

CITY OF DANBURY

To: Members of the Common Council

A special meeting of the Common Council _____ of the City of Danbury will be held on the 19th day of October 2000 at 7:30 o'clock p.m., at the City Hall in said Danbury.

For the purpose of COMMUNICATION

- 1. Ice Arena Presentation and Action Plan
(refer to attached correspondence)

Dated at Danbury, this 18th day of October 2000.

[Signature] Mayor

[Signature] Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member _____ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

[Signature] Mayor

TO: Gene F. Eriquez and Members of the Common Council

RE: Minutes of the Special Common Council Meeting held October 19, 2000

Mayor Eriquez called the meeting to order at 7:30 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – Levy, Scalzo, Abrantes, McAllister, Arconti, Smith, John Esposito, Saadi, Buzaid, Dean Esposito, Machado, Shuler, Pascuzzi, Basso, Furtado, Gallagher, Gogliettino, Michael Moore, Saracino

ABSENT – Coco, Martin Moore

19 Present 2 Absent

NOTICE OF THE SPECIAL MEETING: A Special Meeting of the Common Council will be held on the 19th day of October, 2000 to act on the item listed below. Mr. Levy made a motion to adopt the call of the Special Meeting and the return of service. Seconded by Mr. Scalzo. Motion carried unanimously.

PUBLIC SPEAKING – Nancy Whitfield, Michael Stabile, Robert Steinberg, Robert Ryerson, Andrew Nolan, Michael Kondrat, James Nolan, Lynn Waller

Mr. Arconti made a motion to enter into executive session at 7:40 P.M. to discuss item 1. Seconded by John Gogliettino. Motion carried unanimously.

At 9:15 P.M. the Common Council reconvened in public session.

1 – COMMUNICATION & RESOLUTION – Ice Arena Presentation and Action Plan

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, as a result of the default by ARC Ice Sports Danbury, Inc. under the Redevelopment contract of December 2, 1997, the City of Danbury exercised its right of reverter and reacquired title to the Danbury Ice Arena land and building on June 6, 2000; and

WHEREAS, the City of Danbury is now prepared to resume and successfully complete construction of the Danbury Ice Arena Project:

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT WITH RESPECT TO THE PROJECT DESCRIBED HEREIN:

(1) Mayor Gene F. Eriquez is hereby authorized to contract with the design team of Mancini-Duffy; and

(2) Mayor Gene F. Eriquez is hereby authorized to contract with Canlan Ice Sports Corp as its consultant and construction manager; and

(3) A waiver of bids is hereby approved with regard to the selection of firms to perform certain elements of construction; and

(4) The proposed sale of the Danbury Ice Arena building and grounds is hereby referred to the Planning Commission for a report pursuant to the provisions of Section 8-24 of the Connecticut General Statutes; and

(5) The sum of \$1,402,818.00 is hereby appropriated from various sources for the purpose of completing the aforesaid project in accordance with the attached certification from the Director of Finance; and

(6) That Mayor Gene F. Eriquez is hereby authorized to take such additional action as may be necessary to effectuate the purpose of paragraphs (1) through (5) above.

Mr. Gogliettino made a motion to pay the settlement of claim to Mancini Duffy in the amount of \$355,000. Seconded by Helena Abrantes. Motion carried unanimously.

Mrs. Abrantes made a motion to accept the communication and adopt the resolution. Seconded by Mr. Pascuzzi. Motion carried with Mr. Saadi voting in the negative.

There being no further business to come before the Common Council a motion to adjourn at 10:45 P.M. Seconded by Mr. Gogliettino. Motion carried unanimously.

Respectfully submitted,


ELIZABETH CRUDGINTON
City Clerk

**ICE RINK
FINANCIAL UPDATE**

10/19/00

ESCROW FUNDS HELD BY CITY

ORIGINAL PROCEEDS	1,830,911.81
INTEREST EARNED TO DATE	<u>12,733.59</u>
SUB TOTAL	1,843,645.40
APPROPRIATED TO DATE	<u>-1,800,000.00</u>
BALANCE UNAPPROPRIATED	43,645.40

ORIGINAL APPROPRIATION	1,800,000.00
EXPENDITURES/ENCUMBRANCES TO DATE	
MORGANTI STUDY	-35,510.00
PINNEY PAYNE (LEGAL)	-34,435.39
DECARLO & DOLL INC.	-47,993.23
WEIR & FOLDS LEGAL	-3,619.77
NATIONAL RENT- A- FENCE AUG. & SEPT.	-2,234.62
NATIONAL RENT- A- FENCE OCT. & NOV.	-2,234.62
TRANSPORT ELEVATOR	-150.00
BARRETT ROOF INFRA RED SCAN & ROOF CLEANUP	<u>-14,800.00</u>
SUB TOTAL	<u>-140,977.63</u>
BALANCE	1,659,022.37

