

(21)

~AD HOC REPORT~
Estate of Harry R. Hunt
Tuesday, June 28, 2007

Hon. Mark D. Boughton, Mayor
Common Council Members

Chairman Michael Calandrino called the meeting to order at 6:15 p.m. on Thursday, June 28, 2007, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present were Committee members Shailesh Nagarsheth and Duane Perkins. Ex Officio members: Paul Rotello. Also present were Corporation Counsel Laszlo L. Pinter, Assistant Finance Director Dan Garrick, Petitioner Mark Kortash, Esq. and David Day—Public Works Department.

Chairman Calandrino introduced everyone in the room. Chairman Calandrino explained the purpose of the evening's meeting was to consider a possible donation of land to the City of Danbury in exchange for the City waiving any outstanding water assessment, interest and lien fees. Chairman Calandrino explained that the property is part of a 200+ unit assessment that was performed in approximately 1999 for water hook up.

Chairman Calandrino asked Mark Kortash to elaborate. Mr. Kortash explained that there was a yearly charge of \$142.80, plus interest at 4.74%, plus the lien fees that have been accruing. The total outstanding balance due to date is \$3,113.79. The assessment is through 2018. The Estate has paid up all back taxes with the exception of this year's bill in the amount of \$39 and change. David Day pointed out that there are four elements for an assessment: you take into consideration the area of the lot being assessed, the frontage of that lot, the number of existing building units, or potential building units that could be put on the lot, and the property value from the tax Grand List. Mr. Day reviewed what was done in 1999. He reviewed a map of the area with the Committee. He pointed to the Hunt property which is .13 acres. He pointed out a parcel similar in size. He said there are approximately 22 parcels in the area that were assessed which are similar in size to that of the Hunt property. Some parcels are buildable lots and some are not. He explained that once the assessment process was completed, the matter was brought to a Public Hearing in order to afford the property owners an opportunity to voice their opinions. Based on the outcome of the Public Hearing, the Common Council voted to reorganize the assessment list. Mr. Kortash pointed out that the Hunt property is not a buildable lot because there is no sewer access. Mr. Day pointed out that the assessment is performed in accordance with the Ordinance—a full engineering evaluation of each property was not performed.

Corporation Counsel Pinter pointed out that in the past, the Common Council has entertained proposals to donate land if the Department of Public Works, Engineering Department, felt the land was worthwhile.

Mr. Kortash pointed out that Mr. Hunt never resided in Danbury. He lived in Naugatuck and then moved to Brookfield. He purchased the parcel in 1981. He passed away in May of 2005. In going through Mr. Hunt's documentation, his daughter discovered that her father owned the parcel in question. Mr. Hunt may never have received the notice regarding the assessment and had the opportunity to voice his opinions at the Public Hearing. As the lot is not a buildable lot (which Mr. Hunt's daughter confirmed through Planning & Zoning), the family has no use for the property. Mr. Hunt's daughter contacted the owners of neighboring parcels to see if there was an interest in purchasing her father's parcel. The dollar amount offered was less than what the Estate owes the City. Mr. Kortash pointed out a culvert on the property which he indicated its location on the map and said the City was using the property without an easement for drainage purposes. Mr. Day was unable to confirm whether or not the culvert was put in place by the City. Councilman Nagarsheth asked Mr. Day if there was a need for the property and Mr. Day said there was no immediate need.

(21)

Councilman Perkins asked what the course of action has been for others who have claimed they have not received notices. Corporation Counsel Pinter explained that the general rule is that the property owner is presumed to be aware of notices of tax bills, hearings, meetings, etc.

Councilman Nagarsheth asked Corporation Counsel Pinter for his legal perspective. Corporation Counsel Pinter pointed out the difficulty in confirming whether or not the notice(s) were received by Mr. Hunt. In addition, the future value of the parcel is unknown at this point in time so it is difficult to determine whether or not it would be a benefit to the City to accept the donation.

A motion was made by Councilman Nagarsheth and seconded by Councilman Perkins that the Committee recommend to the Common Council that no action be taken at this time. The motion carried unanimously.

A motion to adjourn was made by Councilman Nagarsheth and seconded by Councilman Perkins. The motion carried unanimously at 6:45 p.m.

Respectfully submitted,

Michael Calandrino, Chairman

Shailesh Nagarsheth

Duane Perkins