

COMMON COUNCIL MEETING AGENDA

MAY 5, 1987

Meeting to be called to order at 8:00 P.M. by the Honorable Mayor James E. Dyer

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Johnson, Sollose, DeMille, Philip, Godfrey, Flanagan, Zotos, Hadley, Rotello, Cassano, McManus, Gallo, Esposito, Charles, Boynton, Butera, DaSilva, Eriquez, Farah, Smith, Torian.

Present _____ Absent _____

NOTICES & ANNOUNCEMENTS BY MAYOR DYER

CONSENT CALENDAR

The Consent Calendar was

Minutes of the Common Council Meeting held April 7, 1987.

The Minutes were

01 ✓ An Ordinance Making Appropriations for the Fiscal Year Beginning
ORDINANCE July 1, 1987 and Ending June 30, 1988.

The Ordinance was

02 ✓ A Resolution Levying the Property Tax for the Fiscal Year Beginn-
RESOLUTION ing July 1, 1987 and Ending June 30, 1988.

The Resolution was

03 ✓ Marguerite Fasone, David J. Mulcahey, Mark DeBonis, Helen Brewer,
CLAIMS Anders Utsogn, Gilbert Fox, Sharon S. Doctorchik, Harold Romer,
Virgilio and Filomena Felizardo

The Claims were

04 ✓ Agreement between Danbury Airport Traffic Control Tower and the
RESOLUTION City of Danbury

The Resolution was

05 ✓ Colonial Acres, Colonial Drive and Pilgrim Drive Road Improvement
RESOLUTION Project

The Resolution was

COMMON COUNCIL MEETING AGENDA

MAY 5, 1987

PAGE - 2

06
RESOLUTION

✓ Sexual Disease Prevention Program
The Resolution was

07
RESOLUTION

✓ Hayestown Avenue Bridge Reconstruction
The Resolution was

08
RESOLUTION

✓ Grant for AIDS Counseling and HTLV-III Testing
The Resolution was

09
COMMUNICATION
& ORDINANCE

✓ Governmental Entity Review and Investigation Committee (Sunset
Review)
The Communication and Ordinance were

010
ORDINANCE

✓ Updating City Forestry Ordinances
The Ordinance was

011
COMMUNICATION

✓ Appointments to the Parks and Recreation Commission
The Communication was

012
COMMUNICATION

✓ Appointments to the Commission on the Status of Women
The Communication was

013
COMMUNICATION

✓ Reports from the Corporation Counsel and the Planning Commission
on Boughton Street Lease
The Communication was

014
COMMUNICATION

✓ Michael and Marion Goodman - Dickens Pond Parcel, Franklin Street
The Communication was

015
COMMUNICATION

✓ Donation of Funds from the United Way of Northern Fairfield County
to Danbury Library
The Communication was

016
COMMUNICATION

✓ Sewer Budget
The Communication was

017
COMMUNICATION

✓ Community Development Block Grant Program Year 13 - Projected Use
of Funds
The Communication was

COMMON COUNCIL MEETING AGENDA

MAY 5, 1987

PAGE - 3

018
COMMUNICATION

✓
Emergency Repairs Easement

The Communication was

019
COMMUNICATION

✓
Renaming of Cornell Road

The Communication was

020
COMMUNICATION

✓
Request for Funds from the Clothing Plus Bank

The Communication was

021
COMMUNICATION

✓
Application for Deferral of Property Tax Assessment Increase from Michael P. Ryer

The Communication was

022
COMMUNICATION

✓
Application for Deferral of Property Tax Assessment Increase from Ronald G. Manoni

The Communication was

023
COMMUNICATION & CERTIFICATION

✓
Needed Repairs to Fire Department Apparatus

The Communication was

024
COMMUNICATION

✓
Request to purchase land on Indian Head Road from the City

The Communication was

025
COMMUNICATION

✓
Lease between the City of Danbury and New England Aircraft Sales

The Communication was

026
COMMUNICATION

✓
Request for Funds - Police Department Special Services Account

The Communication was

027
COMMUNICATION

✓
Reports from Planning Commission and the City Engineer on Offer of Easement to the City from Candlewood Valley Bus Line

The Communication was

028
COMMUNICATION & CERTIFICATION

✓
Request for funds from the Zoning Board of Appeals

The Communication was

029
COMMUNICATION

✓
Signal Revision/Route 53 at Liberty Street

The Communication was

COMMON COUNCIL MEETING AGENDA

MAY 5, 1987

PAGE - 4

- 030 ✓
COMMUNICATION Report from the Charter Revision Commission, together with Request for Extension of Time
The Communication was

- 031 ✓
COMMUNICATION Jackson-Hanson Property
The Communication was

- 032 ✓
COMMUNICATION Relocatable Classrooms at Roberts Avenue School
The Communication was

- 033 ✓
COMMUNICATION Report from Director of Public Works on Drainage Problem on Stadley Rough Road
The Communication was

- 034 ✓
COMMUNICATION Report from Director of Public Works on Condition of Roads on South King Street between Darrell Road and Franklin Street Ext.
The Communication was

- 035 ✓
COMMUNICATION Report from Director of Public Works on Sementilli and Fogarty Drainage Problems
The Communication was

- 036 ✓
COMMUNICATION Report from Director of Public Works on Water Problem on Old Ridgebury Road
The Communication was

- 037 ✓
COMMUNICATION Water Drainage Problem on King Street and Wedgewood Drive
The Communication was

- 038 ✓
COMMUNICATION Water Problems on Indian Head Road
The Communication was

- 039 ✓
COMMUNICATION Request for Water and Sewer Extensions - 62 Brushy Hill Road
The Communication was

- 040 ✓
COMMUNICATION Application for Sewer and Water Extensions - 109 Park Avenue
The Communication was

- 041
COMMUNICATION Request for Sewer Extension - Aunt Hack Road
The Communication was

MAY 5, 1987

PAGE - 5

Application for Sewer and Water Extensions - Garamella Boulevard

The Communication was

COMMUNICATION

043

DEPARTMENT REPORTS

Airport Administrator
Public Works Department
High Blood Pressure Screening
Program
Sanitation/Public Health Inspector
Fire Chief
Fire Marshall

Police Department
Coordinator of Environmental
and Occupational Health
Services
Housing Code Enforcement
Inspector
Building Department

The Reports were

044
REPORT

Reconsideration of Item #055 from the March Agenda (Post Office
Street Ordinance)

The Report was

045
REPORT

Request for Water Extension on Breezy Hill - Terrace Heights

The Report was

046
REPORT

Request for Sewer Abatement at 68 Abbott Avenue

The Report was

047
PROGRESS
REPORT

Request for Sewer and Water Extensions - Tamarack Avenue

The Progress Report was

048
PROGRESS
REPORT

Sears Building, 129 Main Street

The Report was

049
PROGRESS
REPORT

Proposed "Boot" Ordinance

The Progress Report

PUBLIC SPEAKING SESSION

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

50
Resolution

Rental Rehabilitation Grant Program



(1)

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT COMMON COUNCIL

May 5, 1987

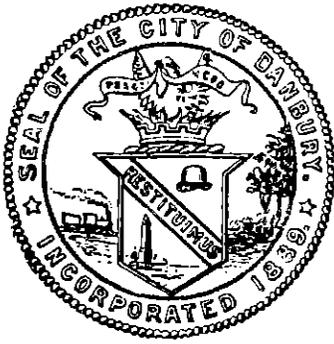
Be it ordained by the Common Council of the City of Danbury:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING
JULY 1, 1987 AND ENDING JUNE 30, 1988.

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

SECTION 1. That the amounts hereinafter set forth aggregating or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several Departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 1987 and ending June 30, 1988.

| <u>I. GENERAL GOVERNMENT</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|-------------------------------|-----------------------|---------------------|
| Common Council | 10,860. | |
| Mayor's Office | 157,256. | |
| City Clerk's Office | 56,275. | |
| Ordinances | 9,000. | |
| Probate Court | 10,992. | |
| Jury Committee | 1,600. | |
| Registrars & Elections | 112,938. | |
| City Treasurer | 17,115. | |
| Comptroller's Office | 314,589. | |
| Data Processing | 399,973. | |
| Independent Audit | 41,850. | |
| Bureau of Assessments | 300,233. | |
| Board of Tax Review | 12,950. | |
| Tax Collector | 297,499. | |
| Purchasing | 156,586. | |
| Corporation Counsel | 238,791. | |
| Town Clerk | 254,022. | |
| Annual Report | 9,450. | |
| Environment Impact Commission | 6,015. | |
| Planning Commission | 8,145. | |
| Planning Department | 360,320. | |
| Zoning Commission | 17,400. | |
| Zoning Board of Appeals | 8,600. | |
| Civil Service Commission | 85,874. | |
| Conservation Commission | 5,250. | |
| Personnel Department | 128,889. | |



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

May 5, 1987

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

| <u>GENERAL GOVERNMENT (continued):</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|--|-----------------------|---------------------|
| Mayor's Discretionary Fund | 9,765. | |
| Fair Rent Commission | 14,750. | |
| City Memberships | 36,791. | |
| Lake Authority | 17,500. | |
| Retirement Administration | 25,000. | |
| Public Buildings | 426,780. | |
| City Hall Buildings | 258,665. | |
| Library Buildings | 108,085. | |
| Police Station Building | 99,945. | |
| Old Library Building | 19,000. | |
| Water Use City Departments | 80,000. | |
| <u>TOTAL GENERAL GOVERNMENT</u> | <u>\$4,118,753.</u> | |
| | | |
| II <u>PUBLIC SAFETY</u> | | |
| Police Department | 6,281,398. | |
| Dog Warden | 80,739. | |
| Fire Department | 4,929,607. | |
| Building Inspector | 233,713. | |
| Weights & Measures | 15,040. | |
| Dept. Civil Preparedness | 58,256. | |
| <u>TOTAL PUBLIC SAFETY</u> | <u>\$11,598,753.</u> | |
| | | |
| III <u>PUBLIC WORKS</u> | | |
| Director of Public Works | 66,563. | |
| Highways | 1,657,728. | |
| State Aid Highway Projects | 409,947. | |
| Snow & Ice Removal | 320,500. | |
| Street Lighting | 384,000. | |
| Bridges and Rivers | 13,500. | |
| Public Building Maint. Repair | 189,625. | |
| Equipment Maintenance | 542,666. | |
| Storm Water Drains | 5,000. | |
| Engineering Department | 382,614. | |
| <u>TOTAL PUBLIC WORKS</u> | <u>\$ 3,972,143</u> | |

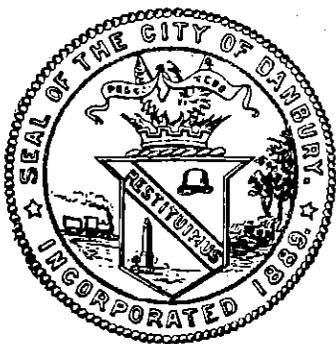


ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

May 5, 1987

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

| <u>IV. HEALTH & HOUSING DEPT.</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|--|-----------------------|---------------------|
| Health & Housing Department | 501,960. | |
| <u>TOTAL HEALTH & HOUSING DEPT.</u> | <u>\$501,960.</u> | |
| | | |
| <u>V. PUBLIC WELFARE, SOCIAL AGENCIES</u> | | |
| Welfare Department | 1,037,307. | |
| Veterans Advisory Center | 30,276. | |
| Danbury Youth Commission | 2,000. | |
| Commission on Aging | 124,974. | |
| Elderly Transportation | 13,700. | |
| <u>TOTAL PUBLIC WELFARE, SOCIAL AGENCIES</u> | <u>\$1,208,257.</u> | |
| | | |
| <u>VI. SCHOOL DEPARTMENT</u> | | |
| Schools, Regular | \$42,252,124. | |
| <u>TOTAL SCHOOL BUDGET</u> | <u>\$42,252,124.</u> | |
| | | |
| <u>VII. LIBRARIES</u> | | |
| Danbury Public Library | 1,053,811. | |
| Long Ridge Library | 3,000. | |
| <u>TOTAL LIBRARIES</u> | <u>\$1,056,811.</u> | |
| | | |
| <u>VIII. PARKS & RECREATION</u> | | |
| Parks & Recreation | 999,966. | |
| Richter Authority | 40,000. | |
| | | |
| Tree Warden/City Forester | 200,583. | |
| Cultural Commission | 36,100. | |
| <u>TOTAL PARKS & RECREATION</u> | <u>\$1,276,649.</u> | |
| | | |
| <u>IX. RECURRENT COSTS</u> | | |
| | | |
| F.I.C.A. | 624,300. | |
| Pension Expense | 4,576,373. | |
| Employee Service Benefit | 100,172. | |



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

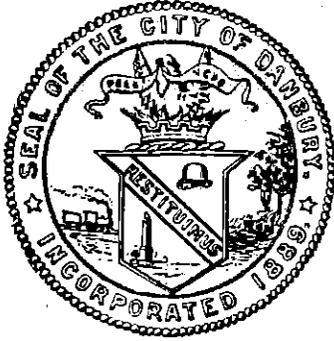
May 5, 1987

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

| <u>RECURRENT COSTS (Continued):</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|---|-----------------------|---------------------|
| Worker's Compensation | 180,000. | |
| State Unemployment Compensation | 16,000. | |
| Employee Health & Life Insurance | 1,589,482. | |
| Union Welfare | 373,818. | |
| Insurance & Official Bond Premium | <u>1,744,759.</u> | |
| <u>TOTAL RECURRING COSTS</u> | <u>\$9,204,904.</u> | |
| | | |
| X. <u>DEBT SERVICE</u> | | |
| Interest on Debt | 1,402,813. | |
| Interest on Debt - School | 576,337. | |
| Redemption of Debt | 1,387,000. | |
| Redemption of Debt - School | 867,089. | |
| <u>TOTAL DEBT SERVICE</u> | <u>\$4,233,239.</u> | |
| | | |
| XI. <u>CAPITAL PROGRAM</u> | <u>\$ 757,000.</u> | |
| | | |
| XII. <u>TRANSPORTATION</u> | | |
| Danbury Airport | 209,600. | |
| H.A.R.T. | <u>296,265.</u> | |
| <u>TOTAL TRANSPORTATION</u> | <u>\$ 505,865.</u> | |
| | | |
| XIII. <u>CONTINGENCY</u> | <u>\$ 750,000.</u> | |
| | | |
| XIV. <u>STATE & FEDERAL SCHOOL PROJECTS</u> | <u>\$1,995,633.</u> | |
| State and Federal Airport Projects | - 0 - | |
| Miscellaneous Adjustments | - 0 - | |
| | | |
| XV. <u>GRANTS-HUMAN SERVICES</u> | <u>1,138,436.</u> | |
| | | |
| <u>TOTAL BUDGET</u> | <u>\$84,570,527.</u> | |

SECTION 2. That the amount of _____ is appropriated in the same manner as in Section 1 hereof for the DOG LICENSE FUND.

SECTION 3. That the amount of _____ is appropriated in the same manner as in Section 1 hereof for the REVENUE SHARING BUDGET in compliance with the State and Local Fiscal Assistance Act of 1972, as amended.



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

May 5, 1987

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

SECTION 4. That the amount of _____ is appropriated to the WATER ACCOUNT in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of _____ is appropriated to the SEWER OPERATING BUDGET in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for uncollectible taxes reserve is established in the amount of _____

SECTION 7. That the amount of _____ is appropriated to the DANBURY SANITARY LAND-FILL ENTERPRISE FUND in the same manner as set forth in Section 1 hereof.

Adopted by the Common Council _____, 1987.
Approved by Mayor James E. Dyer _____, 1987.

JAMES E. DYER
Mayor

ATTEST: _____
Elizabeth Crudginton
City Clerk



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 5, 1987

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

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING
JULY 1, 1987 AND ENDING JUNE 30, 1988.

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

SECTION 1. That the amounts hereinafter set forth aggregating \$84,512,009.00 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several Departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 1987 and ending June 30, 1988.

| <u>I. GENERAL GOVERNMENT</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|-------------------------------|-----------------------|---------------------|
| Common Council | 10,860. | 10,860. |
| Mayor's Office | 157,256. | 159,103. |
| City Clerk's Office | 56,275. | 57,272. |
| Ordinances | 9,000. | 9,000. |
| Probate Court | 10,992. | 10,992. |
| Jury Committee | 1,600. | 1,600. |
| Registrars & Elections | 112,938. | 112,938. |
| City Treasurer | 17,115. | 17,743. |
| Comptroller's Office | 314,589. | 314,589. |
| Data Processing | 399,973. | 399,973. |
| Independent Audit | 41,850. | 41,850. |
| Bureau of Assessments | 300,233. | 300,233. |
| Board of Tax Review | 12,950. | 12,950. |
| Tax Collector | 297,499. | 297,499. |
| Purchasing | 156,586. | 156,586. |
| Corporation Counsel | 238,791. | 238,791. |
| Town Clerk | 254,022. | 255,241. |
| Annual Report | 9,450. | 9,450. |
| Environment Impact Commission | 6,015. | 6,015. |
| Planning Commission | 8,145. | 8,145. |
| Planning Department | 360,320. | 360,320. |
| Zoning Commission | 17,400. | 17,400. |
| Zoning Board of Appeals | 8,600. | 8,600. |
| Civil Service Commission | 85,874. | 85,874. |
| Conservation Commission | 5,250. | 5,250. |
| Personnel Department | 128,889. | 128,889. |



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 5, 1987

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

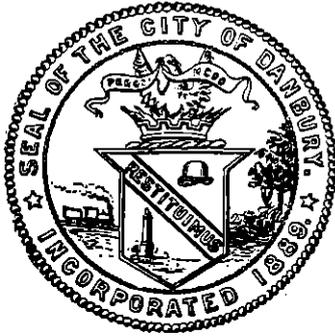
| <u>GENERAL GOVERNMENT (continued):</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|--|-----------------------|---------------------|
| Mayor's Discretionary Fund | 9,765. | 9,765. |
| Fair Rent Commission | 14,750. | 14,750. |
| City Memberships | 36,791. | 36,791. |
| Lake Authority | 17,500. | 17,500. |
| Retirement Administration | 25,000. | 25,000. |
| Public Buildings | 426,780. | 426,780. |
| City Hall Buildings | 258,665. | 258,665. |
| Library Buildings | 108,085. | 108,085. |
| Police Station Building | 99,945. | 99,945. |
| Old Library Building | 19,000. | 19,000. |
| Water Use City Departments | 80,000. | 80,000. |
| <u>TOTAL GENERAL GOVERNMENT</u> | <u>\$4,118,753.</u> | <u>\$4,123,444.</u> |

II PUBLIC SAFETY

| | | |
|----------------------------|----------------------|----------------------|
| Police Department | 6,281,398. | 6,281,398. |
| Dog Warden | 80,739. | 80,739. |
| Fire Department | 4,929,607. | 4,963,898. |
| Building Inspector | 233,713. | 233,713. |
| Weights & Measures | 15,040. | 15,040. |
| Dept. Civil Preparedness | 58,256. | 58,256. |
| <u>TOTAL PUBLIC SAFETY</u> | <u>\$11,598,753.</u> | <u>\$11,633,044.</u> |

III PUBLIC WORKS

| | | |
|-------------------------------|------------|------------|
| Director of Public Works | 66,563. | 66,563. |
| Highways | 1,657,728. | 1,657,728. |
| State Aid Highway Projects | 409,947. | 409,947. |
| Snow & Ice Removal | 320,500. | 320,500. |
| Street Lighting | 384,000. | 384,000. |
| Bridges and Rivers | 13,500. | 13,500. |
| Public Building Maint. Repair | 189,625. | 189,625. |
| Equipment Maintenance | 542,666. | 542,666. |



ORDINANCE

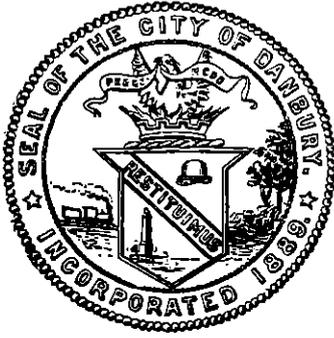
CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 5, 1987

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

| <u>IV. HEALTH & HOUSING DEPT.</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|--|-----------------------|----------------------|
| Health & Housing Department | 501,960. | 501,960. |
| <u>TOTAL HEALTH & HOUSING DEPT.</u> | <u>\$501,960.</u> | <u>\$501,960.</u> |
| | | |
| <u>V. PUBLIC WELFARE, SOCIAL AGENCIES</u> | | |
| Welfare Department | 1,037,307. | 1,037,307. |
| Veterans Advisory Center | 30,276. | 30,276. |
| Danbury Youth Commission | 2,000. | 2,000. |
| Commission on Aging | 124,974. | 124,974. |
| Elderly Transportation | 13,700. | 13,700. |
| <u>TOTAL PUBLIC WELFARE, SOCIAL AGENCIES</u> | <u>\$1,208,257.</u> | <u>\$1,208,257.</u> |
| | | |
| <u>VI. SCHOOL DEPARTMENT</u> | | |
| Schools, Regular | \$42,252,124. | \$42,252,124. |
| <u>TOTAL SCHOOL BUDGET</u> | <u>\$42,252,124.</u> | <u>\$42,252,124.</u> |
| | | |
| <u>VII. LIBRARIES</u> | | |
| Danbury Public Library | 1,053,811. | 1,053,811. |
| Long Ridge Library | 3,000. | 3,000. |
| <u>TOTAL LIBRARIES</u> | <u>\$1,056,811.</u> | <u>\$1,056,811.</u> |
| | | |
| <u>III. PARKS & RECREATION</u> | | |
| Parks & Recreation | 999,966. | 999,966. |
| Richter Authority | 40,000. | 40,000. |
| Tree Warden/City Forester | 200,583. | 200,583. |
| Cultural Commission | 36,100. | 36,100. |
| <u>TOTAL PARKS & RECREATION</u> | <u>\$1,276,649.</u> | <u>\$1,276,649.</u> |
| | | |
| <u>IX. RECURRENT COSTS</u> | | |



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 5, 1987

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

| <u>RECURRENT COSTS (Continued):</u> | <u>MAYOR'S BUDGET</u> | <u>FINAL BUDGET</u> |
|---|-----------------------|----------------------|
| Worker's Compensation | 180,000. | 180,000. |
| State Unemployment Compensation | 16,000. | 16,000. |
| Employee Health & Life Insurance | 1,589,482. | 1,589,482. |
| Union Welfare | 373,818. | 373,818. |
| Insurance & Official Bond Premium | <u>1,744,759.</u> | <u>1,744,759.</u> |
| <u>TOTAL RECURRING COSTS</u> | <u>\$9,204,904.</u> | <u>\$9,204,904.</u> |
| | | |
| X. <u>DEBT SERVICE</u> | | |
| Interest on Debt | 1,402,813. | 1,402,813. |
| Interest on Debt - School | 576,337. | 576,337. |
| Redemption of Debt | 1,387,000. | 1,387,000. |
| Redemption of Debt - School | 867,089. | 867,089. |
| <u>TOTAL DEBT SERVICE</u> | <u>\$4,233,239.</u> | <u>\$4,233,239.</u> |
| | | |
| XI. <u>CAPITAL PROGRAM</u> | <u>\$ 757,000.</u> | <u>\$ 657,000.</u> |
| | | |
| XII. <u>TRANSPORTATION</u> | | |
| Danbury Airport | 209,600. | 209,600. |
| H.A.R.T. | <u>296,265.</u> | <u>296,265.</u> |
| <u>TOTAL TRANSPORTATION</u> | <u>\$ 505,865.</u> | <u>\$ 505,865.</u> |
| | | |
| XIII. <u>CONTINGENCY</u> | <u>\$ 750,000.</u> | <u>\$ 750,000.</u> |
| | | |
| XIV. <u>STATE & FEDERAL SCHOOL PROJECTS</u> | <u>\$1,995,633.</u> | <u>\$1,995,633.</u> |
| State and Federal Airport Projects | - 0 - | -0- |
| Miscellaneous Adjustments | - 0 - | -0- |
| | | |
| XV. <u>GRANTS-HUMAN SERVICES</u> | <u>1,138,436.</u> | <u>\$1,140,936.</u> |
| | | |
| <u>TOTAL BUDGET</u> | <u>\$84,570,527.</u> | <u>\$84,512,009.</u> |



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 5, 1987

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

SECTION 4. That the amount of Four Million Seven Hundred and Five Thousand Dollars (4,705,000) is appropriated to the WATER ACCOUNT in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of One Million Eight Hundred Ninety-Nine Thousand Three Hundred Thirty-Two Dollars (1,899,332) is appropriated to the SEWER OPERATING BUDGET in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for uncollectible taxes reserve is established in the amount of Five Hundred Thousand Dollars (500,000).

SECTION 7. That the amount of One Million Three Hundred Fifteen Thousand and Sixty-Five Dollars (1,315,065) is appropriated to the DANBURY SANITARY LAND-FILL ENTERPRISE FUND in the same manner as set forth in Section 1 hereof.

Adopted by the Common Council May 5 1987
Approved by Mayor James E. Dyer [Signature] 1987.

May 6, 1987

[Signature]
JAMES E. DYER
Mayor

ATTEST:

[Signature]
Elizabeth Crudginton
City Clerk



1-A

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: General Government Budget Committee

The General Government Budget Committee met twice during the month of April, 1987 in preparation for submitting recommendations on the various items of the 1987-88 Budget for the City of Danbury.

