

COMMON COUNCIL MEETING

JULY 6, 1994

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

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Levy, Scalzo, Falzone, Yamin, Arconti, Boynton, Dennehy, Gallagher,
Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Gomez,
Beck, Cappiello, Scozzafava, Setaro, Trocolla, Valeri

19 Present 2 Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held June 7, 1994
and the Special Common Council Meeting held June 22, 1994.

CONSENT CALENDAR - The consent calendar was presented by Mr.
Esposito

- ✓ 1 RESOLUTION - Before and After School Program

- ✓ 2 RESOLUTION - AIDS Prevention Grant

- ✓ 3 RESOLUTION - WIC Supplemental Nutrition Grant

- ✓ 4 RESOLUTION - Department of Transportation, Division of Highway
Safety Grant

- ✓ 5 COMMUNICATION - Appointment to the Aviation Commission

- ✓ 6 COMMUNICATION - Reappointment to the Tarrywile Park Authority

- ✓ 7 COMMUNICATION - Donations to the Department of Elderly Services

- ✓ 8 COMMUNICATION - Community Action Nursery School

- ✓ 9 COMMUNICATION - Neighborhood Assistance Act

- ✓ 10 COMMUNICATION - Request for Amendment in Police Pension Clause

- ✓ 11 COMMUNICATION - Request to Purchase Property on Grove Place

- ✓ 12 COMMUNICATION - Branson Ultrasonics Corporation v, Board of Tax
Review and the City of Danbury

- 13 COMMUNICATION - Miller-Stephenson v. City of Danbury

- ✓ 14 DEPARTMENT REPORTS - Public Utilities, Engineering, Department of
Elderly Services, Highways, Parks and Recreation, Health and
Housing, Sealer of Weights and Measures, Fire Chief, Fire Marshall

- ✓ 15 REPORT - Danbury-Newtown Intermunicipal Sewer Agreement

- ✓ 16 REPORT - Renumbering of Ohehyahtah Place

- ✓ 17 REPORT - Acceptance of Wilkes Road

- ✓ 18 REPORT - Request for Sewer and Water Extension on Broad Street

- ✓ 19 REPORT - Request for Sewer Extension - 6 South Well Avenue

- ✓ 20 REPORT - Request for Funding for Hispanic Center of Greater Danbury

- ✓ 21 REPORT - Request to Accept Donation of Signs

- ✓ 22 REPORT - Bond Referendum

- ✓ 23 REPORTS - Land on Spruce Mountain Road for Radio Beacon Tower

- ✓ 24 REPORT - Danbury-New Fairfield Intermunicipal Hydrant Agreement

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

COMMON COUNCIL
APRIL 18 1966

CONSENT CALENDAR

JULY 6, 1994

- 1 - Approve Before and After School Program Grant - \$23,095
- 2 - Approve Application for AIDS Prevention Grant - \$168,412
- 3 - Approve amended WIC Supplemental Nutrition Grant - \$205,670
- 4 - Approve Application for Department of Transportation, Division of Highway Safety Grant - \$500
- 5 - Approve appointment of Richard Kilcullen to the Aviation Commission
- 6 - Approve reappointment of Gerald Daly to the Tarrywile Park Authority
- 16 - Approve renumbering of Ohehyatah Place
- 17 - Approve acceptance of Wilkes Road under provisions of City Ordinance 17-34
- 18 - Approve request for sewer and water extension on Broad Street
- 19 - Approve request for sewer extension - 6 South Well Avenue
- 24 - Approve Danbury-New Fairfield Intermunicipal Hydrant Agreement

15
 Danbury West
 7/6/94
 5000 agreement
 move the
 quotation

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
WARREN LEVY	✓	
HARRY W. SCALZO	✓	
MICHAEL FALZONE	✓	
ROBERT J. YAMIN		✓
THOMAS ARCONTI		✓
ERNEST M. BOYNTON		✓
KATHLEEN DENNEHY	✓	
MATTHEW GALLAGHER	✓	
VALDEMIRO MACHADO	✓	
DOROTHY OUTLAW		✓
JOSEPH DaSILVA	✓	
JOHN ESPOSITO	✓	
EILEEN COLADARCI	✓	
LOUIS T. CHARLES	✓	
ROBERTO GOMEZ	✓	
NANCY M. BECK		✓
DAVID CAPPIELLO	✓	
JOSEPH SCOZZAFAVA		
CHRISTOPHER C. SETARO		✓
DANIEL TROCOLLA		✓
THOMAS VALERI		

12
 yes

7
 no

fail because
 not 2/3 vote

15
 Ambury News
 Sew or agreement
 7/6/94
 recommend

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
WARREN LEVY	✓	
HARRY W. SCALZO	✓	
MICHAEL FALZONE	✓	
ROBERT J. YAMIN	✓	
THOMAS ARCONTI	✓	
ERNEST M. BOYNTON	✓	
KATHLEEN DENNEHY	✓	
MATTHEW GALLAGHER	✓	
VALDEMIRO MACHADO	✓	
DOROTHY OUTLAW		✓
JOSEPH DaSILVA	✓	
JOHN ESPOSITO	✓	
EILEEN COLADARCI	✓	
LOUIS T. CHARLES	✓	
ROBERTO GOMEZ	✓	
NANCY M. BECK	✓	
DAVID CAPPIELLO	✓	
JOSEPH SCOZZAFAVA		
CHRISTOPHER C. SETARO	✓	
DANIEL TROCOLLA		✓
THOMAS VALERI	17 yes	2 no

**DANBURY PUBLIC SCHOOLS
BEFORE AND AFTER SCHOOL PROGRAM
1 SCHOOL RIDGE ROAD
DANBURY, CONNECTICUT 06811
203-790-2896**

June 29, 1994

Mr. Joseph DaSilva
President, Common Council
Mayor's Office
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

**RE: Department of Social Services
Grant Application
Fiscal Year 1994/1995**

Dear Mr. DaSilva:

The Danbury Public Schools has a \$23,095.00 grant pending with the Department of Social Services. The grant will provide the Danbury Public Schools Before and After School Program with funds to help support the program in the areas of personnel, program expansion and program quality improvement.

As you know, the Department of Social Services requires us to secure City of Danbury approval for the grant application as the general contract is with the City, not the school system. The grant funds are then passed to the Board of Education who, in this case, is the delegate agency.

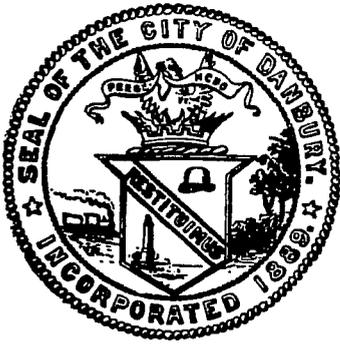
It is very important that this be place don the next Common Council meeting agenda of July 6, 1994 as an Action item. I'm sure that you will recall that we have received funds for the school-age child program for the past five years. The only difference this year is that the grant program became competitive and we are very pleased to have been selected for the funding.

Thank you for your attention to this matter.

Sincerely,

Kathleen Dzubak
Program Administrator

/mk



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

RESOLVED That the Mayor, Gene F. Eriquez, is empowered to enter into and amend contractual instruments in the name and on behalf of the City of Danbury with the Department of Social Services of the State of Connecticut for an Elementary School Before and After School Child Care Program, and to affix the corporate seal.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

June 28, 1994

The Honorable Gene F. Eriquez
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Eriquez:

The Department of Health and Housing requests approval by the Common Council to apply for and accept the AIDS Prevention Grant from the Department of Public Health and Addiction Services (DPHAS) for the time period July 1, 1994 through June 30, 1995. The amount of the award is not to exceed \$ 168,412.

The grant will be used to conduct health education and risk reduction activities, HIV counseling and testing services, a needle exchange program and Ryan White Title II case management services.

The City of Danbury has received this grant since 1986. There are no matching funds required by the City.

The Department of Health and Housing requests that the Common Council approve the attached resolutions to apply for and accept the AIDS Prevention Grant to provide these valuable services in the community.

Respectfully submitted,



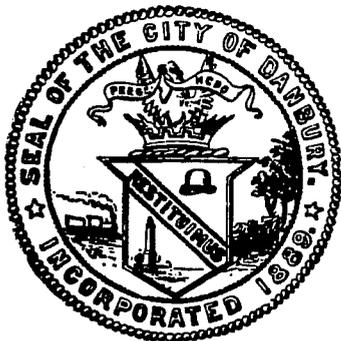
Susan Durgy
AIDS Program Coordinator

cc: William Campbell, Director of Health and Housing
Kimberly Redenz, Assistant Director of Finance

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health and Addiction Services (DPHAS) through its AIDS Prevention Program has made grant funds available to full-time health departments to provide HIV health education information and expanded services for the period July 1, 1994 through June 30, 1995; and

WHEREAS, grant funds not to exceed \$168,412 requiring no local match will be made available to the Danbury Health Department for its AIDS Risk Reduction Outreach Education Program, HIV Counseling and Testing Services, its Needle Exchange Program and its Ryan White Title II Case Management Program, upon approval of a grant application therefor; and

WHEREAS, The Danbury Health Department will provide these services to the general public with particular attention given to individuals concerned about possible exposure to HIV, serving both residents and non-residents with no restrictions on who may be served;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, or William J. Campbell, Director of Health, as his designee, are authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding this application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts, or amendments thereof, which do not require expenditure of City funds, with the State of Connecticut Department of Public Health and Addiction Services regarding said grant, and to take all actions necessary to accomplish the purposes of these programs.



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

June 28, 1994

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

Dear Mayor Eriquez and Common Council Members:

The Department of Health and Housing has received notification from the State Department of Health Services that the City's Women, Infants and Children (WIC) Supplemental Nutrition Grant has been amended. The amendment increases the funding level from \$182,490 to \$205,670.

The Grant term is for the period October 1, 1993 to September 30, 1994 and will require no matching funds by the City.

Our WIC Program provides nutrition education and supplemental foods to pregnant women, nursing mothers and children to age five. The preventive health value of the WIC Program is well established. These additional funds will enable the program to continue to meet the increasing need for these services.

The Department of Health and Housing requests that the Common Council amend its resolution of September 8, 1993 to enable Mayor Eriquez to apply for said increase in WIC Grant funds.

Sincerely,

William Campbell
Director of Health

cc: Martha Montana, WIC Coordinator
Eric Gottschalk, Acting Corporation Counsel ✓
Kimberly Redenz, Assistant Director of Finance
Dominic A. Setaro, Finance Director

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health and Addiction Services has made available additional grant funds for the City's Women, Infants and Children's (WIC) Supplemental Nutrition Program amending the funding level from \$182,490 to \$205,670; and

WHEREAS, the grant covers the period of October 1, 1993 through September 30, 1994 with no local match required of the City of Danbury; and

WHEREAS, the W.I.C. Program for Danbury area residents provides nutrition education and supplemental foods to pregnant women, nursing mothers and children to age five;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the resolution of September 8, 1993 is hereby amended to include the increased funding level made available by the State and that Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health are hereby authorized to apply for and accept said grant on behalf of the Danbury Health and Housing Department; and

BE IT FURTHER RESOLVED THAT to accomplish the purposes of said program, Gene F. Eriquez, Mayor of the City of Danbury is authorized to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Public Health and Addiction Services.



