

Nichols Abstracting

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TITLE REPORT

To: Attorney Benjamin Trachten

Re: Pulaski Street, New Haven, Connecticut

Scope of Research:

Determine ownership status of the remaining portion of Pulaski Street extending southeasterly from State Street and abutting 793 State Street on the southwest ("Subject Parcel").

Findings:

A review of the New Haven Land Records found no evidence of any action being taken with the portion of Pulaski Street in question. In 1961 & 1962, the majority of Pulaski Street and the property surrounding it were acquired by the State of Connecticut for highway construction. A small portion, the Subject Parcel, was not taken by the State.

It was discovered by reviewing the Aldermanic Journals, that in 1971, the City of New Haven Board of Aldermen commenced the abandonment of said Subject Parcel. The abandonment was Petitioned (1971, Pg 302), a Favorable result for resolution was entered and the Dept of Public Works was ordered to commence survey and assessment, conditions were set for abutting owners (1971, Pg 398). Said resolution to abandon the Subject Parcel was voted and passed by the Board (1971, Pg 492). In 1988, There was a proposal to use a property on the opposite side of Pulaski Street from 793 State Street as a Parking Lot run by the New Haven Parking Authority (1988, Pg 102). In said proposal, it was specifically pointed out that the Dept. of Public Works failed to perform the ordered survey and assessment and was ordered to comply with the 1971 order. No record of any further action was found by the Dept of Public Works. The proposal to transfer control of the Parking Lot area to the Parking Authority was recommended approved (1988, Pg 280) and approved and ordered (1988, Pg 705). Said approval makes no mention of the Dept, of Public Works complying with the order. Additionally, it designated the Parking Lot as being on the corner of State Street and Pulaski Street, implying that the street was not abandoned, and was in fact still a recognized street. No further record regarding Pulaski Street was found in a review up to the 1996 Journals.

A request for information from the Public Works Department, yielded no information. The Department representative had no knowledge of the situation. The representative searched for any record of the abandonment and also conferred with the Director of Public Works and they had no knowledge of any records regarding Pulaski Street. The result is that if there was any survey or assessment completed, there is no record of it.

Conclusions:

Absent any direct evidence of abandonment, and with the Aldermanic Record showing that the intended abandonment was not properly completed, the Subject Parcel appears to remain a public road.

LEGAL DESCRIPTION

All that certain piece or parcel of land, being the remain portion of Pulaski Street, a public roadway substantially acquired by the State of Connecticut for the construction of Interstate 91 Trumbull Street Connector. Being situated in the City of New Haven, County of New Haven and State of Connecticut, being bounded as follows:

NORTHWESTERLY: by State Street;

NORTHEASTERLY: by land now or formerly of Alpha Acquisitions, LLC, being known as 793 State Street;

SOUTHEASTERLY: by land of the State of Connecticut, being the discontinued portion of Pulaski Street and presently a portion of Interstate 91 Trumbull Street Connector; and

SOUTHWESTERLY: by land of the City of New Haven.

SUBJECT TO:

- Easements and restrictions as of record may appear.
- Rights of others as may exist by virtue of the premises being a public street.
- Utility easements as may exist
- Prohibition/Denial of Access in and to Interstate 91 Trumbull Street Connector along the Southeasterly boundary of the premises.

NOTE: The legal description provided below is cursory and should be amended and detailed upon the completion of a proper survey.

Nichols Abstracting

By:

Joshua D. Nichols

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RECORDED IN _____ LAND RECORDS
AT VOLUME _____ PAGE _____

Agreement No. 12.30-01(87)

LEASE AGREEMENT
NEW HAVEN PARKING AUTHORITY
(MOTOR VEHICLE PARKING)
INTERSTATE ROUTE 91
IN TOWN OF NEW HAVEN
FILE NO. 92-94-15E

THIS LEASE, concluded at Wethersfield, Connecticut, this 22nd day of March, 1988, 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 New Haven Parking Authority, a public authority established under Special Act 51-473, as amended, having its principal place of business at One Temple Street, New Haven, Connecticut 06510-3288, acting herein by Irvin D. Zeidenberg, its Chairman, hereunto duly authorized, hereinafter referred to as the Second Party.

WITNESSETH: THAT

WHEREAS, the Second Party has requested the use of certain land hereinafter described, for municipal parking, and

WHEREAS, the State has the authority pursuant to Section 13a-80a(a) of the Connecticut General Statutes, as revised, to enter into this Lease with the advice and consent of the Secretary, Office of Policy and Management of the State of Connecticut.

NOW, THEREFORE, KNOW YE:

The State does hereby lease to the Second Party, subject to all the stipulations, restrictions, specifications and covenants herein contained, that land situated in the Town of New Haven, County of New Haven and State of Connecticut, on the northwesterly side of Interstate Route 91, with appurtenances thereon, if any, containing 0.24 acre, more or less, bounded and described as follows:

BEGINNING at a point designated on a CHD Monument and located at the intersection of the northwesterly Highway Line of Interstate Route 91 and the southeasterly Street Line of State Street,

THENCE, proceeding in a general northeasterly direction along the northwesterly Highway Line of Interstate Route 91, along a horizontal circular curve to the left having a radius of 452.00 feet, a distance of 268.06 feet to a point designated on a CHD Monument;

THENCE, proceeding in a north-northeasterly direction along the northwesterly Highway Line of Interstate Route 91, a distance of 10 feet, more or less, to a point, which point is located on the southerly Street Line of Pulaski Street;

THENCE, proceeding in an easterly direction along the southerly Street Line of Pulaski Street, a distance of 33 feet, more or less, to a point;

