

**COMMON COUNCIL MEETING – FEBRUARY 3, 2004**

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

**PLEDGE OF ALLEGIANCE AND PRAYER**

**ROLL CALL**

McMahon, Burns, Trombetta, Calandrino, Saadi, Barry, Visconti, Steinerd, Urice,  
Esposito, Nolan, Basso, Saracino, Cavo, Bingaman, Teicholz, Nagarsheth, Payton,  
Riley, Seabury, Stanley

\_\_\_\_\_PRESENT \_\_\_\_\_ABSENT

**PUBLIC SPEAKING**

**MINUTES** – Minutes of the Common Council Meeting held January 6, 2004 and the Special Common Council Meeting held January 26, 2004.

**CONSENT CALENDAR**

- 1 – ORDINANCE – Amendment to Connecticut Basic Building Code
- 2 – RESOLUTION – Danbury Youth Services
- 3 – RESOLUTION – Bioterrorism Response Preparedness Grant
- 4 – RESOLUTION – Recreational Trails Grant
- 5 – RESOLUTION – FEMA Funds – Homeless Shelter
- 6 – RESOLUTION – Acquisition of Storm Drainage Easements on Shore Road
- 7 – COMMUNICATION – Appointments to the Fire Department
- 8 – COMMUNICATION – Appointment as Assistant Animal Control Officer
- 9 – COMMUNICATION – Appointment as Police Officer
- 10 – COMMUNICATION – Reappointments to the Commission on Aging
- 11 – COMMUNICATION – Appointments as Youth Advisors to the Youth Commission
- 12 – COMMUNICATION – Appointment of Government Entities Review and Evaluation Committee
- 13 – COMMUNICATION – Donations to the Youth Commission

14 – COMMUNICATION – Donation to the Blight Busters Program

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15 – COMMUNICATION – Donation to the Fire Department

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16 – COMMUNICATION – Donations to the Department of Elderly Services

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17 – COMMUNICATION – Donation to the Ives Trail

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18 – COMMUNICATION & CERTIFICATION – Public Buildings Budget

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19 – COMMUNICATION & CERTIFICATION – Snow Removal Budget

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20 – COMMUNICATION – Tarrywile Park Authority Master Plan

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21 – COMMUNICATION – Request for Sewer Extension – 6 Hollandale Road

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22 – COMMUNICATION – Report from Police Chief regarding Main Street

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23 – REPORT & ORDINANCE – An Ordinance Amending an Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget

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24 – REPORT – Final Assessments – Windaway Road II Sanitary Sewer Extensions

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25 – REPORT – Request for Sewer and Water Extensions – Eagle Road

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26 – REPORT – Olive Street and Tilden Road Sanitary Sewer Assessments

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27 – REPORT – Backus Avenue Preliminary Sewer Assessments

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28 – REPORT – Carolyn Avenue and Nancy Drive Area Sewer Assessments

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29 – REPORT – Iraqi Township Program

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30 – REPORT – Bear Mountain Cottage Lease

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31 – REPORT & ORDINANCE – Blight Ordinance

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32 – COMMUNICATION – Executive Session – Pending Litigation

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33 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Public Works, Parks and Receptions, Department of Elderly Services, Permit Center, Health and Housing, Welfare Department

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## **CONSENT CALENDAR – FEBRUARY 3, 2004**

2 – Receive the communication and adopt the Resolution.

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5 – Receive the communication and adopt the Resolution.

10 – Receive the communication and confirm the appointment of Thomas Quinn, James Derwin, John Dzurik, Seth Sanford and Sharon Kelly as members of the Commission on Aging and the reappointment of Helen Miller as an alternate member of the Commission on Aging.

11 – Receive the communication and confirm the appointment of Jason Caloras, Nyron Crawford, Lindsay Damici, Bindiya Patel, Leah Dvorkin, Samantha Vasquez and Edward Simao as Youth Advisors to the Danbury Youth Commission.

12 – Receive the communication and confirm the appointment of Common Council Members Pauline Basso, Louise McMahon and Kevin Barry and citizen appointees Alan T. Boyce and Mark S. Chory to serve as the Governmental Entities Review Committee for agencies scheduled for review as of June 30, 2004.

18 – Receive the communication and authorize the transfer of funds to the Public Buildings line items as outlined.

19 – Receive the communication and authorize the transfer of funds to the Public Works line items as outlined.

23 – Receive the report and adopt the Ordinance.

24 – Receive the report and adopt the final assessments for the Windaway Road Sanitary Sewer Extensions.

25 – Receive the report and approve the request for sewer and water extensions on Eagle Road, including the ninth step outlined by the committee for abandonment of existing lines and easements.

26 – Receive the report and authorize the Public Works Department to proceed with the project as outlined.

30 – Receive the report and approve the licensing agreement for the Bear Mountain Cottage as proposed by the committee.



# 2004 February Common Council Minutes

About Danbury City Hall Departments Boards & Commissions Elected Officials

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

RE: Minutes of the Common Council Meeting held February 4, 2004

The meeting was called to order at 7:30 P.M. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT – McMahon, Trombetta, Calandrino, Saadi, Barry, Visconti, Steinerd, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Bingaman, Teicholz, Nagarsheth, Payton, Riley, Seabury, Stanley

ABSENT – Burns

20 PRESENT – 1 ABSENT

**PUBLIC SPEAKING** - No one addressed the Common Council

**MINUTES** – Minutes of the Common Council Meeting held January 6, 2004 and the Special Common Council Meeting held January 26, 2004. Mr. Nolan made a motion to adopt the minutes as presented and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by Ms. Saracino. Motion carried unanimously.

**CONSENT CALENDAR** – Mrs. Basso offered the following items for the Consent Calendar:

2 – Receive the communication and adopt the Resolution.

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4 – Receive the communication and adopt the Resolution.

5 – Receive the communication and adopt the Resolution.

10 – Receive the communication and confirm the appointment of Thomas Quinn, James Derwin, John Dzurik, Seth Sanford and Sharon Kelly as members of the Commission on Aging and the reappointment of Helen Miller as an alternate member of the Commission on Aging.

11 – Receive the communication and confirm the appointment of Jason Caloras, Nyron Crawford, Lindsay Damici, Bindiya Patel, Leah Dvorkin, Samantha Vasquez and Edward Simao as Youth Advisors to the Danbury Youth Commission.

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review as of June 30, 2004.

18 – Receive the communication and authorize the transfer of funds to the Public Buildings line items as outlined.

19 – Receive the communication and authorize the transfer of funds to the Public Works line items as outlined.

23 – Receive the report and adopt the Ordinance.

24 – Receive the report and adopt the final assessments for the Windaway Road Sanitary Sewer Extensions.

25 – Receive the report and approve the request for sewer and water extensions on Eagle Road, including the ninth step outlined by the committee for abandonment of existing lines and easements.

26 – Receive the report and authorize the Public Works Department to proceed with the project as outlined.

30 – Receive the report and approve the licensing agreement for the Bear Mountain Cottage as proposed by the committee.

Ms. Saracino made a motion to adopt the Consent Calendar as read. Attorney Gottschalk noted that the resolution in item 24 should be adopted. Seconded by Mr. Cavo. Motion carried unanimously.

1 – ORDINANCE – Amendment to Connecticut Basic Building Code

Mr. Nolan asked that this be deferred to public hearing. Mayor Boughton so ordered.

2 – RESOLUTION – Danbury Youth Services

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, grant funds in an amount not to exceed seventy-five thousand (\$75,000) dollars are available from the State of Connecticut Department of Education for 2004-05 Youth Services Bureau operations; and

WHEREAS, the continuation of the Youth Services Bureau for the twenty-seventh year is deemed to be in the best interest of the City of Danbury.

NOW, THEREFORE, BE IT RESOLVED THAT the actions of Mark D. Boughton as Mayor of the City of Danbury, in applying for these funds be and hereby are ratified and that Mayor Boughton as Mayor of the City of Danbury, in applying for these funds be and hereby are ratified and that Mayor Boughton be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$75,000.00 for a Youth Service Bureau for the fiscal period commencing July 1, 2004.

BE IT FURTHER RESOLVED THAT the Mayor is authorized to execute any and all documents, applications or other pertinent instruments to this program.

The communication was received on the consent calendar and the resolution adopted.

### 3 – RESOLUTION – Bioterrorism Response Preparedness Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Department of Public Health has made grant funds available to local health departments to provide for the development of local and regional Public Health Preparedness and Response plans concerning bioterrorism, the exercise of related drills, the development of local communication resources, and the training of local health department staff, for the period of August 31, 2003 through August 30, 2004; and

WHEREAS, for the time period of August 31, 2003 through August 30, 2004, grant funds not to exceed \$84,543.00, requiring no local match, will be made available to the Danbury Health and Housing Department for a Bioterrorism Public Health Preparedness and Response Grant; and

WHEREAS, the Danbury Health and Housing Department will provide the planning, drills, communication, resources, and training services called for in the Grant.

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, is authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding the application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Mark D. Boughton is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts/agreements or amendments thereof, which do not require expenditure of City funds, with the Connecticut Department of Public Health regarding said grant, and to take all actions necessary to accomplish the purposes of said grant.

The communication was received on the Consent Calendar and the Resolution adopted.

### 4 – RESOLUTION – Recreational Trails Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is directing an effort to create a multi-municipal Greenway, known as the Ives Trail, that would connect Tarrywile park, Wooster Mountain State park and open space areas in the Towns of Bethel and Ridgefield; and

WHEREAS, Mark D. Boughton, Mayor of the City of Danbury, has appointed the "Ives Trail Task Force" to direct the effort toward creating the Ives Trail; and

WHEREAS, the Ives Trail Task Force has identified the opportunity to create two subsections of the trail that would be dedicated to Danbury's native composer Charles Ives; and

WHEREAS, the creation of these two sections of the trail would require funding for trail surfacing, educational signs and audio display boards of the music of Charles Ives; and

WHEREAS, the Connecticut Department of Environmental Protection is soliciting proposals from

municipalities for development of passive recreation trails, by its February 15, 2004 deadline.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Danbury authorizes the application for up to \$30,000 of funding to the Connecticut Department of Environmental Protection's recreational Trails Grant program and authorizes the Mayor to enter into a contract with the State of Connecticut for the use and administration of these funds, if awarded.

The communication was received on the Consent Calendar and the resolution adopted.

#### 5 – RESOLUTION – FEMA Funds – Homeless Shelter

RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

WHEREAS, the Federal Emergency Management Agency (FEMA) has awarded \$1,000.00 to Danbury's Homeless Shelter for the purchase of supplies; and

WHEREAS, the Homeless Shelter is desirous of accepting these funds and using them for these purposes.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton is hereby authorized to accept said funds and to execute any agreements or other documents necessary to effectuate the purposes of this award.

The communication was received on the Consent Calendar and the resolution adopted.

#### 6 – RESOLUTION – Acquisition of Storm Drainage Easements on Shore Road

Mr. Nolan asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Public Works and the property owner. Mayor Boughton so ordered and appointed Council Members Cavo, Calandrino and Saadi to the committee.

#### 7 – COMMUNICATION – Appointments to the Fire Department

Letter from Mayor Boughton requesting confirmation of the appointment of David P. Kirkwood as Lieutenant in the Fire Department and the appointment of James D. Doran as Dispatcher in the Fire Department.

Ms. Stanley made a motion to receive the communication and confirm the appointment of David P. Kirkwood as Lieutenant in the Fire Department. Seconded by Mr. Urice. Motion carried unanimously. Ms. McMahon made a motion to confirm the appointment of James D. Doran as Dispatcher in the Fire Department. Seconded by Mr. Visconti. Motion carried unanimously.

#### 8 – COMMUNICATION – Appointment as Assistant Animal Control Officer

Letter from Mayor Boughton requesting confirmation of the appointment of Craig Simone as Assistant Animal Control Officer.

Mr. Seabury made a motion to receive the communication and confirm the appointment of Craig Simone as the Assistant Animal Control Officer. Seconded by Mrs. Basso. Motion carried unanimously.

9 – COMMUNICATION – Appointment as Police Officer

Letter from Mayor Boughton requesting confirmation of the appointment of Keith Leggiadro as a police officer in the Danbury Police Department.

Mr. Urice made a motion to receive the communication and confirm the appointment. Seconded by Mrs. Basso. Motion carried unanimously.

10 – COMMUNICATION – Reappointments to the Commission on Aging

Letter from Mayor Boughton requesting confirmation of the reappointments to the Commission on Aging for Thomas Quinn and Seth Sanford for terms to expire October 1, 2005, James Derwin and Sharon Kelly for terms to expire October 1, 2006 and John Dzurik for a term to expire October 1, 2004 and the reappointment of Helen Miller as a alternate member for a term to expire October 1, 2004.

The reappointments were confirmed on the Consent Calendar.

11 – COMMUNICATION – Appointments as Youth Advisors to the Youth Commission

Letter from Mayor Boughton requesting confirmation of the appointments of Jason Caloras, Nyron Crawford, Lindsay Damici, Bindiya Patel, Leah Dvorkin, Samantha Vazquez, and Edward Simao as Youth Advisors to the Youth Commission. The appointments were confirmed on the Consent Calendar.

12 – COMMUNICATION – Appointment of Government Entities Review and Evaluation Committee

Letter from Mayor Mark Boughton requesting confirmation of Council Members Pauline Basso, Louise McMahon and Kevin Barry and Public Members Mark Chory and Alan Boyce to the Governmental Entities Review and Evaluation Committee. The appointments were confirmed on the Consent Calendar.

13 – COMMUNICATION – Donations to the Youth Commission

Letter from Robert C. Melillo requesting permission to accept donations from the Amber Room, Domino's Pizza and A & P Super Foodmart for a Youth Town Forum to be held February 19-20, 2004. Ms. Payton made a motion to receive the communication, accept the donations and send letters of thanks. Seconded by Mr. Nagarsheth. Motion carried unanimously.

14 – COMMUNICATION – Donation to the Blight Busters Program

Letter from Mayor Mark D. Boughton requesting permission to accept professional services for the design, production and installation of graphics for the Blight Busters Program from Robert McNiff of RJM Group. Mr. Steinerd made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Urice. Motion carried unanimously.

15 – COMMUNICATION – Donation to the Fire Department

Letter from Fire Chief Peter Siecienski requesting permission to accept a donation in the amount

of \$500 from J. P. Maguire Associates to assist the fire marshals in attending a Spring 2004 conference. Mr. Nagarsheth made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

16 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Susan Tomanio Turner requesting permission to accept donations in the total amount of \$625.00 for use by the Danbury Senior Center. Mr. Cavo made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Ms. Saracino. Motion carried unanimously.

17 – COMMUNICATION – Donation to the Ives Trail

Letter from Coordinator of Environmental & Occupational Health Services requesting permission to accept a donation in the amount of \$20,000 from the Housatonic Valley Council of Elected Officials for the purpose of assisting the Ives Trail Task Force. Mr. Bingaman made a motion to receive the communication, accept the donation, and send a letter of thanks. Seconded by Mr. Seabury. Motion carried unanimously.

18 – COMMUNICATION & CERTIFICATION – Public Buildings Budget

Request from William Buckley requesting funds in the amount of \$101,000 to be transferred to Public Buildings Department due to the severe winter. The funds are needed due to efforts in regard to snow removal at the various schools and public buildings that the City is responsible for. A certification of funds was attached.

The communication was received and the transfer of funds authorized on the Consent Calendar.

19 – COMMUNICATION & CERTIFICATION – Snow Removal Budget

Request from Director of Public Works William Buckley requesting funds in the amount of \$134,000 to replenish overtime salaries, leased equipment and blades & chains as a result of the severe winter. A certification of funds was attached.

The communication was received and the transfer of funds authorized on the Consent Calendar.

20 – COMMUNICATION – Tarrywile Park Authority Master Plan

Mr. Cavo asked that this be deferred to a public hearing. Mayor Boughton so ordered.

21 – COMMUNICATION – Request for Sewer Extension – 6 Hollandale Road

Mr. Cavo asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Trombetta, Burns and Barry to the committee.

22 – COMMUNICATION – Report from Police Chief regarding Main Street

Report from Chief Paquette recommending that a "right turn only" sign be posted at the edge of the driveway onto Main Street. Regarding Kimberly Place he suggested four ways to improve an

operator visibility. However, the Chief pointed out that Main Street is a State Highway and under supervision of the state.

Mr. Seabury made a motion to receive the report and request that the Chief follow up with the DOT to conduct a study. Seconded by Ms. Saracino. Motion carried unanimously.

23 – REPORT & ORDINANCE – An Ordinance Amending An Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget

Mrs. Basso submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on January 26, 2004 in the Common Council Chambers.

Ms. Saracino made a motion to recommend adoption of the ordinance amending an ordinance appropriating \$500,000 for public improvements in the 2003-2004 Capital Budget and authorizing the issuance of \$500,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. Seconded by Mr. Bingaman. Motion carried unanimously.

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$500,000 FOR PUBLIC IMPROVEMENTS IN THE 2003-2004 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. Section 1 of the ordinance entitled "An Ordinance Appropriating \$500,000 For Public Improvements in the 2003-2004 Capital Budget And Authorizing the Issuance of \$500,000 Bonds of the City to meet said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings For Such Purpose" adopted by the City Council on May 6, 2003 (the "Ordinance") is hereby amended by:

(i) reducing the appropriation for "Homeless Shelter Renovations" by \$83,500 from \$84,500 to \$1,000; and

(ii) adding new appropriations for the following projects:

"Repair Heating at Mill Ridge Intermediate School - \$20,366  
Replace Heating at Rogers Park Middle School Gym - \$30,000  
Roof Repairs at Beaver Brook Administration Center - \$10,000, and  
Police Headquarters Renovations - \$23,134"

Section 2. Section 6 of the Ordinance shall be applicable to the appropriations added by this amendment as of the date of adoption of such amendment.

The Report was received on the Consent Calendar and the Ordinance adopted.

24 – REPORT & RESOLUTION – Windaway Road II Sanitary Sewer Extensions

Mrs. Basso submitted the following report:

The Common Council met as a committee of the whole on January 26, 2004 in the Common Council Chambers.

Ms. Saracino made a motion that the final assessments for the Windaway Road II Sanitary Sewer Extension be approved. Seconded by Mr. Barry. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury caused a sewer line to be installed known as the Windaway Road Phase II Sanitary Sewer; 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 April 3, 2004, 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 Windaway Road Phase II Sanitary Sewer:

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 ONE THOUSAND ONE HUNDRED SIXTY FOUR and 30/100 (\$1,164.30) DOLLARS.
3. The interest on any deferred payments hereunder shall be due at a rate per annum of 4.85 percent. 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 assessment shall be filed in the Town Clerk's Office on February 11, 2004. An appeal to the superior court from such assessment must be taken with 21 days of

such filing.

The report was received on the Consent Calendar and the final assessments for the Windaway Road Sanitary Sewer Extensions adopted.

#### 25 – REPORT – Request for Sewer Extension on Eagle Road

Mr. Esposito submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Eagle Road met on January 14, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Esposito, Saadi and Basso. Also in attendance were Director of Public Works William Buckley and Council Member Saracino, ex-officio.

Mr. Esposito noted that the Planning Commission had issued a positive recommendation. Mr. Buckley stated that this is the Eagle Pencil site. The existing building will be demolished. A home improvement center will be built on the site, as well as an extension to Loew's Theater. A small retail store will be build in front of the theater. He recommended approval subject to the required eight steps, as well as a ninth step addressing abandonment of existing water lines and easements.

Mr. Saadi made a motion to recommend approval of the request subject to the required eight steps, with a ninth step outlining abandonment of existing water and sewer lines and easements as determined by the City Engineer. Seconded by Mrs. Basso. Motion carried unanimously.

The report was received on the Consent Calendar and the request for sewer and water extensions on Eagle Road, including the ninth step outlined by the committee for abandonment of existing lines and easements approved.

#### 26 – REPORT – Olive Street and Tilden Road Sanitary Sewer Assessments

Mr. Nolan submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in City Hall.

Mr. Buckley explained that the assessments are based on four components: area, frontage, zoning and assessed value. The results of this survey were 13 in favor, 7 opposed and 7 did not respond. Ms. Diorio explained the financing process.

Mr. Saadi made a motion to recommend that the department be authorized to proceed with the project. Seconded by Mrs. Basso. Motion carried unanimously.

The report was received on the Consent Calendar and the Public Works Department authorized to move forward with the project.

