

SPECIAL COMMON COUNCIL MEETING

NOVEMBER 18, 1992

Meeting to be called to order at 8:00 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

Present \_\_\_\_\_ Absent \_\_\_\_\_

NOTICE OF THE SPECIAL MEETING - To be held on the 18th day of  
November, 1992 at 8:00 P.M. in the Common Council Chambers in  
City Hall for the purpose of acting upon the following:

- 1 RESOLUTION - Emergency Food and Shelter Funds

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- 2 COMMUNICATION - Request for Waiver of Fees

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- 3 COMMUNICATION - Request for Water Extension - 20 Dogwood Drive

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- 4 COMMUNICATION - Permission to accept Donation

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- 5 CERTIFICATION - Tamarack Avenue Bond Funds

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- 6 COMMUNICATION - Donation of Materials and Labor to pave the Re-  
cycling Center

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- 7 COMMUNICATION - Discontinuance of portions of Liberty and Delay  
Streets

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- 8 REPORT - Proposed Ramp and Easement for Immanuel Lutheran Church

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- 9 REPORT - Request from PAL to build a Sports/Activities building on  
City Land

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- 10 REPORT - Redevelopment Parcel 8

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

CITY OF DANBURY

To: Members of the Common Council

A special meeting of the Common Council \_\_\_\_\_ of the City of Danbury will be held on the 18th day of November 19 92 at 8:00 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

1. RESOLUTION - Emergency Food and Shelter Funds
2. COMMUNICATION - Request for waiver of fees
3. COMMUNICATION - Request for Water Extension - 20 Dogwood Drive
4. COMMUNICATION - Permission to accept Donation
5. CERTIFICATION - Tamarack Avenue Bond Funds
6. COMMUNICATION - Donation of Materials and Labor to Pave the Recycling Center
7. COMMUNICATION - Discontinuance of portions of Liberty and Delay Streets
8. REPORT - Proposed Ramp and Easement for Immanuel Lutheran Church
9. REPORT - Request from PAL to build a Sports/Activities building on City land
10. REPORT - Redevelopment Parcel 8

Dated at Danbury, this 13th day of November 19 92.

\_\_\_\_\_  
*Jim Eigner* Mayor  
 \_\_\_\_\_  
*Elizabeth Muelgaster* Clerk

To the sheriff or any policeman of the City of Danbury.

You are hereby required to notify the above named member \_\_\_\_\_ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

\_\_\_\_\_  
*Jim Eigner* Mayor



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Emergency Management Agency (FEMA) working through the United Way of Northern Fairfield County, Inc. is allocating funds from its Phase XI Program for the greater Danbury area to be used for emergency food and shelter; and

WHEREAS, the Welfare Department of the City of Danbury wishes to make application for \$9,000 from said program to help offset the cost of operating the City's Homeless Shelter at 41 New Street; and

WHEREAS, the grant period extends from October 1, 1992 through September 30, 1993, with no local match required;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply for \$9,000 in said grant funds through the United Way of Northern Fairfield County, Inc., and to accept said funds if offered and is further authorized to sign any applications, agreements or other documents in connection therewith and to do all things necessary to effectuate the purposes of said grant.



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ  
MAYOR

(203) 797-4511

November 5, 1992

Honorable Members of the Common Council  
City of Danbury, CT 06810

Dear Council Members,

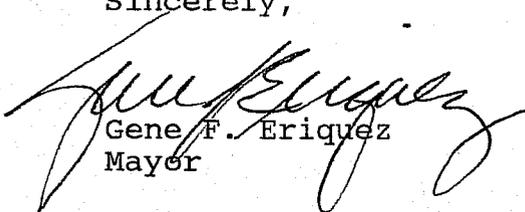
I am requesting the City of Danbury be allowed to apply and accept Emergency Food and Shelter (FEMA) funds to be used to supplement the budget for the City's homeless shelter run by the Welfare Department.

The Phase XI funding for our area allocates over \$61,000 to the greater Danbury area. Last year \$16,000 was approved by the local board for the City.

The funds we receive from the grant help us offset the cost of running the shelter.

Thank you, in advance, for your cooperation on this matter.

Sincerely,

  
Gene F. Eriquez  
Mayor

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**Brian S. Fielding**  
25 Dogwood Drive  
Danbury, Connecticut 06811

November 6, 1992

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

Dear Sirs:

I write to thank you for the speedy response to my home's loss of water associated with the revitalization of the lower Kohanzia Reservoir. Your willingness to bring city water to my residence is greatly appreciated and respectfully comes just in the nick of time as we were without water for a while and now have been living off the water pressure of the single hose attached to our home.

