

COMMON COUNCIL MEETING

AUGUST 4, 1992

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

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Fazio, Scalzo, Falzone, Gallo, Arconti, Coladarci, Boynton,
Dennehy, Setaro, Gogliettino, DaSilva, John Esposito, Dean
Esposito, Outlaw, Cassano, Charles, Boughton, Butera, Cipriani,
Scozzafava, Trocolla

19 Present 2 Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held July 7, 1992

CONSENT CALENDAR - Presented by John Esposito

- ✓ 1 ORDINANCE - Aviation Commission - Establishment; Membership
- ✓ 2 ORDINANCE - Leash Law
- ✓ 3 RESOLUTION - Parcel 9 - Downtown Redevelopment Project
- ✓ 4 RESOLUTION - Acquisition and Granting of Easements at Liberty Street
- ✓ 5 RESOLUTION - Purchase of Lift-Equipped Van for Department of Elderly Services
- ✓ 6 COMMUNICATION - Promotion to Police Captain
- ✓ 7 COMMUNICATION - Appointment of Parking Authority Enforcement Officers
- ✓ 8 COMMUNICATION - Reappointment to the Lake Kenosia Commission
- ✓ 9 COMMUNICATION - Reappointment to the Conservation Commission
- ✓ 10 COMMUNICATION - Reappointment to the Transit District Board of Directors
- ✓ 11 COMMUNICATION - Appointment to the Richter Park Authority
- ✓ 12 COMMUNICATION - Donation of DUI Signs
- ✓ 13 COMMUNICATION - Donations to the Department of Elderly Services
- ✓ 14 COMMUNICATION - Sister City - Gouveia, Portugal

- ✓ 15 COMMUNICATION - Conservation Commission Account

- ✓ 16 COMMUNICATION - Neighborhood Assistance Act

- ✓ 17 COMMUNICATION - Request for a committee regarding relieving financial stress of Senior Citizens

- ✓ 18 COMMUNICATION - Request for an ad hoc committee to study the paramedic and ambulance options

- ✓ 19 COMMUNICATION - Candlewood Park Bathing Area

- ✓ 20 COMMUNICATION - Request for an ad hoc committee to review lease for caretakers cottage - Old Quarry Nature

- ✓ 21 COMMUNICATION - High School Water Supply Easement Acquisition

- ✓ 22 COMMUNICATION - Proposed Net Ground Lease - Backus Avenue - City of Danbury and General Mills Restaurants, Inc.

- ✓ 23 COMMUNICATION - Offer of the Danbury Club Building for sale to the City

- ✓ 24 COMMUNICATION - Report from Corporation Counsel regarding Yankee Gas Easement

- ✓ 25 COMMUNICATION - Proposed Charitable Donation - 3 & 5 Beach Road

- ✓ 26 COMMUNICATION - Request to sell Lot 12, Hillandale Road to the City

- ✓ 27 COMMUNICATION - Zoning Violations - 84 Franklin Street

- ✓ 28 COMMUNICATION - Request for Sewer Extension - 27 East Pembroke Road

- ✓ 29 COMMUNICATION - Request for Water Extension - 109/115 Mill Plain

- ✓ 30 COMMUNICATION - Water Line Extension - 52 Main Street

- ✓ 31 COMMUNICATION - Quail Run Drive

- ✓ 32 COMMUNICATION - Southfield Condominiums

- ✓ 33 CERTIFICATION - Highway State Aid

- ✓ 34 DEPARTMENT REPORTS - Highways, Engineering, Police, Fire, Elderly Services, Health and Housing

- ✓ 35 REPORT & ORDINANCES - An Ordinance Making Appropriations for Various Public Improvements Aggregating \$4,400,000 and Authorizing the Issuance of \$4,400,000 Bonds of the City to Meet Said Appropriations Pending the Issue Thereof The Making of Temporary Borrowings For Such Purpose

An Ordinance Appropriating \$4,300,000 for Improvements to Various

City Dams Including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam and Padanaram Dam. And Authorizing The Issuance of \$4,300,000 Bonds of the City to Meet Said Appropriation and Pending the Issue Thereof The Making of Temporary Borrowings for such Purpose.

- ✓36 REPORT & ORDINANCE - Scenic Roads
- ✓37 REPORT & ORDINANCE - Purchasing and Bidding Procedures
- ✓38 REPORT & RESOLUTION - Policy Designating Road Name Changes
- ✓39 REPORT & CERTIFICATION - Relocation Claim
- ✓40 REPORT - Master Plan of Development for Tarrywile Park
- ✓41 REPORT - Agreement for payment of bill between Garafalo and City
- ✓42 REPORT - Request for Sewer Extension - McKay Road
- ✓43 REPORT - Dancon Acquisition
- ✓44 REPORT - Proposal for renumbering of Streets
- ✓45 REPORT - Request for Sewer and Water Extensions - Eagle Road and International Drive

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

CONSENT CALENDAR

AUGUST 4, 1992

- 7 - Approve appointments of Parking Authority Enforcement Officers
- 8 - Approve reappointment of Mary Ann Danise to the Lake Kenosia Commission
- 9 - Approve reappointment of Lorraine Herger and Mary Reynolds to the Conservation Commission
- 10 - Approve reappointment of Emanuel Merullo to the Transit District Board of Directors
- 11 - Approve appointment of John Bondur to the Richter Park Authority
- 14 - Approve arrangements for trip to Sister City - Gouveia, Portugal
- 15 - Approve Conservation Commission Account
- 21 - Approve High School water supply easement acquisition
- 24 - Approve receipt of report from Corporation Counsel regarding Yankee Gas Easement
- 27 - Approve receipt of communication concerning Zoning Violations - 84 Franklin Street
- 33 - Approve Highway State Aid addition of \$104,645
- 37 - Approve Purchasing and Bidding Procedures
- 39 - Approve relocation claim of \$9,462
- 40 - Approve the taking of no action on Master Plan of Development for Tarrywile Park pending Planning Commission recommendation
- 41 - Approve report concerning agreement for payment of bill between Garafalo and City of Danbury
- 44 - Approve proposal for renumbering of streets
- 45 - Approve request for sewer and water extensions at Eagle Road and International Drive

1

COPY SHOWING NEW LANGUAGE OF SECTION 2-39

THAT Section 2-39 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-39. Aviation Commission - Established; membership.

(a) There is hereby established by the common council of the City of Danbury, an aviation commission consisting of nine (9) members, each of whom shall be electors of the City of Danbury, and each of whom shall be appointed by the mayor and confirmed by the common council.

DURING THE CALENDAR YEAR 1992 THE COMMISSION MEMBERSHIP SHALL BE REDUCED FROM NINE (9) MEMBERS TO SEVEN (7) MEMBERS. THE AFOREMENTIONED REDUCTION IN COMMISSION SIZE SHALL BE ACCOMPLISHED BY THE APPOINTMENT OF ONE (1) COMMISSIONER IN 1992, TO FILL ONE OF THREE (3) POSITIONS THE TERMS OF WHICH EXPIRED ON JULY 1, 1992. THE REMAINING TWO (2) COMMISSIONERS WHOSE TERMS EXPIRED ON JULY 1, 1992 SHALL BE DEEMED NOT TO HAVE BEEN REAPPOINTED AND SHALL NOT THEREAFTER SERVE.

(b) A QUORUM OF SAID COMMISSION SHALL CONSIST OF THREE (3) MEMBERS, DULY APPOINTED.

New language is indicated by CAPITALIZATION combined with UNDERSCORING.

CITY OF DANBURY

2

DANBURY AVIATION COMMISSION

155 Deer Hill Avauue

DANBURY CONNECTICUT 06810

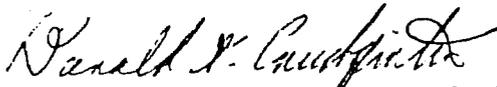
Honorable Gene Eriquez, Mayor, and
Members of the Common Council;

6/9/92

Dear Sirs;

The Danbury Aviation Commission herewith requests that the City Ordinance relative to the composition of the Danbury Aviation Commission be revised so that the size of said Commission be reduced to seven Commissioners, from the current nine, and that henceforth the number of members to constitute a quorum be reduced from five to three. The requested reductions will enable the Aviation Commission to function more effectively, since we have been experiencing difficulty at times, in fulfilling a quorum of five members necessary to conduct our business. Further, it has been difficult for the administration to find nine persons with the requisite aviation background and City-oriented dedication to satisfy the charge of the Commission Rules and Regulations to develop and enhance aviation use of our Airport for the benefit of Danbury and its' citizens.

Respectfully submitted,



Donald T. Crudginton, Chairman



2

CITY OF DANBURY

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

July 7, 1992

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Leash Ordinance

Dear Mayor and Members of the Common Council:

In accordance with the direction of the Committee of the Whole of this Council of June 22, 1992, attached please find an amended draft of the referenced ordinance.

If you have any questions, please call me.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:amt
Enclosure

c: Michael Falzone (w/encl.)
Councilman

Basil J. Friscia (w/encl.)
Mayoral Administrative Assistant

Charles Farrar (w/encl.)
Canine Control Officer



3

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525

July 29, 1992

TO: Mayor Gene F. Eriquez
Members of Common Council

FROM: Dennis I. Elperin 
for the City of Danbury Redevelopment Agency

RE: Resolution to Purchase Land:
Parcel 9, Redevelopment Site

The City of Danbury Redevelopment Agency requests approval of the enclosed resolution to purchase 1,954 square feet of land from Yankee Gas Services Company to add to Parcel 9 (shown as Parcel S-18 on Exhibit A) of the redevelopment site.

The purchase is necessary to convert Parcel 9 into a more developable site by eliminating the notch which juts into the center of the parcel. This piece of land, indicated as "Parcel B" on Exhibit A has an appraised value of \$ 4,900. Funds for the purchase would come from the Redevelopment Agency budget. Yankee Gas has indicated a willingness to sell, subject to a negotiated price and DPUC approval.

The RDA has received interest from a private party to develop Parcel 9. Purchase would facilitate development of the site and would further the goals of the Redevelopment Plan.

Your cooperation is appreciated.

cc: Jack Sullivan, Chairman
Danbury Redevelopment Agency



64

CITY OF DANBURY

155 DEER HILL AVENUE

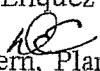
DANBURY, CONNECTICUT 06810

July 21, 1992

PLANNING & ZONING DEPARTMENT

(203) 797-4525

To: Mayor Gene F. Eriquez and the Common Council

From: Dennis I. Elpern,  Planning Director

Re: Acquisition and Granting of Easements at Liberty Street

The Estate of Joseph DaSilva and Maria DaSilva are in possession of passway rights over a fifteen foot wide area running from their Keeler Street parking area to the right-of-way of the former Liberty Street, as shown on the attached map. The easement is located on the property line between the City owned Parcel 7 and property owned by the New Bethel Church of God in Christ, with seven and one-half feet of the easement located on each property.

We respectfully request approval for Corporation Counsel to acquire this easement, as it is essential for the proper development of Parcel 8 and future development of a City owned garage on Parcel 7. We also request approval to grant an easement to the Estate of Joseph DaSilva and Maria DaSilva, allowing passage over Parcel 7 from their Keeler Street property to the new Liberty Street right-of-way.

Thank you for your consideration in this matter.

c: Eric Gottschalk, Esq.

PASSWAY RIGHTS

4

ESTATE OF JOSEPH DASILVA AND MARIA DASILVA

Certain passway rights 15.0 feet in width by 167.55 feet more or less in length, one-half (7.5 feet wide) of said passway rights is located along the easterly side of land now or formerly of the Downtown Danbury Redevelopment Project, Disposition Parcel 7 and the other one-half (7.5 feet wide) is located along the westerly side of land of the New Bethel Church of God in Christ. Said passway rights are located and bounded on the north by the former Liberty Street and on the south by land of now or formerly of the Estate of Joseph DaSilva and Maria DaSilva.

The above passway rights are more particularly shown and described on a map entitled "Map Showing Property Downtown Danbury Redevelopment Project Disposition Parcel 7 Liberty Street Danbury, Connecticut Scale 1" = 40' July 18, 1990" prepared and certified by Sydney A. Rapp, Jr. R.L.S. No. 7400 as Class "A-2" survey.



5

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

July 29, 1992

Mayor Gene Eriquez and
Members of the Common Council
City of Danbury - 155 Deer Hill Ave.
Danbury, Connecticut 06810

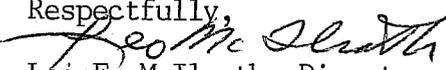
Mayor Eriquez and Members of the Common Council:

The Department of Elderly Services would ask your approval to accept \$25,000 from the State of Connecticut Department of Transportation for the purchase of a lift-equipped van to serve the elderly, veterans and other HART ridership (elderly and disabled.)

At present, this department, HART (Housatonic Area Regional Transit), the Veterans Association and Red Cross are seeking operating funds that would make this vehicle a viable supplement to existing transportation services in Danbury. One of the priorities would be the clients at "Interweave" - the Danbury Adult Day Care Center.

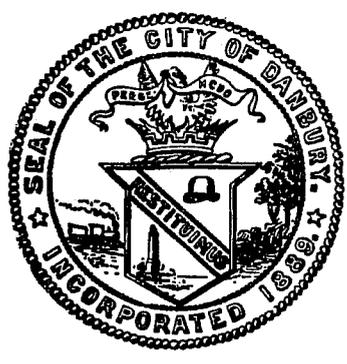
There is no cash-match by the City of Danbury.

Respectfully,


Leo E. McIlrath, Director
Department of Elderly Services

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, application for grant funds in the amount of \$25,000 for the purchase of a lift-equipped van has been made by Gene F. Enriquez, Mayor of the City of Danbury, and the Department of Elderly Services to the State of Connecticut Department of Transportation, said funds having been made available to DOT by the of Connecticut Department on Aging; and

WHEREAS, the purchase of a lift-equipped van will greatly assist in meeting a difficult transportation problem, inasmuch as it will be used to transport adult day care clients, disabled veterans, elderly and elderly disabled persons who use the Sweethart Bus, and there is a large unmet demand for senior citizen transportation in the City of Danbury; and

WHEREAS, said grant will be made in fiscal 1992-93 with no local cash match;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of the Danbury Department of Elderly Services and the Mayor of the City of Danbury in making said application are hereby ratified and the Mayor and the Director of the Department of Elderly Services are hereby authorized to accept said grant, if approved, for the purposes herein contained, and they are further authorized to perform all necessary acts to effectuate the purposes hereof.



6

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

July 29, 1992

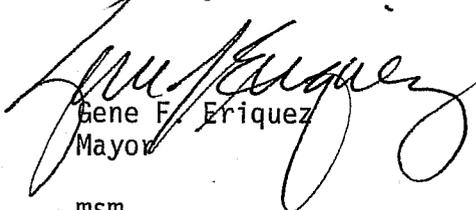
Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

In order to conclude the final interviews for the position of Police Captain, I will submit the individual for appointment on Monday, August 3rd, in time for the caucuses so you may consider this item.

Thank you for your cooperation.

Sincerely,



Gene F. Enriquez
Mayor

msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation, the following individual for appointment to the position of Captain in the Police Department.

Lt. Mitchell Weston
7 Windaway Road
Danbury, CT 06810

Lieutenant Weston is a 15 year veteran of the Department. He has held several positions in the Department including assignments to the Traffic Division and as Supervisor of the Tactical Narcotics Team. He is a graduate of Western Connecticut State University and the University of Bridgeport School of Law.

Lieutenant Weston currently holds the number one position on the Civil Service eligibility list.

This appointment will be effective upon swearing in.

Thank you for your consideration.

Sincerely,


Gene F. Eriquez
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

The attached is a request from the Parking Authority to authorize the appointment of Parking Authority Enforcement Officers needed for the operation of the Authority.

Thank you for your consideration and confirmation of these appointments.

Sincerely,



Gene F. Enriquez
Mayor

msm

April 23, 1992

COMMUNICATIONS

Hon. Gene Eriquez, Mayor
City Hall
155 Deer Hill Avenue
Danbury, CT. 06810

Dear Mayor Eriquez:

At the Parking Authority meeting of April 22, 1992, the Board requested that you appoint the following as Parking Authority Enforcement Officers:

- Terence McNally 7 Sherry Lane Danbury, CT
- Susan Cardella 27 Meadow Street Danbury, CT
- John Thompson 11 Sunny Acres Rd. Bethel, CT
- Victor Rodriquez 11 Cottage Street Danbury, CT
- John McGarry 22 Crestdale Rd. Danbury, CT
- Phillip Tallman 7 Indian Spring Rd. Danbury, CT
- STEPHEN SEBJAN 262 GREAT PLAIN RD. DANBURY, CT.

Their duties will be as authorized by the ordinances as passed by the Common Council and published in the News-Times on March 11, 1992. (Copy enclosed).

It is our understanding that if you approve the list it will go to the next meeting of the Common Council, and if approved, Eric Gottschalk may swear them in.

We certainly appreciate your effort and support in getting the ordinances passed.

With the Patriot Garage and the greatly expanded responsibilities of the Parking Authority we can use some of these newly installed officers as soon as possible.

Thank you again for your cooperation.

Sincerely,

CHARLES A. BARDO



EXECUTIVE DIRECTOR

CAB/jv
enclosure 1.
Copy Adv.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

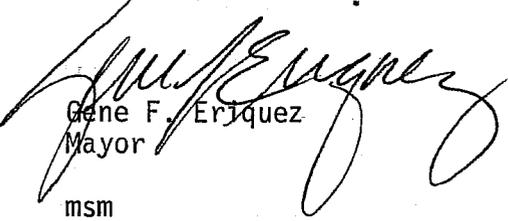
I hereby submit for your consideration and approval the following individual for reappointment to the Lake Kenosia Commission:

Mary Ann Danise (R)
Tree Terrace End
Term to expire: May 1, 1995

Ms. Danise is a member of good standing on the Lake Kenosia Commission and has an excellent attendance record.

Thank you.

Sincerely,


Gene F. Enriquez
Mayor

msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your consideration and approval, the following individuals for reappointment to the Conservation Commission:

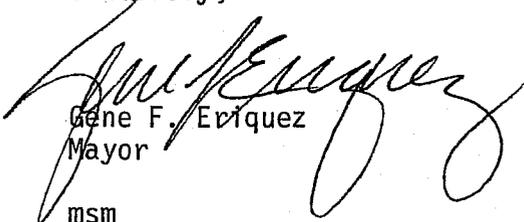
Lorraine Herger (D)
9 Seeley Street
Term to expire: July 1, 1995

Mary Reynolds (U)
P.O. Box 614
Term to expire: July 1, 1995

Both of these members are of good standing in the Conservation Commission and have excellent attendance records.

