

COMMON COUNCIL MEETING – APRIL 1, 2003

Mayor Boughton will call the meeting to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE AND PRAYER

ROLL CALL

Nolan, McAllister, Null, Coladarci, Kelly, Buzaid, Dean Esposito, Machado, Shuler,
Scozzafava, Levy, John Esposito, Saadi, Dittrich, Basso, Darius, Furtado, Gogliettino,
Moore, Neptune, Setaro

_____ PRESENT _____ ABSENT

PUBLIC SPEAKING

BUDGET ADDRESS

MINUTES – Minutes of the Common Council Meeting held March 4, 2003

CONSENT CALENDAR

1 – ORDINANCE and RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year beginning July 1, 2003 and ending June 30, 2004 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2003 and Ending June 30, 2004.

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to meet said Appropriations

3 – RESOLUTION – Yankee Gas Services Company

4 – RESOLUTION – Fire Department Grant

5 – RESOLUTION – The Real Choice Systems Change Project

6 – RESOLUTION – Historic Document Preservation Grant

7 – RESOLUTION – Shore Road Improvements – Drainage Easements

8 – COMMUNICATION – Appointment to the Youth Commission

9 – COMMUNICATION – Appointment as Alternate Member of the Commission on Persons with Disabilities

10 – COMMUNICATION – Appointment as Alternate Member of the Fair Rent Commission

11 – COMMUNICATION – Donations to the Library

12 – COMMUNICATION – Wal-Mart Grant

13 – COMMUNICATION – Donations to the Fire Department

14 – COMMUNICATION – Request for Funds for Police Examinations

15 – COMMUNICATION – Request for Funds for Corporate Health Invoices

16 – COMMUNICATION – Donations to the Department of Elderly Services

17 – COMMUNICATION – LOCIP 2002-2003 Application

18 – COMMUNICATION – Reappropriation of Donated Funds

19 – COMMUNICATION – Sale of Surplus Computer Equipment

20 – COMMUNICATION – 1996 Health Insurance Portability and Accountability Act

21 – COMMUNICATION – Request for the city to take over Lake Waubeeka Water System

22 – COMMUNICATION – Request for Funds for Fire Department Special Services Account

23 – COMMUNICATION – Request for Water and Sewer Extension – 17 Mill Plain Road

24 – COMMUNICATION – Request for Water and Sewer Extension – 40 Old Brookfield Road

25 – COMMUNICATION – Magnet School Sanitary Sewer and Water

26 – COMMUNICATION – Report regarding Towing Charges

27 – COMMUNICATION – Ratification of Agreements between City of Danbury & Teamsters Local 677 – Public Buildings and Public Works

28 – COMMUNICATION – Request to Purchase City Property on Oakland Avenue

29 – COMMUNICATION – LaMorte Property – Mill Plain Road

30 – COMMUNICATION – Proposed Consent Order – Underground Storage Tank Removal and Replacement

31 – COMMUNICATION – 146-148 South Street

-
- 32 – COMMUNICATION – Bear Mountain Ranger Cottage
-
- 33 – COMMUNICATION – Drainage Problem – 205 Stadley Rough Road
-
- 34 – COMMUNICATION – Kenosia Service Center Lease
-
- 35 – COMMUNICATION – Reports regarding City Land at 126 South Street
-
- 36 – COMMUNICATION – Reports regarding Cobblestone Trail
-
- 37 – COMMUNICATION – Reports regarding Tobin’s Farm, Crows Nest Lane
-
- 38 – COMMUNICATION – North Street Traffic Proposal
-
- 39 – REPORT – Reapportionment of Wards
-
- 40 – REPORT – Kenosia Park Sanitary Sewer Extension
-
- 41 – REPORT & ORDINANCE – Vicious Dog Ordinance
-
- 42 – REPORT & ORDINANCE – Electronic Payments
-
- 43 – REPORT & ORDINANCE – All-Terrain Vehicles
-
- 44 – REPORT & ORDINANCE – Application for Permit
-
- 45 – REPORT – Jackson Drive and Great Plain Road Area – Preliminary Assessments
-
- 46 – REPORT – Request for Water Extension – Candlewood Terrace
-
- 47 – REPORT – Request for Water and Sewer Extension – Old Ridgebury Road and Saw Mill Road
-
- 48 – REPORT – Request for Sewer and Water Extension – Shelter Rock Road
-
- 49 – REPORT – Hawthorne Cove Water System
-
- 50 – REPORT – Long Range School Facilities Report
-
- 51 – REPORT – Government Entities Review and Evaluation
-
- 52 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Permit Center, Building Department, Public Works, Welfare Department, Health and Housing

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.

CONSENT CALENDAR – APRIL 1, 2003

- 3 – Adopt the resolution to authorize the Corporation Counsel to acquire property, subject to and only upon prior approval by the Planning Commission and the Redevelopment Agency as described.
- 4 – Adopt the resolution to apply for and accept grant funding from the Federal Emergency Management Agency in an amount of \$182,700.00 for acquisition of fire equipment and fire school renovations as described.
- 5 – Adopt the resolution to apply for and accept grant funding from Real Choice Systems Project in an amount of \$75,000 for the inclusion of persons with disabilities program as described.
- 6 – Adopt the resolution to apply for and accept grant funding from the State of Connecticut Office of Public Records Administrator in the amount of \$12,000 for Historic Document Preservation in the Town Clerk's Office as described.
- 7 – Adopt the resolution to authorize the Corporation Counsel to acquire Shore Road storm drainage easements, subject to, and only upon, prior approval by the Planning Commission as described.
- 8 – Approve the appointment of Judith Betman Coco as a member of the Youth Commission
- 9 – Approve the appointment of Kenneth Lee, Jr. as an alternate member of the Commission on Persons with Disabilities
- 10 – Approve the appointment of Kevin W. Placella as an alternate member of the Fair Rent Commission
- 18 – Approve the transfer of \$464 from the Elderly Services Donations Account to the Commission on Aging budget as described
- 22 – Approve the request to appropriate \$5,000 for the Fire Department Special Services Account subject to certification by the Finance Director
- 25 – Adopt the resolution authorizing the Corporation Counsel to accept sewer and water facilities related to the magnet school, subject to and only upon prior approval by the Planning Commission and Engineering Department as described.
- 26 – Approve payment of an \$80 towing charge claim subject to certification by the Director of Finance
- 35 – Receive the report and deny a request to lease Rogers Park property abutting 126 South Street

36 – Accept Cobblestone Trail as a City road subject to the conditions of the Director of Public Works and the Corporation Counsel

37 – Refer request back to petitioner for a division of the request, with maps and legal documents, into three parts – acceptance of road, acceptance of parcels and application for sewer and water extensions

38 – Refer North Street Traffic proposal suggestions to the City Traffic Engineer

40 – Receive the report regarding final assessments for the Kenosia Park Sanitary Sewer Extension and approve the recommendations

41 – Receive a report regarding Vicious Dog Ordinance and approve the recommendations

42 – Receive a report regarding Electronic Payment and approve the recommendations

43 – Receive a report regarding All- Terrain Vehicles Ordinance and approve the recommendations

44 – Receive a report regarding the Application for Permit Ordinance and approve the recommendations

46 – Receive a report regarding Candlewood Terrace water extension and approve the recommendations

48 – Receive a report regarding request for sewer extension on Shelter Rock Road and approve the recommendations

51 – Receive a report regarding Entities Review and Evaluation and defer to public hearing



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

March 26, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Hon. Mark D. Boughton, Mayor
Hon. Members of the Common Council
City of Danbury, Connecticut

Dear Mayor Boughton and Council Members:

Enclosed you will find a proposed resolution authorizing the acquisition of two parcels of property from the Yankee Gas Services Company. These parcels are needed in connection with the disposition of Redevelopment Parcel #9 to Patriot Plaza Associates, LLC, which plans to construct an office building on the site. The first parcel, known as Parcel "A" on a map prepared in connection with proposed Parcel 9 acquisitions in 1996, was approved by the Common Council for acquisition in 1996. However, said acquisition was not completed. The parcel was appraised in 1996 at \$4,900.00.

The second parcel is a narrow strip of land contiguous to Parcel "A" and shown as "Proposed Land To Be Leased Or Acquired" on the site plan submitted by Patriot Plaza Associates, LLC dated February 10, 2003. This second parcel has not yet been approved for acquisition by the Redevelopment Agency, nor reviewed by the Planning Commission. However, we anticipate approval by the Redevelopment Agency.

In order to expedite the acquisition process should Patriot Plaza's proposal meet with ultimate approval, we are recommending that a resolution for acquisition of this parcel be approved at this time, and made contingent upon a favorable report from the Planning Commission and Redevelopment Agency approval. This proposal should be simultaneously forwarded to the Planning Commission for a report in accordance with the requirements of Section 8-24 of the Connecticut General Statutes. If you have any questions in this regard, please feel free to contact me.

Sincerely,

Raymond P. Yamin
Associate Corporation Counsel

DOWNTOWN DANBURY REDEVELOPMENT PROJECT
PARCEL 'A'

A landlocked parcel of land 1,954 square feet in area described as follows:

Beginning at a point located 76.12 feet northwest of the northwesterly street line of Pahquioque Avenue said point being the southeast corner of the parcel being described herein, thence running along the division line between land of the Grantor and land now or formerly of the City of Danbury S 64° 24' 45" W a distance of 53.85 feet and N 04° 16' 55" E a distance of 83.70 feet, thence turning and running through the land of the Grantor S 35° 06' 04" E a distance of 73.60 feet to the point or place of beginning.

Bounded:

Easterly: by other land of the Grantor
Southerly: by land now or formerly of the City of Danbury
Westerly: by land now or formerly of the City of Danbury

For a more particular description reference is made to a map entitled "Easement Map Showing Downtown Danbury Redevelopment Project Disposition Parcel 9 Proposed Easements and Acquisitions in Conjunction with F.U.N.N., LLC Scale: 1" = 20' Areas: As Shown Date: September 13, 1996" prepared by Paul M. Fagan, L.S. #7756 which map is to be filed in the Danbury Land Records.

DOWNTOWN DANBURY REDEVELOPMENT PROJECT

EXHIBIT B

A certain piece or parcel of land, being approximately 110.63 feet in length and 5 feet wide, shown and designated as "Proposed Land To Be Leased Or Acquired" on a site plan entitled "Patriot Plaza, Parcel 9, Danbury Redevelopment Project, Danbury, CT 06810, Proposal of Patriot Associates, LLC, Proposed Site Plan", dated February 10, 2003, prepared by Stephen Griss Associates, architects. Said Proposed Site Plan is based upon a certain map entitled "Easement Map Showing Redevelopment Project Disposition Parcel 9 Proposed Easements and Acquisitions in Conjunction with F.U.N.N., LLC", Scale: 1" = 20', dated September 13, 1996, prepared by Paul M. Fagan, L.S. #7756 of Surveying Associates, P.C.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, acting through its Redevelopment Agency, has established a Redevelopment Plan which is designed to further the renewal and revitalization of downtown Danbury; and

WHEREAS, a portion of the Redevelopment Plan provides for the improvement of Redevelopment Parcel #9, located on the easterly side of Patriot Drive; and

WHEREAS, in order to implement this portion of the Redevelopment Plan the acquisition of a small triangular parcel of property as well as an additional strip of land, from Yankee Gas Services Company will be necessary; and

WHEREAS, eminent domain proceedings will be required if the City of Danbury cannot agree with Yankee Gas Services Company upon the amount to be paid for its interest in said parcel.

NOW THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the parcel of property described in Exhibit A attached hereto and made a part hereof, either by negotiation or by eminent domain through the institution of suit against Yankee Gas Services Company, or the present owner, its successors and assigns and the holder of mortgages encumbering the property, if any. Said eminent domain action, if necessary, shall be commenced on or before October 1, 2003.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized, subject to and only upon prior approval by the Planning Commission and the Redevelopment Agency, to acquire the parcel of property described in Exhibit B attached hereto and made a part hereof, either by negotiation or by eminent domain through the institution of suit against Yankee Gas Services Company, or the present owner, its successors and assigns and the holder of mortgages encumbering the property, if any. Said eminent domain action, if necessary, shall be commenced on or before October 1, 2003.



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: FIRE DEPARTMENT GRANT
DATE: March 26, 2003
CC: Peter Siecienski

Attached you will find a resolution that will allow the City of Danbury Fire Department to apply for and accept funding from the Federal Emergency Management Agency for the purchase of various communication equipment. The FEMA share will be \$182,700 and the City share will be \$78,300.

I have attached a copy of the grant application for your review.

Should you need any additional information, feel free to give me a call.

DD/jgb

Attach.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Emergency Management Agency has made funds available to the Danbury Fire Department for the acquisition of various pieces of fire equipment, and fire school renovations; and

WHEREAS, the total amount of said funding for such purposes is \$261,000.00 of which \$182,700.00 is FEMA funds and the balance of \$78,300.00 is the required local share; and

WHEREAS, the Danbury Fire Department would like to apply for and accept said grant and, together with the local share, obtain the needed equipment and material.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, or his designee, Danbury Fire Chief Peter Siecienski, be and hereby are authorized to apply for and accept said grant and to execute such additional documents as may be required to effectuate the purposes thereof.

DANBURY FIRE DEPARTMENT
19 NEW STREET
DANBURY, CT. 06810-6511

MEMORANDUM

DATE: March 26, 2003

TO: Dena R. Diorio, Finance Director

FROM: Peter J. Siecienski, Fire Chief

RE: Fire Grant Application

CC:

Attached you will find a resolution that will allow the City of Danbury Fire Department to apply for and accept funding from the Federal Emergency Management Agency to purchase fire equipment and potentially repair the fire training facility.

The FEMA Fire Act Grant is based on a 70/30 split. The total application is for \$261,000, the FEMA share would be \$182,700 and the 30% City share would be \$78,300.

The Department has been successful in our previous two applications bringing in approximately \$200,000 in FEMA Fire Act funds.

Should you have any additional information, please contact me directly.


Peter J. Siecienski, Fire Chief



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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**2003 Program Guidance
for the
Assistance to Firefighters Grant Program**

February 21, 2003



This document provides a summary of the Federal Emergency Management Agency's U.S. Fire Administration 2003 Assistance to Firefighters Grant Program. It explains how to apply, what items can be requested, and how applications will be evaluated. Please read this program guidance carefully. The Final Rule, the Notice of Funds Availability and answers to "frequently asked questions" should also be reviewed when made available on the USFA/FEMA website. Together, these four documents will provide you with the information you need to complete the on-line application. The on-line application will be available at www.usfa.fema.gov from March 3, until April 4, 2003.

Prepared by the U.S. Fire Administration's Grants Program Office

2003 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM **PROGRAM GUIDANCE**

The purpose of the program is to award one-year grants directly to fire departments of a State to enhance their abilities with respect to fire and fire-related hazards. This program seeks to support departments that lack the tools and resources necessary to protect the health and safety of the public and their firefighting personnel with respect to fire and fire related hazards. Our primary goal is to provide assistance to meet fire departments' firefighting needs.

The authority of this program is derived from the Federal Fire Protection and Control Act of 1974 (15 U.S.C. §§ 2201 et seq.), as amended. In fiscal year 2002, Congress appropriated a total of \$360,000,000 to carry out the activities of this Assistance to Firefighters Grant Program. At the time of this publication, the Final Rule for the program was under review by the Office of Management and Budget. Also at this time, the program does not have an appropriation but there are indications that the program will be appropriated \$750,000,000 and we will have until September 30, 2004, to obligate those funds. As soon as possible after the appropriation is affirmed, we will issue a Notice of Funds Availability in the Federal Register that will provide the official description of this program.

Eligible applicants for the Assistance to Firefighters Grant Program are limited to fire departments of a State. A "fire department of a State" is defined as an agency or organization that has a formally recognized arrangement with a State, local or tribal authority (city, county, parish, fire district, township, town or other governing body) to provide fire suppression to a population within a fixed geographical area. A municipality or fire district may submit an application on behalf of a fire department when the fire department lacks the legal status to do so, e.g., where the fire department falls within the auspices of the municipality or district. When a municipality or fire district submits an application on behalf of a fire department, the fire department is precluded from submitting an additional application on its own.

A fire department can apply for assistance for its emergency medical services unit provided the unit falls organizationally under the auspices of the fire department. Non-Federal airport and/or port authority fire departments are eligible, but only if they have a formally recognized arrangement with the local jurisdiction to provide fire suppression, on a first-due basis, outside the confines of the airport or port facilities. Airport or port authority fire departments whose sole responsibility is suppression of fires on the airport grounds or port facilities are not eligible for this grant program. Each eligible applicant is limited to one application per program year.

Fire departments, which are Federal, or contracted by the Federal government and who are solely responsible under their formally recognized arrangement for suppression of fires on Federal installations, are not eligible for this grant program. Fire stations that

are not independent but are part of, or controlled by, or under the day-to-day operational direction of a larger fire department or agency are typically not eligible. Fire departments that are for-profit departments (i.e., do not have specific non-profit status or are not municipally based) are not eligible to apply for assistance under this program. Also not eligible for this program are ambulance services, rescue squads, auxiliaries, dive teams, urban search and rescue teams, fire service organizations or associations, and State/local agencies such as a forest service, fire marshal, hospitals, and training offices.

The proposed fiscal year 2003 Assistance to Firefighters Grant Program mirrors the 2002 program with a few minor changes. All the program areas and activities available last year are eligible for funding again this year with the addition of: 1) Modifications to Fire Stations and Facilities activity under the Fire Operations and Firefighter Safety Program, and 2) the Wellness and Fitness Activity under Emergency Medical Services.

Automated Application for 2003

This year's application is automated and available on-line. The application will be accessible from the FEMA and USFA Internet websites. We have designed the automated application with many built-in "help screens" and "drop-down menus" to assist you throughout the application process. The application can be saved and retrieved as many times as you need while you're filling it out right up to the deadline or submittal. ***Once you've submitted your application, though, you cannot change it.*** Another positive feature of the automated system is that it will not allow you to submit an incomplete application, i.e., the system will alert you if you've not provided required information. Also, by submitting your application on-line, you'll be automatically notified that we have received your application via e-mail.

Paper applications will be accepted, but are discouraged. We are discouraging paper applications because of the inherent delays associated with processing a paper application. Also, if awarded, applicants who submit paper applications must continue to manage their grants via paper, including payment requests, requests for modifications, reporting, etc., whereas, electronic applicants can do all these functions on-line. Additionally, paper applications don't have the built-in help that is available to the on-line applicants. Finally, there is no built-in assurance that your paper application is complete when submitted. If you do not have access to the Internet, contact us directly (866-274-0960) to request a paper copy of the application via mail. ***We will not send the paper applications to you via overnight delivery, nor by fax or email.***

The only legitimate paper application is the application that we send you -- do not use any paper application that you did not receive directly from us. Do not print the screens from this year's application and submit it. Do not use previous year's applications. Any paper application that is not in the correct format will be deemed ineligible.

We will begin accepting completed applications for the 2003 program on or about March 3, 2003. Completed applications must be submitted electronically or otherwise received by us on or before the close of business (5:00 p.m. EST) on April 4, 2003. Applications submitted by mail must be postmarked no later than March 31, 2003, or received by us on or before close of business on April 4, 2003. Applications not submitted electronically must be mailed to USFA Grant Program Technical Assistance Center, 16825 South Seton Avenue, Emmitsburg, Maryland, 21727-8998. No late, incomplete, or faxed applications will be accepted. No electronically submitted applications other than those submitted on-line via the automated grant application system will be accepted.

Project Development

In 2003, we have continued our provision to allow you to formulate a very comprehensive grant proposal. Depending on the program for which you apply, we are allowing your grant proposal to include a number of related "activities" to address all of your needs within a programmatic or functional area. This approach provides you with the opportunity to develop a more comprehensive grant project that addresses a broader range of your fire department's needs. You may submit only ***one application per program year*** and your application is further limited to only ***one*** of the program areas listed below. Be advised that your application should include only activities that can be completed within the one-year grant period.

You can submit an application for any one of the four program areas this year and, as stated above, you may include as many activities within that one program as necessary to meet your needs. The programs, and associated activities, eligible in this year's grant program are as follows:

1. ***Fire Operations and Firefighter Safety Program.*** Eligible activities under this function are limited to training, wellness and fitness, firefighting equipment, personal protective equipment, and modifications to fire stations and facilities.
2. ***Fire Prevention Program.*** Eligible activities under this function include, but are not limited to, public education and awareness activities, fire codes enforcement activities, fire inspector certifications, purchase and installation of smoke alarms and fire suppression systems, wildland mitigation, and arson prevention and detection activities.
3. ***Emergency Medical Services Program.*** Eligible activities under this function for fire-based EMS units are limited to equipment, training, and wellness and fitness initiatives. Vehicles, such as ambulances, are not eligible in this programmatic area.
4. ***Firefighting Vehicles Acquisition Program.*** Eligible apparatus under this program include, but are not limited to, pumpers, brush trucks, tankers, rescue,

ambulances, quints, aerials, foam units, and fireboats. You may apply for only one vehicle per year.

As stated above, you may apply for assistance in only one of these four programmatic areas this year. Within your selected programmatic area, you may develop a comprehensive program to address all of your needs by applying for as many of the eligible activities as needed. For example, if you determine that your needs are in the area of fire operations and firefighter safety, you could apply for any one of the activities under that program, or any combination of activities, or all of the activities listed within that program. If you need a vehicle, you must apply under the vehicle acquisition program.

Application Procedure

Eligible applicants can apply for the Assistance to Firefighters Grant Program on-line via FEMA's new "e-grants" application process. The system will allow one authorized representative of a department to log in and create a user name and password for the department. The selection of the authorized representative is at the discretion of each department. The information requested on-line is an electronic version of many Federally approved grant forms. The application includes general questions about your department and your community, as well as questions regarding your proposed project.

As in previous years, you will be required to answer a series of questions designed to provide us with general information about your department and your community. The answers you provide to these general questions will determine whether your department services an urban, suburban, or rural community. We have established different funding priorities in some of the program or activity areas depending on the type of community you serve. These funding priorities are delineated in each program area below, if applicable. This designation (i.e., urban, suburban, or rural) may affect the ranking of your application depending on the program area for which you are applying. If you disagree with your designation, you may address your concerns in the narrative section of the application but you may not change the designation.

After you have completed the general questions, you will be asked a series of activity-specific questions relative to the program you selected and the activities for which you plan to apply. Answer the questions for each of the activities that support your project.

Lastly, you will be required to provide a written narrative describing your planned project. The narrative portion of your application should provide the details of activities you propose to be funded including budget details for each of your activities. It should describe the financial need of your fire department, and elaborate on the benefits your community and/or fire department will gain from the expenditure of the grant funds.

We recommend that you type your narrative off-line on any word processing software, such as Word, Word Perfect, Notepad, etc. Once your narrative is complete, you can copy it or “cut-and-paste” it from your word processing source onto the narrative block in the application. Space for the narrative is limited, so your narrative should not exceed five pages.

Evaluation Process

We will rank all complete and eligible applications based on the substance of your application relative to the established program priorities for the type of community served. We determine this relationship from your answers to the activity-specific questions. If you apply for more than one activity in your selected program, each activity will be scored separately, then your scores will be prorated based on the individual activities’ funding level compared to the total requested funding in your application. For example, if you are applying under the Fire Operations and Firefighter Safety Program and you are applying for \$9,000 in training and \$1,000 in firefighting equipment, the training portion of your proposal will represent 90 percent of your score and the firefighting equipment acquisition will represent 10 percent of your score. The number of activities included in your application will not provide any advantage or disadvantage with respect to the evaluation.

Applications that best address the grant program’s priorities (as outlined below and in the Notice of Funds Availability) will score higher than those applications that are not directed toward the priorities. The applications that score the highest will be determined to be in the “competitive range.” A panel of at least three technical evaluation specialists will further evaluate the applications that are in the competitive range, i.e., the highest ranked applications. These panelists will evaluate the application using your project narrative along with the answers to the general questions and the activity-specific questions.

When reviewing your narrative, the panelists will evaluate the clarity of your proposed project including your project’s budget detail, the financial need of your department, and the benefits that would result should you be awarded the grant. These three elements carry equal weight when factored into the panelists’ scores (i.e., one-third). Each application will be judged on its own merits. The panelists will consider all expenses budgeted, including administrative and/or indirect, as part of their cost-benefit review. The panelists will review each application in its entirety and compare the application against established evaluation criteria – not against other applications.

Keep in mind that we will use your answers to the activity-specific questions for our initial assessment. Your answers to these questions are the primary basis upon which we will determine whether your application warrants further evaluation. Applicants whose answers indicate that their project is consistent with our established priorities (outlined in the Notice of Funds Availability and below), will have a better chance of

reaching the competitive range and the second level of review than those applicants whose projects do not reflect the established priorities.

Programs and Program Priorities

Specific rating criteria and priorities for each of the grant categories are provided below following the descriptions of this year's eligible programs. The rating criteria, in conjunction with the program description, will provide you with an understanding of what information we are seeking about your proposed projects.

(1) Fire Operations and Firefighter Safety Program.

There are five different activities available for funding under this program area. They are: training activities, wellness and fitness activities, firefighting equipment acquisition, personal protective equipment acquisition, and modifications to fire stations and facilities activities. You can apply for as many of these five activities as you think are necessary in one application. There are no bonuses or penalties for applying for only one activity or for multiple activities.

The purchase of any equipment (communications systems and equipment or personal protective equipment or firefighting equipment) under this program should have the intent and/or goal of solving your interoperability or compatibility problems, as applicable. Any applicant seeking funding for equipment herein should provide details in the narrative section of their application regarding their local plan to enable interoperability for their jurisdiction.

a) Training activities:

FEMA may make grants for the purpose of training firefighting personnel. Examples of training activities include, but are not limited to firefighting I and II certifications, driver/operator, fire officer, hazardous materials response, incident command, supervision and safety, or training firefighting personnel to provide training in any of these areas.

We believe that more benefit is derived from the direct delivery of training than from sending trainees away for training or the purchase of training materials, equipment or props. Therefore, applications focused on direct delivery of training, including train-the-trainer initiatives, will receive a higher competitive rating. We will rate more highly those proposed programs that benefit the highest percentage of applicable personnel within a fire department or those proposed programs that will be open to other departments in the region.

Due to the inherent differences between urban, suburban, and rural firefighting characteristics, we have developed different priorities in the

training activity for departments that service these different types of communities. For departments serving rural communities, we believe that funding basic, operational-level firefighting, rescue, and responder training (i.e., training in basic firefighting duties or operating fire apparatus) has greater benefit than funding officer training, safety officer training, or incident-command training. But, there is a greater cost-benefit to officer training than for other specialized training such as mass casualty, HAZMAT, advance rescue, or inspector training for departments servicing rural communities.

Conversely, for departments that are serving urban or suburban communities, we believe there is a higher benefit to be gained by funding specialized training such as mass casualty, HAZMAT, advance rescue, or inspector training than the funding of officer training, safety officer training, or operations training, which in turn has a higher benefit than basic, operational, or awareness level activities. Training designated for the establishment or maintenance of a rapid intervention teams will be afforded a slightly higher rating.

Eligible uses of training funds include but are not limited to purchase of training curricula, training equipment (including trailers), training props, training services, attendance at formal training forums, etc. Tow vehicles or other means of transport may be eligible as a transportation expense under this activity if adequately justified in your grant proposal, but we will limit transportation expenses to \$6,000 per year per application. Compensation to volunteer firefighters for wages lost as a result of attending training under this program is an eligible expense if justified in your grant proposal. Overtime expenses paid to career firefighters to attend training, or overtime expenses paid to firefighters to cover for colleagues while the colleagues are in training are an eligible expense if justified in your grant proposal. Even though compensation is an eligible expense, proposals that contain such compensation expenses may be less favorably scored than similar proposals without compensation expenses due to the benefit/cost element in the evaluation process.

Activities that are not eligible in this area include construction of facilities such as classrooms, buildings, towers, etc. Modular training units may be eligible if they are mobile. Grant funds cannot be used for modular training units if the units are to be permanently fastened to the ground. No grant funding can go toward site preparation to accommodate any training activity, facility or prop. Renovations to an existing facility necessary to accomplish training activities are allowable if the renovations are minor and comply with the definition in the Final Rule and published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000).

Renovation expenses should be included in the budget as an “other” line-item expense and explained in the narrative.

b) **Wellness and fitness activities:**

FEMA may make grants for the purpose of establishing or expanding wellness and fitness initiatives for firefighting personnel.

We believe that in order to have an effective wellness/fitness program, fire departments must offer an entry physical examination, an immunization program, and periodic health screenings. Accordingly, applicants for grants in this category must currently offer or plan to offer with grant funds all three benefits in order to receive consideration and funding for any other initiatives in this activity. After entry-level physicals, annual physicals and immunizations, high priority is given to formal fitness, incident rehabilitation, and employee assistance programs. Lower priority is given to stress management and illness rehabilitation.

We believe the greatest benefit will be realized by supporting new wellness and fitness programs, and therefore, we will accord higher competitive ratings to those applicants lacking wellness/fitness programs over those applicants that already possess a wellness/fitness program. Finally, since participation is critical to achieving any benefits from a wellness or fitness program, we will give higher competitive rating to departments whose wellness and fitness programs mandate or provide incentives for participation.

Eligible expenditures in a wellness and fitness activity for firefighting personnel may include the procurement of medical services to ensure that the firefighting personnel are physically able to carry out their duties (purchase of medical equipment is not eligible under this category). Expenditures to carry out wellness and fitness activities may include costs for personnel, physicals, equipment (including shipping), supplies, or other related contract services (i.e., health-care consultants, trainers, and nutritionists) directly associated with the implementation of the proposed activity are eligible.

Transportation expenses and fitness club memberships for the firefighters or their families would not be eligible under the wellness and fitness activity. Other expenses that are not eligible in this area include construction of facilities to house a fitness program such as exercise or fitness rooms, showers, etc. Modifications to an existing facility are allowable if the modifications involve only renovations as defined in the Final Rule and published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000). Renovation expenses should be included in the budget as an “other” line-item expense and explained in the narrative.

c) Firefighting equipment acquisition:

FEMA may make grants for the purpose of acquiring additional firefighting equipment, including equipment needed directly for fire suppression or to enhance the safety or effectiveness of firefighting or rescue activities.

The stated purpose of this grant program is to protect the health and safety of firefighters from fire and fire-related hazards. As such, we believe that this grant program will achieve the greatest benefits by providing funds to fire departments purchasing basic firefighting equipment before any other non-firefighting equipment. We believe this grant program will achieve the greatest benefits if we provide funds to fire departments purchasing basic firefighting equipment never owned prior to the grant to bring the departments up to the applicable minimum operational level (i.e., as required by statute, regulation, or professional firefighting guidance). Our second priority would be to replace used or obsolete firefighting equipment. Since our priority is to equip departments with basic firefighting equipment, departments that are seeking to expand into new mission areas will receive a lower competitive rating. Equipment designated for the establishment or maintenance of a rapid intervention teams will also be afforded a slightly higher rating.

Small boats (under 13 feet in length), jet-skis, and all-terrain vehicles (ATVs) may be considered under this activity if properly justified in the narrative section of the application. Other vehicles, as defined in the interim final rule and published in the Federal Register, are not eligible under this activity.

Eligible expenses include those expenses necessary to acquire additional firefighting equipment, including communications and monitoring equipment. Compressor systems, cascade systems, or similar SCBA refill systems are eligible expenditures in this area. Modifications to an existing facility to accommodate such equipment are allowable if the modifications involve only minor renovation as defined in the interim final rule and published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000). Individual communications (portable radios) and/or mobile communications equipment (including mobile repeaters) are eligible. Base stations and automated dispatch systems as well as personal accountability systems are eligible. The cost of shipping equipment purchased under this program is also an eligible expense.

Thermal imaging cameras are eligible, but the number of cameras that can be purchased with grant funds will be based on the population

served by the department applying for assistance. Departments that serve communities of less than 20,000 can purchase one thermal imaging camera with grant funds if awarded a grant; departments serving communities between 20,000 and 50,000 can purchase two cameras with grant funds if awarded a grant; and departments serving communities of over 50,000 can purchase three cameras with grant funds if awarded a grant.

Integrated communications systems such as base stations, computer-aided dispatch, fixed-site repeaters, etc., are eligible under this activity. No grant funds can be used to construct facilities such as buildings, sheds, or towers to house communications equipment. The purchase of any communications systems and/or equipment under this activity should have the intent and/or goal of solving your interoperability problems, as applicable. Any applicant seeking funding for equipment herein should provide details in the narrative section of the application regarding their local plan to enable interoperability for the jurisdiction.

