COMMON COUNCIL MEETING – MAY 4, 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 April 6, 2004

CONSENT CALENDAR

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1 – ORDINANCE & RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2004.

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a. General Government I Budget Report
b. General Government II Budget Report
c. Education Budget Report
d. Public Works Budget Report
e. Health & Housing, Public Safety and Social Services Budget Report

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2 – ORDINANCE – An Ordinance Appropriating $500,000 for Public Improvements in the 2004-2005 Capital Budget and Authorizing the Issuance of $500,000 Bonds of the City to Meet Said Appropriations and Pending the Issuance Thereof the Making of Temporary Borrowings for such Purpose

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3 – ORDINANCE – Sewer Use Rates

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4 – ORDINANCE – Water Use Rates

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5 – RESOLUTION – Non-Union Employees

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6 – RESOLUTION – HUD Financing for Senior Center Phase 2

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7 – RESOLUTION – Neighborhood Assistance Act

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8 – RESOLUTION – Historic Document Preservation

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9 – RESOLUTION – DUI Enforcement Vehicle Grant

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10 – RESOLUTION – Acquisition of Property – New Police Station

11 – COMMUNICATION – Appointment as Police Officer

12 – COMMUNICATION – Donations to the Department of Elderly Services

13 – COMMUNICATION – Donation to the Parks and Recreation Department

14 – COMMUNICATION – Donation from Automated Waste Disposal

15 – COMMUNICATION – Appropriation to the Board of Education

16 – COMMUNICATION – "Earth to Kids" Program

17 – COMMUNICATION – Request for Ad-Hoc Committee – Parking Ordinances

18 – COMMUNICATION – Suspense List

19 – COMMUNICATION – Lease of City Land to Danbury Audi

20 – COMMUNICATION – Storm Drain Catch Basin Order

21 – COMMUNICATION – Request for City to take over Wilkes Road

22 – COMMUNICATION – Claremont Terrace

23 – COMMUNICATION – Waiver of Bid for Purchase of Aerial Platform Truck

24 – COMMUNICATION – Drainage Easement – Backus Avenue

25 – COMMUNICATION – Report regarding 63 Grand Street

26 – COMMUNICATION – Reports regarding Request to Install Sign on Hawthorne Cove

27 – COMMUNICATION – Reports regarding Abandonment of Paper Road – Westwood Drive Area

28 – COMMUNICATION – Sadler Aircraft Service Lease

29 – COMMUNICATION – Curtiss Aero Airport Lease

30 – REPORT & ORDINANCE – Public Building Use Policy

31 – REPORT & ORDINANCE – Fire Marshall Inspections

32 – REPORT & RESOLUTION – Hatters Park Revenue

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33 – REPORT – Request for Sewer Extension – 15 Plumtrees Road

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34 – REPORT – Request for Sewer and Water Extensions – Scuppo Road

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35 – RESOLUTION – Local Zoning

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36 – DEPARTMENT REPORTS – Police Chief, Fire Chief, Fire Marshall, Welfare and Social Services, Health and Housing, Department of Elderly Services, Public Works, Permit Center, Building Department

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37 – COMMUNICATION & ORDINANCE – Stanley Lasker Richter Park

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38 – COMMUNICATION – Police Department Special Services Account

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39 – COMMUNICATION – Police Department Budget Transfer Request

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

CONSENT CALENDAR – MAY 4, 2004

6 – Receive the communication and adopt the resolution pledging sufficient property tax revenue of the City to secure loan guarantees provided by the U. S. Department of Housing & Urban Development in conjunction with Phase II of the Senior Center Project

8 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton or Town Clerk Joseph Scozzafava to apply for grant funding from the State of Connecticut Office of Public Records Administrator for the purpose of Historic Documents Preservation

9 – Receive the communication and adopt the resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the State of Connecticut Department of Transportation, Division of Highway Safety, in the amount of $7,280,000 to support the City of Danbury Memorial Day/Fourth of July Driving Under the Influence Enforcement Program

10 – Receive the communication and authorize the Corporation Counsel to take the necessary steps to acquire the properties in connection with the proposed new police station project and refer to the Planning Commission for a report

18 – Receive the communication and authorize the transfer of $266,672.99 to the Suspense List as outlined by the Tax Collector

25 – Receive the communication and take no action at this time

26 – Receive the communication and take no action at this time

33 – Receive the report and approve the sewer extension requested at 15 Plumtrees Road subject to the required eight steps

34 – Receive the report and approve the sewer and water extension requested on Scuppo Road subject to Engineering review and the required eight steps.

38 – Receive the communication and approve the transfer of the $225,000.00 to the Police Special Services Account #2000.5052

39 – Receive the communication and approve the transfer of $8,800 from the Police Regular Salaries Account #2000.5020 to the following line items in the Animal Control Services Account:

60000.5030	Overtime Salaries	$ 5,500
60000.5040	Part-Time Salaries	$ 2,500
60000.5311	Professional Services	$ 1,300

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

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

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

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

ABSENT – Urice, Payton

19 PRESENT – 2 ABSENT

Mr. Urice was out of town and Ms. Payton was ill

PUBLIC SPEAKING

Christine Rotello, 42 Pleasant Street – Said funding for the arts and cultural activities is important. Asked that some cuts be restored.

Patricia Zackman, 2-16 West Street – Executive Director of the Women's Center

Asked that the 15% cut in funding for the Women's Center be restored.

Alice Chapman, 3 Glen Hill Road – asked that cuts to the Women's Center be restored.

Margie Blansfield, 2 Highfields Drive – Asked that cuts to WeCahr be restored.

Bernadette Kallas, Chambers Road – Asked that cuts to Commission on Child Care, Rights and Abuse be restored.

Chad Sinanian, 11 Thorpe Street – Asked that cuts to the WeCahr budget be restored.

Lynn Waller, 83 Highland Avenue – Thanked the Common Council for its efforts. Asked that taxes not be increase because senior citizens cannot afford it.

James Robert Chapman, 385 Main Street – Asked that funds for Harrambe Youth Center not be cut because the program may have to shut down.

Vanette, Pierre, Wilson Street – increase the Education budget

City Events

8/25/2004:
Harry Potter Trivia Ga

8/27/2004:
Boughton Bookworm I

8/30/2004:
Sing Ins and Auditions
Choral Society - Sumr

9/1/2004:
Library Card Sign-Up

9/11/2004:
9-11 Memorial Dedica

Sign up
Mailin

Click here t
City

Got a pr

Site Map

Robert Rogers, 12 Lee Avenue – He is thankful for the resources to the Social Services agencies. There has been a 32% reduction in funding in the past five years. Rescind the cuts and fund the schools.

Terrence Trawer, 22 Rowan Street – Cuts in the Harrambe budget will decrease the ability to deliver services. Reconsider the cuts in the budget.

Barbara Talarico, 10 Deer Hill Avenue – reconsider Board of Education budget

Dan Trocolla, 53 Holley Street – He is concerned about the Education budget and the human services budget.

Neil Marcus, 158 Deer Hill Avenue – reconsider the cuts to the Women's Center budget.

Also spoke regarding item 35, Local Zoning Ordinance. It is a travesty to exempt a certain piece of land. It is cherry picking. It may be unconstitutional. A public hearing may violate 1983 of the Federal statutes.

George O'Loughlin, 13 Maple Ridge Road – Chairman of the Board of Education. There has been talk of merging support services between the City and the Board. A business plan is needed. Looking at the cuts the Mayor has recommended there is still a gap between the proposal and what they can live with.

Terrance Trower, 22 Rowan Street – He does not want anything to happen to the Harrambe Youth Center.

Pat Doyle, 46 Washington Avenue – spoke about the cuts to the Commission on Child Care and the Women's Center.

Richard DeJohn, 25 Padanaram Road – Cuts to Danbury Children First will reduce the ability to provide training. Please restore the cuts.

MINUTES – Minutes of the Common Council Meeting held April 6, 2004. Mr. Nolan made a motion to adopt the minutes 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 presented the following items for the Consent Calendar:

CONSENT CALENDAR – MAY 4, 2004

6 – Receive the communication and adopt the resolution pledging sufficient property tax revenue of the City to secure loan guarantees provided by the U. S. Department of Housing & Urban Development in conjunction with Phase II of the Senior Center Project

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Transportation, Division of Highway Safety, in the amount of $7,200.00 to support the City of Danbury Memorial Day/Fourth of July Driving Under the Influence Enforcement Program

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60000.5030	Overtime Salaries	$ 5,500
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Mr. Nolan made a motion to adopt the Consent Calendar as read. Seconded by Mr. Cavo. Motion carried unanimously.

1 – ORDINANCE & RESOLUTION – An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005.

Mr. Nolan made a motion to adopt the Ordinance Making Appropriations For the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005 and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 2004 and Ending June 30, 2005. Seconded by Mr. Cavo.

General Government I Budget Report:

Mr. Riley submitted the following report:

The General Government I Budget Committee met on April 20, 2004 at 7:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Riley, Urice and Saadi. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Library Director Betsy McDonough, Chairman of the Library Board John Hoffer, Council Members Nolan, Saracino, Teicholz and Visconti, ex-officio and members of the public

members of the public.

Mr. Riley asked Ms. Diorio for an overview of the line items. Ms. Diorio stated that the Mayor's budget account for six full-time positions. There is money in part-time services for summer interns. There is money in postage for mailings and money for miscellaneous expenses.

Ms. McDonough explained the various increases and decreases in her budget. They have been able to decrease the cost of printing and binding due to the purchase of a color printer. She would like to see the book budget increased, although it has not been decreased this year.

Ms. Diorio stated that the Registrars of Voters budget salaries account is for the full-time registrars and there is $43,000 for deputy registrars and poll workers. All else is related to the provision of elections. Mr. Saadi asked if the three percent raise is included in this budget? Ms. Diorio said it is, but the registrars cannot receive the increase until their new term begins in January 2005.

Ms. Diorio stated that the COTT System in the Town Clerk's Office has saved $30,000. Mr. Saadi asked about the $24,000 in the printing and binding account. Ms. Diorio stated that it is for microfilming and part of the new system. She stated that there is not much that is new in the Town Clerk's budget.

Permit Coordination – Ms. Diorio stated that the salary change reflects that the department is increasing by two full-time positions from the Building Department to the Permit Center. All support staff handling customer service comes under the Permit Center. One part-time position was eliminated.

Planning Department – Ms. Diorio stated that the decrease in part-time salaries is due to one-part time position going from 19 hours to 12 hours.

Office of Economic Development – There is a salary for one full-time director and money for additional services. The $35,000 received from HVECO is reflected in this budget.

Personnel Department/Civil Service – Funding for the Personnel Director has bee eliminated. Those duties will fall to the Director of Finance. They have added a half-time Civil Service Examiner. Julio Lopez will be responsible for handling grievances, etc. Mr. Saadi stated that he has a problem with having two departments under the same auspices where they may have conflicts with each other from a personnel perspective.

City Memberships – The City belongs to three organizations – HVECO, the U. S. Conference of Mayors and CCM. Mr. Nolan asked if the City has considered the possibility of opting our of CCM and hiring its our lobbyist? Mayor Boughton said a lobbyist would not provide us access to CIRMA, competitive bidding or research on information. Next year they may keep CCM, but engage a lobbyist just for the legislative session.

Airport – Ms. Diorio stated that there is no flexibility in transferring funds to the motor fuel and heating fuel line item during the year. This budget is basically flat from last year. There are four full-time employees.

Mr. Urice made a motion to recommend adoption of the Mayor's proposed budget. Seconded by Mr. Saadi. Mr. Saadi stated that he seconded this motion to bring it to a vote. He still has the same concerns about the Personnel and Finance Departments being consolidated.

Motion carried, with Mr. Riley and Mr. Urice voting yes and Mr. Saadi voting no.

General Government II Budget Report

Mr. Cavo submitted the following report:

The General Government II Budget Committee met on April 19th at 7:00 P.M. and on April 21st at 7:00 P.M. in the Caucus Room in City Hall. In attendance at the April 19th meeting were committee members Cavo, Nagarsheth, McMahon, Trombetta and Saadi. Also in attendance were Mayor Boughton, Director of Finance Dena Diorio, Council Members Nolan, Saracino, Riley, Steinerd, Teicholz and Urice, ex-officio as well as members of the public and the media. In attendance at the April 21st meeting were committee members Cavo, Nagarsheth, McMahon and Saadi. Also in attendance were Director of Finance Dena Diorio, grant agency representatives, Council Members Nolan, Saracino, Barry, Teicholz, Visconti and Urice, as well as members of the public and the media.

At the April 19th meeting, Mr. Cavo asked the Director of Finance to give an overview of the Government II budget areas.

Ms. Diorio explained the discrepancy between the salary of the prior Treasurer and the current one. She indicated that it was not a change in the current Treasurer's salary, but a reduction from the last Treasurer to the current one.

The Bureau of Assessment has an addition of a full-time person to cover the GIS system. This is actually an increase from a part-time position.

Ms. Diorio explained the Retirement Administration line item, Labor Negotiation costs and FICA expenses, as well as all benefit line items. Ms. Diorio discussed interest on debt, both bonds and notes. Ms. Diorio presented an overview of the Capital Budget. She discussed the different funding sources including the recent bond, LOCIP and CDBG.

Ms. Diorio outlined the Contingency Fund and the types of things that would be funded from there. Mr. Saadi asked about any currently anticipated needs from Contingency beyond labor contract negotiations. Ms. Diorio said that the Corporation Counsel's Office might be one place, as well as snow removal costs.

Mr. Saadi made a motion to continue the committee. Motion seconded by Mr. Nagarsheth. Motion carried unanimously.

At the April 21st meeting, Mr. Cavo asked Ms. Diorio to provide an overview of how the grant agencies were funded. Ms. Diorio discussed the philosophy behind the 15% cut to all agencies across the board. She further identified a proposed correction to the CARD Foundation, which has been proposed to be funded at a higher level than others due to a calculation error. She suggested with that reduction the differential be shifted to the Volunteer Center, RSVP and the Cultural Commission.

Mr. Saadi observed that the funds allocated to the Cultural Commission seemed to be significantly more of a reduction than that asked of other agencies given the fact that we are

asking them to do more y way of transfer of other agencies. He suggested that the committee consider increasing the allocation to the Cultural Commission to be more representative of the general 15% cut to other agencies.

Representatives of the grant agencies present addressed the committee and asked that their funding be restored. Mr. Nolan of the Downtown Council reiterated his previously stated concerns about the proposed cut to the funding for the Downtown Council.

The committee members discussed their ideas as to funding cuts and funding restoration to various grant agencies.

Mr. Nagarsheth made a motion to recommend the adoption of the proposed Government II Budget with the following amendment:

Decrease the allocation to the CARD Foundation #5010.6062 to $8,500

Add funding for the Volunteer Center #5010.6061 in the amount of $2,040

Add funding to RSVP #5010.0000 in the amount of $1,700

Add funding to the Cultural Commission #7005.5855 in the amount of $510.

Seconded by Mrs. McMahon. The motion carried with committee members Cavo, Nagarsheth and McMahon voting in the affirmative and Mr. Saadi voting in the negative.

Education Budget Report

Ms. Saracino submitted the following report:

The Education Budget Committee met on April 13, 2004 and on April 19, 2004 in the Caucus Room in City Hall. In attendance at the April 13th meeting were committee members Saracino, Nolan. Riley, Stanley and Visconti. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Board of Education Members George O'Loughlin, Scott Ferguson, Eileen Alberts and Michael Fazio, as well as Board Finance Director Elio Longo, Assistant Finance Director Melanie Schroeder and Council Members Cavo and Urice, ex-officio. In attendance at the April 19th meeting were committee members Saracino, Nolan, Riley, Stanley and Visconti. Also in attendance were Finance Director Dena Diorio, Superintendent of Schools Eddie Davis, Board Finance Director Elio Longo, School Board Members O'Loughlin, Silva, Ferguson and Fazio, as well as Council Members Steinerd, Nagarsheth, Cavo and Urice, ex-officio.

At the April 13th meeting Ms. Saracino stated that the Mayor proposed a school budget of $89,500,000 at an increase of 6.4%. The Board of Education requested $92,338,894. Mayor Boughton stated that every municipality is struggling with the funding of their schools. The school district can be run at $89,500,000. He cannot make any further cuts from the City side of the budget. He cannot ask his non-union employees to make any further concessions if the school employees are not asked to do the same.

Mr. Nolan stated that there is a discrepancy of approximately three million dollars. The largest gap is anticipated grant funding. Mr. Longo stated that there is $15,700,000 in this budget, but there will be less in next year's budget. It is difficult to predict in January, where they will be in April. He believes it will come in at the same level. If grants remain at a flat level of funding, you experience a compression issue. The eight percent increase does not include grants for the coming year.

Mr. Longo stated that the average salary increase in 5.32%. The second largest expense is the health, life and dental insurance. These are the two main stressors on the budget. Mayor Boughton stated that he spoke with the President of the union and he would be willing to let the younger employees opt into lesser plans. The Board should offer early retirement to clerical staff and reorganize and combine positions. Mr. O'Loughlin stated that they did a fairly aggressive study regarding an early retirement program. If they did not offer an early retirement, they would still have enough retirements to save more cost than if they did.

Mr. O'Loughlin stated that the Board did a full analysis of all textbooks across the district. The textbook account was under funded last year by over $700,000. Ms. Saracino asked why there was over $100,000 in the textbook account in February. It should have been spent in January. Mr. Longo said they start in the read due to the salary account. The money comes from that account.

Mr. O'Loughlin stated that there had been some discussion about partnering the City and Board of Education's IT departments. At that time the Board was positive about making a deal, but it had to be on paper. They needed to know who would solve disputes, etc. Mayor Boughton said that the Board's demands were so onerous that it would have cost both organizations more money. The idea was put on hold, but he would be willing to revisit the issue.

After discussions regarding special education, other ways to doing business and the No Child Left Behind law, Mrs. Saracino continued the meeting until April 19th.

Mrs. Saracino opened the April 19th meeting by asking Council Members for any opening comments. There were none. Mr. O'Loughlin opened a discussion of textbook accounts. Dr. Davis referred to the report on textbooks and said it was "real information", not philosophical. Dr. Davis said we have a crisis in our media centers and instructional supplies. Mr. Riley discussed his experience at the High School as a former educator and disagreed with the assessment of the need for textbooks. Mr. Visconti asked if there was a specific formula for the replacement of textbooks. He also asked about the addition of staff for class size and the corresponding need for textbooks. Dr. Davis said that in the case of a need for additional staff, it takes precedence over the need for new textbooks.

Discussions followed regarding grant funding, early retirement, health insurance and the Stadium Manager position.

Mr. Nolan made a motion to recommend approval of the Mayor's proposed education funding budget. Seconded by Mr. Visconti.

Mr. Nolan encouraged the board to work with the Mayor and Finance Director to find the combined savings that are out there to be achieved. He also encouraged the board to look more closely at retirement options to lower overall payroll and benefit costs, as the significant portion of their overall budget. Mr. Riley indicted that he felt strongly that a retirement package was necessary.

Motion carried unanimously.

Public Works Budget

Mr. Steinerd submitted the following report:

The Public Works Budget Committee met on April 27, 2004 at 6:00 P.M. in the

The Public Works Budget Committee met on April 27, 2004 at 6:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Steinerd, Basso, Calandrino, Teicholz and Barry. Also in attendance were Director of Finance Dena Diorio, Director of Public Works William Buckley, Director of Parks and Recreation Robert Ryerson and Council Members Cavo, Urice and Seabury, ex-officio.

Mr. Steinerd asked Mr. Buckley for an overview of the public works budget. Mr. Buckley explained that all public buildings have same line items. Mr. Calandrino asked about the considerable expenditures for the Senior Center. Mr. Buckley explained that expenses cover the two buildings, the Old Jail and the new Senior Center.

Highways – Mr. Buckley stated that he would start bidding on sand and salt on July 1st. $20.00 per yard is the number they use. Mrs. Basso asked if new trucks would be ordered. Mr. Buckley said he would be ordering six 6 wheelers in sets of three; two lowboys, a sweeper and a backhoe. This money was contained in the bond package.

Street Lighting – Mr. Buckley stated that the City pays for all streetlights. Some are metered.

Park Maintenance and Forestry – Forestry was under Public Works in the past. Ms. Diorio noted that an additional park maintainer has been added. Mr. Ryerson said that they extrapolated the costs and put them into two different categories. Mr. Barry asked for an explanation of the rationale behind moving the maintainers. Ms. Diorio said putting the maintainers under one area would be more cost efficient. Mr. Barry asked how this flows with the charter. Ms. Diorio believes it does follow the charter. Mr. Ryerson said he initially had some reservations, but after several meetings with the Mayor, he believes it can work.

Public Building Maintenance and Repair – This follows the same format as the Public Buildings account. There is a formal agreement with the Board of Education as to which responsibilities belong to the City and which belong to the Board. Ms. Teicholz asked about the Outside Services Account. Ms. Diorio said most of it is the Honeywell contract.

Equipment Maintenance – This account maintains the City fleet, including police vehicles. Fire vehicles and sewer and water vehicles are not in this budget. Salaries are all union people.

Recycling and Solid Waste – This is the old landfill account. It is responsible for the operation of the gas collections system and air and ground water monitoring. It contains funds for utilities and for needed chemicals, as well as money for Household Hazardous Waste Day. Mom and Pop permits for handicapped persons are contained in this account.

Engineering Department – This department is for traffic control, painting of street lines, traffic lights, of which there are 110 in the City. The state owns 40 of them. The largest share of this budget is salary. There are fourteen employees in the office.

Parks and Recreation – Mr. Ryerson stated that the salary account is for him and his secretary. Overtime is for high school scholastics. Part-time salary account is staff for lakes and playgrounds and safe summer program. Professional Services covers officials, coaches and referees for the programs. $14,000 in Contributions and Grants is given to the Westerners Baseball franchise.

Tarrywile Park Authority – The City gives them $245,000 for their operations. There was some money for them this year in the Capital Program and in the Bond Package.

Mr. Buckley explained the Sewer Fund and the Water Fund. They are Enterprise Funds and serve approximately two-thirds of the population. Water department employees are City employees. Mr. Buckley explained Intermunicipal Agreements with surrounding towns and Septage Agreements with other towns. Many sewer and water priority items were covered in the bond package.

Mrs. Basso made a motion to recommend adoption of the Mayor's proposed Public Works budget as presented. Seconded by Mr. Calandrino. Motion carried with committee members Steinerd, Calandrino, Basso and Teicholz voting yes and committee member Barry voting no.

Health & Housing, Public Safety and Social Services Budget

Mr. Seabury submitted the following report:

The Health & Housing, Public Safety & Social Services Budget met on April 26, 2004 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Seabury, Basso, Bingaman, McMahon and Esposito. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Administrative Assistant to the Police Chief Arthur Sullo and Council Members Saracino, Urice, Visconti and Saadi, ex-officio.

Mr. Seabury asked Ms. Diorio to give an overview of each budget line item.

Police Department – Salaries include 152 sworn positions and six civilians. The overtime budget has been reduced from $900,000 to $800,000. An increase in the rate of pay for school-crossing guards has been included since they have not had an increase in three years. The rate of pay has been increased by fifty cents per hour. Most line items have been flat funded. Maintain office Equipment line item is for software and they had no control over that increase. Motor fuel was increased for next year because of the rising gas prices. Industrial and Chemical supplies has been slightly increased.

Mrs. Basso asked if the union contract has been signed. Ms. Diorio said it has not. They are still in negotiations, but money has been included in the contingency account.

Animal Control Fund – There has been an increase because an assistant animal control officer position has been restored. All line items have remained the same.

Mr. Urice asked how we are staffed for officers based on national averages? Captain Sullo said we are in a dilemma. Our population is 75,000, but there are probably 10,000 undocumented residents. Optimally, there should be two officers for every 1,000 people. They would like to see fifteen additional officers. Sworn officers are still being used for communications. That is contractual and should be looked at.

Fire Department – All positions have been funded except for one deputy fire marshal that has been eliminated. Overtime has been funded at the current level. There has been a procedural change regarding physicals for potential volunteers. The City will now pay for their medical exams only if they complete the volunteer training. The cleaning services line item has increased slightly. Chief Siecienski explained that the Maintain Building Structures line item includes ten structures under his control and that includes five volunteer companies.

A discussion followed regarding the volunteers budgets are spent. Ms. Diorio and

Chief Siecienski will be visiting each volunteer company to examine their books. Mr. Bingaman requested that the Common Council be apprised of how this trip goes.

Ms. Diorio stated that software leases are higher than the current year. Garage shop equipment has increased as well as an increase in public safety equipment. There is no funding for the purchase of new vehicles. Chief Siecienski said that due to budget difficulties he delayed a pumper request. He is receiving $30,000 for breathing apparatus and he will be able to replace the entire career side.

Ambulance Fund – The fund is 100% supported by user fees. The City has not had to subsidize this fund for two years. In the past, BSI did the annual audit. The City now does the audit. In the next fiscal year we will lease two new ambulances and take the old ones out of service.

Building Department – There have been some changes in this department. There has been a shift of three positions into the permit coordination. $1,600 has been included for new codebooks for the inspectors. Legal and public notices have been included for the first time.

Civil Preparedness – There has been a reduction in this budget because the director's position has been funded for six months. They have been having trouble finding someone to fill this position.

Department of Consumer Protection – This office will consist of two part-time people as sealers of weights and measures. The state will train these people at no cost to the City.

Health and Housing – There are no significant changes in this budget. A part-time inspector was eliminated to generate savings. There was a slight increase in industrial chemicals and supplies.

Welfare – All positions have been funded. Overtime was brought back to $2,000. $5,000 previously allocated for projects has been eliminated because the director did not know how she was going to use it. Office Supplies has been slightly increased.

Veterans Advisory Center – This is a lean budget. 99% is the salary for the director.

Commission on Aging – Salaries are for three full-time staffers. Printing and Binding has been reduced due to Senior Net activities, as Senior Net will pay its own way. There was also in reduction in office supplies due to Senior Net.

Elderly Transportation – This is a grant we give to the Housing Authority so that they can provide transportation for the elderly.

Mr. Bingaman made a motion to recommend adoption of the Mayor's proposed Health & Housing, Public Safety and Social Services Budget. Seconded by Mrs. Basso. Motion carried unanimously.

Mr. Nolan offered an amendment to include changes recommended by the subcommittees. Seconded by Mrs. Basso.

Ms. Saracino moved to amend the ordinance by reducing line item 1060.5020 by $1,242 to comply with Connecticut General Statutes and add $1,242 to the Cultural Commission line item. Seconded by Mrs. Basso. Motion carried unanimously.

Mr. Saadi made a motion to restore one-third of the funding cuts to WeCahr, Regional Commission on Child Care Rights and Abuse and Women's Center and $19,978 to be appropriated to the Cultural Commission and the contingency to be reduce by a like amount. Seconded by Mr. Barry. Motion failed on a vote of 4 yes 15 no. Council Members Saadi, Barry, Visconti and Esposito voted yes.

Main Motion, as amended, carried 15 yes and 4 no with Council Members Saadi, Barry, Visconti and Esposito voting in the negative.

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005.

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

SECTION 1. That the amounts hereinafter set forth aggregating $161,229,195 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

I. GENERAL GOVERNMENT	MAYOR'S BUDGET	ADOPTED BUDGET
Common Council	$ 62,853	$ 62,853
Mayor's Office	311,118	311,118
City Clerk's Office	44,354	44,354
Ordinances	20,600	20,600
Probate Court	15,625	15,625
Registrars & Elections	154,880	153,637
City Treasurer	17,748	17,748
Director of Finance	717,030	717,030
Data Processing/Info Tech	1,052,770	1,052,770
Independent Audit	43,900	43,900
Bureau of Assessments	375,647	375,647
Board of Assessment & Appeals	4,050	4,050
Tax Collector	501,461	501,461
Purchasing	209,956	209,956
Corporation Counsel	591,202	591,202
Town Clerk	364,148	364,148
Annual Report	7,650	7,650

Permit Coordination	282,573	282,573
Planning Department	468,956	468,956
Office of Economic Development	88,000	88,000
Conservation Commission	8,665	8,665
Personnel Department/Civil Service	222,498	222,498
Mayor's Discretionary Fund	10,000	10,000
Fair Rent Commission	1,450	1,450
City Memberships	77,786	77,786
Lake Authority	48,812	48,812
	MAYOR'S BUDGET	**ADOPTED BUDGET**
GENERAL GOVERNMENT		
Retirement Administration	$ 72,500	$ 72,500
Labor Negotiations	82,000	82,000
Public Buildings	863,633	863,633
City Hall Building	281,046	281,046
Library Building	162,885	162,885
Police Station Building	174,965	174,965
Senior Center Building	79,100	79,100
Old Library Building	38,092	38,092
Employee Service Benefit	44,402	44,402
TOTAL GENERAL GOVERNMENT	$ 7,502,355	$ 7,501,112
II. **PUBLIC SAFETY**		
Police Department	$11,443,035	$11,443,035
Animal Control	172,993	172,993
Fire Department	8,487,154	8,487,154
Ambulance Fund	0	0
Building Inspector	453,423	453,423
Department of Civil Preparedness	41,650	41,650

Employee Service Benefit	9,957	9,957
Department of Consumer Protection	50,659	50,659
TOTAL PUBLIC SAFETY	$20,658,871	$20,658,871

III. **PUBLIC WORKS**

Highways	$ 2,073,531	$ 2,073,531
State Aid – Highways	181,121	181,121
Snow and Ice Removal	426,000	426,000
Street Lighting	386,250	386,250
Park Maintenance & Forestry	1,259,825	1,259,825
Public Building Maintenance and Repair	510,653	510,653
Equipment Maintenance	778,828	778,828
Recycling/Solid Waste	326,150	326,150
Engineering Department	981,702	981,702

	MAYOR'S BUDGET	**ADOPTED BUDGET**
PUBLIC WORKS		
Employee Service Benefit	$ 16,586	$ 16,586
TOTAL PUBLIC WORKS	$ 6,940,646	$ 6,940,646

IV. **HEALTH & HOUSING DEPARTMENT**

Health & Housing	$ 827,771	$ 827,771
Employee Service Benefit	6,859	6,859
TOTAL HEALTH & HOUSING	$ 834,630	$ 834,630

V.	**PUBLIC WELFARE, SOCIAL AGENCIES**		
	Welfare Department	$ 312,097	$ 312,097
	Veterans' Advisory Center	55,838	55,838
	Commission on Aging	227,013	227,013
	Elderly Transportation	12,000	12,000
	Grants – Human Services	1,005,493	1,004,983
	Employee Service Benefit	3,738	3,738
	TOTAL PUBLIC WELFARE, SOCIAL AGENCIES	$ 1,616,179	$ 1,615,669
VI.	**SCHOOL DEPARTMENT**		
	Schools, Regular	$89,500,000	$89,500,000
	Schools, Health & Welfare	208,575	208,575
	TOTAL SCHOOL BUDGET	$89,708,575	$89,708,575
VII.	**LIBRARIES**		
	Danbury Public Library	$ 1,889,260	$ 1,889,260
	Employee Service Benefit	5,059	5,059
	Long Ridge Library	0	0
	TOTAL LIBRARIES	$ 1,894,319	$ 1,894,319
VIII.	**PARKS & RECREATION**		
	Parks & Recreation	$ 430,144	$ 430,144
	Tarrywile Park Authority	245,000	245,000

	MAYOR'S BUDGET	ADOPTED BUDGET
PARKS & RECREATION		
Cultural Commission	$ 75,000	$ 76,753
Lake Kenosia Commission	2,500	2,500
Employee Service Benefit	1,473	1,473
TOTAL PARKS & RECREATION	$ 754,117	$ 755,870

IX. **RECURRENT COSTS**

FICA	$ 1,403,411	$ 1,403,411
Pension Expense	3,911,000	3,911,000
Employee Service Benefit	177,370	177,370
Worker's Compensation	641,852	641,852
State Unemployment Compensation	36,000	36,000
Employee Health & Life Insurance	10,095,593	10,095,593
Union Welfare	740,000	740,000
Insurance & Official Bond Premium	2,699,086	2,699,086
TOTAL RECURRENT COSTS	$ 19,704,312	$ 19,704,312

X. **DEBT SERVICE**

	Interest on Debt	$ 1,678,632	$ 1,678,632
	Interest on Debt – School	1,329,674	1,329,674
	Redemption of Debt	3,687,350	3,687,350
	Redemption of Debt – School	2,545,000	2,545,000
	TOTAL DEBT SERVICE	$ 9,240,656	$ 9,240,656
XI.	**CAPITAL PROGRAM**	0	0
	TOTAL CAPITAL PROGRAM	0	0
XII.	**TRANSPORTATION**		
	Danbury Airport	$ 312,267	$ 312,267
	H.A.R.T.	632,040	632,040
	Employee Service Benefit	1,474	1,474
	TOTAL TRANSPORTATION	$ 945,781	$ 945,781
		MAYOR'S BUDGET	ADOPTED BUDGET
XIII.	**CONTINGENCY**	$1,428,754	$1,428,754
	TOTAL CONTINGENCY	$1,428,754	$1,428,754
	TOTAL BUDGET	$161,229,195	$161,229,195

SECTION 2. That the amount of $1,601,000 is appropriated to the AMBULANCE

FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of $186,593 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of $8,512,677 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of $5,753,209 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for tax appeals reserve is established in the amount of $850,000.

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR

BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005

Section 1. The sum of $129,296,048 representing the gross appropriations for the City of Danbury of $161,229,195 for the fiscal year of July 1, 2004 and ending June 30, 2005, minus Indirect Revenue of $32,783,147, plus reserve for tax appeals in the amount of $850,000, is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 2003.

Section 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 2004 and ending June 30, 2005 shall be as follows:

TAX RATE: 24.86 MILLS

Section 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 2004, October 1, 2004, January 1, 2005 and April 1, 2005 except for taxes levied and assessed on mobile homes, motor vehicles and where not in excess of One Hundred Dollars ($100.00), which taxes shall be paid on July 1, 2004 in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein, as provided by law.

Section 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

2 – ORDINANCE – An Ordinance Appropriating $500,000 For Public Improvements In the 2004-2005 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. The sum of $500,000 is appropriated for the public improvements hereunder

Section 1. The sum of $500,000 is appropriated for the public improvements hereunder listed:

Project	Estimated Cost
Tree Easement Acquisition	$ 88,000
Replace Breathing Apparatus	35,000
Vehicles for Weights and Measures	50,000
Landfill Litigation Settlement	300,000
Tarrywile Park Exterior Painting	27,000
Total	$ 500,000

Section 2. To meet said appropriation $500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide fund sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of $1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust

company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation may be expended with the approval of the Mayor and the Director of Finance to meet the actual cost of any of the projects set forth in Section 1, including actual costs which may exceed the estimated costs thereof, provided that the total amount of the appropriation is not exceeded.

Section 6. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds and to amend this declaration. This declaration shall be made available in the office of the clerk for public inspection within thirty days of its passage and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 7. The Director of Finance is hereby authorized, on behalf of the City of Danbury, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Mrs. Basso made a motion that the Ordinance appropriating $500,000 for Public Improvements in the 2004-2005 Capital Budget and Authorizing the Issuance of $500,000 Bonds of the City to meet said appropriations and pending the issuance thereof the making of temporary borrowings for such purpose be adopted. Seconded by Mr. Nolan. Motion carried unanimously.

3 – ORDINANCE – Sewer Use Rates

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

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2004, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1{,}000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service =

$$\frac{0.9 \times A \times Y}{1{,}000 \text{ gallons}}$$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = $1.60

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = $0.28

ii. Mixed residential / commercial, Class 2A = $4.11

iii. Nonresidential, Class 2 and 3 = $4.83

b. The minimum quarterly sewer use charge shall be seventeen

b. The minimum quarterly sewer use charge shall be seventeen dollars and twenty two cents ($17.22).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Eighty Three dollars and seventy nine cents ($83.79) per unit.

(2) Mixed residential / commercial (Class 2A) = One hundred sixty seven dollars and forty cents ($167.40) per unit.

(3) Nonresidential (Class 2 and 3) = One hundred sixty seven dollars and forty cents ($167.40) per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Thirty nine dollars and twenty nine cents ($39.29) per unit.

(2) Mixed residential/commercial (Class 2A) = One hundred forty two dollars and ten cents ($142.10) per unit.

(3) Nonresidential (Class 2 and 3) = One hundred fifty five dollars and ninety seven cents ($155.97) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for

each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

Mrs. Saracino made a motion to adopt the ordinance regarding sewer rates. Seconded by Mrs. Basso. Motion carried unanimously.

4 – ORDINANCE – Water Use Rate

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

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly non-metered rates.

The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2004: $192.55/unit.

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004, and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8-inch size meter:

Usage (MG)	
0-1	$ 8.57
2	9.49
3	10.40
4	11.31
5	12.24
6	13.13
7	14.05
8	14.97
9	15.88
10	16.79
11	17.70
12	18.63
13	19.52

13	19.32
14	20.43
15	21.34

(b) ¾-inch size meter:

Usage (MG)	
0-1	$13.32
2	14.23
3	15.14
4	16.06
5	16.96
6	17.87
7	18.74
8	19.71
9	20.61
10	21.53
11	22.45
12	23.35
13	24.26
14	25.19
15	26.10

(c) 1-inch size meter:

Usage (MG)	
0-1	$27.54

0-1	$27.54
2	28.45
3	29.36
4	30.27
5	31.18
6	32.09
7	33.01
8	33.92
9	34.84
10	35.73
11	36.67
12	37.57
13	38.48
14	39.40
15	40.31

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004 and are limited to the first fifteen thousand (15, 000) gallons of consumption.

Size of Meter (inches)	
1 ½	$126.15
2	185.00
3	410.00
4	819.90
6	1,639.78
8	3,279.61

8 ..... 5,279.01

10 ..... 6,559.21

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be two dollars and fifty-seven ($2.57) per one thousand (1,000) gallons.

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 2004:

(1) Hydrant use by contractors, per 100 gallons $ 1.25

(2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

Size of Connection (inches)	*Charge for Three Months*
4 and under	106.48
6	199.66
8	292.83
10	399.30
12	532.41

Mr. Cavo made a motion to adopt the ordinance regarding water rates. Seconded by Mr. Nolan. Motion carried unanimously. Motion carried unanimously.

5 – RESOLUTION - Non-Union Employees

Mr. Bingaman asked that this be referred to an ad hoc committee and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Nolan, Basso and Esposito to the committee.

6 – RESOLUTION – HUD Financing for Senior Center Phase 2

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in the coming months the City of Danbury intends to acquire property and construct Phase II of the Senior Center Project; and

WHEREAS, in order to finance the Senior Center Phase II Project the City of Danbury has requested loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the U. S. Department of Housing and Urban Development has approved said request consisting of the guarantee of notes or other obligations in the principal amount of $3,200,000 plus interest; and,

WHEREAS, said approval is contingent upon, among other things, the requirement that the city provide additional security for the loan guarantee in a form acceptable to HUD; and,

WHEREAS, HUD has agreed to accept the city's pledge of property tax revenues as a secondary source of financing for this Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, the City of Danbury does hereby pledge sufficient property tax revenues, as required by the United States Department of Housing and Urban Development, as additional security for the guaranteed loan under Section 108 of the Housing and Community Development Act of 1974, in order to secure the financing of the Senior Center Phase II Project.

The communication was received on the Consent Calendar and the resolution pledging property tax revenue of the City to secure loan guarantees provided by the U. S. Department of Housing & Urban Development in conjunction with Phase II of the Senior Center Project was adopted.

7 – RESOLUTION – Neighborhood Assistance Act

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

8 – RESOLUTION – Historic Document Preservation

RESOLVED by the Common Council of the City of Danbury:

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

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

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

WHEREAS, no local cash match is required.

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

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton or Town Clerk Joseph Scozzafava to apply for grant funding from the State of Connecticut Office of Public Records Administrator for the purpose of Historic Documents Preservation adopted.

9 – RESOLUTION – DUI Enforcement Vehicle Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of $7,280.00 for the 2004 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

WHEREAS, a local cash match of $3,120.00 is required in order to reach the total cost of the program, which is $10,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton is hereby authorized to apply for said grant and to accept grant funds is approved, and Mayor Mark D. Boughton is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grant funds are hereby ratified.

The communication was received on the Consent Calendar and the resolution authorizing Mayor Mark D. Boughton to apply for grant funding from the State of Connecticut Department of Transportation, Division of Highway Safety, in the amount of $7,280 to support the City of Danbury Memorial Day/Fourth of July Driving Under the Influence Enforcement Program adopted.

10 – RESOLUTION – Acquisition of Property – New Police Station

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the 21st Century Bond Issue, is proceeding, through plans and designs, to construct a new police station; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land as described in the Exhibits attached hereto; and

WHEREAS, said properties will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said properties and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury through the Office of Corporation Counsel, be and hereby is authorized to acquire the properties set forth on EXHIBITS A and B attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by November 1, 2004.

The communication was received on the Consent Calendar and the resolution authorizing the Corporation Counsel to take the necessary steps to acquire the properties in connection with the proposed new police station project approved and referred to the Planning Commission for a report.

11 – COMMUNICATION – Appointment as Police Officer

Letter from Mayor Mark Boughton requesting confirmation of the appointment of Justin R.

Williams as a police officer. Mr. Trombetta made a motion to receive the communication and confirm the appointment. Seconded by Mr. Barry. Motion carried unanimously.

12 – COMMUNICATION – Donations to the Department of Elderly Services

Letter from Director of Elderly Services Susan Tomanio requesting permission to accept donations in the amount of $75.00 for the Professional Services line item and the donation of four bridge tables from AARP for use at Elmwood Hall. Mrs. McMahon made a motion to receive the communication, accept the donations, credit the appropriate line item and send a letter of thanks. Seconded by Ms. Saracino. Motion carried unanimously.

13 – COMMUNICATION – Donation to the Parks and Recreation Department

Letter from Director of Parks and Recreation Robert Ryerson requesting permission to accept a donation in the amount of $100 from the Danbury Garden Club. Mr. Visconti 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.

14 – COMMUNICATION – Donation from Automated Waste Disposal

Letter from Director of Public Works William Buckley requesting permission to accept a donation of four thirty-yard containers to the City for use on "Clean City Danbury Day." Ms. Stanley made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

15 – COMMUNICATION – Appropriation to the Board of Education

Letter from Director of Finance Dena Diorio requesting that $40,113 be transferred from the Contingency Account to the Board of Education for the incentive program designed to provide a dollar for dollar match to the Board of Education for any long-term savings that were achieved through organizational systemic changes.

Mr. Nolan made a motion to receive the communication and authorize the transfer of funds. Seconded by Mr. Seabury. Motion carried unanimously.

16 – COMMUNICATION – "Earth to Kids" Program

Letter from Director of Public Works William Buckley outlining a proposal from Kathy Gleason of the Weston Woods Institute utilizing the educational van purchased as a part of our recycling program.

Mr. Nagarsheth asked that this be referred to an ad hoc committee, the Director of Public Works, the Director of Finance and a representative of Weston Woods Institute. Mayor Boughton so ordered and appointed Council Members Teicholz, Seabury and Barry to the committee.

17 – COMMUNICATION – Request for Ad Hoc Committee regarding Parking Ordinances

Ms. Burns asked that this be referred to an ad hoc committee, the Chief of Police, the Zoning Enforcement Officer and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Cavo, Basso and Esposito to the committee.

18 – COMMUNICATION – Suspense List

Letter from Tax Collector Catherine Skurat recommending names and amounts of City taxes that she considers uncollectible in the amount of $266,672.99 be transferred to the Suspense List. The communication was received on the Consent Calendar and the transfer of $266,672.99 to the Suspense List authorized.

19 – COMMUNICATION – Lease of City Land adjacent to Danbury Airport to Danbury Audi. Mr. Seabury asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance, and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

20 – COMMUNICATION – Storm Drain Catch Basin Odor.

Request from William Walsh of 44 Mabel Avenue asking the City to correct an odor from catch basins in his neighborhood. Mr. Seabury asked that this be referred to the Director of Health for a report back within thirty days. Mayor Boughton so ordered.

21 – COMMUNICATION – Request for the City to take over Wilkes Road

Ms. Burns asked that this be referred to the Director of Public Works, the Planning Commission and the Corporation Counsel for reports back within thirty days. Mayor Boughton so ordered.

22 – COMMUNICATION – Claremont Terrace

Mr. Steinerd asked that this be referred to the Director of Public Works, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

23 – COMMUNICATION – Waiver of Bid for Purchase of Aerial Platform Truck

Mr. Nolan made a motion to approve the waiver of bid for the purchase of an aerial platform truck. Seconded by Mr. Cavo. Motion carried unanimously.

24 – COMMUNICATION – Drainage Easement, Backus Avenue

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

25 – COMMUNICATION – Report regarding 63 Grand Street

Report from the Director of Finance stating that the City is considering the acquisition of several properties on Grand Street as part of the expansion of the Senior Center. The City is still waiting for final appraisals to be complete so a final budget for the project may be developed. Based on preliminary estimates it does not appear that sufficient funds will be available to purchase this property.

The communication was received on the Consent Calendar and no action taken.

26 – COMMUNICATION – Reports regarding the request to install a sign on Hawthorne Cove

Reports from the Chief of Police and the Director of Public Works recommending that a sign not be permitted to be installed within the City road right of way. The communication was

received on the Consent Calendar and no action taken.

27 – COMMUNICATION – Reports regarding the abandonment of a paper road in the Westwood Drive area.

Reports from the Director of Public Works and the Corporation Counsel stating that they have no objections to the City granting this request, subject to Planning Commission approval. Mr. Bingaman made a motion to refer this request to the Planning Commission. Mayor Boughton so ordered.

28 – COMMUNICATION – Sadler Aircraft Service Lease

Mr. Calandrino asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance, and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

29 – COMMUNICATION – Curtiss Aero Airport Lease

Ms. Stanley asked that this be referred to an ad hoc committee, the Corporation Counsel, the Planning Commission, the Airport Administrator, the Director of Finance and the Aviation Commission. Mayor Boughton so ordered and appointed Council Members Riley, Steinerd and Visconti to the committee.

30 – REPORT & ORDINANCE – Public Building Use Policy

Mr. Calandrino submitted the following report:

The Common Council Committee appointed to review an ordinance regarding the use of public buildings met on April 14, 2004 at 7:30 P.M. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Superintendent of Public Utilities Rick Palanzo, Director of Finance Dena Diorio, Assistant Corporation Counsel Robin Edwards, Library Director Betsy McDonough, Dennis Nazzaro from the Music Center Board of Directors and Council Members Saadi, Seabury, Cavo, Urice, Basso and Saracino, ex-officio.

The purpose of this ordinance is to allow policies to be established. Ms. Diorio stated that this ordinance would give the City the opportunity to prepare a building use policy. The attached policy is still to be considered. Included would be City Hall, the two Senior Center buildings and the Danbury Music Center. Excluded would be the Library, Richter Park, Tarrywile Park and Hatters Park. For insurance purposes it would state what could and could not be done. For profit agencies would be charged a fee.

Mr. Saadi said he does not have a problem with the City having a policy, but he does have a problem with the inclusion of City Hall. When someone rents, and pays for a City Hall room, they are entitled to a five-day cancellation notice. Many times the Common Council meets with less than five days notice. You would not have the same problem with the other buildings because they are not used for City business. He asked if there would be a problem for groups who do not have an insurance policy? Ms. Diorio said that the most critical issue is if someone gets hurt the City is responsible. Attorney Edwards stated that Section 7 would allow the Superintendent of Public Buildings to waive the requirement. Mr. Calandrino stated that he agrees with Mr. Saadi regarding City Hall.

Mr. Saadi proposed the following changes: first line between the word use and rental, the work or should be inserted; and in the third line the word shall should be replaced with may and in the fifth line after the word facilities, insert the phase as set forth in said

may and in the fifth line after the word facilities, insert the phase as set forth in said policies. Finally, the attached proposed rental policy shall be detached from the ordinance and be considered separately at a later time.

Mr. Visconti made a motion to recommend the following changes to the ordinance: in the first line between the word use and rental, the word or should be inserted; in the third line the word shall should be replaced with may; and in the fifth line after the word facilities, the phase as set forth in said policies should be inserted. Also, the attached proposed rental policy shall be detached and referred to a separate committee for consideration. Seconded by Mr. Nagarsheth. Motion carried unanimously.

Ms. Saracino made a motion to receive the report, approve its recommendations and defer the ordinance to public hearing. Seconded by Mrs. Basso. Motion carried unanimously.

31 – REPORT & ORDINANCE – Fire Marshall Inspections

Mr. Calandrino submitted the following report:

The Common Council Committee appointed to review the ordinance regarding Fire Marshall Inspections met on April 14, 2004 in the Third Floor Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Fire Marshall Barry Rickert, Corporation Counsel Robert Yamin and Council Members Basso, Cavo, Saadi, Saracino and Seabury.

Mr. Calandrino asked the Director of Finance to explain the request. Ms. Diorio stated that this ordinance would allow the Fire Marshall to charge for inspections. Mr. Rickert put together the ordinance and determined what the proposal would generate.

Mr. Visconti asked Mr. Rickert if there are enough personnel to carry this out? Mr. Rickert said there are never enough people to do inspections as they multiple each year. This ordinance is not generating a heavier workload; these are current inspections. There are no new inspections. The revenue would go into the general fund. Mr. Urice asked if there would be a charge for reinspections? Ms. Diorio said there would not.

Mr. Nagarsheth made a motion to recommend adoption of the ordinance and defer it to public hearing. Seconded by Mr. Visconti. Motion carried unanimously.

Mrs. Basso made a motion to receive the report, approve its recommendations and refer the ordinance to public hearing. Seconded by Mrs. Saracino. Motion carried unanimously.

32 – REPORT & RESOLUTION – Hatters Park Revenue

Mr. Calandrino submitted the following report and resolution:

The Common Council Committee appointed to review a resolution pertaining to the revenue from Hatters Park met on April 14, 2004 at 8:05 P.M. in the Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Director of Parks and Recreation Robert Ryerson, Robert Talarico, David Arconti and Bob Guerrero from PAL, Council Members Urice, Saracino, Basso, Cavo, Seabury and Saadi, ex-officio and Joe Gould from the News Times.

Ms. Diorio explains that the resolution redirects the revenue from Hatters Park to the General Fund. An issue of concern is the theft of funds from PAL soccer. In 2001 the

independent auditor had questions about PAL soccer and recommended that the assets be turned over to PAL. If the assets were not turned over, termination should occur. There is a 120-day audit requirement after the end of the fiscal year. They are still not in compliance. PAL is in violation of their grant agreement with the City. When Mr. Guerrero was told he needed to submit his budget response, his answer was "we don't have a budget". PAL is required to maintain updated insurance. Requests for updated certificates of insurance have gone unanswered. It is not clear if they have a worker's compensation policy. Non-Profit organizations are required to file a 990 form with the IRS. This was not completed by the February 15th due date. Technically, their ability to raise funds is suspended because they have not filed a CPC60 form with the State Attorney General.

Mr. Ryerson stated that receipts from Hatters Park are in the neighborhood of $35,000. There was no income for six months due to the renovations at the banquet hall. The City also pays for officials and scorekeepers for various leagues and they have $21,800 for that expense. They gave a grant in the amount of $1,250 for girl's softball. New fees have been instituted because of the new banquet report. There are reservations through October. This should generate an additional $15,000 per year.

Mr. Visconti asked for the PAL representatives input on these issues. Mr. Arconti stated that funds were never stolen from PAL. The soccer league is its own entity. They use PAL's tax number and name. The auditor did mention taking over the checkbook for soccer and they were filing the paperwork to become independent. The soccer league did delay in turning over its paperwork, but he believes that Mr. Barbosa now has everything he needs. Mr. Guerrero stated that the City came to PAL in 1995 and asked to borrow $50,000 to renovate the pavilion. If the City borrowed the money, they revenue would be given to PAL. He does not believe that a new Mayor and Common Council can redirect the revenue money. PAL would not have broken ground if the City had not given assurance that the revenue money would go to PAL. He stated that PAL does not see any money from Hatters Park. It goes directly into an account. They transfer money into that account to cover the mortgage.

Mr. Talarico stated that the Union Savings Bank granted the mortgage on the strength of the City's support. If the City elects not to provide the money, PAL will be unable to pay the mortgage and the building will be taken over by the bank. The ability to raise funds will be diminished if the City withdraws its support from PAL. Mr. Cavo asked if it was mentioned that the City's was going to withdraw its support? Ms. Diorio said support is not being withdrawn; it is just being brought back into the general fund. The City will continue to assist with the mortgage.

Mr. Nagarsheth made a motion to recommend that the Common Council adopt the resolution as presented. Seconded by Mr. Visconti. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the use of Hatter's Park facilities generates substantial revenue for the City of Danbury; and,

WHEREAS, for several years these funds have been provided to the Police Athletic League for use in supporting the Police Athletic League's loan operations; and

WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds; and

WHEREAS, it is deemed in the best interests of the City of Danbury to now place said funds

in the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, all funds generated by the use of facilities at Hatter's Park shall be placed in the City's General Fund with the understanding that the City of Danbury stands committed to supporting the core mission of the Police Athletic League and that under the appropriate circumstances the City remains amenable to the use of municipal resources to assist in the furtherance of the goals of the Police Athletic League.

Mr. Nagarsheth made a motion to receive the report and adopt the resolution. Seconded by Mr. Nolan.

Mr. Saadi made a motion to amend the resolution by removing paragraph three as follows: "WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds." Seconded by Mr. Nolan.

Mr. Visconti wanted to clarify that the committee did not accuse anyone of misappropriating funds. The problem is accounting errors and there was no finger pointing.

Motion to amend carried unanimously.

Main motion, as amended, carried unanimously.

33 – REPORT – Request for Sewer Extension – 15 Plumtrees Road

Ms. Burns submitted the following report:

The Common Council Committee appointed to review the request for sewer extension met on April 8, 2004 at 6:55 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Burns, Esposito and Saadi. Also in attendance were the Director of Public Works William Buckley and the petitioner, David Carroll.

Ms. Burns noted the positive recommendation from the Planning Commission. Mr. Buckley stated that the property is located across from the recycling center, just to the left of the dog pound. He does not have plans for this request in his office. The extension will have to be engineered. It may require pumping to get it to the pump station. He would recommend approval of the extension subject to the required eight steps.

Mr. Esposito asked the petitioner what he is going to do with the property. Mr. Carroll stated that he will run a construction business on the site; there will be some metal buildings that may be used for self-storage. The buildings will also be used for equipment storage and repairs.

Mr. Saadi stated his concern that a possible approval should not be construed as an endorsement of the route to connect to the existing sewer line. We are only approving the sewer extension. He said he is concerned that we are doing this without a site plan. We are not approving the method of extending the line; we are just allowing the petitioner to connect. We do not want to create a precedent.

Mr. Saadi made a motion to recommend approval of the sewer extension, subject to the required eight steps. Seconded by Mr. Esposito. Motion carried unanimously.

The report was received on the Consent Calendar and the sewer extension approved subject

The report was received on the Consent Calendar and the sewer extension approved subject to the required eight steps.

34 – REPORT – Request for Sewer and Water Extensions – Scuppo Road

Mr. Bingaman submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extension on Scuppo Road met on April 27, 2004 at 7:30 P.M. in City Hall. In attendance were committee members Bingaman and Teicholz. Also in attendance were Director of Public Works William Buckley, the petitioner, Ron Cameron and Council Member Joe Cavo, ex-officio.

Mr. Bingaman noted the positive recommendation from the Planning Commission. Mr. Bingaman asked Mr. Buckley for an overview. Mr. Buckley stated that he had not had an opportunity to review the plans. Mr. Cameron stated that the proposal is for the development of 82 town houses off Scuppo Road. There is an existing city housing development and a development under construction in the area. He pointed out the lot he is developing on a site map. Sewer and Water has been extended for the other development up to a point and he would like to extend that line up to his project. Planning and zoning have approved the development.

Mrs. Teicholz made a motion to recommend approval of the request subject to Engineering review and the required eight steps. Seconded by Mr. Bingaman. Motion carried unanimously.

The report was received on the Consent Calendar and the sewer and water extensions granted subject to engineering review and the required eight steps.

35 – ORDINANCE – Exemption of City of Danbury property located at 201 University Boulevard from Zoning Regulations

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

36 – DEPARTMENT REPORTS – Police Chief, Fire Chief, Fire Marshall, Welfare and Social Services, Health and Housing, Department of Elderly Services, Public Works, Permit Center, Building Department.

Mr. Nolan made a motion to receive the department reports 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.

37 – COMMUNICATION & ORDINANCE – Stanley Lasker Richter Park

Letter from Mayor Boughton requesting that an ordinance expanding the Richter Park Authority to include two alternate members be considered. Mrs. Basso made a motion to receive the communication and defer the ordinance to public hearing. Mayor Boughton so ordered.

38 – COMMUNICATION – Police Department Special Services Account

Letter from Chief of Police Robert Paquette requesting that the sum of $225,000 be transferred to the Police Special Services account for purposes of meeting salaries demand for police private duty services through June 30,2004. These funds will be returned to the general fund. The communication was received on the Consent Calendar and the transfer of

Special Session - 17th

COMMON COUNCIL - ROLL CALL MAY 2004

ADVANCE	YES	NO		YES	NO		YES	NO		YES	NO
MCMAHON											
BURNS											
TROMBETTA											
CALENDRINO											
SAADI											
BARRY											
VISCONTI											
STEINERD		X									
URICE											
ESPOSITO											
NOLAN											
BASSO											
SARACINO											
CAVO											
BINGAMAN		X									
TEICHOLZ											
NAGARSHETH											
PAYTON		X									
RILEY											
SEABURY											
STANLEY											
TOTALS											

funds authorized.

39 – COMMUNICATION – Police Department Budget Transfer Request

Letter from Chief of Police Robert Paquette requesting permission to transfer the sum of $8,800 from the Police Department Regular Salaries operating budget to supplement the Animal Control Budget.

The communication was received on the Consent Calendar and the transfer of $8,800 from the Police Regular Salaries Account to the Animal Control Budget approved.

Mayor Boughton extended all committees, except item 22 from the August 2003 agenda.

There being no further business to come before the Common Council a motion was made at 9:56 P.M. by Mrs. Basso for the meeting to be adjourned.

Respectfully submitted,

_____

JIMMETTA L. SAMAHA

Clerk

ATTEST:

_____

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

May 14, 2004

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

Re: Additional Appropriation for the purchase of textbooks

Dear Council Members:

Over the past few weeks I have had a number of discussions with the Superintendent of Schools, members of the Danbury Board of Education and other school officials concerning the budget for the upcoming fiscal year. Two things are quite clear to me. First, the annual appropriation that I proposed and that you adopted for the 2004-2005 school year more than adequately balances the needs of the school system with the ability of the city to support them. Second, that an additional appropriation for the purpose of purchasing textbooks would help the Board of Education achieve its core mission and continue the long tradition of educational excellence in our school system.

At the close of the legislative session the General Assembly made an additional appropriation of funds for the benefit of municipalities. We are therefore in a position to pass along a portion of that money to the school system. For that reason, I now propose for your consideration a resolution authorizing the additional appropriation of five hundred thousand dollars ($500,000.00) for the purchase of school textbooks. The resolution recognizes the statutory authority of the Board of Education while at the same time clearly encouraging the Board to use these funds for that purpose.

We all share a commitment to the children of our city and appreciate the extraordinary difference a quality education can make in their lives. We all know the impact that a vibrant school system can have on our community. This appropriation is one way of demonstrating that commitment and ensuring that the young people of Danbury are prepared to meet the challenges that lie ahead.

Sincerely,

Mark D. Boughton
Mayor

RECYCLED PAPER

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on May 4, 2004, the Common Council of the City of Danbury acted upon the 2004-2004 budget proposed by the Mayor and adopted an annual appropriation for the maintenance of public schools within the city; and,

WHEREAS, the Mayor and the Common Council wish to provide additional funds to Danbury Board of Education to ensure that the educational goals of the school district are achieved and the tradition of educational excellence continued; and,

WHEREAS, the Mayor and the Common Council recognize that all funds appropriated by the city for the maintenance of public schools is to be expended by and in the discretion of the Board of Education; and,

WHEREAS, the Mayor and the Common Council nevertheless wish to encourage the Board of Education to use this additional funding for the purpose of purchasing additional textbooks;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, the sum of five hundred thousand dollars ($500,000.00) is hereby appropriated for the Danbury Public Schools and that the Mayor and the Common Council further request that the Board of Education use said additional funds for the purchase of textbooks.