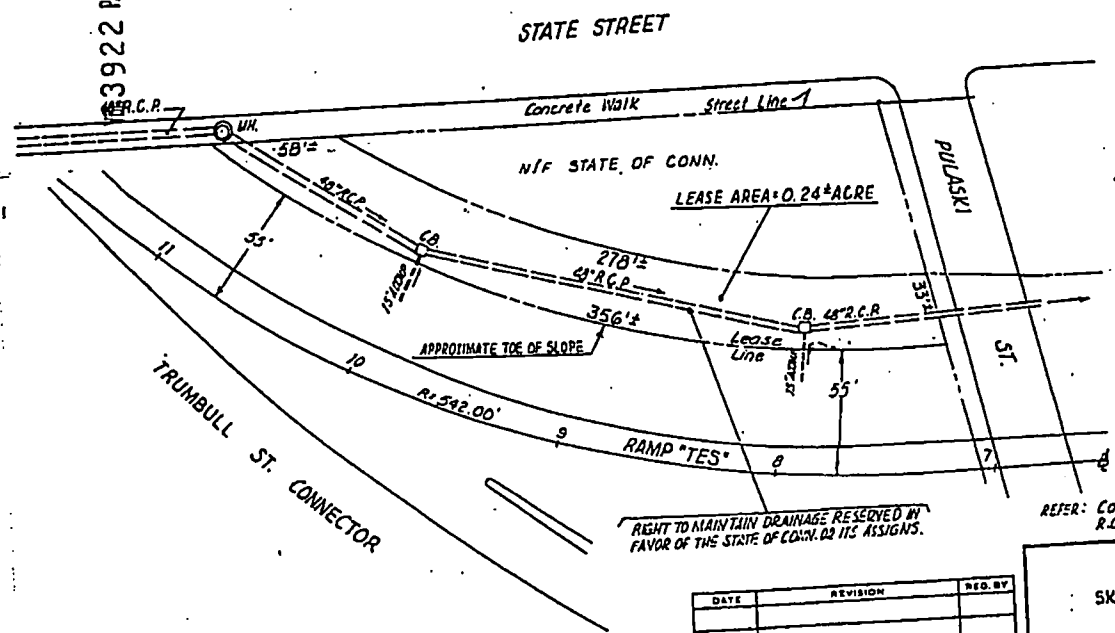
THENCE, proceeding in a general southwesterly direction along the Lease Line, along a horizontal curve to the right having a radius of 487.00 feet, a distance of 356 feet, more or less, to a point, which point is located on the southeasterly Street Line of State Street;

THENCE, proceeding in a north-northeasterly direction along the southeasterly Street Line of State Street, a distance of 58 feet, more or less, to the point and place of beginning,

all as shown on a map attached hereto, entitled: "Town of New Haven, Sketch showing land leased to New Haven Parking Authority by the State of Connecticut, Interstate Route 91, Scale 1" = 40', November 1986, Bureau of Highways", Town No. 92, Project No. 92-94, Serial No. 15E, Sheet 1 of 1.

All rights of Ingress and Egress are specifically denied, directly to and from Interstate Route 91, State Street and Pulaski Street, from and to the parcel of land herein described.

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RIGHT TO MAINTAIN DRAINAGE RESERVED IN FAVOR OF THE STATE OF CONN. OR ITS ASSIGNS.

REFER: CONST. PLAN 92-123 SH. 30
R.O.W. MAP 92-05 SH. 2

DATE	REVISION	REQ. BY

I HEREBY CERTIFY THAT THIS MAP IS SUBSTANTIALLY CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

TOWN NO. 92
PROJECT NO. 92-94
SERIAL NO. 15 E
SHEET 1 OF 1

THIS MAP CONFORMS TO CLASS D OF CODE OF CONNECTICUT TECHNICAL COUNCIL, INC.

Drawn By _____ Date _____
Checked By _____ Date _____
Cpr. By _____ Date _____

TOWN OF NEW HAVEN
SKETCH SHOWING LAND LEASED TO
CITY OF NEW HAVEN
BY
THE STATE OF CONNECTICUT
INTERSTATE ROUTE 91

SCALE 1" = 60'
NOVEMBER 19 62
BUREAU OF HIGHWAYS

- (1) The term of this Lease is for a five (5) year period of time commencing March 1, 1988, to and including February 28, 1993.
- (2) This Lease may be terminated at any time by either party hereto by giving the other party thirty (30) days official notice, as the same is hereinafter defined, and upon expiration of said notice period, this Lease shall be null and void and all rights of the Second Party herein shall end and terminate.
- (3) It is mutually understood and agreed by the parties hereto that when pages -1- thru and including -6- hereof are duly recorded in the land records of the town(s) in which the said parcel of land exists, the said pages are and shall continue to function as a Notice of Lease pursuant to Section 47-19 of the Connecticut General Statutes, as revised.
- (4) It is mutually understood and agreed by the parties hereto that this Lease is made subject to each and every specification and covenant, unless specifically deleted therefrom, contained in the "Standard Highway Lease Specifications & Covenants, Connecticut Department of Transportation", dated January 1, 1987, which is hereby made an integral part of this Lease by reference thereto and which shall have full force and effect as if the same was incorporated herein, it being understood and agreed by the parties hereto that the said "Standard Highway Lease Specifications & Covenants, Connecticut Department of Transportation", dated January 1, 1987, is and shall remain on file in the offices of the State and of the Second Party identified on page -1- hereof.
- (5) The Second Party shall erect and maintain a six-foot (6') high chain-link fence, at its own expense, along the length of the southeasterly Lease Line, a distance of 356 feet, more or less. If, at any point, the toe of slope extends into the lease area, said fence shall be erected at the toe of slope.
- (6) Access to and from the lease area shall be gained through the abutting land of the City of New Haven, only.
- (7) The Second Party shall pay to the State an annual rental fee equal to twenty percent (20%) of the gross parking fee receipts derived from the subject parking lot, payable within ninety (90) days following the completion of each year of the term hereof.
- (8) The Second Party agrees that it shall have prepared and delivered to the State, in the manner and frequency hereinafter specified and at its own expense, statement(s) of gross receipts, pertinent expenses (where appropriate), and payments to the State.
Such statement(s) shall be prepared and delivered to the State within ninety (90) days following each of the hereinafter specified events (where appropriate):

- (a) the end of each year of the specified term of this Agreement;
- (b) the end of each year (or fraction thereof) of any bona fide extension of the specified term of this Agreement, if any;
- (c) the effective date of termination of this Agreement, in the event of termination of this Agreement prior to the completion of the specified term of this Agreement or prior to the completion of the extended term of this Agreement specified in any bona fide extension hereof, if any.

