

SPECIAL COMMON COUNCIL MEETING

MAY 14, 1991

Meeting to be called to order at 7:00 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Fazio, Scalzo, Falzone, Gallo, Coladarci, Mack, Farah, Dean
Esposito, Setaro, Gogliettino, DaSilva, John Esposito, Smith,
Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava,
Valeri

18

Present

3

Absent

NOTICE OF THE SPECIAL MEETING - To be held on the 14th day of May, 1991 at 7:00 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the items listed below.

PUBLIC SPEAKING

1. ORDINANCE - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 1991 and Ending June 30, 1992.
2. RESOLUTION - A Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 1991 and ending June 30, 1992.
3. REPORTS - Public Safety, Health & Housing and Social Services Budget
Public Works Budget
Education Budget
General Government I Budget
General Government II Budget
4. COMMUNICATION - Request by the Health Department to enter into a lease agreement with the Visiting Nurses Association
5. COMMUNICATION - Grant Application for AIDS Prevention Grant.
6. COMMUNICATION - Revision of Ordinance Section 17-34

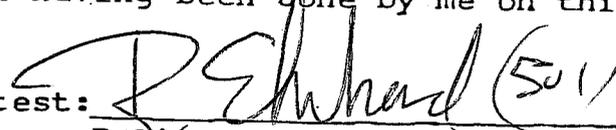
There being no further business to come before the Common Council a motion was made by _____ for the meeting to be adjourned at _____ P.M.

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.	Delivered to ERNEST Boyton	1300
2.	R. Esposito	1310
3.	P. Fazio	1326
4.	Delivered to A. Regan	1337
5.	" " Harry Scatzo	1338
6.	" " Donald Baughman	1350
7.	Delivered Mike Falzone	1353
8.	" " B. Gallo	1370
9.	" " J. DASSINA	1320
10.	" " Louis Charles	1324
11.	" " Janet Butler	1328
12.	" " T. Valeri	1336
13.	" " S. Smith	1341
14.	" " D. Goblethorn	1400
15.	J. Longobardi	1406
16.	Delivered A. Curran	1410
17.	" " Setaro	1432
18.	" " T. Mack	1521
19.	Mrs. M. Esposito	1638
20.	Mrs. Farah	1640
21.	M. Caladucci	1655

Each Notice so served upon each member, all having been done by me on this date 5/10/91.

Attest:  (511)
Policemen of the City of
Danbury

General
Government
I

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO		
HARRY W. SCALZO	✓	
MICHAEL FALZONE	✓	
BERNARD GALLO	✓	
EILEEN COLADARCI	✓	
JOAN M. MACK		
MOUNIR A. FARAH	✓	
DEAN M. ESPOSITO	✓	
CHRISTOPHER C. SETARO	✓	
D. GOGLIETTINO	✓	
JOSEPH DASILVA	✓	
JOHN ESPOSITO	✓	
STANFORD SMITH	✓	
ANTHONY J. CASSANO		
LOUIS T. CHARLES	✓	
DONALD BOUGHTON		✓
ERNEST BOYNTON	✓	
JANET D. BUTERA	✓	
ARTHUR D. REGAN	✓	
JOHN SCOZZAFAVA	✓	
THOMAS VALERI	16 yes	1 no -

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 14th day of May 1991 at 7:00 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

1. ORDINANCE - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 1991 and ending June 30, 1992.
2. RESOLUTION - A Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 1991 and ending June 30, 1992
3. REPORTS - Public Safety, Health & Housing and Social Services Budget
Public Works
Education
General Government I
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4. COMMUNICATION - Request by the Health Department to enter into a lease agreement with the Visting Nurses Association
5. COMMUNICATION - Grant Application for AIDS Prevention Grant.
6. COMMUNICATION - Revision of Ordinance Section 17-34

Dated at Danbury, this 10th day of May 1991.