CITY OF DANBURY

TO MEMBERS OF THE COMMON COUNCIL

A special meeting of the Common Council of the City of Danbury will held

On the 17th day of May, 2004, ~~2003~~ at 6:45 P.M. in the

Common Council Chambers in City Hall in said Danbury for the purpose of:

1. COMMUNICATION AND RESOLUTION - Additional Appropriation for the purchase of Textbooks

Dated at Danbury, this 14th day of MAY, 2004, ~~2003~~

Mayor

President

To the Sheriff or any police officer of the City of Danbury:

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

Mayor

CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL MAY 4, 2004

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

AN ORDINANCE MAKING APPROPRIATONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005.

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

SECTION 1. That the amounts hereinafter set forth aggregating $161,229,195 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

		MAYOR'S BUDGET	ADOPTED BUDGET
I.	GENERAL GOVERNMENT		
	Common Council	$ 62,853	$ 62,853
	Mayor's Office	311,118	311,118
	City Clerk's Office	44,354	44,354
	Ordinances	20,600	20,600
	Probate Court	15,625	15,625
	Registrars & Elections	154,880	153,637
	City Treasurer	17,748	17,748
	Director of Finance	717,030	717,030
	Data Processing/Info Tech	1,052,770	1,052,770
	Independent Audit	43,900	43,900
	Bureau of Assessments	375,647	375,647
	Board of Assessment & Appeals	4,050	4,050
	Tax Collector	501,461	501,461
	Purchasing	209,956	209,956
	Corporation Counsel	591,202	591,202
	Town Clerk	364,148	364,148
	Annual Report	7,650	7,650
	Permit Coordination	282,573	282,573
	Planning Department	468,956	468,956
	Office of Economic Development	88,000	88,000
	Conservation Commission	8,665	8,665
	Personnel Department/Civil Service	222,498	222,498
	Mayor's Discretionary Fund	10,000	10,000
	Fair Rent Commission	1,450	1,450
	City Memberships	77,786	77,786
	Lake Authority	48,812	48,812
	Retirement Administration	72,500	72,500
	Labor Negotiations	82,000	82,000
	Public Buildings	863,633	863,633
	City Hall Building	281,046	281,046
	Library Building	162,885	162,885
	Police Station Building	174,965	174,965
	Senior Center Building	79,100	79,100
	Old Library Building	38,092	38,092
	Employee Service Benefit	44,402	44,402
	TOTAL GENERAL GOVERNMENT	$ 7,502,355	$ 7,501,112
II.	PUBLIC SAFETY		
	Police Department	$ 11,443,035	$ 11,443,035
	Animal Control	172,993	172,993
	Fire Department	8,487,154	8,487,154
	Ambulance Fund	0	0
	Building Inspector	453,423	453,423
	Department of Civil Preparedness	41,650	41,650
	Employee Service Benefit	9,957	9,957
	Department of Consumer Protection	50,659	50,659
	TOTAL PUBLIC SAFETY	$ 20,658,871	$ 20,658,871
III.	PUBLIC WORKS		
	Highways	$ 2,073,531	$ 2,073,531
	State Aid - Highways	181,121	181,121
	Snow and Ice Removal	426,000	426,000
	Street Lighting	386,250	386,250
	Park Maintenance & Forestry	1,259,825	1,259,825
	Public Building Maintenance and Repair	510,653	510,653
	Equipment Maintenance	778,828	778,828
	Recycling/Solid Waste	326,150	326,150
	Engineering Department	981,702	981,702
	Employee Service Benefit	16,586	16,586
	TOTAL PUBLIC WORKS	6,940,646	6,940,646
IV.	HEALTH & HOUSING DEPARTMENT		
	Health & Housing	$ 827,771	$ 827,771
	Employee Service Benefit	6,859	6,859
	TOTAL HEALTH & HOUSING	$ 834,630	$ 834,630
V.	PUBLIC WELFARE, SOCIAL AGENCIES		
	Welfare Department	$ 312,097	$ 312,097
	Veteran's Advisory Center	55,838	55,838
	Commission on Aging	227,013	227,013
	Elderly Transportation	12,000	12,000
	Grants - Human Services	1,005,493	1,004,983
	Employee Service Benefit	3,738	3,738
	TOTAL PUBLIC WELFARE, SOCIAL AGENCIES	$ 1,616,179	$ 1,615,669
VI	SCHOOL DEPARTMENT		
	Schools, Regular	$ 89,500,000	$ 89,500,000
	Schools, Health & Welfare	208,575	208,575
	TOTAL SCHOOL BUDGET	$ 89,708,575	$ 89,708,575
VII	LIBRARIES		
	Danbury Public Library	$ 1,889,260	$ 1,889,260
	Employee Service Benefit	5,059	5,059
	Long Ridge Library	0	0
	TOTAL LIBRARIES	$ 1,894,319	$ 1,894,319
VIII.	PARKS & RECREATION		
	Parks & Recreation	$ 430,144	$ 430,144
	Tarrywile Park Authority	245,000	245,000

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **General Government I Budget Committee**

The General Government I Budget Committee met on April 20, 2004 at 7:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Riley, Urice and Saadi. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Library Director Betsy McDonough, Chairman of the Library Board John Hoffer, Council Members Nolan, Saracino, Teicholz and Visconti, ex-officio and members of the public.

Mr. Riley asked Ms. Diorio for an overview of the line items. Ms. Diorio stated that the Mayor's budget account for six full-time positions. There is money in part-time services for summer interns. There is money in postage for mailings and money for miscellaneous expenses.

Ms. McDonough explained the various increases and decreases in her budget. They have been able to decrease the cost of printing and binding due to the purchase of a color printer. She would like to see the book budget increased, although it has not been decreased this year.

Ms. Diorio stated that the Registrars of Voters budget salaries account is for the full-time registrars and there is $43,000 for deputy registrars and poll workers. All else is related to the provision of elections. Mr. Saadi asked if the three percent raise is included in this budget? Ms. Diorio said it is, but the registrars cannot receive the increase until their new term begins in January 2005.

Ms. Diorio stated that the COTT System in the Town Clerk's Office has saved $30,000. Mr. Saadi asked about the $24,000 in the printing and binding account. Ms. Diorio stated that it is for microfilming and part of the new system. She stated that there is not much that is new in the Town Clerk's budget.

Permit Coordination – Ms. Diorio stated that the salary change reflects that the department is increasing by two full-time positions from the Building Department to the

Permit Center. All support staff handling customer service comes under the Permit Center. One part-time position was eliminated.

Planning Department – Ms. Diorio stated that the decrease in part-time salaries is due to one-part time position going from 19 hours to 12 hours.

Office of Economic Development – There is a salary for one full-time director and money for additional services. The $35,000 received from HVECO is reflected in this budget.

Personnel Department/Civil Service – Funding for the Personnel Director has bee eliminated. Those duties will fall to the Director of Finance. They have added a half-time Civil Service Examiner. Julio Lopez will be responsible for handling grievances, etc. Mr. Saadi stated that he has a problem with having two departments under the same auspices where they may have conflicts with each other from a personnel perspective.

City Memberships – The City belongs to three organizations – HVECO, the U. S. Conference of Mayors and CCM. Mr. Nolan asked if the City has considered the possibility of opting our of CCM and hiring its our lobbyist? Mayor Boughton said a lobbyist would not provide us access to CIRMA, competitive bidding or research on information. Next year they may keep CCM, but engage a lobbyist just for the legislative session.

Airport – Ms. Diorio stated that there is no flexibility in transferring funds to the motor fuel and heating fuel line item during the year. This budget is basically flat from last year. There are four full-time employees.

Mr. Urice made a motion to recommend adoption of the Mayor's proposed budget. Seconded by Mr. Saadi. Mr. Saadi stated that he seconded this motion to bring it to a vote. He still has the same concerns about the Personnel and Finance Departments being consolidated.

Motion carried, with Mr. Riley and Mr. Urice voting yes and Mr. Saadi voting no.

Respectfully submitted,

ROBERT RILEY, Chairman

JOEL URICE

GEORGETTE BURNS

WANDA PAYTON

THOMAS SAADI

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **General Government II Budget Committee**

The General Government II Budget Committee met on April 19th at 7:00 P.M. and on April 21st at 7:00 P.M. in the Caucus Room in City Hall. In attendance at the April 19th meeting were committee members Cavo, Nagarsheth, McMahon, Trombetta and Saadi. Also in attendance were Mayor Boughton, Director of Finance Dena Diorio, Council Members Nolan, Saracino, Riley, Steinerd, Teicholz and Urice, ex-officio as well as members of the public and the media. In attendance at the April 21st meeting were committee members Cavo, Nagarsheth, McMahon and Saadi. Also in attendance were Director of Public Works Dena Diorio, grant agency representatives, Council Members Nolan, Saracino, Barry, Teicholz, Visconti and Urice, as well as members of the public and the media.

At the April 19th meeting, Mr. Cavo asked the Director of Finance to give an overview of the Government II budget areas.

Ms. Diorio explained the discrepancy between the salary of the prior Treasurer and the current one. She indicated that it was not a change in the current Treasurer's salary, but a reduction from the last Treasurer to the current one.

The Bureau of Assessment has an addition of a full-time person to cover the GIS system. This is actually an increase from a part-time position.

Ms. Diorio explained the Retirement Administration line item, Labor Negotiation costs and FICA expenses, as well as all benefit line items. Ms. Diorio discussed interest on debt, both bonds and notes. Ms. Diorio presented an overview of the Capital Budget. She discussed the different funding sources including the recent bond, LOCIP and CDBG.

Ms. Diorio outlined the Contingency Fund and the types of things that would be funded from there. Mr. Saadi asked about any currently anticipated needs from Contingency beyond labor contract negotiations. Ms. Diorio said that the Corporation Counsel's Office might be one place, as well as snow removal costs.

Mr. Saadi made a motion to continue the committee. Motion seconded by Mr. Nagarsheth. Motion carried unanimously.

At the April 21st meeting, Mr. Cavo asked Ms. Diorio to provide an overview of how the grant agencies were funded. Ms. Diorio discussed the philosophy behind the 15% cut to all agencies across the board. She further identified a proposed correction to the CARD Foundation, which has been proposed to be funded at a higher level than others due to a calculation error. She suggested with that reduction the differential be shifted to the Volunteer Center, RSVP and the Cultural Commission.

Mr. Saadi observed that the funds allocated to the Cultural Commission seemed to be significantly more of a reduction than that asked of other agencies given the fact that we are asking them to do more y way of transfer of other agencies. He suggested that the committee consider increasing the allocation to the Cultural Commission to be more representative of the general 15% cut to other agencies.

Representatives of the grant agencies present addressed the committee and asked that their funding be restored. Mr. Nolan of the Downtown Council reiterated his previously stated concerns about the proposed cut to the funding for the Downtown Council.

The committee members discussed their ideas as to funding cuts and funding restoration to various grant agencies.

Mr. Nagarsheth made a motion to recommend the adoption of the proposed Government II Budget with the following amendment:

Decrease the allocation to the CARD Foundation #5010.6062 to $8,500
Add funding for the Volunteer Center #5010.6061 in the amount of $2,040
Add funding to RSVP #5010.0000 in the amount of $1,700
Add funding to the Cultural Commission #7005.5855 in the amount of $510.

Seconded by Mrs. McMahon. The motion carried with committee members Cavo, Nagarsheth and McMahon voting in the affirmative and Mr. Saadi voting in the negative.

Respectfully submitted,

JOSEPH CAVO, Chairman

LOUISE McMAHON

SHAILESH NAGARSHETH

CHARLES TROMBETTA

THOMAS J. SAADI

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Education Budget**

The Education Budget Committee met on April 13, 2004 and on April 19, 2004 in the Caucus Room in City Hall. In attendance at the April 13th meeting were committee members Saracino, Nolan. Riley, Stanley and Visconti. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Board of Education Members George O'Loughlin, Scott Ferguson, Eileen Alberts and Michael Fazio, as well as Board Finance Director Elio Longo, Assistant Finance Director Melanie Schroeder and Council Members Cavo and Urice, ex-officio. In attendance at the April 19th meeting were committee members Saracino, Nolan, Riley, Stanley and Visconti. Also in attendance were Finance Director Dena Diorio, Superintendent of Schools Eddie Davis, Board Finance Director Elio Longo, School Board Members O'Loughlin, Silva, Ferguson and Fazio, as well as Council Members Steinerd, Nagarsheth, Cavo and Urice, ex-officio.

At the April 13th meeting Ms. Saracino stated that the Mayor proposed a school budget of $89,500,000 at an increase of 6.4%. The Board of Education requested $92,338,894. Mayor Boughton stated that every municipality is struggling with the funding of their schools. The school district can be run at $89,500,000. He cannot make any further cuts from the City side of the budget. He cannot ask his non-union employees to make any further concessions if the school employees are not asked to do the same.

Mr. Nolan stated that there is a discrepancy of approximately three million dollars. The largest gap is anticipated grant funding. Mr. Longo stated that there is $15,700,000 in this budget, but there will be less in next year's budget. It is difficult to predict in January, where they will be in April. He believes it will come in at the same level. If grants remain at a flat level of funding, you experience a compression issue. The eight percent increase does not include grants for the coming year.

Mr. Longo stated that the average salary increase in 5.32%. The second largest expense is the health, life and dental insurance. These are the two main stressors on the budget. Mayor Boughton stated that he spoke with the President of the union and he would be willing to let the younger employees opt into lesser plans. The Board

should offer early retirement to clerical staff and reorganize and combine positions. Mr. O'Loughlin stated that they did a fairly aggressive study regarding an early retirement program. If they did not offer an early retirement, they would still have enough retirements to save more cost than if they did.

Mr. O'Loughlin stated that the Board did a full analysis of all textbooks across the district. The textbook account was under funded last year by over $700,000. Ms. Saracino asked why there was over $100,000 in the textbook account in February. It should have been spent in January. Mr. Longo said they start in the read due to the salary account. The money comes from that account.

Mr. O'Loughlin stated that there had been some discussion about partnering the City and Board of Education's IT departments. At that time the Board was positive about making a deal, but it had to be on paper. They needed to know who would solve disputes, etc. Mayor Boughton said that the Board's demands were so onerous that it would have cost both organizations more money. The idea was put on hold, but he would be willing to revisit the issue.

After discussions regarding special education, other ways to doing business and the No Child Left Behind law, Mrs. Saracino continued the meeting until April 19th.

Mrs. Saracino opened the April 19th meeting by asking Council Members for any opening comments. There were none. Mr. O'Loughlin opened a discussion of textbook accounts. Dr. Davis referred to the report on textbooks and said it was "real information", not philosophical. Dr. Davis said we have a crisis in our media centers and instructional supplies. Mr. Riley discussed his experience at the High School as a former educator and disagreed with the assessment of the need for textbooks. Mr. Visconti asked if there was a specific formula for the replacement of textbooks. He also asked about the addition of staff for class size and the corresponding need for textbooks. Dr. Davis said that in the case of a need for additional staff, it takes precedence over the need for new textbooks.

Discussions followed regarding grant funding, early retirement, health insurance and the Stadium Manager position.

Mr. Nolan made a motion to recommend approval of the Mayor's proposed education funding budget. Seconded by Mr. Visconti.

Mr. Nolan encouraged the board to work with the Mayor and Finance Director to find the combined savings that are out there to be achieved. He also encouraged the board to look more closely at retirement options to lower overall payroll and benefit costs, as the significant portion of their overall budget. Mr. Riley indicted that he felt strongly that a retirement package was necessary.

Motion carried unanimously.

Respectfully submitted,

MARY SARACINO, Chairman

VINCENT NOLAN

ROBERT RILEY

COLLEEN STANLEY

FRED VISCONTI

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Public Works Budget**

The Public Works Budget Committee met on April 27, 2004 at 6:00 P.M. in the Caucus Room in City Hall. In attendance were committee members Steinerd, Basso, Calandrino, Teicholz and Barry. Also in attendance were Director of Finance Dena Diorio, Director of Public Works William Buckley, Director of Parks and Recreation Robert Ryerson and Council Members Cavo, Urice and Seabury, ex-officio.

Mr. Steinerd asked Mr. Buckley for an overview of the public works budget. Mr. Buckley explained that all public buildings have same line items. Mr. Calandrino asked about the considerable expenditures for the Senior Center. Mr. Buckley explained that expenses cover the two buildings, the Old Jail and the new Senior Center.

Highways – Mr. Buckley stated that he would start bidding on sand and salt on July 1st. $20.00 per yard is the number they use. Mrs. Basso asked if new trucks would be ordered. Mr. Buckley said he would be ordering six 6 wheelers in sets of three; two lowboys, a sweeper and a backup. This money was contained in the bond package.

Street Lighting – Mr. Buckley stated that the City pays for all streetlights. Some are metered.

Park Maintenance and Forestry – Forestry was under Public Works in the past. Ms. Diorio noted that an additional park maintainer has been added. Mr. Ryerson said that they extrapolated the costs and put them into two different categories. Mr. Barry asked for an explanation of the rationale behind moving the maintainers. Ms. Diorio said putting the maintainers under one area would be more cost efficient. Mr. Barry asked how this flows with the charter. Ms. Diorio believes it does follow the charter. Mr. Ryerson said he initially had some reservations, but after several meetings with the Mayor, he believes it can work.

Public Building Maintenance and Repair – This follows the same format as the Public Buildings account. There is a formal agreement with the Board of Education as to which responsibilities belong to the City and which belong to the Board. Ms. Teicholz

asked about the Outside Services Account. Ms. Diorio said most of it is the Honeywell contract.

Equipment Maintenance – This account maintains the City fleet, including police vehicles. Fire vehicles and sewer and water vehicles are not in this budget. Salaries are all union people.

Recycling and Solid Waste – This is the old landfill account. It is responsible for the operation of the gas collections system and air and ground water monitoring. It contains funds for utilities and for needed chemicals, as well as money for Household Hazardous Waste Day. Mom and Pop permits for handicapped persons are contained in this account.

Engineering Department – This department is for traffic control, painting of street lines, traffic lights, of which there are 110 in the City. The state owns 40 of them. The largest share of this budget is salary. There are fourteen employees in the office.

Parks and Recreation – Mr. Ryerson stated that the salary account is for him and his secretary. Overtime is for high school scholastics. Part-time salary account is staff for lakes and playgrounds and safe summer program. Professional Services covers officials, coaches and referees for the programs. $14,000 in Contributions and Grants is given to the Westerners Baseball franchise.

Tarrywile Park Authority – The City gives them $245,000 for their operations. There was some money for them this year in the Capital Program and in the Bond Package.

Mr. Buckley explained the Sewer Fund and the Water Fund. They are Enterprise Funds and serve approximately two-thirds of the population. Water department employees are City employees. Mr. Buckley explained Intermunicipal Agreements with surrounding towns and Septage Agreements with other towns. Many sewer and water priority items were covered in the bond package.

Mrs. Basso made a motion to recommend adoption of the Mayor's proposed Public Works budget as presented. Seconded by Mr. Calandrino. Motion carried with committee members Steinerd, Calandrino, Basso and Teicholz voting yes and committee member Barry voting no.

Respectfully submitted,

MICHAEL STEINERD, Chairman

PAULINE BASSO

MICHAEL CALANDRINO

MARY TEICHOLZ

KEVIN BARRY

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Health & Housing, Public Safety & Social Services Budget**

The Health & Housing, Public Safety & Social Services Budget met on April 26, 2004 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Seabury, Basso, Bingaman, McMahon and Esposito. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Administrative Assistant to the Police Chief Arthur Sullo and Council Members Saracino, Urice, Visconti and Saadi, ex-officio.

Mr. Seabury asked Ms. Diorio to give an overview of each budget line item.

Police Department – Salaries include 152 sworn positions and six civilians. The overtime budget has been reduced from $900,000 to $800,000. An increase in the rate of pay for school-crossing guards has been included since they have not had an increase in three years. The rate of pay has been increased by fifty cents per hour. Most line items have been flat funded. Maintain office Equipment line item is for software and they had no control over that increase. Motor fuel was increased for next year because of the rising gas prices. Industrial and Chemical supplies has been slightly increased.

Mrs. Basso asked if the union contract has been signed. Ms. Diorio said it has not. They are still in negotiations, but money has been included in the contingency account.

Animal Control Fund – There has been an increase because an assistant animal control officer position has been restored. All line items have remained the same.

Mr. Urice asked how we are staffed for officers based on national averages? Captain Sullo said we are in a dilemma. Our population is 75,000, but there are probably 10,000 undocumented residents. Optimally, there should be two officers for every 1,000 people. They would like to see fifteen additional officers. Sworn officers are still being used for communications. That is contractual and should be looked at.

Fire Department – All positions have been funded except for one deputy fire marshal that has been eliminated. Overtime has been funded at the current level. There has been a procedural change regarding physicals for potential volunteers. The City will now pay for their medical exams only if they complete the volunteer training. The cleaning services line item has increased slightly. Chief Siecienski explained that the Maintain Building Structures line item includes ten structures under his control and that includes five volunteer companies.

A discussion followed regarding the volunteers budgets are spent. Ms. Diorio and Chief Siecienski will be visiting each volunteer company to examine their books. Mr. Bingaman requested that the Common Council be apprised of how this trip goes.

Ms. Diorio stated that software leases are higher than the current year. Garage shop equipment has increased as well as an increase in public safety equipment. There is no funding for the purchase of new vehicles. Chief Siecienski said that due to budget difficulties he delayed a pumper request. He is receiving $30,000 for breathing apparatus and he will be able to replace the entire career side.

Ambulance Fund – The fund is 100% supported by user fees. The City has not had to subsidize this fund for two years. In the past, BSI did the annual audit. The City now does the audit. In the next fiscal year we will lease two new ambulances and take the old ones out of service.

Building Department – There have been some changes in this department. There has been a shift of three positions into the permit coordination. $1,600 has been included for new codebooks for the inspectors. Legal and public notices have been included for the first time.

Civil Preparedness – There has been a reduction in this budget because the director's position has been funded for six months. They have been having trouble finding someone to fill this position.

Department of Consumer Protection – This office will consist of two part-time people as sealers of weights and measures. The state will train these people at no cost to the City.

Health and Housing – There are no significant changes in this budget. A part-time inspector was eliminated to generate savings. There was a slight increase in industrial chemicals and supplies.

Welfare – All positions have been funded. Overtime was brought back to $2,000. $5,000 previously allocated for projects has been eliminated because the director did not know how she was going to use it. Office Supplies has been slightly increased.

Veterans Advisory Center – This is a lean budget. 99% is the salary for the director.

Commission on Aging – Salaries are for three full-time staffers. Printing and Binding has been reduced due to Senior Net activities, as Senior Net will pay its own way. There was also in reduction in office supplies due to Senior Net.

Elderly Transportation – This is a grant we give to the Housing Authority so that they can provide transportation for the elderly.

Mr. Bingaman made a motion to recommend adoption of the Mayor's proposed Health & Housing, Public Safety and Social Services Budget. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

GREGG SEABURY, Chairman

PAULINE BASSO

SCOTT BINGAMAN

LOUISE McMAHON

JOHN ESPOSITO

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005.

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

SECTION 1. That the amounts hereinafter set forth aggregating $161,229,195 or so much as may be necessary, are hereby appropriated for the General Fund, from current revenue, for the use of the several departments of the Municipal Government and for the purpose hereinafter mentioned for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

		MAYOR'S BUDGET	ADOPTED BUDGET
I.	GENERAL GOVERNMENT		
	Common Council	$ 62,853	$ 62,853
	Mayor's Office	311,118	311,118
	City Clerk's Office	44,354	44,354
	Ordinances	20,600	20,600
	Probate Court	15,625	15,625
	Registrars & Elections	154,880	153,637
	City Treasurer	17,748	17,748
	Director of Finance	717,030	717,030
	Data Processing/Info Tech	1,052,770	1,052,770
	Independent Audit	43,900	43,900
	Bureau of Assessments	375,647	375,647
	Board of Assessment & Appeals	4,050	4,050
	Tax Collector	501,461	501,461
	Purchasing	209,956	209,956
	Corporation Counsel	591,202	591,202
	Town Clerk	364,148	364,148
	Annual Report	7,650	7,650
	Permit Coordination	282,573	282,573
	Planning Department	468,956	468,956
	Office of Economic Development	88,000	88,000
	Conservation Commission	8,665	8,665
	Personnel Department/Civil Service	222,498	222,498
	Mayor's Discretionary Fund	10,000	10,000
	Fair Rent Commission	1,450	1,450
	City Memberships	77,786	77,786
	Lake Authority	48,812	48,812

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

		MAYOR'S BUDGET	ADOPTED BUDGET
	GENERAL GOVERNMENT		
	Retirement Administration	$ 72,500	$ 72,500
	Labor Negotiations	82,000	82,000
	Public Buildings	863,633	863,633
	City Hall Building	281,046	281,046
	Library Building	162,885	162,885
	Police Station Building	174,965	174,965
	Senior Center Building	79,100	79,100
	Old Library Building	38,092	38,092
	Employee Service Benefit	44,402	44,402
	TOTAL GENERAL GOVERNMENT	$ 7,502,355	$ 7,501,112
II.	PUBLIC SAFETY		
	Police Department	$11,443,035	$11,443,035
	Animal Control	172,993	172,993
	Fire Department	8,487,154	8,487,154
	Ambulance Fund	0	0
	Building Inspector	453,423	453,423
	Department of Civil Preparedness	41,650	41,650
	Employee Service Benefit	9,957	9,957
	Department of Consumer Protection	50,659	50,659
	TOTAL PUBLIC SAFETY	$20,658,871	$20,658,871
III.	PUBLIC WORKS		
	Highways	$ 2,073,531	$ 2,073,531
	State Aid – Highways	181,121	181,121
	Snow and Ice Removal	426,000	426,000
	Street Lighting	386,250	386,250
	Park Maintenance & Forestry	1,259,825	1,259,825
	Public Building Maintenance and Repair	510,653	510,653
	Equipment Maintenance	778,828	778,828
	Recycling/Solid Waste	326,150	326,150
	Engineering Department	981,702	981,702

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

		MAYOR'S BUDGET	ADOPTED BUDGET
	PUBLIC WORKS		
	Employee Service Benefit	$ 16,586	$ 16,586
	TOTAL PUBLIC WORKS	$ 6,940,646	$ 6,940,646
IV.	HEALTH & HOUSING DEPARTMENT		
	Health & Housing	$ 827,771	$ 827,771
	Employee Service Benefit	6,859	6,859
	TOTAL HEALTH & HOUSING	$ 834,630	$ 834,630
V.	PUBLIC WELFARE, SOCIAL AGENCIES		
	Welfare Department	$ 312,097	$ 312,097
	Veterans' Advisory Center	55,838	55,838
	Commission on Aging	227,013	227,013
	Elderly Transportation	12,000	12,000
	Grants – Human Services	1,005,493	1,004,983
	Employee Service Benefit	3,738	3,738
	TOTAL PUBLIC WELFARE, SOCIAL AGENCIES	$ 1,616,179	$ 1,615,669
VI.	SCHOOL DEPARTMENT		
	Schools, Regular	$89,500,000	$89,500,000
	Schools, Health & Welfare	208,575	208,575
	TOTAL SCHOOL BUDGET	$89,708,575	$89,708,575
VII.	LIBRARIES		
	Danbury Public Library	$ 1,889,260	$ 1,889,260
	Employee Service Benefit	5,059	5,059
	Long Ridge Library	0	0
	TOTAL LIBRARIES	$ 1,894,319	$ 1,894,319
VIII.	PARKS & RECREATION		
	Parks & Recreation	$ 430,144	$ 430,144
	Tarrywile Park Authority	245,000	245,000

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

		MAYOR'S BUDGET	ADOPTED BUDGET
	PARKS & RECREATION		
	Cultural Commission	$ 75,000	$ 76,753
	Lake Kenosia Commission	2,500	2,500
	Employee Service Benefit	1,473	1,473
	TOTAL PARKS & RECREATION	$ 754,117	$ 755,870
IX.	RECURRENT COSTS		
	FICA	$ 1,403,411	$ 1,403,411
	Pension Expense	3,911,000	3,911,000
	Employee Service Benefit	177,370	177,370
	Worker's Compensation	641,852	641,852
	State Unemployment Compensation	36,000	36,000
	Employee Health & Life Insurance	10,095,593	10,095,593
	Union Welfare	740,000	740,000
	Insurance & Official Bond Premium	2,699,086	2,699,086
	TOTAL RECURRENT COSTS	$ 19,704,312	$ 19,704,312
X.	DEBT SERVICE		
	Interest on Debt	$ 1,678,632	$ 1,678,632
	Interest on Debt – School	1,329,674	1,329,674
	Redemption of Debt	3,687,350	3,687,350
	Redemption of Debt – School	2,545,000	2,545,000
	TOTAL DEBT SERVICE	$ 9,240,656	$ 9,240,656
XI.	CAPITAL PROGRAM	0	0
	TOTAL CAPITAL PROGRAM	0	0
XII.	TRANSPORTATION		
	Danbury Airport	$ 312,267	$ 312,267
	H.A.R.T.	632,040	632,040
	Employee Service Benefit	1,474	1,474
	TOTAL TRANSPORTATION	$ 945,781	$ 945,781

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

		MAYOR'S BUDGET	ADOPTED BUDGET
XIII.	CONTINGENCY	$1,428,754	$1,428,754
	TOTAL CONTINGENCY	$1,428,754	$1,428,754
	TOTAL BUDGET	$161,229,195	$161,229,195

SECTION 2. That the amount of $1,601,000 is appropriated to the AMBULANCE FUND in the same manner as set forth in Section 1 hereof.

SECTION 3. That the amount of $186,593 is appropriated to the ANIMAL CONTROL FUND in the same manner as set forth in Section 1 hereof.

SECTION 4. That the amount of $8,512,677 is appropriated to the SEWER FUND in the same manner as set forth in Section 1 hereof.

SECTION 5. That the amount of $5,753,209 is appropriated to the WATER FUND in the same manner as set forth in Section 1 hereof.

SECTION 6. That a provision for tax appeals reserve is established in the amount of $850,000.

Adopted by the Common Council
Approved by Mayor Mark D. Boughton

MARK D. BOUGHTON
Mayor

ATTEST:

Vincent P. Nolan, Jr.
President, Common Council

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ **A. D., 19**

RESOLVED by the Common Council of the City of Danbury:

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE FISCAL YEAR

BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005

SECTION 1. The sum of $129,296,048 representing the gross appropriation for the City of Danbury of $161,229,195 for the fiscal year of July 1, 2004 and ending June 30, 2005, minus Indirect Revenue of $32,783,147, plus reserve for tax appeals in the amount of $850,000, is hereby levied and assessed on all taxable property in the City of Danbury as set forth on the annual Grand List as of October 1, 2003.

SECTION 2. Accordingly, the General Fund Tax Rate for the fiscal year beginning July 1, 2004 and ending June 30, 2005 shall be as follows:

TAX RATE: 24.86 MILLS

SECTION 3. The taxes levied and assessed as hereinafter provided shall be payable in quarterly installments on July 1, 2004, October 1, 2004, January 1, 2005, and April 1, 2005 except for taxes levied and assessed on mobile homes, motor vehicles and where not in excess of One Hundred Dollars ($100.00), which taxes shall be paid on July 1, 2004, in accordance with the General Statutes of the State of Connecticut, unless said dates shall have lapsed before the effective date of this resolution, in which case the Tax Collector shall fix the dates and installments as if said dates had not been fixed herein as provided by law.

SECTION 4. The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

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

FROM: Dena Diorio, Director of Finance

RE: **ORDINANCE - $500,000 FOR PUBLIC IMPROVEMENTS**

DATE: March 23, 2003

Attached you will find an ordinance and a sheet of proceedings which will require a Public Hearing and Common Council approval. This ordinance is being presented in conjunction with the Mayor's 2004-2005 budget whereby we will issue $500,000 worth of notes to fund the various Capital projects outlined in the attached resolution. As in the past, these notes will be paid back in an annual appropriation over a 4-year period.

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

DD/jg

Attach.

NoteOrd

ROBINSON & COLE LLP

S. FRANK D'ERCOLE

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

March 23, 2004

VIA E-MAIL AND 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 2004-2005 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 ordinance and proceedings to be followed in connection with its adoption by the City.

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

SFD:sk
Enclosures

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

HART1-1010290-3

AN ORDINANCE APPROPRIATING $500,000 FOR PUBLIC IMPROVEMENTS IN THE 2004-2005 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. The sum of $500,000 is appropriated for the public improvements hereinafter listed:

Project	Estimated Cost
Tree Easement Acquisition	$ 88,000
Replace Breathing Apparatus	35,000
Vehicles for Weights and Measures	50,000
Landfill Litigation Settlement	300,000
Tarrywile Park Exterior Painting	27,000
Total	$ 500,000

Section 2. To meet said appropriation $500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of $1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation may be expended with the approval of the Mayor and the Director of Finance to meet the actual cost of any of the projects set forth in Section 1, including actual costs which may exceed the estimated costs thereof, provided that the total amount of the appropriation is not exceeded.

Section 6. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the Clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 7. The Director of Finance is hereby authorized, on behalf of the City of Danbury, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities

information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Enacted by the Common Council: May 4, 2004

Approved by the Mayor: _____ Date: 5/6/04

Operative And In Effect: _____

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 Appropriating $500,000 For Public Improvements In The 2004-2005 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, JEAN NATALE, 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 Appropriating $500,000 For Public Improvements In The 2004-2005 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 Appropriating $500,000 For Public Improvements In The 2004-2005 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 APPROPRIATING $500,000 FOR PUBLIC IMPROVEMENTS IN THE 2004-2005 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. The sum of $500,000 is appropriated for the public improvements hereinafter listed:

Project		Estimated Cost
Tree Easement Acquisition		$ 88,000
Replace Breathing Apparatus		35,000
Vehicles for Weights and Measures		50,000
Landfill Litigation Settlement		300,000
Tarrywile Park Exterior Painting		27,000
	Total	$ 500,000

Section 2. To meet said appropriation $500,000 bonds of the City are hereby authorized to be issued maturing not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Mayor and the Director of Finance provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of $1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor, and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the Mayor and the Director of Finance.

shall be determined by the Mayor and the Director of Finance.

Section 3. The bonds of each series shall be sold by the Mayor in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The City Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation may be expended with the approval of the Mayor and the Director of Finance to meet the actual cost of any of the projects set forth in Section 1, including actual costs which may exceed the estimated costs thereof, provided that the total amount of the appropriation is not exceeded.

Section 6. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Mayor or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the Clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.

Section 7. The Director of Finance is hereby authorized, on behalf of the City of Danbury, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

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 APPROPRIATING $500,000 FOR PUBLIC IMPROVEMENTS IN THE 2004-2005 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, JEAN NATALE, 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

HART1-785074-4

(3)

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

DATE: April 6, 2004

SUBJECT: Sewer Use Rates

Attached please find the ordinance required to set the Sewer Use Rates for the Fiscal Year beginning July 1, 2004.

I am requesting that the Common Council consider this ordinances at its meeting in April.

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

C: Mario Ricozzi, Superintendent of Public Utilities

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2004, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1{,}000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1{,}000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = $1.60

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = $0.28
ii. Mixed residential / commercial, Class 2A = $4.11
iii. Nonresidential, Class 2 and 3 = $4.83

b. The minimum quarterly sewer use charge shall be seventeen dollars and twenty two cents ($17.22).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Eighty Three dollars and seventy nine cents ($83.79) per unit.
(2) Mixed residential / commercial (Class 2A) = One hundred sixty seven dollars and forty cents ($167.40) per unit.
(3) Nonresidential (Class 2 and 3) = One hundred sixty seven dollars and forty cents ($167.40) per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Thirty nine dollars and twenty nine cents ($39.29) per unit.
(2) Mixed residential/commercial (Class 2A) = One hundred forty two dollars and ten cents ($142.10) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 4, 2004

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

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2004, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1{,}000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1{,}000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = $1.60

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = $0.28
ii. Mixed residential / commercial, Class 2A = $4.11
iii. Nonresidential, Class 2 and 3 = $4.83

b. The minimum quarterly sewer use charge shall be seventeen dollars and twenty two cents ($17.22).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Eighty Three dollars and seventy nine cents ($83.79) per unit.
(2) Mixed residential / commercial (Class 2A) = One hundred sixty seven dollars and forty cents ($167.40) per unit.
(3) Nonresidential (Class 2 and 3) = One hundred sixty seven dollars and forty cents ($167.40) per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Thirty nine dollars and twenty nine cents ($39.29) per unit.
(2) Mixed residential/commercial (Class 2A) = One hundred forty two dollars and ten cents ($142.10) per unit.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

(3) Nonresidential (Class 2 and 3) = One hundred fifty five dollars and ninety seven cents ($155.97) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

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 - May 4, 2004
Approved by Mayor Mark D. Boughton - May 6, 2004

ATTEST: Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Clerk

COPY SHOWING DELETIONS AND NEW LANGUAGE.

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2004 ~~2002~~, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1{,}000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1{,}000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = $~~1.30~~ 1.60

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = $0.28
ii. Mixed residential / commercial, Class 2A = $4.11
iii. Nonresidential, Class 2 and 3 = $4.83

b. The minimum quarterly sewer use charge shall be SEVENTEEN ~~fourteen~~ dollars and TWENTY TWO ~~fifty nine~~ cents ($17.22~~14.59~~).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = EIGHTY THREE ~~Seventy one~~ dollars and ~~one~~ SEVENTY NINE centS ($83.79 ~~71.01~~) per unit.
(2) Mixed residential / commercial (Class 2A) = One hundred SIXTY SEVEN ~~forty one~~ dollars and FORTY ~~eighty six~~ cents ($167.40~~141.86~~) per unit.
(3) Nonresidential (Class 2 and 3) = One hundred SIXTY SEVEN ~~forty one~~ dollars and FORTY ~~eighty six~~ cents ($167.40~~141.86~~) per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

(1) Residential (Class 1 and 1A) = Thirty NINE ~~three~~ dollars and TWENTY NINE ~~thirty~~ cents ($ 39.29 ~~33.30~~) per unit.
(2) Mixed residential/commercial (Class 2A) = One hundred FORTY TWO ~~twenty~~ dollars and TEN ~~forty two~~ cents ($ 142.10 ~~120.42~~) per unit.

(3) Nonresidential (Class 2 and 3) = One hundred FIFTY FIVE ~~thirty two~~ dollars and NINETY SEVEN ~~eighteen~~ cents ($155.97 ~~$132.18~~) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the superintendent of public utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All non residential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

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

Deleted language is indicated ~~strikeouts~~.

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

DATE: April 6, 2004

SUBJECT: Water Use Rates

Attached please find the ordinances required to set the Water Use Rates for the Fiscal Year beginning July 1, 2004.

I am requesting that the Common Council consider these ordinances at its meeting in April.

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

C: Mario Ricozzi, Superintendent of Public Utilities

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly non-metered rates.

(a) The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2004: $192.55/unit.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 2004:

(1) Hydrant use by contractors, per 100 gallons $ 1.25

(2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

Size of Connection (inches)	*Charge for Three Months*
4 and under	106.48
6	199.66
8	292.83
10	399.30
12	532.41

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004, and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8-inch size meter:

Usage (MG)	
0-1	$ 8.57
2	9.49
3	10.40
4	11.31
5	12.24
6	13.13
7	14.05
8	14.97
9	15.88
10	16.79
11	17.70
12	18.63
13	19.52
14	20.43
15	21.34

(b) ¾-inch size meter:

Usage (MG)	
0-1	$13.32
2	14.23
3	15.14
4	16.06
5	16.96
6	17.87
7	18.74
8	19.71
9	20.61
10	21.53
11	22.45
12	23.35
13	24.26
14	25.19
15	26.10

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

(c) 1-inch size meter:

Usage (MG)	
0-1	$27.54
2	28.45
3	29.36
4	30.27
5	31.18
6	32.09
7	33.01
8	33.92
9	34.84
10	35.73
11	36.67
12	37.57
13	38.48
14	39.40
15	40.31

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004 and are limited to the first fifteen thousand (15, 000) gallons of consumption.

Size of Meter (inches)	
1 ½	$126.15
2	185.00
3	410.00
4	819.90
6	1,639.78
8	3,279.61
10	6,559.21

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be two dollars and fifty-seven ($2.57) per one thousand (1,000) gallons.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 4, 2004

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

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-42. Quarterly non-metered rates.

(a) The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2004: $192.55/unit.

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 - May 4, 2004
Approved by Mayor Mark D. Boughton- May 6, 2004

ATTEST: Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Clerk

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 4, 2004

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

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, 2004:

(1) Hydrant use by contractors, per 100 gallons $ 1.25

(2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

Size of Connection (inches)	*Charge for Three Months*
4 and under	106.48
6	199.66
8	292.83
10	399.30
12	532.41

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 - May 4, 2004
Approved by Mayor Mark D. Boughton - May 6, 2004

ATTEST: Jummetta L. Samaha
JUMMETTA L. SAMAHA
Clerk

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 4, 2004

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

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004, and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8-inch size meter:

Usage (MG)	
0-1	$ 8.57
2	9.49
3	10.40
4	11.31
5	12.24
6	13.13
7	14.05
8	14.97
9	15.88
10	16.79
11	17.70
12	18.63
13	19.52
14	20.43
15	21.34

(b) ¾-inch size meter:

Usage (MG)	
0-1	$13.32
2	14.23
3	15.14
4	16.06
5	16.96
6	17.87
7	18.74
8	19.71
9	20.61
10	21.53
11	22.45
12	23.35
13	24.26
14	25.19
15	26.10

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

May 4, 2004

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

(c) 1-inch size meter:

Usage (MG)	
0-1	$27.54
2	28.45
3	29.36
4	30.27
5	31.18
6	32.09
7	33.01
8	33.92
9	34.84
10	35.73
11	36.67
12	37.57
13	38.48
14	39.40
15	40.31

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004 and are limited to the first fifteen thousand (15, 000) gallons of consumption.

Size of Meter (inches)	
1 ½	$126.15
2	185.00
3	410.00
4	819.90
6	1,639.78
8	3,279.61
10	6,559.21

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be two dollars and fifty-seven ($2.57) per one thousand (1,000) gallons.

EFFECTIVE DATE: This Ordinance shall take effect thirty days (30) 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 - May 4, 2004
Approved by Mayor Mark D. Boughton - May 6, 2004.

ATTEST: Jimmetta L. Samaha
Jimmetta L. Samaha
Clerk

COPY SHOWING DELETIONS AND NEW LANGUAGE.

THAT Section 21-46 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-46. Meter rates generally.

The following water meter rates shall be charged for those areas served and specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 2004~~2~~, and are based on the consumption of thousands of gallons (MG) as follows:

(a) 5/8-inch size meter:

Usage (MG)	
0-1	$ ~~6.49~~ 8.57
2	~~7.19~~ 9.49
3	~~7.88~~10.40
4	~~8.57~~11.31
5	~~9.27~~12.24
6	~~9.95~~13.13
7	~~10.64~~14.05
8	~~11.34~~14.97
9	~~12.03~~15.88
10	~~12.72~~16.79
11	~~13.41~~17.70
12	~~14.11~~18.63
13	~~14.79~~19.52
14	~~15.48~~20.43
15	~~16.17~~21.34

(b) ¾-inch size meter:

Usage (MG)	
0-1	$~~10.09~~13.32
2	~~10.78~~14.23
3	~~11.47~~15.14
4	~~12.17~~16.06
5	~~12.85~~16.96
6	~~13.55~~17.87
7	~~14.24~~18.74
8	~~14.93~~19.71
9	~~15.61~~20.61
10	~~16.31~~21.53
11	~~17.01~~22.45
12	~~17.69~~23.35
13	~~18.38~~24.26
14	~~19.08~~25.19
15	~~19.77~~26.10

(c) 1-inch size meter:

Usage (MG)	
0-1	~~$20.86~~27.54
2	~~21.55~~28.45
3	~~22.24~~29.36
4	~~22.93~~ 30.27
5	~~23.62~~31.18
6	~~24.31~~32.09
7	~~25.01~~33.01
8	~~25.70~~33.92
9	~~26.39~~34.84
10	~~27.07~~35.73
11	~~27.78~~36.67
12	~~28.46~~37.57
13	~~29.15~~38.48
14	~~29.85~~39.40
15	~~30.54~~40.31

(d) The following water meter rates shall be charged for those areas served and as specified by the superintendent of public utilities. Such rates are for quarterly billings rendered on or after July 1, 200~~42~~ and are limited to the first fifteen thousand (15, 000) gallons of consumption.

Size of Meter (inches)	
1 ½	$ ~~95.57~~ 126.15
2	~~140.15~~ 185.00
3	~~310.57~~ 410.00
4	~~621.14~~ 819.90
6	~~1,242.26~~1,639.78
8	~~2,484.55~~3,279.61
10	~~4,969.10~~6,559.21

(e) For water consumed in excess of fifteen thousand (15,000) gallons for any size meter the charge shall be two dollars ~~one dollar~~ and fifty-seven ~~ninety five~~ cents ($2.57~~1.95~~) per one thousand (1,000) gallons.

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

Deleted language is indicated ~~strikeouts~~.

COPY SHOWING DELETIONS AND NEW LANGUAGE.

THAT Subsection (a) of Section 21-42 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Sec. 21-42. Quarterly non-metered rates.

(a) The following are established as the quarterly non-metered rates for the use of water, which rates shall be in effect for all bills rendered on or after July 1, 2004 ~~2002~~: ~~$145.87~~ 192.55 unit.

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

Deleted language is indicated ~~strikeouts~~.

COPY SHOWING DELETIONS AND NEW LANGUAGE.

THAT Section 21-47 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-47. Additional rates and charges for special uses.

In addition to the rates set forth in sections 21-42 and 21-46, the following rates and charges are hereby established for all bills rendered on or after July 1, ~~2002~~:2004

(1) Hydrant use by contractors, per 100 gallons $ ~~0.95~~ 1.25

(2) The following quarterly rates shall be charged for water service to premises for fire protection purposes:

Size of Connection (inches)	*Charge for Three Months*
4 and under	$ ~~80.67~~ 106.48
6	~~151.26~~ 199.66
8	~~221.84~~ 292.83
10	~~302.50~~ 399.30
12	~~403.34~~ 532.41

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

Deleted language is indicated ~~strikeouts~~.

5

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

April 23, 2004

Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Common Council Members:

In 1973, the Common Council passed a resolution that gave all of the benefits afforded to the Danbury Municipal Employees Association (DMEA) to non-union employees. However, the resolution as currently written does not provide the flexibility to modify these benefits, and would require that the City provide the identical benefit package to non-union employees.

Over the last year, I have instituted new initiatives for non-union employees in order to reward them for their hard work and service to the City. These include merit-based salary increases and a commitment to retaining their current health insurance benefits. These measures are inconsistent with the language in the resolution, particularly as it relates to merit-based salary increases, as the DMEA contract does not include a similar provision.

In addition, the attached opinion from our labor counsel indicates that the legality of the resolution may be in question. Issues regarding statutory construction, parity and the length of time the resolution has been in effect are all concerns raised by our attorneys at Shipman & Goodwin.

As a result, I am requesting that the Common Council consider a revised resolution that will allow for creative and innovative ways to reward these employees, and resolve any outstanding legal concerns raised by the resolution as it is currently written.

Thank you for your consideration of this matter.

Sincerely,

Mark D. Boughton
Mayor

RECYCLED PAPER

Shipman & Goodwin LLP
COUNSELORS AT LAW

One American Row
Hartford, Connecticut 06103-2819
Phone: (860) 251-5000

Lisa Banatoski Mehta
Phone: (860) 251-5514
Fax: (860) 251-5400
lbanatoski@goodwin.com

April 28, 2004

CONFIDENTIAL – ATTORNEY-CLIENT PRIVILEGED

VIA FACSIMILE AND REGULAR MAIL

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

Dear Mayor Boughton,

On Monday, April 26, 2004, you requested that we provide some preliminary comments with respect to the ongoing significance of the Resolution adopted by the City's Common Council on December 4, 1973 (the "Resolution") and the concerns presented by that action. The Resolution provides as follows:

> 1. The Rules and Regulations of the Merit System of the City of Danbury are hereby amended by repealing Sections 4, 5, and the Sections relating to Sick leave and Longevity and substituting the following in lieu thereof:
>
> 2. All employees not represented by associations or unions shall have all of the rights, privileges and benefits which may, from time to time, be incorporated into any agreement between the City of Danbury and the members of the Danbury Municipal Employees Association, Inc. or its successors.
>
> 3. This Resolution shall take effect immediately.

Immediately following the Common Council's passage of the Resolution in 1973, the City's then Corporation Counsel commented on the Resolution on the record, stating that "persons who are not eligible to join the Association because of the nature of their positions would be permitted to have the same benefits... [I]t would be no great expense to the City for this equity as it only involved a small number of employees -

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the Mayor's personal secretary and the assistant secretary and the assistant City Clerk and Department Heads."

Based on our limited review of the Resolution and the circumstances surrounding its initial adoption, it is not at all apparent that the Resolution in question was intended to have or, in fact, has ongoing significance for the City's non-unionized employees. After all, resolutions adopted by a legislative body are distinguishable from those actions taken via legislative ordinance. Indeed, "an ordinance prescribes some permanent rule of conduct or of government which is to continue in force until the ordinance is repealed. An ordinance is distinctively a legislative act, a resolution, generally speaking, is simply an expression of opinion or mind concerning some particular item of business coming within the legislative body's official cognizance, ordinarily ministerial in character and relating to the administrative business of the municipality." 5 McQuillin, Municipal Corporations (3d Ed.) § 15.02. See also Morris v. Town of Newington, 36 Conn. Supp. 74, 80, 411 A.2d 939 (February 1, 1979). "A resolution [that is] adopted for a particular and temporary purpose continues, as a rule, for a reasonable period only, and in such case a formal repeal, of course, is not required to terminate its operation." 5 Eugene McQuillin, Municipal Corporations (3d Ed.) §15.02 (3d ed. 1992). Given these principles, it is not clear that the Resolution may reasonably be construed to continue to be in effect 30 years after its initial acceptance.

Generally, the courts apply the principles of statutory construction to assist in the interpretation of ambiguous ordinances or regulations. A cardinal rule of statutory construction is that the "statutes are to be construed so that they carry out the intention of the legislature." Holmquist v. Manson, 168 Conn. 389, 392 (1975). Therefore, while resolutions are generally temporary in nature, in determining whether any specific resolution was enacted for a particular and temporary purpose, one should apply the principles of statutory construction and look to the legislative body's intent at the time of the enactment of the resolution in question.

Here, the comments of the City's Corporation Counsel at the time of the acceptance of the Resolution shed some light on this issue of legislative intent. For example, his comments may suggest that the Resolution was intended to be temporary since he stated that the passage of such a resolution caused be "no great expense" because it only involved "a small number of employees – the Mayor's personal secretary and the assistant City Clerk and Department Heads." These comments imply that the actions of the Council in 1973 were contingent on certain assumptions and circumstances and that, to the extent that those circumstances changed substantially (i.e. more employees becoming eligible to join the association, increasing costs of benefits,

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etc.), ongoing recognition of the Resolution would work contrary to the Council's intent. Furthermore, it may have been contemplated that the Resolution would only have been in effect for the term of the collective bargaining agreement existing when the Council enacted the Resolution. The fact that that collective bargaining agreement has long expired as well as the fact that even the Rules and Regulations of the Merit System in existence at the time of the enactment have been superseded by subsequent revision, may also suggest that the Resolution is now obsolete. Accordingly, the City should look to the original intent of the Resolution and the assumptions on which it was adopted.

Even so, the Resolution may pose additional issues given the general rule that the actions of one legislative body or entity may not bind those of its successors unless expressly provided by law. This is particularly true with respect to the compensation of municipal employees which is governed by Section 7-460 of the Connecticut General Statutes which provides, in relevant part, that "unless otherwise specifically provided in the general statutes, any municipality or subdivision thereof, through its legislative body, may fix the compensation of its officials and employees, subject to the approval of its budgetary authority." See Conn. Gen. Stat. §7-460. Accordingly, an interpretation of the Resolution that recognizes its continuing effect may intrude on the rights and/or obligations of other municipal bodies or authorities pursuant to state law or City Charter.

Finally, the Resolution may raise concerns as an unlawful parity provision. A parity clause in a contract attempts to bind an employer to provide additional benefits to the contracting party in the event that another party or union representing a different group of employees negotiates a benefit more favorable than the benefits granted by the initial contract. Such parity provisions have been found to violate public policy and state law. See Local 1522, Int'l Assoc. of Fire Fighters v. Conn. Labor Relations Bd., 31 Conn. Sup. 15 (1973) and Local 1219, Int'l Assoc. of Fire Fighters v. Conn. Labor Relations Bd., 171 Conn. 342 (1976).

In analyzing such parity clauses, the courts have relied, in part, on the Municipal Employees Relations Act ("MERA"). Section 7-468 of the MERA provides that "[municipal] employees shall have, and shall be protected in the exercise of... the right to bargain collectively and to be "free from actual interference, restraint or coercion." See Conn. Gen. Stat. §7-468. Specifically, MERA provides that municipal employers are prohibited from "[i]nterfering, restraining or coercing employees in the exercise of the rights guaranteed in section 7-468." See Conn. Gen. Stat. §7-470(a)(1). Employee organizations or unions are similarly prohibited from interfering, restraining or coercing employees in the exercise of their statutory rights. See Conn. Gen. Stat.

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§7-470(b)(1). In Local 1522, Int'l Assoc. of Fire Fighters v. Conn. Labor Relations Bd., the prevailing case with respect to parity clauses, the Superior Court was charged with considering whether a parity clause negotiated by the City of New London and the firefighters' union that required the City to grant the firefighters additional wage increases in the event that the police union was able to negotiate wage increases greater than those initially negotiated by the fire union, was valid and enforceable. See 31 Conn. Sup. 15 (1973). The State Board of Labor Relations ("Labor Board") previously found that "the mere presence and necessary operation of such a clause inevitably interferes with, restrains and coerces the Police Union in future negotiations with the City and the agreement upon such a clause constitutes a violation of [MERA]." See Id. at 18. Upholding the Labor Board's decision, the court agreed that the "parity agreement is between one group -- firemen, and the city which will impose equality for the future upon another group -- the police-- which has had no part in making the agreement... before the police union sits down to commence its bargaining with the city, it is already legally bound and tied in with the firemen. On this issue, the police union's right to bargain has been completely taken from it." Id. at 19. Adopting the Labor Board's reasoning, the court held that "the inevitable tendency of such an agreement is to interfere with, restrain and coerce the right... to have untrammeled bargaining... The parity clause will seldom surface in later negotiations, but it will surely be present in the minds of the negotiators and have a restraining or coercive effect not always consciously realized." Id. Accordingly, the Court deemed the clause in question void and unenforceable. Subsequently, the Supreme Court has had occasion to review a similar parity provisions and, in such cases, likewise found the parity clauses in question to be unenforceable as a violation of MERA. See, e.g., Local 1219, Int'l Assoc. of Fire Fighters v. Conn. Labor Relations Bd., 171 Conn. 342 (1976).

While the prior rulings of the Connecticut courts have primarily involved parity clauses affecting two unionized municipal employee groups, it is likely that the courts would apply the same analysis to a potential parity clause that attempts to link the benefits of non-bargaining unit employees to other bargaining unit employees in a municipality. As a result, the Resolution to the extent that it has any lasting effect, may prove problematic as a parity clause.

CONFIDENTIAL – ATTORNEY-CLIENT PRIVILEGED

As you can see from these preliminary comments, the 1973 Resolution presents several complex issues. However, we hope that this information is helpful to you. Please do not hesitate to call if there are any additional questions or concerns.

Sincerely,

Lisa Banatoski Mehta

370494 v.01

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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

April 28, 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 Department of Elderly Services has received the following donations:

The Gardens	25.00
The Homestead at Newtown	25.00
New Fairfield Senior Center	25.00

Please accept these donations and transfer the above $75.00 to line item 5002-5311 Professional Services.

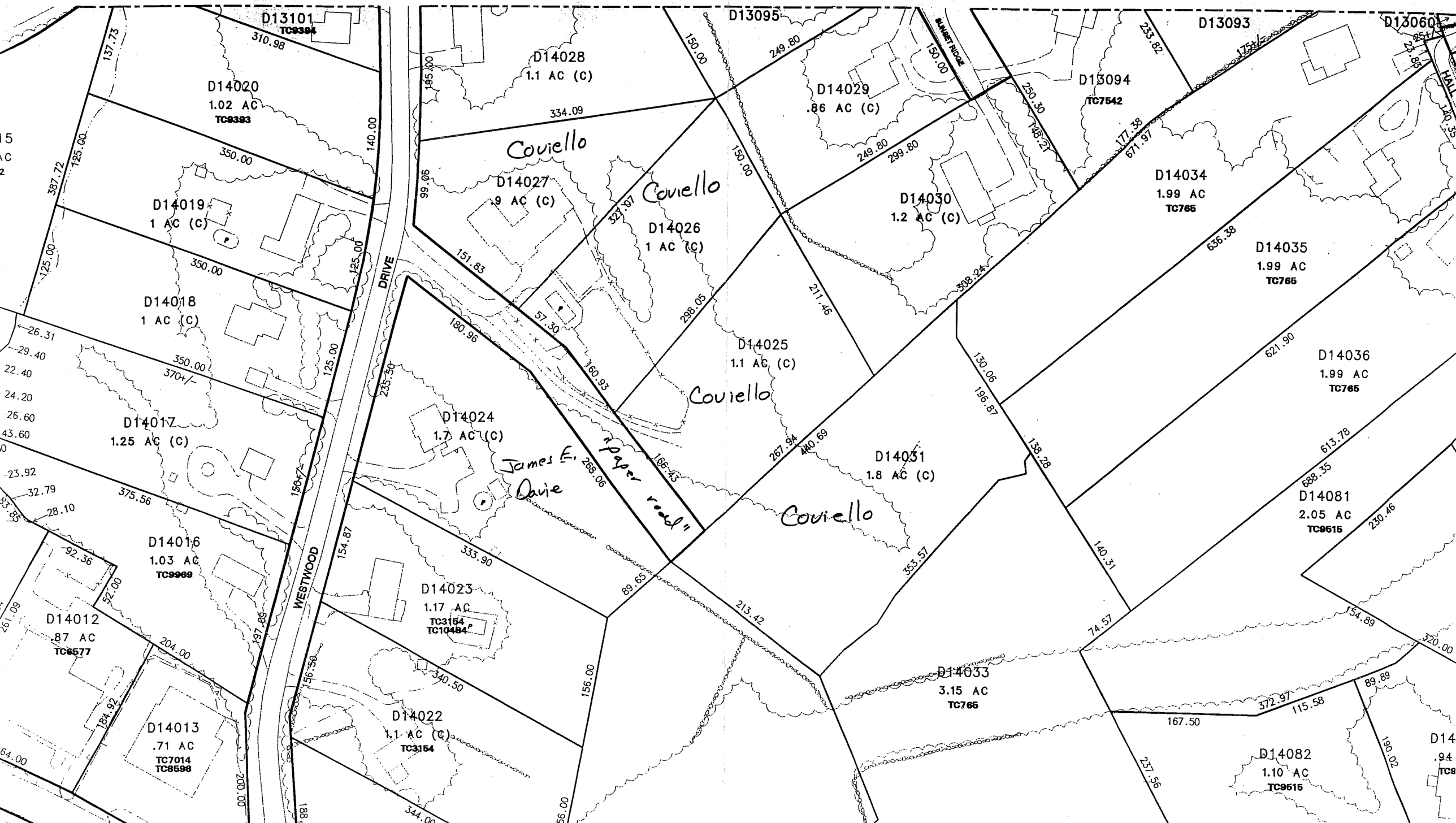
We have also received a generous donation of four bridge table from AARP Chapter 1067 for use at Elmwood Hall. Please accept this donation as well.

Thank you very much.

