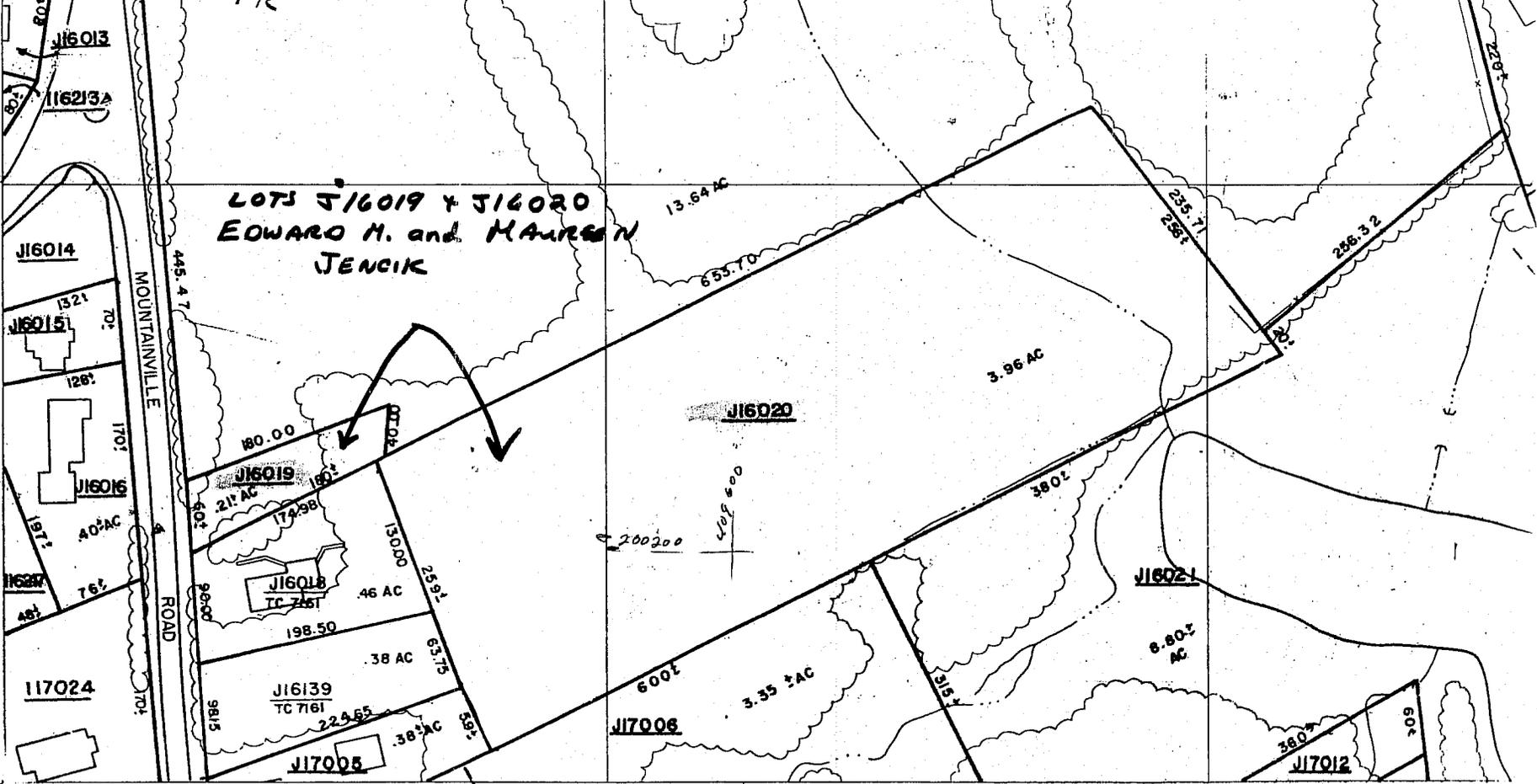

John A. Schweitzer, Jr., P.E.
Director of Public Works

JAS/PAE/pe

encls.

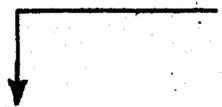
c: Dennis Elpern, with encls.

Eric Gottschalk. Esq., with encls.