 _____ Mayor
 _____ 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.

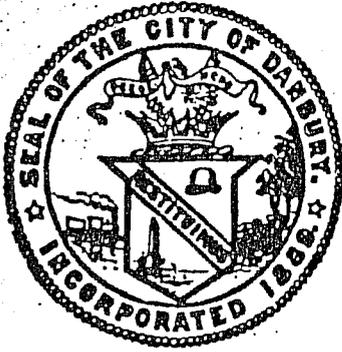
 _____ Mayor

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:



A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR BEGINNING JULY 1, 1991 AND ENDING JUNE 30, 1992

SECTION 1. The sum of 78 Million 485 Thousand and 713 Dollars (\$ 78,485,713) representing the gross appropriation for the City of Danbury of \$ 107,148,978 for the fiscal year of July 1, 1991 and ending June 30, 1992, minus Indirect Revenue of \$ 26,063,265 and minus Estimated Available "Surplus" of \$ 2,600,000 plus uncollectible taxes reserve in the amount of \$ -0- is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1990.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1991 and ending June 30, 1992 shall be as follows:

TAX RATE: 18.21 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1991, October 1, 1991, January 1, 1992 and April 1, 1992 except for taxes levied and assessed on aircraft, boats, mobile homes, motor vehicles and where not in excess of One Hundred Dollars (\$100.00), which taxes shall be paid on July 1, 1991, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 1991 and ending June 30, 1992.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 14, 1991

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

Re: Public Safety, Health & Housing and Social Services
Budget Committee

The Common Council Public Safety, Health & Housing and Social Services Budget Committee met on April 25, 1991 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Gallo, DaSilva, Farah, Setaro, Regan and Butera. Also attending was Council Member John Esposito ex-officio.

Arthur Sullo of the Danbury Police Department made a brief statement, as did William Campbell of the Health Department and Deborah MacKenzie of the Welfare Department. All three representatives stated that they would live within the Mayor's proposed budget barring any emergency situations. The other Department Heads were notified by the committee chairman of the meeting and they all stated that there was no need to attend the meeting as they would all do their best to live within the Mayor's proposed budget.

Dr. Farah moved to recommend to the full Common Council, approval of the Mayor's proposed budget. The motion was seconded and carried unanimously

Respectfully submitted,

BERNARD P. GALLO, Chairman

JOSEPH DaSILVA

MOUNIR A. FARAH

JANET D. BUTERA

ARTHUR REGAN



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 9, 1991

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

Re: Public Works Budget Committee

The Common Council Public Works Budget Committee met on April 23, 1991 in City Hall at 7:00 P.M. In attendance were committee members John Esposito, Scalzo, Fazio, Dean Esposito. Mr. Cassano was unable to attend. Also attending was Council President Joseph DaSilva, ex-officio. Department representatives in attendance were Director of Parks and Recreation Robert Ryerson, Coordinator of Park Services Richard Murray, Director of Public Works Jack Schweitzer, Superintendent of Highways Frank Cavagna, Director of Tarrywile Park Authority R. Woodside, B. Carlson of the Lake Kenosia Commission, City Forester Richard Smith, Director of Building Maintenance Richard Palanzo, and Superintendent of Public Utilities William Buckley.

The committee reviewed the information and reports received from the various departments and after discussion, a motion was made by Mr. Scalzo to recommend the level of funding as proposed in the Mayor's Budget for the fiscal year 1991-92 be approved. Seconded by Dean Esposito. Motion carried unanimously.

Respectfully submitted,

JOHN ESPOSITO, Chairman

HARRY W. SCALZO

DEAN ESPOSITO

ANTHONY J. CASSANO

MICHAEL S. FAZIO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 14, 1991

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

Re: Education Budget Committee

The Common Council Education Budget Committee met on Tuesday April 23, 1991 at 8:15 P.M. in the Fourth Floor Lobby in City Hall. In attendance were committee members Smith, Scozzafava and Fazio. Mrs. Mack and Dr. Farah were absent. Also attending were Superintendent of Schools Anthony Singe, Schools Director of Finance Jack Heidenreich, and Board of Education Members Fenster, Chory and Marano.