At the last meeting I had agreed with my neighbor, the Honorable T. Clark Hull, to pay the fees associated with a water hook-up to my home and I am willing to be bound by my commitment. Truthfully, however, I had not previously understood the full impact of what has and is occurring and would respectfully ask that the Council consider waiving those fees.

Shortly after the reservoir started to be drained, I noted that we had problems with our water pressure but (similar to your engineering staff) I could not believe that it was related to these activities. I incurred the expense of installing a brand new pump which apparently was necessitated by the overworking of the existing pump as it had less and less water available. As you will note from the bill enclosed that expense alone was over \$1,200. Subsequently, out of ignorance for the appropriate recourse, my family was forced to live with little or no water for a number of weeks and indeed I had to spend nearly \$500 to add just two (2) inches of water to our pool (to prevent burning out that pump). It was only by discussing this one day with my neighbor that I began to realize that all of the problems had been caused by the work at the reservoir (which I then found out would continue to be empty for months).

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**Brian S. Fielding**  
25 Dogwood Drive  
Danbury, Connecticut 06811

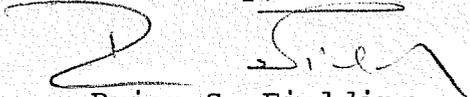
Common Council  
City of Danbury  
Page 2

Much of what followed I am sure you already know. Despite the wonderful responsiveness by the City we have been living off of a garden hose's water pressure. Our front lawn (which was professionally landscaped early this year) is totally torn up - although I understand this will be repaired, our stone pillar has been destroyed - which has already been repaired, etc. In short despite the best efforts of the City's employees, it has been difficult and extremely expensive to rectify a problem over which we have had no control, to which we had not been alerted or warned (which may have saved over \$1,200 in the pump alone) and now I have an estimate for approximately \$1,500 to again tear up my lawn and plantings and install the pipes and water meter.

I believe there is a benefit in having City water and I am thankful to have same. But the inconveniences aside - and they are substantial - I will be out of pocket well over \$2,500 before the payment of fees. I apologize for not making this request sooner but I truthfully only recently came to understand the full costs associated with hooking up to my home, the primary causative factor in the failure of my pump, etc.

Many thanks for your consideration and assistance.

Sincerely,

  
Brian S. Fielding

BSF:lk

**DAVID J. RIZZARDI COMPANY, INC.**

One Riverside Road

P.O. Box 687

Newtown, CT 06470

(203) 426-3205 / 797-8524

**JOB WORK ORDER**

14592

NAME <i>Brian Fielding</i>		HOME PHONE <i>798 0457</i>
ADDRESS <i>25 WOODWOOD DR WATERBURY</i>		WORK/OTHER PHONE <i>743 5161</i>
CITY	STATE	ZIP
JOB LOCATION <i>NO NUMBER</i>	PHONE	MECHANIC <i>Left</i> DATE STARTED <i>6/4 92</i>
		HELPER <i>Joe</i> DATE COMPLETED <i>1</i>

*RETURNED WORK, OUT PUMP & WIRES IN WELL DUE TO SHORT CYCLING. PRESSURIZED WELL TANK*

<i>1/2 HP. GEORGES SUBMERSIBLE PUMP</i>	<i>699.00</i>
<i>200 1 1/2" PUMP WIRES @ .93</i>	<i>504.60</i>
<i>2 - TORQUE ARRESTORS @ 15.15</i>	<i>30.40</i>
<i>SPICE FIT</i>	<i>14.50</i>
<i>BRASS INSERT HOPT.</i>	<i>17.60</i>
<i>TIRE</i>	<i>8.20</i>
<i>TIRE</i>	<i>6.40</i>

SERVICE CALL	<i>45.00</i>
LABOR- HR(S)	<i>981.30</i>
MATERIAL	<i>250.00</i>
PUMP REMOVAL & REINSTALLATION	
WELL LOCATOR <input type="checkbox"/>	
BACKHOE <input type="checkbox"/>	
HILTI TOOL <input type="checkbox"/>	
PIPE THAWER <input type="checkbox"/>	<i>1576.30</i>
PER QUOTATION	
TOTAL	<i>1276.30</i>
SENIOR CIT DISC <input type="checkbox"/>	
CUSTOMER DISC <input type="checkbox"/>	
PAID COD <input type="checkbox"/> M/C - VISA <input checked="" type="checkbox"/>	
CHECK <input type="checkbox"/>	
CASH <input type="checkbox"/>	
BALANCE	
BILLING FEE	<i>5.00</i>
1ST MONTH FINANCE CHARGE	
BALANCE DUE	

ALL WORK AND MATERIALS ARE FULLY GUARANTEED AGAINST DEFECTS, NORMAL WEAR AND TEAR ONLY, FOR ONE YEAR FROM DATE OF COMPLETION. ABUSE, ABRASIVE CONDITIONS AND OTHER EXCEPTIONAL CONDITIONS OR USE BEYOND OUR CONTROL ARE SPECIFICALLY OMITTED. ALL CHARGES ARE C.O.D. ALL UNPAID AMOUNTS ARE SUBJECT TO A MINIMUM BILLING FEE OF \$5.00 AND THE 1ST MONTH'S FINANCE CHARGE, THEREAFTER, THERE WILL BE A FINANCE CHARGE OF 1 1/2% FOR EACH ADDITIONAL MONTH OR FRACTION OF A MONTH PLUS ALL COSTS OF COLLECTION.