#### 27 – REPORT – Backus Avenue Preliminary Sewer Assessments

Mr. Nolan submitted the following report:

The Common Council met as a committee of the whole immediately following the above public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Buckley noted that the survey showed eight in favor and 3 opposed. Mr. Buckley explained the history of the request. Mr. Nolan asked if there are any health concerns and Mr. Buckley said he does not believe there are any outstanding orders.

Mr. Saadi made a motion to recommend to the Common Council that the department be authorized to proceed with this project. Seconded by Ms. Saracino. The motion carried with Council Members Burns, Visconti, Urice, Nolan and Nagarsheth voting in the negative.

Mr. Seabury made a motion to receive the report and authorize the Public Works Department to move forward with the project. Seconded by Ms. Payton. Motion carried with Council Members Visconti, Nolan and Nagarsheth voting in the negative.

#### 28 – REPORT – Carolyn Avenue and Nancy Drive Area Sewer Assessments

Mr. Nolan submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Buckley explained that no assessment would be levied against the farmland. Mr. Buckley explained that the Rockwell Road project was a state project in response to a comment during the public hearing. Mr. Buckley explained that Elizabeth and Albers Roads were not included in the original petition. They were included because the project was going right by.

The two houses on the corner of Elizabeth Road would have to be included. The survey was eight no and one yes on Elizabeth. A discussion followed on the cost of hookup and connection fees.

Mr. Saadi made a motion to recommend that the Common Council authorize the department to proceed with the project. Seconded by Mr. Cavo. Ms. Saracino offered an amendment to remove Elizabeth Road and Albers Road from the project, Seconded by Mr. Urice. Motion to amend, carried with Mr. Esposito voting in the negative.

Main motion, as amended, carried unanimously.

Mr. Steinerd made a motion to receive the report and authorize the Public Works Department to move forward with the program. Seconded by Mr. Visconti. Motion carried unanimously.

#### 29 – REPORT – Iraqi Township Program

Mr. Riley submitted the following report:

The Common Council Committee appointed to review the Iraqi Township Program met on January 20, 2004 at 6:00 P.M. in the Third Floor Caucus Room. In attendance were committee members Riley, Calandrino and Esposito. Also in attendance were Mayor Mark Boughton, Theresa and Emile Buzaid, Council Members Urice, Seabury, Barry, Teicholz, McMahon, Basso and Saracino, ex-officio and members of the public.

Mr. Riley stated that the charge of the committee was to review an Iraqi Township Program. He stated that this idea originated with Mr. and Mrs. Buzaid's son, Emile III and this humanitarian effort is admirable. Precedent was set so that you could give humanitarian help even at a time when conflict was going on at the end of World War II when the remaining Nazi were not giving up their arms and fighting as insurgents even after the army had surrendered. There are major veterans organizations in town that may be happy to see if we can align veterans groups or other organizations to begin work on this noble cause.

Mr. Buzaid said that his son's battalion had left and is now in Ur. Mr. Riley said that perhaps we could send a letter of accomplishment congratulating the battalion for its efforts. Mr. Calandrino asked what other units are in that town and we should find out who the new commander is and go from there. Mr. Esposito said that since we do not have a contact person, it is a moot point. Mayor Boughton suggested that his office contact the 101<sup>st</sup> Airborne Outreach Office and ask to be directed to a needy village in the name of Captain Buzaid and send a letter from his office.

Mr. Esposito made a motion to recommend that the Mayor's Office contact the 101<sup>st</sup> Airborne Outreach Office directly. Seconded by Mr. Calandrino. Motion carried unanimously.

Mrs. Basso made a motion to receive the report and adopt its recommendations. Seconded by Mr. Esposito. Motion carried unanimously.

### 30 – REPORT – Bear Mountain Cottage Lease

Mr. Saadi submitted the following report:

The Common Council Committee appointed to review the Bear Mountain Cottage Lease met on January 20, 2004 in the Third Floor Caucus Room in City Hall. In attendance were committee members Saadi, Basso and Trombetta. Also in attendance were Deputy Corporation Counsel Eric Gottschalk and Director of Parks and Recreation Robert Ryerson.

Mr. Saadi stated that charge of the committee was to review the Bear Mountain Cottage lease and certain lease issues in general. Mr. Saadi asked Attorney Gottschalk if it would be appropriate to change the licensing agreement for the Bear Mountain Cottage to a lease agreement to conform to all other property leases. Attorney Gottschalk said it could not be done because the Federal governmental granted the Bear Mountain property to the City with an understanding that it would not be leased. They determined that it should be called a licensing agreement.

Attorney Gottschalk said that the last license was with Mark Williams from the Police Department. He requested the opportunity to leave due to changes in his personal life. Officer McColgan is now in the cottage on a month-to-month tenancy, although nothing has been signed. The license agreement was to have been for three years. Officer McColgan is there until January 31, 2004. Mr. Saadi asked if there is any objection to having a license of a shorter duration? No one objected. Mr. Ryerson recommended that a public safety officer be given preference. Mr. Trombetta asked if a fire official could be considered and Mr. Ryerson said yes.

Mr. Saadi suggested that the current licensing agreement remain, except that it be made a one-year agreement with the current tenant given the option to renew. The concern is that a standard procedure be followed no matter what the reason for the vacancy. Mr. Saadi said he

would like a list of all those who apply to be attached to the agreement when it comes before the Common Council.

Mr. Saadi said he would entertain a motion to make the license agreement in effect for one year, with the current tenant given the option to renew; the Personnel Department shall post notice of the availability of City owned dwellings for rent via e-mail and hard copy to all City employees no less than seven days prior to the deadline for submission of rental applications; the Personnel Department shall give preference to public safety personnel when licensing the Bear Mountain Cottage and all leases submitted to the Common Council shall include a document setting forth the names of all persons, in addition to the recommended lessee, that submitted applications pursuant to the required notice. Mrs. Basso so moved. The motion was seconded by Mr. Trombetta and passed unanimously.

The report was received on the Consent Calendar and the licensing agreement for the Bear Mountain Cottage as proposed was approved.

### 31 – REPORT & ORDINANCE – Blight Ordinance

Mr. Nolan submitted the following report:

The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Saadi read the report. Mrs. Basso made a motion to receive the report and adopt the ordinance. Seconded by Mr. Visconti. Mr. Saadi offered the following amendment, seconded by Ms. Saracino:

(f) For purposes of this subsection, the term "new buyer or purchaser" shall mean an individual(s) or entity that shall have purchased the premises pursuant to an arms length transaction, verified to the satisfaction of the City in the remediation application specified in subsection (d) hereof, and may not include immediate family members or the prior owner (including but not limited to spouses, children, siblings or parents) or sham transfers. The City shall make all determinations with respect to the viability and the acceptability of any new buyer for the proposed benefits and the purposes of this subsection and the Common Council may, in its review of remediation applications, waive such of the restrictions referred to in this section as it may deem prudent and in the best interests of the City of Danbury.

Blight Inspector Larry Miguel stated that he does not think this is a good ordinance. There are outstanding fines of over \$20,000. Mr. Saadi stated that his amendment defines what a new buyer or purchaser is. Mr. Calandrino asked if the individuals that own blighted properties are tax delinquents as a rule. Ms. Diorio said she did not have that information. Mr. Miguel said several owners are behind on taxes. Mr. Nolan stated that this ordinance was initiated by the Mayor's Office last year. It is a tool for neighborhood revitalization.

After further discussion, Mr. Visconti moved the question. Seconded by Mr. Saadi. Motion carried unanimously. The amendment carried with the members voting as follows:

Yes – Calandrino, Saadi, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Teicholz, Nagarsheth

No – McMahon, Burns, Trombetta, Barry, Visconti, Steinerd, Payton, Riley, Stanley

10 Yes – 9 No

Mrs. Payton stated that if someone owes, they should pay. There is no guarantee that these properties can be sold. Mr. Cavo asked if the City ever stops fining a property? Mr. Miguel stated that once the fine is imposed it is never lifted. Mrs. Saracino noted that there is an application process that gives some measure of control over who we grant this waiver to.

Mr. Barry said the purpose is to see what would effectuate the remediation of the property quickly. Mr. Urice said this gives away a lot of tax money.

Mr. Cavo moved the question. Seconded by Mrs. Saracino. Motion carried unanimously. Main motion, as amended, carried with members voting as follows:

Yes – Calandrino, Saadi, Barry, Esposito, Nolan, Saracino, Cavo, Teicholz, Nagarsheth, Stanley

No – McMahon, Burns, Trombetta, Visconti, Steinerd, Urice, Basso, Payton, Riley

10 Yes – 9 No

Be it ordained by the Common Council of the City of Danbury:

Sec. 10-86. Authority for fines; enforcement, appeal and hearing procedure; lien on property; waiver of fines and release of lien upon remediation by new buyer; tax assessment increase deferral for other than present owner.

(a) In accordance with authority set forth in Connecticut General Statutes section 7-148(c)(7) (H) as may be amended from time to time, a fine of one hundred (\$100.00) dollars is prescribed for each day of violation, the period of such violation being deemed to commence in accordance with section 10-85 hereof.

(b) The collection of fines imposed and costs assessed shall be subject to the appeal and hearing procedure set forth in Section 12-35 of the Code of Ordinances of the City of Danbury.

(c) In accordance with authority set forth in Connecticut General Statutes section 7-148aa, may be amended from time to time, any unpaid fine imposed pursuant to the provisions of this Article shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by law and shall take precedence over all other liens filed after July 1, 1997, and encumbrances, except taxes, and may be enforced in the same manner as property tax liens.

(d) As an incentive toward the full remediation of residential property designated blighted by the blight inspector, a purchaser or a prospective purchaser of such blighted property may make application to the City of Danbury for a waiver of fines and release of lien imposed in accordance with the provisions of this section. Said application shall specify the time frame of the sale and the proposed remediation. The applicant, once approved for this program, shall agree to execute an agreement which shall specify the time frame for remediation (which remediation shall occur within six months of closing of title), the specific improvements to be made, that the applicant shall maintain the property as owned occupied for a term of at least three (3) years from the date of remediation approval and that the applicant understands that

such waiver or release shall only occur upon full remediation and approval of same by the blight inspector.

(e) In addition to the incentive proposed in subsection (d) hereof, a purchaser or proposed purchaser of residential property, may avail themselves of the tax deferral benefits set forth in City of Danbury Ordinance section 18-25, as may pertain to blighted residential property, except that the requirement of owner occupancy need not be required where said purchaser or prospective purchaser is eligible for and executes an agreement qualifying for tax deferral benefits pursuant to said Ordinance Section 18-25.

(f) For purposes of this subsection, the term "new buyer" or "purchaser" shall mean an individual(s) or entity that shall have purchased the premises pursuant to an arms length transaction, verified to the satisfaction of the City in the remediation application specified in subsection (d) hereof and may not include immediate family members of the prior owner (including, but not limited to spouses, children, siblings or parents) or sham transfers. The City shall make all determinations with respect to the viability and the acceptability of any new buyer for the proposed benefits and the purposes of this subsection and the Common Council may, in its review of remediation applications, waive such of the restrictions referred to in this section as it may deem prudent and in the best interests of the City of Danbury.

18-25. Deferral of assessment increase attributable to construction or improvements.

(b)(1)The applicant proposes to use the construction of improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, or for warehouse, storage or distribution use or, if the real property is located within the Downtown Redevelopment Area, the applicant proposes to use the construction or improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, retail, or for warehouse, storage or distribution use.

(d)(2) For proposed construction or improvements to permanent residential use property, which property has been designated blighted pursuant to Sec. 10-81 et. seq. of this Code, which value not less than twenty five thousand dollars (\$25,000.00) not more than fifty (50%) percent of such increased assessment may be deferred for a period of not more than three (3) years.

Ms. Saracino made a motion to receive the report and adopt the Ordinance. Seconded by Mr. Bingaman. Motion carried with Council Members Trombetta, Visconti, Urice, Steinerd and Payton voting in the negative.

32 – COMMUNICATION – Pending Litigation

Mr. Nolan made a motion to move this to the end of the agenda. Seconded by Mrs. Basso. Motion carried unanimously.

33 – DEPARTMENT REPORTS – Fire Chief, Police Chief, Fire Marshall, Public Works, Parks and Recreation, Department of Elderly Services, Permit Center, Health and Housing, Welfare Department.

Mr. Nolan made a motion to receive the department report and waive the reading as all members have copies, which are on file in the clerk's office for public inspection. Seconded by

Mrs. Basso. Motion carried unanimously.

34 – Mr. Nolan made a motion to add item 34, resolution concerning the casino. Seconded by Mr. Cavo. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in December of 2001 in response to published reports, the City of Danbury announced its firm opposition to the possible construction of a casino in Danbury; and

WHEREAS, since that time the City of Danbury has led a consortium of area municipalities opposed to the creation of a casino anywhere within the region; and,

WHEREAS, the tribal acknowledgement decision announced by the Bureau of Indian Affairs on January 29, 2004 has heightened the possibility that a casino may be constructed in the area; and,

WHEREAS, casinos generate increased traffic congestion and criminal activity overburdening police and fire protection and increasing demands upon social service providers; and,

WHEREAS, under federal law once land has been taken into trust, casinos can be constructed without regard to local land use, zoning, environmental, health and safety, labor and other state and local rules and regulations; and,

WHEREAS, the construction of a casino within the city or the region, threatens the economic and social environment of the city and is therefore incompatible with the best interests of its resident.

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF DANBURY and the Boughton Administration remain unalterably opposed to the construction of a casino within the City of Danbury or anywhere in the Danbury area and will actively oppose the creation of such a facility.

Mr. Nolan made a motion to receive the communication and adopt the resolution. Seconded by Mr. Bingaman. After discussion, Ms. Saracino moved the question. Seconded by Mrs. Basso. Motion carried with Council Members Saadi, Barry and Visconti voting in the negative.

Main motion carried unanimously.

At 8:25 P.M. Mr. Nolan made a motion to enter into executive session to discuss item 32. Seconded by Ms. Saracino. Motion carried unanimously.

At 8:52 P.M. the Common Council reconvened in open session. In attendance at the executive session, in addition to the Common Council Members, were Mayor Mark Boughton, Corporation Counsel Robert Yamin, Deputy Corporation Counsel Eric Gottschalk, Assistant Corporation Counsel Les Pinter, Director of Finance Dena Diorio and Director of Public Works William Buckley.

Mr. Saadi made a motion to authorize Mayor Boughton and the Corporation Counsel to execute all necessary documents as outlined in executive session. Seconded by Mr. Nolan. Motion carried unanimously.

Mayor Boughton extended all committees.

There being no further business to come before the Common Council a motion was made by Mr. Barry at 8:54 P.M. for the meeting to be adjourned.

Respectfully submitted,

\_\_\_\_\_  
JIMMETTA L. SAMAHA  
Clerk

ATTEST:

\_\_\_\_\_  
MARK D. BOUGHTON  
Mayor

Last Updated: Tuesday, Feb 17, 2004

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Danbury City Hall: 155 Deer Hill Avenue, Danbury, CT 06810 Phone: 203.797.4500





**CITY OF DANBURY**  
**DEPARTMENT OF PERMIT COORDINATION**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**Sean P. Hearty**  
**DIRECTOR**

**(203) 797-1653**  
**FAX:(203) 797-4586**

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**MEMORANDUM**

---

**DATE:**           **January 28, 2004**

**TO:**             Hon. Mark D. Boughton  
                    Hon. Members of the Common Council

**Re:**             **Ordinance 6-02**

Attached please find proposed modifications to Section 6-02 of the Code of Ordinances. This proposed change seeks to collect fees for cost over runs and change orders that occur during the normal building process. This will affect projects wherein the actual cost of the work exceeds \$150,000.00. Please make this change consistent with your normal procedures. Please call if I may be of any additional assistance to you.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT Subsections 6-02(a), and 6-02(c) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

#### Sec. 6-02. Amendment of Connecticut Basic Building Code.

##### (a) Fees generally:

- (1) In accordance with the provisions of Section 29-252-112.3.1 of the Connecticut Basic Building Code, before receiving a building permit the owner or his agent shall pay a fee in accordance with the following schedule and based on the value of the work to be performed:

<i>Valuation of Work</i>	<i>Fee</i>
For single and multi-family residential structures below one thousand dollars (\$1,000.00) in value	Twenty two dollars (\$22.00)
One thousand dollars (\$1,000) and above	Twenty two dollars (\$22.00) for the first one thousand dollars (\$1,000.00) in value plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00) or part thereof
For commercial and industrial structures	Eighteen dollars (\$18.00) per one thousand dollars (\$1,000.00) or part thereof
For separate permits, available at the option of the owner, covering mechanicals, electrical, plumbing, heating and air conditioning, sprinklers, chimneys and fireplaces	Five dollars (\$5.00) for each one hundred dollars (\$100.00) in value up to one thousand dollars (\$1,000.00) plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00)

No application for a building permit shall be processed without payment of the foregoing fees. If after the filing of an application for a building permit a change is made to the scope of the work to be performed which affects the value of the work, a new fee shall be calculated. Any increase in fee shall be paid prior to the issuance of a building permit unless a building permit has already been issued, in which case said increased fee shall be paid prior to the issuance of a certificate of occupancy. Any decrease in fee resulting from a change in the work shall be refunded in accordance with the provisions of subsection (e) hereof.

- (2) Prior to the issuance of a Certificate of Occupancy wherein the actual cost of the work exceeds one hundred fifty thousand dollars (\$150,000.00) the owner or his agent shall submit an affidavit stating the owner's actual cost of the work. The fee previously calculated and paid in accordance with the provisions of this subsection shall then be recalculated based on the actual cost of the work. Any increase in fee attributable to the difference between the estimated value of the work and the actual cost thereof shall be paid prior to the issuance of a Certificate of Occupancy. Any decrease in the fee attributable to the difference between the estimated value of the work and the actual cost thereof shall be reimbursed to the owner.
- (3) The fee established in paragraph 6-02(a)(1) shall cover the eight (8) inspections specified herein or so many thereof as are required or applied for on any particular project. Required inspections, to the extent applicable, include:
- Soil conditions
  - Footing drains and waterproofing
  - Rough electrical
  - Rough plumbing
  - Framing
  - Insulation



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

---

Be it ordained by the Common Council of the City of Danbury:

- g. Gas or oil burner
- h. Final; including, but not limited to, electrical, plumbing, fire divisions and exits.

Additional inspections shall be performed for an additional fee of dollars (\$33.00) per inspection. Each separate trip to the site shall be deemed to be a separate inspection. Such additional fees shall be due and payable prior to the issuance of a certificate of occupancy. The holder of a valid building permit may request that some or all of the foregoing inspections be performed outside of normal business hours. The Danbury building official may authorize performance of such inspections outside of normal business hours if appropriate personnel are available to provide such service. No certificate of occupancy shall be issued to any permit holder for whom inspections have been performed outside of normal business hours until the permit holder has paid a fee to cover the additional expense incurred by the city in connection with such inspections. All such fees shall be in an amount equal to the wages paid to personnel performing said inspections.

- (c) "Value of work," "Actual cost of the work" and "Actual cost of demolition" defined. As used in subsections (a) and (b) hereof, the phrases, "Value of work," "Actual cost of the work" and "Actual cost of demolition" shall mean and include the entire cost to the owner of construction, alteration, repair or demolition and shall include the value of all materials and labor used.

## COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Subsections 6-02(a), and 6-02(c) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

### Sec. 6-02. Amendment of Connecticut Basic Building Code.

#### (a) Fees generally:

- (1) In accordance with the provisions of Section 29-252-112.3.1 of the Connecticut Basic Building Code, before receiving a building permit the owner or his agent shall pay a fee in accordance with the following schedule and based on the value of the work to be performed:

<i>Valuation of Work</i>	<i>Fee</i>
For single and multi-family residential structures below one thousand dollars (\$1,000.00) in value	Twenty two dollars (\$22.00)
One thousand dollars (\$1,000) and above	Twenty two dollars (\$22.00) for the first one thousand dollars (\$1,000.00) in value plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00) or part thereof
For commercial and industrial structures	Eighteen dollars (\$18.00) per one thousand dollars (\$1,000.00) or part thereof
For separate permits, available at the option of the owner, covering mechanicals, electrical, plumbing, heating and air conditioning, sprinklers, chimneys and fireplaces	Five dollars (\$5.00) for each one hundred dollars (\$100.00) in value up to one thousand dollars (\$1,000.00) plus eleven dollars (\$11.00) for each additional one thousand dollars (\$1,000.00)

No application for a building permit shall be processed without payment of the foregoing fees. If after the filing of an application for a building permit a change is made to the scope of the work to be performed which affects the value of the work, a new fee shall be calculated. Any increase in fee shall be paid prior to the issuance of a building permit unless a building permit has already been issued, in which case said increased fee shall be paid prior to the issuance of a certificate of occupancy. Any decrease in fee resulting from a change in the work shall be refunded in accordance with the provisions of subsection (e) hereof.