Thank you.

Sincerely,


Gene F. Enriquez
Mayor

msm



10

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

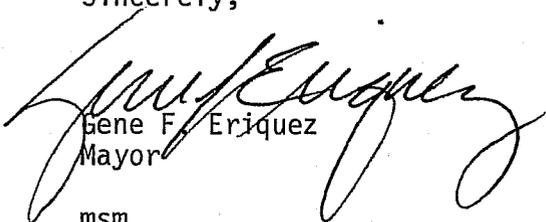
I hereby submit, for your consideration and approval, the following individual for reappointment to the Transit District Board of Directors:

Mr. Emanuel Merullo (D)
14 Lincoln Avenue
Term to expire: July 1, 1996

Mr. Merullo has been one of Danbury's representatives for the past four years and has been doing an excellent job in that capacity.

Thank you for your consideration of this reappointment.

Sincerely,



Gene F. Enriquez
Mayor

msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

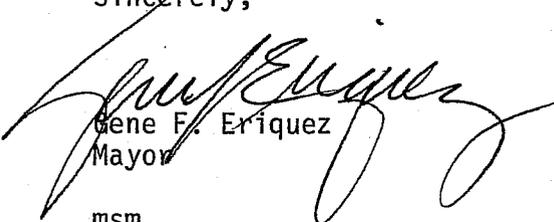
I hereby submit, for your consideration and approval, the following individual for appointment to the Richter Park Authority:

Mr. John Bondur (D)
79 Middle River Road
Term to expire: September 1, 1994

Mr. Bondur is a partner at Ward Howell International in Stamford. He lives in Danbury with his wife and two daughters. He has been active in the community for several years.

Thank you for your consideration of this appointment.

Sincerely,


Gene F. Enriquez
Mayor

msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your consideration and approval, the following individual for appointment to the Richter Park Authority:

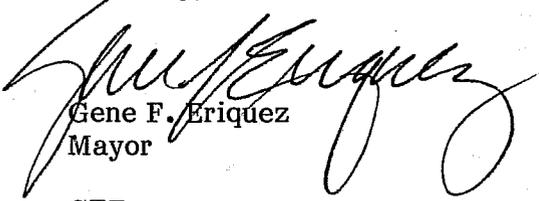
Mr. John Bondur (D)
79 Middle River Road
Term to expire: September 1, 1994

Mr. Bondur is a partner at Ward Howell International in Stamford. He lives in Danbury with his wife and two daughters. He has been active in the community for several years.

Mr. Bondur is filling the unexpired term of Mr. Jack Garamella effective September 1, 1992.

Thank you for your consideration of this appointment.

Sincerely,


Gene F. Eriquez
Mayor

GFE:sr



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

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

July 28, 1992

MEMO

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

From: Chief Nelson F. Macedo

Subject: DONATION OF DUI SIGNS

Enclosed please find a letter from MADD requesting that the City of Danbury accept the donation of \$550.00 for signs to be placed on major roads entering the city. Enclosed is a diagram of the signs that would be posted.

These signs would be placed on the major roads leading into Danbury, such as Route 7, north and south; Route 6, east and west; Route 37; Route 39; Route 53. If this donation is accepted, I will contact the State D.O.T. for their approval to post these signs on state highways.

I feel this project could be successful and will make the public aware of the fact that drunk driving arrests are a priority in this city.

Nelson F. Macedo
Nelson F. Macedo *ks*
Chief of Police

NFM:ks
enc.



12
MADD

TM

Mothers Against Drunk Driving

4083 Main Street • Bridgeport, CT 06606 • (203) 372-2291 • FAX (203) 373-0454

FAIRFIELD COUNTY CHAPTER

July 27, 1992

Chief Nelson Macedo
Danbury Police Department
120 Main Street
Danbury, CT 06810

RE: DUI Signs

Dear Chief Macedo:

I hope that you will accept MADD's donation of \$550.00 for ten signs to be placed on major roads that enter Danbury. The signs will inform the public that drunk driving laws are strictly enforced. (Copy of sign enclosed.) Just a little reminder to drive safe and sober...

It is our pleasure to support your department's fine DUI efforts. Good DUI enforcement saves lives - and that's an important part of MADD's mission.

Sincerely,

L. Patricia Palombi
Chapter Administrator

cc: Officer Lee Teicholz

encl.



⑩ 30"x30" ALUMINUM SIGN PANELS
(SUPPLIED BY DANBURY P.D.)

SPRAY PRIME W/ DP 40 ALUMINUM PRIMER
BLUE ENAMEL - WHITE REFLECTIVE LETTERING



13

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

July 28, 1992

Mayor Gene 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 requests that you approve the following donations to assist with the cost of printing the monthly newsletter.

Union Savings Bank	\$600.00
Green Funeral Home	200.00
Danbury Pharmacy	200.00
Ruth Barsh	<u>10.00</u>
Total:	\$1010.00

Kindly transfer the same \$1010.00 into the regular budget, line item 022000.

Respectfully,


Leo E. McIlrath, Director
Dept. of Elderly Services



14

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

August 4, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

As you are aware, the City of Danbury has maintained an official "Sister City" relationship with the City of Gouveia, Portugal for several years.

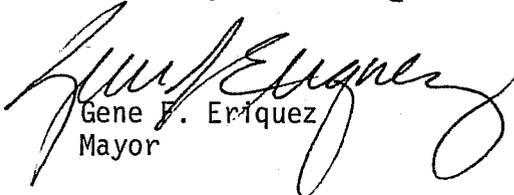
Mayor Santinho Pacheco, Mayor of Gouveia, has extended an official invitation to the Mayor and President of our Common Council to visit Gouveia this month.

Mayor Pacheco and the City of Gouveia have arranged to provide air transportation and accommodations for both the Mayor and the Council President to facilitate this visit and lead a delegation from Danbury to Portugal. All other expenses will be borne by the individuals participating.

Respectfully, I request your consideration and acceptance of this arrangement so we may further strengthen the educational and cultural ties between our communities.

Thank you for your consideration.

Sincerely,



Gene F. Enriquez
Mayor

msm



15

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

July 30, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

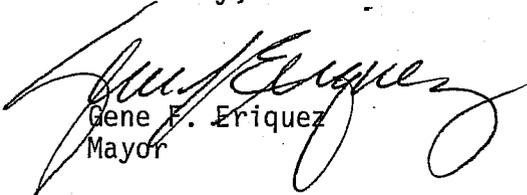
Dear Council Members:

I would ask that you consider the request of the Conservation Commission to establish a separate account for the deposit of rental monies from the Bear Mountain Cottage to facilitate capital improvements to the Bear Mountain Reservation.

Please see the attached memorandum from our Director of Finance, Dominic Setaro, that outlines this option.

Thank you for your consideration of this matter.

Sincerely,



Gene F. Eriquez
Mayor

msm



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-465
FAX: (203) 796-152

March 26, 1992

MEMO TO: Hon. Gene F. Eriquez
Mayor

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

RE: Conservation Commission

In reference to the March 14, 1992 memo that you sent to me from the Conservation Commission, please be advised that the City has two choices in this matter.

One would be to go to the Common Council and establish a separate account for deposit of the rental monies from the Bear Mountain Cottage and use those monies to make capital improvements to the Bear Mountain Reservation. This would be set up in the form of a reserve, and monies would have to be appropriated from time to time by the Common Council upon your recommendation.

The second choice would be to take the rental money into the General Fund and apply it to the general revenue statement and offset that by "in-kind" services that are provided by the Parks & Recreation Department and other city agencies, such as this office.

This letter was written to you by Mrs. Monsky based on a conversation that I had with her as it relates to the use of those funds and how the use is interpreted by the United State Department of the Interior. Therefore, it appears that the choice is yours. If something is going to take place other than what we are doing now, which is depositing this money into the General Fund and not putting it aside in a separate reserve, action by the Common Council at your request should be taken before the end of the fiscal year so that all rental monies that have been received to date can be credited to that account if you so desire. If you choose

15

Hon. Gene F. Eriquez
Page 2
March 26, 1992

to do nothing, these monies stay where they currently are, and all we must do is notify the U.S. Department of the Interior, whenever the biennial report is due, that monies collected for rent were offset by "in-kind" services.

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

Dominic A. Setaro, Jr.

DAS/jg



14

CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511

July 29, 1992

Honorable Members of the Common Council
City of Danbury, Connecticut

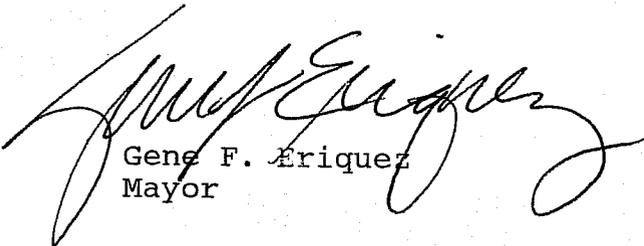
Dear Council Members:

Attached is 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.

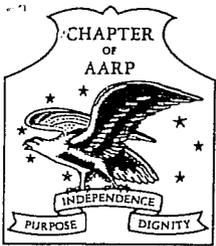
I ask that you please schedule a public hearing to review and approve the applications from our local community organizations to give them access to these business contributions. The listing of local organizations applying to the program will be available at the Public Hearing.

Thank you for your prompt consideration of this item.

Sincerely,



Gene F. Enriquez
Mayor



DANBURY, CONNECTICUT
CHAPTERS 1067, 1847 & 3340

of the **AMERICAN ASSOCIATION OF RETIRED PERSONS, Inc.**
2 Settlers Hill Rd., Danbury, Ct. 06811 Tel. (203) 792-7176

June 9, 1992

Mayor Gene F. Eriquez
City Hall
155 Deer Hill Ave.
Danbury, Ct. 06810

Dear Sir:

In its wisdom, the state legislature at Hartford approved Public Act 87-116 as a means of relieving the financial stress experienced by our elderly residents as a result of their declining purchasing power and escalating costs. Because of this, we formed a study committee with representatives of the three Danbury AARP chapters. This Act authorizes the municipalities to defer their property taxes at no cost, or modicum cost, to the cities, under general guidelines, leaving the specifics up to the communities.

We, the undersigned members of the three Danbury AARP chapters respectfully request that in accordance with Section 1(b) of P.A. 87-116 you appoint a "committee consisting of not less than five resident taxpayers" who are representative and independent home owners which "within a period not in excess of sixty days following such appointment" will submit a report with their recommendations for your evaluation and that of the Common Council. We would be happy to share any information that we may have with the Committee that you appoint.

We make this request after polling those of our Danbury resident members who attended our latest regular meetings, and a smaller sampling of the Senior Center's humanities meeting. The result is 78% favored putting this Act into effect in Danbury. We enclose copy of the summary results of our six-question poll with totals indicated as percentages.

We would also appreciate a short meeting with you to exchange ideas on this request.

Julia Null

Julia Null

J. Castillo-Coyle

J. Castillo-Coyle

Sincerely,

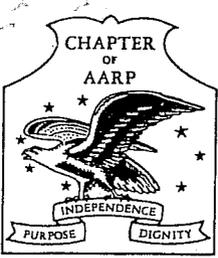
Philip N. Hadley

Philip N. Hadley

Josephine Asmar

Josephine Asmar

Copies: (see Sheet 2)



DANBURY, CONNECTICUT
CHAPTERS 1067, 1848 & 3340

17

of the AMERICAN ASSOCIATION OF RETIRED PERSONS, Inc

Mayor Gene F. Eriquez

June 9, 1992

Copies to:

Common Council

Sigrid Benyei	Chairman, Commission on Aging
Leo McIlrath	Executive Director, Department of Elderly Services
John J. Rogers	President AARP Chapter 1067
Paul Stork	" " " 1847
Josephine Asmar	" " " 3340

17

PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. DO YOU OWN YOUR OWN HOME? YES 84.3% NO 15.7%

2. DO YOU BELIEVE THAT THERE ARE SENIORS IN
SUFFICIENT FINANCIAL STRESS THAT THE ABILITY
TO COUNT ON THE DEFERRED PROPERTY TAX PROGRAM
IS A COMFORTING CONCEPT? YES 87.4% NO 12.6%

3. WOULD YOU CONSIDER INCREASING YOUR INCOME BY
DEFERRING YOUR PROPERTY TAXES? YES 35.9% NO 64.1%

4. DO YOU FEEL A TAX DEFERRED PROGRAM WOULD
BENEFIT YOU? YES 33.2% NO 66.8%

5. WOULD YOU APPLY FOR TAX DEFERRAL WITH THE UNDER-
STANDING THAT THE DEFERRED TAXES, PLUS INTEREST,
WOULD BE PAID WHEN YOUR PROPERTY IS SOLD OR
TRANSFERRED? YES 38.8% NO 61.2%

6. DO YOU RECOMMEND THE ADOPTION OF PUBLIC ACT NO.
87-116? YES 78.4% NO 21.6%

TO: THE COMMON COUNCIL CITY OF DANBURY
RE: COMMUNICATION FROM DANBURY AMBULANCE SERVICE
FROM: COUNCILMAN AT LARGE DONALD W. BOUGHTON

I REQUEST A COMMITTEE BE APPOINTED TO STUDY THE
PARAMEDIC AND AMBULANCE OPTIONS OFFERED IN THE LETTER OF
22-JULY-1992 FROM D.A.S..

COUNCILMAN AT LARGE

Donald W. Boughton
DONALD W. BOUGHTON

NELSON AMBULANCE
120 MYRTLE AVE.
STAMFORD, CT
359-4343

DANBURY AMBULANCE SERVICE
14 WALNUT STREET
DANBURY, CT 06811
(203) 748-3433

NELSON AMBULANCE
279 NOBLE AVE.
BRIDGEPORT, CT
(203) 333-9433



18

22 JUL 92

The Common Council
City of Danbury
Danbury, CT

Re: City of Danbury EMS Coverage

Gentlemen:

During the last few months several different options have been provided to the Office of the Mayor. The proposals given offered immediate dollar saving benefit to the City without any reduction in the level of service recieved. This information is provided for your benefit below:

- | | |
|--|-------------------|
| 1. Option A. 24 hour a day paramedic coverage. | Cost: \$51,000.00 |
| 24 hour a day A-1 and A-2 ambulance coverage. | Cost:\$120,000.00 |
| Total cost: | \$171,000.00 |

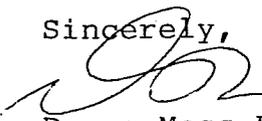
The cost of the current City of Danbury Paramedic Program alone is near \$200,000.00. As each day passes more and more money is appropriated by the Council to fund the current program. Simply put, our service offers an immediate cost saving of \$149,000.00 yearly.

2. Option B. The above will be given to the City of Danbury with no outlay by the City. Simply, the right to bill the user of the service.

I believe the above two options should be given immediate consideration. Our service for the record is now providing approximately 20% of the EMS coverage in the City already.

Thank you for your consideration,

Sincerely,



Deane Moss EMT-P

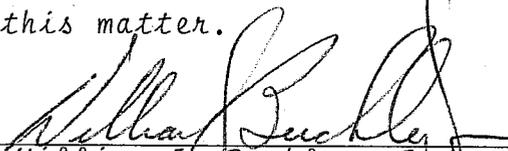
Director of Operations

THREE LOCATIONS TO SERVE YOU AROUND THE CLOCK

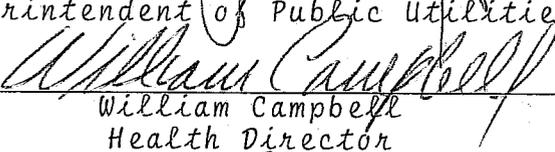
enter the stream and contaminate the bathing area, sanitary sewers must be installed in this area of the City. In the 1970's the residents of the area proposed sanitary sewers be provided to them in order to eliminate many of the problems that the residents were having with failing septic systems. At that time the cost of the project was too high and at a public hearing the residents were just about split, 50/50, on bringing sewers into the neighborhood. Now that we must consider the health ramifications of the situation, as it now stands, it is our feeling that the matter of sewerage the South Cove area of the City be addressed once again by the Common Council. Since there are two large parcels of City Land involved in the proposed sewerage project, City funds would also contribute to the overall cost of the project. It may be possible to install a pump station on City property which would further reduce the cost of the project. In addition to Candlewood Lake Park the other property is Hatter's Park and keep in mind that sanitary sewers are necessary to make future improvements possible at that location. Further, the economic climate being what it is, it is our feeling that contractor's prices will never be more favorable than they are today and therefore, the overall cost of the project should be as low as possible.

We respectfully request that you forward this letter to the Common Council so that they can take up the issue of sewerage the area of the City which is on the watershed of Candlewood Lake adjacent to the Candlewood Lake Park bathing area. Since this would be done through an assessment methodology, the public would have ample opportunity to receive notification of preliminary estimates and further have the opportunity to attend a public hearing at which time they could advise the Council on their own personal feelings regarding the proposed sewerage project. It does not appear to be any other worthwhile solution to addressing this matter.

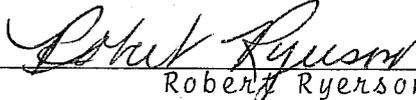
WJB:bds



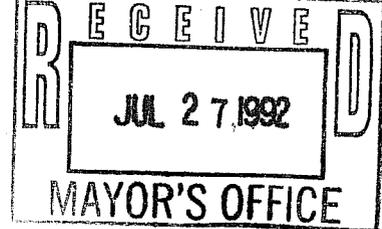
 William J. Buckley, Jr.
 Superintendent of Public Utilities



 William Campbell
 Health Director



 Robert Ryerson
 Parks and Recreation Director



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

CONSERVATION COMMISSION

July 23, 1992

Mayor Gene Eriquez
City of Danbury
155 Deer Hill Ave.
Danbury, CT 06811

Dear Mayor Eriquez:

On April 14, 1992, a special meeting of a Common Council Ad Hoc Committee discussed the request of the current Old Quarry Nature Center tenant, Mr. Joseph Badaracco, to retain occupancy. The Conservation Committee participated in this meeting because of its oversight responsibility for the Nature Center. During the course of the meeting, many questions arose regarding the caretaker duties, cottage rent, etc.

As a result, the Conservation Commission requests that a new Ad Hoc Committee be established to review the lease and incorporate the modifications described below. We believe the incorporation would clarify the caretaker duties and benefit the City-owned property involved.

