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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 6, 2005

Mayor Mark D. Boughton
Members of the Common Council

Re: **Conveyance of Property for Access at 57-59 Bear Mountain Road**

The Common Council Committee appointed to review the request to purchase property for access at 57-59 Bear Mountain Road met on June 22, 2005 in the Third Floor Caucus Room in City Hall. In attendance were committee members Steinerd, Basso and Esposito. Also in attendance were Deputy Corporation Counsel Eric Gottschalk, Attorney Ward Mazzucco and Attorney Camille DeGallan, the petitioner Neuzat Murtishi and Council Members Cavo, Riley, Saracino, Stanley, Teicholz, Urice and Visconti, ex-officio.

Attorney Gottschalk recapped the situation for the committee. He stated that the Tax Assessor has valued the lot at \$4,500. The question before the committee is whether to recommend conveyance of the strip which 20 feet wide and extends for 705 feet for the value assigned or other terms and conditions that the Common Council may approve. Attorney Gottschalk said it is the intention of the petitioner to acquire the parcel, but to permit the City to reserve whatever rights the City might have to use this property for municipal purposes.

Attorney Gottschalk stated that the second landowner would retain the rights to pass and repass over the road as contained in her deed from the developer. Mr. Visconti asked who would be responsible for maintaining the road? Attorney Mazzucco said that the City already owns the strip of land and selling it would mean the City relinquishes the liability for people passing over it. Attorney DeGallan stated that if Mr. Murtishi owns the land he would maintain it.

Mr. Steinerd pointed out that the property in question is not park property. It is property that allows the City access to a portion of Bear Mountain Park and the City will retain rights to use the property as needed. Mr. Steinerd said that there were concerns about the road being petitioned

back to the City, but constituents would have to bring it up to code before the City would accept it.

Mrs. Basso made a motion to recommend approval of the conveyance of a strip of property 20' x 705' on Bear Mountain Road for a price of \$4,500 and the City will reserve the right to use the property for municipal purposes and also preserve the rights of the second homeowner. Seconded by Mr. Steinerd. Motion carried with Mr. Esposito voting in the negative.

Respectfully submitted,

MICHAEL STEINERD, Chairman

PAULINE BASSO

JOHN ESPOSITO