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

June 2, 1994

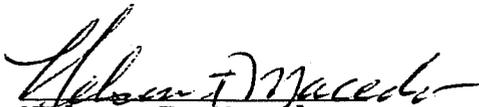
MEMO

TO: Elizabeth Crudginton, City Clerk
FROM: Nelson F. Macedo
SUBJECT: Grant Fund Application

The Danbury Police Department was awarded \$1500.00 in grants funds from Mothers Against Drunk Driving this past year.

Permission is now requested to submit a micro grant fund application to the State of Connecticut, Department of Transportation, Division of Highway Safety for the amount of \$500.00. With grant approval, the money would be used to piggyback the MADD funds towards computer equipment for the Danbury Police Traffic Unit.

Your approval of this request will be appreciated.


Nelson F. Macedo
Chief of Police

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation will accept an application from the Danbury Police Department as part of its 25% Impaired Driving Reimbursement Program, a highway safety project; and

WHEREAS, an application will be made for a micro grant of \$500.00 to be used towards the purchase of computer equipment for the Department's Traffic Unit, supplementing an existing grant award from Mothers Against Drunk Driving;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is authorized to apply for and accept said grant, and to sign any agreement therefor.



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CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

July 7, 1994

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation and approval, the following individual to be appointed to the Aviation Commission as a regular member:

Richard J. Kilcullen (D)
4 Sturdevant Drive
Danbury, CT 06810
Term to Expire: July 1, 1996
(filling unexpired term of John Sullivan)

Mr. Kilcullen is an attorney who practices law in Danbury. He recently received his pilot license and has the experience and commitment necessary to serve on the Commission. He is a former member of the Common Council and has served, until recently, as a member of the Board of Directors of the Housing Authority of the City of Danbury.

Thank you for your consideration of this appointment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene F. Eriquez".

Gene F. Eriquez
Mayor

GFE/msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

July 7, 1994

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

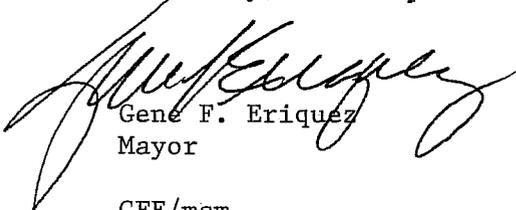
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4 Sturdevant Drive
Danbury, CT 06810

Mr. Kilcullen is an attorney who practices law in Danbury. He recently received his pilot license and has the experience and commitment necessary to serve on the Commission. He is a former member of the Common Council and has served, until recently, as a member of the Board of Directors of the Housing Authority of the City of Danbury.

Thank you for your consideration of this appointment.

Sincerely,



Gene F. Eriquez
Mayor

GFE/msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

July 6, 1994

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation and approval, the reappointment of the following individual to serve as a member of the Tarrywile Park Authority:

Mr. Gerald Daly (U)
9 Wintergreen Estates
Danbury, CT 06811
Term to Expire: May 1, 1997

Mr. Daly is a member in good standing on the Tarrywile Park Authority and has an excellent attendance record. He currently serves as Chairperson on the Authority.

Thank you for your consideration and approval of this reappointment.

Sincerely,



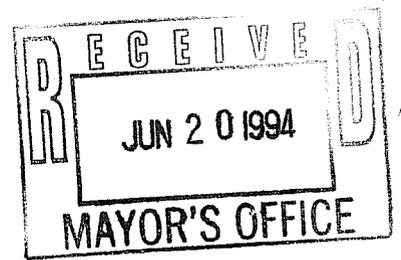
Gene F. Eriquez
Mayor

GFE/msm



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

June 20, 1994

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: \$134.84

Disabled American Veterans - 34.44

Disabled American Veterans - 50.40
(Van Transportation 011001)

King Street School P.T.O. - 50.00
(Cellmates Band for Supplies 040100)

Please approve and transfer into the appropriate line items.

Respectfully,


Leo McIlrath

8

LAW OFFICES OF
WARD J. MAZZUCCO, P.C.
60 West Street
Danbury, CT 06810

WARD J. MAZZUCCO

ADMITTED IN:
CONNECTICUT
FLORIDA
NEW YORK

PLEASE REPLY TO:
P. O. BOX 800
DANBURY, CT 06813-0800

PHONE (203) 794-9144
FAX (203) 790-4137

June 17, 1994

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

RE: Community Action Nursery School

Honorable Council Members:

I represent the Community Action Committee of Danbury, Inc., in connection with their development of a nursery school on the site of Danbury High School. Through discussions with the City Engineer and the Superintendent of Public Utilities, the Project Engineer, David E. Williamson, P.E., has determined that an extension of an existing sewer line will be necessary. We respectfully seek your approval for this extension. I would be grateful if this matter could be referred to the Planning Commission and to a Council Committee for further review.

This sewer line would need to cross land of an abutting owner and will require an easement. If we are not able to obtain the easement privately, we would respectfully request the City to obtain those easement rights at my client's expense. As always I appreciate your consideration.

Very truly yours,

WARD J. MAZZUCCO, P.C.


Ward J. Mazzucco

WJM:sm

cc: Honorable Gene F. Eriquez, Mayor
David E. Williamson, P.E.
John A. Schweitzer, Jr., P.E.
William J. Buckley, P.E.
Eric L. Gottschalk, Esquire
Elsie Nicholson, Exec. Dir.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

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

July 6, 1994

Honorable Members of the Common Council
City of Danbury, Connecticut

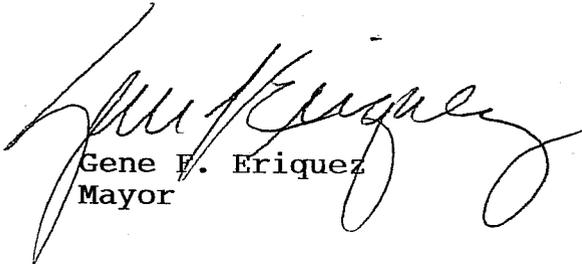
Dear Council Members:

Attached are applications and information concerning the Neighborhood Assistance Act Program. The Neighborhood Assistance Act Program provides tax credits for businesses that contribute to community programs which have received both municipal and state approval.

In accordance with State regulations, I ask that you please schedule a public hearing to review and approve the applications from our community organizations to provide them access to these business contributions.

Thank you for your prompt consideration of this item.

Sincerely,



Gene F. Eriquez
Mayor

6-27-94

To His Honor The Mayor,
and The Members of The Common Council:

Gentlemen:

Enclosed is a copy of a letter I presented before the Police Pension Board.

I am now respectfully asking the Mayor and the Common Council for an amendment to the clause pertaining to my case. This was recommended by my lawyer. The amendment should include benefits to the widow who was married to two policemen. My wife and I have been married now for 22 years.

I would appreciate your cooperation and concern in this matter.

Sincerely,

Richard Kilcourse
Richard Kilcourse
Retired member of the
Danbury Police Department.

10
October 12, 1993

Danbury Police Pension Board
Danbury, Connecticut

Gentlemen:

My name is Richard Kilcourse. I am a retired Danbury policeman on disability. I am a member of the pre-1967 pension plan.

I married my wife Ida, who was the widow of Ralph Baldelli, a member of the Danbury Police Department, who died of cancer in 1968. This is the first time a retired policeman married a widow of another policeman in the department.

There is a clause in the by-laws that states if you marry after you retire, your spouse is not entitled to a pension. I believe this clause was added so that should a member who is retired, remarries a young woman with a long life-span, the city would not have to pay her benefits. I do not believe this clause should pertain to our case.

In our case, my wife has been married to two policemen and would not get any pension benefits. She is now 62 years old and her remaining years are short. If she does not get a pension from the city, she would only have a small Social Security check to live on. Should my wife pre-decease me, there is no problem, but I would like to have peace of mind knowing that my wife would be taken care of.

It seems to me that this woman, who has been married to two policemen should be entitled to a pension benefit, otherwise it would seem unfair to her. I am here to ask the Pension Board to make an exception in this matter and to show some compassion to her.

An answer to this matter as soon as possible would be appreciated.

I wish to thank you for your time and your cooperation.

Sincerely,

Richard J. Kilcourse

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Guy & Sara Cormier (Sara Maillat)
24 Grove Place
Danbury, Ct. 06810
(203) 776-9877

Re: Proposal to obtain property on Grove Place.

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

June 20, 1994

Dear Sirs/Madam:

I would like to make an offer on a piece of property owned by the City of Danbury which is deadlocked between Virginia Avenue and Grove Place. The parcel borders north from Virginia Avenue from a piece of property formerly owned by the City of Danbury and purchased by Daniel and Christine Rita Gibbs in 1990.

There has already been some action on your part last year on this proposition. I've already met with the assessor and he is familiar with this proposition.

The property in question has a lot of water residue which has accumulated and remains stagnant and has become a breeding ground for mosquitoes, mice, rats, and other rodents.

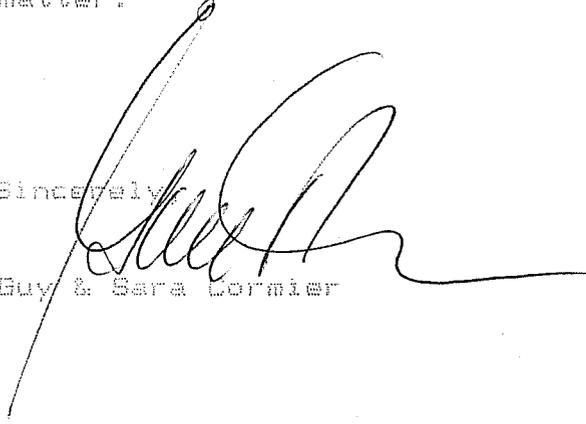
The surrounding properties have recently been purchased over the last few years and all the clearing debris left or placed on this property. This is an eyesore to the neighborhood and proposed a health hazard as mentioned above.

Enclosed are the pictures of the debris on the property. I am also enclosing a proposed bill to clean the area. We would like you to either clear the land yourself or consider the option of putting this toward the cost of the land if I clear it myself. My advantage of having this property is to keep the area clear and have this Danbury neighborhood satisfied. As far as adding value to my property, I don't think that it is much of a factor and I am sure the assessor would agree.

This property is landlocked on all four sides with the city having an easement in order to have access to a storm drainage pipe which lays between my property and my neighbors on Grove Place.

I am thanking you in advance for your cooperation in this matter.

Sincerely,



Guy & Sara Cormier

gac/jm
enc.

JUNE 26,1994

BILL,S CLEANUP SERVICE

29 NEW STREET APT 1

DANBURY, CONN 06810

TO WHOM IT MAY CONCERN,

THE FOLLOWING IS AN ESTIMATE FOR THE CLEAN UP OF THE

PROPERTY ON 24 GROVE PLACE, DANBURY, CONN. 06810.

TOTAL COST IS \$1050.00.

THANK YOU.

BILL,S CLEANUP SERVICE

GUY CORNIEN
SARA CORNIEN (FORMERLY HANCOCK)
R4 GROVE PL.
DANBURY, CT. 06810

ROBERT COYNE 11
ASSESSOR OFFICE
CITY HALL
155 DEATHCREEK CIRC.
DANBURY, CT. 06810

Dear Mr. Coyne,

Here enclosed is a copy of the original map you've given me. I did outline the area in blue the parcel that we would like to obtain.