PROJECTED BUDGET TO COMPLETE	
MANCINI AND DUFFY SETTLEMENT	355,000.00
MANCINI AND DUFFY FEES	137,000.00
CANLAN FEES /DESIGN,BID AND PHASE 1 CONST. MANAGEMENT	150,000.00
CANLAN FEES CONST. MGMT.	250,000.00
LEGAL FEES	150,000.00
INSPECTION SERVICES & OTHER ENGINEERING	55,000.00
ESTIMATED COST TO COMPLETE	1,700,000.00
CONTINGENCY	345,000.00
CONTINGENCY PUBLIC BUILDINGS	<u>2,500.00</u>
SUB TOTAL	<u>3,144,500.00</u>
FUNDS NEEDED	1,485,477.63

SOURCE OF FUNDS

ESCROW ACCOUNT BALANCE	43,645.40
PROJECTED INTEREST EARNINGS	10,000.00
SALE OF SURPLUS CITY PROPERTY PROCEEDS THRU 10/18/00	107,800.00
REBATE FROM CL&P	121,000.00
EXCESS STATE REVENUES-STATE REVENUE SHARING	337,334.00
FUND BALANCE	<u>783,038.60</u>
AMOUNT TO BE APPROPRIATED	1,402,818.00
CONTINUED APPROPRIATIONS BALANCE AS OF 10/18/00	<u>82,660.00</u>
TOTAL SOURCE OF FUNDS	1,485,478.00

I. LIENS

Mancini-Duffy (Pavarini's Architect)	\$211,552.77
Thornton Tomasetti (d/b/a LZA) (Mancini's structural engineer)	202,860.02
Cosentini ("peer review" engineer)	<u>97,426.59</u>
TOTAL	<u>\$511,839.38</u>

II. PROPOSED SETTLEMENT

Release of liens; City pays \$355,000.

III. FACTORS FOR CONSIDERATION

- a) Court could wipe out all liens
- b) Mancini-Duffy's work on final plans
- c) City's cost to retain new architect/engineer
- d) Need for expedited recommencement of work.

**CITYCENTER
DANBURY**

188 Main Street, Danbury, CT 06810
Tel: 203-792-1711 Fax: 203-792-7981
e-mail: citycenter.danbury@snet.net
<http://www.danbury.org/org/citycenter>

October 19, 2000

Gene F. Eriquez, Mayor
Members of the Common Council
City of Danbury
155 Main Street
Danbury, Connecticut 06810

Dear Mayor and Members of the Common Council:

As chairman of Danbury Downtown Special Service District, I write to support the efforts that have been put in place to advance the progress of the ice rink facility and to see its completion. (I am unable to be here tonight, as I am traveling with my daughter to North Haven so she can skate.) Mayor Eriquez spoke to the Board of Commissioners at our Board meeting on October 4, 2000, to provide us with an update as to the project's status.

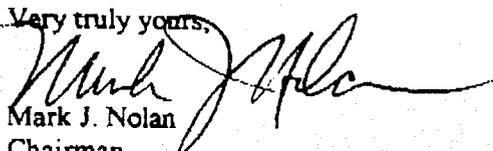
I (we) understand that the Mayor and the City's Legal, Engineering and Finance Departments have established a plan to see the rink to completion in an expedient and professional manner. We greatly appreciate the time and resources that has been spent to evaluate the situation that was left behind by ARC International.

I (we) cannot emphasize enough just how important it is to see the rink finalized. This redevelopment parcel is the major component to our downtown revitalization effort. We must support the private investments have helped turn city center into a vibrant community. I point to the initiatives of many such as, Colorado Brewery, Liberty Deli, Downtown Online Café, Ciao! Café, Two Steps Downtown Grill, and many others in and around the Dining and Entertainment District. We have new offices and businesses opening up regularly. CityCenters Business Development Committee is executing a business recruitment campaign to fill the last few vacancies. Our Special Events and Promotion Committees have just completed the most successful Summertime Festival of the Arts series to date. The momentum is tremendous on all fronts downtown, and we don't want to loss what we have all (Public and Private) worked so hard to accomplish.

I spoke with Tony Rizzo regarding tonight's meeting and he asked that I convey on behalf of he and Jack Steston, CityCenter Developers, to whatever is needed so that the project moves forward.

The continued economic vitality of our downtown is vital to our communities health and continued prosperity and I encourage you to support all efforts to complete this very important project.