Personal protective equipment, including clothing for structural and wildland fire suppression such as “turnout gear” or “bunker gear” (including boots, pants, coats, gloves, hoods, goggles, vests, helmets, coveralls, and fire shelters), self-contained breathing apparatus, spare cylinders, and personal alert safety systems, is not eligible under this activity, but is eligible under the Personal Protective Equipment Acquisition activity.

d) Personal protective equipment acquisition:

FEMA may make grants for the purpose of acquiring personal protective equipment required for active firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment needed for firefighting personnel.

One of the stated purposes of this grant program is to protect the health and safety of firefighters. In order to achieve this goal and maximize the benefit to the firefighting community, we believe that we must fund those applicants needing to provide personal protective equipment (PPE) to a high percentage of their personnel. Accordingly, we will give a high competitive rating in this category to fire departments in which a large percentage of active firefighting staff do not have any personal protective equipment and to departments that wish to purchase enough PPE to equip 100 percent of their active firefighting staff or 100 percent of their on-duty staff, as appropriate. We will also give a higher competitive rating to departments that are purchasing the equipment for the first time as opposed to departments replacing obsolete or substandard equipment (e.g., equipment that does not meet current NFPA and OSHA

standards), or purchasing equipment for a new mission. For those departments that are replacing obsolete or substandard equipment, the age of the equipment to be replaced will be factored into the score with a higher priority given to older equipment.

Due to safety benefits afforded firefighters, for applications that include a request for PASS devices, we will give higher priority to applications with integrated PASS devices over applications with non-integrated PASS devices. Finally, the number of fire response calls that your department makes in a year will be considered with the higher priority going to departments with higher call volume while applications will be scored depending on call volume, the call volume of rural departments will be compared only to other rural departments, suburban departments will be compared only to other suburban departments, and urban departments will be compared only to other urban departments.

Eligible personal protective equipment includes clothing for structural and/or wildland fire suppression such as "turnout gear" or "bunker gear" (including boots, pants, coats, gloves, hoods, goggles, vests, helmets, coveralls, and fire shelters), self-contained breathing apparatus, spare cylinders, and personal alert safety systems. Protective clothing for response to hazardous materials incidents and other specialized incidents is also eligible under this activity.

The purchase of three-quarter length rubber boots is an ineligible expenditure under this activity. Uniforms (formal/parade or station/duty) or uniform items (hats, badges, etc.) are also ineligible expenditures under this activity. Personal communications equipment such as radios and pagers are ineligible under this activity, but are eligible under firefighting equipment acquisition activity.

e) **Modifications to fire stations and facilities:**

FEMA may make grants to modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

The stated purposes of this grant program is to protect the health and safety of firefighters, as such, eligible projects under this activity that are designed specifically to directly protect the health and safety of firefighters. We believe that more benefit would be derived from modifying fire stations than would be realized by modifying fire-training facilities or other fire department facilities. Facilities that would be open for broad usage and have a high occupancy capacity would receive a higher competitive rating than facilities that have limited use and/or low occupancy capacity. The frequency of use would also have a bearing on the benefits to be derived from grant funds. The

frequency and duration of a facility's occupancy have a direct relationship to the benefits to be realized from funding in this activity. As such, facilities that are occupied or otherwise in use 24-hours-per-day/seven-days-a-week would receive a higher competitive rating than facilities used on an irregular or part-time basis.

Eligible measures under this activity are limited but focused on promoting fire and life safety in fire stations and facilities. We believe that each of the eligible measures, if incorporated, would make any facility safer for firefighters. Measures that are eligible for funding are the installation of sprinkler systems, installation of vehicle exhaust extraction systems, the installation of smoke and/or fire alarm notification systems, and minor renovations to facilities that are necessary in order to accomplish other activities under this grant. The grant funds are to be used to retrofit existing structures that do not have the eligible safety features or to upgrade facilities whose features are dated. The funds may not be used to supplement new construction.

There are no monetary limits on the individual initiatives under this activity whether it is a vehicle exhaust system, a sprinkler system or a smoke/fire alarm systems, but no applicant can request more than \$100,000 in the modifications per fire station under their authority.

(2) Fire Prevention Program.

FEMA may make grants for the purpose of establishing or enhancing a fire prevention program. Appropriate activities in this program include, but are not limited to the following: public education, public awareness, enforcing fire codes, inspector certification, purchase and installation of smoke alarms and fire suppression systems, and arson prevention and detection activities. Applicants can apply for funding for as many fire prevention initiatives under this function as necessary.

We believe that the public as a whole will receive the greatest benefit from fire prevention funds directed to fire departments that currently do not have a prevention program. Also, we believe the public will benefit more from long-term fire prevention programs than to limited efforts. Therefore, we will give a higher competitive rating to programs that will be self-sustaining after the grant period. Because of the benefits to be attained, we will give a higher competitive rating to programs that target one or more of USFA's identified high-risk populations (i.e., children under fourteen years of age, seniors over sixty-five and firefighters), and programs whose impact is/will be periodically evaluated.

We believe projects that provide long-term benefits to the entire community such as public education programs and programs that develop and enforce codes and standards, and/or arson prevention and detection programs provide the greatest benefits. Therefore, such community-wide activities will be accorded the highest

competitive rating. Programs where the focus is on the purchase and installation of residential and public detection and suppression systems achieve positive benefits but not the highest competitive rating. The purchase of public information materials and presentation aids and equipment achieve the least benefit; therefore, these types of activities will be accorded the lowest competitive rating.

Eligible expenses to carry out these activities would include costs such as a fire education safety trailer, personnel, transportation, equipment (including appropriate personal protective equipment), supplies, and contracted services which are directly associated with the implementation of the proposed activity. Tow vehicles or other means of transport may be eligible as a transportation expense if adequately justified in the proposal, but transportation expenses will be limited to \$6,000 per application.

Construction as defined in the Final Rule is not eligible under this program. Modifications to an existing facility are allowable if the modifications involve only renovations as defined in the Final Rule and published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000). Renovation expenses should be included in the budget as an "other" line-item expense and explained in the narrative. A safety village that is not transportable would be considered construction, and therefore, not eligible.

(3) Emergency Medical Services Program

FEMA may make grants for the purpose of establishing or enhancing a fire department's emergency medical services program. Applicants can apply for the training activity or equipment acquisition activity or wellness and fitness activities or any combination of activities under this function as necessary.

Our overall objective in this program is to help fire departments start an EMS program or to expand an existing EMS program by providing training and equipment necessary to achieve their desired level of service. Because of the inherent benefits, the primary goal of this program is to train and equip a department's firefighters to achieve a basic EMS certification level (i.e., first responder and EMT) and work toward an EMT-B level of service before assisting departments with established EMS programs in upgrading existing services.

In this program area, we will give the highest competitive rating to fire departments that are planning to acquire a basic life-support level of service over upgraded or expanded services. We believe that enhancing or expanding an existing service that currently meets basic life-support to an intermediate life-support system would a higher benefit than enhancing existing services to the paramedic level.

Higher priority will be given to departments with a high call volume relative to departments serving communities with similar characteristics (i.e., urban, suburban, or rural

communities). Departments that strive to comply with a State, Federal, or national standard will be afforded a slightly higher competitive standing.

Eligible expenses for the training activities under this program could include instructional costs (i.e., books, materials, equipment, supplies, and exam fees), certification/re-certification expenses, as well as continuing education programs. Eligible expenses for equipment acquisition in this program could include, but are not limited to, defibrillators, basic and advanced life support equipment, universal precaution supplies (i.e., medical PPE), computers, expendable supplies (but not medications), infectious disease control and decontamination systems, mobile and portable communication equipment, integrated communication systems (such as computer-aided dispatch, towers, fixed repeaters, etc.).

The purchase of any communications systems and/or equipment under this activity should have the intent and/or goal of solving your interoperability problems, as applicable. Any applicant seeking funding for equipment herein should provide details in the narrative section of the application regarding their local plan to enable interoperability for their jurisdiction. No grant funds can be used to construct facilities such as buildings, sheds, or towers to house communications equipment. Transportation expenses for training may be eligible if adequately justified in the proposal.

Not eligible in this program are vehicles such as ambulances. Requests for vehicles must be submitted under the Firefighting Vehicle Acquisition Program, which is detailed below. Medications are also not eligible. Fitness club memberships for the EMS personnel or their families are not eligible under the wellness and fitness activity.

Other expenses that are not eligible in this area include construction of communication towers or the construction of facilities to house a fitness program such as exercise or fitness rooms, showers, etc. Renovations to an existing facility necessary to accomplish wellness and fitness activities are allowable if the renovations are minor and comply with the definition in the final rule and published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000).

(4) Firefighting Vehicle Acquisition Program

FEMA may make grants for the purpose of acquiring new firefighting vehicles, used fire apparatus, or refurbished apparatus. The funds may also be used to refurbish a vehicle the department currently owns. Applicants may apply for only one vehicle per year under this program.

Due to the inherent differences between urban, suburban, and rural firefighting conventions, we have developed different priorities in the vehicle acquisition program for departments that service different types of communities. The following chart delineates

our priorities in this program area for each type of community. Due to the competitive nature of this program and the imposed limits of funding available for this program, it is unlikely that we would fund many vehicles that are not listed as a priority-one or a priority-two this year.

Vehicle Acquisition Program Priorities			
	Urban	Suburban	Rural
Priority One	Pumper Quint Rescue-pumper Aerial Rescue	Pumper Quint Rescue-pumper	Pumper Tanker Brush Rescue-pumper Pumper-tanker
Priority Two	HAZMAT Light/Air Rehab	Brush Rescue Aerial HAZMAT	Rescue Light/Air Quint
Priority Three	ARFF Foam Brush Command Fire Boat	Light/Air Tanker Pumper-tanker Rehab Command	HAZMAT Rehab Command
Priority Four	Tanker Pumper-tanker Watercraft Ambulance	ARFF Foam Watercraft Fire Boat Ambulance	ARFF Foam Aerials Watercraft Fire Boat Ambulance

Regardless of the type of community served, we believe that there is more benefit to be realized by funding fire departments that own few or no firefighting apparatus than there would be realized by providing funding to a department with numerous vehicles. Therefore, we will give a higher competitive rating in the apparatus category to fire departments that own few or no firefighting vehicles relative to other departments serving similar types of communities. We will also give higher competitive rating to departments that have an aged fleet of firefighting vehicles, and departments that wish to replace or relegate to reserve status an old, high-mileage vehicle. We will also provide a higher competitive rating to departments that respond to a significant number of incidents relative to other departments servicing similar communities.

We believe that more benefit will accrue to a community that needs a new vehicle (i.e., the initial purchase of a new or used vehicle) as its primary response vehicle than to replace or relegate a non-compliant vehicle (i.e., a vehicle that does not conform to applicable standards) to reserve status. Relegating a compliant vehicle has a lower priority than relegating a non-compliant vehicle, but relegating a compliant vehicle has more benefit than purchasing a vehicle to expand the operational capacity of a department into a new mission area.

While no competitive advantage has been assigned to the purchase of commercial vehicles versus custom vehicles, or used vehicles versus new vehicles in the preliminary evaluation of applications, it has been our experience that depending on the type and size of department, the technical evaluation panelists often prefer low-cost vehicles when evaluating the cost/benefit section of the project narratives. Panelists may be provided with guidance for use in their evaluation on the reasonableness of vehicle costs. We also reserve the right to instill funding limits on requests for vehicles whose costs we deem excessive or otherwise not in the best interest of the program.

Eligible expenses under this program would include the cost of the vehicle and associated equipment necessary to conform to applicable national standards. New, used or refurbished vehicles are eligible; however, any used or refurbished vehicles must conform to national standards that were in effect the year the vehicle was manufactured. An allowance for transportation to inspect a vehicle under consideration or during a vehicle's production would be eligible if justified and included in the grant proposal. Also eligible would be the additional costs associated with the purchase and installation of a vehicle-mounted exhaust filtration system for any vehicle purchased with grant funds.

Applicants will not be allowed to modify the scope of work of a vehicle award, i.e. change the type of vehicle requested after award. Vehicles contracted for or otherwise purchased prior to the end of the established application period are not eligible for funding. Aircraft, bulldozers, and construction-related equipment are not eligible.

Other Eligible Costs

(1) ***Administrative Costs:*** Administrative costs are allowable under any of the program areas listed above, in accordance with OMB Circular A-87. (For more information about the Circulars, go to www.whitehouse.gov/omb/circulars.) Administrative costs are identifiable costs directly associated with the implementation and management of the grant. If you are requesting administrative expenses, you must list the costs under the "other" category in the budget and explain what the costs are for in your project narrative. The administrative costs should be based on actual expenses, not a percentage of the overall grant. We will reimburse actual expenses only. Examples of eligible administrative costs would be shipping, office supplies, computers associated with the NFIRS reporting requirements, etc. The cost of a grant

writer (if specifically listed on your application), is eligible and can be charged to the grant as administrative costs in accordance with the provisions outlined below.

(2) **Indirect Costs:** If you have an approved indirect cost rate, you may charge indirect costs to the grant. If you are charging indirect costs to the grant, you must submit the documentation that supports the indirect cost rate to us for review and approval prior to submitting any claims for indirect costs. The appropriate documentation for an approved indirect rate is a certified audit. We will allow the rate to be applied as long as it is consistent with its established terms. For example, some indirect cost rates may not apply to capital procurements; in these cases, indirect cost rates would not apply for a grant for equipment or vehicle acquisition.

(3) **Audit Costs:** Some grantees with large awards may be required to undergo an audit in accordance with OMB Circular A-133. Specifically, recipients of Federal funding that spend in excess of \$300,000 of Federal funds in a year must undergo an audit. (For more information about the Circulars, go to www.whitehouse.gov/omb/circulars.) The costs incurred for such an audit would be an eligible expenditure if included in the proposal's budget. You may wish to consider including anticipated costs of such an audit if you are applying for a significant level of funding. We do not require any other audits; therefore, we will not pay for any other audits.

(4) **Renovation Costs:** Renovations to an existing facility are allowable only if the costs comply with the final rule as published in the Federal Register (i.e., limited to minor interior alterations costing less than \$10,000). Construction costs are not eligible under the Assistance to Firefighters Grant Program. Construction includes major alterations to a building that changes the profile or footprint of the structure. Enhancements to existing structures such as the installation of apparatus-bay ventilation systems and retrofitting burn buildings to accommodate natural gas or propane burn simulators are eligible for application under the Modifications to Fire Stations and Facilities Activity.

(5) **Pre-award Costs:** Generally, grantees cannot use grant funds to pay for products and services contracted for, or purchased prior to the effective date of the grant. However, expenses incurred after the application deadline but prior to award may be eligible for reimbursement if the expenses were justified, unavoidable, consistent with the grant's scope of work, and specifically approved by us. We will consider requests for reimbursement for pre-award costs on a case-by-case basis.

(6) **Pre-application Costs:** Expenses, obligations, commitments or contracts incurred or entered into prior to the application deadline are *not* eligible to be included as a grant expense with the exception of grant preparation costs (see (7) below).

(7) **Grant Writer Fees:** Fees for grant writers may be included as a pre-award or pre-application expenditure (as provided in section 152.7(b) of the Final Rule).

But, fees payable on a contingency basis are not an eligible expense that can be charged to the grant. For grant writers' fees to be eligible as a pre-award expenditure, the fees must be specifically identified and listed in the application. In order to be eligible, the fees must also be paid prior to award, e.g., paid within 60 days of the end of the application period. Applicants may be required to provide documentation to support these pre-award expenditures.

Reasonableness of Cost

The panelists will review all the applications in the competitive range and judge each application on its own merits. The panelists will consider all expenses budgeted, including administrative and indirect, as part of the cost-benefit determination and may recommend appropriate adjustments. Regardless of eligibility of any costs requested, we reserve the right to reduce any requests for assistance, in whole or in part, that we deem to be excessive or otherwise contrary to the best interests of this program.

Award Procedure

Awards will be made on a competitive basis using rank order as the primary basis of our decision, regardless of program. But, there are some exceptions to this process. The law requires that we use no less than five percent of the available funding on fire prevention grants. Therefore, it may be necessary to go out of rank order to select a sufficient number of awards to comply with this requirement. We are also limited in the amount of funds that can be awarded for vehicles, i.e., we cannot award grants for vehicles in excess of 25 percent of the available funding. Once we reach that limit, it would then be necessary for us to deviate from rank order with respect to the remaining vehicle requests.

Throughout the process, career departments will be competing against other career departments for up to 46 percent of the available funding. Volunteer and combination departments will compete among each other for at least 54 percent of the available funding.

In order to fulfill our obligations under the law, we may also make funding decisions using the size and character of the community a department serves (urban, suburban, or rural), the type of department (career, combination, or volunteer), and the geographic location of the fire department. In these instances where we are making decisions based on geographic location, we will use States as the basic geographic unit. Geographic location of an applicant will be used primarily as a final discriminator, i.e., in cases where applicants have similar qualifications, we may use the geographic location of the applicants to maximize the diversity of the awardees.

Fire departments that have received funding under the Assistance to Firefighter Grant Program in previous years are eligible to apply for funding in the current year. However, due to our responsibilities under this program to assure adequate distribution of

awards among certain types of departments (career, combination and volunteer) and certain types of communities (urban, suburban or rural) as well as a equitable geographic distribution, we reserve the right to fund or not to fund previous recipients of grants under this program in order for us to fulfill these responsibilities. We may also take into account an applicant's performance on prior grants when making funding decisions on current applications.

As stated earlier, each application will be evaluated based on the answers to the activity-specific questions. The applications that best address the program's established priorities will be deemed to be in the "competitive range" and subject to a second level of review. This second level of review is conducted via a panel of technical reviewers who will assess the applications' merits with respect to the detail provided in the narrative on the activity, the applicant's financial need, and purported benefit to be derived from the cost. The panel evaluators will independently score each application before them and discuss the merits/shortcomings of the application to reconcile any major discrepancies, if necessary. A consensus is not required.

Once every application in the competitive range has been paneled, the applications are ranked according to the average score awarded by the panel. The ranking will be summarized in a Technical Report prepared by the Grants Program Office. The Grants Program Office will then make award recommendations to the Grants Management Branch of the Financial and Acquisition Management Division. The Grants Management Branch will then contact the applicant to discuss and/or negotiate the content of the application before making the final award decision.

We will select a sufficient number of awardees from this one application period to obligate all of the funding available this year. Awards will be announced over several months as the decisions are made. Awards will not be made in any specified order, i.e., not by State or by program or any other characteristic.

Grantees' Responsibilities

Recipients (Grantees) must agree to:

(1) Share in the costs of the projects funded under this grant program. Fire departments in areas serving populations over 50,000 must agree to match the Federal grant funds with an amount of non-Federal funds equal to 30 percent of the total project cost. Fire departments serving areas with a population of 50,000 or less will have to match the Federal grant funds with an amount of non-Federal funds equal to 10 percent of the total project cost. All cost-share contributions must be cash. There are no requirements on the timing of the cost-share, i.e., the cash doesn't have to be on-hand at the time of application nor at the time of award. Grantees have the whole grant performance period to accumulate their match. No "in-kind" contributions will be considered for the statutorily required cost-share. No waivers of this requirement will be granted except for fire departments of Insular Areas as provided for in 48 U.S.C. 1469a.

(2) Maintain operating expenditures for the one-year grant period in the areas funded by this grant activity at a level equal to or greater than the average of their operating expenditures in the two years preceding the year in which this assistance is received. This program is meant to supplement rather than replace a fire department's funding.

(3) Retain grant files and supporting documentation for three years after the conclusion and closeout of the grant.

(4) Ensure that all procurement actions are conducted in a manner that provides, to the maximum extent possible, open and free competition. In doing so, you must follow your established procurement processes when purchasing vehicles, equipment, and/or services with the grant funds. If the fire department has no established procedures, you should obtain at least two quotes/bids for the items you are procuring and document in your grant files the process used.

(5) Report to us the progress made on the performance you have made on your grant after six months. At grant closeout, you need to report how the grant funding was used and the benefits realized from the award in a final report. An accounting of the funds should also be included.

(6) Make grant files, books and records available if requested for our inspection to ensure compliance with any requirement of the grant program.

(7) Agree to provide information, through established reporting channels, to the U.S. Fire Administration's national fire incident reporting system (NFIRS) for the period covered by the assistance. If a grantee does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that grantee must agree to provide information to the system for a twelve-month period commencing as soon as they develop the capacity to report.

(8) Follow the audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-profit Organizations, which calls for grantees who expend \$300,000 or more in Federal funds in a year (from all Federal sources), must have a single audit performed in accordance with the Circular. (For more information about the Circulars, go to www.whitehouse.gov/omb/circulars.)

Prepared by the U.S. Fire Administration's Grants Program Office



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

March 25, 2003

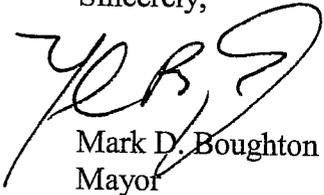
Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

The City of Danbury has a wonderful opportunity to participate in a grant project promoting community inclusion for all people with disabilities. The Real Choice Systems Change Project will assist our community to build the capacity to support informed decision-making, independent living, and a meaningful quality of life for persons with disabilities.

The City of Danbury's collaborative partners in this project include the Danbury Commission for Persons With Disabilities, WeCAHR, Ability Beyond Disability, Danbury Public Schools and Independence Northwest. A planning committee represented by each organization will coordinate this project led by our own Commission for Persons With Disabilities. I encourage your support of this opportunity to help us open doors for persons with disabilities.

Sincerely,



Mark D. Boughton
Mayor



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in October 2002 a federal Real Choice Systems Change grant was awarded to the Connecticut Department of Social Services, and the A. J. Papanikou Center was selected to administer the grant; and

WHEREAS, this project will collaborate with two other Systems Change grants: the Nursing Facilities Transition grant and the Connect-to-Work Project; and

WHEREAS, the Real Choice Systems Change project is seeking municipalities interested in being selected as a model community for the inclusion of persons with disabilities through the lifespan; and

WHEREAS, the project will supply funding, staff support in implementing the community inclusion plan and collaborative support from state agencies serving persons with disabilities in their communities; and

WHEREAS, the funding period will be from July 1, 2003 through September 30, 2005 with the grant amount of \$25,000.00 per year (total of \$75,000.00) with an in-kind match consisting of staff and administrative time; and

WHEREAS, this project is in the best interests of the City of Danbury.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Mark D. Boughton be and hereby is authorized to make application to Real Choice Systems Project and that Mayor Boughton be and hereby is authorized to take any additional action that may be necessary to effectuate the purposes hereof.

Real Choice Systems Change Project

“Promoting community inclusion for all people with disabilities throughout the lifespan”

APPLICATION FOR FUNDING

Background: In October 2002 a federal Real Choice Systems Change grant was awarded to the Connecticut Department of Social Services, and the A.J. Pappanikou Center was selected to administer the grant. There are two primary goals for this project:

1. To build the capacity within the State of Connecticut to support informed decision-making, independent living, and a meaningful quality of life for persons with disabilities across the lifespan.
2. To assist three communities in Connecticut to become models of support for opportunities and choices for persons with disabilities across the lifespan.

This project will collaborate with two other Systems Change grants: the Nursing Facilities Transition grant and the Connect-to-Work Project.

The Real Choice project will be working on two areas concurrently:

- ❖ Conducting a statewide assessment to determine the level and quality of inclusion in Connecticut communities. (Please see p. 2 for a definition of inclusion.)
- ❖ Selecting and further building capacity through technical and financial assistance in three specific communities (one rural/regional, one urban and one suburban community) which are already demonstrating good progress in this area.

Call for applicants: The Real Choice Systems Change project is seeking municipalities interested in being selected as a model community for the inclusion of persons with disabilities through the lifespan. Three communities will be selected as models for this project. Successful applicants will receive funding, staff support in implementing their community inclusion plan, and collaborative support from state agencies serving persons with disabilities in their communities.

Funding availability: \$25,000 per year for three years (a total of \$75,000) will be awarded to each of three Connecticut municipalities. The funding period will be from **July 1, 2003** through **September 30, 2005**.

Eligible applicants: Applications will be accepted from a representative of any municipality in Connecticut or from a consortium of towns that have a history of collaborative regional effort. When a regional application is submitted, a primary contact must be identified from one of the participating municipalities, and documentation of other collaborative efforts should be included with the application. Within large cities (e.g. Hartford, Bridgeport, New Haven) applicants may wish to submit an application that targets the inclusion of people with disabilities in a particular defined residential community or neighborhood.

Application Deadline: A completed application and five (5) copies are due in the project office by 4:00 PM on April 18, 2003.

Completed applications may be mailed or delivered to:

Chris Gaynor, Project Director
Real Choice Project
A. J. Pappanikou Center for Disabilities
University of Connecticut Health Center
MC6222, The Exchange, Suite 262
263 Farmington Avenue
Farmington, CT 06030

If you need assistance, or have any questions regarding the application, please contact Chris Gaynor (860) 679-1534

Definition of Community Inclusion

All discussion regarding community inclusion should reflect consideration of the following definition:

Community inclusion is the opportunity for all citizens to become involved and valued members of the community in which they live. Community inclusion is as important for people with disabilities as it is for the rest of the citizens of a community, as people with disabilities share the right of all citizens to participate in all aspects of community life. An inclusive community is one that minimizes or eliminates barriers to full participation. Persons with disabilities may need additional supports from the community in advising them about what is available and accessible within their community. They also need the opportunity to experience different places, use services, pursue interests and meet people who will assist them to be valued and welcomed members of their community.

An inclusive community is therefore one that offers all the benefits of citizenship to all residents of that community throughout their lifespan. These include access to:

- ❖ Municipal buildings, voting and participation on councils, committees etc., and jobs within the city government
- ❖ Community services such as shops, doctors, hairdressers, etc.
- ❖ Affordable housing
- ❖ A transportation system
- ❖ Health care and allied health services
- ❖ Competitive employment opportunities
- ❖ Volunteer opportunities
- ❖ Child care services
- ❖ An inclusive education system
- ❖ Faith based or civic events, including social events
- ❖ Recreation opportunities within the community such as sporting events, cafes, markets, beaches, parks, theaters in which all can participate together.

General requirements: The applicant must demonstrate the following:

- ❖ A community-wide commitment to inclusion of persons with disabilities across the lifespan in all facets of community life.
- ❖ The creation of a Community Inclusion Task Force (see #4 below) and the ability to work collaboratively with its members and the Real Choice project staff.
- ❖ A willingness to participate in training offered by the Real Choice project to enhance community inclusion.
- ❖ The ability to work in partnership with consumers, local and state agencies and service providers.

Applications must include the following:

1. **A completed cover sheet** (Attachment A) with appropriate contact information and signatures.
2. **A one-page summary** of current inclusion initiatives in your community and your plan to enhance these efforts through participation in the Real Choice initiative.
3. **A description of your community** and your community inclusion achievements to date. (Use Attachment C, Community Inclusion Worksheet, to guide this discussion)
4. **A list of Community Inclusion Task Force members**, a description of how the Task Force will be implemented and documentation of collaboration with these members. There must be a representative with a disability and a family member of a child with a disability. Members of the Task Force must also include a representative from at least three of the following:
 - ❖ Municipality or town administration
 - ❖ Public school system
 - ❖ Public Transportation (if applicable)
 - ❖ Elderly/Social Services
 - ❖ Public Housing
 - ❖ Consumer organization that works directly with people with disabilities, e.g. physical, psychological, or cognitive.

Additionally, the Task Force must include members of the general public as well as representatives from some of the following: private providers, childcare, and community service organizations (Lions, Elks, Kiwanis, League of Women Voters, faith based organizations).

Documentation of collaboration and willingness to serve on this project should be included or each Task Force member. This documentation can be in the form of a letter of support/participation or a memorandum of agreement. Documentation of past collaborative efforts, including minutes of meetings, may also be attached.

5. **A description of the primary challenge(s) facing this community** in the development of an inclusive community for all persons with disabilities across the lifespan.
6. **A plan for using the funding and project support** to address the identified challenge(s), and a description of the ways in which the community inclusion capacity will be enhanced or developed as a result of participation in this project. This should include specific numbers that will be reached, programs that will be affected and improvements that will occur. Include a description of how the Community Inclusion Task Force will be involved in this project.
7. **A budget** using the attached form (Attachment B), and a budget narrative. Include any in-kind or matching funds that you may be able to provide to this project.
8. **The entire grant application, including cover sheet, narrative, supporting documentation, budget narrative and budget page, should not exceed twenty-five double-spaced pages.**

Award Process

All completed applications will be reviewed and scored by representatives of the Steering Committee for the Real Choice project. Successful applicants will be notified no later than **May 16, 2003**, with start up in **July, 2003**.

Award Criteria

30 Points: Consistency with Principles. The activities, actions, events or projects described in this application are consistent with the following basic principles:

- ❖ **Lifespan:** The community demonstrates that the activities address the inclusion of persons with disabilities across the lifespan from infants through elderly persons.
- ❖ **Inclusion:** The community makes a consistent effort to include persons with disabilities as full participants in the same activities and at the same locations as all other community members. Efforts are made to reach out to persons with disabilities and to encourage them to join or be fully included in the community activities with non-disabled neighbors.
- ❖ **Respect:** The community demonstrates a respectful attitude toward persons with disabilities. Efforts are made to limit and discourage discrimination, stereotyping, and negative attitudes or myths about disabilities and people who have a disability.

20 Points: Innovation. The degree to which any of the proposed initiatives represent innovative and creative ways to support and include persons with disabilities across the lifespan in all aspects of community life.

20 Points: Scope of Benefit. The degree to which persons with disabilities have benefited from the initiatives already in the community, and the degree to which persons with disabilities will benefit from the proposed project. This includes the number of persons affected (taking into account the size of the community) and the extent to which the initiative will impact each of the following. (See the Community Inclusion Worksheet, Attachment C.)

20 Points: Collaboration. The degree to which the application reflects a documented collaborative effort, and the degree to which the community has a demonstrated history of collaboration to promote full inclusion of persons with disabilities.

10 Points: Budget. The degree to which the community will use in-kind and matching funds to achieve the project outcomes, and the degree to which the proposal demonstrates the ability of the community to continue inclusion efforts beyond the project period.

Disclaimer:

We reserve the right to select fewer than three communities should a significant number of applicants fail to meet the prescribed qualifications.

**Real Choice Systems Change
Model Communities Project
Proposal Cover Sheet**

Municipality/Consortium: City of Danbury

Contact Person: Michael McLachlan

Address: 155 Deer Hill Avenue
Danbury, CT 06810

Phone: (203) 797-4511

Fax: (203) 796-1666

E-mail: m.mclachlan@ci.danbury.ct.us

FEIN: _____

**Signature of
Authorized Individual:** _____

Title: _____

Date: _____

BUDGET			
	A. Total Funds	B. Real Choice Project Funds	In-kind or matching funds
1. Grant Coordination Services			
Position	Rate of Payment		
Grant Coordinator	\$17.41/hr X 3 hrs/wk X 3 yrs \$8147.88	\$4073.94	\$4073.94
Outreach Coordinator	\$17/hr X 15 hrs/wk X 3 yrs \$39780.00	\$39780.00	-0-
Total Coordination Services	\$47927.88	\$43853.94	\$4073.94
2. Transportation/Accommodations for Participants in Grant Activities			
Activities Passenger Van Transportation	\$12000.00	\$12000.00	-0-
Community Program Facilities	\$16000.00	\$ 6000.00	\$10000.00
Total Accommodations	\$28000.00	\$18000.00	\$10000.00
3. Equipment/Supplies			
Newsletter/printing/mail/design services	\$18000.00	\$13146.06	\$4853.94
Total Supplies	\$18000.00	\$13146.06	\$4853.94
4. Other Costs			
Annual Community Forums	\$3000.00	-0-	\$3000.00
Total Other Costs	\$3000.00	-0-	\$3000.00
5. GRAND TOTAL	\$96927.88	\$75000.00	\$21927.88

COMMUNITY INCLUSION WORKSHEET

Instructions: Use this worksheet to guide your narrative. Your application need not address all activities in all age areas. Document municipal efforts at inclusion of persons with disabilities. Provide supporting documentation where available.

