

SPECIAL COMMON COUNCIL MEETING

MAY 2, 2001

Mayor Eriquez will call the Special Meeting to order at 9:15 P.M.

PLEDGE OF ALLEGIANCE & PRAYER

ROLL CALL

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

19 PRESENT 2 ABSENT

NOTICE OF THE SPECIAL MEETING – There will be a Special Meeting of the Common Council on May 2, 2001 at 9:15 P.M. in the Common Council Chambers in City Hall to act upon the items below.

PUBLIC SPEAKING

1 – REPORT – Ice Rink Property – Maintenance Easement to DSR Holdings, Inc.

2 – REPORT – Additional Cost to Complete Ice Rink

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.

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 2nd day of May, 2000 ~~19~~ at 9:15 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

1. REPORT - Ice Rink Property - Maintenance Easement to DSR Holdings, Inc.
2. REPORT - Additional Cost to Complete Ice Rink

Dated at Danbury, this 1st day of May, 2000 ~~19~~

[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

May 1, 2001

The undersigned do hereby waive service at their place of abode and accept the herein below set forth notices:

1. Notice of special Council meeting to be held on wed, May 2, 2001; and
2. Notice of a meeting of a Council Committee of the whole on wed, May 2, 2001.

Siegel

- 18 ~~Michael~~ Michael 5/1/01 9:11
1. Thompson 5-1-01/9:10
 2. Michael R Pascur 11
 3. D. Starnes 5/1/01 9:11
 4. Manny Fort 5/1/01 9:11
 5. H. A. 5/1/01 9:11
 6. Harry Lake 5/1/01 21:11
 7. Valdimiro Pacheco 5/1/01 9:11
 8. John C. Doyle 5/1/01 9:11
 9. Corwin 5/1/01 9:11
 10. [Signature] 5/1/01 9:08 PM
 11. John Esposito 5/1 9:09
 12. Nancy [Signature] 5/1 9:10
 13. Warren [Signature] 5/1/01
 14. Alan Esposito 5/1/01
 15. [Signature] 5/1/01
 16. Michael Moore 5/1/01
 17. [Signature]



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

April 30, 2001

PLEASE REPLY TO:

DANBURY, CT 06810

Honorable Gene F. Eriquez, Mayor
Honorable Common Council Members
City of Danbury

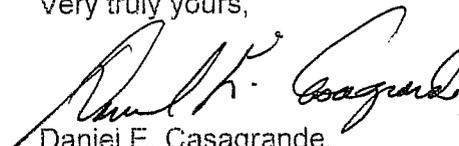
Re: Ice Rink Property -- Maintenance Easement to DSR Holdings, Inc.

Dear Mayor and Common Council Members:

You will recall that DSR Holdings, Inc. is the purchaser of the Ice Rink property, the transfer of which is scheduled to take place by May 7, 2001. DSR has requested that the City grant to it a permanent, non-exclusive easement of 30' around the perimeter of the ice rink property for purposes of maintenance and repair of the rink facility. Mr. Buckley is agreeable to this easement.

Accordingly, I respectfully request that the Common Council add this item to the agenda of its May 1, 2001, regular meeting and approve the proposed easement.

Very truly yours,


Daniel E. Casagrande,
Assistant Corporation Counsel

cc: William J. Buckley, Jr., Director of Public Works/City Engineer
Dennis I. Elpern, Director of Planning
Dominic A. Setaro, Jr., Director of Finance



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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

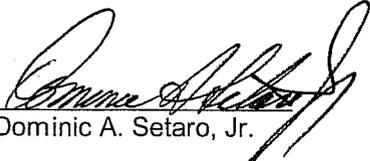
TO: Hon. Gene F. Eriquez, via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: **ADDITIONAL COST TO COMPLETE ICE RINK**
DATE: May 1, 2001 **CERTIFICATION**

Over the last few days, we have been working to determine what the final cost to complete the ice rink would be since there have been a number of problems that have occurred that have contributed to additional costs that were not planned for in requests for prior appropriations. Let me emphasize that the document that we are providing to you today, which I have attached for your review, is our best estimate based on all of the information that we currently have. We will be required to further review extra cost estimates submitted to us by Energie Innovation, which may result in what we hope would be reduced estimates based on our final review. With that being said, we cannot rule out the possibility that additional appropriations may be needed at a future date.

Much of what you see on this list is due to the discovery of additional or change in scope of work that needs to be done on the pilasters on both Liberty Street and Delay Street and additional welding services that were a result of structural changes that were required. All of these types of changes require additional drawings by our engineers which have led to additional costs, which we have identified in our estimate.

It would be my recommendation that the Common Council authorize the appropriation of \$480,000 to be taken from the City's Fund Balance. I have attached for you a breakdown of our Fund Balance and where we stand at this particular time, if you were to approve this request. It would also be my recommendation that between now and next week when the 2001-2002 budget is adopted that the Common Council consider replenishing our Fund Balance so that we can get to a figure of approximately 4 percent, which is where I believe we should be at this particular time.

I will be more than happy to address any of your questions at this evening's meeting.


Dominic A. Setaro, Jr.