- (2) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY WHEREIN THE ACTUAL COST OF THE WORK EXCEEDS ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) THE OWNER OR HIS AGENT SHALL SUBMIT AN AFFIDAVIT STATING THE OWNER'S ACTUAL COST OF THE WORK. THE FEE PREVIOUSLY CALCULATED AND PAID IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION SHALL THEN BE RECALCULATED BASED ON THE ACTUAL COST OF THE WORK. ANY INCREASE IN FEE ATTRIBUTABLE TO THE DIFFERENCE BETWEEN THE ESTIMATED VALUE OF THE WORK AND THE ACTUAL COST THEREOF SHALL BE PAID PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. ANY DECREASE IN THE FEE ATTRIBUTABLE TO THE DIFFERENCE BETWEEN THE ESTIMATED VALUE OF THE WORK AND THE ACTUAL COST THEREOF SHALL BE REIMBURSED TO THE OWNER.

- (23) The fee established in paragraph 6-02(a)(1) shall cover the eight (8) inspections specified herein or so many thereof as are required or applied for on any particular project. Required inspections, to the extent applicable, include:

- a. Soil conditions
- b. Footing drains and waterproofing
- c. Rough electrical
- d. Rough plumbing
- e. Framing
- f. Insulation
- g. Gas or oil burner
- h. Final; including, but not limited to, electrical, plumbing, fire divisions and exits.

Additional inspections shall be performed for an additional fee of dollars (\$33.00) per inspection. Each separate trip to the site shall be deemed to be a separate inspection. Such additional fees shall be due and payable prior to the issuance of a certificate of occupancy. The holder of a valid building permit may request that some or all of the foregoing inspections be performed outside of normal business hours. The Danbury building official may authorize performance of such inspections outside of normal business hours if appropriate personnel are available to provide such service. No certificate of occupancy shall be issued to any permit holder for whom inspections have been performed outside of normal business hours until the permit holder has paid a fee to cover the additional expense incurred by the city in connection with such inspections. All such fees shall be in an amount equal to the wages paid to personnel performing said inspections.

(c) "Value of work," "ACTUAL COST OF THE WORK" and "actual cost of demolition" defined. As used in subsections (a) and (b) hereof, the phrases, "value of work," "ACTUAL COST OF THE WORK" and "actual cost of demolition" shall mean and include the entire cost TO THE OWNER of construction, alteration, repair or demolition and shall include the value of all materials and labor used.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.



2

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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## M E M O R A N D U M

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**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** **RESOLUTION – DANBURY YOUTH SERVICES**  
**DATE:** January 27, 2004

---

Attached for your review is a resolution that will enable the City of Danbury, Danbury Youth Services to accept funding from the State of Connecticut, Department of Education. This would make the 27<sup>th</sup> year of funding. The Danbury Youth Services would use these funds to support Youth and Family Counseling, Crisis Intervention, and Substance Abuse Prevention. The City of Danbury is eligible to receive up to \$75,000. The local match is funded by the City of Danbury's appropriation to Danbury Youth Services.

The Common Council is requested to consider this resolution at its next meeting.

If you have any questions, or require any further information, please contact my office at 203-797-4652.

Attach.

cc: Kim Enteadó



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 200\_

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, grant funds in an amount not to exceed seventy five thousand dollars (\$75,000.00) are available from the State of Connecticut Department of Education for 2004-05 Youth Services Bureau operations; and

**WHEREAS**, the continuation of the Youth Services Bureau for the twenty-seventh year is deemed to be in the best interest of the City of Danbury.

**NOW, THEREFORE, BE IT RESOLVED THAT** the actions of Mark D. Boughton as Mayor of the City of Danbury, in applying for these funds be and hereby are ratified and that Mayor Boughton be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$75,000.00 for a Youth Service Bureau for the fiscal period commencing July 1, 2004.

**BE IT FURTHER RESOLVED THAT** the Mayor is authorized to execute any and all documents, applications or other pertinent instruments to this program.



DANBURY YOUTH SERVICES, INC.

91 West Street, Danbury, Connecticut 06810  
(203) 748-2936 • FAX (203) 797-8568  
www.danbury.org/dys

RECEIVED  
FINANCE

JAN 26 2004

To: Honorable Mark Boughton, Mayor  
Honorable Members of the Danbury Common Council

From: James J. Walsh  
Executive Director

*JJW*

Date: January 26, 2004

Subject: Resolution for State of Connecticut  
Department of Education (SDE) Grant-in-Aid

Attached please find a draft resolution that will enable our agency, via the City of Danbury, to apply for Connecticut State Department of Education funding for the 2004-2005 fiscal year.

The grant, not to exceed \$75,000, will be the twenty seventh year that we will get funds for the following programming:

Youth and Family Counseling      Crisis Intervention      Substance Abuse Prevention

We will use part of our City of Danbury appropriation for the local match.

I would appreciate it if this resolution was put on the February or March 2004 consent calendar.

If you have any questions, please contact me at 748-2936.

Thank you for your support.

Cc: Eric Gotschalk, Corp. Counsel Office  
Vincent P. Nolan Jr., Common Counsel  
Jean A. Natale, City Clerk  
Dena Diorio, Director of Finance  
Grants Administrator  
File Copy



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

February 3 \_\_\_\_\_ A. D., 2004

**RESOLVED** by the Common Council of the City of Danbury:

**WHEREAS**, grant funds in an amount not to exceed seventy five thousand dollars (\$75,000.00) are available from the State of Connecticut Department of Education for 2004-05 Youth Services Bureau operations; and

**WHEREAS**, the continuation of the Youth Services Bureau for the twenty-seventh year is deemed to be in the best interest of the City of Danbury.

**NOW, THEREFORE, BE IT RESOLVED THAT** the actions of Mark D. Boughton as Mayor of the City of Danbury, in applying for these funds be and hereby are ratified and that Mayor Boughton be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$75,000.00 for a Youth Service Bureau for the fiscal period commencing July 1, 2004.

**BE IT FURTHER RESOLVED THAT** the Mayor is authorized to execute any and all documents, applications or other pertinent instruments to this program.



# 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

---

**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *ld*  
**RE:** BIOTERRORISM RESPONSE PREPAREDNESS GRANT  
**DATE:** January 27, 2004

---

Attached for your review is a resolution, which would allow the City of Danbury, through the Connecticut Department of Public Health, to provide for the assessment of local health emergency response capability, development of response plans, and training of department staff. The total grant amount is \$84,543 with no local match required. I have included for your review the budget for this grant.

The Common Council is requested to consider this resolution at its next meeting.

If you have any questions, or require any further information, please contact my office at 203-797-4652.

Attach.

cc: W. Campbell



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 200\_\_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Department of Public Health has made grant funds available to local health departments to provide for the development of local and regional Public Health Preparedness and Response plans concerning bioterrorism, the exercise of related drills, the development of local communication resources, and the training of local health department staff, for the period of August 31, 2003 through August 30, 2004; and

WHEREAS, for the time period of August 31, 2003, through August 30, 2004, grant funds not to exceed \$84,543.00, requiring no local match, will be made available to the Danbury Health and Housing Department for a Bioterrorism Public Health Preparedness and Response Grant; and

WHEREAS, the Danbury Health and Housing Department will provide the planning, drills, communication, resources, and training services called for in the Grant.

NOW THEREFORE, BE IT RESOLVED THAT, Mark D. Boughton, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, is authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding the application are hereby ratified.

BE IT FURTHER RESOLVED THAT, Mayor Mark D. Boughton is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts/agreements or amendments thereof, which do not require expenditure of City funds, with the Connecticut Department of Public Health regarding said grant, and to take all actions necessary to accomplish the purposes of the grant.

## **IMPACT STATEMENT**

### **Fiscal Year 2003-2004 Bioterrorism Public Health Preparedness and Response Grant**

#### **Program Impact:**

This grant requires that Department of Health & Housing develop a local public health response plan. Accordingly, the department must provide, in the order listed, the following deliverables:

- (1) Develop and submit to the Connecticut Department of Public Health (DPH) a plan for securing the supplies necessary to initially operate a mass smallpox vaccination clinic for the City of Danbury.
- (2) Provide a list of volunteers for Danbury's mass vaccination response team.
- (3) Submit to DPH a Public Health Response Plan for the city and participate in the development of a regional plan.
- (4) Acquire the supplies listed in item #1 and assure and identify an Internet service provider for the department.
- (5) Execute an exercise of the Public Health Response Plan and submit a written evaluation.
- (6) Participate in regional planning activities and in the exercise of the regional plan.
- (7) Require staff to participate in training, evaluate the need for additional training and submit a training needs report to DPH
- (8) Prepare a report on the development and future enhancement of a fully functional local Health Alert Network (HAN).
- (9) Execute an exercise of Danbury's smallpox mass vaccination plan and submit a written evaluation.
- (10) Submit a revised smallpox mass vaccination plan.

#### **Fiscal Impact:**

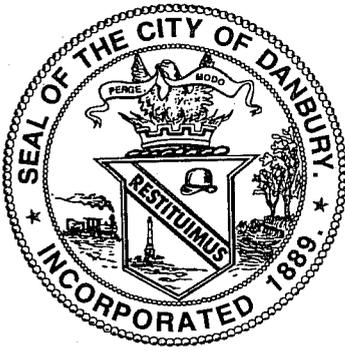
The implementation of the proposed grant will be conducted through existing staff with the assistance of part time, temporary staff and/or consultants. The grant is providing funding for audit and grant administration costs. Termination of funding will not have a direct fiscal impact on the city.

#### **Anticipated Grant Lifetime:**

This grant has a funding period of August 31, 2003 through August 30, 2004.

**2003-2004 Bioterrorism Agreement**  
**DPH Log # 2004-1070**  
(August 31, 2003 – August 30, 2004)

<u>Description</u>	<u>Budget</u>
Regular Salary-W. J. Campbell	\$ 2,000
Regular Salary-J. S. Kozuchowski	7,200
Regular Salary-M.S. Bonjour	2,000
Regular Salary-S. T. LeRoy	3,100
Regular Salary-J.M. Mead	3,800
Regular Salary-T.S. Saleski	<u>1,400</u>
<b>Total Regular Salaries</b>	<b>\$19,500</b>
Overtime Salaries	\$ 1,000
Part Time Salaries	13,860
Fringe Benefits	4,304
Professional Services	33,093
Communication Services	390
Postage	500
Travel/Mileage	1,000
Training Courses	2,000
Conferences	500
Subscriptions-Memberships	250
Printing & Binding	500
Legal & Public Notices	400
Internet	735
Medical Supplies (Smallpox clinic ancillary supplies)	3,129
Administrative Fee	1,691
Audit	1,691
<b>GRANT TOTAL</b>	<b>\$84,543</b>



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 200\_

**RESOLVED** by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Department of Public Health has made grant funds available to local health departments to provide for the development of local and regional Public Health Preparedness and Response plans concerning bioterrorism, the exercise of related drills, the development of local communication resources, and the training of local health department staff, for the period of August 31, 2003 through August 30, 2004; and

WHEREAS, for the time period of August 31, 2003, through August 30, 2004, grant funds not to exceed \$84,543.00, requiring no local match, will be made available to the Danbury Health and Housing Department for a Bioterrorism Public Health Preparedness and Response Grant; and

WHEREAS, the Danbury Health and Housing Department will provide the planning, drills, communication, resources, and training services called for in the Grant.

NOW THEREFORE, BE IT RESOLVED THAT, Mark D. Boughton, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, is authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding the application are hereby ratified.

BE IT FURTHER RESOLVED THAT, Mayor Mark D. Boughton is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts/agreements or amendments thereof, which do not require expenditure of City funds, with the Connecticut Department of Public Health regarding said grant, and to take all actions necessary to accomplish the purposes of the grant.



4

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: January 27, 2004

SUBJECT: Recreational Trails Grant

---

Attached for your review is a resolution that will enable the City of Danbury to accept funding from the Connecticut Department of Environmental Protection through the National Recreational Trail Act Program. The funds will be used to install two educational trail sections for the Ives Trail in southern Danbury.

The total amount of the grant is \$25,000 and a 20% local match is required. The local match will come from the donation received from the Housatonic Valley Council of Elected Officials.

I am requesting that the Common Council consider this request at its February meeting. If you require any additional information, please feel free to contact me. Thank you.

C: Jack Kozuchowski  
Kim Enteadó

## **Impact Statement**

### ***Tea 21 Recreational Trails Grant for the Ives Trail***

This grant application is being submitted to the Connecticut Department of Environmental Protection (DEP) for funding through the federal "Tea 21" National Recreational Trail Act program. The request is for a budget not to exceed \$30,000 for the construction of additional work to install two educational trail sections for the Ives Trail in southern Danbury. This grant application is specifically for the construction costs of two short sections of trail, commemorating the Danbury composer, Charles Ives.

***Financial Reporting Requirements.*** The grant manager from the DEP has indicated that there will be no financial reporting requirements for this grant.

***Financial Impact.*** There is a 20% local matching share for this project. The Housatonic Valley Council of Officials is providing a \$20,000 donation to the City for planning and construction related activities for the Ives Trail. A minimum of \$6,000 will be used for the Charles Ives memorial pathways, as the City's matching share for this grant.

***Budget.*** The \$30,000 budget estimate, stated above is broken out as follows:

Handicap accessible surface for Ives Home Museum :	\$15,000.
Kiosks for signs:	\$ 1,000
Education signs	\$ 2,000
Music display board	\$ 5,000
Sign posts/directional markers for Ives Trail	\$ 2,000
Trail clearing expenses	<u>\$ 5,000</u>
TOTAL	\$30,000

***Grant Administration / Audit Fees.*** The grant manager from the DEP has indicated that internal administrative costs, such as the Audit and Grant Administration Fees are ineligible expenses for this grant program.

***Council Resolution.*** A resolution from the Common Council, authorizing our application for this grant and the execution of a Service Agreement with DEP is needed. Since the grant application is due February 16, a Resolution for the February meeting of the Council is requested. A sample resolution is attached.

***Project Benefits.*** This grant application will help to provide momentum for the efforts to create the multi-municipal Ives Trail through southern Danbury, and to provide the public with the opportunity to establish a site for residents to learn about and appreciate the music of Danbury's native composer.



## 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 is directing an effort to create a multi-municipal Greenway, known as the Ives Trail, that would connect Tarrywile Park, Wooster Mountain State Park, and open space areas in the Towns of Bethel and Ridgefield; and

**WHEREAS**, Mark D. Boughton, Mayor of the City of Danbury, has appointed the "Ives Trail Task Force" to direct the effort toward creating the Ives Trail; and

**WHEREAS**, the Ives Trail Task Force has identified the opportunity to create two subsections of the trail that would be dedicated to Danbury's native composer Charles Ives; and

**WHEREAS**, the creation of these two sections of the trail would require funding for trail surfacing, educational signs and audio display boards of the music of Charles Ives; and

**WHEREAS**, the Connecticut Department of Environmental Protection is soliciting proposals from municipalities for development of passive recreation trails, by its February 15, 2004 deadline.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Danbury authorizes the application for up to \$30,000 of funding to the Connecticut Department of Environmental Protection's recreational Trails Grant program and authorizes the Mayor to enter into a contract with the State of Connecticut for the use and administration of these funds, if awarded.



5

# 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

---

**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *deuor*  
**RE:** RESOLUTION – FEMA FUNDS – HOMELESS SHELTER  
**DATE:** January 27, 2004

---

Attached for your review is a resolution, which would allow the City of Danbury's Emergency Homeless Shelter to accept a \$1,000 award from FEMA for the purchase of supplies for the City's shelter. No local match is required.

The Common Council is requested to consider this resolution at its next meeting.

If you have any questions, or require any further information, please contact my office at 203-797-4652.

Attach.

cc: D. MacKenzie



## 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 (FEMA), has awarded \$1,000.00 to Danbury's Homeless Shelter for the purchase of supplies: and

**WHEREAS**, the Homeless Shelter is desirous of accepting these funds and using them for these purposes.

**NOW, THEREFORE, BE IT RESOLVED THAT** Mayor Mark D. Boughton is hereby authorized to accept said funds and to execute any agreements or other documents necessary to effectuate the purposes of this award.



**CITY OF DANBURY**  
**DEPARTMENT OF WELFARE & SOCIAL SERVICES**

**TELEPHONE**  
**(203) 797-4569**

**155 DEER HILL AVENUE**  
**DANBURY, CONNECTICUT 06810**

**FACSIMILE**  
**(203) 797-4566**

**To:** Dena Diorio  
Kim Enteado ✓  
**Fr:** Deborah MacKenzie  
**Re:** FEMA Funds  
**Date:** 1/20/04

On January 13<sup>th</sup> I received the FEMA application package. Usually we apply for FEMA funds to purchase consumable supplies for the shelter.

The application is due 1/21/04. Decisions on funding requests will be made on 1/29/04.

All of these activities fall outside the Common Council deadlines.

A resolution is needed. I've made changes to last years that you may want to forward to Corporation Council.

I've attached the completed application and the forms that the Mayor will need to sign and forward to the United Way of Northern Fairfield County.

Thank you,

Debbie MacKenzie

**RECEIVED**  
**FINANCE DEPT.**  
**JAN 22 2004**

**EMERGENCY SHELTER** 796-1661  
**JOB SEARCH ASSISTANCE** 796-1650

**MEDICAL BENEFITS COUNSELING** 797-4567  
**EMERGENCY AID NETWORK** 797-4566



**Application For Funding  
Emergency Food and Shelter Program  
Phase 22**

**Local Board – Northern Fairfield County**

Name of Agency: City of Danbury Homeless Shelter

Street Address: 41 New Street

City: Danbury State: CT Zip: 06810 Telephone: (203) 796-1580

Tax ID # \_\_\_\_\_ Total Amount Requested: \$1,000.00

Are you set up for electronic funds transfer with FEMA?  yes  no

Activity to be provided:

Purchase of consumable supplies for the City's Emergency Shelter for  
Homeless Adults. Supplies are critical to the daily operation of the  
shelter.

	\$Amount
A. Served Meals	_____
B. Other Food	_____
C. Mass Shelter	_____
D. Other Shelter	_____
E. Supplies/Equipment	<u>1,000</u>
F. Emergency Repair/To Meet Code	_____
G. Rent/Mortgage	_____
H. Utility Assistance	_____
I. Administration	_____
J. Total Requested	_____

Please describe your ability to provide food, shelter or both:

City of Danbury has owned, operated and maintained an emergency  
shelter for 11 plus years. We provide night time and daytime  
services.