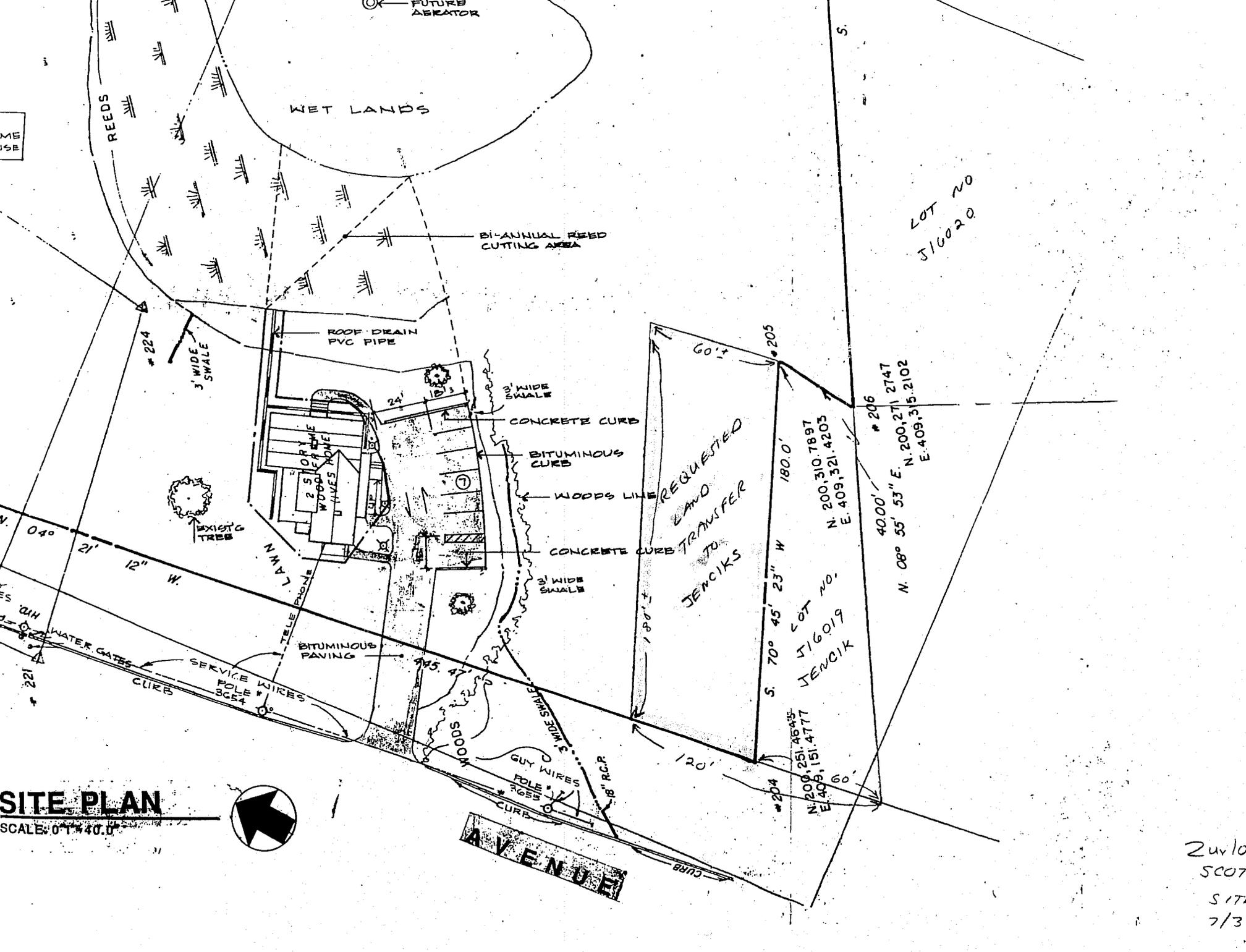
LEGEND


MASONRY WALL



J-17

SITE PLAN

SCALE: 0" = 40.0'



LOT NO
J16020

REQUESTED
LAND
TRANSFER
TO
JENCIKS

LOT NO.
J16019
JENCIK

#206
4000'
N. 08° 55' 53" E. N. 200,271,2747
E. 409,315,2102

#204
N. 200,251,4545
E. 409,151,4777

AVENUE

Zurlo
5007
SITE
7/3

MARCH 28, 1989

↓ 2 - REPORT - Transfer of Lease from Scott-Fanton to Community Action for Daycare.

Mrs. Danise submitted the following report:

The Common Council Committee appointed to consider the transfer of a lease from the Scott Fanton Museum to the CACD met on Thursday, March 16, 1989 at City Hall at 7:40 P.M. In attendance were committee members Danise, Connell and Flanagan. Also in attendance were Council Members Nimmons, Moran, Renz, Gallo, Charles, Bundy, Shaw and Eriquez, ex-officio.

After extensive research and discussion it was discovered that the land in question on Mountainville Avenue has been granted to the City of Danbury by the United States government according to Title VII of the Housing Act of 1961 with stipulation that the City of Danbury "agrees to retain said land for permanent open-space purposes and the open-space use or uses of said land shall be for park and recreational purposes, conservation of land and other natural resources or historic or scenic purposes."

The CACD intends to build a daycare center on the said premises. This is not permitted according to the conditions of the grant.

