

COMMON COUNCIL MEETING AGENDA

DECEMBER 6, 1983

Meeting is called to order at 8:00 O'Clock P.M. by the Honorable Mayor James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - JOHNSON, McMGARRY, FOTI, TORCASO, ESPOSITO, GODFREY, FLANAGAN, ZOTOS, CHIANESE, SKOFF, McMANUS, DaSILVA, GALLO, CASSANO, CHARLES, BOYNTON, BUTERA, DURKIN, ERIQUEZ, FARAH, TORIAN.

20 Members Present / Members Absent.

NOTICES FROM MAYOR DYER

CONSENT CALENDAR

The Consent Calendar was

MINUTES ✓ Minutes of Common Council Meetings held on November 1, November 17, and November 21, 1983.

Motion made by _____ & seconded by _____ to waive reading of the minutes which are to be _____ as submitted.

01 ✓ COMMUNICATION - Appointment of Corporation Counsel and Assistants. Appointment of Administrative Assistant to the Mayor.

The Communication was accepted and appointments confirmed.

01-1 ✓ CLAIMS Catherine Neubauer - Edna M. Sullivan - Northside Realty - Patrick Wood - Francis Kieras - Carole Chiarella - Dorothy Wirtes - Peter Botelho.

Claims to be referred to the Claims Committee and Assistant Corporation Counsel for Claims.

02 ✓ RESOLUTION - Grant for replacement of Balmforth Avenue Bridge.

The Resolution was

03 ? RESOLUTION - Increase in amount of Grant Application to update runway lighting system at Danbury Airport.

The Resolution was

June 1, 82

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04 ✓
COMMUNICATION - Sale of Firewood at the Landfill

The Communication was

05 ✓
COMMUNICATION - North Salem-North Ridgefield Environmental Improvement Assoc.
CERTIFICATION VS - Aviation Commission of the Town of Danbury, etc.
& Resolution

The Communication was

05-1 ✓
COMMUNICATION - Release of Mortgage

The Communication was

06 ✓
COMMUNICATION - Drainage problem - Old Shelter Rock Road.

The Communication was

07 ✓
COMMUNICATION - Petition of Eugene Grenier for acceptance of roads -
Westminster Woods subdivision - Cannonball Dr. & Marc Rd.

The Communication was

08 ✓
COMMUNICATION - Request from Ervie Hawley, Jr. and Samuel Roberts to extend
sewer line from Newtown Road to Old Newtown Road.

The Communication was

09 ✓
COMMUNICATION - Our Lady of Guadalupe Church re: Drainage of sewage.

The Communication was

010 ✓
COMMUNICATION - Purchasing Department Bids.

The Communication was

011 ✓
COMMUNICATION - Request from John Val to purchase City property located along
his property at 14 Starr Road.

The Communication was

012 ✓
COMMUNICATION - Request for back pay (pension) for Mrs. Ruth Spencer.

The Communication was

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013 ✓

COMMUNICATION - Request for committee to be appointed to review sewer and water extension proposals.

The Communication was

014 ✓

COMMUNICATION - Request from the Planning Director for a committee re: Enactment of tax incentives for Historical and Architechturally significant properties.

The Communication was

015 ✓

COMMUNICATION - Funds from Danbury Library Board of Directors for additional temporary part-time personnel.

The Communication was

016 ✓

COMMUNICATION - Request for contribution for Cable Television Advisory Council.

The Communication was

017 ✓

COMMUNICATION - Request for additional funds for runway lighting system at Danbury Airport.
&
CERTIFICATION

The Communication was

018 ✓

COMMUNICATION - Request for funds for Civil Service Commission.
&
CERTIFICATION

The Communication was

019 ✓

COMMUNICATION - Request for emergency purchase of a pumper for the Danbury Fire Department. & waiver of bid procedure

The Communication was

020 ✓

COMMUNICATION - Request for funds to replace braking system on Engine #21 - Danbury Fire Department.

The Communication was

021 ✓

COMMUNICATION - Request for additional funds for Danbury Fire Department.

The Communication was

022 ✓

COMMUNICATION - Union Carbide - Offer & Agreement for Softball Backstop.

The Communication was

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023 ✓

COMMUNICATION - Appointments & Re-appointments to the Parks & Recreation Commission.

The Communication was accepted and appointments confirmed.

024 ✓

COMMUNICATION - Re-appointments to the Library Board of Directors.

The Communication was accepted and appointments confirmed.

025 - DEPARTMENT REPORTS

✓
Fire Chief
Fire Marshal
Health Inspector
Housing Inspector
Building Inspector
Aviation Commission
Coordinator of Environmental & Occupational Health Services.

Police Department
Sealer of Weights
Blood Pressure Program
Equal Rights &
Opportunities

Motion to be made to dispense with the reading of the Department Reports which are on file in the office of the City Clerk for public inspection. Reports to be accepted as submitted.

AD HOC COMMITTEE REPORTS

026 ✓

REPORT
&
RESOLUTION

- Sewer Assessments for Morningside Heights Area Part II Project.

The Report was accepted and Resolution adopted.

027 ✓

REPORT
&
RESOLUTION

- Fourth Street Sewer Project Assessments.

The Report was accepted and Resolution adopted.

028 ✓

REPORT
&
RESOLUTION

- Common Council Caucuses.

The Report was

PUBLIC SPEAKING SESSION

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

COMMON COUNCIL -- ROLL CALL

yes

no

BEVERLY JOHNSON	✓	
JOHN McGARRY	✓	
RUSSELL FOTI	✓	
CAROLE TORCASO	✓	
JOHN ESPOSITO	✓	
ROBERT GODFREY	✓	
STEPHEN T. FLANAGAN	✓	
NICHOLAS ZOTOS	✓	
JOSEPH CHIANESE		
PHORA SKOFF	✓	
CONSTANCE McMANUS	✓	
JOSEPH DaSILVA	✓	
BERNARD GALLO	✓	
ANTHONY CASSANO	✓	
LOUIS CHARLES	✓	
ERNEST BOYNTON	✓	
ANET BUTERA		✓
JOSEPH DURKIN	✓	
ELENE ERIQUEZ	✓	
MUNIR FARAH	✓	
EDWARD TORIAN	✓ 1990	1 no of asbact-

Customer Information
 Statement Date JUN 9 1983 Account Number 7 865305 1 1
 Service Used At PETER BOTELHO
24 CENTER ST
1FL
DANBURY CT 06810

Account Status
 PREVIOUS BILL MAY 10 \$41.96
 PAYMENT - THANK YOU - MAY 17 \$41.96 CR

BALANCE \$0.00
 6/18/83
 # 347

METER #	BILLING PERIOD FROM	TO	DAYS	METER READING PREVIOUS	CURRENT	KILOWATT HOURS USED
28400990	MAY 6	JUN 6	31	8440	8598	158

THIS IS YOUR ELECTRIC BILL CALCULATION:

CUSTOMER SERVICE CHARGE		\$7.350000	
ENERGY CHARGE	158 KWH X \$0.082650	\$13.058700	
FUEL ADJUSTMENT	158 KWH X \$0.002240	\$0.353920	CR
GU ADJUSTMENT	158 KWH X \$0.001230	\$0.194340	CR
OC ADJUSTMENT	158 KWH X \$0.000376	\$0.059408	
TOTAL CHARGE RATE 001		\$19.919848	\$19.92

METER #	BILLING PERIOD FROM	TO	DAYS	METER READING PREVIOUS	CURRENT	100 CUBIC FEET USED
00255340	MAY 6	JUN 6	31	1745	1760	15

THIS IS YOUR GAS BILL CALCULATION:

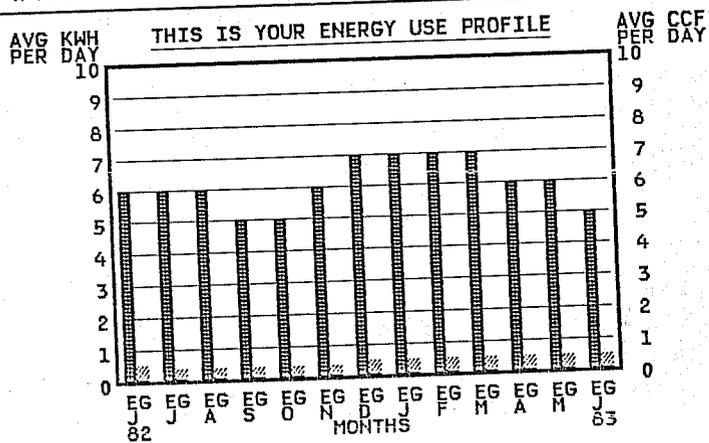
CUSTOMER SERVICE CHARGE		\$5.600000	
ENERGY CHARGE	15 CCF X \$1.033200	\$15.498000	
FUEL ADJUSTMENT	15 CCF X \$0.033500	\$0.502500	CR
TOTAL CHARGE RATE 2		\$20.595500	\$20.60
REPAIR OF YOUR APPLIANCE		\$16.000000	\$16.00

AMOUNT NOW DUE \$56.52

- ENERGY THEFT IS A PROBLEM FOR ALL OF US. SEE THE INSERT FOR DETAILS.

If You Have Questions, Please Call 744-0711.

Next Reading On/About JUL 8.



BILLING PERIOD	JUN 1982	JUN 1983
AVG DAILY KWH	6	5
AVG DAILY CCF	0.5	0.5
AVG DAILY TEMP	62	58

THIS IS INFORMATION ON YOUR RATE.

RATE 001 RESIDENTIAL ELECTRIC SERVICE
 CUSTOMER SERVICE CHARGE \$7.35
 ENERGY CHARGE ALL KWH \$0.08265 /KWH

RATE 2 RESIDENTIAL GAS SERVICE
 CUSTOMER SERVICE CHARGE \$5.60
 ENERGY CHARGE
 FIRST 100 CCF \$1.03320 /CCF
 ALL OVER 100 CCF \$0.94790 /CCF

ADDITIONAL RATE INFORMATION IS ON THE REVERSE SIDE.



Please Bring Entire Bill

ALLSTATE INSURANCE COMPANY

B 484 Farmington Ct.

✓
1-1

M E S S A G E

R E P L Y

TO [Tower Clerk]
[City of Danbury]

DATE

DATE 11-283 - 215 1844202

Jws - Newbauer

RECEIVED

NOV 8 1983

OFFICE OF CITY CLERK /

We have attached
our reporting papers
for loss to our insured
vehicle, caused by a
raised market cover
on 6-25-83 -

Please acknowledge
the claim -

BY

Jack Shis

SIGNED

INSTRUCTIONS TO SENDER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES INTACT.

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

POLICE ACCIDENT REPORT

PA-1 Rev. 2-81

ONLY

Please send to STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
Accident Security Unit
60 State Street
Wethersfield, Connecticut 06109

1-6 MVD CASE NUMBER

4

DATE OF ACCIDENT (month) (day) (year) 06/05/83	DAY OF WEEK Sat	13 16 TIME (military) 06:58	#KILLED 0	#INJURED 0	#OF VEHICLES INVOLVED 1	POLICE CASE NUMBER 83-16976
CITY OR TOWN (name) (City/Town Code) DANBURY / 1034		ACCIDENT OCCURRED ON (street name or route #) AT ITS INTERSECTION WITH (street name or route #) WILDMAN				
1. Give distance and <input checked="" type="checkbox"/> either "Feet" or "Tenths" of a mile. 2. Check (✓) direction. 30 <input type="checkbox"/> Feet North <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> Tenths						3. Give nearest intersecting street (name or route #) underpass, overpass, bridge, river or town line. DO NOT USE house #, utility pole #, or business name. CHAPPELLE

OPERATOR AND VEHICLE #1

OPERATOR #1 NAME (last first middle initial)
NEUBAUER, CATHERINE

ADDRESS (street number and name)
52 PANGLOSS AVE

CITY OR TOWN STATE ZIP CODE
DANBURY CONN 06810

Lic State 24-48 OPERATOR LICENSE NUMBER 06 172829967 49-54 Date of Birth 05/12/54 DOT ONLY 11

VEHICLE #1 OWNER NAME (if same as operator #1 enter "same")
SAME

ADDRESS (street number and name)

CITY OR TOWN STATE ZIP CODE

49-41 PLATE # AND STATE CODE NV 31891 0:6 VEHICLE YEAR AND MAKE 81 Plym.

VEHICLE MODEL NAME TC 3 BODY TYPE (e.g. 4-door sedan, truck, etc.) 2 dr

44-51. VEHICLE IDENTIFICATION NUMBER (not engine number)
1P3BL1441B0234453K DOT ONLY 12

Did operator carry a current Conn. No-Fault Insurance I.D. card in vehicle as required under P.A. 79-577 YES NO Allstate 019773892

PARTS OF VEHICLE DAMAGED (e.g. left-front fender, etc.)
UNDERSIDE.

VEHICLE #1 TOWED TO (if not towed, indicate "none")

OPERATOR AND VEHICLE #2 (or pedestrian)

OPERATOR #2 OR PEDESTRIAN NAME (last first middle initial)

ADDRESS (street number and name)

CITY OR TOWN STATE ZIP CODE

Lic State 9-33 OPERATOR LICENSE NUMBER 2 34-39 Date of Birth 1/1

VEHICLE #2 OWNER NAME (if same as operator #2 enter "same")

ADDRESS (street number and name)

CITY OR TOWN STATE ZIP CODE

47-43 PLATE # AND STATE CODE 1 VEHICLE YEAR AND MAKE

VEHICLE MODEL NAME BODY TYPE (e.g. 4-door sedan, truck, etc.)

1-24 VEHICLE IDENTIFICATION NUMBER (not engine number) 3

Did operator carry a current Conn. No-Fault Insurance I.D. card in vehicle as required under P.A. 79-577 YES NO

PARTS OF VEHICLE DAMAGED (e.g. left-front fender, etc.)

VEHICLE #2 TOWED TO (if not towed, indicate "none")

DAMAGE TO PROPERTY OTHER THAN INVOLVED VEHICLES

1 Describe the property and extent of damage (e.g. 50 feet of fence knocked down)

2 Give name and address of property owner

WITNESSES

AGE SEX NAME AND ADDRESS OF WITNESS

AGE SEX NAME AND ADDRESS OF WITNESS

ALL INVOLVED PERSONS

J	K	L	M	N	O	P	Q
25	26	27-28					
29	30	31-32					
33	34	35-36					
37	38	39-40					
43	44	45-46					
47	48	49-50					
53	54	55-56					
59	60	61-62					
65	66	67-68					
71	72	73-74					

CATHERINE Newbauer

52 PANQUIOQUE Ave

SI

Make Ply.

Model HORIZON TC3

Date 7-19-83

Bus. Phone 438-9657

State

Zip

Phone Res. 744-4820

I.D. No. 1P3BL14A4BU23 4453

Written by

Prod. Date

Trim

Mileage

License No.