I HEREBY ACKNOWLEDGE THE SATISFACTORY COMPLETION AND RECEIPT OF ALL OF THE ABOVE WORK AND MATERIALS AND UNDERSTAND AND ACCEPT FULL RESPONSIBILITY FOR ALL OF THE ABOVE CHARGES AND CONDITIONS OF PAYMENT, AND FURTHER AGREE THAT THE SELLER WILL RETAIN TITLE TO ANY EQUIPMENT, PARTS OR MATERIAL FURNISHED UNTIL FINAL AND COMPLETE PAYMENT IS MADE. IF SETTLEMENT AND PAYMENT IS NOT MADE AS AGREED, THE SELLER SHALL HAVE THE RIGHT TO REMOVE SAME AND THE SELLER WILL BE HELD HARMLESS FOR ANY DAMAGES RESULTING FROM THE REMOVAL THEREOF.

DATE *6, 4 92* SIGNATURE *Brian Fielding*  
 WORK ORDERED BY *Brian Fielding*

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer \_\_\_\_\_

Water X

Name of Applicant: Joseph & Paula Switek

Address: 20 DOGWOOD DR.  
DANBURY, CT 06811

Telephone: 791-8353

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

Located at: 20 DOGWOOD DR

Assessors's Lot No. G-10036

Zone: RA 40

Intended Use:	Retail _____	Single Family Residential <u>X</u>
	Office _____	Multiple Family Development _____
	Mixed Use _____	
	Industrial _____	

Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units \_\_\_\_\_

Number of <sup>4</sup>/~~3~~ Bedroom Units X

Total Number of Units 4

Joseph Switek  
SIGNATURE

11/9/92  
DATE

20 Dogwood Drive  
Danbury, CT 06811  
November 9, 1992

To: Common Council of the City of Danbury

We the undersigned, hereby petition the City of Danbury to extend city water from its present terminus near the residence of T. Clark and Betty Hull and Brian Fielding at the intersection of Kohanza St. and Dogwood Drive to 20 Dogwood Drive and, if necessary, a sufficiently further distance on Dogwood Drive to enable us to hook up to city water. We, Joseph A. and Paula M. Svitek own the property at 20 Dogwood Drive, where we have lived since August 1989.

Since 1989, we have had satisfactory water service from our well. Since the draining of the Lower Kohanza Reservoir preparatory to rebuilding and modernizing of the dam and the reservoir itself, we have had severe shortages of water and very low pressure in our pump. Just last Friday, November 6, 1992, our well ran completely dry, and now our water supply has been taken from us. My wife, eight month old son, and myself have been surviving on bottled water and frequent visits to friends and family to rely on for showers, ect. As you know, the health and safety of our family is being seriously challenged at the writing of this petition. The shortage of our water supply has only occured since the resevoir was drained and now, our water flow is less than 1/2 gal. per minute. This can be verified with Foley's Pump Service, which ran a flow test for us on Friday, November 6, 1992.

I have had discussions with neighbors, specifically with Mr. Clark T. Hull, and the shortage or lack of water seems to be a common problem for all of us since the draining of the resevoir. It appears that the emptying of the reservoir has so affected the water table in the area as to very seriously affect the water supply for not only Mr. Clark T. Hull and Mr. Brian Fielding, but now for ourselves.

We seek only what is fair and reasonable to the city and its citizens and to us, who are the unwitting victims of the lower Kohanza dam project.

*Joseph A. Svitek 11/9/92*  
-----  
Joseph A. Svitek

*Paula M. Svitek 11/9/92*  
-----  
Paula M. Svitek



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**CITY OF DANBURY**  
DANBURY, CONNECTICUT 06810



**DEPARTMENT OF POLICE**  
**120 MAIN STREET**

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

November 5, 1992

MEMO

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

From: Chief Nelson F. Macedo

Subject: Permission to Accept Donation

Enclosed please find a letter from the Independent Insurance Agents Association of Danbury.

Permission is requested to accept their donation of lift bags and other evidence recovery equipment to be used by this departments Dive Team.

  
Nelson F. Macedo  
Chief of Police

NFM:ks

enc.