Monthly Rent: Fair market value minus \$100.00

Our Commission believes that the tenant's services should be reimbursed through a rent reduction. A reduction would also encourage the tenant's goodwill and cooperation, which are essential since he/she is the only occupant on the property.

Yearly increase in rent: negotiable; the tenant may bypass a rent increase by assuming additional duties on the property.

Our Commission believes that proper care of the property is of far greater value to the City than a small amount of revenue generated from a rent increase. As City needs grow larger, we believe that such "creative" revenue stretching can be quite useful.

20

Option to renew lease: The option will be based on an examination of the cottage and property by the Conservation Commission and proper City officials.

The Commission believes that this yearly examination will insure the lessee understands the importance of executing his/her duties.

Item f: The lessee will be the first name on the alarm company call list and, when called, will respond to emergency situations as needed--including summoning appropriate emergency personnel (e.g., fire, ambulance, etc.).

Currently, the Conservation Commission Chairman is first on the call list.

Additions to Exhibit B (duties):

- n. Provide a written or oral report to the Conservation Commission at least twice each year regarding the status of the property and buildings.
- o. Pets must be kept under control at all times.

For many years, the Conservation Commission took the most active role in administering the property, and the tenant reported on a regular basis. However, the Commission is not mentioned in the lease. We believe the tenant should be aware of this relationship and obliged to report to the Commission.

Also, the most recent tenant had dogs which frightened many people from walking on the Nature Center grounds.

Finally, our Commission requests clarification from the Mayor and Common Council of Exhibit B, item h, which reads:

Contact and act as a liaison with the Parks and Recreation Department to obtain services approved by the City, including mowing, snow plowing, etc.

20

This item, which also appears in the Bear Mountain Reservation lease, suggests that the Department would provide services without billing. However, in January of this year, the Department submitted an estimate of \$7564.92 of Fiscal Year 1991-92 "in-kind" services to be billed against Bear Mountain Reservation income.

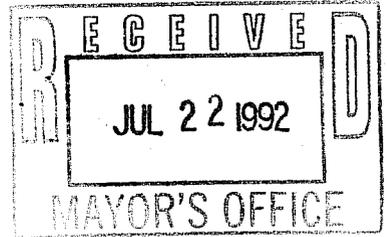
We appreciate your consideration of these issues. Would you please advise us of the action being taken.

Sincerely,

William S. Montgomery

Chairman

cc: Mr. Ryerson



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

21

WATER, SEWER, RECYCLING & SOLID WASTE DEPARTMENTS
797-4539

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

July 20, 1992

TO: Mayor Gene F. Enriquez
FROM: Mr. William J. Buckley, Sup. of Public Utilities
RE: HIGH SCHOOL WATER SUPPLY EASEMENT ACQUISITION

Separator line of asterisks

As you are aware in order for us to get adequate water supply to the High School in order to satisfy the fire protection needs of the "np" wing as well as the gym, we had to upgrade our water pump station that feeds water to the High School. You will recall that that pump station is located on Route 37 opposite Jeanette Street in Danbury. Our plan is to increase the capacity and delivery pressure of the pump station so that adequate fire protection water would be available at the school itself. In order to do this we put an additional pressure on the water line between the pump station and the high school. Upon analysis it was determined that this pressure would compromise the integrity of that water line and after a thorough review it was determined that replacement of the line was in order.

Replacing the line will be funded out of the water fund, however, we were not able to design the replacement line to be within the same easement as the existing line. The existing line snakes through Covered Bridge Condos in very close quarters and it would be extremely difficult to get a new line in the same easement while maintaining the old line so that domestic and fire protection can still exist to the High School and the surrounding area. A new easement for the water line is therefore required from the Covered Bridge Condos and we will



recommend relinquishing the existing easement for that purpose. Basically we are proposing a tradeoff of easements.

I would ask that you forward this matter to the Common Council for their action and please keep in mind that time is of essence to us with regards to this High School system. I am forwarding to you a copy of the map and easement description for your referral to the Council.

WJB:bds

cc: Mr. Rick Gottschalk
Mr. Jack Schweitzer

ATTACHMENT

ROALD HAESTAD, INC.

Consulting Engineers

37 Brookside Rd., Waterbury, CT 06708
 Phone: 203-753-9800 FAX: 203-597-1488

21

T R A N S M I T T A L

DATE: 07/17/1992 **JOB NO:** 10-269

TO: City of Danbury, Department of Public Utilities, Public Works Complex
 Bldg No. 3, Newtown Road
 Danbury, Connecticut 06810

ATT: William Buckley Jr., P.E., Supt.
 Assistant Director of Public Works

RE: High School Water Main Easement

UNDER SEPARATE COVER ENCLOSED

MESSENGER MAIL

OTHER _____

FAX _____

TOTAL _____ PAGES INCLUDING TRANSMITTAL

PLANS REPORTS

SPECIFICATIONS BROCHURES

CONTRACT DOCUMENTS TRACINGS

SHOP DRAWINGS PRINTS

CORRESPONDENCE SKETCHES

OTHER Easement

QTY.	PREPARED BY	REF. NO.	DESCRIPTION
2	Roald Haestad, Inc.		Map and Description for easement, to be acquired from Covered Bridge Condominiums, Padanaram Road <div style="text-align: right; font-size: 2em; font-weight: bold;">COPY</div> <div style="text-align: right; font-style: italic;"> To: Beverly c/o Mr. Buckley's Office requested 7/21/92. 1 copy each of map & description </div>

COMMENTS: Per your request.

CITY OF DANBURY.
PUBLIC UTILITIES
JUL 22 1992
 Discard Date.....
 Permanent.....
 File Code.....

COPIES TO:
 J. Schweitzer (w/2encl)
 File (w/2 encl)

ROALD HAESTAD, INC.

BY *Roald Haestad*
 Roald Haestad

21

CITY OF DANBURY
PUBLIC UTILITIES
JUL 22 1992
Discard Date.....
Permanent.....
File Code.....

**WATER MAIN EASEMENT
 To Be Acquired From
 Covered Bridge Condominium
 Padanaram Road**

A 5,508 square foot permanent water main easement commencing at a concrete monument at the northwesterly corner of land of the Grantor, thence running North 65° 29' 14" East a distance of 271.00 feet along land now or formerly of Woodland Construction Corporation to a point, thence running South 54° 30' 43" East a distance of 23.09 feet along land of the Grantor and an existing utility easement to a point, thence running South 65° 29' 14" West a distance of 279.89 feet along land of the Grantor to a point, thence running North 32° 05' 33" West a distance of 20.18 feet along land of the City of Danbury to the point of beginning together with a construction easement.

For a more particular description of the water main easements, reference is made to a map entitled "Water Main Easement To Be Acquired From Covered Bridge Condominium Padanaram Road Danbury, Connecticut Scale 1" = 40' July 17, 1992" by Roald Haestad, Inc. Waterbury, Connecticut, prepared and declared substantially correct by William S. Andres, P.E./L.S. No. 11665, which is to be filed in the Danbury Records.

21

WATER MAIN EASEMENT
To Be Acquired From
Covered Bridge Condominium
Padanaram Road

A 5,508 square foot permanent water main easement commencing at a concrete monument at the northwesterly corner of land of the Grantor, thence running North 65° 29' 14" East a distance of 271.00 feet along land now or formerly of Woodland Construction Corporation to a point, thence running South 54° 30' 43" East a distance of 23.09 feet along land of the Grantor and an existing utility easement to a point, thence running South 65° 29' 14" West a distance of 279.89 feet along land of the Grantor to a point, thence running North 32° 05'-33" West a distance of 20.18 feet along land of the City of Danbury to the point of beginning. Together with a construction easement 30 feet in width located adjacent to and parallel with the southerly line of the above described easement all as shown on the hereinafter referred to map.

For a more particular description of the water main easements, reference is made to a map entitled "Map Showing Water Main Easement To Be Acquired From Covered Bridge Condominium Padanaram Road Danbury, Connecticut Scale 1 = 40' July 17, 1992" by Roald Haestad, Inc. Waterbury, Connecticut, prepared and declared substantially correct by William S. Andres, P.E./L.S. No. 11665, which is to be filed in the Danbury Records.

CITY OF DANBURY
PUBLIC UTILITIES
JUL 30 1992
Discard Date.....
Permanent.....
File Code.....

21

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, it is in the public interest to replace the water line between the City's pump station on Route 37 and Danbury High School in order to provide an adequate flow under increased pressure from the pump station for the fire protection needs of the "D" wing and the gym; and

WHEREAS, due to space constrictions, the replacement water line cannot be installed within the existing easement area inasmuch the present water line must be maintained to provide a satisfactory water supply to the High School while the new line is being constructed; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the Covered Bridge Condominium Association, or its member owners upon the amount, if any, to be paid to the Association by the City of Danbury in order to acquire real property interests as set forth in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests either by negotiation or by eminent domain through the institution of suit(s) against Covered Bridge Condominium Association, its member owners, and its/their heirs successors, and assigns and respective mortgage holders and encumbrancers, if any.



CITY OF DANBURY

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

PLEASE REPLY TO:

August 4, 1992

DANBURY, CT 06810

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

Re: Proposed Net Ground Lease - Backus Avenue
City of Danbury and General Mills Restaurants, Inc.

Dear Mayor and Members of the Common Council:

The attached proposed lease agreements are submitted herewith for your review and consideration. These lease agreements pertain to property approximating 4.6 acres on Backus Avenue (across from the Danbury Square Mall) intended for lease to General Mills Restaurants, Inc. for the operation of Red Lobster and Olive Garden Restaurants.

You will recall that you had earlier directed the Purchasing Department to send the lease of these properties for restaurant use out to bid. This was done and the proposed tenant was the sole bidder for this property. You will also recall that there were certain restrictions and requirements which the Common Council placed upon the lease of any municipally-owned airport perimeter property. We have attempted to conform these requirements to the lease agreement and have made certain other changes and recommendations concerning the agreements before you.

Kindly defer both of these leases to subcommittee and to the Planning Commission for careful review and consideration in conjunction with those departments and offices you deem necessary.

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

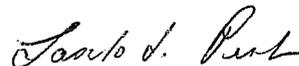
- 2 -

August 4, 1992

Re: Lease - Backus Ave. - General Mills Restaurants, Inc.

If you have any questions on this matter, please don't hesitate to call this office.

Very truly yours,



Laszlo L. Pinter
Assistant Corporation Counsel

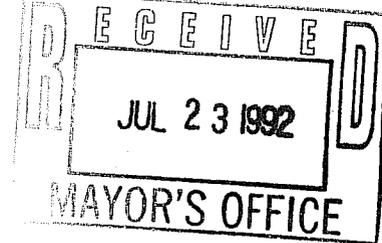
LLP:amt

Enclosures (2)

c: Neil Terwilliger
General Mills Restaurants, Inc.

Paul D. Estefan
Airport Administrator

THE DANBURY CLUB
22 WEST STREET
DANBURY, CT 06810
203-743-1574



MAYOR GENE ERIQUEZ
CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CT 06810

JULY 17, 1992

DEAR HONORABLE MAYOR ERIQUEZ:

YOU ARE ONE OF A SELECT LIST TO BE INFORMED OF THE AVAILABILITY OF ONE OF THE MOST UNIQUE AND HISTORIC PROPERTIES TO BE PLACED ON THE MARKET IN MANY YEARS.

THE DANBURY CLUB BUILDING, A PART OF THE HISTORY OF DOWNTOWN DANBURY, IS FOR SALE. IT HAS LONG STOOD AS A PROMINENT LANDMARK AT THE CORNER OF WEST AND FOSTER STREETS AND HAS BEEN WELL MAINTAINED OVER THE YEARS. IT LENDS ITSELF TO A VARIETY OF USES AND HAS THE POSSIBILITY OF A FULL RESTAURANT PERMIT. THIS HAS BEEN A SUCCESSFUL PRIVATE CLUB SINCE 1907; HOWEVER, A DECLINING ECONOMY HAS TAKEN ITS TOLL ON MEMBERSHIP. IF YOU SHOULD HAVE ANY INTEREST IN THIS OFFERING YOU MAY CONTACT DON J. MILOSCIA AT 743-3889 OR 748-0262 WHO WILL ARRANGE A PERSONAL AND PRIVATE TOUR OF THE PREMISES. THERE IS ADEQUATE ON-SITE PARKING AT THE REAR OF THE SITE WHICH IS ACCESSED BY FOSTER STREET.

A BROCHURE PREPARED FOR SOLICITING MEMBERS IS ENCLOSED FOR THE PURPOSE OF PROVIDING YOU WITH A PRELIMINARY DESCRIPTION OF THE PLANT.

TAKE ADVANTAGE OF THIS OPPORTUNITY AND ARRANGE AN APPOINTMENT. WE ARE SETTING A 30 DAY PERIOD FOR YOU TO RESPOND BEFORE WE MAKE THIS A GENERAL LISTING.

VERY TRULY YOURS,
THE DANBURY CLUB



FRANK J. THOMAS
PRESIDENT

FJT/djm
ENCLOSURE



24

CITY OF DANBURY

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

PLEASE REPLY TO:

July 28, 1992

DANBURY, CT 06810

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

Re: Item No. 38 / July 1992 Agenda
Proposed Yankee Gas Easement
at Beaver Brook School Plot

Dear Mayor and Council Members:

In accordance with your directive to this office at the July 7, 1992 meeting, we have requested that Yankee Gas provide to this office a draft easement document regarding the intent to bury a new gas main under the Still River. We will review the document together with the office of the City Engineer and provide the necessary commentary thereon.

At the time a final draft has been prepared and made ready for execution, such document will be sent to your attention at a future Council meeting for consideration in the usual fashion.

If you have any questions regarding this matter, please don't hesitate to call this office.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:cr



DAVID M. KRASSNER, P.C.

ATTORNEY AND COUNSELOR AT LAW

PLEASE RESPOND TO NORTH HAVEN

July 20, 1992

Ms. Elizabeth Crudginton
Town Clerk, Town of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Proposed Charitable Donation
(1) 3 Beach Road, Danbury, lot # I08051,
Owner: David M. Krassner
(2) 5 Beach Road, Danbury lot # I08050,
Owner: Hillview Equipment Sales

Dear Ms. Crudginton:

Please be advised this office represents the owners of record of the above-captioned properties, commonly known as 3 and 5 Beach Road, Danbury, Connecticut. The properties consist of ~~two parcels of raw land overlooking Candlewood Lake and when~~ combined, are apparently a conforming building lot.

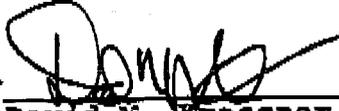
The owners have instructed this office to explore the possibility of donating the properties to the Town of Danbury subject to back taxes due the Town of Danbury.

According to the enclosed appraisal performed by Mr. Robert Noce, the indicated combined value of the property on an as-is basis is \$10,000.00. The back taxes as of July 1, 1992 are \$1,692.40 including interest and lien fees.

Please submit this proposal to the Common Council for their consideration, and advise this office as to their response.

Thank you for your kind attention and assistance. I look forward to hearing from you regarding the above. If I can be of any assistance, please feel free to contact me.

Very truly yours,
David M. Krassner, P.C.

By 
David M. Krassner

Enc.

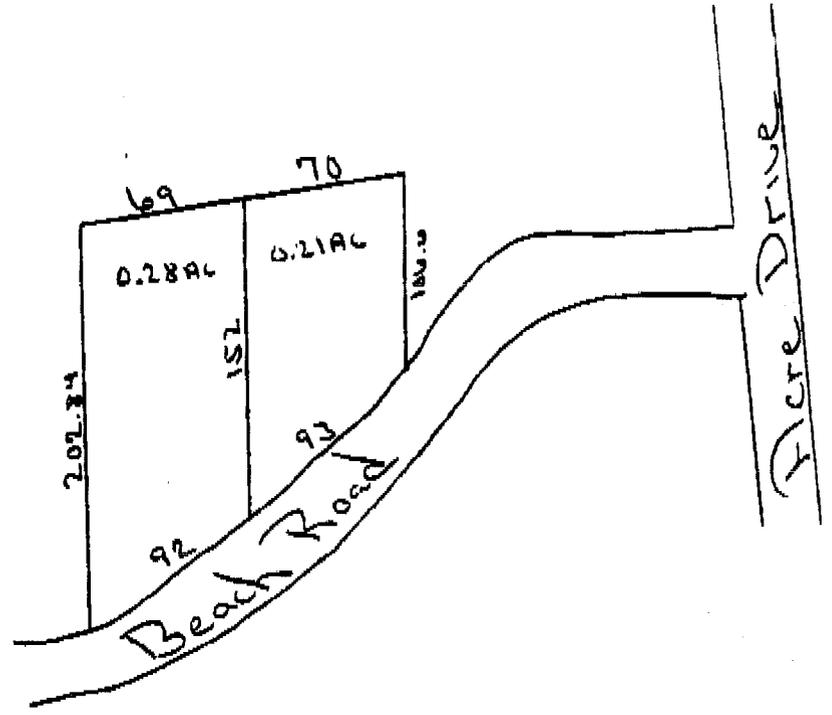
25
208 ORANGE STREET, FOURTH FLOOR
NEW HAVEN, CONNECTICUT 06810

96 POND HILL ROAD
NORTH HAVEN, CONNECTICUT 06473

(203) 234-0505

TELECOPIER
(203) 234-1581

COPY



25

COPY

PROPERTY DESCRIPTION - (Continued)

The subject property consists of two individually assessed lots.

Lot 66, assessor's lot I08050, consists of 0.28 Acre with road frontage of 92 feet on Beach Road. It has a rear boundary of 69 feet and sides of 202.84 feet and 152 feet. The topography is a steep incline characterized by massive rock outcroppings.

Current Assessment = \$1,500.00 New Assessment = \$44,100.00

Lot 67, assessor's lot I08051, consists of 0.21 Acre with road frontage of 93 feet on Beach Road. It has a rear boundary of 70 feet and sides of 152 feet and 106.6 feet. The topography is a steep incline characterized by massive rock outcroppings.

Current Assessment = \$2,300.00 New Assessment = \$8,800.00

The new assessment figures are a result of the recent revaluation which will take affect for the 1988 tax period. A mill rate of 15.5 to 16 mills is anticipated.

The property is zoned RA-20, single family - 20,000 square feet. The subject lots are non-conforming as to land area; however, both are legal building lots since they existed prior to current zoning regulations. While such lots are buildable, they must still comply with the current setback requirements and regulations of the local Health Department, involving the private septic system.

