

COMMON COUNCIL MEETING

JANUARY 3, 1990

Meeting to be called to order at 8:00 P.M. by the Honorable Mayor
Gene F. Eriquez

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

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

20

Present

1

Absent

CONSENT CALENDAR

The Consent Calendar was presented by

MINUTES - Minutes of the Common Council Meeting held December 5,
1989 and the Special Common Council Meeting held December 19, 1989.
The Minutes were

✓ 1

ORDINANCE - Demolition or Renovation Debris

✓ 2

ORDINANCE - Obstructing of Fire Hydrants

✓ 3

RESOLUTION - Grant for the Youth Services Bureau
The Resolution was

✓ 4

RESOLUTION - Drug Free Zones
The Resolution was

✓ 5

RESOLUTION - Rehabilitation of Runway 8/26 - Danbury Airport

6

RESOLUTION - Property Acquisitions for Sanitary Sewer Line

✓ 7

COMMUNICATION & RESOLUTION - State Reimbursement for Household
Hazardous Waste Day

✓ 8

COMMUNICATION - Donation from Union Carbide Corporation for
Housing Initiatives

✓ 9

COMMUNICATION - Airport Project Design

✓ 10

COMMUNICATION - Proposal for the rental of two areas at Tarrywile
Park

✓ 11

COMMUNICATION - Reuest from the Health Department for permission
to accept donations

✓ 12

COMMUNICATION - Disbursement of Funds from Celebrity Tag Sale and
Auction

- ✓ 13 COMMUNICATION - Revisions to Ordinance Section 17-55 Bond Requirements

- ✓ 14 COMMUNICATION - Reports regarding Abandonment and/or Discontinuance of "Old Neversink Road"

- ✓ 15 COMMUNICATION - Request for Maintenance Committee

- ✓ 16 COMMUNICATION - Gaslight Village Condominium Project

- ✓ 17 COMMUNICATION - City owned land - Ralto Court

- ✓ 18 COMMUNICATION - Taltie's Farm Subdivision of Michael F. Carlucci

- ✓ 19 COMMUNICATION - Offer of land and buildings to the City - 389 Main Street

- ✓ 20 COMMUNICATION - Offer of land to the City - East King Street

- ✓ 21 COMMUNICATION - Request for Water Extension - Clapboard Ridge Road

- ✓ 22 COMMUNICATION - Request for Waiver of Connection Fee

- ✓ 23 DEPARTMENT REPORTS - Public Works, Health, Fire, Police, Airport, Building, Parks and Recreation

- ✓ 24 REPORT & CERTIFICATION - Request for Additional Funds for Insurance and Uninsured Worker's Compensation

- ✓ 25 REPORT & CERTIFICATION - Projected Shortage in the Overtime Account - Fire Department

- ✓ 26 REPORT - Charter Revision Commission

- ✓ 27 REPORT - Review of Sewer and Water Approvals

- ✓ 28 REPORT - Modification and Time Extension for Sewer Extension on South Cove Road

- ✓ 29 REPORT - Palanzo Water Service - Middle River Road

- ✓ 30 REPORT - Sewer Assessment - 86 Golden Hill Road

- ✓ 31 REPORT - Adoption of an Ordinance restricting Parking

- ✓ 32 PROGRESS REPORT - Appeals of Hillandale Sewer Assessments

✓ 33 COMMUNICATION & CERTIFICATION - Request for funds for Part Time Services - City Clerk's Office.

The Communication was _____ & transfer of funds _____.

✓ 34 REPORT - Waiver of Bid for purchase of used ambulance.

The Report was

✓ 35 REPORT - Lease between Victorian Associates and the City of Danbury.

The Report was

✓ 36 REPORT - Mayor's Task Force on Recycling.

PUBLIC SPEAKING SESSION

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

COMMON COUNCIL MEETING AGENDA

JANUARY 3, 1990

CONSENT CALENDAR

- 3 - RESOLUTION - State of Connecticut Department of Children and Youth Services for a state cost sharing grant not to exceed (\$80,000) for a Youth Service Bureau for fiscal year commencing July 1, 1989. (Adopted)
- 5 - RESOLUTION - The City of Danbury will make application for a Federal and State grant in the amount not to exceed \$4,029,675.00 with a local match of 2½ percent equalling an amount not to exceed \$103,325.00, to reconstruct Runway 8/26 (Adopted)
- 6 - RESOLUTION - ~~Sanitary Sewer Easements - Federal Road to Beaver Brook Road - Property Acquisitions of James M. Davenport and Property of Robert Layok~~ (Adopted)
- 7 - RESOLUTION - State Reimbursement for Household Hazardous Waste Day, conducted by the City of Danbury on Nov. 4, 1989. Application for grant funds to defray ten percent of the total cost of \$35,215.00. (Adopted)
- 28 - REPORT - Modification and Time Extension for Sewer Extension on South Cove Road. Provision for City Ownership of the water main before construction of the South Cove water extension be waived and that an extension of 18 months be granted from the date of Common Council action.
- 30 - REPORT - Sewer Assessment - 86 Golden Hill Road. Request to reduce sewer assessment .- No action to be taken on this petition because the assessment was accepted by the Common Council on April 12, 1982 and there is a State Statute which limits the appeal period to 21 days.
- 31 - REPORT - Adoption of an Ordinance restricting parking. No action to be taken as persons violating the present ordinances are tagged or towed away after 2 hours.
- 32 - REPORT - Progress report on Appeals of Hillandale Sewer Assessments. The committee has requested further information from the City Engineer. Upon receipt of this information, the Chairman will call another committee meeting.
- 33 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$1,500 for Part Times Services in the Office of the City Clerk. Certification #11 submitted by D. Setaro, Acting Director of Finance/Comptroller in the amount of \$1,500 for this purpose.

36-
Report

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO	✓	
RICHARD KILCULLEN	✓	
MICHAEL FALZONE	✓	
BERNARD GALLO		
EILEEN COLADARCI	✓	
JOAN M. MACK		✓
MOUNIR A. FARAH	✓	
DEAN M. ESPOSITO	✓	
NICHOLAS ZOTOS	✓	
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	✓	

17 YES

3 NO

#-29-
Regent-

COMMON COUNCIL - ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
MICHAEL S. FAZIO	✓	
RICHARD KILCULLEN	✓	
MICHAEL FALZONE	✓	
BERNARD GALLO		
EILEEN COLADARCI	✓	
JOAN M. MACK	✓	
MOUNIR A. FARAH	✓	
DEAN M. ESPOSITO	✓	
NICHOLAS ZOTOS	✓	
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	✓	

15
yes

5
nos

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

Re: Minutes of the Common Council Meeting held on January 3, 1990.

The Meeting was called to order at 8:00 P.M. by the honorable Mayor Gene F. Eriquez.

Councilman DaSilva led the assembly in the Pledge of Allegiance to the Flag.

Councilman Smith offered the Prayer.

Mayor Eriquez asked for a moment of silence to be observed for Firefighter Bruce Michalek and asked that he and his family be remembered in prayer.

Roll Call listed on Page -2)

Mayor Eriquez extended Best Wishes for a healthy and prosperous New Year.

Mayor Eriquez also extended Best Wishes and Birthday Greetings to the following:

Jan 2nd - Councilman Louis Charles -

Jan. 2nd - Ann Rodrigues - Comptroller's Office.

Jan. 8th - Pam Evanuska - Switchboard Operator & Receptionist

Jan. 9th - Lana Riccio - Mayor's Secretary

Danbury citizen George Marmaras who celebrates his 100th birthday today.

Jan. 15th - Martin Luther King Day. We will celebrate this holiday with recognition of the Dr. King's accomplishments for mankind.

Jan. 8th to 14th - National Council of Jewish Women Week recognizing the Danbury Council for its 30 years of service in Danbury.

Jan. 21 - 27 - School Nurses & Student Health Awareness Week.

Jan. 24th - School Nurses Day.

Jan. 28th - Feb. 3rd - Catholic School Week.

The Mayor announced that Janice Burliner will leave Radio Station WLAD to go to Hartford, and wished her well.

Mayor Eriquez then introduced his staff: Lana Riccio, Secretary and Lew Wallace and Lisi Green, Mayoral Assistants.

The Mayor announced that ^{on Jan. 8th,} the Common Council will be presented with the Audited Financial Statement for the fiscal year ending June 30, 1989, and explained that the financial statements will be scrutinized by lending institutions and credit rating agencies as we move forward to sell bonds for previously approved bond issues.

Our 4.8% fund balance (surplus) on June 30, 1989 demonstrates our City's sound financial condition. However, a fund balance of this level (4.8%) means that we will have no discretionary funds to expend as has been done in past years, except for emergency purposes. The policy of my administration will be to manage and maintain a fund balance of approximately 5% at the end of each fiscal year. By doing so, we will ensure our City's strong financial position.

Realizing that economic conditions have changed here in Danbury as they have elsewhere, we anticipate a significant reduction in grand list growth. Additionally, lower tax collections resulting from revaluation have reduced our fund balance. While we will take aggressive steps to improve our grand list growth, such as through the establishment of an Economic Development Commission, later this month, the days of significant grand list growth that we experienced through the mid-1980's will not be recognized.

1/3/1990

The Mayor has taken action to insure fiscal prudence in City administration by freezing the budget, limiting transfers of funds, selectively leaving positions unfilled, and improving our tax collection procedures.

CONSENT CALENDAR - Councilman Esposito presented the following items for the Consent Calendar:

- 3 - Resolution - Grant for the Youth Services Bureau
- 5 - Resolution - Rehabilitation of Runway 8/26 - Danbury Airport
- 6 - Resolution - Property Acquisitions for Sanitary Sewer Line - Federal Road to Beaver Brook Rd.
- 7 - Resolution - State Reimbursement for Household Hazardous Waste Day.
- 28 - Report - Modification and Time Extension for Sewer Extension on South Cove Road.
- 30 - Report - Sewer Assessment - 86 Golden Hill Road.
- 31 - Report - Ordinance restricting Parking. No action to be taken.
- 32 - Report - Progress report on Appeals of Hillandale Sewer Assessments.
- 33 - Communication & Certification - Request for funds for part time services in the Office of the City Clerk.

Councilman DaSilva noted that Item #6 requires Planning Commission recommendation. A motion was made by Councilman Charles and seconded by Councilman Fazio that Item #6 be removed from the Consent Calendar. Motion carried and Item #6 was referred to the Planning Commission.

A motion was made by Councilman Charles and seconded by Councilman DaSilva for the Consent Calendar to be adopted as read but eliminating Item #6. Motion carried unanimously.

MINUTES - Minutes of the Common Council Meeting held December 5, 1989 and the Special Common Council Meeting held December 19, 1989.

A motion was made by Councilman DaSilva and seconded by Councilman Kilcullen that the Minutes be accepted and the reading waived as all members have copies which are on file in the Office of the City Clerk for public inspection. Motion carried unanimously.

ROLL CALL was taken by the City Clerk Elizabeth Crudginton with the following members being recorded as:

PRESENT: Fazio, Kilcullen, Falzone, Coladarci, Mack, Farah, Dean Esposito, Zotos, Gogliettino, DaSilva, John Esposito, Smith, Cassano, Charles, Boughton, Boynton, Butera, Regan, Scozzafava, Valeri.

ABSENT: Councilman Gallo, who was reported as having another commitment.
20 Councilmembers present - 1 Councilmember absent.

1 - ORDINANCE - Demolition or Renovation Debris.

Councilman Charles requested that this Ordinance be deferred for a public hearing to be held. Mayor Eriquez so ordered.

2.- ORDINANCE - Obstructing of Fire Hydrants.

Councilwoman Coladarci & Councilman Fazio requested that this Ordinance be deferred for a public hearing to be held. Mayor Eriquez so ordered.

3 - RESOLUTION - Grant for the Youth Services Bureau.

Whereas, grant funds in an amount not to exceed \$80,000.00 are available from the State of Connecticut Department of Children and Youth Services for 1989-1990 Youth Services Bureau operations; and

Whereas, the continuation of the Youth Services Bureau for a twelfth year is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY that the actions of Gene F. Eriquez as Mayor of the City of Danbury, in applying for said funds be and hereby are ratified and that Mayor Gene F. Eriquez be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for a state cost sharing grant not to exceed eighty-thousand dollars for a Youth Service Bureau for the fiscal period commencing July 1, 1989.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute any and all related documents, applications or other pertinent instruments pursuant to this program.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Drug Free Zones.

Whereas, the State of Connecticut Legislature, by Public Act 89-256 and Connecticut General Statutes Sections 21a-277, 21a-278 and 21a-279 has promulgated increased mandatory penalties and incarceration for selling or distributing drugs or drug paraphernalia in, on or near school grounds; and

Whereas, said Act also provides for additional penalties for using a minor to sell or distribute controlled substances or paraphernalia in, on or near school grounds; and

Whereas, it is desired, intended and in the best interests of the City of Danbury and the City of Danbury Board of Education that the message and intent of said Act be spread throughout the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the City of Danbury, by Gene F. Eriquez, its Mayor and Dr. Anthony Singe its Superintendent of Public Schools declares as "drug free zones" all areas within one-thousand feet of the property boundaries of any school or school grounds located within the City of Danbury.

BE IT FURTHER RESOLVED THAT any message, declaration, publication and application of this resolution in conformance with law be and hereby are ratified.

Mayor Eriquez noted that this Resolution will be presented to the Board of Education next Wednesday and explained the signs which will read "Drug Free Zone"

A motion was made by Councilman Boynton and seconded by Councilman Smith for the Resolution to be adopted. Motion carried and the Resolution was adopted unanimously.

5 - RESOLUTION - Rehabilitation of Runway 8/26 - Danbury Airport.

Whereas, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport and Airway Safety & Capacity Expansion Act of 1987; and

Whereas, the City of Danbury through the Danbury Municipal Airport intends to reconstruct runway 8/26; and

Whereas, the City of Danbury will make application for a federal and state grant in the amount not to exceed \$4,029,675.00 with a local match of two and one-half percent equalling an amount not to exceed \$103,325.00.

NOW, THEREFORE BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The Resolution was adopted unanimously on the Consent Calendar.

6 - RESOLUTION - Property Acquisitions for Sewer Line - Federal Road to Beaver Brook - Property acquisitions of James M. Davenport & Robert Layok.

Councilwoman Gogliettino requested referral for Planning Commission recommendation. Mayor Eriquez so ordered.

7 - RESOLUTION - State Reimbursement for Household Hazardous Waste Day.

Whereas, the State of Connecticut Department of Environmental Protection pursuant to Connecticut General Statutes 22a-6(a)(2) and 22a-134nn has made funds available for purposes including the awarding of grants related to hazardous waste management; and

Whereas, said grant funds may include partial reimbursement for municipally conducted hazardous waste programs, including the hazardous waste day conducted by the City of Danbury on Nov. 4, 1989; and

Whereas, it is in the beneficial interests of the City of Danbury to apply for said grant funds to defray ten percent of the total cost (\$35,215.00) of said hazardous waste day;

NOW, THEREFORE BE IT RESOLVED THAT the actions of the Department of Public Works of the City of Danbury and the Office of Mayor of the City of Danbury in applying for said grant be and hereby are authorized and that any and all further actions by them required to accomplish said program be and hereby are similarly authorized.

The Resolution was adopted unanimously on the Consent Calendar.

8 - COMMUNICATION - Donation of \$25,000 from Union Carbide Corporation in support of housing initiatives, including the Regional Housing Summit and the work of the Danbury Housing Partnership, the Danbury Housing Authority and the non-profit Housing Corporation.

A motion was made by Councilman Boynton and seconded by Councilwoman J. Mack to accept the donation with a letter of thanks to be sent to Union Carbide Corporation. Motion carried unanimously.

Nancy Deibler of Union Carbide Corporation presented a check to Mayor Eriquez in the amount of \$25,000. Mayor Eriquez thanked Nancy Deibler and Mr. Kennedy for this very generous donation which will allow us to go forward with our regional housing summit scheduled for March 29th at Western Conn. State University

9 - COMMUNICATION - Airport Project Design.

Request from the Airport Administrator, Paul Estefan, for the City to use \$100,000.00 of the money received from the State of Conn. land sale to design the new snow removal building and drainage system at the airport.

Councilman Boynton requested referral to an ad hoc committee and the Airport Administrator. Mayor Eriquez so ordered and appointed the following committee members: DaSilva, Mack and Scozzafava.

10 - COMMUNICATION - Proposal of the Tarrywile Park Authority for the rental of two areas of the Park.

Councilwoman D. Gogliettino requested referral to an ad hoc committee and the Tarrywile Park Authority. Mayor Eriquez so ordered and appointed the following committee: Smith, Valeri, Regan.

11 - COMMUNICATION - Request from the Health Department for permission to accept donations from several firms for a recognition luncheon to be held for the volunteer workers of the Hypertension Risk Reduction Program.

Contributing firms include: Contact Systems Inc. Danbury \$50.00 - Perking Elmer, Norwalk (\$25.00) - and Sonics & Materials, Inc. Danbury, \$30.00.

A motion was made by Councilman Falzone and seconded by Councilman Smith for the donations to be accepted. Motion carried unanimously. Councilwoman Gogliettino requested a letter of thanks be sent to the donors.

12 - COMMUNICATION - Disbursement of funds from Celebrity Tag Sale and Auction held for the benefit of the Homeless.