**A.J. Carnall, Inc.**

Insurance Counseling Since 1922

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November 3, 1992

Chief of Police Nelson Macedo  
120 Main Street  
Danbury, CT 06801

Dear Chief Macedo:

The Independent Insurance Agents Association of Danbury is a non-profit organization made up of approximately 25 insurance agencies in the Greater Danbury area.

The purpose of the association includes the maintenance of a high standard of integrity and professionalism, promote public safety and public awareness.

Recently the association was privileged to have 3 members of the Danbury Police Department Rescue and Recovery Team as guest speakers at a breakfast meeting. It is our understanding this group within the Police Department, while endorsed by the Department and City is strictly voluntary and self funded.

Our association was most impressed by the teams' dedication and training programs in addition to their regular police duties and activities.

In the past our organization has provided support to the Danbury Fire Department, the Danbury Regional Hospice and PAL with personnel support at the Auto Theft Reduction Program in April.

In continuing our efforts we are offering to purchase lift bags and other evidence recovery equipment for the "Dive Team" in recognition and thanks for their dedication to serving the public.

Kindly advise if this donation on the part of our association is acceptable to your department and city officials.

Very truly yours,

Edwin G. Kline  
President, Independent  
Insurance Agents Association of  
Danbury

EGK/tr

cc: Captain Mitch Weston, Danbury Police Department





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# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.  
DIRECTOR OF FINANCE

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

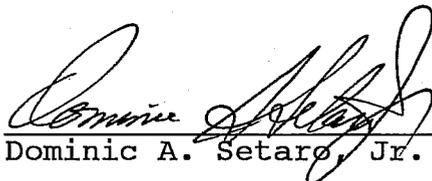
November 9, 1992

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

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

RE: Tamarack Avenue Bond Funds CERTIFICATION

Attached you will find a memo and a copy of a check from ITT Hartford in reference to a bond that was called by the City for work on Tamarack Avenue that was not completed by the developer. In order for these funds to now be expended, the Common Council will be required to approve the appropriation of these funds. I would request that at the December 5 Common Council meeting the sum of \$21,052.00 be appropriated to a new capital line item entitled, "Tamarack Avenue Repaving". At the same time we will amend the City's Miscellaneous Revenue account in a like amount.

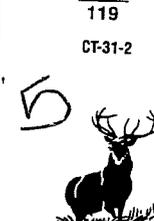
  
Dominic A. Setaro, Jr.

DAS/jg

Attach.

cc: Frank Cavagna

Policy Number	25771	City of Danbury	Number	179335516	CD
Claimant/Principal Name	Tamarack Village Association		179335516		
Date	2992	Issue Off. Code	416940	Nature of Payment	
515		Payment for failure to complete work under permit no. 90-76			
Key File Claim Number	Loss Date	Agency Name			



MUST BE PRESENTED WITHIN 60 DAYS

Twenty One Thousand Fifty Two and 00/100-----

DOLLARS

ITT HARTFORD  
\$21,052.00\*\*\*\*\*  
FLEET BANK, N.A.

City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

*Francis J. Gagnon*  
Authorized Signature  
Issuing Office Name: Fidelity & Surety Claims

⑈179335516⑈ ⑈01190057⑈ 133500 6⑈

MEMO TO: Dominic A. Setaro, Sr., Director of Finance  
FROM: Laszlo L. Pinter, Assistant Corporation Counsel  
RE: Tamarack Avenue / L.C. Castleman Road Bond Funds

Attached you will find a check in the amount of \$21,052.00 issued by ITT Hartford on October 29, 1992. These funds represent payment for work on Tamarack Avenue not completed by the developer as required by and specified in the bond placed with the City of Danbury at the outset of the road work.

My earlier correspondences on this subject (which were copied to you) should explain the further background of this payment. By copy of this memo to Highway Superintendent Frank Cavagna, he is advised to contact you regarding the disposition of these funds to the necessary road reconstruction of Tamarack Avenue.

Please call me with any questions concerning this subject.

*LJP*  
\_\_\_\_\_  
Laszlo L. Pinter

LLP:r

Enclosures

- c: Frank L. Cavagna  
Superintendent of Highways
- Basil J. Friscia  
Administrative Aide to the Mayor
- Eric L. Gottschalk, Esq.  
Acting Corporation Counsel



Mr. Gilante, of AWD on White Street in Danbury, Connecticut, has agreed to donate an amount of money not to exceed \$9,000.00 to the City of Danbury for paving of the glassphalt at the recycle center on Plumtrees Road. At the 300 ton estimate for the job, the balance of the cost of the materials from Tomasso's equals \$8,970.00. In a nutshell, this means that the City of Danbury gets the recycle center paved with glassphalt at no cost to us through corporate donations. Of equal importance to me is that the citizens of Danbury will be reminded every time they use the recycle center that the glass that they are recycling has a useful purpose and in fact was used to pave the recycle center.