Allstate

6-25-83

File No.

Claim No. 2151844202

P.O. No.

TGB

Lic. No.

Phone

Deductible/Benefit

200⁰⁰

DESCRIPTION OF DAMAGE	PARTS	LABOR	PAINT	ALL O
✓ Suspension x-member	384 85	1 5		
R/R ✓ Susp. O.A		4 0		
R/R ✓ STERLING		2 2		
✓ Lower Cont. Arms *	83 25	INC		
✓ U/S " " Bolt	1 83			
Align ✓ FRONT END		1 0		
✓ U/S Drive Axle Assy (HAS TO BE ASSEMBLED) *	384 95	2 0		
✓ Frame		4 0		
✓ Sheet linkage + Adjust		1 0		
✓ Ignition Switch + Column		6		
✓ R/F Park Lite Assy		2		
✓ Fender R/F		3 0	2 0	
Tax To Shop				25
	855 38			
10% def. on ITEMS MARKED *	46 87			
5% DISCOUNT	808 51			
	40 42			
	768 09			
TOTALS				

I hereby authorize the above work and acknowledge receipt of copy, signed X

CAR LAND AUTO BODY, INC.

8 North Street
Danbury, Connecticut 06810
Phone (203) 743-9203

PARTS Prices subject to invoice	\$ 768 ⁰⁹
LABOR 195 hrs. @ \$24-	\$ 468 ⁰⁰ ✓
Shop Supplies	\$
PAINT 2 ⁰⁰ hrs. @ \$24-	\$ 48 ⁰⁰ ✓
Paint Supplies	\$ 14 ⁰⁰ ✓
Towing/Storage	\$ 25 ⁰⁰ ✓
Sublet/Miscellaneous	\$
SUB TOTAL	\$
TAX	\$ 58 ⁶⁸
TOTAL ESTIMATE	\$ 1382 ¹¹ ✓

DIRECTION TO PAY

TO: ALLSTATE INSURANCE COMPANY

RE: CLAIM NO: 2151844202

INSURED: CATHERINE Neubauer

DATE OF COLLISION: 6-25-83

THE UNDERSIGNED HEREBY AUTHORIZES YOU TO PAY THE SUM OF \$ 1182¹⁷ ✓

FOR DAMAGES ARISING OUT OF THE ABOVE CAPTIONED CLAIM DIRECTLY TO

CARLAND Auto Body
8 NORTH ST DANBURY CT 06810

DATE: _____ CLAIMANT: _____
INSURED SIGNATURE: Catherine Neubauer

POLICY NUMBER	DATE ISSUED			CLAIM NUMBER	IRS
	MONTH	DAY	YEAR		
<u>210773892</u>	<u>07</u>	<u>25</u>	<u>83</u>	<u>2151844202</u>	<u>1115</u>
INSURED					
CLAIMANT					
IN PAYMENT OF					CHECK NUMBER
<u>Auto all claim</u>					<u>79202083</u> 5
					FILE COPY
PAY					\$ <u>1182¹⁷</u>
<input checked="" type="checkbox"/> ALLSTATE INSURANCE CO. <input type="checkbox"/> ALLSTATE INDEMNITY CO.					
<input type="checkbox"/> NORTHBROOK PROPERTY AND CASUALTY INSURANCE CO.					
<input type="checkbox"/> NORTHBROOK INDEMNITY CO.					
<input type="checkbox"/> NORTHBROOK NATIONAL INSURANCE CO.					
TO THE ORDER OF					
<u>Carland Auto Body</u>					
<u>8 North St</u>					
<u>Danbury, CT 06810</u>					

NON-NEGOTIABLE
AUTHORIZED SIGNATURE



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

December 6, 1983

Honorable Members of the Common Council
City of Danbury, Connecticut

Re: State Grant for Replacement of Balmforth Avenue Bridge
over Padanaram Brook - State Project No. 34-186.

Dear Council Members:

I am pleased to announce that through our efforts the State of Connecticut has agreed to assist the City of Danbury in the replacement of the Balmforth Avenue Bridge over Padanaram Brook. In accordance with the attached contract, federal funds will be made available to the State of Connecticut to pay for 80% of the design cost of this project, estimated to be \$55,000. The balance will be paid through the use of bond funds approved in connection with the Danbury Road Improvement Project.

This commitment is most timely in that it will allow Danbury to use the funds that would have been required for this project to further other road improvements.

Please consider the adoption of the attached Resolution which would authorize me to execute the necessary documents.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "James E. Dyer".

James E. Dyer
Mayor of the City of Danbury

JED/mr
Attachment

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6, _____ A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:



WHEREAS, the City of Danbury wishes to replace the Balmforth Avenue Bridge over Padanaram Brook; and

WHEREAS, federal funds are available for 80% for design of this project, to be known as Federal Aid Project No. BRM-3479(1) PE; and

WHEREAS, the City of Danbury is required to enter into an agreement with the State of Connecticut in order to obtain said funds;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor James E. Dyer be and hereby is authorized to enter into such contract with the State of Connecticut and to take any additional action necessary to accomplish said project and the funding thereof.

AGREEMENT
BETWEEN THE STATE OF CONNECTICUT
AND
THE CITY OF DANBURY
FOR
DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS AND ESTIMATES
FOR
THE REPLACEMENT OF BALMFORTH AVENUE BRIDGE OVER PADANARUM BROOK

STATE PROJECT NO. 34-186
FEDERAL AID PROJECT NO. BRM-3479(1) PE

THIS AGREEMENT, concluded at Wethersfield, Connecticut, this day of , 19 , by and between the State of Connecticut, Department of Transportation, J. William Burns, Commissioner, acting herein by Robert W. Gubala, Transportation Chief Engineer, Bureau of Highways, duly authorized, hereinafter referred to as the State and the City of Danbury, 155 Deer Hill Avenue, Danbury, Connecticut, acting herein by James F. Dyer, its Mayor, hereunto duly authorized and hereinafter referred to as the Municipality.

WITNESSETH THAT:

WHEREAS, Title 23, U.S.C., Section 144, as amended, authorized grants for the replacement or rehabilitation of unsafe highway bridges on and off the federal-aid roadway system, and

WHEREAS, Section 13a-165 of the General Statutes of Connecticut, as revised, authorizes the Commissioner of Transportation to apply for and to obtain money, grants or other benefits from the United States or any agency thereof in connection with roads, bridges or highways and to approve all programs, conclude all agreements, accept all deeds, make all claims for payment, certify all matters and do any and all other acts and things necessary or desirable to meet the requirements of and obtain such money, grants or benefits from the United States or any agency thereof, and

WHEREAS, the Municipality has requested the replacement of the Balmforth Avenue bridge over the Padanarum Brook, which route has been approved as a part of the Federal-Aid Urban Systems network in the State, and

2

WHEREAS, said improvements include, but are not limited to, replacement of the Balmforth Avenue bridge and are identified by State Project No. 34-186 and Federal Project No. BRM-3479(1), hereinafter referred to as the Project, and

WHEREAS, it has been determined that the State will develop the required construction contract plans for the Project.

NOW, THEREFORE, KNOW YE THAT:

THE PARTIES HERETO AGREE AS FOLLOWS:

THE STATE SHALL:

(1) Perform the preliminary engineering and preliminary right-of-way activities for the Project including field survey and the development of the required construction contract plans in compliance with applicable requirements and standards of the Municipality, the State and the Federal Highway Administration.

(2) Utilize Bridge Replacement and Rehabilitation fund apportionments made to the State by said U.S. Secretary of Transportation under the provisions of Title 23, U.S.C., Section 144, for the development of the required construction contract plans and for the Project.

(3) Make the necessary arrangements to secure the maximum possible reimbursement of Project costs by the Federal government.

(4) During design of the Project consult with the Municipal planning, conservation and environmental agencies to secure local input to the plan development and assist the Municipal officials in obtaining any required Federal, State or local permits or authorizations to construct the Project.

(5) When requested by the Municipality, schedule and conduct meetings with the Municipality and/or any third party affected by the Project.

(6) Assist the Municipality in conducting a public hearing or hearings at the time that the Project has developed to the stage at which such a hearing or hearings become necessary.

THE MUNICIPALITY SHALL:

(7) Grant to the State all rights required to develop the Project construction contract plans.

(8) Furnish to the State assistance and any available information possessed by the Municipality which is necessary for the proper development of the Project.

(9) Pay to the State Treasurer upon demand the sum of Eleven Thousand Dollars (\$11,000) which sum represents the Municipality's proportionate share of the estimated cost of professional, technical and engineering services to be rendered by the State in developing the contract plans and documents for the Project. This amount has been determined using the following cost estimate and funding percentages:

Federal Share	80%	\$44,000
Municipality's Share	20%	11,000
Total Estimated Cost		<u>\$55,000</u>

The Municipality also agrees to reimburse the State for any preliminary rights-of-way activities necessary for the completion of the Project.

(10) In the event that right-of-way acquisition for, or actual construction of, the Project is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed, the Municipality will reimburse the State, the sum or sums of funds expended by the State under the terms of this Agreement.

(11) Agree that the State may regulate the use of the right-of-way of the hereinbefore described route on the Federal-Aid Urban Systems network by utility facilities or utilities as provided in Section 13a-98(f) of the General Statutes of Connecticut as revised, and the Municipality will assist and cooperate in enforcing such regulations and will issue an appropriate order to any utility to readjust or relocate in or remove its utility facility at its own expense from such Federal-Aid Urban Systems route as is deemed necessary. The cost of adjusting, relocating, or removing any municipally owned utility facility shall be apportioned on the same basis as the cost of constructing the Project.

(12) Conduct a public hearing or hearings when required by the State or the Federal Highway Administration, and conduct such hearing in compliance with the Federal Highway Program Manual, Volume 7, Chapter 7, Section 5 with the cooperation of the State and Federal Highway Administration.

(13) Designate an individual to act as liaison with the State to provide for the proper interchange of information.

(14) In conjunction with the construction agreement provide the means for the future maintenance and operation of the proposed improvements, and provide documentation of this acceptable to the State and Federal Highway Administration.

THE STATE AND THE MUNICIPALITY MUTUALLY AGREE:

(15) To negotiate as necessary further agreements relative to rights-of-way activities, construction, maintenance, evaluation and costs of the Project.

(16) That the final payment by the Municipality to the State shall be based upon the actual engineering cost as determined by a post-engineering audit, using the percentage established as the Municipality's share.

(17) That the State, on written notice, may suspend, postpone, abandon or terminate this Agreement, and such action shall in no event be deemed a breach of contract. Such postponement, suspension, abandonment or termination may come about the convenience of the State or may become necessary as a result of the Municipality's failure to render to the State's satisfaction adequate compliance with the terms of this Agreement.

(18) This Agreement shall be terminated upon mutual consent of the Municipality and State upon satisfactory completion of the conditions of the Agreement as hereinbefore stated.

(19) The Municipality agrees that during the term of this Agreement, including any extension thereof, it shall indemnify and save harmless the State, its officers, agents and employees from all claims, suits, actions, damages and costs of every name and description resulting from or arising out of operations conducted by the City under this Agreement or prior to the execution of this Agreement, and that such indemnification shall not be limited by reason of any insurance coverage.

(20) The Municipality shall comply with the Regulations of the United States Department of Transportation (Title 49, Code of Federal Regulations, Part 21) issued in implementation of Title IV of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d - 2000d-4, and Appendix CR attached hereto, both of which are hereby made a part of this Agreement.

(21) The Municipality agrees and warrants that in the performance under this agreement it will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, sex, mental retardation or physical disability including, but not limited to blindness, unless it is shown by the Municipality that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the Municipality as relate to the provisions of Section 4-114a of the General Statutes of Connecticut, as revised. The Municipality agrees and warrants that it will make a good faith effort to employ minority business enterprises as subcontractors and suppliers of materials on such Project.

(22) This Agreement is subject to the provisions of Governor's Executive Order No. Three promulgated June 16, 1971 and as such, this Agreement may be cancelled, terminated or suspended by the

state labor commissioner for violation of or noncompliance with said Executive Order No. Three, or any state or federal law concerning nondiscrimination, notwithstanding that the State Labor Commissioner is not a party to this Agreement. The parties to this Agreement, as part of the consideration hereof, agree that the State Labor Commissioner shall have continuing jurisdiction in respect to performance in regard to nondiscrimination, until the Agreement is completed or terminated prior to completion.

(23) Both parties agree, as part consideration hereof, that this Agreement is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that they will not discriminate in their employment practices or policies, will file reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner. A copy of said Guidelines is attached and hereby made a part of this Agreement.

(24) The Municipality agrees that the attached Appendix MB entitled "Administrative Memorandum No. 73, Subject: Requirements of Title 49, CFR Part 23", dated July 5, 1983, is hereby made a part of this Agreement. The State advises the Municipality that failure to carry out the requirements set forth in Appendix MB: Requirements of Title 49, CFR Part 23 shall constitute a breach of contract and may result in termination of the Agreement by the State or such remedy as the State deems necessary.

(25) It is further understood and agreed by the parties hereto, that the Municipality waives Governmental Immunity (by way of the State's Governmental Immunity) as a defense and shall not use the defense of such Governmental Immunity in the adjustment of claims or in the defense of any suit, unless requested by the State.

(26) This Agreement is executed subject to the Governor's Executive Order No. 17, a copy of which is attached hereto and made a part of this Agreement. Governor's Executive Order No. 17 requires inter alia, that all contractors and subcontractors shall list all employment openings with the office of the Connecticut State Employment Service in the area where the work is to be performed or where the services are to be rendered. Failure of the Municipality to conform with the requirements of the Governor's Executive Order No. 17 and any orders, rules or regulations issued pursuant thereto shall be a basis for termination of this Agreement by the State.

(27) It is mutually understood and agreed by the parties hereto that any official notice from one such party to the other such party (or parties), in order for such notice to be binding thereon, shall:

(a.) - be in writing addressed to:

(i) when the State is to receive such notice -

Commissioner of Transportation,
Connecticut Department of Transportation,
24 Wolcott Hill Road,
P. O. Drawer A,
Wethersfield, Connecticut 06109;

(ii) when the second party (or parties) is (are)
to receive such notice -

the person(s) acting herein as signatory for
the second party (or parties) receiving such
notice;

(b.) - be delivered in person or be mailed United States
Postal Service - "Certified Mail" to the address
recited herein as being the address of the
party(ies) to receive such notice; and

(c.) - contain complete and accurate information in suf-
ficient detail to properly and adequately identify
and describe the subject matter thereof.

The term "official notice" as used herein, shall be con-
strued to include but not be limited to any request,
demand, authorization, direction, waiver, and/or consent
of the party(ies) as well as any document(s) provided,
permitted, or required for the making or ratification of
any change, revision, addition to or deletion from the
document, contract, or agreement in which this "official
notice" specification is contained.