At the tag sale held on Sept. 16, 1989, both City and Board of Education Surplus were sold. This was done with the approval and assistance of the City's Purchasing Agent. The amount of money received by the sale of these particular items was \$539.00. This money is in the possession of the comptroller. It is requested that the Council approve the donation of these funds to the "Tag Sale and Auction". Should the donation be approved it will be deposited into a special account at CBT. Five agencies are identified as ones to receive this money. The Salvation Army, The VNA, Dorothy Day, The Women's Center and the Housing Authority for the Single Room Occupancy Project.

On November 15, 1989, the proceeds were distributed to all agencies except the Housing Authority. The intention being to issue the agency the check once these funds (\$539) were received and to close the account.

A motion was made by Councilman DaSilva and seconded by Councilman Smith to approve the appropriation of \$539 from the appropriate City Line Item. Motion carried unanimously.

Councilman Boynton requested a list and description of all items declared "surplus" by Mayor Sauer. 2 - Approximate purchase dates of each item and its original cost. 3 - Copy of letters of authority from Mayor Sauer authorizing the Purchasing Agent to sell the items involved, ie: Value exceeding \$10 but less than \$1,000. 4 - In the future when items are to be declared surplus and sold or disposed of, Mr. Boynton is requesting that the Common Council be notified.

13 - COMMUNICATION - Revisions to City Ordinances Section 17-55 Bond Requirements.

Councilman Falzone requested referral to an ad hoc committee, Director of Public Works and Corporation Counsel.

Mayor Eriquez so ordered and appointed the following committee: Farah, Dean Esposito and Fazio.

14 - COMMUNICATION - Reports regarding Abandonment and/or Discontinuance of "Old Neversink Road".

A motion was made by Councilman Regan and seconded by Councilman Charles to accept the communication and await reports from the City Engineer and Planning Commission. Motion carried.

15 - COMMUNICATION - Request from Councilman Scozzafava for a maintenance committee to be formed between the Common Council and the Board of Education to clear up the many gray areas in the maintenance of the schools.

Councilman Scozzafava requested referral to an ad hoc committee, Superintendent of Public Buildings, and Director of Parks & Recreation. Mayor Eriquez so ordered and appointed the following committee: Cassano, Gogliettino and Scozzafava.

16 - COMMUNICATION - Request from L. Pinter, Assistant Corporation Counsel, for the Common Council to review and consider alternative sewerage methods and proposals re: Gaslight Village Condominium Project - Tamarack Ave.

Councilwoman Coladarci requested referral to a ad hoc committee, and City Engineer.

Mayor Eriquez so ordered and appointed the following committee: Gallo, Kilcullen and Boughton.

17 - COMMUNICATION - Request of Michael & Charlene Malone re: City owned land - Ralto Court.

Councilman Smith requested referral to the Mayor's Office. Mayor Eriquez so ordered.

18 - COMMUNICATION - Taltie's Farm, East King St. Subdivision of Michael F. Carlucci.

Councilwoman Gogliettino requested referral to the Corporation Counsel to report back to the Council in 30 days.

19 - COMMUNICATION - Offer by Russell M. Foti (Berkshire Realty) of land and buildings at 389 Main Street. The property, for sale, abuts land owned by the Housing Authority (Laurel Gardens).

Councilman Dean Esposito requested referral to the Housing Authority and Planning Commission. Mayor Eriquez so ordered.

20 - COMMUNICATION - Offer of land on East King Street to the City for road widening purposes. Parcel of land owned by Virginia Lais.

Councilwoman Gogliettino requested referral to the Corporation Counsel to report back in 30 days. Mayor Eriquez so ordered.

21 - COMMUNICATION - Application of Bright Clouds Ministries for Water extension - Clapboard Ridge Road.

Councilwoman Gogliettino requested referral to an ad hoc committee, Superintendent of Public Utilities, City Engineer and Planning Commission.

Mayor Eriquez so ordered and appointed the following committee: Charles, Coladarci and Regan.

22 - COMMUNICATION - Request from Richard Finaldi for Waiver of Connection Fee - 105 Park Avenue. Mr. Finaldi is constructing a substantial addition to the municipal sewer line at his own expense. The costs are well in excess of \$20,000. A waiver of connection fee in the amount of \$1,800 is being requested.

Councilwoman Coladarci requested referral to an ad hoc committee, and Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed the following committee: Zotos, Falzone, Boughton.

23 - DEPARTMENT REPORTS

Airport Administrator	Fire Chief
Building Department	Fire Marshal
Equipment Maintenance	Highway Dept.
Coordinator of Park Services	Police Dept.
Superintendent of Public Utilities	Public Buildings

A motion was made by Councilman DaSilva and seconded by Councilman Boynton for the Reports to be accepted and the reading of reports to be waived as all members have copies which are also on file in the Office of the City Clerk. Motion carried unanimously.

24 - REPORT & CERTIFICATION - Additional Funds for Insurance and Uninsured Worker's Compensation.

Councilman J. Esposito submitted a report stating that The Common Council committee appointed to review the request for additional funds for insurance and uninsured worker's compensation met on Dec. 18, 1989 in City Hall. In attendance were committee members Esposito, Regan and Kilcullen. Also attending were Risk Manager Tom Fabiano and Comptroller Dominic Setaro.

Mr. Fabiano explained the reason for the additional funding is that the policy carrier has increased its rates effective July 1, 1989 and the large rate increases were unforeseen at the time the budget was approved. After recalculating all line items he now finds that the budget will be short \$570,000. Mr. Setaro certified the availability of \$570,000 to be used for the Employee Health and Life Insurance Account. The funds are available as a result of excess monies which were approved after the budget was adopted and will amend the City's revenue and increase the appropriation for Health and Life Insurance.

Councilman Regan moved that since the certification of funds is in place, the committee recommend to the Common Council that funds in the amount of \$570,000 be approved, seconded by Councilman Kilcullen. Councilman Regan also made a motion to appropriate the sum of \$92,000 needed to fund uninsured worker's compensation claims based on heart and hypertension. Motion was seconded by Councilman Kilcullen and carried.

CERTIFICATION - dated December 21, 1989 was submitted by Dominic Setaro, Jr. Acting Director of Finance/Comptroller, certifying the availability of \$92,000 to be used for Uninsured Worker's Compensation Account #02-09-130-073600. These funds are available as a result of excess monies which were approved after the budget was adopted on May 2, 1989. As is customary, the City's revenue will be amended and the appropriation for Uninsured Worker's Compensation will be increased.

A motion was made by Councilman Charles and seconded by Councilman Smith for the Report to be accepted and the request for additional funds be approved. Motion carried unanimously.

Councilman Boynton commented that "this is an awful lot of money to be caught short on. There must be some way to keep tract of what the Insurance companies will be doing, either by public information etc.

Councilman Farah also commented, stating that these escalating costs are not only in Danbury but in other municipalities also. It is scandalous. Mr. Farah asked the Mayor on behalf of the City to take this problem to Hartford so they can take a quick look at the way Insurance is escalating and do something about it.

The Mayor replied that he will be meeting with the Danbury Delegation on 1/12.

25 - REPORT & CERTIFICATION - Projected shortage in the Overtime Account - Fire Department

Councilman J. Esposito submitted a committee report stating that the Common Council committee appointed to review the projected shortage in the overtime account for the Fire Department met on Dec. 18, 1989 in City Hall. In attendance were committee members Esposito, Boughton and Gogliettino. Also present were Fire Chief Lagarto and Comptroller Dominic Setaro.

Chief Lagarto stated that based on what has been expended from July 1, 1989 to Sept. 16, 1989, and also on past needs, he has determined that he needs the estimated amount of \$205,000 added to his Overtime Account. The areas generating overtime are vacation days, sick and injury leave, Union leave, funeral leave, Fire Alarm Work, Fire Marshal investigations, Garcia costs, training and the shortage of approximately 6 persons in man power.

Mr. Setaro stated that there is presently \$135,000 in the Salary Account and recommended that \$70,000 be taken from the Contingency Account to make up the shortfall in the Overtime Account.

Councilman Boughton made a motion, seconded by Councilwoman Gogliettino that the committee recommend to the Common Council that \$70,000 be appropriated from the Contingency Account and transferred to the Fire Department Overtime Account, pending certification by the Comptroller. Motion carried unanimously.

CERTIFICATION #10 - Dominic A. Setaro, Jr. Acting Director of Finance/Comptroller, submitted a certification of funds available in the amount of \$70,000 to be transferred from the Contingency Fund to the Fire Department's Overtime Services Account #02-02-110-010500.

A motion was made by Councilwoman D. Gogliettino and seconded by Councilman Charles for the Report to be accepted and transfer of funds authorized. Motion carried unanimously.

26 - REPORT - Charter Revision Commission.

Councilman DaSilva submitted a report stating that the committee appointed to review a request to form a Charter Revision Commission met on December 11, 1989 and on December 19, 1989. In attendance were committee members DaSilva, Esposito, Smith, Scozzafava and Fazio. Also in attendance were Mayor Gene Eriquez and Councilman Boughton, ex-officio.

The committee discussed among itself and with Mayor Eriquez the need for a Charter Revision Commission, the makeup of such a commission and any possible recommendations the Common Council would offer.

A motion was made by Councilman Fazio and seconded by Councilman Scozzafava to establish a Charter Revision Commission consisting of nine members. Of these members, two would be selected from the present Common Council and have a maximum of five Democrats and four Republicans. Motion carried unanimously.

Councilman DaSilva and Councilman Fazio presented Democratic and Republican applicants for the Commission. Following a discussion of the qualifications of each applicant, Councilman Fazio made a motion, seconded by Councilman Smith to recommend the following nine people:

State Representative Robert Godfrey - Benjamin DaSilva, Jr.
Richard Kilcullen, Murray Hough, John Bracy, Donald Boughton, Brian O'Hare, Edmund Tomey and John Turk.

After discussion of specific items to recommend that the Charter Revision Commission address, the following items were voted upon on a motion made by Councilman Fazio and seconded by Councilman Esposito:

- Sec. 2-2A.b - Size of Common Council, procedural methods and committee makeup;
- Sec. 2-2A.e - Succession of Treasurer.
& Sec. 6-1
- Sec. 2-2A.h - Staggered terms of Zoning Commission;
- Sec. 2-3 - Clarification of minority representation on the Common Council concerning the number of guaranteed seats;
- Sec. 6-4 - Clarify as to an individual or a firm being appointed as Corporation Counsel and review the requirements of four years as an attorney in the State of Connecticut;
- Sec. 6-6A&B - Consider elimination of the position as Director of Finance and incorporate with that of Comptroller;
- Sec. 6-6D - Delete amount of limit to unbidded purchases and put in Ordinance form;
- Sec. 6-7A - Consider Directors of Public Works and Personnel for Civil Service positions;
- Sec. 7-10 - Increase the \$50,000 limit of expenditures of a capital nature before the necessity of a referendum;
- Sec. 8-3 - Review the wording of Section on Conflict-of-Interest.

The committee also recommends that the Charter Revision Commission proceed in a fashion to allow the placement of any changes to the people at the general election of November, 1990 and to be done in a way that is clear to all voters.

Charter Revision (continued)

A motion was made by Councilman Boynton and seconded by Councilman Fazio for the Report to be accepted and committee appointed.

Councilwoman Joan Mack remarked she was disturbed that there are no women on the committee and thought the City would benefit by having women on the committee.

Councilman Boynton asked if the "Hatch Act" came in to play as one member was a postal employee.

Mayor Eriquez noted that the Hatch Act does not apply.

Mayor Eriquez then submitted the following names who have applied;

Eileen Mitchell, Republican - Christine Ellis, Democrat - Virginia Swenson - Democrat and Ted. Backer, Democrat.

A motion was made by Councilman Farah and seconded by Councilman Boynton to amend the original motion by adding Swenson, Ellis and Mitchell to the list of Charter Revision Commission members.

A motion was also made by Councilman Regan and seconded by Councilman Boughton to add Mr. Roger Bundy to the list, making the Commission a total of 13 members. 7 Democrats & 6 Republicans.

A motion was made by Councilwoman Butera and seconded by Councilman Smith to move the question. Motion carried.

The amendment to the original motion carried by a vote of 19 Ayes and 1 Nay. (Councilman Esposito voted Nay and Councilman Gallo was absent)

The motion as amended carried.

27 - REPORT - Review of Sewer & Water Approvals.

Councilman Zotos submitted a report stating that the committee appointed to review the request for a review of sewer and water approvals, met on December 12, 1989 in City Hall. In attendance were committee members Zotos, Valeri and Regan. Also in attendance were Council Members DaSilva and Coladarci, ex-officio, Assistant Corporation Counsel Eric Gottschalk, City Engineer J. Schweitzer, Director of Public Utilities, W. Buckley, Fire Chief Lagarto, Building Inspector Leo Null and Attys Neil Marcus and David Grogins.

Mr. Buckley's presentation outlined problems presently confronting his department, citing present projects under the eight steps required for sewer and water approvals:

1. Projects not completed leaving the City without ownership of the lines; and
2. Delays of construction effecting departmental work schedules, inspections, wasted time effecting workload of the Public Utilities department.

Fire Chief Lagarto stated that he is seriously concerned with no water available during construction periods:

1. Buildings partially constructed, materials, equipment on construction site; and
2. Safety of his firefighters.

Assistant Corporation Counsel Eric Gottschalk stated his concerns regarding the City's legal obligations:

1. Projects left partially completed;
- 2 Security bonds of projects, and
3. Homeless sleeping at projects, who is responsible if someone is hurt or there is a fire.

Sewer & Water Approvals (continued)

Mr. Null, the City Building Inspector, stated that it is time to review the process pertaining to issuance of building permits:

1. Continue to work with developers and encourage incentives to solve or help with the problems; and
2. Discussions should begin to plan for the future development of the City.

Attorney Grogins and Attorney Marcus stated that they are concerned with future health development:

1. Developers should not be faulted alone; 2. It is not a simple problem; and 3. There should be more discussions with the developers to prepare for future development (West side of City).

Mr. Valeri stated that he is concerned that the City strengthen its position and the fire safety during the construction period.

Mr. DaSilva stated his concern regarding the City's economic development. Mr. Regan stated that he is concerned with the overall discussion by City Departments and developers and recommends the City begin the process of investor owned types of public utility system. Mr. Schweitzer and Mr. Gottschalk agreed that this process would be in order.

Councilman Regan made a motion seconded by Councilman Valeri to leave in the 8 steps and that a committee should be appointed to look into the development of investor owned public utility system. Motion carried unanimously.

A motion was made by Councilman DaSilva and seconded by Councilman Smith for the Report to be accepted and an ad hoc committee be appointed by the Mayor and to refer the matter to the City Engineer, Director of Public Utilities, The Building Inspector and Corporation Counsel.

The Report was accepted unanimously, and Mayor Eriquez appointed the following committee members - Cassano, Kilcullen and Boughton.

28 - REPORT - Modification and Time Extension of Water Extension at South Cove Road.

Councilman DaSilva submitted a committee report stating that the committee appointed to review the above request met on Dec. 12, 1989. In attendance were committee members DaSilva, Coladarci and Boughton. Also in attendance were Superintendent of Public Utilities, William Buckley, City Engineer Jack Schweitzer and ex-officio member Nicholas Zotos.

Mr. DaSilva explained his reasons for presenting this request. South Cove is an area in dire need of water. An approval for an extension was granted in 1988 with the stipulation that construction could not begin until the City obtained ownership of the water main installed for the Barclay Commons. Many delays have occurred in the acceptance of this line which have not allowed the South Cove project to proceed. In addition, there are a number of customers already connected to this line because of the replacement of an old water main.

Mr. Buckley reviewed the history of the Barclay Commons water main. He recommended that the South Cove project be allowed to proceed by waiving the provision that calls for City acceptance of the water main before construction begins.

Councilman Boughton moved to recommend to the Common Council that the provision for City ownership of the water main before construction of the South Cove water extension be waived and that an extension of eighteen months be granted from the date of Common Council action on this request. Councilwoman Coladarci seconded the motion which was passed unanimously.

The Report was accepted and committee recommendations authorized and approved by the Common Council on the Consent Calendar.

Councilman Esposito submitted a report stating that the Common Council committee appointed to review the above request, met on Dec. 18, 1989 in City Hall. In attendance were committee members Esposito, Regan and Mack; Mr. & Mrs. Palanzo, Superintendent of Public Utilities William Buckley, and Assistant Corporation Counsel Eric Gottschalk.

Mr. Palanzo stated that he has purchased a house on Middle River Road near Franklin St. Ext. and found that the house receives raw, untested drinking water from a City line and is billed as a regular customer. Atty. Gottschalk stated that the City is responsible and has a responsibility to provide adequate drinking water to its existing customers. He stated that the City is in violation of the Public Health Code regulation which outlines the parameters for the quality of drinking water.

Mr. Buckley stated that he is aware of the problem and as a solution he would be willing to provide the property with well water rather than extending a new City water line to the site. The work of installing the well would be done by the City's Public Utilities Department with the exception of the drilling materials, with a cost of approximately \$5,000 to \$7,000. Mr. Palanzo was in agreement and would be willing to release the City from future obligations to provide the property with drinking water. Mr. Buckley requested that the bidding procedure, after he receives three bids for the necessary material, be waived and he be permitted to accept the low bid.

Councilman Regan made a motion, seconded by Councilwoman Mack that the installation of a well be done and the bidding procedure be waived. Motion carried unanimously, at the committee meeting.