Person completing application

<u>Deborah MacKenzie</u>	<u>Director of Social Services</u>	<u>1/20/04</u>
Name	Title	Date

Application Approved by (if other than person completing):

_____	_____	_____
Name	Title	Date

**Deadline for Submission - 4:00 p.m. Wednesday, January 21, 2004**

Amount Approved: \$ \_\_\_\_\_

Date Approved: \$ \_\_\_\_\_

# LOCAL RECIPIENT ORGANIZATION CERTIFICATION FORM

(To be retained by Local Board)

As a recipient of Emergency Food and Shelter National Board Program funds made available for Phase 22 and as the duly authorized representative of \_\_\_\_\_, I certify that my public or private organization: \_\_\_\_\_ (Name of LRO)

- Has the capability to provide emergency food and/or shelter services;
- Will use funds to supplement and extend existing resources and not to substitute or reimburse ongoing programs and services;
- Is nonprofit or an agency of government;
- Has an accounting system or fiscal agent approved by the Local Board and will pay all vendors by LRO check only from their agency's checking account;
- Will conduct an independent annual audit if receiving \$25,000 or more in EFSP funds;
- Understands that cash payments (including petty cash) are not eligible under EFSP;
- Has a Federal Employer Identification Number (FEIN);
- Practices non-discrimination (LROs with a religious affiliation will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds);
- Has a voluntary board if private not-for-profit;
- Will comply with the Phase 22 Responsibilities & Requirements Manual, particularly the Eligible and Ineligible Costs section, and will inform appropriate staff or volunteers of EFSP requirements;
- Will provide all required reports to the Local Board in a timely manner; (e.g., 2<sup>nd</sup> Payment/Interim and Final Reports);
- Will expend monies only on eligible costs and keep complete documentation (copies of canceled LRO checks – front and back, invoices, receipts, etc.) on all expenditures for a minimum of three years after end of program;
- Will spend all funds and close-out the program by my jurisdiction's selected end-of-program date and return any unused funds to the National Board (\$5.00 or more; make checks payable to United Way of America/Emergency Food and Shelter National Board Program);
- Will provide complete documentation of expenses to the Local Board, if requested, no later than one month following my jurisdiction's selected end-of-program date;
- Will comply with the Office of Management and Budget Circular A-133, if expending \$500,000 or more in Federal funds;
- Will comply with lobbying prohibition certification and disclosure of lobbying activities if receiving more than \$100,000 in EFSP funds, if applicable; and,
- Has no known EFSP compliance exceptions in this or any other jurisdiction.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

LRO ID#: \_\_\_\_\_

FEIN#: \_\_\_\_\_

Address: \_\_\_\_\_

---

# FISCAL AGENT/FISCAL CONDUIT AGENCY RELATIONSHIP CERTIFICATION FORM

*(To be retained by Local Board and Fiscal Agent/Fiscal Conduit)*

As a recipient (through the fiscal agent/conduit noted below) of Emergency Food and Shelter National Board Program funds made available for Phase 22 and as the duly authorized representative of \_\_\_\_\_, I certify that my public or private agency:

(NAME OF AGENCY)

- Has the capability to provide EFSP services;
- Will use funds to supplement and extend existing resources and not to substitute or reimburse ongoing programs and services;
- Is nonprofit or an agency of government;
- Has fiscal agent/fiscal conduit approved by the Local Board:  
\_\_\_\_\_ (Name of Fiscal Agent/Fiscal Conduit)
- Practices non-discrimination (if an LRO with a religious affiliation, will not refuse service to an applicant based on religion, nor engage in religious proselytizing in any program receiving EFSP funds);
- Has a Federal Employer Identification Number (FEIN);
- Has a voluntary board if private not-for-profit;
- Will comply with the Phase 22 Responsibilities & Requirements Manual, particularly the Eligible and Ineligible Costs section, and will inform appropriate staff or volunteers of EFSP requirements;
- Will provide all required information to the Fiscal Agent/Fiscal Conduit;
- Will incur expenses for eligible program costs and will submit complete documentation on all expenditures to the Fiscal Agent/Fiscal Conduit for payment;
- Will spend all funds and close-out the program by my jurisdiction's selected end-of-program date and return any unused funds to the National Board (\$5.00 or more; make checks payable to United Way of America/Emergency Food and Shelter National Board Program); and
- Has no known EFSP compliance exceptions in this or any other jurisdiction.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

LRO ID#: \_\_\_\_\_

FEIN #: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

# **CERTIFICATION REGARDING LOBBYING**

## Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid by or on the behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, contribution, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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LRO Name:

Local Board ID# and LRO ID#:

---

Name/Signature:

Date:

NOTE: Standard Form LLL and instructions are available from the National Board office.



# 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 (FEMA), has awarded \$1,000.00 to Danbury's Homeless Shelter for the purchase of supplies; and

**WHEREAS**, the Homeless Shelter is desirous of accepting these funds and using them for these purposes.

**NOW, THEREFORE, BE IT RESOLVED THAT** Mayor Mark D. Boughton is hereby authorized to accept said funds and to execute any agreements or other documents necessary to effectuate the purposes of this award.



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

January 22, 2004

PLEASE REPLY TO:  
4 Moss Avenue  
DANBURY, CT 06810  
(203) 744-7090

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

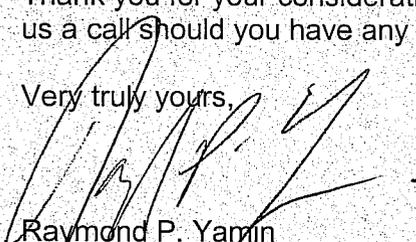
Re: Acquisition of storm drainage easements on Shore Road

Dear Mayor and Council:

The attached resolution proposes to renew the April 8, 2003 Council Resolution approving the acquisition of storm drainage easements on Shore Road. Easements have been acquired from three of the four property owners by negotiation. However, we have been unable to negotiate acquisition of the final easement from the remaining property owner. We are therefore requesting that the attached Resolution be approved so that we may accomplish the acquisition of the final easement.

Thank you for your consideration in adopting the proposed Resolution. Please feel free to give us a call should you have any questions.

Very truly yours,

  
Raymond P. Yamin  
Associate Corporation Counsel

RPY:la  
Enclosure



# CITY OF DANBURY

OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON  
MAYOR

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

February 2, 2004

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

I hereby submit for your confirmation the following appointment to the position of Lieutenant within the Danbury Fire Department:

David P. Kirkwood  
6 Eagle Drive  
New Milford, CT 06776

Firefighter Kirkwood, a graduate of Newtown High School and the State University of New York at Oswego, joined the Danbury Fire Department in 1987. David has numerous course certificates, unit citations and letters of commendation and recently served as Acting Lieutenant for the last year.

I also submit for your confirmation the following appointment to the position of Dispatcher within the Danbury Fire Department:

James D. Doran  
38½ Stevens Street  
Danbury, CT 06810

"Doug" is a Danbury native with twenty-five years of service to the Danbury Fire Department. Firefighter Doran has several letters of commendation, is a certified State of Connecticut Dispatcher, a Certified Emergency Medical Dispatcher and has recently served the Danbury Fire Department as a substitute dispatcher.

Thank you for your consideration of these appointments.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Boughton".

Mark D. Boughton  
Mayor



8

# CITY OF DANBURY

OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON  
MAYOR

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

January 26, 2004

Honorable Members of the Common Council  
City of Danbury

Dear Council Members:

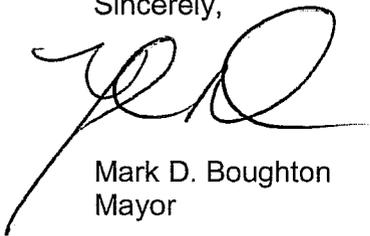
I hereby submit for your confirmation the appointment of the following individual to the position of Assistant Animal Control Officer within the Danbury Police Department:

Craig Simone  
93 Park Avenue  
Danbury, CT 06810

Mr. Simone is a Danbury native. He is currently a Special Police Officer in the Patrol Division in the Police Department for the City of Danbury.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton  
Mayor

MDB/ecc



9

# CITY OF DANBURY

OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON  
MAYOR

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

January 26, 2004

Honorable Members of the Common Council  
City of Danbury

Dear Council Members:

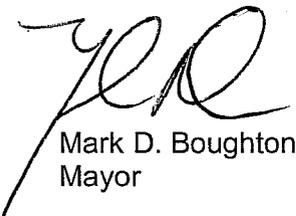
I hereby submit for your confirmation the appointment of the following individual to the position of Police Officer within the Danbury Police Department:

Keith P. Leggiadro  
34 Sunset Drive  
North Salem, NY 10560

Mr. Leggiadro is a New York native. He has worked as a Police Officer for the City of New York since March 2000. He also has worked as a Park Ranger for the Westchester County Police Department in Hawthorne, New York. Mr. Leggiadro is a certified Medical Response Technician.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton  
Mayor

MDB/ecc



10

# CITY OF DANBURY

OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON  
MAYOR

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

January 28, 2004

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

I hereby submit for your confirmation the reappointment of the following individuals as Members of the Commission on Aging:

Thomas Quinn (Chairman) [D]  
93 Old Boston Post Road  
Danbury, CT 06810  
Term Expire – October 1, 2005

Seth Sanford [R]  
258 Forty Acre Mountain Road  
Danbury, CT 06811  
Term Expire – October 1, 2005

James Derwin [U]  
68 Golden Hill Road  
Danbury, CT 06811  
Term Expire – October 1, 2006

Sharon Kelly [R]  
38 Stadley Rough Road  
Danbury, CT 06811  
Term Expire – October 1, 2006

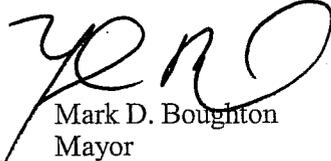
John Dzurik [D]  
16 Berkshire Drive  
Danbury, CT 06811  
Term Expire – October 1, 2004

I also submit for your confirmation the reappointment of the following individual as an Alternate Member of the Commission on Aging:

Helen Miller [D]  
26 Myrtle Avenue  
Danbury, CT 06810  
Term Expire – October 1, 2004

The City of Danbury is fortunate to have such dedicated volunteers willing to continue their service on the Commission on Aging. Thank you for your consideration of these appointments.

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

January 28, 2004

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

I am pleased to submit the following students for your confirmation as Youth Advisors to the Danbury Youth Commission:

Jason Caloras  
11 Coach Hill Drive  
Danbury, CT 06811  
D.H.S. – Grade 12

Nyron Crawford  
14 Midfield Road  
Danbury, CT 06810  
D.H.S. – Grade 12

Lindsay Damici  
257 Middle River Road  
Danbury, CT 06810  
D.H.S. – Grade 10

Bindiya Patel  
24 Maplecrest Drive  
Danbury, CT 06811  
D.H.S. – Grade 12

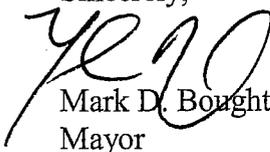
Leah Dvorkin  
26 Killian Drive  
Danbury, CT 06811  
D.H.S. – Grade 12

Samantha Vazquez  
21 Sil-Cam Drive  
Danbury, CT 06811  
Broadview M.S. – Grade 7

Edward Simao  
5-C Oak Lane  
Danbury, CT 06811  
H.A.T.S. – Grade 10

The Danbury Youth Commission reviewed many applications and provided these recommendations based on interviews and personal references. Thank you for your consideration of these appointments. We welcome the opportunity to engage our Youth Advisors in the upcoming Youth Town Forum scheduled for February 19-20, 2004.

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

January 28, 2004

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

In accordance with Section 2-176 of the Code of Ordinances, it is necessary at this time of year to engage in the review of government entities scheduled for June 30, 2004. The agencies of the City to be reviewed are the City of Danbury Cultural Commission, the Commission on Aging and the Parking Authority of the City of Danbury.

Therefore, I submit the appointment of Council Members Pauline Basso, Louise McMahon and Kevin Barry to serve on the Government Entities Review Committee. Additionally, I request your confirmation of the appointment of the following citizens to this panel:

Alan T. Boyce ( R )  
8 Lawncrest Road  
Danbury, CT 06810

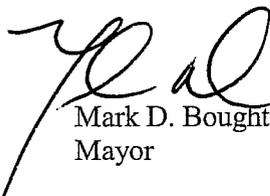
Mr. Boyce is a Danbury native and is employed by the Crompton Corporation of Middlebury as their Manager of Financial Consolidation. He is President of Citizen Hose Company # 6 and a past president of the Immanuel Lutheran Church.

Mark S. Chory ( D )  
25 Stone Street  
Danbury, CT 06810

Mr. Chory is a native of Danbury and is employed as a Vice President of NewMil Bank. He has been active in our community as a past member of the Board of Education, a member of the Danbury Parking authority, the Wooster Hose Company #5 and the Lebanon-American Club.

Thank you for your cooperation.

Sincerely,



Mark D. Boughton  
Mayor



## Danbury Youth Commission

155 Deer Hill Avenue  
Danbury, CT 06810

Robert C. Melillo, Chairman

January 27, 2004

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

Dear Mayor Boughton and Members of the Common Council:

The Youth Commission has been offered the following donations to help with the needs associated with conducting a youth town forum on February 19-20, 2004:

The Amber Room Colonnade, Stacy Road, Danbury, has offered the use of their facility. This donation is valued at \$2000.

Domino's Pizza, 36 Tamarack Ave, Danbury, have offered to donate 10 large pizzas. This donation is valued at \$120.70.

A & P Super Foodmart, 1 Padanaram Road, Danbury, has offered to donate a six-foot sub. This donation is valued at \$54.00.

The members of the Youth Commission ask that these generous donations be accepted at the February meeting of the Common Council.

If you require further information please do not hesitate to contact me.

Respectfully submitted,

Robert C. Melillo  
Chairman



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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

January 28, 2004

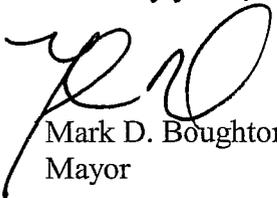
Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

A local business owner, Robert McNiff of RJM Group, 36 Mill Plain Road, Danbury, CT 06811 has graciously donated professional services to the City of Danbury for the design, production and installation of graphics for the "Blight Busters" program. RJM Group will provide graphics for Public Works vehicles involved in our blight cleanup efforts. The value of this donation is \$2,200.

The City of Danbury "Blight Busters" program will have a major public relations effort in the Spring to promote neighborhood cleanup activities and to help deter illegal dumping. "Blight Busters" will join Civic Radar and CityScan as part of a comprehensive effort to improve the appearance and quality of life in our great city.

Sincerely yours,



Mark D. Boughton  
Mayor

15

# CITY OF DANBURY

FIRE DEPARTMENT

19 NEW STREET

DANBURY, CONNECTICUT 06810

Peter Sicienski  
Fire Chief

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

January 28, 2004

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.

**1. J.P. Maguire Associates Inc. – Five Hundred Dollars (\$500)**

This donation was made to assist our Fire Marshals in attending a Spring 2004 conference.

I would ask that this generous donation be accepted at the February meeting of the Common Council and funds be deposited in Fire Department line item 2010.5322 conferences.

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

Respectfully submitted,



Peter J. Sicienski,  
Fire Chief



16

# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES  
COMMISSION ON AGING

**Danbury Senior Center**  
Elmwood Hall  
10 Elmwood Place  
(203) 797-4686

**Municipal Agent**  
80 Main Street  
(203) 796-1513

January 23, 2004

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

Dear Mayor Boughton and Members of the Common Council:

The following donations of \$ 625.00 have been sent to the Department of Elderly Services - Danbury Senior Center.

Filosa Convalescent Home	\$ 25.00
Almost Family	\$ 25.00
The Homestead at Newtown	\$ 25.00
Laurel Ridge	\$ 25.00
Lion's Club	\$ 25.00
James & Alexander Ogle	\$ 500.00

Kindly approve of these gifts and the transfer of the total amount to line item 5002-5311 Professional Services. Thank you.

Respectfully,

Susan Tomanio Turner, LCSW  
Director of Elderly Services

cc: Deana Diorio  
Director of Finance

JAMES ALEXANDER OGLE  
VIRGINIA W. OGLE  
BOX 277  
MENDENHALL, PA 19357

62-9/311

7839

DATE 12/24/03

PAY TO THE ORDER OF

City of Danbury

\$ 500.00

Five hundred and 00/100

DOLLARS

Security Features Included. Details on Back.



WILMINGTON TRUST  
Wilmington, Delaware

MEMO

Dept. of Elderly Services

James Alexander Ogle

⑆03⑆⑆00092⑆⑆⑆054 8683⑆⑆ 7839

0 BELIEVE WALLET OR DUPLICATE SAFETY PAPER

Lion's Club Luncheon c/o  
HELENE V. THOMPSON  
JOSEPH B. THOMPSON  
13 NORTH LAKESHORE DRIVE  
BROOKFIELD, CT 06804

51-7218/2211  
0210115764

4449

DATE 12.12.03

PAY TO THE ORDER OF

Danbury Senior Center

\$ 25.00

Twenty five only

DOLLARS

Security Features Included. Details on Back.

people's bank  
peoples.com

MEMO

Helene Thompson

⑆22⑆⑆72⑆⑆86⑆⑆ 02⑆ 0⑆⑆5764⑆⑆ 4449

0 BELIEVE WALLET OR DUPLICATE SAFETY PAPER

ORIGINAL DOCUMENT PRINTED ON CHEMICAL RESISTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

LAUREL RIDGE HEALTH CARE  
642 DANBURY ROAD  
RIDGEFIELD, CT 06877

Fleet www.fleet.com  
Hartford, CT

0007215

51-57/119

CHECK NO. CHECK DATE VENDOR NO.

01/08/04 901348

PAY

TWENTY-FIVE AND 00/100 DOLLARS\*\*\*\*\*

CHECK AMOUNT

\$\*\*\*\*\*25.00

TO THE ORDER

DANBURY SENIOR CENTER  
90 MAIN ST

THE HOMESTEAD AT NEWTOWN, LLC

RT. 6 166 MT. PLEASANT ROAD  
NEWTOWN, CT 06470  
(203) 426-8118

DATE 1/12/04

51-7218-2211

PAY TO THE ORDER OF

Danbury Senior Center

\$ 25.00

Twenty five dollars and 00/100

DOLLARS Security Features Included. Details on Back.

**people's bank**  
peoples.com

FOR

Entertainment

*Dana J. Paul*

⑈001142⑈ ⑆221172186⑆ 095 7003154⑈

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD TO LIGHT TO VIEW.

249886

**ALMOSTfamily**

9510 Ormsby Station Road, Suite 300  
Louisville, KY 40223  
(502) 899-5355

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

DATE 12/3/2003  
AMOUNT \*\*\*25.00

Void after 90 days

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

TO THE ORDER OF DANBURY SENIOR CENTER  
DANBURY

*Wilber J. Smith*

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

⑈249886⑈ ⑆044115443⑆ 616285748⑈

FILOSA CARE CENTER  
DBA HANCOCK HALL/OPERATING A/C

31 STAPLES STREET  
DANBURY, CT 06810

3844

51-57/119

PAY TO THE ORDER OF

Danbury Senior Center

DATE 12/16/03

\$ 25.00

Twenty five and 00/100

DOLLARS Security Features Included. Details on Back.

**Fleet**  
04718 www.fleet.com  
Hartford Office  
Hartford, Connecticut 06115

*Frank Mabe Ph.D.*

FOR

⑈003844⑈ ⑆011900571⑆ 94175 47678⑈



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: Honorable Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance *Dena*

DATE: January 23, 2004

**CERTIFICATION**

SUBJECT: Donation from HVCEO – Ives Trail

Pursuant to the attached request from Jack Kozuchowski, Coordinator of Environmental and Occupational Health Services, I hereby certify the availability of \$20,000 to be transferred to the following line item:

9100.7000.281 – Ives Trail Greenway      \$20,000

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

C: Jack Kozuchowski, Coordinator of Environmental and Occupational Health Services



**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**

**HEALTH AND HOUSING DEPARTMENT**  
**155 DEER HILL AVENUE**

**(203) 797-4625**  
**FAX (203) 796-1596**

January 22, 2004

To: Dena Diorio, Finance Director

From: Jack Kozuchowski, Coordinator of Environmental & Occupational Health Services

Re: Donation from HVCEO

The City of Danbury has received a donation from the Housatonic Valley Council of Elected Officials of \$20,000 (attached) for the purpose of assisting the Ives Trail Task Force in technical planning studies and issues related to the creation of the Ives Trail Greenway that will link open space areas in Bethel, Danbury and Ridgefield.

I respectfully request that this donation offer be placed on the February agenda of the Common Council to accept the funds, on behalf of the City of Danbury.

Please let me know if you have any questions on this matter.

  
\_\_\_\_\_  
Jack Kozuchowski

cc: Mayor Mark Boughton  
Michael McLachlan  
Kim Enteadó

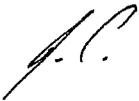
enclosure

Old Town Hall  
Routes 25 & 133  
Brookfield, CT



[www.hvceo.org](http://www.hvceo.org)  
Fax 203-740-9167  
Phone 203-775-6256

TO: Jack Kozuchowski, Environmental Director

FROM: Jonathan Chew, HVCEO Director 

DATE: January 21, 2004

RE: Disbursement of Housatonic  
Valley Tourism Commission  
\$80,000 deposited at HVCEO

As you know at its meeting on 1/16/2004 HVCEO voted to forward \$20,000 of the above total to your office, for use in the City's Ives Trail planning effort.

This amount is enclosed. The attached minutes document the decision.

HVCEO's staff, mapping program and data resources will be pleased to assist your planning efforts in any way possible.

In our area EMS providers who transport the ill and injured are volunteer based, except for Danbury and Ridgefield which are municipally based. Mr. Corrigan explained that substantial programs exist to help obtain and then train EMS volunteers, these provided at no cost to local government.

#### **USE OF FUNDS FROM THE HOUSATONIC VALLEY TOURISM COMMISSION**

It was noted that at the October meeting the Council had voted to accept \$80,000 in HVTC funds into the budget and to then act as the disbursement agent. The contract signed was included in the agenda package, along with a proposal by HVCEO staff for \$20,000 for Ives Trail planning as a regional project for use of some of the funds.

Jim Bellano of HVEDP also distributed an application for use of the funds, for \$25,000 for continued support of the Housatonic Valley Classic bike race. While the contract with HVTD for the funds suggested town by town distribution, there was a lengthy discussion of just how to best utilize the \$80,000 available.