	Early Childhood	School Age	Teenage/Young Adult	Adult	Elderly
Day care/respice (child and adult)	X				X
School system	X	X	X		
Transition services		X	X	X	X
Transportation	X	X	X	X	X
Housing	X	X	X	X	X
Health care	X	X	X	X	X
Recreation	X	X	X	X	X
Employment			X	X	X
Social support networks	X	X	X	X	X
Public attitudes and awareness	X	X	X	X	X
Public access to stores, businesses and restaurants	X	X	X	X	X
Participation in civic/religious activities	X	X	X	X	X
Other	X	X	X	X	X



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in October 2002 a federal Real Choice Systems Change grant was awarded to the Connecticut Department of Social Services, and the A. J. Pappanikou Center was selected to administer the grant; and

WHEREAS, this project will collaborate with two other Systems Change grants: the Nursing Facilities Transition grant and the Connect-to-Work Project; and

WHEREAS, the Real Choice Systems Change project is seeking municipalities interested in being selected as a model community for the inclusion of persons with disabilities through the lifespan; and

WHEREAS, the project will supply funding, staff support in implementing the community inclusion plan and collaborative support from state agencies serving persons with disabilities in their communities; and

WHEREAS, the funding period will be from July 1, 2003 through September 30, 2005 with the grant amount of \$25,000.00 per year (total of \$75,000.00) with an in-kind match consisting of staff and administrative time; and

WHEREAS, this project is in the best interests of the City of Danbury.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Mayor Mark D. Boughton be and hereby is authorized to make application to Real Choice Systems Project and that Mayor Boughton be and hereby is authorized to take any additional action that may be necessary to effectuate the purposes hereof.



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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

OFFICE OF THE TOWN CLERK
(203) 797-4531

MICHAEL R. SERI
TOWN CLERK

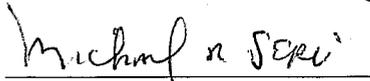
MEMORANDUM

To: Hon. Mark D. Boughton via the Common Council
From: Michael R. Seri, Town Clerk
Date: March 26, 2003
Re: Historic Document Preservation Grant
Cc: Dena Diorio, Director of Finance

Attached for your review is a resolution that allows the City of Danbury Town Clerk to apply for and accept grant money from the State of Connecticut, Office of Public Records Administrator. The grant is in the amount of \$12,000.00 and requires no local cash match.

1. This project was developed to assist in the conservation and preservation of Historic documents. Several of the files kept at the City of Danbury's Town Clerks office are old and beginning to show signs of aging.
2. "The objective of this project is to institute a continuing program for the preservation of deteriorating paper record in the town of Danbury, Ct. The Project strives to stabilize and preserve these original records as a useful information resource, and to insure their continued existence. The application of future technologies will be only successful if the original records are stabilized and preserved in the best possible form, since they represent the most legible image. The project further strives to preserve these artifacts as intrinsically valuable historic objects"
3. We now have a collection of volumes in excellent condition containing our older historic documents. They were originally deteriorating, and in terrible condition. Now the volumes readily accessible to genealogists who have praised the work that was done.
4. The City of Danbury has also taken this project into consideration and has expended thousands of dollars out of the General Fund to preserve maps and older land record volumes to microfilm.

Attached is a copy of the paperwork. The Common Council is requested to consider this resolution at its next meeting.


Michael R. Seri, Town Clerk

Attach.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Office of Public Records Administrator, will make grant funds available to municipalities through an Historic Documents Preservation Grant; and

WHEREAS, the State of Connecticut, Office of Public Records Administrator, will award these funds to the City of Danbury Town Clerk's office for use in Historic Document Preservation; and

WHEREAS, the City of Danbury is eligible to receive funds up to \$12,000.00; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, as Mayor of the City of Danbury, or the Town Clerk as his designee, is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

**HISTORIC DOCUMENTS PRESERVATION
GRANT APPLICATION - FY2004
Connecticut Municipalities
GP-001**



**STATE OF CONNECTICUT
Connecticut State Library
231 Capitol Ave., Hartford, CT 06106
PUBLIC RECORDS ADMINISTRATOR**

Name of Municipality: **Danbury**
Name of Municipal Chief Executive Officer: **Mark D. Boughton**
Title of MCEO: **Mayor**
Address: **155 Deer Hill Avenue, Danbury, Conn.**

Phone: **797-4511** FAX: _____ e-mail: _____

Name of Town Clerk: **Michael R. Seri** Check if Designated Applicant
Phone: **797-4530** FAX: _____ e-mail: _____

Grant Contract Period (Check One): Cycle 1 Beginning: 8/1/03 Ending: 6/30/04
Cycle 2 Beginning: 1/1/04 Ending: 6/30/04

Maximum Grant Allowed: \$ 7,000 Small Municipality (population less than 25,000)
\$12,000 Medium Municipality (population between 25,000 and 99,999)
\$17,000 Large Municipality (population 100,000 or greater)

Amount Requested: **\$12,000.**

Primary Grant Category (check one): Paper Conservation Preservation Survey
Preservation Microfilming Index Re-creation
Records Management Survey Archival Storage Equipment

Project Summary/Objectives: **Restore: Birth, Death and Marriage Books**

Work Plan (Please itemize materials to be covered by the grant and include a total):

Budget	Grant Funds (A)	Local Funds (B)	Total Funds (A+B)
1. Vendor In process of bidding	\$ 12,000.00	\$	\$ 12,000.00
2. Additional Archival Supplies	\$	\$	\$
3. Printing of Final Report (Preservation/Records Management grants only)	\$	\$	\$
4. Storage Equipment	\$	\$	\$
TOTAL	\$	\$	\$

Certified Resolution

I, Michael R. Seri, (~~name~~), Town Clerk of the Municipality of Danbury, do hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Town Council / Board of Selectmen / Board of Aldermen (*circle one*) duly held and convened on 26th (day of month) of March (month), 2003 (year), at which a constituted quorum of the Town Council / Board of Selectmen / Board of Aldermen (*circle one*) was present and acting throughout.

RESOLVED: That Mark D. Boughton (name of MCEO), Mayor (title), or the Town Clerk as his/her designee is empowered to execute and deliver in the name of and on behalf of this municipality, an application and contract with the State Library for an Historic Preservation Grant.

In witness thereof, the undersigned has affixed his/her signature and the town seal this 26th (day of month) of March (month), 2003 (year).

Signature of Town Clerk



This section is to be completed only if the MCEO wishes to designate the Town Clerk to make application for

I hereby designate, Michael R. Seri, the Town Clerk, as the agent for application.

Signature of MCEO

3/26/2003
Date

I hereby certify that the statements contained in this application are true and that all eligibility requirements as outlined in the *Grant Guidelines 2003-2004* have been met. If this grant is awarded I agree to comply with the terms and conditions of the grant contract as outlined in this document.

Signature of MCEO (or Town Clerk if Designated Applicant)

3/26/2003
Date

Michael R. Seri
Typed name of MCEO (or Town Clerk if Designated Applicant)

I certify that the above resolution remains in full force and effect.

Signature of Town Clerk

Date

State Library Use Only

Grant Disposition:

Approved
Denied

Grant Award: \$ _____

Grant Number: _____

Signature (Public Records Administrator)

Date

Signature (State Librarian)

Date

Introduction

This is the third year of the Historic Documents Preservation Grant Program funded by Public Act 00-146, "An Act Concerning Real Estate Filings and the Preservation of Historic Documents." This legislation, which took effect July 1, 2000, created an "historic documents preservation account" for the "preservation and management of historic documents."

The fund, administered by the Public Records Administrator, supports a preservation grant program for municipalities. The administrative head of the municipality, or the town clerk as designee, may apply for a grant to enhance the preservation of municipal public records. The Public Records Administrator, in consultation with the State Archivist and an advisory committee of town clerks representing small, medium and large towns from the state's major population categories, establishes the annual funding priorities for the grant program.

Public Act 00-146 authorizes two grant cycles per fiscal year. The first is on or before July thirty-first and the second on or before December thirty-first of each fiscal year in which payment of the grant is to be made. For fiscal year 2004, we will award grants in July and December of 2003.

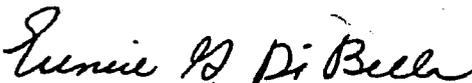
This year's series of grants will continue to be targeted grants. Targeted grants are aimed at specific types of projects. The categories have been expanded again and include additional preservation options. In addition to paper preservation/conservation, preservation planning surveys, preservation microfilming and index re-creation, towns will have the option to hire a records management consultant to evaluate their office procedures or to purchase storage equipment. As in the past two years, every municipality that meets the established criteria and submits a completed and accurate application will receive a grant.

The amount of money that a municipality is entitled to depends upon the population of the municipality. Grant amounts have been increased across the board for this grant year. A municipality may apply for one targeted grant per fiscal year.

This publication contains the application form, instructions for completing the form, and includes sample applications to assist applicants. Completed applications must be postmarked no later than April 30, 2003 to be considered for a July award and September 30, 2003 to be considered for a December award.

A portion of the grant money continues to be put aside for disaster recovery expenses that are not paid out of other funds available to the municipality. A separate application form and instructions for disaster recovery grants are also found in the pamphlet. Municipalities are eligible for disaster recovery assistance in addition to a targeted grant.

We encourage the participation of every municipality in this program. Last year 164 towns received grants; it is our goal to award grants to all 169 towns in the upcoming fiscal year.



Eunice G. DiBella
Public Records Administrator
February 1, 2003

Program Scope

An Act Concerning Real Estate Filings and the Preservation of Historic Documents (Public Act 00-146) established a dedicated fund to improve the care of local government records. The primary purpose of Public Act 00-146 is to help Connecticut's towns preserve and manage their historic documents. This legislation imposed an additional fee of three dollars to be collected by town clerks for the recording of land records, including deeds and mortgages. The Historic Documents Preservation Account (hereafter referred to as *the fund*) is comprised of the two dollars from this fee that the town clerks forward to the State Library. The Office of the Public Records Administrator oversees the fund.

The Public Act authorizes the Public Records Administrator to provide training and technical assistance and administer a grant program for Connecticut's municipalities to help them enhance or improve the preservation and management of their records. It also authorizes the State Librarian to appoint a committee to advise on the development and implementation of regulations regarding the operation of the grant program. The committee members represent small, medium and large municipalities from all geographic regions of the state.

The grant program remains non-competitive. The State Library awards grants based on pre-established areas of greatest need. Future grant cycles will include competitive grants based on the merits of the application. The fund also supports disaster recovery grants in emergency situations. **The total amount of grant funds available** depends on the number of documents recorded each year. This **will vary** with the state of the economy, (which in turn affects housing sales and thus the recording of deeds and mortgages), and cannot be predicted with certainty.

The State Library encourages local government officials to attend the grant application workshops offered periodically by the Grant Program staff. In addition, the State Library staff provides technical advice to local governments.

Grants Time Table

February 3, 2003	Grant application materials available to town officials.
April 30, 2003	Deadline for filing first cycle grant applications. Forms must be postmarked by this date.
July 31, 2003	Notifications of first cycle grants awarded.
September 30, 2003	Deadline for filing second cycle grant applications. Forms must be postmarked by this date.
December 31, 2003	Notification of second cycle grants awarded.
June 30, 2004	All work on grant projects must be completed.
September 1, 2004	Project Evaluation/Expenditure Report forms from 1 st and 2 nd cycle grants must be postmarked by this date.

GRANT AMOUNTS

The amount of a grant award will be based upon a town's population as of the latest published U.S. Census figures. For this grant year, the following maximum amounts will be distributed:

Small Municipality	Population less than 25,000	\$ 7,000
Medium Municipality	Population between 25,000 and 99,999	\$12,000
Large Municipality	Population 100,000 or over	\$17,000

DISASTER RECOVERY ASSISTANCE GRANTS

In addition to the targeted grants, the fund also supports disaster recovery grants. Grants of up to \$10,000¹ are available for expenses not covered by insurance for the recovery and/or restoration of records from a disaster. A disaster is defined as *damage caused by man-made or natural phenomena where an immediate response is necessary to prevent the irretrievable loss of vital, permanent, or archival records*. **Receipt of a disaster recovery grant does not preclude a local government from applying for and receiving a targeted grant in any grant cycle.** The State Library has developed application materials and guidelines for disaster recovery assistance grants. This material is located on page 13.

A town may submit an application for a disaster recovery assistance grant at any time but it must submit the application within ninety days of the disaster, unless extenuating circumstances preclude this. A local government that experiences a disaster should **immediately** contact the Office of the Public Records Administrator at the State Library at (860) 757-6540.

Grant Review Process

- The State Library staff reviews applications for eligibility. Applications that do not meet eligibility requirements will not be processed. A local government is responsible for submitting a complete application in a timely manner and for meeting eligibility requirements.
- The State Library will notify applicants by mail of its final decision by July 31, 2003 for the 1st cycle awards and December 31, 2003 for the 2nd cycle awards. The State Library will not release information regarding the status of an application until the staff has reviewed all applications and the Public Records Administrator has approved the grants to be offered.

Grants Administration Requirements

Grantees must conduct projects in accordance with the project budget and grant guidelines. The State Library expects each project to substantially meet the objectives outlined in the approved application. Grantees must submit a detailed Project Evaluation/Expenditure Report to the Office of the Public Records Administrator consisting of a narrative report and a financial expenditure report. The form is included in these guidelines and will also be sent to the municipality with the award contract. This report must include a copy of any forms, needs assessments, procedure manuals, consultants' reports, or other materials produced as part of the project. The Municipal Chief Executive Officer or Town Clerk, if the designated applicant, must sign the Project Evaluation/Expenditure Report.

For preservation microfilming grants, the town is responsible for ensuring that the selected vendor's microfilm operation meets the standards and specifications in accordance with the provisions of General Letter 96-2.

¹ Subject to availability of funds.

Payments

The State Library will make all grant payments to grantees according to the terms/conditions stated in the grant contract. Payments will be made within 30 days of the award notification date. Grantees must return any money not expended to the Connecticut State Library along with their Project Evaluation/Expenditure Report by the required date. Checks must be made out to "Connecticut State Library."

The State Library will make payment on Disaster Recovery Assistant Grants upon completion of the project and submission of a Project Evaluation/Expenditure Report and certification of non-coverage by insurance.

Questions

Town officials with questions may e-mail LeAnn Johnson, Public Records Program Grant Specialist in the Office of the Public Records Administrator at ljohnson@cslib.org or call (860) 566-1100 x 301.

Completing the Grant Form

(Complete this form in dark ink or with a typewriter or computer. Signatures must be in black or blue ink.)
This form is available online as a Word template at www.cslib.org/grantforms.htm.

Name of Municipality: Name of local government making application.

Name of Municipal Chief Executive Officer: Name of the head of the local government: e.g., Mayor, First Selectman.

Title of MCEO: Provide the appropriate statutory title for the municipal chief executive officer.

Address: Mailing address for the MCEO.

Phone: Telephone number including area code.

FAX: Include area code.

e-mail: If available.

Name of Town Clerk:

Designated applicant checkbox: If the municipal chief executive officer chooses to appoint the town clerk as the applicant for the grant, check this box.

Amount Requested: Not to exceed amount listed for population level.

Grant Category: Check the box to the right of the appropriate category. If the grant project involves more than one category (i.e. microfilming 17th and 18th century land records and creating a new index) select as the grant category the primary focus of the project (microfilming fragile land records).

Project Summary/Objectives: Brief three or four sentence description of the local government and its proposed project, including the objectives, the proposed work plan to meet the objective(s) and its intended results. This summary provides grant reviewers with their first impression of each local government and its proposed project. Photocopies of sample documents will be helpful.

Work Plan: Concise description of the activities planned during the grant period to achieve the above objectives.

Estimated Budget: List vendor and break down vendor expenses and additional archival supplies and/or equipment purchases by grant request and town funds (if any). The totals in all columns and rows must agree. Attach itemized job estimate or lists of expenses indicating specific items and project total. **Note:** Applicants may purchase additional archival supplies or eligible storage equipment to reach the maximum grant amount.

Certification and Approval: The Town Clerk must certify that the Town Council / Board of Selectmen / Board of Aldermen has empowered the Municipal CEO to apply for a grant.

Please Note: Time Frame for Certified Resolution (Actions must take place in the order indicated.)

1. The Town Council, Board of Selectmen or Board of Aldermen passes the resolution.
2. The MCEO signs either the designation section or the application/contract.
3. The Town Clerk certifies (signs and affixes the town seal) the resolution.
4. If the MCEO has designated the Town Clerk to make the application for a grant and enter into a contract, the Town Clerk signs the application/contract.
5. The Town Clerk signs the statement that the certified resolution is still in effect.

Designation of Applicant: Municipal CEO must complete this section if designating the Town Clerk to make the application.

Submit application with original signatures to:

LeAnn Johnson
Public Records Program Grant Specialist
Connecticut State Library
231 Capitol Avenue
Hartford, CT 06106

TERMS/CONDITIONS

1. This contract is subject to the provisions of Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, and, as such, the contract may be canceled, terminated or suspended by the state for violation of or noncompliance with said Executive Order No. Sixteen. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Sixteen is incorporated herein by reference and made a part hereof. The parties agree to abide by such Executive Order. This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill promulgated June 16, 1971, and, as such, this contract may be canceled, terminate or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three, or any state or federal law concerning nondiscrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to nondiscrimination, until the contract is completed or terminated prior to completion. The contractor, agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that he will not discriminate in his employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner. This contract is also subject to provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such, this contract may be canceled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference and made a part hereof. The parties agree to abide by said Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service.

2. Non-discrimination: (a) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise; and (3) who are members of a minority, as such term is defined in subsection (a) of Conn. Gen. Stat. 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

For purposes of this Section, "Commission" means the Commission on Human Rights and Opportunities.

For purposes of this Section, "Public works contract" means any agreement between any individual, firm or corporation and the state or any political subdivision of the state other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the state, including but not limited to, matching expenditures, grants, loans, insurance or guarantees.

(b) (1) The Contractor agrees and warrants that in the performance of the contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless shown by such Contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The Contractor further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by the Contractor that such disability prevents performance of the work involved; (2) the Contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, to state that it is an "affirmative action - equal opportunity employer" in accordance with regulations adopted by the Commission; (3) the Contractor agrees to provide each labor union or representative of the workers with which the Contractor has a collective bargaining agreement or other contract or understanding and each vendor with which the Contractor has a contract or understanding, a notice to be provided by the commission, advising the labor union or worker's representative of the Contractor's commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the Contractor agrees to comply with each provision of this section and Conn. Gen. Stat. Sec. 46a-68e and 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Conn. Gen. Stat. Sec. 46a-56, 46a-68e and 46a-68f; (5) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records, and accounts, concerning the employment practices and procedures of the Contractor as relate to the provisions of this section and section 46a-56. If the Contract is a public works contract, the contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works projects.

(c) Determination of the Contractor's good faith efforts shall include, but shall not be limited to, the following factors: The Contractor's employment and subcontracting policies, patterns, and practices; affirmative advertising, recruitment and training; technical assistance activities and other such reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The Contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

(e) The Contractor shall include the provisions of subsection (b) of this Section in every subcontract or purchase order entered into order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Conn. Gen. Stat. Sec. 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the Contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Office of Public Records Administrator, will make grant funds available to municipalities through an Historic Documents Preservation Grant; and

WHEREAS, the State of Connecticut, Office of Public Records Administrator, will award these funds to the City of Danbury Town Clerk's office for use in Historic Document Preservation; and

WHEREAS, the City of Danbury is eligible to receive funds up to \$12,000.00; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, as Mayor of the City of Danbury, or the Town Clerk as his designee, is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.



7

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

March 24, 2003

Honorable Mark D. Boughton
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

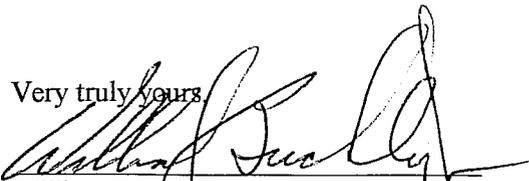
Shore Road Improvements - Storm Drainage Easements
Project No. 02-38

Enclosed please find copies of the five easement maps and proposed legal descriptions prepared by our department for storm drainage easements required for the Shore Road improvement project. The easements required are as follows:

- | | |
|----------------|---|
| Lot No. K02108 | Phyllis W. Banucci
permanent and temporary construction easements |
| Lot No. K02110 | Anthony J. and Vivian Chiapinelli
permanent and temporary construction easements |
| Lot No. K02094 | Thomas M. Montague
permanent and temporary construction easements |
| Lot No. I07001 | Connecticut Light and Power Company (two easements)
Permanent and temporary construction easements |

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire these easements.

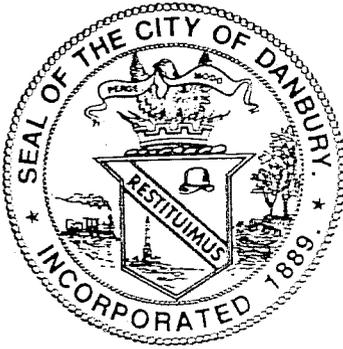
If you have any questions, please give me a call.

Very truly yours,

William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Eric L. Gottschalk, Esq., with encl. (3 copies each)





RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to correct drainage problems on Shore Road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedules A, B, C, D and E attached hereto containing the legal descriptions of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City Of Danbury cannot agree with the owners of said properties upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said schedules.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City Of Danbury is hereby authorized to acquire on or prior to October 1, 2003 property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suit against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

PHYLLIS W. BANUCCI
STORM DRAINAGE EASEMENT @ 20 SHORE ROAD
(TAX ASSESSOR'S LOT NO. K02108)

A certain piece or parcel of land containing 827 square feet (0.0190Acre) more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at No. 20 Shore Road and known as Tax Assessor's Lot No. K02108 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is the southwesterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N.41° 00' 30" W. a distance of 18.55 feet to a point, thence turning and running northeasterly through the land of the Grantor on the following courses and distances N. 57 ° 28' 11" E. a distance of 42.62 feet to a point, thence N. 71° 58' 28" E. a distance of 31.43 feet to a point on the southerly boundary line of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S. 48° 59' 30" W. a distance of 71.08 feet to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor.

Easterly : By land now or formerly of Anthony J. Chiappinelli and Vivian Chiappinelli.

Southerly : By land now or formerly of Anthony J. Chiappinelli and Vivian Chiappinelli.

Westerly : By Shore Road.

Together with 15 feet wide temporary construction easement located adjacent to and parallel with the northwesterly and northerly boundary line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled " Map Showing Proposed Drainage Easement Through the Land of Phyllis W. Banucci No. 20 Shore Road Danbury, Connecticut Scale: 1" = 20' January 28, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**ANTHONY J. CHIAPPINELLI AND VIVIAN CHIAPPINELLI
STORM DRAINAGE EASEMENT @ 22 SHORE ROAD
(TAX ASSESSOR'S LOT NO. K02110)**

A certain piece or parcel of land containing 2,114 square feet (0.0485Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 22 Shore Road and known as Tax Assessor's Lot No. K02110 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is the northwesterly corner of land herein described, thence running northeasterly along the northerly boundary line of the Grantor N. $48^{\circ} 59' 30''$ E. a distance of 144.33 feet to a point on the 440 feet contour (elevation) on land now or formerly of Connecticut Light and Power Company (Candlewood Lake), thence turning and running southeasterly along the 440 feet contour (elevation) a distance of 20 feet, more or less, to a point, thence turning and running southwesterly through the land of the Grantor on the following courses and distances S. $48^{\circ} 59' 30''$ W. a distance of 76.75 feet to a point, thence S. $71^{\circ} 58' 28''$ W. a distance of 32.95 feet to a point, thence S. $57^{\circ} 28' 11''$ W. a distance of 37.09 feet to a point on the northerly street line of Shore Road, thence turning and running northwesterly along the northerly street line of Shore Road N. $41^{\circ} 00' 30''$ W. a distance of 1.67 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Phyllis W. Banucci.

Easterly : By land now or formerly of Connecticut Light and Power Company (Candlewood Lake).

Southerly : By other land of the Grantor.

Westerly : By Shore Raod.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled " Map Showing Proposed Drainage Easement Through the Land of Anthony J. Chiappinelli and Vivian Chiappinelli No.22 Shore Road Danbury, Connecticut Scale: 1" = 20' January 28, 2003 " which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**THOMAS M. MONTAGUE
STORM DRAINAGE EASEMENT @ 6 SHORE ROAD
(TAX ASSESSOR'S LOT NO. K02094)**

A certain piece or parcel of land containing 2,674 square feet (0.0614Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 6 Shore Road and known as Tax Assessor's Lot No. K02094 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is the southeasterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N. $46^{\circ} 30' 36''$ W. a distance of 20.94 feet to the northwesterly corner of land of the Grantor, thence turning and running northeasterly along the northerly boundary line of the land of the Grantor N. $26^{\circ} 15' 33''$ E. a distance of 131.5 feet, more or less, to a point on the 440 feet contour (elevation) of land now or formerly of the Connecticut Light and Power Company (Candlewood Lake), thence turning and running southeasterly along the 440 feet contour (elevation) a distance of 20 feet, more or less, to a point, thence turning and running southwesterly through the land of the Grantor S. $26^{\circ} 15' 33''$ W. a distance of 135.9 feet, more or less, to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Connecticut Light and Power Company.

Easterly : By other land of the Grantor.

Southerly : By Shore Road.

Westerly : By land now or formerly of Michael Miller and Candace Miller.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the easterly line of the said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled " Map Showing Proposed Drainage Easement Through the Land of Thomas N. Montague 6 Shore Road Danbury, Connecticut Scale: 1" = 20' January 28, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**CONNECTICUT LIGHT AND POWER COMPANY
(CANDLEWOOD LAKE)
STORM DRAINAGE EASEMENT @ REAR OF #6 SHORE ROAD
(TAX ASSESSOR'S LOT NO. 107001)**

A certain piece or parcel of land containing 1,132 square feet (0.0260Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at rear of No.6 Shore Road and known as Tax Assessor's Lot No. I07001 (portion of) bounded and described as follows:

Commencing at a point on the 440 feet contour (elevation), which point is the northwesterly corner of land now or formerly of Thomas N. Montague, said point being the southwesterly corner of land herein described, thence running northeasterly through the land of the Grantor N. $26^{\circ} 15' 33''$ E. a distance of 57.72 feet to a point, thence turning and running southeasterly through the land of the Grantor S. $52^{\circ} 21' 49''$ E. a distance of 20.40 feet to a point, thence turning and running southwesterly through the land of the Grantor S. $26^{\circ} 15' 33''$ W. a distance of 55.52 feet to a point on the 440 feet contour (elevation), thence turning and running northwesterly along the 440 feet contour (elevation) a distance of 20 feet, more or less, to the point or place of beginning.

Bounded:

Northerly & Easterly : By other land of the Grantor.

Southerly : By land now or formerly of Thomas N. Montague.

Westerly : By other land of the Grantor.

Together with the right to drain into Candlewood Lake and a 15 feet wide temporary construction easement located adjacent to and parallel to the easterly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled " Map Showing Proposed Drainage Easement Through the Land of Connecticut Light and Power Company Shore Road (Rear of #6 Shore Road) Danbury, Connecticut Scale: 1" = 20' January 28, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**CONNECTICUT LIGHT AND POWER COMPANY
(CANDLEWOOD LAKE)
STORM DRAINAGE EASEMENT @ REAR OF 22 SHORE ROAD
(TAX ASSESSOR'S LOT NO. 107001)**

A certain piece or parcel of land containing 1,042 square feet (0.0239Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at rear of No. 22 Shore Road and known as Tax Assessor's Lot No. 107001 (portion of) bounded and described as follows:

Commencing at a point on the 440 feet contour (elevation), which point is the northeasterly corner of land now or formerly of Anthony J. Chiappinelli and Vivian Chiappinelli, said point being the northwesterly corner of land herein described, thence running northeasterly through the land of the Grantor N. 48° 59' 30" E. a distance of 51.13 feet to a point, thence turning and running southeasterly through the land of the Grantor S. 45° 06' 29" E. a distance of 20.05 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 48° 59' 30" W. a distance of 53.12 feet to a point on the 440 feet contour (elevation), thence turning and running northwesterly along the 440 feet contour (elevation) a distance of 20 feet, more or less, to the point or place of beginning.

Bounded:

Northerly, Easterly & Southerly : By other land of the Grantor.

Westerly : By land now or formerly of Anthony J. Chiappinelli and Vivian Chiappinelli.

Together with the right to drain into Candlewood Lake and a 15 feet wide temporary construction easement located adjacent to and parallel with the southerly line of said permanent easement as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled " Map Showing Proposed Drainage Easement Through the Land of Connecticut Light Power Company Shore Road (Rear of #22 Shore Road) Danbury, Connecticut Scale: 1" = 20' January 28, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to correct drainage problems on Shore Road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedules A, B, C, D and E attached hereto containing the legal descriptions of the properties involved; and

WHEREAS, eminent domain proceedings will be necessary if the City Of Danbury cannot agree with the owners of said properties upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said schedules.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City Of Danbury is hereby authorized to acquire on or prior to October 1, 2003 property interests as set forth in the attached legal descriptions either by negotiation or by eminent domain through the institution of suit against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.



8

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

February 28, 2003

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

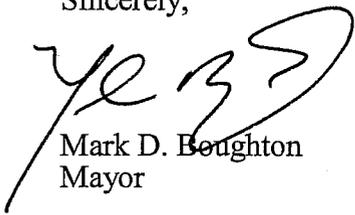
I hereby submit for your confirmation the appointment of the following individual as a Member of the Youth Commission to fill the vacancy created by the resignation of Vera Delohery with a term to expire June 1, 2005:

Judith Betman Coco (U)
8 High Meadow Hill
Danbury, CT 06811

Ms. Coco is an active member of the community and a long time resident of Danbury.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

March 24, 2003

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

I hereby submit for your confirmation the appointment of the following individual as an Alternate Member of the Commission on Persons with Disabilities, to fill a vacancy:

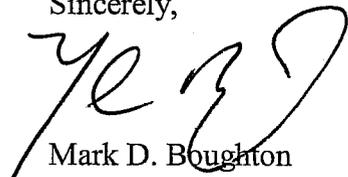
Kenneth Lee, Jr.(D)
51 Main Street, Unit 117
Danbury, CT 06810

Term to Expire: March 1, 2006

Mr. Lee is a Danbury native and remains very active in the community with the American Red Cross, the Danbury Senior Center and the Danbury Railway Museum.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor



16

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

March 18, 2003

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

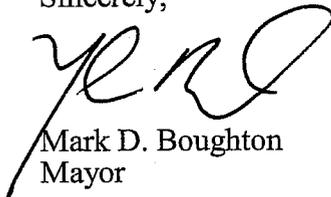
I hereby submit for your confirmation the appointment of the following individual as an Alternate Member of the Fair Rent Commission with a term to expire July 1, 2005:

Kevin W. Placella
474-C Cowperthwaite Street
Danbury, CT 06811

Mr. Placella is the Facilities Manager for Lorad, a Danbury native and active in the community.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor

11

March 21, 2003

Mayor Mark D. Boughton
Danbury City Hall

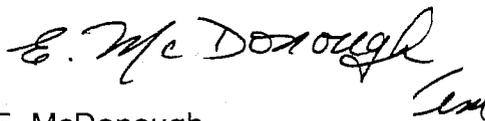
Dear Mayor Boughton:

We have received the following donations:

<u>DONOR</u>	<u>AMOUNT</u>
1. Nancy M. McNally, 150 Silo Drive, Rocky Hill 06067-1936	\$40.00
2. Mrs. Mary A. Tahan, 1 E. Hayestown Ave., Danbury 06811	25.00
3. Denise Kennedy & Karen Rubano, 30 Media Ave., Waterbury 06708	25.00
4. Catherine Pawlinski, 2A-29 Jeanette St., Danbury 06811	35.00

Please place these items on the agenda for the April Common Council meeting as these donations need to be deposited into the LIBRARYFUND.4651 Donations.

Sincerely,



E. McDonough
Director

c: Common Council - c/o J. Samaha ✓
Finance



12

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

ROBERT L. PAQUETTE, CHIEF
(203) 797-4614

March 21, 2003

MEMORANDUM

To: Mayor Mark D. Boughton
Members of Common Council, City of Danbury

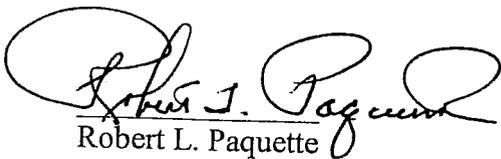
From: Chief Robert L. Paquette

Subject: **Wal-Mart Grant**

The Danbury Police Department is in receipt of a \$1,000 check presented to this Department by the Wal-Mart Foundation. This check is part of the Bonus Grant Program supporting public safety entities.