Mr. Flanagan made a motion to recommend termination of the lease and authorize a new lease with stipulations. Motion failed for lack of a second. Consequently, Mrs. Danise move to recommend to the Common Council a denial of the transfer of the lease from the Scott-Fanton Museum to the CACD. Seconded by Mr. Connell. Motion carried with Mr. Flanagan voting in the negative.

objected. Mr. Resha ruled that a report cannot be amended on the floor.

Mr. Eriquez made a motion to deny the report. Seconded by Mr. DaSilva.

Mr. Eriquez spoke in favor of the daycare center.

Mr. Shaw spoke in opposition to site due to the expense.

Mr. Bundy asked for an outline of the expenses.

Mr. Eriquez spoke about the funding summary.

Mr. Renz spoke about the costs.

Mrs. Danise offered her amendment, a copy of which is on file.

Mr. Resha responded to the document quoted in Mrs. Danise's amendment and explained the legal aspect of same.

Mr. Flanagan offered comments as a member of the committee in favor of the proposed site.

Mr. Moran stated that he is firmly in favor of daycare and made a motion to move the question. Seconded by Mr. Renz. Motion failed with the members voting as follows:

Yes - Bourne, Connell, Moran, Renz, Zotos, Nimmons, Fazio, Shaw, Danise.

No - Esposito, Farah, Flanagan, Cresci, Charles, Bundy, DaSilva, Eriquez, Regan.

9 yes - 9 no.

Mr. Farah spoke regarding the legal ramifications and suggested that a committee be appointed to look into another location.

Mr. Eriquez stated that the Task Force intentionally presented only one site.

Mr. Zotos stated the Common Council owes the proposal a vote of good faith. Mr. Renz stated that the Council would be putting the cart before the horse by approving this proposal. The Mayor stated that the Common Council must approve the concept before the approvals are granted.

Mr. Nimmons addressed the audience and explained how a committee works.

Mrs. Danise read an article from the News Times from 100 years ago regarding the same piece of property.

Mr. Bundy defended the committee's work and stated that it had taken a lot of heat and had uncovered many facts.

Mr. Moran moved the question. Seconded by Mr. Renz. Motion carried unanimously. The Mayor explained that a yes vote would reject the report and a no vote would accept the report. Motion carried with the members voting as follows:

Yes - Esposito, Farah, Flanagan, Zotos, Charles, Bundy, DaSilva, Eriquez, Regan.

No - Connell, Moran, Renz, Cresci, Nimmons, Fazio, Shaw, Danise.

Abstain - Bourne.

9 yes, 8 no, 1 abstention.

Mr. Eriquez made the following motion:

"I move that we authorize the Mayor to execute the appropriate lease contingent upon the satisfaction of Corporation Counsel*that the subject land is clear to be utilized for this purpose (for the relocation of the Action Daycare Center); that the necessary review and approval of the Environment Impact Commission be garnered; that the necessary review and approval of the Planning Commission be garnered and that all other necessary approvals of the City Boards and Agencies be obtained. *In writing." Seconded by Mr. Charles.

Mr. Flanagan moved to amend the motion by adding that the lease shall be for 25 years with an option for 25 more at \$1.00 per year. Mr. Eriquez seconded the motion. Motion to amend carried with the members voting as follows:

Yes - Connell, Moran, Esposito, Farah, Flanagan, Zotos, Cresci, Nimmons, Fazio, Charles, Bundy, DaSilva, Eriquez, Regan.

No - Renz, Shaw, Danise.

Abstain - Bourne.

14 yes - 3 no - 1 abstention.

Mr. Bundy offered an amendment stating that the lease shall not be executed unless the total necessary State of Connecticut funds are in place and no additional funds shall be sought or granted by the City of Danbury to fulfill this cooperative agreement. Seconded by Mr. Fazio. Motion carried unanimously.

Mr. Eriquez made a motion to suspend the rules to allow Senator Maloney to address the funding issue. Seconded by Mr. Flanagan. Motion carried with the members voting as follows:

Yes - Connell, Esposito, Farah, Flanagan, Zotos, Charles, Bundy, DaSilva, Eriquez, Regan.

No - Bourne, Moran, Renz, Cresci, Nimmons, Fazio, Shaw, Danise.

10 Yes - 8 No.

Senator Maloney explained the funding process.

Main motion, as amended, failed with the members voting as follows:

Yes - Moran, Esposito, Farah, Flanagan, Zotos, Nimmons, Charles, Bundy, DaSilva, Eriquez, Regan.

No - Connell, Renz, Cresci, Fazio, Shaw, Danise.

Abstain - Bourne.

11 yes - 6 no - 1 abstention.