The consensus that emerged was that larger rather than smaller projects would be more cost-effective and do more to attract economic activity and visitors. Three promotional and visitor generating projects, rather than nine, were suggested, as follows:

1) For the City of Danbury's economic development initiative and related promotional materials, \$35,600 to the Mayor's Office; 2) To the HVEDP office for use in sponsoring and managing the upcoming Housatonic Valley Classic Bike Race, \$24,400; 3) For the City of Danbury as a regional contribution to Ives Trail development planning (connecting Ridgefield, Danbury and Bethel), \$20,000 to the Danbury Health Department.

After further discussion, and on a motion made by Rudy Marconi and seconded by Alice Hutchinson, the above distribution of the \$80,000 by staff to the three projects listed above was unanimously approved.

#### **SELECTION OF TOPICS FOR ANNUAL LABOR SEMINAR**

A discussion on this topic was held with Attorneys Catherine Thompson and Rosanne Padula of Sullivan, Schoen. Topics are to include health care in retirement, health cost increases, and others.

#### **NOMINATING COMMITTEE REPORT**

The nominating committee, composed of Herb Rosenthal, Natalie Ketcham and Peggy Katkocin, gave their report as to proposed 2004 officers. The recommended slate was Natalie Ketcham for Chairman, Rudy Marconi for Vice Chairman, and Peggy Katkocin for Secretary-Treasurer. There were no nominations from the floor. Then on a motion made by Alice Hutchinson and a second by Andrea O'Connor, the slate was unanimously elected. Outgoing Chairman Herb Rosenthal was then thanked for his two years of leadership.

#### **OLD BUSINESS, NEW BUSINESS**

Tom Carruthers of Bethel spoke about an upcoming Smart Growth meeting in that Town. Jim Mellett of New Fairfield spoke of environmental issues in the area. There was discussion by members of an upcoming statewide meeting on Lyme's Disease, also Danbury Hospital's request for heart care services.

#### **ADJOURNMENT**

On a vote duly made and seconded the meeting was adjourned at 2:20 PM.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.



**Housatonic Valley Council of Elected Officials**  
OLD TOWN HALL, RT. 25  
BROOKFIELD, CONNECTICUT 06804  
TAX EXEMPT NO. E-5644

EXPLANATION	AMOUNT

51-57/119

2083

PAY AMOUNT OF

*Twenty thousand Dollars*

DOLLARS

CHECK AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER	CHECK AMOUNT
<i>1-20-04</i>	<i>City of Danbury</i>	<i>Ives Trail</i>	<i>2083</i>	<i>\$ 20,000. -</i>

**Fleet** [www.fleet.com](http://www.fleet.com)  
Hartford, CT



THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

⑈002083⑈ ⑆011900571⑆ 00021 34136⑈



18

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance *Dena*

DATE: January 28, 2004

**CERTIFICATION #6**

SUBJECT: Public Buildings Budget

Pursuant to the attached request from William Buckley, I hereby certify the availability of \$101,000 to be transferred from the City's Contingency Account into the following line items in various accounts in the Public Buildings Budget:

3010-5330 – Leased Equipment	\$36,000
3010.5502 – Maintain Buildings	\$50,000
1340.5030 – Overtime	<u>\$15,000</u>
Total	\$101,000

The status of the Contingency Account is as follows:

Budgeted Contingency:	\$850,985
Appropriations to Date:	(\$109,873)
Pending Requests:	(\$134,000)
This Request:	<u>(\$101,000)</u>
Balance in Contingency:	\$506,112

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



# 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 28, 2004

RECEIVED  
FINANCE DEPT

JAN 29 2004

Dena R. Diorio  
Director of Finance  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Request To Replenish Funds/Public Buildings Division of Public Works Department

Dear Ms. Diorio:

As a result of the severe winter and the times that the storms have hit, we are in need of additional funds in the following accounts of the Public Buildings Department of Public Works:

1) Leased Equipment	Account No. 3010.5330	\$36,000.00
2) Maintain Buildings/Schools	Account No. 3010.5502	\$50,000.00
3) Overtime	Account No. 1340.5030	\$15,000.00
Total:		\$101,000.00

The amounts requested in both the leased equipment and the overtime accounts are a direct result of our efforts in regard to snow removal at the various schools and public buildings that we are responsible for. The shortfall in the maintain buildings relative to our schools is a direct result of extraordinary and unexpected repairs to heating systems at various schools. These repairs may in some way be associated with the extraordinarily cold weather that we are experiencing. However, they were unexpected and repairs needed to be made. These monies will be used to carry us through the rest of the year and allow us to maintain our schools at a proper level during that time.

Please add your certification to this request and forward it to Mayor Boughton and the Common Council for their action at the next regularly scheduled meeting of the Common Council. Should you have any questions regarding this request, do not hesitate to bring them to my attention.

Very truly yours,

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

WJB/com

Cc: Mayor Mark D. Boughton  
Richard W. Palanzo





19

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance *Dena*

DATE: January 27, 2004

CERTIFICATION #5

SUBJECT: Snow Removal Budget

Pursuant to the attached request from William Buckley, I hereby certify the availability of \$134,000 to be transferred from the City's Contingency Account into the following line items:

3003.5030 – Overtime	\$100,000
3003.5330 – Leased Equipment	\$25,000
3003.5710 – Blades & Chains	<u>\$9,000</u>
Total	\$134,000

The status of the Contingency Account is as follows:

Budgeted Contingency:	\$850,985
Appropriations to Date:	(\$109,873)
This Request:	<u>(\$134,000)</u>
Balance in Contingency:	\$607,112

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



# 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 23, 2004

Dena R. Diorio  
Director of Finance  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Winter 2003/2004 Projected Cost Overruns

Dear Ms. Diorio:

We are not quite halfway through the winter season and some of our accounts for fighting snowstorms are depleted or very low on funds. The good news is that with respect to sand and salt materials used for fighting snowstorms, we are in fairly good shape at this time and no additional funds are needed for those materials. The bad news, however, is that with respect to overtime salaries we are out of money. We are also very low in funds for storm meals, leased equipment, and blades and chains used for our snowplows.

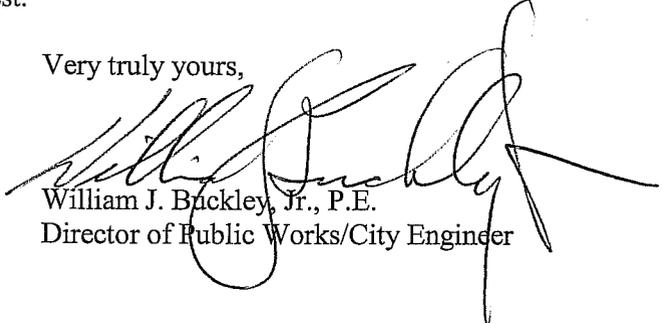
With respect to overtime salaries, the storms this year have mostly hit and involved holidays and weekends when we are required to pay double time to our employees. This has happened more frequently than in past years and has caused us to spend a significant amount of dollars in overtime accounts to fight these storms. Last Sunday, January 11, 2004, our employees worked from about 2:00 a.m. until about 9:00 p.m. That storm alone chewed up about \$35,000 in the overtime account. Of course we had to come in with emergency/reduced crews on Monday and early Tuesday morning.

With that in mind, I am requesting that the following additional funding be allocated to the accounts listed below:

1) Overtime Salaries	Account No. 3003.5030	\$100,000.00
2) Leased Equipment	Account No. 3003.5330	\$ 25,000.00
3) <u>Blades &amp; Chains</u>	<u>Account No. 3003.5710</u>	<u>\$ 9,000.00</u>
Total:		\$134,000.00

I respectfully request that you provide the necessary certification of funds to this letter and forward it to the Common Council for their approval at the February meeting. Please call me if you should have any questions regarding this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Buckley, Jr.", written in a cursive style.

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

WJB/com

cc: Mayor Mark D. Boughton



TARRYWILE  
PARK &  
MANSION

70 Southern Blvd., Danbury, CT 06810

20

203 744-3130

Fax 203 778-3352

E-mail: [tarrywile.mansion@snet.net](mailto:tarrywile.mansion@snet.net)

[www.danbury.org/org/tarry](http://www.danbury.org/org/tarry)

January 27, 2004

DELIVERED BY HAND

Hon. Mark Boughton, Mayor  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Members of the Danbury Common Council  
City Hall  
155 Deer Hill Avenue  
Danbury, CT 06810

**Re: Tarrywile Park Authority Master Plan**

Dear Mayor Boughton and Members of the Common Council:

On behalf of the Tarrywile Park Authority and in accordance with the Code of Ordinances of Danbury, Connecticut, I am pleased to present for your review and approval the formal Master Plan of Tarrywile Park.

This document is a culmination of the experiences and vision of the past and current members of the Tarrywile Park Authority, who have administered this property since its inception in 1989, the guidance and administration of successive City Administrations and Common Councils, the suggestions of numerous community leaders and citizens' groups, representatives of our neighboring communities who have established similar facilities, and most importantly our citizens of Danbury who utilize this Park on a daily basis. The final document attached hereto was developed by utilizing this information together with extensive research through the outstanding efforts of DiDona Associates, our professional advisor.

Tarrywile Park is unique in that it contains within its boundaries beautiful vistas, forests, fields, bodies of water as well as historic structures. The diversity within this Park enables it to serve the needs and desires of numerous groups and interests within our community, which include but are not limited to, hikers, campers, picnickers, school children, educators, charitable groups and citizens who are using the historic community facility known as Tarrywile Mansion.



TARRYWILE  
PARK &  
MANSION

70 Southern Blvd., Danbury, CT 06810

203 744-3130

Fax 203 778-3352

E-mail: [tarrywile.mansion@snet.net](mailto:tarrywile.mansion@snet.net)

[www.danbury.org/org/tarry](http://www.danbury.org/org/tarry)

Hon. Mark Boughton, Mayor

Page - 2 -

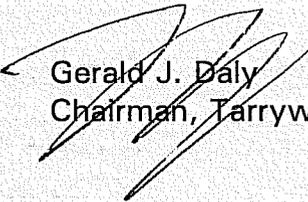
January 27, 2004

Members of the Danbury Common Council

This Master Plan establishes our vision for the future of the Park, which we hope will be adopted by the City of Danbury. It is a comprehensive plan, but in order to be effective, it establishes the need to seek the involvement and cooperation of both Government, private entities and the general public to meet the goals as laid out in this Plan.

We ask for your approval. We look forward to making a formal presentation of this Plan at a scheduled public hearing. As always, the members of the Tarrywile Park Authority, our staff and our professional advisors welcome the opportunity to answer any and all questions you may have concerning this Plan.

Yours very truly,

  
Gerald J. Daly  
Chairman, Tarrywile Park Authority

GJD/pas

COMMON COUNCIL - CITY OF DANBURY

21

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water \_\_\_\_\_

Name of Applicant: Jinsung Park

Address: 6 Hollandale Rd.  
Danbury CT

Telephone: 203-7464152

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

Located at: 6 Hollandale Rd.

Assessors's Lot No. Map Lot G05038 TC Map 4180 TC Lot 26

Zone: RA-40

Intended Use: Retail \_\_\_\_\_ Single Family Residential X  
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 \_\_\_\_\_

[Signature]  
SIGNATURE  
1-29-04  
DATE



22

**CITY OF DANBURY**  
**DANBURY, CONNECTICUT 06810**

**DEPARTMENT OF POLICE**  
**120 MAIN STREET**

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

January 27, 2004

**MEMORANDUM**

**To:** Common Council Members – City of Danbury  
**From:** Chief Robert L. Paquette  
**Subject:** **Traffic Issue – South Main Street**

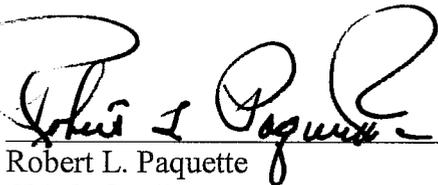
**Reference: Common Council Meeting of January 6, 2004**  
**Subject – South Main Street**

As a result of the above inquiry, Captain Daniel Mulvey, Commander of the Traffic Unit, provided reports (2) dated January 26, 2004 pertaining to the subject issue.

As mentioned in his evaluation, Main Street is a State roadway exclusively under the control of the State Department of Transportation (DOT). I concur with Captain Mulvey's evaluation and recommendations and will formally request the State DOT to consider implementation of his suggestions. In reality, I do not believe the DOT would approve any more drastic changes than those recommended.

I will inform the Council of the DOT's response to this issue when received.

Sincerely,



Robert L. Paquette  
Chief of Police

RLP:ml

# DANBURY POLICE DEPARTMENT TRAFFIC UNIT

To: Chief Robert Paquette  
From: Capt. Daniel Mulvey  
Subject: Main St. – South Street School Driveway  
Date: Monday, January 26, 2004

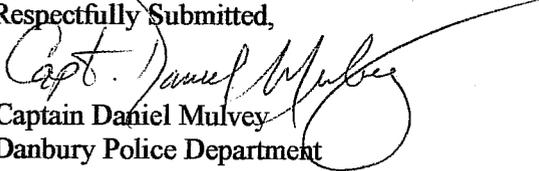
Chief Robert Paquette,

On January 7, 2004 you submitted a letter to me that was addressed to Mayor Mark Boughton. This letter is dated January 6, 2004 and is from Councilman Gregg Seabury. The letter reads that there is a "serious" traffic concern caused by exiting South Street School onto Main St. I do not know what the exact concern is but my guess is there is a problem with buses pulling out and school teachers leaving South Street School. At the present time any vehicle pulling out from this private drive, onto Main Street, can make a right or left hand turn to travel either north or south. If the vehicle makes a right to travel north then one lane of northbound traffic must stop prior to the driveway to allow the vehicle out. If the vehicle makes a left to travel southbound then two lanes of traffic must stop, (one northbound and one southbound). At the present time there is a posted stop sign at the edge of the driveway that regulates the flow of traffic coming out of the driveway. (14-301c) **\*\*\*NOTE THE FOLLOWING: THIS AREA OF MAIN STREET IS MARKED FOR ONLY ONE LANE IN EACH DIRECTION. THE PROBLEM IS THAT IT IS TWO LANES WIDE IN EACH DIRECTION AND IS SOMETIMES USED AS TWO LANES.** This is a problem in the entire city. Operators will make two lanes out of one if the road surface is wide enough.

My suggestion is to post a "Right Turn Only" at the edge of the driveway. This will make it easier for buses and other vehicles to pull out for two reasons: #1 only one legal lane of northbound travel will have to stop, instead of two, #2 there is more of a traffic flow break in the northbound lane because of the traffic control lights located at the intersection of Main and South Streets. This would probably inconvenience some operators but it would be safer than driving across a road surface that is "two" lanes in width on each side. I have attached one color polaroid picture showing this driveway.

Whatever the problem is at this particular driveway and its intersection with Main Street it should be noted that prior to allowing this traffic to travel out onto Main Street a traffic engineer study would have been conducted and the Connecticut State Department of Transportation would have approved of this. This data should be on file at City Hall and with the D.O.T.

Respectfully Submitted,

  
Captain Daniel Mulvey  
Danbury Police Department

# DANBURY POLICE DEPARTMENT TRAFFIC UNIT

To: Chief Robert Paquette  
From: Capt. Daniel Mulvey  
Subject: Main St. – 19 & 51 Main Street Crosswalks.  
Date: Monday, January 26, 2004

Chief Robert Paquette,

On January 7, 2004 you submitted a letter to me that was addressed to Mayor Mark Boughton. This letter is dated January 6, 2004 and is from Councilman Gregg Seabury. The letter reads that there is a "serious" traffic concern caused by exiting South Street School onto Main St. The letter further reads, "This involves the elderly citizens at Kimberly Place, (19 Main). Not knowing what the exact problem is I will guess that the concern is the crosswalks and vehicles not stopping to let pedestrians cross. I will also address 51 Main Street, (Kimberly Place), which is also elderly housing and is also in close proximity to Kimberly Place.

Each complex was built approximately twenty or more years ago. There was, and still is, a painted (white color blocks) crosswalk in front of each complex. I know there have been complaints made through the years of vehicles not stopping to allow pedestrians to cross from the east to west and visa versa. This is a problem in the entire City of Danbury, not just this location. Due to extreme amount of calls for police service throughout the entire City of Danbury and limited manpower, a police officer cannot be placed at this location for any length of time. However I know that there has been periodic traffic enforcement at both crosswalks throughout the years. \*\*\*NOTE THE FOLLOWING: THIS AREA OF MAIN STREET IS MARKED FOR ONLY ONE LANE OF TRAVEL IN EACH DIRECTION. THE PROBLEM IS THAT IT IS TWO LANES WIDE IN EACH DIRECTION AND IS SOMETIMES USED AS TWO LANES. This fact contributes to the difficulty in one trying to cross in these two crosswalks.

I went to both locations and observed that there are yellow warning signs posted on each curb of Main Street, (east & west) at the ends of the crosswalks. The sign has a person standing in a crosswalk painted on them. The views of these signs are not obstructed.

I am going to make four suggestions to improve an operator's visibility of the approaching crosswalks: #1 replace the existing yellow warning signs with lime green warning signs. The lime green crosswalk warning signs are posted on the north and south curbs of White Street along the Western Connecticut State University property. This particular color is highly visibly and can be seen from a farther distance than the conventional yellow color; #2 repaint the existing crosswalks as soon as possible in the spring. The white paint is worn off due to heavy vehicular travel over them; #3 attach the yellow flashing lights on the existing crosswalk signs; #4 periodically assign a Community Services Division police officer, in a marked patrol vehicle, to enforce the crosswalk violations in this area.

# DANBURY POLICE DEPARTMENT TRAFFIC UNIT

The first suggestion could be done in the very immediate future. The second suggestion would have to wait till the spring after the road sand is swept up and it is warm enough to paint a new crosswalk. The third suggestion is the most difficult and is a lengthy process. I will have to send a letter and application to the Department of Transportation in Newington, CT requesting the posting of flashing lights on the existing crosswalk signs. I will need a complaint in letterform from Councilman Gregg Seabury outlining what the exact problem is. Main Street is a State Highway and is regulated by the State D.O.T. They will have to do a Traffic Engineer study. If they approve of the posting of flashing warning lights on the existing crosswalk signs then CL&P will have to run electricity to these signs. There is a cost involved for labor, materials, and the 24/7 flow of electricity to operate the lights. The forth and last suggestion would have to come from the Chiefs or Administrative Captains Office. The CSD does not fall under my chain of command. One of the many responsibilities of a community policing division is the enforcement of violations and the problem solving of citizens in their geographical area of police service. Main Street is one of these areas. They have done this and other enforcement action on other sections of Main Street in the past. I have attached one color polaroid picture of each crosswalk in question.

Respectfully Submitted,



Captain Daniel Mulvey

Danbury Police Department



8

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: Light on Main Street

Dear Mayor and Council Members:

It has been brought to my attention that there is a serious traffic concern caused by exiting South Street School onto Main Street. This also involves the elderly citizens at Kimberly Place.

It is my opinion that a blinking light would alleviate the situation. However, I request that an ad hoc committee be formed to look into other viable options.

Thank you for your consideration of this matter.

Sincerely yours,

Gregg W. Seabury  
Council at Large

**DEPARTMENTAL CORRESPONDENCE**

Bob Paquette

DEPT Chief of Police

Bob Samaha

DEPT Common Council

SUBJECT Referrals - January 2004 Common Council Meeting DATE January 7, 2004

Bob:

Items 8 and 11, attached, have been referred to you for reports back within thirty days.

Thanks -

JLS



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

January 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

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DEPT Chief of Police

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23

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

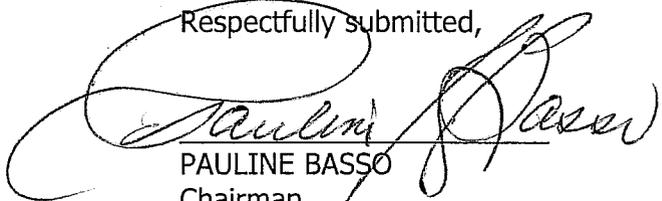
Mayor Mark D. Boughton  
Members of the Common Council

Re: An Ordinance Amending the Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget

The Common Council met as a committee of the whole immediately following a public hearing on January 26, 2004 in the Common Council Chambers.

Ms. Saracino made a motion to recommend adoption of the ordinance amending an ordinance appropriating \$500,000 for public improvements in the 2003-2004 Capital Budget and authorizing the issuance of \$500,000 bonds of the City to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. Seconded by Mr. Bingaman. Motion carried unanimously.

