

COMMON COUNCIL MEETING

SEPTEMBER 6, 1995

The meeting will be called to order at 7:30 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Levy, Scalzo, Abrantes, Yamin, Arconti, Boynton, Buzaid, Gallagher
Machado, DaSilva, Esposito, Coladarci, Charles, Gomez, Beck, Nolan
Scozzafava, Setaro, Trocolla, Valeri

19 Present 2 Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held August 1, 1995 and the Special Common Council Meetings held August 10, 1995 and August 24, 1995.

CONSENT CALENDAR - The Consent Calendar was presented by John Esposito

- 1 COMMUNICATION - Recommendation for the Sixth Ward Vacancy on the Common Council
- 2 ORDINANCE - Deferral of Assessment Increases - Downtown Redevelopment Area
- 3 ORDINANCE - Amendment of Code Section 17-57(a)
- 4 RESOLUTION - State of Connecticut Drug Enforcement Program Grant
- 5 RESOLUTION - Easements for Palace Walk
- 6 RESOLUTION - Payment-In-Lieu-Of-Taxes Program
- 7 RESOLUTION - Beaver Street Apartments Cooperative, Inc. Abatement from the State of Connecticut
- 8 RESOLUTION - Airport Rotating Beacon Site Acquisition of Properties - City of Danbury v. Gemza and Raymond and Priano and Ferraguzzi
- 9 COMMUNICATION - Appointment to Drill Master
- 10 COMMUNICATION - Appointment to the Planning Commission
- 11 COMMUNICATION & CERTIFICATION - Veterans Donation
- 12 COMMUNICATION - Gift of Weathervane for Fire Station 23
- 13 COMMUNICATION - Disposal of Surplus Firearms

- 14 COMMUNICATION - Donations to the Police Department

- 15 COMMUNICATION - Proposed Acceptance of Donation to Tarrywile Park Authority

- 16 COMMUNICATION - Donations to the Department of Elderly Services

- 17 COMMUNICATION & CERTIFICATION - Reappropriation of Donated Funds

- 18 COMMUNICATION & CERTIFICATION - Reappropriation of Donated Funds

- 19 COMMUNICATION - Telephone Purchase

- 20 COMMUNICATION - Computer System

- 21 COMMUNICATION & CERTIFICATION - Request for Funds for Hearthstone Castle Proposal Advertisements and Publications

- 22 COMMUNICATION & CERTIFICATION - Uninsured Workers' Compensation

- 23 COMMUNICATION - Highway State Aid 1994-95 Fiscal Year

- 24 COMMUNICATION - City of Danbury and SEIU Local 760 Danbury Interweave Employees

- 25 COMMUNICATION - Kenosia Soccer Field Concession Proposal

- 26 COMMUNICATION - Danbury Railway Museum Lease

- 27 COMMUNICATION - Carpenters Extraordinaire - Tarrywile Farmhouse Renovations

- 28 COMMUNICATION - City of Danbury v. Senta Sayers Water Bills

- 29 COMMUNICATION - Request for Sewer and Water Extensions - 60 Forest Avenue

- 30 COMMUNICATION - Request for Sewers on Westville Avenue

- 31 COMMUNICATION - Request for Sewer and Water Extensions - Tarrywile Lake Road

- 32 COMMUNICATION - Request for Sewer and Water Extensions - Boulevard Drive

- 33 COMMUNICATION - Tisano Lease with the City

- 34 COMMUNICATION - Alexander D Avenue/Drainage

- 35 COMMUNICATION - Drainage Problem at 27 Clayton Road

- 36 COMMUNICATION - Laurel Heights Subdivision Padanaram Road, Danbury

- 37 COMMUNICATION - Reports regarding Conveyance of Strip of Land on Starrs Plain Road
-
- 38 COMMUNICATION - CL & P Easement - General Mills Restaurants, Inc.
-
- 39 COMMUNICATION - Easements to the City from Apple Blossom Association
-
- 40 COMMUNICATION - Blasco Driveway Relocation Agreement Chestnut Street Railroad Crossing Improvement Project
-
- 41 COMMUNICATION & CERTIFICATION - City of Danbury v. McCarthy 44 Padanaram Road
-
- 42 DEPARTMENT REPORTS - Public Utilities, Health and Housing, Department of Elderly Services, Highway Department, Parks and Recreation, Police, Fire Chief, Fire Marshall
-
- 43 REPORT & ORDINANCES - Sewer and Water Installation Bonds
-
- 44 REPORT - Ordinance Change to Section 17-69 Safety to Traffic Generally
-
- 45 REPORT - Mutual Aid Agreements
-

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

CONSENT CALENDAR

SEPTEMBER 6, 1995

- 6 - Approve Application for Payment-In-Lieu-of-Taxes Program - \$269,574.22
- 7 - Approve Application for Beaver Street Apartments Cooperative, Inc. Abatement from the State of Connecticut
- 8 - Approve Resolution regarding Airport Rotating Beacon acquisition of property - City of Danbury v. Gemza and Raymond and Priano and Ferraguzzi
- 10 - Approve appointment of Deborah Gogliettino to the Planning Comm.
- 15 - Approve authorization of acceptance of donations of Friends of Tarrywile to the Tarrywile Park Authority for goldfish pond
- 17 - Approve reappropriation of donated funds for the Department of Elderly Services - \$150.00
- 18 - Approve reappropriation of donated funds for the Department of Elderly Services - \$193.60
- 21 - Approve request for funds for Hearthstone Castle proposal advertisements and publications - \$6,000
- 22 - Approve uninsured worker's compensation claims - \$24,150
- 23 - Approve appropriation to Highway State Aid 1994-95 Fiscal Year \$1,871
- 24 - Approve agreement between the City of Danbury and SEIU Local 760 Interweave Employees
- 25 - Approve Kenosia Soccer Field Concession Proposal
- 28 - Approve settlement of claim - City of Danbury v. Senta Sayers water bills - \$2,823
- 37 - Approve conveyance of strip of land on Starrs Plain Road
- 38 - Approve CL & P Easement - General Mills Restaurants, Inc.
- 40 - Approve Blasco Driveway Relocation Agreement - Chestnut Street Railroad Crossing Improvement Project
- 41 - Approve purchase of property regarding City of Danbury v. McCarthy - 44 Padanaram Road
- 43 - Approve sewer and water installation bonds - \$2,500,000 each
- 44 - Approve receipt of report regarding ordinance change 17-69 Safety to Traffic Generally
- 45 - Approve Mutual Aid Agreements between City of Danbury and the Towns of Brookfield and Ridgefield

DEMOCRATIC TOWN COMMITTEE

P.O. BOX 164

DANBURY, CONNECTICUT 06813

Danbury Common Council
Danbury City Hall
151 Main Street
Danbury, Conn. 06810

August 23, 1995

Dear Honorable Members of the Common Council,

It is my pleasure to report to you that the Danbury Democratic Town Committee, at a meeting held on August 22, 1995, voted unanimously to recommend Mr. Connie Shuler of 12 Bells Place to fill the vacancy in the sixth ward created by the unfortunate death of Councilwoman Dorothy Outlaw.

Sincerely,


Joseph Walkovich
Town Chairman



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

September 6, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

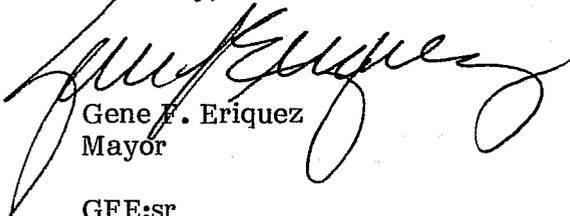
Attached is a resolution which allows the City of Danbury to accept the State of Connecticut Drug Enforcement Program Grant of \$455,299 for fiscal year 1995-96. This amount will be allocated to Danbury as the State's 8th largest entitlement city.

Through the continued efforts of my office and of the Danbury Police Department, Danbury will receive, once again this year, its portion of the larger amount of funds entitlement cities are awarded.

These funds will be allocated for law enforcement efforts through the Tactical Narcotics Team and other measures, provide drug education and prevention programs such as D.A.R.E., G.R.E.A.T. and Here's Looking at You 2000 in our City schools, and continue crime prevention activities and neighborhood reclamation and improvement programs.

Thank you for your prompt consideration of this item.

Sincerely,



Gene F. Eriquez
Mayor

GFE:sr



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 Office of Policy and Management will make available to the City of Danbury grant funding in the amount of \$455,299.00 pursuant to Public Act 89-390, An Act Concerning Prevention and Treatment of Substance Abuse and Enforcement of Drug Laws; and

WHEREAS, 50% of the funding, or \$227,649.00 is to be designated for law enforcement, 40% of the total amount, or \$182,120.00 is to be applied to drug education, and the remaining 10%, or \$45,530.00 is to be used for crime prevention programs; and

WHEREAS, the grant period is effective July 1, 1995 through September 30, 1996 and 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.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

September 6, 1995

DANBURY, CT 06810

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

Re: Easements for Palace Walk

Dear Mayor and Council Members:

The attached resolution, together with easement and property descriptions will enable the use by the City of Danbury of a proposed walkway in the area of the Palace Theatre. The two owners (each owning a portion of the walkway area) would be executing the separate easements to the favor of Danbury in accordance with discussions among the parties respecting use of the premises for a public accessway/walkway.

Kindly refer the easement together with the descriptions to the Planning Commission. In the event you have any questions regarding this, please call.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

Attachments

c: John A. Schweitzer, Jr.
Director of Public Works

RIGHT OF WAY

ESTATE OF JOSEPH DA SILVA AND MARIA DA SILVA

A right of way measuring 9,332 square feet in area across property of the Grantors which property is located on the east side of Main Street beginning at a point which is on the east side of Main Street and which is the southwest corner of the land of the Grantors herein, thence running along the easterly line of Main Street $N39^{\circ}00'27''W$ a distance of 2.598 feet, thence turning and running through the land of the Grantor $N56^{\circ}00'56''E$ a distance of 105.083 feet, $N62^{\circ}52'02''E$ a distance of 164.281 feet, $N27^{\circ}08'06''W$ a distance of 91.218 feet, $S62^{\circ}45'29''W$ a distance of 97.428 feet, $N25^{\circ}15'54''W$ a distance of 16.605 feet, $N64^{\circ}59'50''E$ a distance of 126.974 feet, $S27^{\circ}08'06''E$ a distance of 124.373 feet, $S64^{\circ}05'40''W$ a distance of 27.488 feet to a point on the property line between land of the Grantors and land now or formerly of Edward A. Leili, thence along said property line $S64^{\circ}05'40''W$ a distance of 270.660 feet to the point or place of beginning.

Bounded:

Northerly: by other land of the Grantors, by land of the City of Danbury and by land now or formerly of Davon Development Corporation, each in part

Easterly: by other land now or formerly of the Grantors herein

Southerly: by other land of the Grantors herein, by land now or formerly of the Estate of Joseph DaSilva and by land now or formerly of Edward A. Leili, each in part

Westerly: by other land of the Grantors and by Main Street, each in part.

For a more particular description, reference is made to a map entitled "Map Showing Proposed Right of Way through Lands of the Estate of Joseph DaSilva and Maria DaSilva and Edward A. Leili to be Acquired by the City of Danbury Main Street, Danbury, Conn. Scale 1"=20' January 6, 1995" which map is certified to by Ireneo H. Despojado, P.E. & R.L.S. and is to be filed in the Dan-

RIGHT OF WAY

EDWARD A. LEILI

A right of way measuring 1,242 square feet in area across property of the Grantor which property is located on the east side of Main Street beginning at a point which is on the east side of Main street and which is the northwest corner of land of the Grantor herein, thence running along the property line between land of the Grantor and land owned now or formerly by the Estate of Joseph DaSilva and Maria Da Silva N64°05'40"E a distance of 270.660 feet, thence turning and running through the land of the Grantor S63°53'06W a distance of 50.041 feet, S60°45'18"W a distance of 111.524 feet, S70°48'41"W a distance of 27.358 feet, and S56°19'35"W a distance of 78.942 feet to the easterly line of Main Street, thence turning and running along the easterly line of Main Street N41°18'20"W a distance of 14.676 feet to the point or place of beginning.

Bounded:

Northerly: by land now or formerly of the Estate of Joseph DaSilva and Maria DaSilva

Easterly: by land now or formerly of the Estate of Joseph DaSilva.

Southerly: by other land of the Grantor

Westerly: by Main Street

For a more particular description, reference is made to a map entitled "Map Showing Proposed Right of Way Through Lands of Estate of Joseph DaSilva and Maria DaSilva and Edward A. Leili to be Acquired by the City of Danbury Main Street, Danbury, Conn. Scale 1"=20' January 6, 1995" which map is certified to by Ireneo H. Despojado, P.E. & R.L.S. and is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury desires to construct a walkway in the area of the former Palace Theatre to be known as Palace Walk; and

WHEREAS, it will be necessary to acquire interest in and to real property now or formerly of the Estate of Joseph DaSilva, and Maria DaSilva as set forth in an Easement Right of Way attached as Schedule A; and and to real property now or formerly of Edward A. Leili as set forth in an Easement Right of Way attached as Schedule B; both containing the legal description of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said property upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on Schedules A and B;

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suits against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrancers, if any.