A motion was made by Councilman Regan and seconded by Councilman DaSilva for the Report to be accepted, and to make a recommendation to authorize Mr. Buckley to proceed with the well and to waive the bids.

Under "remarks", Councilman Boughton stated that Mr. Palanzo' request is different from the usual run of the mill water problem. As I read the report a great many questions came to mind. Many of these questions were read at the committee meeting. Some questions that do not seem to have been asked at the committee meeting are:

1. How many other homes in Danbury on the City water system share this unique problem?

2. What is the history of the problem line? For example, was it hooked up at the original owner's request with him knowing it was untreated water?

What is the total amount of water fees paid at that location from the Charter Revision of 1977 until the present?

Was Mr. Palanzo offered a refund of the fees so that he might install his own well?

Has there been any previous history of service complaints from this residence?

Was the house advertised with Real Estate Agents as having treated City water or untreated water?

Was the water problem used as a bargaining tool in the price of purchase?

Was the previous owner contacted and asked this question?

Does Mr. Palanzo know if he can take action against the seller under State Law if a misrepresentation occurred at the sale?

These are only a few of the questions the public will ask when it comes to their attention that Mr. Palanzo is Supt. of Public Buildings in Danbury, and in the same peer group as Mr. Buckley, Supt. of Public Utilities.

"Now I am not insinuating that anything is wrong. The reason I took this off the consent calendar was for the protection of these two superintendents.

#29 - continued:

This going on the Consent Calendar could very well be construed as something that was slipping by without public awareness. Questions should be asked before the fact and not after.

A recommittal to committee is probably best at this point but I am not going to ask for that. I am going to ask for an amendment to the motion that was made. I want the amendment to follow the word "waive" in Mr. Regan's motion "bid process be waived", This amendment would follow that word and would read as follows:

"After the following agreement is drawn and signed by both parties:

1. The well and all equipment associated with it is to be located on Mr. Palanzo's property.
2. Any cost to upgrade the house electrical service is to be borne by Mr. Palanzo.
3. The minimum gallons per minute standards for a 1 family home shall constitute a adequate well flow and drilling shall only proceed for a greater flow at Mr. Palanzo's cost.
4. Any filtering of the water for hardness or iron shall be at Mr. Palanzo's cost.
5. All costs of landscaping after the well drilling shall be at Mr. Palanzo's cost.
6. Any cost over \$5,000 shall be paid by Mr. Palanzo.
7. The well and all equipment for the wells' operation shall be turned over to Mr. Palanzo for ownership and responsibility along with all warranties on equipment and workmanship.
8. This agreement releases the City of Danbury from all current and future claims regarding this problem.

Upon completion of the turnover to Mr. Palanzo, the line shall be terminated at the Main and flagged on City Water Department maps as unusable.

Further discussion ensued with Councilman DaSilva stating that the City is liable - this is the only customer with this problem. Councilman Kilcullen asked if this situation was considered on the purchase price and Councilman Farah asked if the previous occupants complained. Councilman Regan stated that the committee had enough information.

A motion was made by Councilman Boynton and seconded by Councilman Kilcullen to recommit to committee.

A motion made by Councilman Farah and seconded by Councilman Fazio moved the question with Councilman DaSilva voting Nay.

Note: During the discussions, Atty. Gottschalk told the Council that this problem was unique and a result of the way the line ran from the reservoir.

The motion to recommit to committee passed by a roll call vote of 15 Ayes - 5 Nays - 1 member absent.

Councilmembers Fazio, Kilcullen, Falzone, Coladarci, Mack, Farah, D. Esposito, Zotos, Smith, Charles, Boughton, Boynton, Butera, Scozzafave and Valeri voted Aye. (15 votes)

Council Members - Gogliettino, DaSilva, Esposito, Cassano and Regan voted Nay. (5 votes). Councilman Gallo was absent.

30 - REPORT - Sewer Assessment - 86 Golden Hill Road.

Councilman DaSilva submitted a report stating that the committee appointed to study a request to reduce a sewer assessment at 86 Golden Hill Road, met on Dec. 12, 1989. In attendance were committee members DaSilva, J. Esposito, Scozzafava; Superintendent of Public Utilities, William Buckley, Peter McEwan, the petitioner, and Council Member Boughton, ex-officio.

Councilman DaSilva read a communication from City Engineer Jack Schweitzer which recommended no action on the petition at this time because the assessment was accepted by the Common Council on April 12, 1982 and there is a State Statute which limits the appeal period to 21 days.

Mr. McEwan presented as his argument that because of the topography of the land only one house could be built on his property which is listed by the City as two building lots. He requests that this assessment be reduced to one lot. Mr. Buckley explained that the property was assessed properly at the time of completion of the project. The combining of the lots cannot change the assessment process from 1982. Many changes to properties occur after an assessment is levied. The City cannot re-assess the total project each time a resident alters his property.

Councilman Scozzafava made a motion, seconded by Councilman Esposito to recommend that the Common Council take no action on this petition at this time as per the recommendations of Mr. Buckley and Mr. Schweitzer. Motion carried unanimously.

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

31 - REPORT - Request for an Ordinance restricting Parking.

Councilman Charles submitted a report stating that the ad hoc committee appointed for the above purpose, met on Dec. 14, 1989. In attendance were committee members Charles, Falzone, Regan; City Engineer J. Schweitzer for Traffic Engineer Abdul Mohammed and Lt. Arthur Sullo for Chief Macedo of the Police Dept.

Mr. Schweitzer cited the fact that all accepted City roads are under the jurisdiction of the City of Danbury. Lt. Sullo explained about complaints from property owners concerning parking violations by persons other than owners. Persons violating the present Ordinances have their vehicles tagged or towed away after two hours upon complaints.

Councilman Regan made a motion seconded by Councilman Falzone that no action be taken at this time. Motion carried unanimously.

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

32 - REPORT - Appeals of Hillandale Sewer Assessments.

Councilman Boynton submitted a progress report stating that the committee appointed to review the appeals, met on Dec. 18, 1989 in City Hall. In attendance were committee members Boynton and Falzone. Councilman Fazio was absent. Also attending were City Engineer J. Schweitzer, Superintendent of Public Utilities, W. Buckley, Assistant Corporation Counsel E. Gottschalk, Comptroller D. Setaro, Council Member Boughton, ex-officio and the petitioners Gregory Pin, R. DeGrazia, Emilio DeGrazia, Thomas Tielsch, Henry Schirmer, Remo DeGrazia and Larry Schirmer.

The committee received input regarding the Hillandale Sewer project from City Engineer J. Schweitzer and from Mr. Buckley. This project was started in 1985 and was completed in a public hearing in July, 1989.

In question by the Padanaram neighbors (petitioners) is the fact that in 1978 a local developer, Mr. Nick Attick of the Dana Corporation proceeded to install a sewer line from Capi tola Road to the entrance of a project which was never completed. Therefore the sewer line was never accepted by the City or the City Engineer.

This unaccepted sewer line was incorporated by the City Engineer as part of a sewer expansion project in 1985 known as the Hillandale Sewer Project. The Common Council in June 1985, held a public hearing and approved the project. This project was completed in 1989. A public hearing was held in July, 1989 and was accepted by the Common Council on Oct. 17, 1989 at a Special Meeting.

The petitioners believe they should only be assessed for the cost spent to bring the existing, previously unapproved, Nick Attick-Dana Corporation sewer line which has been estimated at less than \$7,000 rather than the assessed value of \$66,317.

The committee has requested further information from the City Engineer and City Clerk's records. Upon receipt of this information the chairman will call another committee meeting.

The Progress Report was accepted by the Common Council on the Consent Calendar.

33 - COMMUNICATION & CERTIFICATION - Request for funds in the amount of \$1,500 to be transferred to the City Clerk's Office Account No. 01-111-011001, Part Time Services. These funds are required for Part Time services in the Office of the City Clerk.

CERTIFICATION #11 was submitted by Mr. D. Setaro, Jr. Acting Director of Finance/Comptroller in the amount of \$1,500 to be transferred from the Contingency Account to the City Clerk's Office Part Time Account #02-01-111-011001.

The Communication & Certification was accepted by the Common Council and transfer of funds authorized by the Common Council on the Consent Calendar.

34 - REPORT & CERTIFICATION - Request for the purchase of an ambulance, for the Danbury Fire Dept.

Councilman Farah submitted a report stating that the Common Council committee in charge of reviewing the Fire Department's request for the purchase of two ambulance chassis, met on Dec. 20, 1989. Committee members Farah, Charles and Fazio attended. Also present were Councilman Dean Esposito, ex-officio, Richard Tomaino, Dominic Setaro, Michael Esposito and Chief Antonio Lagarto.

Chief Lagarto has initially written to Mayor Eriquez on Nov. 22, 1989 urging him to recommend funding for the replacement of the 1981 Chevrolet ambulance chassis. The cost of the replacement would have been \$35,000. It is important to have at least three functioning ambulances in good condition at the disposal of the Department. Mr. Richard Tomaino, Superintendent of Apparatus, documented the need for the requested item and the estimated cost.

At the committee meeting Chief Lagarto and Mr. Tomaino explained that a new development had occurred in the intervening time. A reputable company is offering a 1988 Chevrolet ambulance, with only 13,000 miles, for sale at \$40,000. The Chief and Mr. Tomaino investigated the offer and decided to recommend the purchase of this vehicle. The members of the committee agreed to take advantage of this offer and to table consideration for the replacement of the chassis until money is made available for it in the next fiscal year. At that point the Department will then have three functioning ambulances in good condition.

#34 - continued:

A motion was made by Councilman Charles and seconded by Councilman Fazio to recommend that the Common Council approve the purchase of the 1988 ambulance and the waiver of the bidding procedure. Funds will be authorized from the contingency fund pending certification. Motion passed unanimously.

CERTIFICATION #12 was submitted by Mr. D. Setaro, Jr. Acting Director of Finance/Comptroller, certifying the availability of \$40,000 to be transferred from the Contingency Fund to the Fire Department's Automotive Equipment Account #02-02-110-061500.

The request for these funds was approved by the Common Council on January 3, 1990 pending this certification.

A motion was made by Councilman Boughton and seconded by Councilman Charles for the Report to be accepted and transfer of funds authorized, pending certification from the Comptroller, and for the waiver of bidding procedure to be authorized also.

Motion carried unanimously.

A motion was made by Councilman Farah and seconded by Councilman Smith to add another item #35 to the agenda. Motion carried with Councilwoman J. Butera voting No.

#35 - REPORT - Lease between Victorian Associates and the City of Danbury.

Councilman Farah submitted a report stating that the Common Council committee appointed to review the lease between the Victorian Associates and the City of Danbury met on Dec. 20, 1989. Committee members Farah, Mack and Boughton were present as well as Councilman L. Charles, ex-officio, James Mather and Robert Botelho of Victorian Associates, Susan Durgy, Aids Program Coordinator, and William Campbell the Director of Health.

The committee reviewed the details of the proposed lease and read a letter from Assistant Corporation Counsel Laszlo Pinter regarding its legal aspects. Mr. Campbell and Ms. Durgy explained the need for the space to be rented and its anticipated use. The statement from Mr. Pinter indicated that the wording of the lease document is acceptable and similar to the language of other leases that the City has for other facilities. The monthly rent is \$625.00 including sewer & water, snow plowing, trash removal and ground maintenance. The area to be rented is 600 square feet and the location is 403 Main St. The space will be used for the staff of the Aids Prevention Program. Funding will be provided by the State of Connecticut. The Planning Commission has already approved the lease.

A motion was made by Councilman Boughton and seconded by Councilwoman J. Mack to recommend the acceptance of the lease. Motion passed.

A motion was made at the Council meeting by Councilman Kilcullen and seconded by Councilman Falzone to accept the Report as read. Motion carried unanimously.

A motion was made by Councilman Farah and seconded by Councilman Smith to add another item #36 to the agenda. Motion carried with Councilwoman J. Butera voting No.

#36 - REPORT - Mayor's Task Force on Recycling.

Councilman Farah submitted a committee report stating that the committee appointed to review the status of recycling and to reconsider the previous Common Council's committee report dated November 9, 1989, met on Dec. 14, 1989 in City Hall. Committee members Farah, Fazio, Smith and Valeri attended. Councilwoman Coladarci had a previous engagement. Also present were Councilman Charles, ex-officio and Michael Cech.

The committee reviewed the Nov. 9th report of the previous Council committee. The report has recommended the purchase of a truck to be used as a mobile unit moving between designated areas of the City to receive and collect recyclable materials from residents of that area. The writing on the truck would also serve to propagate the concept of recycling among the residents.

Mr. Cech shared a statement of estimated costs of stationary units versus a mobile unit for recycling. The cost of three additional centers for collecting recyclable materials ranges from twice to nearly three times the cost of a mobile unit. The committee further concluded that there is an added advantage to the mobile unit. It may be used for other City purposes when a more comprehensive plan for recycling is put in effect.

Committee members also questioned Mr. Cech about a possible role for private enterprise in the recycling effort. He responded that the City would welcome the assistance of private carters and the contributions of private businesses to recycling.

A motion was made by Councilman Valeri and seconded by Councilman Smith to accept the initial recommendations made by the previous committee which called for the purchase of a truck to be used as a mobile unit for recycling the further to ask the City administration to explore means of cooperation with the private sector and report its findings to the Council. The Mayor would authorize the funding from available sources in the current budget, the Contingency, and the Landfill account.

A motion was made by Councilwoman D. Gogliettino and seconded by Councilwoman E. Coladarci to accept the Report.

Councilwoman J. Mack remarked that there are no particulars and asked if there is any more information available?

Councilman Farah replied that the committee had the additional information. Mayor Eriquez asked that the Mayor's Task Force information be provided to members.

The motion to accept the Report and committee recommendations was carried by a roll call vote of 17 Ayes and 3 Nays.

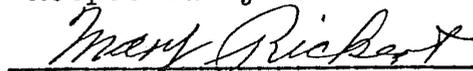
Councilmembers Fazio, Kilcullen, Falzone, Coladarci, Farah, D. Esposito, Zotos, Gogliettino, DaSilva, Esposito, Smith, Cassano, Charles, Boughton, Butera, Scozzafava, Valeri voted Aye (17 votes)

Council Members J. Mack, E. Boynton and A. Regan voted Nay. (3 votes).

Mayor Eriquez then extended all committees and requested the committees to complete their assignments within the prescribed six week period whenever possible.

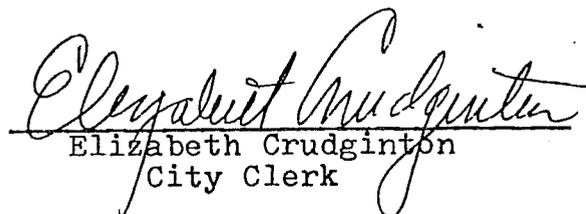
There being no one requesting to speak during the Public Speaking Session and there being no further business to come before the Common Council, a motion was made by Councilman DaSilva and seconded by Councilwoman Mack for the meeting to be adjourned at 9:45 P.M.

Respectfully submitted



Mary Rickert
Acting Assistant City Clerk

Attest:


Elizabeth Crudginton
City Clerk



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

LANDFILL DEPARTMENT
(203) 796-1562

MICHAEL A. CECH
General Mgr. of Solid Waste

The Honorable Gene Eriquez, Mayor
Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

December 21, 1989

Dear Mayor Eriquez and Council Members:

Attached is a proposed change in the wording of Section 16A-32 (b)(3), regarding disposal of demolition debris by non-profit agencies which are planning to build low- and moderate-income housing.

This proposal was drafted after consultations with and approval by Mayor Eriquez.

Please add this item to the January agenda for further action.

Thank you for your assistance.

Sincerely,

Michael A. Cech

cc: D. Minahan
D. Gervasoni
File

MAC/jsr



2-1

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

ALAN R. SCHACHT, FIRE MARSHAL
(203) 796-1541

December 5, 1989

TO: COMMON COUNCIL MEMBERS
FROM: FIRE MARSHAL ALAN R. SCHACHT
RE: ORDINANCE AMENDMENT

I am requesting an amendment to the City of Danbury Ordinance 19-33 - Obstructing of Fire Hydrants, to enable Fire Marshals, Deputy Marshals and Inspectors to issue summonses.

There are many instances where cars are parked, blocking access to hydrants for fire apparatus, and the Police Department can not always be there to ticket violators.

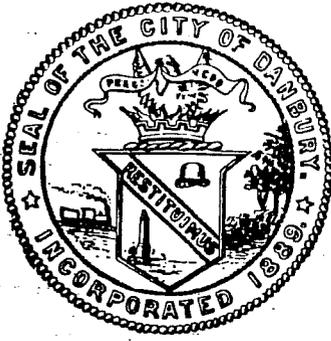
I would also request that the fee for this violation be raised from \$5.00 to \$25.00 to coincide with the fire lane summons. I would greatly appreciate it if you would grant this amendment.

Sincerely,

Alan R. Schacht
Fire Marshal

ARS:n

2-2



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:
THAT section 19-33 of the Code of Ordinances of Danbury,
Connecticut is hereby amended to read as follows:

(a) No vehicle shall stop at or obstruct any fire hydrant within a distance of ten (10) feet from either side of said hydrant.