Please accept this donation and deposit it in the Police Department cost account 2000-5713, Public Safety Equipment. These funds will be utilized to purchase protective garments and breathing devices in support of the Department's emergency response responsibilities.

Thank you for your attention and consideration.



Robert L. Paquette
Chief of Police

RLP:ks
C: Dena Diorio, Finance Director

13

CITY OF DANBURY

FIRE DEPARTMENT

19 NEW STREET

DANBURY, CONNECTICUT 06810

Peter Sicienski
Fire Chief

Phone 203-796-1555
Fax 203-796-1533

March 25, 2003

Mayor Mark D. Boughton
Members of the Common Council
City of Danbury
155 Deer Hill Ave.
Danbury, Ct. 06810

Re: Donation to the Fire Department,

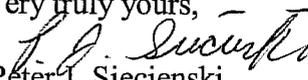
Dear Mayor Boughton and Members of the Common Council,

The Fire Department has received the following donation.

Maria and Joseph Correia of 12 Albers Road, Danbury - Fifty dollars (\$50)

I would ask that this generous donation be accepted at the April meeting of the Common Council and deposited to fire department line item 2010.5036 volunteer training.

If you require any additional information please do not hesitate to contact me directly.

Very truly yours,

Peter J. Sicienski
Fire Chief



14

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Hon. Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: March 26, 2003

CERTIFICATION

SUBJECT: Funds for the Department of Personnel/Civil Service

Attached you will find a request from the Director of Personnel, Carol DeSantie for additional funds to administer the entry-level police examination. I would recommend that the Common Council authorize the additional appropriation of \$8,700.

I hereby certify the availability of these funds to be transferred from the Department of Personnel's Revenue Line Item, Civil Service Test Fees, #1000.4610. There are sufficient funds in this account since the application fees collected from the applicants are being used to pay the cost of administering the test. Therefore, we will amend the appropriations and the revenue accounts in a like amount.

Please feel free to contact me should you require any additional information.

Thank you.

C: Carol DeSantie, Director of Personnel



CITY OF DANBURY

PERSONNEL/CIVIL SERVICE
DANBURY, CONNECTICUT 06810

CAROL A. DESANTIE
PERSONNEL DIRECTOR

(203) 797-4598
FAX (203) 796-1611

MEMORANDUM

TO: Dena Diorio, Director of Finance

FROM: Carol A. DeSantie, Director of Personnel 

RE: Entry-Level Police Examination

DATE: March 24, 2003

The application process for Police Officer generated approximately \$8,700.00 over the course of a month. I would like to use those funds for the entry-level Police exam.

I am submitting a copy of the proposal from Dr. Donna B. LaGanga, to develop and administer an entry-level Police examination. A transfer would be required into the Professional Services line item (1270.5311) to pay for the services of Dr. LaGanga. I need your assistance and approval to go forward with this transfer of funds to proceed with the entry-level Police exam in a timely fashion.

RECEIVED
FINANCE DEPT.

MAR 24 2003

RESOURCE MANAGEMENT ASSOCIATE, LLC

2929 Toringford Street
Torrington, CT. 06790
Tel. 860.489.0288

C. Volpe
City of Danbury
Purchasing Department
155 Deer Hill Avenue
Danbury, CT. 06810

January 10, 2002

Dear Mr. Volpe:

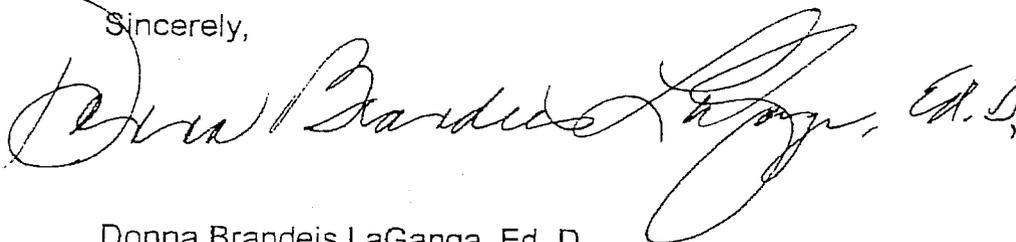
Please accept the attached proposal for consideration in retaining our firm's services under the conditions of RFP #02-3-12-46 (Proposals from qualified firms to develop and administer an entry-level Police Officer test).

Your correspondence was mailed to Test Preparation Services, 148 Windward Place, Southington, CT 06489. Please note that Resource Management Associates, LLC, 2929 Toringford, CT 06790 will be the consulting firm presenting this proposal and not Test Preparation Services. Please address all future correspondence to Resource Management Associates.

We feel that our proposal contains many opportunities for the City of Danbury to access a host of professional services that are brought about by an expanded number of services not often available through other testing consulting firms. Our staff relies upon people with professional expertise, knowledge and practical experiences in the fields of testing, measurement and human resources. We also take great pride in our investment in technology through the Internet to provide online services allowing candidates, as well as Civil Service Commissions to disseminate information.

Please feel free to call upon me should you have any further questions concerning this proposal.

Sincerely,



Donna Brandeis LaGanga, Ed. D.

CITY OF DANBURY RFP #02-3-12-48
Prepared by: Resource Management Associates, LLC
2929 Toringford Street
Torrington, CT 06790



15

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Hon. Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: March 26, 2003

CERTIFICATION

SUBJECT: Funds for the Department of Personnel/Civil Service

Per the attached request from the Director of Personnel, Carol DeSantie, I hereby certify the availability of \$25,000 to be transferred from the Insurance & Official Bond Premium, Workers Comp Deductible Expense, 8008.5817 to the following line item in the Department of Personnel:

1270.5311 Professional Services \$25,000

Please feel free to contact me should you require any additional information.

Thank you.

C: Carol DeSantie, Director of Personnel



CITY OF DANBURY

PERSONNEL/CIVIL SERVICE
DANBURY, CONNECTICUT 06810

CAROL A. DESANTIE
PERSONNEL DIRECTOR

(203) 797-4598
FAX (203) 796-1611

MEMORANDUM

TO: Dena Diorio, Director of Finance

FROM: Carol A. DeSantie, Director of Personnel 

RE: Additional funding to pay Corporate Health Care bills

DATE: March 26, 2003

Once again I come with a request. To pay Corporate Health Care's outstanding bills for this fiscal year requires an outlay of approximately \$25,000. Please come to our assistance in this endeavor. Thank you.



16

CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

Danbury Senior Center
80 Main Street
(203) 797-4686

Municipal Agent
80 Main Street
(203) 797-4687

Mayor Mark Boughton and
Members of the Common Council
City of Danbury
Danbury, CT 06810

March 25, 2003

Mayor Boughton and Members of the Common Council:

The following donations of \$50.00 have been sent to the Department of Elderly Services for the use of the Danbury Senior Center:

Almost Family Adult Day Care	- 25.00
Pomperaug Woods, Inc.	- 25.00

Kindly approve of these gifts and transfer them into the appropriate line items as requested on the accompanying form.

Respectfully,


Leo McIlrath

POMPERAUG WOODS, INC., PCF
80 HERITAGE ROAD
SOUTHBURY, CONNECTICUT 06488

CONTROL NO.
043350

FLEET BANK
51-44 B1
199

CHECK NO. 043350
CHECK DATE 02-27-2003

AMOUNT
\$25.00

PAY Twenty Five Dollars No Cents
TO THE ORDER OF

DANBURY SENIOR (CHORUS) center

POMPERAUG WOODS, INC., PCF
OPERATING ACCOUNT

Heij. Hsh
Authorized Signature

⑈043350⑈ ⑆011900445⑆ 6664 7258⑈

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

ALMOST family

100 Mallard Creek Road, Suite 400
Louisville, KY 40207
(502) 899-5355

Bank One NA
P O Box 1045
Columbus, OH
43271-1045
56-1544 / 441

234114

DATE	2/11/2003
AMOUNT	***25.00

PAY Twenty-Five and 00/100*****

Void after 90 days

TO THE ORDER OF DANBURY SENIOR CENTER
DANBURY

Wesley Smith

CHECK IS PRINTED ON SECURITY PAPER WHICH INCLUDES FLUORESCENT FIBERS. BORDER CONTAINS MICROPRINTING.

⑈234114⑈ ⑆044115443⑆ 616285748⑈



17

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: **LOCIP 2002-2003 APPLICATION**
DATE: March 26, 2002

On or about March 1 of each year, the City is eligible for State LOCIP funds for which Common Council approval is necessary in order to make application for those funds. Attached you will find a copy of a list of projects that total \$453,630. These items are all part of the City's 5-year Capital Plan approved by the Planning Commission, which is a requirement of the State in order to receive funding.

I would, therefore, ask that the Common Council at its April meeting approve the attached list of projects so that we may forward our application to the State for their approval.

If you have any questions, feel free to give me a call.

DD/jgb

Attach.

LOCIP 2002-2003 CAPITAL PROJECTS

- **City Hall Roof \$218,630.00**

The existing roof membrane at City Hall is in very poor condition. We experience leaking in every office area as a result of the roof succumbing to the environmental elements over time. In the late 1980's we installed a ten-year roof on this building, the roof is now fifteen years old and requires constant attention. I have placed this project on my list of necessary capital projects for several years; it was approved in your 2002-2003 LOCIP projects. This project should be considered a top priority. The project includes total removal of the existing membrane to the insulation layer, replacement of wet or damaged insulation, and reroofing with a product that will have a guaranteed life of twenty years.

- **Downtown Streetscape Projects \$45,000**

This project includes additional sidewalk replacement and streetscape elements throughout various locations within the central business district and inner city neighborhoods for the benefit of pedestrian and vehicular safety and traffic flow.

- **Library Roof Trellis Waterproofing \$105,000.00**

The membrane that protects the concrete roof trellis that overhangs the library building has failed and requires immediate replacement. This membrane keeps the concrete from cracking, spalling and falling to the ground. It has far exceeded its useful life and requires replacement now. I have placed this project on my list of necessary capital projects for several years; it was approved in your 2002-2003 LOCIP projects.

- **Highway Garage Heating Replacement \$48,000.00**

The existing suspended gas heaters in the highway garage are over thirty years old. They function poorly and inefficiently. We must provide repairs almost weekly to keep them functioning at a minimal level. This project will replace the old heaters with new, modern, efficient heaters that will improve the environmental conditions and save on fuel.

- **Patriot Garage Repairs \$10,000.00**

This funding will help us complete the structural repairs to the Patriot garage that began several years ago.

- **Underground Storage Tanks and Facilities \$ 27,000**

This project involves the removal, replacement and upgrade of underground storage tanks and facilities at various City of Danbury locations. The locations include the Danbury landfill, public works complex, and other sites. The work involves testing of tanks, piping, soil, and groundwater; reporting; tank removal; remediation of site; installation of new tanks and piping; training; record keeping; and related activities required for environmental compliance.



18

CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

Danbury Senior Center
80 Main Street
(203) 797-4686

Municipal Agent
80 Main Street
(203) 797-4687

Date: 03/25/03

MEMO TO: Hon. Mark Boughton
via the Common Council

FROM: Leo McIlrath, Director
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$464.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Printing/Binding	5002.5324	\$464.00
------------------	-----------	----------

I have been advised by the Director of Finance that these funds exist in my account, and she will provide you with her certification.



Leo McIlrath

LM/jgb

cc: Dena Diorio
Director of Finance



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

M E M O R A N D U M

DATE: March 26, 2003
TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: Commission on Aging

CERTIFICATION

I hereby certify the availability of \$464.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget to the following account:

Professional Services	5002.5324	\$464.00
-----------------------	-----------	----------

Should you have any questions, feel free to give me a call.

/jgb



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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

CHARLES J. VOLPE, JR., CPPB
PURCHASING AGENT

(203)797-4571 PHONE
(203) 796-1527 FAX
c.volpe@ci.danbury.ct.us

Memo

To: Mayor Mark Boughton and Members of the Common Council
From: Charles J. Volpe, Jr., Purchasing Agent 
CC: Dena Diorio, Director of Finance and Wade Anderson, Manager of Information Technology
Date: 03/26/03
Re: Sale of Surplus Computer Equipment

The City is in possession of the attached list of computer equipment provided by the IT Department. The equipment is no longer of any use to the Department, and I have declared it surplus.

Wade Anderson, Manager of Information Technology, sent me an e-mail dated March 25, 2003 (copy attached), indicating that he has received four offers to purchase the equipment in total. The highest offer was from NSI, at a total of \$6,500.00. I spoke to Mr. Anderson and he feels that, given the age of the equipment and the current technology environment, the high offer is fair and reasonable. The City's past practice has been to offer surplus equipment for sale through the sealed bid process, which would take approximately four weeks. Mr. Anderson indicates in his e-mail that the offers he received would only be valid for up to ten 10 days, and that any delay will almost certainly reduce the amount of the offers.

Pursuant to Section 2-153 of the Danbury Code, this equipment may be disposed of by the Purchasing Agent, and since the value exceeds \$2,500.00, permission of the Common Council is required.

Therefore, because time is of the essence, I respectfully request permission to sell the surplus equipment to NSI at a total cost of \$6,500.00.

I thank you for your consideration of this request.

enc: List of Surplus Equipment
Wade Anderson's e-mail of 3/25/03 with offers

Equipment For Sale:

IBM AS400 9406-720 Minus Processor/Disk Controller. Consists of:
2729 PCI External Tape Controller (Qty 2)
2745 PCI Two Line WAN IOA
6817 8.58GB 10k rpm Disk Unit (Qty 29)
7128 DASD Expansion Unit
8817 Opt Base 8.58GB 10k rpm
Plus misc. cards/cables remaining after 720→820 upgrade
To be sold 'as-is'

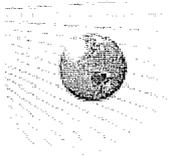
IBM 3570-C02 Stand Alone Magstar MP Tape Library (2 Drives)
S/N 13-60379

IBM 6262-T22 Line Printer (Qty 2)
S/N 01-90147
S/N 01-90148

IBM AS400 9406-50S S/N 10-2A51D Complete running V4R5
3155 256MB Main Storage (Qty 2)
2699 Two-Line WAN IOA
2810 One-Line LAN/WAN IOP
2629 LAN/WAN Workstation IOP
2621 Removable Media Device Attach
6181 Ethernet/IEEE 802.3 IOA
6390 7.0GB 8mm Cart Tape
6512 Disk Unit Controller for RAID
6533 RAID Disk Unit Controller
6605 1.03GB Disk Unit (Qty 2)
6606 1.96GB Disk Unit (Qty 11)
6713 8.58GB Disk Unit (Qty 8)
6907 4.19GB Disk Unit (Qty 6)
8254 Opt Base 128MB Memory (Qty 2)

IBM AS400 9402-40S S/N 10-339BG Complete running V5R1
2109 Processor (32MB)
0222 100/10Mbps Ethernet on IPCS
2609 EIA 232/V.24 Two-Line
2622 Six Line Comm Controller
2838 PCI 100/10Mbps Ethernet IOA
2862 128MB IOP Memory (Qty 2)
3110 64MB Main Storage (Qty 3)
6390 7.0GB 8mm Cart Tape
6522 Disk Unit Controller RAID
6606 1.96GB Disk Unit (Qty 7)
6607 4.19GB Disk Unit (Qty 4)

IBM Netfinity 5500 Servers 8660-52U (Qty 2)
Machine #1 S/N 23F5535
One Pent II 450, 261 MB Memory
Three Drives, 16.5 GB Total
DLT Tape Back-up
Machine #2 S/N 23K8121
Two Pent III 500, 1048 MB Memory
Six Drives, 42 GB Total
8mm Tape Back-up



Wade Anderson/IT/COD

03/25/03 09:13 PM

To Chick Volpe/PURCHASING/COD@Danbury

cc Les Pinter/LEGAL/COD@Danbury, Dena
Diorio/FINANCE/COD@Danbury

bcc

Subject Surplus/Obsolete AS400 Equipment

Chick --

Several weeks ago, I put together a list of data processing equipment that had reached the end of its useful life. The list includes two AS400 servers, a tape drive, two line printers and two Netfinity servers. These are all vintage machines and average 5 years old. The list was submitted to several equipment brokers and there were a total of 4 bids received. The bids range from \$5500 to \$6500 for the lot, copies are attached. In evaluating these bids each broker stated the price was only good for 5-10 days. This is because the equipment is rapidly losing its value. As you may have noticed when purchasing new data processing equipment, a matter of a month delay can amount to as much as a 5% reduction in price for certain models. The AS400 market is becoming saturated with equipment of this era, and is experiencing the consequential drop in value.

Would there be a way to expedite the disposal of these machines? I know there are rules in place that specify certain procedures when the value of the equipment is above a set threshold. However in this case, time is of the essence and a delay of 6-8 weeks could result in a loss of half the current value. Thank you,

Wade Anderson
203-797-4560
203-797-4628 (fax)

NSI Proposal

NSI is willing to pay \$6500.00 for all Equipment listed below AS IS.

Equipment For Sale:

IBM AS400 9406-720 Minus Processor/Disk Controller. Consists of:

- 2729 PCI External Tape Controller (Qty 2)
- 2745 PCI Two Line WAN IOA
- 6817 8.58GB 10k rpm Disk Unit (Qty 29)
- 7128 DASD Expansion Unit
- 8817 Opt Base 8.58GB 10k rpm
- Plus misc. cards/cables remaining after 720→820 upgrade
- To be sold 'as-is'

IBM 3570-C02 Stand Alone Magstar MP Tape Library (2 Drives)
S/N 13-60379

IBM 6262-T22 Line Printer (Qty 2)
S/N 01-90147
S/N 01-90148

IBM AS400 9406-50S S/N 10-2A51D Complete running V4R5

- 3155 256MB Main Storage (Qty 2)
- 2699 Two-Line WAN IOA
- 2810 One-Line LAN/WAN IOP
- 2629 LAN/WAN Workstation IOP
- 2621 Removable Media Device Attach
- 6181 Ethernet/IEEE 802.3 IOA
- 6390 7.0GB 8mm Cart Tape
- 6512 Disk Unit Controller for RAID
- 6533 RAID Disk Unit Controller
- 6605 1.03GB Disk Unit (Qty 2)
- 6606 1.96GB Disk Unit (Qty 11)
- 6713 8.58GB Disk Unit (Qty 8)
- 6907 4.19GB Disk Unit (Qty 6)
- 8254 Opt Base 128MB Memory (Qty 2)

IBM AS400 9402-40S S/N 10-339BG Complete running V5R1

- 2109 Processor (32MB)
- 0222 100/10Mbps Ethernet on IPCS
- 2609 EIA 232/V.24 Two-Line
- 2622 Six Line Comm Controller
- 2838 PCI 100/10Mbps Ethernet IOA
- 2862 128MB IOP Memory (Qty 2)
- 3110 64MB Main Storage (Qty 3)
- 6390 7.0GB 8mm Cart Tape
- 6522 Disk Unit Controller RAID
- 6606 1.96GB Disk Unit (Qty 7)
- 6607 4.19GB Disk Unit (Qty 4)

IBM Netfinity 5500 Servers 8660-52U (Qty 2)

- Machine #1 S/N 23F5535
 - One Pent II 450, 261 MB Memory
 - Three Drives, 16.5 GB Total
 - DLT Tape Back-up
- Machine #2 S/N 23K8121
 - Two Pent III 500, 1048 MB Memory
 - Six Drives, 42 GB Total
 - 8mm Tape Back-up



"Fred Rossetti"
<frossetti@4sfg.com>
03/21/2003 03:32 PM

To <W.Anderson@ci.danbury.ct.us>
cc
bcc
Subject Disposal

We can offer you \$6,000 if you would agree to pay outbound transportation charges, or we can offer \$5,000 if SFG is responsible for outbound transportation charges. This would be for his entire list of equipment.



"Tim Biswell"
<tim@centralasset.com>
03/17/2003 04:53 PM

To <W.Anderson@ci.danbury.ct.us>
cc
bcc
Subject bid for equipment...

Wade,

Central asset is please to make a bid in the amount of \$6000.00 For the items listed below. We would pay freight on this equipment assuming you can pack it for shipping. Please let me know the status and when you will be making the final decesion. Thank you for choosing Central Asset for your asset management needs.

Equipment For Sale:

IBM AS400 9406-720 Minus Processor/Disk Controller. Consists of:

2729 PCI External Tape Controller (Qty 2)
2745 PCI Two Line WAN IOA
6817 8.58GB 10k rpm Disk Unit (Qty 29)
7128 DASD Expansion Unit
8817 Opt Base 8.58GB 10k rpm
Plus misc. cards/cables remaining after 720→820 upgrade
To be sold 'as-is'

IBM 3570-C02 Stand Alone Magstar MP Tape Library (2 Drives)
S/N 13-60379

IBM 6262-T22 Line Printer (Qty 2)
S/N 01-90147
S/N 01-90148

IBM AS400 9406-50S S/N 10-2A51D Complete running V4R5

3155 256MB Main Storage (Qty 2)
2699 Two-Line WAN IOA
2810 One-Line LAN/WAN IOP
2629 LAN/WAN Workstation IOP
2621 Removable Media Device Attach
6181 Ethernet/IEEE 802.3 IOA
6390 7.0GB 8mm Cart Tape
6512 Disk Unit Controller for RAID
6533 RAID Disk Unit Controller
6605 1.03GB Disk Unit (Qty 2)
6606 1.96GB Disk Unit (Qty 11)
6713 8.58GB Disk Unit (Qty 8)
6907 4.19GB Disk Unit (Qty 6)
8254 Opt Base 128MB Memory (Qty 2)

IBM AS400 9402-40S S/N 10-339BG Complete running V5R1

2109 Processor (32MB)
0222 100/10Mbps Ethernet on IPCS
2609 EIA 232/V.24 Two-Line
2622 Six Line Comm Controller
2838 PCI 100/10Mbps Ethernet IOA
2862 128MB IOP Memory (Qty 2)
3110 64MB Main Storage (Qty 3)

6390	7.0GB 8mm Cart Tape
6522	Disk Unit Controller RAID
6606	1.96GB Disk Unit (Qty 7)
6607	4.19GB Disk Unit (Qty 4)

IBM Netfinity 5500 Servers 8660-52U (Qty 2)

Machine #1 S/N 23F5535

One Pent II 450, 261 MB Memory

Three Drives, 16.5 GB Total

DLT Tape Back-up

Machine #2 S/N 23K8121

Two Pent III 500, 1048 MB Memory

Six Drives, 42 GB Total

8mm Tape Back-up

Tim Biswell

Central Asset Solutions

Ph. 405-879-3322 Ext. 3636

Fax 405-879-3332

E-mail- tim@centralasset.com

Aol Instant Messenger- timbcas

Web site: www.centralasset.com

Cisco, Sun, IBM, Nortel, Toshiba, NEC, Mitel, DEC, SGI, Adtran, Paradyne, Lucent, 3COM, Marconi, PCs, Laptops, and many others.



2149 Avon Industrial Dr
Rochester Hills, Michigan 48309
248-853-6770 x135

March 21, 2003

Wade Anderson
City of Danbury
Danbury CT

Dear Wade:

Thank you for the opportunity to purchase your Equipment for Sale. Macro Computer Products is pleased to offer the following proposal:

<u>QTY</u>	<u>EQUIPMENT</u>	<u>PURCHASE PRICE</u>
1	IBM AS400 9406-720 Minus Processor/Disk Controller. Consists of:	\$5,500.00
2	2729 PCI External Tape Controller	
1	2745 PCI Two Line WAN IOA	
29	6817 8.58GB 10k rpm Disk Unit	
1	7128 DASD Expansion Unit	
1	8817 Opt Base 8.58GB 10k rpm	
1	Plus misc. cards/cables remaining after 720→820 upgrade To be sold 'as-is'	
1	IBM 3570-C02 Stand Alone Magstar MP Tape Library (2 Drives) S/N 13-60379	
2	IBM 6262-T22 Line Printer S/N 01-90147 S/N 01-90148	
2	IBM Netfinity 5500 Servers 8660-52U Machine #1 S/N 23F5535 One Pent II 450, 261 MB Memory Three Drives, 16.5 GB Total DLT Tape Back-up Machine #2 S/N 23K8121 Two Pent III 500, 1048 MB Memory Six Drives, 42 GB Total 8mm Tape Back-up	

<u>QTY</u>	<u>EQUIPMENT</u>	<u>PURCHASE PRICE</u>
1	IBM AS400 9406-50S S/N 10-2A51D Complete running V4R5	
2	3155 256MB Main Storage	
	2699 Two-Line WAN IOA	
	2810 One-Line LAN/WAN IOP	
	2629 LAN/WAN Workstation IOP	
	2621 Removable Media Device Attach	
	6181 Ethernet/IEEE 802.3 IOA	
	6390 7.0GB 8mm Cart Tape	
	6512 Disk Unit Controller for RAID	
	6533 RAID Disk Unit Controller	
2	6605 1.03GB Disk Unit	
11	6606 1.96GB Disk Unit	
8	6713 8.58GB Disk Unit	
6	6907 4.19GB Disk Unit	
2	8425 Opt Base 128MB Memory	
1	IBM AS400 9402-40S S/N 10-339BG Complete running V5R1	
	2109 Processor (32MB)	
	0222 100/10Mbps Ethernet on IPCS	
	2609 EIA 232/V.24 Two-Line	
	2622 Six Line Comm Controller	
	2838 PCI 100/10Mbps Ethernet IOA	
2	2862 128MB IOP Memory	
3	3110 64MB Main Storage	
	3111 7.0GB 8mm Cart Tape	
	6522 Disk Unit Controller RAID	
7	6606 1.96GB Disk Unit	
4	6607 4.19GB Disk Unit	

Macro will arrange for pickup once agreement is signed. If you would like to accept Macro's offer, please acknowledge by signing below and faxing a copy to me at 313-864-7031 or 248-853-1589 before March 28, 2003, if the copy is faxed after March 28, 2003, we will be happy to re-quote the equipment.

Sincerely,

**Janine V. Scott
National Account Representative
Macro Computer Products**

Accepted: City of Danbury

By:

Title:

Date:



20

CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

March 24, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: 1996 Health Insurance Portability and Accountability Act

Dear Mayor and Council Members:

The federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and related regulations adopted last year were crafted with the intention of enhancing quality and efficiency in the health care system while at the same time reducing costs associated with the exchange of information among health plans, providers and users. In addition, the law imposed new requirements regarding the confidentiality of individually identifiable health information. The latter provisions have drawn the attention of a broad range of businesses and governmental entities as we work to make certain that our practices comply with the law.

One element of compliance involves insuring that the confidentiality of individually identifiable health information is protected as it moves from one entity to another. For example, when obtaining such information from our health insurance companies we must agree to maintain its confidentiality. Similarly, for example, when we provide such information to our actuaries, we must obtain their assurance that they will maintain its confidentiality. In order to comply with the provisions of HIPAA, we must enter into agreements, called Business Associate Agreements, to formalize these arrangements.

Please authorize the Mayor to enter into these agreements on behalf of the city.

Sincerely,

Eric L. Gottschalk
Assistant Corporation Counsel

cc: Director of Finance Dena Diorio



21

THE LAKE WAUBEEKA ASSOCIATION, INC.
47 POST ROAD, DANBURY, CONNECTICUT 06810

March 20, 2003

The Common Council
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Members of the Common Council,

The Board of Directors of Lake Waubeeka would like to request that the city of Danbury consider the possibility of taking over our private Lake Waubeeka water system in the future.

We understand that it will take some time to assess the feasibility of this option, and we look forward to helping you in any way possible.

Sincerely,

Donna Giachetti Navarro
Corresponding Secretary, Lake Waubeeka Association

Cc: William J. Buckley, Jr. (City Engineer)
Mario Ricozzi (Public Utilities Superintendent)
Mayor Mark Boughton



22

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

Fire Department
19 New Street

Peter J. Siecienski, Chief
(203) 796-1550
Fax (203) 796-1533

DATE: MARCH 12, 2003

**TO: MARK D. BOUGHTON, MAYOR
& COMMON COUNCIL MEMBERS**

FROM: PETER J. SIECIENSKI, FIRE CHIEF

RE: SPECIAL SERVICE ACCOUNT #2010.5052

**CC: DENA R. DIORIO, DIRECTOR OF FINANCE
JIMETTA L. SAMAHA, ASSISTANT CITY CLERK**

I am requesting \$5,000.00 be transferred into the Special Services Account #2010.5052 due to ongoing events. This item, as detailed in our budget narrative, is a wash item and the funds are returned as invoices are paid. The unencumbered balance as of week ending 03/08/03 is \$5,884.00.

If further information is needed, please contact.


Peter J. Siecienski, Fire Chief

PJS/ft
SpecialServsTrans



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Mayor Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 2, 2003

CERTIFICATION

SUBJECT: **ITEM 22 – April 1, 2003 Common Council Agenda**

As per Common Council approval at its April 1, 2003 meeting, I hereby certify the availability of \$5,000 to be transferred from revenue account 1000.4634 into account funds 2010.5052, Fire Department Special Services. These funds are used for fire watch services and are returned to the City once invoices are paid.

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer

Water

Name of Applicant: WILLIAM ASMAR

Address: 17 MILL PLAIN RD.
DANBURY, CT. 06811

Telephone: 203-744-5388

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 17 MILL PLAIN RD.

Assessors's Lot No. _____

Zone: CG20

Intended Use: Retail _____ Single Family Residential _____
Office _____ Multiple Family Development _____
Mixed Use _____
Industrial _____

Number of Efficiency Units _____
Number of 1 Bedroom Units _____
Number of 2 Bedroom Units _____
Number of 3 Bedroom Units _____
Total Number of Units _____

William Asmar
SIGNATURE
3/13/03
DATE

24

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

RECEIVED
MAR 12 2003

RECEIVED
MAR 12 2003

Sewer

Water

PLANNING COMMISSION
CITY OF DANBURY

PLANNING COMMISSION
CITY OF DANBURY

Name of Applicant: Baker Residential L.P.

SP0219

Address: 485 Washington Ave.

Pleasantville, NY 10570

Telephone: 914-747-1550

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 40 Old Brookfield Rd.

Assessors's Lot No. K09097

Zone: RMF-10

Intended Use: Retail _____ Single Family Residential _____

 Office _____ Multiple Family Development

 Mixed Use _____

 Industrial _____

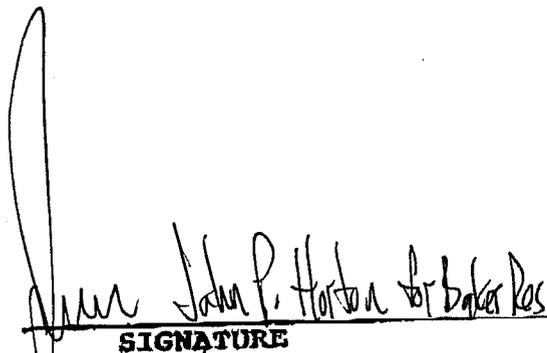
Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units 28

Total Number of Units 28



SIGNATURE

03/04/03

DATE



25

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

March 17, 2003

Honorable Mark D. Boughton
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Magnet School Sanitary Sewer and Water

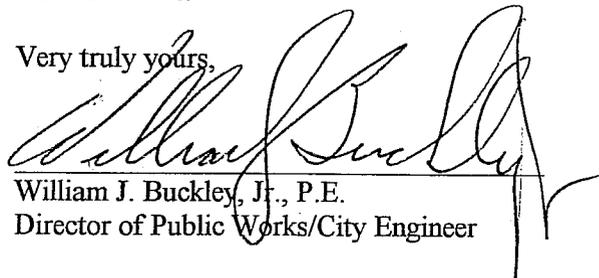
As part of the construction of the above noted school, sanitary sewer and water main extensions from existing facilities on the Western Connecticut State University Westside Campus from the developed section of the campus to the magnet school site will be installed by a contractor who will be working for the State of Connecticut.

When those extensions are completed to everyone's satisfaction, the entire water main extension and the force main sanitary sewer will be turned over to the City of Danbury.

We hereby request that the Common Council authorize the acceptance of these facilities when construction, legal documents and mapping are satisfactory to the Engineering Department and the Corporation Counsel's office.

If you have any questions, please feel free to contact me.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

C: Eric L. Gottschalk, Esq.



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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

March 17, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Hon. Mayor Mark D. Boughton
Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: March Agenda Item No. 34
Towing Charges

Dear Mayor and Council:

In accordance with Code of Ordinance Section 2-2, the above matter was referred to this office for a thirty (30) day report.