6

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: August 23, 1995

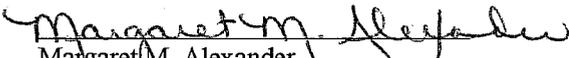
To: Hon. Gene F. Eriquez
via the Common Council

From: Margaret M. Alexander, Grants Administrator/Internal Auditor

Re: Payment-In-Lieu-Of-Taxes Program

Attached is a resolution for your consideration that will allow the City of Danbury to apply to the State of Connecticut for financial assistance in order to undertake a program of Payment-In-Lieu-Of-Taxes in an amount not to exceed \$269,574.22.

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


Margaret M. Alexander

cc: Dominic A. Setaro, Jr.
Kimberly G. Redenz
Bernard Fitzpatrick



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to local housing authorities, municipalities and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of PAYMENT-IN-LIEU-OF-TAXES and to execute an Assistance Agreement therefor:

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes.
2. That the filing of an application by the City of Danbury in an amount not to exceed \$269,574.22 is hereby approved and that the Mayor is hereby authorized and directed to execute and file such application with the Commissioner of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance, if such an agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Danbury;
3. That in consideration of said Assistance Agreement, applicant does hereby waive any Payments-in-Lieu-of-Taxes by the Housing Authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes;
4. That the current established mill rate is 19.13 and the current assessment is \$14,091,700.
5. It is also resolved that any prior action taken by the Mayor with respect to this agreement is also approved.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

OFFICE OF THE TAX COLLECTOR
(203) 797-4541

CATHERINE A. SKURAT, C.C.M.C.
TAX COLLECTOR

August 28, 1995

Honorable Gene F. Eriquez
Common Council Members
155 Deer Hill Avenue
Danbury, Ct. 06810

Re: Beaver Street Apartments Cooperative, Inc.
Abatement from the State of Connecticut

Dear Mayor Eriquez and Council Members:

Attached please find a resolution for your approval for the Beaver Street Apartments Cooperative, Inc.. This is project number 034-TA-1A1, and the abatement will be in the amount of \$31,500.00. This abatement, however is subject to State approval of funds for fiscal year 1995-1996.

Upon approval of this resolution, I will need the Mayor's signature on the application for reimbursement. I will keep the original application on file in my office until the resolution has been accepted. If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Catherine A. Skurat, CCMC
Tax Collector

Attachment:

cc: Eric L. Gottschalk
Corporation Counsel
Dominic A. Setaro, Jr.,
Director of Finance



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under Section 8-215, Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Contract with Beaver Street Apartments (9-25-73) and a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257,000; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is \$31,500 for the Grand List of October 1, 1994;

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

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;
2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury.
3. That the real property taxes abated on the subject property are \$31,500 for the Grand List of October 1, 1994;
4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of Section 12-167 of the Connecticut General Statutes, as amended;
5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;
6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Housing.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

September 6, 1995

DANBURY, CT 06810

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

Re: Airport Rotating Beacon Site
Acquisition of Access Properties
City of Danbury v. Gemza and Raymond
City of Danbury v. Priano and Ferraguzzi

Dear Mayor and Council Members:

The Common Council on March 7, 1995 approved a resolution authorizing the Corporation Counsel's Office to acquire interests in and to real property as set forth on the descriptions appended to the resolution, either by negotiation or, if necessary, condemnation proceedings.

State law requires the renewal of this authorization unless condemnation proceedings have occurred within a six month period. In this case, the period expires on September 7, 1995.

We are advised by Attorney Kim Nolan, who has been handling these matters, that due to the issues concerning land use and accessway approval(s) the acquisition will take additional time. We therefore request that the Council approve the attached resolution at its September 6th meeting so that matters may continue to go forward.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

Attachment

c: Kim E. Nolan, Esq.

Paul D. Estefan
Airport Administrator

TANCY JEAN GEMZA AND MARCIE ELYCE GEMZA

A certain piece or parcel of land known as Parcel "B1" containing 53,558 square feet, more or less, situated in the City of Danbury, County of Fairfield, State of Connecticut and more particularly described as follows:

PARCEL "B1"

Commencing at the southeasterly corner of land herein described, said corner being the northeasterly corner of land of now or formerly Ralph Sandolo, Frank Sandolo and Mario Sandolo, thence running westerly, S. $72^{\circ}42'37''$ W. a distance of 326.06 feet to a point on the corner of stone wall, thence running northerly along said stone wall N. $12^{\circ}00'45''$ E. a distance of 50.43 feet to a point, thence N. $12^{\circ}03'30''$ E. a distance of 79.47 feet to a point, thence N. $10^{\circ}48'22''$ E. a distance of 42.65 feet to a point, thence N. $08^{\circ}08'00''$ E. a distance of 22.32 feet to a point on stone wall, thence running easterly through land of now or formerly Tancy Jean Gemza and Marcie Elyce Gemza N. $72^{\circ}42'37''$ E. a distance of 293.50 feet to a point on the westerly boundary line of State of Connecticut, thence running southerly along westerly boundary line of State of Connecticut S. $13^{\circ}15'53''$ E. a distance of 65.915 feet to a former stone bound, thence S. $18^{\circ}59'03''$ W. a distance of 99.34 feet to a former stone bound, thence S. $23^{\circ}19'25''$ E. a distance of 25.33 feet to the point or place of beginning.

Bounded :

- Northerly : By other land now or formerly of Tancy Jean Gemza and Marcie Elyce Gemza.
- Easterly : By State of Connecticut (State Park and Forest Commission)
- Southerly : By land of now or formerly Ralph Sandolo, Frank Sandolo and Mario Sandolo.
- Westerly : By land of now or formerly Peter Priano and Susan Ferraguzzi and by Parcel B2, each in part.

For a more particular description reference is made to a map entitled " Map Showing Land to be Acquired by the City of Danbury from Tancy Jean Gemza & Marcie Elyce Gemza and Peter Priano and Susan Ferraguzzi Spruce Mountain Trail Danbury, Conn. Scale 1" =40' January 30, 1991 " and certified substantially correct as a Class "D" survey by Ireneo H. Despojado, P.E. & R.L.S. # 12050, which map is to be filed in the Danbury Land Records.

PETER PRIANO AND SUSAN FERRAGUZZI

A certain piece or parcel of land known as Parcel "B2" containing 3,104 square feet, more or less, situated in the City of Danbury, County of Fairfield, State of Connecticut and more particularly described as follows:

PARCEL "B2"

Commencing at the southeasterly corner of land herein described, said corner being the southwesterly corner of Parcel "B1" as described on the map referred to hereinafter, thence running westerly along a stone wall S. 72° 42' 37" W. a distance of 95.00 feet, more or less to a point on the easterly line of Spruce Mountain Trail, thence running northerly along the easterly line of Spruce Mountain Trail N. 17° 28' 51" W. a distance of 30.00 feet to a point, thence running easterly through the land of now or formerly of Peter Priano and Susan Ferraguzzi N. 72° 42' 37" E. a distance of 111.94 feet to a point on a stone wall on the westerly boundary line of Parcel "B1", thence running southerly along said stone wall S. 12° 00' 45" W. a distance of 34.40 feet to the point or place of beginning

Bounded :

- Northerly : By other land now or formerly of Peter Priano and Susan Ferraguzzi.
- Easterly : By Parcel "B1"
- Southerly : By land now or formerly of Ralph Sandolo, Frank Sandolo and Mario Sandolo.
- Westerly : By Spruce Mountain Trail.

For a more particular description reference is made to a map entitled " Map Showing Land to be Acquired by the City of Danbury from Tancy Jean Gemza & Marcie Elyce Gemza and Peter Priano and Susan Ferraguzzi Spruce Mountain Trail Danbury, Conn. Scale 1" = 40' January 30, 1991 " and certified substantially correct as a Class "D" survey by Ireneo H. Despojado, P.E. & R.L.S. # 12050, which map is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury holds a permanent easement and right of way over a portion of property off Spruce Mountain Trail (rear) shown and described in a certain easement from Doris Jean Gemza to the Town of Danbury dated July 22, 1963, recorded in Volume 393 at Page 565 of the Danbury Land Records on August 8, 1963 and further depicted on Town Clerk Maps No. 3487 and No. 9036; and

WHEREAS, said easement and right of way permitted the Town of Danbury to erect and maintain a rotating airport beacon light, poles, transmission line structures and other appurtenances over, upon, across and under said property of the Grantor; and

WHEREAS, it is now in the best interests of its successor, the City of Danbury, to acquire permanent ownership of said property and additional property known as Parcels "B-1" and "B-2" as set forth on "Map Showing Land to be Acquired by the City of Danbury from Tancy Jean Gemza and Marcie Elyce Gemza and Peter Priano and Susan Ferraguzzi Spruce Mountain Trail, Danbury, Conn. Scale 1" = 40' January 30, 1991" and which property is further described on the attached Schedules "A" and "B"; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said property upon the amount, if any, to be paid for the respective rights of each to be taken in and to the real property hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests now or formerly of Tancy Jean Gemza and Marcie Elyce Gemza, and Peter Priano and Susan Ferraguzzi as set forth on the attached Schedules and map, either by negotiation or by eminent domain through the institution of suits with respect to the aforementioned property and the owners thereof, their successors, heirs and assigns and their respective mortgage holders and encumbrancers, if any.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

September 6, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation, the promotional appointment of Fire Lieutenant James C. Thorne, Jr. to the position of Drillmaster for the Danbury Fire Department.

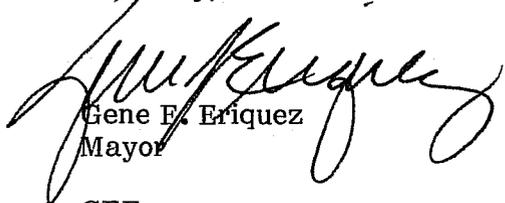
Due to the recent promotion of Drillmaster Peter Siecienski to the position of Deputy Fire Chief, this Drillmaster vacancy exists.

Lieutenant Thorne placed first on the Civil Service listing of eligible candidates for promotion to this position. He is a Danbury native, a 24 year veteran of the Danbury Fire Department, a graduate of Henry Abbott Technical School and attended Norwalk State Technical College.

Lt. Thorne served two tours of duty during the Vietnam War in the United States Navy. He is a Certified Fire Instructor and Fire Officer I and has been an EMT for over twenty years. In fact, Lieutenant Thorne was the first EMT in the Danbury Fire Department. His father, James C. Thorne, Sr., was a Lieutenant in the Danbury Fire Department for 27 years.

Thank you for your consideration of this promotion.

Sincerely,



Gene F. Enriquez
Mayor

GFE:sr



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

September 6, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

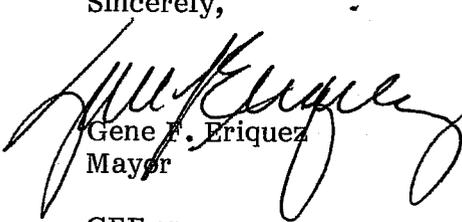
I hereby submit for your consideration the following appointment to the
Planning Commission:

Deborah R. Gogliettino (D)
12 Boulevard Drive
P.O. Box 2598
Danbury, Connecticut 06813
Term to expire: January 1, 1997
(filling a vacancy)

Ms. Gogliettino has been a long time community volunteer including serving on the Common Council for 2 terms from 1989 to 1993. Formerly, she was an active member of the Danbury Jaycees and served as President of the Connecticut State Jaycees in 1986-87. She has also been a volunteer at the Dorothy Day Hospitality House for many years. Ms. Gogliettino is Director of Human Resources at Norwalk Hospital.

Thank you for your consideration of this appointment.

Sincerely,



Gene F. Eriquez
Mayor

GFE:sr



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

August 29, 1995

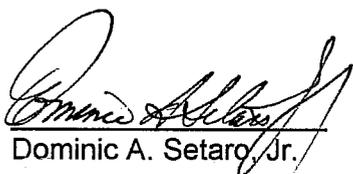
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

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

RE: Veterans Donation

CERTIFICATION

We have received, via Patrick Waldron of the Veterans Affairs office, a donation in the amount of \$605 for a veteran who was recently buried in one of our City graves. Mr. Waldron has requested that this \$605 be reappropriated into his "Office Equipment" line item, Acct. #02-05-160-060500. I request that at its September meeting, the Common Council approve the acceptance of this donation and the reappropriation of the \$605.


Dominic A. Setaro, Jr.

DAS/jg

cc: Patrick Waldron



CITY OF DANBURY

198 MAIN STREET

DANBURY, CONNECTICUT 06810

PATRICK R. WALDRON

Director of Veterans Affairs

(203) 797-4620

August 28, 1995.

Dear Dominic,

Please see the enclosed check for a veterans grave at Wooster cemetery. I request that this \$605.00 be appropriated into account 02-05-160-060500, office equipment through the approval of Mayor Gene F. Enriquez and the Common Council as I desperately need another section of "Space Saver" filing cabinet at this time. This donation was from the Stephen Obeda family.

RECEIVED

AUG 29 1995

Finance Dept.