Mr. Farah made a motion that a committee be appointed to look into an alternative site immediately. Seconded by Mr. Moran. Motion carried unanimously. Mayor Sauer appointed Council Members Regan, Bundy, DaSilva to the committee.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DENNIS I. ELPERN
DIRECTOR OF PLANNING

(203) 797-4525

November 20, 1996

To: Mayor Gene F. Eriquez
Members of Common Council

From: Dennis I. Elpern,
Director of Planning

Re: Offer of Sale of Land
Corner of East Franklin and Maple Avenue

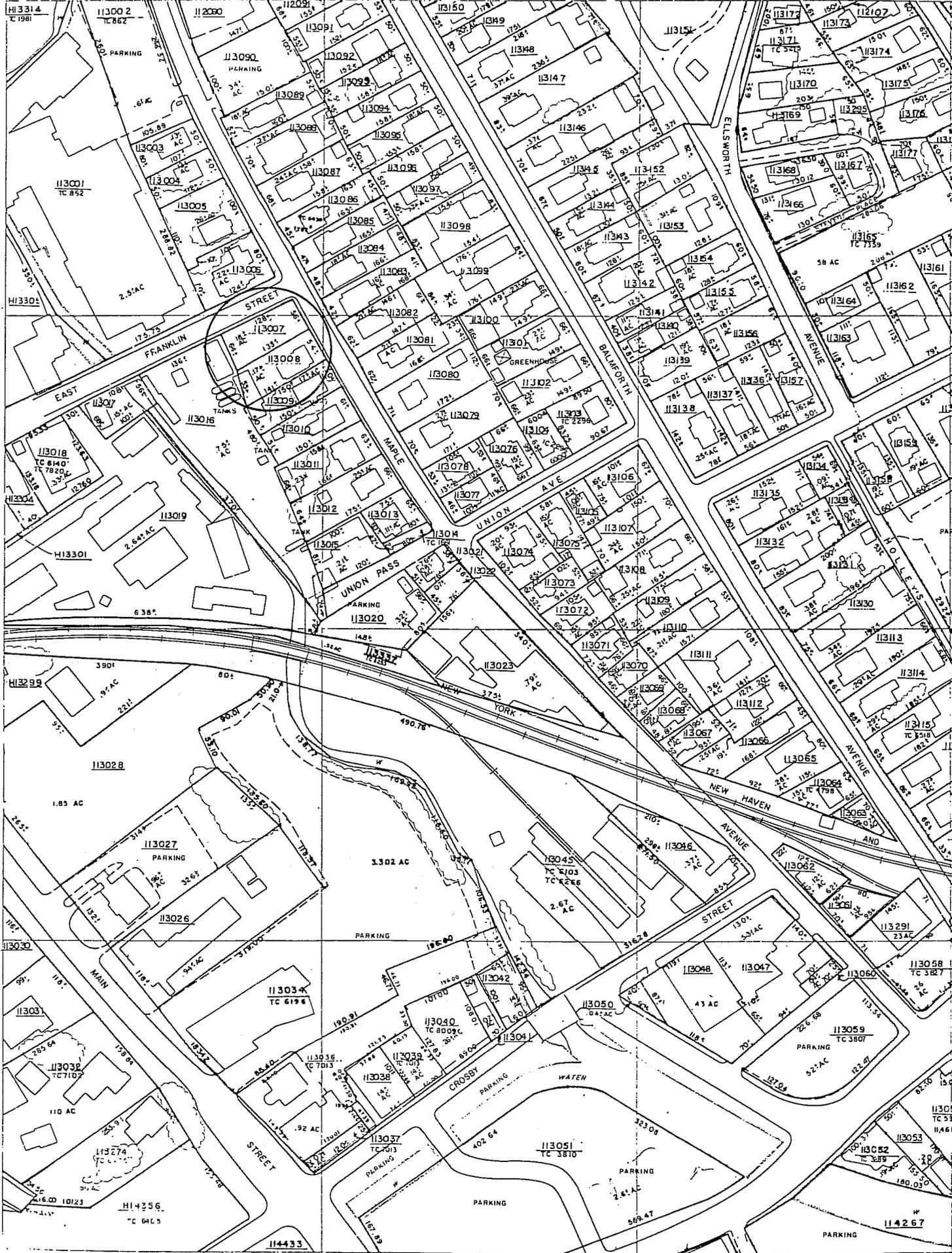
The City has received an offer to purchase two adjoining lots at the corner of East Franklin Street and Maple Avenue by Joseph A. Zandri, Sr. for a negotiated price.

These are two small lots with a total area of less than half an acre. This renders them nonconforming lots because of their IL-40 zoning (40,000 sq. ft. minimum).

As you know, both East Franklin Street and Maple Avenue are one-way streets.

We know of no municipal use planned for this area for which these lots would be suitable. Their small size and limited access places severe constraints on potential use by the City.

c: Planning Commission



H-13

JOSEPH A. ZANDRI, SR

P.O.Box 2628
Danbury, CT. 06813

38

August 27, 1996

Dear Members of the Common Council,

My name is Joseph A. Zandri, Sr and I have been a resident of Danbury for approximately 18 years. Being a contractor, I have done work in this city since 1958.