Based upon the detailed *Department Incident Report* of date 2/12/03 and the circumstances set forth therein, it is our view that this claim for towing charges for approximately \$80.00 should be paid. It appears that while neither party could really prevent the incident, it appears likely that the private party incurred this reasonable expense as a direct result of the presence of the City vehicle.

If you have any further questions, please do not hesitate to call.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Assistant Corporation Counsel
William Campbell, Director of Health

Llp/incident



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CITY OF DANBURY

PERSONNEL/CIVIL SERVICE
DANBURY, CONNECTICUT 06810

CAROL A. DESANTIE
PERSONNEL DIRECTOR

(203) 797-4598
FAX (203) 796-1611

TO: Mayor Mark D. Boughton
Members of the Common Council

FROM: Carol A. DeSantie, Director of Personnel

DATE: March 26, 2003

RE: Ratification of Agreements Between City of Danbury & Teamsters Local #677
Public Buildings and Public Works

Please include the following items on the agenda of the regular meeting of the Common Council scheduled for Tuesday, April 1, 2003:

Ratification of the Agreement between the City of Danbury and Teamsters Local #677 Public Building Division – Effective July 1, 2002 – June 30, 2005.

and

Ratification of the Agreement between the City of Danbury and Teamsters Local #677 Public Works Division: Highway and Equipment Maintenance; Parks & Recreation/Forestry; Airport Maintenance, – Effective July 1, 2002 – June 30, 2005.

Dena Diorio, Director of Finance, will report on the certification of funds.

enclosures

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To the Honorable Mayor Mark Boughton

Pursuant to a conversation on 3/19/03, it has come to our attention that land may be available for purchase on Oakland Avenue. We would like an opportunity to discuss this matter with the city council members at their next meeting.

Thank you for your consideration of our request.

Robert A. Dennis
Bernadette Dennis

Robert and Bernadette Dennis
15 Oakland Avenue
Danbury, CT 06810
Home (203) 730-8056
Work (203) 797-7486

ZARECKI
&
ASSOCIATES, L.L.C.

VIA FACSIMILE

March 26, 2003

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Engineers • Architects
Surveyors

Joseph Zarecki, PE
Jeffrey Hecker, LS
Curt Johnson, RA

11 West Main St.
Pawling, NY 12564
(845) 855-3771
(845) 855-3772 Fax
email: zareck3771@aol.com

31 Bailey Ave.
Ridgefield, CT 06877
(203) 438-7094
(203) 438-7157 Fax

Honorable Mayor Mark Boughton and Members of the Danbury
Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: LaMorte Project
Mill Plain Road, Danbury, Connecticut

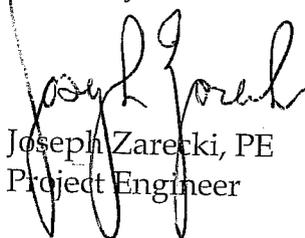
Dear Honorable Mayor Boughton and Member of the Council:

This letter is in regards to the project prepared for C.E.G. Realty, L.L.C., titled Compensatory Mitigation Plan to approve wetland mitigation plan for said property. We have approval from Jack Kozuchowski of the Danbury Department of Health/Wetland Commission. We respectfully request that the project be put on the agenda for the April 1, 2003 meeting.

We are requesting to work on City of Danbury property. The work will be performed at the Kenosia Town Park property. We trust that with the information provided, that permission will be given to perform mitigation work on the City property in accordance with the approval from the Danbury Department of Health/Wetland Commission.

Thank you of your attention regarding this matter.

Sincerely,



Joseph Zarecki, PE
Project Engineer

JZ/kln

cc: Jack Kozuchowski, Wetlands Commission
Frank LaMorte





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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

March 26, 2003

Honorable Mark D. Boughton
Honorable Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 16810

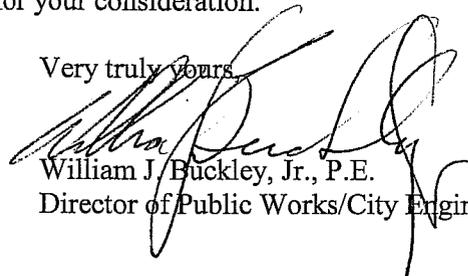
RE: Underground Storage Tank Removal and Replacement Public Works Facilities
Proposed Consent Order Connecticut Department of Environmental Protection

Dear Mayor Boughton and Members of the Common Council:

Attached you will find a copy of a proposed Consent Order with the Connecticut Department of Environmental Protection for the removal and replacement of underground storage tanks at the public works complex on Newtown Road. The tanks involved are a waste oil tank and an oil water separator that serve Maintenance Garage 4. These were not replaced as part of the upgrades of underground storage tanks made during the middle and late 1990s. At that time standard category of fuel oil tanks that are typically considered as underground storage tanks were removed. The waste oil tank and oil separator did not fall into that category.

Please authorize Superintendent of Public Utilities Mario Ricoszi to execute the attached Consent Order on behalf of the City. As always I will make myself available to answer any questions you may have on this topic. Thank you for your consideration.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Enclosures:

cc: Eric L. Gottschalk, Esq.
Mario Ricoszi, P.E., F.ASCE

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF CONNECTICUT
V.
City of Danbury
Department of Public Utilities

:
:
:
:

ORDER NO. COWSUST 02-026

CONSENT ORDER

A. With the agreement of the City of Danbury ("Respondent"), the Commissioner of Environmental Protection ("the Commissioner") finds:

1. Respondent owns or operates two underground storage tank systems ("USTs") located at 53A Newtown Road, Danbury, Connecticut ("the site"), known as City of Danbury-Public Works Complex Building No. 4, and more fully described as Lot No. L12014 in a deed which is recorded in the City of Danbury Tax Assessor's Office. The USTs covered by this Consent Order are identified as D4 and E5 in a form entitled "Underground Storage Facility Notification Form EPHM-6", submitted to the Commissioner regarding the site and signed by George Massoud on April 11, 1986.
2. These USTs referenced in Paragraph A.1 above do not comply with the standards specified in the Regulations of Connecticut State Agencies ("RCSA") Section 22a-449(d)-102(a)(5) regarding spill and overfill equipment.
3. As of December 22, 1998, Respondent did not remove or abandon the USTs referenced in Paragraph A.1 above in accordance with the procedures specified in the National Fire Protection ("NFPA") publication number 30 and RCSA Section 22a-449(d)-107. Accordingly, Respondent violated RCSA Section 22a-449(d)-110(a).
4. By virtue of the above, Respondent has created or has maintained conditions which reasonably can be expected to create sources of pollution to the waters of the state.

B. With the agreement of Respondent, the Commissioner, acting under Sections 22a-6, 22a-424, 22a-432, 22a-438 and 22a-449 of the Connecticut General Statutes ("CGS"), orders Respondent to complete, if not already completed to the satisfaction of the Commissioner, as follows:

1. On or before thirty (30) days after issuance of this Consent Order, Respondent shall retain one or more qualified consultants acceptable to the Commissioner to prepare the documents and implement or oversee the actions required by this Consent Order and shall, by that date, notify the Commissioner in writing of the identity of such consultants. Respondent shall retain one or more qualified consultants acceptable to the Commissioner until this Consent Order is fully complied with, and within ten (10) days after retaining any consultant other than one originally identified under this Paragraph, Respondent shall notify the Commissioner in writing of the identity of such other consultant. Respondent shall submit to the Commissioner a description of a consultant's education, experience and training which is relevant to the work required by this Consent Order within ten (10) days after a request for such description. Nothing in this Paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
2. Within sixty (60) days of the issuance of this Consent Order by the Commissioner, Respondent shall thoroughly empty all petroleum and all hazardous substances from each UST referenced in Paragraph A.1 above, and shall ensure that no petroleum, hazardous substance, waste oil or any other material or waste is placed in each UST until such placement is approved, in writing, by the Commissioner.
3. Within thirty (30) days of the issuance of this Consent Order, Respondent shall notify the Commissioner in writing of its decision to either permanently close, upgrade or remove and replace each UST referenced in Paragraph A.1 above. For each UST in the notice submitted under this Paragraph which is being closed, including each UST being removed, Respondent shall ensure that such closure fully complies with the requirements set forth in Paragraph B.4 below. For each UST in the notice submitted under this Paragraph which is being upgraded, Respondent shall ensure that such upgrade fully complies with the requirements set forth in Paragraph B.5 below. Respondent shall ensure that the installation of any new UST at the site fully complies with the requirements of RSCA Sections 22a-449(d)-1 and 101-113.
4. For each UST being closed pursuant to this Consent Order, Respondent shall comply with the following requirements:
 - (a). Within thirty (30) days of the issuance of this Consent Order, Respondent shall notify the Commissioner, in writing, of the schedule for the closure of each UST. Except for any corrective action required by RSCA Section 22a-449(d)-107(c)(2), Respondent shall ensure that any such schedule provides for the completion of all permanent closure activities no later than ninety (90) days after the issuance of this Consent Order.
 - (b). Respondent shall ensure that the permanent closure of each

aforementioned UST fully complies with RCSA Section 22a-449(d)-107(b),(c), (e) and (f). For each UST being permanently closed, except for any corrective action required by RCSA Section 22a-449(d)-107(c)(2), Respondent shall complete all closure activities in compliance with the schedule submitted pursuant to Subparagraph B.4.(a). of this Consent Order, or no later than ninety (90) days after the issuance of this Consent Order, whichever is earlier.

(c). Within ten (10) days of the completion of the closure of each UST, Respondent shall notify the Commissioner, in writing, that the closure has been completed. Any such notification of closure shall be so made using Underground Storage Facility Notification Form EPHM-6, and such other forms or documentation as may be prescribed by the Commissioner.

5. For each UST being upgraded, Respondent shall comply with the following requirements:

(a). Within thirty (30) days of the date of issuance of this Consent Order, Respondent shall notify the Commissioner, in writing, of the schedule for upgrading each UST. Respondent shall ensure that any such schedule provides for the completion of all upgrade activities no later than ninety (90) days after the issuance of this Consent Order.

(b). Respondent shall ensure that each UST, when upgraded, fully complies with the standards for all new underground storage tanks specified in RCSA Section 22a-449(d)-102(a)(1), (2), (3), (4) and (10). For each UST being upgraded, Respondent shall complete all upgrade activities in compliance with the schedule submitted pursuant to Subparagraph B.5.(a). of this Consent Order, or no later than ninety (90) days after the issuance of this Consent Order, whichever is earlier. For each UST being upgraded, within ten (10) days of the completion of all upgrade activities, Respondent shall notify the Commissioner, in writing, that all upgrade activities have been completed. After the upgrade activities have been completed Respondent may request that it be able to use the upgraded UST. Any such request shall be in writing. Respondent shall not use any upgraded UST unless and until the Commissioner approves, in writing, Respondent's request that it be able to use any such UST.

6. If at any time during the permanent closure or upgrade of an UST Respondent discovers or becomes aware of contaminated soil, contaminated groundwater or free product as a liquid or vapor anywhere at, on or emanating from the site, Respondent shall: (1) immediately notify the Department of Environmental Protection at (860) 424-3338 and shall, no later than three (3) days after such oral notification, provide written notification to the Department regarding such contamination or free product; and (2)

begin corrective action in accordance with RCSA Section 22a-449(d)-106. Any written notification required by this Paragraph shall include the address of the site, the site owner, site operator, person or entity who discovered contamination or free product, the nature and extent of contamination or free product discovered and any response actions taken or planned. The notification requirement in this Paragraph shall be in addition to any other notification required under applicable law. Nothing in this provision shall excuse, be a substitute for, or affect any other notification or reporting requirement applicable to Respondent or the site.

7. Nothing in this Consent Order shall be deemed or construed to affect any requirement or obligation specified in RCSA Section 22a-449(d)-101 et seq.

8. Within thirty (30) days of the issuance of this Consent Order, Respondent shall pay a penalty of \$500.00 for the violations specified in Paragraphs A.2 and A.3 of this Consent Order.

9. Full compliance. Respondent shall not be considered in full compliance with this Consent Order until any actions required by this Consent Order have been completed as approved and to the satisfaction of the Commissioner.

10. Payment of penalties. Payment of penalties under this Consent Order shall be mailed or personally delivered to the Department of Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to "Treasurer, State Of Connecticut." The check shall state on its face, "UST Civil Penalty, December 22, 1998 Deadline, UST Enforcement Division, Consent Order No. 02-026."

11. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this Consent Order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty (30) days of the Commissioner's notice of deficiencies. Nothing in this Paragraph shall excuse noncompliance or delay.

12. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner of Environmental Protection or an agent of the Commissioner. "Hazardous substances" shall be defined as that term defined in 42 U.S.C. subsection 9601, but shall not include any substance regulated as a hazardous waste under Subtitle C of the Resource Conservation and Recovery Act. "Underground storage tank

system” shall be defined as that term is defined in RCSA subdivision 22a-449(d)-101(d)(63). “Petroleum” shall be defined as that term is defined in RCSA subparagraph 22a-449(d)-101(d)(48)(b) and shall include all of the items included as a “Regulated substance” in RCSA subdivision 22a-449(d)-101(d)(48).

13. **Sampling and sample analyses.** All sampling and sample analyses which are required by this Consent Order and all reporting of such sample analyses shall be done by a laboratory certified by the U.S. Environmental Protection Agency and/or the Connecticut Department of Health Services for such analyses. All sampling and sample analyses performed under this Consent Order shall be performed in accordance with the procedures specified or approved in writing by the Commissioner, or if no such procedures have been specified or approved, in accordance with the following:

<u>Product Stored</u>	<u>Potential Contamination</u>	<u>Suggested Analytical Method</u>
gasoline	aromatic volatile organics and MTBE lead (if leaded gasoline)	EPA 8021 or 8260 (collection method EPA 5035) EPA 7421 (TCLP or SPLP)
fuel oil or diesel (see Note below)	extractable total petroleum hydrocarbons aromatic volatile organics and MTBE semi-volatile organics	Connecticut ETPH EPA 8021 or 8260 (collection method EPA 5035) EPA 8270
waste oil	extractable total petroleum hydrocarbons aromatic volatile organics and MTBE halogenated volatile organics RCRA 8 metals PCBs	Connecticut ETPH EPA 8021 or 8260 EPA 8021 or 8260 EPA 6010 (TCLP or SPLP) EPA 8082

unknown or other product: contact DEP UST Enforcement Program staff at (860) 424-3374

Note: For fuel oil or diesel UST closure, analyze all samples by Connecticut ETPH method and, at a minimum, analyze the most contaminated sample (based on field observation) by the additional methods.

Unless otherwise specified by the Commissioner in writing, the value of each parameter shall be reported to the maximum level of precision and accuracy specified in the applicable protocol, and if no such level is specified, to the maximum level of precision and accuracy possible. All samples shall be discrete rather than composite samples.

14. **Dates.** The date of submission to the Commissioner of any document required by this Consent Order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this Consent Order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail, or is personally delivered, whichever is earlier. Except as otherwise specified in this Consent Order, the word "day" as used in this Consent Order means calendar day. Any document or action which is required by this Consent Order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be

submitted or performed on or before the next day which is not a Saturday, Sunday or Connecticut or federal holiday.

15. **Notification of noncompliance.** In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this Consent Order or of any document required hereunder, Respondent shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, Respondent shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.

16. **Certification of documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Consent Order shall be signed by Respondent, as those terms are defined in RCSA Section 22a-430-3(b) and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."

17. **Noncompliance.** This Consent Order is a final order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this Consent Order may subject Respondent to an injunction and penalties under CGS Chapters 439, and 445 or 446k.

18. **False Statements.** Any false statement in any information submitted pursuant to this Consent Order may be punishable as a criminal offense under CGS Sections 22a-438 or 22a-131a, in accordance with CGS Section 22a-6, under CGS Section 53a-157.

19. **Notice of transfer; liability of Respondent and others.** Until Respondent has fully complied with this Consent Order, Respondent shall notify the Commissioner in writing no later than fifteen (15) days after transferring all or any portion of the operations which are the subject of this Consent Order, the site, or the business, or after obtaining a new mailing or location address. Respondent's obligations under this

Consent Order shall not be affected by the passage of title to any other person or municipality. Any future owner of the site may be subject to the issuance of an order from the commissioner.

20. Commissioner's powers. Nothing in this Consent Order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for violations of law, including but not limited to violations of any permit issued by the Commissioner. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this Consent Order have not fully characterized the extent and degree of pollution or have not successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate pollution.

21. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of the other obligations under applicable federal, state and local law.

22. No assurance by Commissioner. No provision of this Consent Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this Consent Order will result in compliance or prevent or abate pollution.

23. Access to site. Any representative of the Department of Environmental Protection may enter the site without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Consent Order.

24. No effect on rights of other persons. This Consent Order shall neither create nor affect any rights of persons who or municipalities which are not parties to this Consent Order.

25. Notice to Commissioner of changes. Within fifteen (15) days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this Consent Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.

26. Submission of documents. Any document or notice to the Commissioner under this Consent Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

**Paul Clark
Department of Environmental Protection
Pesticide, PCB and UST Management Division
79 Elm Street
Hartford, Connecticut 06106-5127**

Respondent consents to the issuance of this Consent Order without further notice. The undersigned certifies that Mario Ricozzi is fully authorized to enter into this Consent Order and to legally bind Respondent to the terms and conditions of the Consent Order.

Respondent City of Danbury

**BY: _____
Mario Ricozzi, Superintendent
City of Danbury
Department of Public Utilities**

DATE: _____

**ORDER NO. COWSUST 02-026
Issued as a final order of the Commissioner of Environmental Protection.**

Date

**Arthur J. Rocque, Jr.
Commissioner**

HERBERT L. COHEN
(1928-1983)

March 26, 2003

AUSTIN K. WOLF
MARTIN F. WOLF
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
IRVING J. KERN
MARTIN J. ALBERT
STEWART I. EDELSTEIN
NEIL R. MARCUS
G. KENNETH BERNHARD

Rick Gottschalk, Corporation Counsel
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

DAVID L. GROGINS
GRETA E. SOLOMON
ROBIN A. KAHN
RICHARD G. KENT
RICHARD SLAVIN
DANIEL S. NAGEL
RICHARD J. DI MARCO

Re: 146-148 South Street, LLC

DAVID B. ZABEL
MARK A. KIRSCH
DAVID M. LEVINE
JOSEPH G. WALSH
DAVID A. BALL
JOCELYN B. HURWITZ
STUART M. KATZ
MONTE E. FRANK
PATRICIA C. SULLIVAN
VINCENT M. MARINO
ANN B. MULCAHY
MARNIE J. COBIN
ARI J. HOFFMAN
BARBARA M. SCHELLENBERG
FREDERIC B. EISMAN
COURTNEY A. GEORGE
ALEJANDRO RODRIGUEZ
CARRIE L. LARSON

Dear Rick:

In accordance with the grant of Special Exception (SE #596) and Site Plan approval issued by the Planning Commission of the City of Danbury we have prepared a proposed Warranty Deed and Sidewalk/Road Widening Easement to be conveyed to the City of Danbury. I would appreciate it if you would present these to the City of Danbury for acceptance subject, of course, to any technical modifications of the documents which may be required by your review. I have used a format that was acceptable to the City in connection with similar easements conveyed at the corner of White Street and Byron Street in connection with the Duchess project that was approved at that location.

Once the Common Council has agreed to accept the deed and easement, 146-148 South Street will acquire title to the property from its current owners and deliver to you a fully executed deed, easement and certificate of title.

Should you have any questions concerning this please do not hesitate to contact me. I thank you in advance for your anticipated cooperation in this matter.

Yours Truly,



Neil R. Marcus

NRM:pld

Enclosures

cc: 146-148 South Street, LLC

OF COUNSEL
ROBERT J. ASHKINS
STUART A. EPSTEIN
JACK E. MCGREGOR



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

March 26, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Bear Mountain Ranger Cottage

Dear Mayor and Council Members:

As you know, over the past several years Detective James X. Terry has occupied the Bear Mountain Ranger Cottage. This arrangement has worked quite well for both Detective Terry and the city, since it insures that by his physical presence, the city maintains a watchful eye over the Park. At the same time the city offered the use of the cottage at a very reasonable rent in exchange for the routine performance of tasks identified in the attached License Agreement, including but not limited to, maintaining cottage and grounds, keeping the park gates open during park hours, distributing trail maps and checking the parking lot and other park property. As of April 5, 2003, Detective Terry has arranged to vacate the cottage and so the city needs to select another tenant.

City officials have asked that I present to you a new proposed license agreement between the city and Detective Sergeant Williams who has agreed, subject to your approval, to assume Detective Terry's role on behalf of the city. Except for the time frames and rental amounts, the terms of this new arrangement are the same as those current in effect. If you approve of this license, please authorize the Mayor to execute it on behalf of the city. If you have any questions please contact me.

Sincerely,

Eric L. Gottschalk
Assistant Corporation Counsel

Attachment

cc: Robert Ryerson,
Director of Parks and Recreation (w/copy of attachment)

LICENSE AGREEMENT

THIS AGREEMENT is made this _____ day of _____ 2003, by and between the CITY OF DANBURY, 155 Deer Hill Avenue, Danbury, Connecticut (hereinafter "CITY") and MARK WILLIAMS, of the City of Danbury, County of Fairfield and State of Connecticut, (hereinafter "LICENSEE");

WHEREAS, CITY is owner of a dwelling known as 19 Bear Mountain Road, Bear Mountain Reservation, known and designated as "existing ranger cottage" on a map attached hereto as "Exhibit A";

WHEREAS, the LICENSEE wishes to occupy said existing ranger cottage subject to the terms and conditions provided for herein;

WITNESSETH

THAT CITY hereby grants a license to said LICENSEE to use the existing ranger cottage as above referenced as a personal residence for a period of three (3) years, through December 31, 2005, from the effective date hereof, for the monthly consideration set forth as follows:

1st year (2003) \$495.00/month
2nd year (2004) \$505.00/month
3rd year (2005) \$515.00/month

Rent is due on or before the first day of each month of the lease period.

AND THE CITY covenants with the said LICENSEE that it has good right to grant a license for said premises in the manner aforesaid and that it will suffer and permit said LICENSEE (he keeping all the covenants on his part, as hereinafter contained) to occupy and enjoy said premises during the term aforesaid, without hindrance or molestation from the CITY.

AND THE SAID LICENSEE covenants with the said CITY to use said premises in the manner aforesaid, and to pay the consideration therefor as hereinbefore agreed, that he will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; and also that he will not assign this license, nor sublicense a part or the whole of said licensed premises, nor make alterations therein, nor use the same for any purpose but that hereinbefore authorized, without written permission from said CITY but will deliver up the same at the expiration or sooner termination of his license in as good condition as they are now in, ordinary wear, fire and other unavoidable casualties excepted.

PROVIDED, HOWEVER, and it is further agreed that if the said monthly payments for said license shall remain unpaid ten (10) days after the same shall become payable as aforesaid, or if the said LICENSEE shall assign this license, or sublicense the whole or any part of said licensed premises, or use the same for any purpose but that hereinbefore authorized, or make any alteration therein without the consent of the CITY in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this license shall thereupon, by virtue of this express stipulation expire and terminate, and the CITY may, at any time thereafter, re-enter said premises and resume the use thereof in the manner prescribed by the statute relating to summary process to the extent that said statute is applicable, it being understood that no demand for license payments, and no re-entry for condition broken, as at common law was applicable to leasehold interests, shall be necessary to enable the CITY to resume the use of the premises pursuant to said statute relating to summary process, if applicable, or any other applicable statute, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said LICENSEE.

AND IT IS FURTHER AGREED between the parties hereto, that whenever this license shall terminate either by lapse of time or by virtue of any of the express stipulations herein, the said LICENSEE hereby waives all right to any notice to quit possession, as prescribed by the statute relating to summary process to the extent that said statute may apply to termination of this license.

AND IT IS FURTHER AGREED that in case the said LICENSEE shall, with the written consent of the said CITY endorsed hereon, or on the duplicate hereof, at any time continue to use the said premises beyond the period above specified as the termination of this license, then the said LICENSEE shall continue the use of said premises upon the same terms, and under the same stipulations and agreements as are in this Instrument contained, and no such continued use by said LICENSEE shall operate to renew this license without such written consent of CITY.

AND IT IS FURTHER AGREED between the parties hereto, that the LICENSEE agrees to comply with and to conform to all the laws of the State of Connecticut, and the by-laws, rules and regulations of the City of Danbury within which the premises hereby licensed are situated, relating to health, nuisance, fire, highways and sidewalks, so far as the premises hereby licensed are or may be concerned; and to save the CITY harmless from all fines, penalties and costs for violation of or non-compliance with the same, and that said premises shall be at all times open to the inspection of said CITY and its agents, and for necessary repairs.

AND IT IS FURTHER AGREED that the said LICENSEE is to pay the water rates, or rent, for all water used and consumed on said licensed premises during the term aforesaid, in addition to the consideration hereinbefore provided for.

AND IT IS FURTHER AGREED between the parties to these presents, that in case the building erected on the premises hereby licensed shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said CITY; that in case the damage shall be so extensive as to render the building or premises unusable, the license payments shall cease until such time as the building shall be put in complete repair; but in the case of the total destruction of the premises, by fire or otherwise, the monthly payments shall be paid up to the time of such destruction and then and from thenceforth this license shall cease and come to an end.

If the whole or any part of the premises shall be acquired or condemned by Eminent Domain for any public or quasi-public use or purpose, then and in that event, the term of this license shall cease and terminate from the date of title vesting in such proceeding and LICENSEE shall have no claim against CITY for the value of any un-expired term of said license.

AND LICENSEE further covenants and agrees that no accumulation of boxes, barrels, packages, waste paper, or other articles shall be permitted in or upon the premises.

AND THE LICENSEE covenants that in the event the CITY is required to employ an attorney in order to enforce a provision of this license, the LICENSEE shall pay a reasonable attorney's fee.

AND THE LICENSEE FURTHER AGREES AS FOLLOWS:

1. To pay a security deposit in the amount of one month's license payment which shall be deposited with CITY as security for LICENSEE'S faithful performance of his obligations hereunder.

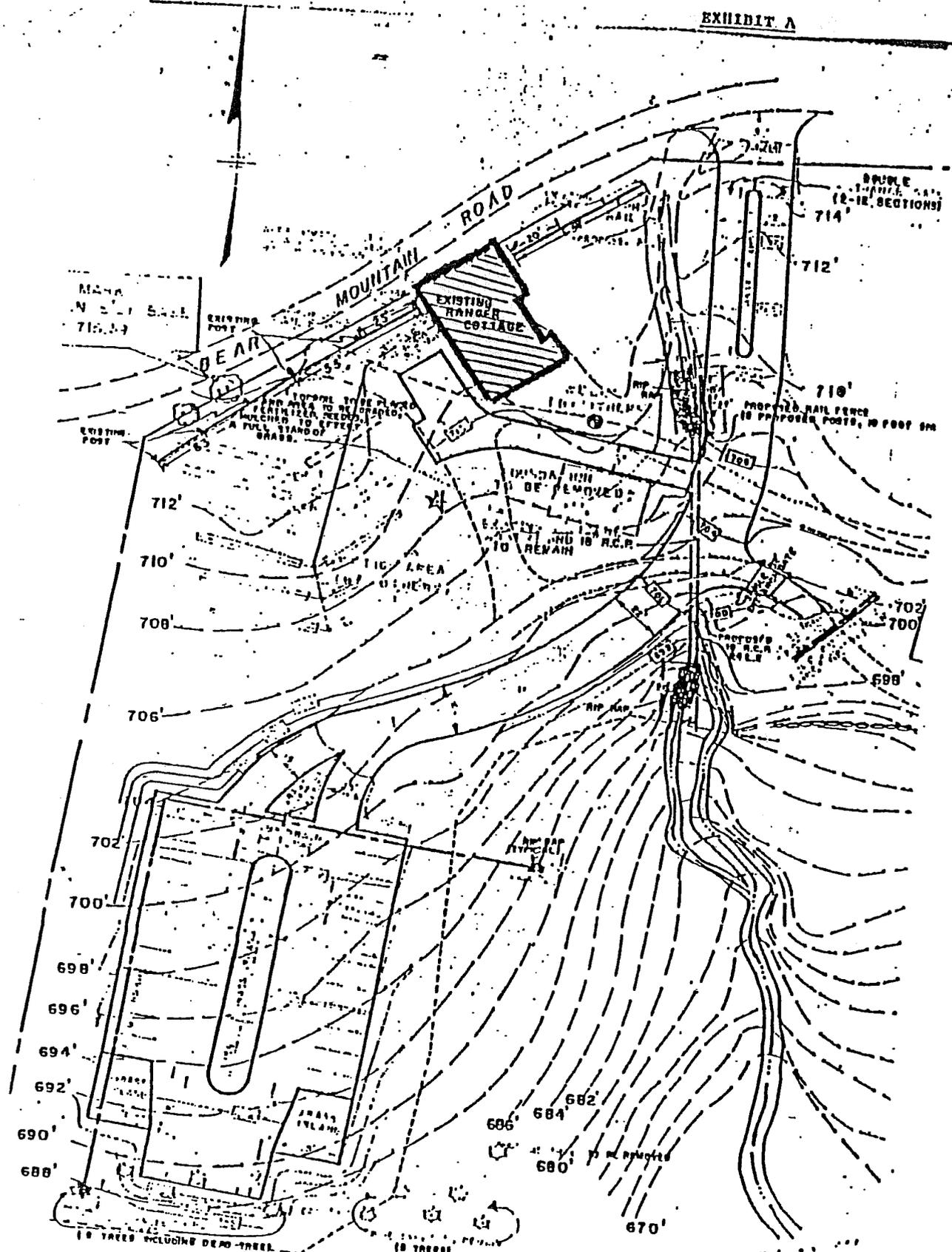
2. In the event that LICENSEE'S employment is terminated by CITY, notification to LICENSEE of such termination shall operate as thirty (30) days notice of termination of this agreement.

3. LICENSEE shall be responsible for payment of utilities.

4. In addition to the monthly payments for said license agreed upon in this Instrument, LICENSEE agrees, as a part of the consideration of this license to undertake the duties set forth below:

- (a) Keep the parking lot gates open during all hours in which the facility is open to the public.
- (b) Distribute trail maps and keep pamphlets in the appropriate sign boxes.
- (c) Check parking lot, morning and evening.
- (d) Check the Bear Mountain Reservation property daily, weather permitting, by walking the trails and/or boundaries.
- (e) Report any violations of the rules and regulations to the appropriate enforcement authorities, including police and the Director of the Department of Parks and Recreation.
- (f) Call appropriate emergency personnel (fire, ambulance, etc.) as needed to respond to emergency situations.
- (g) Maintain the ranger cottage and surrounding grounds in a neat, orderly condition.
- (h) Contact and act as a liaison with the Parks and Recreation Department to obtain services approved by the CITY, including mowing, snow plowing, etc.
- (i) Provide the Director of the Department of Parks and Recreation with monthly activity reports in the form and content as reasonable requested from time to time by him; attend Parks and Recreation Commission meetings as requested and report on activities at the facility.
- (j) Open gates and maintain parking during special events as may be arranged from time to time by the Department of Parks and Recreation or the Parks and Recreation Commission.
- (k) Perform other duties as mutually agreed to from time to time.
- (l) Notify the Director of the Department of Parks and Recreation when the LICENSEE is going to be away for a period of time in excess of seven (7) days.

In performing the above duties, the use of firearms or other weapons of any type is expressly prohibited.



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Common Council Members Of Danbury.

I am writing this letter hoping that you can help me with a problem that I am having with the city . This problem involves an 18 inch drainage pipe that runs under my driveway from Stadley Rough Rd. and empties into a stream in my backyard . This problem began in October of 1990 . Thats right 1990, attached is a letter I wrote to then Mayor Eriques detailing the problem. What the City wanted to do was an unacceptable fix. They said that they would pave over the part of the driveway were the pipe is located . This pipe is on the surface and to just pave over it would be a waste of money as it would only deteriorate again. My driveway is in worse condition now than it was then , and for me to try to have it fixed without a solution to said pipe would be a waste of my hard earned dollars. I tried for a couple of years to work with City officials and got nowhere. I had my State Rep. Lew Wallace here to see and all he could tell me was 2 to 3 years down the road when the street is repaved they could do something ,Well that was five years ago or more. I have also had 2 contractors give me estimates for doing the driveway but neither would give a guarantee near the area where the pipe is located. I think that any engineer knows that this pipe should be at least 36 inches below ground . I am not looking for money from the City I just want this pipe lowered or removed so that I can have my driveway repaired . I hope you can help me resolve this problem soon and look forward to hereing from you.