Respectfully,
Patrick R. Waldron
/s/

Serving Veterans of:

DANBURY BETHEL BROOKFIELD NEW FAIRFIELD NEWTOWN REDDING RIDGEFIELD ROXBURY SHERMAN



12

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

CARMEN J. OLIVER, CHIEF
(203) 796-1550

August 25, 1995

To: Mayor Eriquez and the Members of the Common Council
From: Carmen J. Oliver, Fire Chief
Subject: Gift of Weathervane for New Fire Station #23

Dear Mayor Eriquez and Members of the Common Council:

Permission is requested for the receipt of a gift of a weathervane from "Good Directions, Inc." of 20 Commerce Drive, Danbury CT 06810, telephone #743-3775. They estimate the value of the weathervane (see attached) to be approximately \$140.00. This weathervane will be installed on the top of the flagpole which at one time was at the old Danbury Fairgrounds.

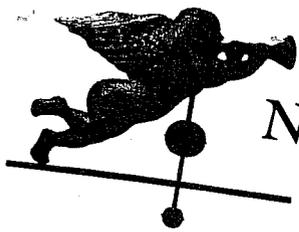
Installation of this weathervane will be taken care of by the Fire Department.

Thank you for your consideration of this gift for the new Fire Station #23.

Respectfully,

Carmen J. Oliver
Fire Chief

CJO:mw
Attachment



MORE IRONS IN THE FIRE!

Chris Burke

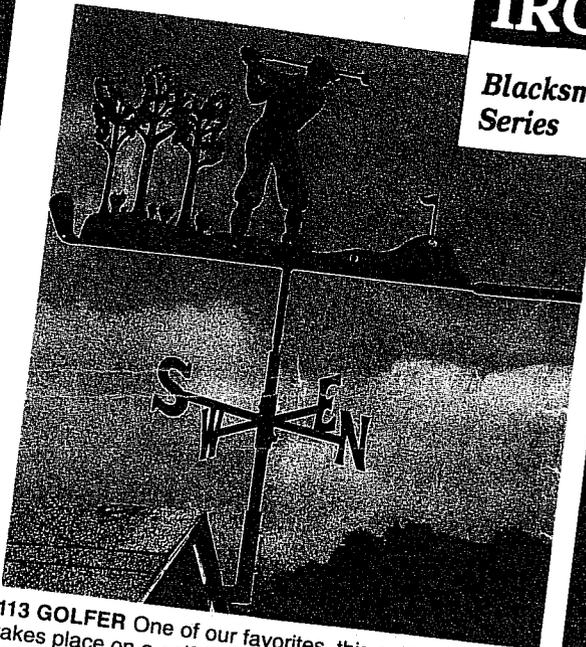
NEW

SILHOUETTE

IRON

Blacksmith Series

GOOD DIRECTIONS has field tested these iron silhouette weathervanes and nine are now being made available. They are surprisingly detailed and are very impressive both up close and against the sky. Iron weathervanes have a place in history. Early blacksmiths made many styles.

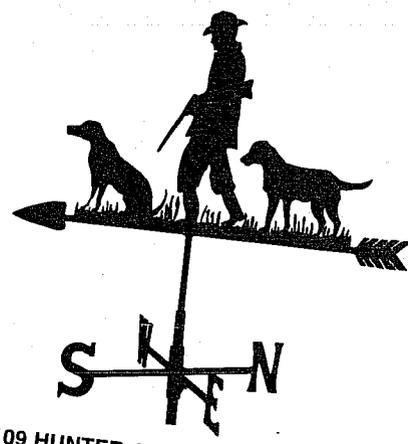
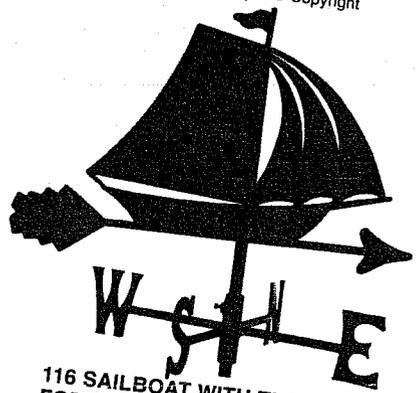


113 GOLFER One of our favorites, this golfing scene takes place on a golf club base (looks like a niblick). (39"x17"H) © Copyright

108 FISHERMAN The moment of truth — the angler readies the net. (28"x16"H) © Copyright

110 FIREMAN This fireman is complete with copper hose and nozzle. (20"x18"H) © Copyright

PRICES INCLUDED IN OUR JULY 15TH PRICE LIST



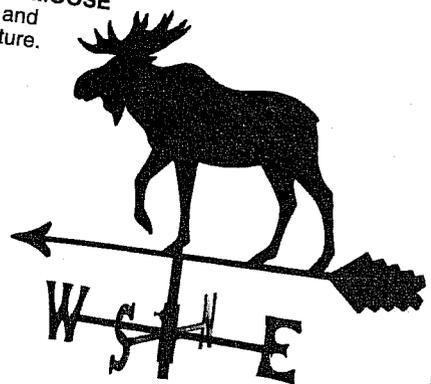
112 ROPER action is captured as the calf submits to Drover's rope. (32"x14½"H) © Copyright

116 SAILBOAT WITH THREE FORESAILS Looks like a good wind. (23"x15"H) © Copyright

109 HUNTER AND DOGS The partnership of dogs and man. Heading home for dinner after a good day. (30"x17½"H) © Copyright



119 MAJESTIC MOOSE An awesome and beautiful creature. (27"x17"H) © Copyright



NE GOOD



13

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WARREN W. PLATZ
PURCHASING AGENT

(203) 797-4571

August 28, 1995

To: Mayor Gene F. Eriquez and Members of the Common Council

From: Warren W. Platz, Purchasing Agent *W*

Re: Disposal of Surplus Firearms

The Police Department has 38 revolvers which were replaced by Berettas and are, therefore, no longer of any use to them. The estimated value of these weapons is approximately \$3,500.00.

I have declared this equipment surplus. Pursuant to Section 2-153 of the Danbury Code, this equipment may be disposed of by the Purchasing Agent, and since the value exceeds \$2,500.00 permission of the Common Council is required.

Therefore, I respectfully request permission to dispose of these surplus weapons through sale or trade-in after obtaining competitive offers from licensed gun dealers through the sealed bid process.

Thank you for your consideration of this request.

WWP/jr

encls: Memo from Chief Macedo
List of Surplus Firearms

cc: D.A. Setaro, Jr., Director of Finance
Chief Nelson F. Macedo



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

August 11, 1995

MEMO

To: Warren W. Platz, Purchasing Agent
From: Chief Nelson F. Macedo
Subject: Surplus Pistols

Attached is a list of 38 revolvers that I am requesting be declared surplus.

If you have any questions, kindly contact my office.

Nelson F. Macedo
Chief of Police

NFM:ks
Attach.



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

August 11, 1995

TO: CHIEF MACEDO
FROM: SGT. KRUPINSKY
SUBJECT: SURPLUS PISTOLS

As per our previous conversation I am submitting to you a list of pistols to be declared surplus. All of the weapons are S&W .357 stainless steel revolvers with four inch barrels.

The below listed are the serial numbers of the 38 revolvers;

| | | | | |
|---------|---------|---------|---------|---------|
| AAD1543 | AAD1253 | AAD1441 | AAD1101 | AAC0060 |
| AAD1438 | AAD1521 | AAD1085 | AAD1746 | AAD1860 |
| AAD1772 | AAD1695 | AAD1456 | AAD1672 | AAB1788 |
| AAD1872 | AAD1592 | AAD1252 | AAB1950 | AAD1418 |
| AAD1636 | AAD1741 | AAD1532 | AAD1698 | AAC0046 |
| AAD1453 | AAC0242 | AAD1705 | AAD1942 | AAD1567 |
| AAD1542 | AAD1767 | AAD1325 | AAD1740 | AAD1861 |
| AAC0689 | AAD1413 | AAD1183 | | |

Respectfully Submitted,

Sgt. F. Krupinsky



14

CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

August 9, 1995

MEMO

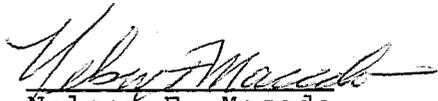
To: Elizabeth Crudginton, City Clerk
Members of the Common Council

From: Chief Nelson F. Macedo

Subject: Donation - Mrs. Helen Rocano

Request permission to accept the donation of \$25.00 from Mrs. Helen Rocano, 11 Clapboard Ridge Road.

I further request that the funds be deposited in the Police Department's 1995/96 General Fund Official Budget 02-100, Office Supplies 040100 line item.


Nelson F. Macedo
Chief of Police

NFM:ks
enc.
c: Dominic Setaro



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

August 2, 1995

MEMO

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

From: Chief Nelson F. Macedo

Subject: Donation of Mosler Safe

Permission is requested to accept the donation of a Mosler safe, Serial No. 328249, from Union Carbide. The safe will be used in our Evidence Technician garage for security.

Please be advised that the safe has been donated by William McGrath, General Services, Union Carbide Corporation.


Nelson F. Macedo
Chief of Police

NFM:ks



TARRYWILE
PARK &
MANSION

70 Southern Blvd., Danbury, CT 06810

15

203 744-3130
Fax 203 778-3352

August 29, 1995

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

RE: Proposed acceptance of donations to the Tarrywile Park Pond
Restoration Project

Dear Council Members:

As you may be aware, the Tarrywile Park Authority, the Friends of Tarrywile Park, Inc. and the City of Danbury are working together to restore the gold fish ponds on the lower northeast corner of the Tarrywile Mansion lawn. The restoration of the ponds will not only enhance the overall beauty of the park but will contain facilities which will allow the handicapped citizens of Danbury and the surrounding communities access to a unique natural setting.

The Friends of Tarrywile Park, Inc. is intending to solicit funds as well as services from community businesses and individuals to accomplish this task. The ordinance creating the Tarrywile Park Authority, Ord. No. 374, 3-7-89, Sec. 13A-50 (creation;powers and responsibilities) item #9, states that the Authority has the power to accept loans or grants from the city or any other person, governments or agency thereof, for the purposes of the Authority. Although some of this assistance would not be in the form of a grant or loan but as a contribution of services or material, it is the opinion of the Authority that this complies with the spirit and intent of this ordinance.

I am writing this to inform you of our plans for this project. Should you require further information concerning this project, please call this office and a member of the Tarrywile Park Authority would be more than happy to meet to discuss it.

Very truly yours,


Gerald Daly
Chairman

GJD/sjm

pc: Mayor Gene F. Eriguez
Eric Gottschalk, Corporation Counsel
William Buckley, Superintendent of Public Utilities



16

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

August 25, 1955

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

Mayor Eriquez and Members of the Common Council:

The Department of Elderly Services is in receipt of the following donations to the amount of \$193.60. We request that you accept them and make the appropriate transfer as requested in the “Reappropriation of Donated Funds” form.

| | |
|----------------------------|-------|
| Susan Licata | 50.00 |
| Disabled American Veterans | 33.60 |
| Disabled American Veterans | 92.00 |
| Peritt Laboratories | 18.00 |

Respectfully,

Leo McIlrath, Director
Department of Elderly Services



17

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
108 Main Street
(203) 792-4482

Date: 08/25/95

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 \$ 193.60 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Part Time Services - 02-05-167-011001

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. Selaro, Jr.
Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

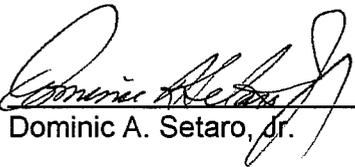
(203) 797-4652
FAX: (203) 796-1526

MEMORANDUM

DATE: August 28, 1995
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 \$193.60 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget for the following account:

| | | |
|--------------------|------------------|----------|
| Part-time Services | 02-05-167-011001 | \$193.60 |
|--------------------|------------------|----------|


Dominic A. Setaro, Jr.

DAS/jg



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

"Interwove"
Adult Day Care Center
198 Main Street
(203) 792-4182

Date: 08/25/95

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

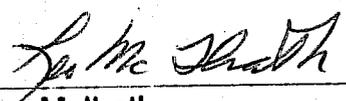
FROM: Leo McIlrath, Director
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$ 150.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Office Supplies: 02-05-167-040100

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

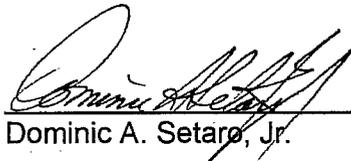
(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: August 28, 1995
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 \$150.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget for the following account:

| | | |
|-----------------|------------------|----------|
| Office Services | 02-05-167-040100 | \$150.00 |
|-----------------|------------------|----------|


Dominic A. Setaro, Jr.

DAS/jg



19

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: August 30, 1995
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Telephone Purchase
CC: Rick Palanzo **CERTIFICATION #13**

As you know, for the 1995-96 budget, we proposed the lease/purchase of telephones which would eliminate the monthly rental charge that we currently pay to SNET. As part of the 1995-96 budget, \$54,000 was placed in a lease/purchase line item for Public Buildings to lease these phones. Since the time the budget was prepared, a number of factors have changed, and I now feel that it would be to the City's advantage to purchase these telephones outright rather than acquire them through a lease/purchase agreement.