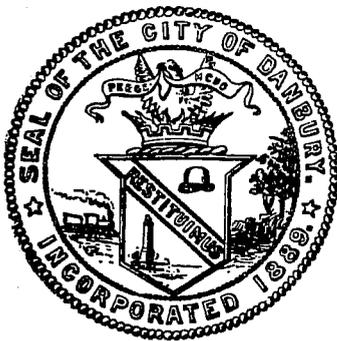
(b) Any person violating this section shall be fined not more than twenty-five dollars (\$25.00). The registered owner of a motor vehicle shall be presumed to be the operator of such vehicle.

(c) The fire marshal, any deputy fire marshal or fire inspector and any police officer of the City shall be and hereby is authorized and empowered to issue summonses for violations of this section.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19



RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in an amount not to exceed eighty thousand dollars (\$80,000.00) are available from the State of Connecticut Department of Children and Youth Services for 1989-1990 Youth Services Bureau operations; and

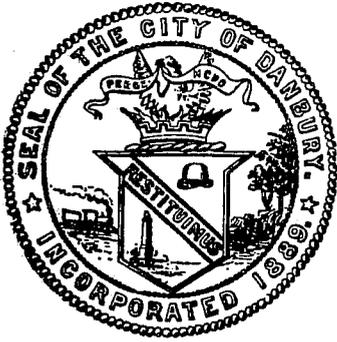
WHEREAS, the continuation of the Youth Services Bureau for a twelfth year is deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the actions of Gene F. Eriquez, as Mayor of the City of Danbury, in applying for said funds be and hereby are ratified and that Mayor Gene F. Eriquez be and hereby is authorized and directed to contract with the State of Connecticut Department of Children and Youth Services for a state cost sharing grant not to exceed eighty thousand dollars (\$80,000.00) for a Youth Service Bureau for the fiscal period commencing July 1, 1989.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all related documents, applications or other pertinent instruments pursuant to this program.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury;

WHEREAS, the State of Connecticut Legislature, by Public Act 89-256 and Connecticut General Statutes Sections 21a-277, 21a-278 and 21a-279 has promulgated increased mandatory penalties and incarceration for selling or distributing drugs or drug paraphernalia in, on or near school grounds; and

WHEREAS, said Act also provides for additional penalties for using a minor to sell or distribute controlled substances or paraphernalia in, on or near school grounds; and

WHEREAS, it is desired, intended and in the best interests of the City of Danbury and the City of Danbury Board of Education that the message and intent of said Act be spread throughout the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, by Gene F. Eriquez, its Mayor and Dr. Anthony L. Singe its Superintendent of Public Schools declares as "drug free zones" all areas within one thousand (1,000) feet of the property boundaries of any school or school grounds located within the City of Danbury.

BE IT FURTHER RESOLVED THAT any message, declaration, publication and application of this resolution in conformance with law be and hereby are ratified.



5

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
WIBLING ROAD

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

December 30, 1989

Honorable Mayor Enriquez
and Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor and Members of the Common Council:

Please find the enclosed Resolution authorizing Mayor Gene F. Enriquez to sign all documents concerning the rehabilitation of runway 8/26. Due to a change in administration it is necessary that a new Resolution be adapted to authorize the new mayor to sign said grant so that we may receive monies.

Sincerely,

Paul D. Estefan
Airport Administrator

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT



January 3, 1990 A. D., 19

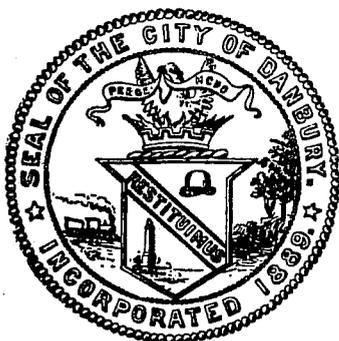
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport and Airway Safety & Capacity Expansion Act of 1987; and

WHEREAS, the City of Danbury through the Danbury Municipal Airport intends to Reconstruct Runway 8/26; and

WHEREAS, the City of Danbury will make application for a federal and state grant in the amount not to exceed \$4,029,675.00 with a local match of two and one-half percent equalling an amount not to exceed \$103,325.00.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Protection, pursuant to Connecticut General Statutes 22a-6(a)(2) and 22a-134nm has made funds available for purposes including the awarding of grants related to hazardous waste management; and

WHEREAS, said grant funds may include partial reimbursement for municipally conducted hazardous waste programs, including the hazardous waste day conducted by the City of Danbury on November 4, 1989; and

WHEREAS, it is in the beneficial interests of the City of Danbury to apply for said grant funds to defray ten (10%) percent of the total cost (\$35,215.00) of said hazardous waste day;

NOW, THEREFORE, BE IT RESOLVED THAT the actions of the Department of Public Works of the City of Danbury and the Office of Mayor of the City of Danbury in applying for said grant be and hereby are authorized and that any and all further actions by them required to accomplish said program be and hereby are similarly authorized.

UNION CARBIDE CORPORATION 39 OLD RIDGEBURY ROAD, SECTION C2193, DANBURY, CT 06817-0001
PHONE: (203) 794-6942

NANCY W. DEIBLER
SENIOR STATE MANAGER
REGIONAL PUBLIC AFFAIRS

December 21, 1989

The Honorable Gene F. Eriquez
Mayor, City of Danbury
City Hall
Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez:

Union Carbide is pleased to offer the City of Danbury the sum of \$25,000 in support of your administration's housing initiatives, including the Regional Housing Summit and the work of the Danbury Housing Partnership, the Danbury Housing Authority and the non-profit Housing Corporation.

We understand that the Danbury Common Council must approve the offer before the city can accept the check, therefore we ask you to put this question before them at their next meeting and advise us of the council's action.

Best wishes for a peaceful holiday season. We look forward to working with you throughout your first term in office.

Sincerely,



NWD/tr



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
WIBLING ROAD

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

December 22, 1989

Mayor Gene F. Eriquez
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut



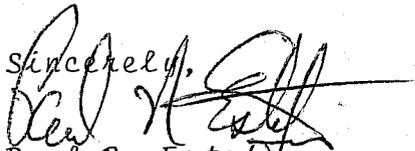
Dear Mayor,

As we previously discussed, I am requesting that the city use \$100,000.00 of the money we received from the State of Connecticut land sale to design the new snow removal building and drainage system here at the airport.

The F.A.A. in a meeting that was held on November 01, 1989 in Burlington, Ma. informed me that Danbury Municipal Airport would not receive any F.A.A. dollars this year, but if we were to fund the next project design and have it ready to go to bid they would give us the money first if it was available this year. The availability of the money would depend on if another airport could not exercise its grant monies this year. They also stated that any design work that we do ahead of time on the next project is reimbursable when we receive our grant.

I recommend that we go forward with this design project so that the city can take advantage of the F.A.A. monies if it becomes available this year.

Sincerely,


Paul D. Estefan
Airport Administrator



December 27, 1989

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

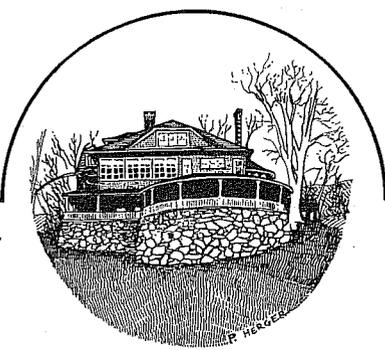
Dear Councilman DaSilva:

On behalf of the Tarrywile Park Authority, I would like to present to you a proposal for the rental of two areas of the park.

The Tarrywile Park Authority has been in the process of upgrading certain facilities to insure a stream of income and to provide additional security within certain areas of the park. To update you as to our current progress I would like to describe two specific areas of our activities.

The cottage which adjoins the castle is currently being upgraded through a contract with Henry Abbott Technical School. We anticipate that shortly the property would be brought up to minimum code standards, but additional work such as decorating and outside maintenance would be required. In addition, the gate house serving the mansion was also in complete disrepair and we are in the process of attempting to have certain basic work done to comply with the current building and health codes. Once this is done, however, additional decorative work would be necessary to make the building habitable.

During the past year there have been numerous instances of break-ins into the castle and the adjoining cottage. The current alarm system is not adequate to prevent these incursions, only to advise us that it had taken place and by the time police or other representatives arrive, the intruder has gone. It is imperative that this area be protected. In this light, it would be to the benefit of the authority and to the City to have someone quickly residing at the cottage to perform not only some of the decorating and exterior work, but also to establish a presence in the area as additional security for the castle itself. Also, a presence at the gatehouse would provide additional security for the mansion area.



Tarrywile Park Authority • 70 Southern Blvd.

Danbury, Connecticut 06810 • (203) 744-3130

Mr. Joseph DaSilva
December 27, 1989
Page 2

The authority has been in contact with two individuals who would be willing to lease these premises and do most of the decorative and other work in exchange for a short term adjustment on the rental. It is the feeling of the authority that this procedure would be an immediate advantage to us.

The Common Council under the provision of Section 13A-51 (a)(2) reserved to itself final approval of any activity with respect to the current structures on the premises, including the leasing of any lands within the park. The problem of the authority is that at the present time we are unable to determine exactly what work would have to be performed and it is also impossible to establish a reasonable rental based upon a fully, completed structure. Therefore, the authority would like to propose that because of these unique circumstances that the council at this time authorize the authority to enter into a short term lease for each of these facilities not to exceed nine months at a rental and under such conditions that the authority deems appropriate based upon the circumstances existing at the time the lease is finalized. After this time, should the lease be extended or renewed or a new lease be entered into, a more formal proposal with a suggested market rental would be submitted to the council for its approval. This procedure would enable the authority to have somebody occupy the premises as quickly as possible for the reasons stated herein and would give us the flexibility to negotiate services in lieu of rent which in our opinion would be a greater advantage to the authority in protecting its facilities.

Members of this authority would be available to discuss this matter with any member of the council at any convenient time. We wish to thank you for your anticipated cooperation in this matter.

Very truly yours,

Paulette L. Pepin

Paulette L. Pepin, Ph.D.
Chairperson

/bjd

cc: Honorable Gene F. Eriquez



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

December 18, 1989

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

Dear Members of the Common Council:

The Hypertension Risk Reduction Program of the Danbury Health and Housing Department owes its success, in great measure, to its loyal volunteer workers. Danbury employers have long recognized their efforts. Several firms have donated funds toward a recognition luncheon.

Contributing firms include: Contact Systems, Incorporated, Miry Brook Road, Danbury (\$50.00); Perkin Elmer, 761 Main Avenue, Norwalk (\$25.00); and Sonics and Materials, Incorporated, Kenosia Avenue, Danbury (\$30.00). With your approval, the department would like to accept these funds for the specific purpose of providing a luncheon for the volunteer workers of the Hypertension Program.

If this request is approved, the luncheon would be held early in the new year. Melonnie Bonjour, our High Blood Pressure Specialist, would then have a pleasant setting in which to recognize the efforts of her volunteers.

Thank you for your consideration of this matter.

Sincerely,

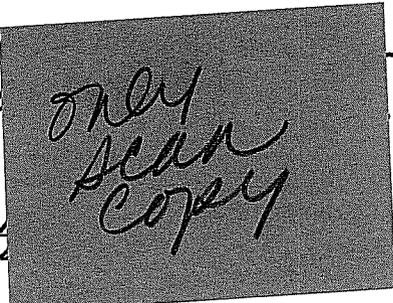
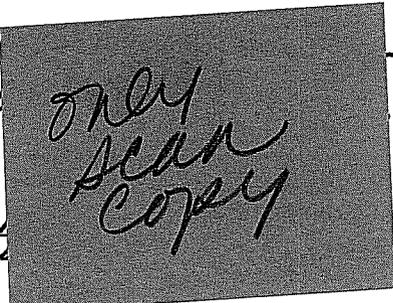
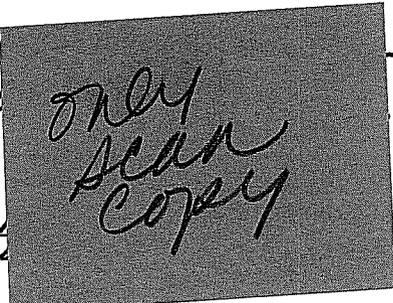
William J. Campbell, M.P.H.
Director of Health

WC/kg

cc: Gene Eriquez, Mayor
Melonnie Bonjour, High Blood Pressure Specialist

come

Please list your requests for #12

- ① I would like a list and description of all items ~~declared~~ ^{declared} "surplus" by "Mayor Sowers" re: Sec E-153.
- ② approx purchase dates of each item & its original cost.
- ③ Copy of Letter of Authority from the Mayor Sowers authorizing the Purchasing agent to Sell or dispose of  valued. i.e. Value exceeds \$10.00 
- 4. In the future  to be declared surplus & sold or disposed of. Please notify the Council as above.

ONLY
SCAN
COPY

Thank you
Earl Bryant

Essie

Please list your requests for # 12

① I would like a list and description of all items ^{declared} ~~declared~~ "surplus" by "Mayor Lowan" re: Sec E-153.

② approx purchase dates of such items & its original cost.

③ Copy of Letter of Authority from the Mayor Lowan authorizing the Purchaser agent to Sell or dispose of its items involved. ie: Value exceeding \$10.00 but less than \$1,000.

4.

In the future when items are to be declared surplus & sold or disposed of, please notify the Common Council as above.

Thank you
Earl Bryant



12

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

12/19/89

Welfare Department
797-4569

Joseph DaSilva, President
Common Council of the City of Danbury
Danbury, CT 06810

Dear Mr. President:

This letter is a request to you and all the members of the Council for an action to be taken at the January meeting.

On September 16, 1989, the City held a "Celebrity Tag Sale and Auction" to benefit the Homeless. At the Tag Sale, both City and Board of Education Surplus were sold. This was done with the approval and assistance of the City's Purchasing Agent.

The items were sold in hopes of the Council approving the donation of the proceeds to the Citywide effort. The amount of money received by the sale of these particular items was \$539.00. This money is in the possession of the Comptroller and I am requesting that the Council approve the donation of it to the "Tag Sale and Auction".

Should the donation be approved it will be deposited into a special account at CBT. All of the event's proceeds were also deposited into this account. Prior to the event five agencies were identified as the ones to receive the money. Those agencies were: The Salvation Army, The VNA, Dorothy Day, the Women's Center and the Housing Authority for the Single Room Occupant Project.

On November 15th, 1989, the proceeds were distributed to all the agencies except the Housing Authority. The intention being to issue the agency the check once these funds (the \$539.00) were received and to close the account on this very successful effort.

I am certainly available if more information is required and I appreciate your consideration of this request.

Sincerely,

Deborah MacKenzie

C.C. Mayor Eriquez
Lewis Wallace



12

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4571

WARREN W. PLATZ
PURCHASING AGENT

September 18, 1989

To: Dominic A. Setaro, Jr., Acting Director of Finance/Comptroller
From: Warren W. Platz, Purchasing Agent *WWP*
Re: Sale of Surplus Equipment

Enclosed are the proceeds from the sale of City and Board of Education surplus equipment.

The sale was conducted in conjunction with the Tag Sale for the Homeless and the money was kept separate from the rest of the funds.

All City and Board of Education items were sold from a booth under my direct control. There were a few items that were auctioned and, again, those receipts were kept separate.

The final tally breaks down as follows:

Booth	\$309.00
Auction	<u>230.00</u>
TOTAL	\$539.00

At the end, there were a few unsold items left which I considered to be worthless junk and gave permission for them to be taken to the landfill.

WWP/bmm
enc:

cc: Mayor J.H. Sauer, Jr.
✓ D. Burgos
E.L. Gottschalk
L.L. Pinter

THE CONNECTICUT BANK AND TRUST COMPANY, N.A.

stolen, an affidavit of loss and indemnity agreement will be required to place a stop payment. A surety bond may also be required.

12

CASHIER'S CHECK

November 15,

89 No. 64979740

122146cts

1,221.46***

Salvation Army***

NON-NEGOTIABLE
CUSTOMER COPY

1-0906 6/86

0299197

THE CONNECTICUT BANK AND TRUST COMPANY, N.A.

NOTICE: In the event this check is lost or stolen, an affidavit of loss and indemnity agreement will be required to place a stop payment. A surety bond may also be required.

CASHIER'S CHECK

November 15,

89 No. 64979779

122146cts

1,221.46***

Dorothy Day Hospitality House***

NON-NEGOTIABLE
CUSTOMER COPY

1-0906 6/86

0299197

THE CONNECTICUT BANK AND TRUST COMPANY, N.A.

NOTICE: In the event this check is lost or stolen, an affidavit of loss and indemnity agreement will be required to place a stop payment. A surety bond may also be required.

CASHIER'S CHECK

November 15,

89 No. 64979737

122146cts

1,221.46***

The Women's Center of Greater Danbury***

NON-NEGOTIABLE
CUSTOMER COPY

1-0906 6/86

0299197

THE CONNECTICUT BANK AND TRUST COMPANY, N.A.

NOTICE: In the event this check is lost or stolen, an affidavit of loss and indemnity agreement will be required to place a stop payment. A surety bond may also be required.