Respectfully,

Susan Tomanio, LCSW
Director of Elderly Services

cc: Dena Diorio - Director of Finance



D13101
TC9394
D14020
1.02 AC
TC9393
D14019
1 AC (C)
D14018
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D14017
1.25 AC (C)
D14016
1.03 AC
TC9969
D14012
.87 AC
TC6577
D14013
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TC7014
TC8598
D14028
1.1 AC (C)
D14027
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D14026
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D14024
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D14023
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Coviello
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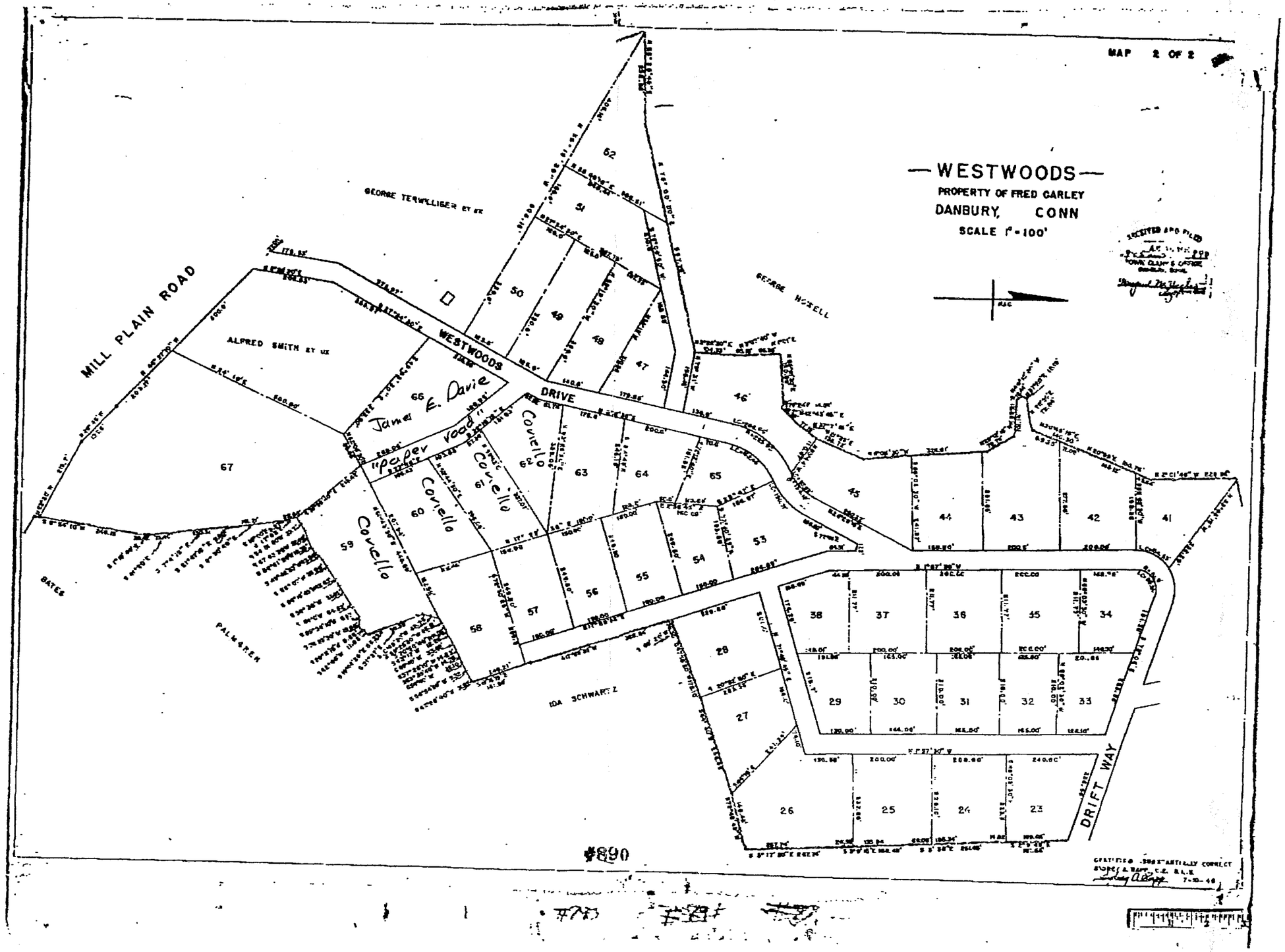
James E. Davie
"paper road"
WESTWOOD
DRIVE
SUNSET RIDGE
HALL


MAP 2 OF 2
WESTWOODS
PROPERTY OF FRED CARLEY
DANBURY, CONN
SCALE 1" = 100'
MILL PLAIN ROAD
WESTWOODS DRIVE
DRIFT WAY
GEORGE TERWILLIGER ET UX
ALFRED SMITH ET UX
GEORGE HOWELL
IDA SCHWARTZ
BATES
PALMGREN
James E. Davie
"paper road"
Coviello
#890

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

The Resolution adopted by the Common Council on December 4, 1973 is hereby amended to read as follows:

1. All employees not represented by associations or unions may have all of the rights, privileges and benefits which may, from time to time, be incorporated into any agreement between the City of Danbury and the members of the Danbury Municipal Employees Association, Inc. or its successors.

2. This Resolution shall take effect immediately.

6

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Mayor Mark D. Boughton via the Common Council

FROM: Dena R. Diorio, Director of Finance Dena

DATE: April 27, 2004

SUBJECT: HUD Financing for Senior Center Phase 2

The City of Danbury has secured financing in the amount of $3.2 million for Phase 2 of the Senior Center project. The project includes the construction of an approximate 8,000 square foot building and related parking adjacent to Elmwood Hall.

The loan will be paid back through the City's future CDBG annual allocation. However, in order to proceed with the financing, HUD requires a resolution providing additional security for the loan guarantee if at some point the CDBG program ceases to exist. As part of our Section 108 application, HUD agreed to accept the City's pledge of property tax revenue as a secondary source of financing.

The attached resolution reflects the City's pledge of property tax revenue as a secondary source of financing for this project. I am requesting that the Common Council consider this resolution at its May meeting.

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

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ **A. D.,** 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, in the coming months the City of Danbury intends to acquire property and construct Phase II of the Senior Center Project; and,

WHEREAS, in order to finance the Senior Center Phase II Project the City of Danbury has requested loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the U.S. Department of Housing and Urban Development has approved said request, consisting of the guarantee of notes or other obligations in the principal amount of $3,200,000 plus interest; and,

WHEREAS, said approval is contingent upon, among other things, the requirement that the city provide additional security for the loan guarantee in a form acceptable to HUD; and,

WHEREAS, HUD has agreed to accept the city's pledge of property tax revenues as a secondary source of financing for this Project;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, the City of Danbury does hereby pledge sufficient property tax revenues, as required by the United States Department of Housing and Urban Development, as additional security for the guaranteed loan under Section 108 of the Housing and Community Development Act of 1974, in order to secure the financing of the Senior Center Phase II Project.

7

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

RE: **RESOLUTION – NEIGHBORHOOD ASSISTANCE ACT**

DATE: April 27, 2004

Attached for your review is a resolution that will allow the agencies on the attached list (via the City of Danbury) to apply for and accept funding from the State of Connecticut Department of Revenue Services. This funding, provided through the Connecticut Neighborhood Assistance Act, will be in the form of tax credits for businesses, which contribute to community programs. No local match is required. The requested funding levels for each organization are attached.

A public hearing is required by the State of Connecticut before this resolution can be adopted. We ask that this item be referred for a public hearing.

DD/jgb

Attach.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ **A. D.,** 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Neighborhood Assistance Act Program is available for area non profits to submit applications for funding; and

WHEREAS, the Act provides tax credits for businesses which contribute to community programs having received both municipal and state approval; and

WHEREAS, certain local and area organizations are seeking to apply through Danbury for such tax credits; and

WHEREAS, no local matching funds are required; and

WHEREAS, said organizations and their requests are as set forth on the attached schedule.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury through its Common Council, hereby approves, subject to a public hearing as required by law, those organizations set forth in the schedule, for participation in the Neighborhood Assistance Program, and authorize Mark D. Boughton, Mayor of the City of Danbury to take such actions as may be necessary for the accomplishment of the purposes hereof.

City of Danbury

2004 Connecticut Neighborhood Assistance Act Program

Agency	Program	Amount
Ability Beyond Disability	Community Employment for People with Disabilities	$150,000
Americares Free Clinics, Inc.	Americares Free Clinic of Danbury	$150,000
Charles Ives Center for the Arts, Inc.	Project Outreach	$70,000
Danbury Regional Commission on Child Care, Rights, & Abuse	Volunteer Mentor Program	$5,000
Danbury Regional Commission on Child Care, Rights, & Abuse	Communication of Parent Effectiveness Skills (COPES) Program	$20,000
Danbury Regional Commission on Child Care, Rights, & Abuse	Parent Aide Program	$20,000
Danbury Youth Services, Inc.	Youth & Family Counseling Program	$20,000
Families Network of Western CT, Inc.	Healthy Start & Husky Outreach Project	$66,606
Families Network of Western CT, Inc.	Nurturing Families Network	$40,198
Harambee Center, Inc.	Youth Tutoring Youth	$23,600
Harambee Center, Inc.	Theatre Arts Program	$4,880
Harambee Center, Inc.	Computer Literacy for Adults	$4,880
Hispanic Center of Greater Danbury, Inc.	Educational Programs	$22,500
Hispanic Center of Greater Danbury, Inc.	Bilingual Job Developer	$25,160
Interlude, Inc.	Interlude Condo Program	$86,370
John J Driscoll United Labor Agency	Senior Aides	$35,000

City of Danbury

2004 Connecticut Neighborhood Assistance Act Program

Agency	Program	Amount
Literacy Volunteers of America	Reach for the Stars	$25,000
Regional YMCA of Danbury	ESCAPE to the Arts	$60,000
United Way of Northern Ffld County	Help for the Needy	$150,000

$979,194

8

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

Memorandum

To: Hon. Mark D. Boughton, via the Common Council

CC: Kim Enteado

From: Dena Diorio, Director of Finance

Date: 4/22/2004

Re: **Resolution – Historic Document Preservation**

Attached for your review is a resolution that will enable the City of Danbury, Town Clerk Office, to apply for and accept funding from the Office of Public Records Administrator. The Clerk Office will use this funding to restore land record volumes that have deteriorated. The cost of this project would be funded entirely by the State Funding in the amount of $12,000.00. There would be no local match 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.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

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

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

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

WHEREAS, no local cash match is required.

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

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

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

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

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

WHEREAS, no local cash match is required.

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

HISTORIC DOCUMENTS PRESERVATION
GRANT APPLICATION - FY2005
Connecticut Municipalities
GP-001

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

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

Phone: 203-797-4511 FAX: 203-796-1666 e-mail:

Name of Town Clerk: Joseph L. Scozzafava Check if Designated Applicant [X]

Phone: 203-797-4530 FAX: 203-796-8087 e-mail:

Grant Contract Period (Check One): Cycle 1 [X] Beginning: 8/1/04 Ending: 6/30/05
Cycle 2 [ ] Beginning: 1/1/05 Ending: 6/30/05

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

Amount Requested: $12,000.

Primary Grant Category (check one):
Inventory and Planning [ ] Organization and Indexing [ ]
Program Development [ ] Storage and Facilities [ ]
Preservation/Conservation [X]

Project Summary/Objectives: Restore Land Record Volumes that have deteriorated

SEE ATTACHED

Work Plan (Time table of activities covered by the grant; vendor and/or staff duties. Attach additional sheets if necessary):

SEE ATTACHED

Budget Summary[1]	Grant Funds (A)	Local Funds (B)	Total Funds (A+B)
1. Vendor in process of bidding	$ 12,000.00	$ 0	$ 12,000.00
2. Supplies/Equipment	$	$	$
3. Personnel Costs (Additional temporary help or additional hours)	$[2]	$[3]	$
4. Printing of Final Report (Planning grants only)	$	$	$
TOTAL	$	$	$ 12,000.00

[1] Please attach a detailed budget on a separate sheet including an itemized list of items covered by the grant with a total.
[2] Base pay only for personnel hired directly by the municipality. Personnel costs for Vendors should be listed under Vendor.
[3] Personnel taxes and benefits if grant funds used for base pay.

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

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

RE: **DUI ENFORCEMENT VEHICLE GRANT**

DATE: April 20, 2004

Attached for your review is a resolution allows the City of Danbury Police Department to apply for and accept grant funding from the State of Connecticut, Department of Transportation for the "2004 Memorial Day and Fourth of July Driving Under the Influence Enforcement Program". This grant in the amount of $10,400.00 requires a local match of $3,120.00. The funding for the local match is available in the Police Department budget.

Attached is a copy of the budget received by this office for your review. The Common Council is requested to consider this resolution at its next meeting.

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

DD/jgb

Attach.

Cc: Robert Paquette

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of $7,280.00 for the 2004 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

WHEREAS, a local cash match of $3,120.00 is required in order to reach the total cost of the program, which is $10,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Mark D. Boughton is hereby authorized to apply for said grant and to accept grant funds if approved, and Mayor Mark D. Boughton is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grant funds are hereby ratified.

DHS

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

DIVISION OF HIGHWAY SAFETY

SHADED AREA FOR DHS USE ONLY

PROJECT NO.		
0184-		
PROGRAM DESCRIPTION: Alcohol	PROGRAM AREA: 04-AL-164	
DATE RECEIVED	DATE APPROVED	

HIGHWAY SAFETY PROJECT APPLICATION

ACCEPTANCE—IT IS UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT FUNDS RECEIVED AS A RESULT OF THIS APPLICATION IS SUBJECT TO THE REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS. THIS AGREEMENT MAY BE TERMINATED BY EITHER PARTY IN ACCORDANCE WITH DHS POLICY. COPY OF POLICY OBTAINED UPON REQUEST.

1. PROJECT TITLE

2004 MEMORIAL DAY /FOURTH OF JULY DUI ENFORCEMENT PROGRAM - CITY/TOWN OF:

2. GOVERNMENTAL UNIT	3. ADDRESS OF GOVERNMENTAL UNIT (W/ZIP CODE)
Danbury - City of Danbury	155 Deer Hill Ave.,Danbury, CT. 06810
4. APPLICANT: Danbury Police Department	5. ADDRESS OF APPLICANT (W/ZIP CODE): 120 Main Street Danbury,CT 06810
6. FEDERAL IDENTIFICATION NO.: 06-600-1868	7. ANTICIPATED PROJECT START-UP DATE: May 27, 2004

APPROVED PROJECT PERIOD (MO./DAY/YR.) FOR DHS USE ONLY

FROM: | THROUGH: July 31, 2004

8A. PROJECT DIRECTOR

(1) NAME (FIRST, MIDDLE INITIAL, LAST)	(2) TITLE	(3) TELEPHONE NO.
Arthur P. Sullo	Captain,Admin.Cmdr.	203-797-4538
(4) SIGNATURE: Arthur P. Sullo	(5) ADDRESS AND ZIP CODE: Danbury Police Department 120 Main Street,Danbury,CT 06810	

8B. FINANCIAL OFFICER

(1) NAME (FIRST, MIDDLE INITIAL, LAST)	(2) TITLE	(3) TELEPHONE NO.
Dena Diorio	Finance Director	203-797-4652
(4) SIGNATURE: Dena Diorio	(5) ADDRESS AND ZIP CODE: 155 Deer Hill Ave. Danbury,CT 06810	

8C. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT

(1) NAME (FIRST, MIDDLE INITIAL, LAST)	(2) TITLE	(3) TELEPHONE NO.
Mark D. Boughton	Mayor, City of Danbury	203-797-4511
(4) SIGNATURE	(5) ADDRESS AND ZIP CODE: 155 Deer Hill Ave Danbury, CT 06810	

APPROVAL-- (FOR DHS USE ONLY)

RECOMMEND APPROVAL	B. FISCAL REVIEW COMPLETED BY:	C. DATE
RECOMMEND DENIAL	D. PROGRAM REVIEW COMPLETE BY:	E. DATE
F. OBLIGATED FEDERAL FUNDS FY: 2004	G. NAME: SUSAN C. MALONEY	H. TITLE: Governor's Highway Safety Representative
	I. SIGNATURE	J. DATE

THIS ACTION: $

PREVIOUS: $

TOTAL: $

TOWN/CITY OF: DANBURY

FRINGE BENEFIT CERTIFICATION STATEMENT

I hearby certify that the fringe benefit rate of 1.34 % is the rate authorized by the Town/City of _____ For application against all OVERTIME hours worked by the sworn police agency personnel for the following time period: From 5/27/04 (Date) To 7/5/04 (Date)

The category/percentage breakdown of this rate is as follows:

Cost Category	*Percentage*
1. Net Workman Comp. cost	1.34% %
2.	%
3.	%
4.	%
5.	%
6.	%
7.	%
8.	%
TOTAL OVERTIME FRINGE RATE	1.34% %

I further certify that this statement is correct in all respects and that the fringe benefit rate identified above accurately represents the OVERTIME fringe benefit costs to the municipality for the individuals employed under this project.

TOWN/CITY'S CHIEF FINANCIAL OFFICER

Name: Dena Diorio

Title: Finance Director

Ink Signature: Dena Diorio

PROJECT TITLE	APPLICANT
2004 MEMORIAL DAY/JULY 4th DUI Enforcement	Danbury Police Department

9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Nationally, in 2002, 17,419 out of 42,815 traffic fatalities (41%) were alcohol-related. This translates into an average of one alcohol-related fatality every 30 minutes. An estimated 258,000 persons were injured in crashes where police reported that alcohol was present, an average of one person injured approximately every 2 minutes. National statistics also reveal a consistent day of week and time of day occurrence trend. Almost 60% of all such crashes occurred from Friday at 6:00pm to Monday at 6:00am. In Connecticut, during 2002, 140 out of 322 (43%) of the State's traffic fatalities were alcohol-related. Day of the week and time of day also mirror national data trends.

Although alcohol related fatalities have decreased in the last decade, the problem still remains at unacceptable levels, especially during Holiday periods that show an increase in alcohol related crashes of 12 to 15 percent.

10. OBJECTIVES

--To increase enforcement and media relations related to operating a motor vehicle while under the influence of intoxicating liquor and or drugs during the Memorial Day/Fourth of July holiday period.

--To reduce both the number of DUI-related motor vehicle crashes which occur during the period and the number of people killed and injured in such crashes.

PROJECT TITLE	APPLICANT
2004 MEMORIAL DAY/JULY 4th DUI Enforcement	Danbury Police Department

1. ACTIVITIES AND PROCEDURES

DUI selective enforcement will be conducted during the Memorial Day/Fourth of July Holiday period per the following operational schedule. Enforcement techniques to be employed include extra DUI patrol activities, and may include weekend sobriety checkpoints. Note: For DUI patrol activities, the number of enforcement officers allowed per vehicle at any one time is one, however, daily shifts may be split by more than one officer. It is recommended that all officers assigned to DUI enforcement activities be trained in DUI law enforcement techniques.

NOTE: The operation of this selective enforcement program shall be above and beyond the normal/special patrol activities scheduled within the dates and time frames listed below.

Period : Memorial Day/Fourth of July Holiday Period

(fill in below)

	Defined Program Parameters	Planned Project Operations	
Dates/ Times	5/27 > 03:00pm - 04:00am	3:00 pm - 4:00am	
	5/28 > 03:00pm - 04:00am	3:00pm - 4:00am	(See Schedule)
	5/29 > 03:00pm - 04:00am	3:00pm - 4:00am	
	5/30 > 03:00pm - 04:00am	3:00pm - 4:00am	
	5/31 > 03:00pm - 04:00am	3:00pm - 4:00am	
	6/30 > 03:00pm - 04:00am	3:00pm - 4:00am	
	7/01 > 03:00pm - 04:00am	3:00 pm - 4:00am	
	7/02 > 03:00pm - 04:00am	3:00 pm - 4:00am	
	7/03 > 03:00pm - 04:00am	3:00 pm - 4:00am	
	7/04 > 03:00pm - 04:00am	3:00pm - 4:00am	

Hours of operation must fall within the above defined program parameters. Adjustments may be made based on unique local circumstances.

Primary enforcement locations are as follows:

. Main Steet, South Street, White Street, North Street

. Federal Rd.(RT 7), Sugar Hollow RD. (RT 7)

. Mill Plain RD, Lake Ave., Lake Ave Ext., West St

. Clapboard Ridge (RT 39), Padanararam RD (RT 37)

This operational plan will be supported through statewide and regional/local media coverage.

TOWN/CITY OF DANBURY
HOLIDAY OVERTIME SELECTIVE ENFORCEMENT
MEMORIAL DAY & FOURTH OF JULY HOLIDAY WEEKEND
PROJECT COST WORKSHEET

OVERTIME WAGES: (Only 1 officer allowed per vehicle at any one time).

Date of Detail	Officer Name	VEHICLE NUMBER	DUTY Hours	Detail Hours	HR. Wage	Total Detail Wages
5/27/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
5/28/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
5/27/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
5/28/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
5/28/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
5/29/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
5/28/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
5/29/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
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5/31/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
5/30/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
5/31/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
5/31/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
6/1/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
5/31/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
6/1/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
6/30/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
7/1/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
6/30/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
7/1/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
7/1/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
7/2/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
7/1/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
7/2/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41
7/2/2004	PO 1	1	15:00-24:00	9	39.10405	$ 351.93
7/3/2004	PO 2	1	00:00-04:00	4	39.10405	$ 156.41
7/2/2004	PO 1	2	15:00-24:00	9	39.10405	$ 351.93
7/3/2004	PO 2	2	00:00-04:00	4	39.10405	$ 156.41

TOWN/CITY OF DANBURY
HOLIDAY OVERTIME SELECTIVE ENFORCEMENT
MEMORIAL DAY & FOURTH OF JULY HOLIDAY WEEKEND
PROJECT COST WORKSHEET

OVERTIME WAGES: (Only 1 officer allowed per vehicle at any one time).

7/3/2004 PO 1	1	15:00-24:00	9	39.10405	$	351.93
7/4/2004 PO 2	1	00:00-04:00	4	39.10405	$	156.41
7/3/2004 PO 1	2	15:00-24:00	9	39.10405	$	351.93
7/4/2004 PO 2	2	00:00-04:00	4	39.10405	$	156.41
7/4/2004 PO 1	1	15:00-24:00	9	39.10405	$	351.93
7/5/2004 PO 2	1	00:00-04:00	4	39.10405	$	156.41
7/4/2004 PO 1	2	15:00-24:00	9	39.10405	$	351.93
7/5/2004 PO 2	2	00:00-04:00	4	39.10405	$	156.41
		Total Hours	**260**	Total Wages	$	10,166.80
		OVERTIME FRINGE BENEFIT RATE @ 1.34% =			$	136.23
		TOTAL PROJECTED			**$**	**10,303.06**

2. **OVERTIME FRINGE BENEFIT RATE** @ 1.34 %.
Multiply this rate (if applicable) times the TOTAL ESTIMATED WAGES (from the above worksheet) to get the :

TOTAL ESTIMATED FRINGE BENEFITS = $ 136.23

* If overtime fringe benefits are being claimed, please have the municipality's chief financial officer complete and sign the FRINGE BENEFIT CERTIFICATION STATEMENT (Last page of grant application).

Add the TOTAL ESTIMATED WAGES to the TOTAL ESTIMATED FRINGE BENEFITS (if applicable) to get the : 10,166.80

GRAND TOTAL = $ 10,303.06

Please round up the above **GRAND TOTAL** amount to the next highest $100.00 (i.e. $1,842.11 to $1900.00).

ROUND UP AMOUNT = $ 10,400.00

PROJECT TITLE	APPLICANT
2004 MEMORIAL DAY/JULY 4th DUI Enforcement	Danbury Police Department

12. BUDGET DETAIL

PLEASE FILL OUT PROJECT COST WORKSHEET PRIOR TO COMPLETING THIS PAGE.

(A)	*PERSONNEL SERVICES Overtime wages plus fringe benefits (total from Project Cost Worksheet)	$10,400.00
(B)	CONTRACTUAL SERVICES	0.00
(C)	OPERATING COSTS	0.00
(D)	EQUIPMENT	0.00
(E)	INDIRECT COSTS	0.00
(F)	T O T A L	$10,400.00

PROJECT TITLE	APPLICANT
2004 MEMORIAL DAY/JULY 4th DUI Enforcement	Danbury Police Department

14. **BUDGET SUMMARY**

COST CATEGORY	Amount	SOURCE OF FUNDS	TOTAL
*PERSONNEL SERVICES	$ 10,400.00	FEDERAL FUNDS 70%	$ 7,280.00
CONTRACTUAL SERVICES	$ XXXXXXXXXXXXXX	NON-FEDERAL 30%	$ 3,120.00
OPERATING COSTS	$ XXXXXXXXXXXXXX	TOTAL FUNDS	$ 10,400.00
*EQUIPMENT	$ XXXXXXXXXXXXXX		
INDIRECT COSTS	$ XXXXXXXXXXXXXX		
*TOTAL BUDGETED	$ 10,400.00		

BUDGET SUMMARY APPROVAL (DHS USE ONLY)

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	TOTAL
*PERSONNEL SERVICES	$	FEDERAL FUNDS 70%	$
CONTRACTUALSERVICES	$ XXXXXXXXXXXXXXXX	NON-FEDERAL 30%	$
OPERATING COSTS	$ XXXXXXXXXXXXXXXX	TOTAL FUNDS	$
*EQUIPMENT	$ XXXXXXXXXXXXXXXX		
INDIRECT COSTS	$ XXXXXXXXXXXXXXXX		
*TOTAL APPROVED	$		

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of $7,280.00 for the 2004 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

WHEREAS, a local cash match of $3,120.00 is required in order to reach the total cost of the program, which is $10,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Mark D. Boughton is hereby authorized to apply for said grant and to accept grant funds if approved, and Mayor Mark D. Boughton is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grant funds are hereby ratified.

10

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

April 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:

New Police Station - Acquisition of Properties
East Franklin Street and Maple Avenue

Enclosed please find copies of the proposed legal descriptions and proposed property maps prepared by our department for four parcels of land on East Franklin Street and Maple Avenue to be acquired by the City for the proposed new police station.

The four properties to be acquired are as follows:

Lot No. H13306	Isabelle M. Kalil, Louis S. Owen, III and David G. Owen 7 East Franklin Street
Lot No. H13305	Aberdeen Development, LLC East Franklin Street
Lot No. H13301	Aberdeen Development, LLC 33 East Franklin Street
Lot No. H13302	Aberdeen Development, LLC 72-80 Maple Avenue

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

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

Very truly yours,

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

Encl.

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

RECYCLED PAPER

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

June 10, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/May CC Agenda Item #10 – RESOLUTION. Acquisition of Properties/New Police Station, East Franklin St. & Maple Ave.

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

At the May 19, 2004 meeting, the Planning Commission made a motion to give a positive recommendation based on the Planning Director's report.

Joseph Justino
Chairman

JJ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

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, pursuant to authorization through the 21st Century Bond Issue, is proceeding, through plans and designs, to construct a new police station; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land as described in the Exhibits attached hereto; and

WHEREAS, said properties will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said properties and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the properties set forth on EXHIBITS A and B attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by November 1, 2004.

EXHIBIT A

Land Of
Isabelle M. Kalil, Louis S. Owen, III and David G. Owen
7 East Franklin Street – Tax Assessor's Lot # H13306

A parcel of land 13,725 square feet, more or less, in area located on the north side of East Franklin Street further described as follows:

Beginning at a point on the north street line of East Franklin Street said point also being the southwest corner of the land being described herein, thence running along the property line between the land of the Grantors and land now or formerly of The Estate of Joseph DaSilva, land now or formerly of Kapil M. Bhavsar and Panna Bhavasar, and land now or formerly of St. Joseph's Roman Catholic Church Corporation, the following courses and distances: N 32° 26' 46" W a distance of 56.85 feet, thence N 66° 28' 29" E a distance of 1.25 feet, thence N 20° 17' 37" W a distance of 35.42 feet, thence N 14° 40' 44" W a distance of 40.92 feet to a point, thence turning and running along the boundary line between the land of the Grantors and land now or formerly of St. Joseph's Roman Catholic Church Corporation N 81° 00' 20" E a distance of 117.58 feet, thence turning and running along the boundary line between the land of the Grantors and land now or formerly of Aberdeen Development, LLC S 31° 41'00 " E a distance of 87.27 feet to a point on the northerly street line of East Franklin Street, thence turning and running along the northerly street line of East Franklin Street along the following courses and distances: S 59° 17' 20" W a distance of 65.51 feet, thence S 59° 13' 28" W a distance of 62.43 feet to the point or place of beginning.

Bounded:	Northerly	by land now or formerly of St. Joseph's Roman Catholic Church Corporation and by land now or formerly of Aberdeen Development, LLC, each in part
	Easterly	by land now or formerly of Aberdeen Development, LLC
	Southerly	by East Franklin Street
	Westerly	by land now or formerly of The Estate of Joseph DaSilva, by land now or formerly of Kapil M. Bhavsar and Panna Bhavsar, and by land now or formerly of St. Joseph's Roman Catholic Church Corporation, each in part

For a more particular description, reference is made to a map entitled "Map Showing the Land of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen to be Acquired by the City of Danbury 7 East Franklin Street Danbury, Connecticut Scale 1" = 20' April 2, 2004" which map is certified substantially correct by Michael S. Pierwola, R.L.S. and is to be filed in the Danbury Land Records.

Land of
Aberdeen Development, LLC
East Franklin Street and Maple Avenue

Three parcels of land located on the north side of East Franklin Street and the west side of Maple Avenue further described as follows:

Parcel One (East Franklin Street):

Beginning at a point on the north street line of East Franklin Street said point also being the southwesterly corner of the parcel being described, thence running along the boundary line between the land of the Grantor and land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen, land now or formerly of St. Joseph's Roman Catholic Church Corporation, land now or formerly of Maria DaSilva, land now or formerly of Michael K. Will and Lisa Marie Will, land now or formerly of Lu Li and land now or formerly of the Housing Authority of the City of Danbury the following courses and distances: N 31° 41' 00" W a distance of 87.27 feet, thence S 81° 00' 20" W a distance of 31.42 feet, thence N 12° 46' 10" W a distance of 86.26 feet, thence N 14° 26' 00" W a distance of 111.57 feet, thence N 18° 37' 50" W a distance of 87.75 feet, thence turning and running along the boundary line between the land of the Grantor and land now or formerly of the Housing Authority City of Danbury N 69° 47' 50" E a distance of 265.01 feet, thence turning and running through Padanaram Brook along the boundary line between herein described Parcel One and Parcel Two also owned by the Grantor the following courses and distances: S 28° 02' 45" E a distance of 37.641 feet, thence S 38° 31' 49" E a distance of 34.515 feet, thence S 33° 09' 47" E a distance of 60.326 feet, thence S 28° 35' 16" E a distance of 101.357 feet, thence S 45° 43' 48" E a distance of 108.405 feet to the northerly street line of East Franklin Street, thence turning and running along the northerly street line of East Franklin Street the following courses and distances: S 62° 38' 40" W a distance of 214.07 feet and thence S 59° 17' 20" W a distance of 187.78 feet to the point or place of beginning.

Bounded:	Northerly	by land now or formerly of the Housing Authority City of Danbury
	Easterly	by other land of the Grantor (Parcel Two)
	Southerly	by East Franklin Street
	Westerly	by land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen, by land now or formerly of St. Joseph's Roman Catholic Church Corporation, by land now or formerly of Maria DaSilva, by land now or formerly of Michael K. Will and Lisa Marie Will, by land now or formerly of Lu Li, and by land now or formerly of the Housing Authority City of Danbury, each in part

Parcel Two (East Franklin Street):

Beginning at a point on the north street line of East Franklin Street said point also being the southwesterly corner of the parcel being described, thence running through Padanaram Brook along the boundary line between the land of the Grantor (Parcel Two) and other land of the Grantor (Parcel One) the following courses and distances: N 45° 43' 48" W a distance of 108.405 feet, thence N 28° 35' 16" W a distance of 101.357 feet, thence N 33° 09' 47" W a distance of 60.326 feet, thence N 38° 31' 49" W a distance of 34.515 feet, thence N 28° 02' 45" W a distance of 37.641 feet, thence along the boundary line between the land of the Grantor (Parcel Two) and land now or formerly of the Housing Authority City of Danbury the following courses and distances: N 18° 44' 50" W a distance of 51.40 feet, thence N 07° 52' 30" W a distance of 30.00 feet, thence N 00° 57' 30" E a distance of 28.00 feet, thence N 41° 17' 30" E a distance of 38.00 feet, thence N 44° 07' 30" E a distance of 148.00 feet, thence N 28° 27' 30" E a distance of 76.00 feet to a point, thence turning and running along the boundary line between the land of the Grantor (Parcel Two) and other land of the Grantor (Parcel Three), land now or formerly of Joseph J. Novella, Sr. and Joseph J. Novella, Jr., land now or formerly of Desmond P. Fernandez and Barbara Fernandez, land now or formerly of Livia Alvarez and Flavio Alvarez and land now or formerly of Marco Alvarez the following courses and distances: S 20° 28' 34" E a distance of 260.478 feet, thence S 24° 45' 40" E a distance of 288.82 feet to the northerly street line of East Franklin Street, thence turning and running along the northerly street line of East Franklin Street S 63° 58' 50" W a distance of 175.75 feet to the point or place of beginning.

Bounded:	Northerly	by land now or formerly of the Housing Authority City of Danbury
	Easterly	by other land of the Grantor (Parcel Three), land now or formerly of Joseph J. Novella, Sr. and Joseph J. Novella, Jr., land now or formerly of Desmond P. Fernandez and Barbara Fernandez, land now or formerly of Livia Alvarez and Flavio Alvarez, and land now or formerly of Marco Alvarez, each in part
	Southerly	by East Franklin Street
	Westerly	by other land of the Grantor (Parcel One) and by land of the Housing Authority City of Danbury, each in part

Parcel Three (Maple Avenue):

Beginning at a point on the westerly street line of Maple Avenue said point being the southeasterly corner of the land herein described, thence running along the boundary line between the land of the Grantor and land now or formerly of Joseph J. Novella, Sr. and

Joseph J. Novella, Jr. S 67° 19' 20" W a distance of 105.89 feet, thence turning and running along the boundary line between the land of the Grantor (Parcel Three) and other land of the Grantor (Parcel Two) and land now or formerly of Shpendi Lena the following courses and distances: N 20° 28' 34" W a distance of 260.478 feet, thence N 27° 47' 57" W a distance of 3.821 feet, , thence turning and running along the boundary line between the land of the Grantor and land now or formerly of Shpendi Lena N 75° 56' 20" E a distance of 107.50 feet to the westerly street line of Maple Avenue, thence turning and running along the westerly street line of Maple Avenue the following courses and distances: S 18° 14' 40 " E a distance of 86.58 feet, thence S 20° 08' 40" E a distance of 77.34 feet, thence S 22° 42' 40" E a distance of 84.40 feet to the point or place of beginning.

Bounded:	Northerly	by land now or formerly of Shpendi Lena
	Easterly	by Maple Avenue
	Southerly	by land now or formerly of Joseph J. Novella, Sr. and Joseph J. Novella, Jr., each in part
	Westerly	by other land of the Grantor (Parcel Two) and by land now Or formerly of Shpendi Lena, each in part

For a more particular description, reference is made to a map entitled "Map Showing the Land of Aberdeen Development, LLC to be Acquired by the City of Danbury East Franklin Street & Maple Avenue Danbury, Connecticut Scale 1" = 40' April 2, 2004" which map is certified substantially correct by Michael S. Pierwola, R.L.S. and is to be filed in the Danbury Land Records.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the 21st Century Bond Issue, is proceeding, through plans and designs, to construct a new police station; and

WHEREAS, in order to undertake the above referenced project, the City must acquire certain parcels of land as described in the Exhibits attached hereto; and

WHEREAS, said properties will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said properties and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the properties set forth on EXHIBITS A and B attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by November 1, 2004.

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

April 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:

Justin R. Williams
166 Old Brookfield Road, Unit 11-6
Danbury, CT 06811

Mr. Williams is a Danbury, Connecticut resident. He has worked as a Police Officer for the town of New Fairfield since March 2002. From March 1998 to March 2004, Mr. Williams served in the U.S. Army National Guard, assigned to the 102nd Infantry Battalion in Bristol, Connecticut, where he reached the rank of Corporal E-4.

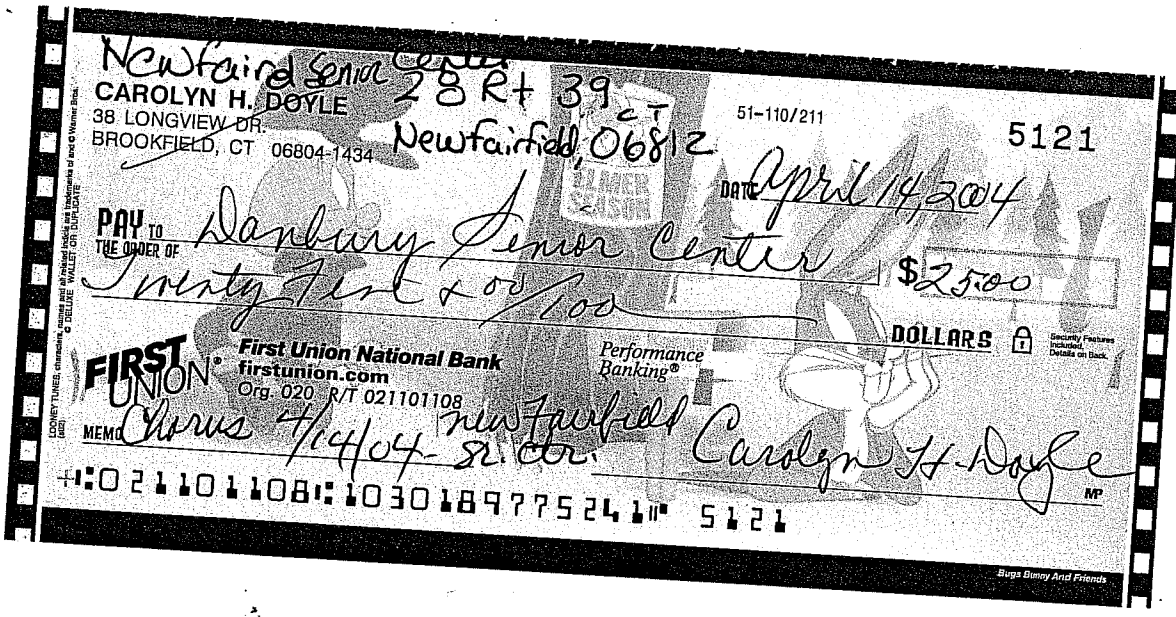
Thank you for your consideration of this appointment.

Sincerely,

Mark D. Boughton
Mayor

MDB/ecc

RECYCLED PAPER



Newfaird Senior Center 28 Rt 39 CT
CAROLYN H. DOYLE
38 LONGVIEW DR.
BROOKFIELD, CT 06804-1434
Newfairfield, 06812
51-110/211
5121
DATE April 14, 2004
PAY TO THE ORDER OF Danbury Senior Center
$25.00
Twenty Five & 00/100
DOLLARS
Security Features Included. Details on Back.
FIRST UNION
First Union National Bank
firstunion.com
Org. 020 R/T 021101108
Performance Banking®
MEMO Chorus 4/14/04 - Sr. Ctr. Newfairfield
Carolyn H. Doyle
MP
⑆021101108⑆ 1030189775241⑈ 5121
LOONEY TUNES, characters, names and all related indicia are trademarks of and © Warner Bros. 2002. © DELUXE ALTERED ON DUPLICATE
Bugs Bunny And Friends

DANBURY ASSISTED LIVING, LLC.
UNION SAVINGS BANK 51-7224-2211
MAIN OFFICE
002488
The Gardens
8 Glen Hill Rd. Danbury, CT 06811
4/1/2004
PAY TO THE ORDER OF Danbury Senior Center
$ **25.00
Twenty-Five and 00/100********** DOLLARS
Danbury Senior Center
80 Main Street
Danbury, CT 06810
MEMO The Cellmates - Entertainment
AUTHORIZED SIGNATURE
MP
Void
⑈002488⑈ ⑆221172241⑆ 690 023 364⑈

1357
THE HOMESTEAD AT NEWTOWN, LLC
RT. 6 166 MT. PLEASANT ROAD
NEWTOWN, CT 06470
(203) 426-8118
DATE 4/15/04
51-7218-2211
PAY TO THE ORDER OF Danbury Seniors
$ 25.00
twenty-five dollars and 00/100
DOLLARS
Security Features Included. Details on Back.
people's bank
peoples.com
FOR Entertainment
MP
⑈001357⑈ ⑆221172186⑆ 095 700 3154⑈
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CUSTOMER NO.	SHIP DATE	ORDER NO.
4087914984	4/20/04	4042001103-000001
PURCHASE ORDER NO.		RELEASE NO.
COST CENTER		REQUISITIONER

STAPLES BUSINESS DELIVERY. that was easy.

DANBURY SENIOR CENTER
SUSAN TOMANIO
Floor: 1ST
ELMWOOD PLACE
DANBURY, CT 068107321
Contact: (203) 797-4686 - SUSAN TOMANIO

SHIPPING LOCATION: Putnam, CT FC

CARRIER/ROUTE: MCH/COU /41

TOTAL PACKAGES: 4

PAGE: 1

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Donated by:
AARP Chapter 1067
c/o Marie E. Carroll
15 Willow Pond Rd
Danbury, CT 06810

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Line	ITEM NUMBER	ITEM DESCRIPTION / MODEL NUMBER	UNIT/ MEAS.	QTY. ORDERED	QTY. SHIPPED		Staples Price	Extended Amount
		Coupons and other adjustments are deducted after the Merchandise Total.						
2	494656	LIFETIME 37X37 SQUARE POLY FOL /2302	EA	4	4		57.15	228.60
						Merchandise total.....		228.60
						Shipping and Handling....		.00
						Tax.....		13.72

Check your order status online by going to www.Staples.com and clicking on "Order Status".

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CITY OF DANBURY
PARKS & RECREATION DEPARTMENT

HATTERS COMMUNITY PARK
7 EAST HAYESTOWN ROAD
DANBURY, CONNECTICUT 06811

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

MEMORANDUM

TO: **Mayor Mark Boughton and Members of Common Council**

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

DATE: **April 12, 2004**

RE: DONATION

Enclosed is a check for $100.00 from the Danbury Garden Club for appreciation for Danbury's participation in the Tree City Program.

Please send a thank you to the Garden Club for this generous donation.

Enclosure: copy of check

cc: Dena Diorio, Director of Finance (original check)

The Danbury Garden Club

Danbury, Connecticut

5 Cannondale Dr.
Danbury, CT 06810
April 5, 2004

Mr. R. Ryerson, Director Parks & Recreation
City of Danbury
7 Hayestown Road
Danbury, CT 06811

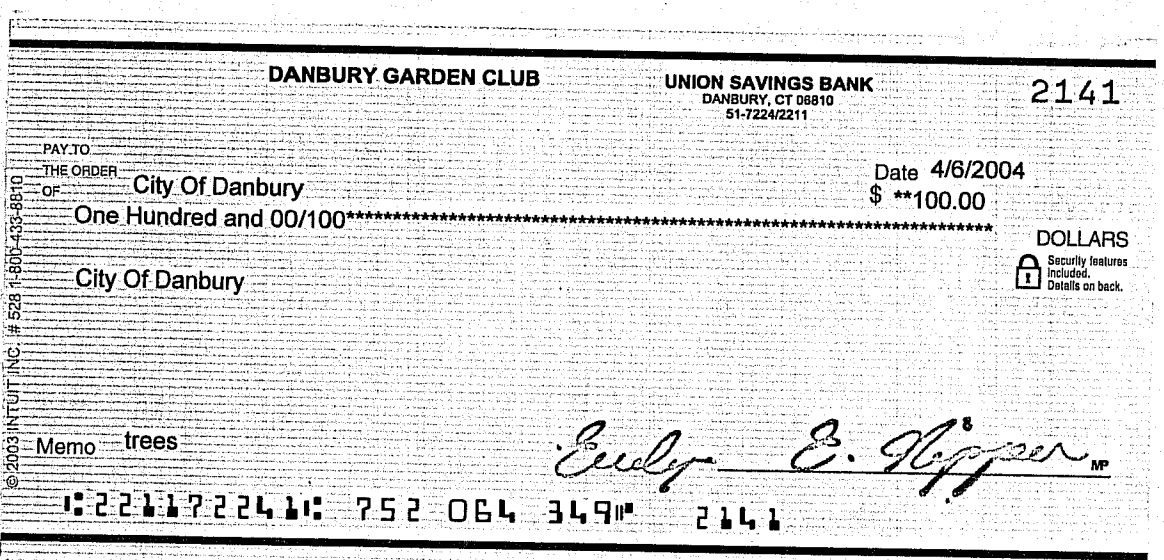
Dear Mr. Ryerson:

Enclosed is a donation; a token of our appreciation for Danbury's participation in the Tree-City Program and for the fine work your departments do to maintain the quality of life in our community.

Yours truly,

Eileen M. Curtin

Eileen Curtin, Civic Chairman
Danbury Garden Club



DANBURY GARDEN CLUB
UNION SAVINGS BANK
DANBURY, CT 06810
51-7224/2211
2141

PAY TO THE ORDER OF City Of Danbury
Date 4/6/2004
$ **100.00
One Hundred and 00/100********** DOLLARS
Security features included. Details on back.
City Of Danbury

Memo trees
Evelyn E. Hopper MP

⑆221172241⑆ 752 064 349⑈ 2141

© 2003 INTUIT INC. # 528 1-800-433-8810

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

April 26, 2004

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

Re: Donation from Automated Waste Disposal

Dear Mayor Boughton and Members of the Common Council:

Attached you will find an April 23, 2004 letter from Mr. Dave Dunleavy, the General Manager of Automated Waste Disposal located at 307 White Street, Danbury, Connecticut 06810. Automated Waste Disposal proposed donating four thirty-yard containers to the City for use on "Clean City Danbury Day." In addition, they provided drivers for the day to deliver and pick up the containers and waived the disposal fees for the materials collected during that day. I normally get these letters to you before the service is donated, however, I did not receive this letter until the 23rd of April and the services were donated on April 24, 2004. With that having been said, it is my sincere hope that you take the appropriate action to accept this valuable donation for this worthy cause.

Very truly yours,

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

Encl.

cc: James Gallante
Dave Dunleavy

RECYCLED PAPER

AWD
AUTOMATED WASTE DISPOSAL inc.
845-279-5353 203-743-0405

April 23, 2004

Bill Buckley
City Engineer
145 Deer Hill Avenue
Danbury, Ct. 06810

Dear Bill,

Automated Waste Disposal is pleased to donate four 30-yard roll-off containers to help in the "Clean City Danbury Day."

In addition, we will also provide a driver for the day to deliver and then pick up the containers later in the afternoon. In addition, the disposal cost for the material collected will be provided as a free service to Danbury.

Again, we are happy to assist the City in its effort to make Danbury a cleaner place to live.

Sincerely

Dave Dunleavy
General Manager

307 White Street • Danbury, Connecticut 06810-6974

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

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

FROM: Dena R. Diorio, Director of Finance

DATE: April 23, 2004 **CERTIFICATION #7**

SUBJECT: Appropriation to the Board of Education

As part of the Fiscal 2003-2004 budget, the Mayor proposed and the Common Council approved an incentive program to the Board of Education. The program was designed to provide a dollar for dollar match to the Board for any long-term savings that were achieved through organizational systemic changes. The Board of Education has achieved budget savings through the elimination of a Staff Accountant position in the Business Office. The savings total $40,113.

Pursuant to the attached request from the Board of Education, I hereby certify the availability of $40,113 to be transferred from the City's Contingency Account into the following line item:

6000.5852 /Schools-Regular: $40,113

Budgeted Contingency:	$850,985
Appropriations to Date:	($344,873)
This Request:	($40,113)
Balance in Contingency:	$465,999

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

C: Dr. Eddie Davis, Superintendent of Schools
Elio Longo, School Business Manager

DANBURY PUBLIC SCHOOLS
Administrative Center
63 Beaver Brook Road
Danbury, Connecticut 06810-6211
Email: longoe@danbury.k12.ct.us

Elio Longo, Jr., MBA
Director of Finance & Support Services

(203) 797-4703
Fax: (203) 790-2875

April 23, 2004

To: Dena Diorio, Director of Finance, City of Danbury
Re: FY 2003-2004 BOE Cost Reduction Plan (Dollar Match)

Dena,

Thank you for the opportunity to apply for the cost reduction dollar match incentive as extended to the Board of Education for FY 2003-2004. Attached you will find the cost reduction analysis of a 1.0 FTE position elimination in our Business Office. The effective cost savings for FY 2003-2004 is calculated at $40,113. At this time I formally request that the Common Council consider a supplemental appropriation in the said amount to the BOE's FY 2003-2004 budget. Should you require additional information please do not hesitate to call me directly at 797-4703. I would also like to take this time to thank the City for its consideration.

Regards,

Elio Longo, Jr., MBA

c: Eddie Davis, Ph.D, Superintendent of Schools

Reduction in Staff at Beaver Brook Administrative Center

Effective date: 11/01/03

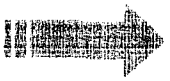
Business Office

Staff Accountant

Salary:	$	38,349
Longevity:	$	-
Benefits:	$	16,109
	$	54,458

Position left vacant. Duties reassigned to existing Business Office staff.

Lateral move



Asst. Superintendent Office

Secretary

Salary:	$	38,349
Longevity:	$	-
Benefits:	$	16,109
	$	54,458

Secretary retired and Business Office Staff Accountant assumed position.

Former Secretary Data

Salary:	$	44,181
Longevity:	$	3,120
Benefits:	$	16,109
	$	63,410

Effective Cost Reduction

FY 03-04 Combined Salary/Longevity/Benefits Cost:	$	117,868	
Avg. Cost/month:			$ (9,822)
Cost incurred up to 11/01/03 (transfer date):	$	(39,289)	
Balance as of 11/01/03:	$	78,579	
Cost of Secretary position (11/01/03-06/30/04):	$	(36,305)	
Funds unencumbered:	$	42,273	
Interim pay increase to Business Office staff (duty transfer):	$	(2,160)	
Effective Cost Reduction for FY 03-04:	$	40,113	

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

April 26, 2004

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

Re: "Earth to Kids" Program

Dear Mayor Boughton and Members of the Common Council:

Some years ago the City of Danbury purchased an educational van to be used as part of our recycling program. As time marched on, the van became a part of the HRRA educational program and now is back in the City's possession. Unfortunately, due to funding restraints through the years, this educational van was never used for its initial purpose and to its full potential. Recently, we have been contacted by Kathy Gleason of the Weston Woods Institute with a proposal to utilize the vehicle for the purpose for which it was intended.

Ms. Gleason was previously employed by the City of Danbury in the capacity of Recycling Coordinator. She was the person who helped in the infancy stages of this educational van purchase and it was her initiative that established this educational program. Kathy is now employed by the Weston Woods Institute.

Attached you will find a copy of the letter from Kathy to us outlining her proposal. As you can see, she is requesting that the van be turned over to the Western Woods Institute, a non-profit organization, in exchange for their returning to the City of Danbury programs for the children of Danbury through our schools, camps, and organizations.

Before negotiating the details of this contract, I would respectfully request that you establish a Common Council sub-committee to explore, and if you so desire, authorize us to negotiate a contract that would be brought back to the Common Council for approval. If the sub-committee is established, I would propose that Kathy and the Weston Woods Institute be invited to make a presentation showing the many benefits of their organization. I have reviewed the literature and visited the website, the address of which can be found on the attached letter, and I believe that this is a worthwhile organization and I support the concept of turning the van over to this organization.

RECYCLED PAPER

Again, if you concur, please establish a sub-committee and I will coordinate with Kathy relative to presentations and to discuss the details further.

Very truly yours,

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

Encl.

cc: Kathy Gleason
Mario Ricozzi, P.E.
Rudy Marconi, Chairman of HRRA

weston woods institute

383 Newtown Tpke. Weston, CT 06883 Toll Free 866 287-3880 tel 203 222-3880 fax 203 227-2217 www.westonwoodsinstitute.org

March 25, 2004

Dear Mayor Boughton,

The Weston Woods Institute proposes the following for consideration by the City of Danbury regarding the "Earth To Kids" program:

The City of Danbury would turn over ownership of the Earth to Kids vehicle and program to The Weston Woods Institute 501 C3 Non profit in return for The Weston Woods Institute supplying programming to the children and their caregivers (schools, pre schools, camps, parents, etc.) in the City of Danbury. The amount of programming will equate to the current value of the vehicle and will be provided to the City of Danbury over a period of time to be decided on by good faith agreement by of the parties.

The person responsible for the program management will be Kathy Gleason. Kathy is very familiar with the program and worked on putting the original program together for the City of Danbury.

As the City of Danbury and the Weston Woods Institute are drafting a definitive contract the vehicle will be domiciled on the institute premises in Weston. A trial period for the project will be tentatively scheduled for the summer of 2004. During the trial period the program will target camps and other City of Danbury programs. Regular programming would be scheduled for the fall of 2004.

Funding will be the responsibility of The Weston Woods Institute. The Institute anticipates the costs will be covered by fundraising efforts targeting individuals, businesses, and other organizations including both not for and for profit.

Once the vehicle has been evaluated we will update you with our plans and schedule. If there are questions please do not hesitate to contact me. Please feel free to visit the Weston Woods Institute website at www.westonwoodsinstitute.org at the web site you can find information on the Institute as well as other programs sponsored by the Institute

Regards,

Kathy Gleason
The Weston Woods Institute

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CITY OF DANBURY
COMMON COUNCIL

To: Members of the Common Council
From: Gregg W. Seabury
Re: Parking Violations

It has become abundantly clear that there is little regard to the parking ordinances within the boundaries of the City of Danbury. Drivers exemplify this on a regular basis by blatantly disregarding no parking signs, parking on lawns and any of a number of other posted violations. I would therefore respectfully request the Council to establish an ad hoc committee to investigate the possibilities of either increasing the violation fines or some other such exercise to reduce this increasing problem.

Respectfully submitted,

Gregg W. Seabury
Council member

City of Danbury

18

April 27, 2004

Honorable Mayor Mark Boughton
And Common Council Members
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Annual Suspense List

Dear Mayor Boughton and Council Members:

Attached please find for your approval, a listing of names and amounts of City taxes, which for various reasons I consider uncollectible at this time. I am therefore recommending for transfer to the Suspense List the amount of $266,672.99.

The breakdown of this amount is as follows:

1994 Motor Vehicle List	Amount to Suspense List	$ 58,947.81
1996 Personal Property List	Amount to Suspense List	50,552.29
1997 Personal Property List	Amount to Suspense List	60,859.59
1998 Personal Property List	Amount to Suspense List	5,612.08
1999 Personal Property List	Amount to Suspense List	11,490.94
2000 Personal Property List	Amount to Suspense List	22,279.68
2001 Personal Property List	Amount to Suspense List	34,873.17
2002 Personal Property List	Amount to Suspense List	22,057.43
	TOTAL AMOUNT TO SUSPENSE	$266,672.99

Every effort is still being made by this office to locate and collect these amounts. All names are reported to the Department of Motor Vehicles, and registrations will not be renewed until these delinquencies are satisfied. We also work with the Health Department and permits will not be issued to businesses with delinquent taxes outstanding.

Thank you for your attention to this matter, and should you have any questions, please do not hesitate to contact me.

Sincerely,

Catherine A. Skurat

Catherine A. Skurat, CCMC
Tax Collector

Cc: Dena Diorio
Director of Finance

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

April 26, 2004

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

Dear Mayor Boughton and Common Council Members:

The City has been presented with an opportunity to lease space adjacent to the Danbury Municipal Airport to Danbury Audi. As you know, Danbury Audi is constructing new showrooms on Sugar Hollow Road and would like to lease this space to be used for employee parking.

While the lease agreement is currently being drafted, Danbury Audi is proposing to lease the property for 10 years, with two five-year options, will make upgrades to the security of the parking area per the Airport Administrator's recommendations, and will pay the City $21,000 per year for the first three years, with 2% annual increases in years 4-20.

I am requesting that the Common Council consider this at its meeting in May.

Sincerely,

Dena R. Diorio

Dena R. Diorio
Director of Finance

DANBURY
PORSCHE • AUDI • VOLKSWAGEN
52 NEWTOWN ROAD, DANBURY, CT 06810
PHONE: (203) 744-5200 FAX: 744-0489

April 26, 2004

The Honorable Mark Boughton
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

Mr. Paul D. Estefan
Airport Administrator
Danbury Municipal Airport
P. O. Box 2299
Danbury, CT 06813-2299

Gentlemen:

Set forth below are the basic terms under which Weeks Automobile Corp. ("Tenant") proposes to lease the premises described below (the "Premises") from the City of Danbury ("Landlord").

PREMISES:	The unimproved land consisting of a strip of land approximately 250 feet by 350 feet as more particularly drawn in on the attached sketch which is a section of a certain Map captioned "Terminal Area Plan East Ramp Drawing No. 3 Sheet 3 of 8".
TERM:	Ten (10) Years.
RENEWAL OPTIONS:	Provided Tenant is not in default, Tenant shall have two (2) options to renew the Term of the Lease. Each option is for one renewal term of five (5) years. Notice of exercise of each option must be given to Landlord not later than one (1) year prior to the expiration of the initial term, or first renewal term, as applicable.
POSSESSION:	Twenty (20) days after Landlord commences operations at its Sugar Hollow Road site which is presently projected to be August 1, 2004.
RENTAL RATE:	Years 1-3: $21,000 per year. Years 4 - 20 (if applicable) 2% in excess of the prior year's rent.
PERMITTED USE:	The parking of Tenant's cars.
BROKER:	The parties represent that no broker was involved in this transaction.

TENANT'S UPGRADES: Tenant agrees to make upgrades to the security of the parking area per the Danbury Airport Administrator's reasonable recommendations.

TENANT'S CONTINGENCIES: The Lease shall be contingent upon: Tenant's receipt of all required municipal approvals for the intended use.

CONFIDENTIALITY:: This proposal and all discussions related thereto shall be held in confidence by Landlord and Tenant and will not be discussed with, or disclosed to, any third parties except for Landlord's and Tenant's attorneys and other professional advisors on an "as needed" basis.

This letter is not intended to be a lease, agreement, offer, or acceptance of any kind; but is merely a statement of the present intentions and understanding of the parties. This letter is not contractually binding and creates no obligations whatsoever, except as provided in the Confidentiality section above, and serves solely as an expression of basic business terms which are intended to be a starting point for further discussion.

Please advise if the foregoing proposal is acceptable to you. If it is acceptable, please proceed to have this put on the upcoming Agenda of the Common Council for Wednesday, April 28, 2004.

Sincerely,

Joshua J. Weeks

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William T. Walsh
44 Mabel Avenue
Danbury, CT 06811-3741

April 14, 2004

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

To 2nd Ward Council Members
Georgette M. Burns
Charles J. Trombetta

Late last summer, and throughout autumn, our neighborhood was plagued with intermittent foul smelling septic waste somehow spilling into the storm drain catch basins. (See attached diagram.) It was so foul and persistent during one of the World Series games that it disturbed my son and his friends watching the game, downstairs, inside our house. (The windows were open, since it was a warm night.)

My neighbor, Fred Drumm, also complained about the odor at his house.

My son visited City Hall and complained to the Health Department. They did send someone to investigate, but of course, when he was there the odor was not. As the days became cooler, and the windows stayed closed, we only smelled the odor on days when both the odor was present and we had occasion to be outside. But the problem continues to this day.

Now that the weather is becoming warmer, and we will soon be working in our gardens and trying to enjoy life on sunny days on our deck, we would like to see an end to this problem.

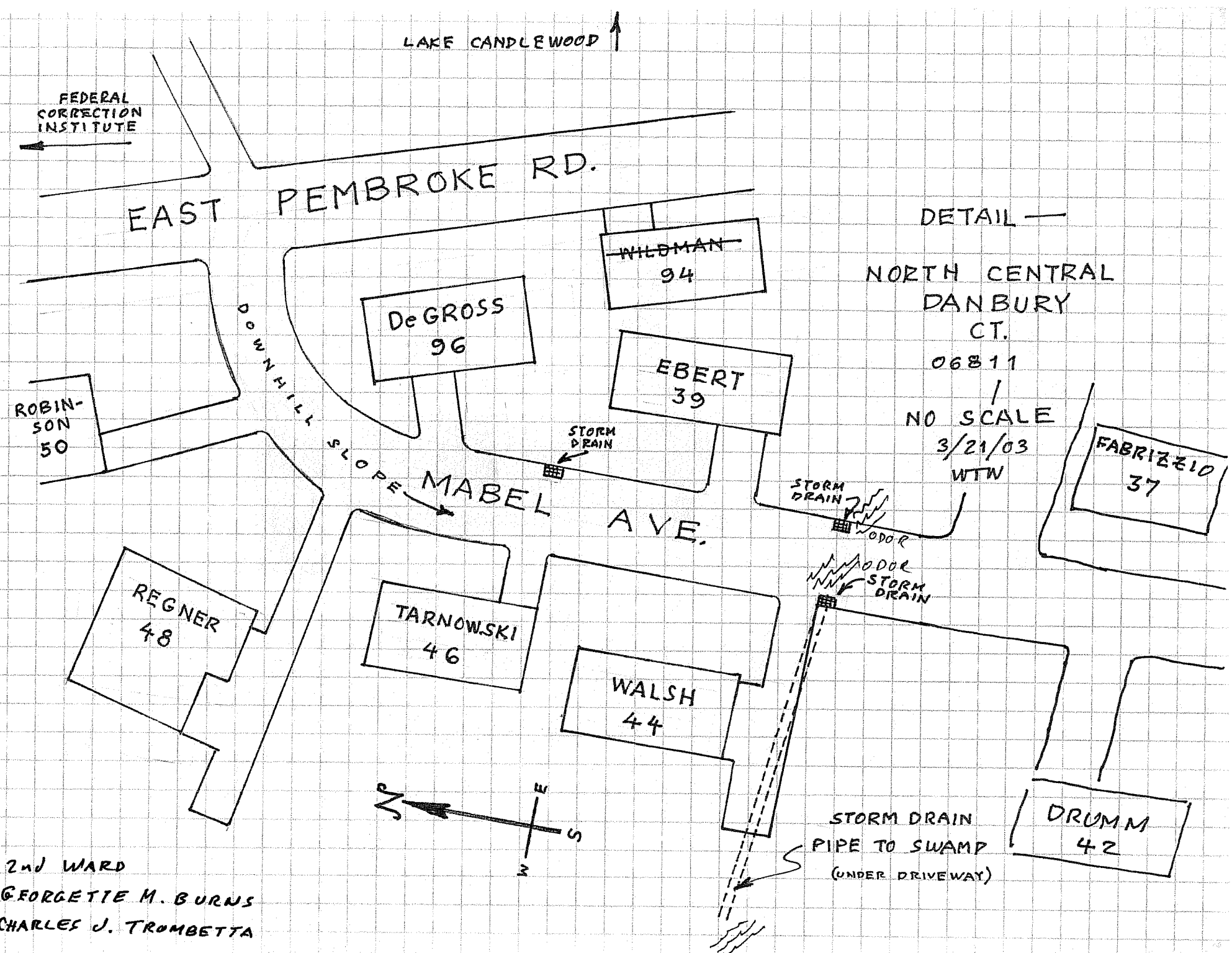
I know that an intermittent problem such as this is difficult to solve, but I figured that many heads are better than one, and that perhaps the Common Council can put theirs together and find a neat solution.