Thank you,

Brian Olson
205 Stadley Rough Rd.
Danbury,CT. 06811
phone 203 792 0295
3-26-03

205 Stadley Rough Road
Danbury, CT 06811
May 12, 1992

The Honorable Mayor Gene Eriquez
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez,

I am writing for the second time concerning a catch basin and adjacent drainage pipe that runs from Stadley Rough Road through our property, under the driveway to a runoff area in our backyard. As I stated in the previous letter, which I wrote to you in May of 1991, the drainage pipe which is eighteen (18) inches in diameter is only several inches below ground level, which anyone knows is incorrect. This causes the pipe to lift in cold weather which cracks our driveway. Therefore, my driveway is in need of major repair, which I plan to have done early this summer. I am not blaming the whole driveway problem on the drainage pipe. But, in order for my funds to be spent on a new driveway, something must be done with the pipe. I have suggested it being placed lower or relocating it, but my suggestions seem to be unacceptable.

There is also a large open hole which I do not think is a major problem because your Highway Department said they would put in a catch basin when I have the driveway reconstructed.

In late May or early June of last year, William Buckley of the Public Utilities Department was here to look at the problem and all he wanted to tell me was to raise the driveway, which does not solve this problem. He suggested raising the driveway nine (9) inches which is unacceptable. The reason for being unacceptable is, I do not see why I should have to alter my landscape. Raising the driveway nine (9) inches is not going to resolve this problem. I talked to a city engineer last summer, for his input in this matter. Bob Tarsi told me drainage under the driveway should be at least 36 inches deep. When Mr. Buckley was here I told him of one contractor who did not even want to dig near the pipe for fear of damaging it. Mr. Buckley's response was and I quote "find someone who will". I do not think this is an acceptable answer from someone in his position.

The last time I wrote, Basil Friscia responded and was very helpful but still could not resolve the problem. I will again invite Your Honor to come and see this problem for yourself. I think that nearly two years is way to much time to not have some action taken, and a solution found.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

BASIL J. FRISCIA
ADMINISTRATIVE ASSISTANT

(203) 797-4511

MEMORANDUM

TO: Jack Schweitzer
Acting Director of Public Works

FROM: Basil Friscia
Administrative Assistant to the Mayor *BF*

DATE: May 13, 1991

SUBJECT: 205 Stadley Rough Road

Attached is a letter the Mayor received from Mr. Brian Olson of 205 Stadley Rough Road, Danbury, which details a problem he has on his property.

After examining the information attached you will see that the problem deals with a storm drainage pipe that collects water from a catch basin on Stadley Rough Road and passes through his property into an open ditch in Mr. Olson's back yard.

Mr. Olson wishes to repair damage to his driveway but cannot make the repairs because the drain pipe has broken through the driveway surface. He is seeking relief from the City either by relocating the pipe or by lowering the elevation of the pipe.

After your review, perhaps a meeting would be in order to discuss a solution to this problem, if in fact there is a solution to the problem.

:sr

Brain,

May 13, 1991

CC: ~~Mayor Eriquez~~
Frank Cavagna
Bill Buckley
Rick Gottschalk

This memo is for your reference. I will keep on top of this and hopefully have some answers in two (2) weeks.

Enclosure:

Basil

34

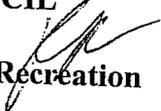
**CITY OF DANBURY
PARKS, RECREATION & FORESTRY
DEPARTMENT**

HATTERS COMMUNITY PARK
7 EAST HAYESTOWN ROAD
DANBURY, CONNECTICUT 06811

ROBERT G. RYERSON, DIRECTOR
TEL. (203) 797-4632
FAX (203) 797-4634

MEMORANDUM

TO: MAYOR MARK BOUGHTON AND
MEMBERS OF THE COMMON COUNCIL

FROM: Robert G. Ryerson, Director of Parks & Recreation 

DATE: March 24, 2003

RE: KENOSIA SERVICE CENTER LEASE

Enclosed is the contractual agreement for the lease between the City of Danbury and the Danbury Youth Soccer Club Inc. They will operate the concession area at the service center, after purchasing equipment necessary for the operation. They will maintain appropriate insurance and adhere to the health requirements to operate a food service.

The agreement will allow the association to continue to serve the nearly 1200 children in the soccer program.

I request your favorable approval of the lease at the April meeting.

This Indenture,

Made by and between the *CITY OF DANBURY*, 155 Deer Hill Avenue, Danbury, Connecticut 06810, a municipal corporation organized and existing under and by virtue of the laws of the State of Connecticut,

Lessor,

and *Danbury Youth Soccer Club*, 42 Lake Avenue Ext., Suite 351, Danbury, Connecticut 06811,

Lessee,

WITNESSETH:

That the Lessor has leased, and does hereby lease to the said Lessee the CONCESSION AREA located at the Kenosia Service Center, as described and depicted on the attached Schedule A, for the term of Five (5) years from the 1st day of June 2003 through Labor Day 2008, (for active use) from 9:00 a.m. to 8:00 p.m. daily, for the rent of One Dollar (\$1.00) per year.

And the said Lessor covenants with the said Lessee that it has good right to lease said premises in manner aforesaid, and the Lessor will suffer and permit said Lessee (it keeping all the covenants on its part, as hereinafter contained) to occupy, possess and enjoy said premises during the term aforesaid, without hindrance or molestation from Lessor or any person claiming by, from or under Lessor.

And the said Lessee covenants with the said Lessor to hire said premises, that Lessee will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; and also that Lessee will not assign this lease nor underlet a part or the whole of said leased premises, nor make alterations therein, nor use the same for any purpose but that hereinbefore authorized, without written permission from said Lessor but will deliver up the same at the expiration or sooner determination of this tenancy in as good condition as they are now in, ordinary wear, fire and other unavoidable casualties excepted.

Provided, however, and it is further agreed that if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration thereon without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation thereon expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of Lessor's former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and nor re-entry for condition broken, as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee.

And it is further agreed between the parties hereto, that whenever this Lease shall terminate either by lapse of time or by virtue of any of the express stipulations therein, the said Lessee hereby waives all right to any notice to quit possession, as prescribed by the statute relating to summary process.

And it is further agreed that in case the said Lessee shall, with the written consent of the said Lessor endorsed hereon, or on the duplicate hereof, at any time hold over the said premises, beyond the period above specified as the termination of this Lease, then the said Lessee shall hold said premises upon the same terms, and under the same stipulation and agreements as are in this Instrument contained, and no holding over by said Lessee shall operate to renew this Lease without such written consent of said Lessor.

And it is further agreed between the parties hereto, that the Lessee shall comply with, and conform to all the Laws of the State of Connecticut, and the by-laws, rules and regulations of the City and Town within which the premises hereby leased are situated, relating to health, nuisance, fire, highways and sidewalks, so far as the premises hereby leased are, or may be concerned; and to save the Lessor harmless from all fines, penalties and costs for violation of or non compliance with the same, and that said premises shall be at all times open to the inspection of said Lessor and its agents, to applicants for purchase or lease, and for necessary repairs.

And it is further agreed between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Lessor; that in case the damage shall be so extensive as to render the building or demised premises untenable, the rent shall cease until such time as the building shall be put in complete repair.

If the whole or any part of the demised premises shall be acquired or condemned by Eminent Domain for any public or quasi public use or purpose, then and in that event, the term of this lease shall cease and terminate from the date of title vesting in such proceeding and Lessee shall have no claim against Lessor for the value of any unexpired term of said lease.

And Lessee further covenants and agrees that no accumulation of boxes, barrels, packages, waste paper, or other articles shall be permitted in or upon the premises.

And the Lessee covenants that in the event the Lessor is required to employ an attorney in order to enforce a provision of this lease, the Lessee shall pay a reasonable attorney's fee.

Insurance: LESSEE agrees to carry and maintain for the benefit of the City of Danbury, throughout the term of this lease, general public liability insurance against claims for bodily injury or death occurring upon or in the demised premises and property damage and products liability to afford protection to the limit of One Million Dollars (\$1,000,000.00) per occurrence. The LESSEE agrees to deliver Certificates of Insurance naming the City of Danbury as additional insured and detailing said coverage upon execution of this lease.

In Witness whereof, the parties hereto have hereunto set their hands and seals and to a duplicate of the same tenor and date this _____ day of April 2003.

*Signed, Sealed and Delivered
in the presence of:*

CITY OF DANBURY,
LESSOR

By: Mark D. Boughton, Mayor
Duly Authorized

DANBURY YOUTH SOCCER CLUB,
LESSEE

Mike Diker, President

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

On this the ____ day of April 2003, before me, Laszlo L. Pinter, the undersigned officer, personally appeared Mark D. Boughton, who acknowledged himself to be the Mayor of the City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Mayor.

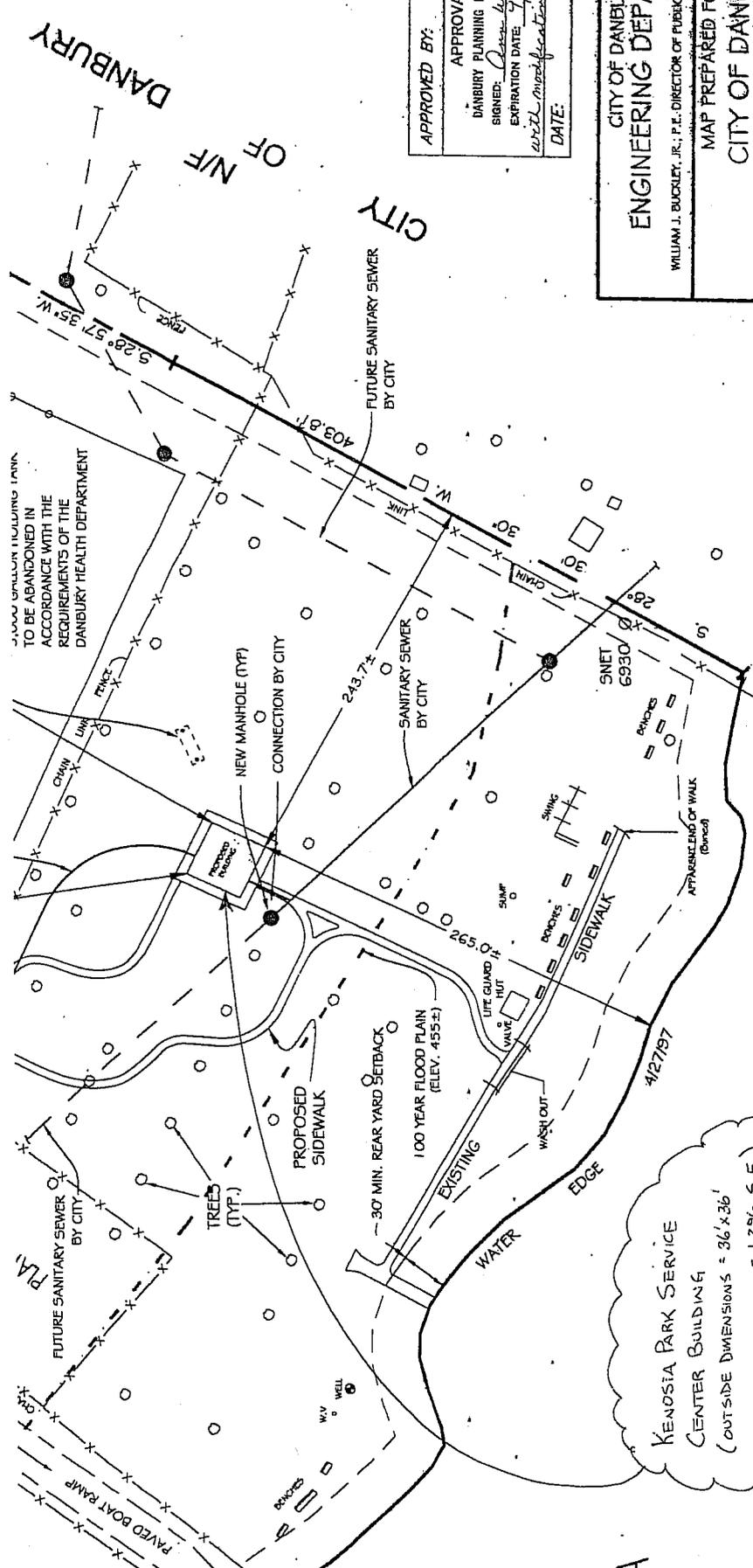
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Laszlo L. Pinter
Commissioner of the Superior Court

STATE OF CONNECTICUT)
) ss: Danbury
COUNTY OF FAIRFIELD)

On this the ____ day of April 2003, before me, _____, the undersigned officer, personally appeared Mike Diker, who acknowledged himself to be the President of Danbury Youth Soccer Club, a non-profit corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as President.

Notary Public
Commissioner of the Superior Court



CITY OF DANBURY
ENGINEERING DEPARTMENT

WILLIAM J. BUCKLEY, JR., P.E. DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

MAP PREPARED FOR THE
CITY OF DANBURY
KENOSIA PARK
SERVICE CENTER

WEST KENOSIA AVENUE, DANBURY, CONNECTICUT
SCALE: 1" = 60' JUNE 25, 2001
REVISED MAY 17, 2001
REVISED SEPT. 15, 2001

APPROVED BY:
APPROVAL
DANBURY PLANNING DEPARTMENT
SIGNED: *Quinn W. Klibick*
EXPIRATION DATE: *1/20/06*
with modifications & administrative signature
DATE:

© 2007
ROALD HAESTAD, INC.
CONSULTING ENGINEERS
WATERBURY, CONNECTICUT



KENOSIA PARK SERVICE
CENTER BUILDING
(OUTSIDE DIMENSIONS = 36' x 36'
= 1,296 S.F.)

SP 11 - 01

A

This Indenture,

Made by and between the *CITY OF DANBURY*, 155 Deer Hill Avenue, Danbury, Connecticut 06810, a municipal corporation organized and existing under and by virtue of the laws of the State of Connecticut,

Lessor,

and *Danbury Youth Soccer Club*, 42 Lake Avenue Ext., Suite 351, Danbury, Connecticut 06811,

Lessee,

WITNESSETH:

That the Lessor has leased, and does hereby lease to the said Lessee the CONCESSION AREA located at the Kenosia Service Center, as described and depicted on the attached Schedule A, for the term of Five (5) years from the 1st day of June 2003 through Labor Day 2008, (for active use) from 9:00 a.m. to 8:00 p.m. daily, for the rent of One Dollar (\$1.00) per year.

And the said Lessor covenants with the said Lessee that it has good right to lease said premises in manner aforesaid, and the Lessor will suffer and permit said Lessee (it keeping all the covenants on its part, as hereinafter contained) to occupy, possess and enjoy said premises during the term aforesaid, without hindrance or molestation from Lessor or any person claiming by, from or under Lessor.

And the said Lessee covenants with the said Lessor to hire said premises, that Lessee will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; and also that Lessee will not assign this lease nor underlet a part or the whole of said leased premises, nor make alterations therein, nor use the same for any purpose but that hereinbefore authorized, without written permission from said Lessor but will deliver up the same at the expiration or sooner determination of this tenancy in as good condition as they are now in, ordinary wear, fire and other unavoidable casualties excepted.

Provided, however, and it is further agreed that if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration thereon without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation thereon expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of Lessor's former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and nor re-entry for condition broken, as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee.

And it is further agreed between the parties hereto, that whenever this Lease shall terminate either by lapse of time or by virtue of any of the express stipulations therein, the said Lessee hereby waives all right to any notice to quit possession, as prescribed by the statute relating to summary process.

And it is further agreed that in case the said Lessee shall, with the written consent of the said Lessor endorsed hereon, or on the duplicate hereof, at any time hold over the said premises, beyond the period above specified as the termination of this Lease, then the said Lessee shall hold said premises upon the same terms, and under the same stipulation and agreements as are in this Instrument contained, and no holding over by said Lessee shall operate to renew this Lease without such written consent of said Lessor.

And it is further agreed between the parties hereto, that the Lessee shall comply with, and conform to all the Laws of the State of Connecticut, and the by-laws, rules and regulations of the City and Town within which the premises hereby leased are situated, relating to health, nuisance, fire, highways and sidewalks, so far as the premises hereby leased are, or may be concerned; and to save the Lessor harmless from all fines, penalties and costs for violation of or non compliance with the same, and that said premises shall be at all times open to the inspection of said Lessor and its agents, to applicants for purchase or lease, and for necessary repairs.

And it is further agreed between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Lessor; that in case the damage shall be so extensive as to render the building or demised premises untenable, the rent shall cease until such time as the building shall be put in complete repair.

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And the Lessee covenants that in the event the Lessor is required to employ an attorney in order to enforce a provision of this lease, the Lessee shall pay a reasonable attorney's fee.

Insurance: LESSEE agrees to carry and maintain for the benefit of the City of Danbury, throughout the term of this lease, general public liability insurance against claims for bodily injury or death occurring upon or in the demised premises and property damage and products liability to afford protection to the limit of One Million Dollars (\$1,000,000.00) per occurrence. The LESSEE agrees to deliver Certificates of Insurance naming the City of Danbury as additional insured and detailing said coverage upon execution of this lease.

In Witness whereof, the parties hereto have hereunto set their hands and seals and to a duplicate of the same tenor and date this _____ day of April 2003.

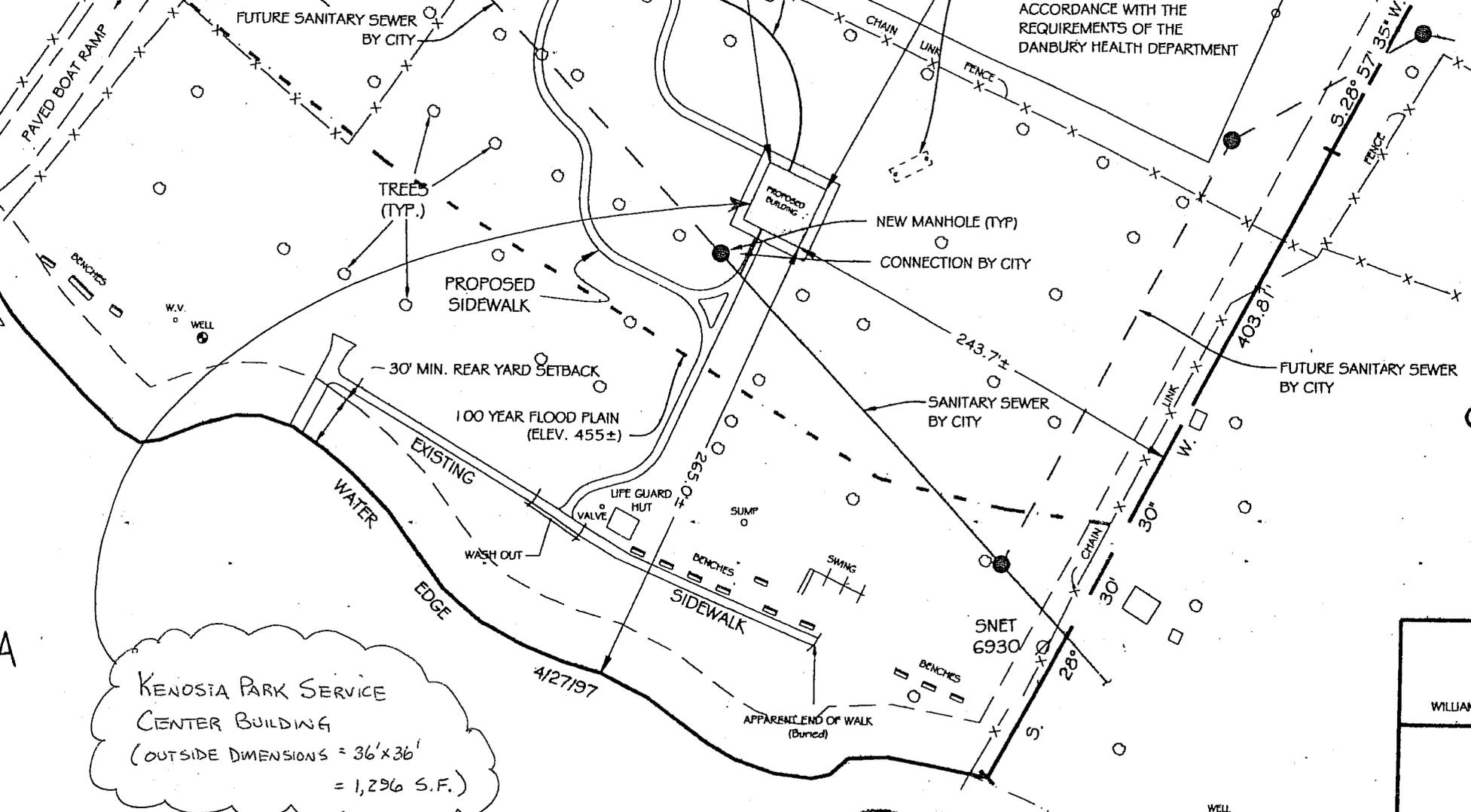
*Signed, Sealed and Delivered
in the presence of:*

**CITY OF DANBURY,
LESSOR**

By: Mark D. Boughton, Mayor
Duly Authorized

**DANBURY YOUTH SOCCER CLUB,
LESSEE**

Mike Diker, President



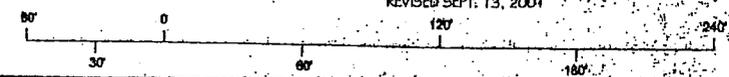
KENOSIA PARK SERVICE CENTER BUILDING
 (OUTSIDE DIMENSIONS = 36' x 36'
 = 1,296 S.F.)

APPROVED BY:
 APPROVAL
 DANBURY PLANNING DEPARTMENT
 SIGNED: *Ann W. Kleba*
 EXPIRATION DATE: *7/20/06*
with modifications + administrative requirements
 DATE:

CITY OF DANBURY
 ENGINEERING DEPARTMENT
 WILLIAM J. BUCKLEY, JR., P.E. DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
 MAP PREPARED FOR THE
 CITY OF DANBURY
 KENOSIA PARK
 SERVICE CENTER
 WEST KENOSIA AVENUE, DANBURY, CONNECTICUT
 SCALE 1"=60' JUNE 25, 2001
 REVISED JULY 17, 2001
 REVISED SEPT. 15, 2001



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 ROALD HAESTAD, INC.
 CONSULTING ENGINEERS
 WATERBURY, CONNECTICUT



SP 11-01



18- Feb
35

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

February 6, 2003

Honorable Mark D. Boughton, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Request to Lease City Land
John and Mary Koukos – 126 South Street

At the February 4, 2003 Common Council meeting, the January 21, 2003 request by Attorney Paul N. Jaber that the City lease land to John and Mary Koukos who own property at 126 South Street was forwarded to our office for a report within 30 days (reference is made to item 18 of the meeting minutes).

The land in question (13,500 square feet in area) is the same land that was the subject of the June 27, 2001 request to lease or purchase land that was submitted by George J. Koukas, Peter J. Koukos, John G. Koukos and Mary P. Koukos.

Enclosed please find a copy of the August 27, 2001 report issued by our office relative to that earlier request. At that time Director of Parks and Recreation Robert Ryerson informed our office that he was not in favor of the City transferring this property because such a transfer would infringe on use of the ball field in that area of Rogers Park.

At the October 2, 2001 Common Council meeting, the previous request to purchase this property was denied.

If you have any questions, please feel free to give me a call.

Very truly yours,

William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Eric L. Gottschalk, Esq., with encl.
Robert Ryerson, with encl.





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

August 27, 2001

Gene F. Eriquez, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Eriquez and Common Council Members:

Request to Purchase Property
South Street (Koukos)

At the August 7, 2001 Common Council meeting, the July 27, 2001 letter from George J. Kuokos, Peter J. Koukos, John G. Koukos and Mary P. Koukos requesting that they be allowed to purchase a parcel of City owned land at the rear of their South Street property was forwarded to this office for a thirty day report (reference Item 32 of the meeting minutes).

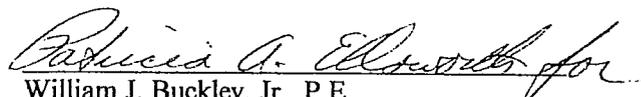
The parcel of land in question is approximately 13,500 square feet in area. It is presently part of the City's Rogers Park property.

This office contacted Parks and Recreation Director Robert Ryerson relative to this request. Mr. Ryerson is not in favor of the City transferring this property to the adjacent property owner. Transfer of this property would infringe on use of the ball field in this area of the park.

We are in agreement with Mr. Ryerson and do not recommend that this piece of property be sold.

If you have any questions or require additional information, please feel free to contact this office.

Very truly yours,


William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

WJB/PAE/pe

C: Dennis Elpern
Eric L. Gottschalk, Esq.
Robert Ryerson





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

February 19, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Hon. Mayor Mark D. Boughton
Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Request to Lease City Land/126 South Street
February Agenda Item No. 18

Dear Mayor and Council:

The above request (of January 21, 2003) by the owners of JK's Restaurant to lease a portion of City land to the rear of the restaurant was referred to this office, as well as to the Public Works and Parks and Recreation Directors.

You have probably received Director of Public Works William Buckley's letter of February 6, 2003 setting forth his recommendation *not* to lease the subject parcel to the petitioners. He also attached a similar, negative recommendation contained in a letter to the Mayor and Council in August 2001. Both correspondences also contain a negative recommendation of Parks and Recreation Director Bob Ryerson, based on the view that such a lease would infringe on Park property.

While you can choose to lease this property despite the referenced recommendations and direct this office to prepare the papers, in view of the information from Mr. Buckley and Mr. Ryerson, you may wish to make your decision accordingly.

Please do not hesitate to contact us in the event you have any questions.

Very truly yours,

Laszlo L. Pinter,
Assistant Corporation Counsel

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Assistant Corporation Counsel
William J. Buckley, Jr., P.E. Dir. Public Works/City Engineer
Robert Ryerson, Director Parks & Recreation
Paul Jaber, Esquire

Llp/126south



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525
(203) 797-4586 (FAX)

March 11, 2003

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/February CC Agenda Item 18 – Lease of Property at 126 South St.

The Planning Commission has received a request from the Common Council for a report pursuant to CT General Statutes/Sec 8-24, regarding the above referenced item.

At the February 19, 2003 meeting, the Planning Commission made a motion to give a negative recommendation for the above referenced request for the reason that they do not want to give away park land.

Sincerely,

Joseph Justino
Chairman

JJ/jr

Attachment

c: Engineering Dept.
Corporation Counsel



22 - Feb

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

36

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

February 6, 2003

Honorable Mark D. Boughton, Mayor
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Cobblestone Trail – Rolling Glen Heights Sect.6
Petition for Acceptance

At the February 4, 2003 Common Council meeting, the January 6, 2003 petition from property owners on Cobblestone Trail for the City to accept Cobblestone Trail as a City street was forwarded to our office for a report within 30 days (reference is made to item 22 of the meeting minutes).

Cobblestone Trail was accepted by the Common Council at its October 2, 1973 meeting subject to the following condition "only after the blockage at the drainage outlet is removed; Rights to drain on adjacent property, Easements, Warranty Deeds, are acceptable to the Corporation Counsel."

The minutes of the February 5, 1974 Common Council meeting state relative to the petition for acceptance of Cobblestone Trail that "No corrections were made on this roadway since the inspection of September, 1973. The City Engineer has so notified the owner-developer."

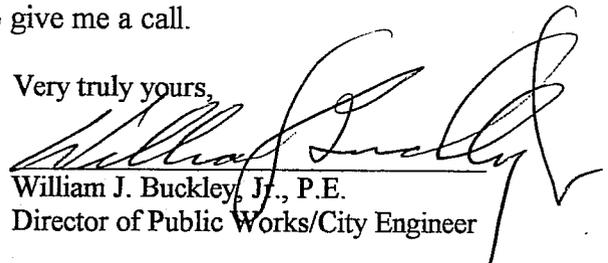
In 1991 at the request of Assistant Planning Director Susan S. Decina, our department again field inspected Cobblestone Trail and issued a March 12, 1991 memo (copy enclosed for your reference). The construction related issues noted in that memo are relatively minor in nature. It is Highway Superintendent Frank Cavagna's present opinion that these construction items should not hold up acceptance of the road. However, Mr. Cavagna has requested that a condition of acceptance be that property owners relocate mailboxes located around the cul de sac to a location at the end of the straightaway leading up to the cul de sac. When the road is accepted by the City, he will add the road to his list of roads requiring routine improvement work.

As in 1973, the main issues holding up official acceptance of this road pertain to the need for the developer/owner (original developer was Charles Staack & Sons, Inc.) to provide the City with the legal documents and easement mapping required to transfer title to the road, storm drainage easements and rights to drain to the City.

Page 2

If you have any questions, please feel free to give me a call.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Buckley, Jr.", written over a horizontal line.

William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

Encl.

C: Eric L. Gottschalk, Esq., with encl.
Frank Cavagna, with encl.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

March 12, 1991

ENGINEERING DEPARTMENT
(203) 797-4641

JOHN A. SCHWEITZER, JR., P.E.
CITY ENGINEER

MEMO TO: Susan S. Decina
Assistant Planning Director

FROM: John A. Schweitzer, Jr., P.E.
City Engineer

SUBJECT: Road Bond - Cobblestone Trail - Rolling Glen Heights Section 6

As requested, our office has reviewed the files and on March 11, 1991 field inspected the above noted roadway.

We offer the following status report:

A. Construction

1. A number of monuments required to be placed along the right of way limits are missing.
2. Sections of curbing around the cul-de-sac require repair.
3. A small clump of brush located within the right of way requires removal.
4. The catch basin near Station 5+20 (south) is too high and its top has deteriorated and must be replaced.
5. The catch basin near Station 6+35 (south) is too high.
6. The catch basin near Station 6+70 (north) must be cleaned.
7. The crown on the road is poor.
8. The driveway ramp to Lot 99 does not meet standards (grading should be upwards to drain toward gutter).
9. The entire road should be swept and the drainage system cleaned.

(continued on page 2)

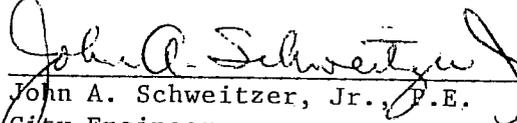
TO: Susan S. Decina
RE: Road Bond - Cobblestone Trail

March 12, 1991

-
- B. Easements and rights to drain are to be acquired for the portion of the storm drainage system which was installed on private property. Easement maps and legal documents acceptable to the City are required.
- C. At its October 2, 1973 meeting, the Common Council accepted this road subject to the cleaning of the drainage system, acquisition of rights to drain and easements and the receipt of a warranty deed acceptable to the Corporation Counsel's office. We question whether this acceptance is still valid or whether action by the current Common Council would be required for the acceptance of the road.

If you have any questions, please give us a call.

Very truly yours,



John A. Schweitzer, Jr., P.E.
City Engineer

JAS/PAE/gw

c: Basil Friscia
Public Works Director
Eric L. Gottschalk, Esquire
Frank Cavagna



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

February 19, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: February Agenda Item #22
Cobblestone Trail

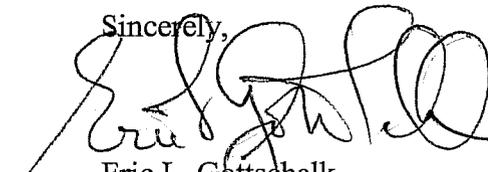
Dear Mayor and Council Members:

Please accept this letter in response to your request for a report regarding the matter referenced above. I have just received a copy of William Buckley's letter to you, dated February 6, 2003, on this subject, in which he advises that in 1974 the Common Council acted favorably on a similar request by the original developer. According to Mr. Buckley, the conditions of acceptance were never met and so, technically the acceptance of Cobblestone Trail failed.

I have contacted attorney Thomas Flaherty who represented the developer, Charles Staack & Sons in the 1970s. Mr. Flaherty tells me that although Charles Staack passed away some time ago, his son Alan survives him and may be willing to cooperate in the acceptance of Cobblestone Trail, should the Common Council wish to attempt to complete the acceptance once again.

If it is the Council's desire, I am prepared to work with the petitioners and the City Engineer to obtain the necessary documents, contact Alan Staack and arrange for the completion of the transaction. If you require additional information at this time, please let me know.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

22- Feb



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525
(203) 797-4586 (FAX)

March 11, 2003

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/February CC Agenda Item 22 – Acceptance of Cobblestone Tr. As City Road.