Further, it is understood and agreed that nothing herein-
above contained shall preclude the parties hereto from
subsequently agreeing, in writing, to designate alternate
persons (by name, title, and affiliation) to which such
notice(s) is(are) to be addressed; alternate means of
conveying such notice(s) to the particular party(ies);
and/or alternate locations to which the delivery of such
notice(s) is(are) to be made, provided such subsequent
agreement(s) is(are) concluded pursuant to the adherence
to this specification.

(28) The Municipality hereby acknowledges and agrees to comply
with the policies enumerated in Administrative Memorandum No. 4
dated November 18, 1981 Re: State Employee Code of Ethics, a copy
of which is attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year indicated.

WITNESSES:

STATE OF CONNECTICUT
Department of Transportation
J. William Burns, Commissioner

NAME

By _____ (Seal)

Robert W. Gubala
Chief Engineer
Bureau of Highways

NAME

Date: _____

CITY OF DANBURY

NAME

By _____ (Seal)

James E. Dyer
Mayor

NAME

Date: _____

APPROVED AS TO FORM:

APPROVED:

Attorney General

Secretary-Office of Policy &
Management

Date: _____

Date: _____



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

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

Mr. D. Garamella, Director of Public Works has requested Common Council authorization to sell firewood at the Landfill on Dec. 11th and December 18th, 1983 from 10:00 A.M. to 2:00 P.M.

Wood will be sold in bundles of 15 pieces for \$3.00. The proceeds of the sale would be used to purchase toys for needy children to be distributed by the Marine Corps League and for the Dorothy Day Hospitality House.

Mr. Garamella asked for volunteers from the Common Council, the Public Works Department and the Tree Department to man the wood lot for the four hours necessary for the sale.

Constance McManus

Constance McManus
Common Council President

CM/mr



4

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

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

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Constance McManus
Common Council President

CM/mr

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

NORTH SALEM-NORTH RIDGEFIELD ENVIRONMENTAL
IMPROVEMENT ASSOCIATION; CHARLES TEAMAN;
JUDITH TEAMAN; and BERNARD PERLIN;
individually, and for those similarly
situated

PLAINTIFFS

VS.

THE AVIATION COMMISSION OF THE TOWN OF
DANBURY; THE CITY OF DANBURY; PAUL ESTEFAN,
Commissioner of the DANBURY AVIATION
COMMISSION; JAMES DYER, Mayor of the CITY
OF DANBURY; SADLER BEECH AERO CENTER, INC.;
BLUEBIRD AVIATION CORP.; CONNECTICUT AIR
SERVICE, INC.; and DANBURY SCHOOL OF
AVIATION, INC.

DEFENDANTS

CIVIL ACTION

NO. B 83 621 EBB

(Date)
OCTOBER 24, 1983

MOTION FOR EXTENSION OF TIME

The defendants, City of Danbury, The Danbury Aviation Commission,
James Dyer and Paul Estefan, respectfully move this court, pursuant to Rule 6
of the Federal Rules of Civil Procedure, for an extension of time until
(Date?)
December 2, 1983 within which to file a response to plaintiffs' pleading. [E]

Defendants' counsel has inquired of opposing counsel and represents to this

[E] add: " this motion is necessitated
by the filing of plaintiffs amended
complaint dated November 21, 1983. That
amended complaint contains allegations
involving conduct of Ass't. Corp. Cnl.
Etc. it is expected that the
(over)

CITY OF DANBURY
OFFICE OF THE
CORPORATION
COUNSEL

try
file 11.6.83



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
TERRY L. SACHS

December 6, 1983

PLEASE REPLY TO:

P. O. Box 1261
DANBURY, CT 06810

ASSISTANT CORPORATION
COUNSEL

Hon. James E. Dyer, Mayor
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: North Salem-North Ridgefield Environmental Improvement Association
vs. The Aviation Commission of The Town of Danbury et al

Dear Mayor:

The above-captioned matter alleges that the defendants who will include the Aviation Commission, the City of Danbury, the Mayor of the City of Danbury and the Chairman of the Danbury Aviation Commission conspired to adopt flying rules at the Danbury Airport allegedly causing an inordinate amount of noise and nuisance upon and over property of the plaintiffs in violation of the General Statutes of the State of Connecticut and Fifth and Fourteenth Amendments of the Constitution of the United States. Damages in the amount of \$30,150,000 are sought.

The matter has been defended to date by my office, but it has become clear that this matter will require the expertise of a law firm which is conversant with Federal Aviation Administration Regulations, noise pollution law and practice in the United States District Court in aviation matters. Inquiry among the few law firms in the New England area which have this specialized form of knowledge reveals that the sum of \$20,000 should be allocated as a retainer for the purpose of engaging outside counsel to assist the City of Danbury in the defense of this action.

Accordingly, and pursuant to Section 6-4 of the Charter of the City of Danbury, I do request the Common Council to provide by resolution for the employment of such outside counsel. I also request the transfer of the sum of \$20,000 from the Contingency Reserve into the Litigation Special Account (02-0108). I would also ask that this request be acted upon as soon as possible in order that such outside counsel may participate in matters now pending

Hon. James E. Dyer, Mayor
Re: North Salem-North Ridgefield Environmental Improvement Association
vs. The Aviation Commission of The Town of Danbury et al

December 6, 1983

before the Federal District Court and which should be reached later this month.

Very cordially yours,



Theodore H. Goldstein
Corporation Counsel

THG:cr

c: Constance A. McManus, President
Common Council



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6 _____ A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

THAT the Corporation Counsel be and hereby is authorized to engage outside counsel to assist the City of Danbury in defense of the action brought by North Salem-North Ridgefield Environmental Improvement Association et al vs. The Aviation Commission of The Town of Danbury et al. A sum not to exceed \$20,000 as a retainer fee is hereby allocated for such purpose.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT
OF FINANCE

December 6, 1983

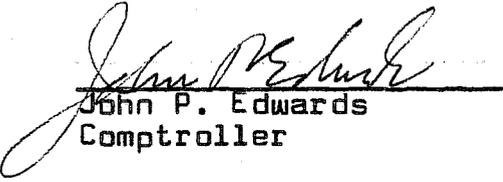
TO: Common Council via
Mayor James E. Dyer

Certification #21

FROM: John P. Edwards

We hereby certify \$20,000.00 as being available in the Contingency Account which may be transferred to the Corporation Counsel's Office for defense of the lawsuit regarding airport noise.

Previous balance of Contingency Fund	\$162,794.58
Less pending requests	13,000.00
Less this request	3,000.00
	<u>\$129,794.58</u>


John P. Edwards
Comptroller

JPE/af



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN,
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
ASSISTANT CORPORATION
COUNSEL

PLEASE REPLY TO:
P.O.Box 1261
DANBURY, CT 06810

November 30, 1983

Hon. James E. Dyer, Mayor
City of Danbury
155 Deer Hill Avenue
Danbury, CT. 06810

Re: Release of Mortgages
Keating Property
35 Hakim Street Extension
Danbury, CT.

Dear Mayor:

On March 1, 1955 and March 3, 1955 Emergency Veteran Mortgages were granted by the City of Danbury to Edward Keating and Viola W. Keating. No indebtedness with respect to the same remains on any records of the City of Danbury and counsel for the Keating family has requested the execution of releases of said mortgages.

Inasmuch as this is legally a grant of an interest in real estate belonging to the City, approval of at least two-thirds of all of the members of the Common Council must be received in order to enable you to sign such release.

Will you kindly, therefore, place this request before the next meeting of the Common Council.

Very cordially yours,

Theodore H. Goldstein
Theodore H. Goldstein,
Corporation Counsel

THG/sn

cc: Constance A. McManus, Council President

Baker & Moots

Law Offices

Fred L. Baker
Roland F. Moots, Jr.
Cynthia Fox Henggeler

205 Main Street
P.O. Box 244
Danbury, CT 06810
203-792-8765

One Aspetuck Avenue
P.O. Box 1319
New Milford, CT 067
203-355-4191

Reply to: Danbury

November 23, 1983

The Office of the City Engineer
City of Danbury
City Hall
Deer Hill Avenue
Danbury, Connecticut 06810

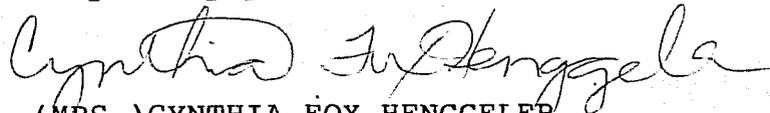
Dear Sir:

Please be advised that this office represents Mr. Robert Lubus, owner of property located on Old Shelter Rock Road (Assessor's Lot K 14156) in the City of Danbury.

Despite previous communications and requests by my client, the City of Danbury continues to illegally drain water onto Mr. Lubus' property. Said drainage has and continues to cause severe erosion of soil and damage to curbing. Further, the severity of the erosion is such that there is grave danger of an uprooted tree falling on said property and the existing dwelling house.

The City of Danbury is hereby commanded to cease and desist said illegal drainage and make repair and restitution to the subject property immediately. Failure to do so will result in a law suit being instituted against the City of Danbury for actual and consequential damages.

Very truly yours,


(MRS.) CYNTHIA FOX HENGGELER

CFH:ajb

cc: Honorable James Dyer
Corporation Counsel
Town Clerk
Mr. Robert Lubus

7

CHAN & MITCHELL
ATTORNEYS AT LAW
107 SOUTH STREET
POST OFFICE BOX 119
DANBURY, CONNECTICUT 06810

JACKIE CHAN

DONALD A. MITCHELL

(203) 748-2299

October 24, 1983

RECEIVED

OCT 27 1983

OFFICE OF CITY CLERK

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

Re: Petition for Acceptance of Roads
Westminster Woods Subdivision
Cannonball Drive and Marc Road

TO THE COMMON COUNCIL FOR THE CITY OF DANBURY:

Please be advised that this law firm represents Mr. Eugene Grenier with regard to the development of his Danbury subdivision, Westminster Woods, at Cannonball Drive and Marc Road. Please accept this letter as Mr. Grenier's formal petition to the City of Danbury for the acceptance and dedication of the subject roads by the City of Danbury for ownership, care and maintenance. It is our understanding that the roads are satisfactory to the City Engineer's office insofar as construction. The petitioner would propose that any minor deficiencies be bonded for remedial correction work.

We further understand that the requisite "as-built" plans have been delivered to the City Engineer and approval has been given by the Danbury Tree Warden for the planting of trees pursuant to the Danbury Subdivision Regulations.

We would appreciate it if the proper action is taken with regard to this petition by reference to the appropriate committees, etc.

Thank you.

Sincerely,
CHAN & MITCHELL

By: _____

JACKIE CHAN

CUTSUMPAS, COLLINS & HANNAFIN

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

148 DEER HILL AVENUE - P. O. Box 440

DANBURY, CONNECTICUT 06810

LLOYD CUTSUMPAS
FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
DAVID J. DEMARS
PAULA FLANAGAN

AREA CODE 203
744-2150

November 22, 1983

Common Council
City of Danbury
City Hall
Danbury, Connecticut 06810

Re: 70-72 Newtown Road
Danbury, Connecticut

Dear Members of the Common Council:

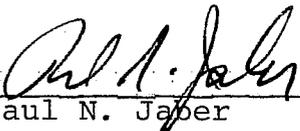
Please be advised that I represent Ervie S. Hawley, Jr. and Samuel Roberts in connection with premises they own at 70-72 Newtown Road, Danbury, Connecticut. Said premises are currently being constructed for a shopping center known as Nutmeg Square Shopping Center. Some time ago Messrs. Hawley and Roberts obtained approval to extend the sewer line to said premises. Now in the construction phase of said building it has become apparent that extending the sewer line to the main in Old Newtown Road would be a better alternative. We are, therefore, petitioning the Common Council for approval to extend the sewer line from the premises to Old Newtown Road.

Thank you for your consideration in this matter.

Yours very truly,

CUTSUMPAS, COLLINS & HANNAFIN, P.C.

By


Paul N. Jaber

PNJ:lz

✓
9

WANDERER, HANNA & TALARICO

ATTORNEYS AND COUNSELORS AT LAW

RICHARD HANNA
ROBERT N. TALARICO

142 DEER HILL AVENUE P. O. BOX 57

DANBURY, CONNECTICUT 06810

(203) 792-8333

HERBERT B. WANDERER
(1902-1979)

November 4, 1983

Common Council
City of Danbury
c/o City Clerk's Office
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Our Lady of Guadalupe Roman Catholic Church

Dear Ladies and Gentlemen:

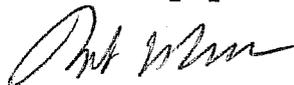
This office represents Our Lady of Guadalupe Roman Catholic Church which proposes to construct a new church and rectory on Golden Hill Road in the City of Danbury. A Special Exception Application and Site Plan Approval request is presently pending before the Planning Commission of the City of Danbury.

My client intends to connect the church and adjacent rectory into the same force main, which force main will pump sewage into the municipal sewer line located in Golden Hill Road.

The attached letter from the office of the City Engineer indicates that Common Council approval is necessary.

The purpose of this letter is to request that approval. Please advise me as to when I may meet with a committee of the Common Council.

Sincerely yours,



Robert N. Talarico

RNT/pl

cc: John A. Schweitzer, Jr., City Engineer
Kasper-Ryan Associates
Eric Gottschalk, Corporation Counsel
Bernard A. Reidy



COPY

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

JOHN A. SCHWEITZER, JR.

City Engineer

November 2, 1983

ENGINEERING DIVISION

797-4641

Mr. Edmund C. DeVeaux
Chairman
Planning Commission
City of Danbury
Danbury, Connecticut

Dear Mr. DeVeaux:

Our Lady of Guadalupe Church
Golden Hill Road
Code No. SE259

We have reviewed the above-captioned proposed site plan and the attached drainage computations and offer the following comments:

A. Sanitary Sewer

1. This office would like to review the projected flow figures for the proposed church and rectory.
2. Common Council approval will be required since both structures will be connected to the same force main.
3. Are there any existing wells in the area? If so are the separation distances in accordance with the requirements of the State Health Code?
4. The existing lateral run to this parcel during the construction of the sewer main is to be used.
5. The sewer service must run by gravity from the right of way line to the existing lateral. The connection of the force main to the gravity portion is to be approved by the City's Plumbing Inspector.

B. Storm Drainage

1. Rights to drain are to be acquired from downstream property owners for the anticipated 4.9 cfs (2,200 ± gallons per minute) increase in runoff.
2. We question the use of the same time of concentration and therefore the same rainfall intensity for both pre- and post-development conditions. Is this really so?