After examining the property, it is our opinion that the individual lots cannot be built upon due mostly to the steep incline and extensive rock outcroppings. Even combining the two lots to form a 0.49+/- Acre parcel, it is doubtful that the site would be buildable.

25
COPY

DIRECT SALES COMPARISON APPROACH - (Continued)

As previously described, it is doubtful that the subject property is buildable because of the steep incline and presence of rockledge. Therefore, the focus of our sale investigation centered around similar non-buildable sites located in lake communities. The typical purchaser of such property will most likely be an abutter seeking to increase his property.

Although it is our opinion that the site is non-buildable, exact determination cannot be found until the process of attaining a buildable permit is started and site testing is undertaken.

Further market analysis was accomplished to provide a value estimate on the basis of a finished, buildable lot. The result was a \$60,000.00 to \$65,000.900 value range for a finished lot. From this value, a prudent purchaser is going to subtract the costs of site preparation, which is assumed will include extensive blasting, and the majority of cost for a private septic system.

NAME David M. Krassner

ADDRESS Lots 66 & 67 Beach Road, Danbury, Connecticut 06810



Beach Road - Subject Property on Left.



Beach Road - Subject Property on Left.



Beach Road - Subject Property on Right.

Borrower David M. Krassner Census Tract 2113 Map Reference TC 870
 Property Address Lots 66 & 67 Beach Road, Candlewood Acres
 City Danbury County Fairfield State Connecticut Zip Code 06810
 Legal Description VOLUME 747 PAGE 795
 Sale Price \$ N/A Date of Sale _____ Loan Term _____
 Actual Real Estate Taxes \$ 171.49 (yr.) Loan charges to be paid by seller \$ _____ Other sales concessions _____
 Lender/Client David Krassner Address c/o Krassner & Arons PC,
 Occupant Land Only Appraiser ROBERT N. NOCE Instructions to Appraiser 139 Orange St., Suite 30
1988 Taxes to be: \$820.00 ASSOC., INC. New Haven, CT 06510

COPY

Location Urban Suburban Rural
 Built Up Over 75% 25% to 75% Under 25%
 Growth Rate Fully Dev. Rapid Steady Slow
 Property Values Increasing Stable Declining
 Demand/Supply Shortage In Balance Over Supply
 Marketing Time Under 3 Mos. 4-6 Mos. Over 6 Mos.
 Present Land Use 75 % 1 Family _____ % 2-4 Family _____ % Apts. _____ % Condo _____ % Commercial
 _____ % Industrial 25 % Vacant _____ %
 Change in Present Land Use Not Likely Likely (*) Taking Place (*)
 (*) From _____ To _____
 Predominant Occupancy Owner Tenant _____ % Vacant _____
 Single Family Price Range \$ 150,000 to \$ 350,000 Predominant Value \$ 175,000
 Single Family Age 10 yrs. to 50 yrs. Predominant Age 20 yrs.

Employment Stability Good Avg Fair
 Convenience to Employment
 Convenience to Shopping
 Convenience to Schools
 Adequacy of Public Transportation
 Recreational Facilities
 Adequacy of Utilities
 Property Compatibility
 Protection from Detrimental Conditions
 Police and Fire Protection
 General Appearance of Properties
 Appeal to Market

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): Private lake community on Candlewood Lake. Dwellings vary as to size, style and age with average maintenance. Development offers community beach. Town park in immediate vicinity, churches, schools, shopping and Interstate-84 within 1 to 2 miles.

Dimensions See Attached Map & Description 0.49 ~~XXXX~~ Acres Corner Lot
 Zoning classification RA-20 Single Family 20,000 S/F Present Improvements do do not conform to zoning regulations
 Highest and best use: Present use Other (specify) _____

Public Other (Describe) _____
 Elec. _____
 Gas _____
 Water _____
 San. Sewer _____
 Underground Elect. & Tel. _____
 OFF SITE IMPROVEMENTS
 Street Access: Public Private
 Surface Asphalt
 Maintenance: Public Private
 Storm Sewer Curb/Gutter
 Sidewalk Street Lights
 Top High rocky mountainside
 Size Typical
 Shape Rectangular
 View Good
 Drainage Appears to be Adequate.
 Is the property located in a HUD identified Special Flood Hazard Area? No

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions): Typical utility easements. Community water service is available upon application and approval by the association.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

ITEM	Subject Property	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	Lts. 66 & 67 Beach Road	8 Berkshire Drive Candlewood Shores Brookfield, CT	39 Skyline Drive Candlewood Shores Brookfield, CT	Green Pond Road Sherman, CT
Proximity to Subj.				
Sales Price	\$ N/A	\$ 3,500	\$ 4,000	\$ 15,000
Price	\$ N/A	\$	\$	\$
Data Source	Inspection	Town Data	Town Data	Town Data
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
		8/28/87	11/18/87	9/2/87
Location	Suburb/Avg.	Suburb/Avg	Suburb/Avg	Suburb/Avg
Site/View	0.49Ac, Good	.08 Ac, Avg +5,000	.16 Ac, Avg +5,000	.349Ac, Avg
	Steep	Steep	Steep	Steep
	rockledge	Hillside,	Hillside,	Hillside
		Non-build-able.	Non-build-able.	
Sales or Financing Concessions				
Net Adj. (Total)		<input checked="" type="checkbox"/> Plus; <input type="checkbox"/> Minus \$ +5,000	<input checked="" type="checkbox"/> Plus; <input type="checkbox"/> Minus \$ +5,000	<input type="checkbox"/> Plus; <input type="checkbox"/> Minus \$
Indicated Value of Subject		\$ 8,500	\$ 9,000	\$ 15,000

Comments on Market Data: Equal consideration was given to all sales. See attached comments.

Comments and Conditions of Appraisal: The lack of comparable land sale in Danbury necessitated the use of sales in comparable developments from surrounding towns. See attached comments.

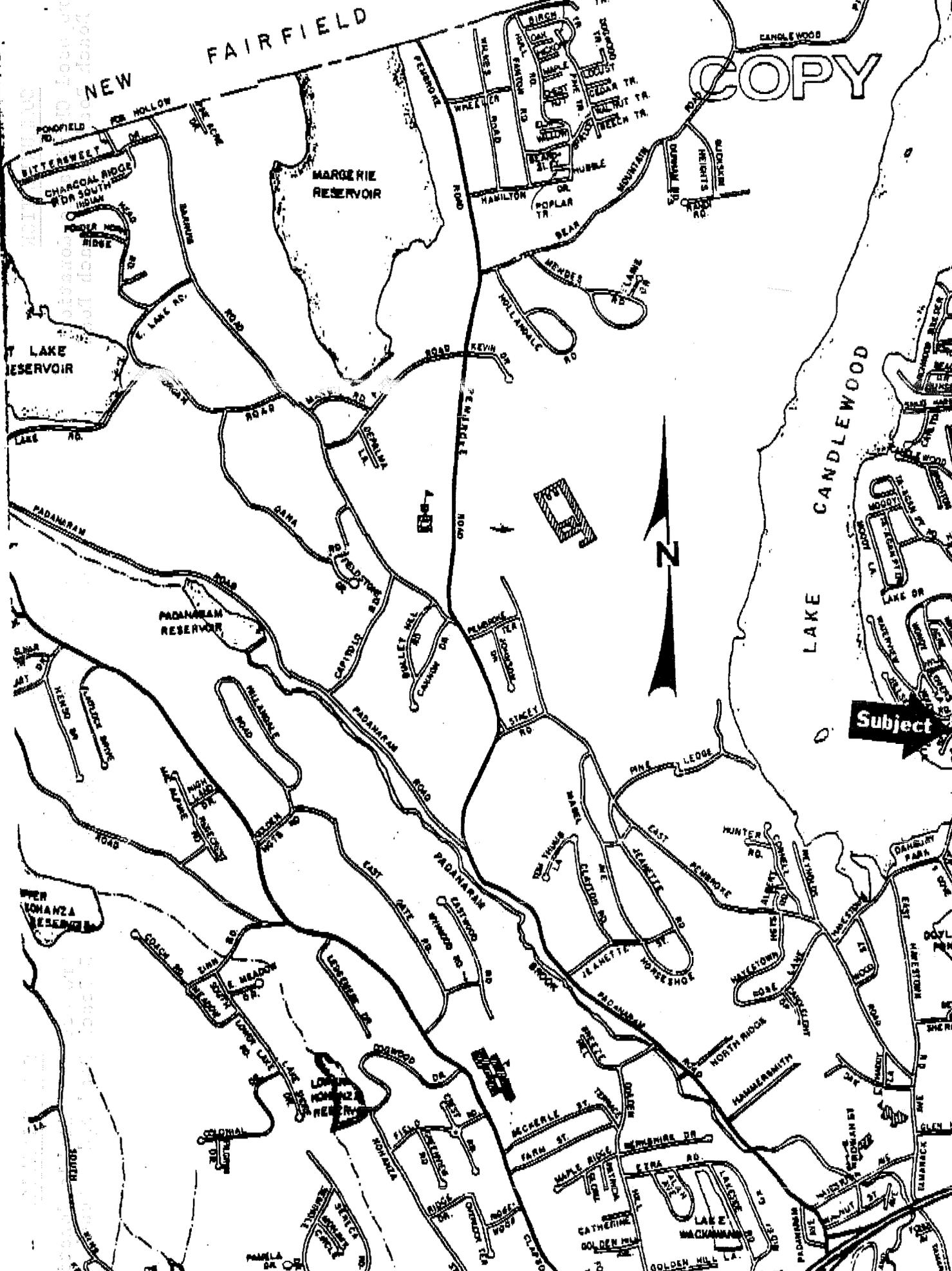
Final Reconciliation: The Direct Sales Comparison Approach best indicates the actions of buyers and sellers in the marketplace.

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF March 25 19 88 to be \$ 10,000

Appraiser(s) tmd Ronald J. Struski Review Appraiser (if applicable) Did Did Not Physically Inspect

NEW FAIRFIELD

COPY



26

Barbara M. Dratch
Thomas J. Allingham

Reply to: Danbury Office

July 14, 1992

Joseph Dasilva, Chairman
Danbury Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Joseph M. Demo and Geraldine A. Schatzle
Property: Lot 12, Hillandale Road

Dear Mr. Dasilva:

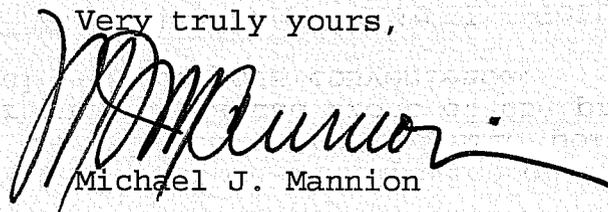
We represent Joseph M. Demo and Geraldine A. Schatzle who are the owners of Lot 12 on Hillandale Road, Danbury. Recently a survey of the property was done by Paul A. Hiro in anticipation of a sale of the property. The survey reveals that the traveled portion of Hillandale Road passes over and across the front of the property. A copy of the survey is enclosed for your convenience.

Recently I discussed the situation with Eric L. Gottschalk, Assistant Corporation Counsel, who indicates that the encroachment also appears on a map or maps in the office of the City Engineer.

It seems to me that the easiest way to resolve this problem for all parties concerned would be to sell the land under the existing roadway to the City of Danbury. In the event the City is in agreement and a mutually acceptable price can be agreed upon, variances to minimum area and front yard setback would have to be obtained from the Zoning Board of Appeals as a condition of the sale. I believe that the Zoning Board of Appeals would find a legitimate hardship in this case.

You are hereby requested to place this item on your agenda for your regular August meeting so that the owners may address their concerns to the Council. Thank you in advance for your consideration of this request.

Very truly yours,



Michael J. Mannion

MJM/kac

Enclosure

cc: Eric L. Gottschalk, Esq.
John A. Schweitzer, Jr., City Engineer

original
February 19, 1992

E

Mayor Gene Eriquez and the Common Council
City of Danbury,
Connecticut

c/o Councilman Louis T. Charles, Jr.

Re-Submitted
July 6 - 1992
By
John Falvo

RE: ZONING VIOLATIONS
FRIENDLY FOOD STORE
84 FRANKLIN STREET
DANBURY, CONNECTICUT

1. This location is zoned for Residential Non-Conforming use only which stipulates that this location was originally zoned for the sale of meats and groceries.
2. A picnic table (equipped with a beach umbrella during the summer) and benches is located on 33 feet of City property in front of the store and is used by the owner's customers for consuming coffee, rolls, soups, grinders and hot and cold meals, which are prepared in the kitchen located in the store.
3. This is a catering business with a fully-equipped kitchen, which can provide food for up to 100 people. Note attached advertisement, page 203 of the Danbury Telephone Directory. A huge menu is displayed in the back of the store, advertising daily specials: hot and cold meals, grinders, soups, etc.
4. A steel garbage dumpster on John Street obstructs over half of the sidewalk. Also another large wooden dumpster-type box partially obstructs the sidewalk, along with milk crates, cardboard boxes, and mop and pail.
5. On the John Street side, at his own expense, he had a strip of Colprovia replace grass between the sidewalk and curb to encourage vehicles to park off the road and partially on the sidewalk.
6. No off-street parking exists for this location, and with the volume of trucks and vehicles starting to arrive at 6:00 AM, he has his employees park in front of neighboring residences in order to leave room closer to his store for his customers.

The congestion is unbearable.

7. He also had three (3) tables with accompanying chairs placed in the grocery store, which he was forced to remove with a Cease and Desist Order. He appealed this order to the Zoning Board of Appeals, but on the day of the hearing, he withdrew his appeal and removed the tables and chairs. (This shows he knew a violation existed and also to cover up his other violations and discourage inspection.)

Why didn't the Zoning Enforcement Officer Wayne Skelly pursue the other violations?

8. On January 30, 1992, Wayne Skelly came up with a decision concerning only one (1) of the several Zoning violations, the violation regarding the sale of take-out sandwiches.

He said "That this was just an intensification of a non-conforming use and not an extension of a non-conforming use and is allowed under Zoning law."

Handwritten mark

~~We~~ disagree.

He said when he "caddied at the Ridgewood Country Club in the late 60's and early 70's, many of the caddies would go into the Ridgewood Market," which was owned by Mr. John Falvo, "and buy sandwiches."

Mr. Falvo disputes this statement.

What Mr. Falvo did was slice 25¢ or 30¢ worth of ham or bologna, wrap it and price the package. The kids would go to the bread shelf, pick up a small Italian roll, go to the check-out counter, pay for them and go outside and make their own sandwiches. No mustard, relish or condiment of any kind was given.

This was only done as a favor for the caddies.

The present store sells hundreds of grinders and coffee. Grinders range from regular size to giant 6' or more subs.

Also in his January 30 decision, Mr. Skelly did not mention the hot and cold meals, daily specials, soups, and the complete kitchen, catering service and all the other zoning violations listed.

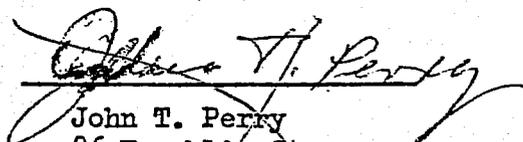
Why?

9. Regardless of what Mr. Skelly says, this is a fast food, truck stop restaurant. The sale of meat and groceries is secondary to the cooked food and sandwiches.
10. Trucks, buses, automobiles and a conglomeration of other vehicles (back-hoes, tractors, golf carts, etc.) start at 6:00 AM and a very serious traffic congestion begins. Many of the trucks and cars leave their engines running, polluting the air with exhaust fumes which permeate into the neighboring homes.
11. The Mayor, Gene Enriquez, and his Mayoral Aide, Basil Friscia, are well aware of these violations, and were notified personally.
12. It is not ~~our~~ *staff* intention to deprive anyone of a livelihood, but let him do it legally within the realm of the Zoning laws which exist for a Residential Non-Conforming Use Business, as has been done by all previous proprietors for 50-plus years.

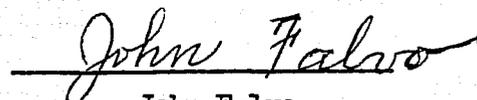
27

13. ~~We~~ would like to see a fair, unbiased committee from the Common Council come up and inspect the listed violations that exist at 84 Franklin Street and render a fair decision.

Thank you.



John T. Perry
86 Franklin St.
Danbury, CT



John Falvo
81 Franklin St.
Danbury, CT

he has withdrawn

rs (Cont'd)

Hot Bagels 15 Backus Av 744-6702
A'S DELI 790-9889
MARKET INC 748-9891
MISS CATERERS 744-1725
ADVERTISEMENT OPPOSITE PAGE)
IN INC THE Ridg 438-2541
in The Newt 426-9392

ALLEN INN 744-1776
(SEE ADVERTISEMENT PAGE 206)
PASTA SHOP Newt 426-3425

RESTAURANT THE
THE FERNS RESTAURANT
Circa 1690 Country Inn
INE INTERNATIONAL FOODS
• WEDDINGS
• BANQUETS
• PARTIES
BEAUTIFUL BANQUET ROOM
New Milford 355-2704
329 Kent Rd New Milford

THE INN Newt 426-7001
(SEE ADVERTISEMENT NEXT PAGE)
OR THOUGHT CATERERS New Milford 354-0645
ORKS LIMITED New Milford 354-3005
S INTERNATIONAL INC Ridg 431-3668
L INN THE 775-0089
ADVERTISEMENT OPPOSITE PAGE)

LY FOOD STORE THE
CATERING FOR
ALL OCCASIONS
- Up to 100 People -
FAX # 743-4756
798-6743
84 Franklin ST

IMPORTING 748-4423
(SEE ADVERTISEMENT PAGE 206)
town Pizza House 186 Osborne -792-0401
Delicatessen Of Bethel 792-2444
ny Hill Rd Bthl
DELICATESSEN OF RIDGEFIELD
atters-6Ft Grinders-Smoked Fish
ain Ridg 438-3044

SON INN Woodbury 264-8200
(SEE ADVERTISEMENT NEXT PAGE)
(Continued Next Page)

o obtain the local
ers of nationally
ertised products or
rices simply turn to
Yellow Page heading
the product or ser-
, and there you should
an alphabetical list
the distributors,
lers or agents.

Chatham Oaks

748-0363

"There is No Substitute for Experience"

*For any and all occasions
when celebrating is on your mind
think of CHATHAM OAKS.
More than just a catering
location, we are a catering concept
where meticulous planning and
preparation result in elegant
presentations served with a
warmth and efficiency that
makes EVERYONE feel
CATERED to.*

Weddings and Corporate Events Banquet & Dance Facilities

Seating Capacity of 350 People
131 WEST ST., DANBURY, CT

Mail to P.O. Box 2868



Simply The Best!