Please keep in mind that there is a lot of debris from the surrounded lots that needs to be clean out. Or consider to give it @ existing

Thanks,

yours truly

Guy Cornien

E. & R.L.S. 12050

PROPOSED PURCHASE
Note: Do Not include 7.5' of easement.

SUBDIVISION OF DANBURY LAND RECORDS

LOT 7
LOT 9
STONE WALL
OTHER LAND OF CITY OF DANBURY

PROPOSED 15' DRAINAGE EASEMENT

DRAINAGE RIGHT OF WAY AS SHOWN ON MAP No. 3042

LOT 187 & PORTION OF LOT 188 OF T.C. 1859 OF THE D.L.R.

LOT 186 T.C. 1859 OF THE D.L.R.

AREA = 3500 SQ. FT.

N/F DANIEL THIBODEAU & LOUISA THIBODEAU LOT 185, T.C. 1859 OF THE DANBURY LAND RECORDS

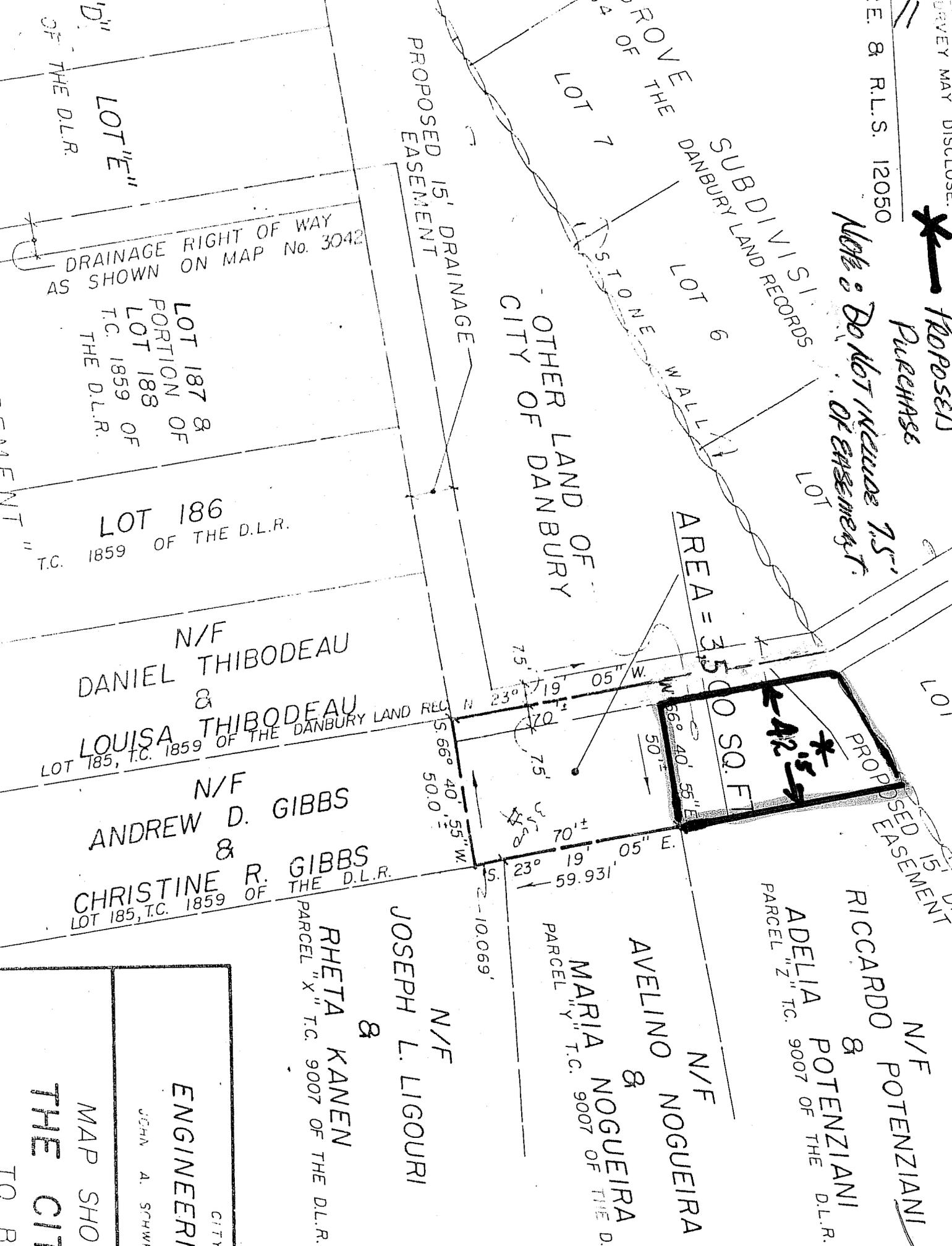
N/F ANDREW D. GIBBS & CHRISTINE R. GIBBS LOT 185, T.C. 1859 OF THE D.L.R.

N/F JOSEPH L. LIGOURI & RHETA KANEN PARCEL "X" T.C. 9007 OF THE D.L.R.

N/F AVELINO NOGUEIRA & MARIA NOGUEIRA PARCEL "Y" T.C. 9007 OF THE D.L.R.

N/F RICCARDO POTENZIANI & ADELIA POTENZIANI PARCEL "Z" T.C. 9007 OF THE D.L.R.

ENGINEER JOHN A. SCHWAB CITY MAP SHOWING THE CITY





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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

June 22, 1994

DANBURY, CT 06810

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

Re: Branson Ultrasonics Corporation v. Board of Tax Review of
the City of Danbury and the City of Danbury
Property at 41 Eagle Road.

Dear Mayor and Council Members:

The above-entitled matter is a personal property tax appeal brought on the 1992 assessment list. This matter has been reviewed by the Assessor, together with this office, and settlement options have been discussed with the taxpayer. The Assessor has determined that a beneficial settlement should be considered at this time. In that regard, please schedule your consideration of this proposal in executive session at the July regular meeting.

Appropriate back-up documentation will be provided to you at that time, and the Assessor and this office will be available in the event you have questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

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

Robert F. Coyne
Tax Assessor

Robert R. Kapusta, Esq.





MAYOR'S OFFICE 15

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

March 28, 1994

TO: MAYOR GENE P. ERIQUEZ
FROM: *William J. Buckley, Jr.* WILLIAM J. BUCKLEY, JR., SUPERINTENDENT OF PUBLIC UTILITIES
RE: DANBURY NEWTOWN INTERMUNICIPAL SEWER AGREEMENT

=====

Dear Mayor Eriquez:

Attached you will find a copy of the Danbury Newtown Intermunicipal Sewer Agreement that the committee negotiated over the past few years. On Monday, March 21, 1994 the Danbury Newtown Negotiating Committee met and voted favorably on the attached document recommending that it be sent to the Legislative and Executive branches of Government in both of our Municipalities for their review approval and execution. I respectfully request therefore that you forward the document to the Common Council of the City of Danbury. Should the Common Council refer this to a committee I will certainly make myself available at their convenience to meet and discuss its contents and explain and answer any question that they may have regarding it.

WJB:adr
cc: Jack Schweitzer
Rick Gottschalk
Paul Galvin
Councilman Louis Charles
Councilman Joe Scozzafava

ENCLOSURE



NEWTOWN-DANBURY INTERLOCAL
SEWER SERVICE AGREEMENT

This AGREEMENT is made this _____ day of _____, 1994, by and between the Town of Newtown ("Newtown"), acting herein by Robert A. Cascella its First Selectman, hereunto duly authorized, and the City of Danbury ("Danbury"), acting herein by Gene F. Enriquez its Mayor, hereunto duly authorized; both Newtown and Danbury ("Municipalities") being municipal corporations situated in the County of Fairfield and State of Connecticut.

WITNESSETH:

Whereas the Municipalities wish to cooperate to more economically utilize facilities at the Danbury Wastewater Treatment Plant and;

Whereas Newtown desires to provide sanitary sewer service to the Hawleyville section of Newtown, as shown on Attachment A;

Now therefore, in consideration of the covenants contained herein the parties do agree as follows:

SECTION 1. DEFINITIONS

Section 1.1 For the purposes of the Agreement, the following set of words and terms shall have the respective meanings as set forth below:

"Average Daily Flow" - shall mean an average number of gallons of sewage generated in Newtown each day to be conveyed, treated and disposed of in the Facilities on an annual (calendar year) basis.

"Facilities" - shall mean the 15.5 million gallons per day capacity Danbury Water Pollution Control Plant and those Danbury pump station(s) and transmission line(s) used to handle Newtown sewage.

Newtown - Danbury Interlocal
Sewer Service Agreement

"Operation and Maintenance Cost" - shall mean the costs of labor, materials, chemicals, power, fuel, equipment, administration and other expenditures, including capital expenditures, directly attributable to the operation of the Facilities handling Newtown sewage but excluding the costs of debt service on obligations issued to finance the upgrade and renovation of the Facilities completed in 1993.

Section 1.2 All definitions not specifically included in this document shall be those defined in Chapter 16 of the City of Danbury Code of Ordinances as of the date of this agreement as may be amended as required by State and Federal Laws and Regulations.

SECTION 2. FACILITIES

Section 2.1 Danbury shall maintain and operate the Facilities consistent with all Federal and State requirements and permits. Danbury shall continue to manage all elements of the sewage system in Danbury providing a fully working and operational system into which Newtown sewage can be conveyed. Newtown shall be responsible for the construction and management of its system in accordance with all applicable State and Federal laws and regulations. Both municipalities will cooperate to meet any future laws or regulations governing their operations including but not limited to odor control. Newtown shall install, operate, and maintain odor control on its system.

SECTION 3. FINANCING OF FACILITIES

Section 3.1 Newtown will purchase 150,000 gallons per day of sewage treatment capacity in the Danbury Facilities. This capacity shall be paid for in two payments equalling \$1,161,000. The first payment shall be for \$1 Million and deposited with Danbury within 60 days after the signing of this agreement. The second and final payment of \$161,000 shall be made within 90 days after sewage begins to flow from Newtown to Danbury. Should the \$1,161,000 total payment due exceed the available appropriation authorized by Newtown, for this agreement, the amount of purchased capacity will be reduced to meet the legally authorized spending limit of Newtown.

Newtown - Danbury Interlocal
Sewer Service Agreement

In the event that Newtown does not appropriate the required \$1,161,000 and the purchased capacity is reduced as described above, any further reference in this agreement to 150,000 gallons per day shall also be reduced to the actual purchased capacity.

SECTION 4. OPERATION & MAINTENANCE OF FACILITIES

Section 4.1 Newtown may discharge into the Facilities, an Average Daily Flow not to exceed 150,000 gallons per day, governed by Newtown's Interlocal Agreement with Bethel dated March 6, 1991 (Attachment B) and as modified August 8, 1991 (Attachment C). These existing interlocal agreements with Bethel are an integral part of this Agreement and reflect the concerns and requirements of Danbury for the control of flow from both Newtown and Bethel through their common line into the Beaverbrook Pump Station.

Section 4.2 In the event that Newtown discharges into the Facilities an Average Daily Flow exceeding 150,000 gallons per day in any calendar year, Newtown shall not permit any new connections to be made to this sewage system and shall not approve any changes in use for existing customers of its sewage system that would add to the discharge. Discharges that continue above 150,000 gallons per day, for a period of ten days or more, will be billed at three times the rate in effect during the period in which the excess flow occurred. Further, Newtown shall take immediate steps to reduce the flow to a rate equal to or less than the capacity established in this agreement.