Such statement(s) shall be prepared and certified by an independent Certified Public Accountant (CPA) as defined by Chapter 389 of the Connecticut General Statutes and shall contain the CPA's professional opinion relative to each of the following:

- (a) The sufficiency and adequacy of all records presented by the Second Party to the CPA to properly reflect all aspects of the Second Party's operations under this Agreement;
- (b) The system of record keeping utilized by the Second Party pursuant to this Agreement is in substantial accord with generally accepted accounting principles and practices;
- (c) The payments due the State are computed correctly and in accord with the terms of this Agreement and the laws of the State of Connecticut; AND
- (d) The recommendations of the CPA, if any, that in the opinion of the CPA would improve the fiscal relationship between the State and the Second Party as regards this Agreement.

While it is the intent of the State to rely on the certified statement(s) of the CPA as the same are defined hereinabove, the State hereby reserves the right to review, examine and/or audit the records of the Second Party and the work papers of the said CPA.

- (9) All parking opportunities and any fees charged for parking on the leased property shall be equal for all patrons, whether residents or non-residents of the town in which the property is located.
- (10) The Second Party shall, at its own expense, prepare a construction plan showing the proposed improvements, including the driveway locations, the parking layout and the total number of parking spaces to be established by the construction of the parking lot on the subject lease area. This plan will be subject to the prior approvals of the New Haven Traffic Authority and the Department of Transportation, District III Maintenance Manager, located at 140 Pond Lily Avenue, New Haven, Connecticut. A copy of this plan shall also be forwarded to the Office of Rights of Way, Department of Transportation, 24 Wolcott Hill Road, Wethersfield, Connecticut 06109.

Agreement No. 12.30-01(87)

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

WITNESSES:

Name: USA E. STANKIEWICZ

Name: William F. Voboril

WILLIAM F. VOBORIL

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
J. William Burns, Commissioner

By Robert W. Gubala (Seal)
Robert W. Gubala
Trans. Chief Engineer
Bureau of Highways

Date: March 22, 1988

WITNESSES:

Name: Julie Canfield

Name: Tim Phillips

SECOND PARTY
NEW HAVEN PARKING AUTHORITY

By Irvin D. Zeidenberg (Seal)
Irvin D. Zeidenberg
Chairman

Date: February 1, 1988

STATE OF CONNECTICUT)

COUNTY OF HARTFORD)

ss: Wethersfield March 22 A.D., 1988

Personally appeared for the State, Robert W. Gubala, Signer and Sealer of the foregoing Instrument and acknowledged the same to be the free act and deed of the Department of Transportation, and his free act and deed as Transportation Chief Engineer, Bureau of Highways, before me.

USA E. STANKIEWICZ
NOTARY PUBLIC
My Commission Expires: March 31, 1991

STATE OF CONNECTICUT)

COUNTY OF NEW HAVEN)

ss: New Haven

February 1, A.D., 1988

Personally appeared for the Second Party, Irvin D. Zeidenberg, Signer and Sealer of the foregoing Instrument and acknowledged the same to be the free act and deed of the New Haven Parking Authority and his free act and deed as Chairman, before me.

My Commission Expires:

My Commission Expires March 31, 1989

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Agreement No. 12.30-01(87)

This Lease is made with the advice and consent of the undersigned in conformance with Section 13a-80a(a) of the Connecticut General Statutes, as revised.



Secretary, Office of Policy
and Management

Date: _____

MAY 12 1988

APPROVED AS TO FORM:


Attorney General

Date: _____

5/18/88

November 18, 1987

MOVED THAT THE NEW HAVEN PARKING AUTHORITY ENTER INTO A LEASE AGREEMENT FOR THE PARCEL OF STATE LAND LOCATED ON STATE STREET AND PULASKI STREET AT THE TRUMBULL STREET CONNECTOR TO I-91, STATE FILE NO. 92-94-15E AND THAT THE CHAIRMAN BE AUTHORIZED TO SIGN SAID LEASE AGREEMENT.

At a regular meeting of the New Haven Parking Authority, duly warned and open to the public, held in the 3rd Floor West Conference Room at Union Station, 50 Union Avenue, New Haven, Connecticut at 4:00 p.m., on Wednesday, November 18, 1987, members of the Authority being present, the above Motion was proposed by member John Cavallero, seconded by member Lucille Fiorello, put to vote and unanimously adopted.

Certified to be a true and correct copy.

Timothy L. Phillips
Timothy L. Phillips, Secretary
New Haven Parking Authority

60 JUL -8 AM 10:09

502110

The State of Connecticut, Francisco L. Borges, Treasurer of the State of Connecticut, under authority granted by Section 3-14b and in accordance with the provisions of Section 13a-80 of the General Statutes of Connecticut, as revised, with the advice and consent of the Office of Policy and Management of the State of Connecticut, and the State Properties Review Board, for consideration paid (\$106,000.00), Grants to the City of New Haven, a municipal corporation existing under the laws of the State of Connecticut and having its territorial limits within the County of New Haven and State of Connecticut, with QUIT-CLAIM COVENANTS,

That certain parcel of land situated in the Town of New Haven, County of New Haven and State of Connecticut, on the southeasterly side of State Street, at Pulaski Street, containing 0.31 of an acre, more or less, bounded and described as follows:

NORTHWESTERLY	- by State Street, 246 feet, more or less;
NORTHEASTERLY	- by Pulaski Street, 81 feet, more or less;
SOUTHEASTERLY AND SOUTHERLY	- by the northwesterly and northerly non-access highway line of Ramp "TES", Interstate Route 91, a total distance of 278.06 feet, more or less, by a line designated "Release Line & Non Access Highway Line," as shown on the map hereinafter referred to;
WESTERLY	- running to a point.