I own property on the corner of East Franklin and Maple Ave., zoned IL40. It consists of two lots, a parking lot and a two family house. I would like to offer this parcel to the City, either purchase, lease or build to suit. This location would be ideal for Ambulance headquarters or any type of emergency headquarters. It is quickly accessible to 84, the hospital or any part of the City. The price is negotiable.

Thank you for your attention to this matter,



Joseph A. Zandri



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

November 22, 1996

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

Re: 8-24 Referral - 38 - Offer to sell land to the City at the corner of East Franklin and Maple Avenue

Dear Council Members:

The Planning Commission at its meeting November 20, 1996, motioned for a negative recommendation for the offer to sell land to the City at the corner of East Franklin and Maple Avenue for the reason it is of no value to the City, it's too small.

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

Sincerely yours,


Steve Zaleta
Vice-Chairman

SZ/jlc



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

November 27, 1996

Mayor Gene F. Eriquez
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

Offer to Sell Property
Corner of Maple Avenue and East Franklin Street

At the November 7, 1996 Common Council meeting The August 27, 1996 offer by Joseph A. Zandri to sell two pieces of property (Tax Assessor's Lot Nos. I13007 and I13008) at the corner of East Franklin Street and Maple Avenue was forwarded to our office for a thirty day report (reference Item 38 of the meeting minutes).

The enclosed copy of the section of the Tax Assessor's Map shows these lots. According to the Tax Assessor's records these lots are 0.18 acre and 0.17 acre in size respectively. Lot No. I13007 is vacant land used now or formerly as a parking lot and carrying an assessed value of \$14,900 according to the Tax Assessor's records. Lot No. I13008 is occupied by a 2 family dwelling, a "flat barn", and an office according to the Tax Assessor's records and carries an assessed value of \$141,400.

We know of no use these properties could be put to by the City at this time.

The following comments are offered to assist you with your decision making:

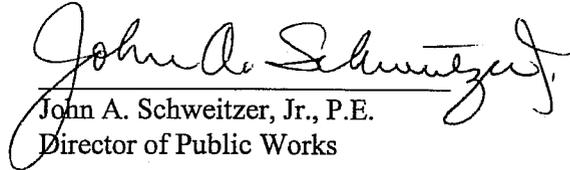
1. The City owns no property adjacent to these lots.
2. We contacted the Health Department relative to any problems which may be associated with these lots as a result of the present and past uses of the abutting property to the rear (Lot No. I13016). The property to the rear has been used by oil companies in the past. The Health Department informed us that there is a history of problems with the tanks on the adjacent property (oil overflows). Before any serious consideration is given to the purchase of the Zandri properties Phase I and Phase II Environmental Reports should be done to determine if there has been any pollution of the Zandri properties.

3. An A-2 survey would be needed to determine whether the rear building on Lot No. I13008 is located entirely on the Zandri property or whether it straddles one or more property lines.

4. Detailed building reports would be needed to evaluate the conditions of existing buildings and to determine what improvements would be warranted (code, safety, etc.) before they could be put to use by the City.