DAS/jgb

ICE RINK PROJECTED COST

5/1/01

BUDGETED

ESCROW PROCEEDS	1,830,911.81
INTEREST EARNED ON ESCROW	33,560.19
SALE OF SURPLUS PROPERTY	121,000.00
SALE OF RINK	<u>5,500,000.00</u>
SUB TOTAL FOR CAPITAL	7,485,472.00
CONTINUED APPROPRIATIONS	<u>82,660.00</u>
TOTAL	7,568,132.00

EXPENDITURES & ENCUMBERANCES

EXPENDED TO DATE	-2,987,528.36
RECHARGE SIDEWALKS TO CITYWORKS & VISION	65,513.15
ENCUMBERANCE OUTSTANDING	<u>-267,996.33</u>
BALANCE	4,378,120.46

DUE TO GMAC	-3,875,000.00
SKYWALK BUDGET	-250,000.00
INSURANCE BOND	-60,827.00
ESTIMATED ELECTRIC APRIL & PART OF MAY	-9,000.00
ESTIMATED YANKEE GAS JAN & FEB	-28,024.00
ESTIMATED GAS MARCH & APRIL	-40,000.00
ESTIMATED VALUE OF PUNCH LIST ITEMS	-35,000.00
EXTRA ENGINEERING SERVICES	-48,000.00
FINISH ELEVATOR	-1,000.00
FINISH CUPULA	-30,000.00
AMEND PO HANDY RENTAL	-1,000.00
SUB TOTAL	269.46

EXTRA ENERGIE INOVATION	-261,135.00
EXTRA JET ICE SYSTEM	-42,200.00
EXTRA UNITED RENTAL	-20,000.00
EXTRA CON-TECH PAINTING	-2,500.00
EXTRA BROTHERS PAINTING	-5,800.00
EXTRA JIM'S WELDING	-20,000.00
PILASTERS DELAY	-76,300.00
PILASTERS LIBERTY STREET	-10,000.00
CONTINGENCY	-42,334.46
SHORTFALL	-480,000.00

FUND BALANCE

5/1/01

		PERCENTAGE TO BUDGET
FUND BALANCE 6/30/00	7,135,325	5.3%
LESS AMOUNT DESIGNATED FOR 2000-01 BUDGET	-1,077,877	
UNDESIGNATED FUND BALANCE	6,057,448	4.3%
AMOUNT USED FOR ICE RINK	-783,039	
SUB TOTAL	5,274,409	3.8%
PROCEEDS FROM SALE OF RINK	783,039	
REAPPROPRIATION DEPARTMENTAL PROBLEMS	-534,951	
SUB TOTAL	5,522,497	4.0%
ADDITIONAL FUNDS FOR ICE RINK	-480,000	
UNDESIGNATED FUND BALANCE	5,042,497	3.6%



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 2, 2001

Mayor Gene F. Eriquez
Members of the Common Council

Re: **Ice Rink Property – Maintenance Easement to DSR Holdings, Inc.**

The Common Council Committee appointed to review the maintenance easement to DSR Holdings, Inc. at the ice rink property met at 9:00 P.M. on May 2, 2001 in the Third Floor Caucus Room in City Hall. In attendance were committee members Thomas Arconti, John Esposito and Mary Saracino. Also in attendance were Director of Public Works William Buckley, Corporation Counsel Eric Gottschalk, Assistant Corporation Counsels Les Pinter and Dan Casagrande, Director of Finance Dominic Setaro and Mayor Gene F. Eriquez.

Mr. Arconti asked if there were any questions. Mr. Esposito asked for a definition of the easement. He said that a 30-foot easement would close the road entirely. Mr. Buckley stated that the company would still be subject to the normal permits. He said it is a little unusual because the road is within two feet of the property line. Mrs. Saracino asked why an easement is needed and why can't the company just follow the normal practices. Mr. Casagrande said there is not much difference. The easement is non-exclusive. However, the easement does give them more protection than a road-opening permit. The company wants it for added protection. Mr. Esposito asked if the City could give the company permission as needed. Mayor Eriquez stated that the company wants the easement.

Mr. Arconti made a motion to recommend approval of a thirty-foot easement to DSR Holdings at the ice rink property. Seconded by Mr. Esposito. Mrs. Saracino moved to amend the motion by adding to the contract that the approval of this easement does not eliminate the need for the purchaser to obtain the necessary permits and approvals for road openings. Seconded by Mr. Arconti. Motion to amend carried unanimously. Main motion, as amended, carried unanimously.

Respectfully submitted,

THOMAS ARCONTI, Chairman

JOHN ESPOSITO

MARY SARACINO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

My 2, 2001

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common

Re: Additional Costs to Complete Ice Rink

The Common Council met as a committee of the whole on May 2, 2001 at 9:20 P.M. in the Common Council Chambers. In attendance were Council Members Levy, Scalzo, Smith, Saadi, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore, Saracino. Absent were Council Members McAllister and Buzaid.

Mr. Levy made a motion to authorize the transfer of \$480,000 from the Fund Balance to complete the ice rink. Seconded by Mr. Scalzo.

Mayor Eriquez explained the history of the project and why the additional expenditures are necessary. Many of the items that need completion were found through final reviews. Director of Finance Dominic Setaro explained the figures in the communication added to the May agenda. Building Inspector Leo Null explained the inspection process.

After a question and answer period, Mr. Scalzo made a motion to move the question. Seconded by Mr. Levy. Motion carried with Council Members Basso, Manny Furtado, Martin Moore and Saracino voting in the negative.

The motion to allocate the funding carried with Council Members Smith, Saadi, Basso and Martin Moore voting in the negative.

Respectfully submitted,

THOMAS ARCONTI, Chairman