Respectfully submitted,



PAULINE BASSO  
Chairman



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance *Dena*

DATE: December 22, 2003

SUBJECT: Proposed Ordinance for Change of Capital Projects

As part of the FY 2003-2004 Adopted Budget, \$84,500 was included in the capital budget (notes) for renovations to the homeless shelter, in particular to re-level the sunken floor and create a storage area.

The project was reviewed by an engineer who determined that the sunken floor posed no danger to the building or its clients and that there was no reason to undertake the renovations. As a result, we are requesting that these funds be designated to new projects. The attached proposed ordinance reflects the following changes:

Homeless Shelter Renovations:	\$1,000
Repair Heating at Mill Ridge Intermediate:	\$20,366
Replace Heating at Rogers Park Middle School Gym:	\$30,000
Roof Repairs at Beaver Brook Administration Center:	\$10,000
Police Headquarters Renovations:	<u>\$23,134</u>
Total:	\$84,500

The \$1,000 that remains in the Homeless Shelter Renovations project will be used to pay the Engineer for his services.

I am requesting that the proposed ordinance be included on the Common Council's agenda for September. Please feel free to contact me should you require any additional information. Thank you.

C: Bill Buckley, Director of Public Works  
Rick Palanzo, Superintendent of Public Buildings

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$500,000 FOR PUBLIC IMPROVEMENTS IN THE 2003-2004 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. Section 1 of the ordinance entitled "An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the City Council on May 6, 2003 (the "Ordinance"), is hereby amended by:

- (i) reducing the appropriation for "Homeless Shelter Renovations" by \$83,500 from \$84,500 to \$1,000; and
- (ii) adding new appropriations for the following projects:
  - "Repair Heating at Mill Ridge Intermediate School - \$20,366
  - Replace Heating at Rogers Park Middle School Gym - \$30,000
  - Roof Repairs at Beaver Brook Administration Center - \$10,000, and
  - Police Headquarters Renovations - \$23,134"

Section 2. Section 6 of the Ordinance shall be applicable to the appropriations added by this amendment as of the date of adoption of such amendment.

Enacted by the Common Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Operative And In Effect: \_\_\_\_\_



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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I am requesting that the proposed ordinance be included on the Common Council's agenda for September. Please feel free to contact me should you require any additional information. Thank you.

C: Bill Buckley, Director of Public Works  
Rick Palanzo, Superintendent of Public Buildings



CITY OF DANBURY

NOTICE OF PUBLIC HEARING TO BE HELD BY  
COMMON COUNCIL

NOTICE IS HEREBY GIVEN that the Common Council of the City of Danbury will hold a public hearing in the Council Chambers in the City Hall on \_\_\_\_\_, at \_\_\_\_\_ o'clock P.M. (E.S.T.), with respect to the following proposed ordinance:

An Ordinance Amending An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

The full text of the proposed bond ordinance is on file, open to public inspection, in the office of the City Clerk.

Dated at Danbury, Connecticut, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CITY OF DANBURY

RETURN OF POSTING AND PUBLICATION  
OF NOTICE OF PUBLIC HEARING

I, HELENA M. ABRANTES, City Clerk of the City of Danbury, hereby certify that I caused a copy of the attached Notice of Public Hearing to be published in the News-Times, a newspaper published and having a circulation in the City of Danbury, in its issue of \_\_\_\_\_, 2004.

Dated \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

Received for record  
\_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

Excerpt for Minutes of  
Public Hearing of  
the Common Council  
of the City of Danbury  
to be held \_\_\_\_\_, 2004

The Chairman declared open the public hearing by the Common Council.

\* \* \*

Mr. \_\_\_\_\_ read the ordinance entitled "An Ordinance Amending An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

\* \* \*

After comments from the public, the Chairman thereupon declared the public hearing on said proposed ordinance closed.

\* \* \*

Excerpt for Minutes of  
Common Council of the City of Danbury  
Acting as a Committee of the Whole

The Chairman opened the meeting of the Common Council of the City of Danbury acting as a Committee of the Whole with respect to the proposed bond ordinance introduced and read at the public hearing preceding the meeting.

\* \* \*

After discussion, Mr. \_\_\_\_\_ moved that the ordinance entitled "An Ordinance Amending An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" be recommended to the Council for adoption in the form introduced and read at the public hearing preceding the meeting. The motion was seconded by \_\_\_\_\_. Motion carried.

\* \* \*

Excerpt for Minutes of Meeting  
of Common Council

\* \* \*

Councilman \_\_\_\_\_ introduced and read the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE  
APPROPRIATING \$500,000 FOR PUBLIC IMPROVEMENTS IN  
THE 2003-2004 CAPITAL BUDGET AND AUTHORIZING THE  
ISSUANCE OF \$500,000 BONDS OF THE CITY TO MEET SAID  
APPROPRIATION AND PENDING THE ISSUANCE THEREOF  
THE MAKING OF TEMPORARY BORROWINGS FOR SUCH  
PURPOSE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

Section 1. Section 1 of the ordinance entitled "An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the City Council on May 6, 2003 (the "Ordinance"), is hereby amended by:

- (i) reducing the appropriation for "Homeless Shelter Renovations" by \$83,500 from \$84,500 to \$1,000; and
- (ii) adding new appropriations for the following projects:  
"Repair Heating at Mill Ridge Intermediate School - \$20,366  
Replace Heating at Rogers Park Middle School Gym - \$30,000  
Roof Repairs at Beaver Brook Administration Center - \$10,000, and  
Police Headquarters Renovations - \$23,134"

Section 2. Section 6 of the Ordinance shall be applicable to the appropriations added by this amendment as of the date of adoption of such amendment.

Enacted by the Common Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Operative And In Effect: \_\_\_\_\_

\* \* \*

Councilman \_\_\_\_\_ moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman \_\_\_\_\_. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of all the members of the Common Council.

NOTE TO CLERK

Please publish the entire text of the Bond ordinance, as indicated below:

CITY OF DANBURY

NOTICE OF ENACTMENT OF ORDINANCE

The following Ordinance was enacted at a meeting of the Common Council held \_\_\_\_\_, 2004, and approved by the Mayor \_\_\_\_\_, 2004.

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$500,000 FOR PUBLIC IMPROVEMENTS IN THE 2003-2004 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(Here copy body of Ordinance in full.)

Dated: \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

CITY OF DANBURY

RETURN OF PUBLICATION  
OF NOTICE OF ENACTMENT OF ORDINANCE

I, HELENA M. ABRANTES, City Clerk of the City of Danbury, hereby certify that I caused a copy of the above Notice of Enactment of Ordinance to be published in the News-Times, a newspaper published and having a circulation in the City of Danbury, in its issue of \_\_\_\_\_, 2004.

Dated: \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

Received for record

\_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

280 Trumbull Street  
Hartford, CT 06103-3597  
Main (860) 275-8200  
Fax (860) 275-8299  
sdercole@rc.com  
(860) 275-8246

December 23, 2003

**VIA FEDERAL EXPRESS**

Dena Diorio  
Director of Finance  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

RE: An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

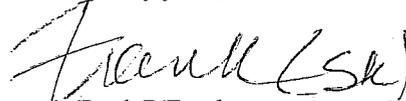
Dear Dena:

Enclosed please find the captioned amendment and proceedings to be followed in connection with its adoption by the City. Please note the amended ordinance must be adopted in the same manner as the original ordinance.

The Notice of Public Hearing on the ordinance must be published within the period of 5 to 15 days prior to the public hearing. Pursuant to the Charter, the ordinance must be approved by the affirmative vote of at least 2/3 of the members of the Common Council. In addition the entire text of the ordinance must be published following its enactment.

By copy of this letter, I am requesting the City Clerk to send me three certified copies of all the proceedings as they appear in the City Record Book, and two newspaper affidavits of the publication of the Notice of Public Hearing, and the Notice of Enactment of Ordinance.

Very truly yours,

  
S. Frank D'Ercole



Law Offices

BOSTON

HARTFORD

NEW LONDON

STAMFORD

GREENWICH

NEW YORK

www.rc.com

SFD:sk

Enclosures

cc: Mark D. Boughton, Mayor  
Eric L. Gottschalk, Corporation Counsel  
Helena W. Abrantes, City Clerk  
Jimetta Samaha, Assistant City Clerk  
Susan Kreutzer

HART1-1010290-2

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$500,000 FOR PUBLIC IMPROVEMENTS IN THE 2003-2004 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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Section 2. Section 6 of the Ordinance shall be applicable to the appropriations added by this amendment as of the date of adoption of such amendment.

Enacted by the Common Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Operative And In Effect: \_\_\_\_\_

CITY OF DANBURY

NOTICE OF PUBLIC HEARING TO BE HELD BY  
COMMON COUNCIL

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The full text of the proposed bond ordinance is on file, open to public inspection, in the office of the City Clerk.

Dated at Danbury, Connecticut, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

CITY OF DANBURY

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Excerpt for Minutes of  
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of the City of Danbury  
to be held \_\_\_\_\_, 2004

The Chairman declared open the public hearing by the Common Council.

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Mr. \_\_\_\_\_ read the ordinance entitled "An Ordinance Amending An Ordinance Appropriating \$500,000 For Public Improvements In The 2003-2004 Capital Budget And Authorizing The Issuance Of \$500,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

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Common Council of the City of Danbury  
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\* \* \*

Excerpt for Minutes of Meeting  
of Common Council

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Councilman \_\_\_\_\_ introduced and read the following ordinance:

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Section 2. Section 6 of the Ordinance shall be applicable to the appropriations added by this amendment as of the date of adoption of such amendment.

Enacted by the Common Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

Operative And In Effect: \_\_\_\_\_

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Councilman \_\_\_\_\_ moved that said ordinance be adopted as introduced and read, and the motion was seconded by Councilman \_\_\_\_\_. Motion carried. The ordinance was approved by the affirmative vote of at least two-thirds of all the members of the Common Council.

NOTE TO CLERK

Please publish the entire text of the Bond ordinance, as indicated below:

CITY OF DANBURY

NOTICE OF ENACTMENT OF ORDINANCE

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(Here copy body of Ordinance in full.)

Dated: \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

CITY OF DANBURY

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Dated: \_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk

Received for record

\_\_\_\_\_, 2004.

\_\_\_\_\_  
City Clerk



24

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

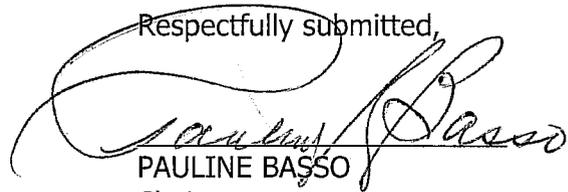
Mayor Mark D. Boughton  
Members of the Common Council

Re: **Final Assessments – Windaway Road II Sanitary Sewer Extension**

The Common Council met as a committee of the whole on January 26, 2004 in the Common Council Chambers.

Ms. Saracino made a motion that the final assessments for the Windaway Road II Sanitary Sewer Extension be approved. Seconded by Mr. Barry. Motion carried unanimously.

Respectfully submitted,



PAULINE BASSO  
Chairman



# 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 7, 2004

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

Dear Mayor Boughton and Common Council Members:

Sanitary Sewer Extension  
Windaway Road Phase II  
Final Assessment - Project No. 02-32

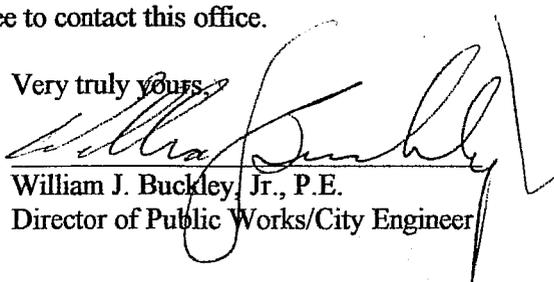
The above noted project has been completed. There is only one property involved. Therefore, the final assessment is as follows:

<u>Tax Assessor</u> <u>Lot No.</u>	<u>Property Owner/Mailing Address</u>	<u>Final Assessment</u>
D16096	Daniel C. Cox 26 Windaway Road Danbury, CT 06810	\$22,121.74

Would you please proceed with the arrangements for a public hearing concerning this final assessment 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

C: Dena R. Diorio  
Eric L. Gottschalk, Esq.  
Mario Ricoszi, P.E.  
Kelly R. Green, P.E.



# 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 caused a sewer line to be installed known as the Windaway Road Phase II Sanitary Sewer; 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

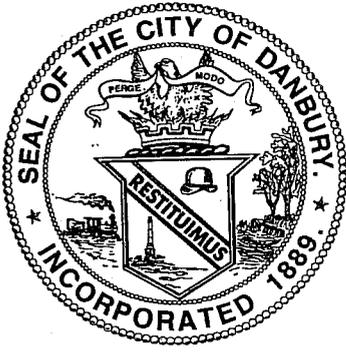
**WHEREAS**, said installment method of payment is deemed to be in the best interests of the City.

**NOW, THEREFORE BE IT RESOLVED THAT** the Assessment of Benefits fixed herein shall be due and payable on or before April 3, 2004, 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 Windaway Road Phase II Sanitary Sewer:

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 ONE THOUSAND ONE HUNDRED SIXTY FOUR and 30/100 (\$1,164.30) DOLLARS.
3. The interest on any deferred payments hereunder shall be due at a rate per annum of 4.85 percent. 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 assessment shall be filed in the Town Clerk's Office on February 11, 2004. 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 February 3, 2004, in the name of \_\_\_\_\_, and the same becomes due on April 3, 2004 and may be paid in annual minimum installment payments of \$1,164.30 each plus interest at the rate of 4.85 percent 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)



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Request for Sewer and Water Extensions – Eagle Road**

The Common Council Committee appointed to review the request for sewer and water extensions on Eagle Road met on January 14, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Esposito, Saadi and Basso. Also in attendance were Director of Public Works William Buckley and Council Member Saracino, ex-officio.

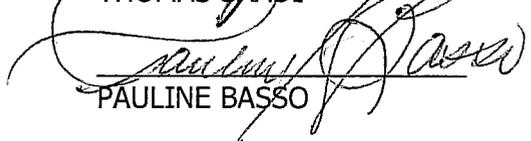
Mr. Esposito noted that the Planning Commission had issued a positive recommendation. Mr. Buckley stated that this is the Eagle Pencil site. The existing building will be demolished. A home improvement center will be built on the site, as well as an extension to Loew's Theater. A small retail store will be build in front of the theater. He recommended approval subject to the required eight steps, as well as a ninth step addressing abandonment of existing water lines and easements.

Mr. Saadi made a motion to recommend approval of the request subject to the required eight steps, with a ninth step outlining abandonment of existing water and sewer lines and easements as determined by the City Engineer. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

  
\_\_\_\_\_  
JOHN ESPOSITO, Chairman

  
\_\_\_\_\_  
THOMAS SAADI

  
\_\_\_\_\_  
PAULINE BASSO



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

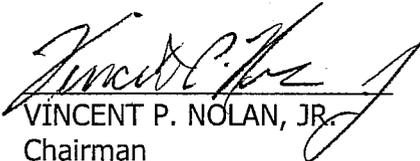
Re: Olive Street and Tilden Road Sanitary Sewer Assessments

The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in City Hall.

Mr. Buckley explained that the assessments are based on four components: area, frontage, zoning and assessed value. The results of this survey were 13 in favor, 7 opposed and 7 did not respond. Ms. Diorio explained the financing process.

Mr. Saadi made a motion to recommend that the department be authorized to proceed with the project. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

  
VINCENT P. NOLAN, JR.  
Chairman



# 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

October 21, 2003

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

Dear Mayor Boughton and Common Council Members:

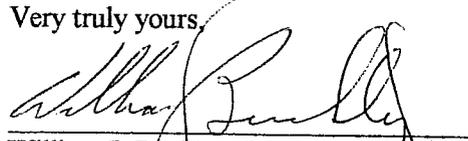
Sanitary Sewer Extension  
Olive Street and Tilden Road Area  
Preliminary Assessments Public Hearing  
Project No. 99-2

Enclosed please find the list of preliminary assessments calculated by our department to be levied for the sanitary sewer mains proposed to be installed in the Olive Street and Tilden Road area.

Would you please proceed with the arrangements for a public hearing concerning these preliminary assessments.

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: Dena R. Diorio, with encl.  
Eric L. Gottschalk, Esq., with encl.  
Mario Ricoszi, P.E., with encl.  
William Campbell