Thank you for taking the time to listen to my sad story.

Sincerely yours,

William T. Walsh

Tel: 203-744-2731
E-mail: walsh_william@sbcglobal.net


LAKE CANDLEWOOD
FEDERAL CORRECTION INSTITUTE
EAST PEMBROKE RD.
WILDMAN 94
DeGROSS 96
EBERT 39
ROBIN-SON 50
DOWNHILL SLOPE
STORM DRAIN
MABEL AVE.
STORM DRAIN
ODOR
FABRIZEIO 37
ODOR
STORM DRAIN
REGNER 48
TARNOWSKI 46
WALSH 44
DRUMM 42
STORM DRAIN PIPE TO SWAMP (UNDER DRIVEWAY)
N
E
S
W
DETAIL —
NORTH CENTRAL
DANBURY
CT.
06811
NO SCALE
3/21/03
WTW
2nd WARD
GEORGETTE M. BURNS
CHARLES J. TROMBETTA

21

March 15,2004

Dear Georgette M. Burns and Charles Trombetta,

We the residents of Wilkes Road (right side) are hereby petitioning the Danbury Common Council to take over the ownership of this road. This letter is an attachment to the petition which was already submitted from the left side of Wilkes Road. The following residents are in complete agreement with this petition.

Thank you
Residents of Wilkes Road

	Name	Address	Phone
1.	Joan & Michael Giannone	4 Wilkes Rd.	312-0803
2.	Donald & Gloria Johnson	8 Wilkes Rd.	746-0607
3.	Mr. Mrs Lawrence [illegible]	14 Wilkes Rd	746-2265
4.	[illegible]	12 Wilkes Rd	7462162
5.	Mr. Mrs. Sune Karlsson	5 Wilkes Rd.	746 9094
6.	[illegible]	7 Wilkes Rd	746-22[illegible]
7.	[illegible]	10 Wilkes Rd.	
8.	Nancy Poliquin	3 Wilkes Rd.	746-9776
9.	Mrs. [illegible]	20 Wilkes Rd	7464218

Honorable Mayor Gene Eriquez and Honorable members of the Danbury Common Council. Upon request from the sixteen families and petitioners of Wilkes Road, Danbury, CT., I am submitting this request for acceptance of their road by the City.

Upon personally observing the road, I noticed many potholes at the very beginning of the road apparently caused by drainage from a pipe located at the back of the first home on the right. This is creating a potential hazard for any emergency vehicles that would have to drive on this road.

There are also, 3 maintained drains.

Thank you for your time.

Councilman at Large

Joseph L. Scozzafava

3/6/90 Request rec'd by CC

Gallo
Falzone
Fazio

We the undersigned respectfully request the town of Danbury to take ownership of Wilkes Rd. We understand this would involve our giving up a portion of our property to this end. To this we agree and comply without compromise or exception. At the present time the road is paved and equipped with three drains.

We ask that you take our request under advisement and consent to take ownership at the earliest possible date. Our homes are properly maintained but maintaining a road would place an enormous financial burden on us all.

We would add that our taxes were raised along with everyone else's in Danbury and these taxes included road maintenance, a luxury we have not been afforded; so kindly consider our petition. Our homes are our single greatest investment and we take pride in their appearance. Unfortunately the deplorable condition of our road decreases the value we have worked diligently to uphold.

Your consideration and cooperation is greatly appreciated.

Sincerely,

John S. and Carol A. Scozzafava 29 Wilkes Road

Ruth T. Selleck
Ruth T. Selleck

Katharine M. Burns
KATHARINE M. BURNS

Edward P. Burns
EDWARD F. BURNS

Mary Ellen Cesca (Flanagan)
Mary Ellen Cesca (Flanagan)

Paul L. Cesca
PAUL L. CESCA

Maria Antal Louis Antal
Maria Antal Louis Antal

Paula Accocella Dominic Accocella
PAULA ACCOCELLA DOMINIC ACCOCELLA

Nora Anne Crawford
NORA ANNE CRAWFORD

James & Dorothy Perkins
JAMES L. PERKINS

John Naim Ellie Naim
JOHN NAIM ELLIE NAIM

Andrea Lynne Brazil / Timothy J. O'Rourke
Andria Lynne Brazil / Timothy J. O'Rourke

Gigi Conlon / John Conlon
GIGI CONLON / JOHN CONLON

William Hasselberger Beverly Hasselberger
William Hasselberger BEVERLY HASSELBERGER

CHANDRASINH PARMAR, NIRU PARMAR

Jose & Frieda Soriano
36 Wilkes Rd.
Jose & Frieda Soriano

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LAW OFFICES OF ELIE S. COURY

ATTORNEYS AND COUNSELORS AT LAW
DANBURY EXECUTIVE TOWER
30 MAIN STREET
SUITE 502
DANBURY, CONNECTICUT 06810

(203) 744-0290
FAX NO. (203) 778-9002

ELIE S. COURY
GREG M. COURY

P. O. BOX 27
DANBURY, CONNECTICUT 06813

April 7, 2004

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

RE: CLAREMONT TERRACE

Dear Council Members:

The undersigned represents the Tilbe Estate, the former owners of 8 Claremont Terrace now owned by Nuno Dos Santos and Santos Dos Santos. This property fronts on an unimproved road known as Claremont Terrace in the City of Danbury.

Claremont Terrace was created from real estate purchased by Claremont W. Bodecker on December 2, 1944 by Deed recorded in Volume 217 at Page 155 of the Danbury Land Records. No deed of conveyance from Claremont W. Bodecker was given to the City of Danbury.

My clients received authorization from the Common Council to extend the sanitary sewer. (see letter dated 12/27/02 attached) The Engineering Department of the City of Danbury approved the Easement Map. (see letter dated 8/13/03 attached) We are hereby requesting that the Common Council authorize a condemnation of Claremont Terrace and accept Claremont Terrace as a city street including the utilities presently existing there.

Thank you for your consideration in this matter. Hopefully, you will grant this request.

I respectfully request that this matter be presented to the Common Council on the May 2004 agenda.

Very truly yours,

ELIE S. COURY

ESC:mep
Encl:
CC: Eric Gottschalk, Esq.
William Buckley

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

December 27, 2002

Mr. Roy T. Fredricksen
Supervising Sanitary Engineer
Planning & Standards Division
Bureau of Water Management
State of Connecticut
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Dear Mr. Fredricksen:

Sanitary Sewer Extension
8 Claremont Terrace (Santos)

Enclosed for your review and approval please find a copy of the plan and profile for the above noted proposed sanitary sewer extension. This project is to be constructed by a private developer to City of Danbury standards and will be turned over to the City upon its completion.

This sanitary sewer extension has been authorized by the Common Council of the City of Danbury. Adequate capacity is available both in the downstream piping and at the sewage treatment plant to handle the anticipated discharge.

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

Very truly yours,

Patricia A. Ellsworth

Patricia A. Ellsworth, P.E.
Assistant City Engineer

encl.

c: William J. Buckley, Jr., P.E.
Mario Ricozzi, P.E.
David M. Day, P.E.
Ralph J. Gallagher, P.E.
Frank Figueiredo

RECYCLED PAPER

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 ENGINEEI

August 13, 2003

Mr. Frank Figueiredo
Figueiredo's Real Estate
57 North Street
Unit 106
Danbury, Ct 06810

Dear Mr. Figueiredo:

Sanitary Sewer Extension
Tilbe Estate – Claremont Terrace

The proposed easement map (paper copy) submitted under cover of a copy of the July 25, 2003 letter of transmittal from Sydney A. Rapp, Jr., of Surveying Associates, P.C. to Attorney Elie Coury has been reviewed.

The easement map is acceptable.

We await receipt of the legal documents relative to the transfer of this easement and title to the sanitary sewer extension. .

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

Very truly yours,

Patricia A. Ellsworth

Patricia A. Ellsworth, P.E.
Assistant City Engineer

C: William J. Buckley, Jr., P.E.
David Null, P.E.
Eric L. Gottschalk, Esq.
Sydney A. Rapp, Jr., R.L.S.
Elie Coury, Esq. ✓

RECYCLED PAPER

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

CHARLES J. VOLPE, JR., CPPB
PURCHASING AGENT

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

Memo

To: Mayor Mark Boughton and Members of the Common Council

From: Charles J. Volpe, Jr., Purchasing Agent

CC: Dena Diorio, Director of Finance and Peter Siecienski, Fire Chief

Date: 4/28/2004

Re: Waiver of Bid for Purchase of Aerial Platform Truck

I have received a memo from Fire Chief Peter Siecienski (copy attached) explaining that the Fire Department would like to purchase a new Pierce Aerial Platform Truck.

The Fire Department has standardized on apparatus manufactured by Pierce. The accompanying memo details the reasons for the standardization.

Firematic, the only authorized Pierce distributor for the Connecticut area, has submitted a proposal to furnish one (1) new, custom built, Pierce Aerial Platform Truck, fully equipped, at a purchase price of $830,785.00. The proposed purchase price is comparable to similar units recently bid and awarded in the area. It is important to note, that Pierce, due to the rising cost of materials, has announced a price increase of 4 1/2 %, effective June 15, 2004.

Pursuant to section 2-146 (a), the Common Council may waive the formal bidding procedures if it is in the best interest of the City to do so. I respectfully request, therefore, that the Common Council grant a waiver of bid so that we may enter into an agreement to purchase the Pierce Aerial Platform Truck.

Thank you for your consideration of this request.

RECYCLED PAPER

CITY OF DANBURY

FIRE DEPARTMENT

19 NEW STREET

DANBURY, CONNECTICUT 06810

Peter Siecienski
Fire Chief

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

To: Charles Volpe, Purchasing Agent

Date: March 30, 2004

From: Peter J. Siecienski
Fire Chief

Re: Request for sole source designation

Chick,

In preparing the requisition to purchase the new aerial platform truck approved in the recent bond issue I once again ask that Firematic as the area representative for Pierce manufacturing be awarded sole source status. I have attached the recent award sheet from area departments whom have purchased aerial platforms based on a bid process in an effort to insure fair and equitable pricing.

As in previous requests for Pierce Manufacturing preference the reasons remain constant;

1. Improved efficiency, as firefighters are familiar with operation and standardized procedures.
2. Improved safety as firefighters can operate vehicles consistently without confusion in emergency situations.
3. Cost effective, as maintenance proficiency is more efficient due to standardization. Additionally, a reduced inventory of parts is needed, as most are uniform.
4. Increased responsiveness and service by Pierce and Firematic due to preferred customer status.

Thank you for your consideration of this matter. Please do not hesitate to contact me if there is additional information needed.

Peter J. Siecienski
Fire Chief

Firematic

651 Brook Street ◆ Rocky Hill, CT 06067-3401

TEL (860) 571-7370
FAX (860) 571-7377
TOLL FREE (800) 645-1744

March 17, 2004

Danbury Fire Department
19 New Street
Danbury, CT. 06810
Fax # 203-796-1533

Attn. Chief Peter Siecienski

Re: Contract Pricing for Similar 95' Mid Ship Platforms

Chief:
To follow is a listing of customers that have purchased Pierce 95' Mid Ship Platforms from Firematic along with the contract amount.

Massapequa Fire District (NY)	$ 834,900 (2002)
Jericho Fire District (NY)	$ 889,830 (2002)
East Meadow Fire District (NY)	$ 835,855 (2002)
Plainview Fire District (NY)	$ 943,550 (2003)
Floral Park Fire District (NY)	$ 918,000 (2003)
Hagerman Fire District (NY)	$ 968,000 (2003)
Brentwood Fire District (NY)	$1,012,000 (2003)
Bridgeport Fire Department (CT)	$ 795,813 (2002)
Wharehouse Point Fire Department (CT)	$ 839,000 (2002)

We currently have two (2) outstanding proposals; One (1) in Rocky Hill FD (CT) for $932,000 and One (1) in Cromwell FD (CT) for $855,000.

There where two (2) Mid Ship platforms sold in Connecticut last year that we did not bid. The numbers where as follows. One (1) Sutphen 93' Mid Ship Platform in Clinton for 912,000 and One (1) E-One 95' Mid Ship Platform in Vernon for $812,000.

Sincerely,

Michael Hanratty
VP Sales/Service
Firematic - CT Office

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April 28, 2004

Mark Boughton, Mayor
City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Common Council
City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: DXR Corporation and City of Danbury
Drainage Easement - Backus Avenue, Danbury

Dear Mayor Boughton and Common Council:

This letter is a request that the City of Danbury grant to DXR Corporation an easement on land of the City of Danbury as set forth on the attached "proposed easement." The form of the easement has been reviewed and approved by the City Engineering Department and Corporation Counsel.

A favorable response by the City of Danbury would be greatly appreciated.

Very truly yours,

DXR CORPORATION

By_____
Robert J. Kaufman, President
39 Padanaram Road
Danbury, Connecticut 06810

cc: Eric L. Gottschalk, Esquire
Pat Ellsworth,
Assistant City Engineer

DRAINAGE EASEMENT

KNOW YE ALL MEN BY THESE PRESENTS THAT City of Danbury, a municipal corporation located in Fairfield County, State of Connecticut (the "Grantor"), in consideration of One Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby give and grant to **DXR Corporation**, a Connecticut corporation having an office and place of business at 39 Padanaram Road in the City of Danbury, County of Fairfield and State of Connecticut (the "Grantee"), the permanent and perpetual right to divert and drain storm water into, on and over a certain piece or parcel of land of the Grantor being 30 ft. in length and 15 ft. in width and being more particularly shown and designated as "**PROPOSED DRAINAGE EASEMENT, *in favor of* DXR CORPORATION & 4244 LLC**" on a certain map entitled **"Easement Map showing Proposed Drainage Easement across the property of 'CITY OF DANBURY' in favor of DXR CORPORATION & 4244LLC, Backus Avenue-Danbury, Connecticut"** scale 1" = 40' Easement Area: (as shown) Date : February 6, 2004 and certified substantially correct by Paul M. Fagan, L.S. #7756 and prepared by Surveying Associates, P.C. 432 Main Street, Danbury, Connecticut, together with the right to install and maintain necessary rip rap in accordance with and as shown on a certain site plan entitled **"Waterworks, 60 Backus Avenue Danbury, Connecticut, SITE PLAN"**, PREPARED BY Consultants & Engineers, Inc. 9 Harmony Street, Danbury, Connecticut, being designated Drawing No. SE-3, dated 5/14/03 and as revised through 2/17/04 on file and as approved by the Danbury Planning Commission by letter dated December 15, 2003.

Grantee, by the acceptance hereof, agrees that Grantor shall have no duty to maintain, service, clear nor construct or reconstruct such rip rap nor shall Grantor have any liability to Grantee nor any other person for any damage suffered or claimed to have been suffered by any person arising from or claimed to have arisen from or in connection with Grantee's exercise of the Easement and any other rights herein granted to Grantee and further, Grantee agrees to indemnify and hold harmless the Grantor from any and all such liability and/or damages as aforesaid.

Signed, Sealed and Delivered
in the presence of:

_____

_____

_____

CITY OF DANBURY

By_____

Its_____
Duly Authorized

DXR CORPORATION

By _____
Robert J. Kaufman
President, Duly Authorized

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

Personally appeared_____, _____, of the CITY OF DANBURY, signer and sealer of the foregoing instrument, who acknowledged the same to be his/her free act and deed, and the free act and deed of said CITY OF DANBURY, before me.

_____

Notary Public
My Commission Expires _____
Commissioner of the Superior Court

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

Personally appeared ROBERT J. KAUFMAN, President of the DXR CORPORATION, signer and sealer of the foregoing instrument, who acknowledged the same to be his free act and deed, and the free act and deed of said DXR CORPORATION before me.

_____

Thomas W. Van Lenten
Commissioner of the Superior Court

49-04

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

April 23, 2004

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

Dear Mayor Boughton and Common Council Members:

At your meeting of April 6, 2004, Item 49 was referred to me for a 30-day report. In a communication sent to the Common Council, Mr. And Mrs. Jerome F. Perrone expressed an interest in selling their property at 63 Grand Street to the City of Danbury for the expansion of the Senior Center.

As you know the City is considering the acquisition of several properties on Grand Street as part of this project. We are still waiting for final appraisals to be complete so a final budget for the project may be developed. However, based on our preliminary estimates, it does not appear that sufficient funds will be available to purchase this property.

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

Sincerely,

Dena R. Diorio

Dena R. Diorio

49-April

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

May 3, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/April 6th CC Agenda Item #49 – Offer to sell Land at 63 Grand St.

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

At the April 21, 2004 meeting, the Planning Commission made a motion to give a positive recommendation (conditioned upon proper zoning being in place) based on the Planning Director's report.

Steve Zaleta
Chairman

SZ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

50-APR11

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

April 12, 2004

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

Dear Mayor Boughton and Common Council Members:

Request to Install Sign
Hawthorne Cove Road

At the April 6, 2004 Common Council meeting, the March 17, 2004 request from the Hawthorne Cove Beach Community, Inc. for approval to install a sign at the intersection of Hawthorne Cove Road and Forty Acre Mountain Road was forwarded to our office for a report within thirty days (reference Item 50 of the meeting minutes).

After numerous meetings and many Engineering Department and Corporation Counsel's office staff hours working on the plans for the improvement of the roadway and on the various easements needed, Hawthorne Cove Road was recently accepted by the City of Danbury (deed to the road was filed on the Danbury Land Records on November 13, 2003).

The referenced plan showing the proposed location of the new sign and photo of the new sign were not submitted with the Hawthorne Cove Beach Community, Inc. March 17, 2004 letter.

This office strongly recommends that the Common Council **not** permit a private sign to be installed within the City road right of way. Besides setting a bad precedent (in the past similar requests in other areas of the City have been denied), the installation of a sign on City property could increase the City's liability with respect to the roads and result in sight line problems at the intersection as well as be an impediment to the City's snow plowing operations.

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

Very truly yours,

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

C: Duke Hart
Fran Lollie
Eric L. Gottschalk, Esq.

RECYCLED PAPER

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

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

April 22, 2004

MEMORANDUM

To: Danbury Common Council

From: Chief Robert L. Paquette

Subject: **Hawthorne Cove Signage**
Item #50 – April 6, 2004 Common Council Meeting

Please be advised that the Danbury Police Department does not exercise any authority over signage referred to in the March 17, 2004 letter from the Hawthorne Cove Beach Community.

The only signage to be authorized by the Local Traffic Authority (Chief of Police) is that which pertains to the control of traffic and such.

I have no opposition to the installation of the sign described in the referenced letter.

Robert L. Paquette
Chief of Police

RLP:ml

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52-April

27

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

April 13, 2004

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

Dear Mayor Boughton and Common Council Members:

Request to Abandon Paper Road
Westwood Drive Area

At the April 6, 2004 Common Council meeting, the March 30, 2004 request from Dainius Virbickas, P.E.of Artel Engineering Group, LLC that the City abandon and/or discontinue a paper road on the east side of Westwood Drive was forwarded to our office for a report within thirty days (reference Item 52 of the meeting minutes).

The "paper road" in question was shown on the original "Westwoods" subdivision created in 1946. Enclosed for your reference is a copy of the "Westwoods" subdivision map which is on file in the Danbury Land Records as map #890. No road was actually constructed within the "paper road" in question. The enclosed copy of a section of the City's current Tax Assessor's map indicates that only a driveway to serve an existing house and rear lots exists within the "paper road" right of way.

Our office questions whether the intent of the February 7, 1947 Special Town Meeting acceptance of roads within the "Westwoods" subdivision was to include the "paper road" or whether the intent was to accept the actual roads that had been constructed within the subdivision.

As noted in Mr. Virbickas' letter, the construction of a road meeting City standards within the "paper road" in question would be difficult.

Our department is not convinced that the City does in fact own this "paper road" and sees no benefit to any City claim to this "paper road".

We recommend that the Common Council consider granting Mr. Virbickas' request to either abandon or discontinue the road in a manner acceptable to the Corporation Counsel's office. The Corporation Counsel's office can advise you as to the ramifications of the abandonment/discontinuance of the "paper road" on abutting properties. We are not sure whether the entire "paper road" would become the property of Mr. Virbickas' client or whether the "paper

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road" right of way would in fact be split between the property owners who abut each side of the road.

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

Very truly yours,

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

Encl.

C: Dennis Elpern, with encl.
Eric L. Gottschalk, Esq., with encl.

CITY OF DANBURY

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

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

April 14, 2004

PLEASE REPLY TO:
DANBURY,CT 06810

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

Re: April agenda item #52
Joseph P. Coviello -- Request to discontinue unimproved road
Westwood Drive area

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report regarding the above referenced item. In his letter to the Council dated March 30, 2004, Dainius Virbickas asked that the Council consider the discontinuance of an unimproved road intersecting the easterly side of Westwood Drive.

I can advise you that the Common Council has authority to discontinue roads on behalf of the City of Danbury. Such an action has the effect of terminating all city rights and responsibilities with respect to the road in question. The authority to discontinue roads is derived from Sections 13a-7 and 13a-49 of the Connecticut General Statutes. Such discontinuance is particularly appropriate with respect to roads that have either never been or are no longer being used by the general public. Finally, you should be aware that pursuant to the provisions of Section 13a-55 of the Statutes even after discontinuance, the owners of property bounding the road continue to have a right of way over it to the nearest and most accessible highway.

If you are inclined to grant this request I recommend that you do so only after obtaining a report from the Planning Commission pursuant to section 8-24 of the Connecticut General Statutes. If you have any additional questions, please feel free to contact me.

Sincerely,

Eric L. Gottschalk
Deputy Corporation Counsel

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28

CITY OF DANBURY

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

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

April 27, 2004

PLEASE REPLY TO:
DANBURY,CT 06810

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

Re: Sadler Aircraft Service, Inc./Airport Lease

Dear Mayor and Council:

Attached please find a proposed revised lease for fixed base operator tenancy presently in operation at the Danbury Municipal Airport. The Danbury Aviation Commission, subject to minor adjustments that have been made, approved the lease and recommends it for your review and adoption.

Please note that although "Exhibit A" (map of the site) is not attached at present, we expect that the Engineering Department will have a final map available once the subcommittee begins its review. In the interim, an existing map sufficient to describe the premises is available for appropriate depiction.

Kindly consider the leases, and forward to committee and the Planning Commission at your earliest opportunity. Please do not hesitate to call if you have any questions.

Very truly yours,

Laszlo L. Pinter,
Assistant Corporation Counsel

Attachment
cc: Paul D. Estefan, Airport Administrator
John Ashkar, Chairman Aviation Commission
Charles Jackson, Esquire

LIp/newleases2

RECYCLED PAPER

SADLER AIRCRAFT SERVICE, INC.

LEASE

THIS LEASE made this 1st day of May 2004, between **the CITY OF DANBURY**, a municipal corporation, organized and existing under and by virtue of the laws of the State of Connecticut, and **SADLER AIRCRAFT SERVICE, INC.**, a Connecticut corporation having an office and principal place of business at Wallingford Road, Danbury, Connecticut, 06810, hereinafter referred to respectively as "LESSOR" and "LESSEE".

W I T N E S S E T H:

That the LESSOR hereby leases to the LESSEE and the LESSEE hereby leases from the LESSOR, that certain piece or parcel of land hereafter referred to as "the premises", more fully described on Exhibit A attached hereto and made a part hereof, for the purpose of conducting business as a fixed-base operator (FBO) at Danbury Municipal Airport, as defined in the Minimum Standards for Lease and/or Use of Danbury Municipal Airport, effective May 10, 1988, as amended, a copy of which is attached hereto and made a part hereof as Exhibit B. IT IS FURTHER MUTUALLY AGREED between the parties as follows:

1. TERM.

The term of this lease (which lease automatically supercedes any other lease for the premises), shall be for ten (10) years, commencing on the date hereof, at the rent rate of FIVE THOUSAND ONE HUNDRED & 00/100 DOLLARS ($5,100.00) **PER ACRE** plus CPI payable yearly, in advance. There shall be one (1) ten (10) year renewal option given to the LESSEE at the then established "rent per acre" rate or an increase of ten percent (10%) over the rent, whichever is greater, plus annual CPI, conditioned on LESSEE providing four (4) months' written notice in advance.

2. WAIVER OF CLAIMS.

LESSEE, as a material part of the consideration to be rendered to LESSOR, hereby waives all claims against LESSOR for damages to goods, wares and merchandise in, upon or about the

premises and for injuries to persons in or about the premises, from any cause arising at any time, and LESSEE will hold LESSOR exempt and harmless from any claim, damage or injury to any person, or to the goods, wares and merchandise of any person arising from the use of the premises by LESSEE, or form the failure of LESSEE to keep the premises in good condition and repair.

3. UTILITIES / INSURANCE / TAXES.

LESSEE will pay for all applicable water, gas, heat, light, power, sewer service, telephone service and all other similar service supplied to said premises. LESSEE will also maintain liability insurance in the amount of $2,000,000 which amount may be increased from time to time upon notification to LESSEE by LESSOR, naming the City of Danbury as an additional insured. Said insurance certificate shall be submitted to the LESSOR prior to the execution hereof. LESSEE will also pay such property taxes as may be assessed by the LESSOR.

4. TITLE TO STRUCTURES.

Title to all appurtenant structures as may be constructed by the LESSEE on the premises as a part of the improvements at the facility shall remain in the LESSEE during the term of this lease and any renewal thereof. At such time as this lease has terminated, title in and to all appurtenant structures not presently owned by the LESSOR shall revert to LESSOR.

5. OPERATIONS / COMPLIANCE / SUB-TENANCY.

During the term of this lease, the LESSEE shall be solely responsible for maintenance, repair, service and upkeep of the premises. The LESSEE shall have the right to use all appurtenant structures in the conduct of its business, provided, however, that such use shall at all times be in accordance with Exhibit B as amended from time to time, provided such amendment or amendments do not substantially adversely impact the conduct of LESSEE'S business or its use of the premises in a manner which substantially deviates from that applicable to other airport users or tenants. The LESSEE specifically recognizes that it may not sublease the premises or assign the lease except in accordance with the provisions of Exhibit B and without the approval of the Aviation Commission, which approval shall not be unreasonably withheld. In the event of a sublease of all or a portion of

the premises, LESSEE agrees to assume responsibility for compliance with the terms of this lease by any such sub-lessee.

6. ON-SITE MANAGEMENT / ACCOUNTABILITY.

LESSEE specifically agrees to employ full-time an on-site manager which person or his designee shall be available during normal business hours in order to respond to any activity or action concerning this lease agreement. When such need arises, LESSEE further agrees to be fully accountable, as pertains to its obligations under this lease for any actions of its tenants, sub-lessees or other persons and entities operating on said premises or off by virtue of any agreement whether written or oral with SADLER AIRCRAFT SERVICE, INC. SADLER AIRCRAFT SERVICE, INC., further agrees to ensure the full compliance with all airport rules and regulations by all such tenants, sub-lessees or other persons or entities and agrees to directly respond to LESSOR on any issues concerning said parties and directly act concerning same.

7. NOTICES.

All notices to be given to the LESSEE shall be given in writing by hand delivery or by depositing the same in the United States mail, postage prepaid, certified mail, return receipt requested and addressed to the LESSEE at Wallingford Road, Danbury, Connecticut, 06810. All notices to the LESSOR shall be given in writing to the City Clerk by hand delivery or by depositing same in the United States mail, postage prepaid, certified mail, return receipt requested addressed to the LESSOR, c/o City Clerk with copies to the Corporation Counsel, City of Danbury, 155 Deer Hill Avenue, Danbury, Connecticut, 06810 and to the Airport Administrator, P.O. Box 2299, Wibling Road, Danbury, Connecticut, 06813.

8. ADHERENCE TO AIRPORT REGULATIONS.

The LESSEE will observe all existing municipal regulations and state and federal laws including Part 139 Compliance procedures set forth in Exhibit E as may affect the operation of its business and the use of the premises, and further will observe and abide by the rules, regulations and guidelines as may be set forth from time to time by the Aviation Commission or the appropriate

governing body, provided that such rules, regulations and guidelines as applied to LESSEE shall not be in a manner which substantially deviates from that applicable to other airport users or tenants.

9. RIGHT TO INSPECT.

LESSEE acknowledges the right of the LESSOR to inspect the premises, upon reasonable notice, during normal business hours for purposes of FAA compliance with any other federal or state law or local rules or regulations.

10. AIRPORT RULES AND REGULATIONS.

All applicable provisions of Exhibit B attached hereto and made a part hereof and as may be amended are incorporated herein and made a part hereof.

11. SUCCESSORS AND ASSIGNS.

The covenants and conditions herein contained shall, subject to the provisions as to assignment, apply to and bind the heirs, successors, executors, administrators and assigns of all the parties hereto.

12. QUIET ENJOYMENT.

LESSOR has good right to lease the premises and LESSOR will suffer and permit LESSEE to occupy, possess and enjoy the premises during the term without hindrance or molestation from the LESSOR or any person claiming by, from or under LESSOR.

13. WASTE.

LESSEE leases the premises and will pay the rent therefor as aforesaid; and LESSEE will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; but will deliver up the same at the expiration or sooner termination of its tenancy in as good condition as now existing; except as herein stated, ordinary wear and tear and other unavoidable casualties excepted.

14. TERMINATION / RE-ENTRY / NO NOTICE.

If rent shall remain unpaid thirty (30) days after the same shall become payable as aforesaid, or the LESSEE shall commit waste or suffer the same to be committed on the premises, or shall

injure or misuse the same, or shall violate any of the terms, provisions, or conditions herein contained, or if the LESSEE commits an act of bankruptcy, or if the LESSEE makes an application to its creditors for the composition of its debts or executes an assignment for the benefit of creditors, or files a voluntary petition of bankruptcy or an involuntary petition in bankruptcy is filed against the LESSEE and not discharged within sixty (60) days; or if a receiver is appointed for any material or substantial portion of the assets of the LESSEE; then this lease shall thereupon, by virtue of this express stipulation herein, expire and terminate; and the said LESSOR may at any time thereafter re-enter the premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession hereof in the manner prescribed by statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken as at common law, shall be necessary to enable the LESSOR to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry it hereby expressly waived the LESSEE.

Whenever this lease shall terminate, either by lapse of time or by virtue of any of the expressed stipulations herein, LESSEE hereby waives all rights to any notice to quit possession, as prescribed by the statute relating to summary process.

15. FAA COMPLIANCE / OPERATIONS.

The LESSEE will conduct its operations on the airport in accordance with the obligations of the LESSOR contained in any pre-existing agreements between the LESSOR and the United States; and in furtherance of this general covenant but without limiting its general application, the LESSEE specifically agrees:

a. to conduct its operations on the airport for the use and benefits of the public;

b. to make available for the use and benefit of the public all of its aeronautical facilities and services on fair and reasonable terms and without discrimination on account of race, creed, color or national origin;

c. to continue its service and operations in common with such other qualified persons desiring to conduct aeronautical operations on the airport in the event the LESSOR provides space therefor.

16. TERMINATION BY LESSOR.

In the event that this lease is terminated by the LESSOR prior to the expiration of the term, for any reason except LESSEE'S default or LESSEE'S breach of this lease, which termination except for such default or breach shall only be made upon an expressed finding by the LESSOR that such termination is required by the public good and necessity, LESSEE shall thereupon be reimbursed by LESSOR in an amount representing that sum to which LESSEE would be entitled had the LESSOR exercised its power of eminent domain which may result from any termination, interruption or inconvenience to LESSEE'S business, and upon such payments LESSEE shall have no further claim to any such payments nor any such structure or improvements. The term "Lessee's interest" as used in this paragraph shall include the interest of any party having interest in the LESSEE'S personal property or building(s) as mortgagor, lienor or the like.

17. HOLD OVER.

In case the said LESSEE, with the written consent of the LESSOR endorsed hereon, or on the duplicate hereof, at any time holds over the said premises beyond the period above specified as the termination of this lease, then the LESSEE will hold said premises upon the same terms and under the same stipulations and agreements as are in this instrument contained, and no holding over by LESSEE shall operate to renew this lease without such written consent of said LESSOR.

18. ADMINISTRATIVE APPROVALS.

No building(s) or structure(s) will be constructed on the premises without obtaining the prior written permission(s) of the Building Department and Planning Commission and/or the Planning Department, as applicable, of the City of Danbury, which approval(s) and permit(s) shall be a condition precedent to LESSEE'S obligations hereunder. In addition, LESSEE will simultaneously to said permission(s) submit a full set of plans to the Airport Administration.

19. FAA SECTION 308 REFERENCE.

The covenants and provisions herein contained are in no way intended as authorizing the grant of an exclusive right within the meaning of Section 308 of the Federal Aviation Act of 1958, as amended.

20. LESSOR RESERVATION OF RIGHTS.

The LESSOR reserves the right to take any action it considers necessary to protect the aerial approaches, clear zones, transition and turn zones of the airport against obstructions to aircraft, together with the right to prevent the LESSEE from erecting or allowing any additional structures or growth on the leased premises which in the opinion of the LESSOR would limit the usefulness of the airport or otherwise constitute a hazard to aircraft.

21. LESSOR DEVELOPMENT RIGHTS.

The LESSOR reserves the right to develop or improve the airport, or any part thereof, or adjacent thereof, within its discretion regardless of the desires or opinions of the LESSEE and without interference or hindrance by the LESSEE; and to grant operational rights and privileges to others on available space elsewhere on the airport.

22. SUBORDINATION.

This lease will be subordinate to the provisions of any existing or future agreement entered into between the LESSOR and the United States to obtain federal aid for the improvement or operation and maintenance of the airport.

23. COMPLETE AGREEMENT.

This lease is the complete agreement between the parties and may not be waived, changed, modified, amended or terminated orally, but only by a writing signed by the party to be charged.

24. GOVERNING LAWS.

This lease shall be governed by, interpreted and construed under and in connection with the laws of the State of Connecticut.

25. FEES.

During the initial term of this lease and any renewal thereof, the LESSEE shall pay fees in accordance with Exhibit B, as the same is in force as of the date of this lease and as thereafter may be amended.

26. NON-DISCRIMINATION.

The LESSEE agrees not to discriminate on account of age, sex, race, creed, color or national origin in the use of the premises.

27. PERMISSION.

Wherever used herein, the terms "Permission" or "Consent of the LESSOR shall be obtained which shall not be unreasonably withheld", the parties hereto agree that the Aviation Commission of the City of Danbury shall have authority to grant such approval or consent on behalf of the LESSOR on proper application or petition to said Aviation Commission by LESSEE unless otherwise specified in the charter or ordinances of the LESSOR municipality or pursuant to the laws of the State of Connecticut or the regulations of the FAA.

28. MORTGAGE / ENCUMBRANCE.

The LESSEE will not mortgage or otherwise encumber this lease without the prior written consent of the LESSOR, which consent shall not be unreasonably withheld.

29. RIGHT OF FLIGHT / AIRSPACE.

The LESSOR reserves unto itself, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the real property (hereinafter described) together with the right to cause in said airspace such sound as may be inherent in the operation or aircraft, now known or hereafter used for the navigation of or flight in said airspace, together with the emission of fumes or particles incidental to aircraft navigation, and for the use of said airspace for the landing on, taking off from or operating on Danbury Municipal Airport.

30. HAZARDS.

The LESSEE expressly agrees for itself, its successors and assigns to prevent the use of the premises for the purpose which will create or result in hazards to flight such as, but not limited to, purposes which will (a) produce electrical interference with radio communications, (b) make it difficult for pilots to distinguish between airport lights and others, (c) project glare in the eyes of pilots, (d) impair visibility in the vicinity of the airport, or (e) otherwise endanger the landing, take-off or maneuvering of aircraft.

31. HEIGHT RESTRICTIONS.

The LESSOR retains the continuing right in the subject property to prevent the erection or growth of any building, structure, tree or other object extending into the airspace above the limits set forth in the overlay map as amended from time to time entitled "FAA Part 77 Surfaces" drawing No. 7 prepared by Edwards & Kelcey, Inc. Dated June 17, 1985 on file with LESSOR, and to remove from said airspace, at the LESSEE'S expense or at the sole option of the LESSOR, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree, or other object now upon, or which in the future may be upon the property together with the right of ingress to, passage over, and egress from LESSEE'S property for the above purpose.

32. COVENANTS RUNNING WITH LAND.

The LESSEE expressly agrees for itself, its successors and assigns, that the reservations and restrictions set forth in this instrument shall run with the land which shall be the servient tenement, it being intended that the lands now and hereafter comprising the airport shall be the dominant tenement; excepting, however, that such reservations and restrictions shall become void and of no force and effect on such date as the lands comprised in the aforesaid airport shall cease to be used for airport purposes.

33. SPONSOR ASSURANCE.

The LESSEE for itself, its personal representatives, successors in interest and assigns does hereby agree that if any aeronautical services or activities are to be offered, performed or conducted upon the Premises that:

In the exercise of the rights and privileges granted for the furnishing of aeronautical services to the public, LESSEE will:

(1) furnish said service on a fair, equal, and not unjustly discriminatory basis to all users thereof, and

(2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service; provided that the LESSEE may be allowed to make reasonable and non-discriminatory discounts, rebates or all other similar types of price reductions to volume purchasers.

34. NON-DISCRIMINATION; D.O.T.

The LESSEE for itself, its personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease or a purpose for which a D.O.T. program or activity is extended or for another purpose involving the provisions of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, as said Regulations may be amended.

35. NON-DISCRIMINATION / FEDERAL; 49 CFR PART 1.

The LESSEE for itself, its personal representatives, successors in interest, and assigns as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and in the

furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date and year first above written.

Signed, sealed and delivered in the presence of:

CITY OF DANBURY

_____ By:_____
Mark D. Boughton
Its Mayor, Duly Authorized

_____

SADLER AIRCRAFT SERVICE, INC.

_____ By:_____

_____

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

On this the _____ day of _____, 2004, before me, Laszlo L. Pinter, the undersigned officer, personally appeared Mark D. Boughton, who acknowledged himself to be the Mayor of the City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

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

_____
Laszlo L. Pinter
Commissioner of the Superior Court

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

On this the _____ day of _____, 2004, before me, _____, the undersigned officer, personally appeared _____, 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.

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

_____
Commissioner of the Superior Court
Notary Public

29

CITY OF DANBURY

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

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

April 27, 2004

PLEASE REPLY TO:
DANBURY,CT 06810

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

Re: Curtiss Aero/Airport Lease

Dear Mayor and Council:

Attached please find a proposed revised lease for fixed base operator tenancy presently in operation at the Danbury Municipal Airport. The Danbury Aviation Commission, subject to minor adjustments that have been made, approved the lease and recommends it for your review and adoption.

Please note that although "Exhibit A" (map of the site) is not attached at present, we expect that the Engineering Department will have a final map available once the subcommittee begins its review. In the interim, an existing map sufficient to describe the premises is available for appropriate depiction.

Kindly consider the lease, and forward to committee and the Planning Commission at your earliest opportunity. Please do not hesitate to call if you have any questions.

Very truly yours,

Laszlo L. Pinter,
Assistant Corporation Counsel

Attachment
cc: Paul D. Estefan, Airport Administrator
John Ashkar, Chairman Aviation Commission
Anthony Messina, Esquire
Ray Florczak, Curtiss Aero

Llp/newleases2

RECYCLED PAPER

CURTISS AERO

LEASE

THIS LEASE made this 1st day of May 2004, between **the CITY OF DANBURY**, a municipal corporation, organized and existing under and by virtue of the laws of the State of Connecticut, and **CURTISS AERO**, a Connecticut corporation having an office and principal place of business at 19 Miry Brook Road, Danbury, Connecticut, 06810, hereinafter referred to respectively as "LESSOR" and "LESSEE".

W I T N E S S E T H:

That the LESSOR hereby leases to the LESSEE and the LESSEE hereby leases from the LESSOR, that certain piece or parcel of land hereafter referred to as "the premises", more fully described on Exhibit A attached hereto and made a part hereof, for the purpose of conducting business as a fixed-base operator (FBO) at Danbury Municipal Airport, as defined in the Minimum Standards for Lease and/or Use of Danbury Municipal Airport, effective May 10, 1988, as amended, a copy of which is attached hereto and made a part hereof as Exhibit B. IT IS FURTHER MUTUALLY AGREED between the parties as follows:

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LESSEE, as a material part of the consideration to be rendered to LESSOR, hereby waives all claims against LESSOR for damages to goods, wares and merchandise in, upon or about the

premises and for injuries to persons in or about the premises, from any cause arising at any time, and LESSEE will hold LESSOR exempt and harmless from any claim, damage or injury to any person, or to the goods, wares and merchandise of any person arising from the use of the premises by LESSEE, or form the failure of LESSEE to keep the premises in good condition and repair.

3. UTILITIES / INSURANCE / TAXES.

LESSEE will pay for all applicable water, gas, heat, light, power, sewer service, telephone service and all other similar service supplied to said premises. LESSEE will also maintain liability insurance in the amount of $2,000,000 which amount may be increased from time to time upon notification to LESSEE by LESSOR, naming the City of Danbury as an additional insured. Said insurance certificate shall be submitted to the LESSOR prior to the execution hereof. LESSEE will also pay such property taxes as may be assessed by the LESSOR.

4. TITLE TO STRUCTURES.

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5. OPERATIONS / COMPLIANCE / SUB-TENANCY.

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the premises, LESSEE agrees to assume responsibility for compliance with the terms of this lease by any such sub-lessee.

6. ON-SITE MANAGEMENT / ACCOUNTABILITY.

LESSEE specifically agrees to employ full-time an on-site manager which person or his designee shall be available during normal business hours in order to respond to any activity or action concerning this lease agreement. When such need arises, LESSEE further agrees to be fully accountable, as pertains to its obligations under this lease for any actions of its tenants, sub-lessees or other persons and entities operating on said premises or off by virtue of any agreement whether written or oral with SADLER AIRCRAFT SERVICE, INC. SADLER AIRCRAFT SERVICE, INC., further agrees to ensure the full compliance with all airport rules and regulations by all such tenants, sub-lessees or other persons or entities and agrees to directly respond to LESSOR on any issues concerning said parties and directly act concerning same.

7. NOTICES.

All notices to be given to the LESSEE shall be given in writing by hand delivery or by depositing the same in the United States mail, postage prepaid, certified mail, return receipt requested and addressed to the LESSEE at Wallingford Road, Danbury, Connecticut, 06810. All notices to the LESSOR shall be given in writing to the City Clerk by hand delivery or by depositing same in the United States mail, postage prepaid, certified mail, return receipt requested addressed to the LESSOR, c/o City Clerk with copies to the Corporation Counsel, City of Danbury, 155 Deer Hill Avenue, Danbury, Connecticut, 06810 and to the Airport Administrator, P.O. Box 2299, Wibling Road, Danbury, Connecticut, 06813.

8. ADHERENCE TO AIRPORT REGULATIONS.

The LESSEE will observe all existing municipal regulations and state and federal laws including Part 139 Compliance procedures set forth in Exhibit E as may affect the operation of its business and the use of the premises, and further will observe and abide by the rules, regulations and guidelines as may be set forth from time to time by the Aviation Commission or the appropriate

governing body, provided that such rules, regulations and guidelines as applied to LESSEE shall not be in a manner which substantially deviates from that applicable to other airport users or tenants.

9. RIGHT TO INSPECT.

LESSEE acknowledges the right of the LESSOR to inspect the premises, upon reasonable notice, during normal business hours for purposes of FAA compliance with any other federal or state law or local rules or regulations.

10. AIRPORT RULES AND REGULATIONS.

All applicable provisions of Exhibit B attached hereto and made a part hereof and as may be amended are incorporated herein and made a part hereof.

11. SUCCESSORS AND ASSIGNS.

The covenants and conditions herein contained shall, subject to the provisions as to assignment, apply to and bind the heirs, successors, executors, administrators and assigns of all the parties hereto.

12. QUIET ENJOYMENT.

LESSOR has good right to lease the premises and LESSOR will suffer and permit LESSEE to occupy, possess and enjoy the premises during the term without hindrance or molestation from the LESSOR or any person claiming by, from or under LESSOR.

13. WASTE.

LESSEE leases the premises and will pay the rent therefor as aforesaid; and LESSEE will commit no waste, nor suffer the same to be committed thereon, nor injure nor misuse the same; but will deliver up the same at the expiration or sooner termination of its tenancy in as good condition as now existing; except as herein stated, ordinary wear and tear and other unavoidable casualties excepted.

14. TERMINATION / RE-ENTRY / NO NOTICE.

If rent shall remain unpaid thirty (30) days after the same shall become payable as aforesaid, or the LESSEE shall commit waste or suffer the same to be committed on the premises, or shall

injure or misuse the same, or shall violate any of the terms, provisions, or conditions herein contained, or if the LESSEE commits an act of bankruptcy, or if the LESSEE makes an application to its creditors for the composition of its debts or executes an assignment for the benefit of creditors, or files a voluntary petition of bankruptcy or an involuntary petition in bankruptcy is filed against the LESSEE and not discharged within sixty (60) days; or if a receiver is appointed for any material or substantial portion of the assets of the LESSEE; then this lease shall thereupon, by virtue of this express stipulation herein, expire and terminate; and the said LESSOR may at any time thereafter re-enter the premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession hereof in the manner prescribed by statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken as at common law, shall be necessary to enable the LESSOR to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry it hereby expressly waived the LESSEE.

Whenever this lease shall terminate, either by lapse of time or by virtue of any of the expressed stipulations herein, LESSEE hereby waives all rights to any notice to quit possession, as prescribed by the statute relating to summary process.

15. FAA COMPLIANCE / OPERATIONS.

The LESSEE will conduct its operations on the airport in accordance with the obligations of the LESSOR contained in any pre-existing agreements between the LESSOR and the United States; and in furtherance of this general covenant but without limiting its general application, the LESSEE specifically agrees:

a. to conduct its operations on the airport for the use and benefits of the public;

b. to make available for the use and benefit of the public all of its aeronautical facilities and services on fair and reasonable terms and without discrimination on account of race, creed, color or national origin;

c. to continue its service and operations in common with such other qualified persons desiring to conduct aeronautical operations on the airport in the event the LESSOR provides space therefor.

16. TERMINATION BY LESSOR.

In the event that this lease is terminated by the LESSOR prior to the expiration of the term, for any reason except LESSEE'S default or LESSEE'S breach of this lease, which termination except for such default or breach shall only be made upon an expressed finding by the LESSOR that such termination is required by the public good and necessity, LESSEE shall thereupon be reimbursed by LESSOR in an amount representing that sum to which LESSEE would be entitled had the LESSOR exercised its power of eminent domain which may result from any termination, interruption or inconvenience to LESSEE'S business, and upon such payments LESSEE shall have no further claim to any such payments nor any such structure or improvements. The term "Lessee's interest" as used in this paragraph shall include the interest of any party having interest in the LESSEE'S personal property or building(s) as mortgagor, lienor or the like.

17. HOLD OVER.

In case the said LESSEE, with the written consent of the LESSOR endorsed hereon, or on the duplicate hereof, at any time holds over the said premises beyond the period above specified as the termination of this lease, then the LESSEE will hold said premises upon the same terms and under the same stipulations and agreements as are in this instrument contained, and no holding over by LESSEE shall operate to renew this lease without such written consent of said LESSOR.

18. ADMINISTRATIVE APPROVALS.

No building(s) or structure(s) will be constructed on the premises without obtaining the prior written permission(s) of the Building Department and Planning Commission and/or the Planning Department, as applicable, of the City of Danbury, which approval(s) and permit(s) shall be a condition precedent to LESSEE'S obligations hereunder. In addition, LESSEE will simultaneously to said permission(s) submit a full set of plans to the Airport Administration.

19. FAA SECTION 308 REFERENCE.

The covenants and provisions herein contained are in no way intended as authorizing the grant of an exclusive right within the meaning of Section 308 of the Federal Aviation Act of 1958, as amended.

20. LESSOR RESERVATION OF RIGHTS.

The LESSOR reserves the right to take any action it considers necessary to protect the aerial approaches, clear zones, transition and turn zones of the airport against obstructions to aircraft, together with the right to prevent the LESSEE from erecting or allowing any additional structures or growth on the leased premises which in the opinion of the LESSOR would limit the usefulness of the airport or otherwise constitute a hazard to aircraft.

21. LESSOR DEVELOPMENT RIGHTS.

The LESSOR reserves the right to develop or improve the airport, or any part thereof, or adjacent thereof, within its discretion regardless of the desires or opinions of the LESSEE and without interference or hindrance by the LESSEE; and to grant operational rights and privileges to others on available space elsewhere on the airport.

22. SUBORDINATION.

This lease will be subordinate to the provisions of any existing or future agreement entered into between the LESSOR and the United States to obtain federal aid for the improvement or operation and maintenance of the airport.

23. COMPLETE AGREEMENT.

This lease is the complete agreement between the parties and may not be waived, changed, modified, amended or terminated orally, but only by a writing signed by the party to be charged.

24. GOVERNING LAWS.

This lease shall be governed by, interpreted and construed under and in connection with the laws of the State of Connecticut.

25. FEES.

During the initial term of this lease and any renewal thereof, the LESSEE shall pay fees in accordance with Exhibit B, as the same is in force as of the date of this lease and as thereafter may be amended.

26. NON-DISCRIMINATION.

The LESSEE agrees not to discriminate on account of age, sex, race, creed, color or national origin in the use of the premises.

27. PERMISSION.

Wherever used herein, the terms "Permission" or "Consent of the LESSOR shall be obtained which shall not be unreasonably withheld", the parties hereto agree that the Aviation Commission of the City of Danbury shall have authority to grant such approval or consent on behalf of the LESSOR on proper application or petition to said Aviation Commission by LESSEE unless otherwise specified in the charter or ordinances of the LESSOR municipality or pursuant to the laws of the State of Connecticut or the regulations of the FAA.

28. MORTGAGE / ENCUMBRANCE.

The LESSEE will not mortgage or otherwise encumber this lease without the prior written consent of the LESSOR, which consent shall not be unreasonably withheld.

29. RIGHT OF FLIGHT / AIRSPACE.

The LESSOR reserves unto itself, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the real property (hereinafter described) together with the right to cause in said airspace such sound as may be inherent in the operation or aircraft, now known or hereafter used for the navigation of or flight in said airspace, together with the emission of fumes or particles incidental to aircraft navigation, and for the use of said airspace for the landing on, taking off from or operating on Danbury Municipal Airport.

30. HAZARDS.

The LESSEE expressly agrees for itself, its successors and assigns to prevent the use of the premises for the purpose which will create or result in hazards to flight such as, but not limited to, purposes which will (a) produce electrical interference with radio communications, (b) make it difficult for pilots to distinguish between airport lights and others, (c) project glare in the eyes of pilots, (d) impair visibility in the vicinity of the airport, or (e) otherwise endanger the landing, take-off or maneuvering of aircraft.

31. HEIGHT RESTRICTIONS.

The LESSOR retains the continuing right in the subject property to prevent the erection or growth of any building, structure, tree or other object extending into the airspace above the limits set forth in the overlay map as amended from time to time entitled "FAA Part 77 Surfaces" drawing No. 7 prepared by Edwards & Kelcey, Inc. Dated June 17, 1985 on file with LESSOR, and to remove from said airspace, at the LESSEE'S expense or at the sole option of the LESSOR, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree, or other object now upon, or which in the future may be upon the property together with the right of ingress to, passage over, and egress from LESSEE'S property for the above purpose.

32. COVENANTS RUNNING WITH LAND.

The LESSEE expressly agrees for itself, its successors and assigns, that the reservations and restrictions set forth in this instrument shall run with the land which shall be the servient tenement, it being intended that the lands now and hereafter comprising the airport shall be the dominant tenement; excepting, however, that such reservations and restrictions shall become void and of no force and effect on such date as the lands comprised in the aforesaid airport shall cease to be used for airport purposes.

33. SPONSOR ASSURANCE.

The LESSEE for itself, its personal representatives, successors in interest and assigns does hereby agree that if any aeronautical services or activities are to be offered, performed or conducted upon the Premises that:

In the exercise of the rights and privileges granted for the furnishing of aeronautical services to the public, LESSEE will:

(1) furnish said service on a fair, equal, and not unjustly discriminatory basis to all users thereof, and

(2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service; provided that the LESSEE may be allowed to make reasonable and non-discriminatory discounts, rebates or all other similar types of price reductions to volume purchasers.

34. NON-DISCRIMINATION; D.O.T.

The LESSEE for itself, its personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease or a purpose for which a D.O.T. program or activity is extended or for another purpose involving the provisions of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, as said Regulations may be amended.

35. NON-DISCRIMINATION / FEDERAL; 49 CFR PART 1.

The LESSEE for itself, its personal representatives, successors in interest, and assigns as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and in the

furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date and year first above written.

Signed, sealed and delivered
in the presence of:

CITY OF DANBURY

_____ By:_____
Mark D. Boughton
Its Mayor, Duly Authorized

_____

SADLER AIRCRAFT SERVICE, INC.

_____ By:_____

_____

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

On this the _____ day of _____, 2004, before me, Laszlo L. Pinter, the undersigned officer, personally appeared Mark D. Boughton, who acknowledged himself to be the Mayor of the City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

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

_____
Laszlo L. Pinter
Commissioner of the Superior Court

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

On this the _____ day of _____, 2004, before me, _____, the undersigned officer, personally appeared _____, 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.

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

_____
Commissioner of the Superior Court
Notary Public

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Public Building Use Policy**

The Common Council Committee appointed to review an ordinance regarding the use of public buildings met on April 14, 2004 at 7:30 P.M. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Superintendent of Public Utilities Rick Palanzo, Director of Finance Dena Diorio, Assistant Corporation Counsel Robin Edwards, Library Director Betsy McDonough, Dennis Nazzaro from the Music Center Board of Directors and Council Members Saadi, Seabury, Cavo, Urice, Basso and Saracino, ex-officio.

The purpose of this ordinance is to allow policies to be established. Ms. Diorio stated that this ordinance would give the City the opportunity to prepare a building use policy. The attached policy is still to be considered. Included would be City Hall, the two Senior Center buildings and the Danbury Music Center. Excluded would be the Library, Richter Park, Tarrywile Park and Hatters Park. For insurance purposes it would state what could and could not be done. For profit agencies would be charged a fee.

Mr. Saadi said he does not have a problem with the City having a policy, but he does have a problem with the inclusion of City Hall. When someone rents, and pays for a City Hall room, they are entitled to a five-day cancellation notice. Many times the Common Council meets with less than five days notice. You would not have the same problem with the other buildings because they are not used for City business. He asked if there would be a problem for groups who do not have an insurance policy? Ms. Diorio said that the most critical issue is if someone gets hurt the City is responsible. Attorney Edwards stated that Section 7 would allow the Superintendent of Public Buildings to waive the requirement. Mr. Calandrino stated that he agrees with Mr. Saadi regarding City Hall.

Mr. Saadi proposed the following changes: first line between the word use and rental, the work or should be inserted; and in the third line the word shall should be replaced with may and in the fifth line after the word facilities, insert the phase as set

forth in said policies. Finally, the attached proposed rental policy shall be detached from the ordinance and be considered separately at a later time.

Mr. Visconti made a motion to recommend the following changes to the ordinance: in the first line between the word use and rental, the word or should be inserted; in the third line the word shall should be replaced with may; and in the fifth line after the word facilities, the phase as set forth in said policies should be inserted. Also, the attached proposed rental policy shall be detached and referred to a separate committee for consideration. Seconded by Mr. Nagarsheth. Motion carried unanimously.

Respectfully submitted,

MICHAEL CALANDRINO, Chairman

SHAILESH NAGARSHETH

FRED VISCONTI

CITY OF DANBURY

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155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Fire Marshall Inspections**

The Common Council Committee appointed to review the ordinance regarding Fire Marshall Inspections met on April 14, 2004 in the Third Floor Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Fire Chief Peter Siecienski, Fire Marshall Barry Rickert, Corporation Counsel Robert Yamin and Council Members Basso, Cavo, Saadi, Saracino and Seabury.

Mr. Calandrino asked the Director of Finance to explain the request. Ms. Diorio stated that this ordinance would allow the Fire Marshall to charge for inspections. Mr. Rickert put together the ordinance and determined what the proposal would generate.

Mr. Visconti asked Mr. Rickert if there are enough personnel to carry this out? Mr. Rickert said there are never enough people to do inspections as they multiple each year. This ordinance is not generating a heavier workload; these are current inspections. There are no new inspections. The revenue would go into the general fund. Mr. Urice asked if there would be a charge for reinspections? Ms. Diorio said there would not.

Mr. Nagarsheth made a motion to recommend adoption of the ordinance and defer it to public hearing. Seconded by Mr. Visconti. Motion carried unanimously.

Respectfully submitted,

MICHAEL CALANDRINO, Chairman

SHAILESH NAGARSHETH

FRED VISCONTI

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

That the Code of Ordinances of Danbury, Connecticut, is herby amended by adding a section, to be numbered 8-33, which said section reads as follows:

Section 8–33 Fire Marshal Inspections– Fees for Inspections

(a) Liquor Licenses.

(1) The Fire Marshal or his designee shall inspect or cause to be inspected any premises applying for a new or existing liquor license. A one hundred dollar ($100.00) fee for all liquor permits allowing the retail sale, serving and consuming of liquor on the premises shall be paid to the City of Danbury prior to the Fire Marshal's inspection of all such premises which fall within the following categories: café permit; charitable organization permit; club permit; nonprofit club permit; concession permit; golf country club permit; hotel permit; resort permit; restaurant permit; special event permit; special sporting facility permit; stadium permit; tavern permit; temporary permit for beer and/or wine only; and university permit.

(2) Inspection of the premises shall be made to insure compliance with the Connecticut Fire Safety Code and the Connecticut General Statutes as may be amended from time to time. Said inspection shall be carried out simultaneously with all other required inspections. All separate fee schedules shall be adhered to.

(b) Assembly Occupancies.

(1) The Fire Marshal or his designee shall inspect, or cause to be inspected, annually all assembly occupancies, with a minimum of fifty (50) occupants, or rented to the public for social functions or parties. The Fire Marshal shall require a license to be issued by his office. A fee of fifty dollars ($50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all Class A, Class B or Class C facilities.

(2) Said annual inspection shall coincide with any other necessary inspections for licenses; such as a liquor license, health certificate and vendor permits with LPG tanks only. Inspection of assembly occupancies shall be made to insure compliance with the Connecticut Fire Safety Code and the Connecticut General Statutes as may be amended from time to time. Said inspection shall be carried out simultaneously with all other required inspections. All separate fee schedules shall be adhered to.

(c) Child Day Care Centers.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all child day care centers in which more than twelve (12) children receive care, maintenance and supervision, by other than relatives or legal guardians, to insure compliance with the Connecticut Fire Safety Code. A fee of one hundred dollars ($100.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all day care centers.