I am pleased to inform you that for the last six months, we have been working with SNET on a retroactive credit for various telephone circuits and equipment that we felt we are entitled to as a result of the auditing of the monthly telephone invoices. The amount that has been approved and agreed upon is \$80,127. Another factor which has benefited the City is that the bid for the telephones came in at \$143,430 as compared to our estimate of \$200,000. The final factor that we must consider is that we will save approximately \$8,000 per year in interest charges if we purchase this phone system outright rather than lease/ purchase.

After reviewing the Public Buildings various line items, I would recommend that at the September Common Council meeting the Common Council approve the appropriation of \$56,000 from the Contingency to the Public Buildings, Communications/Equipment Account #02-01-222-062000. This amount represents the net difference between the credit to be received by SNET, the funds contained in the Leased Equipment line item, the outright purchase price of the telephones and prior fiscal year's application of retroactive credit. Once again, in my view, this is the most prudent way for us to proceed.

Should you need any additional information, feel free to give me a call.

| | |
|------------------------|------------------|
| Balance of Contingency | \$343,918.33 |
| Less pending requests | 35,008.92 |
| Less this request | <u>56,000.00</u> |
| Balance | \$252,909.41 |

Dominic A. Setaro, Jr.

DAS/jg



21

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: August 30, 1995
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Hearthstone Castle **CERTIFICATION #12**

As per the attached request, I hereby certify the availability of \$6,000.00 to be transferred from the Contingency to the Tarrywile Park Authority Account #02-08-132-029500.

| | |
|------------------------|-----------------|
| Balance of Contingency | \$343,918.33 |
| Less pending requests | 29,008.92 |
| Less this request | <u>6,000.00</u> |
| Balance | \$308,909.41 |

Dominic A. Setaro, Jr.

DAS/jg

Attach.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

September 6, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

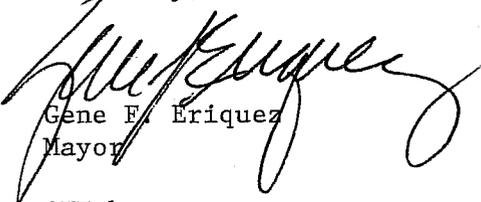
As you are aware, the City through the Hearthstone Castle Study Committee and the Tarrywile Park Authority has developed a Request for Proposals to attract private investment and an appropriate reuse of the Castle compatible with Tarrywile Park activities.

As it is necessary to advertise and publish all Requests for Proposals and pertinent information, I hereby request that \$6,000 be appropriated from Contingency for this purpose.

Proposals are to be received by Friday, December 8, 1995 for evaluation and consideration by the Castle Study Committee and Tarrywile Park Authority. Recommendations from these groups will be forwarded to the Council for final review and consideration.

Thank you for your cooperation.

Sincerely,


Gene F. Eriquez
Mayor

GFE:kgg

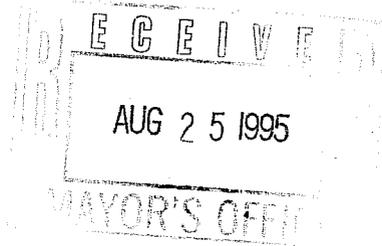
cc: Mr. Dominic A. Setaro, Jr., Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810



DEPARTMENT
OF FINANCE

RISK MANAGER
(203) 797-4619

Date: August 25, 1995
To: Gene F. Enriquez, Mayor
From: Thomas Fabiano, Jr., Risk Manager
Re: Uninsured Workers' Compensation

As has been noted in my yearly budget narratives, new awards under Heart and Hypertension Statute will require additional appropriations from the Common Council. I am requesting that \$24,180.00 be transferred from the contingency account to the Uninsured Workers' Compensation account 02-09-130-073600. The amount will be disbursed as follows:

John McGarry - Retired Police Officer
Permanent Partial Disability
Total Payment \$4,368.00

Delaney W. Ryan - Retired Firefighter
Permanent Partial Disability
Payments for FY 1995/96 \$19,812.00

Thomas Fabiano, Jr.

TF/de

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



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

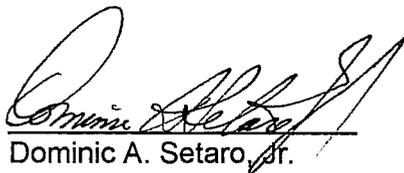
(203) 797-4652
FAX: (203) 796-1526

MEMORANDUM

DATE: August 28, 1995
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Uninsured Workers' Compensation
CC: Thomas Fabiano **CERTIFICATION #11**

As per the attached request from Risk Manager Thomas Fabiano, I hereby certify the availability of \$24,180.00 to be transferred from the Contingency to the Workers' Compensation Uninsured Workers' Compensation Account #02-09-130-073600.

| | |
|------------------------|------------------|
| Balance of Contingency | \$343,918.33 |
| Less pending requests | 4,828.92 |
| Less this request | <u>24,180.00</u> |
| Balance | \$314,909.41 |



Dominic A. Setaro, Jr.

DAS/jg



23

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: August 22, 1995
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Highway State Aid for the 1994-95 Fiscal Year
CC: Frank Cavagna **CERTIFICATION**

The City received for the fiscal year ended 6/30/95 \$1,871 more than budgeted in the Highway State Aid Account of which these funds come from the State of Connecticut. I would request that at its September meeting, the Common Council approve the appropriation of \$1,871 to the Highway State Aid Account #02-03-111-037000, "Maintain Highways, Curbs and Walkways". We will amend the Highway State Aid revenue amount in a like amount.

Should you need any additional information, feel free to give me a call.

Dominic A. Setaro, Jr.

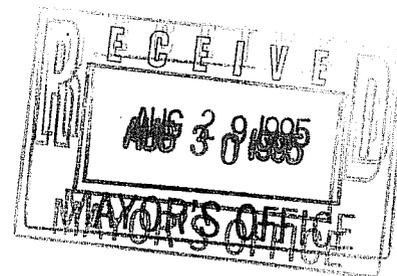
DAS/jg



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810



25

DEPARTMENT OF PARKS & RECREATION
HATTERS COMMUNITY PARK
7 E. HAYESTOWN RD.

ROBERT G. RYERSON, DIRECTOR
(203) 797-4632

August 28, 1995

TO: Mayor Gene F. Eriquez

FROM: Robert G. Ryerson
Director, Parks & Recreation *RGR*

RE: Kenosia Soccer Field Concession Proposal

The Danbury P.A.L. Soccer Association has sent this request for a proposed concession stand to be located at Kenosia Park. It would service not only the new soccer fields but the park's swimming area. All expenses to build the concession stand would be borne by the P.A.L. Soccer Association. Lease arrangements would be similar to those in place with the Danbury Athletic Youth Organization and Danbury Youth Sports Organization at the Osborne St. Field facility.

I am requesting your approval of this worthwhile project and the approval of the Common Council.

RGR/fl
Enclosure



Johnson - Stevens - Curran

Insurance

August 24, 1995

Robert Ryerson, Director
Department of Parks and Recreation
Danbury, Connecticut 06811

RE: Kenosia Soccer Fields Concession Stand

Dear Bob:

As you know Danbury PAL Soccer would like to construct a permanent concession stand at Danbury's Kenosia Park. We desire to do this as Kenosia, thanks to the City's great effort, will shortly become the primary location of our soccer program in Danbury.

We would request that Danbury PAL Soccer have the same arrangements with the City that both DAYO organizations have at the Osborne Street field and Bambino baseball has at Rogers Park. That is that we with City approval would construct at our expense the actual concession building, donate that building to the City and then lease the building back at the nominal rent of one (\$1.00) dollar per year.

It is our hope and belief that this endeavor would serve to enhance the use and enjoyment of the Kenosia soccer site by the hundreds of children who participate in our program and their families.

Thank you in advance for your consideration of this request and please pass this request along as appropriate to the City Government.

Please also convey our great appreciation for the Kenosia soccer fields they will certainly serve Danbury's children well.

Sincerely,


Emil Curran
Executive Vice-President

cc: PAL Soccer Board





26-Sept

26

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

August 29, 1995

DANBURY, CT 06810

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

Re: Danbury Railway Museum Lease

Dear Mayor and Council Members:

Over the past several weeks we have been in discussion with representatives of the Danbury Railway Museum concerning the lease of a portion of the newly renovated Union Station. Those discussions have been quite positive and we expect that within the next two or three weeks we will come to an agreement regarding the essential terms of this transfer.

In order to meet the expected timetable for the Museum opening we felt it appropriate to present this issue to you now so that the matter could be forwarded to committee and to the Planning Commission for review. Once the lease terms have been agreed to and the document is in proper form we will send it to the appropriate committee as well as to Planning. If you have any questions in the meantime, please feel free to contact me.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r



27

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

August 30, 1995

DANBURY, CT 06810

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

Re: Carpenters Extraordinaire / Tarrywile Farmhouse Renovations
Bid No. 07-93-4-04

Dear Mayor and Council:

You will recall that the above-referenced local contracting firm brought a claim to the City of Danbury, which this body considered and denied at its June 6, 1995 meeting. Briefly, the claim was for certain increased costs of materials which, according to Carpenters, were incurred as a result essentially, of the City's failure to accept Carpenters' bid in a timely manner.

At that time, the Council rejected a proposed settlement in the amount of approximately \$3100.00 (offered earlier to Carpenters by the Tarrywile Park Authority, and recommended by a Council subcommittee) and voted to give Carpenters nothing toward their total claim of approximately \$12,000.00.

Although to date, no suit has been filed by Carpenters Extraordinaire, litigation is possible in order for Carpenters to recover their full claim.

Although Carpenters never originally agreed to settle for \$3100.00, they have now indicated that in order to avoid the costs and length of trial, they would accept an offer of \$6400.00 to settle this claim in good faith. The Mayor has

August 30, 1995

- 2 -

Hon. Gene F. Eriquez, Mayor

Hon. Members of the Common Council

Re: Carpenters Extraordinaire / Tarrywile Farmhouse

requested that you give consideration to this proposal at your early opportunity.

Very truly yours,



Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

c: Eric L. Gottschalk, Esq.
Acting Corporation Counsel

Gerald J. Daly, Esq., Chairman
Tarrywile Park Authority

Attorney Mary Anne A. Charron

John A. Schweitzer, Jr.
Director of Public Works



28

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:
59 Main Street

DANBURY, CT 06810

(203) 743-5504

August 17, 1995

Joseph DaSilva, Council President
Danbury Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: City of Danbury vs. Senta Sayers
Water Bills for Lot G18015, G18015-700 and G18015-701

Dear Council President DaSilva:

I am writing to request the Council's approval to settle the above-referenced claim regarding sums due the City of Danbury for water usage at 13 Miry Brook Road from June, 1990 to the date water service was terminated in 1994.

The matter was settled just prior to trial at the urging of the judge and involves a dispute about billings for water usage. Our claim was for \$4,312.56 and the settlement is for \$2,823.00.

I believe this settlement is a fair resolution of this case given the uncertainties of trial.

Sincerely,

Peter N. Buzaid,
Assistant Corporation Counsel

PNB:jag
cc William F. Buckley, Jr.
Catherine A. Skurat
Eric L. Gottschalk, Esq.

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water X

Name of Applicant: NANCY LASKY

Address: 64 FOREST AVE
DANBURY, CT 06810

Telephone: 744-0028

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

Located at: 60 FOREST AVE

Assessors's Lot No. I 11172

Zone: RA-8

Intended Use: Retail _____ Single Family Residential X
Office _____ Multiple Family Development _____
Mixed Use _____
Industrial _____

Number of Efficiency Units _____
Number of 1 Bedroom Units _____
Number of 2 Bedroom Units _____
Number of 3 Bedroom Units _____
Total Number of Units _____

Nancy Lasky
SIGNATURE
8/15/95
DATE

August 1, 1995

To Members of the Common Council,

We the undersigned residents of **Westville Avenue** petition the The Common Council of the City of Danbury to determine the cost of putting a sewer on Westville Avenue between Edgewood St. and Fairlawn St. This section of sewer would serve six residences.

1. James & Judith Wheeler
124 Westville Avenue

1. *Judith A. Wheeler*
J. M. Wheeler

2. Paul Lutrus
125 Westville Avenue

2. *Paul R. Lutrus*

3. S. Brian Rinelli
126 Westville Avenue

3. *S. Brian Rinelli*

4. City of Danbury (rental property)
127 Westville Avenue

4.

5. Jack & Donna Bielaczyc
128 Westville Avenue

5. *Donna Bielaczyc*
John Bielaczyc

6. BELANSKY
129 WESTVILLE AV.
'

6. *Jay Belansky*

7. MR + MRS FRANK
LUCIANI
131 Westville Ave

7. *Frank J. Luciani*

FRANK LUCIANI
131 WESTVILLE

BIELANSKY
129 WESTVILLE

CITY OF
DANBURY
127 WESTVILLE

P. LUTRUS
125 WESTVILLE

already hooked up to
sewer

ABBOTT ST.

WESTVILLE AVENUE

BIELACZYC
128 WESTVILLE

B. RINELLI
126 WESTVILLE

J. WHEELER
124 WESTVILLE

H&B ASSOCIATES
EDGEWOOD ST

H&B ASSOCIATES
EDGEWOOD ST

H&B ASSOCIATES
EDGEWOOD

FAIRLAWN ST.