Section 4.3 Newtown shall be responsible for all costs of maintenance and repairs of sewers within Newtown. Newtown shall pay Danbury its proportionate share of the "Operation and Maintenance Costs" for the usage of all applicable Facilities for the conveyance, treatment and discharge of sewage from Newtown. Said proportionate share shall be computed by multiplying Danbury's total annual Operation and Maintenance Costs by the percentage of the total annual flow of sewage into said Facilities which is attributable to Newtown. An estimate of this cost shall be billed by Danbury on an annual basis at the beginning of Danbury's fiscal year and adjusted annually for the previous year's actual flows and costs. Payment shall be made to Danbury within 60 days of billing.

Newtown - Danbury Interlocal
Sewer Service Agreement

Section 4.4 Newtown shall provide to Danbury, on a quarterly basis, a listing and appropriate payment of all new customer connections to the sewer system as shown on Attachment A. For each new customer connection in Newtown, in the sewer service area as shown on Attachment A, Newtown will pay Danbury one-half the same one time standard connection fee charged Danbury customers pursuant to Danbury's then current Code of Ordinances, for all future non-residential development in the Newtown sewer service area as shown in Attachment A, not in existence at the effective date of this agreement. Newtown will not pay connection fees for any residential properties.

Section 4.5 Newtown shall adopt and enforce regulations controlling the use of its sewage system, including regulations regarding prohibited discharges into such sewage system, which regulations shall be at least as restrictive or stringent as those adopted by Danbury, which regulations or ordinances shall not be enacted or enforced in an unreasonable, arbitrary or capricious manner.

Section 4.6 In the event it becomes necessary during the term of this Agreement to make extraordinary repairs or replacements to the Facilities due to the discharge of prohibited substances in Newtown, then Newtown shall reimburse Danbury for all costs incurred therewith. Said costs shall be reimbursed within 60 days of billing. Newtown shall not be responsible for the cost of extraordinary repairs or replacements to the Facilities due to the discharge of prohibited substances in any other municipality including Danbury.

Section 4.7 Both Municipalities shall, at all reasonable times and without notice, have the right by their duly authorized agents or employees to inspect the Facilities or Newtown's sewage system to assure themselves that construction, operation and maintenance of the Facilities and Newtown's sewage system are being carried out in a satisfactory manner.

SECTION 5. MONITORING, TESTING AND METERING

Section 5.1 Newtown shall install proper monitoring and metering equipment to allow sampling, testing and measurement of effluent discharged by Newtown, transported through Bethel and treated by Danbury. Newtown shall collect samples of Newtown effluent and shall perform testing appropriate to ensure conformity with the terms and conditions of the Danbury NPDES permit, as the same may

Newtown - Danbury Interlocal
Sewer Service Agreement

be amended, in a manner and as at such times or intervals as may be required by DEF with respect to the testing of Danbury influent. Newtown's metering equipment shall be compatible with equipment installed in the Facilities. Newtown shall tie their equipment into the Danbury equipment and continuously transmit measurements of flow to the Facilities.

Section 5.2 Newtown shall purchase, maintain, calibrate annually and if necessary repair the aforementioned monitoring and metering equipment as well as a source of emergency power for said equipment, all at its own expense. All costs directly related to Newtown associated with sampling and testing will be paid by Newtown. In addition, Newtown shall bear the costs directly associated with compliance with the Danbury NPDES permit as it relates to the treatment of wastes solely generated by Newtown. In the event that Newtown fails to perform necessary maintenance or repairs to the aforementioned monitoring and metering equipment in a timely manner in accordance with its obligations pursuant to this section, Danbury shall have the right, upon written notice to Newtown, which notice shall have been given not less than two business days in advance, to enter upon property of Newtown to perform said maintenance or repairs. Any costs incurred by Danbury hereunder shall be reimbursed by Newtown within 60 days of billing.

Section 5.3 The Municipalities shall work cooperatively to sample and test effluent within the Newtown sewer system when such sampling and testing is deemed necessary. However, Danbury reserves the right to take samples and perform tests of effluent within the Newtown sewer system at any time to determine compliance with Federal, State and Local sewer standards. Danbury shall notify Newtown prior to taking any such samples in order to allow Newtown to send a representative to observe said sampling procedure and provide such assistance as may be necessary. All costs associated with sampling and testing performed hereunder shall be billed to Newtown. Newtown shall pay all such costs within 60 days of billing.

Section 5.4 In the event that tests reveal that effluent discharged into the appropriate Newtown sewer system and conveyed to the Danbury sewer system fails to meet standards and permit requirements of Federal, State or Local Governments, Newtown shall take all action necessary to correct said condition in its sewer system and compel compliance with said standards and permit requirements by all responsible Newtown sewer users.

SECTION 6. TERMS, SEVERABILITY AND EFFECTIVE DATE

Section 6.1 This Agreement shall not be effective until it has been executed by the First Selectman of Newtown and the Mayor of Danbury, after approval of the appropriate governmental authority of the Town of Newtown and approval by the Common Council of Danbury.

Section 6.2 This Agreement shall remain in full force and effect for a term of 30 years from the execution date hereof.

Section 6.3 In the event that there shall be a final adjudication that any provision or provisions of the Agreement are or shall be invalid, illegal, or contrary to public policy, such provision or provisions shall be deemed and construed to be severable from the remaining provisions of this Agreement, which shall continue in full force and effect, unless the provision or provisions so adjudicated are so essential to the Agreement as to render performance of the Agreement impossible in their absence.

Section 6.4 This agreement may be reopened and renegotiated at the request of either municipality if either the operating costs or the construction costs are increased as the result of (a) a request by Newtown for a greater capacity, or (b) as the result of a change in process required by the State of Connecticut or the Federal government. In the event the parties are unable to agree as to some or all of the matters requiring agreement in connection with such renegotiation, the matters in dispute shall be subject to binding arbitration in the manner set forth in Section 8 below, provided however that any decision by Danbury in response to a request from Newtown for greater capacity shall not be subject to arbitration.

SECTION 7. REPRESENTATIONS AND WARRANTIES

Section 7.1 Newtown hereby represents and warrants to Danbury that (i) Newtown is and will continue to be a body politic and corporate, validly existing under the laws of the State of Connecticut and with the power to execute and deliver this Agreement; (ii) that the execution and delivery by Newtown of this Agreement have been duly authorized by Newtown in conformity with all applicable laws, including its charter, and no proceedings or authority for the execution and delivery of this

Newtown - Danbury Interlocal
Sewer Service Agreement

Agreement have been repealed, rescinded or revoked; (iii) this Agreement, upon execution and delivery hereof, will be a legal, valid and binding obligation of Newtown enforceable against it in accordance with its respective terms; (iv) no litigation of any nature is now pending or, to the best of Newtown's knowledge, threatened which would restrain or enjoin the execution or delivery of this Agreement or in any manner question the authority or proceedings for the execution or delivery of this Agreement.

Section 7.2 Danbury hereby represents and warrants to Newtown that (i) Danbury is and will continue to be a body politic and corporate, validly existing under the laws of the State of Connecticut and with the power to execute and deliver this Agreement; (ii) that the execution and delivery by Danbury of this Agreement have been duly authorized by Danbury in conformity with all applicable laws, including its charter, and no proceedings or authority for the execution and delivery of this Agreement have been repealed, rescinded or revoked; (iii) this Agreement, upon execution and delivery hereof, will be a legal, valid and binding obligation of Danbury enforceable against it in accordance with its respective terms; (iv) no litigation of any nature is now pending or, to the best of Danbury's knowledge, threatened which would restrain or enjoin the execution or delivery of this Agreement or in any manner question the authority or proceedings for execution or delivery of this Agreement.

SECTION 8. RESOLUTION OF CLAIMS / DISPUTES

Section 8.1 In the event that the municipalities reach an impasse in the settlement of any claim, demand, dispute, difference, controversy or misunderstanding that may arise under this Agreement, the issue shall be settled by arbitration.

Either municipality may request arbitration by sending written notice to the other municipality and appointing its arbitrator. The other municipality shall within 10 days after receiving written notice appoint its arbitrator. The two arbitrators shall appoint a third arbitrator within fourteen days. In the event that a third arbitrator is not appointed within the designated time, either party may apply to the Superior Court to appoint a third arbitrator.

Newtown - Danbury Interlocal
Sewer Service Agreement

As soon as possible and mutually agreed to, the three arbitrators shall meet and give opportunity to each municipality to present its case. The arbitrators will then by majority vote render a decision which shall be binding, as applicable and allowable under existing laws, upon both municipalities.

In Witness Whereof, the Municipalities have caused this Agreement to be executed by their authorized officers and their respective seals to be hereunto affixed as of the date first written above.

In the presence of:

Town of Newtown, Connecticut

By-----

Robert A. Cascella,
First Selectman

City of Danbury, Connecticut

By-----

Gene F. Eriquez,
Mayor

Attachments A, B & C

A:\NEWTWR4.wp 3/21/94

file 15

LEGISLATIVE COUNCIL



EDMOND TOWN HALL
NEWTOWN, CONN. 06470

July 5, 1994

To the Danbury Common Council

Dear Council Member:

We are writing to ask your support for the Interlocal Sewer Agreement between Newtown and Danbury. As this agreement was begun several years ago, Newtown has spent \$980,000 to enlarge the sewer line running through Bethel to Danbury. The natural conclusion we anticipated would be an agreement that Newtown would pay a fixed amount to buy excess capacity in the Danbury treatment plant. Newtown would have had no reason to spend \$980,000 to enlarge the Bethel sewer line if we had not been given reasons to be confident that an understanding was in place and that an agreement could and would be reached with Danbury.

It is our feeling that this agreement would be beneficial to both of our communities and to the region. Danbury taxpayers would benefit by a payment of over \$1 million to help defer the cost of building the treatment plant. Newtown, Danbury and the region would benefit from the eventual economic development of this section of Newtown. New jobs would be created and opportunities for local businesses and housing would be available. The corridor along Route 6 already provides employment for a number of Danbury residents. This is a win-win situation for Danbury, Newtown and the region.

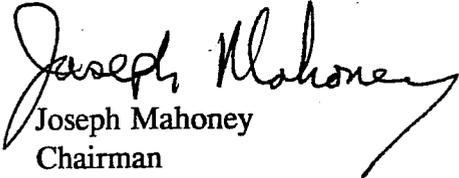
Through the years, Danbury has provided many services that Newtown and other area communities have utilized. Newtown has also done a great deal in providing services to Danbury and other area communities. We have, for over 50 years, housed Fairfield Hills Hospital, and more recently Garner Correctional Facilities, the Western Connecticut Substance Abuse facility and other drug and alcohol treatment facilities.

Additionally, Danbury has been the economic center for the region. Newtown residents annually spend millions of dollars at the Danbury Fair Mall and in Danbury businesses.

The partnership of Danbury and Newtown in solving a regional problem is a natural evolution in the regional effort for a better future. We ask that you support this agreement so that we can continue to build a strong working relationship between our communities in solving regional problems.

We thank you in advance for your consideration of this agreement.