For the State's source of title to the above-described premises, reference is made to acquisitions by the State of Connecticut from Sophie Rothe as contained in a Warranty Deed recorded in Volume 2103 at Page 39 of the New Haven Land Records; from Walenty Ciskowski et al as contained in a Warranty Deed recorded in Volume 2114 at Page 179 of said land records; from Sidney Shindell et al as contained in a Warranty Deed recorded in Volume 2118 at Page 337 of said land records; and from the City of New Haven as contained in a Quit-Claim Deed recorded in Volume 2155 at Page 363 of said land records.

The above-described premises are conveyed subject to such rights and easements as may appear of record and to any state of facts which an inspection of the premises may show.

All rights of Ingress and Egress are specifically denied, directly to and from Ramp "TES", Interstate Route 91, from and to the land herein conveyed.

It is expressly understood and agreed between the parties hereto that in the event that the City of New Haven sells the land herein conveyed within a period of twelve months from the execution date of this Deed at a price higher than that paid by the City of New Haven, then the difference in price between the present sale and the subsequent sale by said City of New Haven shall be paid to the State of Connecticut on the date of closing of said subsequent sale by the City of New Haven.

For a more particular description of the above-described premises, reference is made to a map to be filed in the New Haven Town Clerk's Office, entitled: "Town of New Haven, Map Showing Land To Be Released To City of New Haven by The State of Connecticut, Interstate Route 91 (Limited Access Highway), Scale 1"=40', February 1987, Robert W. Gubala, Transportation Chief Engineer - Bureau of Highways." Town No. 92, Project NO. 92-94 (92-123), Serial No. 15 D, Sheet 1 of 1 Sheet.

NO CONVEYANCE TAX RECEIVED

Town Clerk of New Haven

NO CONVEYANCE TAX RECEIVED

Shane
Town Clerk of New Haven

2 of 2 .

April 5, 1971

Resolution, as set forth under Resolutions hereinafter, de Model Cities Resident Employment and Training Area, presented by Alderman Aceto.

Municipal Services.


Petition of Southern New England Telephone Company for replacement of snow melting mats under sidewalk at Orange and Wall Streets. Referred concurrently to City Plan Commission.

Petition of Alderman Wilson for repaving of Lander Street from Newhall Street to Winchester Avenue.

Petition of Alderman William Jones for increased lighting on Dickerman Street and Sperry Street.

Petition of Alderman James Jones for increased lighting on Springside and Wintergreen Avenues and on Wilmot Road.

Petition of Alderman Esdaile for increased lighting on Whalley Avenue.

 Petition of Alderman Dynia de abandonment of Pulaski Street. Referred concurrently to City Plan Commission.

Petition of Alderman Dynia de renaming Eld Street to Pulaski Street. Referred concurrently to City Plan Commission.

Public Safety and Welfare.

Resolution, as set forth under Resolutions hereinafter, de Crime on Senior Citizens.

April 5, 1971

Resolution, as set forth under Resolutions hereinafter, de Police Commission investigate activities of Police Department members.

Urban Development.

Petition of New Haven Terminal, Inc. and New Haven City Plan Commission for transfer of land to City for park purposes, east of Peat Meadow Road and Milton Street. Referred concurrently to City Plan Commission.

Communication from Redevelopment Agency, as set forth under Communications hereinbefore, de proposed land development in Hill Renewal Area, Reuse Parcel S-26 (Door of Salvation Pentecostal Church). Referred concurrently to City Plan Commission.

Cohen and DeMayo communication, as set forth under Communications hereinbefore, de development and acceptance of proposed sub-division to be known as Gina Terrace. Referred concurrently to City Plan Commission.

City Plan Commission.

Communication from Redevelopment Agency, as set forth under Communications hereinbefore, de proposed land development in Hill Renewal Area, Reuse Parcel S-26 (Door of Salvation Pentecostal Church). Referred concurrently to Committee on Urban Development.

Communication of Cohen and DeMayo, as set forth under Communications hereinbefore, de development and acceptance of proposed sub-division to be known as Gina Terrace. Referred concurrently to Committee on Urban Development.

AMENDMENT RELATIVE TO QUINNIPIAC AVENUE
(986)

BE IT ORDERED BY THE BOARD OF ALDERMEN OF
THE CITY OF NEW HAVEN:

THAT the Zoning Ordinance of the City of New Haven
is hereby amended as follows:

To rezone from Light Industry (IL) to Residential Low-Middle Density (RM-1) the land bounded on the North by land now or formerly of William R. Hemingway, Willet Hemingway and Harvey F. Hemingway and George Smith Adams, each in part, 480 feet, more or less; on the West by Hemingway Creek, so called; on the South by land now or formerly of Charlotte Page and William R. Hemingway, Willet Hemingway and Harvey R. Hemingway and Ada C. Bray, each in part, 480 feet, more or less; and on the East by Quinniapiac Avenue, known as No. 986 Quinniapiac Avenue.

Legislation. Unfavorable. Petition of Alderman Alan DeLisle for Addition of Zoning Ordinance de Blightnig Conditions Caused by Junk Yards.