The committee began its deliberations with an overview of the General Government portion of the budget conducted by City Comptroller Dominic Setaro. This was followed by another meeting where various Department Heads were invited to discuss their budget requests and the Mayor's proposed appropriations.

On April 8, 1987 the committee concluded its deliberations with the following recommendations:

Salary Increases for Elected Officials:

The committee recommends a 6% salary increase per year for the next two (2) fiscal years for the elected officials to become effective on November 16, 1987 and July 1, 1988.

| <u>Line Item Changes</u> | | | | 1987-88 | |
|-----------------------------------|-----------------------|-------------|-----------|---------------|------------------|
| <u>01-110</u> | <u>MAYOR'S OFFICE</u> | <u>FROM</u> | <u>TO</u> | <u>CHANGE</u> | <u>EFFECTIVE</u> |
| 010100 | Mayor's Salary | \$50,000 | \$53,000 | \$1,847 | 11/16/87 |
| | Effective 7-1-88 | 56,180. | | | |
| <u>01-111 CITY CLERK'S OFFICE</u> | | | | | |
| 010100 | C. Clerk's Salary | 27,000 | 28,620 | 997. | 11/16/87 |
| | Effective 7-1-88 | 30,338 | | | |
| <u>01-140 CITY TREASURER</u> | | | | | |
| 01011 | Treasurer's Salary | 17,000 | 18,020 | 628. | 11/16/87 |
| | Effective 7-1-88 | 19,101. | | | |

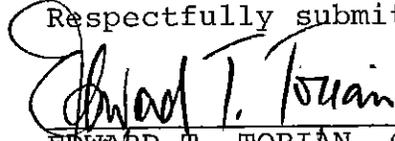
01-161 TOWN CLERK'S OFFICE

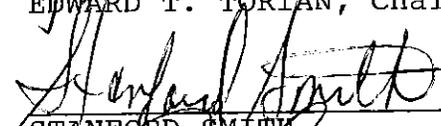
010100 Town Clerk's Salary \$33,000 \$34,980 \$1,219 11/16/87
Effective 7-1-88 37,079.

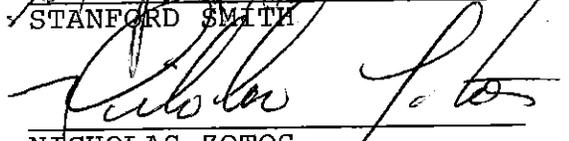
3

The total net change is an increase of \$4,691 to the 1987-88 Budget for the City of Danbury.

Respectfully submitted,


EDWARD T. TORIAN, Chairman


STANFORD SMITH


NICHOLAS ZOTOS


JOHN DeMILLE


CONSTANCE McMANUS



1 B

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Public Safety Budget

The Common Council Committee appointed to review the Mayor's proposed Public Safety Budget met at City Hall on April 14, 1987, April 20, 1987 and April 29, 1987. The following budgets were accepted as presented: Police Department, Dog Fund, Building Department, Weights and Measures and Department of Civil Preparedness.

The Fire Department Budget was accepted as presented with two changes:

| <u>LINE ITEM</u> | <u>MAYOR'S BUDGET</u> | <u>COMMITTEE RECOMMENDATION</u> |
|--------------------------------------|-----------------------|---------------------------------|
| 024501 - Leased Equipment | 12,500. | 19,000. |
| 071500 - Cont. & Tr Other Town Funds | 308,159. | 335,950. |

Each Volunteer Fire Company increases 15% over 1986-1987 budget with \$17,500 for fireworks.

The committee wishes to thank the following people for their contributions to the Budget deliberations: Police Chief Macedo, Lt. Sullo, Fire Chief Monzillo, Deputy Chief Murphy, Betty Ingraham, Fred Visconti, Marge Weiss, Richard Tomanio, Felix Tomanio, Michael Esposito, Leo Null, Wilbur Conlea and Charles Farrar.

Any further changes as a result of the investigations of committee members will be handled "from the floor" if necessary, when the budget is presented.

Respectfully submitted,

BERNARD GALLO

ROBERT GODFREY

PETER PHILIP

PHILIP HADLEY, Chairman

ERNEST BOYNTON



10

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

COMMON COUNCIL

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Public Works Budget Committee

The Common Council Public Works Committee appointed to review the 1987-88 Budget included the following departments also: Public Works Department, Highway Department, Sewage Treatment, Water Department, Cultural Commission, Richter Park Authority, Tree Department, Parks & Recreation, Engineering Department, Veterans Graves and the Capital Program.

The committee met on April 13, 1987. Members present were Chairman John Esposito, John DeMille, Stephen Flanagan, Louis Rotello and Beverly Johnson. Comptroller Dominic Setaro also attended the meeting as well as representatives from the various departments. Minutes of meeting are on file in the Office of the City Clerk. Mr. Setaro recommended that the committee save final action on the Capital Budget until the other committees have met.

Budgets discussed at this meeting were Cultural Commission, Richter Park, Tree Warden/City Forester, Veterans Graves, Parks & Recreation, Engineering Department, Public Works, Highway Department, Equipment Maintenance, Capital Program.

Mr. Setaro, in response to discussions and questions from committee members explained various line items, including funds for the Capital Program.

The next meeting was held on April 20, 1987. Members Present were Esposito, Flanagan, DeMille, Johnson. Mr. Rotello was absent.

Budgets discussed at this meeting were Sewage Treatment and Water Department. In response to questions from committee members, William Buckley, Basil Friscia and Robert Ogden were available and present at the meeting.

During the two committee meetings, all budgets were discussed in detail.

Following committee deliberations a motion was made by Council Member Beverly Johnson and seconded by Council Member John DeMille to accept the Mayor's Budget as submitted entitled "Public Works Budget" and all Department Budgets assigned to the Public Works Committee listed in this report.

Council Member Flanagan made a motion, seconded by Council Member Johnson to amend the motion by adding a line item numbered 880008 - a Capital Project labeled "Rogers Park Pond Improvement" and add a \$25,000 line to the proposal. The amendment was carried unanimously.

The original motion to accept the Mayor's Budget as submitted was passed unanimously with the amended motion included.

Respectfully submitted,



JOHN ESPOSITO, Chairman



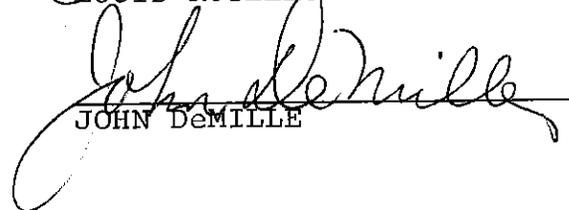
STEPHEN FLANAGAN



BEVERLY JOHNSON



LOUIS ROTELLO



JOHN DEMILLE



10

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

COMMON COUNCIL

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Health, Housing and Social Services Budget

The committee held meetings to review the 1987-88 budget with selected department heads and organization representatives. The committee reviewed the following fiscal accounts:

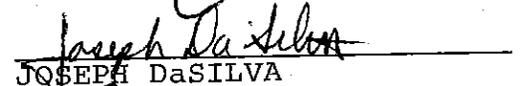
- 04-101 Health and Housing Department
- 05-100 Welfare Department
- 05-160 Veterans Advisory Center
- 05-166 Danbury Youth Commission
- 05-167 Commission on Aging
- 05-174 Elderly Transportation
- 20-000 Grants

The committee recommends that the Common Council approve the following changes to the Mayor's proposed budget.

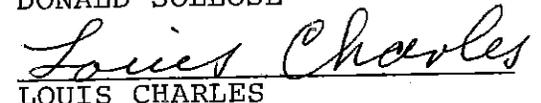
| <u>LINE</u> | <u>TITLE</u> | <u>MAYOR'S PROPOSAL</u> | <u>COMMITTEE RECOMMENDATION</u> |
|-------------|-----------------------------|-------------------------|---------------------------------|
| 072923 | Literacy Vol. | \$ 3,000 | \$ 4,000 |
| 072926 | Reg. Hospice | 30,000 | 40,000 |
| 072928 | Comm. on Status of Women | - 0 - | 1,500. |

Respectfully submitted,


ANTHONY CASSANO, Chairman


JOSEPH DASILVA


DONALD SOLLOSE


LOUIS CHARLES


JANET BUTERA



1 E

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

COMMON COUNCIL

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Education Budget Committee Report

The Education Budget Committee met four time with representatives of the Board of Education and the Schools Administration. The Committee examined each account in the proposed education budget with the following criteria in mind: present needs, future needs, and the current status of the account.

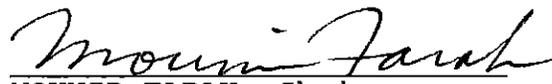
The Committee recommends that the School Budget for 1987-88 be set at \$42,252,124. This amount represents a 9.15% increase over the current fiscal year's school budget of \$38,711,037. The Committee's recommended figure is identical to the Mayor's recommendation. Moreover, the Committee recommends that the capital budget be amended in order to accommodate badly needed repairs. This recommendation is based on the fact that some of the physical facilities in our schools have been in disrepair for sometime and that their condition will further deteriorate if no action is taken soon.

Therefore, it is moved to amend the capital budget by adding lines:

- | | | |
|----|---|-----------|
| 1. | 880008 - Replacement Windows at the Alternative Center | \$ 50,000 |
| 2. | 880009 - Replace Gym Bleachers at the High School | 50,000 |
| 3. | 880010 - Replace Exterior Doors - Park Avenue, Roberts Avenue and High School | 50,000 |
| 4. | 880011 - Repair Sidewalks and Curbs - Broadview Jr. High | 15,000 |

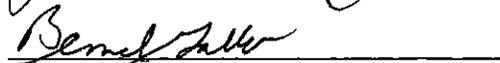
An affirmative vote by the Council will constitute another step forward by the City of Danbury to reach for excellence in education.

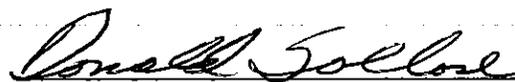
Respectfully submitted,


MOUNIR FARAH, Chairman


CONSTANCE McMANUS


GENE ENRIQUEZ


BERNARD GALLO


DONALD SOLLOSE

DANBURY PUBLIC SCHOOLS
Danbury, Connecticut

TO: Dr. Anthony L. Singe
FROM: Walter E. Skowronski ^{WES}
RE: Capital Budget 1987 - 1988
DATE: April 25, 1987

To facilitate discussion and review of our capital budget request with the Education Budget Committee, I have attached a copy of the document that was originally submitted to Mayor Dyer this past January. This package totalled \$1,200,00.

In line with the comments made at Monday's meeting with that Committee and our own discussion, I would present the following for priority consideration.

PRIORITY LISTING

| | | |
|-----|--|------------|
| ✓1. | Replacement Windows - Alternative Center | \$ 50,000 |
| ✓2. | Replace Bleachers - High School ^{GYM} | 50,000 |
| 3. | Replace Gymnasium Lighting - High School | 30,000 |
| ✓4. | Expand Food Service Program - High School Home Economics | 30,000 |
| 5. | Replace Small Gymnasium Floor - Rogers Park | 25,000 |
| ✓6. | Replace Exterior Doors - Park Avenue, Roberts Avenue, High School | 50,000 |
| 7. | Recarpet Lecture Hall - Broadview | 18,000 |
| ✓8. | Sidewalks and Curbs - Broadview | 15,000 |
| 9. | Upgrade Heating and Controls - System | 100,000 |
| 10. | Air Conditioning--Interior Rooms - Broadview | 300,000 |
| 11. | Replace Bleachers - Rogers Park | 25,000 |
| 12. | Upgrade Plumbing and Electrical - Alternative Center | 55,000 |
| 13. | Retile - King Street Intermediate | 50,000 |
| 14. | Exterior Lighting - Hayestown, King St. Primary | 25,000 |
| 15. | Replace Cafetorium Floor - Mill Ridge Primary | 10,000 |
| 16. | Drop Ceilings - Roberts Avenue | 40,000 |
| 17. | Separate Heating - Mill Ridge Administration | 25,000 |
| | | \$ 898,000 |

It should be noted that Item 4, renovation to the food service area, is currently in the Capital Budget.

Additionally, Mayor Dyer has expressed a willingness to share in the cost of relocatables at Roberts Avenue School. Of course, that must receive Council approval as well.

WES/bs



RESOLUTION

2

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR
BEGINNING JULY 1, 1987 AND ENDING JUNE 30, 1988.

SECTION 1. The sum of 60,275,017.00

(\$)
representing the gross appropriation for the City of Danbury of
\$ 84,512,009 for the fiscal year of July 1, 1987 and ending
June 30, 1988, minus Indirect Revenue of \$ 23,486,792 and minus
Estimated Available "Surplus" of \$ 1,300,000 plus uncollectible
taxes reserve in the amount of \$ 500,000 is hereby levied and
assessed on all taxable property in the City of Danbury as set forth
on the annual Grand List as of October 1, 1986.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal
year beginning July 1, 1987 and ending June 30, 1988 shall be as
follows:

TAX RATE: 45.13 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided
shall be payable in quarterly installments on July 1, 1987, October 1,
1987, January 4, 1988, April 1, 1988, except for taxes levied and
assessed on aircraft, boats, mobile homes, motor vehicles and where not
in excess of One Hundred Dollars (\$100.00), which taxes shall be paid
on July 1, 1987, in accordance with the General Statutes of the State
of Connecticut, unless said dates shall have lapsed before the effective
date of this resolution, in which case the Tax Collector shall fix the
dates and installments as if said dates had not been fixed herein as
provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied
and assessed to be inserted on the tax rolls for the fiscal year beginn-
ing July 1, 1987 and ending June 30, 1988.



RESOLUTION

2

CITY OF DANBURY, STATE OF CONNECTICUT

May 5 87

A. D., 19

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR
BEGINNING JULY 1, 1987 AND ENDING JUNE 30, 1988.

SECTION 1. The sum of Sixty Million Two Hundred Seventy-Five Thousand and Seventeen Dollars (\$60,275,017) representing the gross appropriation for the City of Danbury of \$ 84,512,009 for the fiscal year of July 1, 1987 and ending June 30, 1988, minus Indirect Revenue of \$ 23,436,992 and minus Estimated Available "Surplus" of \$ 1,300,000 plus uncollectible taxes reserve in the amount of \$ 500,000 is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 1986.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 1987 and ending June 30, 1988 shall be as follows:

TAX RATE: 45.13 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 1987, October 1, 1987, January 4, 1988, April 1, 1988, except for taxes levied and assessed on aircraft, boats, mobile homes, motor vehicles and where not in excess of One Hundred Dollars (\$100.00), which taxes shall be paid on July 1, 1987, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 1987 and ending June 30, 1988.

Marguerite Fasone
20 Silcam Drive
Danbury, Ct. 01811

3

April 16, 1987

Town of Danbury
City Hall
Deer Hill Avenue
Danbury, Ct. 06810

To: City Clerk

RE: Potholes

Dear City Clerk :

On the evening of April 14, 1987, I was traveling on North Nabby Road in Danbury, when I noticed puddles and water on the right hand side of the road. I could not avoid these puddles as a large truck was traveling past me on the left of my vehicle. The puddles concealed potholes, which I consequently hit. The potholes dented the rim of my tire and tore a hole in the tire.

I have enclosed a copy of the bill for replacing two tires. My claim, however, is for one tire only.

Please see what you can do for me. Thank you very much for your time and attention.

Respectfully,

Marguerite Fasone
Marguerite Fasone

Received for record
at 9:25 AM

APR 21 1987

Attest: *Richard A. Jones*
Town Clerk

RECEIVED

APR 21 1987

OFFICE OF CITY CLERK

April 27, 1987

Hon. James E. Dyer, Mayor
and
Hon. Members of the Common Council
City of Danbury
Connecticut

Dear Mayor and Council Members:

The enclosed new letter of agreement from the Manager of the Air Traffic Control Tower is to update the one that was signed in July of 1985.

The new letter of agreement has a change in the hold harmless clause and I have forwarded a copy of this agreement to Attorney Gottschalk for his review and comment.

Also enclosed is a copy of the old agreement and Attorney Gottschalk will prepare a resolution for your approval.

The Tower Manager is requesting this change due to the change in the hold harmless clause.

Sincerely,


Paul D. Estefan
Airport Administrator

disk/Paul33

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
NEW ENGLAND REGION
DANBURY MUNICIPAL AIRPORT
DANBURY, CT. 06810

DANBURY AIRPORT TRAFFIC CONTROL TOWER AND CITY OF DANBURY

LETTER OF AGREEMENT

Effective: July 8, 1987

Subject: Operation of Airport Lighting when the Airport Traffic Control Tower is Closed

1. Purpose: Procedures for operation of airport lighting by control tower personnel when closing the tower for the night.
2. Cancellation: Letter of Agreement on Operation of Airport Lighting when the Airport Traffic Control Tower is Closed dated July 20, 1985.
3. Responsibilities: The City of Danbury is responsible for the operation of the airport lighting during the hours that the control tower is closed.
4. Procedures: Prior to closing the tower, personnel shall activate the Radio Controlled Lighting System Switch and test the system by keying the microphone on 119.4 three times within five seconds.

In the event that the Radio Controlled Lighting System is inoperative, the following steps shall be taken:

- a. Based on weather forecasts, runway lights for runway 8-26 will be left on the setting determined by use of the MIRL Intensity Setting Table.
- b. Taxiway Lights will be left on during the hours that the Airport Traffic Control Tower is closed.
- c. REIL lights will be turned off during the hours that the Airport Traffic Control Tower is closed.
- d. Make an entry on FAA Form 7230-4 (Daily Record of Facility Operation) for the equipment malfunction and notify the Airport Manager at home. If unable to notify the airport manager, state so in your log entry.

5. Hold Harmless Clause:

"The airport owner/operator covenants and expressly agrees that with regard to any liability which may arise from the operation of the runway lights at the airport during any period when the airport traffic control tower at Danbury Airport is closed or nonoperational, that each party shall be solely and exclusively liable for the negligence of its own agents, servants, and/or employees, in accordance with applicable law, and that neither party looks to the other to save or hold it harmless for the consequences of any negligence on the part of one of its own agents, servants, and/or employees."

"Runway Lights may not be lighted and/or the radio controlled lighting system be activated by tower personnel if a NOTAM closing that runway is in effect."



Robert E. Richardson
Manager, Danbury Tower

James Dyer
Mayor, City of Danbury

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
NEW ENGLAND REGION
DANBURY MUNICIPAL AIRPORT
DANBURY, CT. 06810

Old Letter

DANBURY AIRPORT TRAFFIC CONTROL TOWER AND CITY OF DANBURY

LETTER OF AGREEMENT

Effective: July 20, 1985

Subject: Operation of Airport Lighting when the Airport Traffic Control Tower is Closed

1. Purpose: Procedures for operation of airport lighting by control tower personnel when closing the tower for the night.
2. Cancellation: Letter of Agreement on Operation of Airport Lighting when the Airport Traffic Control Tower is Closed dated September 1, 1983.
3. Responsibilities: The City of Danbury is responsible for the operation of the airport lighting during the hours that the control tower is closed.
4. Procedures: Prior to closing the tower, personnel shall activate the Radio Controlled Lighting System Switch and test the system by keying the microphone on 119.4 three times within five seconds.

In the event that the Radio Controlled Lighting System is inoperative, the following steps shall be taken:

- a. Based on weather forecasts, runway lights for runway 8-26 will be left on the setting determined by use of the MIRL Intensity Setting Table.
- b. Taxiway Lights for Alpha and Charlie will be left on during the hours that the Airport Traffic Control Tower is closed.
- c. REIL lights will be turned off during the hours that the Airport Traffic Control Tower is closed.
- d. Make an entry on FAA Form 7230-4 (Daily Record of Facility Operation) for the equipment malfunction and notify the Airport Manager at home. If unable to notify the airport manager, state so in your log entry.

5. Hold Harmless Clause:

"The airport owner/operator covenants and agrees to indemnify and save harmless the United States of America to the extent that it may be acting by and through the Federal Aviation Administration and the agents, employees, or designees of said agency against any and all loss, damage, costs and expenses which it or they may hereafter incur, suffer, or pay by reason of its, or their negligence arising out of the operation of the runway lights at the airport during any period when the Airport Traffic Control Tower at Danbury Municipal Airport is closed and non-operational."

"Runway Lights may not be lighted and/or the Radio Controlled Lighting System be activated by tower personnel if a NOTAM closing the runway is in effect."



Robert E. Richardson
Manager, Danbury Tower



James Dyer
Mayor, City of Danbury



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 5 A. D., 19 87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury and the U.S. Department of Transportation, Federal Aviation Administration have established procedures for the operation of airport lighting by airport traffic control tower personnel when closing the tower for the night; and

WHEREAS, the agreement establishing said procedures contained a provision holding the United States of America, its agents, employees and designees harmless from claims stating a cause of action in negligence and arising out of the operation of the airport lighting system during periods when the airport traffic control tower was not in operation; and

WHEREAS, the United States of America, acting through its Federal Aviation Administration, wishes to amend the hold harmless provisions contained in said agreement to state that neither party shall hold the other harmless from the consequences of its own negligence; and

WHEREAS, said amendment is in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to execute the aforesaid amendment and to take any additional action which may be deemed necessary to accomplish the purposes hereof.



RESOLUTION

5

CITY OF DANBURY, STATE OF CONNECTICUT

May 5 _____ A. D., 19 87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council on January 7, 1986 duly voted to approve the Colonial Acres, Colonial Drive and Pilgrim Road improvement project and appropriated funding in the amount of \$139,000.00 for said purpose; and

WHEREAS, the purposes of said project oblige the City of Danbury to acquire interest in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the several owners hereinafter named upon the amount, if any, to be paid for the respective interests of each to be taken in, and to, the real property as hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests as hereinafter set forth either by negotiation or by eminent domain through the institution of suits against the following named property owners, their successors and assigns and their respective mortgage holders, if any, the affected properties being indicated by Tax Assessor's lot numbers.

Partial Property Acquisitions

1. F 10040 - 16 Colonial Drive / Cody, Raymond J. & Mary Ann (drainage easement)
2. F 10030 - 19 Colonial Drive / Wildman, Albert & Kathleen (drainage easement)
3. F 10027 - 13 Colonial Drive / Calgi, Dominic & Marlene H. (drainage easement)
4. F 10007 - 3 Colonial Drive / Magee, Brian H. & Karen E. (drainage easement)
5. F 10029 - 17 Colonial Drive / Hinz, Robert A. & Barbara L. (drainage easements)
6. F 10035 - 2 Pilgrim Drive - 24 Colonial Drive / Dobbert Douglas A. & Elizabeth A. (drainage easement)
7. F 10036 - 6 Pilgrim Drive / Grover, Ronald O. & Sharon W. (drainage and temporary turnaround easements)



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

8. F 10046 - Lake Shore Drive / Santore, D. Earle
(drainage easement)
9. F 10032 - 23 Colonial Drive / Polhamus, Robert L.
& Shawn L. (temporary turnaround easement)
10. F 10034 - 3 Pilgrim Drive / Jowdy, Ron & Nancy
(temporary turnaround easement)
11. F 10033 - 1 Pilgrim Drive / Ruiz, Rolando G.
& Reene Z. (temporary turnaround easement)
12. F 10045 - Pilgrim Drive (rear) / Santore, D. Earle
(drainage easement)



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 5 _____ A. D., 19 87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Department of Health Services makes funds available in accordance with Sections 4-8, 19a-5 and 19a-32 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury, through the Danbury Health and Housing Department has provided and intends to continue to provide a Sexual Disease Prevention Program at the Danbury Hospital for the purpose of reducing the incidence and prevalence of sexually transmitted diseases; and

WHEREAS, a grant award of up to \$10,000 with no local match has been processed by the Danbury Health and Housing Department; and

WHEREAS, the State of Connecticut Department of Health Services has approved and funded the grant proposal;

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

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



61

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLANNING & ZONING DEPARTMENT
(203) 797-4525

TO: Mayor James E. Dyer, and
Members of the Common Council

FROM: Jerry Juretus, Assistant Planning Director

RE: Hayestown Avenue Bridge

DATE: April 22, 1987

The City has filed an application, under the provisions of the Local Bridge Program (P.A. 84-254), for funding a portion of the cost for the reconstruction of the Hayestown Avenue bridge. A commitment to fund an amount of \$105,395.00 has been received from the State Department of Transportation. Before any further action can be taken with the application, a Council hearing and Council approval would be required.

Section 12.B of P.A. 84-254 requires the legislative body of the municipality to hold at least one (1) public hearing on an eligible bridge project prior to any vote on its approval or disapproval and any authorization of financing.

I am requesting that Council hold a hearing and take action on this project. Attached is a suggested resolution.

Jerry Juretus



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Hayestown Avenue Bridge is in need of reconstruction; and

WHEREAS, the total cost of such reconstruction is \$353,677.50; and

WHEREAS, the eligible grant percentage is 29.8% equating to a State Project Grant of \$105,395.90; and

WHEREAS, the local match in the amount of \$248,282.00 is available through bond authorization adopted by the Common Council on August 25, 1983, approved by Mayor James E. Dyer on August 26, 1983 and approved at referendum on November 8, 1983;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to make application and contract for said funds and to take any additional steps necessary to accomplish the purposes hereof.