I would ask that you forward to the Council this proposal for their approval so that I can get the recycle center paved this year. Thank you for your consideration.

WJB:bds

cc: Mr. Dominic Setaro  
Mr. Jack Schweitzer  
Mr. Rick Gottschalk



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# CITY OF DANBURY

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

PLEASE REPLY TO:

November 13, 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: Discontinuance of portions of Liberty and Delay Streets

Dear Mayor and Council Members:

Several years ago, when the City realigned Liberty Street, a portion of its former length and an adjacent portion of Delay Street fell into disuse. Now that the City intends to pursue the redevelopment of the area south of the relocated Liberty Street, it is necessary, consistent with the proposed contract of sale to Davon Development Corporation, to formally discontinue those unused sections. One portion of Liberty Street is located on Redevelopment Parcel No. 8 and another portion is located within the adjacent parking area, designated as Redevelopment Parcel No. 7. The portion of Delay Street to be discontinued is located entirely upon that Parcel No. 7. Each parcel is more specifically described in Schedule A prepared by the City Engineer and attached to this letter.

At the time of this writing, it was anticipated that the proposal to discontinue these areas of Delay and Liberty Streets would be submitted to the Planning Commission by the Planning Department for a report. With that report in hand, the Council will be in a position to formally discontinue the unused portions of Liberty and Delay Street in accordance with the provisions of Section 13a-7 of the Connecticut General Statutes. Should you have any questions, please feel free to contact me.

Sincerely,

Eric L. Gottschaik  
Acting Corporation Counsel

ELG:r  
Attachment

c: Dennis I. Elpern  
Planning Director



1

**SCHEDULE A**

That portion of right of way measuring approximately forty-four feet in width by fifty-eight feet in length located on "Parcel 8" and labeled as "Original Liberty Street", that portion of right of way measuring approximately forty-five feet in width by an average one hundred eighty-eight feet in length located on "Parcel 7" and labeled as "Former Liberty Street", and that portion of Delay Street being roughly triangular in shape located on "Parcel 7" and labeled as "Former Delay Street", all as shown on a map entitled "Disposition Parcel Map Total Area = 7.2473 Acres Map Showing Property Downtown Danbury Redevelopment Project Situated at Patriot Drive, Pahquogue Avenue, Liberty Street, White Street, Delay Street & Ives Street Danbury, Connecticut Scale 1"=40' July 18, 1990" certified substantially correct by Sydney A. Rapp, Jr., R.L.S. No. 7400 which map is to be filed in the Danbury Land Records.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

PLANNING COMMISSION  
(203) 797-4525

November 17, 1992

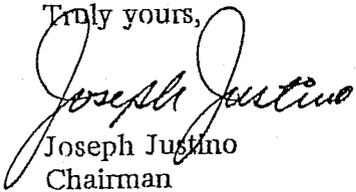
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: 8-24 Referral - Abandonment of Portions of Old Liberty Street, Delay Street, and Patriot Drive - for the Development of Parcel 8 of the Redevelopment Site

Dear Common Council:

The Planning Commission at its November 17, 1992 meeting voted a positive recommendation for the abandonment of the portions of Old Liberty Street, Delay Street and Patriot Drive in the area needed for the development of Parcel 8 of the Redevelopment Site. This recommendation is inclusive of all right of ways for these streets which may still legally exist on any part of Parcels A, B or C, the boundaries of which parcels are shown on the survey prepared by New England Land Surveying titled "Map Showing Liberty Terrace, Danbury, Connecticut, Prepared for Davon Development" dated August 7, 1992, and also inclusive of Parcel E as shown on the survey prepared by New England Land Surveying titled "Map Showing Property to be conveyed to New Bethel Church of God In Christ, Danbury, Connecticut, Prepared for Davon Development" dated August 7, 1992. The abandonment of these portions is in keeping with the scope of the project as previously approved by this Commission through special exceptions S.E. #443 and S.E. #444, respectively for the Liberty Terrace condominiums on Parcel 8 and the relocation of the New Bethel Church of God In Christ to the corner of Liberty Street, Patriot Drive and Old Liberty Street.

Truly yours,

  
Joseph Justino  
Chairman

CITY OF DANBURY  
155 Deer Hill Ave.  
Danbury, Ct. 06810

November 18, 1992

On Wednesday, October 21, 1992 the Ad Hoc Committee to review the Proposed Ramp and Easement for Immanuel Lutheran Church met at 7:35 p.m. In attendance were Councilmen Christopher Setaro, Joseph Scozzafava and chair person Deborah Gogliettino. Also in attendance was John Schweitzer, Director of Public Works, Les Pinter, Assistant Corporation Counsel and Mr. Carl Epple who represented the Immanuel Lutheran Church. Mr. Setaro moved to waive the rules and allow informal discussion about the proposal from the church.