ORDERED that the Petition of Alderman Alan DeLisle for addition to Zoning Ordinances de blighting conditions caused by Junk Yards be given leave to withdraw.

Municipal Services. Favorable. Resolution de Abandonment of Pulaski Street.

ORDERED that the Director of Public Works cause a survey and an assessment of benefits and damages to be made for the closing and discontinuance of Pulaski Street starting at State Street to a dead end (I-91).

It is further ordered that:

1. Any costs involved in the relocation of existing private utilities would be done at no cost to the City of New Haven.
2. The owners should be required to install concrete sidewalk granite curbing and if necessary a reinforced concrete driveway apron all in accordance with the City of New Haven standards.


Municipal Services. Favorable. Petition of Southern New England Telephone Company for Replacement of Sidewalk at 310 Orange Street and Replacing of Snow Melting Pads.

ORDERED that permission be and hereby is granted to the Southern New England Telephone Company to replace the sidewalk at 310 Orange Street, corner of Wall Street, and also to replace snow melting coils installed therein; said work to consist of removing existing sidewalk and snow melting coils which are deteriorated and installing a vapor barrier, 5" concrete sidewalk and new snow melting coils; expansion joints to be installed at a minimum of every 25 feet; said sidewalk to be the present width from curb to planting bed area; said proposed sidewalk and snow melting coils and all appurtenances thereto to be constructed to the satisfaction of the Director of Public Works, the City Engineer, the Building Inspector and the Fire Marshal and in conformity with the ordinance of the City of New Haven, it being understood and agreed, however, in the consideration of the granting of this permission, that said permission shall be subject to revocation at any time after issuance by the City of New Haven without payment of damages or compensation, and that said Southern New England Telephone Company, its successors and assigns, shall save harmless the City of New Haven from any and all loss, cost and damages

May 17, 1971

on Page 398 in the Partial Journal of May 10, 1971, was read for the second time; and on motion of Alderman Segal, duly seconded, it was voted, viva voce, that said report be tabled.

Municipal Services. Favorable. Resolution de Abandonment of Pulaski Street.



The favorable report of the Committee on Municipal Services, recommending adoption of the resolution as set forth on Pages 398-399 of the Partial Journal of May 10, 1971, was read for the second time, and on motion of Alderman Segal, it was voted, viva voce, that said report be accepted and said proposed resolution be adopted and proposed order passed, and it was so declared by the Chair.

Municipal Services. Favorable. Petition of Southern New England Telephone Company for Replacement of Sidewalk at 310 Orange Street and Replacing of Snow Melting Pads.

The favorable report of the Committee on Municipal Services, recommending passage of the proposed order as set forth on Pages 399-400 of the Partial Journal of May 10, 1971, was read for the second time, and on motion of Alderman Segal it was voted, viva voce, that said report be accepted and proposed order passed, and it was so declared by the Chair.

Municipal Services. Favorable. U.S. Coast Guard Communication de Installation of Four Trail Blazer Signs.

The favorable report of the Committee on Municipal Services, recommending passage of the proposed order as set forth on Pages 400-401 of the Partial Journal of May 10,

May 17, 1971

1971, was read for the second time, and on motion of Alderman Segal it was voted, viva voce, that said report be accepted and proposed order passed, and it was so declared by the Chair.

Municipal Services. Favorable. Petition of Alderman Wilson for Repaving of Lander Street from Newhall Street to Winchester Avenue.

The favorable report of the Committee on Municipal Services, recommending passage of the proposed order as set forth on Page 401 of the Partial Journal of May 10, 1971, was read for the second time, and on motion of Alderman Segal it was voted, viva voce, that said report be accepted and proposed order passed, and it was so declared by the Chair.

Public Safety and Welfare. Unfavorable. Resolution de Commission on Consumer Protection.

The unfavorable report from the Committee on Public Safety and Welfare, recommending the passage of the order as set forth on Page 401 of the Partial Journal of May 10, 1971, was read for the second time.

Alderman Segal moved to table said report, which upon motion was duly seconded. The motion to table the report was then put to a roll call vote, which resulted as follows:

Those voting "Aye" were:

Aldermen Bartlett, Mauro, Rodriguez, Aceto, Fasulo, O'Neill, DeLisle, Moore, Rossomando, Dynia, Carusone, Segal and Deutsch — 13.

Voting "No" were:

BOARD OF ALDERMEN - 2/3 MAJORITY VOTE) (REFERRED CONCURRENTLY TO CITY PLAN COMMISSION) (ALSO REFERRED TO BUREAU OF COMPENSATION)

January 19, 1988

Board of Aldermen
City of New Haven
200 Orange Street
New Haven, Connecticut 06510

Honorable Ladies and Gentlemen:

I am pleased to submit for your approval a proposed Agreement between the New Haven Redevelopment Agency and the New Haven Parking Authority providing for the transfer of jurisdiction and control over a piece of excess State highway property at the corner of State and Pulaski Streets from the Agency to the Authority.

You will recall that the City previously transmitted a proposed Land Disposition Agreement to your Board for the conveyance of the subject parcel (Reuse Parcel S-99) to State Plaza Associates for its use as an off-street parking lot to service its new office building at State and Olive Streets, as well as other neighborhood uses. It was subsequently decided that having the Parking Authority contract with interested commercial and residential users would make use of the lot more efficient, and that matter was withdrawn from consideration by your Board. The Parking Authority authorized the execution of the Transfer of Jurisdiction Agreement and payment of the purchase price by

motion adopted November 18, 1987, a copy of which is attached.

What you now have before you is a proposed instrument and accompanying Order which will provide for the control over this land to pass from the Redevelopment Agency to the Parking Authority. The Authority will make the necessary improvements to the lot including paving, landscaping and lighting. The final plans for development of the property will be subject to approval by the City Plan Commission. The Authority will pay the full purchase price for the property which was acquired from the State Department of Transportation by the Agency for \$106,000.00. This money will, in turn, be used to reimburse the CDBG account from which it was borrowed. A portion of the excess State highway property at State and Pulaski was not available for purchase and will be retained by the State and leased to the Parking Authority.