Very truly yours,


Mark J. Nolan
Chairman

The Heart of the City



Western Connecticut Youth Hockey Association, Inc.
P.O. Box 8054, New Fairfield, Ct 06812

October 19, 2000

Mayor Gene F. Eriquez and
Members of the Common Council
City of Danbury
55 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Members of the Common Council,

It is my understanding that there is a special meeting of the Common Council tonight to address the Danbury ice facility and its' completion. I would like to express some thoughts in this issue.

I am writing as a representative of Western Connecticut Youth Hockey Association, Inc. Our organization consists of many players and their families from around the region who are involved in ice hockey. When the facility was first slated to be opened, we had hundreds of people come forward to play ice hockey in Danbury. Over the past several years we have only been able to support a few teams, buying ice from facilities up to an hour away. Unfortunately, our league was forced to suspend this year when the Danbury facility, once again, did not open. This has caused the players and their families to drive great distances around the state, playing for leagues in areas far from Danbury in order to stay involved in the sport they love

The circumstances surrounding the rink have been most unfortunate. We, as an organization, would like to see the rink completed so that we can restart the league and allow the hundreds of hockey players in the area to have a place to play.

We are asking that you please keep the best interests of the children in mind when you are making your final decisions.

Michael P. Stabile
President,
Western Connecticut Youth Hockey Association, Inc.
10 Diamond Road
Danbury, CT 06810
(203) 743-6945





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DANBURY**

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Members of the Common Council
City of Danbury
155 Main Street
Danbury, Connecticut 06810

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Very truly yours,



Mark J. Nolan
Chairman

159 Forty Acre Mt. Rd.
Danbury, CT. 06811
October 19, 2000

Mayor Gene Eriquez
Members of the Common Council
City Hall
Deer Hill Ave.
Danbury, CT. 06810

Dear Mayor Eriquez and Members of the Common Council,

My family and I appreciate your consideration of the matter before you concerning the appropriation of funds to complete the ice rink. The city's commitment to the redevelopment of Danbury has, over the years encountered many difficulties, and, recently, has had many successes. This site has had a difficult history, to say the least. How easy it would be to begin to place blame. But that is not my purpose, nor should it be yours.

Look at our downtown. Where we once had blight, we now have businesses. We have built new buildings and restored our old structures. Where their once was depression, their now is optimism. We have created jobs, constructed an attractive urban ambiance, opened new retail businesses, new service and technology businesses, built new housing, and most importantly, and through some very tough times, economically and politically, kept the vision that our city can be rebuilt.

We all have made this happen. We have created a vital city center of housing, commerce, of offices and public spaces, which compliment the dynamic growth, which has occurred in our community.

We have all done all this, and we all need to continue to do all this.

The current Redevelopment process draws to a close with the completion of the skating rink. The previous developer has forfeited his right to complete the project, left the city as a potential victim of their bad business decisions, and wrong choices that have hurt all of us, the people of Danbury. We are fortunate that the guarantees set into place have served well to give the project the cash impetus necessary for completion. We now own a valuable asset.

We need to seize the opportunity to maximize it, as a facility that will serve our families and our children's recreational needs in the future.

We are at the final stage of the project. We have a multimillion-dollar facility at the brink of completion. It needs relatively little to be completed. The city has had an excellent track record of following through on many, many projects. We have a competent administration, and a competent legislative body. This is not a difficult decision. What it needs is your will and your vision to see the project to a successful end.

The redevelopment agency, the city professional staff, its corporation counsel and the support of the Danbury community is now in place to complete the project. What we need now is the Common Council's political wisdom and commitment to this project.

This is an investment in our community, as well as an investment in the credibility of our community's resolve to solve problems that are presented to us. I urge the Common Council to approve the appropriation before you, and to complete the skating facility immediately, to preserve our investment, to insure our credibility as a community, and to continue to encourage the momentum of progress in our City Center.

Very truly yours,

Robert Steinberg

SPECIAL COMMON COUNCIL MEETING

OCTOBER 19, 2000

Mayor Eriquez will call the Special Meeting to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Levy, Scalzo, Abrantes, McAllister, Arconti, Smith, John Esposito
Saadi, Buzaid, Dean Esposito, Machado, Shuler, Coco, Pascuzzi, Basso
Furtado, Gallagher, Gogliettino, Martin Moore, Michael Moore, Saracine

19 PRESENT 2 ABSENT

NOTICE OF THE SPECIAL MEETING- There will be a Special Meeting of the
Common Council on October 19, 2000 at 7:30 P.M. in the Common Council
Chambers in City Hall to act on the item below.