EDGEWOOD ST.

EXISTING SEWER
REQUESTED SEWER

31 Sept

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer
Water

Name of Applicant: S.T.P. DEVELOPMENT CORP.

Address: 50 NORTH ST.
DANBURY, CT. 06810

Telephone: 203-744-1577

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

Located at: TARRYWILE LAKE ROAD (EXTENSION)

Assessors's Lot No. I18005, I18006, I18009, I18010, I18011, I18012

Zone: RA20

Intended Use: Retail _____ Single Family Residential
Office _____ Multiple Family Development _____
Mixed Use _____
Industrial _____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units _____

[Signature]
SIGNATURE AGENT

8-29-95
DATE

COMMON COUNCIL

CITY OF DANBURY

32

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Forty Eight, L.L.C.

Address: 27 Great Meadow Road
West Redding, CT 06896

Telephone No: (203) 938-9920

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

Located at: Boulevard Drive

Assessor's Lot No: D17006

Zone in which the Property Lies: RA-8

Intended Use:

Retail

Office

Mixed Use

Industrial

Single Family Residential

Multiple Family Development

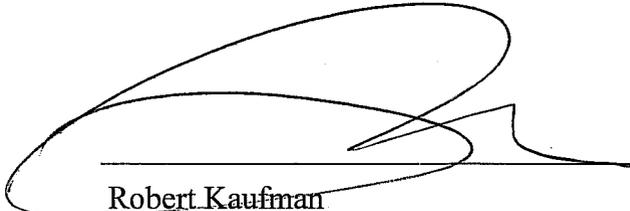
Number of Efficiency Units

Number of 1 Bedroom Units

Number of 2 Bedroom Units

Number of 3 Bedroom Units

Total Number of Units



Robert Kaufman
(Signature)

8/29/95

(Date)



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

August 31, 1995

DANBURY, CT 06810

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

Re: Tisano Leases with Danbury
Backus Avenue

Dear Mayor and Council:

This office has reviewed the request sent to you by counsel for Tisano Realty, dated August 30, 1995.

The request seeks your approval of a collateral assignment of the interests of Tisano Realty in both of these leases. For your information, each lease applies to a parcel of property to the side and rear of the Tisano parcel (i.e. Boston Billiards, Discovery Zone) which two parcels Tisano uses for overflow parking. There are no other uses of this property permitted to Tisano.

The assignment requested would essentially permit the mortgagee (bank or other lending institution) to exercise Tisano's rights under the leases (which rights are solely to park cars) in the event Tisano defaults on its loan agreement(s). Thus, the lender would be entitled to utilize the premises as Tisano now does pursuant to the terms and conditions of the leases as they now exist.

This office would not object to the proposal based on any legal concerns arising from the request as made.

If you have any questions, please call us.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

c: Paul D. Estefan
Robin A. Kahn, Esq.
Eric L. Gottschalk, Esq.

COHEN AND WOLF, P. C.
ATTORNEYS AT LAW

AUSTIN K. WOLF
MARTIN F. WOLF
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
DAVID L. GROGINS
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON
JORAM HIRSCH
PAUL B. EDELBERG
ROBIN A. KAHN
RICHARD G. KENT
RICHARD L. NEWMAN
RICHARD SLAVIN
FREDERICK S. GOLD
LINDA LEDERMAN
DANIEL S. NAGEL
RICHARD J. DI MARCO

DAVID B. ZABEL
MARK A. KIRSCH
CHRISTOPHER J. SMITH
NEIL W. SUTTON
DAVID M. LEVINE
JOSEPH G. WALSH
ALEXANDER H. SCHWARTZ
MARY ANN CONNORS
ROBIN G. FREDERICK
MARCI J. SILVERMAN
DAVID A. BALL
MICHAEL F. EWING
JENNIFER L. CHOBOR
JOCELYN B. HURWITZ
SHARON B. BOWLER
STUART M. KATZ
STEVEN L. ELBAUM
MONTE E. FRANK
ELLEN A. JAWITZ
DURWIN P. JONES
JESSICA S. RUBIN
JEFFREY S. WILDSTEIN

OF COUNSEL
ROBERT J. ASHKINS
STUART A. EPSTEIN

HERBERT L. COHEN
(1928-1983)

1115 BROAD STREET
P. O. BOX 1821
BRIDGEPORT, CONNECTICUT 06601-1821
TELEPHONE (203) 368-0211
FACSIMILE (203) 576-8504

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 792-2771
FACSIMILE (203) 791-8149

595 SUMMER STREET
P. O. BOX 1194
STAMFORD, CONNECTICUT 06904-1194
TELEPHONE (203) 964-9907
FACSIMILE (203) 967-4452

PLEASE REPLY TO Danbury
WRITER'S DIRECT DIAL: (203) _____

August 30, 1995

HAND DELIVERED

Mr. Joseph DaSilva, Pres.
Danbury Common Council
155 Deer Hill Avenue
Danbury, CT 06810

RE: Tisano Lease with City of Danbury

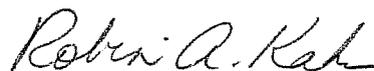
Dear Mr. DaSilva:

Please be advised that this office represents Tisano Realty, Inc., a tenant of the City of Danbury on two pieces of property located off Backus Avenue by virtue of Leases dated and September 9, 1993 and July 21, 1995.

By this letter I am requesting that the Common Council consent to the collaeral assignment of my client's interest in the Leases to its mortgagee as security for the mortgagee's loan.

Please place this matter on the agenda of your next meeting.

Very truly yours,



Robin A. Kahn

RAK/dd

cc: William Tisano
Laszlo Pinter



34 - Sept

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

August 30, 1995

DANBURY, CT 06810

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

Re: Alexander D Avenue / Drainage

Dear Mayor and Council Members:

The referenced matter was before you last year and was referred to a committee. The issue concerned a neighbors' dispute over excess water flow off the public road onto private property. Although I believe the committee may still be open, a new effort at resolution of the problem has given rise to this correspondence to you.

Briefly, Alexander D Avenue is a short, dead-end road with a problem of excess water buildup at the end of it. The City Highway Department would like to link the problem area to a collecting basin some 150 to 200 feet away, so that the water could be directed away from the road. In order to do that, and after meeting with the abutting property owners involved, it has been determined that the best approach is for the homeowners to supply the labor to dig a trench across one of the homeowners' properties to the basin, and the City to supply the pipe, catch basin and other material for the job. The homeowner on whose land the work would occur may also be required to grant the City an installation and maintenance easement on and across the easement area, although the homeowner would take on some of the maintenance responsibility himself.

August 30, 1995
Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
Re: Alexander D Avenue / Drainage

- 2 -

Inasmuch as this proposal represents the "donation" of materials for work on private lands, and an easement agreement, we would request that you direct this matter either to the earlier committee or to another Council committee for purposes of consideration and approval.

We will have a draft proposal ready for review in the event this resolution meets with the favor of all parties. In the meantime, if you have any questions, please call.

Very truly yours,



Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

c: Councilman Ernest M. Boynton

John A. Schweitzer, Jr.
Director of Public Works

Frank L. Cavagna
Superintendent of Highways

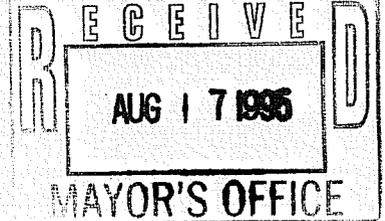
Dominic Chiara
Alexander D Avenue

YAMIN & YAMIN

ATTORNEYS AND COUNSELLORS

Raymond P. Yamin*
Robert J. Yamin*
Dianne E. Yamin

*ALSO ADMITTED IN NEW YORK



Four Moss Avenue
Danbury, Connecticut 06810

Telephone: 203 / 744-7090
Facsimile: 203 / 744-7044

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August 15, 1995

HONORABLE GENE F. ERIQUEZ
Mayor, City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

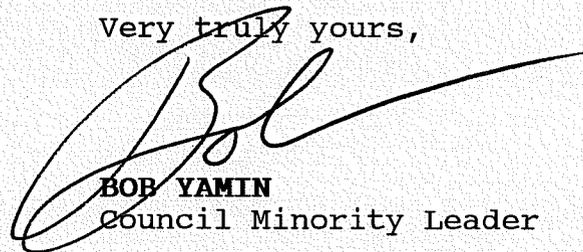
RE: SEVERE DRAINAGE PROBLEM AT 27 CLAYTON ROAD, DANBURY

Dear Gene:

I respectfully request that you appoint an ad hoc Council committee at the September regular Council meeting, to investigate a serious drainage problem occurring at 27 Clayton Road, Danbury, which committee would include but not be limited to Jack Schweitzer, and Frank Cavagna.

Please call me at your convenience with any questions. Thank you for your attention to this matter.

Very truly yours,



BOB YAMIN
Council Minority Leader

cc: City Clerk

[RJY.la.C.yy.mayor.ltr.8/15/95]

36

WILLIAM J. MCNAMARA, JR.
ATTORNEY AT LAW
57 NORTH STREET - SUITE 214
DANBURY, CONNECTICUT 06810
TELEPHONE (203) 744-0220
FACSIMILE (203) 790-6663

August 2, 1995

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

Re: Laurel Heights Subdivision - Padanaram Road, Danbury,
Connecticut - Deed for Widening of Padanaram Road

Dear Members of the Common Council:

Please be advised that I represent Gary Mead, the owner and developer of a proposed subdivision known as Laurel Heights on Padanaram Road in Danbury.

As part of the subdivision improvements, my client proposes to widen the portion of Padanaram Road which abuts the subdivision.

As required by the provisions of the Subdivision Regulations of the City of Danbury, my client hereby offers to convey to the City of Danbury a certain parcel of land which is shown as Parcel "X" on the subdivision map, for road widening purposes. Enclosed for your review are the following documents with reference to this offer:

1. Proposed Deed of Conveyance.
2. Proposed Certificate of Title.
3. Class A-2 Survey showing the property to be conveyed.

This offer is contingent upon approval of the Laurel Heights Subdivision by the Danbury Planning Commission.

Sincerely,

William J. McNamara, Jr.

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

Know Ye, That I, Gary Mead, of 21 Warwick Road in the Town of New Fairfield, County of Fairfield and State of Connecticut, for the consideration of One (\$1.00) Dollar, and other good and valuable consideration, received to my full satisfaction the **City of Danbury**, a Connecticut municipal corporation with an office and place of business at 155 Deer Hill Avenue, Danbury, Connecticut, do give, grant, bargain, sell and confirm unto the said **City of Danbury**,

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, on Padanaram Road, being shown and designated as "Parcel 'X", 5,775 sq. ft., **To Be Conveyed to the City of Danbury**" on a certain map entitled "Final Subdivision Plan of 'Laurel Heights', Owned and Developed by Gary Mead, Danbury, Connecticut, Area = 1,243,428 Square Feet = 28.545 Acres, Scale 1" = 60', dated April 13, 1995", certified substantially correct by Michael J. Riordan, R.L.S., Riordan Land Surveying, which map is to be filed in the Office of the Danbury Town Clerk.

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

And also, I the said grantor do, for myself and my heirs, executors, administrators and assigns, covenant with the said grantee, and with its successors and assigns, that at and until the ensembling of these presents I am well seized of the premises, as a good indefeasible estate in Fee Simple; and that I 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, I the said grantor do by these presents bind myself and my heirs and assigns forever to **WARRANT AND DEFEND** the above granted and bargained premises to it the said grantee, and to its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, I have hereunto set my hand and seal this ____ day of _____ in the year of our Lord nineteen hundred and ninety five.

Signed, Sealed and Delivered in the presence of

William J. McNamara, Jr.

Gary Mead

State of Connecticut }
 } ss. Danbury
County of Fairfield }

On this the ____ day of _____, 1995, before me, William J. McNamara, Jr. , the undersigned officer, personally appeared Gary Mead, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, as his free act and deed.

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

William J. McNamara, Jr.
Commissioner of the Superior Court

CERTIFICATE OF TITLE

To

THE CITY OF DANBURY

This is to certify that after an examination of the Land Records, as alphabetically indexed, of the City of Danbury, County of Fairfield and State of Connecticut, I am of the opinion that the City of Danbury is the owner in fee simple of the following described premises:

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, on Padanaram Road, being shown and designated as **"Parcel 'X", 5,775 sq. ft., To Be Conveyed to the City of Danbury"** on a certain map entitled **"Final Subdivision Plan of 'Laurel Heights', Owned and Developed by Gary Mead, Danbury, Connecticut, Area = 1,243,428 Square Feet = 28.545 Acres, Scale 1" = 60', dated April 13, 1995"**, certified substantially correct by Michael J. Riordan, R.L.S., Riordan Land Surveying, which map is to be filed in the Office of the Danbury Town Clerk.

I further certify that said premises are subject only to the following encumbrances:

1. Laws, rules and regulations of the United States of America, State of Connecticut and the City of Danbury.

2. Current Taxes to the City of Danbury, not yet due and payable

Dated at Danbury, Connecticut, this ____ day of _____, 1995.