(d) Group Day Care Homes.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all group day care homes in which at least seven (7) but not more than twelve (12) children receive care, maintenance and supervision, by other than their relatives or legal guardians, to insure compliance with the Connecticut Fire Safety Code. A fee of fifty dollars ($50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all group day care homes.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

(e) Nursing Homes.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all nursing homes in which two or more persons unrelated to the proprietor receive food, shelter and services which meet a need beyond the basic provisions of food shelter and laundry, to insure compliance with the Connecticut Fire Safety Code. A fee of one hundred dollars ($100.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all nursing homes.

(f) Lodging and Rooming Houses.

(1) The Fire Marshal or his designee shall inspect or cause to be inspected annually all lodging and rooming houses, in accordance with the Connecticut Fire Safety Code and issue an approval to the Department of Health and Housing to license such occupancy upon compliance.

(2) A fee of fifty dollars ($50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all lodging and rooming houses. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(g) Dry Cleaning Establishments.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all dry cleaning establishments to insure compliance with the Connecticut Fire Safety Code and the Connecticut General Statutes as may be amended from time to time. A fee of fifty dollars ($50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all dry cleaning establishments.

(h) Carnivals.

The Fire Marshal or his designee shall inspect or cause to be inspected all carnival events prior to issuing approval to operate. The party sponsoring the carnival event using tents, portable cooking devices, rides, amusements and any other such activity, or combination thereof for any reason or cause, shall schedule an inspection with the Fire Marshal's office not less than thirty (30) days prior to the scheduled event. Also, not less than thirty (30) days prior to the scheduled event a plot plan showing all rides, booths, concessions, and amusements shall be submitted to the Fire Marshal's office along with all other relevant documents. A fee of seventy-five dollars ($75.00) shall be paid to the City of Danbury prior to the Fire Marshal's review of the plot plan and inspection of the site.

(i) Hotels.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all hotels to insure compliance with the Connecticut Fire Safety Code. For the purposes of this Ordinance, a hotel is defined as a building or a group of buildings under the same management in which there are more than sixteen (16) sleeping accommodations used primarily by transients for lodging, with or without meals, whether designed as a hotel, inn, club, motel, hotel, apartment hotel or by any other name. A fee of one hundred dollars ($100.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all hotels. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(j) Cargo Tank Motor Vehicles.

The Fire Marshal or his designee shall inspect or cause to be inspected annually any motor vehicle registered within his jurisdiction that is used for the storage or transportation of any bulk flammable or combustible liquids, liquid petroleum gas, or liquefied natural gas, or any

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

other hazardous materials for the purpose of issuing a certificate as directed by Sections 29-322, 29-332 and 29-339 of the Connecticut General Statutes. A fee of fifty dollars ($50.00) per sticker shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all cargo tank motor vehicles.

(k) Vendor Permits/LPG Tanks.

The Fire Marshal or his designee shall inspect or cause to be inspected annually any carts or vehicles of vendor permit applicants which use liquefied petroleum gas as a fuel for cooking. Each liquefied petroleum gas tank and piping shall be installed and mounted per NFPA 58 Standards. At the time of application, a fee of twenty dollars ($20.00) shall be paid to the City of Danbury and the cart or vehicle brought to the Fire Marshal's parking lot at the Danbury City Hall for inspection. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(l) Three family or more dwellings; Apartment Houses, Garden Apartments and Townhouses.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all residential buildings designed to be occupied by three or more families, including but not limited to, three family or greater dwellings, apartment houses, garden apartments and townhouses. Upon the scheduling of an inspection a fee of twenty-five dollars ($25.00) per unit shall be paid to the City of Danbury. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(m) Portable shelters housing 100 or more persons.

The Fire Marshal or his designee shall inspect or cause to be inspected all tents, air supported plastic or fabric or other portable shelters governed by Section 29-140 of the Connecticut General Statutes, and intended for assembly of one hundred or more persons. At the time of application for a permit to erect such a portable shelter, a fee of twenty-five dollars ($25.00) shall be paid to the City of Danbury. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(n) Failure to Pay Inspection Fees.

In the event of failure to pay an inspection fee when due, the Fire Marshall shall issue a notice of failure to pay together with an invoice demanding payment of the inspection fee. Further action to collect the inspection fee shall be in accordance with the procedures set forth in Section 12-35 Citation hearing procedure, of the Danbury Code of Ordinances pertaining to enforcement, appeals and hearing.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Section 12-34 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows

Sec. 12-34. Citations.

(b)

(1) The fire chief or his designee shall be authorized to issue citations for violations of the provisions of section 3A-42, 3A-43, 3A-49 and 8-33 of the Danbury Code of Ordinances.

COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Section 12-34.(b)(1) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

(1) The fire chief or his designee shall be authorized to issue citations for violations of the provisions of section 3A-42, 3A-43, ~~and~~ 3A-49 AND 8-33 of the Danbury Code of Ordinances.

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.~~

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Hatters Park Revenue Resolution**

The Common Council Committee appointed to review a resolution pertaining to the revenue from Hatters Park met on April 14, 2004 at 8:05 P.M. in the Caucus Room in City Hall. In attendance were committee members Calandrino, Nagarsheth and Visconti. Also in attendance were Director of Finance Dena Diorio, Corporation Counsel Robert Yamin, Director of Parks and Recreation Robert Ryerson, Robert Talarico, David Arconti and Bob Guerrero from PAL, Council Members Urice, Saracino, Basso, Cavo, Seabury and Saadi, ex-officio and Joe Gould from the News Times.

Ms. Diorio explains that the resolution redirects the revenue from Hatters Park to the General Fund. An issue of concern is the theft of funds from PAL soccer. In 2001 the independent auditor had questions about PAL soccer and recommended that the assets be turned over to PAL. If the assets were not turned over, termination should occur. There is a 120-day audit requirement after the end of the fiscal year. They are still not in compliance. PAL is in violation of their grant agreement with the City. When Mr. Guerrero was told he needed to submit his budget response, his answer was "we don't have a budget". PAL is required to maintain updated insurance. Requests for updated certificates of insurance have gone unanswered. It is not clear if they have a worker's compensation policy. Non-Profit organizations are required to file a 990 form with the IRS. This was not completed by the February 15th due date. Technically, their ability to raise funds is suspended because they have not filed a CPC60 form with the State Attorney General.

Mr. Ryerson stated that receipts from Hatters Park are in the neighborhood of $35,000. There was no income for six months due to the renovations at the banquet hall. The City also pays for officials and scorekeepers for various leagues and they have $21,800 for that expense. They gave a grant in the amount of $1,250 for girl's softball. New fees have been instituted because of the new banquet report. There are reservations through October. This should generate an additional $15,000 per year.

Mr. Visconti asked for the PAL representatives input on these issues. Mr. Arconti stated that funds were never stolen from PAL. The soccer league is its own entity.

They use PAL's tax number and name. The auditor did mention taking over the checkbook for soccer and they were filing the paperwork to become independent. The soccer league did delay in turning over its paperwork, but he believes that Mr. Barbosa now has everything he needs. Mr. Guerrero stated that the City came to PAL in 1995 and asked to borrow $50,000 to renovate the pavilion. If the City borrowed the money, they revenue would be given to PAL. He does not believe that a new Mayor and Common Council can redirect the revenue money. PAL would not have broken ground if the City had not given assurance that the revenue money would go to PAL. He stated that PAL does not see any money from Hatters Park. It goes directly into an account. They transfer money into that account to cover the mortgage.

Mr. Talarico stated that the Union Savings Bank granted the mortgage on the strength of the City's support. If the City elects not to provide the money, PAL will be unable to pay the mortgage and the building will be taken over by the bank. The ability to raise funds will be diminished if the City withdraws its support from PAL. Mr. Cavo asked if it was mentioned that the City's was going to withdraw its support? Ms. Diorio said support is not being withdrawn; it is just being brought back into the general fund. The City will continue to assist with the mortgage.

Mr. Nagarsheth made a motion to recommend that the Common Council adopt the resolution as presented. Seconded by Mr. Visconti. Motion carried unanimously.

Respectfully submitted,

MICHAEL CALANDRINO, Chairman

SHAILESH NAGARSHETH

FRED VISCONTI

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the use of Hatter's Park facilities generates substantial revenue for the City of Danbury; and,

WHEREAS, for several years these funds have been provided to the Police Athletic League for use in supporting the Police Athletic League's loan operations; and

WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds; and

WHEREAS, it is deemed in the best interests of the City of Danbury to now place said funds in the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, all funds generated by the use of facilities at Hatter's Park shall be placed in the City's General Fund with the understanding that the City of Danbury stands committed to supporting the core mission of the Police Athletic League and that under the appropriate circumstances the City remains amenable to the use of municipal resources to assist in the furtherance of the goals of the Police Athletic League.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the use of Hatter's Park facilities generates substantial revenue for the City of Danbury; and,

WHEREAS, for several years these funds have been provided to the Police Athletic League for use in supporting the Police Athletic League's loan operations; and

WHEREAS, in recent years the Police Athletic League has not shown an appropriate commitment to the management of its financial affairs in a way that is necessary to meet the standards required of any quasi-public agency spending municipal funds; and

WHEREAS, it is deemed in the best interests of the City of Danbury to now place said funds in the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, all funds generated by the use of facilities at Hatter's Park shall be placed in the City's General Fund with the understanding that the City of Danbury stands committed to supporting the core mission of the Police Athletic League and that under the appropriate circumstances the City remains amenable to the use of municipal resources to assist in the furtherance of the goals of the Police Athletic League.

33

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Sewer Extension at 15 Plumtrees Road**

The Common Council Committee appointed to review the request for sewer extension met on April 8, 2004 at 6:55 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Burns, Esposito and Saadi. Also in attendance were the Director of Public Works William Buckley and the petitioner, David Carroll.

Ms. Burns noted the positive recommendation from the Planning Commission. Mr. Buckley stated that the property is located across from the recycling center, just to the left of the dog pound. He does not have plans for this request in his office. The extension will have to be engineered. It may require pumping to get it to the pump station. He would recommend approval of the extension subject to the required eight steps.

Mr. Esposito asked the petitioner what he is going to do with the property. Mr. Carroll stated that he will run a construction business on the site; there will be some metal buildings that may be used for self-storage. The buildings will also be used for equipment storage and repairs.

Mr. Saadi stated his concern that a possible approval should not be construed as an endorsement of the route to connect to the existing sewer line. We are only approving the sewer extension. He said he is concerned that we are doing this without a site plan. We are not approving the method of extending the line; we are just allowing the petitioner to connect. We do not want to create a precedent.

Mr. Saadi made a motion to recommend approval of the sewer extension, subject to the required eight steps. Seconded by Mr. Esposito. Motion carried unanimously.

Respectfully submitted,

THOMAS SAADI

GEORGETTE BURNS, CHAIR

JOHN ESPOSITO

CITY OF DANBURY

34

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

May 4, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Sewer and Water Extension – Scuppo Road**

The Common Council Committee appointed to review the request for sewer and water extension on Scuppo Road met on April 27, 2004 at 7:30 P.M. in City Hall. In attendance were committee members Bingaman and Teicholz. Also in attendance were Director of Public Works William Buckley, the petitioner, Ron Cameron and Council Member Joe Cavo, ex-officio.

Mr. Bingaman noted the positive recommendation from the Planning Commission. Mr. Bingaman asked Mr. Buckley for an overview. Mr. Buckley stated that he had not had an opportunity to review the plans. Mr. Cameron stated that the proposal is for the development of 82 town houses off Scuppo Road. There is an existing city housing development and a development under construction in the area. He pointed out the lot he is developing on a site map. Sewer and Water has been extended for the other development up to a point and he would like to extend that line up to his project. Planning and zoning have approved the development.

Mrs. Teicholz made a motion to recommend approval of the request subject to Engineering review and the required eight steps. Seconded by Mr. Bingaman. Motion carried unanimously.

Respectfully submitted,

SCOTT BINGAMAN, Chairman

MARY TEICHOLZ

KEVIN BARRY

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

April 30, 2004

Hon. Members of the Common Council
155 Deer Hill Avenue
Danbury, CT 06810

Re: Western Connecticut Academy for International Studies
Ordinance to exempt municipal property located at 201 University Boulevard from zoning regulations

Dear Members of the Council:

Attached for your consideration please find a proposed ordinance which seeks to exempt property owned by the City of Danbury located at 201 University Boulevard, the site of the Western Connecticut Academy for International Studies, from the City of Danbury Zoning Regulations. Section 8-2 of the Connecticut General Statutes, allows a legislative body to exempt municipal property from the regulations prescribed by its local zoning commission.

As you know, the City of Danbury has been endeavoring to construct a 100% state funded magnet school on the Westside campus of Western Connecticut Statue University for the past several years. The plans for the magnet school have been reviewed, considered and approved by all of our local land use agencies. All environmental reviews for the site have been obtained. The public has had the opportunity to have input at every stage of the proceedings. A small group of neighbors has appealed every decision rendered by our local land use agencies. The Danbury Superior Court recently issued decisions on two of the appeals. One ruling upheld the approval of the Environmental Impact Commission granting a permit the City to conduct regulated activities on the site. The other decision overturned the decision of the Zoning Board of Appeals that granted a variance to allow parking between the school building and Middle River Road. The Court's decision would require the City to radically alter the plans and the topography of the site to comply with the zoning regulation at issue.

Because the City believes that the current plans for the site are most protective of the environment and the most compatible with the surrounding residential neighborhood, I am submitting to the Council a proposed ordinance that would exempt the magnet school property from the provisions of local zoning for so long as the property is used as a magnet school. The ordinance is authorized by Section 8-2 of the Connecticut General Statutes, which allows a legislative body to exempt a municipal property from local zoning.

Thank you for your consideration of this important issue.

Sincerely,

Mark D. Boughton
Mayor

RECYCLED PAPER

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

Sec. 23-1 Exemption of City of Danbury property located at 201 University Boulevard from Zoning Regulations

The Common Council of the City of Danbury hereby exempts all that certain piece or parcel of municipal land located at 201 University Boulevard, further described in Special Act 01-6, Section 26.(a), which parcel is to be developed for the purposes of operating a regional magnet school from the provisions of Chapter 124 of the Connecticut General Statues and the Zoning Regulations of the City of Danbury adopted thereto, for so long as said property is used for the purposes of building and developing said regional magnet school.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

Sec. 23-1 Exemption of City of Danbury property located at 201 University Boulevard from Zoning Regulations

The Common Council of the City of Danbury hereby exempts all that certain piece or parcel of municipal land located at 201 University Boulevard, further described in Special Act 01-6, Section 26.(a), which parcel is to be developed for the purposes of operating a regional magnet school from the provisions of Chapter 124 of the Connecticut General Statues and the Zoning Regulations of the City of Danbury adopted thereto, for so long as said property is used for the purposes of building and developing said regional magnet school.

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CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

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

MEMO

TO: Member of the Danbury Common Council

FROM: Robert L. Paquette, Chief of Police

SUBJECT: **ADDITIONAL FUNDING APPROPRIATION REQUEST FOR POLICE SPECIAL SERVICES 2000.5052 for FY 03-04**

DATE: 4/29/04

CC: Mark D. Boughton, Mayor
Dena Diorio, Finance Director

The Danbury Police Department requests $225,000 in additional funding for Police Special Services 2000.5052 for purposes of meeting salaries demands for police private duty services through 6/30/04.

These funds are later returned to the City of Danbury as generating revenue for the contract police services rendered.

Your consideration of this funding request is now needed as funds for this service are near depletion.

Sincerely,

Robert L. Paquette
Chief of Police

RECYCLED PAPER

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

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

MEMO

TO: Members of the Danbury Common Council

FROM: Robert L. Paquette, Chief of Police

SUBJECT: BUDGET TRANSFER REQUEST

DATE: 4/28/04

CC: Mark D. Boughton, Mayor
Dena Diorio, Finance Director

The Danbury Police Department requests permission to transfer the sum of $8,800 from the Police Department, Regular Salaries 2000.5020 operating budget to supplement the Animal Control Budget that is in need of additional funds.

The Assistant Animal Control Officer was hired in February of 2004. As a result of the delay, additional overtime funds were expended for animal control services.

The following additional funds will be needed for animal control services:

60000.5030	Overtime Salaries	$5,000
60000.5040	Part-Time Salaries	$2,500
60000.5311	Professional Services	$1,300
	Total	$8,800

Your consideration of this most needed public safety transfer will be most appreciated.

Sincerely,

Robert L. Paquette
Chief of Police

RECYCLED PAPER

CITY OF DANBURY

TO MEMBERS OF THE COMMON COUNCIL

A special meeting of the Common Council of the City of Danbury will held

On the 17th day of May, 2004, ~~2003~~ at 6:45 P.M. in the

Common Council Chambers in City Hall in said Danbury for the purpose of:

1. COMMUNICATION AND RESOLUTION - Additional Appropriation for the purchase of Textbooks

Vinnie moved to ~~accept~~ accept the call + return of service Mary S. second. all

Nolan moved to appropriate $500,000 for the purchasing textbooks + adopt the Resolution Seconded by Mary S. all

motion to adjourn nolan at 7:00 J all Basso seconded

Dated at Danbury, this 14th day of MAY, 2004, ~~2003~~

Mayor

President

To the Sheriff or any police officer of the City of Danbury:

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

Mayor

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

May 14, 2004

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

Re: Additional Appropriation for the purchase of textbooks

Dear Council Members:

Over the past few weeks I have had a number of discussions with the Superintendent of Schools, members of the Danbury Board of Education and other school officials concerning the budget for the upcoming fiscal year. Two things are quite clear to me. First, the annual appropriation that I proposed and that you adopted for the 2004-2005 school year more than adequately balances the needs of the school system with the ability of the city to support them. Second, that an additional appropriation for the purpose of purchasing textbooks would help the Board of Education achieve its core mission and continue the long tradition of educational excellence in our school system.

At the close of the legislative session the General Assembly made an additional appropriation of funds for the benefit of municipalities. We are therefore in a position to pass along a portion of that money to the school system. For that reason, I now propose for your consideration a resolution authorizing the additional appropriation of five hundred thousand dollars ($500,000.00) for the purchase of school textbooks. The resolution recognizes the statutory authority of the Board of Education while at the same time clearly encouraging the Board to use these funds for that purpose.

We all share a commitment to the children of our city and appreciate the extraordinary difference a quality education can make in their lives. We all know the impact that a vibrant school system can have on our community. This appropriation is one way of demonstrating that commitment and ensuring that the young people of Danbury are prepared to meet the challenges that lie ahead.

Sincerely,

Mark D. Boughton
Mayor

RECYCLED PAPER

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on May 4, 2004, the Common Council of the City of Danbury acted upon the 2004-2004 budget proposed by the Mayor and adopted an annual appropriation for the maintenance of public schools within the city; and,

WHEREAS, the Mayor and the Common Council wish to provide additional funds to Danbury Board of Education to ensure that the educational goals of the school district are achieved and the tradition of educational excellence continued; and,

WHEREAS, the Mayor and the Common Council recognize that all funds appropriated by the city for the maintenance of public schools is to be expended by and in the discretion of the Board of Education; and,

WHEREAS, the Mayor and the Common Council nevertheless wish to encourage the Board of Education to use this additional funding for the purpose of purchasing additional textbooks;

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, the sum of five hundred thousand dollars ($500,000.00) is hereby appropriated for the Danbury Public Schools and that the Mayor and the Common Council further request that the Board of Education use said additional funds for the purchase of textbooks.

attendance

COMMON COUNCIL ROLL CALL

NAME	YES	NO
LOUISE McMAHON	✓	
GEORGETTE BURNS	✓	
CHARLES TROMBETTA	✓	
MICHAEL CALENDRINO	✓	
THOMAS SAADI	✓	
KEVIN BARRY	✓	
FRED VISCONTI	✓	
MICHAEL STEINERD	✓	✓
JOEL URICE	✓	
JOHN ESPOSITO	✓	
VIN NOLAN	✓	
PAULINE BASSO	✓	
MARY SARACINO	✓	
JOSEPH CAVO	✓	
SCOTT BINGAMAN		
MARY TEICHOLZ	✓	
SHAY NAGARSHETH		✓
WANDA PAYTON		✓
ROBERT RILEY	✓	
GREGG SEABURY	✓	
COLLEEN STANLEY	✓	
	18	2

1 Vacancy

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, on May 4, 2004, the Common Council of the City of Danbury acted upon the 2004-2005 budget proposed by the Mayor and adopted an annual appropriation for the maintenance of public schools within the city; and,

WHEREAS, the Mayor and the Common Council wish to provide additional funds to Danbury Board of Education to ensure that the educational goals of the school district are achieved and the tradition of educational excellence continued; and,

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COMMON COUNCIL - CITY OF DANBURY

40

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water X

Name of Applicant: Ward J. Mazzucco, Agent

Address: Chipman, Mazzucco, Land & Pennarola, LLC
30 Main Street, Suite 204
Danbury, CT 06810-3043

Telephone: (203) 744-1929

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

Located at: 71-73 Boulevard Drive

Assessors's Lot No. D160001 and D160031

Zone: RMF-6

Intended Use:

Retail		Single Family Residential	
Office		Multiple Family Development	X
Mixed Use			
Industrial			

Number of Efficiency Units

Number of 1 Bedroom Units

Number of 2 Bedroom Units 14

Number of 3 Bedroom Units

Total Number of Units 14

SIGNATURE

3-17-04

DATE

41

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer _____

Water X

Name of Applicant: COLONIAL HILLS BAPTIST CHURCH

Address: 40 STADLEY ROUGH ROAD
DANBURY, CT 06810

Telephone: 203-794-9399

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

Located at: 40 STADLEY ROUGH ROAD

Assessors's Lot No. K07105

Zone: RA-40

Intended Use:

Retail _____ Single Family Residential ____

Office _____ Multiple Family Development ____

Mixed Use X (CHURCH & SCHOOL)

Industrial ____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units _____

X _____
SIGNATURE

MARCH 9, 2004
DATE

42

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

March 12, 2004

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

Re: Engine Co. 25 Lease Agreement

Dear Mayor Boughton and Members of the Common Council:

Attorney Eric L. Gottschalk, Esq., Fire Chief Peter J. Siecienski, Dena R. Diorio, Patricia A. Ellsworth, P.E. and I have been working with the King Street Volunteer Fire Company attempting to discuss the terms of a renewal lease between the City of Danbury and the volunteers. It is our intent to have that ready for your review during the month of April. We are finishing up the last details of that proposed lease agreement at this time. I respectfully request that you form a Common Council ad-hoc sub-committee for the purposes of reviewing that renewed lease with us and, should you concur, approve it and authorize the Mayor to execute the lease agreement.

Very truly yours,

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

WJB/com

cc: Eric L. Gottschalk, Esq.
Peter Siecienski
Dena R. Diorio
Patricia A. Ellsworth, P.E.

RECYCLED PAPER

CHIPMAN, MAZZUCCO,
LAND & PENNAROLA, LLC
ATTORNEYS AT LAW

4/3

DAVID R. CHIPMAN
RICHARD S. LAND
WARD J. MAZZUCCO
FRANCIS G. PENNAROLA

CAMILLE DEGALAN
FRANCES CODD SLUSARZ

30 MAIN STREET, SUITE 204
DANBURY, CT 06810-3043

TEL (203) 744-1929
FAX (203) 790-5954
DANBURYLAW.COM

March 24, 2004

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

Re: **Land Swap - Tarrywile Lake Road**

Honorable Council Members:

On behalf of Laval and Diane Bellavance, who own property at the end of Tarrywile Lake Road, we respectfully propose an exchange of land with the City which could expand the Tarrywile Park as well as facilitate construction of the Bellavances' home. We are developing a map illustrating the proposed change, so we hope this matter can be referred to a committee, to which the details can be presented.

Thank you for your consideration.

Very truly yours,

Ward J. Mazzucco

WJM:sm

cc: Eric L. Gottschalk, Esq.
Mr. and Mrs. Laval Bellavance

Via Hand Delivery

44

March 9, 2004
34 Grand Street
Danbury, CT 06810

Kevin Barry
Fred Visconti
Danbury City Hall
Deer Hill Ave
Danbury, CT 06810

Dear Gentleman,

I would like to request that the issue of drainage on Grand Street be put on the agenda for the April Common Council meeting. There has been a water problem for a number of years. The lack of storm drains and a high water table have certainly become a major issue for the homeowners.

While many of the residents experience water on their property, and can reroute it, there is no place to send it. This has caused many residents to experience water problems not only in their yards but also in their basements and garages!

I have made numerous requests over the last 6 months to the town to look into water on Deer Hill Avenue as this is where a great deal of the water seems to originate. I have suggested looking into the storm drains on Deer Hill as well as any building that may have taken place.

I think it is time for the common council to help the residents of Grand Street who need the assistance in correcting a bad and potentially dangerous problem.

Sincerely,

Jan Maria Jagush

Jan Maria Jagush.

45

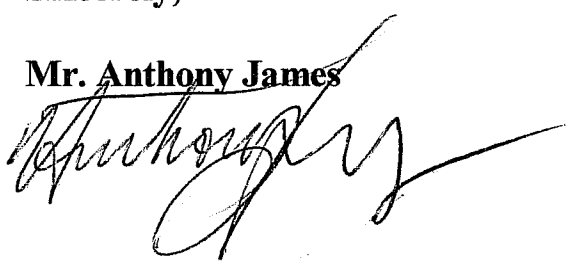
TO: THE COMMON COUNCIL OF THE CITY OF DANBURY
FROM: MR. ANTHONY JAMES
2 ELWELL PLACE APT. C
DANBURY CT 06810

MARCH 29, 2004

On February of 2002 I was granted approval by the Common Council to extend a sewer line on Oil Mill Road. Due to uncontrolled circumstances I did not get the project done by the dead line. However, I would like to get started with this project again. So, if the Common Council will grant me an extension of their approval I will be thankful.

Sincerely,

Mr. Anthony James



46

We the residents of East Gate Road request that the city study the feasibility of extending the sewer system along our road. Many homes are at least twenty-five years old, and the septic systems are starting to show their age. The Sewer system is currently on all surrounding roads. We understand the city will provide information to the residents regarding this proposal.

Name	Address	Phone	Signature
1. Krusty Lombardi	23 East Gate Rd	203-798-2661	
2. William R. Earle II	2 East Gate Rd	744-3982	
3. Purnima Karhade	10, East Gate Rd.	778-3243	P. M. Karhade
4. Sandra Scalzo	5 East Gate Rd	~~792-6823~~ 793-9084	Sandra J. Scalzo
5. Delaney + Judith Ryan	8 East Gate Rd	792-6543	
6. Suzanne Silverman	29 East Gate Rd.	794-1107	
7. Shawn Wallis	38 East Gate Rd	7444633	
8. Chuck Biele	39 East Gate Rd	797-9802	C. Biele
9. Ray McGarrigal	41 East Gate Rd.	792-2280	Ray McGarrigal
10. Larry Frinton / Tracy Frinton	32 East Gate Rd	798-1022	
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			

R.J. GALLAGHER JR. & ASSOCIATES
PATRIOT SQUARE
39 MILL PLAIN ROAD - SUITE #2
DANBURY, CONNECTICUT 06811
PHONE (203) 798-9640
FAX (203) 792-7024

47

RALPH J. GALLAGHER, JR. , P.E.

February 18, 2004

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

RE: Candlewood Park, Inc. Forty Acre Mtn. Road, Danbury, CT
Proposed Municipal Sewer Extension

Dear Councilmen,

Enclosed please find an application for extension of municipal sewer for the above referenced property.

Along with the normal application, we are requesting consideration to extend the sewer beyond the "current service area". My client's property lies just outside the proposed service area. We are requesting the sewer be extended to what is currently a 202 unit mobile home park due to the fact that D.E.P. has denied permission to repair the large septic system(s) on the property, and indicates that we must connect to municipal sewer.

Thank you for your attention to this matter.

Very truly yours,

Ralph J. Gallagher, Jr., P.E.

RJG/gg
Enc.
Cc: C. Ruskouski
P. McNamera, Esq.

COMMON COUNCIL - CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer ✓

Water _____

Name of Applicant: CANDLEWOOD PARK, INC.

Address: FORTY ACRE MTN RD.
DANBURY CT 06811

Telephone: 203) 743-2089

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

Located at: FORTY ACRE MTN RD.

Assessors's Lot No. K05120

Zone: RA-80

Intended Use:

Retail _____	Single Family Residential ____
Office _____	Multiple Family Development ____
Mixed Use ____	EXISTING TRAILER PARK ✓
Industrial ____	

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units _____

Total Number of Units 202 (MOBILE HOMES)

SIGNATURE 2/18/04

RALPH GALLAGHER JR, P.E
FOR CANDLEWOOD PARK I

DATE

48

CITY OF DANBURY
PARKS, RECREATION & FORESTRY DEPARTMENT

HATTERS COMMUNITY PARK
7 EAST HAYESTOWN ROAD
DANBURY, CONNECTICUT 06811

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

MEMORANDUM

TO: Mayor Mark Boughton & Members of the Common Council

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

DATE: March 25, 2004

RE: Candlewood Park Concession Lease

The current Candlewood Park Concession lease has expired. The purchasing department has requested proposals to lease/operate the concession stand.

Based on those proposals, the Corporation Council's office has prepared a lease agreement. I request your favorable approval for the City to enter into this lease agreement with Timothy Sibbett for a period of years and condition outlined in the agreement.

This Indenture,

Made by and between the **CITY OF DANBURY**, a municipal corporation organized and existing under and by virtue of the laws of the State of Connecticut, **Lessor**,

and **TIMOTHY B. SIBBITT**, 17 Alan Avenue, Danbury, Connecticut, **Lessee**,

W I T N E S S E T H:

That the Lessor has leased, and does hereby lease to the said Lessee the BEACH CONCESSION STAND located at the Danbury Candlewood Park for the term of Five (5) years during the summer months, from the 1st day of May 2004 through September 30, 2008, for the term rent payable as follows:

$900.00	on June 15, 2004
$900.00	on July 15, 2004
$900.00	on August 15, 2004
$900.00	on June 15, 2005
$900.00	on July 15, 2005
$900.00	on August 15, 2005
$900.00	on June 15, 2006
$900.00	on July 15, 2006
$900.00	on August 15, 2006
$900.00	on June 15, 2007
$900.00	on July 15, 2007
$900.00	on August 15, 2007
$900.00	on June 15, 2008
$900.00	on July 15, 2008
$900.00	on August 15, 2008

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

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

Provided, however, and it is further agreed that if said rent shall remain unpaid ten (10) days after the same shall become payable as aforesaid, or if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration thereon without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation thereon expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of Lessor's former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and nor re-entry for condition broken, as at common law, shall be necessity to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is herby expressly waived by the said Lessee.

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

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

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

And it is further agreed that the said Lessee shall pay all utilities, including but not limited to water rates, or rent, for all water used and consumed on said leased premises during the term aforesaid, in addition to the rent hereinbefore provided for.

And it is further agreed between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Lessor; that in case the damage shall be so extensive as to render the building or demised premises untenantable, the rent 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 rent shall be paid up to the time of such destruction and then and from thenceforth, this Lease shall cease and come to an end.

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

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

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

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

In Witness whereof, the parties hereto have hereunto set their hands and seals and to a duplicate of the same tenor and date this _____ day of April 2004.

Signed, Sealed and Delivered
in the presence of:

CITY OF DANBURY, LESSOR

_____

By: Mark D. Boughton, Mayor
Duly Authorized

_____

_____

LESSEE

_____

_____
Timothy B. Sibbitt

_____

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

On this the _____ day of April 2004, before me, Laszlo L. Pinter, the undersigned officer, personally appeared Mark D. Boughton, who acknowledged himself to be the Mayor of the City of Danbury, a municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Mayor.

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

_____
Laszlo L. Pinter
Commissioner of the Superior Court

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

On this the _____ day of April 2004, before me, _____, the undersigned officer, personally appeared Timothy B. Sibbitt, 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

48-Ap'11

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

May 3, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/April 6th CC Agenda Item #48 – Candlewood Park Concession Lease.

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

At the April 21, 2004 meeting, the Planning Commission made a motion to give a positive recommendation based on the Planning Director's report.

Steve Zaleta
Vice-Chairman

SZ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

Jerome & Joan Perrone....560 Redding Rd.
W. Redding, Ct. 06896

49

Dear Members of the Danbury Common Council:

March 23, 2004

As you may recall, we had asked the Council if they had an interest in purchasing our property on 63 Grand street as part of the plan to expand the senior complex. The city responded that the Common Council had given the authorization to proceed but there were not funds available to make a purchase. We certainly understood.
We noted the recent article in the Danbury News Times with interest (attached). The purpose of this letter is to let you know that we are about to sell the property and if the City has a renewed interest, now would be the time to let us know. We would hate to see a new owner put a lot of money into upgrading the property only to have it torn down at some future point. We hope this helps the City in their planning process.

Sincerely

Mr. and Mrs. Jerome F. Perrone

Plans shaping up for senior complex

By Mark Langlois
THE NEWS-TIMES

DANBURY

DANBURY — Plans for a senior citizen campus are taking shape and construction is scheduled to begin next year.

The campus would include the old and new senior centers, plus a new classroom building to be built between Grand and Main streets. Designs are not yet complete, but the campus also could include a park.

Elmwood Hall, the city's new senior center, opened on Main Street last May.

"Our senior center is much better than what we had before, but we still are undersized compared to other communities," said Mayor Mark Boughton.

The new building would have conference, craft and multimedia rooms.

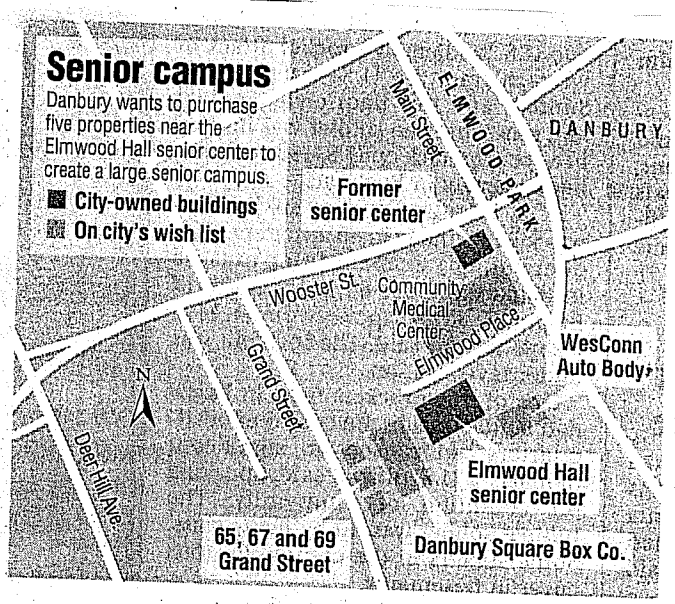
Common Council approved financing for the new campus in June. The city would borrow money for the project and repay it with federal community block grant money.

"The timeline is pretty long with all the hoops we have to jump through with the federal funds guidelines," Boughton said. The city has to buy five properties, but only the owners of two have expressed a willingness to sell.

"We're going to work closely with the owners to make sure everyone is whole," Boughton said.

When the properties are acquired, old buildings would be torn down and replaced with parking and the new classroom building.

"One of the unknowns is how much remediation will be required to the land," said Public Works Director William Buckley. The land once house a car dealership. When the city dug the foundation for Elmwood Hall, workers unearthed a car.



Contact Mark Langlois at mlanglois@newstimes.com or at (203) 731-3337.

3/22/04

HAWTHORNE COVE BEACH COMMUNITY, INC.
DANBURY, CONNECTICUT 06811

50

The Board of Directors
Hawthorne Cove Beach Community
5 Hawthorne Cove Road
Danbury, CT 06811
March 17, 2004

Common Council
City of Danbury
Danbury, CT 06810

Dear Council Members:

As Members of the Board of Directors of Hawthorne Cove Beach Community, we are requesting on behalf of our community that the City of Danbury grant us permission to put up a sign at the corner of Hawthorne Cove Road and Forty Acre Mountain Road.

For the past 20+ years, our community has had a sign at the entrance to Hawthorne Cove Road. This sign welcomed people into the neighborhood, posted a speed limit, and advised the public that our street was a private road. Over the years, the sign became damaged and worn, and as our street became a public road, the wording "Private Road" became obsolete. Therefore we voted as a community to purchase new signs. We held community meetings on 2 separate occasions where the vote was 12 to 0, and 9 to 6 to purchase the sign and place it in the same location as it had always been.

Enclosed are pictures of the old sign, the location of placement for the new sign and a photo of the new sign. We hired and paid a professional company to construct and install the sign.

We are grateful that the City of Danbury has made Hawthorne Cove Road a public road, and request permission to install the sign.

Respectfully,

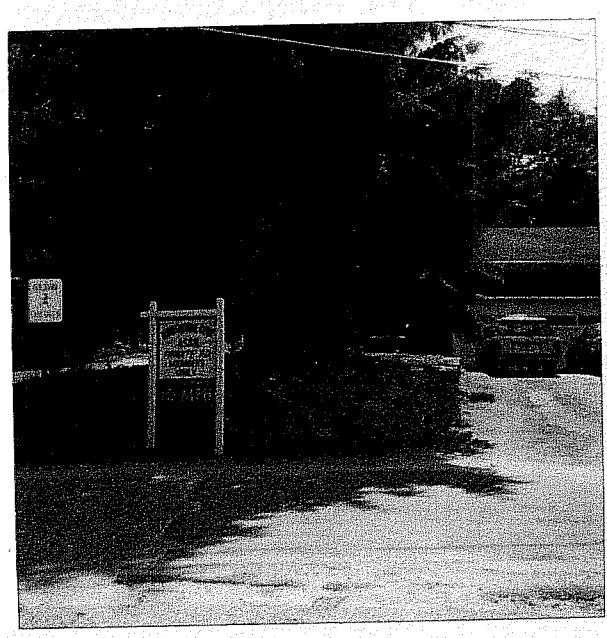
Rich Bartley, Board Member
Hawthorne Cove Beach Community

Rich Feibusch, Board Member
Hawthorne Cove Beach Community

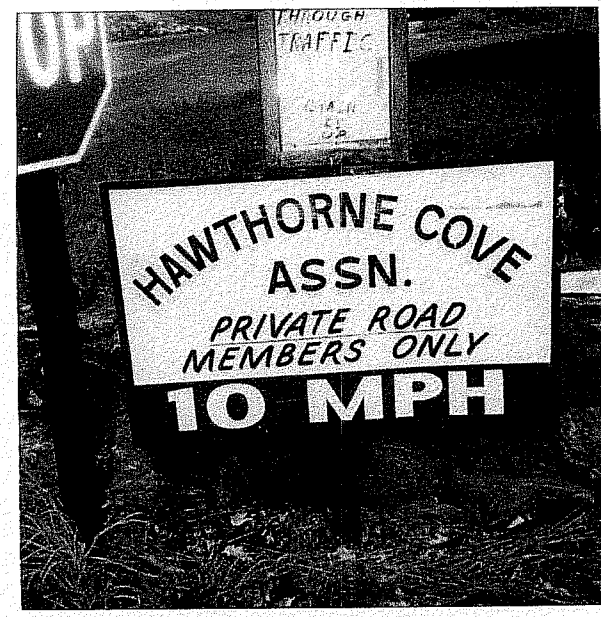
Attachment - 3 photos

Sob-
these are the signs that used to be on the top of the road.

As you can see - the new sign is a much nicer replacement.



SIGN →



51

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203(796-1590)

MARIO RICOZZI, P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

March 31, 2004

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

RE: Amendment to Recycling Solid Waste Operation Agreement
Automated Waste Disposal

Dear Mayor Boughton and Members of the Common Council:

Enclosed is a third amendment to the Recycling Solid Waste (RSW) agreement originally contracted in August 1998 between the City of Danbury and Automated Waste Disposal (AWD). This third amendment continues for another five (5) years the operation by AWD of a Recycling and Solid Waste Drop Off Center for Danbury residents (Mom and Pop) who chose not to hire a private hauler.

In addition, AWD will continue to issue permits to the Danbury residents and to accept solid waste from those individuals who qualify for coupons in accordance with the action of the Common Council passed June 1, 1999 as item 10 on the agenda.

I respectfully request the Common Council authorize Mayor Mark D. Boughton to enter into the enclosed Amendment Number three (3) with AWD. Please do not hesitate to contact me with any questions you may have.

Sincerely,

Mario Ricozzi, P.E., F. ASCE
Superintendent

Enclosure
MR:sm
cc: William J. Buckley, Jr., P.E.
Eric Gottschalk, Esq.
Dena Diorio

RECYCLED PAPER
sm/c:/marioword/srwagree.doc

THIRD AMENDMENT TO RSW OPERATION AGREEMENT

AGREEMENT, made this_____day of _____2004, by and between the CITY OF DANBURY in the State of Connecticut, a municipality and political subdivision of the State of Connecticut ("the City"), acting by and through Mark D. Boughton, its Mayor, and AUTOMATED WASTE DISPOSAL, INC. a Connecticut corporation having a principal place of business at 307 White Street, Danbury Connecticut ("the Contractor").

WHEREAS, the parties signed an "RSW Operation Agreement" ("the Agreement") on August 18, 1998, and Amendments to RSW Operation Agreement on November 13, 2000; and November 26, 2002; and

WHEREAS, the parties are satisfied with the performance by each of the terms of the Agreement as amended; and

WHEREAS, the parties wish to further amend the Agreement.

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties agree:

1. The Effective Date of this Third Amendment to RSW Operation Agreement is July 1, 2004.
2. The term of the Agreement, as amended, is extended to June 30, 2009.
3. This agreement will be extended automatically until June 30, 2014 unless either party notifies the other in writing on or before May 31, 2009.
4. For the period July 1, 2004 through June 30, 2005, the City will pay the Contractor $57,000 in two equal payments of $28,500 at the beginning of each six-month period.
5. For the period beginning July 1, 2005 and effective through the balance of the amended term; the amount to be paid in paragraph 3, will be adjusted annually by the Consumer Price Index (CPI) for the Boston Standard Metropolitan Statistical Area. All items for Urban Wage Earners and Clerical Workers, as published by the United States Department of labor, or a

mutually agreeable index if such index is no longer published or the method of computation hereof is substantially modified.

6. Except as modified in the Third Amendment, all other provisions of the Agreement, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

CITY OF DANBURY

_____

_____

By: Mark D. Boughton, Mayor
Duly Authorized

AUTOMATED WASTE DISPOSAL, INC.

_____

_____

By: James E. Galante, its President
Duly Authorized

_____

Lynn Water
#51

Summary of Proposed Amendments to the HRRA/Wheelabrator Contract

Contract Provision	Current Contract	Proposed Amendments
Primary Disposal Locations	Bridgeport and Lisbon resource recovery facilities defined as the "primary" Facilities.	Bridgeport, Lisbon, and Peekskill, NY resource recovery facilities designated as the primary locations. Wheelabrator to use commercially reasonable efforts to to ensure at least the Minimum Annual Tonnage is delivered to those facilities.
Other Disposal Locations	Disposal allowed at other locations.	Waste Management landfills included in the definition of Facilities; disposal still allowed at other locations.
Indemnification	Property damage and personal injury related to the use or entrance upon the Facilities	Property damage and personal injury related to the use or entrance upon the Facilities or other Acceptable Waste disposal locations.
Parent Company Guarantee	Wheelabartor Environmental Systems	Waste Management, Inc. and Wheelabrator Environmental Systems.
Shortfall	HRRA receives credit for any tonnage accepted at any of Wheelabrator's other facilities.	HRRA receives credit - including the HRRA Program Fee - for any tonnage accepted at any of Wheelabrator's other facilities or at Wheelabrator's affiliates' or its Contractors' or Contractors' affiliates' facilities
Shortfall Fee	The lost disposal fee portion of the Tip Fee plus lost electrical revenues.	The lost disposal portion of the Tip Fee.
HRRA & Municipal obligations related to any prior shortfall		Wheelabrator releases HRRA and the Participating Municipalities from any prior shortfall obligations.
Obligation to deliver Acceptable Waste	HRRA use its best efforts to cause the Municipalities enact a "flow control" ordinance in order to deliver all its Acceptable Waste.	HRRA use reasonable efforts to cause the Municipalities to contract or use other legally enforceable means necessary, if any, to deliver the Minimum Annual Tonnage.

53

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan: Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

Joe Lostocco
743.9940

Jeff Bigelow
792-1515
~~46 Payne Rd~~
Box 251
Bethel

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan:

Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

John C. Kyjovec

DEKCo LLC

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

55

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Abandonment of Well Sites for DanCon**

The Common Council Committee appointed to review the request to abandon well sites acquired from DanCon Water Company met on March 15, 2004 at 6:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Seabury, Calandrino and Barry. Also in attendance were Director of Public Works William Buckley and Council Members Basso, Cavo, Nagarsheth and Saracino, ex-officio.

Mr. Buckley stated that the City acquired DanCon Water Systems, made up of six smaller systems, in 1990 for $200,000. The intention was to sell the land after the systems were connected to the Danbury system. It has taken twelve years to connect and meter them and to go through the State system to abandon wells. We now want to sell the land to the highest bidders, through the regular bidding process, not sell it to the neighbors. The money will be returned to the Water Fund.

Mr. Seabury asked how much money is invested thus far? Mr. Buckley the original $200,000 and close to an additional $200,000. Mr. Buckley said there are nine lots, four of which are buildable, but some may have wetlands encroaching on them.

Mr. Barry made a motion to recommend that the properties be declared surplus and disposed of through the standard bidding process. Seconded by Mr. Calandrino. Motion carried unanimously.

Respectfully submitted,

Gregg J. Seabury
GREGG SEABURY, Chairman

Michael Calandrino
MICHAEL CALANDRINO

Kevin Barry
KEVIN BARRY

55-April

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

May 3, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/April 6th CC Agenda Item #55 – Abandonment of Well Sites for DanCon Water Systems.

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

At the April 21, 2004 meeting, the Planning Commission made a motion to give a positive recommendation based on the Planning Director's report.

Steve Zaleta
Chairman

SZ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

58

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 22, 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
Boulevard Drive
Preliminary Assessments Public Hearing
Project No. 04-03

Enclosed please find copies of the mail survey letter sent out today and the list of preliminary assessments calculated by our department to be levied for the sanitary sewer main proposed to be installed in Boulevard Drive.

Would you please proceed with the arrangements for a public hearing concerning these preliminary assessments for some date after February 16, 2004.

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

Encl.

C: Dena R. Diorio, with encl.
Eric L. Gottschalk, Esq., with encl.
Mario Ricozzi, P.E., with encl.
William Campbell, with encl.
Jimmetta Samaha, with encl.

RECYCLED

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

February 23, 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)
Boulevard Drive
Project No. 04-03

The mail survey soliciting input from those property owners who would benefit from the extension of the City's sanitary sewer system in Boulevard Drive has been completed.

The results of this survey were compiled on February 20, 2004 with the following results:

Yes ----------	13 (46.43 %)
No ----------	12 (42.86%)
No response ----------	3 (10.71 %)
	28 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

RECYCLED PAPER

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 22, 2004

Dear Property Owner:

Proposed Sanitary Sewer
Boulevard Drive

The Common Council of the City of Danbury has received a request from property owners in your area to review the possibility for the extension of sanitary sewer to the above noted section of the City.

Before instructing this office to proceed with the preparation of detailed plans and cost estimates, the Common Council would like to get an idea of just how much interest there is in this proposal.

Owners of lots that can be served by this proposed sewer have been mailed this letter.

Based upon preliminary cost estimates, it is estimated that the assessment for the benefits derived by said sewer extension is $_____ for Lot #_____. Payment of sewer assessments can generally be made over an extended time period, usually in excess of ten years.

Will you please mark your choice on the bottom portion of this letter, detach it and return it in the enclosed self-addressed stamped envelope to the Engineering Department no later than February 12, 2004.

In order for the Common Council to make a decision on the status of this project, responses from a large percentage of property owners are needed.

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 _____

Your Address _____

RECYCLED PAPER

Item # 58

103 Boulevard Drive
Danbury, CT 06810
April 4, 2004

City Council
City of Danbury

Dear Sirs/Madams:

Please accept this letter to demonstrate our support for the proposed sewer project for Boulevard Drive since we are unable to attend tonight's meeting. Even though we have always maintained our septic system in excellent condition, we feel that the sewer project will be an asset to our community and the city of Danbury and also provide for the health of Lake Kenosia.

Thank you.

Sincerely,

Gary LeVan
Sally P. LeVan

Gary & Sally LeVan

New Milford Transfer Station	Wheelabrator shall construct a transfer station on a site provided by HRRA. Direct haul to Bridgeport or disposal at the Danbury Transfer Station of the waste from New Milford, Bridgewater, Sherman, and Kent is permitted on an interim basis until the New Milford transfer station is built.	Construction of the New Milford Transfer Station is optional - by mutual agreement. Site use approvals and evaluations shall be the responsibility of Wheelabrator. Interim direct haul to Bridgeport is eliminated. Interim disposal of the waste from New Milford, Bridgewater, Sherman, and Kent shall be at the Danbury Transfer Station.
Tipping location	Designated tipping location for each municipality's waste	Restated to say that the waste will be accepted at the various transfer stations. Brookfield waste will also be accepted at the Danbury Transfer Station. Direct haul to Bridgeport is eliminated.
Tip Fee	Current contract Tip Fee would be: $93.69 (which has been reduced/held at $78.00 on an interim basis since the contract inception in 1993)	Current contract Tip Fee : $73.96
Tip Fee escalation	75% of the CPI for disposal and 100% CPI for Transfer & Transport	50% of the CPI
Hauler Payment Terms	60 Days	30 Days
HRRA Program Fee	Contingent upon receipt from Haulers	Same, except payable if the waste is collected by an affiliate of either Wheelabrator or its contractor, regardless of receipt of payment from the collector.
Change in Law	Occurring after July 1, 1993.	Occurring after the date of signing of the new agreement.

ARTEL ENGINEERING GROUP, LLC

CIVIL, ENVIRONMENTAL AND MUNICIPAL ENGINEERS • PROJECT MANAGERS • SITE PLANNERS • PERMIT EXPEDITORS
304 FEDERAL ROAD – SUITE 308, BROOKFIELD, CONNECTICUT 06804 – PHONE: 203-740-2033 • FAX: 203-740-2067

52

March 30, 2004

Common Council
City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Mr. Joseph P. Coviello
9 Westwood Drive

Dear Council Members:

The undersigned represents Mr. Joseph P. Coviello who is the owner of Lots #59, 60, 61 & 62 which front on an unimproved road located on the east side and connected to Westwood Drive in the City of Danbury. Mr. Coviello purchased these lots over a six-year time span from June 3, 1958 to April 14, 1964 from Fred M. Carley, Incorporated, the developer of the 'Westwoods' subdivision. 'Westwoods' subdivision was created by Sydney A. Rapp, PE & LS on 7-10-46 and was received and filed in the Danbury Town Clerk's office as (Map Numbers 890 and 891). During a Town Meeting in February 1947 the roads shown on the above referenced maps were accepted as legally existing highways in the Town of Danbury. No deeds for the roads to the City have been found. Research conducted by the Lawler Title Company revealed a 'Quit Claim Deed' to Paul A. Johnson dated September 10, 1977 for a piece of land described and referred to as "so-called and designated as a roadway" and that nearly matches the description of the aforementioned unimproved road. However, the Lawler Title Company has dismissed this deed as it one, attempts to grant ownership of a municipally owned property to an individual and two, it attempts to create a parcel that does not legally exist on the map to which it refers (the deed adds a mete and bound to 'close' the piece of land).

Review of the City Assessor's Maps and City Topographic Maps indicate that the unimproved road is part of a City owned right-of-way and that severe grade changes (exceeding 21%) occur/exist at the east end of the unimproved road. Based on existing conditions and current City road requirements, it appears that building a road within the limits of the right-of-way would not be possible. As building a road is not possible and as Mr. Coviello owns the parcels adjoining this unimproved road and is the only individual that would benefit from its construction, Mr. Coviello respectfully requests that the City abandon and/or discontinue this unimproved road. Doing so may allow Mr. Coviello to reconfigure his properties and gain legal access to Lots #59, 60, 61 and 62 via accessways and a common driveway over those accessways.

Thank you for your consideration of this matter. Please feel free to call or contact this office with any questions or concerns.

Sincerely,
Artel Engineering Group, LLC

Dainius Virbickas, P.E.
Professional Engineering Manager

52 -April

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

May 3, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/April 6th CC Agenda Item #52 – Request to Discontinue and/or Abandon Unimproved Road in "Westwoods" Subdivision.

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

At the April 21, 2004 meeting, the Planning Commission made a motion to give a positive negative recommendation based on the Planning Director's report.

Steve Zaleta
Chairman

SZ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan: Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

46 PAYNE RD.
DANBURY, CT

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan:

Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

Read Tucker
60 Payne Rd
Danbury CT

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan: Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

HH Payne road
Danbury CT 06810

Attn: Vincent Nolan Jr.
City Hall
Common Council
155 Dear Hill Road
Danbury, CT 06810

Dear Mr. Nolan: Monday, March 15, 2004

We the undersigned all residents or taxpaying business on the Danbury side of Payne Road are requesting that we be allowed to hook up to the sewer line that the town of Bethel is going to install along Payne road.

At the request of Mr. Buckley we ask that you set up a sub committee to discuss the probability of our being allowed to hook up to the system.

Very truly yours

Gregory Nejame
Nejame and Sons LLC Danbury
Payne road

CITY OF DANBURY

54

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Water Extension – 110-112 Beaver Brook Road**

The Common Council Committee appointed to review the request for water extension at 110-112 Beaver Brook Road met on March 9, 2004 at 8:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Riley, Steinerd and Esposito. Also in attendance were Director of Public Works William Buckley, John Forte, Keith Buddha and Council Members Basso, Burns, Cavo and Teicholz, ex-officio.

Mr. Riley noted the positive recommendation from the Planning Commission. He then asked Mr. Buckley for his input. Mr. Buckley showed the project on a site map. He recommended approval subject to the required eight steps.

Mr. Esposito made a motion to recommend approval of the request for water extension subject to the required eight steps. Seconded by Mr. Steinerd. Motion carried unanimously.

Respectfully submitted,

ROBERT RILEY, Chairman

MICHAEL STEINERD

JOHN ESPOSITO

CITY OF DANBURY

56

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Request for Sewer Extension – 6 Hollandale Road**

The Common Council Committee appointed to review the request for sewer extension at 6 Hollandale Road met on March 9, 2004 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Trombetta and Burns. Also in attendance were Director of Public Works William Buckley, the petitioner Jinsung Park, Mr. Najamy and Council Members Esposito, Cavo, Calandrino and Basso, ex-officio.

Mr. Trombetta noted the positive recommendation from the Planning Commission. He asked Mr. Buckley for a brief overview. Mr. Buckley said he has no problem with this request and would recommend approval subject to the required eight steps. The capacity is consistent with the sewer study. Mr. Park would have to hire an engineer and contractor to put in the extension at no cost to the City and turn the line over to the City. The Health Department may require abandonment of the septic system.

Ms. Burns made a motion to recommend approval of the request for sewer extension at 6 Hollandale Road subject to the required eight steps. Seconded by Mr. Trombetta. Motion carried unanimously.

Respectfully submitted,

CHARLES TROMBETTA, Chair

GEORGETTE BURNS

KEVIN BARRY

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

57

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Amendment of Connecticut Basic Building Code**

The Common Council met as a committee of the whole on March 15, 2004 immediately following a public hearing in the Common Council Chambers.

Sean Hearty explained that the amendment allows the City to apply fees when change orders are made. It puts the onus on the developer to identify the change orders rather than the building inspectors. Ms. Stanley asked if there have been problems collecting fee and Mr. Hearty said there have been. Mr. Seabury asked if it is customary that people are not coming forward. Mr. Hearty said he has never seen anyone come back and say they owe more money. Dena Diorio said she would anticipate that revenue would increase significantly.

Mr. Cavo made a motion to recommend adoption of the ordinance. Seconded by Mr. Seabury. Motion carried unanimously.

Respectfully submitted,

VINCENT NOLAN, Chairman

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

April 6, 2004

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:

Valuation of Work	*Fee*
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:

a. Soil conditions
b. Footing drains and waterproofing
c. Rough electrical
d. Rough plumbing
e. Framing
f. 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.

EFFECTIVE DATE: This ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - April 6, 2004
Approved by Mayor Mark D. Boughton - April 7, 2004

ATTEST: Jimmetta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

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:

Valuation of Work	*Fee*
For single and multi-family residential structures below one thousand dollars ($1,000.00) in value	Twenty two dollars ($22.00)
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(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:

a. Soil conditions
b. Footing drains and waterproofing
c. Rough electrical
d. Rough plumbing
e. Framing
f. Insulation

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:

Valuation of Work	*Fee*
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.~~

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:

Valuation of Work	*Fee*
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~~(2)~~ (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:

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

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(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.

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Deleted language is indicated by ~~strikeouts.~~

58

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Sanitary Sewer Preliminary Assessments – Boulevard Drive**

The Common Council met as a committee of the whole immediately following a public hearing in the Common Council Chambers on March 15, 2004.

Mr. Buckley explained how the assessments are calculated. This project consists of 28 properties. Thirteen responded yes, 12 no and 3 did not respond. Regarding the Ken Oaks question raised in the public hearing, it is community property. If a building cannot be built on the lot, it is non-assessable. Attorney Gottschalk explained how non-usable is determined. Attorney Gottschalk addressed the question regarding how an assessment is passed to new owners. He said the assessment is embodied in the land records and passes from owner to owner. It should be brought to the attention of the seller's attorney and put into the contract.

Mr. Nolan said that normally a vote of 13 yes and 12 no would be good enough to knock a project down, but since the lake is used and the concerns by Jack Kozuchowski are enough reason to move this project forward.