CASHIER'S CHECK

November 15,

89 No. 64979766

122146cts

1,221.46***

VNA of Danbury***

For Faith Care for the Homeless

NON-NEGOTIABLE
CUSTOMER COPY

1-0906 6/86

0299197



12

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

12/19/89

Welfare Department
797-4569

Joseph DaSilva, President
Common Council of the City of Danbury
Danbury, CT 06810

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Sincerely,


Deborah MacKenzie

C.C. Mayor Eriquez ✓
Lewis Wallace



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4571

WARREN W. PLATZ
PURCHASING AGENT

September 18, 1989

To: Dominic A. Setaro, Jr., Acting Director of Finance/Comptroller
From: Warren W. Platz, Purchasing Agent *WWP*
Re: Sale of Surplus Equipment

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WWP/bmm
enc:

cc: Mayor J.H. Sauer, Jr.
✓ D. Burgos
E.L. Gottschalk
L.L. Pinter



13

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER

November 29, 1989

PLEASE REPLY TO:

DANBURY, CT 06810

ASSISTANT CORPORATION
COUNSEL

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

Re: Revisions to City Ordinances Section 17-55 -
Bond Requirements

Dear Mayor and Members of the Common Council:

As per the attached correspondences from the Highway Department, and an additional verbal request, this office has been requested to initiate correspondence to the Common Council seeking two amendments to the aforementioned ordinance section. In that regard, please find attached proposed draft language indicating the substance of the recommended amendments. Kindly refer this matter to an appropriate Common Council subcommittee for consideration at your early convenience.

If you have any further questions in the meantime, please don't hesitate to call this office.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:amt

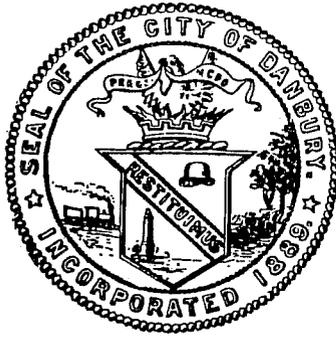
Attachments

c: Daniel J. Minahan
Director of Public Works

Frank L. Cavagna
Superintendent of Highways

Richard Beck
Highway Inspector

13



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT subsections (a) and (c) of Section 17-55 of the Code of Ordinances of Danbury, Connecticut be and hereby are amended to read as follows:

Sec. 17-55. Bond Requirements.

- (a) Prior to the issuance of a permit, the applicant shall deposit with the city a certified check or such other assurance of satisfactory completion in an amount and form as shall be determined by the superintendent of highways.
- (c) The bond shall be released to the permit holder two (2) calendar years after the completion of the permanent restoration or repairs, provided said restoration or repairs have been satisfactorily completed by the applicant. If further restoration or repairs are necessary, the bond will be held for an additional one (1) year period from the date the applicant makes those repairs.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

HWAY DEPARTMENT
(203) 797-4605

13
FRANK L. CAVAGNA
SUPERINTENDENT OF HIGHWAYS

NOTICE

REVISED BOND MONEY POLICY

As of October 16, 1989 the bond money accepted in conjunction with permit applications will be in the form of, certified check or letter of credit.

No cash will be accepted.

The \$25.00 application fee may be paid by either personal, or company check. Again no cash will be accepted.

Thank you for your cooperation.

Richard Beck
Permit Inspector

cc: Dan Minahan
Jack Schweitzer
D. Setaro
W. Skelly

Please Post for Public Information

RECEIVED
HIGHWAY DEPT.
OCT 17 1989



13

NOV 1 - 1989

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

October 31, 1989

MEMO TO: Frank Cavagna, Highway Superintendent
FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller
RE: Street Opening Permits

I am in receipt of your memo dated October 30, 1989, and I, too, have reviewed Ordinance Section 17-55 with Attorney Gottschalk after I received your October 30th memo, and it is both his opinion and my opinion that the safest way to proceed is to amend the ordinance to eliminate the acceptance of cash. It appears to both Eric and me that, since the ordinance states cash as a form payment and you do not want to accept cash at all, the ordinance should be amended. Please contact the Corporation Counsel's Office for the amendment to this ordinance and, as I indicated earlier, I would suggest that you rescind the policy of cash not being accepted until this ordinance is amended.

Dominic A. Setaro, Jr.

DAS:af

c: Daniel Minahan
John A. Schweitzer, Jr.
Wayne Skelly
Eric Gottschalk
Laszlo Pinter
Kimberly Redenz



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

13
SEP 06 1988

HIGHWAY DEPARTMENT
(203) 797-4605

FRANK L. CAVAGNA
SUPERINTENDENT OF HIGHWAYS

Mr. Lazlo Pinter
Assistant Corporation
Counsel
RE: Permit Bond Return
Policy

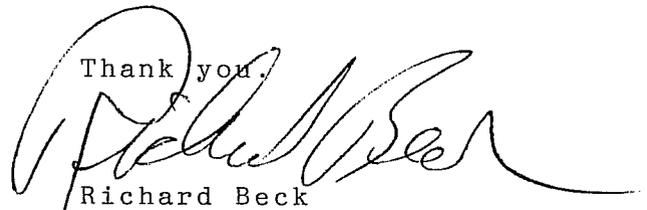
Dear Les;

Please arrange to revise City Ordinance 17-55 (c)
as follows:

" The bond will be returned two years after the completion of the permanent repairs by the applicant providing the repair has been completed properly and is in satisfactory condition."

"If further repairs are necessary, the bond will be held for an additional one year period from the date the applicant makes those repairs."

Thank you.



Richard Beck



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

December 15, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

14
JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

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

Dear Mayor Eriquez and Common Council Members:

**Abandonment and/or Discontinuance
"Old Neversink Road"**

As requested (reference is made to Item No. 30 of the minutes of the December 5, 1989 Common Council meeting), we have reviewed our files with respect to the petition of Leo and Marlene Masuret for the abandonment and/or discontinuance of a road known as "Old Neversink Road" or "Neversink Road."

Enclosed for your reference please find a copy of the September 9, 1987 letter we wrote to Corporation Counsel Theodore H. Goldstein relative to this subject.

The following additional background comments are offered:

1. The current City of Danbury Tax Assessor's Map (H-3) does not indicate the existence of an "Old Neversink Road" in this area. The passway shown south of the Masuret land (lots H03068 and H03074 on the enclosed section of the Assessor's map) on the tax maps is called Candlewood Pines.

2. The 1933 Tax Assessor's map does not indicate a roadway in this area.

3. Topography maps dated 1892 and reprinted in 1918 (copies of pertinent section enclosed) do not show the "roadway" in question.

4. A portion of the driveway to the property in question is shown as "Old Neversink Road" on a map prepared June 29, 1967 by Herbert M. Bennison, R.L.S. which map is number 4028 of the Danbury Land Records (copies enclosed) and is shown as "Formerly Old Neversink Road" on an A-2 survey prepared by C. James Osborne, Jr., R.L.S. latest revision date January 22, 1981 which map is number 7064 in the Danbury Land Records.

(continued on page 2)

14

TO: Honorable Gene F. Eriquez, Mayor
Common Council Members

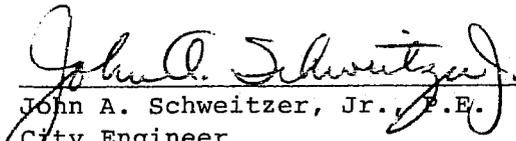
December 15, 1989

RE: Abandonment and/or Discontinuance "Old Neversink Road"

In summary, we have found nothing which seems to officially show that the City has any interest in this "roadway" but we again recommend that a title search of the Danbury Land Records be conducted by the appropriate agency/department.

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

Very truly yours,



John A. Schweitzer, Jr., P.E.
City Engineer

JAS/PAE/gw

Enclosures

c: Eric L. Gottschalk, Esquire
Frank Bondatti, Jr.



14

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

ENGINEERING DEPARTMENT
203-797-4641

September 9, 1987

JOHN A. SCHWEITZER, JR.
City Engineer

Theodore H. Goldstein
Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Ted:

Masuret, et ux vs. City of Danbury, et al

At your request we have researched our records in regard to Old Neversink Road. Our records on the matter of Old Neversink Road reveal very little information.

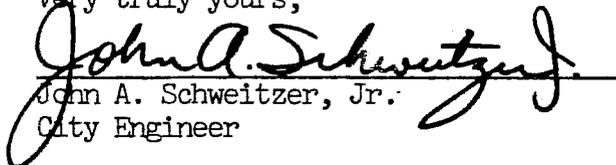
In answer to the first question in your letter of August 6, 1987 please be advised that we do not have any knowledge if the City has or desires an interest in this parcel. The City's Planning Department would best be able to address the issue if the City desires an interest in this property.

The second question in your letter addressed any knowledge, information or belief of abandonment on behalf of the City. Please be advised that we were not able to determine whether the City had abandoned any interest in the pertinent parcel.

Possibly a search of the Danbury Land Records would determine what interest the City had in this parcel.

If you have any questions regarding the above, please contact this office.

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/dms
c: Basil Friscia



17

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

ERIC L. GOTTSCHALK
LASZLO L. PINTER

PLEASE REPLY TO:

DANBURY, CT 06810

ASSISTANT CORPORATION
COUNSEL

December 26, 1989

MEMO TO: Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council

FROM: Laszlo L. Pinter, Assistant Corporation Counsel

RE: Abandonment and/or discontinuance of "Old Neversink Road" /
Item #30 on Council agenda of December 5, 1989

Dear Mayor and Council Members:

The undersigned, on behalf of this office, has been involved in litigation concerning the above matter which litigation according to the correspondence to you dated November 1, 1989 has been or shortly will be terminated. At this time the petitioner is requesting, pursuant to CGS Section 13a-7 and 13a-49, that a certain portion of "Old Neversink Road" comprising approximately .14 acres be discontinued by action of the Common Council. This request for discontinuance is to permit the petitioner (Leo and Marlene Masuret) to obtain the full use of a former City road long ago left unused by the public (according to the petitioner's recollection and information). Background information concerning this issue and the road was provided by the petitioner in its November 1, 1989 letter to the Common Council.

In order to discontinue a road, the Common Council should be satisfied that the road or highway to be continued is no longer necessary for public travel, and in general, no longer represents any municipal purpose. In order to be so satisfied, the Common Council should obtain the input of the Planning Commission and the City Engineer, and also obtain verifiable information from the petitioner describing the precise property to be discontinued.

Past issues of road abandonment and/or discontinuance have been presented to a subcommittee of the Common Council for consideration of the foregoing issues. A majority vote is required to discontinue a City road unless the Planning Commission issues a negative recommendation, in which instance a two-thirds vote of the Common Council would be required. The action to discontinue a road should take the form of a formal resolution

14

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

RE: Abandonment and/or Discontinuance of "Old Neversink Road"
December 26, 1989

which would have the effect of relinquishing municipal ownership to the abutting property owner(s), which in this case would be the Masurets.

Please note correspondence of December 15, 1989 from the Office of the City Engineer, indicating no apparent ownership or interest in the road by the City of Danbury. This office will proceed to ascertain title, if any, prior to the meeting of the committee.

Should you have any questions on this matter in the meantime, please don't hesitate to call this office.



Laszlo L. Pinter

LLP:amt

- c: Joseph DaSilva, Common Council President
- Dennis Elpern, Planning Director
- John A. Schweitzer, Jr., City Engineer
- Christopher G. Winans, Esq., w/enclosure



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 3, 1990

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

Re: Request for Maintenance Committee

Dear Mayor and Council Members:

At this time I would like to propose a maintenance committee be formed between the Common Council and the Board of Education to clear up the many gray areas in the maintenance of the Schools.

This should result in better maintenance of school buildings and save the City money.

Respectfully submitted,

Joseph Scozzafava
JOSEPH SCOZZAFAVA
Council Member at Large *J&S*



16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

January 3, 1990

PLEASE REPLY TO:

DANBURY, CT 06810

ERIC L. GOTTSCHALK
LASZLO L. PINTER

ASSISTANT CORPORATION
COUNSEL

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

Re: L.C. Castleman / Tamarack Ave /
Gaslight Village Condominium Project

Dear Mayor and Council Members:

The above referenced item concerns an ongoing construction project for which an earlier Council approved water and sewer. Now, as a result of certain difficulties, it is desired that this Council review and consider alternative sewerage methods and proposals.

Kindly refer this matter to committee at your earliest opportunity.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:amt

c: David L. Grogins, Esq.
John A. Schweitzer, Jr., City Engineer
William J. Buckley, Jr., Supt. of Public Utilities

Michael F. Malone
14 Ralto Court
Danbury, Connecticut 06811
(203) 778-8012

17

December 13, 1989

Mayor Gene F. Enriquez & Honorable
Members of Common Council
Danbury City Hall
155 Deerhill Avenue
Danbury, CT. 06810

Dear Mayor Enriquez,

In July, 1989 my wife Charlene and myself designed and purchased a house through Mr. Ralph Sergi-Ralto Development, Inc. During my discussions with Mr. Sergi, I advised him of my intent to acquire the 18 acres which is directly adjacent to our property located at 14 Ralto Court, Danbury, CT. Our property as well as the 18 acres are directly adjacent to the Richter Park and Golf Course. Mr. Sergi advised me that the 18 acres had been offered to the City of Danbury and that he felt the city had decided to accept the offer, and he would be notified at any time. Consequently, we closed on our house in July, 1989, without the adjacent 18 acres.

Today, I contacted Ms. Ann DeFlumeric and Mr. Richard Gottschalk, and was advised that in fact the adjacent 18 acres was accepted by the City of Danbury.

Both my wife and myself have made a significant investment in our house and property. We invested with the understanding that there would be no further development. The area is serene, peaceful and we intend that it stay that way. We would like the neighborhood, the city and the Richter Park community to enjoy and benefit from it.

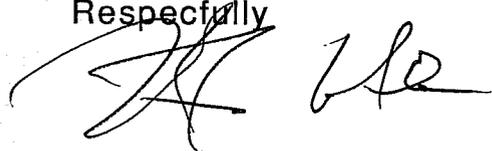
DEC 15 1989

Therefore, I would like the City's response to following questions:

1. What are the plans for the use of these 18 acres? I was advised, that there would be no further development adjacent to my property.
2. I would consider taking ownership of the property, paying the appropriate taxes to ensure the 18 acres adjacent to our property stay intact and serene. How do I proceed with this request?

It was suggested by Mr. Richard Gottschalk, that I copy Ms. Elizabeth Crudginton, Danbury City Clerk, and ask that she bring this to the attention of the council members for the next council meeting. As such, please advise me of your responses to the above two questions and/or the date and time in which my request(s) would be discussed at the council meeting.

Respectfully


 Two handwritten signatures in black ink, one appearing to be 'M' and the other 'C', representing Michael and Charlene Malone.

Michael & Charlene Malone

cc: Ms. Elizabeth Crudginton

18

DELUCA & BUZAID

ATTORNEYS AT LAW

PAUL P. DELUCA
PETER N. BUZAID*

*MEMBER CONN. & N.Y. BARS

59 MAIN STREET, P. O. BOX 59
DANBURY, CONNECTICUT 06810

(203) 743-5504

December 6, 1989

Common Council
City of Danbury
Town Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

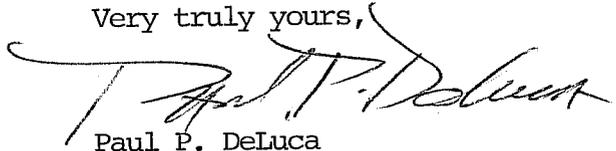
RE: Taltie's Farm Subdivision
of Michael F. Carlucci
and Catherine Korcsmaros Derwin

Dear Council:

Pursuant to paragraph 4.B.5 of the Subdivision Regulations of the City of Danbury, my clients Michael F. Carlucci and Catherine Korcsmaros Derwin hereby submit to the Common Council for its acceptance the enclosed Warranty Deed of property right for future road widening as requested by the Planning and Zoning Department on its Approval of the subject subdivision.

I am also enclosing a copy of A-2 Survey and Certificate of Title.

Very truly yours,



Paul P. DeLuca

PPD:mh
Enclosure

SCHEDULE A

FIRST PARCEL:

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut and being more particularly shown and designated as "Parcel X1 = 0.063 Acre to be Dedicated to the City of Danbury for Highway Purposes" on a certain map entitled "Subdivision Map, Total Area = 14.049 Acres, Map Prepared for Michael F. Carlucci and Catherine Korcsmaros Derwin, East King Street, City of Danbury, Fairfield County, State of Connecticut, Scale 1" = 40', April 21, 1989" certified substantially correct by Sydney A. Rapp, Jr. & Associates, Land Surveyors, which map is to be recorded on the Danbury Land Records.

SECOND PARCEL:

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut and being more particularly shown and designated as "Parcel X2 = 0.065 Acre to be Conveyed to the City of Danbury for Highway Purposes" on a certain map entitled "Subdivision Map, Total Area = 14.049 Acres, Map Prepared for Michael F. Carlucci and Catherine Korcsmaros Derwin, East King Street, City of Danbury, Fairfield County, State of Connecticut, Scale 1" = 40', April 21, 1989" certified substantially correct by Sydney A. Rapp, Jr. & Associates, Land Surveyors, which map is to be recorded on the Danbury Land Records.

THIRD PARCEL:

All that certain piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut and being more particularly shown and designated as "Parcel X3 = 0.0303 Acre to be Conveyed to the City of Danbury for Highway Purposes" on a certain map entitled "Subdivision Map, Total Area = 14.049 Acres, Map Prepared for Michael F. Carlucci and Catherine Korcsmaros Derwin, East King Street, City of Danbury, Fairfield County, State of Connecticut, Scale 1" = 40', April 21, 1989" certified substantially correct by Sydney A. Rapp, Jr. & Associates, Land Surveyors, which map is to be recorded on the Danbury Land Records.

Together with rights to grade for future road widening.