Councilman Gogliettino started the discussion by asking for a clearer explanation of the church's request and reviewed the map with the location of the ramp. Mr. Epple explained the history of the ramp construction and the request for the use of 12 city parking spaces for access to the ramp. The ramp, when constructed will be used for increased accessibility to the main body of the church by the handicap and follows all new ADA (American with Disabilities Act) construction guidelines. In the course of discussion Councilman Setaro asked for a clarification of the easement/agreement request. Mr. Epple told Mr. Setaro that as proposed in the easement/agreement, the church would like to use approximately 12 city parking spaces in the back area closest to West Street on the weekends in order to allow access to the ramp for parishioners. Councilman Setaro asked about the use of the ramp during the week and suggested that the parties present consider a request for a smaller number of city spaces. Mr. Epple and Mr. Schweitzer felt that the minimum number of parking spaces that should be made available to the church for ramp access is 3. Discussion continued about the liability of the church if an incident occurs in the spaces during the weekend.

Mr. Epple told the committee that the church understands it's liability and will be obtaining liability insurance coverage.



The discussion was completed and the following motion was made by Councilman Setaro:

Recommend that the handicap ramp be allowed with the current easement and that the easement agreement be amended to include the use of 3 parking spaces with 2 handicap parking spaces for weekend use and that the appropriate level of liability insurance be held by the grantee.

This motion was seconded by Councilman Scozzafava. Councilman Scozzafava added that the committee received a negative recommendation from the Planning Commission for this request, but all concerns were address in the committee meeting and the committee members felt that the need for handicap accessibility to the church outweighed the concerns of the Planning Commission.

With no other discussion, the motion was passed unanimously.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

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Deborah R. Gogliettino

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Christopher C. Setaro

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Joseph Scozzafava

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT:

The City of Danbury, a municipal corporation, of Danbury, Connecticut, (hereinafter "Grantor"), for the consideration of ONE (\$1.00) DOLLAR and other valuable consideration received to its full satisfaction of Immanuel Lutheran Church of Danbury, Connecticut, Inc. of 32 West Street, Danbury, Connecticut, (hereinafter "Grantee") does hereby give, grant, bargain, sell, and confirm unto the said Immanuel Lutheran Church of Danbury, Connecticut, Inc., its agents, successors and assigns, an easement for the purpose of constructing and maintaining a handicap ramp on the premises owned by the Grantor, being shown and designated on a certain map entitled "Map prepared for Immanuel Evangelical Lutheran Church, 32-34 Street, showing proposed easement to be acquired from the City of Danbury, Danbury, Connecticut, Scale 1" = 20', dated June 23, 1992" and certified substantially correct by Sydney A Rapp, Jr. & Associates, made a part hereof and recorded simultaneously herewith.

The said City of Danbury further grants unto the said Immanuel Lutheran Church its agents, successors and assigns the right and privilege of ingress and egress over, across and upon said premises, including the right to use two full handicap parking spaces to be created and designated by the Grantor upon said premises along the easterly portion of the paved parking area shown on said map and to repair, maintain and inspect the said handicap ramp and any appurtenances thereto. Grantee's rights herein shall be limited to weekend use only.





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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 1, 1992

To: The Honorable Mayor Enriquez  
The Honorable Member of the Common Council

Re: Request from PAL to build a Sports/Activities building on City owned land

The Committee to review the request from PAL to enter into an agreement for land for a sports/activities building met on November 9, 1992 at 7:30 PM in Room 432 of City Hall. In attendance were Councilwoman Coladarci, Chair, Councilman Cipriani and Councilman Fazio. Also in attendance were Robert Ryerson, Director of Parks & Recreation, Dominic Setaro, Director of Finance, Nelson Neves, James H. Ulton, and Bob Guerrara of the Danbury Police Athletic League (PAL). The meeting was called to order at 7:30 PM.

Councilwoman Coladarci reviewed the letter submitted by PAL as well as the Planning Commission report. The report motioned for a positive recommendation to PAL, with stipulations that the work be kept 250 feet away from Lake Kenosia and the possible use of municipal sewer to serve the site.

The problems that may face this project in regard to sewers and septic was brought up by Councilwoman Coladarci. Mr. Neves said he understood that the sewer lines will be extended to the Jensen Trailer Park in the future, and discussion ensued as to the time line for that project.

Mr. Ulton explained that PAL would like to lease the land from the City, erect a building, donate the building to the City and then lease the building from the City. Precedent for this procedure has been previously established with the DAYO organization on Osborne Street.