Mr. Saadi made a motion to recommend authorization for the Engineering Department to move forward with the project. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

VINCENT NOLAN, Chairman

BOULEVARD DRIVE SANITARY SEWERS
PRELIMINARY ASSESSMENT

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
D16009	91 BOULEVARD DRIVE	KENLAND REALTY CORP	$ 226,700.00	$ 7,085.40	0.450	$ 6,008.10	171.000	$ 8,827.96	3.000	$ 13,704.55	$ 35,626.01	ZONE RA 40
		C/O ALLAN NEWMAN TREAS										3 single fam bldg exist on lot
		21-55 34TH AVE										
		LONG ISLAND CITY, NY 11106-4362										
D16010	93 BOULEVARD DRIVE	MARCIANO GREG	$ 202,200.00	$ 6,319.67	0.500	$ 6,675.67	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 22,726.07	ZONE RA 40
		GERSHWIN PATRICIA ROSE										SING FAM
		GERSHWIN NANCY ZENA										
		93 BOULEVARD DRIVE										
		DANBURY, CT 06810										
D16011	95 BOULEVARD DRIVE	DUFFY, MICHAEL & GOBIN KATHY-ANN M	$ 173,000.00	$ 5,407.03	0.524	$ 6,996.10	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 22,133.87	TC 9513
		95 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810-7254										SING FAM
D16012	97 BOULEVARD DRIVE	DUFFY, MICHAEL	$ 152,200.00	$ 4,756.94	0.280	$ 3,738.38	60.000	$ 3,097.53	1.000	$ 4,568.18	$ 16,161.03	ZONE RA 40
		GOBIN KATHY ANN										SING FAM
		97 BOULEVARD DRIVE										
		DANBURY, CT 06810-7254										
D16013	99 BOULEVARD DRIVE	MOONEY JOSEPH V & DONNA L	$ 269,900.00	$ 8,435.60	0.462	$ 6,168.32	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 24,334.65	TC 11193
		99 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810-7254										SING FAM
D16015	101 BOULEVARD DRIVE	KRAMMER MARLENE G	$ 178,600.00	$ 5,582.06	0.440	$ 5,874.59	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 21,187.38	ZONE RA 40
		101 BOULEVARD DRIVE										SING FAM
		DANBURY, CT 06810-7254										
D16016	103 BOULEVARD DRIVE	LE VAN GARY A	$ 190,600.00	$ 5,957.11	0.444	$ 5,928.00	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 21,615.84	TC 10681
		103 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810-7254										SING FAM
D16017	105 BOULEVARD DRIVE	CLAP JAMES R & HEIKE B S	$ 168,700.00	$ 5,272.64	0.230	$ 3,070.81	50.000	$ 2,581.27	1.000	$ 4,568.18	$ 15,492.90	TC 10689
		105 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810										SING FAM

BOULEVARD DRIVE SANITARY SEWERS
PRELIMINARY ASSESSMENT

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
D16018	107 BOULEVARD DRIVE	PARILLE ANNA M	$ 295,700.00	$ 9,241.97	0.500	$ 6,675.67	100.000	$ 5,162.55	2.000	$ 9,136.36	$ 30,216.55	ZONE RA 40
		107 BOULEVARD DRIVE										SING FAM
		DANBURY, CT 06810										INLAW APT.
D16019	109 BOULEVARD DRIVE	NIZAN RAN & EFRAT	$ 251,000.00	$ 7,844.89	0.540	$ 7,209.72	100.000	$ 5,162.55	2.000	$ 9,136.36	$ 29,353.52	ZONE RA 40
		109 BOULEVARD DRIVE										SING FAM
		DANBURY, CT 06810										2 BLDGS - HOUSE + CAMP
D16020	111 BOULEVARD DRIVE	ORIE SCOTT J	$ 231,400.00	$ 7,232.30	0.740	$ 9,879.99	150.000	$ 7,743.82	2.000	$ 9,136.36	$ 33,992.48	ZONE RA 40
		111 BOULEVARD DR										SING FAM
		DANBURY, CT 06810										2 HOUSES
D16021	113 BOULEVARD DRIVE	WALSH KERRI B & GEORGE MAY A	$ 201,600.00	$ 6,300.91	0.420	$ 5,607.56	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 21,639.21	TC 3342
		113 BOULEVARD DR										ZONE RA 40
		DANBURY, CT 06810										SING FAM
D16022	115 BOULEVARD DRIVE	MACARTHUR RICHARD H & MAUD	$ 188,500.00	$ 5,891.48	0.420	$ 5,607.56	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 21,229.77	TC 3342
		115 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810										SING FAM
D16023	117 BOULEVARD DRIVE	MELNICK JANET C & MICKEY ANDREW	$ 211,800.00	$ 6,619.71	0.570	$ 7,610.26	150.000	$ 7,743.82	1.000	$ 4,568.18	$ 26,541.98	TC1559
		117 BOULEVARD DRIVE										ZONE RA 40
		DANBURY, CT 06810										SING FAM
D16024	119 BOULEVARD DRIVE	KEN OAKS PROP OWNRS ASSOC	$ 28,700.00	$ 897.01	0.700	$ 9,345.94	50.000	$ 2,581.27	1.000	$ 4,568.18	$ 17,392.40	RA 40
		ATTN: RUSS GALITIERI										VACANT LOT
		58 BOULEVARD DRIVE										MIN 50' FRONTAGE
		DANBURY, CT 06810										
D16048	40 BOULEVARD DRIVE	BAKER PATTY A	$ 141,700.00	$ 4,428.77	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 17,230.31	ZONE RA 40
		40 BOULEVARD DRIVE										SING FAM
		DANBURY, CT 06810										

BOULEVARD DRIVE SANITA...
PRELIMINARY ASSESSMENT

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
D16049	42 BOULEVARD DRIVE	TIERNEY CHRISTOPHER J 42 BOULEVARD DRIVE DANBURY, CT 06810	$ 149,400.00	$ 4,669.43	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 17,470.97	ZONE RA 40 SING FAM
D16050	44 BOULEVARD DRIVE	CRAIN ROBERT ALLAN SR 11 KIMBERLY TRL DANBURY, CT 06810	$ 124,200.00	$ 3,881.81	0.340	$ 4,539.46	150.000	$ 7,743.82	1.000	$ 4,568.18	$ 20,733.27	TC 1047 ZONE RA 40 SING FAM
D16051	46 BOULEVARD DRIVE	BABBINO DANIEL W & SARAH E 46 BOULEVARD DRIVE DANBURY, CT 06810	$ 156,700.00	$ 4,897.59	0.340	$ 4,539.46	150.000	$ 7,743.82	1.000	$ 4,568.18	$ 21,749.04	TC 1047 ZONE RA 40 SING FAM
D16052	48 BOULEVARD DRIVE	DASILVA JOHN O 48 BOULEVARD DRIVE DANBURY, CT 06810	$ 123,800.00	$ 3,869.31	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 16,670.85	TC 1047, 1559, 3342 ZONE RA 40 SING FAM
D16053	50 BOULEVARD DRIVE	HOLZMAN JUDITH & LEE L 2228 LODOVICK AVE BRONX, NY 10469-6446	$ 119,500.00	$ 3,734.92	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 16,536.45	TC 3342 ZONE RA 40 SING FAM
D16054	52 BOULEVARD DRIVE	BENTON ROBERT 52 BOULEVARD DRIVE DANBURY, CT 06810	$ 125,100.00	$ 3,909.94	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 16,711.48	TC 1047 ZONE RA 40 SING FAM
D16055	54 BOULEVARD DRIVE	ZAVORY JOHN S & LYNN P 54 BOULEVARD DRIVE DANBURY, CT 06810	$ 185,100.00	$ 5,785.21	0.390	$ 5,207.02	135.000	$ 6,969.44	1.000	$ 4,568.18	$ 22,529.86	TC 5683 ZONE RA 40, SING FAM CORNER LOT FRONTAGE ((200+70)/2=135)
D16056	56 BOULEVARD DRIVE	GALTIERI RUSS M & MARGARET E 58 BOULEVARD DRIVE DANBURY, CT 06810	$ 11,300.00	$ 353.18	0.230	$ 3,070.81	100.000	$ 5,162.55	1.000	$ 4,568.18	$ 13,154.71	TC 3342 ZONE RA 40 VACANT CORNER LOT FRONTAGE ((100+100)/2=100)

1/21/2004

BOULEVARD DRIVE SANITARY SEWERS
PRELIMINARY ASSESSMENT

LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		LOT AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
D16057	58 BOULEVARD DRIVE	GALTIERI RUSS M & MARGARET E 58 BOULEVARD DRIVE DANBURY, CT 06810	$ 158,600.00	$ 4,956.97	0.230	$ 3,070.81	100.490	$ 5,187.84	1.000	$ 4,568.18	$ 17,783.80	TC 3342 ZONE RA 40 SING FAM
D16058	60 BOULEVARD DRIVE	FACEY FRANK K 2781 BLUME DR LOS ALAMITOS, CA 90720-4702	$ 166,300.00	$ 5,197.63	0.263	$ 3,511.40	100.490	$ 5,187.84	1.000	$ 4,568.18	$ 18,465.06	TC 4778 ZONE RA 40 SING FAM
D16059	62 BOULEVARD DRIVE	LENIHAN BARBARA J 62 BOULEVARD DRIVE DANBURY, CT 06810	$ 143,800.00	$ 4,494.40	0.300	$ 4,005.40	103.090	$ 5,322.07	1.000	$ 4,568.18	$ 18,390.06	TC 1047 ZONE RA 40 SING FAM
D16060	64 BOULEVARD DRIVE	BROWN BRUCE H JR & DEBRA M 64 BOULEVARD DRIVE DANBURY, CT 06810	$ 247,200.00	$ 7,726.12	0.828	$ 11,054.91	50.000	$ 2,581.27	1.000	$ 4,568.18	$ 25,930.49	TC 10749 ZONE RA 40 SING FAM MIN 50' FRONTAGE
	TOTAL AMOUNT FOR PROJECT: 603000 150750		$ 4,823,300.00	$ 150,750.00	11.291	$ 150,750.00	2920.070	$ 150,750.00	33.000	$ 150,750.00	$ 603,000.00	

ASSUME $200 PER FOOT FOR GRAVITY LINE (1600+/- LF)
ASSUME $100 PER FOOT FOR FORCE MAIN (330 +/- LF)
ASSUME $250000 FOR PUMP STATION

1/21/2004

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: Woodside Avenue and Old Shelter Rock Road
Sanitary Sewer Final Assessments

The Common Council met as a committee of the whole immediately following a public hearing on March 15, 2004.

Mr. Buckley stated that since he did the spreadsheet three weeks ago, one lot was subdivided. He will have a new sheet for the April meeting.

Mr. Cavo made a motion to recommend approval of the final assessments as presented. Seconded by Ms. Saracino. Motion carried unanimously.

Respectfully submitted,

VINCENT NOLAN, Chairman

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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 Old Shelter Rock Road and Woodside Avenue 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 June 1, 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 Old Shelter Rock Road and Woodside Avenue 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 Four Hundred Thirty dollars and 00/100 ($1,430.00).

3. The interest on any deferred payments hereunder shall be due at a rate per annum of 4.34%. 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 April 12, 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 April 6, 2004, in the name of _____, and the same becomes due on June 1, 2004 and may be paid in annual minimum installment payments of $1,430.00 each plus interest at the rate of 4.34% 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)

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

March 19, 2004

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

Dear Common Council Members:

Sanitary Sewer Extension
Old Shelter Rock Road and Woodside Avenue
Final Assessments
Project No. 02-26

Enclosed please find the list of revised final assessments (dated March 18, 2004) calculated by our office to be levied for the sanitary sewer mains installed in the above noted streets. As I noted during the committee of the whole meeting after the March 15, 2004 public hearing, the split of one lot creating one new lot to be assessed has resulted in minor adjustments to the other final assessments. The final assessments for all but the newly created lot decreased slightly.

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

Encl.

C: Mark D. Boughton, Mayor, with encl.
Dena R. Diorio, with encl.
Eric L. Gottschalk, Esq., with encl.

RECYCLED PAPER

OLD SHELTER ROCK ROAD AND WOODSIDE AVENUE
SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	GROSS ASSESSED VALUE $	AREA ACRE	AREA $	FRONTAGE FEET	FRONTAGE $	UNITS NO.	UNITS $	TOTAL $	COMMENTS
K13108		D W B Holding LLC	$ 162,600.00	$ 3,340.35	1.005	$ 6,336.79	133.000	$ 3,462.27	8.76	$ 13,855.60	$ 26,995.02	CG-20 TC 10996,7168
	11-17 Newtown Road	28 Washington Street										Vacant lot - Cannot be served by gravity
		S. Norwalk, CT 06854										Frontage (50(min)+176.6+39.40)/2 = 133
K13069		Peter F & Christine M Setaro	$ 46,000.00	$ 945.00	1.115	$ 7,030.37	110.060	$ 2,865.09	2	$ 3,163.38	$ 14,003.84	RA-8 TC 9615
	1 Old Shelter Rock Road	3 Old Shelter Rock Road										Vacant lot
		Danbury, CT 06810-7011										2 units possible per Zoning Requirements
K13160		Wiley J & Gail M Downing	$ 146,700.00	$ 3,013.71	0.380	$ 2,396.00	110.000	$ 2,863.53	1	$ 1,581.69	$ 9,854.93	RA-8, No TC map
	8 Old Shelter Rock Road	8 Old Shelter Rock Road.										Single Family
		Danbury, CT 06810-7057										
K13161		Kathleen Donovan	$ 133,500.00	$ 2,742.54	0.410	$ 2,585.16	120.950	$ 3,148.58	1	$ 1,581.69	$ 10,057.97	RA-8 TC 3547
	6 Old Shelter Rock Road	6 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7057										
K13162		Reis A & Sandra M Fitch	$ 144,100.00	$ 2,960.30	0.300	$ 1,891.58	131.700	$ 3,428.43	1	$ 1,581.69	$ 9,862.00	RA-8, TC 1037
	4 Old Shelter Rock Road	4 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7057										
K13163		Four Star Realty LLC	$ 354,700.00	$ 7,286.74	0.405	$ 2,553.63	242.035	$ 6,300.68	3.52	$ 5,567.55	$ 21,708.59	CG-20 TC 4684
	2 Old Shelter Rock Road	PO Box 1242										Corner Lot
		Danbury, CT 06813										Frontage (215.106+268.965)/2 = 242.035
K13204		James P & Karen M Setaro	$ 135,500.00	$ 2,783.63	0.344	$ 2,169.01	97.790	$ 2,545.68	2	$ 3,163.38	$ 10,661.70	RA-8 TC 9615,4769
	3 Old Shelter Rock Road	192 Indian Trail Road										2-Family as per Old Assessor's Card as per C. Velez, Assessor
		New Milford, CT 06776										
K13205		Francisco Cerqueira & Otelinda B Ferreira	$ 167,700.00	$ 3,445.12	0.538	$ 3,392.23	50.000	$ 1,301.60	1	$ 1,581.69	$ 9,720.65	RA-8 TC 4769
	3A Old Shelter Rock Road	3A Old Shelter Rock Road										Minimum Frontage (50')
		Danbury, CT 06810-7011										Single Family
K13206		Gilson Aguiar	$ 96,400.00	$ 1,980.38	0.130	$ 819.68	50.000	$ 1,301.60	1	$ 1,581.69	$ 5,683.36	RA-8, No TC map
	5 Old Shelter Rock Road	5 Old Shelter Rock Road										Minimum Frontage (50')
		Danbury, CT 06810										Single Family
K13207		Mark J Briganti	$ 136,100.00	$ 2,795.95	0.222	$ 1,399.77	98.740	$ 2,570.41	2	$ 3,163.38	$ 9,929.51	RA-8, TC 11554
	7 Old Shelter Rock Road	7 Old Shelter Rock Road										2-family as per Assessor's Card
		Danbury, CT 06810										Split to make K13261
K13261		Mark J Briganti	$ 38,700.00	$ 795.03	0.284	$ 1,790.70	50.190	$ 1,306.55	1	$ 1,581.69	$ 5,473.96	RA-8, TC 11554
	Old Shelter Rock Road	7 Old Shelter Rock Road										Split of Lot K13207
		Danbury, CT 06810										Vacant Lot
K13208		Michael S McGetrick	$ 120,700.00	$ 2,479.59	0.300	$ 1,891.58	60.000	$ 1,561.93	1	$ 1,581.69	$ 7,514.78	RA-8, No TC map
	9 Old Shelter Rock Road	153 White Street										Single Family
		Danbury, CT 06810										

OLD SHELTER ROCK ROAD AND WOODSIDE AVENUE
SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	$	AREA ACRE	$	FRONTAGE FEET	$	UNITS NO.	$	TOTAL $	COMMENTS
K13209		Lawrence O Bennett	$ 145,700.00	$ 2,993.17	0.280	$ 1,765.47	132.500	$ 3,449.25	1	$ 1,581.69	$ 9,789.59	RA-8, No TC map
	11 Old Shelter Rock Road	11 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7011										Corner Lot - Frontage (200+65)/2 = 132.50
K13167		Steven G & Kimberly Cognato	$ 43,900.00	$ 901.85	0.450	$ 2,837.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 7,273.32	RA-8 TC 8779,7428
	41 Woodside Avenue	39 Woodside Avenue										Vacant lot
		Danbury, CT 06810										
K13210		Michael S McGetrick & Mario Luis	$ 44,200.00	$ 908.02	0.310	$ 1,954.63	70.000	$ 1,822.25	1	$ 1,581.69	$ 6,266.59	RA-8, No TC map
	45 Woodside Avenue	153 White Street										Vacant lot
		Danbury, CT 06810										
K13211		Ajne & Ahmet Mehmeti	$ 130,200.00	$ 2,674.75	0.390	$ 2,459.05	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,667.90	RA-8, No TC map
	43 Woodside Avenue	43 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13212		Steven G & Kimberly A Cognato	$ 141,100.00	$ 2,898.67	0.552	$ 3,480.51	75.000	$ 1,952.41	1	$ 1,581.69	$ 9,913.27	RA-8 TC 8779, 7428
	39 Woodside Avenue	39 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13213		Elmer Sr & Helen Harrison	$ 153,900.00	$ 3,161.63	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,839.51	RA-8 TC 1316
	37 Woodside Avenue	37 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13214		Elmer Sr & Helen Harrison	$ 44,700.00	$ 918.29	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 6,596.18	RA-8 TC 1316
	35 Woodside Avenue	37 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7127										
K13215		Elizabeth A Cyr	$ 155,200.00	$ 3,188.33	0.260	$ 1,639.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,361.80	RA-8 TC 1316
	40 Woodside Avenue	40 Woodside Avenue										Single Family
		Danbury, CT 06810										
K13216		Margaret Ballwig	$ 41,900.00	$ 860.77	0.260	$ 1,639.37	77.120	$ 2,007.59	1	$ 1,581.69	$ 6,089.42	RA-8 TC1316
	42 Woodside Avenue	c/o Mrs Gaffey										Vacant lot
		419 East 93 St. Apt. 5D										
		New York, NY 10128										
K13217		Carlos & Maria M Teixeira	$ 141,400.00	$ 2,904.83	0.887	$ 5,592.77	262.490	$ 6,833.16	4	$ 6,326.76	$ 21,657.53	RA-8 TC 1316 (Lots 5-6-7)
	44-46 Woodside Avenue	46 Woodside Avenue										Single Family-existing
		Danbury, CT 06810-7125										Area=calc w/dimensions on TC map
												A=((262.49+263.03)/2)*147.0=38625.725F=0.887ac+/-
K13218		Julius F & Albertha Johnson	$ 128,600.00	$ 2,641.88	0.260	$ 1,639.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 7,815.34	RA-8 TC 1316
	48 Woodside Avenue	48 Woodside Avenue										Single Family
		Danbury, CT 06810-7125										

OLD SHELTER ROCK ROAD AND WOODSIDE AVENUE
SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	$	AREA ACRE	$	FRONTAGE FEET	$	UNITS NO.	$	TOTAL $	COMMENTS
L13047		John R & Ruth A McAllister	$ 143,800.00	$ 2,954.14	0.470	$ 2,963.47	145.010	$ 3,774.91	2	$ 3,163.38	$ 12,855.91	RA-8 TC 1316
	27 Woodside Avenue	27 Woodside Avenue										Single Family - 2 units possible by Zoning
		Danbury, CT 06810-7127										Frontage (111+34.01) = 145.01
L13048		Estate of Adolf J Sokol & Joyce J Sokol	$ 136,300.00	$ 2,800.06	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,477.95	RA-8 TC 1316
	29 Woodside Avenue	29 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13049		George W & Amo Tako	$ 127,500.00	$ 2,619.28	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,297.17	RA-8 TC 1316
	31 Woodside Avenue	31 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13050		Gary W & Victoria A Driscoll	$ 136,500.00	$ 2,804.17	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,482.06	RA-8 TC 1316
	33 Woodside Avenue	33 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13051		Kenneth R & Elizabeth A Cyr	$ 42,400.00	$ 871.04	0.270	$ 1,702.42	75.000	$ 1,952.41	1	$ 1,581.69	$ 6,107.56	RA-8 TC 1316
	38 Woodside Avenue	38 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7125										
L13052		Pedro & Maria Inez B Messias	$ 41,900.00	$ 860.77	0.260	$ 1,639.37	69.830	$ 1,817.82	1	$ 1,581.69	$ 5,899.65	RA-8 TC 1316 Lot 11
	36 Woodside Avenue	36 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7123										
L13053		Pedro & Maria Inez B Messias	$ 184,400.00	$ 3,788.20	0.280	$ 1,765.47	75.000	$ 1,952.41	2	$ 3,163.38	$ 10,669.46	RA-8, TC 1316
	34 Woodside Avenue	34 Woodside Avenue										2-Family as per Old Assessor's Card as per C. Velez, Assessor
		Danbury, CT 06810-7125										
L13054		Roger D & Dorothy M Beers	$ 127,900.00	$ 2,627.50	0.300	$ 1,891.58	82.800	$ 2,155.46	1	$ 1,581.69	$ 8,256.22	RA-8 TC 1316 & 8809
	32 Woodside Avenue	32 Woodside Avenue										Single Family
		Danbury, CT 06810-7125										Frontage (15.58 + 67.22) = 82.8
	TOTALS	TOTALS	$ 3,794,200.00	$ 77,945.68	12.362	$ 77,945.68	2994.215	$ 77,945.68	49.28	$ 77,945.68	$ 311,782.73	
									Final Assessment Total		$ 311,782.73	

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 Old Shelter Rock Road and Woodside Avenue 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 June 1, 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 Old Shelter Rock Road and Woodside Avenue 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 Four Hundred Thirty dollars and 00/100 ($1,430.00).

3. The interest on any deferred payments hereunder shall be due at a rate per annum of 4.34%. 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 April 12, 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 April 6, 2004, in the name of _____, and the same becomes due on June 1, 2004 and may be paid in annual minimum installment payments of $1,430.00 each plus interest at the rate of 4.34% 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)

SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	$	AREA ACRE	$	FRONTAGE FEET	$	UNITS NO.	$	TOTAL $	COMMENTS
K13108		D W B Holding LLC	$ 162,600.00	$ 3,340.35	1.005	$ 6,336.79	133.000	$ 3,462.27	8.76	$ 13,855.60	$ 26,995.02	CG-20 TC 10996,7168
	11-17 Newtown Road	28 Washington Street										Vacant lot - Cannot be served by gravity
		S. Norwalk, CT 06854										Frontage (50(min)+176.6+39.40)/2 = 133
K13069		Peter F & Christine M Setaro	$ 46,000.00	$ 945.00	1.115	$ 7,030.37	110.060	$ 2,865.09	2	$ 3,163.38	$ 14,003.84	RA-8 TC 9615
	1 Old Shelter Rock Road	3 Old Shelter Rock Road										Vacant lot
		Danbury, CT 06810-7011										2 units possible per Zoning Requirements
K13160		Wiley J & Gail M Downing	$ 146,700.00	$ 3,013.71	0.380	$ 2,396.00	110.000	$ 2,863.53	1	$ 1,581.69	$ 9,854.93	RA-8, No TC map
	8 Old Shelter Rock Road	8 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7057										
K13161		Kathleen Donovan	$ 133,500.00	$ 2,742.54	0.410	$ 2,585.16	120.950	$ 3,148.58	1	$ 1,581.69	$ 10,057.97	RA-8 TC 3547
	6 Old Shelter Rock Road	6 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7057										
K13162		Reis A & Sandra M Fitch	$ 144,100.00	$ 2,960.30	0.300	$ 1,891.58	131.700	$ 3,428.43	1	$ 1,581.69	$ 9,862.00	RA-8, TC 1037
	4 Old Shelter Rock Road	4 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7057										
K13163		Four Star Realty LLC	$ 354,700.00	$ 7,286.74	0.405	$ 2,553.63	242.035	$ 6,300.68	3.52	$ 5,567.55	$ 21,708.59	CG-20 TC 4684
	2 Old Shelter Rock Road	PO Box 1242										Corner Lot
		Danbury, CT 06813										Frontage (215.106+268.965)/2 = 242.035
K13204		James P & Karen M Setaro	$ 135,500.00	$ 2,783.63	0.344	$ 2,169.01	97.790	$ 2,545.68	2	$ 3,163.38	$ 10,661.70	RA-8 TC 9615,4769
	3 Old Shelter Rock Road	192 Indian Trail Road										2-Family as per Old Assessor's Card as per C. Velez, Assessor
		New Milford, CT 06776										
K13205		Francisco Cerqueira & Otelinda B Ferreira	$ 167,700.00	$ 3,445.12	0.538	$ 3,392.23	50.000	$ 1,301.60	1	$ 1,581.69	$ 9,720.65	RA-8 TC 4769
	3A Old Shelter Rock Road	3A Old Shelter Rock Road										Minimum Frontage (50')
		Danbury, CT 06810-7011										Single Family
K13206		Gilson Aguiar	$ 96,400.00	$ 1,980.38	0.130	$ 819.68	50.000	$ 1,301.60	1	$ 1,581.69	$ 5,683.36	RA-8, No TC map
	5 Old Shelter Rock Road	5 Old Shelter Rock Road										Minimum Frontage (50')
		Danbury, CT 06810										Single Family
K13207		Mark J Briganti	$ 136,100.00	$ 2,795.95	0.222	$ 1,399.77	98.740	$ 2,570.41	2	$ 3,163.38	$ 9,929.51	RA-8, TC 11554
	7 Old Shelter Rock Road	7 Old Shelter Rock Road										2-family as per Assessor's Card
		Danbury, CT 06810										Split to make K13261
K13261		Mark J Briganti	$ 38,700.00	$ 795.03	0.284	$ 1,790.70	50.190	$ 1,306.55	1	$ 1,581.69	$ 5,473.96	RA-8, TC 11554
	Old Shelter Rock Road	7 Old Shelter Rock Road										Split of Lot K13207
		Danbury, CT 06810										Vacant Lot
K13208		Michael S McGetrick	$ 120,700.00	$ 2,479.59	0.300	$ 1,891.58	60.000	$ 1,561.93	1	$ 1,581.69	$ 7,514.78	RA-8, No TC map
	9 Old Shelter Rock Road	153 White Street										Single Family
		Danbury, CT 06810										

SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	$	AREA ACRE	$	FRONTAGE FEET	$	UNITS NO.	$	TOTAL $	COMMENTS
K13209		Lawrence O Bennett	$ 145,700.00	$ 2,993.17	0.280	$ 1,765.47	132.500	$ 3,449.25	1	$ 1,581.69	$ 9,789.59	RA-8, No TC map
	11 Old Shelter Rock Road	11 Old Shelter Rock Road										Single Family
		Danbury, CT 06810-7011										Corner Lot - Frontage (200+65)/2 = 132.50
K13167		Steven G & Kimberly Cognato	$ 43,900.00	$ 901.85	0.450	$ 2,837.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 7,273.32	RA-8 TC 8779,7428
	41 Woodside Avenue	39 Woodside Avenue										Vacant lot
		Danbury, CT 06810										
K13210		Michael S McGetrick & Mario Luis	$ 44,200.00	$ 908.02	0.310	$ 1,954.63	70.000	$ 1,822.25	1	$ 1,581.69	$ 6,266.59	RA-8, No TC map
	45 Woodside Avenue	153 White Street										Vacant lot
		Danbury, CT 06810										
K13211		Ajne & Ahmet Mehmeti	$ 130,200.00	$ 2,674.75	0.390	$ 2,459.05	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,667.90	RA-8, No TC map
	43 Woodside Avenue	43 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13212		Steven G & Kimberly A Cognato	$ 141,100.00	$ 2,898.67	0.552	$ 3,480.51	75.000	$ 1,952.41	1	$ 1,581.69	$ 9,913.27	RA-8 TC 8779, 7428
	39 Woodside Avenue	39 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13213		Elmer Sr & Helen Harrison	$ 153,900.00	$ 3,161.63	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,839.51	RA-8 TC 1316
	37 Woodside Avenue	37 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
K13214		Elmer Sr & Helen Harrison	$ 44,700.00	$ 918.29	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 6,596.18	RA-8 TC 1316
	35 Woodside Avenue	37 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7127										
K13215		Elizabeth A Cyr	$ 155,200.00	$ 3,188.33	0.260	$ 1,639.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,361.80	RA-8 TC 1316
	40 Woodside Avenue	40 Woodside Avenue										Single Family
		Danbury, CT 06810										
K13216		Margaret Ballwig	$ 41,900.00	$ 860.77	0.260	$ 1,639.37	77.120	$ 2,007.59	1	$ 1,581.69	$ 6,089.42	RA-8 TC1316
	42 Woodside Avenue	c/o Mrs Gaffey										Vacant lot
		419 East 93 St. Apt. 5D										
		New York, NY 10128										
K13217		Carlos & Maria M Teixeira	$ 141,400.00	$ 2,904.83	0.887	$ 5,592.77	262.490	$ 6,833.16	4	$ 6,326.76	$ 21,657.53	RA-8 TC 1316 (Lots 5-6-7)
	44-46 Woodside Avenue	46 Woodside Avenue										Single Family-existing
		Danbury, CT 06810-7125										Area=calc w/dimensions on TC map
												A=((262.49+263.03)/2)*147.0=38625.72SF=0.887ac+/-
K13218		Julius F & Albertha Johnson	$ 128,600.00	$ 2,641.88	0.260	$ 1,639.37	75.000	$ 1,952.41	1	$ 1,581.69	$ 7,815.34	RA-8 TC 1316
	48 Woodside Avenue	48 Woodside Avenue										Single Family
		Danbury, CT 06810-7125										

SANITARY SEWER
PROJECT NO. 02-26
FINAL ASSESSMENTS

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE $	$	AREA ACRE	$	FRONTAGE FEET	$	UNITS NO.	$	TOTAL $	COMMENTS
L13047		John R & Ruth A McAllister	$ 143,800.00	$ 2,954.14	0.470	$ 2,963.47	145.010	$ 3,774.91	2	$ 3,163.38	$ 12,855.91	RA-8 TC 1316
	27 Woodside Avenue	27 Woodside Avenue										Single Family - 2 units possible by Zoning
		Danbury, CT 06810-7127										Frontage (111+34.01) = 145.01
L13048		Estate of Adolf J Sokol & Joyce J Sokol	$ 136,300.00	$ 2,800.06	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,477.95	RA-8 TC 1316
	29 Woodside Avenue	29 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13049		George W & Amo Tako	$ 127,500.00	$ 2,619.28	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,297.17	RA-8 TC 1316
	31 Woodside Avenue	31 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13050		Gary W & Victoria A Driscoll	$ 136,500.00	$ 2,804.17	0.340	$ 2,143.79	75.000	$ 1,952.41	1	$ 1,581.69	$ 8,482.06	RA-8 TC 1316
	33 Woodside Avenue	33 Woodside Avenue										Single Family
		Danbury, CT 06810-7127										
L13051		Kenneth R & Elizabeth A Cyr	$ 42,400.00	$ 871.04	0.270	$ 1,702.42	75.000	$ 1,952.41	1	$ 1,581.69	$ 6,107.56	RA-8 TC 1316
	38 Woodside Avenue	38 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7125										
L13052		Pedro & Maria Inez B Messias	$ 41,900.00	$ 860.77	0.260	$ 1,639.37	69.830	$ 1,817.82	1	$ 1,581.69	$ 5,899.65	RA-8 TC 1316 Lot 11
	36 Woodside Avenue	36 Woodside Avenue										Vacant lot
		Danbury, CT 06810-7123										
L13053		Pedro & Maria Inez B Messias	$ 184,400.00	$ 3,788.20	0.280	$ 1,765.47	75.000	$ 1,952.41	2	$ 3,163.38	$ 10,669.46	RA-8, TC 1316
	34 Woodside Avenue	34 Woodside Avenue										2-Family as per Old Assessor's Card as per C. Velez, Assessor
		Danbury, CT 06810-7125										
L13054		Roger D & Dorothy M Beers	$ 127,900.00	$ 2,627.50	0.300	$ 1,891.58	82.800	$ 2,155.46	1	$ 1,581.69	$ 8,256.22	RA-8 TC 1316 & 8809
	32 Woodside Avenue	32 Woodside Avenue										Single Family
		Danbury, CT 06810-7125										Frontage (15.58 + 67.22) = 82.8
	TOTALS	TOTALS	$ 3,794,200.00	$ 77,945.68	12.362	$ 77,945.68	2994.215	$ 77,945.68	49.28	$ 77,945.68	$ 311,782.73	
									Final Assessment Total		$ 311,782.73	

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **O & G Industries, Easement on Segar Street**

The Common Council Committee appointed to review the request for a sanitary sewer easement from O & G Industries on Segar Street met on March 15, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Teicholz, Nagarsheth and Barry. Also in attendance were Director of Public Works William Buckley and Council Members Basso, Cavo, McMahon, Riley, Saracino and Seabury, ex-officio.

Mr. Buckley stated that reports in 1989,1990 and 2003 all say that this line needs to be replaced. The request is to acquire a new easement and authorization to abandon the old easement. Ms. Teicholz noted the positive recommendation from the Planning Commission. Mr. Buckley stated that this is part of an overall project at 16.8 million dollars. Both the temporary and permanent easements are part of phase one. Mr. Buckley pointed out which pump stations would be eliminated and which ones would stay.

Mr. Barry made a motion to recommend that the City move to acquire both easements and be authorized to abandon the old easement. Seconded by Mr. Nagarsheth. Motion carried unanimously.

Respectfully submitted,

MARY TEICHOLZ, Chairman

SHAY NAGARSHETH

KEVIN BARRY

RESOLUTION

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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 proceeding through plans and designs, to make necessary improvements to the Segar Street sanitary sewer; and

WHEREAS, the property to be acquired is described and identified in EXHIBIT A attached hereto; and

WHEREAS, said easement will have to be acquired either by negotiation with the property owner or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easement set forth on EXHIBIT A attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by August 1, 2004.

SANITARY SEWER EASEMENT NO. 2

Commencing at a point on the southerly boundary line of land of the Grantor being the northerly boundary line of land now or formerly of Maybrook Railroad Company, said point being the southeasterly corner of an existing sanitary sewer easement in favor of the City of Danbury and the southwesterly corner of land herein described, thence running northwesterly along the existing sanitary sewer easement line N. 17° 53' 06" W. a distance of 32.745 to a point, thence turning and running easterly through the land of the Grantor on a curve to the left with a delta angle of 03° 11' 06" a radius of 1243.03 feet and length of curve of 69.097 feet to a point on the easterly boundary line of land of the Grantor being the westerly boundary line of land now or formerly of Maybrook Railroad Company, thence turning and running southwesterly along the westerly boundary line of land now or formerly Maybrook Railroad Company S. 35° 21' 16" W. a distance of 34.40 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Maybrook Railroad Company on a curve to the right with a delta angle of 01° 43' 52" a radius of 1273.03 feet and length of curve of 38.464 feet to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor.

Easterly : By land now or formerly of Maybrook Railroad Company.

Southerly : By land now or formerly of Maybrook Railroad Company.

Westerly : By an existing sanitary sewer easement in favor of the City of Danbury.

Together with a 20 feet wide and 15 feet wide temporary construction easements located adjacent to and parallel with the northerly and easterly lines of said permanent easements as shown on the hereunder referenced map.

For a more particular description, reference is made to a map entitled "Map Showing Proposed 30 Ft. Wide Sanitary Sewer Easements Through the Land of O&G Industries Inc. Segar Street Danbury, Connecticut Scale: 1" = 40' November 24, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed in the Danbury Land Records.

O&G INDUSTRIES INC.
30 FEET WIDE SANITARY SEWER EASEMENTS
AND TEMPORARY CONSTRUCTION EASEMENT
(TAX ASSESSOR'S LOT NO.G16008)

Two parcels of land, one containing 26,938 square feet (0.6184Acre), more or less, to be called "Sanitary Sewer Easement No. 1" and the second containing 1,613 square feet (0.0370Acre), more or less, to be called "Sanitary Sewer Easement No. 2", situated in the City of Danbury, County of Fairfield and State of Connecticut located at Segar Street being a portion of Tax Assessors Lot No. G16008 bounded and described as follows:

SANITARY SEWER EASEMENT NO. 1

Commencing at a point on the easterly street line of Segar Street, which point is the southwesterly corner of an existing sanitary sewer easement in favor of the City of Danbury and said point being the northwesterly corner of land herein described, thence running easterly through the land of the Grantor along the southerly line of the existing sanitary sewer easement N. 79° 06' 48" E. a distance of 50.00 feet to a point, thence turning and running southerly through the land of the Grantor S. 10° 25' 15" E. a distance of 24.40 feet to a point, thence turning and running easterly through the land of the Grantor on the following courses and distances S. 71° 56' 04" E. a distance of 591.63 feet to a point, thence on a curve to the left with a delta angle of 10° 45' 12" a radius of 1243.03 feet and length of curve of 233.30 feet to a point on the westerly line of the existing sanitary sewer easement, thence turning and running southerly along the westerly line of the existing sanitary sewer easement S. 17° 53' 06" E. a distance of 33.07 feet to a point on the southerly boundary line of land of the Grantor being the northerly boundary line of land now or formerly of Maybrook Railroad Company, thence turning and running westerly along the northerly boundary line of land now or formerly of Maybrook Railroad Company along a curve to the right with a delta angle of 11° 23' 14" a radius of 1,273.03 feet and a length of curve of 253.005 feet, thence N. 71° 56' 04" W. a distance of 619.02 feet to a point being the southeasterly corner of an existing sanitary sewer easement, thence turning and running northwesterly along the easterly line of the existing sanitary sewer easement N. 36° 38' 06" W. a distance of 27.90 feet to a point on the easterly street line of Segar Street, thence turning and running northerly along the easterly street line of Segar Street on the following courses and distances N. 00° 48' 02" E. a distance of 3.62 feet to a point, thence N. 10° 25' 15" W. a distance of 8.72 feet to the point or place of beginning.

Bounded:

Northerly: By other land of the Grantor and by an existing sanitary sewer easement, each in part.

Easterly : By other land of the Grantor and by an existing sanitary sewer easement, each in part.

Southerly: By land now or formerly of Maybrook Railroad Company and by an existing sanitary sewer easement, each in part.

Westerly : By Segar Street and by an existing sanitary sewer easement , each in part.

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 proceeding through plans and designs, to make necessary improvements to the Segar Street sanitary sewer; and

WHEREAS, the property to be acquired is described and identified in EXHIBIT A attached hereto; and

WHEREAS, said easement will have to be acquired either by negotiation with the property owner or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easement set forth on EXHIBIT A attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by August 1, 2004.

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Government Entities Review and Evaluation**

The Government Entities Review and Evaluation Committee met on March 24, 2004 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were Common Council Members Pauline Basso, Mary Teicholz and Kevin Barry and Public Members Mark Chory and Alan Boyce. Also in attendance were Executive Director of the Parking Authority Terry McNally, Chairman of the Commission on Aging Thomas Quinn and Millie Siegel and Harvey Center from the Cultural Commission.

Mrs. Basso stated that the purpose of the committee is to ascertain whether the government entities scheduled for review should be re-established. Mrs. Basso then asked Mr. McNally to give a brief explanation of the purpose of the Authority and why it should be re-established. Mr. McNally explained that the Parking Authority was established at the request of the downtown merchants when they were having trouble moving parked vehicles on Main Street. The Authority operates five surface municipal parking lots and the downtown core was metered with a two-hour parking limit. In 1992, through a State bond issue, the Patriot Garage was built as a 550-car establishment with hourly rates. Another parking garage will be built on Main Street and will go out for bid in June or July. Another function of the Parking Authority is to enforce parking regulations and ordinances in downtown Danbury, at the Metro North Commuter Lot and at the Danbury High School parking lots.

Mrs. Basso asked Mr. Quinn for his comments on the Commission on Aging. He said that the commission was established so that community members could advise the Mayor and the Director of Elderly Services on the needs of the seniors and to support the efforts of the Director. He spoke about the new Senior Center and various programs that are offered. The commission is an advisory group with nine members.

Mrs. Basso asked for comments from Mrs. Siegel and Mr. Center from the Cultural Commission. Mrs. Siegel stated that the Cultural Commission was formed in 1967 by the then Mayor to encourage people to participate in cultural activities. They try to serve every segment of the community by providing them with art, music and other activities such as puppet shows and poetry contests. They help with the various

ethnic festivals and act as the liaison between the performers and organizations in helping them find each other. They assist with funding for music on the green and help sponsor musicals at Richter Park. Mr. Center stated that they help groups just starting out, such as the first drama production at Danbury High School.

Mrs. Teicholz made a motion to recommend re-establishment of the Parking Authority, the Commission on Aging and the Cultural Commission for terms of five years, and defer the report to public hearing. Seconded by Mr. Barry. Motion carried unanimously with Mr. Chory abstaining on the Parking Authority vote.

Respectfully submitted,

PAULINE BASSO, Chairman

MARY TEICHOLZ

KEVIN BARRY

MARK CHORY

ALAN BOYCE

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Tarrywile Park Master Plan**

The Common Council met as a committee of the whole on March 15, 2004 immediately following a public hearing in the Common Council Chambers.

Gerald Daley, Chairman of the Tarrywile Park Authority, gave a brief history of the acquisition of the park. Jane Didona gave a power point presentation outlining the master plan.

Mr. Calandrino asked how much revenue the park generates? Mr. Daly said the rental of the mansion generates between $60,000 and $65,000 per year. Ms. Didona said a study has been done that states that each out of town visitor to the park spends between $500 and $1,000 in the City. Mr. Saadi states that he disagrees with this. Ms. Burns asked what preventative measures have been taken to curb ATV use in the park? Ms. Didona stated that an ordinance was passed last year. They are looking into a volunteer trail patrol, but the City should look for another place that they could go.

Mr. Saadi stated that the mansion is used for social events, not environmental. The pavilion is new and this plan does not protect open space; it encroaches on it. Active recreation is proposed, not passive. The plan is well organized, but he has a problem with the pavilion and new parking areas. Mr. Saadi made a motion to recommend adoption of the master plan, with an amendment removing the pavilion and related parking areas. Seconded by Mr. Barry.

Ms. Saracino said her one concern is over-development of the park. Ms. Stanley asked Mr. Daley is the pavilion would be used for parties. Mr. Daly said the vast majority of use would be for people to sit and rest. The pavilion could be rented by corporations for company picnics. Ms. Burns asked when the pavilion is slated to be built? Mr. Daley said next year.

The motion with the amendment failed with Council Members Saadi, Barry and Saracino voting in the negative.

Mr. Cavo made a motion to recommend the adoption of the Tarrywile Park Master Plan as presented. Seconded by Mrs. Basso. Motion carried with Council Members Saadi and Barry voting in the negative.

Respectfully submitted,

VINCENT NOLAN, Chairman

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

March 24, 2004

To: Mayor Mark Boughton
Members of Common Council

From: Planning Commission

Re: 8-24 Referral/February CC Agenda Item #20 – Tarrywile Park Master Plan.

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

At the March 17, 2004 meeting, the Planning Commission made a motion to give a positive recommendation for the above referenced request with a commendation to those who prepared the plan.

SZ/jr

Attachment

c: Engineering Dept.
Corporation Counsel

TARRYWILE PARK MASTER PLAN

EXECUTIVE SUMMARY
2004

Since its purchase in 1985, Tarrywile Park has served as a community and passive recreation center for the entire City. Its varied natural features include mountains, forests, meadows, lakes and ponds, all enhanced by an historic mansion and a castle, gardens and farm buildings, hiking trails, views and vistas. The offerings are so diverse as to defy easy generalization. For while there are places in the Park where one can find the serenity of wilderness just beyond the frantic pace of modern life, the Park is more than wilderness, playing host to a multitude of community activities and private functions throughout the year.

With 654 acres, Tarrywile Park is the largest urban park in the state, providing environmental, community, health, and economic benefits and opportunities to City residents that are increasingly rare for developed areas. But, the very size of the Park, the variety of its resources, and the multiplicity of its functions and activities require an integrated and long-range approach to ensure that future development will not be uncoordinated, incremental or merely expedient. It is the purpose of the Master Plan to provide a comprehensive program to secure the promise of the future without compromising the qualities of the present that have made Tarrywile Park so unique and so valuable to the City.

PLAN OVERVIEW

The Master Plan is structured to better integrate the Park into City life so that it both serves and is embraced by the entire community. The Park has the potential of becoming the City's focus for environmental education while continuing to satisfy increasing cultural, community and passive recreational demands by City residents. The Plan enhances and expands the current design and programming of the Park to achieve the following vision for the future.

- The Park will become the City's premier center for passive recreation and environmental education.
- The Park will remain an important asset for future generations by protecting and enhancing its environmental and historical features.
- The Park will be the major hub of a larger greenway system for the proposed Ives Trail.
- The Park will provide an economic stimulus to Danbury by increasing tourism and improving its quality of life.

- Stabilize and secure the Castle for future improvement.
- Reconstruct the driveway and renovate trail connections.
- Add a picnic area with an information kiosk and map shed.

4. Tarrywile Park Trails

The six major trails within the Park provide access to spectacular scenery of great variety for the use and enjoyment of hikers, mountain bikers, horseback riders, and cross-country skiers, and provide a system that can be integrated with the proposed Ives Trail. Major Vision 2010 improvements include surface improvements and erosion control measures, information plaques, bridge and campsite improvements, plantings and spur trails, plus the following.

- White Trail: add landscape screening of neighboring property; add fitness trail.
- Blue Trail: add viewing platform at wetlands.
- Orange Trail: realign for safety and hiking ease; provide a wetlands overlook; construct a Castle loop trail.
- Purple Trail: a minor trail connecting legs of the Orange Trail.
- Red Trail: a minor trail connecting legs of the Blue Trail.
- Yellow Trail: realign for safety and hiking ease; construct a lookout at Mootry Peak; add a viewing platform at Tarrywile Lake; improve the Beacon site; add a spur trail to the Ives Trail.

5. The Meadows

Major meadows can be found in the farm area and along Brushy Hill and Mountainville Roads. These meadows provide natural habitat as well as areas for sledding, cross-country skiing, bird watching, and other activities. Major Vision 2010 improvements include the following.

- Farm Area Meadows: expand birdhouse locations; provide a wetlands viewing platform; add a community garden; expand parking.
- Brushy Hill Meadow: add a Frisbee challenge course; provide overflow parking.
- Mountainville Meadows: add birdhouses, a meadow maze, parking, and pedestrian connections to the Castle, the Old Quarry Nature Center and Rogers Park Middle School.

6. The Ponds and the Lake

Tarrywile Lake and Parks Pond are all large enough to support boating, fishing and skating while serving as habitat for various aquatic species. However, the Lake, Parks Pond and Back Pond all suffer from eutrophication and are in need of immediate remediation measures to ensure that existing and future use is not compromised. Other major Vision 2010 improvements include the following.

- Tarrywile Lake: provide access to local roads; construct viewing and fishing platforms.
- Parks Pond: provide connections to overflow parking; add a fishing platform, boat rental/skating shack, and picnic area; renovate the camp building; construct a riparian buffer demonstration garden.
- Back Pond: add viewing platforms and monitoring sites.

IMPLEMENTATION

The Master Plan presents a set of ambitious and imaginative recommendations to improve Tarrywile Park and expand its programs for people of all ages while protecting the natural environment. But, providing a vision and set of recommendations for the future is not enough. Implementation strategies are needed to turn plans into reality. This requires a management plan, new funding mechanisms, and a community outreach and marketing program.

Management Plan

The Tarrywile Park Authority is charged with the responsibility of administering the Park and directing its staff. Like many other parks throughout the country, an aggressive program of park management and capital improvements cannot be sustained by relying solely on public resources. A revitalized "Friends of Tarrywile Park" can do much to promote the Park, raise funds, and advocate programs and public improvements.

This approach has worked well in other communities, most notably with the Central Park Conservancy in New York. The "Friends of Tarrywile Park" would be comprised of volunteers to act as assistance providers to the Authority. Their primary responsibilities would include fundraising, advocacy, the organization and recruitment of volunteers, and the oversight of committees that would focus on specific park areas. Coordination with Park staff would be essential.

An advisory committee consisting of volunteer community leaders could also be set up when the Authority requires additional support for implementation of the Master Plan.

Finally, staff levels must be continuously monitored and adjusted as necessary to meet emerging needs of the Park.

Funding Mechanisms

Currently, Tarrywile Park is funded through the City's operating and capital budgets and by grant revenues and rental fees for the Mansion, Montessori School, Carriage House, Gate House, and Farm House. Nevertheless, historic funding levels will be inadequate to implement all of the Master Plan recommendations.

But, there are additional methods of raising funds through the auspices of the "Friends of Tarrywile Park," including:

- Solicitation of donations;
- Hosting park events with admission fees, concession sales, and memorabilia sales;
- Applying for government subsidies and grants;
- Applying for foundation grants;
- Accruing interest from investments or an endowment; and,
- Staging fundraising breakfasts, cocktail parties, or dinners.

Community Outreach and Marketing

Finally, a community outreach program can do much to increase public stewardship, support, and participation in Park activities. Community volunteers can perform any number of important tasks, including marketing, fundraising, park maintenance and security. Marketing tasks could include preparing and mailing newsletters, organizing and staffing events, providing publicity and soliciting funds. Volunteers can also help maintain park trails and other facilities.

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Storm Drainage Easements – Shore Road**

The Common Council Committee appointed to review the extension of time to acquire storm drainage easements on Shore Road met on March 9, 2004 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Cavo, Calandrino and Saadi. Also in attendance were Director of Public Works William Buckley, Associate Corporation Counsel Ray Yamin and Council Members Basso and Riley, ex-officio.

Mr. Cavo noted the positive Planning Commission recommendation from May 2003. Mr. Buckley stated that Shore Road is as City road slated for drainage improvements and other improvements. Easements are necessary. The Common Council authorized the acquisition of four easements in a six-month timeframe, but it is not uncommon for it to take longer than that. This request is for an additional six months in order to obtain the remaining easement.

Mr. Saadi made a motion to recommend adoption of the resolution as presented. Seconded by Mr. Calandrino. Motion carried unanimously.

Respectfully submitted,

JOSEPH CAVO, Chairman

MICHAEL CALANDRINO

THOMAS SAADI

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedule A attached hereto containing the legal description of the property involved; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the office of Corporation Counsel, be and hereby is authorized to acquire the property interests as set forth in the attached legal description, on or before August 1, 2004, either by negotiation or by eminent domain through the institution of suit against the property owners, their heirs, executors, administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any.

ANTHONY J. CHIAPPINELLI AND VIVIAN CHIAPPINELLI
STORM DRAINAGE, TEMPORARY CONSTRUCTION AND TEMPORARY CONSTRUCTION ACCESS EASEMENTS
(TAX ASSESSOR'S LOT NOS. K02110 AND K02112)

A certain piece or parcel of land containing 2,627 square feet (0.0603Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 24 Shore Road and known as Tax Assessor's Lot No K02112 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is 45.88 feet from the southwesterly corner of the land of the Grantor and said point being the southwesterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N. 28° 54' 30" W. a distance of 15.01 feet to a point, thence turning and running northeasterly through the land of the Grantor in the following courses and distances N. 62° 57' 35" E. a distance of 7.55 feet to a point, thence S. 79° 47' 28" E. a distance of 33.42 feet to a point, thence S. 74° 14' 12" E. a distance of 34.93 feet to a point, thence N. 61° 05' 30" E. a distance of 100.94 feet to a point on the 440 feet contour (elevation) on land now or formerly of Connecticut Light and Power Company, thence turning and running southerly along the 440 feet contour (elevation) a distance of 15 feet, more or less, to the southeasterly corner of land of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S. 61° 05' 30" W. a distance of 109.45 feet to a point, thence turning and running northwesterly through the land of the Grantor on the following courses and distances N. 74° 14' 07" W. a distance of 49.32 feet to a point, thence N. 67° 53' 40" W. a distance 14.07 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 62° 57' 33" W. a distance of 8.23 feet to the point or place of beginning.

Bounded:

Northerly : By other land of the Grantor.

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

Southerly : By land now or formerly of Bruce Goldsmith and Deena Goldsmith and by other land of the Grantor, each in part.

Westerly : By Shore Road and by other land of the Grantor, each in part.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement and a 15 feet wide x 224 feet long temporary construction access easement located on the westerly side of the land of the Grantor starting from the northerly boundary line of the Grantor and running southerly through land of the Grantor to the northerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled " Map Showing Proposed Drainage Easement Through the Land of Anthony J. Chiappinelli and Vivian Chiappinelli No.24 Shore Road Danbury, Connecticut Scale: 1" = 20' March 28, 2003 " which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ **A. D.,** 200_

RESOLVED by the Common Council of the City of Danbury:

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

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in Schedule A attached hereto containing the legal description of the property involved; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the office of Corporation Counsel, be and hereby is authorized to acquire the property interests as set forth in the attached legal description, on or before August 1, 2004, either by negotiation or by eminent domain through the institution of suit against the property owners, their heirs, executors, administrators, successors and assigns and their respective mortgage holders and encumbrancers, if any.

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Clean City Danbury**

The Common Council Committee appointed to review the Clean City Danbury program met on March 24, 2004 at 7:00 P.M. In attendance were committee members Cavo and Basso. Also in attendance were Director of Public Works William Buckley, Superintendent of Public Utilities Mario Ricozzi, Director of Finance Dena Diorio, Assistant Corporation Counsel Les Pinter and Council Members Saracino and Teicholz.

Mr. Buckley stated that the committee has a brush package before them. The first part of the package is cleaning up the brush from Hurricane Floyd. The cost, in the past, for cleaning up the two existing piles was $250,000. The price, as part of this package, is $50,000. The second component of the package is that Danbury residents will be able to bring their brush to the facility at no charge. Stumps and brush from the Parks and Recreation Department will be processed at no cost. Total Landscaping & Tree Service will get all necessary permits and establish a commercial operation on city property. They will take in commercial brush and charge for that. It will be a profit making business at that location. The license agreement was negotiated with Total Landscaping & Tree Service, as they seemed to be the best operator.

Mr. Ricozzi said that the area we are licensing is the recycling facility. That will be the main location. They will operate the leaf composting facility. The City will continue to pick up leaves and drop them off at that facility. They will utilize the former public utilities garage. The garage is in need of repairs and we have authorized up to $5,000 for repairs. It will be a reinvestment in our own facility. They will have use of the City scale to weigh the wood trips and commercial haulers as they come and go. Removing the existing pile is a key component, which they ready to do, and can be done prior to the permits being put in place.

Ms. Diorio said that we would fund the $50,000 internally this year and not have to come to the Common Council for an appropriation.

Attorney Pinter said that the agreement will be by licensee and does not give away any rights to property. The benefit is it is less restrictive for the City. The term is twelve years with a five and five renewal. Either side with a one-year notice can terminate the license. This will privatize this concern. One of the contingencies is that the company must obtain all necessary permits and approvals. Mrs. Basso asked if the $50,000 is for the first year only. Attorney Pinter said it is a one-time lump sum. Mrs. Basso asked if the company would pay the liability policy. Attorney Pinter said it would.

Mr. Cavo asked if the trucks would be driven over to the scales? Mr. Ricozzi said that the wood would be deposited at recycling, chipped and brought across the street, stockpiled and hauled off. The details would be spelled out in their operating permit from the DEP. Mr. Cavo asked if the material would be processed when the facility is opened or closed? Mr. Ricozzi stated that it depends of what processing they have to do. There is room to do the processing while the public is at the other end of the facility. Mr. Cavo asked if the City has any long-range plans for this facility. Mr. Buckley said we do not.

Mrs. Basso made a motion to recommend approval of the licensing agreement with Total Landscaping & Tree Service as outlined. Seconded by Mr. Cavo. Motion carried unanimously.

Respectfully submitted,

JOSEPH CAVO, Chairman

PAULINE BASSO

JOHN ESPOSITO

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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203(796-1590)

MARIO RICOZZI, P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

March 31, 2004

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

RE: Yard Waste Management Agreement
Total Landscaping and Tree Service, LLC

Dear Mayor Boughton and Members of the Common Council:

We are please to present a lease agreement negotiated with Total Landscaping and Tree Service, LLC for yard waste management. This agreement provides a long-term solution for wood wastes generated by the City of Danbury's crew's as well as providing a no cost disposal option for brush generated and deposited by Danbury residents.

The general parameters of this agreement was reviewed by the subcommittee established under Item #12 at the Danbury Common Council March 2, 2004 meeting.

I respectfully request the Common Council authorize Mayor Mark D. Boughton to enter into the enclosed agreement with Total Landscaping and Tree Service, LLC.

Please do not hesitate to contact me with any questions.

Sincerely,

Mario Ricozzi, P.E., F. ASCE
Superintendent

Enclosure
MR:sm
cc: William J. Buckley, Jr., P.E.
Les Pinter, Esq.
Dena Diorio

RECYCLED PAPER
sm/c:/marioword/yardwaste.doc

LICENSE AGREEMENT

THIS AGREEMENT (hereinafter called the "Contract") effective the _____ day of _____, 20__, by and between the **CITY OF DANBURY** (hereinafter called the "CITY"), a municipal body, duly organized and existing under the laws of the State of Connecticut, having its offices at 155 Deer Hill Avenue, Danbury, Connecticut, acting in and for itself and any of its departments and agencies, and **TOTAL LANDSCAPING & TREE SERVICE, L.L.C.**, a limited liability company duly authorized to do business in the State of Connecticut, having its local office at 2 Old Bethel Road, Newtown, CT 06470 (hereinafter called the "COMPANY") (the foregoing entities herein below collectively referred to as the "Parties").

W I T N E S S E T H :

WHEREAS the CITY is the owner of certain real properties within the City of Danbury (hereinafter referred to as the "City Owned Facilities") upon which it stores and processes, brush, logs, stumps, leaves, and other forest products and natural yard waste generated by the CITY and City residents (hereinafter referred generally as "Wood Waste" and as more fully defined herein); and

WHEREAS the CITY is desirous of having its Wood Waste reclamation and recycling operation (herein after referred to as the "Operation") managed and all of the Wood Waste currently stored on the City Owned Facilities processed; and

WHEREAS the CITY published a Request for Proposal entitled "Qual. - Yard Trimmings Management" (hereinafter referred to as "RFP") on or about August 2003 seeking qualified applicants ready, willing and able to manage its Operation; and

WHEREAS the COMPANY, desirous of managing the Operation on behalf of the CITY, was the successful bidder to the RFP; and

WHEREAS the CITY is willing to grant the COMPANY right to manage the Operation in return for the COMPANY's right to retain and to sell the processed Wood Waste and its by-products as more fully described herein; and

WHEREAS the Parties intend to create for City residents (i.e., "Mom and Pop") a convenient and affordable means and location to deposit Wood Waste; and

WHEREAS the Parties are willing to cooperate in transferring the Operation's management to the COMPANY and to make necessary physical modifications to the City Owned Facilities to allow the COMPANY to manage the same efficiently and safely; and

NOW THEREFORE, in consideration of mutual covenants and promises contained herein and for other good and valuable consideration, the Parties hereby agree as follows:

1. **DUTIES AND OBLIGATIONS OF THE COMPANY**. The COMPANY shall be responsible for the management of the Operation as follows:

(a) **Responsibility and Ownership:** The COMPANY shall be responsible for grinding and otherwise processing Wood Waste delivered to the City Owned Facilities. "Wood Waste" is defined to include brush, logs, stumps, leaves, wood chips and other forest products and natural yard waste, but does not include grass clippings, earth, sod, construction, demolition or similar types of waste materials not naturally occurring or organically derived. All wood waste shall be free of plastics, metals, and other deleterious materials. All Wood Waste and related by-products processed shall be the COMPANY's sole and exclusive property.

(b) **No-Cost Processing Limit:** Except as otherwise provided herein, the COMPANY shall undertake the following services at no cost to the CITY or its residents (i.e., "Mom and Pop"): 1) process all Wood Waste deposited at City Owned Facilities by the CITY; and 2) process all leaves separately deposited in bulk or in paper bags or brush less than two inches in diameter separately deposited at City Owned Facilities

by City residents (i.e., "Mom and Pop"). The COMPANY reserves the right to refuse acceptance of any such material that is not separated into homogeneous groupings at the time of deposit (i.e., leaves mixed with brush). All related measurements shall be at the sole, reasonable discretion of the COMPANY based on industry standards. The CITY hereby authorizes the COMPANY to use any reasonable means, within the limits of existing law, to verify that persons using the City Owned Facilities for such purposes meet the conditions of this Paragraph and may reject such attempted disposal in its sole, reasonable discretion if proof of the Wood Waste's source or the depositor's residence cannot be adequately established.

(c) **Fee-Based Processing:** The COMPANY shall process all other Wood Waste deposited at the City Owned Facilities on a fee basis and shall post the fee schedule and provide the same to the CITY.

(d) **Existing Wood Waste**: All Wood Waste stored at the City Owned Facilities located at Plumtrees Road, Danbury existing as of the date of this contract as shown on the map entitled "Danbury Public Works Complex – Yard Waste Processing Area" attached hereto and incorporated herein as Exhibit A, shall be processed by the COMPANY in return for $50,000.00 in accordance with a purchase order to be issued by the CITY simultaneously with the full execution of this Contract. The CITY shall use its best efforts to pay the COMPANY within thirty (30) days of substantial completion, but in no event later than July 15, 2004 unless substantial completion is accomplished after such date.

(e) Management of City Owned Facilities: The COMPANY shall be solely responsible for managing the following City Owned Facilities which shall be used as described herein:

i. The Recycling Facility: The City Owned Facility located at Plumtrees Road, Danbury, as shown on the map attached hereto as Exhibit A (hereinafter referred to as the "Recycling Facility"), shall be used to for the disposal and processing of all Wood Waste, except for leaf waste generated by the CITY. The COMPANY agrees to maintain hours of operation from November through March on every second (2nd) and fourth (4th) Saturday of the month from 7:30 a.m. to 3:30 p.m.; and from April through October every Saturday from 7:30 a.m. to 3:30 p.m. and on such weekdays and hours as determined by the COMPANY in its sole discretion. The COMPANY agrees to post such weekday hours of operation at the Recycling Facility and at other locations and by other means as agreed to by the Parties on the previous Saturday each week.

ii. The Leaf Composting Facility: The City Owned Facility located at Plumtrees Road, Danbury, as shown on the map attached hereto as Exhibit A (hereinafter referred to as the "Leaf Composting Facility") shall be used as a deposit location for all leaf waste generated by the CITY.

iii. The Former Landfill Garage: The City Owned Facility located at Plumtrees Road, Danbury, adjacent to the dog pound, as shown on the map attached hereto as Exhibit A, (hereinafter referred to as the "Former Landfill Garage shall be used by the COMPANY for the storage of Wood Waste, processed wood and related by-products, materials and equipment.

iv. Scale Facility: The COMPANY shall have the non-exclusive right to use of the City Owned Facility located at Plumtrees Road, Danbury, as shown on the map attached hereto as Exhibit A, known as the "Scale Facility" (hereafter referred

to as the "Scale Facility") along with the CITY as necessary to weigh materials and equipment in relation to its management of the Operation. The Parties agree to cooperate with each other in use of the Scale Facility, with each party allowing the other to use the Facility as needed to accomplish their respective goals.