William J. McNamara, Jr.
Attorney at Law



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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

September 5, 1995

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:

**Starrs Plain Road
Road Widening Strip
Slope Easement, Rights to Drain**

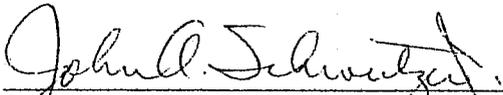
At the July 5, 1995 Common Council meeting a request to convey a road widening strip, a slope easement and rights to drain to the City was referred to our office for a report (reference Item 16 of the meeting minutes).

Since our August 24, 1995 letter to you we received (on September 1, 1995) a revised subdivision plan which relocates the reserve septic fields on Lot #4 outside of the road widening strip and slope easement in question.

Therefore, we recommend that the Common Council accept the road widening strip, slope easement and rights to drain.

If you have any questions, please feel free to contact our office.

Very truly yours,



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

JAS/PAE/gw

c: Eric L. Gottschalk, Esq.
Joseph Justino
Robert M. Bennison, L.S.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525

July 25, 1995

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

Re: 8-24 Referral - Conveyance of Strip of Land on Starrs Plain Road

Dear Council Members:

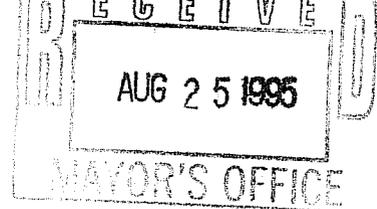
The Planning Commission at its meeting July 19, 1995 motioned a negative recommendation for the conveyance of a strip of land on Starrs Plain Road for the reason that there is a private septic system on the strip.

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

Sincerely yours,

Joseph Justino
(JJC)
Joseph Justino
Chairman

JJ/jlc



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

August 24, 1995

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:

**Starrs Plain Road
Road Widening Strip
Slope Easement, Rights to Drain**

At the July 5, 1995 Common Council meeting a request to convey a road widening strip, a slope easement and rights to drain to the City was referred to our office for a report (reference Item 16 of the meeting minutes).

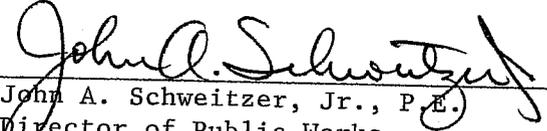
The developer's engineer and land surveyors are presently resolving a conflict between the road widening strip/slope easement and the reserve septic fields on one of the lots.

We recommend that the Common Council accept the road widening strip, slope easement and rights to drain upon the satisfactory resolution of the above noted conflict.

The Corporation Counsel's office has informed us that they will hold the draft legal documents pending resolution of the conflict.

If you have any questions, please feel free to contact our office.

Very truly yours,


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

JAS/PAE/gw

c: Eric L. Gottschalk, Esq.
Joseph Justino
Robert M. Bennison, L.S.

30

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
THOMAS J. MCCARTHY
MARK D. NIELSEN
LAURA A. GOLDSTEIN

AREA CODE 203
744-2150

TELECOPIER: (203) 791-1126

August 14, 1995

HAND DELIVER

OF COUNSEL
PAULA FLANAGAN

The Honorable Gene Eriquez
Mayor of the City of Danbury and
Common Council c/o City Clerk
CITY OF DANBURY
155 Deer Hill Avenue
Danbury, CT 06810

Re: CL&P Easement
General Mills Restaurants, Inc.
Red Lobster/Olive Garden, Backus Avenue, Danbury, CT
Our File No. 93-12456-1-P

Dear Mayor Eriquez and Members of the Common Council:

Enclosed herewith please find a copy of Electric Distribution Easement in connection with the above matter, as well as a map entitled "Map Showing Easement To Be Granted to Connecticut Light & Power Company Olive Garden ~ Red Lobster Complex Property of City of Danbury Backus Avenue, Danbury, Connecticut Scale 1" = 30' Proposed Easement Area: 19,380 sq. ft. Date: May 23, 1995". This is for an easement that is to be granted to CL&P for property leased to General Mills Restaurants, Inc. by the City of Danbury. This easement requires the City's signature. Therefore, I would appreciate it if you would put this matter on the next agenda of the Common Council. Please advise as to the time and date of the meeting.

Thank you for your cooperation in this matter.

Yours very truly,



Paul N. Jaber

PNJ/rmc
Enclosures

cc: Henry Bryant
David E. Williamson
Cindy Taylor
Warren Whyte
Eric L. Gottschalk, Esq.

S5025

ELECTRIC DISTRIBUTION EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, CITY OF DANBURY, acting herein by Gene Briquez, its Mayor,

hereinafter call Grantor, hereby grants to The Connecticut Light and Power Company, a specially chartered Connecticut corporation with offices in Berlin, Connecticut, its successors and assigns, hereafter called Grantee, with WARRANTY COVENANTS (except for the matters described in Schedule A if such schedule is attached), the perpetual right to construct, maintain, replace, relocate, remove and rebuild on, across, over and under the land hereinafter described (Easement Area), an electric distribution system consisting of poles, guys, braces, wires, cables, conduits, transformers, transformer pads, pedestals, meters, structures for street lights and traffic signals, fixtures and other appurtenances useful for providing electric, communication, signal and streetlighting service (including wires, cables and conduits running from the poles, transformers and pedestals to any structures erected on the Grantor's lands); the right to provide electric, communication, signal and streetlighting service by means of the same; and the right to enter the Grantor's lands for the purpose of inspecting, maintaining or removing same and the right, after consultation with the Grantor when practicable, to trim and keep trim, cut and remove such trees or shrubbery as in the judgement of the Grantee are necessary to maintain its services.

Said Easement Area is located on the Grantor's lands on the southerly side of Backus Avenue in the Town of Danbury Connecticut, as more particularly described on the map entitled "MAP SHOWING EASEMENT TO BE GRANTED TO CONNECTICUT LIGHT & POWER COMPANY AT OLIVE GARDEN - RED LOBSTER COMPLEX PROPERTY OF CITY OF DANBURY BACKUS AVENUE, DANBURY, CONNECTICUT SCALE: 1"=30' PROPOSED EASEMENT AREA 19,380 SQ.FT. DATE: MAY 23, 1995" FILE#S5025 DRAWING #ES-C11B8-2334", which map has been or will be filed in the office of the town clerk of said Town of Danbury, Connecticut.

The Grantor agrees, except with the written permission of the Grantee, that (i) no building, structure, or other improvement or obstruction shall be located upon, there shall be no excavation, filling, flooding or grading of, and there shall be no parking of vehicles or planting of trees or shrubbery upon the Easement Area or outside the Easement Area within five (5) feet from any facilities or appurtenances installed to provide services to any structures erected on the Grantor's premises, and (ii) nothing shall be attached, temporarily or permanently, to any property of the Grantee installed by virtue of this easement. The Grantee may, without liability to the Grantor and at the expense of the Grantor, remove and dispose of any of the aforesaid made or installed in violation of the above and restore said land to its prior condition. In the event of the damage to or destruction of any of said facilities of the Grantee by the Grantor or agents or employees thereof, all costs of repair or replacement shall be borne by the Grantor. **

The Grantee further agrees, by the acceptance of this deed, that as long as and to the extent that the electric distribution system together with all appurtenances, located on said land pursuant to this easement are used to provide electric, communication, signal or streetlighting service, the Grantee will repair, replace and maintain such facilities at its own expense (except as otherwise provided herein) and in connection with any repair, replacement or maintenance of said system the Grantee shall promptly restore the premises to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, that such restoration shall not include any structures, other improvements or plantings made by the Grantor contrary to the provisions of this easement.

If any portion of the above described land upon or under which said facilities or appurtenances thereto shall be located, is now or hereafter becomes a public street or highway or a part thereof, permission, as set forth in Section 16-234 of the General Statutes of Connecticut relating to adjoining landowners, is hereby given to the Grantee and to its successors and assigns, to use that portion of the land for the purposes and in the manner above described.

Any right herein described or granted, or any interest therein or part thereof, may be assigned to any communication or signal company by the Grantee, and the Grantor hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used for the purposes described therein for communication or signal purposes.

The words "Grantor" and "Grantee" shall include lessees, heirs, executors, administrators, successors and assigns where the context so requires or permits.

TO HAVE AND TO HOLD the premises unto it, the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has hereunto caused (set) its hand(s) and seal(s) to be affixed this day of 19 95

Signed, sealed and delivered in presence of:

CITY OF DANBURY

By: Gene Briquez, its Mayor (L.S.)

(L.S.)

(L.S.)

** Notwithstanding the foregoing, Grantor and Grantee agree that all conditions herein are subject to the reservations and conditions set forth in Schedule "A" attached hereto and by this reference made a part hereof.

"SCHEDULE A"

The grantor reserves the right to construct and/or use the easement area to CL&P for parking areas, sidewalks and plantings, provided that:

1. The parking areas, sidewalks and plantings shall not interfere with or endanger the operation of the facilities.
2. If underground facilities are proposed, the grantor shall not, at any time, reduce or increase the earth cover of any underground facilities of the grantee.
3. and further provided that no such construction or paving shall be commenced until seven (7) days after the grantor notifies the grantee of construction or paving date.

55025

RE5477 7-86

CORPORATE ACKNOWLEDGEMENT

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

On this ... day of ... 19 95, before me, the undersigned officer, personally appeared Gene Enriquez, who acknowledged himself to be the Mayor of City of Danbury, a municipal corporation, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation as the free act and deed of said municipal corporation.

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

Notary Public
My Commission Expires:

STATE OF

COUNTY OF

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

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

Notary Public
My Commission Expires:

STATE OF

COUNTY OF

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

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

Notary Public
My Commission Expires:

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

ATTORNEYS AT LAW

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

39

LLOYD CUTSUMPAS
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MARK D. NIELSEN
LAURA A. GOLDSTEIN

AREA CODE 203
744-2150

TELECOPIER: (203) 791-1126

August 24, 1995

OF COUNSEL
PAULA FLANAGAN

Hand Delivery

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

Re: Easements to City of Danbury from Apple Blossom
Association, Inc.

Dear Members of the Common Council:

Please be advised that we represent Apple Blossom Association
Inc. in connection with a certain easement to the City of Danbury
(copy enclosed).

Apple Blossom Condominiums off of Tamarack Avenue were
approved by the Planning Commission with the condition that we
provide the City of Danbury with an easement for sidewalk purposes
along Glen Hill Road and Tamarack Avenue. The developer has
contracted the sidewalks and has obtained approval of the same from
City departments. In conformity with the approval, we would like
to convey this easement to the City; however, the Common Council
must approve acquisition of this easement.

Please accept this letter as a request for acceptance of said
easement.

Yours very truly,



Paul N. Jaber

PNJ:emb

Enclosure

cc: Eric L. Gottschalk, Esq.
John A. Schweitzer, Jr., P.E.
Mr. Paul J. Kuehner

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That APPLE BLOSSOM ASSOCIATION, INC., a Connecticut corporation, with an office and place of business in the Town of New Canaan, County of Fairfield and State of Connecticut, for One Dollar and No/100 (\$1.00) and other valuable consideration received to its full satisfaction of the CITY OF DANBURY, County of Fairfield and State of Connecticut, does hereby give, grant, bargain, sell and confirm unto the said CITY OF DANBURY, its successors and assigns the perpetual right, privilege, authority and easement to pass and repass over and across:

All those certain pieces or parcels of land located in the City of Danbury, County of Fairfield and State of Connecticut being shown and designated as "Proposed Sidewalk Easement" and "Sight/Proposed Sidewalk Easement", on a certain map entitled, "IMPROVEMENT LOCATION MAP SHOWING APPLE BLOSSOM CONDOMINIUM PREPARED FOR APPLE BLOSSOM CORPORATION TAMARACK AVENUE - GLEN HILL ROAD - APPLE BLOSSOM LANE DANBURY, CONNECTICUT SCALE: 1" = 40' AREA: 5.637 Acres ZONE: RMF-6 DATE: FEBRUARY 13, 1995 REVISED: FEBRUARY 22, 1995", prepared by Paul M. Fagan L.S. #7756, and is on file in the office of the Danbury Town Clerk as Map No. 10038. Said premises are conveyed subject to easements of record.

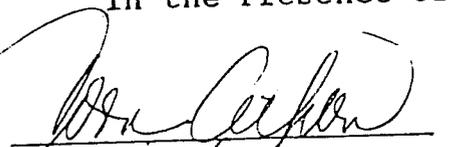
The Grantor herein reserves the right to continue to use the land within which the aforesaid easement has been granted for any uses or purposes, which do not in any way interfere with the use thereof by the Grantee in fulfilling the purposes for which this easement is granted.

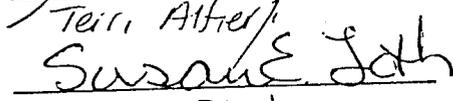
TO HAVE AND TO HOLD the above granted rights, privileges, reservations, authority, and easement unto the said Grantor and Grantee, their respective heirs, successors and assigns forever, to their own proper use and behoof.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal, this 13 day of July, 1995.

Signed, Sealed and Delivered
in the Presence of:

APPLE BLOSSOM ASSOCIATION, INC.