There is already a soccer field for use by the PAL soccer teams in this area. PAL also wants to establish a Day Camp at the former Camp Thunderbird, hopefully opening for the 1993 summer season. A building, already on site, used to be a residence and should already have septic facilities. This would probably be the location for the proposed building. The existing buildings from Camp Thunderbird are small and would not accommodate the plans that PAL has for this project.

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Mr. Setaro suggested approval contingent to various department approvals, thus earmarking the land for the PAL complex to come back with plans and a lease agreement.

A motion was made by Councilman Fazio to recommend to the Common Council that the parcel of land immediately west of the Vespucci Club on West Kenosia Avenue be set aside for use between the City of Danbury and the Danbury Police Athletic League to provide a building which would include a gymnasium, locker rooms, storage space, office space and a kitchen, subject to the approval of the various land use agencies of the City, the Danbury Planning Department, Engineering, and the Water Department. The motion was seconded by Councilman Cipriani and passed unanimously.

The meeting adjourned at 7:55 PM.

Respectfully submitted,

\_\_\_\_\_  
Eileen Coladarci, Chair

\_\_\_\_\_  
Al Cipriani

\_\_\_\_\_  
Michael Fazio



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

## COMMON COUNCIL

### REPORT

November 12, 1992

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

The committee appointed to review the proposed project for Redevelopment Parcel 8 met on November 12, 1992 at 7:30 P.M. in Room 432 of City Hall. Present were committee members Setaro, Arconti and Scozzafava. Also in attendance were Assistant Corporation Counsel Daniel Casagrande, Planning Director Dennis Elpern, Director of Finance Dominic Setaro, Jr., Chairman of the Redevelopment Agency, Jack Sullivan, Mr. George Davon, representing the Davon Development Corporation and Councilwoman Deborah Gogliettino, ex-officio.

Mr. Setaro read a positive Planning Commission recommendation for the sale of Parcel 8 to the Davon Development Corporation. He also explained that the charge of the committee was to recommend whether to transfer the land and to review the contract for its sale.

Mr. Elpern explained that the proposed redevelopment project is for the Davon Development Corporation to make improvements and relocate the New Bethel Church of God in Christ from its present location to the corner of Liberty Street and Patriot Drive (Phase I) and construct "Liberty Terrace," 35 units of affordable housing in the form of townhouses and flats to be built in three phases (Phases II-IV). The entire project is to be completed within three years and includes "streetscape" improvements to Liberty Street. The plan includes thirty-five on-site parking spaces and a lease with the City for thirty-nine off-site spaces which has been approved by the Parking Authority. The parcel would be sold by the City for \$100,000 to be used for public improvements in the downtown area. Mr. Davon has reached an agreement for the relocation of the church and the Contract for Sale grants the church a license to use four parking spaces and the abandonment of Old Liberty Street. Mr. Elpern stated that the project fits well into the strategy for downtown revitalization. The project has been endorsed by both the City Housing Partnership and Redevelopment Agency.

Mr. Davon explained that the units are historical in

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design, featuring brick veneer and wrought iron fencing. The deeds would require the purchasers to live in the units and restrict their resale. Priority of purchase would go to employees of Union Carbide and the City, City residents and those employed within the City. He stated that the income of purchasers would range between \$23,000 and \$50,000/year and that to date, over 100 people have shown an interest in purchase and that he expected the sale of units before phase I is completed.

Attorney Casagrande stated that the Contract for Sale had been approved by the Redevelopment Agency, the Directors of Finance and Planning, the Corporation Counsel and the Savings Bank of Danbury and Union Savings Bank, both of which have guaranteed 100% financing of the project through phases I and II. Upon the sale of 7 units the lenders will provide financing for phase III and upon its completion and the sale of 5 additional units, phase IV will be financed. Mr. Davon has met his obligations prior to taking title, pending a building permit. Mr. Davon cannot enter the site until he takes title to the parcel and, for each phase of the project, time periods must be met for completion and building permits must be received. Attorney Casagrande also stated that if Davon Development defaults after the first two phases, the City has the right to reclaim title for the entire parcel including title for the unsold units, and any future purchaser would incur the same performance obligations as the Davon Development Corporation. In lieu of the phased nature of the project and conservative lending practices of the banks involved, he stated that there exists a prudent and reasonable allocation of risks and responsibilities.

The Director of Finance stated that the City would receive approximately \$58,000 in tax revenues from the sale of the parcel. Mr. Scozzafava inquired whether Mr. Davon had obtained a bond. The Director of Finance stated that a letter of credit or bond was not obtained as 100% collateral in-cash is required for the full value of the bond. However, he explained that a bond was not necessarily advantageous to the City. Since the City is guaranteed the completion of the first two phases, if a default occurs by Mr. Davon it is because the units have not been pre-sold. In turn, the lenders would not continue financing due to a lack of pre-sold units and Mr. Davon would default on his contractual obligations. If Mr. Davon had a bond, the City would have no incentive to call the bond to complete the last two phases of the project since the units had not been sold. However, he added that the City was protected by the right of reverter allowing the City to take back title to the entire parcel upon default. Additionally, as the units are sold the lenders receive the proceeds and the incentive to complete the project as well as the risk is borne by Mr. Davon.