(f) Cooperation Between the CITY and the COMPANY: The Parties shall use their best efforts to cooperate with each other toward the primary and mutual goal of processing Wood Waste at the City Owned Facilities. Such cooperation shall include, but shall not necessarily be limited to the following:

i. CITY Emergencies: The COMPANY shall allow the CITY access to the City Owned Facilities as needed by the CITY in the event of an emergency or "event of force majeure" as defined in Paragraph 7(d) hereof. In such event that The COMPANY agrees to use its best efforts to assist the CITY in processing resulting Wood Waste beyond its normal hours of operation.

ii. COMPANY Emergencies: The CITY will use its best efforts to cooperate with the COMPANY in the event of a mechanical breakdown of the COMPANY's equipment or other similar emergency preventing the COMPANY from managing the Operation and will use its best efforts to make CITY equipment or other similar resources available to the COMPANY on a temporary basis in such an event.

iii. Property Maintenance: The COMPANY shall allow the CITY access to the City Owned Facilities as needed for maintenance of CITY utilities, which shall include the Scale Facility. Except as otherwise provided in "Modification of City Owned Facilities" referenced in Paragraph 2(b) herein and maintenance of CITY utilities, all other routine site and building maintenance shall be the

responsibility of the COMPANY.

iv. Temporary Use of the City Owned Facilities: Upon written request by the CITY, the CITY may use non-essential portions the City Owned Facilities on a temporary basis for purposes unrelated to the Operation. The COMPANY shall not unreasonably withhold granting of such requests.

2. GRANT OF RIGHT.

(a) **Right to Operate from City Owned Properties:** The CITY hereby grants the COMPANY the exclusive right and license to manage the Operation from the City Owned Facilities during the initial term hereof and any renewal term. Such right shall include the exclusive right to sell, exchange, transfer and store any Wood Waste or processed wood material and related by-products deposited at the City Owned Facilities by any party subject to the COMPANY obtaining all necessary regulatory approvals for such uses. Such exclusive right shall include all accessory uses reasonably related thereto.

(b) **Modifications of City Owned Facilities**: The Parties agree that the City Owned Facilities need to be modified in order to ensure the safe, secure and efficient undertaking and management of the Operation. Toward this end, the Parties agree to undertake the following within ninety (90) days of the first day of the Initial Term:

i. New Gate: The CITY agrees to install a gate or cable near the public works department, as shown on the map attached hereto as Exhibit A, which would be locked after business hours by the COMPANY and/or CITY to control illegal dumping.

ii. Cleanup Dumpsters: The CITY agrees to provide all necessary dumpsters for all non-wood waste deposited during the initial cleanup of the City Owned Facilities, such cleanup to be carried out by the COMPANY.

iii. Guard Shed: The CITY agrees to provide all necessary labor, hardware and other materials needed to re-establish the water, sewer and electrical service at the Recycling Facility's guard shed. The CITY hereby authorizes the COMPANY to establish an account for electrical service at the Guard Shed with Connecticut Light and Power or other applicable provider under the COMPANY's name.

iv. Repair of Garage: The CITY agrees to purchase all necessary materials for the initial repair for the garage located at the Former Landfill Garage not to exceed five thousand ($5,000.00) dollars. The cost of labor and additional materials in excess of five thousand ($5,000.00) dollars associated with the repair shall be borne by the COMPANY.

v. Underground Storage Tank: The CITY agrees to remove the underground storage tank, related piping and the fuel dispenser base in the area adjacent to garage located at the Former Landfill Garage at its sole cost and expense.

vi. Added Security Measures: Except as otherwise provided herein, the COMPANY shall install and maintain all gates or similar barriers at all vehicle entry points located at all of the City Owned Facilities.

(c) Additional Modifications: Subject to the CITY's approval, which shall not be unreasonably withheld and subject to the COMPANY's receipt of necessary permits, the COMPANY has the right to further modify the layout, design or use of any of the City Owned Facilities or any improvements thereon to achieve the safe, secure and efficient undertaking and management of the Operation.

(d) Illegal Dumping: The CITY agrees to be responsible for the cleanup of any waste illegally dumped in the vicinity of the City Owned Facilities during the initial term and any renewal term.

(e) **Right to Use CITY Water**: The COMPANY shall have the right to use up to three million gallons of CITY water annually for the Operation at no cost to the COMPANY. The COMPANY shall pay the CITY the then current rate for every gallon of water used by the COMPANY for the Operation in excess of said amount.

(f) **Right to Use CITY Sewer**: The COMPANY shall have the right to use the CITY's sewer system for the Operation at no cost to the COMPANY.

(g) **Other Utility Costs**: All utility costs related to the Scale Facility shall be borne by the CITY; all other utility costs related to the Operation not already otherwise apportioned herein shall be borne by the COMPANY.

3. TERM OF THE CONTRACT.

(a) Initial Term: The Contract shall become effective upon execution by the Parties and shall remain in full force and effect for a period of twelve (12) years beginning with the actual date the COMPANY begins the Operation at the City Owned Facilities, subject to automatic extension provisions set forth in this Paragraph. The COMPANY shall notify the CITY in writing as to the date it began the Operation within thirty (30) days thereof by way of a commencement letter in a form substantially similar to the letter attached hereto as Exhibit B.

(b) First Renewal Term: Upon completion of the Initial Term, the Contract shall be automatically renewed for an additional five (5) years on the same terms and conditions unless either Party serves written notice on the other of its intention not to renew the Contract on or before April 1st of the last year of the Initial Term. In the event such intent not to renew is served as herein provided, the Initial Term shall automatically be extended until December 1st of the same year at which point the COMPANY agrees to cease its management of the Operation at the City Owned Facilities and vacate its personnel and equipment therefrom.

(c) Additional Renewal Term: Upon completion of the First Renewal Term, the

Contract shall be automatically renewed for an additional five (5) years on the same terms and conditions unless either Party serves written notice on the other of its intention not to renew the Contract on or before April 1st of the last year of the First Renewal Term. Such First Renewal Term shall automatically be extended until December 1st of the same year at which point the COMPANY agrees to cease its management of the Operation at the City Owned Facilities and vacate its personnel and equipment therefrom.

4. REGULATORY APPROVALS.

(a) Parties' Obligations: The COMPANY shall obtain any and all necessary regulatory approvals or permits of any kind that are required as a condition of conducting the Operation as set forth herein, and agrees to act diligently and in good faith in the pursuit thereof. The CITY will use its best efforts in cooperating with COMPANY in obtaining such approvals and/or permits. The CITY agrees that if there are such approvals and/or permits that can be obtained only by the CITY as a public entity, the CITY shall file any and all necessary applications prepared by the COMPANY with the understanding that COMPANY will handle as much of the approval and/or permit process as possible. The cost of obtaining any approvals and/or permits needed by virtue of this Contract shall be borne by the COMPANY, except that the COMPANY shall not be charged any fee for any required CITY permit or approval, whether at the time of application or on an annual renewal basis. The CITY agrees to provide the COMPANY a copy of all existing, available surveys, environmental reports, professional recommendations, and legal descriptions related to the City Owned Facilities within ten (10) days of the date of this Contract or as soon as practicable. In the event that the COMPANY is not able to obtain all necessary regulatory approvals and/or permits within six (6) months of the date of this Contract, the COMPANY may elect to cancel this Contract and neither party shall have any claim or obligation as against the other.

5. LIABILITY INSURANCE.

The COMPANY shall not commence work under this contract until it has obtained all insurance required under this article and such insurance has been approved by the CITY, nor shall the COMPANY allow any subcontractor to commence work on its subcontract until all similar insurance required of the subcontractor has been so obtained and approved. Certificates of insurance shall be filed with the CITY and shall be subject to the approval of the CITY for adequacy of protection before the execution of this contract.

All policies relating to this shall be so written that the CITY shall be notified of cancellation or change at least thirty (30) days prior to the effective date of such cancellation or change.

Certificates from the insurance carrier shall be filed in triplicate with the CITY and shall state the limits of liability and the expiration date for each policy and type of coverage. The CITY OF DANBURY shall be named as an additional insured. Renewal certificates covering the renewal of all policies expiring during the life of this contract shall be filed with the CITY not less than ten (10) days before the expiration of such policies.

A. Comprehensive General Liability Insurance

The COMPANY shall take out and maintain during the life of this contract such Comprehensive General Liability Insurance as will protect the COMPANY, the CITY, and any subcontractor performing work covered by this contract, from any claims for damages for personal injury, including accidental or wrongful death, as well as claims for property damages, which may arise from operations under this contract whether such operations be by itself or by any subcontractor or by anyone directly or indirectly employed by either of them and the amounts of insurance shall be in the following minimum limits:

Bodily Injury Liability and	***$2,000,000 (combined)***
Property Damage Liability	***$2,000,000 (each occurrence)***

The COMPANY agrees that in the event that one or more claims are paid under the policies containing an aggregate coverage limit it shall immediately notify the CITY thereof and at the same time shall seek either to reinstate the limits of said policy or policies or alternatively to seek to obtain a new policy providing for full coverage in accordance with the limits established within. Said replacement coverage shall be obtained within twenty-four (24) hours and the CITY shall be notified thereof.

B. Comprehensive Auto Liability Insurance

The COMPANY shall take out and maintain during the life of this contract Comprehensive Auto Liability Insurance which shall cover the operation of all motor vehicles owned by the COMPANY or used by the COMPANY in the prosecution of the work under this contract and the amounts of such insurance shall be in the following minimum limits:

Bodily Injury Liability and	***$1,000,000 (combined)***
Property Damage Liability	***$1,000,000 (each occurrence)***

C. Workers' Compensation Insurance and Employer's Liability

The COMPANY shall take out and maintain during the life of this contract, Workers' Compensation Insurance for all of its employees, employed at the site and in case any work is sublet, the COMPANY shall require the subcontractor similarly to provide Workers' Compensation Insurance for all employees of the latter unless such employees are covered by the protection afforded by the COMPANY.

Workers' Compensation and Employer's Liability - Statutory Limits

D. Professional Liability

The COMPANY shall take out and maintain during the life of this contract Professional Liability Insurance and the amounts of such insurance shall be in the following minimum limits:

$500,000 Aggregate

6. INDEMNIFICATION.

(a)COMPANY's Indemnification Obligation: The COMPANY shall defend, indemnify and save the CITY, its officials and employees harmless from and against any and all claims, liabilities, losses, actions, damages, and causes of action including reasonable attorney's fees, and will on account of and on behalf of the CITY defend any and all claims, actions, demands, suits, which may arise out of the COMPANY's use of the City Owned Facilities under the Contract, whether in contract or in tort, in law or in equity, including all other acts or omissions to act on the part of the COMPANY, including any employee acting on the COMPANY's behalf. The COMPANY shall pay claims and losses under the Contract and shall defend all suits in the name of the CITY, its officials and/or employees and shall pay all costs and judgments that may issue thereon.

(b)CITY's Indemnification Obligation: The CITY shall defend, indemnify and save the COMPANY, its officials and employees harmless from and against any and all claims, liabilities, losses, actions, damages, and causes of action including reasonable attorney's fees, and will on account of and on behalf of the COMPANY defend any and all claims, actions, demands, suits, which may arise out of the CITY's use of the City Owned Facilities under the Contract or otherwise, whether in contract or in tort, in law or in equity, including all other acts or omissions to act on the part of the CITY, including any employee acting on the CITY's behalf. The CITY shall pay claims and losses under the Contract and shall defend all suits in the name of the COMPANY, its officials and/or employees and shall pay all costs and judgments that may issue thereon.

(c) Indemnification Procedure: Within thirty (30) days after a claim, suit, proceeding or loss giving rise to a claim for indemnification of the CITY or the COMPANY, as the case may be, becomes known to the indemnified party, such party shall promptly notify the indemnifying party in writing of its claim for indemnification hereunder ("Notice of Claim"). The Notice of Claim shall contain a brief description of the facts relating to the alleged claim, suit,

proceeding or loss and copies of all relevant documents, pleadings or other instruments relating thereto. The indemnifying party shall have the obligation, upon giving written notice to the indemnified party on or before the tenth (10) days after receipt of the Notice of Claim from the indemnified party, to assume the defense against such claim, suit, proceeding or loss at the indemnifying party's own expense ("Notice to Assume Defense"); provided, however, that if the indemnified party deems it necessary to protect its interest, it may, within ten (10) days after receipt of the Notice to Assume Defense from indemnifying party, decline to permit the indemnifying party to assume the defense on behalf of the indemnified party by giving written notice thereof to the indemnifying party ("Notice of Defense Decline"). If the Notice to Assume Defense is not given by the indemnifying party, the indemnifying party shall be deemed to have elected not to assume the defense of such claim, suit, proceeding or loss but shall remain liable for all loss, damages or other expense, including, but not limited to reasonable attorney's fees. The Parties agree to cooperate with each other against such claim, suit, proceeding or loss, and to make available to each other and their respective representatives all records reasonably necessary or useful in connection with the defense of such claim, suit, proceeding or loss. If the indemnifying party has assumed the defense, such party shall have the right to compromise or settle such claim, suit, proceeding or loss, and the indemnified party and the indemnifying party shall be bound by the judgment of any court in respect to the adjudication of the amount thereof or settlement as to the existence or amount thereof, as the case may be. If, however, the indemnifying party elects not to proceed with the defense of such claim, suit, proceeding or loss, the indemnified party alone shall have the right, if they deem it appropriate or necessary, to defend against any such claim, suit, proceeding or loss, and they shall have the sole right to compromise or settle such claim, suit, proceeding or loss without the prior consent of the indemnifying party.

(d) Attorney's Fees: This indemnification shall include reimbursement for

reasonable attorney's fees incurred for both the prosecution and/or defense of the matter and claims indemnified against herein or in enforcing the rights of indemnification established herein.

7. DEFAULT AND TERMINATION.

(a) Material Default: Neither Party shall terminate or cancel the Contract, whether by court action or otherwise, unless there is a Material Default by the other Party. For purposes of the Contract, a "Material Default" shall be 1) any monetary default not cured by the defaulting Party within fifteen (15) days of receipt of written notice by the non-defaulting Party specifying the alleged default ("Notice of Material Default") and 2) any non-monetary default by a defaulting Party not cured within thirty (30) days of receipt of a Notice of Material Default (each such date referred to as the "Cure Date"), including but not limited to any violation of any applicable rule, regulation or condition of approval made part of any permit obtained by the COMPANY in relation to its management of the Operation, unless the alleged default is attributable to an event of force majeure as set for in this Section.

(b) Extended Cure Date: In the event nature of the alleged default is such that it is not reasonably possible for the defaulting Party to cure the same by the Cure Date, the defaulting Party shall have such amount of time as is reasonably necessary to cure such default, and shall within ten (10) business days of its receipt notify the non-defaulting Party in writing of its intent to cure, and shall state the time needed to cure the alleged default and the circumstances justifying additional time to cure (the "Extended Cure Date"). If, in the reasonable judgment of the non-defaulting Party, the defaulting Party is not justified in its request for the Extended Cure Date, or if the defaulting Party fails to cure the alleged default by the Extended Cure Date, the non-defaulting Party may file legal action seeking any and all remedies available to it under the Contract.

(c) Termination: The termination of the Contract may become effective, at the discretion of the non-defaulting Party, fifteen (15) days from the Cure Date or the Extended Cure

Date, as the case may be. In the event the non-defaulting Party elects to terminate the Contract, it shall serve written notice of its intent to terminate to the defaulting party ("Notice of Termination").

(d) Force Majeure: Neither Party shall be obligated to perform and neither shall be deemed to be in Material Default hereunder if performance of a non-monetary obligation is prevented by the occurrence of any of the following (herein called "force majeure" or "event of force majeure") acts of God, strikes, lockouts, other industrial disturbances, acts of the public enemy, laws, rules and regulations of applicable governmental bodies, wars or warlike action (whether actual, impending, or expected and whether *de jur* or *de facto*), arrest or other restraint of government (civil or military), blockades, insurrections, riots, epidemics, landslides, earthquakes, fires, hurricanes, storms, floods, washouts, civil disturbances, explosions, nuclear reaction or radiation, radioactive contamination, or any other causes whether for the kind herein enumerated or otherwise that are not reasonably within the control of the Party claiming the right of delay performance on account of such occurrence.

(e) Bankruptcy: Notwithstanding anything to the contrary herein, the CITY shall have the unilateral right to cancel the Contract in the event that the COMPANY becomes insolvent or if the COMPANY commits an act of bankruptcy or for the appointment of a receiver, of if there commences proceedings under any law relating to bankruptcy, insolvency, reorganization, or relief for the COMPANY'S obligations and which proceedings are not withdrawn or dismissed within ninety (90) days after the commencement or if the COMPANY dissolves itself. In such event, the COMPANY shall have the absolute right and responsibility to remove its equipment and materials from the City Owned Facilities.

8. ARBITRATION:

(a) Except for summary process actions or proceedings, all claims, disputes and other matters in question between the parties to this Contract, arising out of or relating to this

Contract or the breach thereof, shall be decided by arbitration in accordance with the arbitration rules of the American Arbitration Association, which arbitration shall take place in the City of Danbury, Connecticut (or the next most mutually convenient location available) before a single arbitrator chosen by the American Arbitration Association.

(b) The parties agree to be bound by the results of such arbitration.

(c) Either party may demand arbitration. The demand for arbitration shall be made within a reasonable time after the dispute has arisen; in no case, however, shall the demand be later than ten (10) days after the dispute has arisen. Judgment upon the decision rendered by the arbitrator may be entered in the court of the forum, state or federal, having jurisdiction. It is mutually agreed that the decision of the arbitrator shall be a condition precedent to any right of legal action that a party may have against the other. The arbitrator, if he/she deems that the case requires it, may add to the award of the party whose contention is sustained such sums as they shall deem proper to compensate for the time and expense incident to the proceeding, including a reasonable attorney's fee, it being the intention of both parties to this Contract that the defaulting party shall reimburse the non-defaulting party for all costs during the breach including a reasonable attorney's fee. The arbitrator shall fix his/her own compensation, unless otherwise provided by agreement, and shall assess the cost and charge of this proceeding upon either or both parties.

(d) In the event that a court of competent jurisdiction must adjudicate a breach or default under this Contract, the parties hereto expressly acknowledge and understand that the non-breaching party will recover all costs of said litigation including a reasonable attorney's fee.

9. INDEPENDENT CONTRACTOR. The COMPANY and its agents shall be deemed to be an independent contractor, and not an agent or employee of the CITY, and shall not attain any rights or benefits generally afforded classified or unclassified employees; further, the COMPANY'S employees and agents shall not be deemed entitled to Workers Compensation

benefits as employees of the CITY.

10. SUCCESSORS AND ASSIGNS. The Contract shall be binding upon the Parties, their heirs, executors, legal representatives, successors and authorized assigns. Except with respect to an affiliated entity under control, the COMPANY shall not assign or transfer this Contract without the prior written consent of the CITY, which shall not be unreasonably withheld.

11. NOTICES. Any and all notices required under this Contract shall be deemed to have been given when placed in the United States mail, certified, return receipt requested, addressed as follows:

FOR COMPANY

Mr. Percy J. Ferris, Jr.
2 Old Bethel Road
Newtown, CT 06470

AND

Robert Accomando, Esq.
Shepro & Blake, LLC
115B Church Hill Road
Sandy Hook, CT 06482

FOR CITY

Mr. Mario Ricozzi (or then acting Superintendent of Public Utilities)
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Mr. William J. Buckley, Jr. (or then acting Director of Public Works)
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

or to such address as the parties may, in writing designate from time to time.

12. GOVERNING LAW. The parties hereto agree that the Contract shall be construed and enforced according to the laws of the State of Connecticut.

13. ATTORNEY'S FEES. The prevailing party in any litigation arising from the Contract shall

be entitled to reasonable attorney's fees and costs.

14. ENTIRE CONTRACT. The Contract and the Exhibits attached hereto contain all the representations and the entire agreement between the Parties with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are superseded in total by this Contract and any exhibits attached hereto. The provisions of this Agreement shall be construed as a whole.

15. CITY AUTHORITY.

(a) Authorization: The Mayor of the City of Danbury is duly authorized to enter into this Agreement, and any and all other documentation necessary to effectuate the terms contained herein, and has taken all requisite action to obtain such authorization.

(b) References to "City" in Contract: All references to the CITY in the Contract shall be deemed to also be references to such officers or employees or other designees of the CITY as may be appropriate to implement the terms of this Agreement, including officers or employees of any commission, authority, board or similar entity.

16. MISCELLANEOUS.

(a) Captions: The Section headings and subheadings in the Contract are for convenience only, shall in no way define, limit extend or describe the scope or content of this Contract, and shall not be considered in any construction or interpretation of this Contract or any part hereof.

(b) Counterparts: The Contract may be executed in multiple counterparts, each of which shall be deemed to be an original agreement, and all of which shall constitute one agreement.

(c) Severability: If any one or more of then provisions contained in the Contract, or the application thereof to any person or circumstances, shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall

not affect any other provision hereof, or the application of such provision or portion thereof to any other persons or circumstances, and the Contract shall be construed as if such invalid, illegal or unenforceable provision was not contained herein, and it shall not be deemed that any such invalid provision affects the consideration for the Contract.

(d) Compliance with Applicable Law: The COMPANY agrees to abide by and use its best efforts to keep informed of all existing and future State and federal laws and municipal ordinances and regulations affecting the management of the Operation.

IN WITNESS WHEREOF, the Parties have executed the Contract on the date and year first above mentioned and has agreed to be bound hereby.

The City of Danbury:

_____
By:
Title:
Duly Authorized
Dated: _____

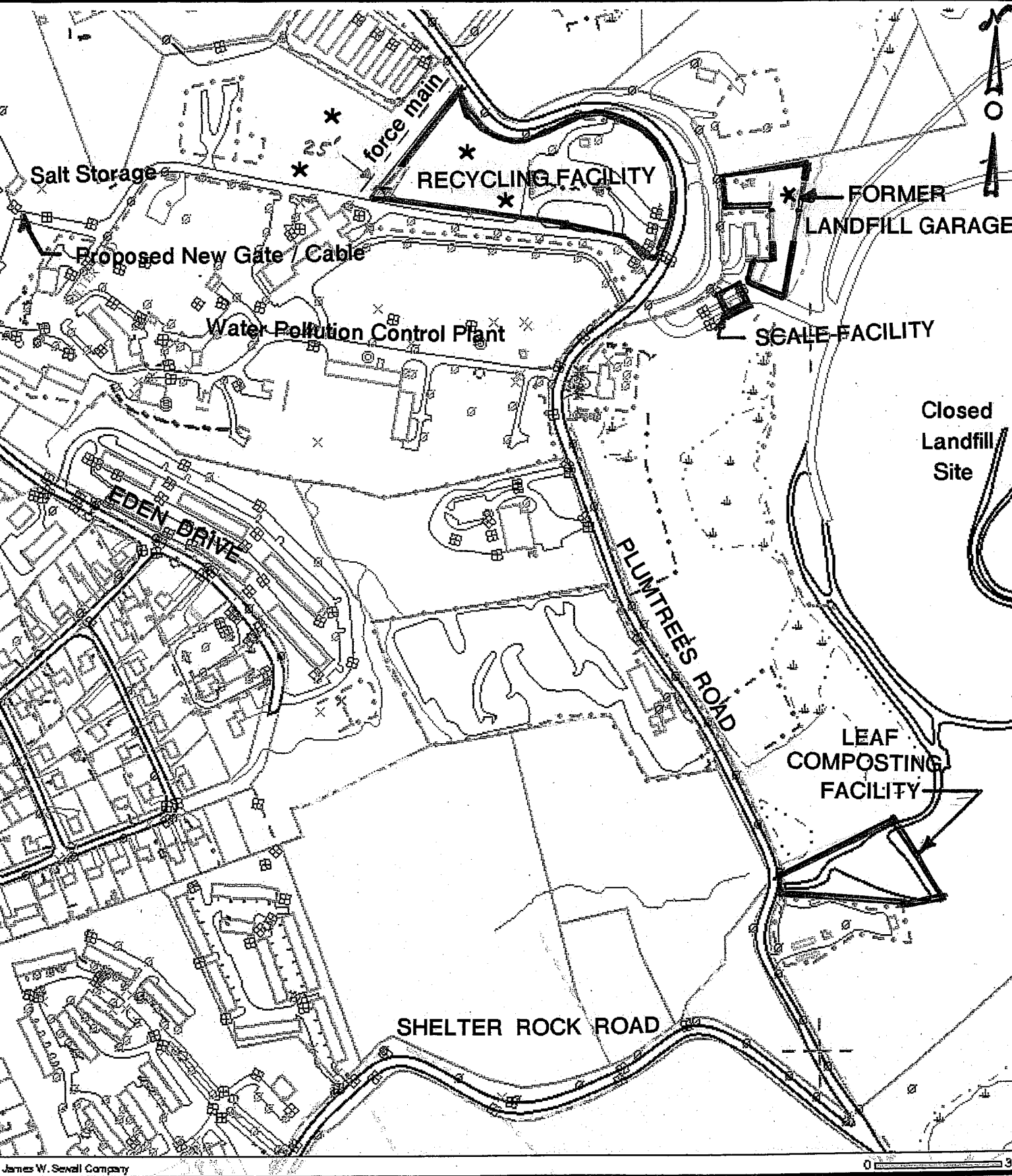
Total Landscaping & Tree Service, L.L.C.

_____
By: Percy J. Ferris, Jr., Managing Member
Duly Authorized

Dated: _____

Exhibit A

Danbury Public Works Complex - Yard Waste Processing Areas



* - General Locations of Existing Wood Waste

3-24-04

65

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

April 6, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Resolution – Redevelopment Parcel 9**

The Common Council Committee appointed to review the resolution regarding Redevelopment Parcel 9 met on March 30, 2004 at 6:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Nagarsheth, Saracino and Saadi. Also in attendance were Director of Finance Dena Diorio, Deputy Corporation Counsel Eric Gottschalk, Planning Director Dennis Elpern, Environmental Coordinator Jack Kozuchowski and Council Member Joe Cavo, ex-officio.

Mr. Nagarsheth noted the positive recommendation from the Planning Commission. Mr. Elpern stated that there were nine parcels of land comprising the downtown redevelopment area. Eight of those have already been developed. Some have gone to private developers. A proposal came to the City for an office building on that site. The parcel is in front of the gas ball on Patriot Drive. They need to acquire a five-foot strip of land from Yankee Gas. They would like us to condemn the land. Mr. Kozuchowski spoke about soil contamination.

Mr. Saadi asked if the loan would be repaid through tax revenue generated from the property. Ms. Diorio explained the deferral program. A copy of the project is attached. A Brownfield grant would not allow another deferral. The loan can be structured any way the Council wishes, such as frontloading. Mr. Saadi asked if the resolution would authorize the Mayor to move forward and provide latitude to structure the loan as we want. Attorney Gottschalk stated that the resolution authorizes the City to make application, repay the funding and allows the Mayor to execute such additional documents as may be necessary to accomplish those purposes.

Mr. Saadi made a motion to recommend to the Common Council approval of the resolution as presented. Seconded by Ms. Saracino. Motion carried unanimously.

Respectfully submitted,

SHAILESH NAGARSHETH

MARY SARACINO

THOMAS SAADI

RDA Parcel 9

Deferral Program

Building		**Land**			
Value w/ improvements	3,426,000	Value	260,000		
Assessment	2,398,200	Assessment	182,000		
Full Deferral Amount	**2,216,200**	Phase-In	179,400	180,700	182,000

Incremental Revenue Yrs 1-8	**FY04-05**	**FY05-06**	**FY06-07**	**FY07-08**	**FY08-09**	**FY09-10**	**FY10-11**	**FY11-12**	**Total**
Building	53,831	55,446	57,110	58,823	60,588	62,405	64,278	66,206	478,688
Land	4,358	4,521	4,690	4,831	4,976	5,125	5,279	5,437	39,216
Total	**58,189**	**59,968**	**61,800**	**63,654**	**65,564**	**67,531**	**69,556**	**71,643**	**517,904**

Incremental Revenue Yrs 9-15	**FY12-13**	**FY13-14**	**FY14-15**	**FY15-16**	**FY16-17**	**FY17-18**	**FY18-19**	**Total**
Building	68,192	70,238	72,345	74,515	76,751	79,053	81,425	522,520
Land	5,600	5,768	5,941	6,120	6,303	6,492	6,687	42,912
Total	**73,792**	**76,006**	**78,286**	**80,635**	**83,054**	**85,546**	**88,112**	**565,432**

Total Incremental Revenue **1,083,336**

* Assumes mill rate increases of 3% per year and the completion of the phase-in on land on the October 2005 Grand List.

Brownfields Program

Total Clean-Up Costs	500,000	Annual incremental revenue	46,675
Interest	201,226	Number of Years	15
Total	**701,226**	**Total Grant**	**700,125**

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Brownfields Redevelopment Authority has offered a loan pursuant to a tax deferral repayment plan in the amount of $500,000.00 to the City of Danbury for the purposes of remediating "Parcel 9" at 32 Patriot Drive in Danbury; and

WHEREAS, estimated cost of remediation of said site is approximately $445,000.00 plus working capital in the amount of $55,000.00; and

WHEREAS, once said property is developed, a portion of the tax revenue generated and paid to the City of Danbury by its owners will be used to repay the loan, together with interest, over time; and

WHEREAS, the City of Danbury is desirous of pursuing the cleanup and development of this Parcel and securing said funding for such purposes.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton be and hereby is authorized to execute the "CT Brownfields Redevelopment Authority Application/Municipality" in order to secure said funding, and establish a commitment to repay said funding as set forth from tax revenues generated from the site, once constructed, and to execute such additional documents as may be necessary to accomplish the purposes hereof.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

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CITY OF DANBURY

DANBURY, CONNECTICUT 06810

Fire Department
19 New Street

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

March 30, 2004

FIRE CHIEF'S MONTHLY REPORT

I hereby submit my report as Fire Chief of the Danbury Fire Department, which covers the period of February 23rd to March 28th and details some of the activities of the Department.

PUBLIC EDUCATION/PREVENTION

a. The department played a central role in Danbury Hospital's Children's Day on March 20th. The day provided a great opportunity to interact with Hospital personnel and the public for the benefit of all participants.

b. Firefighters Walter Arteaga and Heather Heaton are expanding their work on breaking down language barriers. They will be dealing with the media in delivering a series of fire prevention and education messages in a variety of languages. Heaton, a former journalist and Arteaga's mastery of several languages are instrumental in this project.

c. Lieutenant Lorinda Arconti has begun her preparation with Henry Abbot Tech. to develop this years' mock DUI crash. Deputy Fire Marshal James Johnson has kicked off another year of the joint Fire Department/Danbury Hospital Babysitter's course. This program has graduated in excess of twelve thousand certified sitters over the past 15 years.

d. The department conducted prevention inspections as part of the continued "Big Sweep" project at Family and Children's Aid, West Street, Ridgewood's new maintenance facility, Diamond Electric, 12 North St., 20 North Street, Union Savings Bank, Carmen Shell on North Street, 84-92 North Street, Crosby Manor, CVS -South Street.

SUPPRESSION ACTIVITIES

a. A structure fire at the Christmas Tree shop resulted in a substantial dollar loss. The fire caused by improper storage on florescent fixtures was extinguished quickly; the smoke condition however caused substantial damage to inventory.

b. A house fire on Fairfield Avenue this month was held in check by a quick and aggressive fire attack. Thermal imaging cameras assisted in following hidden fire spread through the balloon construction of this wood frame house. An ambulance crew assisted the blind resident to safety from the building after she reported smelling smoke.

c. Serious fires at Davis Street, Ninth Avenue and the Heli-Coil Corporation resulted in minor damage. No injuries were sustained in all working fires. The Department continues to practice and preach safety in all aspects of our response.

EMERGENCY MEDICAL SERVICES

a. Emergency Medical training this month has been Pharmacology, the study of medications, their sources, characteristics and effects on patients. A review of standing orders and medications available to be administered by IV Techs and Medics was also included.

b. The EMS oversight committee met this month and agreed to outfit Ladder companies and the Chief's car with IV equipment for use in emergency situations. The addition of this equipment will assist in the delivery of service in peak response times.

c. EMS Coordinator Rodriguez participated in the Shelter Rock School reading day for Dr. Seuss. Taking advantage of the opportunity, a discussion on calling 911 and fire safety were also included.

COMMUNICATIONS/911

The Communication Coordinator began the department's new endeavor this month designed to enhance departmental communications and utilize technology to our advantage. Weekly classes for all personnel will concentrate on identified weakness in our system and methods to increase our efficiency. Efforts to increase communication and the transfer of information between field and dispatch personnel were highlighted this month.

Continuing education classes are in progress as well for Dispatch personnel. These classes are held on duty to eliminate overtime expenses.

TRAINING

Our renewed spring edition of the "Big Sweep" inspection program has begun in earnest. The focus area this month was the North Street corridor. To date, the main thoroughfares of the City have evaluated in a cooperative process with property owners and managers. In the two years since the programs inception, we have not experienced a fire in an inspected facility.

The career department is completing training on a revised decontamination procedure.

The 2004 Firefighter I class is in week ten. Students are currently being released for exterior duties at fire scenes. This initiative assists in the retention of volunteers by getting them to a level that they can safely participate at.

The vehicles rescue class at the Plumtrees facility has been completed. This concludes the available funding from FEMA at this time. The fire school facility has been cleared of all vehicles and we await some contractor enhancements along with the start of the funded renovations.
An operational response class for volunteers was also held this month. The class achieved a 60% pass rate.

APPARATUS/EQUIPMENT MAINTENANCE

a. Engine 24 has returned to the City after having an engine replaced. This will provide a buffer to our fleet, which had been operating without a spare. The department also suffered the temporary loss this month of another pumper which required a warranty repair to the rear-end. At one point the department was forced to cover districts with the airport crash truck as no volunteer company provided a loaner vehicle.

b. Specifications are being reviewed for the order of the aerial platform. We hope to place the order this month.

GOOD of the ORGANIZATION

a. Lt. Ken Stilson was honored at the American Red Cross Heroes Breakfast this month. Lt. Stilson was recognized for his rescue of three boys and their mother from Long Island Sound. Ken will be honored as the Danbury Firefighter of the Year on April 15th at the Rotary Club's Police Officer/Firefighter of the Year dinner held at the Amber Room. Tickets are on sale now

b. Firefighters and Officers continue to make great progress in the 911-fitness challenge. In excess of 30 members are losing body fat and increasing muscle mass as a means of increasing fitness and endurance.

c. The department's hockey team is poised to play the annual charity event at the Ice Arena on April 3rd. The Police members are looking skilled as ever and we anticipate a great day as "Good guys play Bad Hockey".

d. The volunteer task force on recruitment, retention and training continued to meet this month. The specified goals of this committee are to increase recruitment and retention of volunteer firefighters while insuring training is covered and reasonable for the tasks at hand.

e. Meetings and work groups have been attended throughout the month with the State Office of Emergency Management, Homeland Security, FEMA and the Career Chiefs Association. The Chief continues to represent the issues critical to the City in areas of concern for regional Haz-Mat response.

f. This month brought the retirement of Firefighter Samuel Surovy. Sam retired after 33 years of service to the City and the Fire Department. We wish Sam a healthy and happy retirement, which was well deserved.

DATES OF IMPORTANCE:

April 3rd - 3rd Annual Bravest vs. Finest Charitable Hockey Game.

April 15th - Rotary Club Firefighter/Police Officer of the Year Dinner - Amber Room

INCIDENT ACTIVITY REPORT

Fires	25
Overpressure Rupture - No Fire	4
Rescue/EMS	262
Hazardous Condition	33
Service Calls	38
Good Intent Calls	50
False Alarm/False Calls	81
Special Weather/Natural Disaster	0
Special Incident Type	0
No Report/Incomplete	5
Total Fire Calls	498

For the month, the City Ambulance Service responded to 750 Emergency Medical Calls. The call volume is broken down as follows:

Total EMS responses	750
No patient EMS Calls	103
BLS Patient Calls	340
AlS EMS Calls	304
EMS Mutual Aid Requests	10
EMS Calls passed to Back-up	25

The total calls into the 9-1-1 Dispatch Center for the month were 3090 with a daily average of 93.64 calls per day. The call volume is broken down as follows:

Fire Response Calls	498
EMS Response calls.	750
Abandoned Calls	486
911 Hang Ups	443
Admin Calls Received	773
Cellular 911 Calls	782

Note - Since multiple 9-1-1 calls are received for many responses, call volume is reflected as a total. Multiple calls received are recorded on individual fire reports and not on CAD generated totals.

Attached please find graphic displays and the Fire Response Breakdown, Company Response, Volunteer Company Call and Response Statistics, and EMS Transport Activity Statistics for the reporting period.

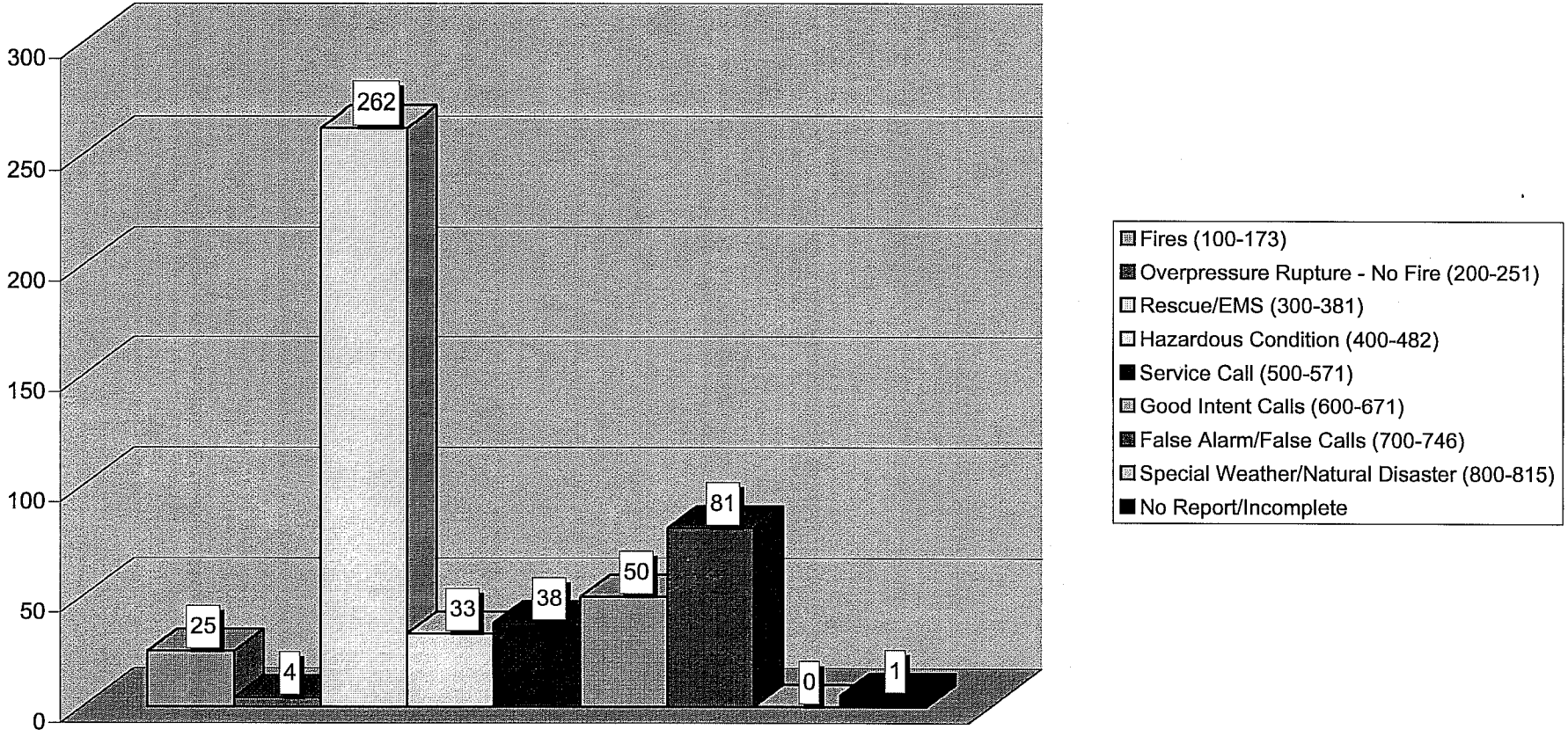
If additional information or clarification is needed, please contact me directly.

Respectfully submitted,

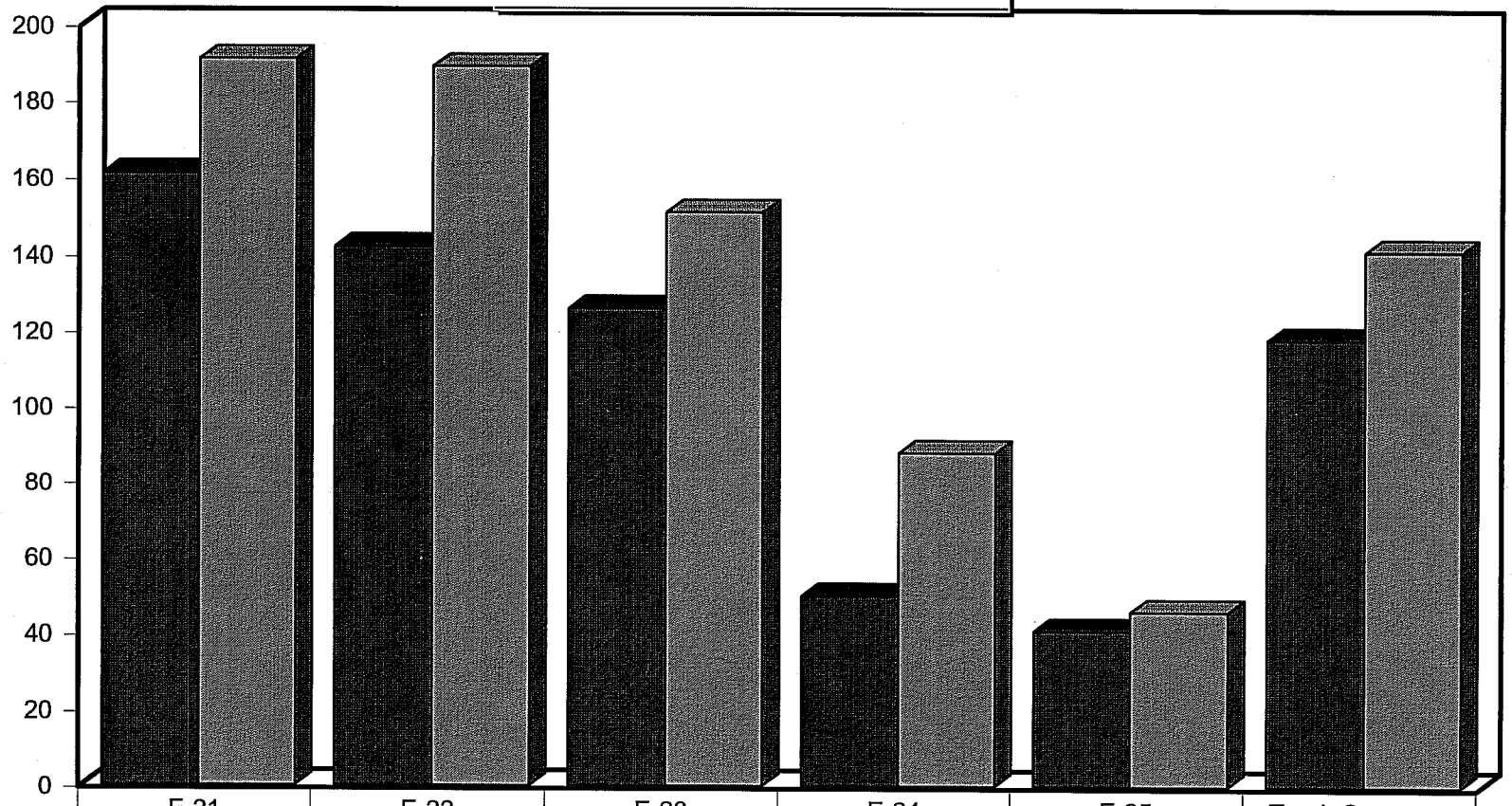
Peter J. Siecienski

Peter J. Siecienski
Fire Chief

Fire Response Breakdown
February 23, 2004 to March 28, 2004



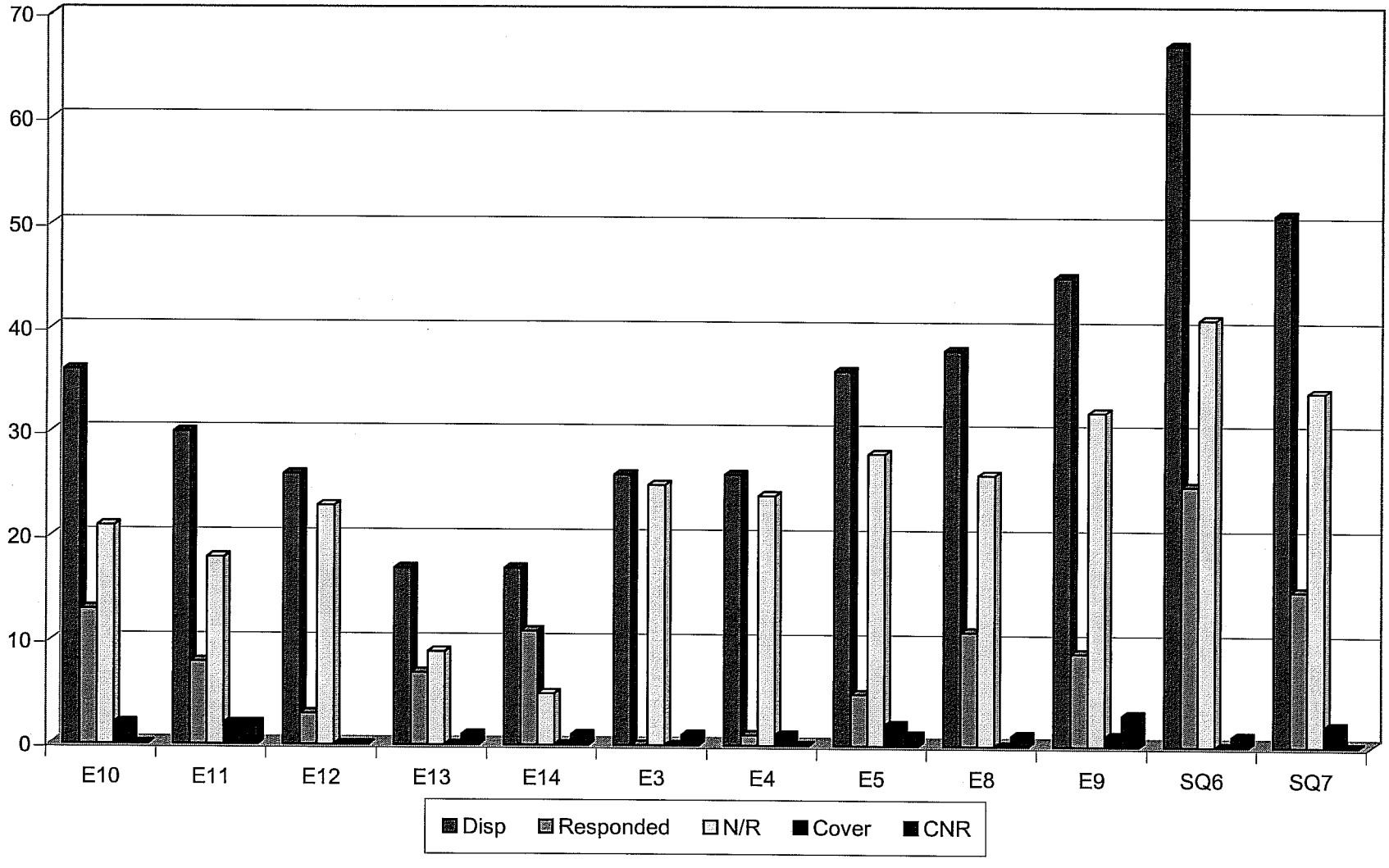
Danbury Fire Department
March Company Response Statistics



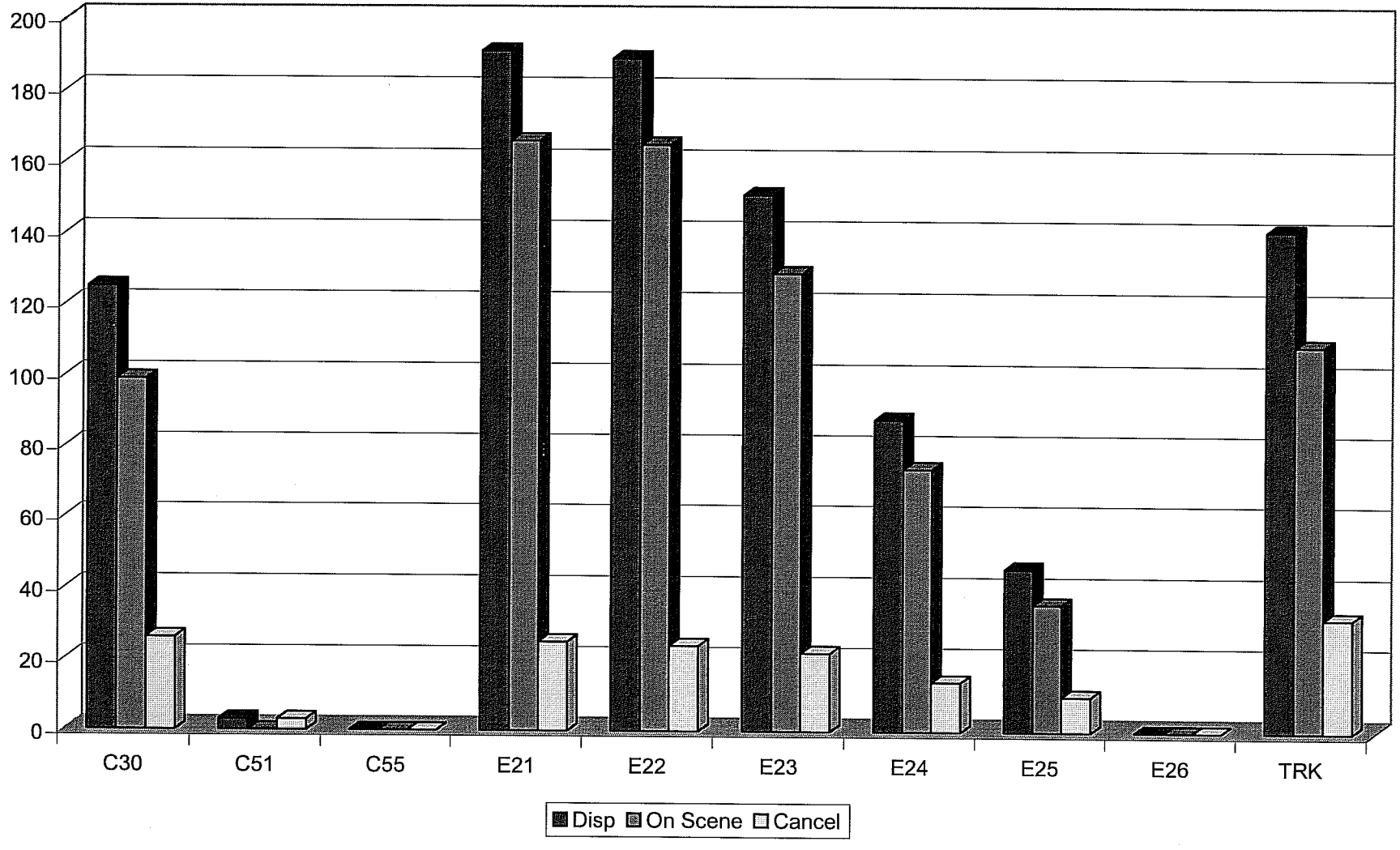
	E-21	E-22	E-23	E-24	E-25	Truck Company
2003	161	142	126	50	41	118
2004	191	189	151	88	46	141

DANBURY VOLUNTEER FIRE RESPONSES								
		March	***Response***	***Statistics***				
	Calls	**Cover**	**Canceled**	**Response Total**	**No Response Total**	**% of Response**		
E-3	26	0	1	0	25	4%		
E-4	26	1	0	1	24	8%		
E-5	36	2	1	5	28	22%		
S-6	67	0	1	25	41	39%		
S-7	51	2	0	15	34	33%		
E-8	38	0	1	11	26	32%		
E-9	45	1	3	9	32	29%		
E-10	36	2	0	13	21	42%		
E-11	30	2	2	8	18	40%		
E-12	26	0	0	3	23	12%		
E-13	17	0	1	7	9	47%		
E-14	17	0	1	11	5	71%		
Totals	415	10	11	108	286	31%		

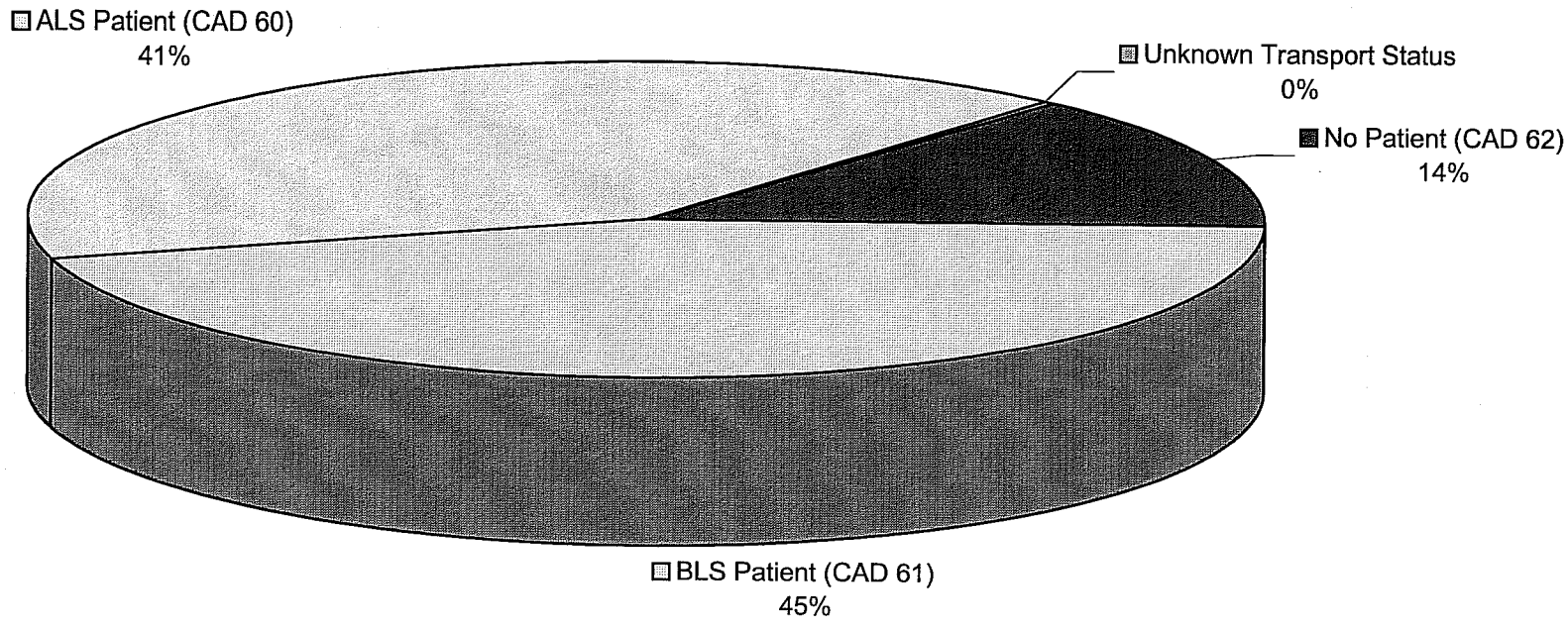
Volunteer Call Counts
February 23, 2004 to March 28, 2004



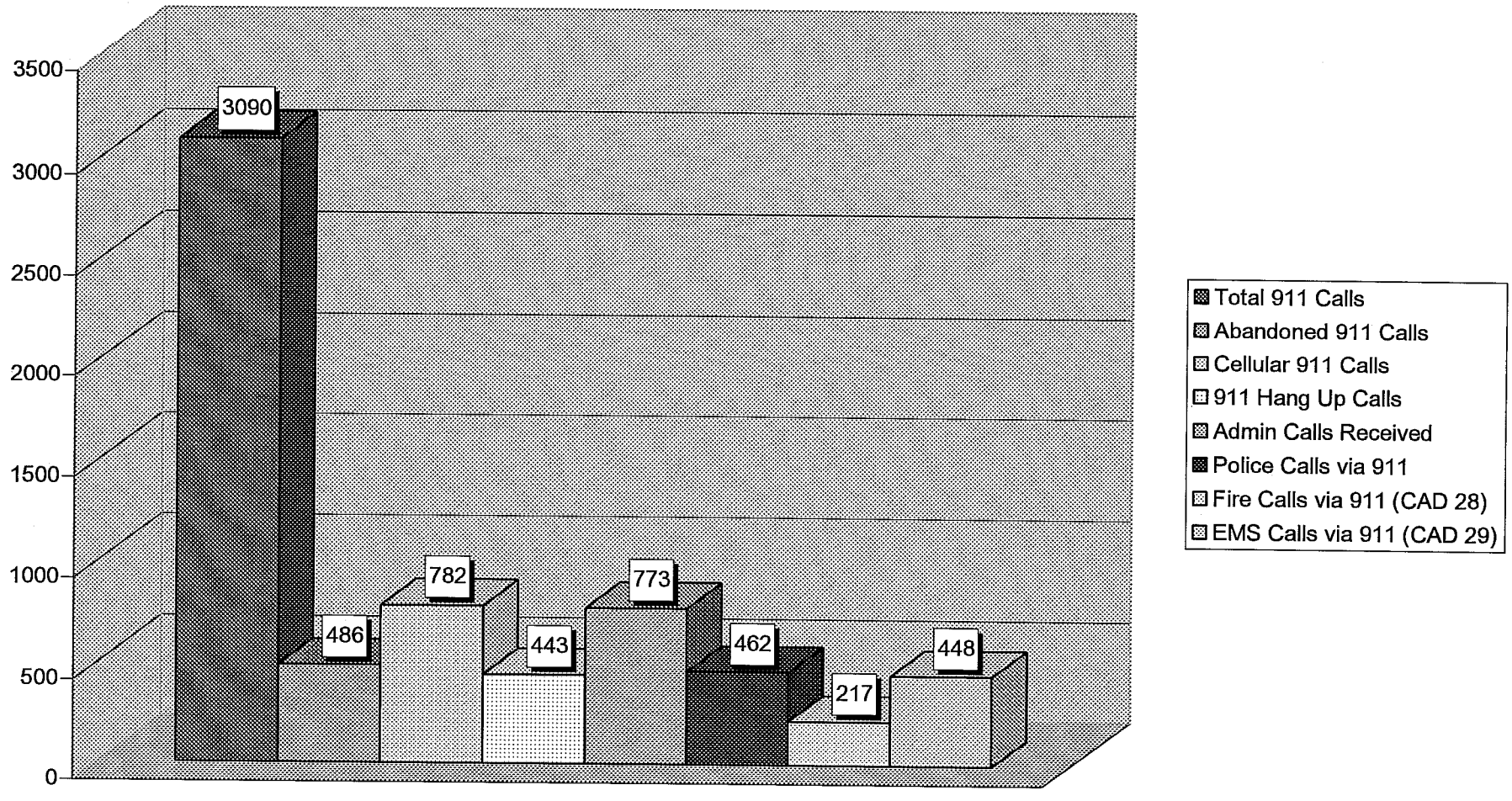
Career Company Response
February 23, 2004 to March 28, 2004



EMS Transport Activity
February 23, 2004 to March 28, 2004



911 Center Activity
February 23, 2004 to March 28, 2004



66

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203(796-1590)

MARIO RICOZZI, P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

March 29, 2004

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

RE: Report to the Common Council – Month of February 2004

Dear Mayor Boughton and Members of the Common Council:

Enclosed is the monthly report to the Common Council for activities that took place in February 2004. In addition, there are reports of vehicles that were maintained by the Public Utilities and Equipment Maintenance Departments.

Hydrant repairs and replacements are ongoing. As of March 25, 2004 there are 84 hydrants out of service.

I will be happy to review the information with you.