To Have and to Hold the premises hereby remised, released and quit-claimed with all the appurtenances unto the said Releasee and to the Releasee's heirs, successors and assigns forever, so that neither the Releasor nor the Releasor's heirs, successors or assigns nor any other person claiming under or through the Releasor shall hereafter have any claim, right or title in or to the premises or any part thereof, but therefrom the Releasor and they are by these presents, forever barred and excluded.

In all references herein to any parties, persons, entities or corporations the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

In Witness Whereof, the Releasor has signed and sealed this instrument, or if a corporation, it has caused these presents to be signed by its corporate officers and its corporate seal to be hereto affixed this 21st day of November, 19 89

Signed, Sealed and Delivered in the presence of
or Attested by

Magdalena F. Haughey
Magdalena F. Haughey

Michael F. Carlucci
MICHAEL F. CARLUCCI

Paul P. DeLuca
Paul P. DeLuca

Catherine Korcsmaros Derwin
CATHERINE KORCSMAROS DERWIN

State of Connecticut, County of FAIRFIELD } DANBURY

The foregoing instrument was acknowledged before me this 21st day of November, 19 89, by Michael F. Carlucci and Catherine Korcsmaros Derwin.

Magdalena Fernandez-Haughey
Magdalena Fernandez-Haughey
Commissioner of the Superior Court
Notary Public
My Commission Expires: 3/31/93

Quit Claim Deed

MICHAEL F. CARLUCCI AND
CATHERINE KORCSMAROS DERWIN
TO

THE CITY OF DANBURY

Dated NOVEMBER 21, 19 89

Received for Record.....19...

at M.

Recorded in Vol. Page.....

of

LAND RECORDS

By Town Clerk

DELUCA & BUZAID
ATTORNEYS AT LAW
59 MAIN STREET
P. O. BOX 59
DANBURY, CT 06810

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

Know Ye, That we, MICHAEL F. CARLUCCI and CATHERINE KORCSMAROS DEWIN, both of the City of Danbury, County of Fairfield and State of Connecticut

herein designated as the Releasor,
for the consideration of ONE (\$1.00) DOLLAR and other valuable considerations

received to Releasor's full satisfaction from THE CITY OF DANBURY a municipal corporation, organized and existing by virtue of the laws of the State of Connecticut located in the whose mailing address is City of Danbury, County of Fairfield and State of Connecticut 155 Deer Hill Avenue, Danbury, Connecticut 06810 herein designated as the Releasee, does by these presents remise, release and forever Quit-Claim unto the said Releasee and to the Releasee's heirs, successors and assigns forever, all the right, title, interest, claim and demand whatsoever as the said Releasor has or ought to have in or to

FIRST PARCEL:

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Together with rights to grade for future road widening.



69 NORTH STREET
SUITE 3
DANBURY, CT 06810

TELEPHONE: (203) 791-1055

November 30, 1989

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

Re: Land & Building(s); 389 Main Street; Danbury, CT 06810

As the Listing Broker for the subject property, I hereby offer this property for sale to the City of Danbury. This property abuts land owned by the Housing Authority (Laurel Gardens), and has a deeded right of way from the Housing Authority for a fifteen foot (15') strip alongside and behind the building.

This building fronts on Main Street, could house City agencies, or perhaps be used as a community center for Laurel Gardens.

Since land acquisition is in the pervue of the Common Council, will you please refer this to an ad-hoc committee for further study.

Very Truly Yours,

A large, handwritten signature in black ink, appearing to read "Russell M. Foti". The signature is fluid and cursive, with a long horizontal stroke at the end.

Russell M. Foti

cc: Mr. James Paduano
Attorney John Tuozzolo

RMF/jmf

30

John M. Farnsworth & Associates
Title Surveys — Site Planning — Subdivisions — Topography

30 Elm Street
P.O. Box 814
New Milford, Ct. 06776

203-354-1251
203-354-3592

November 29, 1989

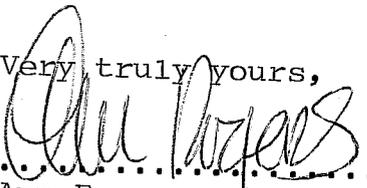
Ms. Elizabeth Grudginton, City Clerk
City Hall
155 Deer Hill Avenue
Danbury, Connecticut
06810

Re: Property located at East King Street, Danbury, Connecticut.
Owner Of Record: Virginia Lais. Assessors Lot # D04001.

Dear Ms. Grudginton:

Enclosed please find a letter to Mayor Enriquez, offering a parcel of land to the City. I would like to be put on the Common Councils agenda for the next scheduled meeting. Please contact me if you need any more information on this matter, thank you.

Very truly yours,


.....
Ann Farnsworth-Rogers

20

John M. Farnsworth & Associates
Title Surveys — Site Planning — Subdivisions — Topography

30 Elm Street
P.O. Box 814
New Milford, Ct. 06776

203-354-1251
203-354-3592

November 29, 1989

Mayor Gene F. Eriquez
Honorable Members Of The Common Council
City Hall
155 Deer Hill Avenue
Danbury, Connecticut
06810

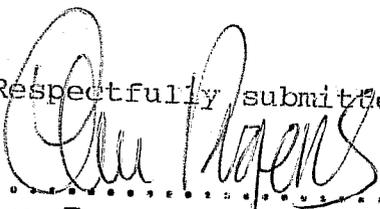
Re: Property located at East King Street, Danbury, Connecticut.
Owner Of Record: Virginia Lais. Assessors Lot # D04001.

Dear Mayor Eriquez:

On behalf of my client, Virginia Lais, I would like to offer a parcel of land to the City Of Danbury. This parcel is described as Parcel X, on a Subdivision map prepared for Virginia Lais, dated June 30, 1989, Revised November 1, 1989.

In reviewing our Subdivision, the Danbury Engineers Office requested that we provide this parcel of land, so as the City can widen East King Street, if it so chooses. If you have any questions, please call our Office, thank you.

Respectfully submitted,


.....
Ann Farnsworth-Rogers

COMMON COUNCIL

21

CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Bright Clouds Ministries

Address: 269 Greenwood Avenue

Bethel, CT 06801

Telephone No: 798-1553

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

Located at: Route 39, Clapboard Ridge Road

Assessor's Lot No: H 11 071

Zone in which the Property Lies: RA-40

Intended Use:

Retail

Single Family Residential

Office

Multiple Family Development

Mixed Use

Industrial

_____ Number of Efficiency Units

_____ Number of 1 Bedroom Units

_____ Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

Total Number of Units

Mark E. Kornhaas
CONSULTANTS & ENGINEERS, INC.
(Signature)

DEC 12, 1989

(Date)

22

WANDERER, HANNA & TALARICO
ATTORNEYS AND COUNSELORS AT LAW

142 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810-7727
(203) 792-8333

TELECOPIER (203) 778-9570

MAILING ADDRESS
P.O. BOX 57
DANBURY, CT 06813-0057

RICHARD HANNA
ROBERT N. TALARICO
HERBERT B. WANDERER
(1902-1979)

December 19, 1989

Members of the Common Council
of the City of Danbury
c/o The City Clerk's Office
155 Deer Hill Avenue
Danbury, CT 06810

Dear Ladies and Gentlemen:

This office represents Richard Finaldi who recently received permission from the Common Council of the City of Danbury to extend a municipal sewer line in order to serve his premises known as 105 Park Avenue in the City of Danbury.

The purpose of this letter is to request a waiver of Section 16-4 (b) which requires the payment of a connection fee of \$600.00 per unit in the event that no prior sewer assessment have been paid to the City of Danbury.

There has, in fact, not been any assessment paid to the City of Danbury. However, Mr. Finaldi is constructing a substantial addition to the municipal sewer line at his own expense. His costs are well in excess of \$20,000.00 despite the fact that only one three family dwelling will be served.

Under these circumstances, it seems inequitable to request, in addition, a connection fee of \$1,800.00.

On his behalf, we would request that the connection fee be waived.

Please place this matter on the agenda for January, 1990.

Sincerely yours,


Robert N. Talarico

RNT:jbc
CC: Richard Finaldi
John Schweitzer, City Engineer



24

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Request for Additional Funds for Insurance and Uninsured
Worker's Compensation

The Common Council Committee appointed to review the request for additional funds for insurance and uninsured worker's compensation met at 7:00 P.M. on December 18, 1989 in City Hall. In attendance were committee members Esposito, Regan and Kilcullen. Also attending were Risk Manager Tom Fabiano and Comptroller Dominic Setaro.

Mr. Fabiano stated that the reason for the additional funding is that the policy carrier has increased its rates effective July 1, 1989 and the large rate increases were unforeseen at the time the budget was approved. After recalculating all line items he now finds that the budget will be short \$570,000. Mr. Setaro certified the availability of \$570,000 to be used for the Employee Health and Life Insurance Account. The funds are available as a result of excess monies which were approved after the budget was adopted and will amend the City's revenue and increase the appropriation for Health and Life Insurance.

Mr. Regan moved that since the certification of funds is in place, the committee recommend to the Council that funds in the amount of \$570,000 be approved. Seconded by Mr. Kilcullen. Mr. Regan also made a motion to appropriate the sum of \$92,000 needed to fund uninsured worker's compensation claims based on heart and hypertension. Seconded by Mr. Kilcullen. Motion carried unanimously.

Respectfully submitted,


JOHN ESPOSITO, Chairman


RICHARD KILCULLEN


ARTHUR D. REGAN



24

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

December 21, 1989

Certification

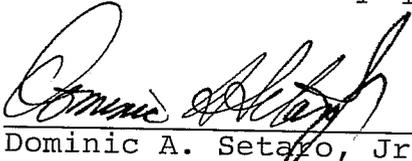
TO: Common Council via
Mayor Gene F. Eriquez

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

I hereby certify the availability of \$92,000.00 to be used for Uninsured Worker's Compensation Account #02-09-130-073600. These funds are available as a result of excess monies which were approved after the budget was adopted on May 2, 1989. As is customary, we will amend the city's revenue and increase the appropriation for Uninsured Worker's Compensation.

Total Excess State Funds	\$ 970,828.00
Less prior Common Council approval	(306,000.00)
1) \$200,000 Broadview Jr. High structural repair	
2) \$106,000 HVAC Police Dept.	
Less Pending request for Health and Life Insurance	(570,000.00)
Less this request	(92,000.00)
Balance	<u>\$ 2,828.00</u>

Should you have any questions, feel free to give me a call.



Dominic A. Setaro, Jr.

DAS:af



24

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

August 8, 1989

Certification

TO: Common Council via
Mayor Joseph H. Sauer

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

Attached you will find a copy of a memo from our Risk Manager, Thomas Fabiano, Jr., in reference to additional funds that will be needed in our insurance account. Based on a recent review, it is my feeling that the sum of \$570,000.00 should be appropriated to the Employee Health and Life Insurance Account. Please note that the estimates used at budget time were provided to us by our current carriers. Both Tom and I would be more than happy to discuss with any Common Council subcommittee our calculations or the reasons for the increase.

I hereby certify the availability of \$570,000.00 to be used for Employee Health and Life Insurance Account #02-09-150-071100. These funds are available as a result of excess monies which were approved after the budget was adopted on May 2, 1989. As is customary, we will amend the city's revenue and increase the appropriation for Health and Life Insurance.

Total Excess State Funds	\$ 970,828.00
Less Prior Common Council Approval	(306,000.00)
1) \$200,000 Broadview Jr. High Structural Repair	
2) \$106,000 HVAC Police Dept.	
Less this request	(570,000.00)
Balance	\$ 94,828.00

Should you have any questions, feel free to give me a call.

Dominic A. Setaro, Jr.

DAS:af
Attachment
c: Thomas Fabiano



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Projected Shortage in the Overtime Account - Fire
Department

The Common Council Committee appointed to review the projected shortage in the overtime account for the Fire Department met on December 18, 1989 in City Hall. In attendance were committee members Esposito, Boughton and Gogliettino. Also present were Fire Chief Lagarto and Comptroller Dominic Setaro.

Chief Lagarto stated that based on what has been expended from July 1, 1989 to September 16, 1989, and also on past needs, he has determined that he needs the estimated amount of \$205,000 added to his Overtime Account. The areas generating overtime are vacation days, sick and injury leave, Union leave, funeral leave, Fire Alarm Work, Fire Marshall investigations, Garcia costs, training and the shortage of approximately 6 persons in man power.

Mr. Setaro stated that there is presently \$135,000 in the Salary Account and recommended that 70,000 be taken from the Contingency Account to make up the shortfall in the Overtime Account.

Mr. Boughton moved that the committee recommend to the Council that \$70,000 be appropriated from the Contingency Account and transferred to the Fire Department Overtime Account, pending certification by the Comptroller. Seconded by Mrs. Gogliettino. Motion carried unanimously.

Respectfully submitted,


JOHN ESPOSITO, Chairman


DEBORAH GOGLIETTINO


DONALD BOUGHTON



25

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

December 22, 1989

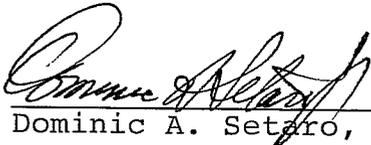
Certification #10

TO: Common Council via
Mayor Gene F. Eriquez

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

We hereby certify the availability of \$70,000.00 to be transferred from the Contingency Fund to the Fire Department's Overtime Services Account #02-02-110-010500.

Balance of Contingency Fund	\$1,135,231.40
Less pending requests	-0-
Less this request	70,000.00
	<u>\$1,065,231.40</u>



Dominic A. Setaro, Jr.

DAS:af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

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Mr. Boughton moved that the committee recommend to the Council that \$70,000 be appropriated from the Contingency Account and transferred to the Fire Department Overtime Account, pending certification by the Comptroller. Seconded by Mrs. Gogliettino. Motion carried unanimously.

Respectfully submitted,

JOHN ESPOSITO, Chairman

DEBORAH GOGLIETTINO

DONALD BOUGHTON



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Charter Revision Commission

The committee appointed to review a request to form a Charter Revision Commission met at 7:55 P.M. on December 11, 1989 and at 8:50 P.M. on December 19, 1989. In attendance were committee members DaSilva, Esposito, Smith, Scozzafava and Fazio. Also in attendance were Mayor Gene Eriquez and Councilman Boughton, ex-officio.

The committee discussed among itself and with Mayor Eriquez the need for a Charter Revision Commission, the makeup of such a commission and any possible recommendations the Common Council would offer. After considerable discussion, Mr. Fazio moved to establish a Charter Revision Commission consisting of nine members. Of these members two would be selected from the present Common Council and have a maximum of five Democrats and four Republicans. The motion was seconded by Mr. Scozzafava. Motion carried unanimously.

Mr. DaSilva and Mr. Fazio presented Democratic and Republican applicants for the Commission. Following a discussion of the qualifications of each applicant, Mr. Fazio moved and Mr. Smith seconded a motion to recommend the following nine people: State Representative Robert Godfrey, Benjamin DaSilva, Jr., Richard Kilcullen, Murray Hough, John Bracy, Donald Boughton, Brian O'Hare, Edmund Tomey and John Turk. The motion carried unanimously.

After discussion of specific items to recommend that the Charter Revision Commission address, the following items were moved by Mr. Fazio and seconded by John Esposito:

Sec.2-2A.b. - size of Common Council, procedural methods and committee makeup;

Sec.2-2A.e. - succession of Treasurer;
& Sec. 6-1

Sec.2-2A.h. - staggered terms for Zoning Commission;

Sec. 2-3 - clarification of minority representation on the Common Council concerning the number of guaranteed seats;



X
26

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Charter Revision Commission

The committee appointed to review a request to form a Charter Revision Commission met at 7:55 P.M. on December 11, 1989 and at 8:50 P.M. on December 19, 1989. In attendance were committee members DaSilva, Esposito, Smith, Scozzafava and Fazio. Also in attendance were Mayor Gene Eriquez and Councilman Boughton, ex-officio.

The committee discussed among itself and with Mayor Eriquez the need for a Charter Revision Commission, the makeup of such a commission and any possible recommendations the Common Council would offer. After considerable discussion, Mr. Fazio moved to establish a Charter Revision Commission consisting of nine members. Of these members two would be selected from the present Common Council and have a maximum of five Democrats and four Republicans. The motion was seconded by Mr. Scozzafava. Motion carried unanimously.

Mr. DaSilva and Mr. Fazio presented Democratic and Republican applicants for the Commission. Following a discussion of the qualifications of each applicant, Mr. Fazio moved and Mr. Smith seconded a motion to recommend the following nine people: State Representative Robert Godfrey, Benjamin DaSilva, Jr., Richard Kilcullen, Murray Hough, John Bracy, Donald Boughton, Brian O'Hare, Edmund Tomey and John Turk. The motion carried unanimously.

After discussion of specific items to recommend that the Charter Revision Commission address, the following items were moved by Mr. Fazio and seconded by John Esposito:

- Sec.2-2A.b. - size of Common Council, procedural methods and committee makeup;
- Sec.2-2A.e. - succession of Treasurer;
& Sec. 6-1
- Sec.2-2A.h. - staggered terms for Zoning Commission;
- Sec. 2-3 - clarification of minority representation on the Common Council concerning the number of guaranteed seats;

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- Sec. 6-4 - clarify as to an individual or a firm being appointed as Corporation Counsel and review the requirement of four years as an attorney in the State of Connecticut;
- Sec. 6-6A&B- consider elimination of the position as Director of Finance and incorporate with that of Comptroller;
- Sec. 6-6D - delete amount of limit to unbidded purchases and put in Ordinance form;
- Sec. 6-7A - consider Directors of Public Works and Personnel for Civil Service positions;
- Sec. 7-10 - increase the \$50,000 limit of expenditures of a capital nature before the necessity of a referendum;
- Sec. 8-3 - review the wording of section on Conflict-of Interest.