After much discussion, Mr. Arconti moved to recommend to

the Common Council approval of the Contract for Sale and transfer of land known as Redevelopment Parcel 8 to the Davon Development Corporation. Seconded by Mr. Scozzafava. Passed unanimously.

Respectfully submitted,

CHRISTOPHER SETARO, Chairman

THOMAS ARCONTI

JOSEPH SCOZZAFAVA

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	K. Demby	21:21 HRS
2.	Jonna Scoggafava	21:57 HRS
3.	Anthony Cassano	22:00 HRS
4.	Wesley Spontis	22:15 HRS
5.	Harry Seabrook	22:27 HRS.
6.	Al Caproni	22:46 HRS
7.	Gae Boughton	22:52
8.	W. Faby	23:00 HRS
9.	M. Caproni	9:00
10.	L. Nozola	9:03
11.	I. T. Charles	9:15
12.	R. J. Sullivan	9:40
13.	Chris Scario	10:00
14.	Ben Hill	10:10
15.	Tom Arcoutis	10:25
16.	Chris Setaro	2:45
17.	Janet Buterug	09:31 11-15-92
18.	8-4 P.O. O'Neil	11-14-92
19.	Walter C. Cullen	09:38
20.	Don Esposito	10:05
21.	Joe G. G. G.	10:18
	BOYNTON -	1600

Each Notice so served upon each member, all having been done by me on this date \_\_\_\_\_.

Attest: \_\_\_\_\_  
 Policemen of the City of  
 Danbury

NOV 13, 1992

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COMMON COUNCIL - ROLL CALL

NAME *H 9 receive etc*

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO	✓	
HARRY W. SCALZO	✓	
MICHAEL FALZONE	✓	
BERNARD P. GALLO	✓	
THOMAS J. ARCONTI	✓	
EILEEN S. COLADARCI	✓	
ERNEST M. BOYNTON	✓	
KATHLEEN M. DENNEHY	✓	
CHRISTOPHER C. SETARO	✓	
DEBORAH GOGLIETTINO	✓	
JOSEPH DaSILVA	✓	
JOHN ESPOSITO	✓	
DEAN E. ESPOSITO	✓	
DOROTHY OUTLAW		✓
ANTHONY CASSANO		
LOUIS T. CHARLES	✓	
DONALD BOUGHTON	✓	
JANET D. BUTERA	✓	
ALFRED CIPRIANI		
JOSEPH SCOZZAFAVA	✓	
DANIEL TROCOLLA	✓	
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COMMON COUNCIL - ROLL CALL

NAME

YES

NO

MICHAEL S. FAZIO

✓

HARRY W. SCALZO

✓

MICHAEL FALZONE

✓

BERNARD P. GALLO

✓

THOMAS J. ARCONTI

✓

EILEEN S. COLADARCI

✓

ERNEST M. BOYNTON

✓

KATHLEEN M. DENNEHY

✓

CHRISTOPHER C. SETARO

✓

DEBORAH GOGLIETTINO

✓

JOSEPH DaSILVA

✓

JOHN ESPOSITO

✓

DEAN E. ESPOSITO

✓

DOROTHY OUTLAW

✓

ANTHONY CASSANO

LOUIS T. CHARLES

✓

DONALD BOUGHTON

✓

JANET D. BUTERA

✓

ALFRED CIPRIANI

JOSEPH SCOZZAFAVA

✓

DANIEL TROCOLLA

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✓

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*fails*

*#1  
more the  
question*

# amendments to the motion

COMMON COUNCIL - ROLL CALL

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NAME	YES	NO
MICHAEL S. FAZIO		✓
HARRY W. SCALZO		✓
MICHAEL FALZONE		✓
BERNARD P. GALLO		✓
THOMAS J. ARCONTI		✓
EILEEN S. COLADARCI		✓
ERNEST M. BOYNTON	✓	
KATHLEEN M. DENNEHY		✓
CHRISTOPHER C. SETARO		✓
DEBORAH GOGLIETTINO		✓
JOSEPH DaSILVA	✓	
JOHN ESPOSITO		✓
DEAN E. ESPOSITO		✓
DOROTHY OUTLAW		✓
ANTHONY CASSANO		
LOUIS T. CHARLES	✓	
DONALD BOUGHTON		✓
JANET D. BUTERA	✓	
ALFRED CIPRIANI		
JOSEPH SCOZZAFAVA		✓
DANIEL TROCOLLA		✓
	4	15