Accommodations To 700
17 Meeting Rooms



IT'S ALL IN THE NAME
WEDDINGS

- ENGAGEMENT PARTIES
- REHEARSAL DINNERS
- BABY SHOWERS
- BARMITZVAHS
- HOLIDAY PARTIES
- CONVENTIONS
- TRADE SHOWS
- CONFERENCES
- PRIVATE PARTIES
- BUSINESS MEETINGS
- SEMINARS

BRIDAL PACKAGES

203 794-0600



DANBURY HILTON

AND Towers

18 Old Ridgebury Road, Danbury, Ct. 06810 (Easy Access - Exits 2 Or 2a Off I-84)

98

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water _____

Name of Applicant: Francis J. Dennehy

Address: 27 East Pembroke Rd
Danbury, Conn. 06811

Telephone: 743-7702

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

Located at: 27 East Pembroke Rd.

Assessors's Lot No. I 09044

Zone: RA-20

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

Number of Efficiency Units _____

Number of 1 Bedroom Units 8

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units 8

Francis J. Dennehy
SIGNATURE

7-23-92
DATE

20

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

ATTORNEYS AT LAW

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

LLOYD CUTSUMPAS
FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
ROBERT M. OPOTZNER
THOMAS W. BEECHER
EVA M. DEFranco
CHRISTOPHER K. LEONARD
OF COUNSEL
PAULA FLANAGAN

AREA CODE 203
744-2150

TELECOPIER: (203) 791-1126

July 28, 1992

HAND DELIVER

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

Attention: Joseph DaSilva, President

Re: National Amusements, Inc.
Water and Sewer Line
109/115 Mill Plain Road, Danbury
Our File No. 92-11854-1-P

Dear Mr. DaSilva:

Please be advised that I represent National Amusements, Inc. in connection with the construction of their theater facility on 109/115 Mill Plain Road in Danbury. In connection with the construction of said facility, it is necessary to obtain a permit to extend the water line to the site.

Therefore, enclosed herewith please find an application for extension of water line to said property. Please put this application on the agenda for the next Common Council meeting and advise us of any sub-committee hearings in connection with said application.

If you should have any questions regarding this matter, please do not hesitate to contact me.

Yours very truly,



Paul N. Jaber

PNJ/rmc

cc: T. Jankowski, Esq.
J. Meyer

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer _____

Water X

Name of Applicant: NATIONAL AMUSEMENTS, INC.

Address: 200 Elm Street

 Dedham, MA 02026

Telephone: (617) 461-1600

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

Located at: 109/115 Mill Plain Road, Danbury

Assessors's Lot No. C14069
 C14070

Zone: CA-80

Intended Use: Retail _____ Single Family Residential _____

Office _____ Multiple Family Development _____

Mixed Use _____

Industrial _____

Theater X

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units _____



SIGNATURE
Paul N. Jaber, Attorney for Applicant
July 28, 1992

DATE

LAW OFFICES OF

MAZZUCCO & MCGONIGLE, P.C.

WARD J. MAZZUCCO*
HELEN L. MCGONIGLE

DEBORAH S. FERNBACH+
OF COUNSEL

*ALSO ADMITTED IN FLORIDA
*ALSO ADMITTED IN NEW YORK
+ALSO ADMITTED IN PENNSYLVANIA
+ALSO ADMITTED IN DISTRICT OF COLUMBIA

60 WEST STREET
P.O. BOX 800
DANBURY, CONNECTICUT 06813
(203) 794-9144

FAX (203) 790-4137

ABA/NET MAZZUCCO. W

July 8, 1992

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

RE: Water Line Extension
52 Main Street

Honorable Council Members:

A few years ago I obtained approval from the council for a water line extension to serve a nursing home at 52 Main Street in Danbury. As I recall, the extension was needed primarily because a fire hydrant was to be located on site. Therefore, on behalf of Danbury Health Care Center, I respectfully request you to reinstate that approval. Please let me know if you require anything further.

Very truly yours,

MAZZUCCO & MCGONIGLE, P.C.



Ward J. Mazzuco

WJM:sjk
cc: John A. Schweitzer, Jr., P.E.
Danbury Health Care Center
Michael Lillis, P.E.

COHEN AND WOLF, P. C.
ATTORNEYS AT LAW

AUSTIN K. WOLF	FREDERICK S. GOLD
MARTIN F. WOLF	LINDA LEDERMAN
ROBERT J. ASHKINS	DANIEL S. NAGEL
STUART A. EPSTEIN	RICHARD J. DI MARCO
RICHARD L. ALBRECHT	DAVID B. ZABEL
JONATHAN S. BOWMAN	MARK A. KIRSCH
IRVING J. KERN	CHRISTOPHER J. SMITH
MARTIN J. ALBERT	NEIL W. SUTTON
STEWART I. EDELSTEIN	DAVID M. LEVINE
NEIL R. MARCUS	JOSEPH G. WALSH
RICHARD A. KRANTZ	ALEXANDER H. SCHWARTZ
DAVID L. GROGINS	MARY ANN CONNORS
ROBERT B. ADELMAN	ROBIN G. FREDERICK
MICHAEL S. ROSTEN	PAUL H. BEGEMANN
GRETA E. SOLOMON	THOMAS S. HYMAN
JORAM HIRSCH	MARCI J. SILVERMAN
PAUL B. EDELBERG	DAVID A. BALL
ROBIN A. KAHN	MICHAEL F. EWING
RICHARD G. KENT	MICHAEL A. HARDESTY
RICHARD L. NEWMAN	SCOTT A. HURWITZ
RICHARD SLAVIN	ANTHONY T. YEH

HERBERT L. COHEN.
(1928-1983)

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

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

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

PLEASE REPLY TO: Danbury

WRITER'S DIRECT DIAL: (203) _____

HAND DELIVERED

July 28, 1992

Common Council City of Danbury
C/O Mrs. Betty Crudgington, City Clerk
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Quail Run Drive

Dear Mrs. Crudgington:

By this letter, and on behalf of Driftway Ridge Partnership, I am requesting that the Common Council accept Quail Run Drive as a city road and that it accept a road widening parcel shown as "Parcel 'X' on the subdivision map for the Quail Run Subdivision.

I have forwarded all of the necessary documents to Rick Gottchalk for his review. The mylar of the As-Built Plan and Profile has been delivered to the Engineering Department which is in the process of completing its review.

Kindly place this request on the agenda of the next meeting of the Common Council.

Very truly yours,

Robin A. Kahn
Robin A. Kahn

RAK:y

cc: Mr. George Davon
Mr. John A. Schweitzer, Jr., P.E.
Eric L. Gottschalk, Esq.

COHEN AND WOLF, P. C.
ATTORNEYS AT LAW

AUSTIN K. WOLF	FREDERICK S. GOLD
MARTIN F. WOLF	LINDA LEDERMAN
ROBERT J. ASHKINS	DANIEL S. NAGEL
STUART A. EPSTEIN	RICHARD J. DI MARCO
RICHARD L. ALBRECHT	DAVID B. ZABEL
JONATHAN S. BOWMAN	MARK A. KIRSCH
IRVING J. KERN	CHRISTOPHER J. SMITH
MARTIN J. ALBERT	NEIL W. SUTTON
STEWART I. EDELSTEIN	DAVID M. LEVINE
NEIL R. MARCUS	JOSEPH G. WALSH
RICHARD A. KRANTZ	ALEXANDER H. SCHWARTZ
DAVID L. GROGINS	MARY ANN CONNORS
ROBERT B. ADELMAN	ROBIN G. FREDERICK
MICHAEL S. ROSTEN	PAUL H. BEGEMANN
GRETA E. SOLOMON	THOMAS S. HYMAN
JORAM HIRSCH	MARCI J. SILVERMAN
PAUL B. EDELBERG	DAVID A. BALL
ROBIN A. KAHN	MICHAEL F. EWING
RICHARD G. KENT	MICHAEL A. HARDESTY
RICHARD L. NEWMAN	SCOTT A. HURWITZ
RICHARD SLAVIN	ANTHONY T. YEH

HERBERT L. COHEN.
(1928-1983)

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

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

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

PLEASE REPLY TO Danbury

WRITER'S DIRECT DIAL. (203) _____

July 27, 1992

Common Council, City of Danbury
c/o Mrs. Betty Crudgington
City Clerk
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Southfield Condominium

Dear Mrs. Crudgington:

On behalf of South Street Associates Limited Partnership, this is to request a renewal of the sewer and water extension approval granted by the Common Council on March 4, 1986. For your reference a copy of the approval is annexed hereto.

In light of the fact that this request is merely for a renewal of the water and sewer extension approval, I respectfully ask that the Council act upon the request at the next meeting of the Council on August 4, 1992, without referral to Committee.

Thank you for your attention to this matter.

Very truly yours,



Robin A. Kahn

RAK:jdp
cc: Mr. Gary Green
Paul Jaber, Esq.

32
- continued:

Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.

4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury, all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said sewer line within City Streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer lines as the City Engineer's Office determines are of potential benefit to other landowners in the City.

Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

037 - REPORT - Request of R. Finaldi for sewer - Hobson Street.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of the committee that the petition be granted with conditions and restrictions as listed above.

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

✓ 038 - REPORT - Request of McMersaun Associates for sewer & water - South Street.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of the committee that the petition be granted with conditions and restrictions as listed above.

The Report and committee recommendations were accepted by the Common Council on the Consent Calendar.

039 - REPORT - Request of East Ridge Office Park for sewer & water - Mountainview Terrace.

Councilman Gallo submitted a report stating that the ad hoc committee appointed to review the above request met with the City Engineer and has also reviewed a recommendation for approval from the Planning Commission.



33

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 17, 1992

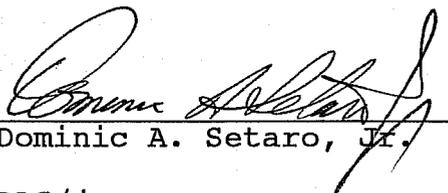
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

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

RE: Highway State Aid

CERTIFICATION

As a result of the Legislature restoring funds to the Highway State Aid account, the City of Danbury will benefit in the amount of \$104,645. As I am sure you are aware, these funds must be spent specifically for roads in accordance with the State statutes. Therefore, I would request that the Common Council approve the increase in Highway State Aid, Account #02-03-111-047003, Rebuild & Repave Highways, in the amount of \$104,645. At the same time, I would also recommend that the revenue line item for Highway State Aid, Account #02-65-000-521000, Highway State Aid, be increased by \$104,645. These monies will be used for rebuilding and repaving highways, and I would request that this be approved at the August 4 Common Council meeting.


Dominic A. Setaro, Jr.

DAS/jg

cc: Frank Cavagna



35

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Capital Improvement Plan and Dam Improvement Program

The Common Council Committee to review a proposed bond issue met at 7:40 P.M. on July 15, 1992. In attendance were committee members Joseph DaSilva, Scozzafava and Dean Esposito. Also in attendance were Mayor Gene F. Eriquez, Superintendent of Public Utilities William Buckley, Director of Public Works Jack Schweitzer, Director of Finance Dominic Setaro, Director of Planning Dennis Elpern and Corporation Counsel Eric Gottschalk.

A presentation was made by the various City officials on items proposed for public improvements to be implemented through a bond issue. One part of these improvements is proposed for the improvement of five dams in the City of Danbury. The City is under a Department of Environmental Protection Consent Order for the repair of these dams. These repairs have been mandated with a timetable for completion. The cost of these repairs is \$4,300,000.

The second part of the proposal deals with ten and twenty year projects in a number of areas in various City departments. These include Fire Department vehicles and building, Police Department building, vehicle replacement, public works equipment, library improvements, Parks Department building, Rogers Park field improvements, Highway Department roof, City Hall H.V.A.C. improvements and the rebuilding and paving of highways. The cost of these projects is \$4,400,000.

All the items proposed are in the Five Year Capital Plan and come from prioritized requests from the various department heads in the City. They are projects that have not been able to be accomplished through the regular budget process over the past several years. Besides providing for long term needs of the City, they will put money into the local economy and bring jobs to Danbury. This bond issue has been structured so that no additional tax revenue will be needed. All costs will be covered by retiring debt service. The ten year projects have been set so that there will be no need for short term borrowing, therefore no interest costs will be incurred.

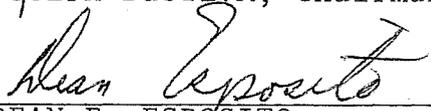
After discussion, the committee decided that this bond proposal will be of significant value to the City of Danbury. It will meet a number of long term needs without a further tax burden on our citizens. The upgrading and replacement aspects will cause savings in upkeep and maintenance in the future.

Mr. Esposito moved to recommend two ordinances, as prepared by Bond Counsel, authorizing the issuance of bonds for (1) various public improvements totaling \$4,400,000 and (2) a water improvement program/dams for \$4,300,000 be approved. Seconded by Mr. Scozzafava and passed unanimously.

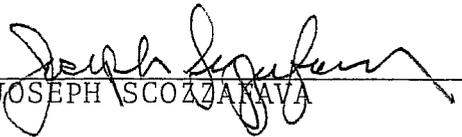
Respectfully submitted,



JOSEPH DaSILVA, Chairman



DEAN E. ESPOSITO



JOSEPH SCOZZAFAVA



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Capital Improvement Plan and Dam Improvement Program

The Common Council Committee to review a proposed bond issue met at 7:40 P.M. on July 15, 1992. In attendance were committee members Joseph DaSilva, Scozzafava and Dean Esposito. Also in attendance were Mayor Gene F. Eriquez, Superintendent of Public Utilities William Buckley, Director of Public Works Jack Schweitzer, Director of Finance Dominic Setaro, Director of Planning Dennis Elpern and Corporation Counsel Eric Gottschalk.

A presentation was made by the various City officials on items proposed for public improvements to be implemented through a bond issue. One part of these improvements is proposed for the improvement of five dams in the City of Danbury. The City is under a Department of Environmental Protection Consent Order for the repair of these dams. These repairs have been mandated with a timetable for completion. The cost of these repairs is \$4,300,000.

The second part of the proposal deals with ten and twenty year projects in a number of areas in various City departments. These include Fire Department vehicles and building, Police Department building, vehicle replacement, public works equipment, library improvements, Parks Department building, Rogers Park field improvements, Highway Department roof, City Hall H.V.A.C. improvements and the rebuilding and paving of highways. The cost of these projects is \$4,400,000.

All the items proposed are in the Five Year Capital Plan and come from prioritized requests from the various department heads in the City. They are projects that have not been able to be accomplished through the regular budget process over the past several years. Besides providing for long term needs of the City, they will put money into the local economy and bring jobs to Danbury. This bond issue has been structured so that no additional tax revenue will be needed. All costs will be covered by retiring debt service. The ten year projects have been set so that there will be no need for short term borrowing, therefore no interest costs will be incurred.

25

After discussion, the committee decided that this bond proposal will be of significant value to the City of Danbury. It will meet a number of long term needs without a further tax burden on our citizens. The upgrading and replacement aspects will cause savings in upkeep and maintenance in the future.

Mr. Esposito moved to recommend two ordinances, as prepared by Bond Counsel, authorizing the issuance of bonds for (1) various public improvements totaling \$4,400,000 and (2) a water improvement program/dams for \$4,300,000 be approved. Seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,

JOSEPH DaSILVA, Chairman

DEAN E. ESPOSITO

JOSEPH SCOZZAFAVA



250

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

June 22, 1992

MEMO TO: Hon. Gene F. Enriquez
FROM: Dominic A. Setaro, Jr.
Director of Finance
RE: Bond Issue

At your request, I have reviewed the City's bond principal and interest payments to be made over the next two fiscal years, 1993-94 and 1994-95. As you know, you will be proposing to the Common Council a plan that will use retiring debt service to pay for new debt service.

For the fiscal year 1993-94, there will be a reduction in General Fund debt service in the amount of \$363,971. For the fiscal year 1994-95, there will be a reduction of \$160,522. These two amounts will allow us to issue debt over a two-year time period at \$524,493. It would appear that the best way to approach this would be to issue debt that is both 10-year and 20-year obligations. This would allow us to issue approximately \$4,400,000 worth of debt.

The plan would be to sell the 10-year debt, \$1,400,000, and one-half of the 20-year debt, \$1,500,000, at the same time. The \$1,500,000 balance of the 20-year debt would be sold approximately one year later. Based on the estimated rate of interest and principal payment, we would be obligated to pay approximately \$533,000 estimated debt service which is slightly higher than the reduction. The first year amount would be \$374,500 and year 2 would be \$157,500. The intent behind the 10-year debt would be to take care of items such as equipment which we have not replaced in the last two fiscal year budgets. This will also reduce the request for capital monies over the next few years. Once the list is assembled of all projects, especially in the area of the 10-year debt, we will have to have bond counsel review this for his approval.

In the near future, I will also provide you with the information on the Water Fund projects once a decision is made on which projects will be bonded.

Dominic A. Setaro, Jr.

DAS/jg

10-YEAR BOND

Fire Pumper/Emergency Response Vehicle	\$ 200,000
L.T.I. Refurbishment	150,000
Vehicle Replacement - Various Departments	250,000
Public Works Department - Equipment	650,000
Bond Sale Costs & Contingency	<u>150,000</u>
TOTAL	\$1,400,000

20-YEAR BOND

Library Improvements	\$ 450,000
Fire Department - Osborne Street	300,000
Police Department - Main Street Property	250,000
Parks Department - Maintenance Building	300,000
Rogers Park - Field Improvements	200,000
Highway Department - Replace Roof	130,000
City Hall Building Improvements	125,000
Rebuild, Repave Highways & Drainage	945,000
Contingency & Bond Sale & Interest	<u>300,000</u>
TOTAL	\$3,000,000

WATER BOND ISSUE

West Lake Dam	\$2,400,000
Margerie Dike Dam	150,000
Boggs Pond Dam	100,000
Upper Kohanza Dam	700,000
Padanaram Dam	380,000
Bond Issue Costs & Interest	<u>570,000</u>
 TOTAL	 \$4,300,000

Note: All costs include contingency.

SCENIC ROADS ORDINANCE

PROPOSED CHANGES

- 1) All property owners on any road which any portion has been designated as scenic must be notified in writing 90 days in advance of any proposed change to this ordinance. (Page 7-G)
- 2) The intent of this ordinance is to protect the road and road right of way only. (Page 3-e)
- 3) Remove item 6 Page 6 "VISTA".
- 4) Change Page 6 Item 10 to allow for refuse pickup, recyclables and sand barrels.