(continued Page 2)

Mr. Edmund C. DeVeaux
Chairman - Planning Commission
Re: Our Lady of Guadalupe Church

November 2, 1982

3. Do the existing 6 inch drain and concrete culvert at the southerly property line have enough excess capacity to handle the expected increase in runoff?

4. Are there any negative downstream effects to be expected due to this proposed development?

5. The site is to be graded in a manner that allows no runoff from the developed portion to flow into Golden Hill Lane.

6. Will the entire length of gravel spreader be utilized or just the areas downstream of the paved leakoffs?

7. We remind the owner that to work correctly the gravel spreader must be adequately maintained.

8. What will happen when snow and ice are plowed into the gravel spreader area? The water cannot be redirected into Golden Hill Lane.

9. The path of stormwater in the parking areas is difficult to follow. Are there leakoffs shown at the corners of the parking areas to prevent ponding? If so they should be more clearly marked.

C. Rights to grade may be required from adjacent property owners.

D. The proposed driveway ramp is to be to City standards.

E. We would like to review the A-2 survey for the site. What is the purpose of the "20' Right of Way in Favor of Others"?

F. Are sideline setbacks to be measured from the property line or the right of way line?

Very truly yours,


John A. Schweitzer, Jr.
City Engineer

JAS/PAE/evm

c: Edward Fusek, Supt. of Highways

BRIGHTON STEEL COMPANY
Route 52
HOPEWELL JUNCTION, NY 12533

RECEIVED
FINANCE DEPT.

NOV 2 1983

10 ✓
NOVEMBER 1, 1983.

CITY OF DANBURY,
CITY COUNCIL, CITY HALL,
DANBURY, CONNECTICUT. 06810.

GENTLEMEN:

THE PURPOSE OF A BID FOR MATERIALS IS TO OBTAIN THE BEST PRICE FOR THE TAX DOLLAR.

ON OCTOBER 20, 1983, A BID FOR CORRUGATED CULVERT PIPE WAS OPENED AND THE BRIGHTON STEEL COMPANY WAS LOW BIDDER, COUNTING THE BANDS , IN AMOUNT OF \$50.00.

THE ORDER WAS AWARDED TO A HIGHER BIDDER ON THE SUPPOSITION THAT DELIVERY WOULD BE FASTER, AND IT TURNED OUT THAT OUR DELIVERY WOULD BE JUST AS GOOD AS FACTORY IS SLOW NOW.

PURCHASING DEPARTMENT SAYS NOT INTERESTED TO CHANGE THE ORDER FOR ONLY \$50.00 AS AMOUNT WAS TOO SMALL. NET RESULT IS A LOSS TO CITY OF DANBURY IN AMOUNT OF \$50.00 AND FUTURE COMPETITION WILL BE REDUCED, WHICH WILL MAKE FUTURE COSTS STILL HIGHER.

VERY TRULY YOURS,
BRIGHTON STEEL COMPANY,

(914) 897-4440

Louis H. Anderson

BID RESULT FORM

Bid Date: Thursday, October 20, 1983 10:00 A.M.

CITY OF DANBURY

Bidder	Item 1.	Item 2.	Item 3.	Bid Total	Connecting Bands	Dely.	Atten
Delta Wire & Steel Co., Inc.	5.91	15.02	18.43	20,369.40	equal in price to	14t.	10 days
Park City Pipe & Culvert	5.82	13.40	16.22	18,241.60		14t.	15 days
Brighton Steel Company, Inc.	5.11	12.18	15.44	16,895.80		14t.	30 days
Amco, Inc.	5.15	12.40	15.25	16,930.80		14t.	12 days

Awards Committee Initial

Mayor *PH*

Comptroller *PH*

Corp. Counsel

City Engineer

Dept. Head

Awarded To: *PH*

Comments: Awards Committee

Delivering approximately 1/3 time

If low bid is not bid of award please specify reasons why it is not acceptable

PURCHASING AGENT

PH

11

CUTSUMPAS, COLLINS & HANNAFIN
PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
148 DEER HILL AVENUE - P. O. BOX 440
DANBURY, CONNECTICUT 06810

LLOYD CUTSUMPAS
FRANCIS J. COLLINS
EDWARD J. HANNAFIN
JACK D. GARAMELLA
PAUL N. JABER
JOHN J. TUOZZOLO
DAVID J. DEMARS
PAULA FLANAGAN

AREA CODE 203
744-2150

November 23, 1983

Common Council
City of Danbury
City Hall
Danbury, Connecticut 06810

Re: Starr Road
Danbury, Connecticut

Dear Members of the Common Council:

Please be advised I represent John Val, owner of premises at 14 Starr Road, Danbury, Connecticut, occupied by Val Tires. During the construction of Interstate 84 the State of Connecticut acquired a large portion of property in front of Mr. Val's premises for the reconstruction of Starr Road. It is my understanding that that property is now owned by the City of Danbury. It would appear that the actual right of way acquired by the City of Danbury is larger than what may be necessary for city purposes. Mr. Val hereby requests that consideration be given by the Council for a determination that a portion of the property fronting along premises which he owns be considered excess land and available for sale.

Thank you for your consideration in this matter. If there are to be any Committee hearings in connection with the same, we will be more than happy to attend and to discuss this application. I have also enclosed herewith a copy of the map for your deliberations.

Yours very truly,

CUTSUMPAS, COLLINS & HANNAFIN, P.C.

BY 
Paul N. Jaber

PNJ:lz
Enclosure

11/21/83

✓
12

To: The Common Council

From: The Danbury Fire Pension Board

The Danbury Fire Pension Board is resubmitting the request of Mrs. Ruth Spencer for the back pay she is entitled under Sec. 245b of the Danbury Fire Pension Plan. We as a board were informed that new committees are about to be formed as per request by the Mayor, thus we are resubmitting our request for Mrs. Spencer's back pay. The amount of money due to her due to an error in 1976 when her husband died is \$54,138.89. We are requesting your very immediate action on this request.

Sec.- Trea.

Gregory Brandis
Gregory Brandis

cc. Chairman
Comptroller.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

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

So as to ensure the Council's ability to accomplish its responsibility to control individual sewer and water extensions, I respectfully request that a committee be appointed to consider the following proposals:

1. All petitions for individual sewer and water extensions list;
a) current zoning b) specific land use and c) maximum final density.
2. All Common Council approvals for individual sewer and water extensions be contingent on the three factors as listed in #1 above.
3. Any change in any of the above three factors would negate prior approval for individual sewer and water extension and therefore, necessitate a new petition listing actual criteria.

Constance McManus

Constance McManus
Common Council President



13

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

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

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3. Any change in any of the above three factors would negate prior approval for individual sewer and water extension and therefore, necessitate a new petition listing actual criteria.

Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

LEONARD G. SEDNEY
Planning Director

PLANNING DEPARTMENT
797-4525

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

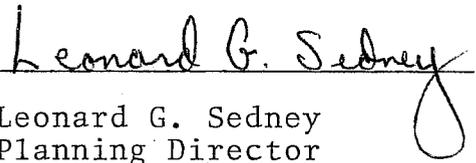
FROM: Leonard G. Sedney, Planning Director

RE: Tax Incentives for Historic & Architecturally
Significant Properties

DATE: November 21, 1983

Last year an Ad Hoc committee was appointed to investigate the enactment of tax incentives for historic and architecturally significant properties. This proposal was never formally acted on by the ad hoc committee.

Since a new council has been elected and all of the old committees have been dissolved, I would appreciate it if a new committee would be appointed so this proposal can again be considered.


Leonard G. Sedney
Planning Director



CITY OF DANBURY

DANBURY PUBLIC LIBRARY

15
170 MAIN STREET

DANBURY, CONNECTICUT 06810

(203) 797-4505

November 3, 1983

Mayor James Dyer
Danbury City Hall
Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Dyer,

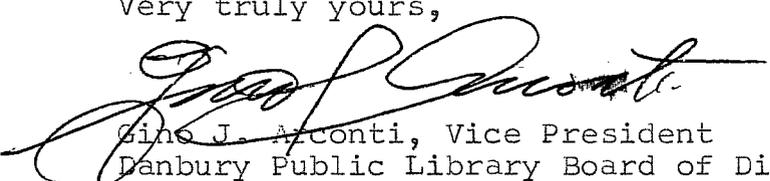
This is to inform you that at its regular monthly meeting today, the Board of Directors voted to provide the city with funds for additional temporary, part-time personnel to complete the library's conversion to an automated circulation system.

Will you be kind enough to relay this information to the Common Council at its next meeting and request that Council vote to:

Approve deposit of additional funds provided by the library board during fiscal year 1983-84, to a maximum of \$2,500 to be deposited to the library's part-time salary account, for temporary, part-time staff.

We estimate that the need for temporary conversion staff will cease at the end of the first week of March, 1984.

Very truly yours,


Gene J. Arconti, Vice President
Danbury Public Library Board of Directors

cc/Constance McManus

16
Patricia Fernand
Chambers Rd.
Danbury, Ct. 06810

Mayor James Dyer
City Hall
West Street
Danbury, Ct. 06810

Dear Mr. Mayor,

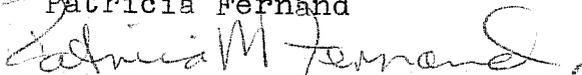
The Cable T.V. Advisory Council for the Bethel, Danbury, Ridgefield is functioning. At a recent meeting, it's recommendations contained a suggested budget. It was voted to ask each town to contribute the sum of \$100 per member, making it a sum of \$300 for Bethel, \$600 for Danbury, and \$400 for Ridgefield.

Enclosed is a copy of the minutes of this meeting plus a list of the members. I have asked to have the minutes of any further meetings mailed to you.

Thanking you for any consideration in this matter.

Sincerely yours,

Patricia Fernand



16

MEMBERSHIP LIST

John Antey
49 Osborne Street
Danbury, CT 06810
(h) 744-4695
(w) 797-4753

David Barnhizer
153 South Salem Road
Ridgefield, CT 06877
(h) 431-0676
(w) (212) 541-8080

Emma Benedict
21 Sky Top Road
Ridgefield, CT 06877
(h) 438-4894
(w) 438-3747

Linda Neal Boyce
101 Grandview Drive
Ridgefield, CT 06877
(h) 438-3078
(w) 438-2282

William S. Curtis
10 Dolberry Place
Danbury, CT 06810

Pat Fernand
Chambers Road
Danbury, CT 06810
(h) 743-5377

Peter Kemp
5 Greenwood Avenue
Bethel, CT 06801
(h) 743-5315
(w) 744-2150

John L. Moline
120 Clapboard Ridge Road
Danbury, CT 06810
(h) 748-8815
(w) 792-6161

Francis G. Pennarola
11 Griffing Avenue
Danbury, CT 06810
(h) 748-6313
(w) 743-6363

Adam D. Piskura
R.D. #3, Forty Acre Mountain Road
Brookfield, CT 06804
(h) 775-4063
(w) 748-7830

Nan S. Rogers
41 South Street
Bethel, CT 06801
(h) 792-3200
(w) 744-0170

Bill Ryan
Group W/135 Main Street
Danbury, CT 06810
(h) 914-897-5987
(w) 744-5995

Charles Tepfer
56 Branchville Road
Ridgefield, CT 06877
(h) 438-6880
(w) 743-2120

Charles R. White
12 Maple Road
Bethel, CT 06801
(h) 792-8214
(w) 566-8015



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY AVIATION COMMISSION
P. O. BOX 2299

AIRPORT ADMINISTRATOR

TEL: 797-4624

November 15, 1983

Mayor James E. Dyer
155 Deer Hill Ave.
Danbury, CT

Honorable Mayor:

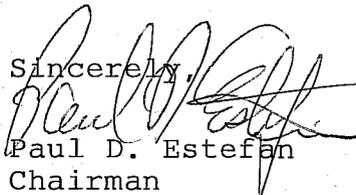
This is the preliminary cost estimate on the Runway Lighting System.

We are \$118,000.00 more than the resolution allows. In discussing the matter with the engineers, I find this is what it is going to cost to remove and replace the existing system.

Currently, in the airport budget, we have set aside \$5,000.00 as our matching grant. I am requesting an additional \$3,000.00 to add to the \$5,000.00 figure. I am also requesting that the resolution be amended from \$200,000.00 to \$318,000.00.

Please find enclosed literature concerning this project, and if I can be of any service, feel free to contact me.

Sincerely,



Paul D. Estefan
Chairman

Danbury Aviation Commission

PDE/sd



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

17

DEPARTMENT
OF FINANCE

November 30, 1983

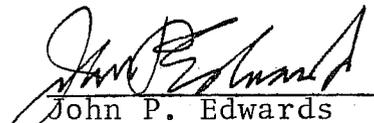
TO: Common Council via
Mayor James E. Dyer

Certification #20

FROM: John P. Edwards

We hereby certify to the availability of \$3,000.00 in the Contingency Fund to be transferred to a new account entitled Airport Improvements.

Previous balance of Contingency Fund	\$162,794.58
Less pending request	10,000.00
Less this request	3,000.00
	<u>\$149,794.58</u>


John P. Edwards
Comptroller

JPE/af

PROPOSED SYSTEMS AND EQUIPMENT

Danbury Airport Lighting Rehabilitation Project FAA Project No. AIP 3-09-0006-02

The following systems and equipment shall be detailed on the Final Contract Documents:

1. A new metal vault building approximately 10' x 10' shall be installed on a proposed concrete slab adjacent to the existing control tower. This vault shall contain twelve 4" ducts through the slab, an electrical distribution panel, two constant current regulators with control relays, electric heat, ventilation and lighting as required.
2. Runway 8-26 will be lighted using L-861 30 watt Medium Intensity Runway Lights (MIRL) along the edge of the runway and L-861E MIRL's at the threshold as shown on plans. Two discharge-type flashing Runway End Identifier Lights (REIL) Type L-849 Style E (Unidirectional, three brightness steps) will be provided at the displaced threshold located at each end of the runway.

The runway lights shall be 6.6 amp, series connected and powered from a 7.5 KW L-828 dry type regulator. They will employ an L-830 transformer and be fed by an L-824 5KV #8 Type C direct burial cable with a #6 bare copper counterpoise wire.
3. Taxiway "A" shall be lighted using L-861-T 30 watt Medium Intensity Taxiway Lights (MITL) as shown on plans. The Taxiway Lights shall be 6.6 amp series connected and powered from a 10KW L-828 oil cooled regulator. They will employ an L-830 transformer and be fed by an L-824 5KV #8 Type C direct burial cable with a #6 bare copper counterpoise wire.
4. Taxiway guidance signs shall be elevated internally illuminated Type L-858Y informational sign-black legend on a yellow background, size 1, 18 inch sign face with a 12 inch legend. The signs shall be powered by the series lighting circuit for the Medium Intensity Taxiway Lights.
5. Control of the Constant Current Regulators shall be provided by a L-821 3-position brightness selector with on/off switch in the control tower. Remote control of the airport lighting shall be provided by L-854 Radio Control Equipment Type III air-to-ground, plus ground-to-ground (consists of an FM transmitter, an AM receiver, an FM receiver, an encoder, a Style A decoder and Style B decoder). Plug cutouts shall be provided on the output of each regulator to allow easy maintenance. Input voltage will be 240 VAC.