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

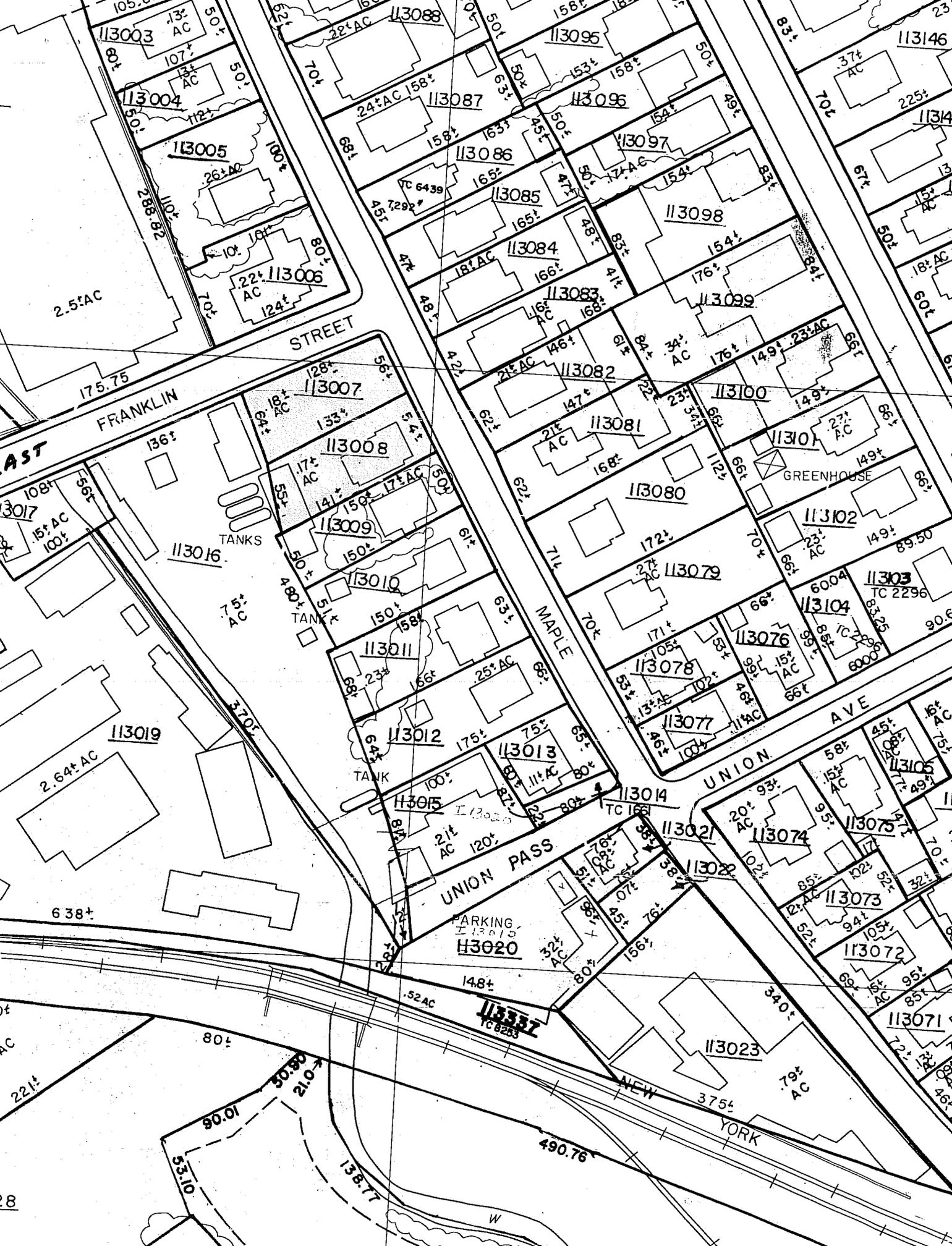

John A. Schweitzer, Jr., P.E.
Director of Public Works

JAS/PAE/pe

encl.

c: Dennis Elpern

Jack Kozuchowski





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

December 27, 1996

PLEASE REPLY TO:

DANBURY, CT 06810

Honorable Gene F. Eriquez, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: Request for reimbursement -- broken sewer lateral
Leatha Perkins -- 61 Rowan Street
December Agenda Item #35

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report. As you may recall, the petitioner wrote to you concerning a claim in the amount of \$111.75. The claim related to damage caused to a sewer lateral serving the petitioner's property.

After receiving your request, I contacted the Department of Public Utilities to verify the allegations made in the claim. Based upon my discussions with William Buckley I can advise you that the damage to the petitioner's sewer lateral appears to have been caused by a City contractor, Trumbull Construction Company, during construction of a 36" water main.

Consistent with standard practice, the claim has already been forwarded to Trumbull Construction for resolution. No further action upon the claim by the Common Council is warranted at this time, however I will advise you of further developments as they occur. If you have any additional questions regarding this matter, please feel free to contact the Public Utilities Department or you may contact me directly.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

cc: William J. Buckley, Jr.
Superintendent of Public Utilities



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

December 19, 1996

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

Re: 8-24 Referral - 36 - Bluebird Aviation Lease Assignment

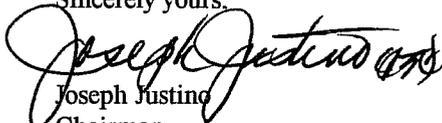
Dear Council Members:

The Planning Commission at its meeting December 18, 1996 motioned for a positive recommendation for Bluebird Aviation Lease Assignment if:

- A. The lease is re-assignable to another party;
- B. The lease dollar amount be renegotiable;
- C. The lease dollar amount can be raised at end of lease term;

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

Sincerely yours,


Joseph Justino
Chairman

JJ/jlc

via certified mail



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Request for Funds for Childcare Connections

The Common Council Committee appointed to review the request for funds for Childcare Connections met on November 13, 1996 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Gallagher and Basso. Also in attendance were Director of Finance Dominic Setaro, Welfare Director Deborah MacKenzie and the Director of Childcare Connections Marilyn Glen.

After giving Mrs. Glen the opportunity to explain what Childcare Connections is and need for funding, the committee agreed that no action be taken until the Childcare Connection uses up the \$4,700 in Block Grant funds never submitted for. This motion was made by Mr. Gallagher. Seconded by Mrs. Basso. After discussion the motion carried unanimously.