PUBLIC SPEAKING

1. COMMUNICATION- Ice Arena Presentation and Action Plan

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

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	Michael Morse	14:55
2.	Dean Esposito	15:01
3.	Emile Burand	15:09
4.	Valdemaro Machado	15:12
5.	Matthew Gallagher	15:14
6.	Conroy Stuler	15:16
7.	Pauline Basso	15:20
8.	Harry Salzo	15:25
9.	Michael Paruzzi	15:36
10.	John Coglietta	15:47
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

Each Notice so served upon each member, all having been done by me on this date 10/18/00.

Attest: 
Policemen of the City of
Danbury

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	Esposito	1508
2.	Moore	1524
3.	Saadi	1511
4.	Saragino	1535
5.	Smith	1547
6.	Arconti	1542
7.	McAllister	1557
8.	Abrantes	1602
9.	Levy	1611
10.	Fernando	1621
11.	Coco by 488	1530
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

Each Notice so served upon each member, all having been done by me on the date 10/19/2000.

Attest: PO [Signature] 488
Policemen of the City of
Danbury



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

October 19, 2000

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

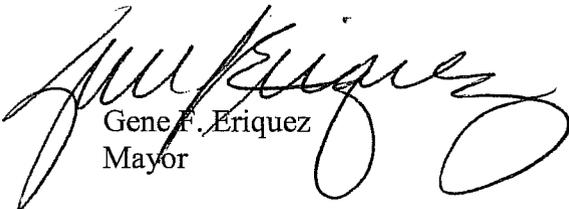
After months of extensive work to develop a definitive plan, the City is now ready to resume construction that will lead to the successful completion of the Danbury Ice Arena Project.

Accordingly, I have called this Special Meeting of the Common Council to provide you with an update from our last session on this topic and present you with a plan of action that, with your approval, will achieve our goal of successfully completing this last important element of our redevelopment program.

Attached is the format for the presentation and issues that will require your consideration. I look forward to achieving our mutual goals for the benefit of the children and families of the City of Danbury and the economic, social and recreational well-being of our downtown and entire community.

Thank you, in advance, for your assistance in this matter.

Sincerely,


Gene F. Eriquez
Mayor

ICE RINK PRESENTATION

- Update on Progress/Status from Previous Common Council Meetings
- Settlement of Claim - Mancini-Duffy (Executive Session)
- Financial Update:
Report on Expenditures & Revenues
Proposed Budget for Completion
Sources of Revenue
- Selection of Mancini-Duffy/Design Team
- Selection of Canlan Ice Sports/Construction Manager
- Waiver of Bids for Certain Elements of Construction
- Sale of Land and Building/Referral to Planning Commission
- Appropriation of Funds (Related to Financial Update)



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

October 19, 2000 A. D., 20

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, as a result of the default by ARC Ice Sports Danbury, Inc. under the Redevelopment contract of December 2, 1997 the City of Danbury exercised its right of reverter and reacquired title to the Danbury Ice Arena land and building on June 6, 2000; and,

WHEREAS, the City of Danbury is now prepared to resume and successfully complete construction of the Danbury Ice Arena Project;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT WITH RESPECT TO THE PROJECT DESCRIBED HEREIN:

- (1) Mayor Gene F. Eriquez is hereby authorized to contract with the design team of Mancini · Duffy; and,
- (2) Mayor Gene F. Eriquez is hereby authorized to contract with Canlan Ice Sports Corp as its consultant and construction manager; and,
- (3) A waiver of bids is hereby approved with regard to the selection of firms to perform certain elements of construction; and,
- (4) The proposed sale of the Danbury Ice Arena building and grounds is hereby referred to the planning commission for a report pursuant to the provisions of Section 8-24 of the Connecticut General Statutes; and,
- (5) The sum of \$1,402,818.00 is hereby appropriated from various sources for the purpose of completing the aforesaid project in accordance with the attached certification from the Director of Finance; and,
- (6) That Mayor Gene F. Eriquez is hereby authorized to take such additional action as may be necessary to effectuate the purposes of paragraphs (1) through (5) above.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

MEMORANDUM

TO: Hon. Gene F. Eriquez, via the Common Council

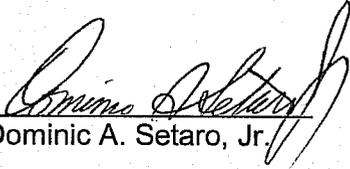
FROM: Dominic A. Setaro, Jr., Director of Finance

RE: ICE RINK

DATE: October 19, 2000

CERTIFICATION

As per the financial update that I have provided you this evening, we are hereby requesting that an appropriation in the amount of \$1,402,818 be authorized into the existing Capital line item entitled, "Ice Rink Improvements". The offset to that appropriation will be made from the various sources of funds as outlined in the financial update.



Dominic A. Setaro, Jr.

DAS/jgb