As part of this process, we will finalize the abandonment of Pulaski Street. The Board of Aldermen on May 17, 1971 approved the closing and discontinuance of Pulaski Street from State Street to a dead end at Interstate 91 subject to a survey and assessment of benefits and damages. According to our research, such a report was never prepared and submitted to the Board. By copy of this letter, the Director of Public Works is being asked to comply with the 1971 Order and to issue a report to your Board so that Pulaski Street can be officially abandoned, enabling the Parking Authority to make use of one-half of the street.

I urge your Honorable Board's early and favorable action on these matters. These parking spaces will provide much-needed relief for residents and merchants in Upper State Street.

Respectfully submitted,

LLOYD NOYES

Chairman

FINANCE:

FROM THE CHIEF ADMINISTRATIVE OFFICER REQUESTING TO WITHDRAW THE ORDER APPROVING AN AGREEMENT BETWEEN THE CITY OF NEW HAVEN AND MORGANTI, INC. PROVIDING INDEMNITY FROM CLAIMS IN CONNECTION WITH THE CONSTRUCTION OF THE IVES MEMORIAL LIBRARY RENOVATION AND EXPANSION PROJECT. (PRESENTED UNDER SUSPENSION OF SECTION 24-1-a OF THE RULES OF THE BOARD OF ALDERMEN - 2/3 MAJORITY VOTE)

January 15, 1988

Board of Aldermen

City of New Haven

200 Orange Street

New Haven, Connecticut 06510

Honorable Ladies and Gentlemen:

I am requesting leave to withdraw an ORDER OF THE BOARD OF ALDERMEN APPROVING AN AGREEMENT BETWEEN THE CITY OF NEW HAVEN AND MORGANTI, INC. WHICH PROVIDES THE CITY WILL INDEMNIFY MORGANTI, INC. FROM CLAIMS IN CONNECTION WITH

THE CONSTRUCTION OF THE IVES MEMORIAL LIBRARY RENOVATION AND EXPANSION PROJECT.

As you may recall, this Office sought to engage Morganti, Inc. to provide pre-construction value engineering services in connection with the renovation and expansion of the Ives Library building project. The Board of Aldermen action was required because Morganti, Inc. has made it a standard practice to provide this service only when indemnification from claims arising out of the construction of the project is provided. As you know, such indemnification can only be authorized through the Board of Aldermen.

The Chief Administrator's Office initially submitted this request to the Board of Aldermen on November 2, 1987 in anticipation that Morganti, Inc. could be under contract by January 1 and provide pre-construction value engineering services prior to the project going out to bid which is projected to occur on February 5. Due to the unanticipated postponement of the business portion of the December meeting of the Board of Aldermen and tabling of this item at the January 4 meeting, any efforts to pursue a contract with Morganti will only result in delaying the current project schedule. Whatever gains might have been derived from the use of this vendor in providing pre-construction cost reduction services would likely be offset by the increased cost resulting from at least a month delay, if not longer, in order to engage the contractor and initiate the provision of these services.

In accordance with our customary procedure, the attached reports referenced below, adopted by the City Plan Commission at its meeting of February 3, 1988, are forwarded for your consideration.

REGARDING: Ordinance Text Amendment, Chapter 29
regarding Parking Violations (Pooley).

REPORT NO.: 1057/1

RECOMMENDATION: Approval

REGARDING: Ordinance Text Amendment, Sec. 20
regarding Peddler Licensing (Department of
Police Service).

REPORT NO.: 1057/2

RECOMMENDATION: Approval

REGARDING: State Street, State Street Parcel
S-99, Transfer jurisdiction from NHRA to
Parking Authority (NHRA).

REPORT NO.: 1057/3

RECOMMENDATION: Approval with Condition

REGARDING: Wallace Street, Bridge over Amtrak,
Authorization to apply for State DOT Local
Bridge Program Funding (City Engineer).

REPORT NO.: 1057/4

RECOMMENDATION: Approval

REGARDING: Blatchley Avenue, Bridge over

Amtrak, Authorization to apply for State
DOT Local Bridge Program Funding (City
Engineer).

REPORT NO.: 1057/5

RECOMMENDATION: Approval

REGARDING: 36 Auburn Street, Land Disposition
Agreement (Guterrez).

REPORT NO.: 1055/4

RECOMMENDATION: Approval with Condition

Respectfully submitted,

JOHN L. MCGUERTY
Executive Director

FROM THE CITY/TOWN CLERK REPORTING THE NUMBER
OF VOTING MACHINES, VOTERS ON REGISTRY LIST,
ETC.

February 3, 1988

Board of Aldermen
City of New Haven
200 Orange Street
New Haven, Conn. 06510

Honorable Members:

In accordance with Sec. 9-23B, Connecticut
State Statutes - Election Laws, enclosed is the
completed form reporting the number of voting
machines, names on registry list, etc. A copy

Project for processing and, shall make every effort to issue bonds under the Act in order to provide the additional financial assistance required, subject to acceptance by all parties concerned of the terms, conditions, costs and fees involved in the issuance of the bonds, including the Loan Agreement, the indenture and all other instruments pertinent hereto.

Section 2. The City's obligation to use its best efforts to issue bonds under the Act shall not be construed as a firm commitment to provide financing for the Project since the issue and sale of the bonds is contingent upon the marketability of the bonds at a price and in accordance with terms and conditions satisfactory to the City and to YUNZ Industries, Inc., nor shall it be construed as a firm commitment to provide financing for the Project from any source or sources other than through the issuance of such bonds.