Terri Altier


Susan Toth

By: 

Paul J. Kuehner
Secretary

STATE OF CONNECTICUT)
COUNTY OF FAIRFIELD)

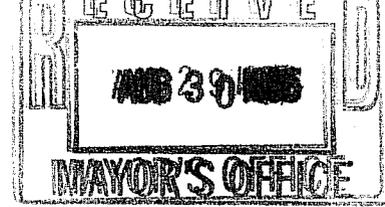
ss: *New Canaan*

Brown On this the *13* day of July, 1995, before me *Nancy S.*
Brown, the undersigned officer, personally appeared
Paul J. Kuehner, who acknowledged himself to be the Secretary of
Apple Blossom Association, Inc., a corporation, and that he as
such Secretary being authorized so to do, executed the foregoing
instrument for the purposes therein contained, by signing the
name of the corporation by himself as Secretary.

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

Nancy S. Brown

Notary Public
~~Commissioner of the Superior Court~~
My Commission Expires July 30, 1999



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

40

ENGINEERING DEPARTMENT
(203) 797-4641

August 29, 1995

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

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

Dear Mayor Eriquez and Common Council Members:

**Blasco Driveway Relocation Agreement
Chestnut Street Railroad Crossing
Improvement Project**

The City of Danbury has entered into an agreement with the State of Connecticut Department of Transportation under which the State will fully fund highway - railroad grade crossing improvements at the Chestnut Street, Taylor Street, Great Pasture Road and Shelter Rock Road railroad crossings.

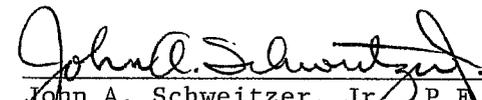
As part of the Chestnut Street railroad crossing work an existing driveway serving the East Liberty Street property of Edward Blasco which presently encroaches on the State's railroad right of way is to be relocated. The driveway relocation will not be funded by the State but will be paid for by Mr. Blasco.

We hereby request that the Common Council authorize Mayor Gene F. Eriquez to enter into an agreement with Edward Blasco which agreement will cover Mr. Blasco's payment in full for all work involved with said driveway relocation.

The Corporation Counsel's office is in the process of finalizing the contract between Mr. Blasco and the City. Upon its completion, a copy will be forwarded to you.

If you have any questions, feel free to contact our office.

Very truly yours,



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

JAS/PAE/gw

c: Eric L. Gottschalk, Esq.
Dominic Setaro



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641

August 29, 1995

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

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

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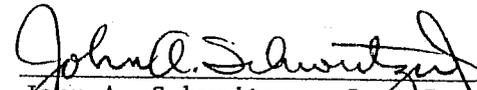
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Very truly yours,



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

JAS/PAE/gw

c: Eric L. Gottschalk, Esq.
Dominic Setaro



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

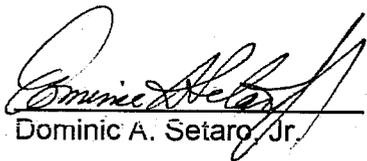
(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: August 28, 1995
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: 44 Padanaram Road
CC: Catherine Skurat **CERTIFICATION #10**

As per the attached request from Tax Collector Catherine Skurat, I hereby certify the availability of \$4,828.92 to be transferred from the Contingency to the Tax Collector Litigation Special Account #02-01-147-020108.

| | |
|------------------------|-----------------|
| Balance of Contingency | \$343,918.33 |
| Less this request | <u>4,828.92</u> |
| Balance | \$339,089.41 |



Dominic A. Setaro, Jr.

DAS/jg



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

OFFICE OF THE TAX COLLECTOR
(203) 797-4541

CATHERINE A. SKURAT, C.C.M.C.
TAX COLLECTOR

August 24, 1995

Honorable Gene F. Eriquez
& Common Council Members
City Hall
155 Deer Hill Avenue
Danbury, Ct. 06810

Re: *City of Danbury v. McCarthy* (See Attached Letter)
44 Padanaram Road, Danbury, Ct. 06810

Dear Mayor Eriquez & Common Council Members:

On May 20, 1995, the city was the successful bidder at the auction sale of the above referenced property. In order for the city to take title and possession of the premises, I need to have a check in the amount of \$4,828.92 made payable to Andrew J. Buzzi, Jr., Committee for Sale.

These monies should be appropriated to my litigation account and will be recouped by the City when the property is sold.

Thank you for your attention to this matter.

Sincerely,

Catherine A. Skurat, CCMC
Tax Collector

CAS/cs

cc: *Dominic A. Setaro, Jr., Director of Finance*
Eric Gottschalk, Corporation Counsel

JOWDY & JOWDY

LAW OFFICES 67 WEST STREET, DANBURY, CONNECTICUT 06810

JAMES J. JOWDY, JR.

JOHN JOWDY

JEFFREY J. JOWDY*

*ALSO ADMITTED IN NEW YORK

MAILING ADDRESS:

POST OFFICE BOX 1181

DANBURY, CONNECTICUT 06813-1181

TELEPHONE (203) 792-1677

FACSIMILE (203) 778-8329

August 22, 1995

Catherine A. Skurat
Tax Collector
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: City of Danbury v. McCarthy
44 Padanaram Road, Danbury, Connecticut 06810

Dear Cathy:

As indicated previously, the city was successful bidder in the auction sale of this property.

In order to take title and possession of the premises, all foreclosure expenses and disbursements must be paid. This amount totals \$4,828.92. Will you please secure these funds as soon as possible so that I can arrange for the closing.

The check should be made payable to Andrew J. Buzzi, Jr., Committee for Sale.

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

Very truly yours,



John Jowdy

JJ:mj



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

42

| |
|-------------------|
| CITY OF DANBURY. |
| PUBLIC UTILITIES |
| AUG 2 1995 |
| Discard Date..... |
| Permanent..... |
| File Code..... |

WATER AND SEWER DEPARTMENTS
797-4539

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

TO: Common Council - City of Danbury

FROM: Mr. William J. Buckley, Superintendent of Public Utilities

DATE: AUGUST 2, 1995

RE: WATER DEPARTMENT MONTHLY REPORT: JULY-1995

I. WATER PRODUCTION:

- A) Margerie Water Treatment Facility: 109.9 MG.
- B) West Lake Water Treatment Facility: 155.8 MG.
- C) Kenosia Well Field: 4.4 MG.
- D) Osborne Street Well Field: 0 MG.
- E) Other: 0 MG.

(*MG. = Million Gallons)

II. RAINFALL:

- A) Past Month: 4.37
- B) Past Year: 38.02
- C) January through Month of report: 18.73

III. WATER STORAGE:

- A) Margerie Reservoir: 82.0 (7-31-95)
- B) West Lake Reservoir: 74.8 (7-31-95)
- C) East Lake Reservoir: 86.2 (7-31-95)
- D) Total: 79.2

IV. WATER PUMPED:

- A) Park Ave Pump Station: 5.1 MG.*
B) Padanaram [High School] Pump Station: 0 MG.
C) Shelter Rock Pump Station: 3.2 MG.
D) West Conn Pump Station: 1.6 MG.
E) Margerie Pump Station: 3.6 MG.
F) Topstone Pump Station: 0 MG.
G) Wooster Heights Pump Station: 0 MG.
H) Hillside Pump Station: 0 MG.

(I) (*MG. = Million Gallons)

- (I) WEST LAKE HIGH SERVICE 63.4 MG.
V. WATER TRANSFERRED:

- A) East Lake to Margerie Reservoir: 19.2 MG.*
B) Padanaram to Margerie Reservoir: 0 MG.
C) Kohanza to West Lake Reservoir: 33.5 MG.
D) Kenosia Diversion to West Lake Reservoir: 0 MG.
E) Kenosia Wells to West Lake Reservoir: 17.8 MG.
F)

(*MG. = Million Gallons)

VI: ALGAE CONTROL:

- A) MARGERIE - 3200 # EAST LAKE - 1100 #
B) WEST LAKE - 3350 #
C) LOWER KOHANZA - 150 #

VII. SURVEY OF WATER SOURCES:

- A) Quarterly THM'S of DISTRIBUTION;
B) Pesticides + Herbicides - Row Margeri + West Lake
C) THAA'S, TOC'S, DOC'S - Margeri + West Lake
D) MPA - Kenosia Wells

VIII. COMPLAINTS:

Number Received: 7 Number Completed: 7

Comments: colored water complaints caused by activation of Kenosia Wells. Water quality STABILIZED AFTER 3-4 days.

IX. SUPERINTENDENTS NOTES:



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

| | |
|-------------------|-------|
| CITY OF DANBURY. | |
| PUBLIC UTILITIES | |
| AUG 8 1995 | |
| Discard Date..... | _____ |
| Permanent..... | _____ |
| File Code..... | _____ |

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

TO: Common Council, City of Danbury
 FROM: William J. Buckley Jr., Supt. of Public Utilities
 DATE: August 8, 1995
 RE: Landfill and Recycle Center Monthly Report
 Month of July 1995

I. LANDFILL-TONNAGE

| | |
|---|-----------|
| A. Total Tonnage..... | 24,285.04 |
| B. Residential Roll-off Containers..... | 277.40 |
| C. City Trucks..... | 71.29 |
| D. MPD..... | 23,936.35 |
| E. Non-MPD..... | -0- |

II. RECYCLE CENTER - TONNAGE (Out)

| | |
|-----------------------------|---------|
| A. Total Tonnage..... | 192.27* |
| B. Comingle Tonnage..... | 28.39* |
| C. Corrugated Tonnage..... | 33.55* |
| D. Scrap Metal Tonnage..... | 6.21 |
| E. Newspaper Tonnage..... | 91.76* |
| F. White Office Paper..... | N/A |



| | |
|---|-----------|
| G. Batteries (automotive) | -0- tons |
| H. Glass..... | 28.39* |
| I. Redemption Containers..... | -0- tons |
| J. Tires..... | 3.97 tons |
| K. Oil..... | 500 gals. |
| L. Antifreeze..... | -0- gals. |
| M. White Goods with freon...0 Units..... | -0- tons |
| N. Contaminated recyclables which contained an excess level of impurities such as plastic in a load of glass. | 0 tons |

*This number reflects tonnages for June and July

III. SPECIAL REVENUE

| | |
|--------------------------------------|-----|
| A. Firewood Sales.....\$ | -0- |
| B. Woodchips.....\$ | -0- |
| C. Compost.....\$ | -0- |
| D. Redemption Containers.....est. \$ | -0- |

SPECIAL PROJECTS:

The Recycling/Solid Waste Dept. is currently renewing permits for Residential & Commercial permits.

WJB/lk
REPORT.WP



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

| | |
|-------------------|-------|
| CITY OF DANBURY | |
| PUBLIC UTILITIES | |
| AUG 7 1995 | |
| Discard Date..... | _____ |
| Permanent..... | _____ |
| File Code..... | _____ |

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

TO: COMMON COUNCIL - CITY OF DANBURY

FROM: WILLIAM J. BUCKLEY, JR. SUPERINTENDENT OF PUBLIC UTILITIES

DATE: August 7, 1995

RE: SEWER DEPARTMENT MONTHLY REPORT - MONTH OF JULY, 1995

I. WASTE WATER TREATMENT:

| | | |
|----------------------------|-------------|---------|
| A) Sewage Processed: | 224,900,000 | GALLONS |
| B) Septic Waste Processed: | 992,590 | GALLONS |
| C) Sludge Processed: | 233,904 | POUNDS |

II. QUALITY:

| | | | |
|---------------------------|---------|---------|---------------|
| A) B.O.D.: | 185 IN | 1 OUT | 99 % REMOVAL |
| B) Suspended Solids: | 252 IN | 3 OUT | 99 % REMOVAL |
| C) Phosphorus (seasonal): | 4.6 IN | 0.8 OUT | 83 % REMOVAL |
| D) Ammonia (seasonal): | 19.4 IN | 0.0 OUT | 100 % REMOVAL |

III. PUMP STATION OPERATION:

| | | |
|-------------------------|--------|-----------|
| A) Beaver Brook: | 506.54 | HOURS RUN |
| B) Southfield: | 130.71 | HOURS RUN |
| C) Mill Plain: | 129.5 | HOURS RUN |
| D) Backus: | 30.3 | HOURS RUN |
| E) Tarrywile: | 23.6 | HOURS RUN |
| F) Turner Road: | 18.4 | HOURS RUN |
| G) Ford Avenue: | 22.5 | HOURS RUN |
| H) Indian Glen: | 164.47 | HOURS RUN |
| I) Delay Street: | 510.5 | HOURS RUN |
| J) East Hayestown Road: | 10.0 | HOURS RUN |



IV. COLLECTION SYSTEM:

Complaints:

Number Received: 2 Number Completed: 2

Pipe Cleaned: 800 FEET

Pipe Inspected: 3,200 FEET

COMMENTS:



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 6, 1995

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

Re: An Ordinance Appropriating \$2,500,000 For Sewer Service Extensions And Authorizing The Issuance of \$2,500,000 Bonds of the City to meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

An Ordinance Appropriating \$2,500,000 For Water Service Extensions and Authorizing The Issuance of \$2,500,000 Bonds of the City to meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

The Common Council met as a committee of a whole at 7:15 P.M. on August 24, 1995 to review ordinances regarding the issuance of \$2,500,000 bonds for sewer and water installation. These bonds are sold on a project by project basis for water and sewer installations.