6. Concrete cable and duct markers shall be installed as required to delineate the new cable locations. The proposed cables will use the existing duct system under the runways and taxiways.
7. The installation of the proposed lighting system will be staged so as to keep the existing airport lighting system in operation during construction.

PRELIMINARY COST ESTIMATE
 Danbury Airport Lighting Rehabilitation Project
 FAA Project No. AIP 3-09-0006-02

ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT
Metal Vault Building	1	EA	\$ 4,500.00	\$ 4,500.00
Loam and Seeding	23,000	LF	1.25	28,750.00
Cable and Duct Markers	40	EA	65.00	2,600.00
Signs	16	EA	1,000.00	16,000.00
REIL	4	EA	2,500.00	10,000.00
MIRL & MITL	204	EA	300.00	61,200.00
Transformers	204	EA	45.00	9,180.00
Cable	23,000	LF	1.80	41,400.00
7.5 KW Regulator	1	EA	2,800.00	2,800.00
10 KW Regulator	1	EA	7,000.00	7,000.00
Radio Control Equipment	Job	LS	1,800.00	1,800.00
Remote Control Panel	2	EA	800.00	1,600.00
Labor to Install Controls	Job	LS	70,000.00	70,000.00
Labor to remove existing system	Job	LS	20,000.00	<u>20,000.00</u>
				\$276,830.00
			15% Contingencies	<u>41,170.00</u>
			TOTAL	\$318,000.00



CITY OF DANBURY

CIVIL SERVICE COMMISSION

155 Deer Hill Avenue

DANBURY, CONNECTICUT 06810

797-4548

797-4549

WILLIAM A. HEALY

CARMINE BUTERA

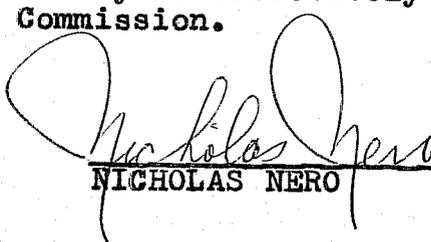
Ella Rountree

TO: MAYOR JAMES E. DYER
FROM: CIVIL SERVICE COMMISSION
RE: ADDITIONAL FUNDS
DATE: NOVEMBER 29, 1983

We are requesting additional funds to continue our testing procedure. The additional funding is needed for the following:

1. To complete the psychological and physical examinations for Police Officers.
2. To develop and administer upcoming Sergeant Test for the Police Dept.
3. To develop and administer upcoming Dispatcher Test for the Police Dept.
4. To develop and administer the Ambulance Supervisor's Test for the Fire Dept.
5. To maintain our current physical examination program for prospective appointees for the Public Works Dept.
6. To maintain sufficient funding based on the needs of upcoming job announcements.

We are seeking \$10,000 in additional funding to maintain the Civil Service Commission's ability to effectively perform the criteria established by the Commission.


NICHOLAS NERO



19

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

November 30, 1983

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

From: Charles J. Monzillo, Chief, Danbury Fire Department *gm*
S.B. Hamilton, Purchasing Agent *SBH*

Re: Waiver of Bid Procedure

The attached letters detail the need for a replacement pumper in the Fire Department. Due to the urgency of this situation, we request that the Council waive the bid procedure to allow purchase of a pumper as expeditiously as possible.

Attached is an extensive comparison of the equipment offered by four manufacturers. An effort was made to compare those items crucial to the needs of the Department. Special consideration was given to the following factors:

- Dimensions which are critical to accomodate existing structures
- Present and future needs as they relate to the Department's long range standardization plans
- Care was taken not to over spec, but to consider pumpers equipped with Department necessities, not costly "frills"
- Availability of the equipment considered

Based on this comparison, we recommend purchase of the Mack pumper at a price of \$130,000.00.

It is further recommended that this equipment be acquired through a lease-purchase agreement. This would allow us to spread the cost over several years, yet take delivery now with funds currently available. We suggest that lease-purchase options be examined by a Board of Awards consisting of the Fire Chief, Director of Finance, and Purchasing Agent to determine a financially sound, cost-effective approach to this acquisition.

encls.



19 ✓

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

November 29, 1983

Mayor James E. Dyer
155 Deer Hill Avenue
Danbury, Conn. 06810

Dear Mayor Dyer:

In recent weeks, the Danbury Fire Department has found itself without sufficient firefighting apparatus. In fact during one week period (last week in October), Engine #6 and Engine #3 loaned this administration their pumpers because of insufficient availability of fire-fighting pumpers within Fire Headquarters. The situation was so serious that Engine #6 went almost five weeks without their pumper, and their membership had to respond to calls for assistance in a van. After this period of time, it was apparent to this administration that the Volunteer section of our Department were becoming upset by the prolonged need of their equipment. The decision was made to return the unit to Engine #6, and run one engine short.

Since Engine #21 will be out of service for another eight weeks, and since we do not have a spare unit in our City that can be used, I respectfully request that consideration be given to an emergency purchase of a pumper.

Sincerely yours,

Charles J. Monzillo

Charles J. Monzillo, Fire Chief

CJM:kod

cc: S. Hamilton, Purchasing Agent



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

November 29, 1983

Mayor James E. Dyer
155 Deer Hill Avenue
Danbury, Conn. 06810

Dear Mayor Dyer:

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Since Engine #21 will be out of service for another eight weeks, and since we do not have a spare unit in our City that can be used, I respectfully request that consideration be given to an emergency purchase of a pumper.

Sincerely yours,

Charles J. Monzillo

Charles J. Monzillo, Fire Chief

CJM:kod

cc: S. Hamilton, Purchasing Agent

DESCRIPTION	ITEM #	AM. LAFRANCE	F M C	HAHN	MACK	PIERCE	GRUMMAN
BASE-PURCHASE AVAIL	1	Y	Y	N	Y	Y	N
DELIVERED COST	2	-	-	111,950	130,000	90 days Custom	124,701
AVAILABILITY	3	-	LATE SPRING	IMMED.	IMMED.		IMMED.
MAN CAB	4	Y		Y	Y		Y
500 GPM - SIS PUMP	5	N		N	Y		Y
100 GAL TANK	6	Y		N	Y		N
FIBERGLASS TANK	7	N		N	Y		N
PREPIPED MONITOR	8	Y		N	Y		N
HIGH SIDE COMP'TS	9	Y		N	Y		Y
FRONT SUCTION 5"	10	N		(1)Y (1)N	Y		N
REAR MOUNTED REEL	11	Y		N	Y		Y
66" MAX. WHEELBASE	12	-		N	Y		Y
3-W AIR DRYER	13	N		Y	Y		Y
3-W TUFLO 15.5 COMP.	14	N		N	Y		N
QUARTZ SCENE LIGHTS	15	N		N	Y		N
DOUBLE TRANSVERSE LAYS	16	Y		Y	Y		Y
DISC BRAKES - ALL	17	N		N	Y		Y
6 CYL. DIESEL ENGINE	18	Y		(1)Y (1)N	Y		Y
TURBOCHARGED-A/Cool	19	Y		(1)Y (1)N	Y		Y
10.00 120-16 PLY RADIAL	20	N		Y	N		N
BUDD 20" DISC WHEELS	21	Y		Y	Y		Y
OVERALL LENGTH 323"	22	-		N	Y		Y
EMERSON PAINT	23	Y		N	Y		Y
3,500 ^{lb} MIN FRONT AXLE	24	Y		Y	Y		Y
3,000 ^{lb} MIN REAR AXLE	25	Y		Y	Y		N
SLING OUT VALVES	26	N		Y	-		N
POINT BENT D HANDLE LOCKS	27	N		Y	Y		Y
22B SIREN-25EAM LIGHT	28	N		N	Y		N
MUTTERLESS COOLING SYS.	29	N		Y	Y		Y
SILICONE RAD/HTR HOSES	30	N		Y	Y		N
RADIANT CONDITIONER FIT.	31	N		N	Y		N
VISCOUS FAN DRIVE	32	N		N	Y		N
40 A. MIN. ALTERNATOR	33	Y		Y	Y		N
FRONT FENDER KICK PLATES	34	Y		Y	Y		Y
ROSTROM T-BAR DRIVER SEAT	35	N		N	Y		N
700 SERIES DRIVE LINE	36	NS		Y	Y		Y
TINTED GLASS	37	Y		Y	Y		-
BOLTED CROSSMEMBERS	38	Y		Y	Y		-
BOLTED SPRING HANGERS	39	-		Y	Y		-
SHORT SUCTION TUBE R.H.	40	N		N	Y		-
MICROPHONE COMP'T	41	N		Y?	Y		-
1" MIN. TANK SUCTION LINE	42	N		Y	Y		Y
FLYING CHECK VALVE	43	Y		Y	Y		-
FACTORY RUST TREATED	44	Y		Y	Y		Y
POWER STEERING (INTEG.)	45	Y		Y	Y		Y
MANUAL PUMP SHIFT	46	N		N	N		N
OFFICERS AIRPAC BRACKET	47	N		N	Y		N
1/2" TANK FILL LINE	48	Y		N	Y		Y
ALL DISCHARGES GAUGED	49	N		-	Y		N
TANK WARRANTY	50						
APPARATUS WARRANTY	51	1 YR PARTS 2 YR LABOR					
ALLISON HT740D	52	Y		Y	Y		Y
FLOW METER ON DECK	53	N		N	N		N
		23 N		23 (N)	1-N.		19 N - 6?



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

November 29, 1983

To: Sharon Hamilton, Purchasing Agent
From: Charles J. Monzillo, Fire Chief
Subject: Lease purchase of Apparatus

In a review of our current equipment position, I find that the fire apparatus quality and quantity to be inadequate for proper firefighting procedure.

Engine #21 is out of service. Engines 22-23-24 and 25 have been in constant need of repair, and in addition, these units have been out of service at one time or another. Considering the ramifications of this situation, I am requesting, through your office, that we immediately replace one pumping unit on an emergency priority. In order to do so, I am suggesting that the bidding process, normally followed for the outright purchase of a new piece of equipment (pumper) be waived, so that a lease purchase procedure could be followed.

Respectfully submitted,

Charles J. Monzillo
Fire Chief

CJM:kod
Enc.
cc: Mayor J. E. Dyer

RECEIVED

NOV 29 1983

PURCHASING DEPT.



CITY OF DANBURY

FIRE DEPARTMENT
19 NEW STREET
DANBURY, CONNECTICUT 06810

MAYOR JAMES E. DYER
155 DEER HILL AVE.
DANBURY, CT. 06810

20 ✓
Charles J. Monzillo, Chief
OFFICE: 748-5260
HOME: 748-2487

November 3, 1983

Mayor James E. Dyer
155 Deer Hill Avenue
Danbury, Conn. 06810

Dear Mayor Dyer:

On October 6, 1983 Engine Co. 21, responding to a fire on Main Street, lost its brakes and ran into the rear of a restaurant, causing a considerable amount of damage to both the building and our fire equipment. The cost of the repair to Engine 21 is near \$13,000. \$10,000 of the cost is covered by insurance.

We are concerned over the prospect of placing the unit back into service with the same braking system. The original specifications call for the present hydraulic unit, and at the time, it was inadequate. To place the unit back into service with the inferior brake system is, in my opinion, "dollar foolish". Any future accident that may result from this inadequate system will certainly result in a serious law suit.

I am proposing that the braking system be replaced by an air brake system that is designed to stop the unit, when the need to stop is evident. The cost is \$8500, or \$850 per year for 10 years. This is cost effective.

We do not have the funds in our budget. I am asking you and the Council to appropriate Eight Thousand Five Hundred Dollars to replace the braking system on Engine 21.

Sincerely,


Charles J. Monzillo
Chief of Dept.

CJM:kod



CITY OF DANBURY
DANBURY, CONNECTICUT 06810

FIRE DEPARTMENT
19 NEW STREET

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

November 29, 1983

Mayor James E. Dyer
155 Deer Hill Avenue
Danbury, Conn. 06810

Dear Mayor Dyer:

The budget, when submitted to you and the City Council for approval, failed to include the full operating cost of our Fire Department. This report is an attempt to identify the discrepancies, so that the financial problems of the Department may be solved once and for all.

There are two main issues to be reviewed, these being the salaries of the operating staff, including the total fringe benefit package, and what is now called overtime, but is actually the replacement cost for the fringe benefits granted through contract.

The salaries of the Officers and Firefighters are fixed by contractual agreement, so are the fringe benefits. According to our records, the salaries projected would indicate that the total cost of all members of our Department were included. In reality, they were not. The minimum number of personnel per group regulates the day to day operation, and is submitted under salaries. The minimum number of men in each group is:

A	B	C	D
(23)	(23)	(23)	(23)

No allowances were made in the current budget to cover those groups when vacations, contract, medical and other leave reduce the number below 23. It is important at this time to indicate that when the group number fell below the minimum operating range, caused by these instances (23 per group), the \$75,000 allotted for line item #010500 (Overtime Services) was grossly inadequate. This fact is compounded by the situation, that when the Fire Department was undermanned by sixteen (16) personnel, it averaged out to four men per group, plus four men per group on vacation, or 16 men per day. This generated a very high dollar replacement cost.

The City hired 15 new members in July, a move to correct this excessive cost. However, no appropriation was made for their replacement cost, while those 15 members attended the New Haven and/or Fairfield Schools. During this period, the City paid the new Firefighters, and their replacements. These costs were never included in the budget.

In effect, during a brief period, July 1, 1983 to November 20, 1983, vacation days granted to the Firefighters under a City/Union contract, and the added consideration of salaries, uniforms, training, etc., indicate an insufficient funding for coverage time. Add to this item, the 15 new Firefighters, uniform and fire protection cost, and it is plain to see that the cost far exceeded the original request.

The manpower reduction, due to illness or injury, is exceptionally low for an organization the size of the Danbury Fire Department. This is due to the policing of sick leave by both the administration and Local 801 representatives. This item should have been added, but apparently it was not.

I have enclosed to this brief report, Addendum #1 - Projection of Overtime, and Addendum #2 - Actual Cost for Fiscal Year 1983-84 to cover Fire Department operations from July 1, 1983 to November 20, 1983. This report is not meant to be a condemnation of any one person, or group of individuals, but rather to put the true cost of the Fire operations into perspective.

To reduce manpower further is not recommended. To eliminate equipment is not the answer, as we are operating with inadequate and insufficient equipment, that must be replaced.