Sincerely,


Joseph Mahoney
Chairman
Newtown Legislative Council



Melissa Pilchard
Vice Chairman
Newtown Legislative Council

TO: DANBURY COMMON COUNCIL
FROM: RONALD BLONSKI, 18 GRIFFING AVE
RE: ITEM 15: DANBURY-NEWTOWN INTERMUNICIPAL SEWER AGREEMENT

JULY 6, 1994

15

*I was not going to say anything tonite until I read the News Times editorial which bottom line simply said: it's the money stupid. And further read Newtown's First Selectman's quote that you need to explain to Danburians "why they don't need \$1 million." Silly me. I forgot that money talks and nobody walks. I thought there was a basic fairness issue that legislators could respond to. Apparently it's easier to talk about regional jobs as opposed to regional housing diversity. Housing is abstract. Money is tangible, simple.

*At last week's Committee of the Whole a spokesperson from Newtown simply said that it is a "far distance to go from Exit 9 to plant at Fairfield Hills grounds...seems more economical to connect it into Danbury for us.." But the fact is that the first pipe Newtown lays will be at Tauton Lake which is right on the border of the isolated proposed hi-tech mecca, Hawleyville sewer area. It is not a matter of distance; it is only a matter of larger pipe. Of course the larger pipe will not allow Newtown to control the inevitable housing development which would be at cross purposes with their expressed goal to lower their tax base. They choose smaller pipe and a peripheral, capacity limited area. Social outcomes have been precluded. Of course it will be more economical for them to send their industrial waste to Danbury's plant: what they can't dilute physically will add to the cost of chemical treatment for all Danbury plant users and thereby dilute their financial cost of industrial wastewater treatment. Councilman Levy was on the right fiscal target when he said that "the cost of chemicals is not cheap".

*We are told that as Danburians we must be more competitive. But Newtown won't have to deal with the costly and dirty business of chemical treatment, disposal of sludge laced with hi-tech chemicals, low-to-moderate income housing or educating non-English speaking children. The fact that there are some State institutions in their community will absolve them from dealing with the central issue of housing diversity. They will be free to do what they do best: generate wealth in a wealthy community. When the regional desegregation task force reconvenes we will gladly come up with transportation funds to offset the lack of diversity in Newtown's public schools, never thinking that the transportation related expenses more than offset the cool million we made ignoring causes.

*Have we forgotten that our mayor kept the cost of residential sewer fees level next year by appropriately shifting the increases to Danbury's industrial users which require proportionately more costly chemical treatment. There will be no increase in residential sewer rates next year. Maybe the hurt the New Times was referring to was their way of complaining that as industrial/commercial users they will have to pay their fair share for sewer next year. Why, for the sake of dropping residential sewer fees an average of 13¢/day for next year only, would we want to give Newtown's industrial users another financial advantage: why would we want to

Ronald Blonski
7/6/94

commit to bearing their hi-tech treatment costs for 29 more years. Bethel went for the \$900,000 which their selectman boasted prior to his reelection was a 40% cost reduction. Who couldn't use a true profit of \$1M today. Wouldn't it make more sense for Danbury to reduce \$1M from the general budget for the next 2 years than incur many \$M in costly treatment expenses for 30 years.

*Are we so confident that Barden, Grolier and Pitney Bowes will remain in Danbury any more than Berol did. Maybe it would be cheaper for Fairfield Processing and the News Times, for instance, to move to a better I84 location and cheaper rates in Hawleyville. Then we will be very competitive in terms of the affordable housing potential that we have opened up in Danbury at the Mallory site or even on Main Street next to HART. Maybe then the State will grant and Danbury will tax defer those developers who can have the best of both worlds with industrial/commercial development in Hawleyville and affordable housing in Danbury.

*We hear talk of creating jobs and that we are denying Newtown what they need. We were told at the AD HOC Meeting that a Morganti and Bud Hawley own or have interest in this area; so what. The fact is there will be low wage service jobs, and Danbury real estate developers will profit whether or not Danbury takes Newtown's waste because Newtown is fully capable of doing this on their own. Newtown, years ago, on its own, scaled back and took its time to consider options that were in its best interests. Now their First Selectman anguishes in public that as of 6/30 they no longer have the money for their industrial plans. But when they chose to cancel their own public hearing, which I interpret as an attempt to keep us blind to the true temper of their constituents, a call placed to Newtown on 6/30 received the assurance that it was OK since Danbury was going to change its mind and Newtown has an extension from the State till 7/15. There appears to be two faces on this issue. We would do better to talk about the creation of wealth and the subsequent high wage jobs that should raise the standard of living for the average Danburian and ease our education budget by lowering our own tax base rather than maintain the wealth of a few in Newtown.

*Our Superintendent of Public Utilities told Newtown's negotiator's that he had to take something back to the Council because citizens were speaking out at the meetings. He later acknowledged that, if it were not for the housing concern being voiced, Newtown would not have split the industrial hookup fees with Danbury. And so the affordable housing links that were floated over the years simply became a stick to get more money. And this then is what we have come to. Even though Danbury' Housing Director told you that we now have an opportunity, we hear those who say that sure there are unmet social needs but what can we do and surely we need the money. What a vicious circle.

*We will complain about unfunded mandates and then proceed to take on the educational costs associated with diversity in a region that chooses to deal with this issue from a distance if at all. It seems easier to deal with the unfunded 1MGD and to try and offset this cost. Never mind that no State Commissioner as per statute ordered

Arnold Shustler
7/6/94

this 1MGD; we set ourselves up for this with our previous request of 2MGD that supposedly was for our future and which now we say we don't need and are prepared to sell off, to offset costs not of 1MGD but 3MGD added capacity: Newtown's capacity will come from Danbury's so-called future capacity of 2MGD, as we cash in our savings for some short term visible gain of 13¢/day for one year, which can in no way offset the hidden costs of chemical treatment and education for 30 years. Penny wise; pound foolish.

*Those who do not learn from history are condemned to repeat its mistakes: Danbury is poised to become a Connecticut hub - a low income housing hub in the old city of Danbury, where people will be maneuvered by regional barriers to scattered site housing, which will forever change the concept of urban neighborhoods. As the good paying jobs flow out of the city, at a time when the State is working at cross purposes to limit the number of vehicles on the highways, Danbury's will increasingly become a service economy; the proportion of those in the city without an economic future will rise; Danbury's public schools will increasingly become impacted attempting to deal alone with the associated education costs. The cycle will spiral down. And Danbury will surely become just another Connecticut hub in a prosperous region, overall.

*Then there will be a lot of creative budgeting as Danbury sells off its assets for the always needed \$1M. No wonder Ridgefield developers have assurances from so-called officials in Danbury that they can have both sewer and water service from Danbury. They will, as Newtown, simply ask; we will simply set up a negotiating committee; they will talk only money; we won't want to seem as if we led them on, so will take as much as we can get. We will claim a savings when in fact we have sold our future. We will get cash flow and claim economies of scale. We will become a regional prostitute. Our kids will grow up in a two tiered society.

*As for competition. Forget it. We will be no match for the neighbors who not only have cheaper access to our infrastructure but have the location, next to the highways and far enough from the social responsibilities/realities of the region's hub.

*It is indeed a good business deal, for Newtown. It is the money!

*You don't have to explain it to us: we are not stupid. **Danbury, for the sake of its future, can not afford to accept this agreement.**

Arnold Shulkin
7/6/94

15
TOWN OF NEWTOWN • FINANCIAL DIRECTOR

Benjamin B. Spragg

June 30th, 1994



David L. Grogins, Esquire
Cohen & Wolf, P.C.
158 Deer Hill Avenue
Danbury, CT 06810

RE: NEWTOWN/DANBURY SEWER SERVICE

Dear David:

You have requested a letter regarding the appropriation and financing of the Newtown/Danbury Sewer Service.

The appropriation was for \$2,000,000.00. The town of Bethel was paid \$953,003.00 for the extra cost of enlarging the sewer line in Bethel. The balance in the project fund currently stands at \$1,046,997.00.

The appropriation was financed by a Bond Issue dated August 15, 1991. The bonds were issued to finance school projects, general public improvements and the Newtown/Bethel/Danbury Sewer Project.

Very truly yours,

Benjamin B. Spragg

Benjamin B. Spragg
Financial Director

PBS/ms

CC: R. Casella, First Selectman



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Danbury-Newtown Intermunicipal Sewer Agreement

The Common Council met as a committee of the whole at 8:55 P.M. on June 27, 1994 to review the proposed Danbury-Newtown Intermunicipal Sewer Agreement. This agreement would provide Newtown with 150,000 gallons of sewage per day in exchange for an upfront payment of \$1.6 million dollars plus their proportionate share of operating and management costs.

There was considerable discussion with City personnel regarding all aspects of the proposed agreement. Director of Finance Dominic Setaro, Director of Public Works Jack Schweitzer, Assistant Superintendent of Public Utilities Mario Ricuzzi and Mayor Gene Eriquez answered a number of questions from members of the Common Council. These questions dealt with topics including the calculation of the cost, the capacity of the waste water treatment plant, upgrade and expansion of the plant, Newtown debt service, payment schedule, State mandate for inclusion in the plant, housing provisions in Newtown and provisions for capacity for Brookfield and New Fairfield.

Various opinions were offered from members of the Common Council both in favor and against the proposal. Some thought that the agreement was not a good deal for Danbury for various reasons. Among them were that the payment from Newtown was not sufficient, that this agreement would open up industrial property in Newtown that would compete with Danbury and Newtown's commitment to housing. Others agreed that Newtown's use of 150,000 gallons a day will not affect Danbury's capacity for growth, that a regional approach is better for Danbury, that with the various State institutions in Newtown this satisfies their social obligations and that the payment from Newtown would be very beneficial to the City of Danbury.

Mr. Yamin moved to recommend denial of the proposal Danbury-Newtown Intermunicipal Sewer Agreement. The motion was seconded by Mr. Cappiello and passed 10-9.

Respectfully submitted,


JOSEPH DaSILVA, Chairman



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

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Respectfully submitted,

JOSEPH DaSILVA, Chairman



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MAY 02 1994

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING DEPARTMENT
CITY OF DANBURY

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

Dear Property Owner:

It has come to our attention that a problem exists along Ohehyatah Place due to the lack of a consistent street numbering system. The absence of some street numbers and the use of street which do not follow a logical sequence creates confusion for anyone attempting to locate a particular residence. More importantly, it is potentially dangerous as emergency personnel may have difficulty locating the site of an emergency.

We have asked the Common Council to authorize a renumbering of the street in accordance with the attached list. We anticipate that the Common Council will appoint an ad hoc committee to review the request and will want to know the feelings of the residents on this issue. Please complete the bottom portion of the letter and return it in the enclosed envelope no later than April 29, 1994. Please feel free to add any comments regarding this matter on the back of the sheet. Thank you for your cooperation.

Sincerely,

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

Gilotti, Joseph and Deborah
11 Ohehyatah Place

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: J. P. Gilotti III Date: 4/27/94





16

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

RECEIVED

APR 18 1994

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

PLANNING DEPARTMENT
CITY OF DANBURY

Dear Property Owner:

It has come to our attention that a problem exists along Ohehyatah Place due to the lack of a consistent street numbering system. The absence of some street numbers and the use of street which do not follow a logical sequence creates confusion for anyone attempting to locate a particular residence. More importantly, it is potentially dangerous as emergency personnel may have difficulty locating the site of an emergency.