The Budget Committee has been meeting regularly since January and has thoroughly analyzed the Superintendents and School Boards requests and requirements for 1991-92, as well as the Mayor's proposed funding level. The Budget Committee Members have studied the school budget recognized the difficult economic times the City and the State are in. They have worked diligently with the Superintendent and the School Board Members to achieve a harmonious relationship in budget deliberations

The Superintendent's proposed budget which was adopted by the Board of Education offered a 7.5% increase, while the Mayor's proposed budget contained a 5% increase. The Common Council Committee recognizes the hard work the Superintendent and the Mayor put into proposing a budget that does not cut staff and keeps the status quo. The Committee applauds the Superintendent, his staff and the Mayor's recommendations, recognizing the cost savings such as early retirement, health insurance, bus contract and pension plan.

Mr. Scozzafava made a motion that the Common Council Budget Committee recommend to the Common Council that the Department of Education of the City of Danbury be funded by the Mayor's proposed budget \$56,435,161., representing an increase over and above the current funding of 5.4%. Should monies be forthcoming from the State, the Department of Education should be given high priority for additional funding. Seconded by Mr. Fazio. Motion carried unanimously.

Respectfully submitted,

MOUNIR A. FARAH

STANFORD SMITH, Chairman

MICHAEL S. FAZIO

JOAN M. MACK



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 14, 1991

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

Re: General Government I Budget Committee

The General Government I Budget Committee met on Monday, April 22, 1991 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Valeri, Charles, Falzone and Boughton. This preliminary meeting was held in order to identify any areas of concern relative to the Mayor's proposed budget for the fiscal year 1991-92 and entertain input from the makers of budget requests under the committee's review.

No concerns were expressed although Mr. Valeri cited a request by the Director of Danbury Public Library to address the committee. In addition to inviting Betsy McDonough and Director of Finance Dominic Setaro, the committee decided that out of consideration to everyone all makers of budget requests under its review would be notified and welcome to attend subsequent meetings if desired.

The committee reconvened on Tuesday, April 30, 1991 in Room 432 at City Hall. In attendance were committee members Valeri, Charles and Falzone. Also attending were Director of Finance Dominic Setaro, Library Director Betsy McDonough and Council President Joseph DaSilva, ex-officio.

Ms. McDonough expressed concern over the Part-time Services line item in her budget request, citing the Library's significant number of non-union part-time employees and the notable gaps between their pay scale and union counterparts. She further commented on impending union pay increases that would further exacerbate the existing problem. The committee's recommendation was that if and when additional monies become available, the Library return with a request for the aforementioned funds.

After careful review of the remaining proposed budget items, the committee identified only several recommended areas of change. In view of the ever-increasing responsibilities of the positions, the fact that little or no salary increases have been realized in recent years, and the need for Danbury to maintain a salary structure that will duly compensate present officials and serve to attract the best possible candidates in the future the following increases were suggested:

- 2 -

Mayor's salary increase of 6% for each of the next two years effective December 2, 1991. This would result in a net increase of \$1,945 over the last 30 weeks of fiscal year 1991-92. The reflected annualized salary increase would raise the Mayor's salary from \$56,180 to \$59,551. Effective July 1, 1992, the first full fiscal year of implementation, an additional 6% raise would effect an increase to \$63,124.

City Clerk's salary increase of 6% for each of the next two years effective December 2, 1991. This would result in a net increase of \$1,051 over the last 30 weeks of fiscal year 1991-92. The reflected annualized salary increase would raise the City Clerk's salary from \$30,338 to \$32,159. Effective July 1, 1992, the first full fiscal year of implementation, an additional 6% raise would effect an increase to \$34,088.

Town Clerk's salary increase of 6% for each of the next two years effective December 2, 1991. This would result in a net increase of \$1,547 over the last 30 weeks of fiscal year 1991-92. The reflected annualized salary increase would raise the Town Clerk's salary from \$44,663 to \$47,343. Effective July 1, 1992, the first full fiscal year of implementation on additional 6% raise would effect an increase to \$50,183.

Mr. Falzone motioned to recommend approval of the aforementioned changes and to reflect the changes in appropriate proposed Budget line items. Motion was seconded by Mr. Charles and passed unanimously.