In order for this Fire Department to meet its financial obligations, and perform in an efficient manner, I am requesting that supplementary funding be made to carry us through the 1983-84 budget year, that sum to be \$220,000, plus the shortage in the position accounts, as follows:

Deputy Chief	\$	17,000	
Asst. Chiefs (2)		5,356	
Acting Out of Title		5,758	
Longevity		1,700	
Step Differentials		<u>584</u>	
	\$		30,398
Salaries	\$		220,000
Added: Uniform/gears	\$	9,265	
Holiday pay		<u>16,287</u>	
	\$		<u>25,552</u>
TOTAL:	\$		<u><u>275,950</u></u>

Respectfully submitted,

Charles J. Monzillo
Charles J. Monzillo, Chief

CJM:kod
Encs.

NAME	VAL DAYS P/YR	VAL COST	DAYS MEDICAL LEAVE	MEDICAL LEAVE COST	COMP. LOD. INJ.	LOST/P LOD INJ.	CONTRACT LEAVE SEM.OWED	LOST OF CON/SEM	PROBAT. DAYS TRAIN.	COST OF PROB.TR	MISC. OT	MISC. OT COST
ACKELL	4.5	805.50	4.5	179.00	1.0	179.0	2.0	179.-	16	2864.-	3/4	134
J. ALBANO	20	3580.										
R. BALLARD	4.5	805.50							31	5549.-		
W. BALON	16	2864.										
E. BEERS	4.5	805.50							15	2685.-		
A. BENZ III	12	2148.										
J. BERTRAND	4.5	805.50							30	5370.-		
B. BLANTIN	9	1611.										
T. BONNER	12	2148.										
H. BONNER	9	1611.										
A. BRANDIS	9	1611.										
M. BURKE	12	2148.										
L. CAHILL	20	3580.										
L. CAPPELLANO	16	2864.										
M. CROWLEY	9	1611.										
X. CURRAN	12	2148.										
D. CURRAN	16	2864.										
J. DAVID	12	2148.										
M. DELOHERY	4.5	805.50							31	5549.-		
DELUCA	12	2148.										
P. DEMICI	9	1611.										
D. DORAN	9	1611.										
R. EASTER	4.5	805.50							16	2864.-		
F. EHRHARD	16	2864.										
J. ESPOSITO	16	2864.										
J. ESPOSITO	9	1611.										
C. FASONE	16	2864.										
P. FREUNDT SR.	16	2864.										
E. GARCIA	4.5	805.50							16	2864.-		

	V/D	VAC.	DAYS MED/LEA	MED. COST	INS. LOD	INS. COST	CONTR. LEAVE	CONTR. COST.	PROB. DAYS	COST OF PROB.	MISC. OT	MISC. OT C
E. MATTSON JR.	16	2864.	4.5	179.00	1.0	179.-	2.0	179.-			3/4	134
C. MICHALEK SR.	16	2864.										
L. MIDON	4.5	805.50							15	2685.-		
J. MORITS	9	1611.										
M. MORRIS SR.	12	2148.										
E. MURPHY JR.	16	2864.										
M. NOONAN JR.	20	3580.										
OMASTA	12	2148.										
OMASTA JR.	12	2148.										
F. PALARDY SR.	16	2864.										
R. PASCUZZI	12	2148.										
G. PATTON JR.	20	3580.										
C. PEARCE	16	2864.										
J. PECHASKI	20	3580.										
K. PECK	20	3580.										
S. PLANK	9	1611.										
A. RAD	4.5	805.50							16	2864.-		
J. REPKO	12	2148.										
W. RICKERT	12	2148.										
W. RYAN	20	3580.										
D. SABEL JR.	9	1611.										
W. SAUNDERS JR.	16	2864.										
V. SCALZO SR.	16	2864.										
J. SIECIENSKI	9	1611.										
R. SINGER	20	3580.										
F. SMITH	16	2864.										
G. SNIFFIN	4.5	805.50							31	5549.-		
E. STILSON JR.	9	1611.										
J. STRAITON III	16	2864.										

	V/D	VAC.	DAYS MED/LEA	MED. COST	INS. LOD	INS. COST	CONTRACT LEAVE	CONT. COST	PROB. DAYS	COST OF PROB.	MISC. OT	MISC. OT COST	TOTAL DAYS	TOTAL COST
S.M. SUROVY	16	2864.	4.5	179.00	1.0	179.00	2.0	179.-			3/4	134.25		
J.C. THORNE JR.	16	2864.												
J.J. TIERNEY	12	2148.												
R.J. TOMANIO	12	2148.												
E.W. VACHOVETZ	9	1611.												
F. VISCONTI JR.	20	3580.												
R.W. VOSBURGH	4.5	805.50							16	2864.-				
T.J. WIEDL JR.	9	1611.												
J.J. WIXTED	16	2864.												
D.C. WOOD	20	3580.												
G.J. BOHAN	4.5	805.50												
PROB. WEEKEND COVER									14	2506.-				
	1228.5	219,901.50	441	78,939.-	98	17,542.-	196	35,084.-	308	55,132.-	73.5	9,867.38	2345.0	416,460.-

COST OF OPERATIONS RELATED TO
OVERTIME FOR PERIOD OF
JULY 1, 1983 THRU NOVEMBER 19, 1983

TOTAL VACATION DAYS TAKEN	VACATION DAYS REQUIRING OVERTIME COVERAGE	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR VACATION COVERAGE	TOTAL
751	684	179	\$ 122,436.56	\$ 122,436
TOTAL SICK DAYS TAKEN	SICK DAYS REQUIRING OVERTIME COVERAGE	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR SICK LEAVE COVERAGE	
195	173	179	\$ 30,967	\$ 30,967
TOTAL INJURY DAYS TAKEN	INJURY DAYS REQUIRING OVERTIME COVERAGE	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR INJURY LEAVE COVERAGE	
28.5	6	179	\$ 1,074	\$ 1,074
TOTAL CONTRACT DAYS TAKEN-i.e. Union, Funeral, Time Owed, etc.	CONTRACT DAYS REQUIRING OVERTIME COVERAGE	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR CONTRACT DAYS COVERAGE	
70.5	31	179	\$ 5,549	\$ 5,549
TOTAL DAYS DIRECTLY INCURRED BY LACK OF MANPOWER (Suspend.)	OVERTIME DAYS REQUIRED TO COVER LACK OF MANPOWER	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR LACK OF MANPOWER	
70	70	179	\$ 12,530	\$ 12,530
TOTAL FIRE SCHOOL DAYS FOR PROBATIONARY FIREFIGHTERS	OVERTIME DAYS REQUIRED TO COVER FIREFIGHTERS AT SCHOOL	AVERAGE OVERTIME RATE PER DAY	COST INCURRED FOR FIREFIGHTERS AT SCHOOL	
308	168	179	\$ 30,072	\$ 30,072

TOTAL: \$ 202,628

DANBURY FIRE DEPARTMENT

1 - Chief				\$	34,904
1 - Deputy Chief				\$	30,000
4 - Assistant Chiefs	- Step 1	@	\$	27,801	\$ 111,204
1 - Captains	- Step 1	@	\$	24,552	\$ 24,552
3 - Captains	- Step 2	@	\$	25,123	\$ 75,369
4 - Dispatchers	- Step 3	@	\$	23,077	\$ 92,308
12 - Lieutenants	- Step 3	@	\$	23,077	\$ 276,924
8 - Lieutenants	- Step 1	@	\$	21,200	\$ 169,600
1 - Fire Marshal	- Step 2	@	\$	27,836	\$ 27,836
1 - Drillmaster	- Step 2	@	\$	27,836	\$ 27,836
1 - Mechanic	- Step 2	@	\$	25,123	\$ 25,123
2 - Fire Inspectors	- Step 3	@	\$	23,594	\$ 47,188
1 - Ambulance Supervisor				\$	25,123
62 - Firefighters	- Step 5	@	\$	20,323	\$ 1,260,026
4 - Firefighters	- Step 4	@	\$	19,359	\$ 77,436
2 - Firefighters	- Step 1	@	\$	16,470	\$ 32,940
					<hr/>
				\$	2,338,369
Account Clerk I					11,196
Secretary					12,185



22

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
THOMAS G. WEST
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

November 28, 1983

PLEASE REPLY TO:

DANBURY, CT 06810

MEMO TO: Hon. James E. Dyer, Mayor
FROM: Eric L. Gottschalk, Assistant Corporation Counsel
RE: Union Carbide - Offer and Agreement -
Softball Backstop

This should be acted on by the Common Council.

ELG

ELG:cr

Attachments



22

UNION CARBIDE CORPORATION OLD RIDGEBURY ROAD, DANBURY, CT 06817

November 14, 1983

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

Dear Mayor Dyer:

Union Carbide Corporation proposes to offer the City of Danbury a softball backstop that is now located on our temporary ball field, but which is now surplus to our needs. We hope you would consider this equipment helpful in outfitting the City's sports facilities properly. We will be happy to donate the backstop "as is" on condition that the City of Danbury be responsible for its removal from its present location on our property and reinstallation at such site as the City may choose. We would expect that the City accept this donation on the basis set forth in the documents enclosed for your review.

Danbury's growth during the past decade has placed great demands on all forms of recreation facilities. In recognition of this, Union Carbide maintains its own athletic fields to accommodate the needs of its own employee's sports teams which we sponsor. Still, the need within the community at large exists, and we would be pleased if you would allow us to play this small role in helping the City to upgrade its recreational facilities.

Very truly yours,

A handwritten signature in cursive script that reads "Peter A. Molinaro".
Peter A. Molinaro
State Manager, Public Affairs

ASH:TAD

cc: Honorable Constance McManus
Mr. T. A. Moore
Mr. R. G. Ryerson
Ms. N. W. Deibler

THIS AGREEMENT, made and entered into, and effective, as of the _____ day of November, 1983 by and between UNION CARBIDE CORPORATION, a New York corporation whose address is Old Ridgebury Road, Danbury, Connecticut 06817 (hereinafter called "Owner"), party of the first part, and The City of Danbury, Connecticut, a municipality, whose address is _____

 (hereinafter called "Donee"), party of the second part,

W I T N E S S E T H :

THAT for and in consideration of the mutual covenants and agreements hereinafter set forth, the parties to this Agreement (sometimes hereinafter referred to individually as "Party" and collectively as "Parties") covenant and agree as follows:

ARTICLE I - SURPLUS PROPERTY: DELIVERY: TITLE

(1) Owner hereby donates to Donee a 15 foot by 20 foot wire mesh backstop, as more particularly described in Owner's drawing dated 5/26/81 attached hereto and made a part hereof hereinafter called "Surplus Property") which Surplus Property is located on the so-called temporary soft ball field bordering Saw Mill Road off the southwest end of the main building on Owner's Headquarter property at Danbury, Connecticut (hereinafter called the "Site").

(2) Surplus Property is donated only on an "as is, where is" basis.

(3) Donee shall furnish all supervision, labor, materials, equipment, transportation and all other facilities and services necessary for the dismantling and removal of the Surplus Property and will as soon as mutually convenient for the parties enter upon the Site, dismantle and remove the Surplus Property.

(4) Title to Surplus Property shall vest in Donee upon execution of this Agreement and Donee thereupon assumes all risks, including risk of loss.

ARTICLE II - SPECIAL CONDITIONS

(1) Donee acknowledges that Owner warns Donee that Surplus Property donated under this Agreement may be or may become, directly or indirectly, hazardous to life, to health and/or to property for any number of reasons or causes. Donee represents that it understands the nature and characteristics of Surplus Property, is aware that Surplus Property may be, bear or contain hazardous materials and is familiar with any health, safety and/or environmental hazards arising out of or resulting from the possession, use, storage, transportation, maintenance, handling, treatment and disposal of such Surplus Property. Donee further represents that it is accustomed to handling items similar to Surplus Property and to handling items bearing or containing hazardous materials and that it has the necessary expertise, equipment and facilities to safely and lawfully and will safely and lawfully handle, store, dispose, treat and use Surplus Property.

(2) Donee represents that it has read and understands the information provided by Owner and that Surplus Property will be used only for recreational purposes.

(3) Donee agrees to warn all persons who may become exposed to Surplus Property of the Hazards associated therewith and to take all action necessary to protect such persons from such hazards.

(4) Donee understands and agrees that Owner transfers title to Surplus Property to Donee "AS IS, WHERE IS". OWNER WARRANTS THAT OWNER HAS GOOD TITLE TO SURPLUS PROPERTY. OWNER MAKES NO OTHER WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED; AND NO WARRANTIES INCLUDING BUT NOT LIMITED TO WARRANTY OF MERCHANTABILITY AND WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE SHALL BE IMPLIED.

(5) Donee shall indemnify and save harmless Owner, its employees and agents, from and against all claims, liabilities, losses, damages, and expense of every character whatsoever (i) for bodily injury, sickness and/or disease (including death) which results from, or arises out of or in connection with Surplus Property from and after execution of this Agreement, and which is not caused solely by the negligence of Owner and/or any of its employees or agents; and (ii) for property loss or damage, which arises out of or in connection with Surplus Property from and after execution of this Agreement, and is not caused solely by the negligence of Owner and/or any of its employees or agents.

(6) Donee shall indemnify and save harmless Owner, its employees and agents, from and against all expenses, of every character whatsoever, incurred by Owner in defense of any action or proceeding for the assessment of a fine or civil penalty which arises out of or in connection with Surplus Property from and after execution of this Agreement and which is not caused solely by the negligence of Owner and/or any of

(7) In connection with the dismantling and removal of Surplus Property to be performed by Donee on the Site (hereinafter called the "Work"):

- (a) Any individuals performing the Work on behalf of Donee shall not be deemed to be the agent or employee of Owner and Donee assumes full responsibility for his acts and omissions and exclusive liability for any payroll taxes or contributions imposed by any Federal or State law dealing with any of the subjects covered by the Federal Social Security Act approved August 14, 1935, as amended.
- (b) Donee shall, at its expense, procure and maintain Workmen's Compensation to the extent required by law and Contractor's Bodily Injury Liability and Property Damage Liability insurance (including Contractual Liability covering the indemnity set forth in subparagraph(c) hereof in such amounts as are approved by Owner. Donee shall furnish to Owner written certificates establishing that above insurance has been procured and is being maintained, which certificates shall provide that written notice of cancellation shall be given to Owner at least fifteen (15) days prior to the effective date of such cancellation.
- (c) Donee shall indemnify and safe harmless Owner and its employees and agents, against all claims, liabilities, losses, damages and expenses, of every character whatsoever, for bodily injury, sickness and/or disease,

including death at any time resulting from any of the foregoing, sustained by any employee of Donee, or of a subcontractor of Donee, while in, on or about the property of Owner or the Site, if or where such injury, sickness, disease and/or death was in any way connected with the Work or with the performance of or failure to perform said Work, unless such injury, sickness, disease and/or death was caused solely by the negligence of Owner or any of its employees or agents. Donee shall be responsible and liable for loss or destruction of, or damage to, all tools, equipment and other personal property of Donee and its employees, whether or not such loss, destruction or damage was in any way connected with the negligence of Owner or any of its employees or agents.