00

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

May 5, 1987

TO: Elizabeth Crudginton, City Clerk
FROM: William P. Quinn, Director of Health
REF: AIDS Grant

Please place the attached resolution on May 5, 1987 Common Council meeting's agenda.

The resolution is for the Health and Housing Department to receive a grant for AIDS Counseling and HTLV-III Testing.


William P. Quinn



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services through the Acquired Immunodeficiency Syndrome (AIDS) Outreach Education and Risk Reduction Program has made grant funds available from May, 1987 through April, 1988 to full-time local health departments by providing free counseling and human immunodeficiency virus (HIV) antibody testing services for individuals concerned about possible exposure to HIV; and

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

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated an Acquired Immunodeficiency Syndrome (AIDS) Outreach Education and Risk Reduction Counseling Program for the Danbury area; and

WHEREAS, a grant award of up to \$15,000.00 has been processed by the Danbury Health and Housing Department; and

WHEREAS, the State of Connecticut Department of Health Services has approved and funded the grant proposal;

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

BE IT FURTHER RESOLVED THAT to accomplish said program James E. Dyer, Mayor of the City of Danbury, is authorized to make, execute, and approve on behalf of this corporation any and all contracts or amendments thereof with the State of Connecticut Department of Health Services.



09

CITY OF DANBURY

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL
ERIC L. GOTTSCHALK
LASZLO L. PINTER
SANDRA V. LEHENY
LAWRENCE M. RIEFBERG
ASSISTANT CORPORATION
COUNSEL

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLEASE REPLY TO:

DANBURY, CT 06810

May 5, 1987

Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Governmental Entity Review and Investigation Committee
(Sunset Review Committee)

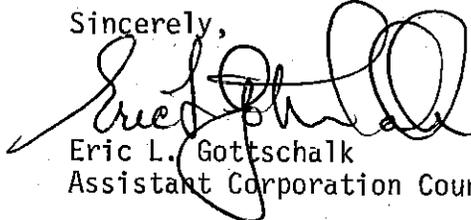
Dear Mayor and Council Members:

Please find attached proposed ordinance amendments submitted in response to the Common Council request of April 7, 1987. The amendments would revise the governmental entity review and investigation provisions of the Code by providing for continuing agency reviews through 1992, the addition of the Danbury Commission for the Handicapped and the elimination of references to the Flood and Erosion Control Board of the City of Danbury (terminated previously by Common Council action).

Please note that in addition to the foregoing, the Sunset Committee requested an ordinance amendment to allow the addition of a new commission to the process. It is the suggestion of the undersigned that such additions be accomplished by ordinance revisions as necessary on a case by case basis. Such an approach would retain the current format of Section 2-176 and allow the Common Council to designate the year in which each such new commission would be evaluated.

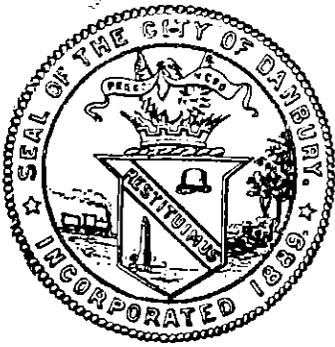
In addition to taking action with respect to the foregoing amendments, please schedule a public hearing with respect to the proposed termination of the Personnel Appeals Board pursuant to Section 2-180 of the Danbury Code of Ordinances. If you have any additional questions, please contact me.

Sincerely,


Eric L. Gottschalk
Assistant Corporation Counsel

ELG:cr

Attachment



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby revised to read as follows:

Sec. 2-176. Schedule of termination for governmental entities.

(a) The following governmental entities are terminated, effective June 30, 1987, unless reestablished in accordance with the provisions of section 2-184:

- (1) Stanley Lasker Richter Memorial Park Authority.
- (2) Personnel Appeals Board.

(b) The following governmental entities are terminated, effective June 30, 1988, unless reestablished in accordance with the provisions of section 2-184:

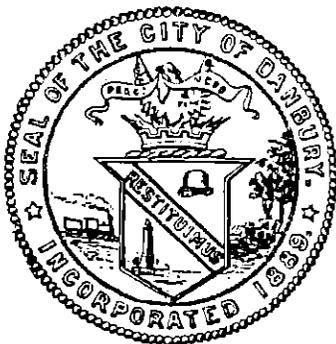
- (1) Conservation Commission.
- (2) Environmental Impact Commission.

(c) The following governmental entities are terminated, effective June 30, 1989, unless reestablished in accordance with the provisions of section 2-184:

- (1) City of Danbury Cultural Commission.
- (2) Youth Commission.
- (3) The Commission on the Status of Women.
- (4) Commission on Aging.
- (5) Commission on Equal Rights and Opportunities.

(d) The following governmental entities are terminated, effective June 30, 1990, unless reestablished in accordance with the provisions of section 2-184:

- (1) Aviation Commission.
- (2) Redevelopment Agency of the City of Danbury.
- (3) Housing Site Development Agency.
- (4) Danbury Community Development Plan Agency.
- (5) Economic Development Commission of the City of Danbury.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

(e) The following governmental entities are terminated, effective June 30, 1991, unless reestablished in accordance with the provisions of section 2-184:

- (1) Parks and Recreation Commission.
- (2) Board of Ethics.
- (3) Fair Rent Commission.

(f) The following governmental entities are terminated, effective June 30, 1992, unless reestablished in accordance with the provisions of section 2-184:

- (1) Stanley Lasker Richter Memorial Park Authority.
- (2) Danbury Commission for the Handicapped.



10

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL
ERIC L. GOTTSCHALK
LASZLO L. PINTER
SANDRA V. LEHENY
LAWRENCE M. RIEFBERG
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

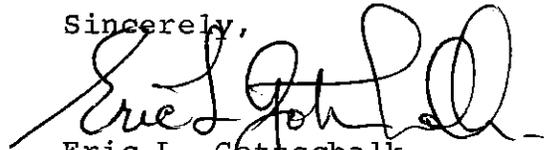
May 5, 1987

Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
City of Danbury
Connecticut

Dear Mayor and Council Members:

The attached ordinance proposals are hereby submitted on behalf of the City Forester, Bryron Johnson, and are intended to clarify many aspects of the function of his office. Please consider the adoption of these new provisions in the usual fashion.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG:cr

Attachments



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

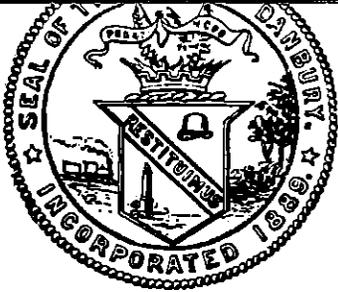
Be it ordained by the Common Council of the City of Danbury:

THAT subsection (4) of Section 17-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Any other operations which may cause abnormal wear to, deface or damage existing structures, pavement, curbs or sidewalks.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY

THAT Section 12-30 of the Code of Ordinances of Danbury, Connecticut is hereby repealed.



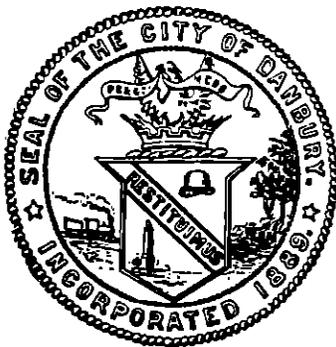
ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of a new section, said section to read as follows:

Sec. 2-56.15 Tree Advisory Commission.

There is hereby established a Tree Advisory Commission. Said Commission may from time to time make recommendations to the City Forester concerning trees and shrubbery located in whole or in part within the limits of any public road or grounds. The Tree Advisory Commission shall be composed of three (3) members who shall be residents and electors of the City of Danbury and who shall be appointed by the Mayor and confirmed by the Common Council. The Director of Public Works, the City Forester and the Director of Parks and Recreation shall be ex officio members of said Commission without voting power. Members shall serve for a term of three (3) years and until their successors have been appointed and confirmed. Vacancies shall be filled by the Mayor with the approval of the Common Council for the unexpired portion of the term.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of Article IV to Chapter 17, said Article IV to read as follows:

ARTICLE IV. PUBLIC SHADE TREES.

Sec. 17-85. Damage, Removal and Replacement.

- (a) Unless specifically authorized pursuant to a written permit issued by the City Forester, no person, firm or corporation shall damage, cut, carve, prune, transplant, spray or remove any public tree or shrub including the root system thereof or attach any ropes, wires, nails, advertising posters or other contrivances to any tree or shrub or allow any gaseous, liquid or solid substance which is harmful to such trees or shrubs to come in contact with them, or set fire or permit any fire to burn if such fire or the heat therefrom will injure any portion of any such tree or shrub. Any work performed under such permit shall be done in strict accordance with the conditions thereof. The City may recover the cost of repair or replacement of any tree or shrub damaged in violation of this section from the property owner involved or from any other responsible party.
- (b) No permit authorizing the removal of any trees or shrubs from within the limits of any public roads or grounds shall be issued unless the applicant agrees to replace any trees or shrubs so removed. Such replacement shall meet the minimum standards of size, species and



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

placement as provided for in the permit issued by the City Forester. Said standards shall insure that the replacement trees and shrubs shall be of a quality equal to those to be replaced. The permittee shall bear the cost of removal and replacement of all trees and shrubs so removed.

(c) Unless prior written permission from the City Forester has been obtained no person, firm or corporation shall deposit, store, place or maintain within the limits of any public road or grounds any stone, brick, sand, cement or other impervious material in such a manner as may obstruct the free passage of air and water to the roots of any tree or shrub growing within such road or grounds.

Sec. 17-86. Planting.

(a) Any person wishing to plant trees or shrubbery upon any public road or grounds shall first obtain a written permit from the City Forester. Before issuance of a permit to plant, the application shall be reviewed by the City Engineer to determine if the proposed planting would create a sight distance hazard.

(b) Whenever any tree or shrub shall be planted improperly in any public place in violation of the provisions hereof or of any permit issued hereunder, the City Forester may remove or cause the removal thereof, or may take such other action deemed necessary to rectify such improper planting and the cost thereof may be charged to the property owner involved or to the party responsible for the improper planting.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

Sec. 17-87. Protection of Trees.

No person shall excavate any ditches, tunnels, trenches or lay any driveway within a radius of twenty feet from any tree or shrub located within the limits of any public road or other public place without first obtaining a written permit from the City Forester. All trees within the limits of any public road or other public place and within twenty feet of any excavation or street work or within twenty feet of construction of any building, driveway or other structure shall be guarded either with a substantial fence, frame, box or barrier of such dimensions as may be required by the City Forester or in any other fashion as the City Forester may prescribe. Unless otherwise authorized by the City Forester all building materials and other debris shall be kept outside the barrier.

Sec. 17-88. Public Trees on Private Property.

Upon receipt of the written consent of a property owner the City Forester may plant, trim, spray, care for and preserve shrubs and shade trees located on the private property of such owner and lying within ten feet of the limits of any public road or other public grounds for the purpose of shading or ornamenting any such road or grounds. All shrubs and trees placed under the provisions of this section shall be deemed public shrubs and trees and shall be under the care and control of the City Forester and may be removed only upon written permit from him.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

Sec. 17-89. Hearing.

If any person, firm or corporation objects to the action of the City Forester in the issuance or non-issuance of a permit to remove, transplant, prune or plant any tree or shrub within the control of the City Forester or take any other action for which a permit is required pursuant to the provisions of Sections 17-85 et seq. he or it may appeal to the City Forester in writing. The City Forester shall then hold a public hearing at some suitable time and place after giving reasonable notice of such hearing to all persons known to be interested therein and posting a notice thereof on or near the trees or shrubs involved. Within three (3) days after such hearing the City Forester shall render his decision granting or denying the appeal.

Sec. 17-90. Permit Conditions.

The procedure for the issuance of permits hereunder by the City Forester shall be in substantial accordance, mutatis mutandis, with the application, bonding, insurance and working conditions and requirements contained in Danbury Code of Ordinances Sections 17-43, 17-46, 17-48, 17-49, 17-51, 17-53 through 17-59, 17-61 through 17-68 and 17-80 through 17-82; except that the City Forester shall be substituted in all cases where reference is made to the Director of Public Works, the Superintendent of Public Highways or the Department of Public Works.

011



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

May 5, 1987

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I respectfully request your confirmation of the following appointment and reappointments to the Parks and Recreation Commission:

Appointment:

William Lavelle, 6 Terre Haute Road, Danbury for a term to expire on December 1, 1989.

Mr. Lavelle is a real estate agent in Danbury.

Re-appointments:

Thomas Evans, 28 Benson Drive, Danbury for a term to expire on December 1, 1989.

A. Paul Nichols, 13 Valerie Lane, Danbury for a term to expire on December 1, 1989.

Sincerely,

James E. Dyer
Mayor

JED:mad

012



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

May 5, 1987

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I respectfully request your confirmation of the following
reappointments to the Commission on the Status of Women:

Charlotte Barrows, 55 Hospital Avenue, Danbury for a term
to expire on April 1, 1990.

Lila Leopold, 16 Dogwood Drive, Danbury for a term to
expire on April 1, 1990.

Sincerely,

James E. Dyer
Mayor

JED:mad



13

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLEASE REPLY TO:

DANBURY, CT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL
ERIC L. GOTTSCHALK
LASZLO L. PINTER
SANDRA V. LEHENY
LAWRENCE M. RIEFBERG
ASSISTANT CORPORATION
COUNSEL

April 9, 1987

Hon. James E. Dyer, Mayor
and
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Boughton Street Lease

Dear Mayor and Council Members:

As you know, the Council voted at its March meeting to obtain a report from this office regarding the proposal from Police Chief Nelson F. Macedo to renew the current lease with AMD Realty Co. which expires at the end of this fiscal year. I then contacted Attorney Robert J. Wolfe, who represents AMD, to ascertain their position regarding the latest proposal. His response has just been received and is enclosed herewith for your review.

The lessor proposes to make several changes under the new lease, specifically:

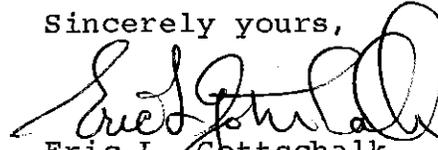
1. Extend the lease for two years, through June 30, 1989;
2. Increase the rent from \$750 per month to \$900 per month;
3. Eliminate the City's right to terminate the lease (without cause) prior to the expiration date;
4. Prohibit the use of the area behind Henry Dick & Son Furniture Store and Warehouse as a means of ingress and egress to the leased premises.

Hon. James E. Dyer, Mayor
Hon. Members of the Common Council
Re: Boughton Street Lease

April 9, 1987 - 2 -

Should you now wish to pursue this matter, please obtain a report from the Planning Commission. Please feel free to call me if you require further information.

Sincerely yours,



Eric L. Gottschalk
Assistant Corporation Counsel

ELG: cr

Enclosure

APR - 7 1987

PINNEY, PAYNE, VAN LENTEN, BURRELL, WOLFE & DILLMAN, P.C.

ATTORNEYS AT LAW

26 WEST STREET

POST OFFICE BOX 650

DANBURY, CONNECTICUT 06813-0650

(203) 743-2721

A. SEARLE PINNEY
BOBBY S. PAYNE*
THOMAS W. VAN LENTEN
HUGH A. BURRELL
ROBERT J. WOLFE
JOHN M. DILLMAN
WILLIAM S. STEELE, JR.
JEFFREY B. SIENKIEWICZ
TED D. BACKER**

MICHAEL S. MCKENNA
ALFRED P. FORINO
NANCY R. SIENKIEWICZ
RICHARD A. O'CONNOR
RICHARD S. CODY

NEW MILFORD OFFICE
46 MAIN STREET
NEW MILFORD, CONNECTICUT 06776
(203) 355-1181

RIDGEFIELD OFFICE
401 MAIN STREET
RIDGEFIELD, CONNECTICUT 06877
(203) 438-3726

COUNSEL
THOMAS L. CHENEY

April 3, 1987

PLEASE REPLY TO:

Danbury

*ALSO ADMITTED IN VA
**ALSO ADMITTED IN D.C. AND NY

Eric L. Gottschalk, Esq.
Assistant Corporation Counsel
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Lease: AMD Realty Corporation to the City of
Danbury - Boughton Street

Dear Rick:

In connection with the above captioned matter and in response to your telephone call of March 23, 1987, AMD Realty Corporation is desirous of entering into a new lease with the City of Danbury for premises located on Boughton Street and used as a parking lot by the Police Department. The lease between our client and the City of Danbury, dated June 25, 1985, expires June 30, 1987.

A new lease would contain all of the same terms and conditions as set forth in the existing lease except for the following:

1. Paragraph 2 will provide for a term commencing July 1, 1987 and terminating June 30, 1989. The rent will be \$21,600 for the term payable in twenty-four monthly installments of \$900 per month on the first day of each month in advance;

2. The first four lines on the top of page 2 will be omitted from the lease;

3. Paragraph 3 will have an additional provision which will prohibit the use of the area behind the Henry Dick and Son Furniture Store and Warehouse as a method of ingress and egress to and from the demised premises to Bank Street. Our client does not wish to fence off the northern area of the demised premises, but will do so if use is continued. The only entrance and exit from the parking area is on Boughton Street.

Eric L. Gottschalk, Esq.

-2-

April 3, 1987

Please let me know if the City wishes to go forward with this matter and we shall prepare a new lease.

I am enclosing a copy of a Liberty Mutual Comprehensive Liability Insurance Policy which was provided to our client pursuant to the lease. You will note that the policy expired January 1, 1986. Will you please provide us with evidence of present coverage as well as proof that insurance was in effect from January 1, 1986 to the date hereof.

Sincerely,



Robert J. Wolfe

RJW:bl
Enclosure
cc: Mr. Joel Feinson

planning
x cc



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLANNING COMMISSION

(203) 797-4525

March 19, 1987

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

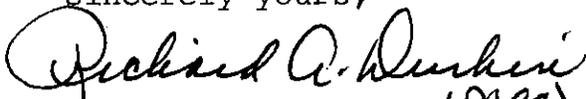
Re: 8-24 Referral - Boughton Street Lease

Dear Council Members:

The Planning Commission at a meeting held March 18, 1987 voted a positive recommendation for the renewal of the Lease on Boughton Street.

The motion was made by Mr. Hajj, seconded by Mr. Deeb and passed with "ayes" from Commissioners Durkin, Woodruff, Hyman, Deeb and Hajj.

Sincerely yours,


Richard A. Durkin (RAD)
Vice-Chairman

RAD/jlc

14

COHEN AND WOLF, P. C.

AUSTIN K. WOLF
MARTIN F. WOLF
ROBERT J. ASHKINS
STUART A. EPSTEIN
BARRY WAXMAN
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
DAVID L. GROGINS
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON
JORAM HIRSCH

ROBIN A. KAHN
RICHARD G. KENT
RICHARD L. NEWMAN
RICHARD SLAVIN
ROBERT S. BURSTEIN
LINDA LEDERMAN
WILLIAM F. ASKINAZI
DANIEL S. NAGEL
RICHARD J. DI MARCO
DAVID B. ZABEL*
MARK A. KIRSCH
CHRISTOPHER J. SMITH
NEIL W. SUTTON
PAULA MANGINI MONTONYE
DAVID M. LEVINE
JOHN J. SAPIRO

HERBERT L. COHEN
(1928-1983)

LAW OFFICES

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

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 792-2771

ONE ATLANTIC STREET
STAMFORD, CONNECTICUT 06901
(203) 964-9907

*MEMBER N.J. BAR ONLY

PLEASE REPLY TO Danbury

April 28, 1987

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

RE: Michael and Marion Goodman - Dickens Pond Parcel
Franklin Street

Dear Mayor Dyer:

This office represents Michael and Marion Goodman who are the owners of a certain premises known as Dickens Pond on Franklin Street in the City of Danbury. The parcel had been owned for many years by the Dubin family and is serviced by a right of way from Franklin Street which is described in a deed recorded in Volume 167 at Page 18 & 19 of the Danbury Land Records. The right of way crosses a parcel of land formerly owned by Helen C. Sykes which land was given by Mrs. Sykes to the City of Danbury a number of years ago.

The parcels owned by my clients are under a contract for sale which is conditioned upon the availability of utility lines to service the parcel from Franklin Street. Since the right of way from Franklin Street crosses the former Sykes property which is

COHEN AND WOLF, P. C.

Honorable James Dyer
Page 2
April 28, 1987

now owned by the City of Danbury, it will be necessary for the City to join in granting of the easement to CL&P to install new lines into the subject premises.

I would appreciate it if you could refer this matter to the proper subcommittee of the council in the hopes that the easement which will be prepared by CL&P and which will be available for review by the City within the next two weeks can be acted upon expeditiously to allow the transfer of the property to take place in the month of June.

I thank you in advance for your anticipated cooperation in this matter.

Yours truly,



Neil R. Marcus

NRM:jes



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

Tammetha
15

DANBURY PUBLIC LIBRARY
170 MAIN STREET

(203) 797-4505

April 8, 1987

Mayor James E. Dyer
City Hall
155 Deer Hill Avenue

Dear Mayor Dyer:

The United Way of Northern Fairfield County plans to donate \$5,625 to the Library to purchase educational material (books, pamphlets, videos) on substance abuse.

I have spoken with Dom Setaro and he has indicated he would make the necessary adjustments to the Library's budget and the City's revenue. No certification of funds is needed.

Drug and substance abuse is a much requested topic at the Danbury Library and strengthening our present resources is an exciting opportunity that will benefit the many people who need access to current, accurate information.

Please place this item on the agenda for the May Common Council meeting.

Sincerely,

Betsy
Betsy Lyke
Director

cc: D. Setaro



16

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

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

WATER AND SEWER DEPARTMENTS
797-4539

April 9, 1987

TO: Mayor James E. Dyer
FROM: Mr. *William J. Buckley* Buckley, Supt. of Public Utilities
RE: SEWER BUDGET

The proposed sewer budget cannot be balanced without an adjustment to the existing sewer rate. Please accept this request to appoint a Council committee for the purposes of reviewing and establishing sewer rates, septic fees, and connection fees that will result in a balanced sewer budget. The septic fees will have to be fixed to a formula that is part of the interlocal agreements with the five surrounding communities for the processing of septage waste.

Mr. Dominic Setaro and I have discussed this matter in detail and are prepared to work with the Council committee you select for this purpose.

WJB:bds
cc: Mr. Basil Friscia
Mr. Dominic Setaro

COMMUNITY DEVELOPMENT PROGRAM
City of Danbury

17

142 Deer Hill Avenue
Danbury, Connecticut 06810
Area Code 203 792-1135

April 21, 1987

The Honorable James E. Dyer
Mayor
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Dyer:

Re: Community Development Block
Grant Program Year 13
Projected Use of Funds

The application process of the Public Hearing and Policy Committee allocations in this matter has been completed and we are now ready for the usual action of the Common Council to authorize the grant request.

I enclose a suggested format for the necessary Resolution which I would recommend should be on the agenda of the May Common Council meeting. I also enclose copies of the projected use of funds for distribution by the City Clerk to Council members with their agenda.

Yours very truly,



Leonard S. Sedney
Acting Executive Director

enclosures



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

That the Common Council of the City of Danbury direct the Mayor, as the Chief Executive Officer of the City of Danbury to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for funds allocated under Title I of the Housing and Community Development Acts of 1974 and 1980, as amended, which authorized the Community Development Block Grant Program. Such application is for the Thirteenth Year Funding and will be in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Policy Committee for the Community Development Program of the City of Danbury.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
 CITY OF DANBURY, CONNECTICUT
 PROGRAM YEAR 13 (AUGUST 1987-AUGUST 1978)

| <u>Activity/ Organization</u> | <u>Proposed Allocation</u> |
|---|----------------------------|
| 1. Community Development Program Administration | \$ 56,000 |
| 2. Danbury Redevelopment Agency | 200,000 |
| 3. Danbury Youth Services/Rental Costs | 10,000 |
| 4. Planning Dept./Post Office Street Improvements | 38,700 |
| 5. Interfaith Day Care Center/Program Assistance | 3,000 |
| 6. Spanish Learning Center/Rental Costs | 10,000 |
| 7. Family & Children's Aid/Home Services | 3,000 |
| 8. Danbury Commission on Child Care, Rights & Abuse/ Child Protection Team & Parent Aide Program | 3,000 |
| 9. Western Conn. Association for the Handicapped and Retarded/Advocacy Services | 3,000 |
| 10. Midwestern Conn. Council on Alcoholism/Cocaine & Crack Abuse Program | 5,000 |
| 11. Connecticut Legal Services/Housing Crises Counseling | 10,000 |
| 12. Community Action Committee of Danbury | 43,800 |
| Elderly Nutrition - 1,800 | |
| Day Care Relocation -38,000 | |
| Day Care Rent - 4,000 | |
| 13. Clothing Plus Bank/Rental Costs | 5,000 |
| 14. NAACP Youth Center/Rental Costs | 4,000 |
| 15. Health Dept./Housing Rehabilitation & Development | 130,000 |
| 16. Commission on Aging/Lift-van operation: expenses | 7,500 |
| 17. Amos House/Funishings | 12,000 |
| Total Grant | <u><u>\$ 544,000</u></u> |

LAW OFFICES OF
WARD J. MAZZUCCO, P.C.