It was additionally brought to the committee's attention by Mr. Setaro that due to the elimination of an anticipated increase in dues to the Connecticut Conference of Municipalities (CCM) a corresponding reduction in the City Memberships appropriation would be indicated. Mr. Falzone motioned to recommend and reflect the change in the appropriate proposed Budget line item. Motion was seconded by Mr. Charles and passed unanimously. As a result of the aforementioned actions, the General Government I Budget committee recommends the following changes:

Account #01-110 Mayor's Office Line Item 010100 Regular Salaries
Proposed \$202,907 change to \$204,852 with resultant aggregate
change from \$220,007 to \$221,952

Account #01-111 City Clerk's Office Line Item 010100 Regular Salaries
Proposed \$61,896 change to \$62,947 with resultant aggregate change
from \$67,070 to \$68,121

Account #01-161 Town Clerk Line Item 010100 Regular Salaries
Proposed \$165,290 change to \$166,837 with resultant aggregate
change from \$238,503 to \$240,050

Account #01-191 City Memberships Line Item 072812 CCM
Proposed \$28,551 change to \$27,192 with resultant aggregate change
from \$45,254 to \$43,895

The sum of all recommended changes to the proposed budget results in an increase of \$3,184 for fiscal year 1991-92.

All other areas of review under the proposed budget for fiscal year 1991-92 resulted in no recommended changes.

Respectfully submitted,

THOMAS J. VALERI, Chairman

LOUIS T. CHARLES

MICHAEL FALZONE

JOAN MACK

DONALD BOUGHTON



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 14, 1991

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

Re: General Government II Budget Committee

The General Government II Budget Committee met on April 22, April 29, and May 8, 1991 to review the General Government II line and department budgets.

There are no recommended changes to the Mayor's proposed budget with the exception of the following:

I. Account #14-000 Contingency

To reduce the Contingency Account by \$3,184, a net amount to account for an increase as reported in the General Government I Budget Report.

To increase the Contingency Account by \$110,000.

The net effect of both changes results in an increase in Account #14-000 Contingency from the Mayor's proposal of \$460,000 to \$566,816.

II. Account #20-000 Grants

To reduce the Grant line item #072907 Danbury Hospital from the Mayor's proposed budget of \$110,000 to \$0.

Note that it is the Committee's intent that the \$110,000 be transferred as shown above to the Contingency Account and remain in the account subject of the final outcome of the negotiations between Danbury Hospital and the City of Danbury.

Respectfully submitted,

STANFORD SMITH

ERNEST M. BOYNTON, Chairman

JOSEPH SCOZZAFAVA

EILEEN S. COLADARCI

DEBORAH R. GOGLIETTINO



4

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

April 18, 1991

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

Dear Mayor Eriquez and Members of the Common Council:

The Danbury Health and Housing Department AIDS Program is requesting approval to enter into a lease agreement with the Visiting Nurses Association (VNA). The AIDS Program wants to hold the HIV Counseling and Testing Clinic at the VNA office on Tuesdays from 4:00 - 8:00 pm.

All fees associated with this lease would be paid out of the AIDS Prevention Grant. The VNA would charge \$ 98.17 per month for the use of their space. At the time of the May 7, 1991 meeting of the Common Council, the lease will have been reviewed by the Corporation Counsel.

The space currently being used at Danbury Hospital will no longer be available as of mid-May, making it imperative that an alternative site be arranged. In addition to the need for clinic space, we feel the VNA would be conducive to reaching high risk populations.

Due to the urgency of this request, I respectfully ask that the lease agreement be approved at the May 7, 1991 meeting, rather than being sent to committee. In the alternative, I request an oral approval of the agreement pending formal approval of the lease. This will enable the clinic to run without disrupting services to our clients.

Thank you in advance for your cooperation in this matter.

Respectfully submitted,

Susan Drury

Susan Drury
AIDS Program Coordinator

cc: William Campbell
Dr. Thomas Draper
Lisi Marcus
Kimberly Redenz



4

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

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Thank you in advance for your cooperation in this matter.

Respectfully submitted,

Susan D. ...

Susan D. ...
AIDS Program Coordinator

April 15, 1991

cc: William Campbell
Dr. Thomas Draper
Lisi Marcus
Kimberly Redenz

Common Council

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CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

April 17, 1991

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

Dear Mayor Eriquez and Members of the Common Council:

The Department of Health and Housing has received notification from the State Department of Health Services that the City of Danbury is eligible to receive an AIDS Prevention Grant in an amount not to exceed \$107,000.