36

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Scenic Roads Ordinance

The Common Council met as a committee of the whole on July 23, 1992 at 7:50 P.M. to review a proposed Ordinance concerning Scenic Roads. At a preceding public hearing a number of residents spoke both in favor and against the proposal.

Mr. Trocolla moved to recommend approval of the Ordinance. The motion was seconded by Mr. Charles. Mr. DaSilva then presented a list of four concerns submitted to him by constituents. These dealt with a ninety day notification to residents of a scenic road of proposed changes in the ordinance; a statement of intent that the ordinance would deal only with road and the road right of way; the removal of the provision allowing the placement of refuse, recyclables and sand barrels at the roadside.

After discussion, Mr. Falzone moved to amend the ordinance by including the language as presented. Seconded by Miss Dennehy and passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



30

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Scenic Roads Ordinance

The Common Council met as a committee of the whole on July 23, 1992 at 7:50 P.M. to review a proposed Ordinance concerning Scenic Roads. At a preceding public hearing a number of residents spoke both in favor and against the proposal.

Mr. Trocolla moved to recommend approval of the Ordinance. The motion was seconded by Mr. Charles. Mr. DaSilva then presented a list of four concerns submitted to him by constituents. These dealt with a ninety day notification to residents of a scenic road of proposed changes in the ordinance; a statement of intent that the ordinance would deal only with road and the road right of way; the removal of the provision allowing the placement of refuse, recyclables and sand barrels at the roadside.

After discussion, Mr. Falzone moved to amend the ordinance by including the language as presented. Seconded by Miss Dennehy and passed unanimously.

Respectfully submitted,

JOSEPH DaSILVA, Chairman



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

August 4, 1992

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

THAT Chapter 17 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of Article V entitled "Scenic Roads" which said Article shall read as follows:

ARTICLE V. SCENIC ROADS

Sec. 17-110. Preamble.

The scenic and rural roads of the City of Danbury are irreplaceable resources. The scenic values of some rural roads in Danbury have been destroyed or are in danger of destruction because of past or potential alterations or improvements to their rights-of-way. Such alterations and improvements have had, and could continue to have, an adverse impact on the quality of Danbury's aesthetic and historical environment, an environment that is of great benefit to residents and visitors alike.

The Connecticut General Assembly has found, through the adoption of Connecticut General Statutes Section 7-149a that the preservation and protection of the scenic or historic values of rural roads is essential to the welfare of the people of Connecticut. It is the purpose of this Article to balance the need to provide for convenient and safe public transportation routes with the need to preserve these scenic and rural values. It is the intent of this ordinance to protect the road and road right of way only.

Therefore, be it ordained by the City of Danbury that, pursuant to the authority granted by Connecticut General Statutes Section 7-149a, the City of Danbury shall provide for the designation of certain municipal highways or portions thereof within its borders as Scenic Roads.

Sec. 17-111. Authority.

The Common Council shall be authorized to designate by ordinance a highway or any portion of any highway as a Scenic Road. Notwithstanding any other provisions of this Article, and in addition to such other responsibilities and powers as hereinafter set forth, the Planning Commission of the City of Danbury shall, with respect to this Article, make all land use determinations over which it may retain appropriate statutory jurisdiction.

Sec. 17-112. Designation Criteria.

(a) No highway or portion of a highway shall be designated as a Scenic Road if the abutting property contains intensive commercial development or if the highway itself has intensive vehicular traffic. Prior to designating a highway or portion thereof as a Scenic Road, the Common Council shall first specifically find (1) that the highway or portion of highway to be designated is at least one-half mile in length, or (2) that the entire length of the highway is less than one-half mile in length and at least one end of the highway abuts a highway already designated as scenic. The Common Council shall

31

also find that at least one of the following criteria is met:

- (1) the highway is unpaved;
- (2) the highway is bordered by mature trees or stone walls;
- (3) the travelled portion of the highway is no more than twenty (20) feet in width;
- (4) the highway offers scenic views;
- (5) the highway blends naturally into the surrounding terrain; or
- (6) the highway parallels or crosses over brooks, streams, lakes or ponds.

(b) No highway or portion thereof may be designated as a Scenic Road by the Common Council pursuant to this Article unless the owners of the majority of the lot frontage abutting the highway or portion thereof agree to the designation of the highway as a Scenic Road by filing a written Statement of Approval with the Town Clerk of the City of Danbury, which Statement of Approval shall meet the requirements of Section 17-113 of this Article.

Sec. 17-113. Procedure for Designation.

(a) Statement of Approval. No ordinance designating a highway or portion thereof shall be adopted unless the Common Council shall have received a Statement of Approval which meets each of the requirements set forth below. The Statement of Approval shall be submitted on a form approved by the Town Clerk, and shall contain the following:

- (1) the name of the highway to be designated as a Scenic Road, a map and general description of the portion of such highway sought to be designated, together with a statement of the approximate total length of the highway or portion thereof to be designated;
- (2) a description of those characteristics of the road which qualify it for Scenic Road status, including but not limited to which of the criteria set forth in Section 17-112 of this Article the road satisfies;
- (3) signatures of the owners of a majority of lot frontage abutting the highway or portion of highway in question, stating that they approve of designating the road or portion thereof as a Scenic Road, and indicating their addresses and their lot frontage along the road or portion of the road in question; and
- (4) the names and addresses of owners of lot frontage abutting the highway or portion of highway in question who did not approve the designation.

The original of the Statement of Approval shall be filed with the Town Clerk, who shall retain one copy, forward one copy to the Tax Assessor, and forward the original to the Common Council. The Tax Assessor shall verify the ownership and the total lot frontages of those signing the Statement of Approval, shall verify that said total lot frontage constitutes a majority of lot frontage abutting the highway or portion thereof to be designated as a Scenic Road, and shall submit such verification to the Common Council within five (5) days from the date the Assessor receives the Statement of Approval from the Town Clerk.

(b) Hearing. In order to designate a highway or portion thereof a Scenic Road, the Common Council shall first hold a public hearing regarding the designation of such road as a Scenic Road. Notice of the public hearing shall be given in the manner provided in Section 3-8 of the Danbury Municipal Charter, and by sending a copy of the notice of the hearing by registered or certified mail to the owners of lots fronting the highway or the portion of the highway to be designated as a Scenic Road.

(c) Decision. The Common Council shall approve for designation any highway or portion of highway which it finds meets the criteria of Section 17-112 of this Article and if the Statement of Approval conforms to the procedural requirements of subsection (a) of this section. Within ten (10) days after the passage of an ordinance designating a highway or portion of a highway as a Scenic Road, the Town Clerk shall cause a notice to be addressed by certified mail to the owners of lots fronting on that highway or portion thereof designated as a Scenic Road. Such notice shall be a simple statement that the highway or portion thereof was designated as a Scenic Road by ordinance, together with the date of such action. The grounds for the designation or non-designation shall be stated in the records of the Common Council and in the case of designation shall include in detail the special features which make the highway so designated scenic.

(d) Each designated scenic road shall be identified by the posting of signs at both ends of the road. Such signs shall read as follows:

**SCENIC ROAD
POSTED SPEED LIMIT STRICTLY ENFORCED**

Sec. 17-114. Rescission.

(a) The designation of a highway or a portion thereof as a Scenic Road may be rescinded by the Common Council by ordinance using the same of the above procedures as was used for the designation, and provided that the owners of the majority of the lot frontage abutting the highway or a portion of the highway concur with such rescission as set forth in this Article. No designation of a highway or portion of a highway as a Scenic Road may be rescinded, and no petition or request for such rescission may be filed, for at least two (2) years after the effective date of the ordinance so designating such

highway or portion thereof as a Scenic Road. No designation of a highway or portion of a highway as a Scenic Road may be rescinded unless the highway or portion thereof to be rescinded is at least one-half (1/2) mile in length.

Sec. 17-115. Application for Alterations.

(a) Preservation Objective. The City shall maintain its Scenic Roads in good and sufficient repair and in passable condition. Routine maintenance and the regulation of future alterations and improvements of designated highways shall be carried out so as to preserve to the highest degree possible the scenic characteristics of the highway which are indicated in the records of the Common Council as the bases for its designation as a Scenic Road.

(b) Routine Road Maintenance. Such maintenance shall include removal of dead and seriously diseased or damaged trees and branches of trees; trimming of the tree branches that encroach on the travelled portion of the highway below the height needed to allow school buses and emergency vehicles to pass; trimming or removal of brush and removal of boulders or other obstacles that encroach on the travelled portion of the road; necessary trimming for utility lines; trimming of brush to enhance and protect scenic views, stone walls, mature trees and other characteristics of the Scenic Road set forth in the decision designating it a Scenic Road; correction of drainage problems; and graveling, retreatment and repair of existing roadway surfaces. Routine road maintenance shall not require approval by the Common Council, except that the Mayor shall be notified of contemplated routine maintenance to a Scenic Road at least one (1) week before it is scheduled to commence.

(c) Natural disasters. In the case of a natural disaster or emergency in which a road becomes impassable or unsafe for public travel and access must be provided, emergency repairs may be made as needed to restore the highway or portion of highway to its pre-emergency condition.

(d) Alterations or improvements - procedure. As used in this article, the terms "alteration" and "improvement", shall include widening of the right-of-way or of the travelled portion of the highway, paving, changes of grade, straightening, removal of stone walls or mature trees within the road right-of-way, and all other improvements within said right-of-way except routine maintenance as defined in subsection (b) of this section. The alteration or improvement of a designated Scenic Road shall be determined by the Common Council. Any Proposal for alteration or improvement whether by a public or private applicant, shall be submitted to the Common Council, along with a suitable map showing in detail the proposed alteration or improvement. At its next regularly scheduled meeting after submission of the proposal, the Common Council shall refer the proposal to the Planning Commission. If it deems necessary, the Planning Commission may require the applicant to submit engineering or other technical reports documenting the need for the alteration or improvement and offering potential alternative solutions. The Planning Commission may hold a public hearing on the application. The

31

Planning Commission shall submit findings of fact, the minutes of any hearing, and a recommendation to the Common Council within thirty-five (35) days after the submission of the proposal to it by the Common Council. Within thirty-five (35) days after receiving the Planning Commission's report, the Common Council shall hold a public hearing on the application. The Common Council shall consider the Planning Commission's findings of fact and recommendation in making its determination, provided that the Common Council shall approve an alteration or improvement involving widening of a Scenic Road which the Planning Commission has recommended, disapproving only upon a two-thirds vote of the Common Council. In making its determination, the Common Council shall consider the opinion of the City Engineer. Final action on the application shall be taken within forty-five (45) days after the public hearing held by the Common Council.

(e) Standards for alteration. No alterations or improvements to a Scenic Road or portion thereof (other than routine maintenance) shall be made unless the Common Council determines that such alterations or improvements are necessary to maintain the road in good and sufficient repair and in reasonably safe condition for public travel. The Common Council shall not grant an application to improve or alter a Scenic Road or portion thereof to accommodate a proposed subdivision or development of land to which the Scenic Road would provide access unless the Common Council determines that such alteration or improvement will not have a material adverse effect on the scenic characteristics of the highway which formed the bases for its designation as a Scenic Road, or unless the Common Council, upon the advice of the Corporation Counsel determines that a refusal to permit such alteration or improvement would result in a violation of Article I, Section 11 of the Connecticut Constitution. In determining whether to allow proposed improvements or alterations, the Planning Commission and the Common Council shall take into account the specific safety features of the proposed change, the overall impact of the proposed change on the Scenic Road, and the public response to the proposed change. Any decision by the Common Council to alter or improve a Scenic Road shall reflect the least possible damage to the scenic character of the highway. If alterations or improvements to a Scenic Road are required, then they shall conform to the following requirements:

- (1) Speed Limits. Scenic values are correlated with lower speeds. The speed limit established by the City for a scenic road shall be clearly posted and strictly enforced.
- (2) Curves. Scenic values are correlated with the existence of curves, which allow a constant unfolding of new and changing views. Curves shall not be eliminated unless they are found to be a definite traffic safety hazard.
- (3) Grades. Hills and valleys are correlated with scenic values. They shall not be altered by cut and fill

operations unless such operations are found to be necessary to insure road safety.

- (4) Widths. A narrow road is correlated with high scenic beauty. Designated highways shall not be widened unless the amount of traffic, as determined by a factual study, demands it in order to eliminate or lessen existing or potential safety hazards. For some rural roads, the amount of traffic that can be handled can be greatly increased by wide by-passes and turn-outs, constructed at intervals where they do least damage to scenic and other values; such by-passes and turn-outs shall be created wherever possible as a safe alternative to road widening.
- (5) Side slopes. Existing steepness of side slope is preferable to reduction of gradient by extensive removal of soil and rock and shall be preserved wherever possible. This is especially true where the slope is fully stabilized and where it is rich with existing ground cover, shrubs and trees.
- (6) Utility Lines. Wherever possible and whenever financially feasible, utility lines shall be put underground. Where such lines are overhead, the utility corporations shall cooperate by suitable vegetation management techniques which preserve wild flowers and shrubs and replace those disturbed by construction activity.
- (7) Vegetation. Vegetation on the side of the road shall be managed in such a way as to preserve wild flowers, permissible shrubs of ornamental and wildlife value, and trees. Overarching isolated trees and the canopy of a closed forest can have extremely high scenic value.
- (8) Stone Walls. If stone walls or portions thereof must be removed, they shall be rebuilt along the untravelled portion of the Scenic Road.
- (9) Non-scenic activities and structures shall be forbidden. Said prohibition shall include the installation or establishment of billboards, sand, gravel and salt piles, refuse disposal, and other similar uses of the road right-of-way which interfere with the scenic character of the road. Nothing herein shall be deemed to prevent the placement of sand barrels, refuse containers or recycling containers within the right of way of any scenic road.

(f) Paving Criteria. No Scenic Road may be paved unless the Common Council passes a resolution to the effect that there is no reasonable alternative to the improvement or alteration of the road other than paving. Such resolution shall be based upon certification by the City Engineer or the Director of Public Works that there is no reasonable alternative to the improvement or alteration of the road other than paving, and

that the alteration or improvement by paving is necessary to maintain the road in good and sufficient repair and in reasonably safe condition for travel. Any paving of a Scenic Road in accordance with this subsection or any work to be done in connection with such paving shall not commence before sixty (60) days after the date of the resolution of the Common Council in accordance with the provisions of this subsection. Before any alteration or improvement may be made to a road pursuant to this subsection, all other requirements and procedures of Section 17-115 of this Article must also be complied with.

(g) Rights of Landowners. Nothing in this Article shall be deemed to prohibit a person owning or occupying land abutting the highway or portion thereof designated as a Scenic Road from: (1) maintaining, repairing, altering or improving land which abuts the road so designated if such activity occurs on land outside of the right-of-way, paved or unpaved, of the Scenic Road, or (2) having access to his or her property by driveway or subdivision road by encroachment within the rights-of-way, provided that such encroachment is constructed so as to safeguard the highway's scenic features as recorded by the Common Council.

Nothing herein shall prohibit a landowner from permanently removing a portion of a stone wall in order to construct or improve a driveway or, in the case of a subdivision, to connect a subdivision road with a designated Scenic Road.

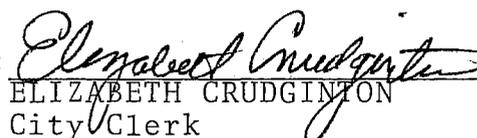
The City shall provide notice of any proposal to amend this ordinance to all owners of property on any road any portion of which has been designated as scenic. Said notice shall be mailed to such owner's address as shown in the last-completed grand list of the City or at any later address of which the common council may have knowledge, not less than ninety days prior to any action on said proposal.

Sec. 17-116. Enforcement. This Article shall be enforced by the Danbury Department of Planning and Zoning.

Violation of this Article shall be subject to a fine not exceeding One Hundred Dollars (\$100) per day for each day the violation continues, and such other legal remedies as may be available to the City.

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

Adopted by the Common Council - August 4, 1992
Approved by Mayor Gene F. Eriquez - August 5, 1992

ATTEST: 
ELIZABETH CRUDGINTON
City Clerk



31

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Purchasing and Bidding Procedures

The Common Council met as a committee of the whole at 7:50 P.M. on July 23, 1992 to review a proposed ordinance concerning purchasing and bidding procedures. This proposal deals with expenditures of \$5,000 and details the bidding procedure necessary.

Mr. Charles moved to recommend approval of the proposed ordinance. Seconded by Dean Esposito. Motion carried unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

August 4, 1992

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

THAT subsection (a) of Section 2-146 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-146. Purchasing and bidding procedure.

(a) If the amount of the expenditure, purchase or contract for purchasing, including a continuing order of contract for the purchase of the same commodity over a period of twelve (12) months, involves the expenditure of five thousand dollars (\$5,000.00) or more for a list of related items commonly sold by the same vendors, the purchasing agent shall invite sealed bids or proposals, giving at least five (5) days' public notice thereof by publication at least once in a newspaper having circulation in the city, by invitations mailed to known vendors and by posting on a public bulletin board in the office of the purchasing agent. All invitations to bid shall include detailed specifications or indicate where they can be obtained, shall specify the time and place where the bids shall be filed, the time and place where bids shall be opened and the time after opening within which an award will be made or all bids rejected. The requirements for public notice and sealed bids concerning a purchase may be waived by the common council after a determination that it is in the best interest to do so. The foregoing provisions of this subsection notwithstanding, invitations for sealed bids or proposals, at the discretion of the purchasing agent, shall not be required for contracts for services or where the proportion of services to materials for a particular job is at least seventy percent (70%) labor.

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

Adopted by the Common Council - August 4, 1992
Approved by Mayor Gene F. Eriquez - August 6, 1992

ATTEST: *Elizabeth Crudginton*
ELIZABETH CRUDGINTON
City Clerk



38

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 27, 1992

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

Re: Policy for the Designation of Road Name Changes

The committee appointed to establish a policy for the designation of road name changes met at 7:00 P.M. on July 27, 1992 in the Fourth Floor Lobby of City Hall. In attendance were committee members Setaro, Dennehy and Boughton. Also in attendance were Common Councilwoman Deborah Gogliettino, ex-officio and Mr. Hugh Morgan and Mr. Michael Seri.

Mr. Setaro explained that the charge of the committee was to establish a policy regarding the naming of roadways and to then determine how the policy would be applied to the request by the Lions Club of Danbury to designate Lions Way.