Motion carried unanimously.

The committee also recommends that the Charter Revision Commission proceed in a fashion to allow the placement of any changes to the people at the general election of November, 1990 and to be done in a way that is clear to all voters.

Respectfully submitted,

JOSEPH DaSILVA, Chairman

JOHN ESPOSITO

STANFORD SMITH

JOSEPH SCOZZAFAVA

MICHAEL FAZIO



27

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1989

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

Re: Review of Sewer and Water Approvals

The committee appointed to review the request for a review of sewer and water approvals met at 8:00 P.M. on December 12, 1989 in Room 432 in City Hall. In attendance were committee members Zotos, Valeri and Regan. Also in attendance were Council Members DaSilva and Coladarci, ex-officio, Assistant Corporation Counsel Eric Gottschalk, City Engineer Jack Schweitzer, Director of Public Utilities Jack Schweitzer, Fire Chief Lagarto, Building Inspector Leo Null and Attorneys Neil Marcus and David Grogins.

An informal discussion followed after introductions by Mr. Zotos. Mr. Buckley presentation outlined problems presently confronting his department, citing present projects under the eight steps required for sewer and water approvals:

1. Projects not completed leaving the City without ownership of the lines; and
2. Delays of construction effecting departmental work schedules, inspections, wasted time effecting workload of the Public Utilities department.

Fire Chief Lagarto stated that he is seriously concerned with no water available during construction periods:

1. Buildings partially constructed, materials, equipment on construction site; and
2. Safety of his firefighters.

Assistant Corporation Counsel Eric Gottschalk stated his concerns regarding the City's legal obligations:

1. Projects left partially completed;
2. Security bonds of projects; and
3. Homeless sleeping at projects, who is responsible if someone is hurt or there is a fire.

Mr. Null, the City Building Inspector, stated that it is time to review the process pertaining to issuance of building permits:

1. Continue to work with developers and encourage incentives to solve or help with the problems; and
2. Discussions should begin to plan for the future development of the City.

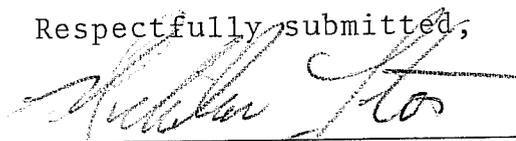
Attorney Grogins and Attorney Marcus stated that they are concerned with future healthy development:

1. Developers should not be faulted alone;
2. It is not a simple problem; and
3. There should be more discussions with the developers to prepare for future development (West side of City).

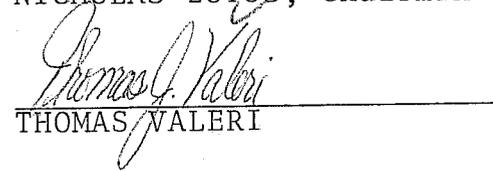
Mr. Valeri stated that he is concerned that the City strengthen its position and the fire safety during the construction period. Mr. DaSilva stated his concern regarding the City's economic development. Mr. Regan stated that he is concerned with the overall discussion by City departments and developers and recommends that the City begin the process of investor owned types of public utility system. Mr. Schweitzer and Mr. Gottschalk agreed that this process would be in order.

Mr. Regan made a motion to leave in the 8 steps and that a committee should be appointed to look into the development of investor owned public utility system. Seconded by Mr. Valeri. Motion carried unanimously.

Respectfully submitted,



NICHOLAS ZOTOS, Chairman



THOMAS VALERI

ARTHUR D. REGAN



CITY OF DANBURY

27

165 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1989

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

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Mr. Regan made a motion to leave in the 8 steps and that a committee should be appointed to look into the development of investor owned public utility system. Seconded by Mr. Valeri. Motion carried unanimously.

Respectfully submitted,

NICHOLAS ZOTOS, Chairman

THOMAS VALERI

ARTHUR D. REGAN



28

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1989

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

Re: Modification and Time Extension of Water Extension at
South Cove Road

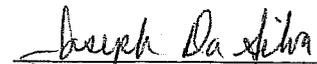
The committee to review a request for a modification and time extension of a water extension at South Cove Road met at 7:45 P.M. on December 12, 1989. In attendance were committee members DaSilva, Coladarci and Boughton. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and ex-officio member Nicholas Zotos.

Mr. DaSilva explained his reasons for presenting this request. South Cove is an area in dire need of water. An approval for an extension was granted in 1988 with the stipulation that construction could not begin until the City obtained ownership of the water main installed for the Barclay Commons. Many delays have occurred in the acceptance of this line which have not allowed the South Cove project to proceed. In addition, there are a number of customers already connected to this line because of the replacement of an old water main.

Mr. Buckley reviewed the history of the Barclay Commons water main. He recommended that the South Cove project be allowed to proceed by waiving the provision that calls for City acceptance of the water main before construction begins.

Mr. Boughton moved to recommend to the Common Council that the provision for City ownership of the water main before construction of the South Cove water extension be waived and that an extension of eighteen (18) months be granted from the date of Common Council action on this request. Mrs. Coladarci seconded the motion. Motion carried unanimously.

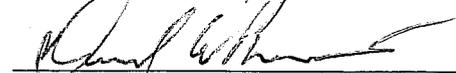
Respectfully submitted,



JOSEPH DaSILVA



EILEEN COLADARCI



DONALD BOUGHTON



28

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1989

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

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Respectfully submitted,

JOSEPH DaSILVA

EILEEN COLADARCI

DONALD BOUGHTON



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Palanzo Water Service - Middle River Road

The Common Council Committee appointed to review the Palanzo Water Service on Middle River Road met at 7:30 P.M. on December 18, 1989 in City Hall. In attendance were committee members Esposito, Regan and Mack. Also attending were Mr. and Mrs. Palanzo, Superintendent of Public Utilities William Buckley and Assistant Corporation Counsel Eric Gottschalk.

Mr. Palanzo stated that he has purchased a house on Middle River Road near Franklin Street Extension and found that the house receives raw, untested drinking water from a City line and is billed as a regular customer. Mr. Gottschalk stated that the City is responsible and has a responsibility to provide adequate drinking water to its existing customers. He stated that the City is in violation of the Public Health Code regulation which outlines the parameters for the quality of drinking water.

Mr. Buckley stated that he is aware of the problem and as a solution he would be willing to provide the property with well water rather than extending a new City water line to the site. The work of installing the well would be done by the City's Public Utilities Department with the exception of the drilling materials, with a cost of approximately \$5,000 to \$7,000. Mr. Palanzo was in agreement and would be willing to release the City from future obligations to provide the property with drinking water. Mr. Buckley requested that the bidding procedure, after he receives three bids for the necessary material, be waived and he be permitted to accept the low bid.

Mr. Regan moved that the installation of a well be done and the bidding procedure waived. Seconded by Mrs. Mack. Motion carried unanimously.

Respectfully submitted,

John Esposito

JOHN ESPOSITO, Chairman

Joan M. Mack

JOAN MACK

Arthur D. Regan

ARTHUR D. REGAN



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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Honorable Members of the Common Council

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Mr. Regan moved that the installation of a well be done and the bidding procedure waived. Seconded by Mrs. Mack. Motion carried unanimously.

Respectfully submitted,

JOHN ESPOSITO, Chairman

JOAN MACK

ARTHUR D. REGAN

T. BAKER
V. SWANSON
C. NILES
J. MITCHELL
59

MR. PALANZO'S REQUEST IS DIFFERENT THAN THE USUAL RUN OF THE MILL WATER PROBLEM.

WE CAN PASS THE RECOMMENDED ACTION IN A FEW SECONDS AND LIVE WITH ~~THE COST THE~~ ^{THE COST THE} ~~POLITICAL AND COST TO THE TAXPAYER'S BUDGET FOR~~ ^{WITH THE CRITICISM FROM} YEARS TO COME.

SOME QUESTIONS THAT DO NOT SEEM TO HAVE BEEN ASKED AT THE COMM. MEETING ARE.

1 HOW MANY OTHER HOMES IN DANBURY ON THE CITY WATER SYSTEM SHARE THIS UNIQUE PROBLEM ?

2 WHAT IS THE HISTORY OF THE PROBLEM LINE ? FOR EXAMPLE WAS IT HOOKED UP AT THE ^{ORIGINAL} OWNERS REQUEST WITH HIM KNOWING IT WAS UNTREATED WATER?

WHAT IS THE TOTAL AMOUNT OF WATER FEE'S PAID AT THAT LOCATION FROM THE CHARTER REVISION OF 1977 UNTIL THE PRESENT ?

WAS MR PALANZO OFFERED A REFUND OF THE FEE'S SO THAT HE MIGHT INSTALL HIS OWN WELL ?

HAS THERE BEEN ANY PREVIOUS HISTORY OF SERVICE COMPLAINTS FROM THIS RESIDENCE ?

WAS THE HOUSE ADVERTISED WITH REAL ESTATE AGENTS AS HAVING TREATED CITY WATER OR UNTREATED WATER ?

WAS THE WATER PROBLEM USED AS A BARGAINING TOOL IN THE PRICE OF PURCHASE ?

WAS THE PREVIOUS OWNER CONTACTED AND ASKED THIS QUESTION ?

DOES MR PALANZO KNOW ^{IF} HE CAN TAKE ACTION AGAINST THE SELLER UNDER STATE LAW ^{IF A} IN THE MISREPRESENTATION ^{occurred AT} AT THE SALE?

THESE ARE ONLY A FEW OF THE QUESTIONS THE PUBLIC WILL

ASK WHEN IT ~~SCHEM~~ COMES TO THEIR ATTENTION THAT MR PALANZO IS SUPT. OF PUBLIC BUILDINGS IN DANBURY . AND IN THE SAME PEER GROUP AS MR BUCKLEY SUPT. OF PUBLIC UTILITIES.. ~~NOW I'M NOT INSINUATING THAT ANYTHING IS WRONG ONLY THAT ALL~~ QUESTIONS INVOLVING A CITY EMPLOYEE AND CITY BUSINESS SUCH AS THIS . MOST BE ANSWERED AND ANSWERED BEFORE THE FACT NOT AFTER . A RE-COMMITTAL TO COMMITTEE IS PROBABLY BEST AT THIS POINT BUT IN CASE THAT VOTE WERE TO FAIL I PURPOSE THE FOLLOWING AMENDMENT TO THE MOTION.

AFTER THE WORD WAIVED IN THE CURRENT MOTION INSERT THE FOLLOWING .

" AFTER THE FOLLOWING AGREEMENT IS DRAWN AND SIGNED BY BOTH PARTIES .

1. THE WELL AND ALL EQUIPMENT ASSOCIATIVE WITH IT IS TO BE LOCATED ON MR PALANZO'S PROPERTY .

2. ANY COST TO UPGRADE THE HOUSE ELECTRICAL SERVICE IS TO BE BORN BY MR. PALANZO .

3. THE MINIMUM GALLONS PER MINUTE STANDARDS FOR A (1) FAMILY HOME SHALL CONSTITUTE A ADEQUATE WELL FLOW AND DRILLING SHALL ONLY PROCEED FOR A GREATER FLOW AT MR. PALANZO'S COST.

4. ANY FILTERING OF THE WATER FOR HARDNESS OR IRON SHALL BE AT MR. PALANZO'S COST.

5. ALL COST'S OF LANDSCAPING AFTER THE WELL DRILLING SHALL BE AT MR. PALANZO'S COST .

6. ANY COST OVER \$5,000.00 SHALL BE PAID BY MR . PALANZO.

7. THE WELL AND ALL EQUIPMENT FOR THE WELLS OPERATION SHALL BE TURNED OVER TO MR. PALANZO FOR OWNERSHIP AND RESPONSIBILITY ALONG WITH ALL WARRANTIES ON EQUIPMENT AND WORKMANSHIP .

8. THIS AGREEMENT RELEASES THE CITY OF DANBURY FROM ALL CURRENT AND FUTURE CLAIMS REGARDING THIS PROBLEM

by Mr. Palanzo

UPON COMPLETION OF THE TURN OVER THE LINE SHALL BE TERMINATED AT THE MAIN AND FLAGGED ON CITY WATER DEPT. MAPS AS UNUSABLE.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1989

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

Re: Sewer Assessment - 86 Golden Hill Road

The committee to study a request to reduce a sewer assessment at 86 Golden Hill Road met at 7:00 P.M. on December 12, 1989. In attendance were committee members DaSilva, J. Esposito and Scozzafava. Also in attendance were Superintendent of Public Utilities William Buckley, Peter McEwan, the petitioner and Council Member Boughton, ex-officio.

Mr. DaSilva read a communication from City Engineer Jack Schweitzer which recommended no action be taken on the petition at this time because the assessment was accepted by the Common Council on April 12, 1982 and there is a State Statute which limits the appeal period to 21 days.

Mr. McEwan presented as his argument that because of the topography of the land only one house could be built on his property which is listed by the City as two building lots. He requests that this assessment be reduced to one lot. Mr. Buckley explained that the property was assessed properly at the time of completion of the project. The combining of the lots cannot change the assessment process from 1982. Many changes to properties occur after an assessment is levied. The City cannot reassess the total project each time a resident alters his property.

Mr. Scozzafava moved to recommend that the Common Council take no action on this petition at this time as per the recommendation of Mr. Buckley and Mr. Schweitzer. Seconded by Mr. Esposito. Motion carried unanimously.

Respectfully submitted

Joseph DaSilva

JOSEPH DaSILVA, Chairman

John Esposito

JOHN ESPOSITO

Joseph Scozzafava

JOSEPH SCOZZAFAVA



30

CITY OF DANBURY
PUBLIC UTILITIES
DEC 6 1989
Disposal Date _____
Permanence _____
File Code _____

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

December 5, 1989

ENGINEERING DEPARTMENT
(203) 797-4641

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

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

Dear Mayor Eriquez and Common Council Members:

Sanitary Sewer Assessment
86 Golden Hill Road
Peter C. McEwan

Agenda Item #17 of the November 19, 1989 Common Council meeting minutes referred to this department a request by Mr. Peter C. McEwan for reconsideration of the assessment levied against his property in 1982 when the Golden Hill North sanitary sewer project was constructed.

Mr. McEwan's reason for requesting an adjustment is that he built one house on the two lots which were both vacant at the time the sewer assessments were levied. Each lot was therefore (for assessment calculation purposes) assigned 1 building unit according to Article IV, Sec. 16-45 and Sec. 16-46 of the Danbury Code of Ordinances.

The following background information is offered for your reference:

1. Assessments were prepared by our office in February 1982 after the sewer project had been completed.
2. The two lots owned by Peter C. McEwan and Ana M. S. Olves were each vacant and therefore were assigned 1 unit each for the "unit" portion of the sewer assessment formula. Enclosed please find a copy of the Tax Assessor's map consulted for the information used in the calculations.
3. The final assessments were forwarded to City Clerk Elizabeth Crudginton on February 17, 1982. Copies of the cover letter and page including Mr. McEwan's lots are enclosed.

TO: Hon. Gene F. Eriquez, Mayor
Common Council Members

December 5, 1989

30

RE: Sanitary Sewer Assessment

4. On March 22, 1982 the Common Council held a Public Hearing on these assessments. Our records do not show that Mr. McEwan spoke at the Public Hearing to question his assessments.

5. On April 6, 1982 the Common Council accepted the assessments. A copy of the Common Council minutes is enclosed.

6. The final assessments were advertised in the April 12, 1982 edition of the News Times (copy enclosed).

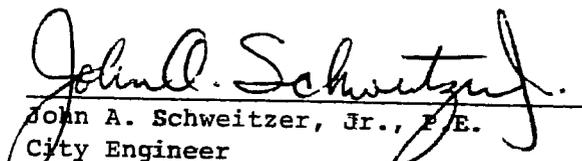
7. The Tax Assessor's records show that the existing house on the two lots referred to in Mr. McEwan's letter was built in 1983.

8. In 1983 a similar request for reconsideration of a sewer assessment for lots on Beckerle Street and Farm Street (which were also part of this Golden Hill North project) was received by the Common Council. Enclosed please find a copy of the section of the August 2, 1983 Common Council meeting minutes which shows that no action was taken on this similar request because the request came in well after the 21 day State Statute limitation on the appeal of assessments and because the proposition was a problem since other assessments had already been paid, in part or in whole, and that adjustment of any sewer assessment would require the recomputation of the sewer assessments for every lot benefiting from the Golden Hill North sewer project.

It is our recommendation that, for the same reasons given in the August 2, 1983 Common Council minutes, no action reducing Mr. McEwan's assessment be taken.

If you have any questions or require additional information, please feel free to contact our office.

Very truly yours,


John A. Schweitzer, Jr., P.E.
City Engineer

JAS/PAE/gw

Enclosures

c: Eric L. Gottschalk, Esquire
William Buckley, Jr., P.E.
Dominic Setaro



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

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Mr. Scozzafava moved to recommend that the Common Council take no action on this petition at this time as per the recommendation of Mr. Buckley and Mr. Schweitzer. Seconded by Mr. Esposito. Motion carried unanimously.