The Grant term will run from July 1, 1991 to June 30, 1992 and will require no matching funds by the City.

The AIDS Prevention Grant funds the City to provide an Human Immunodeficiency Virus (HIV) Counseling and Testing Clinic and Community HIV Risk Reduction Education. The AIDS Prevention Program has been in existence and funded by the State since May 1, 1986.

The Department of Health and Housing requests that the Common Council approve said grant application and adopt the enclosed resolutions.

Respectfully submitted,

Susan Durgy
AIDS Program Coordinator

cc: William Campbell, Director
Department of Health and Housing

6 - RESOLUTION - AIDS Prevention Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the AIDS Prevention Program has made grant funds available from July 1, 1991 through June 30, 1992 to full-time health departments by providing health education information, free counseling and human immuno-deficiency virus (HIV) antibody testing services in the Danbury area for both the youth and general public and for individuals concerned about possible exposure to HIV; and

WHEREAS, this program shall serve both residents and non-residents; there are no restrictions on who may be served for AIDS education, counseling or HIV testing; and

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has formulated an Acquired Immuno-deficiency Syndrome (AIDS) Out-Reach Education and Risk Reduction Counseling and Testing Program for the Danbury area; and

WHEREAS, a grant award of up to \$107,000.00 has been processed by the Danbury Health and Housing Department; and

NOW, THEREFORE, BE IT RESOLVED THAT, the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized; and

BE IT FURTHER RESOLVED THAT to accomplish said program the Mayor of the City of Danbury is authorized to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Health Services and to take all necessary actions to effectuate the goals of said program.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Landfill Fees

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Danbury Code of Ordinances authorizes the establishment of Passenger and Non-Passenger Vehicle Permit and User Fees for the use of the Danbury Sanitary Landfill site; and

WHEREAS, the following Permit and User Fees represent a fair and equitable means of defraying a portion of the annual cost of operating the Danbury Sanitary Landfill site;

NOW, THEREFORE, BE IT RESOLVED THAT the Non-Passenger Vehicle User Fee for deposition of permitted wastes at the Danbury Sanitary Landfill site be and hereby is fixed at THIRTY (\$30.00) DOLLARS per ton as determined by the Welch scale at



5

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
AIDS PROGRAM
20 WEST STREET

(203) 796-1613

April 17, 1991

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

Dear Mayor Eriquez and Members of the Common Council:

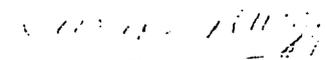
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The AIDS Prevention Grant funds the City to provide an Human Immunodeficiency Virus (HIV) Counseling and Testing Clinic and Community HIV Risk Reduction Education. The AIDS Prevention Program has been in existence and funded by the State since May 1, 1986.

The Department of Health and Housing requests that the Common Council approve said grant application and adopt the enclosed resolutions.

Respectfully submitted,


Susan Durgy
AIDS Program Coordinator

cc: William Campbell, Director
Department of Health and Housing

The Resolution was adopted on the Consent Calendar.

6 - RESOLUTION - AIDS Prevention Grant

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WHEREAS, this program shall serve both residents and non-residents; there are no restrictions on who may be served for AIDS education, counseling or HIV testing; and

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WHEREAS, a grant award of up to \$107,000.00 has been processed by the Danbury Health and Housing Department; and

NOW, THEREFORE, BE IT RESOLVED THAT, the actions of the Danbury Health and Housing Department in applying for the said grant be and hereby are ratified and that any and all further actions by the Danbury Health and Housing Department required to accomplish said program be and hereby are authorized; and

BE IT FURTHER RESOLVED THAT to accomplish said program the Mayor of the City of Danbury is authorized to make, execute and approve on behalf of the City of Danbury any and all contracts or amendments thereof with the State of Connecticut Department of Health Services and to take all necessary actions to effectuate the goals of said program.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Landfill Fees

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WHEREAS, the following Permit and User Fees represent a fair and equitable means of defraying a portion of the annual cost of operating the Danbury Sanitary Landfill site;