A draft resolution was presented for the review of the committee. The resolution stated in part that local civic clubs are encouraged to engage in civic enterprises within our City, that the Common Council may recognize these clubs for their endeavors where this recognition could include the naming of unnamed roadways, and examples of appropriate projects for such recognition are improvements made to little league baseball fields in Rogers Park by the Exchange Club of Danbury and the tree planting program initiated by the Lions Club of Danbury.

Ms. Dennehy moved that the policy in the form of a resolution be adopted. Seconded by Mr. Boughton. Motion passed unanimously.

Mr. Boughton stated that he felt that the Rogers Park tree planting project of the Lions Club of Danbury could be recognized under this policy. Mr. Boughton moved to designate as Lions Way that presently unnamed roadway in Rogers Park, located between the tennis courts and softball field. Seconded by Ms. Dennehy. Motion passed unanimously.

Respectfully submitted,

Christopher Setaro
CHRISTOPHER SETARO, Chairman

Kathleen Dennehy
KATHLEEN DENNEHY

Donald W. Boughton
DONALD BOUGHTON



30

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 27, 1992

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

Re: Policy for the Designation of Road Name Changes

The committee appointed to establish a policy for the designation of road name changes met at 7:00 P.M. on July 27, 1992 in the Fourth Floor Lobby of City Hall. In attendance were committee members Setaro, Dennehy and Boughton. Also in attendance were Common Councilwoman Deborah Gogliettino, ex-officio and Mr. Hugh Morgan and Mr. Michael Seri.

Mr. Setaro explained that the charge of the committee was to establish a policy regarding the naming of roadways and to then determine how the policy would be applied to the request by the Lions Club of Danbury to designate Lions Way.

A draft resolution was presented for the review of the committee. The resolution stated in part that local civic clubs are encouraged to engage in civic enterprises within our City, that the Common Council may recognize these clubs for their endeavors where this recognition could include the naming of unnamed roadways, and examples of appropriate projects for such recognition are improvements made to little league baseball fields in Rogers Park by the Exchange Club of Danbury and the tree planting program initiated by the Lions Club of Danbury.

Ms. Dennehy moved that the policy in the form of a resolution be adopted. Seconded by Mr. Boughton. Motion passed unanimously.

Mr. Boughton stated that he felt that the Rogers Park tree planting project of the Lions Club of Danbury could be recognized under this policy. Mr. Boughton moved to designate as Lions Way that presently unnamed roadway in Rogers Park, located between the tennis courts and softball field. Seconded by Ms. Dennehy. Motion passed unanimously.

BO

Respectfully submitted,

CHRISTOPHER SETARO, Chairman

KATHLEEN DENNEHY

DONALD BOUGHTON

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury encourages local civic clubs to engage in civic enterprises within the City; and

WHEREAS, the City of Danbury and the Common Council will entertain requests to engage in civic enterprises by local civic clubs; and

WHEREAS, the City of Danbury and the Common Council may recognize local civic clubs for their civic enterprises and efforts to improve the City from the date of the adoption of this resolution forward; and

WHEREAS, such recognition may include the naming of unnamed roadways within the City as well as any other manner of recognition deemed appropriate by the Common Council; and

WHEREAS, examples of civic enterprises deemed appropriate for purposes of the above-referenced policy involving local civic clubs include the approval granted by the Common Council to the Exchange Club of Danbury to engage in improvements to Little League baseball fields in Rogers Park which would benefit the residents of the City of Danbury, and the Rogers Park tree planting program initiated by the Lions Club of Danbury and supervised by the Forestry Department of the City of Danbury.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Danbury that the City of Danbury does hereby establish a policy of encouraging local civic clubs to engage in civic enterprises for the benefit of the residents of the City of Danbury.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Relocation Claims

The Common Council Committee appointed to review relocation claims of Robert Paris, owner of the Decorator Emporium, met on July 28, 1992 at 7:37 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Arconti and Fazio. Also in attendance were Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Director of Welfare Deborah MacKenzie and Carl Nehring.

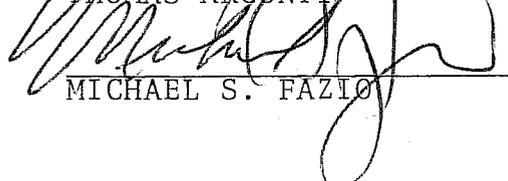
Mr. Arconti made a motion to waive the rules in order to obtain background information from those in attendance. The motion was seconded by Mr. Fazio and passed unanimously. Ms. MacKenzie and Mr. Pinter and Relocation Officer Nehring presented the history and details of the claim from Robert Paris dating back to 1985. The amount of \$9,462 was deemed a justifiable one because of lost revenue from leased property and in accordance with the Uniform Relocation Assistance Act. Through further questions from the committee and clarification of the claim, it was determined to approve the claim because of the extensive research conducted.

Mr. Arconti moved to recommend payment of \$9,462 to Mr. Paris, pending certification of funds from the Director of Finance. Seconded by Mr. Fazio. Motion carried unanimously.

Respectfully submitted,


HARRY W. SCALZO, Chairman


THOMAS ARCONTI


MICHAEL S. FAZIO



39

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 29, 1992

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

CERTIFICATION #3

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

We hereby certify the availability of \$9,462.00 to be transferred from the Contingency Fund to the Welfare Relocation account #02-05-100-029504.

Balance of Contingency Fund	\$829,577.67
Less this request	<u>9,462.00</u>
Balance	\$820,115.67

Dominic A. Setaro, Jr.
Dominic A. Setaro, Jr. *DAS*

DAS/jg



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Relocation Claims

The Common Council Committee appointed to review relocation claims or Robert Paris, owner of the Decorator Emporium, met on July 28, 1992 at 7:37 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Arconti and Fazio. Also in attendance were Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Director of Welfare Deborah MacKenzie and Carl Nehring.

Mr. Arconti made a motion to waive the rules in order to obtain background information from those in attendance. The motion was seconded by Mr. Fazio and passed unanimously. Ms. MacKenzie and Mr. Pinter and Relocation Officer Nehring presented the history and details of the claim from Robert Paris dating back to 1985. The amount of \$9,462 was deemed a justifiable one because of lost revenue from leased property and in accordance with the Uniform Relocation Assistance Act. Through further questions from the committee and clarification of the claim, it was determined to approve the claim because of the extensive research conducted.

Mr. Arconti moved to recommend payment of \$9,462 to Mr. Paris, pending certification of funds from the Director of Finance. Seconded by Mr. Fazio. Motion carried unanimously.

Respectfully submitted,

HARRY W. SCALZO, Chairman

THOMAS ARCONTI

MICHAEL S. FAZIO



40

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Master Plan of Development for Tarrywile Park

The Common Council met as a committee of the whole at 7:50 P.M. on July 23, 1992 to review the proposed Master Plan of Development for Tarrywile Park. Chairman of the Tarrywile Park Commission, Robert Lovell, explained the status of the park and plans for its improvement in the future.

After discussion, Mr. Fazio moved to take no action at this time, pending a recommendation of the Planning Commission. The motion was seconded by Mrs. Coladarci and passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



46

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Master Plan of Development for Tarrywile Park

The Common Council met as a committee of the whole at 7:50 P.M. on July 23, 1992 to review the proposed Master Plan of Development for Tarrywile Park. Chairman of the Tarrywile Park Commission, Robert Lovell, explained the status of the park and plans for its improvement in the future.

After discussion, Mr. Fazio moved to take no action at this time, pending a recommendation of the Planning Commission. The motion was seconded by Mrs. Coladarci and passed unanimously.

Respectfully submitted,

JOSEPH DaSILVA, Chairman



41

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

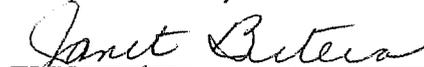
Re: Agreement for Payment of Bill between the City of
Danbury and Harold Garafola

The meeting was called to order on July 16, 1992 at 7:00 P.M. In attendance were committee members Butera and Cipriani. Mr. Fazio was absent. Also in attendance were Harold Garafalo and Rick Smith.

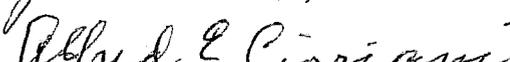
There was no question about the removal of the tree in front of the Garafalo home which was on City property. The tree was removed in 1988. The roots from this tree stretched underneath the sidewalk into the front of the lawn. The City removed the stump 60-90 days after the tree was removed. At that time the City had its crews out to do the stump removal as told by Mr. Smith. The City repaired the sidewalk at both time with black top. Mr. Garafalo claims that he had another tree company return to remove more of the roots. The City was called again to repair the sidewalk. The City would at that time repair sections of the sidewalk with blacktop. Mr. Garafola did not like this because it was not pleasing to the eye. Calling it a not a curbside appeal for resale of the home. He claims that someone from the City promised reimbursement for materials if he put in the sidewalk himself. He claims this person told him there was no money in the budget at that time but to submit the bill when the money was available.

The committee agreed that Mr. Garafola go to the person who gave him this information and get it in writing and then the committee would act on the claim.

Respectfully submitted,



JANET A. BUTERA, Chairman



ALFRED CIPRIANI



MICHAEL S. FAZIO



CITY OF DANBURY

42

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Request for Sewer Extension - McKay Road

The Common Council Committee appointed to review the request for sewer extension on McKay Road met on July 16, 1992 at 8:00 P.M. in City Hall. In attendance were committee members Arconti, Coladarci and Boughton. Also in attendance were Jack Schweitzer, Bill Buckley, Mario Ricoszi and Michael Mazucco, the applicants.

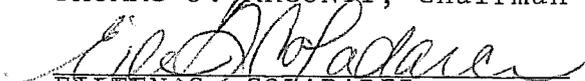
Mr. Arconti read into the record the Planning Commission approval of the sewer extension. Mr. Boughton moved to waive the rules. Seconded by Mrs. Coladarci and passed unanimously.

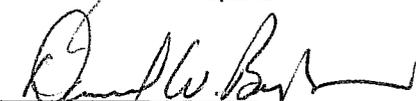
Mr. Mazucco gave a brief explanation of his proposed project to which there was no objection. Mr. Schweitzer stated that the sewer line would be placed as deep as possible to accomodate as much future extension as possible on the downgrade end of McKay Road.

Mrs. Coladarci moved to recommend that the sewer extension be approved subject to the normal eight steps. Seconded by Mr. Boughton. The motion passed unanimously.

Respectfully submitted,


THOMAS J. ARCONTI, Chairman


EILEEN S. COLADARCI


DONALD BOUGHTON



412

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Request for Sewer Extension - McKay Road

The Common Council Committee appointed to review the request for sewer extension on McKay Road met on July 16, 1992 at 8:00 P.M. in City Hall. In attendance were committee members Arconti, Coladarci and Boughton. Also in attendance were Jack Schweitzer, Bill Buckley, Mario Ricoszi and Michael Mazzucco, the applicants.

Mr. Arconti read into the record the Planning Commission approval of the sewer extension. Mr. Boughton moved to waive the rules. Seconded by Mrs. Coladarci and passed unanimously.

Mr. Mazzucco gave a brief explanation of his proposed project to which there was no objection. Mr. Schweitzer stated that the sewer line would be placed as deep as possible to accomodate as much future extension as possible on the downgrade end of McKay Road.

Mrs. Coladarci moved to recommend that the sewer extension be approved subject to the normal eight steps. Seconded by Mr. Boughton. The motion passed unanimously.

Respectfully submitted,

THOMAS J. ARCONTI, Chairman

EILEEN S. COLADARCI

DONALD BOUGHTON



43

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Dancon Acquisitions

The Common Council Committee appointed to review the acquisition of the Dancon Water System met at 7:00 P.M. on July 15, 1992 in City Hall. In attendance were committee members Dennehy and Falzone. Also in attendance were Council Member Dean Esposito (ex-officio) Bill Buckley, Jack Schweitzer, Eric Gottschalk, Dominic Setaro and Lynn Waller. Mr. Boughton was absent.

Mr. Falzone made a motion to waive the rules to allow all those present to speak. Seconded by Miss Dennehy and passed unanimously. Mr. Buckley gave the history of the water systems. There are 6 Dancon systems in Danbury located on Briar Ridge, Ridgebury Estates, Willow Run, Middle River Road, Ridgeview Gardens and Sherwood Forest. Mr. Buckley explained that the City has been negotiating with Sam Showah, the owner of the systems for over a year. Mr. Showah has made a proposal of \$200,000 for the City to acquire the systems. Mr. Buckley predicted the possibility of selling some of the lots within the system to offset the expense of maintaining the water systems. There are about 21 property lots in this system.

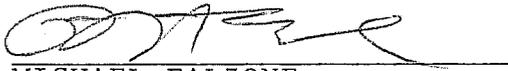
Mr. Esposito asked if the money gained from the sale of some of these lots could be put into the General Fund. Dominic Setaro stated that the money would stay in the Water Department. The estimated cost to upgrade these systems to City standard is \$2,000,000. There are over 350 residents that will be effected by the purchase of the system. The residents at the previous meeting were in favor of the City acquiring the system. Mr. Setaro mentioned that, in the past, the City has been ordered by the Department of Health Services and the Department of Public Utilities Control to take over systems maintained by private companies. Mr. Buckley estimated a per year revenue from these systems of 53,000 - 57,000. He said that the reason he is interested is that it is a public service to provide water to the residents of Danbury. There would be no connection fee to these residents if the City purchased the system. They can operate as their own public system. Mr. Buckley stated that there are about 31 private systems in Danbury.

LB

Mr. Falzone made a motion to approve the acquisition of Dancon Water System, not to exceed \$200,000 to come from the surplus Water Fund pending certification. Seconded by Miss Dennehy. Motion carried unanimously.

Respectfully submitted,


KATHLEEN DENNEHY, Chairman


MICHAEL FALZONE


DONALD BOUGHTON



LIB

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Dancon Acquisitions

The Common Council Committee appointed to review the acquisition of the Dancon Water System met at 7:00 P.M. on July 15, 1992 in City Hall. In attendance were committee members Dennehy and Falzone. Also in attendance were Council Member Dean Esposito (ex-officio) Bill Buckley, Jack Schweitzer, Eric Gottschalk, Dominic Setaro and Lynn Waller. Mr. Boughton was absent.

Mr. Falzone made a motion to waive the rules to allow all those present to speak. Seconded by Miss Dennehy and passed unanimously. Mr. Buckley gave the history of the water systems. There are 6 Dancon systems in Danbury located on Briar Ridge, Ridgebury Estates, Willow Run, Middle River Road, Ridgeview Gardens and Sherwood Forest. Mr. Buckley explained that the City has been negotiating with Sam Showah, the owner of the systems for over a year. Mr. Showah has made a proposal of \$200,000 for the City to acquire the systems. Mr. Buckley predicted the possibility of selling some of the lots within the system to offset the expense of maintaining the water systems. There are about 21 property lots in this system.

Mr. Esposito asked if the money gained from the sale of some of these lots could be put into the General Fund. Dominic Setaro stated that the money would stay in the Water Department. The estimated cost to upgrade these systems to City standard is \$2,000,000. There are over 350 residents that will be effected by the purchase of the system. The residents at the previous meeting were in favor of the City acquiring the system. Mr. Setaro mentioned that, in the past, the City has been ordered by the Department of Health Services and the Department of Public Utilities Control to take over systems maintained by private companies. Mr. Buckley estimated a per year revenue from these systems of 53,000 - 57,000. He said that the reason he is interested is that it is a public service to provide water to the residents of Danbury. There would be no connection fee to these residents if the City purchased the system. They can operate as their own public system. Mr. Buckley stated that there are about 31 private systems in Danbury.

LB

Mr. Falzone made a motion to approve the acquisition of Dancon Water System, not to exceed \$200,000 to come from the surplus Water Fund pending certification. Seconded by Miss Dennehy. Motion carried unanimously.

Respectfully submitted,

KATHLEEN DENNEHY, Chairman

MICHAEL FALZONE

DONALD BOUGHTON



43

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 21, 1992

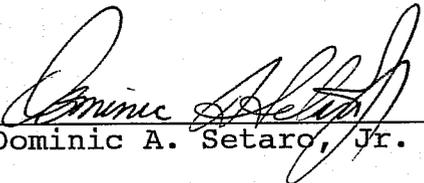
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

CERTIFICATION

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

RE: Water Fund Fund Balance (Surplus)

I hereby certify the availability of \$200,000 to be transferred from the Water Fund fund balance (surplus) to the line item in the water budget entitled, "Land and Land Rights", Account #10-01-340-000000. These funds will be used to purchase the Dancon Water Systems.



Dominic A. Setaro, Jr.

DAS/jg

43

Docket No. 90-11-17
Late Filed Ex. 13

**PROPOSAL TO CITY OF DANBURY
FROM DANCON CORPORATION
FOR THE SALE OF WATER SYSTEMS**

CITY OF DANBURY
PUBLIC UTILITIES
JUN 20 1992
Deputy City _____
Permanent _____
File Code _____

Dancon Corporation ("Dancon"), acting herein by its president, Samuel Showah, Jr., duly authorized, hereby offers to the City of Danbury all water systems owned by it and located within the Danbury city limits.

PROPERTY TO BE CONVEYED

1. All real property consisting of well lots and lots containing pump houses on various streets within Danbury as more particularly described by assessor's list number on Schedule A attached hereto. This property as of October 1, 1991, had an assessed value of \$292,700. At the 70% assessment level, this property has a market value equal to \$418,143. Many of these well lots will be rendered nonessential to the water system once Danbury connects the customers to its municipal water system.

2. All wells, pumps, pump houses, switching equipment, electronic controls, transmission and distribution mains.

Customers

Dancon currently owns and operates eight water systems within the Danbury city limits. They are:

1. Ridgeview Gardens;
2. Briar Ridge;
3. Ridgebury Estates;

- 43
4. Sherwood Forest;
 5. Willow Run;
 6. Deerfield;
 7. Deer Park;
 8. Birchwood

According to a study conducted by Roald Haested, Inc., all but the Ridgeview Gardens system can be feasibly interconnected with the Danbury Water Department mains. Briar Ridge and Ridgebury Estates can be connected to the Danbury system with minimal expense and the wells which serve these systems can be immediately abandoned. (See Haested report dated November 1991 and revised April 1992, Page S-1.)

The eight systems will bring a total of 351 additional customers to Danbury.

Purchase Price

Dancon is offering the eight systems to the City of Danbury at a firm price of \$200,000. This figure provides no return on investment for the stockholders of Dancon and represents less than one-half of the real estate value (\$418,143) alone.