We have asked the Common Council to authorize a renumbering of the street in accordance with the attached list. We anticipate that the Common Council will appoint an ad hoc committee to review the request and will want to know the feelings of the residents on this issue. Please complete the bottom portion of the letter and return it in the enclosed envelope no later than April 29, 1994. Please feel free to add any comments regarding this matter on the back of the sheet. Thank you for your cooperation.

Sincerely,

Susan S. Decina
(949)

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

JAN MARIE Schechter + Ted Schechter
Ohehyatah Pl. or #10 Ohehyatah

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place

Signature: Jan Schechter Date: 4/13/94



16

Please print your name and the street address you currently use.

13 PARK AVE
DANBURY, CT

RECEIVED

APR 18 1994

If you are a non-resident property owner, please print your tenant's name.

ROBERT J. STEINERD

PLANNING DEPARTMENT
CITY OF DANBURY

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: *Ed Madem*

Date: *4/14/94*

Currently using # 41 according to planning & zoning department.





16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

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Sincerely,

Susan Decina
(PSC)

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

Diane J. Dawie
Ohehyatah Place

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

- I am in favor of renumbering the street addresses along ~~Ohehyatah~~ ^{Ohehyatah} Place.
- I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: _____ Date: _____





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

RECEIVED
APR 15 1994

PLANNING DEPARTMENT
CITY OF DANBURY

Dear Property Owner:

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Sincerely,

Susan S. Decina
(970)

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

Linda V. Shea
7 Ohehyatah Place

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

- I am in favor of renumbering the street addresses along Ohehyatah Place.
- I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: Linda V. Shea Date: 4/13/94



16

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

RECEIVED
APR 18 1994

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

PLANNING DEPARTMENT
CITY OF DANBURY

Dear Property Owner:

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Sincerely,

Susan S. Decina
Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

Rubin, L. Robert
Jacobs-Rubin, Myrna } *Ohehyatah Place*

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

- I am in favor of renumbering the street addresses along Ohehyatah Place.
- I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: *L. Robert Rubin* Date: *4-14-94*





CITY OF DANBURY
 155 DEER HILL AVENUE
 DANBURY, CONNECTICUT 06810

16
RECEIVED

APR 20 1994

PLANNING DEPARTMENT
 CITY OF DANBURY

PLANNING & ZONING DEPARTMENT
 (203) 797-4525

April 11, 1994

Dear Property Owner:

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Sincerely,

Susan S. Decina
 Susan S. Decina
 Assistant Planning Director

=====

Please print your name and the street address you currently use.

James and Patricia Nagle
Ohehyatah Place Danbury CT 06810-766

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: James Nagle

Date: 4/17/94



14
RECEIVED

APR 21 1994

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING DEPARTMENT
CITY OF DANBURY

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

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Sincerely,

Susan S. Decina (950)

Hi Sue

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

*SAL PANDOLFI / NONE BUT I WAS TOLD MY HOUSE
WAS 7 IF YOU STARTED WITH 1 LEFT COMING UP THE
STREET MY BEING 4TH ON LEFT IT WOULD BE 7*

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: *Sal Pandolfi*

Date: *4-19-94*



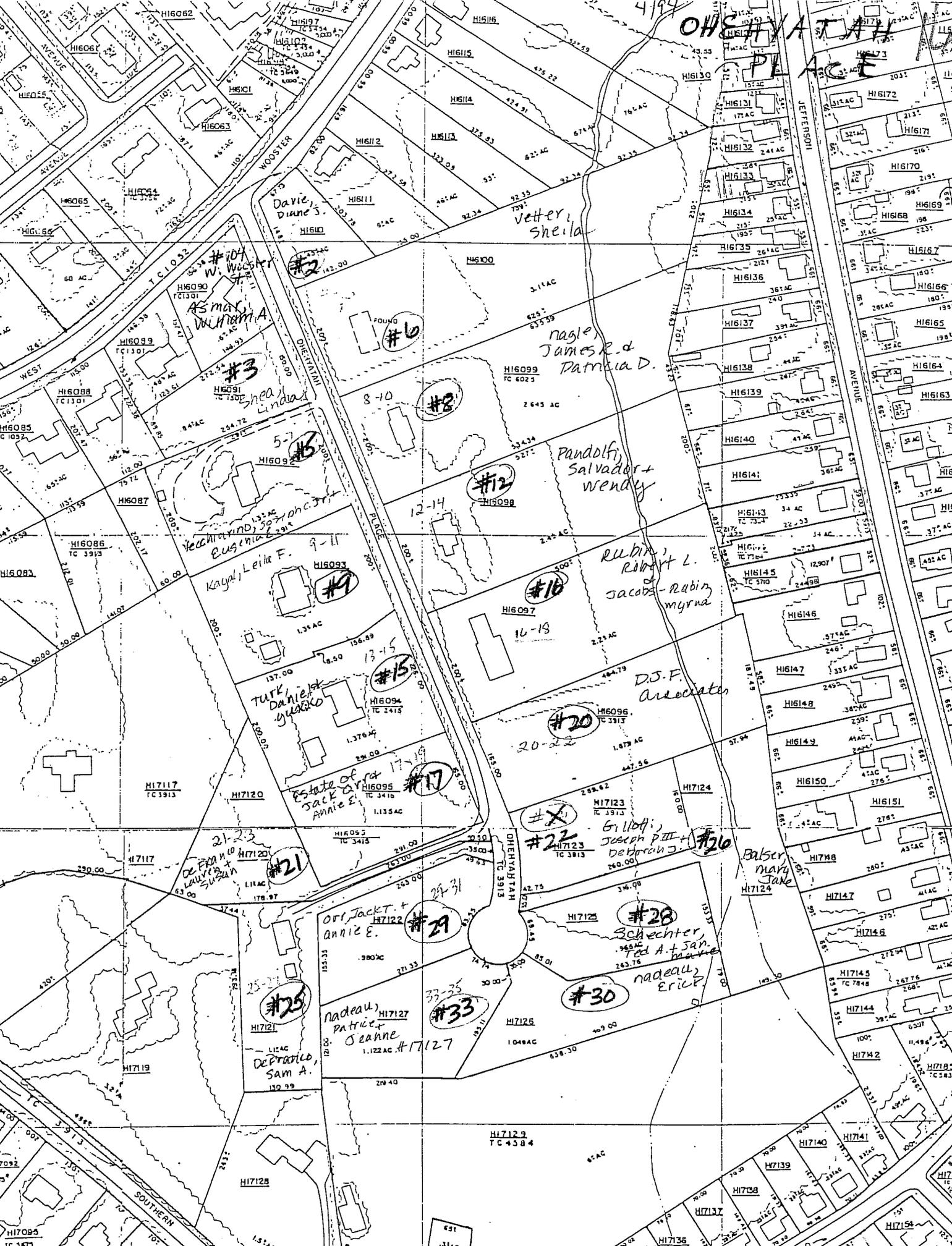
OHEHYATAH PLACE
PROPOSED STREET ADDRESS ASSIGNMENTS
& 4/94 SURVEY RESULTS

<u>Tax Assessor's Lot #</u> (East side)	<u>Property Owner's Name</u>	<u>Proposed Address</u>	<u>Existing Address</u>	<u>Survey Results</u>
H16110	Davie, Diane, J.	#2	-	Y
H16100	Vetter, Sheila	#6	-	NR
H16099	Nagle, James R. & Patricia D.	#8	-	Y
H16098	Pandolfi, Salvador & Wendy	#12	-	N
H16097	Rubin, Robert L. & Jacobs - Rubin, Myrna	#16	-	Y
H16096	D.J.F. Associates	#20	-	NR
H17123	Gillotti, Joseph P. III & Deborah J.	#22*	#11	Y*
H17124	Balser, Mary Jane	#26	-	NR
H17125	Schechter, Ted A. & Jan Marie	#28	#10	Y
H17126	Nadeau, Eric P.	#30	#41	Y
(West side)				
H16091	Shea, Linda	#3	#7	Y
H16092	Vecchiarino, Joseph C., Jr. & Eugenia E.	#5	-	Y
H16093	Kayal, Leila F.	#9	-	Y
H16094	Turk, Daniel & Yukiko	#15	-	Y
H16095	Orr, Jack, Estate of, & Annie E.	#17	-	NR
H17120	De Franco, Lauren & Susan	#21	#24	NR
H17121	De Franco, Sam A.	#25	#26	NR
H17122	Orr, Jack T. & Annie E.	#29	-	NR
H17127	Nadeau, Patrice & Jeanne	#33	-	Y

Y = YES, in favor of renumbering (11)
N = NO, not in favor of renumbering (1)
NR = NO RESPONSE (7)

* This property was proposed to be #24, but at the request of the property owner, the proposed number has been changed to #22.

OHEAVALTAH PLACE



#104
W. WOODSTOCK
Asmak, William A.

#3
shea, Linda

#5
Koyal, Leila F.

#9
TURK, DANIEL & GYALIKO

#17
Estate of Sack & Annie E.

#21
DE PRATIO, SAM A.

#25
DePratio, Sam A.

#29
Ortjack, Annie E.

#33
Nadeau, Patrice + Jeanne

Vetter, Sheila

#6
Ragle, James R. & Patricia D.

#8
Randolph, Salvador + Wendy

#12
Rubin, Robert L. & Jacobs - Rubin, Myrna

#16
D.S.F. Associates

#20
Gilboff, Joseph P III + Deborah J.

#22
Schechter, Ted A. + Jan.

#28
Nadeau, Erick

#26
Balsor, Mary Jane

#30
Nadeau, Erick

#31
Nadeau, Erick

#32
Nadeau, Erick

#33
Nadeau, Erick



16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

RECEIVED

APR 15 1994

PLANNING DEPARTMENT
CITY OF DANBURY

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

Dear Property Owner:

It has come to our attention that a problem exists along Ohehyatah Place due to the lack of a consistent street numbering system. The absence of some street numbers and the use of street which do not follow a logical sequence creates confusion for anyone attempting to locate a particular residence. More importantly, it is potentially dangerous as emergency personnel may have difficulty locating the site of an emergency.

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Sincerely,

Susan S. Decina
Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

JOSEPH C. VECCHIARINO JR.
OHEHYATAH PL. DANBURY CT. 06810

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

- I am in favor of renumbering the street addresses along Ohehyatah Place.
- I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: Joseph C. Vecchiarino Jr. Date: 4-14-94





RECEIVED 16
APR 20 1994

CITY OF DANBURY

PLANNING DEPARTMENT
CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

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Sincerely,

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

LEILA F. KAYAL

OHEHYATAH PLACE

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: _____

Date: _____

4 / 19 / 94





16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

April 11, 1994

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Sincerely,

Susan S. Decina
Assistant Planning Director

=====

Please print your name and the street address you currently use.

DANIEL TURK

OHEHYATAH PLACE

If you are a non-resident property owner, please print your tenant's name.

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

I am in favor of renumbering the street addresses along Ohehyatah Place.

I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: _____

Daniel Turk

Date: APR 27, 1994



16

=====

Please print your name and the street address you currently use.

PATRICE MADEAU
30 OHEHYATAH PLACE

RECEIVED

APR 18 1994

If you are a non-resident property owner, please print your tenant's name. **PLANNING DEPARTMENT
CITY OF DANBURY**

If you are a tenant, please print the property owner's name.

Please check one of the boxes below:

- I am in favor of renumbering the street addresses along Ohehyatah Place.
- I am not favor of renumbering the street addresses along Ohehyatah Place.