Respectfully submitted

JOSEPH DaSILVA, Chairman

JOHN ESPOSITO

JOSEPH SCOZZAFAVA



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

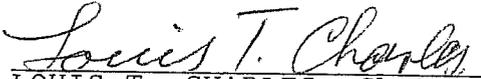
Re: Adoption of an Ordinance restricting Parking

The ad hoc committee for the above purpose met in Room 432 on December 14, 1989 at 7:30 P.M. In attendance were committee members Charles, Falzone and Regan. Also attending were City Engineer Jack Schweitzer for Traffic Engineer Abdul Mohammed and Lt. Arthur Sullo for Chief Macedo.

Mr. Schweitzer cited the fact that all accepted City roads are under the jurisdiction of the City of Danbury. Lt. Sullo explained about complaints from property owners concerning parking violations by persons other than owners. Persons violating the present ordinances are tagged or towed away after two hours upon complaints. Attached is a statement from Assistant Corporation Counsel Eric Gottschalk.

Mr. Regan made a motion that no action be taken at this time. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,


LOUIS T. CHARLES, Chairman


MICHAEL FALZONE


ARTHUR REGAN



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

CORPORATION COUNSEL

ERIC L. GOTTSCHALK
LASZLO L. PINTER

ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

December 12, 1989

Hon. Louis T. Charles, Councilman
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Proposed Parking Restriction Ordinance

Dear Councilman Charles:

I have reviewed your proposal to restrict parking on City streets. As I understand your proposal, you would like to establish a time limit on parking which would prevent individuals from parking in front of property owned by others for periods of time in excess of two hours. In this way, I assume, you intend to make additional on-street parking available for owners in front of their property.

Although such a proposal would clearly be of benefit to property owners, and in that sense is unquestionably commendable, it nevertheless runs afoul of Constitutional equal protection guarantees. The problem is that the City of Danbury cannot distinguish between two classes, here, homeowners on one hand and everyone else on the other, unless it does so in furtherance of some legitimate governmental purpose related to the health, safety and welfare of the community.

It is my opinion that convenience to the homeowner, if that is the purpose of the ordinance, is not sufficient, from a constitutional point of view, to defend against a challenge under the Equal Protection clause. Other possible purposes for the restriction of parking on a public highway which could withstand constitutional challenge, such as alleviating congestion or easing snow removal operations, might well be

Councilman Louis T. Charles
Parking Ordinance
Page Two

served (or are already being served) by ordinances which do not draw an improperly discriminatory distinction between the homeowner and others.

If you have any additional questions please feel free to contact me.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 3, 1990

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

Re: Adoption of an Ordinance restricting Parking

The ad hoc committee for the above purpose met in Room 432 on December 14, 1989 at 7:30 P.M. In attendance were committee members Charles, Falzone and Regan. Also attending were City Engineer Jack Schweitzer for Traffic Engineer Abdul Mohammed and Lt. Arthur Sullo for Chief Macedo.

Mr. Schweitzer cited the fact that all accepted City roads are under the jurisdiction of the City of Danbury. Lt. Sullo explained about complaints from property owners concerning parking violations by persons other than owners. Persons violating the present ordinances are tagged or towed away after two hours upon complaints. Attached is a statement from Assistant Corporation Counsel Eric Gottschalk.

Mr. Regan made a motion that no action be taken at this time. Seconded by Mr. Falzone. Motion carried unanimously.

Respectfully submitted,

LOUIS T. CHARLES, Chairman

MICHAEL FALZONE

ARTHUR REGAN



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

PROGRESS REPORT

January 3, 1990

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

Re: Appeals of Hillandale Sewer Assessments

The committee appointment to review the appeals of the Hillandale Sewer Assessments met at 7:30 P.M. in Room 432 on December 18, 1989 in City Hall. In attendance were committee members Boynton and Falzone. Councilman Fazio was absent. Also attending were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Assistant Corporation Counsel Eric Gottschalk, Comptroller Dominic Setaro, Council Member Boughton, ex-officio, and the petitioners Gregory Pin, R. DeGrazia, Emilio DeGrazia, Thomas Tielsch, Henry Schirmer, Remo DeGrazia and Larry Schirmer.

The committee received input regarding the Hillandale Sewer Project from City Engineer Jack Schweitzer and from Mr. Buckley. This project was started in 1985 and was completed in a public hearing in July, 1989. In question by the Padanaram neighbors (petitioners) is the fact that in 1978 a local developer, Mr. Nick Attick of the Dana Corporation proceeded to install a sewer line from Capitola Road to the entrance of a project which was never completed. Therefore, the sewer line was never accepted by the City or the City Engineer. This unaccepted sewer line was incorporated by the City Engineer as part of a sewer expansion project in 1985 known as the Hillandale Sewer Project. The Common Council in June, 1985, held a public hearing and approved the project. This project was completed in 1989. A public hearing was held in July, 1989 and was accepted by the Common Council on October 17, 1989 at a special meeting.

The Padanaram neighbors (petitioners) believe they should only be assessed for the cost spent to bring the existing, previously unapproved, Nick Attick-Dana Corporation sewer on line which has been estimated at less than \$7,000 rather than the assessed value of \$66,317.

The committee has requested the following information from the City Engineer:

1. The 1985 preliminary sewer assessment list and
2. The final sewer assessment list for the completed project.

The following information is requested from the City Clerk's records:

1. Minutes of the June, 1985 public hearing regarding the Hillandale Sewer Project.
2. Minutes and report of the Common Council regarding its July, 1985 Council Meeting regarding the Hillandale Sewer Project (also minutes of the Committee of the Whole meeting after the public hearing).
3. Minutes of the July, 1989 public hearing on the completed Hillandale Sewer Project, as well as the committee meeting of the Council and its report which was adopted on October 17, 1989.

Upon receipt of this information the Chairman will call another committee meeting.

Respectfully submitted,


 ERNEST M. BOYNTON, Chairman


 MICHAEL FALZONE


 MICHAEL S. FAXIO



CITY OF DANBURY

OFFICE OF THE CITY CLERK

ELIZABETH CRUDGINTON
CITY CLERK

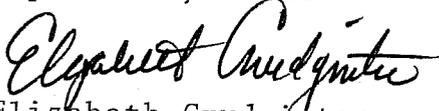
DANBURY, CT 06810

January 2, 1990

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

It is hereby requested that \$1,500 be transferred to City Clerk's Office, Account No. 01-111-011001, Part Time Services. These funds are required for Part Time services in the Office of the City Clerk.

Respectfully submitted


Elizabeth Crudginton
City Clerk



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

January 2, 1990

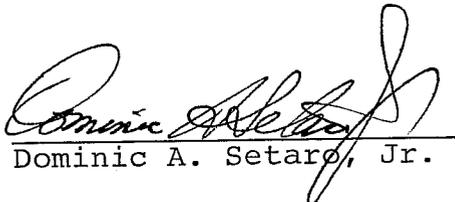
Certification #11

TO: Common Council via
Mayor Gene F. Eriquez

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

We hereby certify the availability of \$1,500.00 to be transferred from the Contingency Fund to the City Clerk's Part-time Services Account #02-01-111-011001.

Balance of Contingency Fund	\$1,135,231.40
Less pending requests	70,000.00
Less this request	1,500.00
	<hr/>
	\$1,063,731.40



Dominic A. Setaro, Jr.

DAS:af



34

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 22, 1989

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

Re: Request for the purchase of an ambulance

The Common Council committee in charge of reviewing the Fire Department's request for the purchase of two ambulance chassis met on December 20, 1989 at 7:40 in room 432 at the City Hall. Committee members Mounir Farah, Louis Charles, and Michael Fazio attended. Also present were Councilman Dean Esposito, ex-officio, Richard Tomaino, Dominic Setaro, Michael Esposito, and Chief Antonio Lagarto.

Chief Lagarto had initially written to Mayor Eriquez on November 22, 1989 urging him to recommend funding for the replacement of the 1981 Chevrolet ambulance chassis. The cost of the replacement would have been about \$35,000. It is important to have at least three functioning ambulances in good condition at the disposal of the Department. Attached was a letter from Mr. Richard Tomaino, Superintendent of Apparatus, documenting the need for the requested item and the estimated cost.

At the Committee meeting Chief Lagarto and Mr. Tomaino explained that a new development had occurred in the intervening time. A reputable company is offering a 1988 Chevrolet ambulance, with only 13,000 miles, for sale at \$40,000. The Chief and Mr. Tomaino investigated the offer and decided to recommend the purchase of this vehicle. After a discussion with Committee members and consultation with Mr. Setaro, the members of the Committee agreed to take advantage of this offer and to table consideration for the replacement of the chassis until money is made available for it in the next fiscal year. At that point the Department will then have three functioning ambulances in good condition.

Councilman Charles moved to recommend that the Common Council approve the purchase of the 1988 ambulance and the waiver of the bidding procedure. Funds will be authorized from the contingency pending certification. Councilman Fazio seconded. The motion was passed unanimously.

Respectfully submitted,

Mounir Farah, Chairman

Louis Charles

Michael Fazio



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DEPARTMENT
OF FINANCE**

January 4, 1990

Certification #12

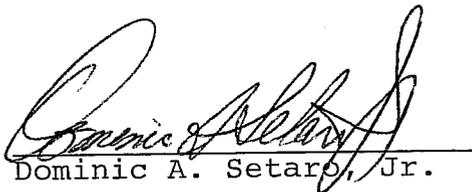
TO: Common Council via
Mayor Gene F. Eriquez

FROM: Dominic A. Setaro, Jr., Acting Director of Finance/
Comptroller

Per Common Council approval we hereby certify the availability of \$40,000.00 to be transferred from the Contingency Fund to the Fire Department's automotive equipment account #02-02-110-061500.

The above request for funds was approved by the Common Council on January 3, 1990 pending this certification.

Balance of Contingency Fund	\$1,063,731.40
Less this request	40,000.00
	<u>\$1,023,731.40</u>



Dominic A. Setaro, Jr.

DAS:af



34

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4571

WARREN W. PLATZ
PURCHASING AGENT

December 28, 1989

To: Mayor G.F. Eriquez and Members of the Common Council
From: Warren W. Platz, Purchasing Agent *WWP*
Re: Request for Waiver of Bid

The City of Danbury Fire Department has the opportunity to purchase a used ambulance for an amount not to exceed \$40,000.00. The proposed ambulance is a demonstrator with 13,000 miles on it. I have attached a copy of the memo from the Superintendent of Apparatus explaining in detail the particulars of the purchase.

This is an excellent chance to obtain a relatively new piece of equipment at a very good price. Because of the nature of the vehicle and the time element involved, it would be most impractical to ask for sealed bids.

I respectfully request, therefore, that the bid procedure be waived in order to take advantage of this opportunity.

Thank you for your consideration of the request.

WWP/bmm

enc:

cc: E. Crudginton, City Clerk
D.A. Setaro, Jr., Acting Director of Finance/Comptroller
A. Lagarto, Fire Chief
R. Tomaino, Superintendent of Apparatus



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

34 *[Handwritten initials]*

RECEIVED
DEC 28 1989
PURCHASING DEPT.

FIRE DEPARTMENT
19 NEW STREET

ANTONIO L. LAGARTO, CHIEF
(203) 796-1550

December 21, 1989

To: The Honorable Gene F. Eriquez, Mayor of the City of Danbury
From: Richard F. Tomaino, Superintendent of Apparatus
Subject: Subcommittee Meeting on Ambulance Replacement

Dear Mayor Eriquez:

The subcommittee meeting took place at 7:30 p.m. last evening and was chaired by Councilman Mounir Farah. In attendance were Councilman Louis Charles, Acting Director of Finance/Comptroller Dominic Setaro, Fire Chief Antonio Lagarto, Ambulance Supervisor Michael Esposito and myself.

After some discussion as to what options were available to us and what funding would be certified, the committee voted to report back to the full Council their recommendation to waive the bidding process and appropriate the necessary funds to purchase the unit. The cost will be approximately \$40,000.00, but will not exceed this amount. The ambulance is a demonstrator with 13,000 miles on it and was originally designed for Richard Petty for use at the Daytona 500 (just in case). This unit would normally cost about \$75,000.00. It is presently at the factory in Orlando, Florida, where it can be prepped for immediate delivery.

It was also agreed that the amount of the insurance settlement check of \$3,949.00 will be used, in addition to the purchase price to upgrade and replace the aging and unreliable EMS radio system that is presently installed in the damage ambulance. It was malfunctioning for a time prior to the accident, and since then the estimate received from Motorola to repair the radio far exceeded what the radio is worth due to its age. Parts are difficult to obtain for it as well.

I have been in contact with Mr. Jerry Ferrari of Wheeled Coach of Florida, the ambulance manufacturer, and he has indicated that the factory would hold the unit providing we furnish a letter of intent from your office. Councilman Farah has stated he will make a copy of his committee's favorable report, which could be attached to your letter. This would hold the unit until the January meeting when, hopefully, the proposal will be approved.

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In the meantime, Dominic and I will be in contact with Warren on furnishing the necessary information required to waive the bidding process.

Mounir has requested that I get back to him before the day is over to inform him of the exact price of the vehicle.

Respectfully submitted,

Richard F. Tomaino

Richard F. Tomaino
Superintendent of Apparatus

ALL:mw
3-ambrepla

c:D. Setaro, Comptroller
Councilman M. Farah
M. Esposito, Ambulance Supervisor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 22, 1989

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

Re: Lease between Victorian Associates and the City of Danbury

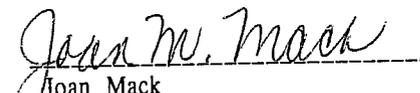
The Common Council Committee appointed to review the lease between Victorian Associates and the City of Danbury met on December 20, 1989 in Room 432 at the City Hall. Committee members Farah, Mack, and Boughton were present, as well as Councilman Louis Charles, ex-officio, James Mather and Robert Botelho of Victorian Associates, Susan Durgy, Aids Program Coordinator, and William Campbell the Director of Health.

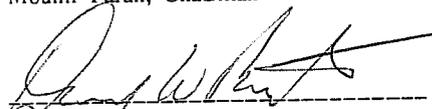
The Committee reviewed the details of the proposed lease and read a letter from Assistant Corporation Counsel Laszlo Pinter regarding its legal aspects. Mr. Campbell and Ms. Durgy explained the need for the space to be rented and its anticipated use. The statement from Mr. Laszlo indicated that the wording of the lease document is acceptable and similar to the language of other leases that the City has for other facilities. The monthly rent is \$625.00 including sewer and water, snow plowing, trash removal, and ground maintenance. The area to be rented is 600 square feet and the location is 403 Main Street. The space will be used for the staff of the Aids Prevention Program. Funding will be provided by the State of Connecticut. The Planning Commission has already approved the lease.

Councilman Boughton moved to recommend the acceptance of the lease, Councilwoman Mack seconded. Passed unanimously.

Respectfully submitted,


Mounir Farah, Chairman


Joan Mack


Donald Boughton



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 22, 1989

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

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Respectfully submitted,

Mounir Farah, Chairman

Joan Mack

Donald Boughton



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 20, 1989

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

Re: Mayor's Task Force on Recycling

The committee appointed to review the status of recycling and to reconsider the previous Common Council's Committee's report dated November 9, 1989 met on December 14, 1989 at 7:45 P.M. in room 432 in City Hall. Committee members Farah, Fazio, Smith, and Valeri attended. Councilwoman Coladarci had a previous engagement. Also present were Councilman Charles, ex-officio, and Michael Cech.

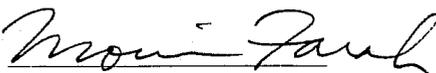
The Committee reviewed the November 9 report of the previous Council committee. The report had recommended the purchase of a truck to be used as a mobile unit moving between designated areas of the City to receive and collect recyclable materials from residents of the that area. The writing on the truck would also serve to propagate the concept of recycling among the residents.

Mr. Cech shared a statement of estimated costs of stationary units versus a mobile unit for recycling. The cost of three additional centers for collecting recyclable materials ranges from twice to nearly three times the cost of a mobile unit. The Committee further concluded that there is an added advantage to the mobile unit. It may be be used for other City purposes when a more comprehensive plan for recycling is put in effect.

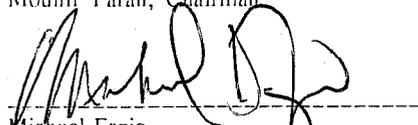
Committee members also questioned Mr. Cech about a possible role for private enterprise in the recycling effort. He responded that the City would welcome the assistance of private carters and the contributions of private businesses to recycling.

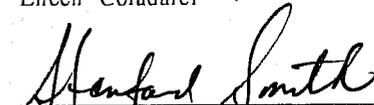
Councilman Valeri made a motion to accept the initial recommendations made by the previous committee which called for the purchase of a truck to be used as a mobile unit for recycling and further to ask the City administration to explore means of cooperation with the private sector and report its findings to the Council. the Mayor would authorize the funding from available sources in the current budget, the contingency, and the landfill account. Councilman Smith seconded, and the motion passed unanimously.

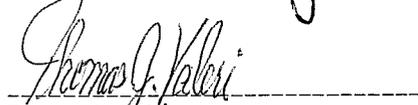
Respectfully submitted,


Mounir Farah, Chairman


Eileen Coladarci


Michael Fazio


Stanford Smith


Thomas Valeri



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 20, 1989

Honorable Mayor Gene Eriquez
Honorable Members of the Common Council

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Respectfully submitted,

Mounir Farah, Chairman

Eileen Coladarci

Michael Fazio

Stanford Smith

Thomas Valerio