The Planning Commission has received a request from the Common Council for a report pursuant to CT General Statutes/Sec 8-24, regarding the above referenced item.

At the February 19, 2003 meeting, the Planning Commission made a motion to give a positive recommendation for the above referenced request based on the Planning Director's report with the condition that the mailboxes be moved.

Sincerely,

Joseph Justino
Chairman

JJ/jr

Attachment

c: Engineering Dept.
Corporation Counsel



26-March

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

37

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

March 10, 2003

Honorable Mark D. Boughton
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

Tobin's Farm – Crow's Nest Lane

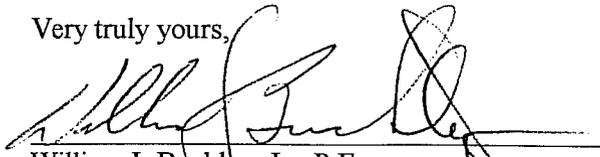
At the March 4, 2003 Common Council meeting, the February 25, 2003 letter from Attorney Ward J. Mazzucco requesting permission to extend a sanitary sewer and a water main to the above noted site and also requesting that the City accept whatever interest in Crow's Nest Lane the Estate of William Tobin may have was referred to our office for a report within 30 days (reference item 26 of the meeting minutes).

With respect to the proposed sanitary sewer and water main extensions, the property in question falls within the limits of the areas of the City proposed to be served by both municipal utilities. We have no objection to these sanitary sewer and water main extensions being approved subject to the developer's compliance with the 8 steps/conditions normally attached to sanitary sewer and water main extension approvals.

With respect to the proposal to transfer the property owner's interest in Crow's Nest Lane to the City, we recommend that this request be approved subject to the receipt of any legal documents and mapping determined to be required by the Corporation Counsel's office.

If you have any questions, please feel free to contact me.

Very truly yours,


William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

C: Eric L. Gottschalk, Esq.
Dennis Elpern





CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

March 12, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
City of Danbury, Connecticut

Re: Tobin's Farm – Crow's Nest Lane
March agenda item #26

Dear Mayor and Council Members:

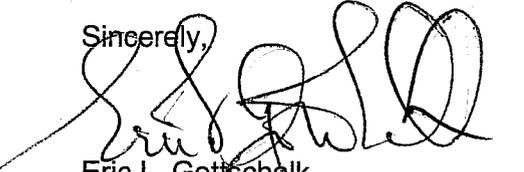
Please accept the following in response to your request for a report in connection with the March agenda item referenced above. This item comes to the Common Council in the form of a letter from attorney Ward Mazzucco who represents the Estate of William Tobin, former Chief of the Danbury Police Department. Mr. Mazzucco has asked first, that the city grant permission to extend utilities to the site and second, that the city accept whatever interests the Estate has in Crow's Nest Lane, "together with other segments of the road which may have already been offered."

I am in receipt of a letter to you dated March 10, 2003 from William J. Buckley, Jr., Director of Public Works concerning this matter. In his letter Mr. Buckley has indicated that with respect to the extension of utilities to the site, he has no objection to council approval of the request, provided that it is subject to the usual conditions attached to such approvals. With respect to the Crow's Nest Lane road parcels, Mr. Buckley has recommended that the request be granted subject to receipt of appropriate maps and other legal documents required by this office.

On the subject of Crow's Nest Lane, I wish to add that we have received offers of other parcels of land, forming portions Crow's Nest Lane, from adjacent property owners, which when taken together would amount to acceptance of the balance of this road as a public highway (a portion of Crow's Nest Lane has already been accepted). I, too, would recommend that all of these parcels be accepted at this time and that, subject to receipt of appropriate maps and other legal documents, Crow's Nest Lane be accepted as a public highway in its entirety. Please bear in mind that in accordance with state law, referral to and a report by the planning commission should precede acceptance of this road as a public highway.

If you have any questions, please feel free to contact me.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel

cc: Director of Public Works, William J. Buckley, Jr.

Robert Fand, M.D.
79 ½ North Street
Danbury, Ct. 06810
203-743-9467

38

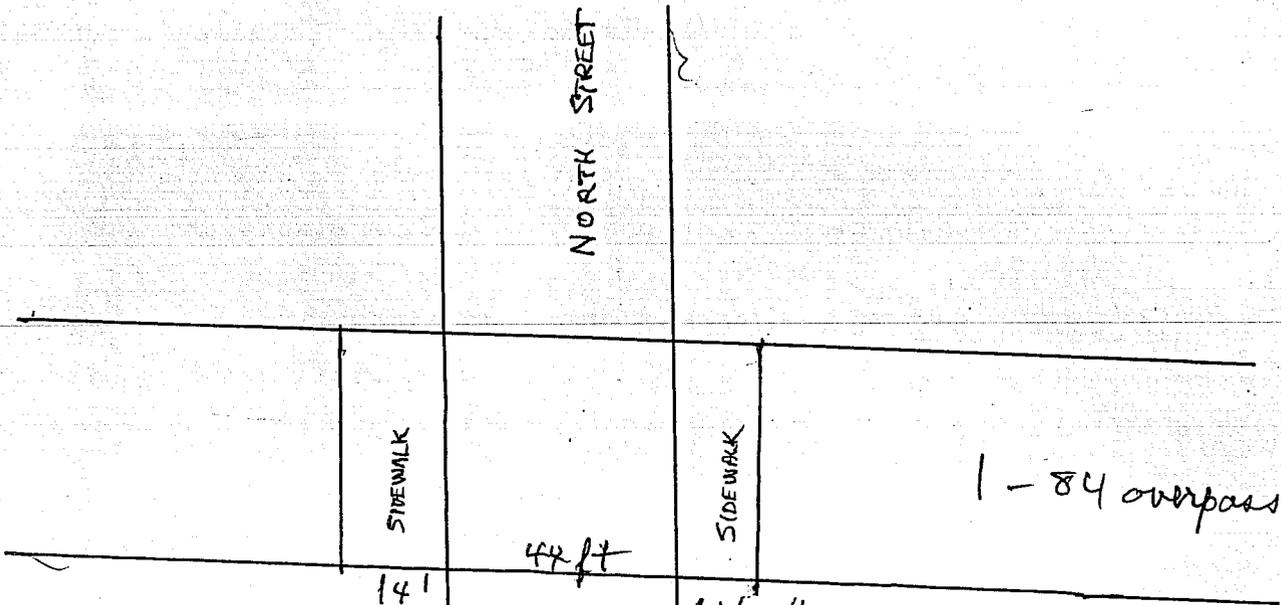
**Subject: Suggestions for relieving rush hour traffic congestion on North St, Danbury, Ct.
proposal**

1. **Synchronize the Main St./North St. signal, supervised by the City of Danbury with the Balmforth/North St. signal supervised by the State of Ct., not currently synchronized** and no right on red at Main St to North St. from 4-6 P.M. to prevent blockage.
2. No right on red from 4-6 P.M. and adjust timing of right turn arrow signal from west on Hayestown onto Padanarum Rd. to prevent blockage of this intersection. Program longer Green traffic signals at Padanarum /Golden Hill and at the North St. Shopping Center, with better synchronized and longer green lights at the preceding traffic lights at the Hayestown/ North St. intersection and the traffic lights preceding this intersection to allow a longer time for flow of traffic from North St. **and Exit 6 traffic.**
3. A longer green signal going west on Hayestown onto Padanarum Rd. and onto North Street, associated with better synchronized and longer green signals ahead in these two directions to prevent blockage by stopped cars in the intersection and allow more time for traffic flow.
4. **Adjust sensor on I-84 Exit ramp** from 3-7 P.M. which is changing the above synchronizations resulting in blocked traffic on I-84 ; blockage at the Texaco Traffic signal on North St. and blocked traffic at the North St./Hayestown signal and the flow from Hayestown Rd. onto Padanarum Rd.
5. Placement of a sign indicating an entrance to the North St. shopping Center from going west on Hayestown Rd., which if used more would relieve traffic attempting to enter at the Padanarum Rd. entrance.
6. Correction of the traffic light synchronizations noted above in Items 1 through 4 should have preceded the recommendations for infrastructure changes and severe Takings of Properties. This proposal creates severe hardship to one of the most densely congregated business areas in Danbury. The avoidance of the proposed severe right of way Takings would decrease the project costs and **avoid the loss of property tax revenues for the City of Danbury, which would accrue from the loss of taxable property.**
7. **The I-84 underpass cannot accommodate 5 lanes** of roadway and maintain standard sidewalk distances since 77 feet is required for 5 lanes plus sidewalks and only 69 ½ feet are available wall to wall in the I-84 underpass.
8. The current **proposal violates the Wilbur and Smith design recommendations** . This firm was contracted by HVCEO to do the Rt. 37 Traffic and Access Management Study. This study recommends no more than 3 or 4 lanes, avoids severe Takings of Property, avoids high costs of Takings, and avoids the severe loss of tax base for the City of Danbury.

Sincerely, Robert Fand



This is just a portion of the map showing proposed lane expansion from Parcel A to McDonalds on Padanaram Rd. The complete map is available in the Danbury Engineering Dept.



1 - 84 overpass

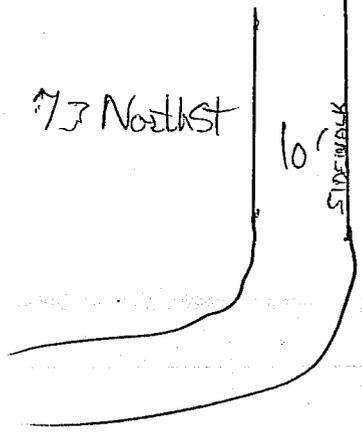
TOTAL = 69'5" wall-wall
8' less than needed

85 North St.

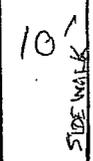
1 2 3 4 5
11' 11' 11' 11' 13'

proposal = 57' + 20' for sidewalks (10' + 10') = 77'

73 North St



43 - 44'



total = 64'



**HOUSATONIC VALLEY
COUNCIL OF ELECTED OFFICIALS**

Old Town Hall, Rts. 25 & 133
Brookfield, Connecticut 06804
Phone: 775-6256 Fax: 740-9167

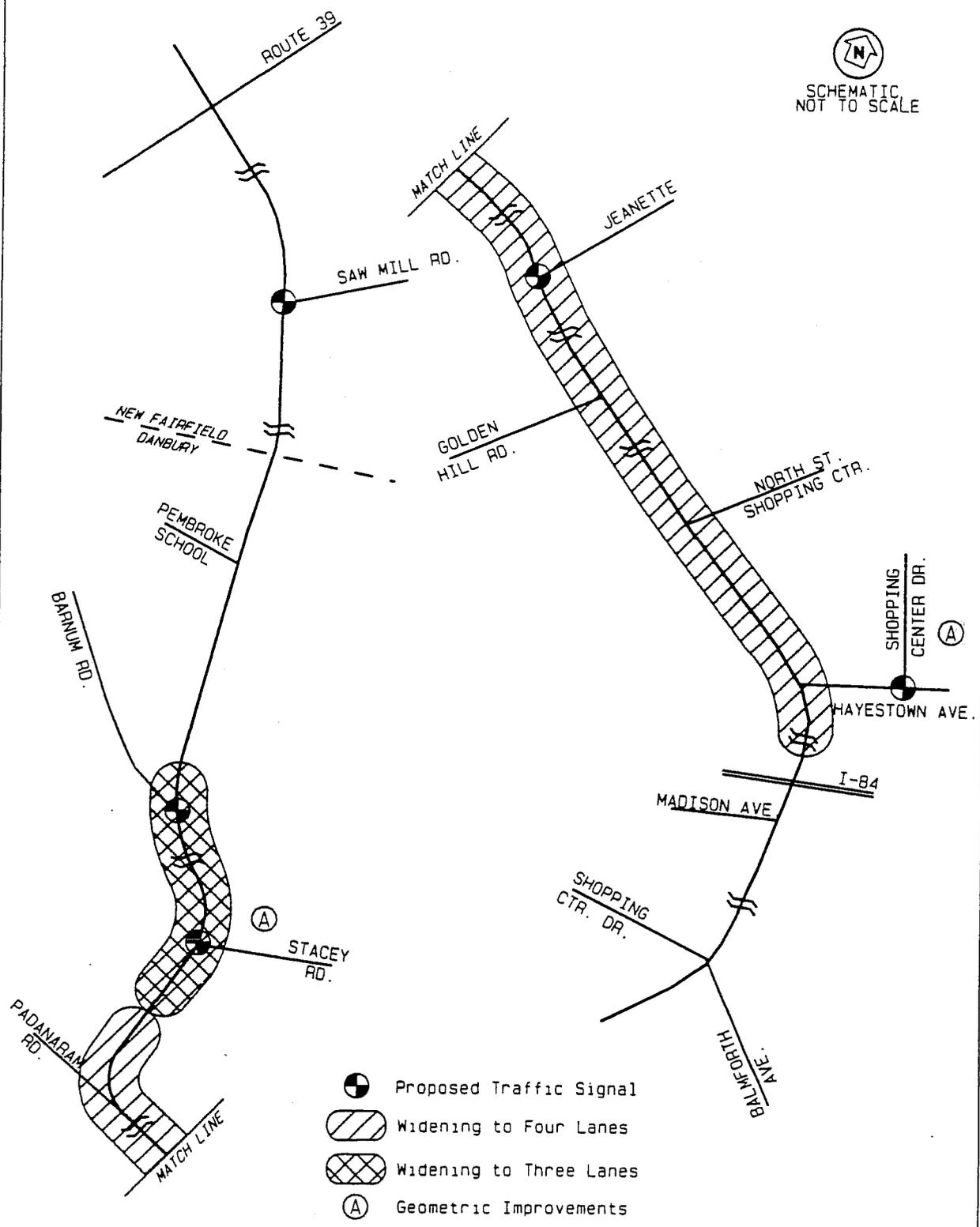
**DANBURY-NEW FAIRFIELD
ROUTE 37 TRAFFIC AND ACCESS
MANAGEMENT STUDY**

February, 1996

Prepared for the HVCEO by
Wilbur Smith and Associates
New Haven, CT

This HVCEO planning research was prepared in cooperation with and funded by area municipalities, the U.S. DOT and the Connecticut DOT. The opinions, findings, and conclusions expressed in this publication are those of the HVCEO and do not necessarily reflect the views or the policies of the Connecticut DOT or the U. S. DOT.

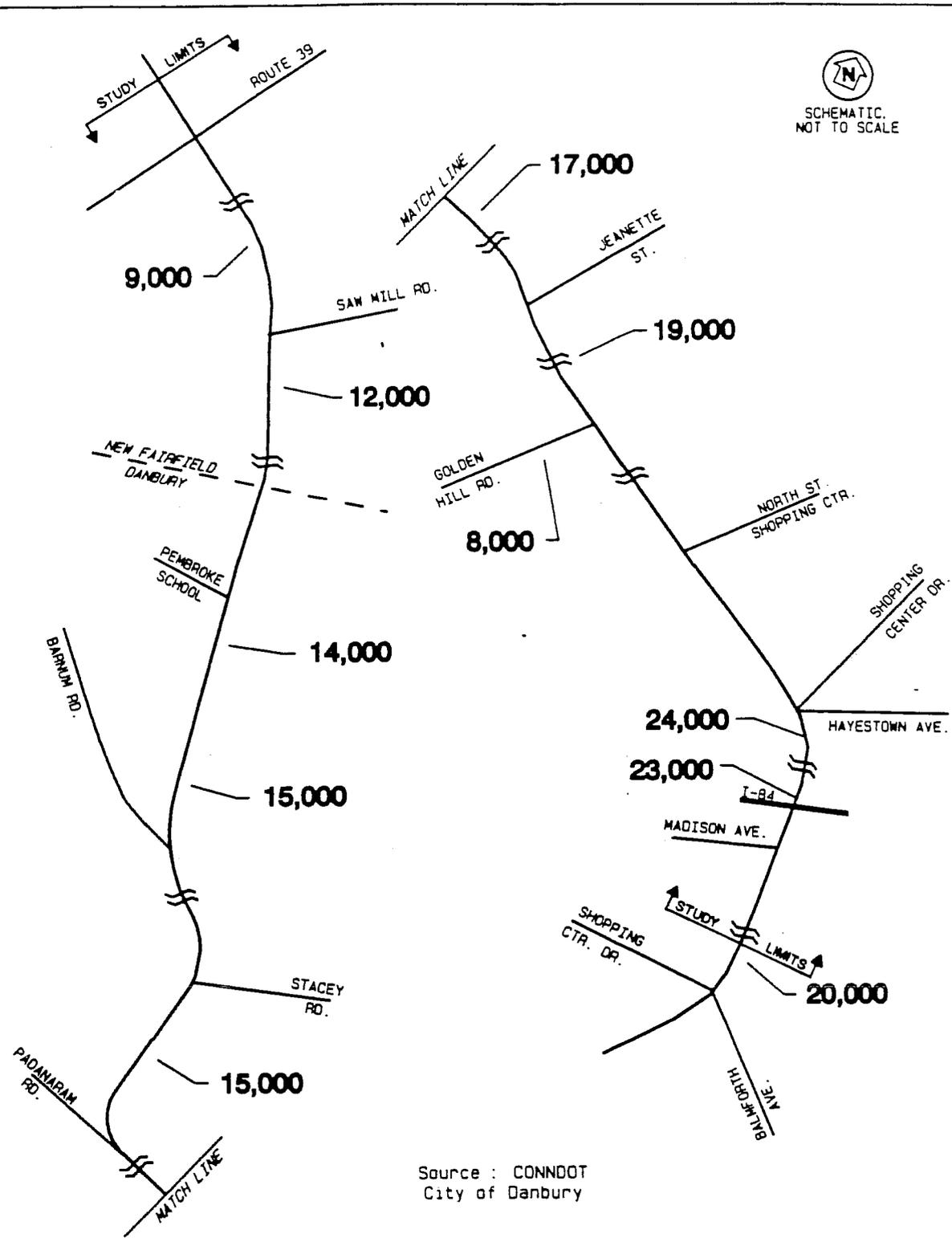

 SCHEMATIC,
 NOT TO SCALE



SUGGESTED ROADWAY IMPROVEMENTS
ROUTE 37 TRAFFIC AND ACCESS MANAGEMENT STUDY
DANBURY AND NEW FAIRFIELD



SCHEMATIC.
NOT TO SCALE



Source : CONNDOT
City of Danbury

1992 ADT VOLUMES
ROUTE 37 TRAFFIC AND ACCESS MANAGEMENT STUDY
DANBURY AND NEW FAIRFIELD

Table ES-2
**SUGGESTED ROADWAY IMPROVEMENTS AND
ORDER OF MAGNITUDE COST ESTIMATES**
Route 37 Traffic and Access Management Study
Danbury and New Fairfield

<u>DESCRIPTION</u>	<u>CURRENT DOLLARS</u>
Roadway Improvements	
<u>Danbury</u>	
Widening of Route 37 to three lanes between Barnum Road and Padanaram Road	\$2,230,000
Widening of Route 37 to four lanes between Pembroke Road and I-84 Interchange 6	\$6,570,000
Intersection Improvements	
<u>Danbury</u>	
Hayestown Road/North Street Shopping Center/Route 37	\$ 20,000
Stacey Road/Route 37 Realignment of Stacey Road with Route 37	\$ 100,000
<u>New Fairfield</u>	
Saw Mill Road addition of right lane, improve turn radius	\$ 40,000
New Traffic Signals	
<u>Danbury</u>	
Hayestown Avenue/Route 37/North Street Shopping Center Jeanette Street /Route 37 ⁽¹⁾ Stacey Road/Route 37 Barnum Road/Route 37	\$ 240,000
<u>New Fairfield</u>	
Saw Mill Road/Route 37	\$ 75,000

(Continued)

Table ES-2 (Cont'd)
**SUGGESTED ROADWAY IMPROVEMENTS AND
ORDER OF MAGNITUDE COST ESTIMATES**
Route 37 Traffic and Access Management Study
Danbury and New Fairfield

<u>DESCRIPTION</u>	<u>CURRENT DOLLARS</u>
Upgrade Traffic Signals	
<u>Danbury</u>	
I-84 Off-Ramp	
Hayestown Avenue/Route 37	
Golden Hill Road/Route 37	\$ 215,000
Interconnect Signals	\$ 10,000
Driveway Management	
<u>Danbury</u>	
Driveway/Curb Cut Management North of Barnum Road to New Fairfield	\$ 8,000
<u>New Fairfield</u>	
Driveway/Curb Cut Management New Fairfield TL to Route 39	\$ 12,000
Total by Town	
Danbury	\$9,333,000
New Fairfield	<u>\$ 127,000</u>
TOTAL	\$9,520,000

Note:

- (1) ConnDOT is advancing this project under Project #174-250. Only estimated costs are shown in this table.
- (2) Cost estimates shown do not include right-of-way costs.

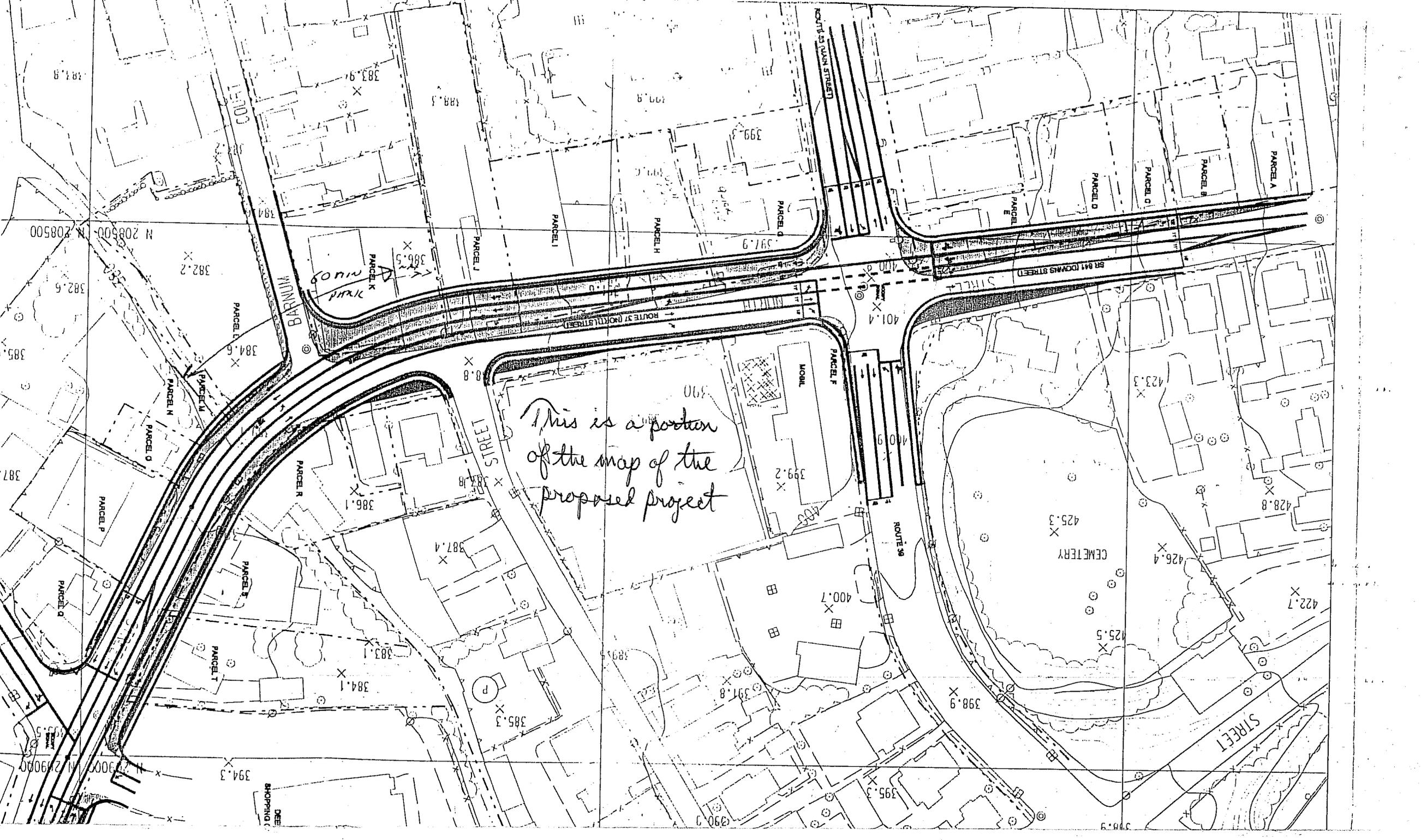
Wilbur Smith Associates
March, 1996

Route 37 has experienced a significant increase in traffic volume over the last few years as a result of residential growth in the areas north of the North Street Shopping Center. While a majority of the land within the corridor is zoned residential-single family, several zone changes have changed land use from residential or commercial to multiple family creating a few major residential developments along the corridor. These developments include the Covered Bridge Condominiums, Parkbrook Condominiums, and the Lakewood Condominiums. This surge in residential growth has in turn resulted in a greater travel demand thus increasing traffic congestion.

Scope of the Study

This report will address the following:

- ◆ Summary of traffic reports and traffic data collected from various sources;
- ◆ Identification of existing traffic patterns, including current roadway volumes, turning movements, accident patterns and points of congestion or substandard operations;
- ◆ Identification of anticipated future traffic patterns and conditions based on estimates of future land development;
- ◆ Development of an anticipated year 2004 roadway improvements program;
- ◆ Development of Curb Cut Control and Management Plan; and,
- ◆ Development of recommendations and strategies for implementation of roadway improvements.



*This is a portion
of the map of the
proposed project*

N 208500

N 299000

BARNUM STREET

STREET

SR 841 (DOWNY STREET)

STREET

CEMETERY

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387

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39

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Reapportionment of Wards**

The Common Council met as a committee of the whole on March 24, 2003 immediately following a public hearing in the Common Council Chambers.

Mr. McAllister made a motion that the reapportionment plan as submitted by the committee be adopted. Seconded by Dean Esposito.

Mr. Nolan rose in strident opposition and offered an amendment to refer the plan back to the committee for a complete review since it is lacking in any substance. The motion was seconded by Mr. Scozzafava.

Mr. McAllister moved the question. Seconded by Mr. Furtado. Motion carried with Council Members Nolan, Scozzafava, Basso and Setaro voting in the negative.

Motion to amend failed with Council Members Nolan, Scozzafava, Basso and Furtado voting in the affirmative.

At this point in the meeting Council Members Nolan, Scozzafava and Basso left the Chambers, leaving the meeting without a quorum. Mr. Saadi made a motion to adjourn at 10:45 P.M. Seconded by Mr. Setaro. Motion carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: Kenosia Park Sanitary Sewer Extension

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. McAllister made a motion to recommend approval of the final assessments for the Kenosia Park Sanitary Sewer Extension. Seconded by Mr. Furtado. Motion carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

KENOSIA PARK SANITARY SEWER EXTENSION

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Kenosia Park Sanitary Sewer Extension; and

WHEREAS, the General Statutes of the State of Connecticut require that assessments be made against property owners who benefit from said line; and

WHEREAS, the Common Council has determined the amount of said assessments, after public hearing, all according to law; and

WHEREAS, the Connecticut General Statutes Section 7-253 authorizes the installment payment of assessments levied as the result of benefits derived from the installation of sewerage systems; and

WHEREAS, said installment method of payment is deemed to be in the best interests of the City.

NOW, THEREFORE BE IT RESOLVED THAT the Assessment of Benefits fixed herein shall be due and payable on or before July 1, 2003, provided, however, that said assessments may be paid in installments in accordance herewith; and

BE IT FURTHER RESOLVED THAT the Tax Collector of the City of Danbury is hereby directed to file the appropriate Certificates of Notice of Installment Payment of Assessment of Benefits in the Land Records of the City of Danbury; and

BE IT FURTHER RESOLVED THAT the following provisions shall apply to installments of sewer benefit assessments in connection with the Kenosia Park Sanitary Sewer Extension:

1. The payment of any benefits by installments hereunder shall be in not more than nineteen (19) equal annual payments.
2. The minimum annual installment payment shall be Three Hundred Ninety Six Dollars and 74/100 (\$396.74).
3. The interest on any deferred payments hereunder shall be due at a rate per annum not to exceed five (5) percent (5.0%). Any person may pay any installment for which he is liable at any time prior to the due date thereof and no interest on any such installment shall be charged beyond the date of such payment.
4. The Town Clerk shall record on the Land Records of the City of Danbury a certificate signed by the Tax Collector of said City in a form substantially as attached.
5. A listing of the foregoing assessments shall be filed in the Town Clerk's Office on April 11, 2003. An appeal to the superior court from such assessment must be taken with 21 days of such filing.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

CERTIFICATE OF NOTICE OF INSTALLMENT PAYMENT OF ASSESSMENT OF BENEFITS

The undersigned Tax Collector of the City of Danbury in the County of Fairfield, State of Connecticut, hereby certifies from the date hereof an installment payment plan is in effect for payment of an assessment of benefits for the installation of a sewage system, in favor of the City of Danbury, upon real property situated in said City, which real property is more fully described in the City Land Records in:

Vol.

Page

The notice of such assessment of sewage benefits herein certified is to _____ (owner of property), the principal of which is \$ _____ due to said City of Danbury, together with legal interest fees and charges thereon assessed on April 11, 2003, in the name of _____, and the same becomes due on July 1, 2003, and may be paid in annual minimum installment payments of \$396.74 each plus interest at a rate not to exceed five (5) percent (5.0%) on the unpaid balance and continuing to _____.

This certificate is filed pursuant to Section 7-253 of the General Statutes, as amended.

The property assessed is:

Lot _____

Street _____

Item No. _____

Tax Collector

Received _____

At _____ m.

Recorded in the Danbury Land Records

Vol. _____ Page _____

Town Clerk

AND BE IT FURTHER RESOLVED THAT the Assessments of Benefits by virtue of the construction of the sewer project are hereby fixed as follows:

(list attached)

KENOSIA PARK SANITARY SEWER FINAL ASSESSMENTS													1/3/2003
LOT NO	STREET NO.	STREET NAME	PROPERTY OWNER / MAILING ADDRESS	GROSS ASSESSED VALUE		AREA	FRONTAGE			UNITS		TOTAL	COMMENTS
				\$	\$	Acre	Feet	\$	No.	\$			
E16031	3	KENOSIA AVENUE	3 KENOSIA LLC 103 MILL PLAIN ROAD DANBURY, CT 06811	150,900	2,206.72	0.8	1,370.37	50	2,588.68	6.98	1,372.37	7,538.15	TC MAP 6104 IL-40 ZONE 50' MIN FR.
E16001	10	WEST KENOSIA AVE.	VESPUCCI RECREATION CENTER INC. P.O. BOX 641 DANBURY, CT 06813-0641	741,300	10,840.58	3.47	5,943.96	0	0	30.23	5,943.68	22,728.22	TC MAP 4511 IL-40 ZONE
E15121		WEST KENOSIA AVE.	CITY OF DANBURY 155 DEER HILL AVENUE DANBURY, CT 06810-7769	903,800	13,216.94	5.30	9,078.67	284	14,703.70	46.17	9,077.73	46,077.04	IL-40 ZONE TC MAP 17 Area from Assess. Map
D15022	18	WEST KENOSIA AVE.	CITY OF DANBURY 155 DEER HILL AVENUE DANBURY, CT 06810-7769	1,777,800	25,998.08	20.94	35,869.32	675.44	34,969.94	182.43	35,868.53	132,705.87	IL-40 ZONE Area from Assess. Map
			SUB-TOTALS	3,573,800	52,262.32	30.51	52,262.32	1009.44	52,262.32	265.81	52,262.32	209,049.28	
			TOTAL PROJECT	\$209,049.28									



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT
(203) 797-4641
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

January 3, 2003

Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Dear Common Council Members:

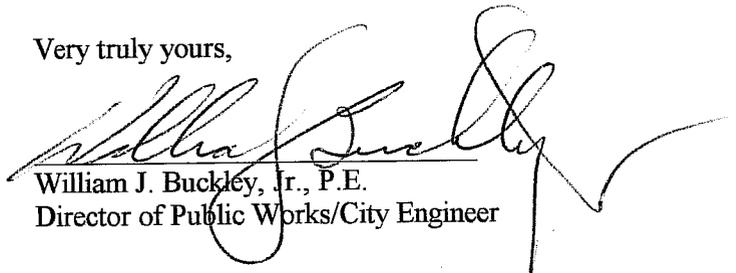
Kenosia Park Sanitary Sewer Extension
Final Assessments
Project No. 01-5

Enclosed please find the list of final assessments calculated by our office to be levied for the Kenosia Park sanitary sewer extension.