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 10/17/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
1	K12126	27 OLIVE STREET	CURESKY, JOSEPH JOHN 27 OLIVE STREET DANBURY, CT 06810-6125	\$ 129,500.00	\$ 2,761.96	0.370	\$ 3,519.44	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 11,311.77	RA20,TC NONE, RESIDENTIAL,EX 1 FAMILY
2	K12127	29 OLIVE STREET	BABYAK, WILLIAM J & ROSEMARIE T 29 OLIVE STREET DANBURY, CT 06810-6125	\$ 139,700.00	\$ 2,979.51	0.370	\$ 3,519.44	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 11,529.31	RA20,TC NONE RESIDENTIAL,EX 1 FAMILY
3	K12025	30 OLIVE STREET	KOHUT, KENNETH A MULLEN, PATRICIA L 30 OLIVE STREET DANBURY, CT 06810-6144	\$ 117,900.00	\$ 2,514.56	0.180	\$ 1,712.16	70.00	\$ 2,406.40	1	\$ 2,967.74	\$ 9,600.86	RA20, TC 1395 RESIDENTIAL EX 1 FAMILY
4	K12128	31 OLIVE STREET	FREDDY E CALDERON 31 OLIVE STREET DANBURY, CT 06810	\$ 183,000.00	\$ 3,903.00	0.500	\$ 4,755.99	109.00	\$ 3,747.11	2	\$ 5,935.48	\$ 18,341.59	RA20,TC NONE RESIDENTIAL EX 2 FAMILY
5	K12010	32 OLIVE STREET	CICCARONE, VIRGINIA P., TRUSTEE 34 OLIVE STREET DANBURY, CT 06810	\$ 129,100.00	\$ 2,753.43	0.230	\$ 2,187.80	84.00	\$ 2,887.68	1	\$ 2,967.74	\$ 10,796.66	RA20,TC NONE RESIDENTIAL EX 1 FAMILY
6	K12009	34 OLIVE STREET	CICCARONE, VIRGINIA P., TRUSTEE 34 OLIVE STREET DANBURY, CT 06810	\$ 161,900.00	\$ 3,452.99	0.230	\$ 2,187.76	102.50	\$ 3,523.66	1	\$ 2,967.74	\$ 12,132.14	RA20,TC NONE, RESIDENTIAL EX 1 FAMILY CORNER LOT (80+125)/2
7	K12129	35 OLIVE STREET	JIMENEZ, WILLIAM & NINA 35 OLIVE STREET DANBURY, CT 06810-6125	\$ 121,700.00	\$ 2,595.60	0.180	\$ 1,712.16	65.00	\$ 2,234.52	1	\$ 2,967.74	\$ 9,510.02	RA20 TC NONE RESIDENTIAL EX 1 FAMILY
8	K12130	37 OLIVE STREET	POLK, JAMELE F 37 OLIVE STREET DANBURY, CT 06810-6125	\$ 121,700.00	\$ 2,595.60	0.140	\$ 1,331.68	50.00	\$ 1,718.86	1	\$ 2,967.74	\$ 8,613.88	RA20 RESIDENTIAL EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 10/17/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
9	K11018	38 OLIVE STREET	PETRUSO, BRIAN J & CHRISTINA LIANA 38 OLIVE STREET DANBURY, CT 06810	\$ 157,000.00	\$ 3,348.48	0.240	\$ 2,282.88	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 11,177.39	RA20 RESIDENTIAL EX. 1 FAMILY
10	K12131	39 OLIVE STREET	GRANGER ADAM & WALTERS, JESSICA 39 OLIVE STREET DANBURY, CT 06810	\$ 126,000.00	\$ 2,687.31	0.140	\$ 1,331.68	87.50	\$ 3,008.00	1	\$ 2,967.74	\$ 9,994.74	RA20, TC NONE EX 1 FAMILY CORNER LOT (50+125)/2
11	K11017	40 OLIVE STREET	ZEGARRA, ARTURO 40 OLIVE STREET DANBURY, CT 06810-5041	\$ 171,200.00	\$ 3,651.34	0.250	\$ 2,378.00	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 11,575.36	RA20 EX 1 FAMILY TC 101
12	K11022	41 OLIVE STREET	POSEM, DOROTHY M 43 OLIVE ST. DANBURY, CT 06810-5016	\$ 182,300.00	\$ 3,888.07	0.834	\$ 7,933.00	198.00	\$ 6,806.68	1	\$ 2,967.74	\$ 21,595.49	LOTS 22,23,24,25 & 26 EX 1 FAMILY, TC8941 CORNER LOT (150+246)/2
13	K11016	42 OLIVE STREET	SALAZAR JULIO & VICENTE ALBERTO & MIRIAN 42 OLIVE STREET DANBURY, CT 06810	\$ 173,200.00	\$ 3,693.99	0.240	\$ 2,282.88	104.50	\$ 3,592.41	2	\$ 5,935.48	\$ 15,504.77	RA20, No TC Map EX 2 FAMILY CORNER LOT (150+59)/2
14	K11004	46 OLIVE STREET	BARTON, MICHAEL & THERESA 46 OLIVE STREET DANBURY, CT 06810	\$ 182,200.00	\$ 3,885.94	0.290	\$ 2,758.48	95.19	\$ 3,272.36	1	\$ 2,967.74	\$ 12,884.52	RA20, TC1812 EX 1 FAMILY
15	K11027	47 OLIVE STREET	ANGLACE, KEITH A. & CATHERINE T. 47 OLIVE STREET DANBURY, CT 06810-5016	\$ 161,700.00	\$ 3,448.72	0.390	\$ 3,709.68	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 12,704.43	RA20 EX 1 FAMILY TC NONE
16	K11028	49 OLIVE STREET	HUY, LAY TOUCH, ASHLEY S 48 OLIVE STREET DANBURY, CT 06810	\$ 171,600.00	\$ 3,659.87	0.410	\$ 3,899.92	81.00	\$ 2,784.55	1	\$ 2,967.74	\$ 13,312.07	RA20, TC NONE EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 10/17/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
17	K11029	51 OLIVE STREET	KOEHLERT, AUGUST H IV & MICHELE G. LU TO SHADEED COLETTE 51 OLIVE STREET DANBURY, CT 06810-5016	\$ 197,900.00	\$ 4,220.79	0.760	\$ 7,229.11	150.00	\$ 5,156.57	1	\$ 2,967.74	\$ 19,574.22	RA20, TC NONE EX 1 FAMILY
18	K11031	55 OLIVE STREET	HOUSING AUTHORITY OF THE CITY OF DANBURY 2 MILL RIDGE ROAD DANBURY CT 06811-5231	\$ 216,400.00	\$ 4,615.36	1.128	\$ 10,729.52	220.46	\$ 7,578.79	2	\$ 5,935.48	\$ 28,859.15	RA20, TC4479 RESIDENTIAL EX. 2 FAMILY
19	K12026	32 MELROSE AVENUE	ARCHIERE, CARY J. & NINA J. 32 MELROSE AVENUE DANBURY, CT 06810-6142	\$ 137,300.00	\$ 2,928.32	0.180	\$ 1,712.16	107.75	\$ 3,704.14	1	\$ 2,967.74	\$ 11,312.36	RA20, TC1395 EX 1 FAMILY CORNER LOT (135.5+80)/2
20	K12027	34 MELROSE AVENUE	ARCHIERE, CARY J. & NINA J. 34 MELROSE AVENUE DANBURY, CT 06810-6142	\$ 35,000.00	\$ 746.48	0.150	\$ 1,426.80	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 7,203.65	RA20, TC1395 VACANT
21	K11020	30 SPRINGSIDE AVENUE	CASSAVECHIA MATTHEW G & CHRISTINE 30 SPRINGSIDE AVE DANBURY, CT 06810	\$ 238,000.00	\$ 5,076.04	0.360	\$ 3,424.32	128.00	\$ 4,400.28	1	\$ 2,967.74	\$ 15,868.37	RA20, TC101 EX 1 FAMILY CORNER LOT (100+156)/2
22	K11042	33 SPRINGSIDE AVENUE	BOCK, JACK K. JR, & GERTRAUT 35 SPRINGSIDE AVENUE DANBURY, CT 06810-6145	\$ 152,100.00	\$ 3,243.97	0.490	\$ 4,660.87	127.00	\$ 4,365.90	1	\$ 2,967.74	\$ 15,238.49	RA20, TC101 EX 1 FAMILY
23	K11007	7 TILDEN ROAD	NAZZARO, NELLIE CATHERN 7 TILDEN ROAD DANBURY, CT 06810-5017	\$ 147,300.00	\$ 3,141.60	0.310	\$ 2,948.72	85.00	\$ 2,922.06	1	\$ 2,967.74	\$ 11,980.12	RA20, TC 1755 EX. 1 FAMILY
24	K11006	9 TILDEN ROAD	JOHNSON, JULIANNE 9 TILDEN ROAD DANBURY, CT 06810-5017	\$ 158,900.00	\$ 3,389.00	0.300	\$ 2,853.60	85.00	\$ 2,922.06	1	\$ 2,967.74	\$ 12,132.40	RA20, TC 1755 EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 10/17/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)	FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS	
25	K11005	11 TILDEN ROAD	BERGER MATTHEW A & MULLER KAREN A 11 TILDEN ROAD DANBURY, CT 06810	\$ 148,200.00	\$ 3,160.79	0.240	\$ 2,282.88	102.60	\$ 3,526.93	1	\$ 2,967.74	\$ 11,938.34	RA20, TC1811 EX 1 FAMILY CORNER LOT (74.5+130.69)/2
26	K11013	14 TILDEN ROAD	SILVA, ARTUR C. & MARIA HELENA 14 TILDEN ROAD DANBURY, CT 06810-5018	\$ 155,400.00	\$ 3,314.35	0.260	\$ 2,473.12	74.85	\$ 2,573.13	1	\$ 2,967.74	\$ 11,328.34	RA20, TC 1729 EX 1 FAMILY
27	K11014	16 TILDEN ROAD	ALVAREZ, EDGAR G & ANNA JEANNE 16 TILDEN ROAD DANBURY, CT 06810	\$ 150,400.00	\$ 3,207.72	0.260	\$ 2,473.12	74.85	\$ 2,573.13	1	\$ 2,967.74	\$ 11,221.71	RA20, TC1729 EX 1 FAMILY
28	K11015	18 TILDEN ROAD	LANSON, ERIC J. & SUZANNE H. 18 TILDEN ROAD DANBURY, CT 06810-5018	\$ 147,000.00	\$ 3,135.20	0.240	\$ 2,282.88	69.00	\$ 2,372.02	1	\$ 2,967.74	\$ 10,757.84	RA20, TC NONE EX 1 FAMILY
		TOTAL CONST:		\$ 4,313,600.00	\$ 92,000.00	9.67	\$ 92,000.00	2,676.20	\$ 92,000.00	31	\$ 92,000.00	\$ 368,000.00	
				\$ 368,000.00									
				\$ 92,000.00									



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

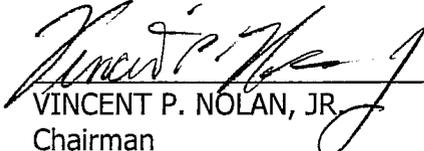
Re: **Backus Avenue Preliminary Sewer Assessments**

The Common Council met as a committee of the whole immediately following the above public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Buckley noted that the survey showed eight in favor and 3 opposed. Mr. Buckley explained the history of the request. Mr. Nolan asked if there are any health concerns and Mr. Buckley said he does not believe there are any outstanding orders.

Mr. Saadi made a motion to recommend to the Common Council that the department be authorized to proceed with this project. Seconded by Ms. Saracino. The motion carried with Council Members Burns, Visconti, Urice, Nolan and Nagarsheth voting in the negative.

Respectfully submitted,

  
VINCENT P. NOLAN, JR.  
Chairman



# 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 12, 2004

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

Dear Mayor Boughton and Common Council Members:

**Sanitary Sewer Extension (Assessment Method)  
Backus Avenue Area  
Project No. 03-24**

The mail survey soliciting input from those property owners who would benefit from the extension of the City's sanitary sewer system to the Backus Avenue Area has been completed.

The results of this survey were compiled on January 9, 2004 with the following results:

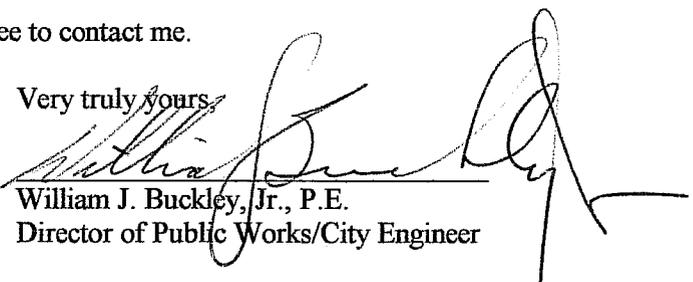
Yes -----	8 (72.73 %)
No -----	3 (27.27 %)
No response -----	0 (0.0 %)
	11 Total number of lots in survey

A color-coded map showing how the owners of the lots that would be served voted has been prepared. The map is available in my office for review.

Hopefully, this information will assist you in your deliberations as to whether this sanitary sewer construction project should go forward.

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: Patricia A. Ellsworth, P.E.  
Mario Ricozzi, P.E.  
Dena R. Diorio





# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

December 11, 2003  
WILLIAM J. BUCKLEY, JR., P.E.  
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

Dear Property Owner:

Re: Proposed Sanitary Sewer Extension Backus Avenue - City Project No. 03-24

In response to a petition for sanitary-sewer service submitted to the Common Council, our office was directed to prepare preliminary assessments for those properties that would benefit from the sanitary sewer extension. Your property is one of the properties that would benefit.

In the very near future, you will receive from the Danbury Common Council's office a notice of a public hearing to be held relative to the proposed sanitary sewer extension. The comments made at the public hearing will be taken into consideration by the Common Council when they determine whether or not this project will go forward to bidding and construction. Your attendance at the upcoming public hearing is strongly encouraged in order to provide the Common Council with an idea as to how much support for this project exists.

The Common Council has also directed us to conduct a mail survey in order to insure that they receive as much input as possible. Please complete the survey at the bottom of this letter and return it to the City in the enclosed envelope, even if you plan to attend the public hearing.

Owners of all lots that can be served by this proposed sewer have been mailed this letter. The sewer main extension would be installed as an assessment project paid for by the benefiting property owners. Based upon preliminary cost estimates for the project that would include the City owned sewer main and laterals installed up to your property line, it is estimated that the assessment for the benefits derived by said sewer extension is \_\_\_\_\_ for lot \_\_\_\_\_. Payment of assessments can generally be made over an extended time period, usually in excess of ten years, possibly for up to 19 years. An additional cost would be required for property owners to hire their own contractor to extend their service line from the end of the lateral to their building. Please refer to the information packet enclosed with this letter for additional information relative to the assessment process.

Will you please mark your choice on the bottom portion of this letter, detach it and return it in the enclosed stamped envelope to the Engineering Department no later than Friday, December 26, 2003. To assist the Common Council in making a decision on the status of this project, responses from a large percentage of property owners are desired. 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

(Detach Here)

\_\_\_\_\_ In favor of proposed sewer line.

\_\_\_\_\_ Not in favor of proposed sewer line.

Lot Number \_\_\_\_\_ Your Name \_\_\_\_\_  
(Printed Name and Signature)

Your Address \_\_\_\_\_



**BACKUS AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENT (12/11/03)**

**CITY OF DANBURY ENGINEERING DEPARTMENT  
PROJECT NO. 03-24**

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)	FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS		
1	F18001	12 BACKUS AVENUE	DACEL REALITY LLC 12 BACKUS AVENUE DANBURY, CT 06811	\$ 387,400.00	\$ 7,929.08	0.681	\$ 2,026.66	169.80	\$ 13,895.36	5.93	\$ 7,957.09	\$ 31,808.19	TC 8302 ZONE IL 40 INDUSTRIAL
2	E18010	23 BACKUS AVENUE	UNITED STATES POSTAL SERVICE 23 BACKUS AVENUE DANBURY, CT 06811	\$ 3,379,500.00	\$ 69,169.67	10.549	\$ 31,393.83	475.99	\$ 38,952.02	91.90	\$ 123,314.81	\$ 262,830.33	TC 7222 IL 40 COMMERCIAL
3	E18008	45 BACKUS AVENUE	POYAK, STEVEN & KATALIN 45 BACKUS AVENUE DANBURY, CT 06810-7328	\$ 207,100.00	\$ 4,238.80	0.820	\$ 2,440.32	173.00	\$ 14,157.23	7.14	\$ 9,580.72	\$ 30,417.07	NO TC MAP IL 40 IND/RES
4	E18005	49-51 BACKUS AVENUE	4244 LLC 39 PADANARAM ROAD DANBURY, CT 06811	\$ 197,500.00	\$ 4,042.32	1.2319	\$ 3,666.14	206.54	\$ 16,901.93	10.73	\$ 14,397.91	\$ 39,008.29	TC 11012 IL40 SINGLE FAMILY
5	E18004	55 BACKUS AVENUE	MILLER-STEPHENSON CHEMICAL COMPANY OF CONN INC 55 BACKUS AVENUE DANBURY, CT 06810	\$ 1,534,100.00	\$ 31,399.08	3.54	\$ 10,535.04	691.50	\$ 56,588.00	30.84	\$ 41,382.25	\$ 139,904.37	TC 5337 IL 40 = 3.54 , For = 10.66 IND/FOREST Forest - Not Assessed add 1/2 Ye Olde Road
6	E18003	35-67 YE OLDE ROAD	WOOSTER SCHOOL CORP. 35-67 YE OLDE ROAD DANBURY, CT 06810	\$ 142,500.00	\$ 2,916.61	1.957	\$ 5,824.03	367.61	\$ 30,082.88	17.05	\$ 22,878.32	\$ 61,701.84	TC 5978 IL 40 COMMERCIAL add 1/2 Ye Olde Road
7	E19001	91 MIRY BROOK ROAD	WOOSTER SCHOOL CORP 91 MIRY BROOK ROAD DANBURY, CT 06810	\$ 10,404,700.00	\$ 212,957.45	112.19	\$ 333,877.53	1868.06	\$ 152,870.24	50.00	\$ 67,091.84	\$ 766,797.07	1/28/2000 PROP. SURVEY ZONE RA 40 SCHOOL FRONTAGE - SEE SURVEY add 1/2 Ye Olde Road

**BACKUS AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENT (12/11/03)**

**CITY OF DANBURY ENGINEERING DEPARTMENT  
PROJECT NO. 03-24**

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)		FRONT- AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS	
8	E18014	70 BACKUS AVENUE	DANBURY PROPERTY LLC	\$ 2,206,500.00	\$ 45,161.38	4.0041	\$ 11,916.20	381.81	\$ 31,244.92	34.88	\$ 46,803.27	\$ 135,125.78	TC 10040
			3 STONY BROOK ROAD										IL 40
			WESTPORT, CT 06880										INDUSTRIAL
													corner lot (420.355 + 63.042 + 17.366 + 33.74 + 229.119)/2
9	E18015	60 BACKUS AVENUE	DXR CORPORATION	\$ 1,790,000.00	\$ 36,636.70	4.1761	\$ 12,428.08	491.39	\$ 40,212.26	36.38	\$ 48,816.03	\$ 138,093.06	TC 10478
			C/O WATER WORKS										IL 40
			60 BACKUS AVENUE										INDUSTRIAL
			DANBURY, CT 06810-7329										
10	E18013	44 BACKUS AVENUE	4244 LLC	\$ 386,500.00	\$ 7,910.66	3.200	\$ 9,523.20	212.76	\$ 17,410.94	27.88	\$ 37,410.41	\$ 72,255.21	TC 10477
			41 PADANARAM ROAD										IL 40
			DANBURY, CT 06810										IND/RES
11	E18012	42 BACKUS AVENUE	4244 LLC	\$ 128,900.00	\$ 2,638.25	0.460	\$ 1,368.96	155.00	\$ 12,684.22	4.00	\$ 5,367.35	\$ 22,058.78	NO TC MAP
			41 PADANARAM ROAD										IL 40
			DANBURY, CT 06810										IND-VACANT
		TOTAL AMOUNT FOR PROJECT:											
		1700000		\$ 20,764,700.00	\$ 425,000.00	142.809	\$ 425,000.00	5193.460	\$ 425,000.00	316.730	\$ 425,000.00	\$ 1,700,000.00	
		425000											



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Carolyn Avenue and Nancy Drive Area Sewer Assessments**

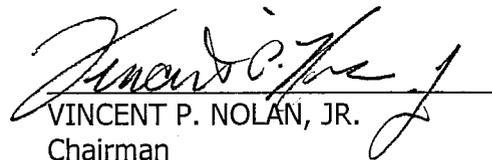
The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Buckley explained that no assessment would be levied against the farmland. Mr. Buckley explained that the Rockwell Road project was a state project in response to a comment during the public hearing. Mr. Buckley explained that Elizabeth and Albers Roads were not included in the original petition. They were included because the project was going right by. The two houses on the corner of Elizabeth Road would have to be included. The survey was eight no and one yes on Elizabeth. A discussion followed on the cost of hookup and connection fees.

Mr. Saadi made a motion to recommend that the Common Council authorize the department to proceed with the project. Seconded by Mr. Cavo. Ms. Saracino offered an amendment to remove Elizabeth Road and Albers Road from the project, Seconded by Mr. Urice. Motion to amend, carried with Mr. Esposito voting in the negative.

Main motion, as amended, carried unanimously.

Respectfully submitted,

  
VINCENT P. NOLAN, JR.  
Chairman



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Iraqi Township Program

The Common Council Committee appointed to review an Iraqi Township Program met on January 20, 2004 at 6:00 P.M. in the Common Council Chambers. In attendance were committee members Riley, Calandrino and Esposito. Also in attendance were Mayor Mark Boughton, Theresa and Emile Buzaid, Council Members Urice, Seabury, Barry, Teicholz, McMahon, Basso and Saracino, ex-officio and members of the public.

Mr. Riley stated that the charge of the committee was to review an Iraqi Township Program. He stated that this idea originated with Mr. and Mrs. Buzaid's son, Emile III and this humanitarian effort is admirable. Precedent was set so that you could give humanitarian help even at a time when conflict was going on at the end of World War II when the remaining Nazi were not giving up their arms and fighting as insurgents even after the army had surrendered. There are major veterans organizations in town that may be happy to see if we can align veterans groups or other organizations to begin work on this noble cause.

Mr. Buzaid said that his son's battalion had left and is now in Ur. Mr. Riley said that perhaps we could send a letter of accomplishment congratulating the battalion for its efforts. Mr. Calandrino asked what other units are in that town and we should find out who the new commander is and go from there. Mr. Esposito said that since we do not have a contact person, it is a moot point. Mayor Boughton suggested that his office contact the 101<sup>st</sup> Airborne Outreach Office and ask to be directed to a needy village in the name of Captain Buzaid and send a letter from his office.

Mr. Esposito made a motion to recommend that the Mayor's Office contact the 101<sup>st</sup> Airborne Outreach Office directly. Seconded by Mr. Calandrino. Motion carried unanimously.

Respectfully submitted,

*Robert T. Riley*

ROBERT RILEY, Chairman

*Michael Calandrino*

MICHAEL CALANDRINO

*John Esposito*

JOHN ESPOSITO



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Bear Mountain Cottage Lease

The Common Council Committee appointed to review the Bear Mountain Cottage Lease met on January 20, 2004 in the Third Floor Caucus Room in City Hall. In attendance were committee members Saadi, Basso and Trombetta. Also in attendance were Deputy Corporation Counsel Eric Gottschalk and Director of Parks and Recreation Robert Ryerson.

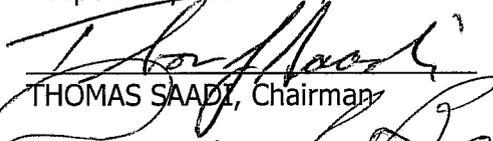
Mr. Saadi stated that charge of the committee was to review the Bear Mountain Cottage lease and certain lease issues in general. Mr. Saadi asked Attorney Gottschalk if it would be appropriate to change the licensing agreement for the Bear Mountain Cottage to a lease agreement to conform to all other property leases. Attorney Gottschalk said it could not be done because the Federal governmental granted the Bear Mountain property to the City with an understanding that it would not be leased. They determined that it should be called a licensing agreement.

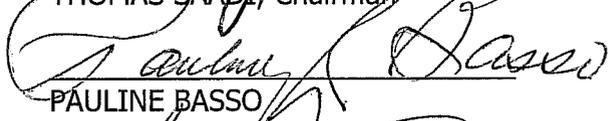
Attorney Gottschalk said that the last license was with Mark Williams from the Police Department. He requested the opportunity to leave due to changes in his personal life. Officer McColgan is now in the cottage on a month-to-month tenancy, although nothing has been signed. The license agreement was to have been for three years. Officer McColgan is there until January 31, 2004. Mr. Saadi asked if there is any objection to having a license of a shorter duration? No one objected. Mr. Ryerson recommended that a public safety officer be given preference. Mr. Trombetta asked if a fire official could be considered and Mr. Ryerson said yes.