NOW, THEREFORE, BE IT RESOLVED THAT the Non-Passenger Vehicle User Fee for deposition of permitted wastes at the Danbury Sanitary Landfill site be and hereby is fixed at THIRTY



CITY OF DANBURY

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

May 8, 1991

PLEASE REPLY TO:

DANBURY, CT 06810

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

Re: Repeal of Section 17-34

Dear Mayor and Council Members:

Section 17-34 of the Code of Ordinances was originally adopted by the Common Council in 1971 in an effort to provide a way to accept old private roads built prior to the establishment of more stringent road construction standards. Although that section has been modified several times since then, it has never really achieved its goal. As 17-34 road acceptance applications have come to the Council, it has invariably happened that the conditions imposed by the ordinance have presented insurmountable obstacles to the acceptance of these private roads.

The roads in the area served by the Kenmere Boulevard Water Supply System are no exception. As you may recall, last fall the Council approved a plan under which the City installed water lines intended to serve homes on Kenmere Boulevard, Blueberry Lane and Huckleberry Lane as part of an agreement to abandon the presently inadequate water system. As we tried to finalize that agreement, it became clear that the owner of these roads has no interest in retaining or maintaining them. The best solution to the problem appears to be City acceptance of these roads.

Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
Re: Repeal of Section 17-34
May 8, 1991

- 2 -

Ironically, the existence of Section 17-34, which was always intended to provide a method for the acceptance of roads, makes that impossible. After meeting with Acting Director of Public Works Jack Schweitzer, Jr., Superintendent of Public Utilities William Buckley and Administrative Assistant Basil Friscia, it was our consensus of opinion that the Council should seriously consider the repeal of Section 17-34. If that were accomplished, the Council could consider the acceptance of old private roads on a case by case basis attaching whatever conditions make good sense in any given situation. It was the feeling of everyone present that this course would best serve the interests of the City and its residents in the years to come.

Once Section 17-34 has been repealed, the issue of accepting Kenmere Boulevard, Blueberry Lane and Huckleberry Lane could then be dealt with by the Council. I suggest that the Council committee that considered the approval of the agreement concerning the Kenmere water system might be in the best position to consider this aspect of the problem as well.

I have prepared a proposed ordinance for your consideration which would repeal the provisions of Section 17-34. I would be pleased to meet with the appropriate committee to describe the details more specifically. If, in the meantime, you have any questions that I could address, I would be most happy to do so.

Sincerely,



Eric L. Gottschalk
Acting Corporation Counsel

ELG:r

c: Basil J. Friscia
Administrative Assistant to the Mayor

John A. Schweitzer, Jr.
Acting Director of Public Works

William J. Buckley, Jr.
Superintendent of Public Utilities



CITY OF DANBURY

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

PLEASE REPLY TO:

May 8, 1991

DANBURY, CT 06810

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

Re: Repeal of Section 17-34

Dear Mayor and Council Members:

Section 17-34 of the Code of Ordinances was originally adopted by the Common Council in 1971 in an effort to provide a way to accept old private roads built prior to the establishment of more stringent road construction standards. Although that section has been modified several times since then, it has never really achieved its goal. As 17-34 road acceptance applications have come to the Council, it has invariably happened that the conditions imposed by the ordinance have presented insurmountable obstacles to the acceptance of these private roads.

The roads in the area served by the Kenmere Boulevard Water Supply System are no exception. As you may recall, last fall the Council approved a plan under which the City installed water lines intended to serve homes on Kenmere Boulevard, Blueberry Lane and Huckleberry Lane as part of an agreement to abandon the presently inadequate water system. As we tried to finalize that agreement, it became clear that the owner of these roads has no interest in retaining or maintaining them. The best solution to the problem appears to be City acceptance of these roads.

Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
Re: Repeal of Section 17-34
May 8, 1991

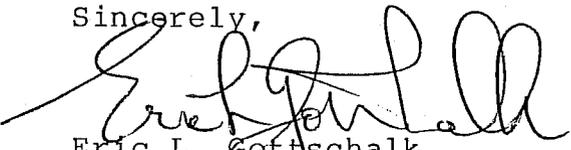
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