Transmittal -
(18) Ogden
301 MAIN STREET
DANBURY, CONNECTICUT 06810
(203) 794-9144
TELECOPIER (203) 790-4137

WARD J. MAZZUCCO*°
SHARON WICKS DORNFELD
STEPHEN THOMAS ROBERTS
HELEN L. MCGONIGLE

*ALSO ADMITTED IN NEW YORK
*ALSO ADMITTED IN FLORIDA

April 28, 1987

Hon. James E. Dyer
155 Deer Hill Avenue
Danbury, Connecticut 06810

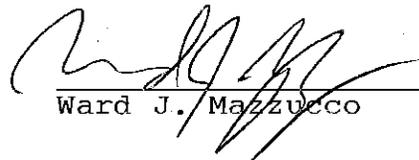
Re: Emergency Repairs

Dear Mayor Dyer:

A situation has arisen in which emergency repairs may be necessary to protect life and property. Construction equipment may not have access to the problem to be able to perform the repairs. Therefore, I respectfully request the City to consider acquiring an easement to enable the problem to be corrected. Thank you for your consideration.

Respectfully,

WARD J. MAZZUCCO, P.C.



Ward J. Mazzuco

WJM:ec1



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 5 _____ A. D., 19 87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council, recognizing the potential and possibly imminent danger to the health, safety and welfare of the citizens of the City of Danbury due to the cracked and shifting retaining wall behind the Sunrise Ridge Condominiums, seeks to obtain access over, across and onto certain private property which may abut the subject premises in order to make necessary repairs; and

WHEREAS, the Sunrise Ridge Condominium Association has been unsuccessful in attempting to secure such right from said private property owners and cannot perform the necessary repairs from any other location; and

WHEREAS, both residents and persons above and below the retaining wall are potentially subject to danger to health and safety if said wall is not expeditiously repaired;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the temporary use and possession of private property which may abut the subject premises in order to make necessary repairs is necessary and authorized under the police powers provisions of the Connecticut Home Rule Act, that the Corporation Counsel be and hereby is authorized to acquire the necessary easements or licenses, either by negotiations or by other appropriate action, including eminent domain, against said property owner or owners, their successors and assigns and their respective mortgage holders, if any, that the City of Danbury reserves its full rights to seek and obtain reimbursement from all parties who may be determined to be responsible, and that damage, if any, to such private property or properties shall be repaired, replaced or restored to a condition as close as possible to its original condition upon completion of the necessary work.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

Siddhartha
(19)

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL
ERIC L. GOTTSCHALK
LASZLO L. PINTER
SANDRA V. LEHENY
LAWRENCE M. RIEFBERG
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

April 23, 1987

MEMO TO: Hon. James E. Dyer, Mayor
FROM: Theodore H. Goldstein, Corporation Counsel
RE: Cornell Road

At its meeting of April 7, 1987 the Common Council voted to change the name of Cornell Road, located in Wooster Heights, to Cornell Road South.

Attached is my memo of April 13, 1987 to Basil J. Friscia as well as his response of April 16, 1987.

Do you feel that the Council may wish to vote at its next regularly scheduled meeting to reconsider?

THG

THG

THG: cr

Enclosures



APR 16 1987

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 16, 1987

TO: THEODORE H. GOLDSTEIN, CORPORATION COUNSEL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *B.J.F.*
RE: RENAMING OF CORNELL ROAD

Thank you for your rapid response to the action taken at the April Common Council meeting. Your opinion on the subject matter is well received and I'll be certain to use this information in the future.

However, I feel that your memo should be directed to the Common Council. The intent of my report to the council was in no way to imply that the Director of Public Works has the power to change the name of streets in the City of Danbury. Having served on the council for two (2) terms I know where the responsibility lies. The council asked for a report and I submitted one. (see my "Highlighted" memo)

In further answering your memo I submit the following:

1. A copy of a previous Common Council report on renaming a private road which I assumed would follow for the renaming of Cornell Road.
2. I have been in office for just about one year and during that time I've handled hundreds of sensitive issues, this being no less in sensitivity. I assumed the council would meet with the people on Cornell Road to gain their input as they did in the petition to rename Oak Lane.

cc: Mayor James E. Dyer
encl:



RECEIVED
MAY 1 1987

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLEASE REPLY TO:

DANBURY, CT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL
ERIC L. GOTTSCHALK
LASZLO L. PINTER
SANDRA V. LEHENY
LAWRENCE M. RIEFBERG
ASSISTANT CORPORATION
COUNSEL

April 13, 1987

MEMO TO: Basil F. Friscia, Director of Public Works
FROM: Theodore H. Goldstein, Corporation Counsel
RE: Renaming of Cornell Road

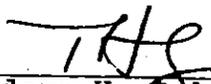
The following is a somewhat after the fact commentary.

I know of no legal ruling from me with regard to the change of name of a private road. To the contrary, it is my opinion that a private road lying within the City of Danbury bears no name until it is accepted by the City and is then given one.

Accordingly, it is my view that there is but one Cornell Road in the City of Danbury and this is the one which is on Wooster Heights.

I would also inquire as to whether the residents of Cornell Road on Wooster Heights were given an opportunity to comment about the change of the name of their street which has existed in this form since 1951, I believe, without input from them. In addition it does seem to me that this should have been run first before the Planning Commission.

If the foregoing were not done, I would consider this a dangerous and impolitic procedure.



Theodore H. Goldstein
Corporation Counsel

THG: cr

THE CLOTHING PLUS BANK
33 OSBORNE STREET
Telephone 794-1451



Mrs McMannis

The Clothing Plus Bank is a non-profit, non-partisan corporation which collects and distributes free clothing, furniture, toys, and household items to the area needy.

Established from an initial clothing bank in ARC under the direction of Joanne Browning, The Clothing Plus Bank opened in 1983 under the direction of Mary Louise Brown. In the first two years of independence from ARC, the bank distributed an estimated \$175,000 worth of items to over 1200 client families.

January 1985 a board of directors was formed. In June 1985 ^{the} incorporation papers were filed. In August 1985 a non-profit tax number was requested.

The corporation is now managed by a board of directors with volunteers and Senior Aides from the federally funded CACD program.

Clients are referred from many area social service agencies and The Clothing Plus Bank works closely with agencies such as: the welfare department, city and state; WIC, ARC, Visiting Nurses, Red Cross, Danbury Hospital, Battered Women's Services, Refugee organizations, Religious organizations, Literacy Volunteers, Senior Centers, RSVP, CACD, area schools and ethnic groups.

Donations are tax-deductible and receipts are available upon request however donors are required to price items donated.

January 1986

*We need to be considered
for the rent of 61 Rose St.*

9600⁰⁰ Mary J Hansen

1986 Statistics

2,397 Individual visits
6,471 Visits

2.7 visits per family Average

\$384,222.33⁺ tax receipts given.
1/3 donors request receipts

\$1,152,666.99 possible donations

THE CLOTHING PLUS BANK
33 OSBORNE STREET
Telephone 794-1451



Projected Expenses 1987-1988

| | |
|--------------------------------------|-------------|
| Rent @ \$800.00 per month..... | \$9,600.00 |
| Utilities average \$250 per month... | \$3,000.00 |
| Telephone..... | \$600.00 |
| Installation of telephone..... | \$250.00 |
| Moving Expenses..... | \$500 00 |
| Building Materials for shelves etc. | \$1,000.00 |
| Insurance.. (estimated)..... | \$650.00 |
| Office Expenses: | |
| trash removal | |
| equipment repair | |
| printing costs | |
| paper | |
| postage..... | \$1,000.00 |
| Miscellaneous expenses: | |
| zoning board filing fee | |
| Coordinator (part-time)..... | \$6,000.00 |
| Total..... | \$22,600.00 |



21

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

LEONARD G. SEDNEY
Planning Director

JAMES E. DYER, MAYOR

PLANNING DEPARTMENT
797-4525

TO: Mayor James E. Dyer, and
Members of the Common Council

FROM: Leonard G. Sedney, Planning Director

RE: Application for Deferral of Property Tax
Assessment Increase from Michael P. Ryer

DATE: April 23, 1987

An application has been received for deferral of property tax assessment increase for property located at 103 Mill Plain Road.

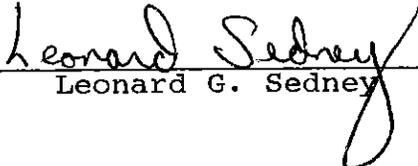
In order for a property to be eligible for this deferral the Planning Department is to review the application and make a recommendation to the Common Council based on the following considerations:

- . Whether the principal and/or accessory structures are in need of rehabilitation;
- . Whether the site features are in need of rehabilitation;
- . Whether the improvements are compatible with the Danbury Plan of Development, the Subdivision and Zoning Regulations, the State Building and Health Codes and the local Housing Code;
- . Whether the use for the property is permitted by the Zoning Regulations and appropriate to the location of the property and the uses in the immediate vicinity;
- . Whether the property is listed on the National Register of Historic Places or has been designated as historic by the Danbury Preservation Trust;
- . Whether the plans for rehabilitation have been approved by a design review board.

Upon review of the application by the Planning Department it

Re: Tax Assessment Deferral
Michael P. Ryer, 103 Mill Plain Road
page 2.

has been determined that the technical requirements of Section 18-14 of the City Code of Ordinances have been met. Therefore, this application is being forwarded to the Common Council for consideration.



Leonard G. Sedney



22

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

LEONARD G. SEDNEY
Planning Director

JAMES E. DYER, MAYOR

PLANNING DEPARTMENT
797-4525

TO: Mayor James E. Dyer, and
Members of the Common Council

FROM: Leonard G. Sedney, Planning Director

RE: Application for Deferral of Property Tax
Assessment Increase from Ronald G. Manoni

DATE: April 23, 1987

An application has been received for deferral of property tax assessment increase for property located at 8 Locust Avenue.

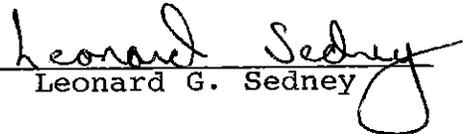
In order for a property to be eligible for this deferral the Planning Department is to review the application and make a recommendation to the Common Council based on the following considerations:

- . Whether the principal and/or accessory structures are in need of rehabilitation;
- . Whether the site features are in need of rehabilitation;
- . Whether the improvements are compatible with the Danbury Plan of Development, the Subdivision and Zoning Regulations, the State Building and Health Codes and the local Housing Code;
- . Whether the use for the property is permitted by the Zoning Regulations and appropriate to the location of the property and the uses in the immediate vicinity;
- . Whether the property is listed on the National Register of Historic Places or has been designated as historic by the Danbury Preservation Trust;
- . Whether the plans for rehabilitation have been approved by a design review board.

Re: Tax Assessment Deferral
Ronald G. Manoni, 8 Locust Avenue
page 2.

Although the application does meet the technical requirements of Section 18-14, it is my opinion that Common Council should not approve this application for Assessment Deferral. A building permit was issued for this property in December 1985, and a Certificate of Compliance issued in June 1986. This application for Assessment Deferral was submitted months after the building was completed and occupied.

The intent of Section 18-14 of the Code of Ordinances was for an application to be submitted prior to, or during, construction so that the City would have an opportunity to review plans and suggest changes. Due to the timing of this application the City did not have an opportunity to review plans, and therefore, does not meet the intent of the Assessment Deferral ordinance.


Leonard G. Sedney



23

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

DEPARTMENT
OF FINANCE

April 29, 1987

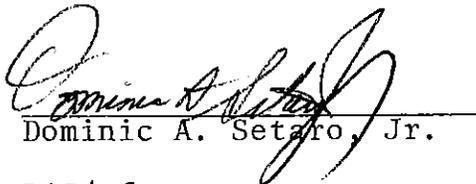
TO: Common Council via
Mayor James E. Dyer

Certification #38

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

We hereby certify the availability of \$10,000.00 to be transferred from the General Fund fund balance account to the Contributions Account #02-02-110-071500 for Engine Co. 14 - King Street Volunteers.

| | |
|------------------------------|-----------------------|
| Balance of G.F. Fund Balance | \$2,393,592.61 |
| Less pending requests | -0- |
| Less this request | 10,000.00 |
| | <u>\$2,383,592.61</u> |



 Dominic A. Setaro, Jr.

DAS/af



Submitted

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

JAMES E. DYER, MAYOR

CHARLES J. MONZILLO, CHIEF
(203) 748-5260

April 10, 1987

To: Honorable James E. Dyer, Mayor
From: Charles J. Monzillo, Chief Fire Executive
Subject: Needed Repairs to Apparatus

Dear Mayor Dyer:

The deductible insurance coverage for all Fire Department vehicles was raised to \$5,000.00. The result of that decision exposed our Fire Department vehicles to the current situation.

Engine Co. 14 - King Street Volunteers was involved in a double accident with their fire apparatus. Damage was excessive. As a result, the insurance deductible has caused E-14 to provide \$10,000.00 of their operational fund to be used to repair their firefighting equipment.

I respectfully request that a supplementary sum of \$10,000.00 be appropriated to Engine Co. 14 in order to replace the \$10,000.00 expended.

Respectfully requested,

Charles J. Monzillo
Charles J. Monzillo
Chief Fire Executive

CJM:mw
Mayor's File
repairs disk

cc:Company Commander
Chief Warren Levy

RECEIVED
FINANCE DEPT

APR 14 1987

24

Arthur & Elizabeth Maestro
105 Westville Avenue
Danbury, Ct. 06810

RECEIVED
MAY 11 1987
CITY CLERK
DANBURY, CT.

COMMUNICATION

Danbury Common Council
Deer Hill Avenue
Danbury, Ct. 06810

April 24, 1987

To Whom it May Concern;

This letter is being submitted as instructed by the office of the City Clerk.

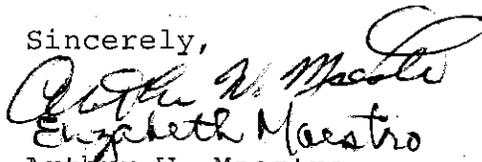
There is a parcel of land (47.767 acres) on the circular dead end of Indian Head Road, (lot #E04056) which is owned by the City of Danbury.

We are interested in purchasing a portion of this parcel, between 1 & 2 acres, to put our new home on.

We are aware that this land is used as a water shed & that you must have accessibility. If there is no other access way - then we would be more than willing to have a right of way on the property.

Thank you for your consideration in this matter.

Sincerely,



Arthur W. Maestro
Elizabeth Maestro

P.S. If you have any questions pertaining to this matter please feel free to call us at 797-1827.

25

April 24, 1987

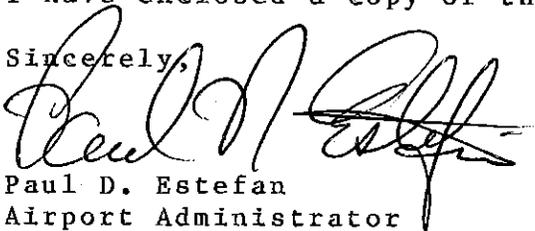
Mrs Elizabeth Crudginton
City Clerk
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Dear Mrs Crudginton:

The Aviation Commission at its regular scheduled meeting held on Thursday April 23, 1987 voted to forward the lease between the City of Danbury and New England Aircraft Sales to the Common Council for their decision and approval.

I have enclosed a copy of the lease and minutes for your files.

Sincerely,



Paul D. Estefan
Airport Administrator

LEASE

THIS LEASE, made this day of 1987
between the CITY OF DANBURY, a Municipal corporation of the State of
Connecticut, and RON WHELEN d/b/a New England Aircraft Sales,
hereinafter referred to respectively as "Lessor" and "Lessee".

WITNESSETH: That the Lessor hereby leases to the Lessee and
the Lessee hereby hires from the Lessor, that certain piece or parcel
of land more fully described on Exhibit "A" attached hereto for the
purpose of conducting business as an airport tenant at Danbury
Municipal Airport.

The term of this Lease shall be for twenty-five (25) years,
commencing on the day of 1987 at an annual rent
in accordance with the rental provisions contained in Exhibit "B"
attached hereto and made a part hereof.

IT IS FURTHER MUTUALLY AGREED between the parties as follows:

1. Lessee, as a material part of the consideration to be
rendered to Lessor, hereby waives all claims against Lessor for
damages to goods, wares and merchandise in, upon or about said
premises and for injuries to persons in or about said premises, from
any cause arising at any time, and Lessee will hold Lessor exempt and
harmless from any damage or injury to any person, or to the goods,
wares and merchandise of any person arising from the use of the
premises by Lessee, or from the failure of Lessee to keep the premises
in good condition and repair, as herein provided.

2. Lessee shall pay for all water, gas, heat, light, power, sewer service, telephone service and all other service supplied to the said premises.

3. Title to all appurtenant structures as may be constructed by the Lessee on the herein described premises shall remain in the Lessee during the term of this Lease, and for any further term which may subsequently be agreed upon. At such time as this Lease, or any subsequent Lease, is terminated, title and all appurtenant structures, as hereinbefore described, shall revert to the Lessor. Upon termination of this Lease by lapse of time, Lessee shall, if requested to do so by Lessor, remove all appurtenant structures from the premises at his own expense.

4. During the term of this Lease the responsibility for maintenance, repair, service and upkeep shall be solely that of the Lessee. The Lessee shall have the right to use all appurtenant structures built by it in any manner and in any way that it desires, provided, however, that such use shall at all times be in accordance with the Rules and Regulations for the use of Danbury Municipal Airport, amended on or about May 31, 1985. The Lessee may not sub-lease the premises or assign the Lease except in accordance with the provisions of said "Rules and Regulations" and without the approval of the Airport Commission, which approval shall not be unreasonably withheld.

5. All notices to be given to the Lessee shall be given in writing personally or by depositing the same in the United States

mail, portage prepaid, registered mail, return receipt requested, and addressed to the Lessee at his principal place of business, whether or not the Lessee has departed therefrom, or abandoned or vacated the premises.

6. The Lessee agrees to observe all municipal regulations and state and federal laws as may affect the operation of its business and the use of the herein described premises, and further agrees to observe and abide by the rules, regulations and guidelines as may be set forth from time to time by the Airport Commission.

7. All applicable provisions of said "Rules and Regulations" are incorporated herewith and made a part hereof.

8. The covenants and conditions herein contained shall, subject to the provisions as to assignment, apply to and bind the heirs, successors, executors, administrators and assigns of all of the parties hereto.

9. In connection with any construction to be done on said premises, the Lessee shall comply with all local and State zoning, building and health regulations and the relevant ordinances and regulations in the "Rules and Regulations".

10. And the said Lessor covenants with the said Lessee that it has good right to lease said premises in the manner aforesaid, and that it will suffer and permit said Lessee (it keeping all the covenants on its part to be performed as hereinafter contained) to occupy, possess and enjoy said premises during the term aforesaid,

without hindrance or molestation from it or any person claiming by, from or under it. .

11. And the said Lessee covenants with the Lessor to hire said premises and to pay the rent therefore as aforesaid; and that it will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; but will deliver up the same at the expiration or sooner termination of its tenancy in as good condition as they are now in, except as hereinbefore stated, ordinary wear and tear and other unavoidable casualties excepted.

12. It is further agreed that if the said rent shall remain unpaid fifteen (15) days after the same shall become payable as aforesaid, or the Lessee shall commit waste or suffer the same to be committed on said leased premises, or shall injure or misuse the same, or shall violate any of the terms, provisions, or conditions herein contained, or if the Lessee commits an act of bankruptcy, or if the Lessee makes an application to its creditors for the composition of its debts or executes an assignment for the benefit of creditors, or files a voluntary petition of bankruptcy or an involuntary petition in bankruptcy is filed against the Lessee and not discharged within 60 days; or if a receiver is appointed for any material or substantial portion of the assets of the Lessee; then this Lease shall thereupon, by virtue of this express stipulation herein, expire and terminate; and the said Lessor may at any time thereafter re-enter said premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession thereof in the manner prescribed

by statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee.

13. It is further agreed between the parties hereto that whenever this Lease shall terminate, either by lapse of time or by virtue of any of the express stipulations herein, the said Lessee hereby waives all right to any notice to quit possession, as prescribed by the statute relating to summary process.

14. It is further agreed between the parties hereto that the Lessee is to comply with and conform to the laws of the State of Connecticut and the By-laws, rules and regulations of the City of Danbury within which the premises hereby leased are situated, relating to health, nuisance and fire, so far as the premises hereby leased are or may be concerned; and to save the Lessor harmless from all fines, penalties and costs for the violation of or non-compliance with the same.

15. The Lessee is given the option to renew this Lease for two (2) additional ten (10) year periods upon the same terms and conditions contained herein, provided the Lessee notifies the Lessor of its intention to renew at least six (6) months prior to the expiration of the Lease or any renewal thereof by giving written notice by certified or registered mail, return receipt requested, to

the Commission. In the event Lessee exercises its option to renew at the end of the initial twenty-five (25) year term or at the end of the first additional ten (10) year period, Lessee or Lessor may elect at their discretion to submit the provisions of this Lease relating to rent (Schedule B) to binding arbitration.

16. The Lessee agrees to conduct its operations on the airport in accordance with the obligations of the Lessor contained in any pre-existing agreements between the Lessor and the United States; and in furtherance of this general covenant but without limiting its general application, the Lessee specifically agrees;

a. to conduct its operations on the airport for the use and benefit of the public;

b. to make available for the use and benefit of the public all of its aeronautical facilities and services on fair and reasonable terms and without unjust discrimination;

c. to continue its service and operations in common with such other qualified persons desiring to conduct aeronautical operations on the airport in the event the Lessor provides space therefore.

17. It is expressly understood and agreed that the covenants and provisions herein contained are in no way intended as authorizing the grant of an exclusive right within the meaning of Section 308 of the Federal Aviation Act of 1958, as amended.

18. The Lessor reserves the right to take any action it considers necessary to protect the aerial approaches, clear zones,

transition and turning zones of the airport against obstructions to aircraft, together with the right to prevent the Lessee from erecting or allowing any structure or growth on the leased premises which in the opinion of the Lessor would limit the usefulness of the airport or otherwise constitute a hazard to aircraft.

19. The Lessor reserves the right to develop or improve the airport, or any part thereof, or adjacent thereto, within its discretion regardless of the desires or opinions of the Lessee and without interference or hindrance by the Lessee; and to grant operational rights and privileges to others on available space elsewhere on the airport.

20. This Lease will be subordinate to the provisions of any existing or future agreement entered into between the Lessor and the United States to obtain Federal aid for the improvement or operation and maintenance of the airport.

21. The Lessee agrees not to discriminate on account of race, creed, color or national origin in any of the operations or use of the Lessee's facilities.

22. The Lessee agrees not to mortgage or otherwise encumber this Lease without the prior written consent of the Lessor.

23. This Lease is the complete agreement between the parties and may not be waived, changed, modified, amended, or terminated orally, but only by a writing signed by the party to be changed.

24. This Lease shall be governed by, interpreted and constructed under and in connection with the laws of the State of Connecticut.

25. This Lease shall be binding upon and shall inure to the benefit of the parties hereto and the respective successors and assigns.

26. During the initial twenty-five (25) year term of this Lease, the Lessee shall pay Category Fee in accordance with the "Rules and Regulations", as the same is in force of the date of this Lease or as amended.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this day of 1987

THE CITY OF DANBURY

By: _____
James E. Dyer, Its Mayor

Ron Whelen d/b/a
New England Aircraft Sales

STATE OF CONNECTICUT)

) ss. Danbury

COUNTY OF FAIRFIELD)

Personally appeared THE CITY OF DANBURY, acting herein by JAMES E. DYER, Its Mayor, hereunto duly authorized, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed, and the free act and deed of said corporation, before me.

Commissioner of the Superior
Court/Notary Public

STATE OF CONNECTICUT)

) ss. Danbury

COUNTY OF FAIRFIELD)

Personally appeared RON WHELEN, signer and sealer of the foregoing instrument and acknowledged to be his free act and deed.

Commissioner of the Superior
Court/Notary Public

ADDENDUM

1. COMPENSATION UPON EARLY TERMINATION: In the event that this Lease is terminated by the Lessor prior to the expiration of the initial twenty-five (25) year term, or any extension thereof, for any reason except LESSEE'S default or LESSEE'S breach of this Lease, which termination except for such default or breach, shall only be made upon an expressed finding by the LESSOR that such termination is required by the public good and necessity, LESSEE shall thereupon be reimbursed by LESSOR in an amount representing that sum to which LESSEE would be entitled had the LESSOR exercised its power of eminent domain to acquire the LESSEE'S interest in the Premises and improvements, including LESSEE'S loss of goodwill which may result from any termination, interruption or inconvenience to LESSEE'S business, and upon such payments LESSEE shall have no further claim to any such structure or improvements. The term "LESSEE'S interest" as used in this Paragraph shall include the interest of any party having any interest in the LESSEE'S personal property or building(s) as mortgagor, lienor or the like. In the event of any such termination aforesaid, the LESSOR shall also thereupon, in addition to the requirements, obligations, and agreements contained in this paragraph above, identify, make available, and lease to the LESSEE land upon the Danbury Municipal Airport of at least equal area and utility, and in all other respects equivalent to the herein leased Premises, the lease

for such equivalent land to be upon the same terms and conditions as are in this Lease established and set forth.

