

~AD HOC REPORT~

*Halas Farm Market
Tuesday, June 19, 2007*

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Hon. Mark D. Boughton, Mayor
Common Council Members

Chairwoman Pauline Basso called the meeting to order at 7:20 p.m. on Tuesday, June 19, 2007, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present were Committee members Colleen Stanley and John Esposito. Also present were Corporation Counsel Laszlo L. Pinter, Director of Public Works Antonio Iadarola, Michael Halas of Halas Farm Market and Brian Farrell.

Chairwoman Basso introduced everyone in the room. Chairwoman Basso explained the purpose of the evening's meeting. She informed the Committee that the land in question was land directly behind the buildings where Halas Farm Market currently stands.

Chairwoman Basso asked Michael Halas to provide a summary of his proposal. Mr. Halas informed the Committee that permission was granted several years ago by the Common Council to beautify a parcel of land on the corner of Farm Road and Route 37. He has maintained the area every week since that point in time. He reviewed the map which depicted the parcel of land he currently wishes to beautify. Chairwoman Basso offered some history regarding the area of Halas Farm Market. She explained that two years after Pembroke School was built (approximately 1968), the land was sold to the City to maintain and protect a 24-inch waterline on the property. She also made note of active streams that run through the property. Antonio Iadarola provided the Committee with a clear copy of Map 4212. He reviewed the map with the Committee and pointed out some key areas of the property. Mr. Halas desired to rejuvenate the area around the streams as the vegetation has become overgrown due to lack of maintenance. He would like to make the area a "showpiece" for the City. Councilwoman Stanley and Mr. Iadarola were in favor of Mr. Halas' beautification proposal. A concern of Mr. Iadarola was that Mr. Halas had a clear understanding of where the waterline was on the property as it is a high-pressure line. He requested that should Mr. Halas be granted his request, the two gentlemen clearly delineate where the waterline is on the property prior to Mr. Halas beginning any type of beautification work.

Councilman Esposito asked Corporation Counsel Pinter to explain the process of granting permission to Mr. Halas to maintain City-owned property. Councilman Esposito expressed concern with "tying up the property" should the City have a need to use the land in the future (i.e. road expansion). Corporation Counsel Pinter explained that the City has a license agreement with Mr. Halas for the parcel on the corner of Farm Road and Route 37. Should another license agreement be entered into with Mr. Halas, it is easily terminated. However, should Mr. Halas be seeking a lease agreement with the City, there are more requirements involved and Mr. Halas would have an interest in the land. The Common Council would need to follow the Code of Ordinances which provides them with the option of allowing others to petition for the use of the parcel. Mr. Halas pointed out that the parcel of land in question is a larger parcel than that on the corner of Farm Road and Route 37 and he desires more protection as he would be investing considerably more time and money to beautify the area. Mr. Iadarola did not foresee any plans in the near future wherein the City would revoke the use of the parcel. Corporation Counsel Pinter was unable to offer a firm recommendation of whether the parties should enter into a lease agreement or a license agreement. He favored a lease agreement in light of the size of the parcel of land, the substantial work that needs to be done to the property and the investment Mr. Halas would be making. He felt a lease agreement would provide protection to both the City and Mr. Halas. He did point out the complexity surrounding a lease agreement which Mr. Halas was not in favor of undertaking. Mr. Halas merely desires to offer his services and materials to beautify an area of the City for the City. He did not wish to engage in the

lengthy process or cost a lease agreement entails. However, he did express flexibility and willingness to discuss the matter before the Common Council for their consideration.

The Committee was in agreement that Mr. Halas has not only proven the exemplary nature of his work but also proven his love and devotion to the City of Danbury. And, after lengthy discussion of whether the City and Mr. Halas should enter into a lease agreement or a license agreement, Councilwoman Stanley offered the following motion, with the assistance of Corporation Counsel Pinter:

A motion was made by Councilwoman Stanley and seconded by Councilman Esposito that the Committee recommend to the Common Council the concept of a license agreement between Michael Halas of Halas Farm Market and the City of Danbury with regard to 1.99 acres of City-owned land on Map 4212 which is subject to preparation of all necessary documentation by the Corporation Counsel. Said documentation is to include clauses discussed by the Committee. The motion carried unanimously.

A motion to adjourn was made by Councilwoman Stanley and seconded by Councilman Esposito. The motion carried unanimously at 8:15 p.m.

Respectfully submitted,

Pauline Basso, Chairwoman

Colleen Stanley

John Esposito