ARTICLE III - FORCE MAJEURE

Owner shall not be liable for failure to perform hereunder due to any occurrence beyond its reasonable control, including acts of God, fires, floods, wars, sabotages, accidents, labor disputes or shortages, governmental laws, ordinances, rules and regulations, whether valid or invalid (including, but not limited to priorities, requisitions, allocations, and price adjustment restrictions), inability to obtain material, equipment or transportation, and any other similar or different occurrence beyond the reasonable control of Owner.

ARTICLE IV - MODIFICATIONS

Donee understands and agrees that (a) no modification of any terms and conditions hereof shall be effective unless made by an authorized representative of Owner in writing addressed to Donee and specifically referring to this Agreement; (b) no course of performance or course of dealing or usage of trade shall be used to modify the terms and conditions of this Agreement; and (c) Owner's acknowledgment or acceptance of anything in writing from Donee which is in conflict with the warning contained in Article II hereof and other terms and conditions of this Agreement and any delivery of Surplus Property hereunder shall not constitute a modification or waiver of such warning and such other terms and conditions.

ARTICLE V - GOVERNING LAW

The validity and interpretation and performance of this Agreement shall be governed by the law of the State of Connecticut.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the day and year first above written.

UNION CARBIDE CORPORATION
(Owner)

By _____

Title _____

City of Danbury, Connecticut
(Donee)

By _____

Title _____



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

December 6, 1983

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I respectfully request your confirmation of the following appointment and re-appointments to the Parks and Recreation Commission:

Appointment:

Thomas Evans, 28 Benson Drive, Danbury for a term to expire on December 1, 1986.

Re-appointments:

A. Paul Nichols, 13 Valerie Lane, Danbury for a term to expire on December 1, 1986 and

Dominick M. Pacific, 14 Hawley Road, Danbury for a term to expire on December 1, 1986.

Sincerely,

James E. Dyer
Mayor

JED:mad



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

December 6, 1983

Honorable Members of the Common Council
City of Danbury
Connecticut

Dear Council Members:

I respectfully request your confirmation of the re-appointments of Gino J. Arconti, 22 Karen Road, Danbury; Mary D. Nahley, 20 Lindencrest Drive, Danbury and Betty Jane Hull, 187 Kohanza Street, Danbury to the Library Board of Directors for a term to expire on January 1, 1987.

Sincerely,

James E. Dyer
Mayor

JED:mad



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER
MAYOR

COMMISSION INFORMATION AND ATTENDANCE

Appointment:

Thomas Evans is a former member of the Common Council and is active with many sports programs in Danbury.

Re-appointments:

A. PAUL NICHOLS attended 6 of the 10 meetings held by the Commission during the past year. He is currently serving as Chairman of the Commission.

DOMINICK PACIFIC attended 7 of the 10 meeting held during the past year.

MARY D. NAHLEY missed only one meeting of the Library Board during the past year. Mrs. Nahley is Chairman of the Library Board of Directors.

GINO J. ARCONTI attended 11 of the 12 meetings held this past year.

BETTY JANE HULL missed 2 of the 12 meetings held during 1983.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

REPORT

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

The Common Council held a public hearing regarding the sewer assessments in the Morningside Heights Area Part II Project, on Monday, November 28, 1983 at 7:30 P.M. in the Council Chambers.

The Council met as a committee of the whole on November 28, 1983 at 8:30 P.M. and recommends that the proposed assessments be adopted.

Respectfully submitted

Constance McManus

Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

REPORT

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

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The Council met as a committee of the whole on November 28, 1983 at 8:30 P.M. and recommends that the proposed assessments be adopted.

Respectfully submitted

Constance McManus
Common Council President



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6 A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be constructed known as the Morningside Heights Area Part II Project; and

WHEREAS, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

WHEREAS, the Common Council has determined the amount of said assessments, after public hearing, all according to law; and

WHEREAS, the Connecticut General Statutes § 7-253 authorize the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before March 1, 1984 provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Morningside Heights Area Part II Project:

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.
2. The minimum annual installment payment shall be ONE HUNDRED AND EIGHTY (\$180) DOLLARS.
3. The interest on any deferred payments hereunder shall be due at a rate per annum which shall be the rate of interest the City is obligated to pay on its sewer bonds issued for the cost of such improvement. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:

CERTIFICATE OF NOTICE OF INSTALLMENT PAYMENT
OF ASSESSMENT OF BENEFITS

The undersigned Tax Collector of the City of Danbury in the County of Fairfield, State of Connecticut hereby certifies from the date hereof an installment payment plan is in effect for payment of an assessment of benefits for the installation of a sewerage system, in favor of the City of Danbury, upon real property situated in the said City, which real property is more fully described in the City Land Records in:



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6 A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

The notice of such assessment of sewerage benefits herein certified is to _____ (owner of property), the principal of which is \$ _____ due to said City of Danbury, together with legal interest fees and charges thereon assessed on December 6, 1983 in the name of _____ and the same becomes due on March 1, 1984 and may be paid in annual installment payments of \$ _____ each plus interest at the rate of 11.3177 per cent on the unpaid principal balance and continuing to _____.

This certificate is filed pursuant to § 7-253 of the General Statutes, as amended.

The property assessed is:

Lot _____ Street _____

Item No. _____

Tax Collector

Received _____, 1983

At _____ M.

Recorded in the Danbury Land Records

Vol. _____ Page _____

Town Clerk

AND BE IT FURTHER RESOLVED THAT the Assessments of Benefits by virtue of the construction of the sewer project are hereby fixed as follows: (list attached).

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The following amounts are hereby laid upon the properties owned wholly or in part by the persons named, in the amounts and for the sums indicated for the expense of constructing the sewer and appurtenances in the Morningside Heights Area Part II, as follows:

<u>HOUSE NO.</u>	<u>LOT NO. (FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
15 Somers Street	J12185	Danbury Association to Advance The Retarded	\$ 1,431.97
15 Somers Street	J12186	Danbury Association to Advance The Retarded	\$ 5,742.93
First Street	J11342 (2A)	Vilmars Salnitis Ella A.	\$ 2,942.86
1 First Street	J11343 (2)	Thomas A. Collins	\$ 883.49
Osborne Street	J12028 (B)	Town of Danbury	\$36,464.26
2 Germantown Road	J11344 (1)	Thomas A. Collins	\$ 3,556.42
4 Germantown Road	J11345 (8)	Thomas Collins	\$ 4,964.91
6 Germantown Road	J11346 (7)	Antonio Butera Olga	\$ 3,151.48
8 Germantown Road	J11350 (5)	Antonio Butera Olga	\$ 3,473.57
10 Germantown Road	J11351 (4)	Harold D. Hancock Ona May Hancock	\$ 2,753.99
12 Germantown Road	J11352 (3)	Richard E. Doran Rita Ann Doran	\$ 3,716.15
14 Germantown Road	J11353 (2)	Vectis R. Harrison Shirley A.	\$ 2,501.95

<u>USE NO.</u>	<u>(FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
16 Germantown Road	J11354 (1)	William H. Bahret & Mildred Bahret Moutier	\$ 3,173.25
18 Germantown Road	J11355 (9)	Elsie M. Harrer	\$ 5,514.77
23 Germantown Road	J11385 (9)	Edward D. Fantin Mary L.	\$ 2,561.78
21 Germantown Road	J11386 (8)	Ernest A. Holomany	\$ 2,930.07
19 Germantown Road	J11387 (7)	Phoebe Goetz Richard A., Ruth L., Leon R.	\$ 2,962.05
17 Germantown Road	J11388 (6)	Michael J. Losito, Jr.	\$ 4,112.30
15 Germantown Road	J11389 (5)	Harold D. Hancock, Sr. Ona-May	\$ 3,620.10
13 Germantown Road	J11390 (4A)	Harold D. Hancock, Sr. Ona-May	\$ 2,989.92
11 Germantown Road	J11391 (4)	Peter Roger Gereg, Jr.	\$ 3,089.32
Germantown Road	J11397 (2)	Henry Bouquin	\$14,392.16
Hospital Avenue (48, part of 51)	J11181	Thomas F. Keenan Paula M.	\$ 2,195.13
83 Hospital Avenue	J11182 (47)	Dora Arnone	\$ 2,492.87
85 & 87 Hospital Avenue	J11196 (45, 46)	Antonio & Maria L. Teixeira	\$ 4,356.98
89 Hospital Avenue & Second Street	J11197 (36)	Charles B. Sturges Mary E.	\$ 3,252.11

(continued Page 3)

	<u>FORMER NO.</u>	<u>OWNER</u>	<u>TOTAL</u>
91 Hospital Avenue	J11198 (35, 1/2-34)	Guy Sauli Agnes-Sur.	\$ 3,666.16
99 Hospital Avenue	J11207 (31)	George O. Carlson Sandra I.	\$ 3,326.21
97 Hospital Avenue	J11208 (32)	George O. Carlson Sandra I.	\$ 2,219.35
95 Hospital Avenue	J11209 (33, 1/2-34)	Nicholas P. Macelletti & Julia A.	\$ 2,962.51
Hospital Avenue	J11210 (3)	Virginia E. Chalifoux	\$ 3,885.21
Hospital Avenue	J11211 (2)	Sandra Ahrstrom	\$ 3,605.34
88 Hospital Avenue	J11212 (1)	Philip E. Castruccio Alice -, Sur.	\$ 5,171.81
86 Hospital Avenue	J11213 (12B)	Richard E. Henion Jo Ann D.	\$ 3,964.01
Hospital Avenue	J11214 (12A)	Rabindranath A. Fry, M.D.	\$ 5,759.74
Jeffery Court	J11215 (4)	George Discala, Sr. Jack & Michael	\$ 3,783.84
Jeffery Court	J11216 (7)	George Discala, Sr. Jack & Michael	\$ 4,686.26
Jeffery Court	J11217 (6)	George Discala, Sr. Jack & Michael	\$ 3,843.12
Jeffery Court & Hospital Ave.	J11218 (5)	George Discala, Sr. Jack & Michael	\$4,954.02
Hospital Ave. & First St.	J11219 (30)	Peggy Musson	\$ 5,307.47

(continued Page 4)

<u>LOT NO.</u>	<u>LOT NO.</u> <u>(FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
1 Melrose Avenue	J12201 (115A)	Joseph N. Capozza	\$ <u>3,431.11</u>
3 Melrose Avenue	J12202 (118)	Joseph Capozza, ET UX	\$ 3,294.20
2 Melrose Avenue	J12209 (2)	Patsy Archiere Dorothy I - Sur.	\$ 1,478.20
6 Melrose Avenue	J12211 (3, 4)	Carlos G. Pinto	\$ 4,342.67
8-10 Melrose Avenue	J12212 (5)	Sebastian Charles Miraglia, Jr. & Rita	\$ 2,243.71
Osborne Street	J11399 (A)	Lila Joan Shaker	\$ 2,943.86
158 Osborne Street	J12190 (105,106,107)	Osborne-Main Realty Corp. % DeFlumeri	\$ 6,978.10
Osborne Street	J12191 (108)	Alfred T. Cahill, Jr. Laura B.	\$ 2,786.38
170 Osborne Street	J12192 (109)	Mary I. & Joseph A. Archiere Joanne P. Corso	\$ 3,524.69
172 Osborne Street	J12193 (110)	Jeanette Chartouni	\$ 2,659.73
174-176 Osborne Street	J12194 (111,112)	Catherine Delsignore & Rose Agnes V.	\$ 5,217.57
178 Osborne Street	J12195 (113)	Mary George	\$ 2,735.88
178 Osborne Street	J12196 (113A)	Mary George	\$ 3,788.40
180 Osborne Street	J12197 (114)	Joseph N. Capozza Rose M.	\$ 2,553.98

<u>HOUSE NO.</u>	<u>LOT NO. (FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
182 Osborne Street	J12198 (115)	Joseph Cappozzo	\$ 3,069.20
184 Osborne Street	J12199 (116)	John L. Realty Co., Inc.	\$ 3,119.27
186 Osborne Street	J12200 (117)	John L. Realty Co., Inc.	\$ 4,031.05
188 Osborne Street & Melrose Street	J12207 (1A)	Patsy Archiere Dorothy	\$ 1,964.46
190 Osborne & Melrose Street	J12208 (1)	Daniel P. Archieri Patricia L.	\$ 2,381.15
Osborne Street	J12219 (4)	Clayton & Margaret E. Pearce	\$ 2,102.83
Osborne Street & Springside	J12220 (1,2,3,5,)	Henry H. & Ruth M. Harrison	\$ 3,420.01
Osborne Street & Springside	J12221 (119,120,121,122,123,124)	AFRO-American Mens Assoc., Inc.	\$ 4,951.85
Osborne Street	J11398 (120A)	City of Danbury	\$ 7,205.53
20 Somers Street	J12102 (4,3A)	Kenneth E. Laughlin Janet M. Laughlin-Sur.	\$ 3,431.18
Somers Street	J12184 (90, 103)	Donald Trocola	\$ 3,294.71
Somers Street	J12187 (2)	Edward Simon, Jr.	\$ 9,315.67
Somers Street	J12188 (3)	Edward Simon, Jr.	\$ 8,779.86
Somers Street	J12189 (4)	Edward Simon, Jr.	\$ 7,687.80

<u>HOUSE NO.</u>	<u>(FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
15 Springside Avenue	J12213 (17, 18)	Raymond E. Wilson Joyce C.	\$ 2,058.11
13 Springside Avenue	J12214 (15, 16)	John C. Rebhan Rita A.	\$ 1,731.81
11 Springside Avenue	J12215 (13, 14)	Albert W. Rowe Lorri A.	\$ 1,853.37
7-9 Springside Avenue	J12216 (10, 11, 12, pt. of 9)	Francis J. McCarthy Beverly McCarthy	\$ 2,760.39
5 Springside Avenue	J12217 (6, 7, 8, pt. of 9)	Mary E. Corso	\$ 3,279.06
4 Springside Avenue	J12222 (118)	Lila Joan Shaker	\$ 1,041.94
Springside Avenue	J12223 (117, B)	Barbara A. Archiere	\$ 3,072.05
6-8 Springside Avenue	J12224 (111,112,113,114,115,116)	Loretta A. Pauli	\$ 4,078.65
10 Springside Avenue	J12225 (109, 109A, 110)	Dorothy Clark Reed	\$ 3,731.16
12-14 Springside Avenue	J12226 (105,106,107,108)	Frank A. Rotunda Rose	\$ 3,113.60
16 Springside Avenue	K12001 (103, 104)	Genia M. Gemza	\$ 1,387.67
18 Springside Avenue	K12002 (102, part of 101)	Genia M. Gemza	\$ 2,190.57
20 Springside Avenue	K12003 (99, 100, part of 101)	Samuel F. LaCava Isobel	\$ 2,485.07
Springside Avenue	K12004 (A)	Robert W. Morehouse Barbara	\$ 3,057.29