Respectfully submitted,

ERNEST M. BOYNTON, Chair

MATTHEW GALLAGHER

PAULINE BASSO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 1, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

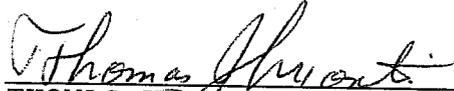
Re: Request for Sewer Extension at 85 Great Plain Road

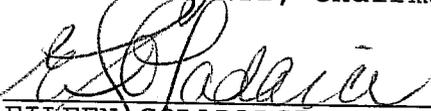
The committee appointed to review the request for sewer extension at 85 Great Plain Road met on December 10, 1996 at 7:00 P.M. in City Hall. In attendance were committee members Arconti and Coladarci. Council Member Basso had a previous commitment. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities Bill Buckley and Rosemary Bouffard, the vice-president of the St. Gregory Parish Council.

Mrs. Bouffard explained the need for a sewer extension to St. Gregorys. Their septic system is over 30 years old and they would like to be prepared before a problem occurs with that system. Mr. Schweitzer discussed the requirements to bring septic to this area and stated that a nearby neighborhood has already petitioned for a sewer extension. St Gregorys is within the service area and the Planning Commission made a positive recommendation for this extension.

Mrs. Coladarci moved to recommend that the St. Gregory school, church, and rectory be included in the survey and project for a sewer extension to the Jackson Drive neighborhood. Seconded by Mr. Arconti and passed unanimously.

Respectfully submitted,


THOMAS ARCONTI, Chairman


EILEEN COLADARCI


PAULINE BASSO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

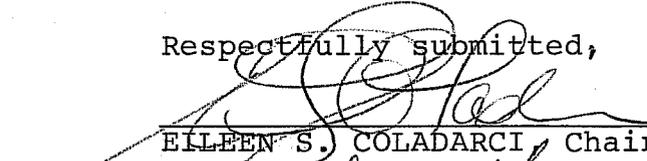
Re: Drainage Problem at 23 Woodbury Drive

The subcommittee to review the drainage problem at 23 Woodbury Drive met at 7:30 P.M. in Room 432 in City Hall on December 10, 1996. In attendance were committee members Coladarci and Arconti. Pauline Basso had a previous commitment. Also in attendance were Director of Public Works Jack Schweitzer and Mr. and Mrs. Robert LeCoz of Woodbury Drive.

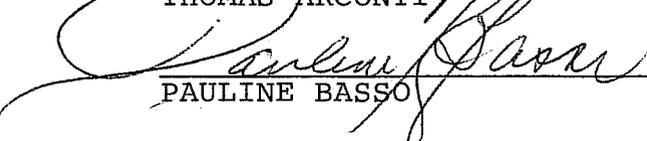
Mrs. LeCoz explained that they have standing water at the end of their driveway. The water drains onto their land and erodes the surface of their driveway. She said that the water is standing due to the pitch in the road. When the weather turns cold, the standing water freezes creating more problems. Mr. Schweitzer explained that Frank Cavagna, Director of the Highway Department, has reviewed the area. He prepared a catch basin measurement which shows that there is a natural dip at the top of the subject driveway. The area can be corrected by bringing a milling machine in to chop the existing surface and then re-grade the road. The water will then flow in the gutter to the existing catch basin.

Mr. Arconti made a motion that the Highway Department schedule the re-grading of the area in front of 23 Woodbury Drive during the next construction season. The motion was seconded by Ms. Coladarci and passed unanimously.

Respectfully submitted,


EILEEN S. COLADARCI, Chair


THOMAS ARCONTI


PAULINE BASSO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

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Respectfully submitted,

EILEEN S. COLADARCI, Chair

THOMAS ARCONTI

PAULINE BASSO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

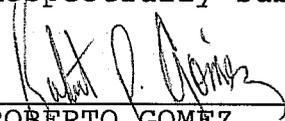
Re: Request for Sewer Extension - 3 Joe's Hill Road

The Common Council Committee appointed to review the request for sewer extension to 3 Joe's Hill Road, Lot C14012, met on December 18, 1996 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Gomez and Butera. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and the applicants, Mr. and Mrs. Mulready, and Council Member Warren Levy, ex-officio.

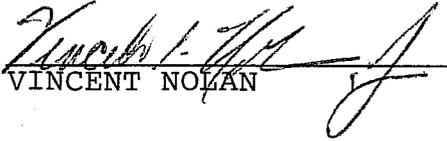
The Planning Commission gave a positive recommendation. Mr. Schweitzer and Mr. Buckley reviewed and explained different options and requirements to Mr. and Mrs. Mulready. They both gave a positive recommendation to the request.