Signature: Patrice Madeau

Date: 4/14/94



I went to planning & zoning at City Hall and they said my street # was 30
I own the last house on the right lot #8



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Renumbering of Ohehyahtah Place

The Common Council Committee appointed to review the renumbering of Ohehyahtah Place met on June 28, 1994 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Dennehy, and Outlaw. Also in attendance were Director of Planning Dennis Elpern, Steve Bobel from the Police Department and Fred Visconti from the Fire Department. Council Member Yamin was not in attendance.

After a brief review of the situation, each Department stated that they were in favor of the change. The survey from the residents resulted in 11 in favor of the change, 1 against and 7 did not respond. The need for renumbering was concerns about safety. It is a standard process, policy procedure in the numbers. Attached is the result of the survey.

Mrs. Outlaw made a motion to renumber Ohehyahtah Place based on the proposal from the Planning Department. Seconded by Miss Dennehy. Motion carried unanimously.

Respectfully submitted,

KATHLEEN DENNEHY, Chairman

DOROTHY OUTLAW

ROBERT YAMIN



17

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Acceptance of Wilkes Road

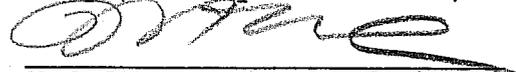
The Common Council Committee appointed to consider the acceptance of Wilkes Road under Ordinance 17-34 met at 7:35 P.M. on June 27, 1994. In attendance were committee members Falzone, DaSilva and Capiello. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Public Works Jack Schweitzer and a number of residents of Wilkes Road.

Mr. Pinter explained Ordinance 17-34. This Ordinance has recently been amended to include roads on which bonds have expired. The conditions that need to be met in order to be accepted: bringing the road up to certain specifications, a particular width and a majority of residents. A deed needs to be given to the City after work is done. The expenses are borne by the petitioners in bringing the road to minimal acceptance. Mr. Schweitzer stated that a number of things need to be done in order to be accepted. His department needs to do an inspection to determine what work needs to be done to qualify for acceptance.

There was a discussion between the residents, the committee and City personnel. The discussion covered the problems with the road, a water problem on an abutting property and what needs to be done for acceptance.

Mr. DaSilva moved to recommend that Wilkes Road be accepted as a City highway upon compliance with provisions of section 17-34 of the Code of Ordinances of the City of Danbury. The motion was seconded by Mr. Capiello and passed unanimously.

Respectfully submitted,


MICHAEL FALZONE, Chairman


JOSEPH DaSILVA,


DAVID CAPIELLO



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Acceptance of Wilkes Road

The Common Council Committee appointed to consider the acceptance of Wilkes Road under Ordinance 17-34 met at 7:35 P.M. on June 27, 1994. In attendance were committee members Falzone, DaSilva and Cappiello. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Public Works Jack Schweitzer and a number of residents of Wilkes Road.

Mr. Pinter explained Ordinance 17-34. This Ordinance has recently been amended to include roads on which bonds have expired. The conditions that need to be met in order to be accepted: bringing the road up to certain specifications, a particular width and a majority of residents. A deed needs to be given to the City after work is done. The expenses are borne by the petitioners in bringing the road to minimal acceptance. Mr. Schweitzer stated that a number of things need to be done in order to be accepted. His department needs to do an inspection to determine what work needs to be done to qualify for acceptance.

There was a discussion between the residents, the committee and City personnel. The discussion covered the problems with the road, a water problem on an abutting property and what needs to be done for acceptance.

Mr. DaSilva moved to recommend that Wilkes Road be accepted as a City highway upon compliance with provisions of section 17-34 of the Code of Ordinances of the City of Danbury. The motion was seconded by Mr. Cappiello and passed unanimously.

Respectfully submitted,

MICHAEL FALZONE, Chairman

JOSEPH DaSILVA

DAVID CAPPIELLO



18

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Request for Sewer and Water Extension on Broad Street

The Common Council Committee appointed to review the request for sewer and water extension on Broad Street met at 7:00 P.M. in the Fourth Floor Lobby in City Hall on June 22, 1994. In attendance were committee members Falzone and Scozzafava. Also in attendance was City Engineer Jack Schweitzer.

Mr. Falzone read the positive recommendation of the Planning Commission for the record. Mr. Schweitzer explained the proposal as outlined in the maps given to the committee for the sewer and water extensions.

Mr. Scozzafava made a motion to approve the extension of sewer and water extensions subject to the usual eight steps and that the petitioner provide all legal documents, ownership, acceptance and title to the water mains that exist at Still River Associates. Seconded by Mr. Falzone and passed unanimously.

Respectfully submitted,

MICHAEL FALZONE

DOROTHY QUTLAW

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Request for Sewer and Water Extension on Broad Street

The Common Council Committee appointed to review the request for sewer and water extension on Broad Street met at 7:00 P.M. in the Fourth Floor Lobby in City Hall on June 22, 1994. In attendance were committee members Falzone and Scozzafava. Also in attendance was City Engineer Jack Schweitzer.

Mr. Falzone read the positive recommendation of the Planning Commission for the record. Mr. Schweitzer explained the proposal as outlined in the maps given to the committee for the sewer and water extensions.

Mr. Scozzafava made a motion to approve the extension of sewer and water extensions subject to the usual eight steps and that the petitioner provide all legal documents, ownership, acceptance and title to the water mains that exist at Still River Associates. Seconded by Mr. Falzone and passed unanimously.

Respectfully submitted,

MICHAEL FALZONE

DOROTHY OUTLAW

JOSEPH SCOZZAFAVA



19

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Request for Sewer Extension - 6 South Well Avenue

The Common Council Committee appointed to review the request for sewer extension at 6 South Well Avenue met on June 27, 1994 in City Hall. In attendance were committee members Boynton, and Charles.

Jack Schweitzer advised the committee that he believes the application will be required to submit an engineering plan to extend the sewer line from Crofut Place to the lot at 6 South Well Avenue, Assessor's Lot # Map #4686 - Zone R-3.

Mr. Charles made a motion to approve the sewer extension subject to the required eight steps. Motion was seconded by Mr. Boynton and passed unanimously.

Respectfully submitted,

ERNEST M. BOYNTON, Chairman

LOUIS T. CHARLES

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

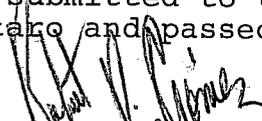
Re: Request for Funding for the Hispanic Center of Greater Danbury

The committee appointed to review the request for funding for the Hispanic Center of Greater Danbury for fiscal year 1994-95 met at 6:00 P.M. on June 21, 1994 in Room 432 in City Hall. In attendance were committee members Setaro and Gomez. Also in attendance were Director of Finance Dominic Setaro, Jr. and Acting Corporation Counsel Eric Gottschalk. Attending on behalf of the Hispanic Center were Maria-Cinta Lowe, Marcy Kristensen, John Colbert, Peter Kalman and Anna Martinez.

Mr. Setaro read a request by Mayor Eriquez recommending payment by the City of the agency's rent. Payments have been suspended pending the receipt of the 1992 and 1993 agency audits. Mr. Colbert explained that he is providing accounting help for the center as the issue of recordkeeping was one of the reasons for the suspension of the City grant to the agency. He added that journals have been established to better monitor incoming donations, deposits and disbursements. The source and purpose of all cash is now identified and all journals will be analyzed monthly. Mr. Colbert felt the adoption of a written procedure manual would facilitate more accurate recordkeeping.

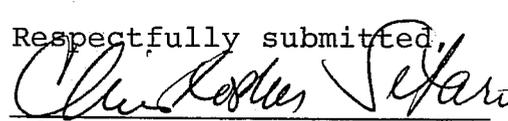
The Director of Finance stated that the steps outlined by Mr. Colbert were an improvement over past safeguards. However, he added that supervision is critical and that he was comfortable with the City's payment of the Center's rent directly to the landlord. Mr. Setaro stated that his primary concern was accountability as to how the taxpayers' dollars were being expended. He added that the Council should receive a review of the Center's progress in implementing the safeguards outlined by Mr. Colbert.

Mr. Gomez moved to recommend to the Common Council the payment of \$23,624 by the City to the landlord of the Hispanic Center as rent, that the City Finance Department prepare biannual status reports to be submitted to the Council for fiscal year 1994-95. Seconded by Mr. Setaro and passed unanimously.



ROBERTO GOMEZ

Respectfully submitted,



CHRISTOPHER SETARO, Chair



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

July 6, 1994

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

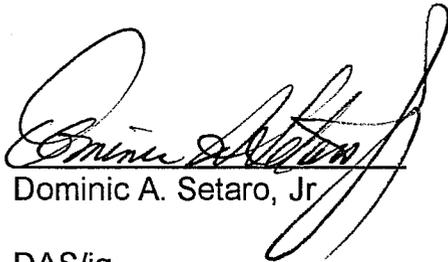
FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: Hispanic Cultural Society

CERTIFICATION #4

I hereby certify the availability of \$23,624.00 to be transferred from the Contingency Fund to the grant section of the General Fund budget, Account #02-20-000-072903, Hispanic Cultural Society.

Balance of Contingency	\$1,107,958.00
Less this request	<u>23,624.00</u>
Balance	\$1,084,334.00



Dominic A. Setaro, Jr

DAS/jg



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Request for Funding for the Hispanic Center of Greater Danbury

The committee appointed to review the request for funding for the Hispanic Center of Greater Danbury for fiscal year 1994-95 met at 6:00 P.M. on June 21, 1994 in Room 432 in City Hall. In attendance were committee members Setaro and Gomez. Also in attendance were Director of Finance Dominic Setaro, Jr. and Acting Corporation Counsel Eric Gottschalk. Attending on behalf of the Hispanic Center were Maria-Cinta Lowe, Marcy Kristensen, John Colbert, Peter Kalman and Anna Martinez.

Mr. Setaro read a request by Mayor Eriquez recommending payment by the City of the agency's rent. Payments have been suspended pending the receipt of the 1992 and 1993 agency audits. Mr. Colbert explained that he is providing accounting help for the center as the issue of recordkeeping was one of the reasons for the suspension of the City grant to the agency. He added that journals have been established to better monitor incoming donations, deposits and disbursements. The source and purpose of all cash is now identified and all journals will be analyzed monthly. Mr. Colbert felt the adoption of a written procedure manual would facilitate more accurate recordkeeping.

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Respectfully submitted,

ROBERTO GOMEZ

CHRISTOPHER SETARO, Chair



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

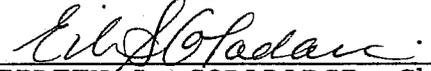
Re: Request to Accept Donation of a Sign

The subcommittee to review the donation of a municipal sign from the Danbury Jaycees met at 7:45 P.M. on June 21, 1994 in the Common Council Chambers in City Hall. In attendance were committee members Coladarci, Falzone and Cappiello. Also in attendance was Director of Parks and Recreation Robert Ryerson.

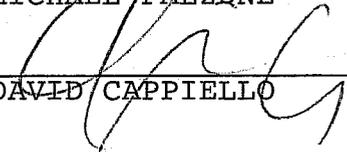
Mrs. Coladarci explained that the meeting was called to ensure that the sign meets all City standards before being accepted. Zoning Enforcement Officer Wayne Skelly informed her that a municipal sign is exempt from Zoning Regulations as it conforms to the regulations section, exempt signs, section 8.N.1.H. with Common Council approval. Skelly added that a sign permit would be needed to erect the sign on the grass island on Down Street by the Exit 5 off ramp. Ryerson said there would no problems with landscaping the area around the sign. Mr. Cappiello asked if there would be a problem adding other organizations to the sign once it was up. Mr. Ryerson said no.