(continued Page 7)

<u>HOUSE NO.</u>	<u>LOT NO.</u> (FORMER NO.)	<u>OWNER</u>	<u>TOTAL</u>
22-24	K12005 (B)	Anne C. Strom	\$ 2,933.30
24	K12006 (C)	Rogério E. Ferreira Beatriz M.	\$ 2,998.65
26	K12007 (89,90,91,92)	Edward Walendzik Josephine M.	\$ 3,246.12
28	K12008 (85,86,87,88)	Ethel Russo Madeline Auciello	\$ 2,907.90
29	K12011 (35, 36, 37)	Virginia P. Ciccarone	\$ 1,751.30
27	K12012 (33, 34)	Albert L. Spadaccino Helen L. Spadaccino	\$ 1,441.56
25	K12013 (31, 32)	Albert L. Spadaccino Helen Spadaccino	\$ 2,052.58
23	K12014 (29,30)	Dorothy F. Whitlock Laura A. Melillo & John Carlson	\$ 1,998.20
21	K12015 (25,26,27,28)	Benjamin R. Selleck Dorothy L. Selleck	\$ 3,202.69
19	K12016 (21,22,23,24)	Gyula Samodai Elizabeth-Sur	\$ 3,210.93
17	K12017 (19, 20)	Ann Danion	\$ 1,905.91
3	J11392 (A)	Roman & Susan Pleple Gordon & Gwendolyn Davidson	\$ 3,857.21
1	J11393 (3A)	Agnes Spina	\$ 3,867.24
6	J11394 (3)	Joseph Siok Aleacia A.-Sur	\$ 2,616.34
4	J11395 (2)	John Danuszar	\$ 2,520.37

<u>HOUSE NO.</u>	<u>LOT NO. (FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
2 Tilden Road	J11396 (1)	Sara L. Collins	\$ 2,505.73
5 Tilden Road	K11008 (13)	Charles H. Katan Marjorie - Sur	\$ 2,641.37
5 Tilden Road	K11009 (B)	Vincent S. Cascio Margaret	\$ 2,745.14
8 Tilden Road	K11010 (4)	Edwin Mooney Anne Mooney - Sur	\$ 2,600.35
10 Tilden Road	K11011 (5)	William C. Lewis Mary H. & Ruth A.	\$ 2,908.28
12 Tilden Road	K11012 (6)	Mitchell P. Drabik Josephine M. Drabik - Sur	\$ 2,287.38



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

December 6, 1983

REPORT

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

The Common Council held a public hearing regarding the sewer assessments for Fourth Street, on Monday, November 28, 1983 at 8:00 P.M. in the Council Chambers.

The Council met as a committee of the whole following the public hearing on November 28, 1983 and recommends that the proposed assessments be adopted.

Respectfully submitted

Constance McManus

Constance McManus
Common Council President



CITY OF DANBURY

155 DEER HILL AVENUE

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Respectfully submitted

Constance McManus
Common Council President

The following amounts are hereby laid upon the properties owned wholly or in part by the parties named, in the amounts and for the sums indicated for the expense of constructing the sewer and appurtenances in Fourth Street, as follows:

<u>HOUSE NO.</u>	<u>LOT NO. (FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
Fourth St.	J11087 203	Louis L. Schulzinger Elisa L.	\$ 4,212.63
Fourth St.	J11088 202	Riccardo Potenziani Adelia	\$ 3,472.40
Fourth St.	J11089 201	Avelino Nogueira Maria	\$ 3,694.00
Fourth St.	J11090 200	Anthony J. Lyons Marilyn J. Lyons	\$ 3,132.68
31 Virginia Ave.	J11091 180 & 181	Nello J. Palma Julia Mary	\$ 4,452.35
Fourth & Virginia	J11146 117 & 118	Pauline K. Lechner	\$ 7,023.22
12-14 Fourth St.	J11147 115 & 116	Carla Gabriele Coons Et Al	\$ 6,546.86
10 Fourth St.	J11148 114	James F. McGuire Joan E.	\$ 3,651.25
8 Fourth St.	J11149 113	Edward L. Szymanel Marie	\$ 3,389.36
8 Fourth St.	J11150 112	Margo Plue	\$ 3,238.26
6 Fourth St.	J11151 111	Delphius Rocheleau Edith	\$ 3,456.51
4 Fourth St.	J11152 110	William N. Howley	\$ 3,338.99

<u>HOUSE NO.</u>	<u>LOT NO.</u> <u>(FORMER NO.)</u>	<u>OWNER</u>	<u>TOTAL</u>
63 Hospital Ave.	J11154 107	Mary C. Halas ET AL-Sur	\$ 2,786.54
65 Hospital Ave. & Fourth	J11155 86	Antonio J. Nunes Isabel T.	\$ 4,394.69
1 Fourth St.	J11158 106	Antone L. Arnold Muriel A. - Sur	\$ 3,396.86
3 Fourth St.	J11159 105	Donald Valerio Mary	\$ 3,200.21
5 Fourth St.	J11160 104	Jose Ercio Marques Emilia E.	\$ 3,689.14
7 Fourth St.	J11161 103	Martin Sturges Brenda A.	\$ 3,191.25
9 Fourth St.	J11162 102	Howard R. Bailey Joan M. Bailey	\$ 3,406.14
11-13 Fourth St.	J11163 100-101	Walter R. Blonski Margaret M. - Sur.	\$ 6,957.43
36 Virginia Ave.	J11164 99-98	Anthony Torcaso Louise Torcaso	\$ 7,467.37
29 Virginia Ave.	J11243 1/2 of 177, 178	Robert & Lillian Perri	\$ 3,869.23
Fourth St.	J11244 204	David G. Leonard	\$ 2,731.42
Fourth St.	J11245 205	Albert Krankall Flossie A.	\$ 3,325.51
Fourth St.	J11246 206	Antoinette V. Mower (L U Sue V. Hasselbauer)	\$ 3,493.39
Fourth St.	J11247 207	Casper D. Coppolo Marie - Sur.	\$ 3,371.08
Fourth St.	J11248	Casper D. Coppolo	\$ 3,631.19



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6 _____ A. D., 19⁸³

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be constructed known as the Fourth Street Sewer Project; and

WHEREAS, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

WHEREAS, the Common Council has determined the amount of said assessments, after public hearings, all according to law; and

WHEREAS, the Connecticut General Statutes § 7-253 authorize the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before March 1, 1984 provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Fourth Street Sewer Project;

1. The payment of any benefits by installments hereunder shall be in not more than fourteen (14) substantially equal annual payments.

2. The minimum annual installment payment shall be ONE HUNDRED AND EIGHTY (\$180) DOLLARS.

3. The interest on any deferred payments hereunder shall be due at a rate per annum which shall be the rate of interest the City is obligated to pay on its sewer bonds issued for the cost of such improvement. Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.

4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as follows:

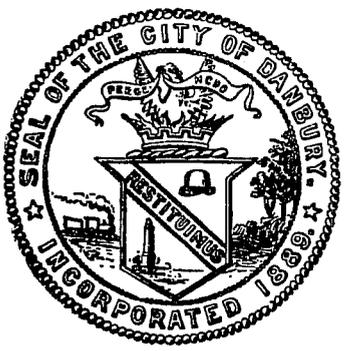
CERTIFICATE OF NOTICE OF INSTALLMENT PAYMENT OF ASSESSMENT OF BENEFITS

The undersigned Tax Collector of the City of Danbury in the County of Fairfield, State of Connecticut hereby certifies from the date hereof an installment payment plan is in effect for payment of an assessment of benefits for the installation of a sewerage system, in favor of the City of Danbury, upon real property situated in the said City, which real property is more fully described in the City Land Records in:

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6, _____ A. D., 19 83



RESOLVED by the Common Council of the City of Danbury:

The notice of such assessment of sewerage benefits herein certified is to _____ (owner of property), the principal of which is \$ _____ due to said City of Danbury, together with legal interest fees and charges thereon assessed on December 6, 1983 in the name of _____ and the same becomes due on March 1, 1984 and may be paid in annual installment payments of \$ _____ each plus interest at the rate of 11.3177 per cent on the unpaid principal balance and continuing to _____.

This certificate is filed pursuant to § 7-253 of the General Statutes, as amended.

The property assessed is:

Lot _____

Street _____

Item No. _____

Tax Collector

Received _____, 1983

At _____ M.

Recorded in the Danbury Land Records

Vol. _____ Page _____

Town Clerk

AND BE IT FURTHER RESOLVED THAT the Assessments of Benefits by virtue of the construction of the sewer project are hereby fixes as follows: (list attached).



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 6, 1983

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

Re: Resolution - Common Council Caucuses.

The Committee formed to review the Resolution in reference to Common Council Caucuses to be held in open sessions, met on November 28, 1983 at 8:30 P.M. In attendance were committee members Torian, DaSilva, Eriquez, Flanagan and McManus with Assistant Corporation Counsel E. Gottschalk. Attending in an ex-officio capacity were Councilmembers, Godfrey, Chianese, Torcaso, Skoff, Gallo, Charles, Foti, Cassano, McGarry, Johnson, Durkin and Boynton.

Attorney Gottschalk was asked to clarify any existing legal parameters that would aid the committee during the course of its discussion on the proposed resolution. Attorney Gottschalk made reference to Connecticut General Statutes 1-18(a)(b) which defines a "meeting" of a public agency, the purpose of which is to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.

Attorney Gottschalk also noted important exceptions to the definition of a "meeting" which occurs when a quorum of a public agency is also constituted by a single political party. When this stipulation exists, as is true on the Common Council, since we have no minority representation, a "meeting" is said not to have occurred; when a meeting is held, the public is invited, but when a caucus is held, the Freedom of Information Act permits an exception to that kind of conduct, and the public can legally be excluded.

Questions were raised by committee members in the following areas:

In the event the Common Council adopts the Resolution, how binding would this Resolution be on this Common Council and future Common Councils?

Would adoption of this Resolution prevent the Common Council from conducting a "closed" caucus in the future?.

Executive Session - under what circumstances could the Common Council go into executive session i.e. to discuss appointments, employment and performances?

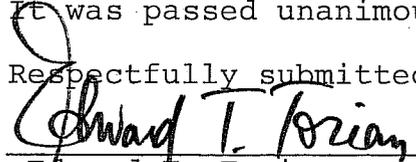
In an effort to address the various questions regarding the Resolution, a draft of an amendment to the Resolution was offered by Councilman Godfrey.

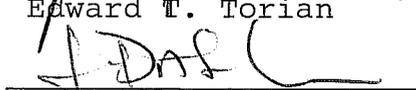
The text of the amendment is as follows: "unless at least 2/3 of those members present of the Common Council at a caucus vote at the caucus to close that caucus or part of that caucus during which matters exempted from public disclosure under the Freedom of Information Act (Conn. General Statutes Chapter 3, Public Records and meetings 1-18a through 1-21k inclusive) are discussed.

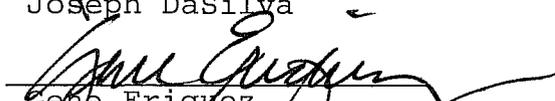
This resolution is not intended to bind future Common Councils and therefore is repealed as of noon, November 18, 1985."

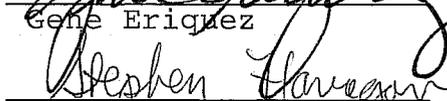
Attorney Gottschalk reviewed the draft of the amendment and had no objections to the language therein. Councilman DaSilva motioned that we include this amendment to the Resolution, to be inserted after the words "Now Therefore, be it resolved that in the absence of minority party representation on the Common Council of the City of Danbury all Council caucuses shall be held in open session to which the public will be freely invited," seconded by Councilman Eriquez. It was passed unanimously.

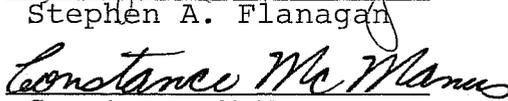
Respectfully submitted,


Edward T. Torian Chairman


Joseph DaSilva


Gene Eriquez


Stephen A. Flanagan


Constance McManus



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

December 6, 1983

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Honorable Members of the Common Council

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Attorney Gottschalk also noted important exceptions to the definition of a "meeting" which occurs when a quorum of a public agency is also constituted by a single political party. When this stipulation exists, as is true on the Common Council, since we have no minority representation, a "meeting" is said not to have occurred; when a meeting is held, the public is invited, but when a caucus is held, the Freedom of Information Act permits an exception to that kind of conduct, and the public can legally be excluded.

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20

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The text of the amendment is as follows: "unless at least 2/3 of those members present of the Common Council at a caucus vote at the caucus to close that caucus or part of that caucus during which matters exempted from public disclosure under the Freedom of Information Act (Conn. General Statutes Chapter 3, Public Records and meetings 1-18a through 1-21k inclusive) are discussed.

This resolution is not intended to bind future Common Councils and therefore is repealed as of noon, November 18, 1985."

Attorney Gottschalk reviewed the draft of the amendment and had no objections to the language therein. Councilman DaSilva motioned that we include this amendment to the Resolution, to be inserted after the words "Now Therefore, be it resolved that in the absence of minority party representation on the Common Council of the City of Danbury all Council caucuses shall be held in open session to which the public will be freely invited," seconded by Councilman Eriquez. It was passed unanimously.

Respectfully submitted,

Chairman

Edward T. Torian

Joseph DaSilva

Gene Eriquez

Stephen A. Flanagan

Constance McManus



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

December 6 _____ A. D., 19 83

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Freedom of Information Act of the State of Connecticut authorizes the exclusion of the public from a caucus of members of a single political party; and

WHEREAS, the Common Council of the City of Danbury recognizes that although authorized, in the absence of minority party representation on the Common Council such closed-door caucuses tend to reduce full and open discussion of issues vital to the future of the City of Danbury and also tend to reduce the public confidence in government;

NOW, THEREFORE, BE IT RESOLVED THAT in the absence of minority party representation on the Common Council of the City of Danbury all Council caucuses shall be held in open session to which the public will be freely invited, unless at least 2/3 of those members present of the Common Council at a caucus vote at the caucus to close that Caucus or part of that caucus during which matters exempted from public disclosure under the Freedom of Information Act (Conn. General Statutes Chapter 3, Public Records and meetings 1-18a through 1-21k inclusive) are discussed.

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