2. HOLDING OVER: And it is further agreed that in case the said LESSEE shall, with the written consent of the LESSOR endorsed hereon, or on the duplicate hereof, at any time hold over the said premises beyond the period above specified as the termination of this Lease, then the said LESSEE shall hold said premises upon the same terms and under the same stipulations and agreements as are in this instrument contained, and no holding over by said LESSEE shall operate to renew this Lease without such written consent of said LESSOR.

3. LICENSE: From the date of the execution hereof until the commencement of the term of this Lease, the LESSEE is hereby granted an irrevocable license coupled with an interest, which interest consists of the mutual covenants herein contained, to enter upon the demised premises and to take all other reasonable and necessary actions to carry this agreement into full force and effect, which action may include, without limitations, site tests, fencing, construction work, paving, septic and water system installation, and the like.

4. CONSTRUCTION: The LESSEE agrees that no building(s) or structure(s) will be constructed on the premises without obtaining the prior written permission(s) of the Building Department and Planning Commission of the City of Danbury, which approval(s) shall be a condition precedent to LESSEE'S obligations hereunder. No rent shall be payable hereunder until such time as a Certificate of Occupancy has

been issued to LESSEE. If LESSEE is unable to obtain a Certificate of Occupancy within one year of the date this Lease is signed, then this Lease shall be null and void and all of the rights and obligations of both parties hereunder shall be terminated.

EXHIBIT A

All that certain piece or parcel of land, located at Danbury Municipal Airport, in the City of Danbury, Fairfield County, Connecticut, designated as plots 15/ : on that certain map entitled, "DANBURY MUNICIPAL AIRPORT MASTER PLAN, TERMINAL AREA PLAN" prepared by Edwards and Kelcey, Incorporated, Dwg. No. 6.04, which map is contained in "MASTER PLAN, DANBURY MUNICIPAL AIRPORT, DANBURY, CONNECTICUT" prepared for the City of Danbury by Edwards and Kelcey, Incorporated, Boston, Mass., which map is attached hereto and made a part hereof.

EXHIBIT B

1. Rent shall be payed by Lessee in consecutive quarterly installments, payable in advance. The Lessee's obligation to pay rent shall commence and the first payment shall be due on the date when Lessee obtains a Certificate of Occupancy for the structure to be built by Lessee on said premises.

2. The amount of yearly rental to be paid by Lessee shall be based on the real value of said premises. The real value of said premises is hereby agreed to be \$110,000.00. The amount of yearly rental to be paid by Lessee shall be equal to six percent (6%) of one-half (1/2) of the real value of said premises.

3. Beginning at inception of this lease and running through October of 1988, the amount of yearly rental to be paid by Lessee shall be equal to six percent (6%) of one-half (1/2) of \$110,000.00.

4. Beginning in October of 1988 and running through the end of this Lease, the yearly rental to be paid by the Lessee shall be as follows:

(a) October 1, 1988 - September 30, 1990: annual rental shall be seven percent (7%) of one-half (1/2) of \$110,000.00.

(b) October 1, 1990 - September 30, 1992: eight percent (8%) of one-half (1/2) of \$110,000.00.

(c) October 1, 1992 - September 30, 1994: nine percent (9%) of one-half (1/2) of \$110,000.00.

(d) October 1, 1994 - September 30, 1996: ten percent (10%) of one-half of \$110,000.00.

The real value of the premises shall be reassessed in October of 1996.

(e) October 1, 1996 - September 30, 1998: annual rental shall be six percent (6%) of one-half of the real value of said premises as determined in October of 1996.

(f) October 1, 1998 - September 30, 2000: seven percent (7%) of one-half (1/2) of the real value.

(g) October 1, 2000 - September 30, 2002: eight percent (8%) of one-half (1/2) of the real value.

(h) October 1, 2002 - September 30, 2004: nine percent (9%) of one-half (1/2) of the real value.

(i) October 1, 2004 - September 30, 2006: ten percent (10%) of one-half (1/2) of the real value.

The real value of the premises shall be reassessed in October of 2006.

(j) October 1, 2006 - September 30, 2008: annual rental shall be six percent (6%) of one-half (1/2) of the real value of said premises as determined in October of 2006.

(k) October 1, 2008 - September 30, 2010: seven percent (7%) of one-half (1/2) of the real value.

(l) October 1, 2010 - September 30, 2012: eight percent (8%) of one-half of the real value.

(m) October 1, 2012 - September 30, 2014: nine percent (9%) of one-half of the real value.

(n) October 1, 2014 - September 30, 2016: ten percent (10%) of one-half (1/2) of the real value.

5. The amount of yearly rental to be paid by Lessee shall be decreased in an amount equal to the yearly tax liability of Lessee to the City of Danbury attributable to the structure(s) to be erected by Lessee on the premises. During any year when said tax liability is equal to or greater than the amount of rental to be paid, Lessee shall have no obligation to pay rent and will pay taxes only.



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

JAMES E. DYER, MAYOR

NELSON F. MACEDO, CHIEF
(203) 797-4611

April 24, 1987

MEMO

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

From: Chief Nelson F. Macedo

Subject: POLICE DEPARTMENT SPECIAL SERVICES ACCOUNT

I am requesting that the sum of \$75,000 be appropriated to the Police Department Special Services Account #02-02-100-011011 for outside duty.

I have been advised by Dominic Setaro, Comptroller, that no certification of funds is necessary, because the City of Danbury will be reimbursed 100%.

Nelson F. Macedo
Chief of Police

NFM:ks

cc: Dominic Setaro



*Planning
Engineers*
27

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PLANNING COMMISSION
(203) 797-4525

January 23, 1987

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

Re: 8-24 Referral - Offer of Easement to the City from
Candlewood Valley Bus Line

Dear Council Members:

The Planning Commission at its meeting held January 21,
1987 voted a positive recommendation for the offer of
Easement to the City from Candlewood Valley Bus Line.

The motion was made by Mr. Bondatti, seconded by Mr. Hyman
and passed with "ayes" from Commissioners Walkovich, Durkin,
Hyman, Bondatti, Deeb and Hajj.

Sincerely yours,

Joseph Walkovich

Joseph Walkovich
Chairman

JW/jlc



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

ENGINEERING DEPARTMENT
203-797-4641

April 27, 1987

JOHN A. SCHWEITZER, JR.
City Engineer

Elizabeth Crudginton
City Clerk
City of Danbury
Deer Hill Avenue
Danbury, CT 06810

Dear Mrs. Crudginton:

Candlewood Valley Bus
Water Easement

This office reviewed the site plan for the above noted project as part of the Planning Department review process.

We also reviewed the easement legal document for Assistant Corporation Counsel Eric Gottschalk on January 7, 1987.

The proposed easement and legal document are acceptable to us.

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/dms

c: Basil Friscia



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

DEPARTMENT
OF FINANCE

May 1, 1987

TO: Common Council via Certification #39
Mayor James E. Dyer

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

We hereby certify the availability of \$1,900.00 to be transferred from the General Fund fund balance account to the Zoning Board of Appeals for the following accounts.

| | |
|--|-------------------|
| #02-01-182-010500 - Overtime Services | \$ 500.00 |
| #02-01-182-022500 - Legal and Public Notices | 1,400.00 |
| | <u>\$1,900.00</u> |

| | |
|------------------------------|-----------------------|
| Balance of G.F. Fund Balance | \$2,393,592.61 |
| Less pending request | 10,000.00 |
| Less this request | 1,900.00 |
| | <u>\$2,381,692.61</u> |

Dominic A. Setaro, Jr.

DAS/af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

James E. Dyer
18/8/87

ZONING BOARD OF APPEALS
797-4595

April 29, 1987

The Honorable James E. Dyer
Mayor of Danbury
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Dyer:

The Zoning Board of Appeals must request additional funds in its Budget to operate for the remainder of the Fiscal Year ending June 1987. We regret having to make this request but find that two factors have hampered the smooth operation of our Budget. We have had additional legal notices for cancelled meetings that had to be republished due to inclement weather or lack of quorum and these notices for public hearings were quite lengthy. Also, we have had two appeals, which of course we cannot anticipate, that consumed additional overtime from the account.

Our needs are for a transfer from the Contingency Account for a total of \$1,900.00 to be dispersed as follows:

| | |
|---|------------------|
| #1 - 010500 - Overtime Services..... | \$ 500.00 |
| #2 - 022500 - Legal and Public Notices..... | 1400.00 |
| | <u>\$1900.00</u> |

We apologize for this additional request and thank you for your consideration in this matter.

Very truly yours,

Henry C. Schum

Henry C. Schum
Chairman

HCS/rg
cc: Dominic Setaro
Constance McManus



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

ZONING BOARD OF APPEALS
797-4595

April 29, 1987

The Honorable James E. Dyer
Mayor of Danbury
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Dyer:

The Zoning Board of Appeals must request additional funds in its Budget to operate for the remainder of the Fiscal Year ending June 1987. We regret having to make this request but find that two factors have hampered the smooth operation of our Budget. We have had additional legal notices for cancelled meetings that had to be republished due to inclement weather or lack of quorum and these notices for public hearings were quite lengthy. Also, we have had two appeals, which of course we cannot anticipate, that consumed additional overtime from the account.

Our needs are for a transfer from the Contingency Account for a total of \$1,900.00 to be dispersed as follows:

| | |
|---|------------------|
| #1 - 010500 - Overtime Services..... | \$ 500.00 |
| #2 - 022500 - Legal and Public Notices..... | 1400.00 |
| | <u>\$1900.00</u> |

We apologize for this additional request and thank you for your consideration in this matter.

Very truly yours,

Henry C. Schum
Chairman

HCS/rg
cc: Dominic Setaro
Constance McManus



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



29

DEPARTMENT OF POLICE
120 MAIN STREET

JAMES E. DYER, MAYOR

NELSON F. MACEDO, CHIEF
(203) 797-4611

April 29, 1987

MEMO

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

From: Chief Nelson F. Macedo

Subject: SIGNAL REVISION/ROUTE 53 AT LIBERTY STREET

Attached please find a letter from the Director of Traffic for the State Department of Transportation approving the signal revision on Route 53, as requested by my office. The signal revision will provide a left-turn phase southbound on Route 53 at Liberty Street.

I am requesting that the City of Danbury enter into a cost-sharing agreement with the State of Connecticut for this signal revision. The cost to the City of Danbury would be \$8,000.

Thank you for your anticipated attention to this request.

Nelson F. Macedo
Chief of Police

NFM:ks

Attach.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



24 WOLCOTT HILL ROAD, P.O. DRAWER A
WETHERSFIELD, CONNECTICUT 06109-0801

Phone : 566-5110

April 23, 1987

Chief Nelson F. Macedo
Police Department
120 Main Street
Danbury, Connecticut 06810

Dear Chief Macedo:

Subject: City of Danbury
Route 53 at Liberty Street

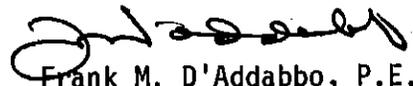
This letter will confirm the April 13, 1987 telephone conversation between you and Mr. Richard H. Nicol of this office, regarding the requested signal revision for the subject intersection. As it was pointed out, the Division of traffic's recommendation to revise the subject signal to provide a left-turn phase southbound on Route 53 is based on input from your office and the fact that your office is more familiar with traffic operations at this intersection on a day by day basis. Capacity analysis conducted by our office indicated that a left-turn arrow is not needed. Also, the revision will require a change in the side street phasing because the number of phases cannot exceed eight phases. As a result of this, side street traffic may experience an increase in delay time (based on capacity analysis).

The cost of this revision is estimated at \$16,000. The City would be responsible for one half the cost of the revision and would continue to pay for the electrical energy. The State would be responsible for one half the cost of the revision and we would continue to be responsible for the maintenance of the signal.

As soon as the City indicates it is willing to share the cost of the revision, we will start the design of the revision and request that a cost-sharing agreement be prepared to forward to the City. It may take as long as three to six months before an agreement is received by the City, because the State does not have its share for the cost of the revision at this time and the agreement will not be forwarded until funds have been set aside for the State share.

Please advise this office of your decision as soon as possible. If you have any questions, please contact Mr. Nicol at -566-4060.

Very truly yours,


Frank M. D'Addabbo, P.E.
Director of Traffic
Bureau of Highways

30

CHARTER REVISION COMMISSION
CITY OF DANBURY
DANBURY CITY HALL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

April 29, 1987

Constance A. McManus, President
Common Council
City of Danbury
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear President McManus:

The Charter Revision Commission requests an extension of time to submit its report, and hereby submit its report.

Very truly yours,



Thomas A. Frizzell,
Chairman

TAF/lml

HAND DELIVERED

CHARTER REVISION COMMISSION
CITY OF DANBURY
DANBURY CITY HALL
155 Deer Hill Avenue
Danbury, Connecticut 05810

APRIL 29, 1987

Constance Mc Manus, President
Common Council City of Danbury
Danbury City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Draft Report Charter Revision Commission

Dear Mrs. Mc Manus:

On behalf of the Charter Revision Commission, I am pleased to enclose herewith the Commission's Draft Report to the Common Council. It is the Commission's hope that we will have the opportunity to confer with the Common Council concerning this Report. I would like to refer the Council to the Charter Revision Commission Minutes of January 15, 1987, which have previously been forwarded to the Council, for an explanation of the various recommendations made by the Commission.

In addition, it is the feeling of the Commission that any proposed Charter amendments resulting from the Draft be submitted to the electors at a regular City election and not at a special election due to the statutory requirement of approval of the Charter changes by a majority of the electors, which majority must equal 15 per cent of the electors of the City. The Commission felt that it would be extremely difficult, if not impossible, to obtain such numbers at a special election.

The statute also allows the Council to submit the proposed changes to the electors in the form of one or several questions. Based upon the Draft Charter as submitted herewith, it is the recommendation of the Charter Revision Commission that the changes be submitted as follows:

March 12, 1987

1. Section 3-4 and Section 6-3 concerning the Common Council staff.
2. Section 2-2A. b. concerning Common Council members.
3. Section 2-2A. f. concerning Constables; Section 5-4 concerning Constables; Section 2-2A. h. concerning the Zoning Commission.
4. Section 3-13 concerning Common Council committees.
5. Section 6-6 A. concerning Director of Finance; Section 6-6 B. concerning Comptroller; Section 6-6 D. concerning Purchasing Agent, particularly the bidding requirements; Section 7-10 b. concerning the signing of Bonds.

Very truly yours,



Thomas A. Frizzell
Chairman

TAF/mh
Enclosure
cc:Elizabeth Crudington, City Clerk

INTRODUCTION

The purpose of this report is to set forth changes in the Charter which the Commission recommends. In the interest of clarity, the following format will be used:

As to each proposed change, the charter provision currently in effect will be set forth, with a cross-through of the language that is sought to be changed, followed by the revised language set forth in capital letters and underlined.

In the event the entire section or subsection is to be deleted, it will be so indicated and the new provision will be set forth entirely in capitals.

PROPOSED CHANGES

CHAPTER II, ELECTIONS AND OFFICERS

SECTION 2-2 A. b. A Common Council consisting of twenty-one (21) members, ~~two-(2)~~ THREE (3) from each ward, and ~~seven-at-large~~, all of whom shall serve a term of two years.

SECTION 2-2 A. f. ~~SECTION 2-2 A. f. Five-(5)-Constables-who-shall serve-a-term-of-two-(2)-years.~~

SECTION 2-2 A. h. Subsection 2-2 A.h. is to be deleted and the following substituted in lieu thereof:

- (1) A ZONING COMMISSION CONSISTING OF NINE RESIDENT ELECTORS OF THE CITY. AT THE FIRST GENERAL CITY ELECTION TO BE HELD AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH AS PROVIDED IN SECTION 8-13, THERE SHALL BE ELECTED FIVE MEMBERS OF THE ZONING COMMISSION FOR A TERM OF FOUR (4) YEARS AND FOUR MEMBERS FOR A TERM OF TWO (2) YEARS. AT THE SECOND SUCH GENERAL CITY ELECTION, THERE SHALL BE ELECTED FOUR MEMBERS FOR TERMS OF FOUR (4) YEARS. ALTERNATELY THEREAFTER, AT EACH BIENNIAL ELECTION, THERE SHALL BE ELECTED FIVE MEMBERS AND THEN FOUR MEMBERS WHO SHALL HOLD OFFICE FOR A TERM OF FOUR YEARS TO SUCCEED THOSE WHOSE TERMS EXPIRE.
- (2) THERE SHALL BE THREE ALTERNATE MEMBERS OF THE ZONING COMMISSION WHO SHALL BE RESIDENT ELECTORS OF THE CITY. AT THE FIRST GENERAL CITY ELECTION TO BE HELD AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH AS PROVIDED IN SECTION 8-13, THERE SHALL BE ELECTED TWO ALTERNATE MEMBERS OF THE ZONING COMMISSION FOR A TERM OF FOUR (4) YEARS AND ONE MEMBER FOR A TERM OF TWO (2) YEARS. AT THE SECOND SUCH GENERAL ELECTION THERE SHALL BE ELECTED ONE MEMBER FOR A TERM OF FOUR (4) YEARS. ALTERNATELY THEREAFTER, AT EACH BIENNIAL ELECTION THERE SHALL BE ELECTED TWO MEMBERS AND THEN ONE MEMBER WHO SHALL HOLD OFFICE FOR A TERM OF FOUR (4) YEARS TO SUCCEED THOSE WHOSE TERMS EXPIRE.
- (3) THE ZONING COMMISSION SHALL HAVE THE POWERS AND DUTIES NOT INCONSISTENT WITH THIS CHARTER, AS PRESCRIBED IN CHAPTER 124 OF THE GENERAL STATUTES, AS AMENDED.

SECTION 2-4

Wards and Voting Districts. There shall be voting districts and wards as the same shall exist on the effective date of this Charter. THE COMMON COUNCIL SHALL MAKE A DETERMINATION AT LEAST ONCE EVERY 10 YEAR PERIOD COMMENCING ON JANUARY 1, 1988 WHETHER OR NOT THERE IS INEQUITABLE DISTRIBUTION OF POPULATION AMONG THE WARDS. Whenever the Common Council shall make a determination that there is an inequitable distribution of population among the wards, it shall be its duty forthwith to alter the boundaries of the several wards to make all wards substantially equal in population and as nearly equal in geographical area as possible. Voting districts may be increased and boundaries altered by ordinance of the Common Council in accordance with the provisions of the General Statutes, as amended.

CHAPTER III, THE COMMON COUNCIL

Section 3-4

General Powers and Duties. The Common Council shall have the powers and duties which, on the effective date hereof, were conferred by law upon officers, boards and commissions and said City existing immediately prior to each date except as otherwise specifically provided in this Charter. The legislative power of the City shall be vested exclusively in the Council. Said council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes of the state; to create or abolish, by ordinance, boards, commissions, departments and offices not provided by the Charter, and the Council may, upon recommendation of the Mayor, contract for services and the use of facilities of the United States or any federal agency, other states or political subdivision thereof, or may, by agreement, join with any such political subdivision to provide services and facilities. The Council is authorized, in adopting ordinances, to incorporate any nationally recognized code, rules or regulations that have been printed in book form, or any code officially adopted by any administrative agency of the state, or any portion thereof, as they may be amended, by reference thereto in such ordinance; provided upon adoption of any such ordinance wherein such code, rules or regulations or portions thereof have been incorporated by reference, there shall be maintained two (2) copies of such code, rules or regulations, as amended, in the office of the Town Clerk for examination by the public. Said Council may by resolution regulate the internal operation of boards, commissions and offices which it fills

by appointment, and fix the compensation of the registrars of voters and the officers and employees. SAID COUNCIL MAY BY RESOLUTION APPOINT SUCH STAFF TO SERVE THE COUNCIL AS IT DEEMS NECESSARY AND TO FIX THE COMPENSATION TO BE PAID SAID STAFF. SUCH STAFF SHALL NOT BE SUBJECT TO THE MERIT SYSTEM AND SHALL PERFORM SUCH DUTIES AS THE COUNCIL MAY DETERMINE. Said Council may fix the charges, if any, to be made for services rendered by the City or for the execution of powers vested in the City as provided in Chapter I of this Charter. Said Council shall also have all powers granted to municipalities by Section 7-194 of the General Statutes, as amended and any other powers conferred by the general law or special laws not inconsistent herewith. The Council, at each meeting, shall reserve at least one-half hour period prior to adjournment for the expression of views and opinions by residents and taxpayers of the City on the matters before the Council at such meeting.

SECTION 3-13

Section 3-13 is to be deleted and the following substituted in lieu thereof: COMMITTEES OF THE COMMON COUNCIL MAY BE AD HOC OR STANDING. STANDING COMMITTEE SHALL BE ESTABLISHED BY THE COUNCIL.

CHAPTER V

The title of Chapter V is to be deleted and is to read as follows: CHAPTER V. APPOINTED BOARDS, COMMISSIONS AND OTHER OFFICIALS.

SECTION 5-4 (new)

THERE SHALL BE FIVE CONSTABLES WHO SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE COMMON COUNCIL, ALL OF WHOM SHALL SERVE A TERM OF TWO (2) YEARS.

CHAPTER VI. OFFICES, DEPARTMENTS AND EMPLOYEES

Section 6-3

Appointments of Officers and Employees of the City. When not otherwise provided, all heads and all police and fire officers shall be appointed by the Mayor and confirmed by the Common Council. All other employees of the City shall be appointed by the Mayor, EXCEPT AS PROVIDED IN SECTION 3-4. All City officers and employees when not otherwise specified in the Charter may be subject to the rules and regulations adopted pursuant to the merit system as the same may be in effect in the City.

SECTION 6-6 A.

Section 6-6 A. shall be deleted.

SECTION 6-6 B.

Section 6-6 B.. shall be amended as follows:

COMPTROLLER. THE DIRECTOR OF FINANCE: Powers, Duties and Qualifications. Subject-to-the direction-of-the-Director-of-Finance, the Comptroller THE DIRECTOR OF FINANCE SHALL HAVE DIRECT SUPERVISION OVER THE DEPARTMENT OF FINANCE AND THE ADMINISTRATION OF FINANCIAL AFFAIRS OF THE CITY. SUBJECT TO THE APPROVAL OF THE MAYOR, THE DIRECTOR OF FINANCE MAY PERFORM THE DUTIES OR ANY OFFICE IN THE DEPARTMENT. THE DIRECTOR shall supervise the accounting functions of the City and shall maintain and supervise the general accounting system for all departments, offices, boards, commissions or agencies ~~and perform such other duties as assigned by the Director of Finance.~~ THE DIRECTOR OF FINANCE SHALL BE CHOSEN ON THE BASIS OF TRAINING AND BROAD EXPERIENCE IN ACCOUNTING AND FINANCE, INCLUDING AT LEAST FIVE YEARS EXPERIENCE AND SHALL HAVE A DEGREE IN ACCOUNTING, FINANCE OR OTHER SIMILAR SPECIALTY.

SECTION 6-6 D.

Section 6-6 D. shall be deleted and the following substituted in lieu thereof:

THE PURCHASING AGENT: THE PURCHASING AGENT OF THE CITY SHALL PURCHASE ALL SUPPLIES, MATERIALS, EQUIPMENT AND OTHER COMMODITIES REQUIRED BY ANY DEPARTMENT, AGENCY, BOARD OR COMMISSION OF THE CITY, ON REQUISITION AND SPECIFICATION SIGNED BY THE HEAD OF THE DEPARTMENT, OFFICE OR AGENCY OR CHAIRMAN OF THE BOARD OR COMMISSION, OR THE DESIGNEE THEREOF. NOTHING HEREIN CONTAINED SHALL BE CONSTRUED TO PREVENT THE CITY PURCHASING AGENT FROM SERVING AS THE PURCHASING AGENT FOR THE BOARD OF EDUCATION AND, IN THE EVENT THAT THE GENERAL STATUTES ARE AMENDED TO PERMIT MUNICIPALITIES TO DO THE PURCHASING FOR BOARDS OF EDUCATION, THE CITY PURCHASING AGENT SHALL BE THE PURCHASING AGENT OF THE BOARDS OF EDUCATION. PURCHASES SHALL BE MADE UNDER SUCH RULES AND REGULATIONS AS MAY BE ESTABLISHED BY THE COMMON COUNCIL AND SHALL BE SUBJECT TO SUCH BIDDING PROCEDURES AS ESTABLISHED BY ORDINANCE. THE EFFECTIVE DATE SHALL BECOME THE DATE THAT SUCH AN ORDINANCE IS ENACTED.

CHAPTER VII. FINANCE AND TAXATION

SECTION 7-10 b.

Bonds and notes shall be authenticated by the seal of the City and the signature of the Mayor, the City Clerk and the Treasurer. IN THE ABSENCE, INCAPACITY OR VACANCY OF THE OFFICE OF TREASURER, THE DIRECTOR OF FINANCE IS AUTHORIZED TO SIGN BONDS.