Mr. Gomez asked the department heads if the extension would cause any additional cost to current utility users or to the City. The answer was no. Mrs. Butera made a motion to approve the sewer extension subject to the City Code of Ordinances and the required eight steps. The motion was seconded by Mr. Gomez and passed un-animously.

Respectfully submitted,


ROBERTO GOMEZ


JANET BUTERA


VINCENT NOLAN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

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Mr. Gomez asked the department heads if the extension would cause any additional cost to current utility users or to the City. The answer was no. Mrs. Butera made a motion to approve the sewer extension subject to the City Code of Ordinances and the required eight steps. The motion was seconded by Mr. Gomez and passed un-animously.

Respectfully submitted,

ROBERTO GOMEZ

JANET BUTERA

VINCENT NOLAN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Request for Water Extension - Edgewood Street

The Common Council Committee appointed to review the request for water extension on Edgewood Street met on December 16, 1996 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Charles, Gomez and Nolan. Also in attendance were City Engineer Jack Schweitzer and the petitioner, Cesar M. Lopes.

Mr. Schweitzer recommended that the petitioner be granted permission to tie into the City water line. The Planning Commission gave a positive recommendation. Mr. Schweitzer recommended that the eight steps be followed.

After a brief discussion, Mr. Gomez made a motion to grant permission. Seconded by Mr. Nolan. Motion carried unanimously.

Respectfully submitted,

Louis T. Charles

LOUIS T. CHARLES

Roberto Gomez

ROBERTO GOMEZ

Vincent P. Nolan

VINCENT NOLAN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 7, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

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After a brief discussion, Mr. Gomez made a motion to grant permission. Seconded by Mr. Nolan. Motion carried unanimously.

Respectfully submitted,

LOUIS T. CHARLES

ROBERTO GOMEZ

VINCENT NOLAN

GARY PAGANO

December 19, 1996

Mr. Christopher Setaro
City of Danbury
Deer Hill Avenue
Danbury, CT 06811

Dear Mr. Setaro:

I am the owner of a parcel of land located at the intersection of Hayestown Heights Road and Rose Lane on which I plan to build a house. During the engineering process, I became aware that there is a storm water drain that is maintained by the City of Danbury that directs water from Horseshoe Drive onto my property. After this water crosses my property, it crosses the property that adjoins my property on the North, and then runs onto Rose Lane and Hayestown Heights Road. In the winter months, this water freezes on these roads. This often requires the Highway Department to chop through this ice, and to otherwise spend more time and resources maintaining these roads in an acceptable condition than would be required if this water was not passing over them.

I am unable to obtain any building-related permit for this property until this condition has been satisfactorily addressed. One possible solution that has been suggested to resolve this situation would involve (i) the extension of the storm drainage system on Rose Lane to the area in front of the property and (ii) the construction of a drainage system across the property that would tie into, and funnel the water from Horseshoe Drive to, this extended drainage system. My builder has had conversations with Frank Cavagna of the Highway Department concerning this proposed solution and, in an effort to make this solution feasible, Mr. Cavagna has offered to supply the pipe and catch basins that would be necessary to extend this drainage system. Unfortunately, the other costs of this extension (for example, machine time, gravel, asphalt, cost of a road opening bond) are so substantial that the development of the property is no longer practical. Further, it is not clear that this extension would solve the problem, as much of the water enters onto the affected roadways in an area that would not be covered by the proposed catch basins.

I am writing to ask that your office give this matter consideration, especially in light of the fact that this problem emanates from a City-maintained drain. A visit to the property by you would facilitate the discussion of other, more feasible solutions. I believe that any additional resources that the City could provide to correct this problem would be a worthwhile investment as the development of the property will provide the City with additional property tax revenue for years to come. Additionally, a correction of this problem will result in the City spending less resources on the maintenance of Rose Lane and Hayestown Heights Road, and would eliminate a potentially dangerous condition that exists when these roads ice over.

Please telephone me at 743-7991 after you have had an opportunity to review this matter. Thank you for your consideration.

Very truly yours,

cc: Mr. Thomas Arconti, Councilman



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

January 7, 1997

DANBURY, CT 06810

Honorable Gene F. Eriquez
Honorable Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Lazy Creek Mills, LLC & Flagship Converters, Inc. vs.
City of Danbury and Board of Assessment Appeals

Dear Mayor and Council Members:

The above-entitled matter is a tax appeal brought on the October 1995 assessment list. This matter has been reviewed by the Assessor, together with this office, and the Assessor has determined that a beneficial settlement should be considered. In that regard, please schedule your consideration of this proposal in executive session at the January regular meeting.

Appropriate backup documentation will be provided to you at that time and the Assessor and this office will be available in the event you have any questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP/msm

cc: Robert F. Coyne
Tax Assessor

Sanford Kaufman, Esq.

g:/jancc.doc