Mr. Saadi suggested that the current licensing agreement remain, except that it be made a one-year agreement with the current tenant given the option to renew. The concern is that a standard procedure be followed no matter what the reason for the vacancy. Mr. Saadi said he would like a list of all those who apply to be attached to the agreement when it comes before the Common Council.

Mr. Saadi said he would entertain a motion to make the license agreement in effect for one year, with the current tenant given the option to renew; the Personnel Department shall post notice of the availability of City owned dwellings for rent via e-mail and hard copy to all City employees no less than seven days prior to the deadline for submission of rental applications; the Personnel Department shall give preference to public safety personnel when licensing the Bear Mountain Cottage and all leases submitted to the Common Council shall include a document setting forth the names of all persons, in addition to the recommended lessee, that submitted applications pursuant to the required notice. Mrs. Basso so moved. The motion was seconded by Mr. Trombetta and passed unanimously.

Respectfully submitted,

  
THOMAS SAADI, Chairman

  
PAULINE BASSO

  
CHARLES TROMBETTA

## LICENSE AGREEMENT

THIS AGREEMENT is made this \_\_\_\_\_ day of February, 2004 by and between the CITY OF DANBURY, 155 Deer Hill Avenue, Danbury, Connecticut (hereinafter "CITY") and SHAUN J. MCCOLGAN, 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 from the date hereof through January 31, 2005, and from month to month thereafter until terminated by either party, by giving notice, in writing, to the other party not less than ten (10) days prior to the date of termination. As consideration for this license, the LICENSEE shall make monthly payments of five hundred and five dollars (\$505.00) to the CITY on or before the first of each month of the license period. The LICENSEE shall have a right of first refusal with respect to the license of the ranger cottage, should such a license be offered by the CITY during the 2005 calendar year.

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.

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 February 2004.

Signed, sealed and delivered  
in the presence of:

CITY OF DANBURY

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Mark D. Boughton, Mayor

LICENSEE

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Shaun J. McColgan

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

On this the \_\_\_\_\_ day of February 2004, before me, Eric L. Gottschalk, 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.

\_\_\_\_\_  
Eric L. Gottschalk  
Commissioner of the Superior Court

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

On this the \_\_\_\_\_ day of February 2004, before me, \_\_\_\_\_, the undersigned officer, personally appeared Shaun J. McColgan, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

\_\_\_\_\_  
Notary Public  
Commissioner of the Superior Court





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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 3, 2004

Mayor Mark D. Boughton  
Members of the Common Council

### Re: **Blight Ordinance**

The Common Council met as a committee of the whole immediately following a public hearing on January 12, 2004 in the Common Council Chambers.

Mr. Saadi read the report. Mrs. Basso made a motion to receive the report and adopt the ordinance. Seconded by Mr. Visconti. Mr. Saadi offered the following amendment, seconded by Ms. Saracino:

(f) For purposes of this subsection, the term "new buyer or purchaser" shall mean an individual(s) or entity that shall have purchased the premises pursuant to an arms length transaction, verified to the satisfaction of the City in the remediation application specified in subsection (d) hereof, and may not include immediate family members or the prior owner (including but not limited to spouses, children, siblings or parents) or sham transfers. The City shall make all determinations with respect to the viability and the acceptability of any new buyer for the proposed benefits and the purposes of this subsection and the Common Council may, in its review of remediation applications, waive such of the restrictions referred to in this section as it may deem prudent and in the best interests of the City of Danbury.

Blight Inspector Larry Miguel stated that he does not think this is a good ordinance. There are outstanding fines of over \$20,000. Mr. Saadi stated that his amendment defines what a new buyer or purchaser is. Mr. Calandrino asked if the individuals that own blighted properties are tax delinquents as a rule. Ms. Diorio said she did not have that information. Mr. Miguel said several owners are behind on taxes. Mr. Nolan stated that this ordinance was initiated by the Mayor's Office last year. It is a tool for neighborhood revitalization.

After further discussion, Mr. Visconti moved the question. Seconded by Mr. Saadi. Motion carried unanimously. The amendment carried with the members voting as follows:

Yes – Calandrino, Saadi, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Teicholz, Nagarsheth

No – McMahon, Burns, Trombetta, Barry, Visconti, Steinerd, Payton, Riley, Stanley

10 Yes – 9 No

Mrs. Payton stated that if someone owes, they should pay. There is no guarantee that these properties can be sold. Mr. Cavo asked if the City every stops fining a property? Mr. Miguel stated that once the fine is imposed it is never lifted. Mrs. Saracino noted that there is an application process that gives some measure of control over who we grant this waiver to. Mr. Barry said the purpose is to see what would effectuate the remediation of the property quickly. Mr. Urice said this gives away a lot of tax money.

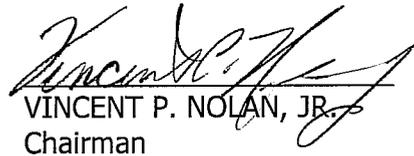
Mr. Cavo moved the question. Seconded by Mrs. Saracino. Motion carried unanimously. Main motion, as amended, carried with members voting as follows:

Yes – Calandrino, Saadi, Barry, Esposito, Nolan, Saracino, Cavo, Teicholz, Nagarsheth, Stanley

No – McMahon, Burns, Trombetta, Visconti, Steinerd, Urice, Basso, Payton, Riley

10 Yes – 9 No

Respectfully submitted,

  
VINCENT P. NOLAN, JR.  
Chairman



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

Sec. 10-86. Authority for fines; enforcement, appeal and hearing procedure; lien on property; waiver of fines and release of lien upon remediation by new buyer; tax assessment increase deferral for other than present owner.

- (a) In accordance with authority set forth in Connecticut General Statutes section 7-148(c)(7)(H) as may be amended from time to time, a fine of one hundred (\$100.00) dollars is prescribed for each day of violation, the period of such violation being deemed to commence in accordance with section 10-85 hereof.
- (b) The collection of fines imposed and costs assessed shall be subject to the appeal and hearing procedure set forth in Section 12-35 of the Code of Ordinances of the City of Danbury.
- (c) In accordance with authority set forth in Connecticut General Statutes section 7-148aa, may be amended from time to time, any unpaid fine imposed pursuant to the provisions of this Article shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by law and shall take precedence over all other liens filed after July 1, 1997, and encumbrances, except taxes, and may be enforced in the same manner as property tax liens.
- (d) As an incentive toward the full remediation of residential property designated blighted by the blight inspector, a purchaser or a prospective purchaser of such blighted property may make application to the City of Danbury for a waiver of fines and release of lien imposed in accordance with the provisions of this section. Said application shall specify the time frame of the sale and the proposed remediation. The applicant, once approved for this program, shall agree to execute an agreement which shall specify the time frame for remediation (which remediation shall occur with six months of closing of title), the specific improvements to be made, that the applicant shall maintain the property as owner occupied for a term of at least three (3) years from the date of remediation approval and that the applicant understands that such waiver or release shall only occur upon full remediation and approval of same by the blight inspector.
- (e) In addition to the incentive proposed in subsection (d) hereof, a purchaser or proposed purchaser of residential property, may avail themselves of the tax deferral benefits set forth in City of Danbury Ordinance section 18-25, as may pertain to blighted residential property, except that the requirement of owner occupancy need not be required where said purchaser or prospective purchaser is eligible for and executes an agreement qualifying for tax deferral benefits pursuant to said Ordinance section 18-25.
- (f) For purposes of this subsection, the term "new buyer" or "purchaser" shall mean an individual(s) or entity that shall have purchased the premises pursuant to an arms length transaction, verified to the satisfaction of the City in the remediation application specified in subsection (d) hereof, and may not include immediate family members of the prior owner (including, but not limited to spouses, children, siblings or parents) or sham transfers. The City shall make all determinations with respect to the viability and the acceptability of any new buyer for the proposed benefits and the purposes of this subsection and the Common Council may, in its review of remediation applications, waive such of the restrictions referred to in this section as it may deem prudent and in the best interests of the City of Danbury.



# ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

## COMMON COUNCIL

---

Be it ordained by the Common Council of the City of Danbury:

18-25. Deferral of assessment increase attributable to construction or improvements.

(b) (1) The applicant proposes to use the construction of improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, or for warehouse, storage or distribution use or, if the real property is located within the Downtown Redevelopment Area, the applicant proposes to use the construction or improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, retail, or for warehouse, storage or distribution use.

(d) (2) h. For proposed construction or improvements to permanent residential use property, which property has been designated blighted pursuant to Sec. 10-81 et seq. of this Code, which value not less than twenty five thousand dollars (\$25,000.00), not more than fifty (50%) percent of such increased assessment maybe deferred for a period of not more than three (3) years.



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

October 7, 2003

Mayor Mark D. Boughton  
Members of the Common Council

### Re: **Blight Remediation Ordinance**

The Common Council Committee appointed to review a blight remediation ordinance met three times, first on May 21, 2003, on July 30, 2003 and finally on September 4, 2003. In attendance at all three meetings were committee members Saadi, Coladarci and Nolan, as well as Assistant Corporation Counsel Les Pinter. Also in attendance at the May 21<sup>st</sup> meeting were Council Members Levy, Basso and John Esposito, ex-officio.

Mr. Saadi stated that the purpose of this committee is to review blight and blight related issues on private property. At the May 21<sup>st</sup> meeting, Mr. Saadi asked Attorney Pinter to put together a proposal offering owner incentives and waiver of fees, etc. Deferrals would have to be \$25,000 in value.

At the July 30<sup>th</sup> meeting Attorney Pinter submitted a proposed ordinance. The proposal added section 10-86(d) as follows:

As an incentive toward the full remediation of residential property designed blighted by the blight inspector, a purchaser or a prospective purchaser of such blighted property may make application to the City of Danbury for a waiver of fines and release of lien imposed in accordance with the provisions of this section. Said application shall specify the time frame of the sale and the proposed remediation. The applicant, once approved for this program, shall agree to execute an agreement which shall specify the time frame for remediation (which remediation shall occur within six months of closing of title), the specific improvements to be made, that the applicant shall maintain the property as owner occupied for a term of at least three (3) years from the date of remediation approval and that the applicant understands that such waiver or release shall only occur upon full remediation and approval of same by the blight inspector.

In addition to the incentive proposed in subsection (d) hereof, a purchaser or proposed purchaser of residential property, may avail themselves of the tax deferral benefits set forth in City of Danbury ordinance Section 18-25, as may pertain to blighted

residential property, except that the requirement of owner occupancy need not be required where said purchaser or prospective purchaser is eligible for and executes an agreement qualifying for tax deferral benefits pursuant to said Ordinance Section 18-25.

Mr. Saadi stated that the first proposal correlates to what the committee asked for. As to the deferral, he stated his concern as to whether we want to require the application to be the prospective owner, not the current owner. He asked if the committee wanted to include everything that is included in the waiver of fees. Mr. Nolan stated that he believes it should be non-owner occupied since it is mostly commercial property. The deferment proposal should not be restricted to owner occupied because people may buy these properties for investment. Mr. Nolan stated that in the business property sense, we are not going to waive fees and penalties. We still want to give incentives to new owners to remediate blight. Mrs. Coladarci asked if there is still the incentive to fix the blight? The timeframe is still needed. Mr. Saadi asked that the redraft of the changes be sent to all committee members.

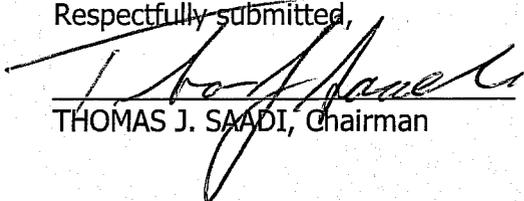
At the September 4<sup>th</sup> meeting, Mr. Saadi noted that Sec. 10-86 subsection 6 and Section 18-25 subsections b and d addresses the issue of occupancy and being a new purchaser or potential purchaser. Attorney Pinter outlined the changes he made.

Mr. Saadi stated that Sec. 18-25 clarifies that residential use is for that property designated blight. He stated that this is distinct from fines or waiver of liens. The property does not need to be owner occupied to get a tax deferral. Owner occupancy is not required for a tax deferral. Mr. Nolan stated that this accomplishes everything that was of concern to the committee. He noted that Attorney Pinter had done a good job.

Mr. Nolan stated that the question was posed with respect to same ownership, but a different entity. The same individual can own multiple entities. Is this something we should be aware of and should this be addressed in the ordinance? Attorney Pinter stated that someone who is prepared to be the recipient of the benefits should address this in the application. Mr. Saadi said that the intent of the committee is that the initial requirement is to submit some information to allow determination as to ownership, but he would hesitate to define this in the ordinance. The reviewing body should be allowed to make the determination. Attorney Pinter stated that the Common Council could request that the application include that the new buyer identify incidents of ownership in the existing property. Mr. Saadi said there should be a requirement that any applicant for benefits must disclose the corporation information including principals and officers, as well as partners of any LLC. This is a standard type of disclosure.

Mr. Nolan made a motion to refer this ordinance to the Common Council for adoption, with the requirement that the application include disclosure. Seconded by Mrs. Coladarci. Motion carried unanimously.

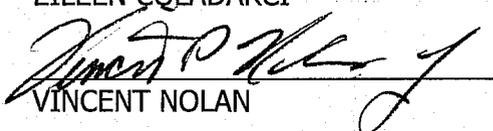
Respectfully submitted,

  
THOMAS J. SAADI, Chairman



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EILEEN COLADARCI



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VINCENT NOLAN



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

February 3, 2004

Be it ordained by the Common Council of the City of Danbury:

Sec. 10-86. Authority for fines; enforcement, appeal and hearing procedure; lien on property; waiver of fines and release of lien upon remediation by new buyer; tax assessment increase deferral for other than present owner.

- (a) In accordance with authority set forth in Connecticut General Statutes section 7-148(c)(7)(H) as may be amended from time to time, a fine of one hundred (\$100.00) dollars is prescribed for each day of violation, the period of such violation being deemed to commence in accordance with section 10-85 hereof.
- (b) The collection of fines imposed and costs assessed shall be subject to the appeal and hearing procedure set forth in Section 12-35 of the Code of Ordinances of the City of Danbury.
- (c) In accordance with authority set forth in Connecticut General Statutes section 7-148aa, may be amended from time to time, any unpaid fine imposed pursuant to the provisions of this Article shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by law and shall take precedence over all other liens filed after July 1, 1997, and encumbrances, except taxes, and may be enforced in the same manner as property tax liens.
- (d) As an incentive toward the full remediation of residential property designated blighted by the blight inspector, a purchaser or a prospective purchaser of such blighted property may make application to the City of Danbury for a waiver of fines and release of lien imposed in accordance with the provisions of this section. Said application shall specify the time frame of the sale and the proposed remediation. The applicant, once approved for this program, shall agree to execute an agreement which shall specify the time frame for remediation (which remediation shall occur within six months of closing of title), the specific improvements to be made, that the applicant shall maintain the property as owner occupied for a term of at least three (3) years from the date of remediation approval and that the applicant understands that such waiver or release shall only occur upon full remediation and approval of same by the blight inspector.
- (e) In addition to the incentive proposed in subsection (d) hereof, a purchaser or proposed purchaser of residential property, may avail themselves of the tax deferral benefits set forth in City of Danbury Ordinance section 18-25, as may pertain to blighted residential property, except that the requirement of owner occupancy need not be required where said purchaser or prospective purchaser is eligible for and executes an agreement qualifying for tax deferral benefits pursuant to said Ordinance section 18-25.
- (f) For purposes of this subsection, the term "new buyer" or "purchaser" shall mean an individual(s) or entity that shall have purchased the premises pursuant to an arms length transaction, verified to the satisfaction of the City in the remediation application specified in subsection (d) hereof, and may not include immediate family members of the prior owner (including, but not limited to spouses, children, siblings or parents) or sham transfers. The City shall make all determinations with respect to the viability and the acceptability of any new buyer for the proposed benefits and the purposes of this subsection and the Common Council may, in its review of remediation applications, waive such of the restrictions referred to in this section as it may deem prudent and in the best interests of the City of Danbury.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

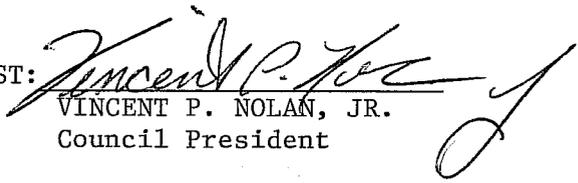
18-25. Deferral of assessment increase attributable to construction or improvements.

- (b) (1) The applicant proposes to use the construction of improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, or for warehouse, storage or distribution use or, if the real property is located within the Downtown Redevelopment Area, the applicant proposes to use the construction or improvements to real property (or property subject to air rights) for permanent residential use for property designated blighted pursuant to Sec. 10-81 et seq. of this Code, office, manufacturing, retail, or for warehouse, storage or distribution use.
- (d) (2) h. For proposed construction or improvements to permanent residential use property, which property has been designated blighted pursuant to Sec. 10-81 et seq. of this Code, which value not less than twenty five thousand dollars (\$25,000.00), not more than fifty (50%) percent of such increased assessment maybe deferred for a period of not more than three (3) years.

**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 - February 3, 2004  
Approved by Mayor Mark D. Boughton - February 4, 2004.

ATTEST:

  
VINCENT P. NOLAN, JR.  
Council President



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

Jan. 22, 2004

DANBURY, CT 06810

Reply To:  
797-4518; 744-7090

HON. MARK D. BOUGHTON, MAYOR  
HONORABLE PRESIDENT & MEMBERS OF THE COMMON COUNCIL  
155 Deer Hill Avenue  
Danbury, CT 06810

RE: PENDING LITIGATION  
MEGAN LLC VS. CITY OF DANBURY

Dear Mayor and Council Members:

Recent events in connection with pending litigation strongly suggest that the time may be right for another discussion of strategy. Accordingly, I have arranged for Assistant Corporation Counsel Daniel E. Casagrande to be present at the **Tuesday, Feb. 3, 2004** Common Council meeting to advise you fully concerning possible courses of action by the City. Of course, adjourning to Executive Session would be required.

As always, please do not hesitate to call at your convenience with any questions. Thank you for your attention to this matter.

Very truly yours,  
YAMIN & YAMIN

ROBERT J. YAMIN  
Corporation Counsel and  
Chief Legal Officer

797-4518; 744-7090

cc: Eric L. Gottschalk, Esq.  
Daniel E. Casagrande, Esq.

[RJY.la.C.ct.lit.ltr.(MeganLLC).MAYOR.1/22/2004]



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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

February 3, 2004

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Common Council Members:

The recent decision by the Bureau of Indian Affairs granting federal recognition to the Schaghticoke Tribal Nation brings to the forefront the threat of casino development proposals for Danbury. I have worked tirelessly opposing casinos in our community and offer the attached resolution for your consideration.

The City of Danbury will host a Casino Forum on Monday, February 9, 2004 at 7:30 PM in the Common Council Chambers. Your endorsement of this resolution will allow our community to have a unified voice opposing casino development in Danbury.

Thank you for your consideration of this vitally important issue.

Sincerely,

Mark D. Boughton  
Mayor

Attachment



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 200\_

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, in December of 2001 in response to published reports, the City of Danbury announced its firm opposition to the possible construction of a casino in Danbury; and,

**WHEREAS**, since that time the City of Danbury has led a consortium of area municipalities opposed to the creation of a casino anywhere within the region; and,

**WHEREAS**, the tribal acknowledgement decision announced by the Bureau of Indian Affairs on January 29, 2004, has heightened the possibility that a casino may be constructed in the area; and,

**WHEREAS**, casinos generate increased traffic congestion and criminal activity overburdening police and fire protection and increasing demands upon social service providers; and,

**WHEREAS**, under federal law once land has been taken into trust, casinos can be constructed without regard to local land use, zoning, environmental, health and safety, labor and other state and local rules and regulations; and,

**WHEREAS**, the construction of a casino within the city or the region, threatens the economic and social environment of the city and is therefore incompatible with the best interests of its residents.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF DANBURY** and the Boughton Administration remain unalterably opposed to the construction of a casino within the City of Danbury or anywhere in the Danbury area and will actively oppose the creation of such a facility.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

\_\_\_\_\_ A. D., 200\_

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