Section 3. Subject to the provisions of Section 1 hereof, the City will undertake, upon receipt of sufficient information and assurances to permit the authorization, issuance and sale of the bonds, to proceed with the issuance of bonds pursuant to the Act to finance the Project in an amount not to exceed \$1,100,000 (the final principal amount, maturities, interest rate, redemption terms and other details and particulars of the bonds to be determined by a further resolution of the Board of Aldermen).

Section 4. The appropriate officers, agents and employees of the City are hereby authorized and directed to take steps that may

be necessary to initiate the Project in cooperation with YUNZ Industries, Inc.

Section 5. YUNZ Industries, Inc. is authorized to initiate the acquisition and construction of the Project and to advance such funds as may be necessary to accomplish such Project subject to reimbursement for all expenditures out of the proceeds of the bonds if and when issued in accordance herewith and subject to the limitations expressed herein.

Section 6. This resolution may be deemed by the Mayor to have expired at any time after Twelve months from the date hereof, unless (a) extended by the City, or (b) the financing has been committed or closed. Any extension or renewal will be for an additional six month period.

Section 7. This resolution is to take effect immediately.

COMMUNITY DEVELOPMENT. FAVORABLE. ORDER FOR AN AGREEMENT BETWEEN THE CITY AND THE REDEVELOPMENT AGENCY FOR TRANSFER TO THE NEW HAVEN PARKING AUTHORITY OF REUSE PARCEL S-99 (STATE AND PULASKI LOT). (PRESENTED UNDER SUSPENSION OF SECTION 24-1-a OF THE RULES OF THE BOARD OF ALDERMEN - 2/3 MAJORITY VOTE)

ORDER OF THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN APPROVING AND PROVIDING FOR THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF NEW HAVEN AND THE NEW HAVEN REDEVELOPMENT AGENCY PROVIDING FOR THE TRANSFER OF JURISDICTION AND CONTROL FROM THE NEW HAVEN REDEVELOPMENT AGENCY



TO THE NEW HAVEN PARKING AUTHORITY OF CERTAIN REAL PROPERTY AT STATE AND PULASKI STREETS, REUSE PARCEL S-99, STATE STREET REDEVELOPMENT AND RENEWAL AREA

WHEREAS, the City of New Haven, acting by and through the New Haven Redevelopment Agency, owns certain real property at the corner of State and Pulaski Streets known as Reuse Parcel S-99 within the State Street Redevelopment and Renewal Area; and

WHEREAS, said property was purchased by the City, acting by and through the New Haven Redevelopment Agency, from the State Department of Transportation as excess State highway land; and

WHEREAS, the New Haven Parking Authority desires to obtain jurisdiction and control over said property and to subsequently develop the property as an off-street parking facility; and

WHEREAS, the New Haven Redevelopment Agency is willing to transfer and assign its jurisdiction and control over said property to the New Haven Parking Authority; and

WHEREAS, the New Haven Parking Authority is willing and authorized to pay the New Haven Redevelopment Agency the sum of \$106,000.00 for the property pursuant to a Motion of the Authority adopted on November 18, 1987; and

WHEREAS, it is necessary under Section 45(a) of the Charter of the City of New Haven for the Board of Aldermen of the City of New Haven to approve such transfer of jurisdiction

and control from the New Haven Redevelopment Agency to the New Haven Parking Authority.

NOW, THEREFORE, BE IT ORDERED by the Board of Aldermen of the City of New Haven as follows:

- 1) The proposed Agreement between the New Haven Redevelopment Agency and the New Haven Parking Authority for the transfer of the excess State highway property at the corner of State and Pulaski Streets from the Redevelopment Agency to the Parking Authority for the sum of \$106,000.00 for the development of a public parking lot be and hereby is approved.
- 2) The transfer of jurisdiction and control of the aforementioned property from the New Haven Redevelopment Agency to the New Haven Parking Authority be and is hereby approved, subject to execution of the aforesaid Agreement, to be effective on the date of delivery by the Redevelopment Agency to the Parking Authority of a written communication or notice of such transfer, a copy of which shall be sent to the City-Town Clerk.

BE IT FURTHER ORDERED that the Agreement between the New Haven Redevelopment Agency and the New Haven Parking Authority contain a provision that the use of parking spaces be on

a month-to-month or hourly basis and be governed by the following priorities:

First: to neighborhood residents up to one-half the number of spaces;

Second: to neighborhood businesses up to one-quarter the number of spaces;

Third: to short term hourly parking up to one-quarter the number of spaces;

Fourth: to commuters.

COMMUNITY DEVELOPMENT. FAVORABLE. ORDER
APPROVING THE CONVEYANCE OF A PORTION OF THE
FORMER CLARENDON STREET TO JOANNE AND NEIL
MORIARTY. (PRESENTED UNDER SUSPENSION OF
SECTION 24-1-a OF THE RULES OF THE BOARD OF
ALDERMEN - 2/3 MAJORITY VOTE)

ORDER OF THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN APPROVING AND PROVIDING FOR THE CONVEYANCE OF A PORTION OF THE FORMER CLARENDON STREET TO JOANNE AND NEIL MORIARTY

WHEREAS, Joanne and Neil Moriarty are owners of the property known as 3 Hillside Avenue; and

WHEREAS, on July 13, 1970 the Board of Aldermen passed an Order approving the abandonment of Clarendon Street between Hillside Avenue and Huntington Road; and

WHEREAS, part of the abandoned portion of Clarendon Street is abutted by 3 Hillside Avenue; and

WHEREAS, the July 13, 1970 Order further provided that the portion of the abandoned Clarendon Street abutting 3 Hillside Avenue be conveyed to William Coppola; and

WHEREAS, pursuant to an Order of the Board of Aldermen passed February 2, 1981, William Coppola reconveyed the portion back to the City of New Haven; and

WHEREAS, a covenant in the chain of title for 3 Hillside Avenue provided that if Clarendon Street were abandoned, William Coppola would convey to the owners of the 3 Hillside Avenue property a strip of the abandoned Clarendon Street, five feet in width and running adjacent to the property; and

WHEREAS, under Connecticut law, upon abandonment of a street, the roadbed of the street from the center line to the curb line, reverts to the abutting property owners; and

WHEREAS, by reason of the above-referenced deed covenant and by virtue of Connecticut law, Joanne and Neil Moriarty ought to be provided with clear title to the portion of the abandoned Clarendon Street twenty feet in width and running adjacent to the 3 Hillside Avenue property.