CITY OF DANBURY, CONNECTICUT
REPORT OF THE CHARTER REVIEW COMMISSION
1986 - 1987

MARCH 12, 1987

COMMISSION MEMBERS

THOMAS A. FRIZZELL, CHAIRMAN
JOSEPH NOONAN
ROBERT PEAT
RICHARD DURKIN

EMIL MOREY
ROBERT OGDEN
NANCY DEIBLER, SECRETARY
RICHARD J. KILCULLEN, LEGAL ADVISOR

INTRODUCTION

The purpose of this report is to set forth changes in the Charter which the Commission recommends. In the interest of clarity, the following format will be used:

As to each proposed change, the charter provision currently in effect will be set forth, with a cross-through of the language that is sought to be changed, followed by the revised language set forth in capital letters and underlined.

In the event the entire section or subsection is to be deleted, it will be so indicated and the new provision will be set forth entirely in capitals.

PROPOSED CHANGES

CHAPTER II, ELECTIONS AND OFFICERS

SECTION 2-2 A. b. A Common Council consisting of twenty-one (21) members, ~~two-(2)~~ THREE (3) from each ward, and ~~seven-at-large~~, all of whom shall serve a term of two years.

SECTION 2-2 A. f. ~~SECTION 2-2 A. f. Five-(5)-Constables-who-shall serve-a-term-of-two-(2)-years.~~

SECTION 2-2 A. h. Subsection 2-2 A.h. is to be deleted and the following substituted in lieu thereof:

- (1) A ZONING COMMISSION CONSISTING OF NINE RESIDENT ELECTORS OF THE CITY. AT THE FIRST GENERAL CITY ELECTION TO BE HELD AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH AS PROVIDED IN SECTION 8-13, THERE SHALL BE ELECTED FIVE MEMBERS OF THE ZONING COMMISSION FOR A TERM OF FOUR (4) YEARS AND FOUR MEMBERS FOR A TERM OF TWO (2) YEARS. AT THE SECOND SUCH GENERAL CITY ELECTION, THERE SHALL BE ELECTED FOUR MEMBERS FOR TERMS OF FOUR (4) YEARS. ALTERNATELY THEREAFTER, AT EACH BIENNIAL ELECTION, THERE SHALL BE ELECTED FIVE MEMBERS AND THEN FOUR MEMBERS WHO SHALL HOLD OFFICE FOR A TERM OF FOUR YEARS TO SUCCEED THOSE WHOSE TERMS EXPIRE.
- (2) THERE SHALL BE THREE ALTERNATE MEMBERS OF THE ZONING COMMISSION WHO SHALL BE RESIDENT ELECTORS OF THE CITY. AT THE FIRST GENERAL CITY ELECTION TO BE HELD AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH AS PROVIDED IN SECTION 8-13, THERE SHALL BE ELECTED TWO ALTERNATE MEMBERS OF THE ZONING COMMISSION FOR A TERM OF FOUR (4) YEARS AND ONE MEMBER FOR A TERM OF TWO (2) YEARS. AT THE SECOND SUCH GENERAL ELECTION THERE SHALL BE ELECTED ONE MEMBER FOR A TERM OF FOUR (4) YEARS. ALTERNATELY THEREAFTER, AT EACH BIENNIAL ELECTION THERE SHALL BE ELECTED TWO MEMBERS AND THEN ONE MEMBER WHO SHALL HOLD OFFICE FOR A TERM OF FOUR (4) YEARS TO SUCCEED THOSE WHOSE TERMS EXPIRE.
- (3) THE ZONING COMMISSION SHALL HAVE THE POWERS AND DUTIES NOT INCONSISTENT WITH THIS CHARTER, AS PRESCRIBED IN CHAPTER 124 OF THE GENERAL STATUTES, AS AMENDED.

SECTION 2-4

Wards and Voting Districts. There shall be voting districts and wards as the same shall exist on the effective date of this Charter. THE COMMON COUNCIL SHALL MAKE A DETERMINATION AT LEAST ONCE EVERY 10 YEAR PERIOD COMMENCING ON JANUARY 1, 1988 WHETHER OR NOT THERE IS INEQUITABLE DISTRIBUTION OF POPULATION AMONG THE WARDS. Whenever the Common Council shall make a determination that there is an inequitable distribution of population among the wards, it shall be its duty forthwith to alter the boundaries of the several wards to make all wards substantially equal in population and as nearly equal in geographical area as possible. Voting districts may be increased and boundaries altered by ordinance of the Common Council in accordance with the provisions of the General Statutes, as amended.

CHAPTER III, THE COMMON COUNCIL

Section 3-4

General Powers and Duties. The Common Council shall have the powers and duties which, on the effective date hereof, were conferred by law upon officers, boards and commissions and said City existing immediately prior to each date except as otherwise specifically provided in this Charter. The legislative power of the City shall be vested exclusively in the Council. Said council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes of the state; to create or abolish, by ordinance, boards, commissions, departments and offices not provided by the Charter, and the Council may, upon recommendation of the Mayor, contract for services and the use of facilities of the United States or any federal agency, other states or political subdivision thereof, or may, by agreement, join with any such political subdivision to provide services and facilities. The Council is authorized, in adopting ordinances, to incorporate any nationally recognized code, rules or regulations that have been printed in book form, or any code officially adopted by any administrative agency of the state, or any portion thereof, as they may be amended, by reference thereto in such ordinance; provided upon adoption of any such ordinance wherein such code, rules or regulations or portions thereof have been incorporated by reference, there shall be maintained two (2) copies of such code, rules or regulations, as amended, in the office of the Town Clerk for examination by the public. Said Council may by resolution regulate the internal operation of boards, commissions and offices which it fills

by appointment, and fix the compensation of the registrars of voters and the officers and employees. SAID COUNCIL MAY BY RESOLUTION APPOINT SUCH STAFF TO SERVE THE COUNCIL AS IT DEEMS NECESSARY AND TO FIX THE COMPENSATION TO BE PAID SAID STAFF. SUCH STAFF SHALL NOT BE SUBJECT TO THE MERIT SYSTEM AND SHALL PERFORM SUCH DUTIES AS THE COUNCIL MAY DETERMINE. Said Council may fix the charges, if any, to be made for services rendered by the City or for the execution of powers vested in the City as provided in Chapter I of this Charter. Said Council shall also have all powers granted to municipalities by Section 7-194 of the General Statutes, as amended and any other powers conferred by the general law or special laws not inconsistent herewith. The Council, at each meeting, shall reserve at least one-half hour period prior to adjournment for the expression of views and opinions by residents and taxpayers of the City on the matters before the Council at such meeting.

SECTION 3-13

Section 3-13 is to be deleted and the following substituted in lieu thereof: COMMITTEES OF THE COMMON COUNCIL MAY BE AD HOC OR STANDING. STANDING COMMITTEE SHALL BE ESTABLISHED BY THE COUNCIL.

CHAPTER V

The title of Chapter V is to be deleted and is to read as follows: CHAPTER V. APPOINTED BOARDS, COMMISSIONS AND OTHER OFFICIALS.

SECTION 5-4 (new)

THERE SHALL BE FIVE CONSTABLES WHO SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE COMMON COUNCIL, ALL OF WHOM SHALL SERVE A TERM OF TWO (2) YEARS.

CHAPTER VI. OFFICES, DEPARTMENTS AND EMPLOYEES

Section 6-3

Appointments of Officers and Employees of the City. When not otherwise provided, all heads and all police and fire officers shall be appointed by the Mayor and confirmed by the Common Council. All other employees of the City shall be appointed by the Mayor, EXCEPT AS PROVIDED IN SECTION 3-4. All City officers and employees when not otherwise specified in the Charter may be subject to the rules and regulations adopted pursuant to the merit system as the same may be in effect in the City.

SECTION 6-6 A.

Section 6-6 A. shall be deleted.

SECTION 6-6 B.

Section 6-6 B.. shall be amended as follows:

~~COMPTROLLER. THE DIRECTOR OF FINANCE: Powers, Duties and Qualifications. Subject to the direction of the Director of Finance, the Comptroller~~ THE DIRECTOR OF FINANCE SHALL HAVE DIRECT SUPERVISION OVER THE DEPARTMENT OF FINANCE AND THE ADMINISTRATION OF FINANCIAL AFFAIRS OF THE CITY. SUBJECT TO THE APPROVAL OF THE MAYOR, THE DIRECTOR OF FINANCE MAY PERFORM THE DUTIES OR ANY OFFICE IN THE DEPARTMENT. THE DIRECTOR shall supervise the accounting functions of the City and shall maintain and supervise the general accounting system for all departments, offices, boards, commissions or agencies and perform such other duties as assigned by the Director of Finance. THE DIRECTOR OF FINANCE SHALL BE CHOSEN ON THE BASIS OF TRAINING AND BROAD EXPERIENCE IN ACCOUNTING AND FINANCE, INCLUDING AT LEAST FIVE YEARS EXPERIENCE AND SHALL HAVE A DEGREE IN ACCOUNTING, FINANCE OR OTHER SIMILAR SPECIALTY.

SECTION 6-6 D.

Section 6-6 D. shall be deleted and the following substituted in lieu thereof:

THE PURCHASING AGENT: THE PURCHASING AGENT OF THE CITY SHALL PURCHASE ALL SUPPLIES, MATERIALS, EQUIPMENT AND OTHER COMMODITIES REQUIRED BY ANY DEPARTMENT, AGENCY, BOARD OR COMMISSION OF THE CITY, ON REQUISITION AND SPECIFICATION SIGNED BY THE HEAD OF THE DEPARTMENT, OFFICE OR AGENCY OR CHAIRMAN OF THE BOARD OR COMMISSION, OR THE DESIGNEE THEREOF. NOTHING HEREIN CONTAINED SHALL BE CONSTRUED TO PREVENT THE CITY PURCHASING AGENT FROM SERVING AS THE PURCHASING AGENT FOR THE BOARD OF EDUCATION AND, IN THE EVENT THAT THE GENERAL STATUTES ARE AMENDED TO PERMIT MUNICIPALITIES TO DO THE PURCHASING FOR BOARDS OF EDUCATION, THE CITY PURCHASING AGENT SHALL BE THE PURCHASING AGENT OF THE BOARDS OF EDUCATION. PURCHASES SHALL BE MADE UNDER SUCH RULES AND REGULATIONS AS MAY BE ESTABLISHED BY THE COMMON COUNCIL AND SHALL BE SUBJECT TO SUCH BIDDING PROCEDURES AS ESTABLISHED BY ORDINANCE. THE EFFECTIVE DATE SHALL BECOME THE DATE THAT SUCH AN ORDINANCE IS ENACTED.

CHAPTER VII. FINANCE AND TAXATION

SECTION 7-10 b.

Bonds and notes shall be authenticated by the seal of the City and the signature of the Mayor, the City Clerk and the Treasurer. IN THE ABSENCE, INCAPACITY OR VACANCY OF THE OFFICE OF TREASURER, THE DIRECTOR OF FINANCE IS AUTHORIZED TO SIGN BONDS.

REDEVELOPMENT AGENCY
CITY OF DANBURY

31

142 Deer Hill Avenue
Danbury, Connecticut 06810
Area Code 203 792-1135

To: Mayor James E. Dyer and
Members of the Common Council

From: Jerry Juretus, Acting Executive Director

Re: Jackson-Hanson Property

Date: April 23, 1987

In 1986, the Redevelopment Agency requested funds from the Common Council for the purpose of acquiring title to the Jackson-Hanson parcel located at 221-229 Main Street. A Council committee appointed to review the request met on several occasions with representatives of the Agency and the property leasees. It was suggested that the Agency try and negotiate an easement on behalf of the City through the property.

The Agency had Syd Rapp, Jr. prepare a map showing a proposed easement adjacent to the former SNET Co. building. The proposal was agreeable to the lease holders of the Jackson-Hanson parcel and negotiations were initiated for lease or purchase of the easement. An appraisal was prepared by Robert Noce Associates and this report established a value for the easement area of \$40,200.00. During this same period the lease holder of the property submitted a site plan to the Planning Department for the purpose of constructing a building on the remaining portion of the property. Proposed was a combination retail and office use. The site plan was approved in January of 1987.

Subsequent to these events, a new problem has arisen. There is a dispute between Mr. Appel, with whom the Agency has been negotiating, and the property owners over the validity of their lease agreement. This leaves us in limbo awaiting the settlement of the dispute. We are not willing to sit by while a valuable piece of downtown real estate lies barren.

Therefore, at its meeting of April 14, 1987, the Agency Board took action on two fronts regarding the property. They have instructed me to take all appropriate measures to acquire title to the easement area, as depicted on the map prepared by Syd Rapp Jr. This process has begun. Secondly, they have requested that I renew discussion with the Common Council for obtaining title to the remainder of the property, including the Poor Richard's building.



32

**BOARD OF EDUCATION
CITY OF DANBURY**
SCHOOL ADMINISTRATION BUILDING, MILL RIDGE
DANBURY, CONNECTICUT 06810
(203) 797-4700

April 9, 1987

The Honorable James E. Dyer
Mayor, City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Dyer:

Enclosed is a copy of the Superintendent's recommendation to the Board of Education concerning adding four relocatable classrooms at Roberts Avenue School. The funding plan that Dr. Singe proposed to the Board is the one that you and he discussed. I would be happy to provide any additional information you may need as this proposal is submitted to the Common Council for approval.

I look forward to the Council's support of the plan and the solution it will bring to our problem of space and program equity at Roberts Avenue School.

Your support of this plan is greatly appreciated.

Sincerely,

Barbara Baker, Chairperson

BB/jgh
enclosure

cc: Dr. A. L. Singe
Mrs. Constance McManus
Members of the Board

DANBURY PUBLIC SCHOOLS
School Administration Building, Mill Ridge
Danbury, Connecticut 06811
(203) 797-4700

ANTHONY L. SINGE Ph.D.
Superintendent of Schools
797-4701

TO: Members of the Board

DATE: April 1, 1987

SUBJECT: ROBERTS AVENUE SCHOOL

I have reviewed the Technical Assistance Team's report on resolving short-term space and program equity concerns at Roberts Avenue School. The staff has analyzed the advantages, disadvantages, and impact of each of the options identified in the Team's report. Staff and parent meetings have taken place to assess the impact of the options under consideration.

The following conclusions have been reached:

REDISTRICTING OF STUDENTS FROM ROBERTS AVENUE SCHOOL TO GREAT PLAIN SCHOOL is consistent with past practice and the Board's policy on racial balance, and approval of the administration plan in this regard is recommended.

THE ADDITION OF FOUR RELOCATABLE CLASSROOMS AT ROBERTS AVENUE is the option which is the most educationally advantageous to students. While this option is only a temporary solution to our immediate space problems, it keeps all other future options open over the next three years while we adopt, plan, and implement a comprehensive long-range facilities-use plan. Also, this plan is prudent in that it allows a small amount of space (four classrooms) to be retained in our elementary schools to accommodate enrollment changes, which may require more classrooms over the next several years.

Several funding scenarios have been developed and investigated, including discussion of them with the Mayor. Discussion with the Mayor indicates that a FUNDING PARTNERSHIP BETWEEN THE BOARD OF EDUCATION, CITY AND STATE appears to be the most feasible plan. Under this plan, the Board of Education would fund up to one-half of the estimated project cost through the 1987-1988 Budget. The Mayor would request the Common Council make an additional appropriation to the Board of Education for one-half of the estimated cost of the project from surplus or contingency funds available to the city in 1987-1988. The plan would also include a request to redirect the state reimbursement funds for school facilities improvements. This plan is cost effective in its approach. The plan also preserves funds for the Board of Education to support other educational needs.

I recommend the Joint Support Services-Budget and Finance Committee approve the following Resolutions for approval by the full Board of Education:

I. REDISTRICTING ROBERTS AVENUE STUDENTS TO GREAT PLAIN SCHOOL

APPROVE:

The Board of Education authorizes the redistricting of students from Roberts Avenue School to Great Plain School, in accordance with the Board Policy 7-117-School Attendance Areas concerning racial balance, and the Administrative Plan, which is attached.

II. ADDITION OF RELOCATABLE CLASSROOM SPACE AT ROBERTS AVENUE SCHOOL, AND APPROVAL OF FUNDING PLAN

APPROVE:

The Board of Education approves the plan to add four relocatable classrooms at Roberts Avenue School for the 1987-1988 school year by September 1, 1987, or as soon as possible thereafter.

Approval is based upon funding the project through a commitment of up to \$175,000 from the 1987-1988 Board of Education Budget, and an additional appropriation of up to \$175,000 to be granted by the city, with state aid reimbursements for the project redirected to school facilities improvements.

III. AUTHORIZATION TO INITIATE PLANNING AND APPLY FOR SCHOOL BUILDING CONSTRUCTION GRANT FOR RELOCATABLE CLASSROOMS AT ROBERTS AVENUE SCHOOL

APPROVE:

The Board of Education authorizes the Superintendent to initiate applications to the State Department of Education to secure a school building construction grant for relocatable classrooms for Roberts Avenue School.

Anthony L. Lenge

/jgh



33

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 30, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *BJF*
RE: DRAINAGE PROBLEM--STADLEY ROUGH ROAD

As requested at the April Common Council meeting I submit the following report with reference to subject complaint.

This report is directed at two letters received from the petitioners. Letter dated March 16, 1987: This letter was directed to me by Mayor Dyer prior to the April Common Council meeting and I responded through my letter of March 24, 1987. (attached) On April 9, 1987, I received a copy of a letter dated April 3, 1987, from the same petitioners. (copy attached)

Once again, I visited with Mrs. Morgan & Mr. & Mrs. Michael Hoyt. Once again I explained to them what we intend to do to correct their problem. Basically we want to isolate the flow of surface water from going through their property. After this is accomplished we can attempt to determine where additional water flow is coming from.

Once again they were satisfied with my visit. We hope to accomplish corrective work the week of May 5, 1987.

cc: Jack Schweitzer
Dan Minahan

RECEIVED

APR 9 1987

Myrtle L. Morgan
231 Stadley Rough Road
Danbury, CT 06811
Phone - 744-0593

April 3, 1987

The Honorable James E. Dyer
Mayor of Danbury
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Dyer:

Thank you for your prompt response to my letter dated March 16, 1987 regarding the water problem on Stadley Rough Road.

Mr. Basil Frisca and Mr. Daniel Menahan came to my home and evaluated the situation on March 25th. Additionally, Councilman John DeMille was here on April 1st.

Messrs. Frisca and Menahan said they would have new curbing put in, have the city sweep up the sand in the street, and possibly put in some type of gully on the opposite side of the street.

They suggested that we dig curtain drains, putting in stone, drainage pipe, then more stone a few feet from the curb. He also said that we should put a catch basin on top of the driveway to catch the WATER FROM THE STREET!!

We have had a neighborhood meeting and agree unanimously that this is inane.

The water from the street is undermining our driveways and ruining our lawns. Why should we be penalized further and have to spend more money to correct a city problem? As indicated in our last letter, we have already spent a fortune on gravel and clean-up.

Councilman DeMille agrees with us that our problem is one that the city should correct. He said we may have to go before the Town Council to oppose this injustice. We are prepared to do just that.

Page Two
Stadley Rough Road
April 3, 1987

Again, any assistance you can lend us in this difficult situation will be greatly appreciated by the undersigned.

Sincerely,

Myrtle L. Morgan
Myrtle L. Morgan
231 Stadley Rough Rd

Melanie R. Hoyt
Melanie R. Hoyt
231 Stadley Rough Rd.

Michael J. Hoyt
Michael J. Hoyt
233 Stadley Rough Rd.

Deborah R. Hoyt
Deborah R. Hoyt
233 Stadley Rough Road

Charles W. Fortier
Charles W. Fortier
235 Stadley Rough Road

Brenda L. Fortier
Brenda L. Fortier
235 Stadley Rough Road

Bryan Foley
Bryan Foley
237 Stadley Rough Road

Mrs. Bryan Foley
Mrs. Bryan Foley
237 Stadley Rough Road

Richard W. Pavlinsky
Richard Pavlinsky
239 Stadley Rough Road

Edna Pavlinsky
Edna Pavlinsky
239 Stadley Rough Road

George R. Haithwaite
George R. Haithwaite
209 Stadley Rough Road

Mrs. George Haithwaite
Mrs. George Haithwaite
209 Stadley Rough Road

/mrh

cc: Mr. Basil Frisca ✓
Mr. Peter Philip
Mr. John DeMille



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

March 24, 1987

TO: JAMES E. DYER, MAYOR
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS
RE: STADLEY ROUGH ROAD

I have reviewed the attached correspondence and offer the following comments:

The area in question between #209 and #239 Stadley Rough Road is a long established neighborhood. There are newer homes on the opposite side of Stadley Rough but none have been built within the past ten years through zone changes.

Stadley Rough Road was last paved in October, 1983. There is a pronounced pitch in the road which will direct water towards the properties. However, we recognized a problem at that time and installed curbing and raised driveway "lips" to direct the water away from the residents.

The problems as described in Mrs. Morgan's letter are evident. However, it should be noted that the homes in question are located below the road surface and even if we installed a major drainage system in the road, water will continue to flow towards their homes from within their own property lines.

On March 24th, Dan Minahan and I visited the area and we met with Mrs. Morgan and Mr. and Mrs. Michael Hoyt and explained that we were there at your request. We recognized their problem and offered the following to improve the drainage.

1. cut back the curb line on the opposite side of Stadley Rough this will direct the water flow away from their homes
2. sweep the road curb line in front of their homes
3. raise driveway "lips" as necessary

2

RE: STADLEY ROUGH ROAD

4. replace broken curbing where needed
5. recommended that they install on their property a drain pipe and catch basin at the top of their driveway and pipe the water through their property to an area behind their homes. They said they would do this.

If our work does not help the situation then a more sophisticated and expensive approach to the problem will have to be engineered.

For the time being they were satisfied with our visit. I told them they can expect us to be in their area in 2-3 weeks to complete our work.

I will keep you posted.

cc: Dan Minahan



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 30, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *B.J.F.*
RE: DRAINAGE PROBLEM--STADLEY ROUGH ROAD

As requested at the April Common Council meeting I submit the following report with reference to subject complaint.

This report is directed at two letters received from the petitioners. Letter dated March 16, 1987: This letter was directed to me by Mayor Dyer prior to the April Common Council meeting and I responded through my letter of March 24, 1987. (attached) On April 9, 1987, I received a copy of a letter dated April 3, 1987, from the same petitioners. (copy attached)

Once again I visited with Mrs. Morgan & Mr. & Mrs. Michael Hoyt. Once again I explained to them what we intend to do to correct their problem. Basically we want to isolate the flow of surface water from going through their property. After this is accomplished we can attempt to determine where additional water flow is coming from.

Once again they were satisfied with my visit. We hope to accomplish corrective work the week of May 5, 1987.

cc: Jack Schweitzer
Dan Minahan



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

March 24, 1987

TO: JAMES E. DYER, MAYOR
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS
RE: STADLEY ROUGH ROAD

I have reviewed the attached correspondence and offer the following comments:

The area in question between #209 and #239 Stadley Rough Road is a long established neighborhood. There are newer homes on the opposite side of Stadley Rough but none have been built within the past ten years through zone changes.

Stadley Rough Road was last paved in October, 1983. There is a pronounced pitch in the road which will direct water towards the properties. However, we recognized a problem at that time and installed curbing and raised driveway "lips" to direct the water away from the residents.

The problems as described in Mrs. Morgan's letter are evident. However, it should be noted that the homes in question are located below the road surface and even if we installed a major drainage system in the road, water will continue to flow towards their homes from within their own property lines.

On March 24th, Dan Minahan and I visited the area and we met with Mrs. Morgan and Mr. and Mrs. Michael Hoyt and explained that we were there at your request. We recognized their problem and offered the following to improve the drainage.

1. cut back the curb line on the opposite side of Stadley Rough this will direct the water flow away from their homes
2. sweep the road curb line in front of their homes
3. raise driveway "lips" as necessary

RE: STADLEY ROUGH ROAD

4. replace broken curbing where needed
5. recommended that they install on their property a drain pipe and catch basin at the top of their driveway and pipe the water through their property to an area behind their homes. They said they would do this.

If our work does not help the situation then a more sophisticated and expensive approach to the problem will have to be engineered.

For the time being they were satisfied with our visit. I told them they can expect us to be in their area in 2-3 weeks to complete our work.

I will keep you posted.

cc: Dan Minahan

RECEIVED

APR 9 1987

Myrtle L. Morgan
231 Stadley Rough Road
Danbury, CT 06811
Phone - 744-0593

April 3, 1987

The Honorable James E. Dyer
Mayor of Danbury
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Dyer:

Thank you for your prompt response to my letter dated March 16, 1987 regarding the water problem on Stadley Rough Road.

Mr. Basil Frisca and Mr. Daniel Menahan came to my home and evaluated the situation on March 25th. Additionally, Councilman John DeMille was here on April 1st.

Messrs. Frisca and Menahan said they would have new curbing put in, have the city sweep up the sand in the street, and possibly put in some type of gully on the opposite side of the street.

They suggested that we dig curtain drains, putting in stone, drainage pipe, then more stone a few feet from the curb. He also said that we should put a catch basin on top of the driveway to catch the WATER FROM THE STREET!!

We have had a neighborhood meeting and agree unanimously that this is inane.

The water from the street is undermining our driveways and ruining our lawns. Why should we be penalized further and have to spend more money to correct a city problem? As indicated in our last letter, we have already spent a fortune on gravel and clean-up.

Councilman DeMille agrees with us that our problem is one that the city should correct. He said we may have to go before the Town Council to oppose this injustice. We are prepared to do just that.