Mr. Falzone made a motion that the full Common Council approve the acceptance of the sign which says "Welcome to Danbury" and that a letter of thanks be sent to the Jaycees. The motion was seconded by Mr. Cappiello and passed unanimously.

Respectfully submitted,


EILEEN S. COLADARCI, Chair


MICHAEL FALZONE


DAVID CAPPIELLO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

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Respectfully submitted,

EILEEN S. COLADARCI, Chair

MICHAEL FALZONE

DAVID CAPIELLO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

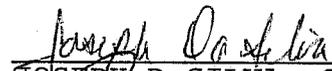
Re: Bond Referendum

The Common Council Committee appointed to review a request for the inclusion of a water and sewer authorization on an upcoming referendum met at 8:00 P.M. on June 21, 1994. In attendance were committee members DaSilva and Trocolla. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk and Council Members Falzone, Coladarci, Arconti and Levy, ex-officio.

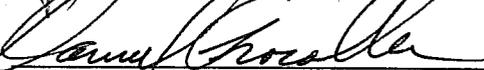
Mr. DaSilva explained the rationale for his request. The present sewer authorization for \$7,000,000 was passed in 1977 and has about \$1,000,000 left. There is no vehicle for neighborhood water projects. Mr. Schweitzer and Mr. Buckley stated their agreement with the proposal in that new State and Federal laws are tightening restrictions in regards to sewer and water. If the request for sewer in the First Street area is approved, the project will cost more than we have remaining in the present authorization. Mr. Setaro explained that he has communicated with the City Bond Counsel who found no problem with the proposal. Mr. Gottschalk agreed with the Bond Counsel's assessment.

After discussion of the amount necessary in each category, Mr. Trocolla moved to recommend a question be placed on an upcoming referendum authorizing bonds for sewer and water installation at \$5,000,000 each. If possible, the question should propose flexibility in the accounts to enable monies to exceed \$5,000,000 in either account if necessary while the other account to be reduced by a similar amount. The motion was seconded by Mr. DaSilva and passed unanimously.

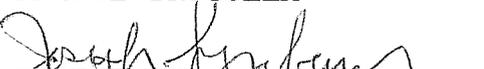
Respectfully submitted,



JOSEPH DaSILVA, Chairman



DANIEL TROCOLLA



JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

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Respectfully submitted,

JOSEPH DaSILVA, Chairman

DANIEL TROCOLLA

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

Re: Land on Spruce Mountain Road for Radio Beacon Tower

The Common Council Committee appointed to review the request to purchase land for a radio beacon tower on Spruce Mountain Road met on May 23, 1994 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Trocolla and Valeri. Also in attendance were Assistant Corporation Counsel Les Pinter, Mr. and Mrs. Theodore Gemza and Marci Raymond.

Mr. Trocolla read the charge of the committee. At the last meeting it was recommended that the Common Council purchase the 3.2 acres that has the radio beacon tower. At the March committee meeting it was recommitted to this committee to look at other alternatives. The history of this tower is that it was built in 1962 on land thought to be owned by the State of Connecticut. In 1989 Mr. Gemza had his property surveyed. It was found that the tower was 100 feet inside his property. In 1991 a Common Council Committee met to look into condemning 1.2 acres of the property. At that time the committee did an appraisal of the property. The appraisal was paid for by the City. The price for the 3.2 acres was \$55,000. For the 1.2 acres the price was \$14,000, but would have to go to court for condemnation. The committee authorized the Corporation Counsel to negotiate an agreement that was brought before the new committee in 1994. The purchase price was \$45,000.

The following options were discussed:

1. Recommend that the City purchase 3.2 acres for \$45,000. No rent to be paid and no tax rebate.
2. Condemn 1.2 acres easement and tower site. \$14,000 appraisal. This will be a chance that the courts will not make the City buy the 3.2 acres for \$55,000. Do we have to pay rent? Do we rebate taxes? Do we pay damages for loss of income?
3. Take tower site by adverse possession. Drop commercial users (2). Pay damages and can we make a case.

4. Move tower to new site on State property. The cost would be between \$300,000 and \$500,000. This site was certified in 1989. Will the Federal Government let us move?

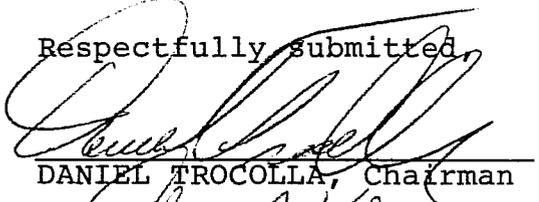
5. Take tower down if the government would allow. Stop high flying. Pay damages to 14 operators at Airport.

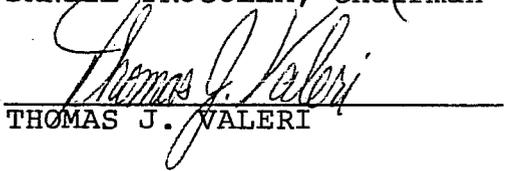
Mr. Valeri made a motion to suspend the rules. Mr. Gemza was asked if he would sell the 1.2 acres. He indicated that the 1.2 acres was the best property and without it the other 2 acres would not be saleable. Mr. Gemza pointed out that it was his opinion that the City would need 15 years from 1989 in order to try for adverse possession. Mr. Pinter pointed out that was not his opinion and that he feels the City might have a case. Mr. Gemza said he was trying to settle this without taking an adversarial position. Mr. Trocolla asked Mr. Gemza if the City had paid him rent for the site. He said no. He had billed the City in January to get the process moving. He was also asked if he had been rebated any taxes for the tower on his property. He said no. He had paid his taxes since 1962 with no rebate. He pointed out that he did receive a token payment from Hoffman Fuel and AWD for use of the easement to service their equipment.

Mr. Valeri asked Mr. Gemza if he would take a two or three year payment for the property. Mr. Gemza indicated no more than three years.

Mr. Valeri made a motion to recommend to the Common Council the purchase of the 3.2 acres for \$45,000 pending the certification of funds and the development of a payment schedule not to exceed three years. Seconded by Mr. Trocolla. Motion carried unanimously.

Respectfully submitted,


DANIEL TROCOLLA, Chairman


THOMAS J. VALERI

JOSEPH SCOZZAFAVA



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

Re: Land on Spruce Mountain Road for Radio Beacon Tower

The Common Council Committee appointed to review the request to purchase land for a radio beacon tower on Spruce Mountain Road met on June 23, 1994 at 5:00 P.M. In attendance were committee members Trocolla and Valeri.

Mr. Trocolla informed the committee that Mr. Gemza in negotiations with Assistant Corporation Counsel Les Pinter would not split the parcel of land, but would offer the City the 3.2 acres at \$40,000, drop the claim for rent if the land was purchased for \$40,000. If we wanted to pay over a three year period the price would be \$45,000.

Mr. Valeri made a motion to amend the original recommendation to read that the City purchase the 3.2 acres on Spruce Mountain Road for \$40,000 pending certification of funds. Seconded by Mr. Trocolla. Motion carried unanimously.

Respectfully submitted,

DANIEL TROCOLLA, Chairman

THOMAS VALERI

JOSEPH SCOZZAFAVA



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 7, 1994

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

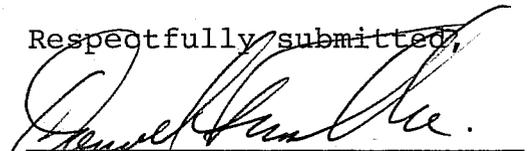
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Respectfully submitted,


DANIEL TROCOLLA, Chairman

THOMAS VALERI


JOSEPH SCOZZAFAVA



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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

Re: Danbury-New Fairfield Intermunicipal Hydrant Agreement

The Common Council met as a committee of the whole at 8:55 P.M. on June 27, 1994 to review a proposed Danbury-New Fairfield Intermunicipal Hydrant Agreement. This agreement would allow the Town of New Fairfield to use a dry hydrant at Margerie Reservoir in case of fire instead of running their hoses directly into the reservoir. New Fairfield would pay all pertinent charges.

Mr. Setaro made a motion to recommend approval of the proposed agreement. The motion was seconded by Mr. Charles and passed un-animously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 1994

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:

July 1, 1994

DANBURY, CT 06810

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

Re: Storm Drainage Easement Acquisition

Dear Mayor and Council Members:

As requested by letter from Highway Superintendent Frank Cavagna to this office (see attached), the resolution appended hereto will permit this office to proceed to acquire the referenced easement.

Your consideration and adoption of the resolution is requested.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

Attachments

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

Frank L. Cavagna
Superintendent of Highways

Basil J. Friscia
Administrative Assistant to the Mayor



JUL 23 1994

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

HIGHWAY DEPARTMENT
(203) 797-4605

FRANK L. CAVAGNA
SUPERINTENDENT OF HIGHWAYS

June 17, 1994

TO: Eric L. Gottschalk, Esq. - Acting Corporation Counsel

FROM: Frank L. Cavanga, Highway Superintendent

RE: Storm Drainage Easement
Quien and Dibble Streets - Tyrell

Enclosed please find a copy of the revised storm drainage map prepared by the City Engineer's office along with a legal description of the proposed storm drainage easement for the Tyrell property at the above location.

Please acquire the easement so that construction can be completed as soon as possible.

Thank you for your assistance. Please call if there are any questions.

FLC

:f
cc Mayor Gene F. Eriquez
Basil Friscia, Mayoral Aide
Pat Ellsworth, Asst. City Engineer
Jos. Pacific, Foreman, Highway Department
Tyrell.mem

PROPOSED STORM DRAINAGE EASEMENT
Gary W. and Diane Tyrrell
Quien Street

A storm drainage easement twenty-five in width and 1,688 square feet, more or less, in area described as follows:

Beginning at a point on the westerly right of way line at the intersection of Quien Street and Dibble Street said point also being the southeasterly corner of land of the Grantors, thence running westerly along the property line between the Grantors and land now or formerly of the Housing Authority of the City of Danbury S. 88 03' 26" W. a distance of 75.00 feet to a point, thence running northerly through the land of the Grantors N. 21 03' 38" E. a distance of 27.16 feet to a point, thence running easterly through land of the Grantors N. 88 03' 26" E. a distance of 60.00 feet to a point on the property line between land of the Grantors and another parcel of land owned by the Grantors, thence running southerly in part along the property line between the two parcels of land owned by the Grantors and in part along the right of way line at the intersection of Quien Street and Dibble Street S. 11 53' 40" E. a distance of 25.38 feet to the point or place of beginning.

Bounded :

Northerly and Westerly : by other land of the Grantors.

Easterly : by other land of the Grantors and by the intersection of Quien Street and Dibble Street.

Southerly : by land now or formerly of the Housing Authority of the City of Danbury.

For a more particular description reference is made to a map entitled "Proposed Drainage Easement through the Property of Gary W. and Diane Tyrrell to be Acquired by the City of Danbury Quien Street, Danbury, Connecticut Scale 1" = 20' November 30, 1993 , Revised June 7, 1994 " which map was certified correct by Ireneo H. Despojado, P.E. & R.L.S. # 12050 and will be filed in the Danbury Land Records.