Other Conditions

1. Dancon will be responsible for all accrued liabilities and will retain ownership of all accounts receivable related to these systems.

2. The transfer of the systems to Danbury is subject to approval of the Connecticut Department of Public Utility Control.

We look forward to finalizing the transfer of our water systems to the City of Danbury.

Dancon Corporation

By /s/ Samuel Showah, Jr.
Samuel Showah, Jr.,
Its President

DANCON CORP.
3/30/92

LB

Prepared By	Initials	Date
Approved By		

	1	2	3	4
4830 15607 FRANDON DR	420000	WELL LOT	4.4	ACRES LOT 5
4831 117059 SE OLDS RD	469000	WELL LOT	1.048	ACRES
4832 117060 " "	469000	WELL LOT	1.051	ACRES
4836 D17031 NOTEWORTHY	76000	WELL LOT		
4837 D17016 ROLFS DRIVE	60000	WELL LOT		
4838 D17033 NOTEWORTHY	50000	WELL LOT		
4839 D17015 ROLFS DRIVE	64000	WELL LOT		
4840 D09117 SCHOOLHOUSE	450000	WELL LOT		.94 ACRES
4841 D09118 SCHOOLHOUSE	455000	WELL LOT		.94 ACRES
4842 D09119 SCHOOLHOUSE	670000	PUMP HOUSE		
4843 C17067 ADVOCATE PL	200000	WELL LOT		
4844 C17027 BENSON DR	120000	WELL LOT		A - 7 ACRES
4845 C17041 UNION GIRCLE	160000	WELL LOT		
4846 C06044 CUSHING DR	40000	WELL LOT		
4848 C06044 CUSHING DR	180000	WELL LOT		
4849 C06033 CUSHING DR	40000	WELL LOT		
485 C06071 ROBINHOOD	210000	WELL LOT		
4851 C06070 ROBINHOOD	210000	WELL LOT		
4853 C07006 DANIELS DR	156000	WELL LOT		2.286 ACRES LOT #
4856 B17017 FLATIRON TURN	10000	WELL LOT		40000
	2920000			



44

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

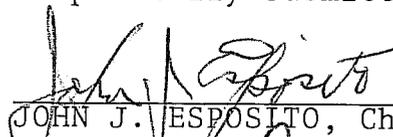
Re: Proposal for renumbering of Streets

The Common Council Committee appointed to review the proposal from the Danbury Postal Service for renumbering of Danbury City streets met on July 28, 1992 in City Hall. In attendance were committee members John Esposito and Kathy Dennehy. Mr. Boughton was unable to attend. Also in attendance were Assistant Planner Susan DeCina and William Doran of the Post Office.

Mr. Doran spoke of the concerns of the Postal Service concerning duplicate street names and unnumbered out of sequence street numbers. He also spoke of the benefits of renumbering and adding identifiers to duplicate street names explaining that the postal service is processing more mail via automation and good address hygiene is the key to delivering mail to its intended address without delay. The work would also benefit the entire community including the Fire Department, Police Department and Tax Collector's Office.

Ms. Dennehy suggested that the Postal Service and the Planning Department work together and take the City streets on the basis of importance and when the work is completed present it to the Common Council for approval and possible public input. The suggestion was offered in the form of a motion. Seconded by John Esposito and passed unanimously.

Respectfully submitted,



JOHN J. ESPOSITO, Chairman



KATHLEEN DENNEHY



DONALD BOUGHTON



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Proposal for renumbering of Streets

The Common Council Committee appointed to review the proposal from the Danbury Postal Service for renumbering of Danbury City streets met on July 28, 1992 in City Hall. In attendance were committee members John Esposito and Kathy Dennehy. Mr. Boughton was unable to attend. Also in attendance were Assistant Planner Susan DeCina and William Doran of the Post Office.

Mr. Doran spoke of the concerns of the Postal Service concerning duplicate street names and unnumbered out of sequence street numbers. He also spoke of the benefits of renumbering and adding identifiers to duplicate street names explaining that the postal service is processing more mail via automation and good address hygiene is the key to delivering mail to its intended address without delay. The work would also benefit the entire community including the Fire Department, Police Department and Tax Collector's Office.

Ms. Dennehy suggested that the Postal Service and the Planning Department work together and take the City streets on the basis of importance and when the work is completed present it to the Common Council for approval and possible public input. The suggestion was offered in the form of a motion. Seconded by John Esposito and passed unanimously.

Respectfully submitted,

JOHN J. ESPOSITO, Chairman

KATHLEEN DENNEHY

DONALD BOUGHTON



45

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Request for Sewer and Water Extension - Eagle Road and
International Drive

The Common Council Committee appointed to review the request for sewer and water extension on Eagle Road and International Drive met at 7:00 P.M. on July 27, 1992 in City Hall. In attendance were committee members Boynton, Cipriani and Boughton. Also in attendance were Superintendent of Public Utilities William Buckley, Attorney Bobby Payne representing Danbury Still River Assoc. Limited Partnership and Ms. Ginny Williamson-Greene of Consultants and Engineers.

The committee was advised that it had received a Planning Commission recommendation for approval. This project had been reviewed and approved in February, 1990 and needed this reapproval due to the 18 month time limit for approvals. Mr. Buckley gave a favorable recommendation for the proposal, subject to the normal eight steps.

Mr. Boughton made a motion to approve the sewer and water extension request subject to the normal eight steps. Seconded by Mr. Cipriani. Motion carried unanimously.

Respectfully submitted,


ERNEST BOYNTON, Chairman


ALFRED CIPRIANI


DONALD BOUGHTON



45

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Request for Sewer and Water Extension - Eagle Road and
International Drive

The Common Council Committee appointed to review the request for sewer and water extension on Eagle Road and International Drive met at 7:00 P.M. on July 27, 1992 in City Hall. In attendance were committee members Boynton, Cirpriani and Boughton. Also in attendance were Superintendent of Public Utilities William Buckley, Attorney Bobby Payne representing Danbury Still River Assoc. Limited Partnership and Ms. Ginny Williamson-Greene of Consultants and Engineers.

The committee was advised that it had received a Planning Commission recommendation for approval. This project had been reviewed and approved in February, 1990 and needed this reapproval due to the 18 month time limit for approvals. Mr. Buckley gave a favorable recommendation for the proposal, subject to the normal eight steps.

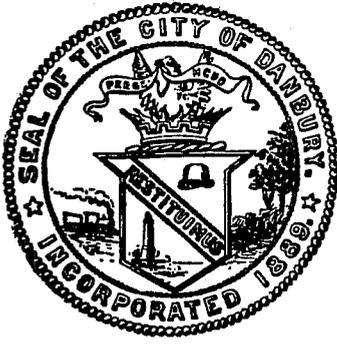
Mr. Boughton made a motion to approve the sewer and water extension request subject to the normal eight steps. Seconded by Mr. Cipriani. Motion carried unanimously.

Respectfully submitted,

ERNEST BOYNTON, Chairman

ALFRED CIPRIANI

DONALD BOUGHTON



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury encourages local civic clubs to engage in civic enterprises within the city; and

WHEREAS, the City of Danbury and the Common Council will entertain requests to engage in civic enterprises by local civic clubs; and

WHEREAS, the City of Danbury and the Common Council may recognize local civic clubs for their civic enterprises and efforts to improve the city from the date of the adoption of this resolution forward; and

WHEREAS, such recognition may include the naming of unnamed roadways within the city as well as any other manner of recognition deemed appropriate by the Common Council; and

WHEREAS, examples of civic enterprises deemed appropriate for purposes of the above-referenced policy involving local civic clubs include the approval granted by the Common Council to the Exchange Club of Danbury to engage in improvements to Little League baseball fields in Rogers Park which would benefit the residents of the City of Danbury, and the Rogers Park tree planting program initiated by the Lions Club of Danbury to honor deceased Lions, supervised by the Forestry Department of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Danbury that the City of Danbury does hereby establish a policy of encouraging local civic clubs to engage in civic enterprises for the benefit of the residents of the City of Danbury.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 4, 1992

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

Re: Capital Improvement Plan and Dam Improvement Program

The Common Council Committee to review a proposed bond issue met at 7:40 P.M. on July 15, 1992. In attendance were committee members Joseph DaSilva, Scozzafava and Dean Esposito. Also in attendance were Mayor Gene F. Eriquez, Superintendent of Public Utilities William Buckley, Director of Public Works Jack Schweitzer, Director of Finance Dominic Setaro, Director of Planning Dennis Elpern and Corporation Counsel Eric Gottschalk.

A presentation was made by the various City officials on items proposed for public improvements to be implemented through a bond issue. One part of these improvements is proposed for the improvement of five dams in the City of Danbury. The City is under a Department of Environmental Protection Consent Order for the repair of these dams. These repairs have been mandated with a timetable for completion. The cost of these repairs is \$4,300,000.

The second part of the proposal deals with ten and twenty year projects in a number of areas in various City departments. These include Fire Department vehicles and building, Police Department building, vehicle replacement, public works equipment, library improvements, Parks Department building, Rogers Park field improvements, Highway Department roof, City Hall H.V.A.C. improvements and the rebuilding and paving of highways. The cost of these projects is \$4,400,000.

All the items proposed are in the Five Year Capital Plan and come from prioritized requests from the various department heads in the City. They are projects that have not been able to be accomplished through the regular budget process over the past several years. Besides providing for long term needs of the City, they will put money into the local economy and bring jobs to Danbury. This bond issue has been structured so that no additional tax revenue will be needed. All costs will be covered by retiring debt service. The ten year projects have been set so that there will be no need for short term borrowing, therefore no interest costs will be incurred.

After discussion, the committee decided that this bond proposal will be of significant value to the City of Danbury. It will meet a number of long term needs without a further tax burden on our citizens. The upgrading and replacement aspects will cause savings in upkeep and maintenance in the future.

Mr. Esposito moved to recommend two ordinances, as prepared by Bond Counsel, authorizing the issuance of bonds for (1) various public improvements totaling \$4,400,000 and (2) a water improvement program/dams for \$4,300,000 be approved. Seconded by Mr. Scozzafava and passed unanimously.

Respectfully submitted,

JOSEPH DaSILVA, Chairman

DEAN E. ESPOSITO

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

June 22, 1992

MEMO TO: Hon. Gene F. Eriquez
FROM: Dominic A. Setaro, Jr.
Director of Finance
RE: Bond Issue

At your request, I have reviewed the City's bond principal and interest payments to be made over the next two fiscal years, 1993-94 and 1994-95. As you know, you will be proposing to the Common Council a plan that will use retiring debt service to pay for new debt service.

For the fiscal year 1993-94, there will be a reduction in General Fund debt service in the amount of \$363,971. For the fiscal year 1994-95, there will be a reduction of \$160,522. These two amounts will allow us to issue debt over a two-year time period at \$524,493. It would appear that the best way to approach this would be to issue debt that is both 10-year and 20-year obligations. This would allow us to issue approximately \$4,400,000 worth of debt.

The plan would be to sell the 10-year debt, \$1,400,000, and one-half of the 20-year debt, \$1,500,000, at the same time. The \$1,500,000 balance of the 20-year debt would be sold approximately one year later. Based on the estimated rate of interest and principal payment, we would be obligated to pay approximately \$533,000 estimated debt service which is slightly higher than the reduction. The first year amount would be \$374,500 and year 2 would be \$157,500. The intent behind the 10-year debt would be to take care of items such as equipment which we have not replaced in the last two fiscal year budgets. This will also reduce the request for capital monies over the next few years. Once the list is assembled of all projects, especially in the area of the 10-year debt, we will have to have bond counsel review this for his approval.

In the near future, I will also provide you with the information on the Water Fund projects once a decision is made on which projects will be bonded.

Dominic A. Setaro, Jr.

DAS/jg

10-YEAR BOND

Fire Pumper/Emergency Response Vehicle	\$ 200,000
L.T.I. Refurbishment	150,000
Vehicle Replacement - Various Departments	250,000
Public Works Department - Equipment	650,000
Bond Sale Costs & Contingency	<u>150,000</u>
TOTAL	\$1,400,000

20-YEAR BOND

Library Improvements	\$ 450,000
Fire Department - Osborne Street	300,000
Police Department - Main Street Property	250,000
Parks Department - Maintenance Building	300,000
Rogers Park - Field Improvements	200,000
Highway Department - Replace Roof	130,000
City Hall Building Improvements	125,000
Rebuild, Repave Highways & Drainage	945,000
Contingency & Bond Sale & Interest	<u>300,000</u>
TOTAL	\$3,000,000

WATER BOND ISSUE

West Lake Dam	\$2,400,000
Margerie Dike Dam	150,000
Boggs Pond Dam	100,000
Upper Kohanza Dam	700,000
Padanaram Dam	380,000
Bond Issue Costs & Interest	<u>570,000</u>
TOTAL	\$4,300,000

Note: All costs include contingency.

AN ORDINANCE MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$4,400,000 AND AUTHORIZING THE ISSUANCE OF \$4,400,000 BONDS OF THE CITY TO MEET SAID APPROPRIATIONS AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1(a). The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, including costs of surveys, borings and easement acquisitions, and engineering, construction, equipment, legal, administrative and other related costs, each of said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof:

Fire Department

Acquisition of Fire Pumper/Emergency
Response Vehicle
Ladder Tower Truck refurbishment

Fire Department - Total \$ 350,000

Various Departments

Vehicle Replacements

Vehicle Replacements - Total \$ 250,000

Public Works Department

Acquisition of various equipment in-
cluded in the five-year capital plan
and as approved for purchase by the Mayor

Public Works Department - Total \$ 650,000

Contingency Interest, Legal And
Administrative

\$ 150,000

Section 1(b). The sums set opposite the public improvements hereinafter listed are hereby appropriated to meet the costs thereof, respectively, including costs of surveys, borings and easement acquisitions, and engineering, construction, equipment, legal, administrative and other related costs, each of said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof:

Library

Improvements and renovation to Heating,
ventilation and air conditioning system

Library - Total \$ 450,000

Fire Department

New Firehouse on Osborne Street

Fire Department - Total \$ 300,000

Police Department

Acquisition of property on Main Street

Police Department - Total \$ 250,000

Parks and Recreation Department

Construction of Maintenance Building
Field Improvements to Rogers Park,
including lighting improvements

Parks and Recreation Dept. - Total \$ 500,000

Public Works Department

Replacement of roof on Public Works Building
Improvements to City Hall Building
including heating, ventilation
and air conditioning system and
replacement of ceiling

Rebuild and repave highways and
provide drainage improvements in-
cluded in the five-year capital
plan and as approved by the Mayor

Public Works Dept - Total \$1,200,000

Contingency, Interest, Legal
And Administrative

\$ 300,000

AGGREGATE APPROPRIATION

\$4,400,000

Section 2(a). To meet the appropriations for the various public improvements and contingency, interest, legal and administrative costs included under Section 1(a), bonds of the City shall be issued maturing not later than the tenth year after their date.

Section 2(b). To meet the appropriations for the various public improvements and contingency, interest, legal and administrative costs included under Section 1(b), bonds of the City shall be issued maturing not later than the twentieth year after their date.

Section 3. Said bonds may be issued in one or more series as determined by the Mayor and the amount of bonds of each series to be issued shall be fixed by the Common Council provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City Clerk and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Common Council in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal

bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Common Council.

Section 5. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the City Clerk and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6(a). The appropriations in Section 1(a) may be expended with the approval of the Mayor and the Director of Finance for any of the purposes and projects set forth under each such appropriation, provided, however, that the Common Council may approve transfers among such appropriations upon a finding that a portion of the appropriation set forth is not needed for its respective purpose and may be transferred to meet the costs of a project or purpose included under another appropriation in Section 1(a).

Section 6(b). The appropriations in Section 1(b) may be expended with the approval of the Mayor and the Director of Finance for any of the purposes and projects set forth under each such appropriation, provided, however, that the Common Council may approve transfers among such appropriations upon a finding that a portion of the appropriation set forth is not needed for its respective purpose and may be transferred to meet the costs of a project or purpose included under another appropriation in Section 1(b).

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (the "Issuer") hereby expresses its official intent pursuant to §1.103-18(f) of

the Federal Income Tax Regulations, Title 26, to reimburse expenditures paid after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1(a) and 1(b) with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than one year after the later of the date of the expenditure, or the substantial completion of the project. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the Clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 8. This ordinance shall become effective upon its approval at a Special City Meeting called by the Mayor for such purpose, pursuant to the revised City Charter.

Enacted by the Common Council: _____

Approved by the Mayor: _____ Date: _____

Operative And In Effect: _____

AN ORDINANCE APPROPRIATING \$4,300,000 FOR IMPROVEMENTS TO VARIOUS CITY DAMS INCLUDING WEST LAKE DAM, MARGERIE LAKE DIKE DAM, BOGGS POND DAM, UPPER KOHANZA DAM AND PADANARAM DAM AND AUTHORIZING THE ISSUANCE OF \$4,300,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. The sum of \$4,300,000 is appropriated for improvements to various City dams including West Lake Dam, Margerie Lake Dike Dam, Boggs Pond Dam, Upper Kohanza Dam and Padanaram Dam, including costs of surveys, borings and easement acquisitions, preliminary and final engineering work and construction, equipment, and other related costs, pursuant to a Consent Order DSO-91-07, dated June 12, 1992, issued by the Commissioner of Environmental Protection of the State of Connecticut to the City of Danbury, and for administrative, printing, legal and temporary financing costs related thereto.

Section 2. To meet said appropriation \$4,300,000 bonds of the City or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the amount of bonds of each series to be issued shall be fixed by the Common Council in the amount necessary to meet the City's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, the City Clerk and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit

prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Common Council, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Common Council.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the City Clerk and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City of Danbury (the "Issuer") hereby expresses its official intent pursuant to §1.103-18(f) of the Federal Income Tax Regulations, Title 26, to reimburse expenditures paid after the date of passage of this ordinance in

the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than one year after the later of the date of the expenditure, or the substantial completion of the project. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the Clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 6. The appropriation in Section 1 may be expended with the approval of the Mayor and the Director of Finance for any of the projects set forth in said Section, and the Mayor is authorized to apply for and expend any and all Federal and State grants-in-aid of said projects.

Section 7. This ordinance shall become effective upon its approval at a Special City Meeting called by the Mayor for such purpose, pursuant to the revised City Charter.

Enacted by the Common Council: _____

Approved by the Mayor: _____ Date: _____

Operative And In Effect: _____