Page Two
Stadley Rough Road
April 3, 1987

Again, any assistance you can lend us in this difficult situation will be greatly appreciated by the undersigned.

Sincerely,

Myrtle L. Morgan
Myrtle L. Morgan
231 Stadley Rough Rd

Melanie R. Hoyt
Melanie R. Hoyt
231 Stadley Rough Rd.

Michael J. Hoyt
Michael J. Hoyt
233 Stadley Rough Rd.

Deborah R. Hoyt
Deborah R. Hoyt
233 Stadley Rough Road

Charles W. Fortier
Charles W. Fortier
235 Stadley Rough Road

Brenda L. Fortier
Brenda L. Fortier
235 Stadley Rough Road

Bryan Foley
Bryan Foley
237 Stadley Rough Road

Mrs. Bryan Foley
Mrs. Bryan Foley
237 Stadley Rough Road

Richard W. Pavlinsky
Richard Pavlinsky
239 Stadley Rough Road

Edna Pavlinsky
Edna Pavlinsky
239 Stadley Rough Road

George R. Haithwaite
George R. Haithwaite
209 Stadley Rough Road

Mrs. George Haithwaite
Mrs. George Haithwaite
209 Stadley Rough Road

/mrh

cc: Mr. Basil Frisca ✓
Mr. Peter Philip
Mr. John DeMille



34

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 28, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *BJF*
RE: CONDITION OF ROAD--SOUTH KING STREET BETWEEN DARRELL RD. & FRANKLIN ST. EXT.

As requested at the April Common Council meeting I submit the following report on subject complaint.

The area in question has long been on the list for drainage improvements. In fact, we should also include South King Street/Boyce Road for drainage improvements.

With a very minimum of engineering study it is estimated that approximately \$100,000 will be needed to correct the aforementioned drainage problems. To correct only Mrs. Osiecki's problem will cost an estimated \$60,000. An exact figure will require an extensive engineering study.

I am available to further discuss this matter with you at your convenience.

BJF:mp

cc: J. Schweitzer
D. Minahan



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 28, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *BJF*
RE: CONDITION OF ROAD--SOUTH KING STREET BETWEEN DARRELL RD. & FRANKLIN ST. EXT.

As requested at the April Common Council meeting I submit the following report on subject complaint.

The area in question has long been on the list for drainage improvements. In fact, we should also include South King Street/Boyce Road for drainage improvements.

With a very minimum of engineering study it is estimated that approximately \$100,000 will be needed to correct the aforementioned drainage problems. To correct only Mrs. Osiecki's problem will cost an estimated \$60,000. An exact figure will require an extensive engineering study.

I am available to further discuss this matter with you at your convenience.

BJF:mp

cc: J. Schweitzer
D. Minahan



35

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 29, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *BJF*
RE: SEMENTILLI & FOGARTY DRAINAGE PROBLEM---SPRUCE MOUNTAIN ROAD

As requested at the April Common Council meeting I submit the following report with reference to subject complaint.

This problem dates back to a recorded history of May 21, 1979. In June of 1980, the Common Council approved the recommendation that the work to correct the problem be done by the Public Works Department providing all required easements are received. We have no record of receiving these easements. A minimum of two easements are required, one for the Sementilli property and one for the Fogarty property. An additional four easements may be required from property owners down stream from the Fogarty property.

A drainage system to correct the problem was laid out in 1981. At today's prices this system will cost an estimated \$28,000.

I am available to further discuss this matter with you at your convenience.

BJF:mp

cc: D. Minahan
J. Schweitzer



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

PUBLIC WORKS
(203) 797-4537

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

April 29, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS *BJF*
RE: SEMENTILLI & FOGARTY DRAINAGE PROBLEM---SPRUCE MOUNTAIN ROAD

As requested at the April Common Council meeting I submit the following report with reference to subject complaint.

This problem dates back to a recorded history of May 21, 1979. In June of 1980, the Common Council approved the recommendation that the work to correct the problem be done by the Public Works Department providing all required easements are received. We have no record of receiving these easements. A minimum of two easements are required, one for the Sementilli property and one for the Fogarty property. An additional four easements may be required from property owners down stream from the Fogarty property.

A drainage system to correct the problem was laid out in 1981. At today's prices this system will cost an estimated \$28,000.

I am available to further discuss this matter with you at your convenience.

BJF:mp

cc: D. Minahan
J. Schweitzer



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

PUBLIC WORKS
(203) 797-4537

April 23, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS
RE: WATER PROBLEM, OLD RIDGEBURY ROAD

As requested, at the April Common Council meeting I submit the following report relative to subject complaint.

I visited the site and agree that a problem as described does exist at Mr. Bracco's property. Old Ridgebury Road is still under a cash bond of \$200,000 and finishing work on the road remains to be done by Novo Laboratories prior to releasing the bond.

A copy of this report and accompanying complaint will be sent to the responsible divisions within the Public Department to assure that the road is returned to its previous acceptable condition. This work should be accomplished sometime this summer prior to Novo moving into its new Headquarters.

cc: Dan Minahan, Highway
Jack Schweitzer, Engineering
Dick Beck, Permit Inspector

encl:



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

BASIL J. FRISCIA
DIRECTOR OF PUBLIC WORKS

PUBLIC WORKS
(203) 797-4537

April 23, 1987

TO: MAYOR JAMES E. DYER & MEMBERS OF THE COMMON COUNCIL
FROM: B.J. FRISCIA, DIRECTOR OF PUBLIC WORKS
RE: WATER PROBLEM, OLD RIDGEBURY ROAD

As requested, at the April Common Council meeting I submit the following report relative to subject complaint.

I visited the site and agree that a problem as described does exist at Mr. Bracco's property. Old Ridgebury Road is still under a cash bond of \$200,000 and finishing work on the road remains to be done by Novo Laboratories prior to releasing the bond.

A copy of this report and accompanying complaint will be sent to the responsible divisions within the Public Department to assure that the road is returned to its previous acceptable condition. This work should be accomplished sometime this summer prior to Novo moving into its new Headquarters.

cc: Dan Minahan, Highway
Jack Schweitzer, Engineering
Dick Beck, Permit Inspector

encl:

RECEIVED

APR 23 87

OFFICE OF CITY CLERK

002

Mr. Michael P. Bracco, Sr.
83 Old Ridgebury Road
Danbury, Ct. 06810

TELEPHONE #: 794-1894

March 10, 1987

City of Danbury
City Hall
Mrs. Elizabeth Crudginton
City Clerk
155 Deer Hill Ave
Danbury, Ct. 06810

Dear Mrs. Crudginton:

Last Summer of 1986, the City of Danbury installed a sewer line down Old Ridgebury Road in Danbury. Since the road was excavated for the installation of that sewer line there has been a tremendous amount of water accumulating in front of the entrance and along the side of my driveway. This accumulation of water has caused damage to the driveway due to heaving and cracking. The curbing along the side of the roadway and driveway has never been replaced and the lawn has been damaged and has eroded by the constant accumulation of water along the side of the driveway.

Previous to the installation of the sewer manhole approximately 5 feet across from the entrance to my driveway and the installation of the sewer line in the street, I had no problem with drainage of water in my driveway. I am requesting at this time that someone from the City address this problem and inform me as to when the situation will be rectified. Your immediate attention in this matter will be greatly appreciated.

Sincerely,

Michael P. Bracco, Sr.

Michael P. Bracco, Sr.

MPB

37

DATE: April 16, 1987
TO: DONALD SOLLOSE
Brookside Condominiums
Apt. #158
Danbury, Ct. 06811
FROM: FRANK CARTER
1 Wedgewood Drive
Danbury, Ct. 06811
SUBJECT: Water Drainage Problem

ATTENTION: DANBURY COMMON COUNCIL AFFAIRS

I live at the corner of King Street and Wedgewood Drive in Danbury and would like to report a serious water drainage problem existing on King Street in front of my property.

The result of this problem is the deterioration of the roadway on King Street and the entrance of Wedgewood Drive with some excess water run off coming onto my property.

Your assistance in bring this matter to the attention of the Common Council to be put on their list of items to be looked into will be appreciated by me and the residents of Wedgewood Estates.

Thank You,





38

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Water Problem on Indian Head Road

Recently, I met with Richard Beckenbach of 9 Indian Head Road and Ray Tomanio of 13 Indian Head Road, regarding a serious water problem that has plagued these homeowners for several months.

The problem originally started soon after a drainage pipe was installed and routed under Barnum Road and dead-ending toward a swampy area that comprises the rear acreage of those homeowners, causing the following problems:

1. flooding to their property;
2. possible contamination to their well water;
3. health hazards due to a large increase in the rat population.

There are a total of six homeowners that are affected and each one is deeply concerned about their homes being flooded. I respectfully request that a public works committee of the Common Council investigate this problem to determine how it can be solved.

Sincerely,

Donald Sollose

Donald Sollose
Councilman - 2nd Ward

cc: Richard Beckenbach
Ray Tomanio
Frank Hurley
Calvin Joyce
Jeffrey Ablin
Marianne Dahill

April 28, 1987

Constance McManus
President
Danbury Common Council
155 Deer Hill Rd.
Danbury, CT 06810

Dear Mrs. McManus:

RE: Sewer and water extension
to 62 Brushy Hill Rd.

Please find attached my request for an extension of Danbury's sewer and water facilities to a site I am developing on Brushy Hill Road.

Currently, city sewer runs approximately 700 feet up Brushy Hill Road. This extension would be approximately 7/10's of a mile. City water is at the intersection of Southern and Brushy Hill Rd.

My development plans project 20 single family residences on approximately 42 acres.

If you could review this request with the Council at your next meeting, I would be most appreciative.

Yours truly,

John B. Lust Jr.
John B. Lust Jr.
24 Starrs Plain Rd.
Danbury, CT 06810

COMMON COUNCIL

CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: John B. Lust Jr.

Address: 24 Starrs Plain Rd.

Danbury, CT 06810

Telephone No: 798-6651

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

Located at: 62 Brushy Hill Rd.

Assessor's Lot No: Map I-18 #014

Zone in which the Property Lies: R-80

Intended Use:

Retail

Office

Mixed Use

Industrial

Single Family Residential
20 unit subdivision

Multiple Family Development

_____ Number of Efficiency Units

_____ Number of 1 Bedroom Units

_____ Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

_____ Total Number of Units

John B. Lust Jr.
(Signature)

4/28/87

(Date)

COMMON COUNCIL

CITY OF DANBURY

40

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Joseph Russo

Address: 26 KNIGHT ST
NORWALK, CONN

Telephone No: 1-866-2927

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

Located at: 109 PARK AVENUE

Assessor's Lot No: H16026

Zone in which the Property Lies: RM-12

Intended Use:

Retail

Single Family Residential

Office

Multiple Family Development

Mixed Use

Industrial

_____ Number of Efficiency Units

_____ Number of 1 Bedroom Units

2 Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

7 Total Number of Units

David Higgins

(Signature)

4-3-87

(Date)

COHEN AND WOLF, P. C.

AUSTIN K. WOLF
MARTIN F. WOLF
ROBERT J. ASHKINS
STUART A. EPSTEIN
BARRY WAXMAN
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
DAVID L. GROGINS
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON

ROBIN A. KAHN
JORAM HIRSCH
RICHARD L. NEWMAN
RICHARD SLAVIN
RICHARD G. KENT
SAMUEL J. ALBOM*
ROBERT S. BURSTEIN*
LINDA LEDERMAN
WILLIAM F. ASKINAZI
CAROLYN K. LONGSTRETH
DANIEL S. NAGEL
RICHARD J. DI MARCO
ELISE R. EPNER*
MICHAEL H. HURWITZ**
NANCY L. WALKER

*MEMBER N.Y. BAR ONLY
*MEMBER MASS. BAR ONLY
**MEMBER TEXAS BAR ONLY

HERBERT L. COHEN
(1929-1983)

LAW OFFICES

1115 BROAD STREET *
P. O. BOX 1021
BRIDGEPORT, CONNECTICUT 06601
(203) 368-0211

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 792-2771

ONE ATLANTIC STREET
STAMFORD, CONNECTICUT 06901
(203) 864-9907

PLEASE REPLY TO Danbury

November 7, 1985

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

Attention: Sewer and Water Subcommittees

Re: Joseph Russo - Sewer and Water Connections

Gentlemen:

Please be advised that this office represents Joseph Russo who is the contract purchaser of premises located at Park Avenue, Danbury, Connecticut. The subject premises are located in an RM-12 Zone and the owners have submitted a site plan and an application for special exception to the Planning Commission for the City of Danbury for the construction of eight condominium units on the site.

The undersigned on behalf of Joseph Russo, hereby petitions the Common Council of the City of Danbury to allow Joseph Russo to tie into the municipal water and sewer systems of the City of Danbury to service subject premises with municipal sewer and water from the nearest applicable location of those facilities. Said petition is subject to a final approval of working drawings of the proposed lines plus the engineer; and such other requirements as may be imposed by the Common Council for the City of Danbury acting on this subject petition.

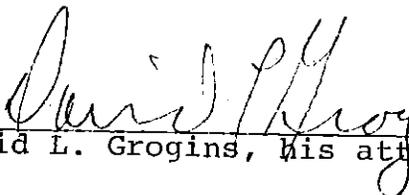
COHEN AND WOLF, P. C.

Common Council
November 7, 1985
Page Two

I would appreciate it if you would refer this matter to the Sewer and Water Subcommittee at your earliest convenience and ask that such committee advise the undersigned of any proposed meeting to discuss the instant application at which time the undersigned and the project engineer will be available to discuss the proposals set out herein.

JOSEPH RUSSO

BY:


David L. Grogins, his attorney

DLG/ljd

COMMON COUNCIL
CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

- Sewer
 Water

Applicant: Joseph Russo

Address: 26 Knight Street, Norwalk, Connecticut

Telephone No: 1-866-3236

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

Located at: 109 Park Avenue, Danbury, Connecticut

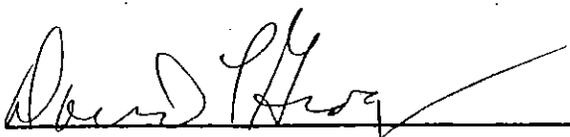
Assessor's Lot No: H 16026

Zone in which the Property Lies: RM-12

Intended Use:

- Retail
 Office
 Mixed Use
 Industrial
- Single Family Residential
 Multiple Family Development

_____ Number of Efficiency Units
_____ Number of 1 Bedroom Units
8 Number of 2 Bedroom Units
_____ Number of 3 Bedroom Units
_____ Total Number of Units


(Signature)

December 23, 1985
(Date)

41

LAW OFFICES OF
WARD J. MAZZUCCO, P.C.

WARD J. MAZZUCCO**
SHARON WICKS DORNFELD
STEPHEN THOMAS ROBERTS

*ALSO ADMITTED IN NEW YORK
*ALSO ADMITTED IN FLORIDA

301 MAIN STREET
DANBURY, CONNECTICUT 06810
(203) 794-9144

TELECOPIER (203) 790-4137

April 10, 1987

Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

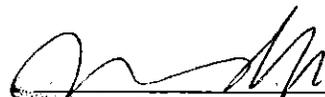
Re: Ramey, Aunt Hack Road

Honorable Council Members:

I represent Richard Ramey in connection with property he owns on Aunt Hack Road in Danbury. We respectfully request permission to extend sewer service to the property. If this is referred to a committee, would you be kind enough to let me know the date and time of its meeting so we can present further information. Thank you for your consideration.

Very truly yours,

WARD J. MAZZUCCO, P.C.



Ward J. Mazzucco,

WJM:ecl
CC: Richard Ramey
CC: David Williamson

COMMON COUNCIL
CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Applicant: Richard Ramey

Address: C/O Ward J. Mazzucco

301 Main St. Danbury, Ct. 06810

Telephone No: 794-9144

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

Located at: Aunt Hark Rd

Assessor's Lot No: C13025

Zone in which the Property Lies: R40

Intended Use:

Retail

Office

Mixed Use

Industrial

Single Family Residential

Multiple Family Development

_____ Number of Efficiency Units

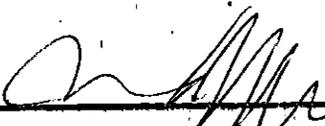
_____ Number of 1 Bedroom Units

_____ Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

3 4-Bedroom Homes

Total Number of Units



(Signature)

4-20-87

(Date)



42

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

LEONARD G. SEDNEY
Planning Director

PLANNING DEPARTMENT
797-4525

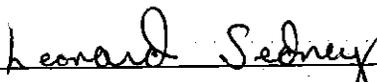
TO: Mayor James E. Dyer, and
Members of the Common Council

FROM: Leonard G. Sedney, Planning Director

RE: Application for Extension of Sewer and Water
/Garamella Boulevard

DATE: April 20, 1987

Attached for Common Council consideration is an application for extension of sewer and water facilities for twenty-four (24) condominium units on Garamella Boulevard. If approved, the extension would permit fourteen (14), two-bedroom units, and ten (10), one-bedroom units to be constructed by the Non-Profit Housing Development Corporation.



Leonard G. Sedney

COMMON COUNCIL
CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

- Sewer
- Water

Applicant: City of Danbury

Address: 155 Deer Hill Avenue
Danbury, CT 06810

Telephone No: 797-4525

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

Located at: Garamella Boulevard

Assessor's Lot No: H13304, I13018, I13019

Zone in which the Property Lies: CL-CBD

Intended Use:

- Retail
- Office
- Mixed Use
- Industrial
- Single Family Residential
- Multiple Family Development

| | |
|-----------------|------------------------------|
| <u> </u> | Number of Efficiency Units |
| <u>10</u> | Number of 1 Bedroom Units |
| <u>14</u> | Number of 2 Bedroom Units |
| <u> </u> | Number of 3 Bedroom Units |
| <hr/> | |
| 24 | Total Number of Units |

Leonard Sidney
(Signature)

4/20/87
(Date)



44

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Reconsideration of Item 055 from the March Agenda
(Post Office Street Ordinance)

The Ad Hoc Committee appointed to reconsider Item 055 on the March 1987 agenda met on Wednesday, April 29, 1987 at 8:00 P.M. in the Fourth Floor Lobby at City Hall. In attendance were Committee Members Eriquez, Torian and Gallo; Council Members Boynton, DaSilva, Godfrey, Johnson, McManus and Sollose (at various times during the meeting in an ex-officio capacity); Leonard Sedney, Attorney Richard Kilcullen on behalf of the City, Attorney Neil Marcus and Robert Feinson, and Mr. Perry Salvagne. Basil Friscia was also in attendance for a brief period during the meeting.

The committee reviewed the charge of the committee as it pertained to the resolution being considered regarding the Post Office Street rehabilitation project. The resolution discussed was that which appeared on the March 1987 agenda. It was reported that this resolution was different than the one the Council approved in December, 1985, for the record and clarification purposes. (March 1987 resolution attached for reference purposes).

Mr. Sedney reported that negotiations had been ongoing with Mr. Marcus and Mr. Feinson regarding the impact of the utility and refuse removal easements as they affected the Feinson property.

The committee and other Council Members present discussed the resolution as it related to the utility easements for the Post Office Street project with particular concern for that portion that affected the rear of the Feinson property on Main Street. After lengthy discussion on the utility easement issue, the members present requested information from Mr. Sedney that included the following:

1. Did CL&P request that Utility Easement Area "C" be completed as designed or did the City require this be done?

2. Is the easement work an upgrade for existing service and/or was it necessary for "interconnection" purposes?

3. What is the cost to the City, including legal work, cost of construction, etc. for Easement Area "C"? (Easement map attached for reference purposes).

Mr. Marcus and Mr. Feinson reported that they had no problem with the easement work for utilities as it affected the Feinson property in accordance with the explanation given by Mr. Sedney. The members present felt there was no problem with other utility easement area work that needed to be completed to conduct the Post Office Street improvement (i.e., other than Utility Easement Area "C").

Discussion followed pertaining to the refuse removal issue and easements necessary to allow for removal to occur. Mr. Sedney presented the City's position during negotiations with Mr. Feinson and Mr. Marcus. Mr. Marcus then referred to his letter of April 14, 1987 addressed to Mr. Sedney (copy attached for reference purposes) explaining the Feinson position.

A lengthy discussion ensued regarding various options for the removal of refuse caused by the Post Office Street closure. Particular items discussed were the concerns raised by Mr. Feinson and Mr. Salvagne as to the impact of various options on their property and business operations. It was felt that since a proposal had been submitted by Mr. Marcus (representing Mr. Feinson's conditions for refuse removal to occur via passage through his driveway/parking area) that it would be appropriate for negotiations to continue between the City and the party or parties involved. It was clear that no condemnation should occur to accommodate this refuse removal issue. The motion was made to recommend to allow negotiations to continue to remedy this refuse removal problem due to the Post Office Street closure. It was seconded and passed unanimously.

Minutes of the meeting highlighting specific items addressed and comments made by individuals present in response to key questions are on file in the Office of the City Clerk.

Respectfully submitted,

GENE F. ERIQUEZ

BERNARD GALLO

EDWARD TORIAN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

March 30, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

During the Common Council meeting of March 3rd, the Council approved item #55. This vote authorized the legal counsel of the city to condemn property for the purpose of underground utilities and storage of refuse containers. The condemnation of property for storage of refuse containers will deprive and deny the present owner of that property site --- it could conceivably reduce the remaining property value and damage the present owner's ability to conduct business.

It is our opinion that such condemnation should only follow specific evaluation by a Common Council sub-committee and the Common Council as a whole. Effectively, in the Council's zeal to promote downtown redevelopment, it has inadvertently surrendered its responsibility in weighing the individual property owner's rights versus the needs of the community. This action must be corrected.

As members of the voting majority and in accordance with section 2-91 of the Code of Ordinances, we respectfully request that item #55 of the March agenda be reconsidered.

Donald Sallose
Stanford Smith Sr.
John R. DeMille
Beverly B. Johnson
Louis K. Kelleher



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

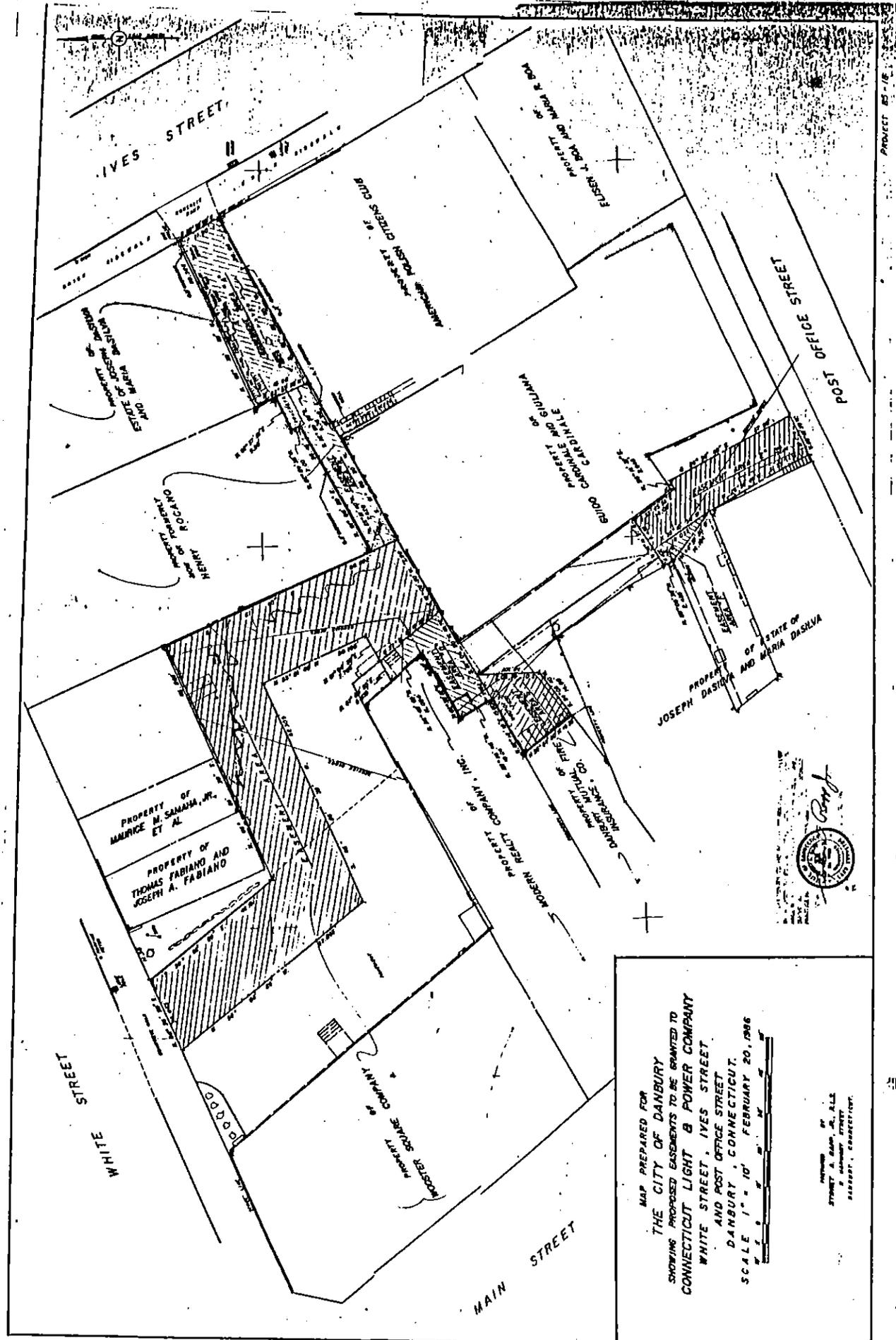
February 27

A. D., 19 87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Common Council wishes to acquire interests in real property for the storage of refuse containers and to allow the placement of utilities underground, as well as access to both these refuse containers and underground utilities in connection with street and sidewalk improvements to Post Office Street;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Legal Counsel be and hereby is authorized to acquire private property interests either by negotiation or by eminent domain through the institution of suit against the current property owners and their respective encumbrances, if any.