Would you please proceed with the arrangements for a public hearing concerning these final assessments as per Charter requirements.

If you have any questions, please feel free to contact this office.

Very truly yours,



William J. Buckley, Jr., P.E.
Director of Public Works/City Engineer

WJB/PAE/pe

Encl.

C: Mark D. Boughton, with encl.
Dena R. Diorio, with encl.
Eric L. Gottschalk, Esq., with encl.
Mario Ricozzi, P.E., with encl.

KENOSIA PARK SANITARY SEWER FINAL ASSESSMENTS													1/3/2003
LOT NO	STREET NO.	STREET NAME	PROPERTY OWNER / MAILING ADDRESS	GROSS ASSESSED VALUE		AREA	FRONTAGE			UNITS		TOTAL	COMMENTS
				\$	\$	Acre	Feet	\$	No.	\$			
E16031	3	KENOSIA AVENUE	3 KENOSIA LLC 103 MILL PLAIN ROAD DANBURY, CT 06811	150,900	2,206.72	0.8	1,370.37	50	2,588.68	6.98	1,372.37	7,538.15	TC MAP 6104 IL-40 ZONE 50' MIN FR.
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E15121		WEST KENOSIA AVE.	CITY OF DANBURY 155 DEER HILL AVENUE DANBURY, CT 06810-7769	903,800	13,216.94	5.30	9,078.67	284	14,703.70	46.17	9,077.73	46,077.04	IL-40 ZONE TC MAP 17 Area from Assess. Map
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			SUB-TOTALS	3,573,800	52,262.32	30.51	52,262.32	1009.44	52,262.32	265.81	52,262.32	209,049.28	
			TOTAL PROJECT	\$209,049.28									



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

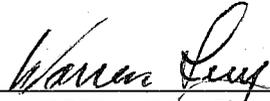
Re: Vicious Dog Ordinance

The Common Council met as a committee of the whole on March 24, 2003 immediately following a public hearing in the Common Council Chambers.

Mrs. Basso made a motion to recommend approval of the ordinance. Seconded by Mr. Saadi. Mr. Saadi stated that several people at the public hearing spoke about the enclosure. One specifically stated "secure" enclosure rather than just enclosure. After discussion, Attorney Pinter said that he would make the requested changes.

Motion carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

April 1, 2003

Be it ordained by the Common Council of the City of Danbury:

That Section 12-3 of the Code of Ordinances of the City of Danbury, Connecticut is hereby amended to add Subsection 12-3.1.

12-3.1 Regulation of Vicious Dogs

(a) Purpose.

It is hereby declared that:

- (1) Vicious dogs have become a threat to the safety and welfare of the citizens of our community.
- (2) Unprovoked attacks by vicious dogs upon persons and animals throughout the country have occurred at an increasing rate.
- (3) The owning, keeping or harboring of vicious dogs is a nuisance.

(b) Definitions.

As used in this Section, the following words and terms shall have the following meaning, unless the context shall indicate another or different meaning or intent:

ENCLOSURE: A fence or structure of at least six (6) feet in height and at least five by ten (5 x 10) feet, forming or causing an enclosure suitable to prevent the entry of young children and suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of the vicious dog. Such "enclosure" shall be securely enclosed and locked and designed with secure sides, top and bottom, shall be designed to prevent the dog from escaping from the enclosure and shall also provide protection from the elements for the dog.

OWNER/KEEPER: Any natural person or legal entity, including but not limited to a firm, corporation, organization, partnership or trust, possessing, harboring, having, keeping an interest in or having control or custody of the dog.

VICIOUS DOG:

1. Any dog:

- (a) With a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
- (b) Which, when unprovoked, approaches any person in a threatening fashion; or
- (c) Which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property; or
- (d) Owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

2. Notwithstanding the definition of a "vicious dog" above, no dog may be declared vicious because of an injury or damage sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog or was teasing, tormenting, abusing, or provoking the dog or was committing or attempting to commit a crime.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

3. No dog may be declared vicious because of an injury or damage sustained by a domestic animal which, at the time such injury or damage was sustained, was provoking or attacking the dog. No dog may be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

(c) Requirement of proper enclosure.

(1) Any owner or keeper of any dog who knows or has reason to know that the dog has vicious propensities shall keep the dog in an enclosure.

(2) Any owner or keeper of any dog who knows or has reason to know that the dog has vicious propensities shall immediately notify the dog warden of such propensities in order that the dog warden may observe and make such orders as may be required pursuant to state law specified in this section.

(d) Determination and enforcement. Local investigation.

The determination and disposition of any dog deemed to have vicious propensities shall be handled by the dog warden in accordance with applicable provisions of the Connecticut General Statutes including, but not limited to C.G.S. sections 22-355, 22-357, 22-358, 22-362, 22-363, 22-364, 22-364(a), 22-367 and regulations adopted pursuant to 22-367(a), including all penalties and fines specified therein.

(e) Exceptions.

This section shall not apply to:

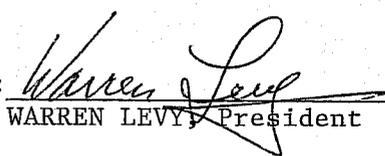
(1) Kennels licensed in accordance with Title 22, Chapter 435 of the Connecticut General Statutes.

(2) K-9 or other dogs owned by the Police Department or any law enforcement officer which are used in the performance of police work.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - April 1, 2003

Approved by Mayor Mark D. Boughton - April 3, 2003

ATTEST: 
WARREN LEVY, President



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

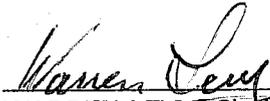
Re: **Electronic Payments**

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. McAllister made a motion to recommend approval of the ordinance. Seconded by Dean Esposito. Mr. Setaro asked Mr. Anderson to address security issues and Dean Esposito asked about the cost. Mr. Anderson said that Attorney Gottschalk is now reviewing draft agreements and the cost to the city is nominal.

Motion carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

April 1, 2003

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-30, which said section reads as follows:

Sec. 18-30. Electronic payments.

(a) Electronic payment system; authorized. The Tax Collector is authorized to establish and implement an electronic system for the payment of real and personal property taxes, utility use charges and other assessments, fines, fees or charges due the City of Danbury through the use of electronically supplied credit or debit card information, electronic checks or other electronic methods of payment as may be available currently or as may be developed in the future.

(b) Service fees. The Tax Collector shall impose a commercially reasonable fee for the use of the electronic payment system, which shall be in an amount sufficient to defray the administrative expenses associated with the system. The Tax Collector shall impose a commercially reasonable fee for all electronic checks returned for insufficient funds. Any such fees shall be communicated to residents and taxpayers prior to their use of the system.

(c) Regulatory Compliance. The Tax Collector shall insure that the electronic payment system is established and operated in conformity with the requirements of federal and state law, in general, and with requirements of the Uniform Commercial Code, the National Automated Clearing House Association and Federal Reserve rules and regulations, in particular, regarding electronic funds transfers, as the same may be in effect or amended from time to time.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - April 1, 2003
Approved by Mayor Mark D. Boughton - April 3, 2003

ATTEST:


WARREN LEVY, President



43

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

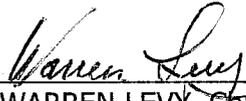
Re: **All-Terrain Vehicles**

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. Setaro made a motion to recommend adoption of the ordinance. Seconded by Mrs. Basso. Dean Esposito asked if this incorporates all city property. Attorney Gottschalk said that it does.

The motion carried unanimously.

Respectfully submitted,



WARREN LEVY, Chairman



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

April 1, 2003

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 12-6, which said section reads as follows:

Sec. 12-6. All-terrain vehicles; operation prohibited on city property.

- (a) Generally. The purpose of this section is to prohibit the operation of all-terrain vehicles on property owned by the City of Danbury, thereby preventing damage to flora and fauna and to hiking trails, stone walls, and other physical features of the city's parks and public places, promoting the safe use of these areas, and insuring that these areas are protected for the benefit of all users of the city's parks and public places.
- (b) Definitions. As used in this section, the following terms shall have the meanings described herein, unless the context clearly indicates that a different meaning is intended.
- (1) "All-terrain vehicle" shall mean a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways, which is not eligible for registration under chapter 246 of the Connecticut General Statutes.
 - (2) "Operate" means to ride, control the course of or otherwise use an all-terrain vehicle."
- (c) Prohibited acts. No person shall operate and no owner shall permit the operation of any all-terrain vehicle upon property owned, leased or controlled by the City of Danbury except within areas designated by the city for all-terrain vehicle use. No person operating an all-terrain vehicle on property owned, leased or controlled by the City of Danbury shall refuse to stop his all-terrain vehicle after being requested or signaled to do so by an authorized law enforcement officer or by an authorized agent of the City of Danbury.
- (d) Posting. Notice of the prohibition established by this section shall be given by posting signs at various locations on city owned property warning all-terrain vehicle users that the use of such vehicles on city property is prohibited. Failure to post such signs or failure to post such signs at specific locations shall not be a defense to any prosecution or claim brought based on a violation of this section.
- (e) Exemptions. The provisions of Subsection (c) hereof shall not apply to authorized law enforcement officers or authorized agents of the City of Danbury who operate all-terrain vehicles while in the performance of their official duties.
- (f) Penalties; liability. The provisions hereof may be enforced in the same manner as and in conjunction with the provisions of sections 14-379 to 14-390 of the Connecticut General Statutes. In addition, the operator or owner, or both, of an all-terrain vehicle, shall be responsible and held accountable to the City of Danbury for damage to trees, shrubs, crops, fences or other property caused by operation of such all-terrain vehicle on land of the City of Danbury or where consequential damage has resulted from such operation. In any prosecution or action for damages hereunder, proof of the registration number of the all-terrain vehicle shall be prima facie evidence that the owner was the operator.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - April 1, 2003
Approved by Mayor Mark D. Boughton - April 3, 2003

ATTEST: 
WARREN LEVY, President

ORDINANCE

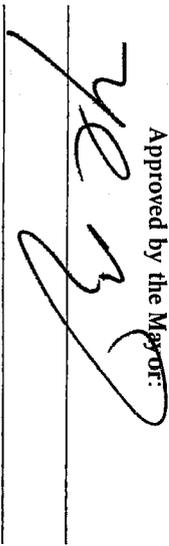
COMMON COUNCIL

No. _____

Ordinance _____

Adopted by the Common Council

Approved by the Mayor:



Mayor



44

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

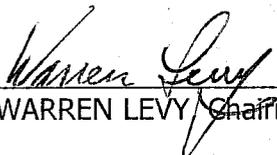
Mayor Mark D. Boughton
Members of the Common Council

Re: **Application for Permit**

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers in City Hall.

Mr. McAllister made a motion to recommend adoption of the ordinance. Seconded by Mr. Shuler. Motion carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

April 1, 2003

Be it ordained by the Common Council of the City of Danbury:

Sec. 17-48. Application for permit.

An application for a permit must be filed with the city before a preliminary investigation will be undertaken in connection with the issuance of a permit. Standard application forms for this permit may be secured from the department of public works. Each application form shall be completely filled in, signed and mailed or delivered to the department of public works together with a non-refundable permit fee in the amount of fifty dollars (\$50.00) or three percent (3%) of the total amount of the bond required to be posted pursuant to the requirements of Section 17-55 of the Danbury Code of Ordinances, whichever is greater, said fee not to exceed five hundred dollars (\$500.00); except for public service companies as defined by Section 16-1(4) of the Connecticut General Statutes, which shall be required to submit a non-refundable permit fee in the amount of fifty dollars (\$50.00). An explanation of the application sketches shall be made either in the space provided on the application form or on a separate sheet, in duplicate and which shall be attached to the application. Such diagrams or sketches shall show the character and extent of the work as well as the location of the work to be done in relation to the outstanding features of the road, such as: Property lines, intersections, pavement lines, sidewalks, trees, drainage structures and utility poles identified by number. The applicant will be required to disclose, upon request, the methods and materials proposed to be used on projects which the director of the department of public works, or his designee, in his discretion, deems unusual or complex. The applicant will be required to submit, upon request, engineered sketches or a plot plan which the director of the department of public works, or his designee, in his discretion deems necessary.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - April 1, 2003
Approved by Mark D. Boughton, Mayor - April 3, 2003.

ATTEST:


WARREN LEVY, President

Sec. 17-48. Application for permit.

An application for a permit must be filed with the city before a preliminary investigation will be undertaken in connection with the issuance of a permit. Standard application forms for this permit may be secured from the department of public works. Each application form shall be completely filled in, signed and mailed or delivered to the department of public works together with a non-refundable permit fee in the amount of FIFTY DOLLARS (\$50.00) OR THREE PERCENT (3%) OF THE TOTAL AMOUNT OF THE BOND REQUIRED TO BE POSTED PURSUANT TO THE REQUIREMENTS OF SECTION 17-55 OF THE DANBURY CODE OF ORDINANCES, WHICHEVER IS GREATER, SAID FEE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); EXCEPT FOR PUBLIC SERVICE COMPANIES AS DEFINED BY SECTION 16-1(4) OF THE CONNECTICUT GENERAL STATUTES, WHICH SHALL BE REQUIRED TO SUBMIT A NON-REFUNDABLE PERMIT FEE IN THE AMOUNT OF FIFTY DOLLARS (\$50.00). ~~twenty-five dollars (\$25.00).~~ An explanation of the application sketches shall be made either in the space provided on the application form or on a separate sheet, in duplicate and which shall be attached to the application. Such diagrams or sketches shall show the character and extent of the work as well as the location of the work to be done in relation to the outstanding features of the road, such as: Property lines, intersections, pavement lines, sidewalks, trees, drainage structures and utility poles identified by number. The applicant will be required to disclose, upon request, the methods and materials proposed to be used on projects which the director of the department of public works, or his designee, in his discretion, deems unusual or complex. THE APPLICANT WILL BE REQUIRED TO SUBMIT, UPON REQUEST, ENGINEERED SKETCHES OR A PLOT PLAN WHICH THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS, OR HIS DESIGNEE, IN HIS DISCRETION DEEMS NECESSARY,



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: Jackson Drive and Great Plain Road Area – Preliminary Assessments

The Common Council met as a committee of the whole immediately following a public hearing on March 24, 2003 in the Common Council Chambers.

Mr. Saadi made a motion to receive the assessments and related documents for purposes of discussion. Seconded by Mr. Furtado.

Mr. Levy asked Mr. Buckley to comment on the issues brought up during the public hearing. Mr. Buckley stated that these projects begin by petition from the homeowners to the Common Council. He explained the assessment methodology process. He answered all the questions posed at the public hearing.

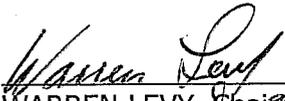
Director of Finance Dena Diorio spoke about the payment schedule and interest rates. There is no way to tell what the interest rate will be until the project is bonded.

Mr. McAllister made a motion to amend to send this project to a Common Council committee for redefining. Seconded by Mrs. Basso. After discussion, Mr. Saadi moved the question. Seconded by Mr. Nolan and carried unanimously.

Motion to amend carried unanimously.

Main motion, as amended, carried unanimously.

Respectfully submitted,


WARREN LEVY, Chairman



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Water Extension – Candlewood Terrace**

The Common Council Committee appointed to review the request for water extension for Candlewood Terrace met on March 19, 2003 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Furtado, Machado and Basso. Also in attendance were Director of Public Works William Buckley, Council President Warren Levy, ex-officio and members of the Board of Directors of Candlewood Terrace.

Mr. Furtado read the positive recommendation from the Planning Commission and then asked Mr. Buckley for an overview. Mr. Buckley said they are looking to abandon the well, extend City water and run service lines off it. This would be done by assessment methodology as per Chapter 21 of the Code of Ordinances. He pointed out that this might also be a water quality issue. Ms. Boylan said that the State told them that they are in violation because of leaks and contamination. Mr. Buckley said if it is a water quality issue they would move the project to the top of the assessment projects list. Mr. Buckley said it would be a City project and the condominium association would have 19 years to pay it off.

Mrs. Basso made a motion to authorize the project to begin under assessment methodology and make it a priority on the project assessment list due to the water quality. Seconded by Mr. Machado. Motion carried unanimously.

Respectfully submitted,

MANNY FURTADO, Chairman

VAL MACHADO

PAULINE BASSO



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CITY OF DANBURY

155 DEER HILL AVENUE

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COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

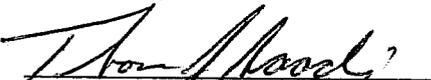
Re: **Request for Sewer and Water Extensions – Old Ridgebury and Saw Mill Roads**

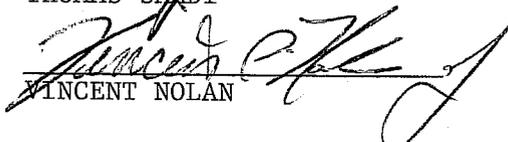
The Common Council Committee appointed to review the request for sewer and water extensions on Old Ridgebury Road and Saw Mill Road met on March 26, 2003 at 8:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Levy, Saadi and Nolan. Also in attendance were Director of Public Works William Buckley, Attorney Paul Jaber, the petitioner Tony Lucera and Council Member John Gogliettino, ex-officio.

Mr. Levy read the positive recommendation of the Planning Commission. Members of the committee received a copy of the proposed Master Plan for the reserve. Mr. Buckley gave a presentation using conceptual maps. They have acquired the entire site except for 100 acres that have been retained by Union Carbide. Mr. Buckley asked that a ninth step be approved allowing the project to be approved in phases, which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval.

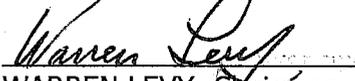
Mr. Buckley explained the conceptual plans regarding both sewer and water. Mr. Buckley answered questions from the committee regarding improvements to the total system, pump stations, funding, etc.

Mr. Saadi made a motion to approve the request for sewer and water extensions, subject to the required eight steps, with a ninth step allowing the project to be approved in phases, which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval. Seconded by Mr. Nolan. Motion carried unanimously.


THOMAS SAADI


VINCENT NOLAN

Respectfully submitted,


WARREN LEVY, Chairman



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

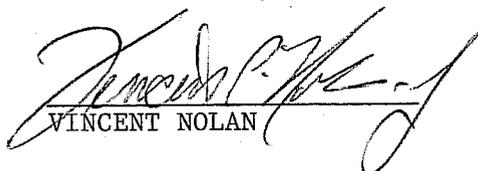
Re: **Request for Sewer and Water Extension – Shelter Rock Road**

The Common Council Committee appointed to review the request for sewer and water extension on Shelter Rock Road met on March 18, 2003 in the Third Floor Caucus Room in City Hall. In attendance were committee members John Esposito and Thomas Saadi. Also in attendance were Director of Public Works William Buckley, Jeanne Williamson of Consultants and Engineers and Council President Warren Levy, ex-officio.

John Esposito read the positive recommendation from the Planning Commission and asked Mr. Buckley for an overview of the project. The property is known as Arlington Woods and the parcel pointed out to the committee on a vicinity map. Mr. Buckley also pointed out the road configuration. The main concern was the sewer downstream. The existing line flows down Shelter Rock Road. It is an existing line and he wanted the engineer to study its capacity. He is satisfied that it is sufficient to satisfy the needs of the development. His recommendation is to approve both sewer and water extensions subject to the required eight steps and a ninth step allowing the project to be approved in phases which would allow certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval.

Mr. Saadi made a motion to recommend approval of the request for sewer and water extensions, subject to the required eight steps and a ninth step allowing this project to be approved in phases, thereby allowing certificates of occupancy to be issued in phases so that sewer and water lines can be turned over in phases, subject to engineering approval. Seconded by John Esposito. Motion carried unanimously.

Respectfully submitted,


VINCENT NOLAN


JOHN ESPOSITO, Chairman

THOMAS SAADI



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CITY OF DANBURY

155 DEER HILL AVENUE

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COMMON COUNCIL

REPORT

April 1, 2003

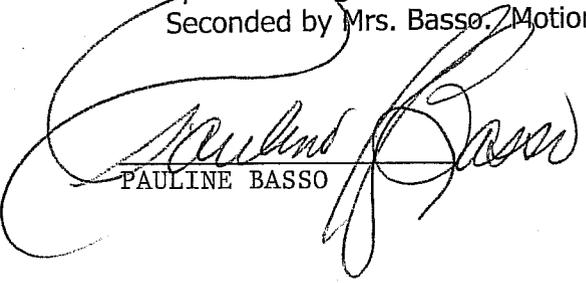
Mayor Mark D. Boughton
Members of the Common Council

Re: **Hawthorne Cove Water System**

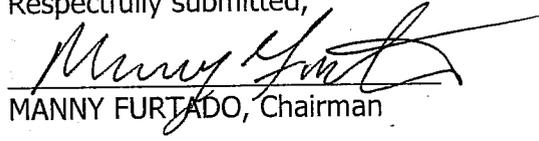
The Common Council Committee appointed to review the request for the City to take over the Hawthorne Cove Water System met on March 19, 2003 at 7:00 P.M. In attendance were committee members Furtado, McAllister and Basso. Also in attendance were Director of Public Works William Buckley, Council Members Levy and Kelly, ex-officio and residents of the neighborhood.

Mr. Furtado stated that the Planning Commission has not yet acted on this request. He asked Mr. Buckley for an overview of the project. Mr. Buckley stated that this project began as a result of road improvements in the area. The residents asked him if the City would be interested in taking over the system. Homeowners pay between \$350 and \$450 per year. This sum is tied into their beach rights. The city's annual rates run about \$100 per year. He would look at the improvements to this system, do the improvements by assessment methodology and recommend it be put on the assessed project list. The work would be done in the order it was placed on the list. He will be meeting with the State Health Department to better understand the court case seeking better improvements to the system. He will ask for more time to make the improvements and will have Haestad do an evaluation.

Mr. McAllister made a motion to recommend approval of the request, contingent upon Planning Commission approval and the results of a walk around by the committee. Seconded by Mrs. Basso. Motion carried unanimously.


PAULINE BASSO

Respectfully submitted,


MANNY FURTADO, Chairman

PAUL McALLISTER



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
(203) 797-4525
(203) 797-4586 (FAX)

March 21, 2003

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/February CC Agenda Item 19 – Request for City to take Hawthorne Terrace Water Company.

The Planning Commission has received a request from the Common Council for a report pursuant to CT General Statutes/Sec 8-24, regarding the above referenced item.

At the March 19, 2003 meeting, the Planning Commission made a motion to give a positive recommendation for the above referenced request based on the Planning Director's report.

Joseph Justino
Chairman

JJ/jr

Attachment

c: Engineering Dept.
Corporation Counsel



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CITY OF DANBURY

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COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: Long Range School Facilities Report

The Common Council Committee appointed to review the long range school facilities report met three times, initially on December 9, 2002, on February 11, 2003 and finally on March 18, 2003. In attendance at the first meeting were committee members Levy, Saadi, Nolan and Basso, as well as Rosty Slabicki and Scott Ferguson. In attendance at the second meeting were committee members Levy, John Esposito, Nolan and Basso, as well as Assistant City Engineer Patricia Ellsworth, Farid Khouri from the Engineering Department, Council Members McAllister and Gogliettino, ex-officio and members of the public. In attendance at the final meeting were committee members Levy, John Esposito, Saadi, Nolan and Basso, as well as Director of Public Works William Buckley, Director of Finance Dena Diorio, Council Members McAllister and Gogliettino, ex-officio and members of the public.

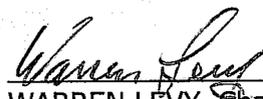
Mr. Levy opened the March 18, 2003 committee meeting by handing out a revised construction renovation paper showing a correction and adjustment in the dollar amount. The projected cost scheduled is made Schedule A and attached hereto. The committee is in concurrence on all the items listed. The question remaining was should renovations be done to the existing middle schools or should a new middle school be constructed. Mr. Levy asked Director of Finance Dena Diorio for comparisons on operating costs. Ms. Diorio stated that five millions dollars per year is to cost to operate Rogers Park Middle School.

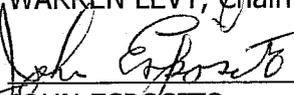
Mr. Nolan stated that based on these estimates, these are the things we deem worthy for a bond package if we can afford it. Elements that we suggest may not be included. Mr. Levy said that the Mayor may have other priorities to take into consideration and he would explain that to the Common Council. Mr. Nolan stated is still stuck on whether to renovate or new construction. He was beating the drum on constructing a new middle school. Bonding the amount we would need to do that is probably pie in the sky. He is prepared to move forward with renovations. Mr. Levy said he feels this meets the needs of Danbury and we would not be shortchanging our

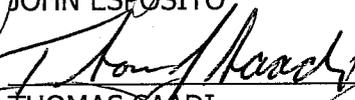
students. Mrs. Basso said her concern is that we have a problem and this should have been done four or five years ago.

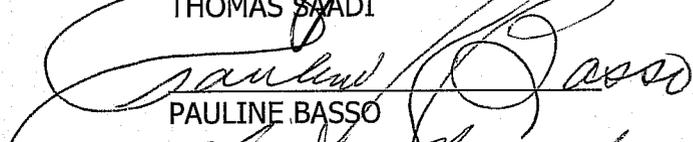
Mr. Saadi made a motion that the committee recommend that the Mayor compile a bond package for the November 2003 ballot for the construction of a new elementary school, additions to the two middle schools and high school and the purchase of the Immanuel Lutheran School as presented in Modified B, Option II. Seconded by Mrs. Basso. Mr. Nolan offered a friendly amendment to encourage the Mayor to explore options to acquire space for a new middle school. Motion carried unanimously.

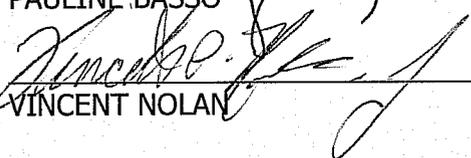
Respectfully submitted,


WARREN LEVY, Chairman


JOHN ESPOSITO


THOMAS SAADI


PAULINE BASSO


VINCENT NOLAN

(A)

RECOMMEND, the following prioritized list to meet Danbury school needs per New England School Development and Danbury Board of Education Community Long Range Facilities report.

Projected Cost

Modified B Option 11 (estimated cost \$40.2 million after state aid = \$25.4 Million)

New Elementary School * 40 pupils x 125 s.f./ pupil = 50,000 s.f. x \$172 / s.f. =	\$8.6 mil.
* Note: State aid included. Does not include cost of new site.	
Major Addition Broadview 250 pupils x 150 s.f. /pupil = 37,500 s.f. x \$185/s.f. =	\$6.9 mil.
Major Addition Roger Park 250 pupils x 150 s.f. /pupil = 37,500 s.f. x \$185/s.f. =	\$6.9 mil.
Major Addition High School 250 pupils x 175 s.f. /pupil = 43,750 s.f. x \$200/s.f. =	\$8.8 mil.
Purchase Emmanuel Lutheran School 1.5 Mil. School Renovations 2.5 Mil.	\$4.0 mil
Allowance for selective Renovations and Upgrades, all Buildings =	\$5.0 mil.
Total Option 11 Estimated Costs =	\$40.2 Mil.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Government Entities Review and Evaluation Committee**

The Government Entities Review and Evaluation Committee met on March 26, 2003 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Moore, Nolan, Mary Saracino and Mark Chory. Also in attendance were Conservation Commission Chairman Frank Klecha, Director of Planning Dennis Elpern, Robert Melillo from the Youth Commission, Dennis Keeler, Chairman of the Richter Park Authority and Council Members Levy, McAllister and Gogliettino, ex-officio.

Mr. Moore reviewed the statutory obligations of the committee. The committee is required to submit a report to the Common Council by April 15, 2003. The committee consists of three Common Council Members and two public members.

Economic Development Commission – Director of Planning Dennis Elpern attended the meeting to represent the Economic Development Commission. Mr. Elpern said that this commission has been dormant for years. The general consensus is that this is a worthwhile commission. It should work in conjunction with the Economic Development Task Force. Mr. Chory asked why, in the seventh largest city in the State, it would become dormant? Mr. Elpern said that it was just let go. Before a commission is set up, a program should be developed. We have commissions that rarely meet and others that are overworked. The second thing that needs to be done is to decide on support staff.

Mr. Nolan said that one of the recommendations in the Economic Development Task Force report was the creation of a staff position. This would be in place before we put in a new commission or concurrent with it. Mr. Elpern stated that it should be decided who is going to do the work, what type of expertise is needed, should they have experience in economic development or be a retired realtor, will the position be covered under Civil Service or be appointed? Mr. Nolan said we should keep the structure in place. Ms. Saracino said that the Task Force is now compiling a list of recommendations and the Economic Development Commission would act on those recommendations. Mr. Elpern said that the staff would bring the recommendations into play and the

commission would give guidance. Mr. Elpern said that economic development touches on many aspects of government and interfaces with many departments and programs.

Danbury Youth Commission – Mr. Moore noted that the Mayor reconstituted this body when he took office. He asked Mr. Melillo to speak to the goal of a future town hall forum. Mr. Melillo said that the commission has been spinning its wheels trying to figure out the issues facing youth today. A town hall forum would give everyone an opportunity to be in the same place at the same time. They have been trying to get this forum underway. It would meet once on a Saturday at Danbury High School. Mr. Moore asked how many student representatives there are? Mr. Melillo said there are five with four vacancies. Mr. Nolan asked if the efforts made so far are moving in the right direction? Mr. Melillo said they are. Mr. Chory asked if the commission works in conjunction with the Board of Education? Mr. Melillo said they have not figured that out yet. They are trying to balance doing reports and other requirements and to focus on what the Charter says they can do.

Environmental Impact Commission – Mr. Moore stated that EIC meets twice each month. They are charged with the regulations of inlands and wetlands. Ms. Saracino asked if the quorum problems have been solved. Mr. Nolan said that based on interaction with EIC members the quorum problems have not been solved, but have been dramatically improved.

Conservation Commission – Chairman Frank Klecha provided some information on the projects they are working on. Mr. Moore asked about staff support at Bear Mountain and the GIS project. Mr. Klecha said he relies on the help of the Parks and Recreation Department. The Common Council approved a staff person one year ago, but he works in every park. There is no real staff at Bear Mountain. The key person is the one who occupies the City house on the property. That person is usually a very good patrol person. There are new picnic benches, new colprovia and portable toilets.

Mr. Klecha spoke about open space. There will be a presentation on this next week. Jack Kozuchowski has been a tremendous support on this. The object is to keep an open space index. There are four phases to the project. The problem is that they need money. They have been working with the Swampfield Trust and the Meserve Fund to get money, along with the money allocated by the Common Council. There is enough money to complete phase two. Open space is the prime objective, not wetlands. Mr. Chory asked if they have enough resources to accomplish what they want to? Mr. Klecha said they would if they get funding every year.

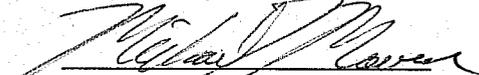
Richter Park Authority – Mr. Moore asked Mr. Keeler if he could address the payment. Mr. Keeler said that if the Authority has more than \$250,000 unused funds, a percentage goes back into the general fund. The City has not had to give them any money since Mayor Dyer. They purchased the carriage house last year. Ms. Saracino asked if the park generates enough revenue to be self-sustaining? Mr. Keeler said that it does. Rates were kept the same for eight years and have gone up only slightly the past two years. There had been a small decrease in rounds last summer due to more golf courses being built.

Tree Advisory Commission – Mr. Moore said he is not sure how active this is right now. It was appointed to advise on the cutting of trees. This function is now done within Parks and Recreation.

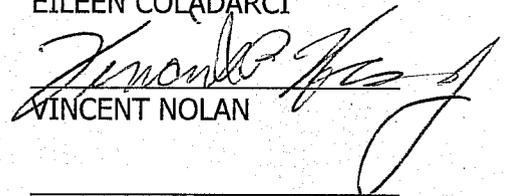
Lake Kenosia Commission – Ms. Saracino said they had been dormant, but have revitalized themselves over the past two or three years.

Mr. Nolan made a motion to extent the Richter Park Authority, the Conservation Commission and the Environmental Impact Commission for a period of five years; the Lake Kenosia Commission, the Youth Commission and the Economic Development Commission for a period of three years and that the Tree Advisory Commission be sunsetted. Seconded by Ms. Saracino. Motion carried unanimously.

Respectfully submitted,


MICHAEL MOORE, Chairman

EILEEN COLADARCI


VINCENT NOLAN

MARK CHORY

MARY SARACINO