Mr. Levy moved to recommend approval of the ordinance as presented. Seconded by Mr. Arconti and passed unanimously.

The meeting adjourned at 7:22 P.M.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 6, 1995

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

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Respectfully submitted,

JOSEPH DaSILVA, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

August 25, 1995

DANBURY, CT 06810

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

Re: Amendment of Code Section 17-57(a)

Dear Mayor and Council Members:

In conformance with the request of the Superintendent of Highways we have amended subsection (a) of Code Section 17-57 by adding language allowing his designee to sign and issue permits covering times when the Superintendent of Highways is not available to do so.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laszlo L. Pinter".

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

Attachment

Copy showing additional language which is indicated by
CAPITALIZATION COMBINED WITH UNDERSCORING.

THAT subsection (a) of Section 17-57 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(a) A permit shall be issued upon compliance with the requirements of this article and upon receipt of the required bond and certificate of insurance in the correct form and amount. No permit shall be valid unless the signature of the superintendent of highways OR HIS DESIGNEE is affixed thereto.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 20, 1995

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

Re; Acquisition of two Parcels of land from Wooster School

The Common Council Committee assigned to review the proposed Resolution to acquire, via a Federal Grant, two parcels of land from Wooster School Corporation reconvered on Monday September 18, 1995 at 8:25 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, Beck, Scozzafava, Assistant Corporation Counsel Lazlo Pinter, Airport Administrator Paul Estefan, Aviation Commission Chairman Roy Platt and Commission member Richard Kilcullen. Wooster School Corporation Board of Trustees members Mr. John Katz and Attorney Neil Marcus and Mr. Robert Zohn of Business Airport Center.

Mr. Valeri opening remarks, for the benefit of those not present at the meeting of May 22nd, summarized the charge of the Committee and explained the delay in reconvening due to the need to have all previously expressed concerns addressed to the Committee's satisfaction. Mr. Valeri cited two subsequent communications from Director of Finance Dominic Setaro, the first of which dated May 25, 1995 indicating the absence of FAA approval of necessary funds for the purchase of the subject property, the second dated September 7, 1995 indicating FAA authorization of the requisite funding without the need for Common Council approval since these funds have been redirected under prior authorization and are still available. The rules were then suspended to allow for discussion of the Committee's previous concerns and allow for additional and relevant input. Without objection, Mr. Valeri proceeded to restate each of the committee's expressed concerns and in turn cite the responses to those concerns as follows:

1. Was a recommendation and/or mandate communicated by the FAA with respect to the subject property? If so, supporting documentation is requested.

Response- Corporation Counsel's letter of September 11, 1995 cited letter from the FAA urging that the subject property be acquired to increase safety and reduce liability with respect to the necessary flight path over these parcels from and to the airport. A copy of the FAA's most recent communication to the Mayor's office expressed extreme concern over the City's failure to act in this regard and referred to the necessary acquisition and clearing of this property as among their highest priority in Danbury, both from a safety and Liability standpoint.

2. What is Corporation Counsel's opinion on conditions for eminent domain determination of market value of subject property and how appraisal is used?

Response- Corporation Counsel explained that the position of both the FAA and the Airport Administrator, that the safety of aircraft in the flight path over the subject property during approach and departure being presently at

risk, is a supportable basis for a condemnation action.

As to market value, an appraisal and valuation will be determined subject to the Common Council's adoption of the proposed Resolution.

3. What, if any, relevant communications from Wooster School Corporation pertaining to the subject property are available in determination of their position.

Response-Mr. Valeri cited a letter received from Wooster School Corp. expressing their concern over the City's impending acquisition of the subject property. Attorney Marcus indicated certain frustration over the length of the process to this end, the issue being on the table for several years now, but did suggest that Wooster School Corporation would entertain an offer to purchase the subject property. Both he and Mr. Katz expressed equal concern over the potentially negative aesthetic effect of the intended clearing of the subject property. Mr. Katz suggested the intended acquisition and subsequent clearing of the property would greatly devalue the abutting properties and went so far as to question the targeting of these particular parcels, suggesting that flight patterns are in fact different than that identified as such by the FAA and Airport Administration. He also indicated that he will challenge the acquisition of this property on this basis and further questioned the delays in light of the sense of urgency now being expressed by the authorities.

4. What is the legal opinion concerning the 1,500ft restriction and how would the possible acquisition of the subject property affect that restriction

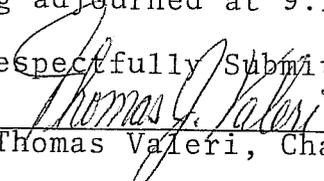
Response- Corporation Counsel explained that any and all prior and/or existing restrictions would be eliminated upon acquisition of the property by the City, thus allowing for the necessary tree removal, free and clear of prior encumbrances.

5. What affect would the partitioning and intended use of the subject parcels from the existing lots have on what remains of those lots as well as the surrounding properties?

Response-Corporation Counsel indicated that these are questions to be considered by the Planning Commission, a necessary step in the approval process. The contentions raised by Wooster School Corporation would be revisited by the Commission, considered then and weighed against the safety and liability factors cited by the FAA and Airport Administration. In as much as the charge of the committee was to render a decision based on the safety and liability factors cited by the aforementioned authorities, with those concerns expressed by other to be addressed by the Planning Commission and subsequent to their approval, in the negotiation process, Mr. Scozzafava made a motion to recommend the adoption of the Resolution to acquire the Wooster School Corporation property subject to Planning Commission approval. Motion seconded by Ms. Beck. In discussion the consensus opinion of the committee was expressed desire to have this matter amicably resolved short of exercising any action of condemnation although allowed for in the Resolution if necessary. It is further hoped that upon acquisition of the subject property, the Airport Administration exercise sensitivity to both aesthetic and material value of the surrounding area and if at all possible avoid clear cutting at all costs.

The motion passed unanimously and the meeting adjourned at 9:15 P.M.

Respectfully Submitted


Thomas Valeri, Chairman

Joseph Scozzafava

Nancy Beck



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 1, 1995

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

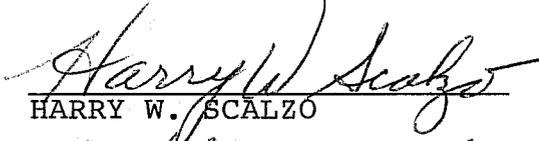
Re: Extension of Time at 20 Boulevard Drive

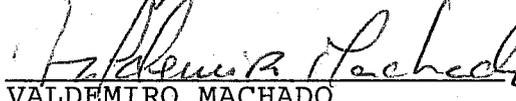
The Common Council Committee appointed to review the request for extension of time at 20 Boulevard Drive (Lot #15) met on July 17, 1995 at 8:00 P.M. in Room 432 in City Hall. Present were committee members Scalzo, Machado and Yamin. Also in attendance were Superintendent of Public Utilities William Buckley and the petitioners Anthony DaCunha and Ann Dell.

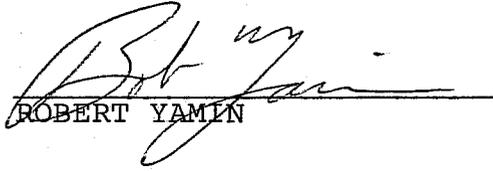
Reference was made to the original request for sewer extension approval on April 7, 1987 and clarification of the request and the specific lot. It was recommended by Mr. Buckley to include the 9th step which was added to the original approval process. Also presented at the meeting was the letter of June 26th from the Planning Commission recommending approval for the extension of time.

Mr. Yamin made a motion to recommend approval for the extension of time for sewer extension at 20 Boulevard Drive (Lot #15) to service a single family home with the 9th step included with the 8 steps as originally approved. The motion was seconded by Mr. Machado and passed unanimously.

Respectfully submitted,


HARRY W. SCALZO


VALDEMIRO MACHADO


ROBERT YAMIN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 6, 1995

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

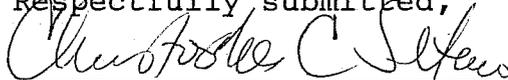
Re: Mutual Aid Agreements

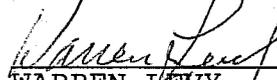
The Common Council Committee appointed to review Mutual Aid Agreements between the City of Danbury and the Towns of Brookfield and Ridgefield met on August 29, 1995 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Setaro, Levy and Yamin. Also in attendance were Fire Chief Carmen Oliver, Deputy Fire Chief Peter Siecienski and Assistant Corporation Counsel Les Pinter.

Chief Oliver explained that the City of Danbury currently does not have mutual aid agreements for purposes of firefighting with the Towns of Brookfield and Ridgefield. He added that he feels that these agreements are beneficial to the City since the terms of assistance and liability are addressed in the agreements and offers the City greater security in the event of a major fire. Mr. Pinter stated that the agreements before the committee were substantially the same as those in effect between the City and the Towns of Brewster, Patterson, Pawling and Putnam Lake, New York and the Towns of Sherman and New Fairfield, Connecticut. He added that each party takes on the responsibility of their own liability. Mr. Pinter also explained that mutual aid agreements do not compel the signatories to send assistance but rather specify responsibilities and obligations if the signatory municipalities choose to send assistance.

Mr. Levy moved to recommend to the Common Council the adoption of the Mutual Aid Agreements between the Towns of Brookfield and Ridgefield and the City of Danbury. Seconded by Mr. Yamin and passed unanimously.

Respectfully submitted,


CHRISTOPHER C. SETARO


WARREN LEVY


ROBERT YAMIN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 6, 1995

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

Re: Mutual Aid Agreements

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Mr. Levy moved to recommend to the Common Council the adoption of the Mutual Aid Agreements between the Towns of Brookfield and Ridgefield and the City of Danbury. Seconded by Mr. Yamin and passed unanimously.

Respectfully submitted,

CHRISTOPHER C. SETARO

WARREN LEVY

ROBERT YAMIN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

September 6, 1995

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

Re: Ordinance Change to Section 17-69 Safety to Traffic Generally

The subcommittee to review the ordinance in regard to Safety to Traffic Generally met at 7:30 P.M. in Room 432 in City Hall on August 8, 1995. In attendance were committee members Coladarci, Gallagher and Scozzafava. Also in attendance were John Krupinski and Captain Arthur Sullo on behalf of Chief Nelson Macedo of the Police Department, and Corporation Counsel Eric Gottschalk. The meeting was called to order and Mr. Scozzafava moved to waive the rules so that everyone can speak. The motion was seconded by Mr. Gallagher.

Captain Sullo explained that the Chief's concern is that solely of public safety. A discussion ensued in regard to the letter from Labor Counsel. Attorney Gottschalk explained that Labor Counsel was concerned in regard to a potential impact on the collective bargaining process. Any substantive change must be bargained for. There also may be some worker's compensation implications because some worker's compensation is based on benefits received.

Mr. Gallagher expressed concerns in regard to police coverage in areas in which a flagman could be sufficient. Captain sullo then read a statement into the record which expressed the Chief's concerns. Mr. Gallagher asked if there are any existing guidelines. Attorney Gottschalk explained that the permit is issued by Public Works but they should contact the police. Mr. Gallagher said he would like to take no action but have the Corporation Counsel define regulations as to when a policeman is necessary for safety purposes.

Mr. Scozzafava moved to take no action at this time but to seek clarification and recommendations from the Corporation Counsel, Police Chief and Public Works Director for potential regulations. The motion was seconded by Mr. Gallagher and passed unanimously.

Respectfully submitted,

JOSEPH SCOZZAFAVA

EILEEN COLADARCI, Chairman

MATTHEW GALLAGHER



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

August 8, 1995

MEMO

To: Members of the Common Council
From: Chief Nelson F. Macedo
Subject: Amendment to Section 17-69, Code of Ordinances

A conflict in scheduling makes it impossible for me to attend tonight's meeting in reference to amending Section 16-69 of the Code of Ordinances, City of Danbury.

This ordinance amendment is extremely important to the safety of drivers and pedestrians within the City of Danbury.

My office has received numerous complaints from drivers, especially in the summer months when there is heavy road construction, because of many near mishaps on the road. Many drivers are aware that the law does not give a flagman or security guard the authority to order them to drive their vehicles through a red light. Any driver who follows the direction of same and is involved in an accident is legally responsible for that accident.

As the Legal Traffic Authority for the City of Danbury it is my responsibility for the safety of all who live, work and travel through this city. To allow untrained flagmen and security guards to direct pedestrian and vehicular traffic in this city through a city ordinance is ludicrous and not in the interest of public safety.

The taxpayers are not paying for the services of a police officer, flagman, or security guard at these private duty assignments. The services are being paid for by the businesses that are doing the hiring. It is much cheaper for these companies to put a traffic vest on a flagman or a uniform on a security guard then to hire a

Common Council Members
Page 2
August 8, 1995

trained professional to safeguard the drivers and pedestrians in this city, who have every right to the best the city has to offer.

I urge each of you to carefully consider and reflect on the facts which are presented to you this evening.

I thank each of you for your time and consideration, and I am available to answer any questions you might have. I can be reached at 797-4601.


Nelson F. Macedo
Chief of Police

NFM:ks