MAP PREPARED FOR
 THE CITY OF DANBURY
 SHOWING PROPOSED EASEMENTS TO BE GRANTED TO
 CONNECTICUT LIGHT & POWER COMPANY
 WHITE STREET, IVES STREET
 AND POST OFFICE STREET
 DANBURY, CONNECTICUT
 SCALE 1" = 10' FEBRUARY 20, 1966

PREPARED BY
 STREET & MAP, INC. ALL
 100 MAIN STREET
 DANBURY, CONNECTICUT



PROJECT 85-16

COHEN AND WOLF, P. C.

AUSTIN K. WOLF
MARTIN F. WOLF
ROBERT J. ASHKINS
STUART A. EPSTEIN
BARRY WAXMAN
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
DAVID L. GROGINS
ROBERT B. ADELMAN
MICHAEL S. ROSTEN
GRETA E. SOLOMON
JORAM HIRSCH

ROBIN A. KAHN
RICHARD S. KENT
RICHARD L. NEWMAN
RICHARD SLAVIN
ROBERT S. BURSTEIN
LINDA LEDERMAN
WILLIAM F. ASKINAZI
DANIEL S. NAGEL
RICHARD J. DI MARCO
DAVID B. ZABEL*
MARK A. KIRSCH
CHRISTOPHER J. SMITH
NEIL W. SUTTON
PAULA MANGINI MONTONYE
DAVID M. LEVINE
JOHN J. SAPIRO

HERBERT L. COHEN
(1928-1983)

LAW OFFICES

115 BROAD STREET
P. O. BOX 1821
BRIDGEPORT, CONNECTICUT 06601
(203) 366-0211

158 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
(203) 792-2771

ONE ATLANTIC STREET
STAMFORD, CONNECTICUT 06901
(203) 964-9907

*MEMBER N.J. BAR ONLY

PLEASE REPLY TO Danbury

April 14, 1987

Mr. Leonard Sedney
City Planner
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

RE: Wooster Square Co. & Modern Realty Co., Inc.

Dear Len:

This letter follows up a number of conversations which I have had with you and you have had directly with Robert Feinson concerning the proposal by the City of Danbury to bury underground utilities through an easement area shown on a map prepared for the City of Danbury dated February 20, 1986 prepared by Sidney A. Rapp, Jr., R.L.S. and the right to pass and repass through the parking lot behind Feinson's Men's Store for purposes of accessing garbage dumpsters or containers to be stored in the alley adjoining the former Cardinale property.

My clients have indicated that they are willing to grant a right to relocate the utility line in the easement area shown on the Rapp map provided that the grant of easement establishes an affirmative duty on the part of the Grantee to relocate the utility lines in the event that the location across the current parking lot interferes with any future construction or use of that parking lot by my clients or their successors and assigns. The easement should contain language allowing for reasonable notice (60-90 days) to require the City or Connecticut Light and Power Company to relocate the lines in the event that they do so interfere with future expansion of the property or adjacent parcels.

In granting the easement, it is understood that there will be some disturbance of the parking lot, however, my clients will

COHEN AND WOLF, P. C.

Leonard Sedney
Page 2
April 14, 1987

require that the work not interfere with weekend parking on the premises. In addition, if the work closes off the entrance to the driveway, a temporary entrance will have to be made so that there can continue to be access for parking, etc... to the rear of my client's store. Needless to say, all disturbed areas shall be resurfaced and repaired upon completion of the work. We would like notice of when the work is to commence and a time table for the completion of the work. ✓ w

In consideration of a granting of this easement, it is my clients understanding that the driveway entrance will be improved with the construction of a wall similar to the drawings shown in the redevelopment booklet which has been prepared by the City. Reference is made to Richard Kilcullen's letter to Paul Jaber dated February 24, 1987 concerning this. h

Since the sidewalk between White Street and the parking lot will be removed, in part, in connection with the laying of underground utilities, and since the sidewalk from that spot to the corner of Main and White Street is in a state of disrepair, my clients are requesting that the City repair the whole length of sidewalk as a part of this work. This would be a benefit to the City as well as to my clients. h

In addition to the easement for utilities, my clients will grant the City a revocable license to enter upon the parking lot for purposes of picking up garbage to be stored in dumpsters located next to the former Cardinale property and behind the DaSilva property. The right to use my clients parking lot to access these dumpsters will be limited to the hours of 9:00 p.m. through 8:00 a.m.. It is not intended to allow access during the normal working hours when my client's store is operating. The responsibility for maintaining the driveway and parking lot in a clean and sanitary state free from the accumulation of garbage and debris resulting from the use of the license shall be the City's. In connection with the license, the City will be authorized to pave that portion of my client's driveway and parking area required to accomplish the garbage pickup so that the dumpsters can be rolled on and off of the adjacent property. The area immediately surrounding the dumpsters shall be screened with a stockade type enclosure. In the event that the use of the license is not satisfactory to my clients, they shall have the right upon 60 days' written notice to the City to revoke the license and discontinue the use of the property for this purpose. h

COHEN AND WOLF, P. C.

Leonard Sedney
Page 3
April 14, 1987

Notwithstanding this, in the event that the City fails to keep my client's premises free from the accumulation of debris or other garbage resulting from the use of the license then the revocation shall be on 30 days' written notice rather than 60. My clients shall assume no liability or responsibility arising out of the City's use of the license which shall be at their own cost and expense. W

I understand from Attorney Kilcullen that he is drafting the proposed easement agreement and will have it to me within the next few days. Once that easement has been executed, this letter can set forth the understanding of the parties with respect to any work to be performed by the City of Danbury and the license agreement pertaining to access through the parking lot. W

Should you have any questions concerning this please don't hesitate to contact me.

Yours truly,


Neil R. Marcus

NRM:jes

Examined and approved:

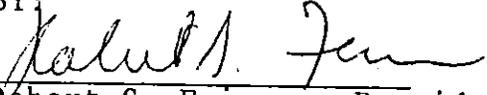
Wooster Square Company

By:


Robert S. Feinson, President

Modern Realty Co. Associates, Inc. (successor in title to Modern Realty Co., Inc.)

BY:


Robert S. Feinson, President

City of Danbury

By:



45

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

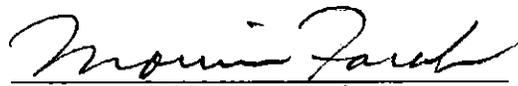
Re: Water Extension on Breezy Hill - Terrace Heights Road

The Common Council Committee appointed to review water extension on Breezy Hill - Terrace Heights Road met on March 31, 1987 at 7:30 P.M. Council Members present were Farah, Boynton and Gallo. Also attending were Jack Schweitzer, William Buckley and the petitioner, Clifford Reiss.

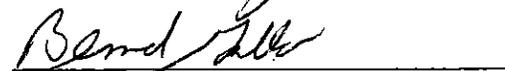
Mr. Reiss, who represented the Danbury Suburban Residential Corporation showed a map of the subdivision and explained that the sewer extension had been approved and that due to an oversight the petition for water extension was not submitted on time. His corporation agreed to abide by all the City requirements as outlined by the Engineering and Water Departments. City Engineer Schweitzer and Public Utilities Superintendent Buckley concurred with Mr. Reiss.

Councilman Boynton moved to approve the petition. Councilman Gallo seconded the motion. The motion passed unanimously.

Respectfully submitted,


MOUNIR FARAH, Chairman


ERNEST BOYNTON


BERNARD GALLO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Water Extension on Breezy Hill - Terrace Heights Road

The Common Council Committee appointed to review water extension on Breezy Hill - Terrace Heights Road met on March 31, 1987 at 7:30 P.M. Council Members present were Farah, Boynton and Gallo. Also attending were Jack Schweitzer, William Buckley and the petitioner, Clifford Reiss.

Mr. Reiss, who represented the Danbury Suburban Residential Corporation showed a map of the subdivision and explained that the sewer extension had been approved and that due to an oversight the petition for water extension was not submitted on time. His corporation agreed to abide by all the City requirements as outlined by the Engineering and Water Departments. City Engineer Schweitzer and Public Utilities Superintendent Buckley concurred with Mr. Reiss.

Councilman Boynton moved to approve the petition. Councilman Gallo seconded the motion. The motion passed unanimously.

Respectfully submitted,

MOUNIR FARAH, Chairman

ERNEST BOYNTON

BERNARD GALLO



46

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Request for Sewer Abatement at 68 Abbott Avenue

The committee appointed to study a request to abate a sewer assessment at 68 Abbott Avenue met at 8:30 P.M. on April 29, 1987. In attendance were Committee Members DaSilva, Smith and Charles. Also in attendance were John and Victor Heelan, the petitioners; Basil J. Friscia, Director of Public Works; and Jack Schweitzer, City Engineer.

Mr. DaSilva explained the background of the request. It began with the installation of a sanitary sewer on Abbott Avenue in 1976. At that time, and presently, the Heelan home at 68 Abbott Avenue was connected to an older private line and because of a difference of about one foot in elevation between the old and new lines, it was decided that the older line would continue to be used. Messrs. Heelan explained that they believe an agreement was reached, stating that they would not be charged an assessment if they were to maintain the old sewer line. He further explained that any sewer installation is a benefit to a homeowner. There is no record of any agreement to a non-payment of an assessment. Although the property is connected to the old sewer, if any problem with this line arises the new sewer line is in place to be used. This constitutes a benefit to this property.

Mr. Schweitzer reported that a decision to assess this property was made at a Public Works Committee meeting in 1976, before the assigning of assessments.

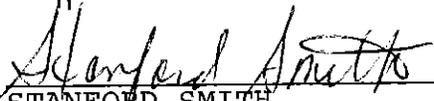
The problem with this assessment was discussed at several meetings between July, 1986 and April, 1987. All parties to the installation and assessment of the sewer were contacted by the committee. Seeing that no agreement to a non-assessment could be found, Mr. Charles moved that any and all interest on this assessment until June 30, 1987 be abated and that the assessment of \$816.28 and a lien fee of \$12.50 be collected. Mr. Smith seconded the motion. The reason for this action is due to all the delays and lack of communication over the past ten or more years. Motion carried unanimously.

Mr. Smith moved to adjourn at 9:25 P.M.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



STANFORD SMITH



LOUIS CHARLES



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Request for Sewer Abatement at 68 Abbott Avenue

The committee appointed to study a request to abate a sewer assessment at 68 Abbott Avenue met at 8:30 P.M. on April 29, 1987. In attendance were Committee Members DaSilva, Smith and Charles. Also in attendance were John and Victor Heelan, the petitioners; Basil J. Friscia, Director of Public Works; and Jack Schweitzer, City Engineer.

Mr. DaSilva explained the background of the request. It began with the installation of a sanitary sewer on Abbott Avenue in 1976. At that time, and presently, the Heelan home at 68 Abbott Avenue was connected to an older private line and because of a difference of about one foot in elevation between the old and new lines, it was decided that the older line would continue to be used. Messrs. Heelan explained that they believe an agreement was reached, stating that they would not be charged an assessment if they were to maintain the old sewer line. He further explained that any sewer installation is a benefit to a homeowner. There is no record of any agreement to a non-payment of an assessment. Although the property is connected to the old sewer, if any problem with this line arises the new sewer line is in place to be used. This constitutes a benefit to this property.

Mr. Schweitzer reported that a decision to assess this property was made at a Public Works Committee meeting in 1976, before the assigning of assessments.

The problem with this assessment was discussed at several meetings between July, 1986 and April, 1987. All parties to the installation and assessment of the sewer were contacted by the committee. Seeing that no agreement to a non-assessment could be found, Mr. Charles moved that any and all interest on this assessment until June 30, 1987 be abated and that the assessment of \$816.28 and a lien fee of \$12.50 be collected. Mr. Smith seconded the motion. The reason for this action is due to all the delays and lack of communication over the past ten or more years. Motion carried unanimously.

Mr. Smith moved to adjourn at 9:25 P.M.

Respectfully submitted,

JOSEPH DaSILVA, Chairman

STANFORD SMITH

LOUIS CHARLES



47

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

PROGRESS REPORT

May 5, 1987

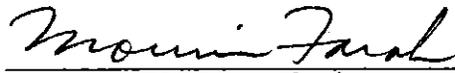
Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Sewer and Water Extensions - Tamarack Avenue

The Common Council Committee appointed to review sewer and water extensions to the proposed Virginia Avenue Condominiums on Tamarack and Virginia Avenue and Tamarack Avenue met on March 20, 1987 at 9:30 P.M. Present were Council Members Farah and Godfrey, City Engineer Jack Schweitzer, Public Utilities Superintendent William Buckley, Petitioners R. Prescioso and M. Prescioso, Neil Marcus representing R. C. Castleman and Dave Williamson.

The committee reviewed the request for extensions and examined the map and other documents which are associated with it. The extension route from Virginia and Tamarack Avenues intersection to the intersection of Oakland and Second Avenue crosses private properties. The committee suggested to the petitioner that he approach the owners of these properties for easements and return to the committee. The petitioners agreed to do so.

Respectfully submitted,



MOUNIR FARAH, Chairman



ROBERT GODFREY



JOHN ESPOSITO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

PROGRESS REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Sewer and Water Extensions - Tamarack Avenue

The Common Council Committee appointed to review sewer and water extensions to the proposed Virginia Avenue Condominiums on Tamarack and Virginia Avenue and Tamarack Avenue met on March 20, 1987 at 9:30 P.M. Present were Council Members Farah and Godfrey, City Engineer Jack Schweitzer, Public Utilities Superintendent William Buckley, Petitioners R. Prescioso and M. Prescioso, Neil Marcus representing R. C. Castleman and Dave Williamson.

The committee reviewed the request for extensions and examined the map and other documents which are associated with it. The extension route from Virginia and Tamarack Avenues intersection to the intersection of Oakland and Second Avenue crosses private properties. The committee suggested to the petitioner that he approach the owners of these properties for easements and return to the committee. The petitioners agreed to do so.

Respectfully submitted,

MOUNIR FARAH, Chairman

ROBERT GODFREY

JOHN ESPOSITO



48

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

PROGRESS REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Sears Building, 129 Main Street

The Common Council Committee appointed to review the offer to the City to lease the Sears Building at 129 Main Street met at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Rotello, and Godfrey. Also present were Harold Garafalo and Marty Kindgrew from Goodfellow-Ashmore.

Councilman Boynton reported that the Planning Commission had reported in the negative regarding this property. The lack of adequate parking is one of the major drawbacks to this proposal.

Martin Kindgrew made a presentation of adding to the original offer of the Sears Building at 129 Main Street, of the Group W Building at 135 Main Street. The new proposal is as follows:

a. Sears Building - 34,000 square feet @ \$5.15 per square foot at a yearly rental of \$175,000.

b. Group W Building - 8,832 square feet @ \$13.00 per square foot at a yearly rental of \$114,816.

Total 42,832 square feet at \$289,916 per year = \$6.77 square foot average cost per square foot.

Parking - 129 Main Street - 20 parking spaces
135 Main Street - 52 parking spaces

Note: If additional spaces are needed they will be provided by landlord at owners expense.

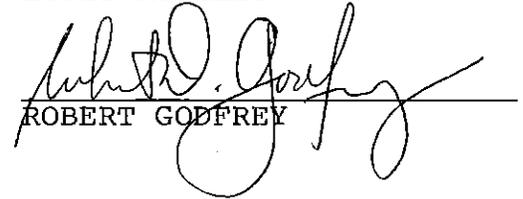
The Committee reviewed the information and decided to refer this matter back to the Planning Commission for review and report, due to the additional information and expansion of the original proposal.

The committee adjourned the meeting at 8:00 P.M. and will review this proposal again once the Planning Commission reports this matter back to the committee.

Respectfully submitted,


ERNEST BOYNTON, Chairman


LOUIS ROTELLO


ROBERT GODFREY



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

PROGRESS REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Sears Building, 129 Main Street

The Common Council Committee appointed to review the offer to the City to lease the Sears Building at 129 Main Street met at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, Rotello, and Godfrey. Also present were Harold Garafalo and Marty Kindgrew from Goodfellow-Ashmore.

Councilman Boynton reported that the Planning Commission had reported in the negative regarding this property. The lack of adequate parking is one of the major drawbacks to this proposal.

Martin Kindgrew made a presentation of adding to the original offer of the Sears Building at 129 Main Street, of the Group W Building at 135 Main Street. The new proposal is as follows:

a. Sears Building - 34,000 square feet @ \$5.15 per square foot at a yearly rental of \$175,000.

b. Group W Building - 8,832 square feet @ \$13.00 per square foot at a yearly rental of \$114,816.

Total 42,832 square feet at \$289,916 per year = \$6.77 square foot average cost per square foot.

Parking - 129 Main Street - 20 parking spaces
135 Main Street - 52 parking spaces

Note: If additional spaces are needed they will be provided by landlord at owners expense.

The Committee reviewed the information and decided to refer this matter back to the Planning Commission for review and report, due to the additional information and expansion of the original proposal.

The committee adjourned the meeting at 8:00 P.M. and will review this proposal again once the Planning Commission reports this matter back to the committee.

Respectfully submitted,

ERNEST BOYNTON, Chairman

LOUIS ROTELLO

ROBERT GODFREY



49

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

JAMES E. DYER, MAYOR

PROGRESS REPORT

May 5, 1987

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

Re: Proposed "Boot" Ordinance

The Common Council Committee appointed to review the proposed "Boot" ordinance postponed its meeting scheduled for April 20, 1987 until May 11, 1987 at 8:00 P.M. to allow time for materials pertaining to the subject to arrive from the Connecticut Conference of Municipalities and to give the Corporation Counsel time to research due process and hearing provisions.

Respectfully submitted,

PHILIP HADLEY, Chairman

ROBERT GODFREY

EDWARD TORIAN



050

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

May 1, 1987

The Honorable James E. Dyer
Mayor of the City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Dear Mayor Dyer:

I have just been notified in a phone call from the U.S. Department of Housing and Urban Development that we have become an Entitlement City under the Rental Rehabilitation Program. As you know, we are currently participating in the Rental Rehabilitation Program through the Connecticut Department of Housing.

Our new status as an Entitlement City means that we will receive a grant of \$58,000.00 directly from HUD. We must however, submit an application and program description to HUD no later than June 1, 1987. I have enclosed our program description as well as a copy of the HUD Form that must be signed by you. We need the Common Council to authorize you to make the application. Due to the June 1 application deadline, this must be placed on the Council's Agenda as soon as possible. I apologize for the short time period in which to act, but we obviously had short notice. Unfortunately, we have to repeat the procedures we already performed for the State-administered program.

Thank you for your consideration.

Respectfully yours,

Paul Schierloh
Associate Director for Housing

PS:jg

Encl.

cc: Eric Gottschalk
Assistant Corporation Counsel

Dom Setaro
Comptroller

CITY OF DANBURY

RENTAL REHABILITATION GRANT PROGRAM

Health and Housing Department
20 West Street
Danbury, CT 06810

PHONE: 797-4626

PROGRAM DESCRIPTION

The purpose of the program is to provide grant assistance to rehabilitate existing privately owned rental housing occupied primarily by low and moderate income tenants. In order to qualify for the program, properties must have at least one existing housing code violation, be located in the Program Area, and have rents available within HUD's Fair Market Rents. The Program Area consists of downtown neighborhoods, consisting of Census Tracts 2101, 2102.

GRANT MECHANISM

The City will provide direct grants to the property owner for 50% of the cost of rehabilitation, based on cost estimates prepared by program staff, up to a City subsidy limit of an average of \$5000 per unit. In order to be eligible for grant funds, the total rehabilitation cost shall not be less than an average of \$600 per unit. The owner must provide financing to match the City's grant on an equal basis. The owner may spend more than the matching amount, but the City's grant cannot exceed an average of \$5,000 per unit. Procedures already in place under the Rehabilitation Program will be employed to derive cost estimates.

HOW TO APPLY

Grant applications are available at the Health and Housing Department located at 20 West Street in Danbury. (Phone: 797-4625).

Once the application is filed, the program staff will arrange to inspect the property with the owner and determine the rehabilitation work to be done. Applications are reviewed by the Application Review Committee and awards announced in a timely manner.

PROGRAM REQUIREMENTS

The following program requirements shall apply:

- A. The owner shall agree not to convert the rehabilitated units in the project building to condominium ownership or any form of cooperative ownership for at least 10 years.
- B. The owner shall agree not to discriminate against prospective tenants on the basis of the receipt of, or eligibility for, housing assistance.
- C. The owner shall agree to the established conditions of affirmatively marketing vacant rehabilitated units for 7 years.

Failure to abide by the above requirements will result in the penalty of grant repayment according to the schedule described in the grant agreement. Grant repayment obligation will be forgiven at a rate of 10% per year, and will be secured by a promissory note.

PROPERTY SELECTION AND REHABILITATION STANDARDS

1. Property Selection: All properties proposed for rehabilitation under this program will be reviewed by City staff and a Rehabilitation Program Committee consisting of the associate director for housing, the City planner, the director of health, and the community development director. Proposals shall be examined for their adherence to all DOH Program requirements and local requirements including the following:
 - A. Properties proposed for rehabilitation must be found upon inspection by City staff to be substandard and requiring a minimum average rehabilitation investment of \$600 per unit for essential, eligible repairs.
 - B. The program subsidy contribution shall not exceed 50% of the total of essential rehabilitation or no more than an average of \$5,000 per unit, whichever is the lesser.
 - C. The property to be rehabilitated must be primarily residential, with at least 51% of the after-rehabilitation rentable floor space used for residential purposes.
 - D. Priority will be given to those projects involving essential repairs which if not promptly attended to would represent a threat to the health and safety of the tenants. This determination shall be made by the Program Committee. Examples of such essential repairs would be unsafe electrical wiring and defective heating systems.
 - E. Projects requiring the relocation of tenants will be discouraged. Such projects will be given lower priority in the selection process. Higher priority will be given to projects not involving the displacement of tenants. In the event that projects involving unavoidable displacement are approved, the requirements of the Uniform Relocation Assistance Act will be implemented and enforced.
 - F. Projects will be evaluated and selected so that a minimum of 70% of program funds are used to rehabilitate units occupied by tenants with incomes below 80% of the MSA median. Priority shall be given to projects involving rehabilitating units occupied by very low-income families (at or below 50% of median). Owner-applicants shall be required to prove tenant income eligibility at the time of application to ensure that these requirements are met.
 - G. Projects shall be evaluated and selected in such a manner that no less than 70% of the total grant allocation is used for rehabilitating units suitable for larger families (2 or more bedrooms).

REHABILITATION STANDARDS

The Program Rehabilitation Standards currently employed in the Danbury Residential Rehabilitation Program will also be used in the Rental Rehabilitation Program. These Standards require that the rehabilitated property meet all provisions of the Danbury Housing and Maintenance Occupancy Code (which contains stricter standards than the Section 8 Existing Housing Quality Standard). Specifications for the rehabilitation work will be prepared by City staff in order to ensure adherence to Program Standards. Inspections of the property during and following the work process will be made to ensure compliance with work specifications and program standards.

MINORITY BUSINESS ENTERPRISE REQUIREMENTS

While the City will not manage the bidding and contractor selection process, the owner shall be required to assure that the required percentages of contracts awarded go to certified small business and minority or women owned business enterprises.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

May 5

A. D., 19

87

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, Federal moneys are available under the Rental Rehabilitation Program administered by the United States Department of Housing and Urban Development pursuant to Section 17 of the United States Housing Act of 1937 (the Act) which was enacted into law in Section 301 of the Housing and Urban-Rural Recovery Act of 1983, Public Law 98-181, Statute 1153; and

WHEREAS, Danbury has been determined to be an Entitlement City for the Rental Rehabilitation Program; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to Department of Housing and Urban Development for Fifty-eight Thousand Dollars (\$58,000.00) in order to undertake a Rental Rehabilitation Program and to execute an Assistance Agreement therefor, should one be offered;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That it is cognizant of the conditions and prerequisites for Federal Assistance imposed by Rental Rehabilitation Program regulations recorded at 24 CFR 511;
2. That the filing of an application by the City of Danbury in an amount not to exceed Fifty-eight Thousand Dollars (\$58,000.00) is hereby approved, and that the Mayor is hereby authorized and directed to file such application with the Department of Housing and Urban Development, to provide such additional information, to execute an Assistance Agreement with the Department of Housing and Urban Development for financial assistance if such an Agreement is offered, to execute any amendments, recensions and revisions thereto, and to act as the authorized representative of the City of Danbury;
3. That all prior action taken by the Mayor of the City of Danbury with respect to this application is hereby ratified.