NOW, THEREFORE, BE IT ORDERED by the Board of Aldermen of the City of New Haven that the conveyance to Joanne and Neil Moriarty of all

viva voce, that said report be accepted and proposed order be passed and it was so declared by the Chair.

ALDERMANIC AFFAIRS. FAVORABLE. APPOINTMENT OF SHIRLEY TAYLOR HAIZLIP TO THE SHUBERT BOARD OF DIRECTORS. (ORDER PASSED)

The favorable report from the Committee on Aldermanic Affairs, recommending passage of the proposed order as printed on page 698 of the Journal of the Regular Meeting held on April 4, 1988 was read for the second time, and on motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed order be passed and it was so declared by the Chair.


COMMUNITY DEVELOPMENT. FAVORABLE. RESOLUTION AUTHORIZING SPONSORSHIP OF A DEVELOPMENT PROJECT IN THE MILL RIVER INDUSTRIAL PARK UNDER THE CITY AND TOWN DEVELOPMENT ACT TO ISSUE \$1,100,000 IN SPECIAL OBLIGATION BONDS ON BEHALF OF YUNZ INDUSTRIES. (RESOLUTION ADOPTED)

The favorable report from the Committee on Community Development, recommending passage of the proposed Resolution as printed on pages 698-702 of the Journal of the Regular Meeting held on April 4, 1988 was read for the second time, and on motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed Resolution be adopted and it was so declared by the Chair.

COMMUNITY DEVELOPMENT. FAVORABLE. RESOLUTION AUTHORIZING THE INITIATION OF A DEVELOPMENT PROJECT IN THE MILL RIVER INDUSTRIAL PARK UNDER THE CITY AND TOWN DEVELOPMENT ACT TO ISSUE \$1,100,000 IN SPECIAL OBLIGATION BONDS ON BEHALF OF YUNZ INDUSTRIES. (RESOLUTION ADOPTED)

The favorable report from the Committee on Community Development, recommending passage of the proposed Resolution as printed on pages 702-705 of the Journal of the Regular Meeting held on April 4, 1988 was read for the second time, and on motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed Resolution be adopted and it was so declared by the Chair.

COMMUNITY DEVELOPMENT. FAVORABLE. ORDER FOR AN AGREEMENT BETWEEN THE CITY AND THE REDEVELOPMENT AGENCY FOR TRANSFER TO THE NEW HAVEN PARKING AUTHORITY OF REUSE PARCEL S-99 (STATE AND PULASKI LOT). (ORDER PASSED)

The favorable report from the Committee on Community Development, recommending passage of the proposed order as printed on pages 705-708 of the Journal of the Regular Meeting held on April 4, 1988 was read for the second time, and on motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed order be passed and it was so declared by the Chair. 

Note: Alderman Mednick abstained from voting on the above-entitled matter.

studied that for at least three days, and I find the plan very, very good. I have no opposition against it."

COMMUNITY DEVELOPMENT. LEAVE TO WITHDRAW.
COMMUNICATION FROM THE MAYOR REQUESTING AP-
PROVAL OF A LAND DISPOSITION AGREEMENT FOR
PARCEL S-99 (STATE AND PULASKI LOT) WITH STATE
PLAZA ASSOCIATES. (RESOLUTION ADOPTED)

The favorable report from the Committee on Community Development, recommending passage of the proposed Resolution as printed on page 734 of the Journal of the Regular Meeting held on April 4, 1988 was read for the second time, and on motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed Resolution be adopted and it was so declared by the Chair.

Alderman Grasso: "This item becomes moot now that we have approved the sale of the State and Pulaski lot to the Parking Authority."

MISCELLANEOUS COMMENTS

President Pro Tempore Mednick: "Tomorrow night, I just wanted to announce, the Finance Committee is going begin deliberations on the proposed budget. I want to remind members of the Finance Committee that we will be meeting at 6 o'clock for a pre-hearing meeting, and a meeting at 7 o'clock on the revenue side of the budget and the executive department to the budget. The hearings will continue on Thursday, April 21, on the department overview with a

meeting between the administrators. We will then convene in an open meeting. We haven't yet determine what the subject of the hearing will be next Tuesday, April 26. And then, again, May 3, we will be meeting jointly with the Education Committee on the education budget; Human Resources, May 5; we will have a capital budget May 10; and the final hearing and deliberation of the Finance Committee on May 12.

What I wanted to impress, we did send a letter out to every member of this body. We'd like to encourage those of you who are interested in attending the hearings to attend the hearings. The members who have proposals to present proposals to the Committee for Committee deliberation, that does not conclude anybody from bringing up proposals on the floor. But we would like to put together as strong as possible a package in the Finance Committee. And most importantly, particularly for the open meetings, I'd like suggestions from the members as to specific departments or sub-departments of programs that the Finance Committee should look at as we deliberate on the budget. We're going to start the process tomorrow night, and I invite everybody to work with us."

Aldерwoman Botto: "I'd just to announce to my colleagues that this is National Library Week, and I invite you all to visit your branch library. Take a book home, or read one if you have, and read it to your children. You can have a book today for us."