Sincerely,

Mario Ricozzi, P.E., F. ASCE
Superintendent

Enclosure
MR:sm
cc: William J. Buckley, Jr., P.E.
sm/c:/marioword/cc.doc

RECYCLED PAPER

CITY OF DANBURY

DEPARTMENT OF PUBLIC UTILITIES
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

MARIO RICOZZI, P.E., F.ASCE
SUPERINTENDENT OF PUBLIC UTILITIES

(203) 797-4539
FAX: (203) 796-1590

TO : Common Council - City of Danbury

FROM : Mario Ricozzi, Superintendent of Public Utilities

DATE : March 22, 2004

RE : WATER DEPARTMENT REPORT : FEBRUARY 2004

****

I. WATER PRODUCTION :

A) Margerie Water Treatment Facility :	84.5	MG.
B) West Lake Water Treatment Facility :	128.1	MG.
C) Kenosia Well Field :	0	MG.
D) Osborne Street Well Field :	0	MG.
E) Other :	0	MG.

(MG. = Million Gallons)

II. RAINFALL :

A) Month :	2.14	inches
B) Past Year (12 mos.) :	60.31	inches
C) Current Year (Jan.- Current Mo.) :	4.28	inches

III. WATER STORAGE :

A) Margerie Reservoir :	96.7	%		
B) West Lake Reservoir :	96.3	%	date:	2/2/04
C) East Lake Reservoir :	100.0	%		
D) Total :	97.0	%		

RECYCLED PAPER

IV. WATER PUMPED :

A) Park Avenue Pump Station :	0	MG.
B) Padanaram(High School) Pump Station :	10.05	MG.
C) Shelter Rock Pump Station :	2.41	MG.
D) West Conn Pump Station :	2.39	MG.
E) Margerie Pump Station :	2.15	MG.
F) Pleasant Acres:	1.50	MG.
G) Nabby Road:	1.31	MG.
H) Harvest Hill:	8.34	MG.
I) West Lake High Service :	58.7	MG.

(MG. = Million Gallons)

V. WATER TRANSFERRED :

A) East Lake to Margerie Reservoir :	0	MG.
B) Padanaram to Margerie Reservoir :	0	MG.
C) Kohanza to West Lake Reservoir :	0	MG.
D) Kenosia Diversion to West Lake Reservoir :	0	MG.
E) Kenosia Wells to West Lake Reservoir :	0	MG.

(MG. = Million Gallons)

VI. ALGAE CONTROL :

A) NONE

B)

C)

VII. SURVEY OF WATER SOURCES :

A) Reservoirs and treated water tested daily for key water quality parameters.

B)

VIII. SUPERINTENDENTS NOTES :

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203(796-1590)

MARIO RICOZZI, P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: March 15, 2004

TO: City of Danbury, Common Council

FROM: Mario Ricozzi, Superintendent

RE: Sewer Collection Monthly Report – February 2004

Complaints: 9

Number Received: 9

Number Completed: 9

Pipe Cleaned: 1,200 LF

Pipe Inspected: Scuppo Road, Jefferson Avenue,
Washington Avenue

COMMENTS:

RECYCLED PAPER

USFilter

DANBURY WPCP
NEWTOWN ROAD
DANBURY, CT 06810

TELEPHONE 203-748-9116
FACSIMILE 203-748-9146

CITY OF DANBURY
PUBLIC UTILITIES

MAR 15 2004

Discard Date
Permanent
File Code

TO: MARIO RICOZZI, P.E., SUPERINTENDENT OF PUBLIC UTILITIES, CITY OF DANBURY

FROM: JON HOISAK, PROJECT MANAGER

SUBJECT: WPCP MONTHLY REPORT – MONTH OF FEBRUARY 2004

DATE: MARCH 8, 2004

I. WASTE WATER TREATMENT:

A) Sewage Processed:	254,200,000	GALLONS
B) Septic Waste Processed:	616,950	GALLONS
C) Sludge Pumped To Digesters:	471,542	POUNDS

II. QUALITY

	INFLUENT	EFFLUENT	REMOVAL	EFFLUENT LIMIT
A) B.O.D.:	268 mg/L	4 mg/L	98.5 %	30 mg/L 85%
B) Suspended Solids:	272 mg/L	4 mg/L	98.5 %	30 mg/L 85%
C) Phosphorus (seasonal):		3.70 mg/L		None
D) Ammonia (seasonal):	21.0 mg/L	0.57 mg/L	97.2%	4.0 mg/L
E) Total Nitrogen Avg.:		1,848Lbs.		821 Lbs.

PUMP STATION OPERATION:

A) Beaver Brook:	664.7	HOURS RUN
B) Southfield:	25.0	HOURS RUN
C) Mill Plain:	88.3	HOURS RUN
D) Backus:	65.1	HOURS RUN
E) Tarrywile:	57.3	HOURS RUN
F) Turner Road:	9.3	HOURS RUN
G) Ford Avenue:	19.0	HOURS RUN
H) Indian Glen:	78.6	HOURS RUN
I) Delay Street:	66.0	HOURS RUN
J) East Hayestown Road:	34.0	HOURS RUN
K) Kenosia Ave.	2.6	HOURS RUN
L) Larson Drive	48.7	HOURS RUN
K) Landfill.	75.1	HOURS RUN

USFilter Operating Services responded to 10 pump station alarms this month.

Title V Air Permit Report
March 2004

There was one (1) Title V Air Permit submittals to CT DEP during February 2004. The Digester Gas Flow Meters were installed on February 19, 2004. CT DEP is reviewing the data submitted March 1, 2004.

Respectfully Submitted: _____ 3-29-04

Mario Ricozzi, P.E., F.ASCE — Date

GARAGE #6 REPAIR REPORT
FEBRUARY 2004

DATE	VEHICLE	DEPARTMENT	REPAIR:
2/2/2004	217DA	WATER	BRAKES
	337DA	POLICE	SERVICE
2/3/2004	224DA	HEALTH	SERVICE, MIRROR, WIPERS
	7DA	POLICE	TIE ROD ENDS
	217DA	WATER	TIRES
	23DA	HWY	BRAKES, SEALS
2/4/2004	23DA	HWY	BRAKES, SEALS
	15DA	POLICE	RUNS POOR, ELECTRICAL
2/5/2004	349DA	PARKS	HUB BEARINGS, SERVICE, ETC.
	334DA	POLICE	SERVICE, BRAKES
	19DA	POLICE	TRANNY
	21DA	HWY	BRAKES, SEALS
2/6/2004	349DA	PARKS	HUB BEARINGS, SERVICE, ETC.
	262DA	POLICE	INTAKE MANIFOLD
	277DA	WATER	TRANNY
2/9/2004	167DA	PARKS	HUB BEARINGS
	277DA	WATER	TRANNY
	817MRD	POLICE	SERVICE
2/10/2004	167DA	PARKS	HUB BEARINGS
	5DA	POLICE	POWER STEERING
	262DA	POLICE	INTAKE MANIFOLD
2/11/2004	3CH546	SENIOR CENTER	SERVICE, TIRES
	19DA	POLICE	TRANNY
	262DA	POLICE	INTAKE MANIFOLD
	5DA	POLICE	POWER STEERING
2/12/2004	3CH546	SENIOR CENTER	SERVICE, TIRES
	11DA	POLICE	ENGINE LIGHT, SERVICE
	19DA	POLICE	TRANNY

GARAGE #6 REPAIR REPORT
FEBRUARY 2004

DATE	VEHICLE	DEPARTMENT	REPAIR:
2/17/2004	96DA	WATER	POWER STEERING, ALTERNATOR
	19DA	POLICE	TRANNY
	141DA	PARKS	SERVICE
2/18/2004	96DA	WATER	POWER STEERING, ALTERNATOR
	114DA	BLD	TRANNY
	141DA	PARKS	SERVICE
	19DA	POLICE	TRANNY
2/19/2004	186DA	POLICE	SEAT, SERVICE
	19DA	POLICE	TRANNY
	96DA	WATER	RUNS POOR
2/20/2004	19DA	POLICE	TRANNY
	186DA	POLICE	SEAT, SERVICE
	3CH547	SENIOR CENTER	SERVICE, EXHAUST, BRAKES
2/23/2004	114DA	BLD	TRANNY
	3CH547	SENIOR CENTER	SERVICE, EXHAUST, BRAKES
	9DA	POLICE	SERVICE, BRAKES
	12DA	POLICE	ENGINE LIGHT, SERVICE
2/24/2004	12DA	POLICE	ENGINE LIGHT, SERVICE
	114DA	BLD	TRANNY
	115DA	POOL	STRUTS, EXHAUST
2/25/2004	226DA	WATER	TRANNY, SERVICE, ETC..
	114DA	BLD	TRANNY
	243DA	POLICE	SERVICE, DRIVE SHAFT
2/26/2004	111DA	ENG	BRAKE LIGHTS, SERVICE, BRAKES
	114DA	BLD	TRANNY
	223DA	POLICE	FLAT, SERVICE
	243DA	POLICE	SERVICE, DRIVE SHAFT
2/27/2004	226DA	WATER	TRANNY, SERVICE, ETC..
	223DA	POLICE	FLAT, SERVICE
	327DA	BLD	SERVICE, NOISE, BRAKES

EQUIPMENT MAINTAINCE
BUILDING #4
FEBRUARY 2004

DATE	VEHICLE	REPAIR DONE	DEPT.
2/2/2004	01-E-83	MOUNT STROBE LIGHT	HIGHWAY
	03-I-14	SERVICE	HIGHWAY
	00-I-7	REPLACE RADIATOR	HIGHWAY
	328DA	REPAIR 4WD	BLDG INSP
	97-I-86	REPAIR LIGHTS	HIGHWAY
	00-I-87	REPLACE OIL PAN/GASKET	HIGHWAY
	87-F-18	STRAIGHTEN SANDER CHUTE	HIGHWAY
	92DA	REPLACE 1 REAR TIRE	FORESTRY
2/3/2004	00-I-87	REPLACE OIL PAN/GASKET	HIGHWAY
STORM	87-F-18	STRAIGHTEN SANDER CHUTE	HIGHWAY
	328DA	REPLACE BATTERY	HIGHWAY
	50DA	SIGNAL LIGHTS	HIGHWAY
	01-F-24	SERVICE/PLOW BELTS/WIPER BLADES	HIGHWAY
	89-JD-59	REPAIR WORK LIGHT	HIGHWAY
	03-I-9	CHECK FUILD LEVELS	HIGHWAY
	87-F-18	FABRICATE PLOW CHAIN	HIGHWAY
	87-F-10	ADJUST BRAKES	HIGHWAY
	03-S-30	REPLACE DROP DOWN CHAIN WHEELS	HIGHWAY
	90-I-28	ADJUST BRAKES/OIL FILLER CAP	HIGHWAY
	90-I-25	OIL FILLER CAP	HIGHWAY
	94-I-6	FLAT REPAIR	HIGHWAY
	90-I-44	ADJUST BRAKES/REPAIR LIGHTS	HIGHWAY
	90-I-12	RREPAIR STROBE LIGHTS	HIGHWAY
2/4/2004	00-I-3	COOLANT LEAK	HIGHWAY
STORM	94-I-6	NO BRAKE AIR PRESSURE	HIGHWAY
CONT.	90-I-12	CHECK HOOD/STROBE LIGHTS/NOISE FRONT END	HIGHWAY
	00-I-7	REPLACE RADIATOR	HIGHWAY
	97-JD-82	HYDRAULIC FILTER/DASH LIGHT ON	HIGHWAY
	194DA	REPLACE PLOW PUMP BELT	PARK/RECS
	00-I-3	RADIATOR LOWER HOSE CLAMP	HIGHWAY
2/5/2004	00-I-7	REPLACE RADIATOR	HIGHWAY
	00-I-3	REPLACE COOLANT SENSOR	HIGHWAY
	97-I-23	LIGHTS,ADJUST BRAKES,MUDFLAP	HIGHWAY
	97-JD-82	LOGIC MODULE	HIGHWAY
	96-I-20	LIGHTS,ADJUST BRAKES	HIGHWAY
	90-I-25	ADJUST BRAKES,EXHAUST NOISE,B/U ALARM	HIGHWAY
	03-S-30	ADJUST BRAKES	HIGHWAY
	94-I-15	MIRRORHEAD/REPAIR W/WASHERS	HIGHWAY
	00-I-21	REPLACE DUMP BODY SWITCH	HIGHWAY
	87-F-34	ADJUST BRAKES	HIGHWAY
	87-F-34	REPLACE FRONT AIR BRAKE CHAMBER	HIGHWAY
	90-I-37	PLOW LIGHT	HIGHWAY
	97-I-23	REAR FLAT TIRE	HIGHWAY
2/6/2004	00-I-7	FLAT REPAIR/FILL COOLANT LEVEL	HIGHWAY
STORM	90-I-17	ROAD SERVICE-3 REAR FLAT TIRES	HIGHWAY
	00-I-19	REPLACE WATER SEP.	HIGHWAY
	90-I-44	ADJUST BRAKES/REPLACE WIPER BLADES	HIGHWAY
	03-I-9	TIGHTEN RADIO 2-WAY ANTENNA	HIGHWAY
	00-I-16	REPAIR WIPER BLADE ARM	HIGHWAY
	HIGHWAY	FABRICATE PLOW PINS	EQUIP MAINT

EQUIPMENT MAINTAINCE
BUILDING #4
FEBRUARY 2004

	96-I-33	REPAIR EXHAUST	HIGHWAY
	90-I-44	CHECK REAR SPRINGS-BROKEN	HIGHWAY
2/9/2004	92-F-74	ROAD SERVICE-JUMP START	HIGHWAY
	87-F-10	FRONT AIR BRAKE CHAMBER	HIGHWAY
	90-I-37	WIPERS/BRAKES/MIRRORS/LIGHTS/FENDER FLAP	HIGHWAY
	97-I-29	ADJUST BRAKES/HYDRAULICS/LIGHTS	HIGHWAY
	176DA	ELECTRICAL-REPLACE BATTERY	PUBLIC BLDG
	90-I-5	ADJUST BRAKES/FRONT AIR CHAMBER/CK. RADIATOR	HIGHWAY
	264DA	WIPER ARM/EXHAUST LEAK/COOLANT LEAK	AIRPORT
	00-I-21	ADJUST DUMP BODY SWITCH	HIGHWAY
	97-I-27	SERVICE/PERFORMANCE PROBLEM	HIGHWAY
	01-F-41	TAILIGHT OUT	HIGHWAY
2/10/2004	97-I-27	SERVICE/PERFORMANCE PROBLEM	HIGHWAY
	264DA	WIPER ARM/EXHAUST LEAK/COOLANT LEAK	AIRPORT
	90-I-37	WIPERS/BRAKES/MIRRORS/LIGHTS/FENDER FLAP	HIGHWAY
	90-I-25	LIGHTS	HIGHWAY
	00-I-3	REPLACE LOW COOLANT SENSOR	HIGHWAY
	154DA	SERVICE/BALLJOINTS/"U" JOINTS	PUBLIC BLDG
	90-I-28	REPLACE TRANSMISSION SHIFT CABLE	HIGHWAY
	96-I-20	CHECK RADIATOR FAN CLUTCH	HIGHWAY
	94-I-48	REPLACE HEATER CONTROL KNOB	HIGHWAY
	00-I-19	REAR WHEEL INNER GREASE SEAL	HIGHWAY
2/11/2004	154DA	SERVICE/BALLJOINTS/"U" JOINTS	PUBLIC BLDG
	00-I-19	REAR WHEEL INNER GREASE SEAL	HIGHWAY
	116DA	SERVICE/MOWER BLADES	HIGHWAY
	97-I-86	FILL HYDRAULIC FLUID	HIGHWAY
	250DA	REPAIR DEFROSTER CONTROLS/DASH BEZEL	PARK/RECS
	104DA	REPLACE SHIFT CONTROL KNOB ASSY	HIGHWAY
	00-I-7	REPLACE REAR TIRE	HIGHWAY
2/12/2004	154DA	SERVICE/BALLJOINTS/"U" JOINTS	PUBLIC BLDG
	250DA	REPAIR DEFROSTER CONTROLS/DASH BEZEL	PARK/RECS
	00-I-7	REPLACE 1 REAR TIRE	HIGHWAY
	116DA	SERVICE/REPLACE MOWER BLADES	HIGHWAY
	90-I-28	COOLANT LEAK/WATER PUMP	HIGHWAY
	87-F-34	CHECK FRONT END	HIGHWAY
	HIGHWAY	FABRICATE PLOW PINS	EQUIP MAINT
2/17/2004	90-I-28	COOLANT LEAK/WATER PUMP	HIGHWAY
	99-F-105	SERVICE	HIGHWAY
	00-I-87	COOLANT LEAK/TIGHTEN ALL HOSE CLAMPS	HIGHWAY
	98-C-98	SERVICE/FRONT BRAKES	HIGHWAY
	88-C-42	SERVICE/TUNE-UP	EQUIP MAINT
	94-I-4	REPAIR LIGHTS	HIGHWAY
	90-I-12	COOLANT LEAK/HEATER CORE	HIGHWAY
	96-I-33	REPAIR BATTERY CABLE	HIGHWAY
	94-I-6	ADJUST BRAKES	HIGHWAY
	94-I-15	REPLACE AUGER CHAIN BEARING	HIGHWAY
2/18/2004	90-I-12	COOLANT LEAK/HEATER CORE	HIGHWAY
	94-I-15	REPLACE AUGER CHAIN BEARING	HIGHWAY
	88-C-42	SERVICE/TUNE-UP	EQUIP MAINT
	42DA	REPLACE GREASE FITTING ON KNUCKLE	FORESTRY
	97-I-23	SERVICE/REAR BRAKES	HIGHWAY

EQUIPMENT MAINTAINCE
BUILDING #4
FEBRUARY 2004

	299DA	ELECTRICAL-REPLACE BATTERY	FORESTRY
	03-F-49	SERVICE/CHECK FRONT END NOISE	HIGHWAY
	00-I-19	REPAIR DROP-DOWN CHAINS	HIGHWAY
	00-I-21	REPAIR SANDER DOOR FLAP	HIGHWAY
	90-I-17	SERVICE	HIGHWAY
2/19/2004	90-I-17	SERVICE	HIGHWAY
	97-I-23	SERVICE/REAR BRAKES	HIGHWAY
	88-C-42	SERVICE/TUNE-UP	EQUIP MAINT
	89-JD-59	REPLACE BUCKET END BIT	HIGHWAY
	147DA	CHECK PLOW OPERATION	PUBLIC BLDG
	01-F-41	REPAIR LIGHTS	HIGHWAY
	03-S-11	SERVICE	HIGHWAY
	90-I-44	MIRROR/FUEL LEAK/JAKE BRAKE	HIGHWAY
	355DA	REPAIR LIGHTS	PARK/RECS
	97-JD-82	REPAIR LIGHTS	HIGHWAY
2/20/2004	90-I-44	MIRROR/FUEL LEAK/JAKE BRAKE	HIGHWAY
	03-S-11	SERVICE	HIGHWAY
	00-I-87	REPAIR DROP-DOWN CHAINS/WIPER BLADES	HIGHWAY
	03-F-35	SERVICE	EQUIP MAINT
	87-F-31	REPAIR LIGHTS	HIGHWAY
	94-S-22	SEASONAL SERVICE	HIGHWAY
	86-F-208	SEASONAL SERVICE	HIGHWAY
	92-F-46	TAILIGHT OUT	HIGHWAY
	147DA	REPLACE PLOW CONTROL VALVE/REAR TIRE	HIGHWAY
	180DA	SEASONAL SERVICE	HIGHWAY
2/23/2004	180DA	SEASONAL SERVICE	HIGHWAY
	94-S-22	SEASONAL SERVICE	HIGHWAY
	86-F-208	SEASONAL SERVICE	HIGHWAY
	326DA	REPLACE STARTER	HIGHWAY
	90-I-47	SERVICE-REPLACE SERPENTINE BELT	HIGHWAY
	134DA	SERVICE	HIGHWAY
2/24/2004	214DA	SERVICE	PUBLIC BLDG
	94-S-22	SUCTION TUBE/REAR DOOR GASKET	HIGHWAY
	134DA	SERVICE/REAR FLAT TIRE	HIGHWAY
	97-I-85	SERVICE/OIL PAN/CONVEYOR DOOR WIPER	HIGHWAY
	CUTOFF SAW	NO START	HIGHWAY
2/25/2004	97-I-85	SERVICE/OIL PAN/CONVEYOR DOOR WIPER	HIGHWAY
	94-S-22	SUCTION TUBE/REAR DOOR GASKET	HIGHWAY
	134DA	SERVICE/REAR FLAT TIRE	HIGHWAY
	88-C-42	HARD START COLD	EQUIP MAINT
	94-I-6	SLACK ADJUSTER/EXHAUST CLAMP	HIGHWAY
	90-I-37	ADJUST CONVEYOR CHAIN	HIGHWAY
	133DA	HEATER CORE/RADIATOR/SERVICE	BLDG INSP
	96-I-33	CHECK KING PINS-LUBRICATE	HIGHWAY
	89-M-109	ROAD SERVICE-NO START-REPLACE BATTERY	HIGHWAY
	179DA	ENGINE PERFORMANCE	FORESTRY
2/26/2004	179DA	ENGINE PERFORMANCE	FORESTRY
	89-M-109	REPLACE BATTERY & CABLES	HIGHWAY
	133DA	HEATER CORE/RADIATOR/SERVICE	BLDG INSP
	93-R-212	SEASONAL SERVICE	HIGHWAY
	252DA	SERVICE-FRONT DRIVESHAFT "U" JOINT	PUBLIC BLDG

EQUIPMENT MAINTAINCE
BUILDING #4
FEBRUARY 2004

	90-I-12	MINI SERVICE/ADJUST AUGER CHAIN	HIGHWAY
	97-I-86	MIN SERVICE	HIGHWAY
2/27/2004	93-R-212	SEASONAL SERVICE	HIGHWAY
	252DA	SERVICE-FRONT DRIVESHAFT "U" JOINT	PUBLIC BLDG
	96-I-33	SERVICE TENCO BODY	HIGHWAY
	03-I-14	SERVICE TENCO BODY	HIGHWAY
	03-S-30	SERVICE TENCO BODY	HIGHWAY
	90-I-25	SERVICE TENCO BODY	HIGHWAY
	03-I-9	SERVICE TENCO BODY	HIGHWAY
	97-I-29	REPAIR LIGHTS	HIGHWAY
	302DA	CHECK BRAKES/LIGHTS/WHEEL BEARINGS	HIGHWAY
	97-I-23	SERVICE TENCO BODY	HIGHWAY

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
155 DEER HILL AVENUE

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

March 26, 2004

TO : Danbury Common Council

FROM: Jack Kozuchowski, Coordinator of Environmental & Occupational Health Services J. K.

RE: Monthly Status Report - Environmental Health Division
February, 2004

Key Indicators	This Month	Last Month	# Difference	% Difference	YTD
Hazardous Materials Management ***(hours)***	85	99	(14)	(14)	612
Wetlands / Water Resources Management ***(hours)***	135	164	(29)	(18)	988
Natural Resource Management	37	44	(7)	(16)	179
Program Administration ***(hours)***	80	85	(5)	(6)	591
Subsurface Disposal Evaluations (Septic Systems and Wells) ***(# of site visits)***	87	174	(87)	(50)	1093

RECYCLED PAPER

Current Projects

Name	Status	Next Steps	Completion Date
Hazardous Materials Management	• Prepared and issued RFP for Environmental Assessments of properties of Senior Center expansion, select consultant. Initiate NEPA environmental review of properties for environmental certification	• Complete Phase I / Phase II Environmental Assessments, functions and values assessment and NEPA Environmental reviews so that environmental certification can be provided to the Mayor	April 1, 2004
	• Initiate preparation of Brownfield Grant proposal for Mallory Hat Factory remediation.	• Complete proposal and submit to EPA	March, 2004
Water Resource Management	• Environmental Impact Commission: oversee Project reviews for EIC and assist in preparation of screening reports for new applications.	• Continue broad oversight over EIC permit processing and assist in Plan reviews.	On-going
	• Presented environmental Assessment Report for Stew Leonard's parking lot proposal to EIC and attended hearings.	• Provide consultation to EIC for decision	March, 2004
	• Presented workshop to Kenosia Commission on Stormwater (Part1)	• Present workshop to Kenosia Commission on Stormwater (Part2)	March, 2004
Natural Resource Management	• Prepared draft proposal for regional Environmental Stewardship Council.	• Complete Draft and review with Key agencies	November, 2004
	• Initiated preparation of Meserve Grant proposal for Ives Trail Foundation Section	• Assist Swampfield Land Trust in completing Meserve Grant application	April 1, 2004
	• Continued supervising work on open space inventory of Danbury's undeveloped lands	• Complete draft of City-wide survey, review with Conservation Commission.	June, 2004

Future Projects

Name	Rationale	Effect
None	Complete current projects before taking on new undertakings.	No new projects to be taken on – except for emergency assignments – due to program overload

Narrative

The major project activities of the Environmental Health Division (EHD) for February, 2004 can be summarized as follows.

- **Hazardous Materials Management**. The EHD staff initiated the preparation of a Brownfield grant proposal to the Environmental Protection Agency for clean up of the Mallory Hat Factory. The proposal identifies a strategy for remediating the property to the State of Connecticut's residential clean-up standards that combines the $200,000 from the EPA Brownfield (along with a 20% City match) with a $500,000 EPA Revolving Loan Fund grant, that would be re-paid with the sale of the property to a developer selected in a "Request for Proposal" process.

  Additionally, the EHD is assisting with the City's proposal for HUD block grant funding to expand the Senior Center by performing the requisite environmental analyses of the properties. Phase I and Phase II Environmental analyses are in progress along with "functions and values" assessments of the water resource impacts.

- **Environmental Impact Commission**. The staff of the Environmental Health Division continues to do the best it can to staff the EIC, splitting screening reports, conducting reviews of complex applications and inspecting problem sites that are in construction. The EHD staff is doing the best they can to maintain a reasonable turn-around period for reports, permits and site inspections. A detailed analysis of the Stew Leonard's parking lot expansion proposal is currently in progress.

  Additionally, the EHD presented Part 1 of its in-service workshop on stormwater pollution and best management practices to mitigate stormwater pollution for the Lake Kenosia Commission.

- **Natural Resource Management**. The EHD facilitated opening discussions with a consortium of natural resource and conservation organizations for creating a regional "Environmental Stewardship Alliance".

  Work also continued on the open space inventory. It is scheduled for completion and presentation at a community workshop in June. This will achieve the first ever City-wide open space inventory, fulfilling a fundamental City Charter responsibility of the Conservation Commission.

  Finally, progress continues to be made on the creation of the Ives Trail. The EHD prepared and submitted a grant proposal for a DEP Recreational Trails grant that would establish a handicap accessible trailhead at the site of the Ives Birthplace Museum, with signage and an audio-display board featuring the Music of Charles Ives and initiated work on a Meserve grant proposal that would establish the "Foundation Section" that would link the Ives Museum to the Ives Trail sections in Tarrywile Park.

CITY OF DANBURY
DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
155 DEER HILL AVENUE

(203) 797-4625
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HOUSING AND FOOD SERVICE REPORT

February, 2004

INSPECTIONS

	NUMBER This Month	Last Month	Number Diff.	% Diff.	YTD	Last YTD	Number Diff.	% Diff.
A.	187	174	13	7	2078	2312	(234)	(10)
B.	57	39	18	46	477	379	98	26
C.	82	89	(7)	(8)	792	549	243	44
D.	46	41	5	12	787	1357	(570)	(42)
E.	114	129	(15)	(12)	742	689	53	8
F.	16	32	(16)	(50)	183	524	(341)	(65)

A. Total Housing Inspections
B. Total Housing Inspections Common Areas
C. Total Housing Inspections Dwelling Units
D. Total Housing Inspections Nuisance
E. Total Food Service Inspections
F. Total General Nuisance/Miscellaneous Inspections

Paul Schierlon
Associate Director

RECYCLED PAPER

NARRATIVE FOR MONTHLY REPORT

HOUSING AND FOOD SERVICES SECTION

Field activities for housing and food service functions conducted during the reporting period are reflected in the statistical summary attached. In addition to the normal administrative, inspection and enforcement activities associated with these functions, the section undertook the initiatives outlined below which would be deemed to be of special interest or importance.

The food service section continued to implement revised provisions of the Connecticut food code elevating the failure of food workers to wash hands to a four-point demerit item. Since a four-point demerit item results in automatic failure of an inspection, the department has allowed ample time for establishments to install new equipment needed to comply with the regulations. The department has also put considerable effort into educating operators about the handwashing requirements and giving warnings on inspections to allow establishments an adjustment period. As the adjustment period comes to an end, we may see a spike in the number of inspection failures resulting from non-compliance with the handwashing requirements.

It should be noted that year to date food service inspection totals have been affected this year due to the extended leave of a public health inspector and the resignation of one part-time inspector.

The housing section made court appearances on three cases in February. Several suits were also resolved prior to court appearances. Every effort is made to encourage cooperation in making needed improvements, but non-compliance leads to court action and possible penalties for contempt of court orders.

The department is drafting plans for annual nuisance sweeps in downtown neighborhoods in conjunction with Mayor Boughton's Blight Taskforce activities. Sweeps will resume in March or April 0f 2004 depending on weather conditions. The Department continues to investigate complaints throughout the city referred through the Mayor's Blight Hotline and other departments in addition to complaints made directly to the department.

The department has also initiated cooperative efforts with the LAMPP Project, the agency sub-contracted by the State to administer lead poisoning prevention and remediation funds recently awarded to Connecticut by the Federal government. The City will be working with LAMPP to identify tenants and property owners who would be eligible to receive risk assessments as well as funds to abate lead hazards. This will enable Danbury property owners to access funds available to abate lead paint, replace windows, doors and perform other repairs to make units lead safe. The director and associate director attended a LAMPP organizational meeting in New Haven in late February.

The housing section also provides staff support for the Danbury Housing Partnership, the Community Reinvestment Taskforce, the Non-Profit Development Corporation of Danbury (NPDCD, Inc.)and the Danbury Fair Rent Commission. During the reporting period, the part-time fair housing officer handled 3 housing discrimination inquiries and 2 fair rent inquiries. The section also approved 3 affordable housing applications determined to be in compliance with affordable housing restrictions approved by the City for Penbrook Crossing Condominiums.

City of Danbury
Department of Welfare & Social Services **February 2004**

Service Activities: Department staff record activities on a daily basis. Activities can be referrals to other agencies or they can be direct services such as emergency Rx, application completion for state or federal assistance & indigent drug programs & applications for housing; security or back rent payments. These are activities/services performed by staff at 254 Main Street and do not include the activities of the homeless services division, which are reported on separately. Categories into which service activities fall are:

Service activity category	February
Food Assistance	12
Housing	30
Medical:including assessments for WOW, Americares	103
Indigent Prescription applications	98
Legal Issues	2
Evictions	7
State DSS	36
Substance Abuse	2
Case management	9
Vocational	2
Neighborhood	3
Social Security	3
Energy assistance	6

****Excerpts from 2 staff persons monthly notes attached*

There were 22 people who requested that the City assist them with their housing problems during the month of February

7 were seeking housing and needed housing search assistance (2 successes)
5 were seeking back rent assistance- one is pending, 4 were denied
9 received assistance with some other aspect of housing, legal referrals, mediation etc.
1 housing retention & advocacy services (housing retained)

***The requests consisted of the following family compositions:**

1 adult couple,
3 families with both parents present (4 children)
14 single adults (6 of which were elderly)
4 single parent families: 6 children

Shelter:

Night Shelter: February

55 different individuals used the nighttime shelter, **2 were** turned away for lack of beds and there was a **103%** occupancy rate for the month. We can exceed 100% occupancy during the winter because we increase our beds to 20 even though we are paid by the state for only 15.

The overflow shelter at First Congregational Church became operational in November so individuals unable to secure a bed at the city shelter will be screened at Dorothy Day for admission to the overflow shelter.

Day Center:

February

215 Different homeless people were provided services during the month.
48 initial assessments were completed
4 person found permanent employment
3 persons were placed in housing programs
36 referrals for substance abuse treatment were made

Michael is a married man, struggling with depression and substance abuse. Worked with him to get him his RX and got spend-down information so that Medicaid could be activated for his many medical needs.

Rebecca in the office she is 59 yrs old on unemployment. Husband also on UIB. She is insulin dependent, and has numerous other medical problems. Assisted her with applications for many of her RX so that she could hopefully get the meds through the pharmaceutical company.

Ann called to get information as to donating housewares from her Consignment shop. Those items will be useful for the families Participating in Project Rose!

Immunization policies, staffing, shared concerns, scheduling
Etc.

Social Services Summary:

Marta was in office with a need for eye exam and glasses. She is not For assistance through Medicaid. I wrote a letter to the Lions Club in an effort to provide her with the glasses. Lyn Meyers sent back an approval for both eye exam and glasses.

Jeremy was in need of eyeglasses. He had eye exam but glasses will not be covered under his Medicaid program. Assisted him in getting his glasses through the Lions Club Program.

James in the office needing assistance with his state redetermination forms. He needed help with getting paper work together for spend-down proof. Got state information forwarded so that case could be granted for RX's.

Jeff was in contact with the office. His elderly mother and disabled Both needing assistance with medications. Worked with him to have them apply for their RX's through the Patient Assistance Programs.

Andrew needed additional help to get his Riperdal RX from his Psychiatrist. I completed all the paper work and got in touch with his doctor to get all information to the company so that Andrew would have his RX.

Ashley was in the office with her mother for medical concerns.\ Ashley is 1 ½ yrs old and is recovering from a corneal transplant. Mother was having difficulty getting the drops needed to keep Ashley from getting an eye infection. Assisted family by contacting the specialist in New York and having him call to give proper prior authorization for the Rx Ashley needs. Worked though problem to be sure that it was approved by patients Medicaid Plan.

Marta is a young school age child. She is not eligible for Medicaid. She has a serious hearing disability and in desperate need of a special hearing aid. I made a number of calls in efforts to get her the hearing aid got assistance through Pat Garrett in Hartford Program.

Department-External

Red Cross

Woman called here after being referred by the Red Cross. She is in need of help for medications and equipment. Assessment completed. Both the woman and her husband were laid off from their respective employment. They are both receiving UIB. The cost of COBRA is $800 a month but they cannot afford that amount. The husband has medical benefits through the VA but she has none. She has applied at DSS but left the interview very upset because she believed that she would not receive any help because of the amount of their UIB. Americares did not work either. Her frustration was and fright to be in such a predicament was so severe she had trouble hearing what I was telling her. They had never asked for anything before; they have done everything that they were always told that they should and when they need help there is none available. Her feelings were very understandable.
After calming her fears, set up an appointment for them with medical caseworker. Scheduled them in her book with notation to check back with me after the appointment.

Subsequent to the appointment, medical caseworker updated me on the status as follows:
*She is applying for the indigent rx program through the drug companies for many of the woman's medications.
*She will also talk with Director of Americares to ascertain income guidelines for possible assistance.
*She will assist the family in their application for Medicaid and help them understand the spend-down requirements.

Danbury Hospital / Social Service Department

Received a call from the Social Worker at the hospital about a woman with whom I had assisted with her problems the previous month. She is in the Psych Unit at the present time and there is no determination when she will be discharged. She gave the worker my name for follow up.
Holly's major concern at the moment is the delinquent water taxes. She is concerned that the city will discontinue her service. Explained to the worker my advice to the woman about making arrangements to repay on a time basis. I don't know if she ever followed through. Gave her the name and number of the Assistant Tax Collector and advised her to call him.
Subsequent to this call, I contacted the Assistant Tax Collector. He had a lengthy conversation with the hospital worker. The account has been placed in collections. He will follow up with two items as follows:
*He will contact the Collection Agency and inform them of the status in the hope that they can hold off until the woman is out of the hospital.
*He will contact the Public Utility Department to ascertain if any payment arrangements have been made with them. If arrangements have been made with them, that department

Department / External

Danbury Hospital / Social Service Department, continued

can contact the Collection Agency. None have been made with Tax Collector's Department.

ARC

Housing Advocate dropped off a winter coat; large size for a man. Left it in the back room for one of the Project Rose participants.
Discussion ensued concerning mutual client who has applied for Project Rose. The advocate was not aware that the woman had contacted the Mayor's office. She has spoken with the woman and gave strong advice concerning doing such actions in the future. Damage control was accomplished by the advocate with Mayor's aide.
The status of the woman's situation was updated as follows:
*The advocate spoke with the attorney and he is confident that the woman will receive custody of her children.
*The woman's mother has agreed to let the family live with her on a temporary basis pending the court date.
*Folks have agreed to not inform the sister of the mother's involvement until the last moment in order to keep the situation as calm as possible and not invite change in agreement.
*Date to pick the children up has been agreed upon; as near to the actual court date as is possible.
*Woman is to be connected to a Parent Aide in the meantime in order to assist in parenting skills and assistance. This will stand her in good stead for court.
*The advocate will attend the court hearing with woman. This is a very good move.
Informed the advocate about the process that will be undertaken and how important it is for the woman to insist that she be present during the discussions with the Family Services Unit. Although she must not intervene herself since she has an attorney, she must hear what is being said in order for her to inform her lawyer of the truthfulness of any accusations.
Discussed that any possible eligibility for Project Rose is contingent on the woman receiving custody of her children.

Project Heal

Caseworker from this agency called me concerning the status of an application submitted for one of her clients. Informed her that an interview had been scheduled and a decision would be forthcoming shortly thereafter.

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

Fire Department
19 New Street

Carmen J. Oliver, Chief
(203) 796-1550
Fax (203) 796-1533

DATE MARCH 30, 2004

TO: COMMON COUNCIL

FROM: BARRY W. RICKERT, FIRE MARSHAL

RE: FIRE MARSHAL'S MONTHLY REPORT

CC: PETER J. SIECIENSKI, FIRE CHIEF

I hereby submit my report as Fire Marshal of the City of Danbury Fire Department for the report period covering February 22, 2004 to and including March 27, 2004.

Abatements/Reports (hrs.):	131
Tickets Issues in Fire Zones:	7
Fire Investigation:	10
Fatal Fires:	0
Liquor Inspections:	10
Blasting Permits:	3
Complaints:	18*
Plan Review (hrs.):	131
Fire Prevention Programs:	4
Orders of Abatement:	0

* Resolved or in process of being resolved.

INSPECTIONS:

Place of Assembly:	39
Educational:	9
Business:	30
Storage:	3
Health Care:	4
Industrial:	6
Merchantile:	116
Residential Board & Care:	1
Hotels (units):	281
Apartments:	305
Rooming Houses:	2
Day Care:	4
Misc. Inspection:	43
Special Structure & High Rise Bldg.:	0
Office Duty (hrs.):	200

FIRE MARSHAL'S MONTHLY REPORT (cont.) **Page 2**

Other activities involving the Fire Marshal's Office for the month were:

TRAINING

Fire Marshal Rickert along with Deputy Marshals Gillotti, Johnson and Weber attended the annual Connecticut Fire Marshal's Conference at the University of New Haven. This was a three-day gathering of Fire Marshals from across the state. We received training regarding fire hazards in public places of assembly and reviewed the new laws regarding sprinkler systems and how to effectively deal with the media. All participants received credit hours towards mandated recertification, all in all an excellent event.

PUBLIC EDUCATION

The Fire Marshal's office manned a booth at the Danbury Chamber of Commerce Home & Leisure Show at the Danbury Fair Mall. We also attended the Danbury Hospital Children's event and distributed fire prevention material.

Fire Drills were also conducted at various locations, including several schools to ensure the correct response in the event of an emergency.

MISCELLANEOUS ACTIVITIES

As stated, on the first page of this report, plan review hours have increased. This is indicative of the general building climate in our community. We recently received plans for a Best Buy store, Loews Home Improvement store, six new theaters, a complete renovation of Loews Theater and several hundred residential units.

Another hotel has expressed interest in our area as well as a 20,000 square foot addition to Home Depot. All this not only requires plan review but inspections and re-inspections. This will also add to our responsibilities on a yearly basis, as they all will require annual inspections per the Connecticut Fire Safety Code.

Respectfully submitted,

Barry W. Rickert

Barry W. Rickert
Fire Marshal

BR/ft
fmrept

City of Danbury
Building Department

Memo

Date: **March 29, 2004**

To: **Vincent Nolan – President of the Common Council**

From: **Leo P. Null – Building Official** LPN

Re: **Permits Issued - February 2004**

Building Department Permits Issued – February 2004

Type of Application	Number of Permits	Cost of Construction	Fees Collected
RESIDENTIAL			
Single Family	45	5,148,880.00	57,244.00
Two Family	-	-	-
Three to Four Family	1	110,000.00	1,221.00
Five Plus Family	-	-	-
Additions	4	133,000.00	1,507.00
Alterations	22	815,523.00	9,251.00
Roofs	4	17,375.00	264.00
Tent	-	-	-
Siding	1	5,000.00	66.00
Accessory Building	1	1,600.00	33.00
Interior Demo	-	-	-
Retaining Wall	-	-	-
Total	78	6,231,378.00	69,586.00
Commercial			
New Construction	-	-	-
Additions	1	81,000.00	898.00
Alterations	11	3,744,256.00	41,272.00
Conversions	1	180,000.00	1,987.00
Hotels/Motels	-	-	-
Cell Tower	2	168,749.00	1,873.00
Total	15	4,174,005.00	46,030.00
Mechanicals			
Electric Permits	120		2,223.00
Plumbing Permits	71		521.00
Total	191		2,744.00
Grand Total	284		118,360.00

CITY OF DANBURY
DEPARTMENT OF PERMIT COORDINATION

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

Sean P. Hearty
DIRECTOR

(203) 796-1653
FAX:(203) 797-4586

DATE: March 29, 2004
TO: Common Council
CC: Mayor Mark Boughton

Re: Common Council Report

On behalf of the Permit Center staff I am submitting my report for February 2004. This report will compare this month's statistics with the previous year.

Report Outline:

Permit type = Type of subject permit.

Valuation = is the cost of construction for permit type.

Issued = Number of permits issued of that permit type

Fees = Amount of monies collected for permit type.

PERMIT STATISTICS BY PERMIT TYPE
BUILDING DEPARTMENT

PERMIT TYPE	CURRENT PERIOD 2/01/04- 2/29/04 VALUATION	ISSUED	FEES	YTD 7/01/03- 2/29/04 ISSUED	FEES	SAME PERIOD PREV YEAR 2/01/03- 0/00/00 ISSUED	FEES	PREV YEAR YTD 7/01/02- 0/00/00 ISSUED	FEES
ACCESSORY APARTMENT	0	0	.00	0	.00	0	.00	0	.00
BUILDING PERMIT	7199948	91	69586.00	766	334141.30	55	21762.00	766	334407.00
BUILDING PERMIT COMM/INDUST.	4174005	15	46030.00	128	296530.00	12	13405.00	162	187720.00
BUILDING PERMIT SIGNS	0	4	128.15	51	2911.70	5	154.60	52	2455.60
CHANGE IN USE (NO CONST. COST)	0	0	.00	2	100.00	0	.00	0	.00
CHIMNEY PERMIT	0	0	.00	2	144.00	1	127.00	1	127.00
COMM ELECTRIC PERMIT	3168000	15	248.00	126	5105.00	12	683.00	131	4935.00
COMM PLUMBING PERMIT	2938000	9	.00	70	1123.00	6	309.00	74	3356.00
DEMO PERMIT	0	0	.00	28	5536.00	1	80.00	16	4120.00
ELECTRIC PERMIT	21599717	105	1975.00	816	28035.00	71	3574.00	834	33750.00
FIRE MARSHAL PERMIT	0	32	.00	156	.00	12	.00	190	.00
FIRE SUPRESSION SYSTEM PERMIT	2032500	5	61.00	30	1599.00	4	248.00	44	3604.00
FOOD SERVICE	0	2	125.00	19	1625.00	1	100.00	30	1800.00
FOUNDATION ONLY	0	0	.00	0	.00	0	.00	0	.00
FUEL TANK INSTALLATION	0	5	275.00	52	2860.00	4	220.00	73	4060.00
GRADING PERMIT	432213	10	22146.80	82	32275.65	10	1469.55	95	11982.90
HIGHWAY DEPARTMENT	29680	8	934.00	117	11939.50	5	100.00	92	1975.00
HVAC	23927195	68	2683.00	529	21361.00	46	5188.00	528	33737.00
P&Z HOME OCCUPATION	0	0	.00	0	.00	0	.00	1	30.00
PLANNING & ZONING SIGNS	0	4	289.50	51	7161.00	7	642.00	51	7276.50
PLUMBING PERMIT	21136361	62	521.00	472	6702.00	26	576.00	425	10235.00
POOL PERMIT (BLDG)	0	0	.00	19	4246.00	0	.00	0	.00
SEPTIC PERMIT	0	2	125.00	29	2675.00	2	75.00	40	3275.00
SEPTIC REPAIR PERMIT	0	1	75.00	81	3525.00	3	225.00	64	4500.00
SEWER PERMIT ASSESSED	0	1	200.00	54	10600.00	3	600.00	23	4600.00
SEWER PERMIT NON ASSESSED	0	8	7600.00	122	139900.00	5	5800.00	111	90700.00
WATER PERMIT ASSESSED	0	4	3600.00	7	4200.00	0	.00	3	400.00
WATER PERMIT NON ASSESSED	0	10	9500.00	159	197100.00	6	3500.00	142	98000.00
WELL PERMIT	0	1	50.00	12	600.00	2	35.00	3	70.00
WOOD STOVE PERMIT	0	2	110.00	13	715.00	2	110.00	9	495.00
ZONING STRUCTURE PERMIT	7546249	50	10925.00	521	83050.00	41	4449.49	500	57834.49
TOTALS:	94183868	514	177187.45	4514	1205760.15	342	63432.64	4460	905445.49

FEES LISTED ARE FEES COLLECTED

Department of Elderly Services
Susan Tomanio, LCSW
Narrative - Common Council
March 2004

1. Continuation of Intergenerational programs with Morris St. school

2. Review of policy for outside use of Elmwood Hall and Old Jail.

3. Department of Elderly Services asked to present workshop at CT Association of Senior Center Personnel annual meeting in June.

4. Found replacement for receptionist opening. Obtained new staff via Senior Aide Program.

5. Received donation of two outside benches from one of our members to be approved by council.

6. Featured speaker at Danbury Men's Club Meeting.

7. Three different speakers brought into Elmwood Hall to discuss Medicare changes.

8. SeniorNet open house scheduled for end of April. Currently running two hours seminars on various topics.

9. Muncipal Agent continues to do outreach and home visits to those in need. Preparing for upcoming rent rebate.

Department of Elderly Services
Key Indicators
Susan Tomanio, LCSW

March 2004

I Senior Center
- a. activities, trips, socials
- b. information & referral
- c. van - transportation
- d. volunteer services

II Municipal Agent
- a. social services (counseling, benefits, etc.)
- b. outreach (to the homebound)

III SeniorNet
- Classes/Participants
- Volunteer Hours logged

		This Month	Last Month	Number Difference	% Difference
I	a.	1356	1163		
	b.	1347	1209		
	c.	284	303		
	d.	397/895	279/800		
II	a.	166/397	300/488		
	b.	93/173	87/154		
III	-	7/69	7/69		
		734	744		

CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

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

March 30, 2004

MEMORANDUM

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

From: Chief Robert L. Paquette

Subject: **Police Department Monthly Report**
March 2004

I submit this report of the activities of the Danbury Police Department for the month of March.

Personnel

Department – 147 sworn personnel. 6 officers remain out on injury leave.

Community Services (See attached)

Training

3/1-3/5	Driving While Intoxicated – P.O. Barry
3/5	Caring for the Organizational Spirit – Lt. McColgan
3/8-3/12	Human Factors in Traffic Crash Reconstruction – P.O. Brevard
3/9	Legal Updates, Constitutional Law – Lt. McColgan
3/9	Back Up & Off Duty Weapons Qualification – Many Officers
3/11	CT Public Drinking Water Systems Security Response – Dep. Chief Rosato, Det. Capt. Weston & Det. Lt. Michael
3/15-3/17	Stakeout & Surveillance Techniques – Det. Bryan Bishop
3/16	Falsified Documents Identification & Investigation – Lt. King
3/18	The Bulletproof Mind – S.P.O.s Evanuska & Cardinale, Capt. Mulvey, P.O. Pederson & P.O. Perun
3/22-3/23	Concealment Areas in a Motor Vehicle – P.O. D. Williams
3/22-3/26	Advanced School Resource Officer Symposium – P.O. Murphy

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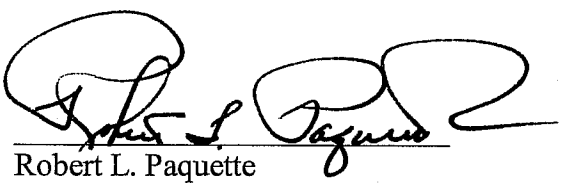
3/22-3/26	Regional Review Training – Many Officers
3/25	Identity Theft – Several Danbury Supervisors
3/30	Use of Force Legal Issues – Det. Sgt. Lopes
3/31	Terrorism & the Suicide Bomber – Det. Arconti

Chief Paquette's Significant Meetings

3/2	Common Council Meeting
3/3	Security Alarm Ordinance Meeting
3/9	Fairfield County Chief's Association
3/10	Cabinet Meeting
3/10	CT State Police Memorial Meeting
3/11	Swearing-In Ceremony – Departmental Promotions
3/16	Tow Operator Hearing
3/16	North & Down Street Meeting – City Hall
3/23	Budget Meeting – Mayor's Office
3/23	Citizen's Police Academy
3/25	FBI National Academy Training
3/25	Mayor's Office – K-9s
3/26	Mobile Data – Wade Anderson

Respectfully submitted,



Robert L. Paquette
Chief of Police

RLP:ml
Attach

DANBURY POLICE DEPARTMENT
COMMUNITY SERVICES DIVISION

DATE: FRIDAY, MARCH 26, 2004

TO: ROBERT L. PAQUETTE, CHIEF OF POLICE

CC: DEPUTY CHIEF ROSATO, CAPT. A. SULLO

FROM: LIEUTENANT PETER F. GANTERT

RE: **MARCH 2004, ACTIVITY REPORT: COMMUNITY SERVICES DIVISION**

Chief Paquette,

The following is a brief overview of activities engaged in by officers of the Community Services Division for the month of March 2004.

Community Services Division: Commanding Officer:

Lieutenant Peter F. Gantert

- **Child Passenger Safety Fitting Station** – Weekly at CSD Building Monday mornings by appointment. Currently our department has twelve federally certified Child Passenger Safety Seat Technicians, two of which are Federally Certified Instructor. This month **60** car seats were checked/installed. For appointments or additional information concerning our fitting station contact the Child Passenger Safety Team at 743-6314. **113** Car seats were checked/installed YTD. **2003 Total seats 746**

- **OPM V.A.L.E. Pilot Project Meeting**: Sheree Surdam was hired by the Woman Center to fill this position and started within the department mid February. $50,000.00 Grant application has been completed and has been attached along with this report for approval. Deadline for the grant is April 15,2004.

- **Citizen Police Academy class #12:** Has started with 18 participants.

Community Services Division – 116 Main Street – Danbury, Connecticut 06810
Phone: 203.797.4577 Fax: 203.796.8018
P.Gantert@ci.danbury.ct.us

- **Deployment of VMS Trailer**- VMS (Variable Messaging System) trailer has been deployed on city streets to make the motoring public aware of their illegal operating speed and also provides them with needed safety information.
- **GDCC Home Show:** March 5 & 6, 2004
- **V.I.P.S:** Citizen Corps initiative

We are currently planning numerous upcoming events/programs:

Community Policing Unit:

Sergeant Rory DeRocco

- **Community Policing Unit: Bicycle patrol: 8 officers:** Officers Timothy Strano, Marcel Kruijs, Trevor Horten, Paul Carroccio, Tom Collins, Steven Cameron, Michelle Brown

With the reassignment of Officer Hayes to the SBO position the current staffing level of the CPU is one officer short. This position has been posted and closes on Monday March 29, 2004.

Arrests: 31 Infractions: 43 Parking Summons: 55 Calls for service: 150

Traffic Detail:

Infractions: 36 Arrests: 1 Parking Summons: 14 Written Warnings: 5 Verbal: 8

- **Graffiti Task-force: 1 officer:** Officer Kenneth Utter

The Graffiti Task-force is tasked with the identification of graffiti, graffiti writers as well as the clean up of graffiti on public property. Officer Utter continued his partnership with the court system, coordinating community service ordered work by GA#3. This has resulted in the removal of thousands of dollars worth of damage at no cost to city residents.

Community Affairs Unit:

Sergeant Matthew McNally

- **Community Affairs Unit: 5 Officers:** Ofc. Mortara, Dinardo, Tragni, O'Brien, Frinton,

The community Affairs Unit is tasked with the responsibility of all community outreach and safety programs conducted by the Danbury Police Department. In addition to this all our school based prevention initiatives and school resource officers are coordinated out of this unit. Sergeant McNally also coordinates the department's involvement and response to all special events.

Child Passenger Safety:

Child Restraint Systems Checked/Inspected this month: 60

Up-coming Special events:

- MS Walkathon 4/18/04
- Tortoise/Hare 5k 4/18/04
- Arthritis Walkathon 5/16/04
- Cystic Fibrosis Walk A Thon 5/16/04
- Super Sunday 4/18/04 (Canceled)
- St. Peter's Carnival sometime in May
- Memorial Day Parade 5/31/04
- DPD Memorial Services 5/21/04

Special Programs Unit:

Is directly supervised by the Commanding Officer of the Community Services Division and consists mainly of support services for the department. Under this unit are three fulltime units staffed by two sergeants and one officer. In addition to this there are four part-time units staffed on an as needed basis, which consist of the Honor Guard, Chaplains, Recruiting Officer and Mobile Operations Center Team. For monthly activity relating to these units please see below.

❖ **Police Activities League:** Sergeant Robert Guerrera

Sgt. Guerrera currently runs PAL operations with the assistance of Ret. Detective Lt. Thomas Mack.

❖ **Communications / Fleet Management:** Sergeant Joseph Brunelli, SPO Newkirk

Sgt. Brunelli is tasked with the daily duties of managing and supervising the department's school crossing guards and dispatchers. In addition to this he is responsible for overseeing our fleet of vehicles to keep them in operating condition.

Miscellaneous Info:

Stolen Motor vehicles: **15** Stolen License Plates: **11**

❖ **Information Systems Unit:** Officer Stephen Bobel

Officer Bobel currently oversees the department integration into mobile data in addition to his normal information and technology duties.

❖ **Honor Guard: 3 Sergeants 18 Officers:** Sgt. Brian Murphy, Sgt. John Browne, Sgt. Scott Fabich

The Honor Guard participated or planned the following events this month:

None

Upcoming events:

May 31, 2004 – Memorial Day

May 21, 2004 – Danbury Police Memorial Services

❖ **Recruiting Officer:** Officer Jay Mortara – Assigned as needed

Currently the Danbury Police Department is not involved in active recruiting. We have currently developed a recruiting brochure in cooperation with the city Personnel Department that will be used by this unit at any event.

Upcoming Scheduled Recruiting Events:

None

Recruiting Events Attended this Month:

None

Mobile Operations Center Team: Lt. Gantert, Sgt. Williams, Lopes, Russo & Officers LeRose, Mortara, Maher, Bobel, Lobraico

Officers are responsible for the operation and supervision of this vehicle during any emergency deployment or scheduled event where this vehicle can be utilized.

Deployment:

none

Respectfully Submitted,

Lieutenant Peter F. Gantert

Community Services Division

Community Services Division – 116 Main Street – Danbury, Connecticut 06810
Phone: 203.797.4577 Fax: 203.796.8018
P.Gantert@ci.danbury.ct.us

CITY OF DANBURY
PARKS, RECREATION & FORESTRY
DEPARTMENT

HATTERS COMMUNITY PARK
7 EAST HAYESTOWN ROAD
DANBURY, CONNECTICUT 06811

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

MONTHLY REPORT – MARCH 2004

PARKS:

- Assisted Forestry Department in tree removal
- Snow removal at City facilities during w/e 3/20/04.
- Prepared Hatters Park softball fields for D.H.S. girls jamboree.
- Prepared D.H.S. Softball Fields.
- Prepared Cal Ripken baseball fields.
- Pruned & cleaned fence line at Camp T-Bird and Osborne St. Field.

RECREATION:

- Hat City Youth Sports completed basketball (grades 2-5).
- DAYO completed basketball (grades 6-8).
- PAL completed girls basketball (grades 4-12).
- Elementary school wrestling ended.
- .Flag Football - registration until April 11, 2004

FORESTRY:

- Weekly time sheets are included.

PROJECTS:

- Hatters Parking Lot & Walkway in Spring/Summer
- Resurface Tennis Courts at DHS commenced
- Blind Brook Playground – C.D.B.G. Application for 2004

3-6-04

Date: 3-6-04

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Regular	Overtime
D.J Frinder		8	8	8	8	8		40	
Mark Miller		8	8	8	7½ SW	8		40	
H. Hobart		8	8	8	8	8		40	
MARC FEIBERT									
Rob Svensen		8	8	8	8	8		40	

Description & Location of Work

Street Location

Monday: RAISE PINES - SHELTER ROCK School - PICK UP FALLEN ELM - ROGERS PARK - REMOVE ASH - BRUSHY HILL Rd - JENNINGS

Tuesday: TRAIN MUSEUM - TRIM HEDGES + TREES - REMOVE MULBERRY D.H.S. - STONES TO GARDEN CLUB - LOG - HAMILTON DR.

Wednesday: REMOVE MAPLE - 117 DEER HILL AVE -

Thursday: CLEAN BASKETS MAIN ST. - PICK UP BRUSH HIGHWAY GARAGE -

Friday: REMOVE STUMP - #51 KING ST. - CLEAN HANGING BASKETS - POST OFFICE, PIAZZA - REMOVE MULCH - LION'S WAY

Saturday:

Sunday:

Signed D J Frinder

3-13-04

Date: 3-13-04

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Regular	Overtime
D.J. Frinder		8	7½/W	8	8	8		39½	
Mark Miller		~~3~~ 5	5	8	8	8		40	
H. Hobart		8	8	8	8	W/N		39	
~~MARC HERBERT~~									
Rob Swensen		8	8	8	8	8		40	

Description & Location of Work

Street Location

Monday: CLEAN GARAGE + TRUCKS - HANGER LOCUST AVE.

Tuesday: REMOVE LEADER JAMES ST. - REMOVE MAPLE + PRUNE MAPLE #25 -

Wednesday: TOP ~~MAPLE~~ ELM 85 SHELTER ROCK Rd - REMOVE BUTT - ALSO -

Thursday: REMOVE TREE + BUTT - 21 - ARON SAMUELS - BUILD FOR SIDEWALK -

Friday: REMOVE BUTT - #25 LOCUST AVE. - REMOVE BUTT - W. of Co. -

Saturday:

Sunday:

Signed D. J. Frinder

3-20-04

Date: 3-20-04

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Regular	Overtime
				TBM					
D.J Frinder		8	8	8	2/8	1½/6½		38½	4
Mark Miller		8	8	2/8	1/8	1½/6½		38½	4½
H. Hobart		8	8	2/8	2/8	1½/8		40	5½
~~MARC WEBBERT~~									
Rob Swensen		8	8	2/8	2/8	1½/8		40	5½

WED - MARK - CALENDER - WED - 8 HRS -

Description & Location of Work

Street Location

Monday: REMOVE MAPLE - 120 DEER HILL AVE - REMOVE BROKEN ROOF - CAMP-T-BIRD - KENOSHA -

Tuesday: REMOVE SHRUBS FRANKLIN ST PARK - CIRAN GARAGE -

Wednesday: (TREE MEETING DJF) SNOW - PLOWING + SANDING -

Thursday: SNOW - PLOWING + SANDING -

Friday: SNOW - PLOWING + SANDING TREE CALL - LONG RIDGE RD -

Saturday:

Sunday:

Signed D J Frinder

3-27-04

Date: 3-27-04

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Regular	Overtime
D.J. Frinder		√	√	√	√	8		40	
Mark Miller		8	8	8	8	8		40	
Hoffbart		8	8	8	8	8		40	
~~MARC FEIBERT~~									
Rob Swensen		5	8	8	8	8		40	

Description & Location of Work

Street Location

Monday: Middle River Rd - pick up log's clean up Delay ST Tree run over.

Tuesday: Fir Banner Patriot Dr. Remove Norway maple's Thorp ST and remove Dead Singer maple.

Wednesday: Remove Dead Ash Tree's on Joe's Hill Rd

Thursday: Raise Hemlock's along Drive way and remove one Dead Hemlock at Tacy Mille park.

Friday: REMOVE DEAD ASH - Joes Hill Rd -

Saturday:

Sunday:

Signed D.J. Frinder

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

RICHARD M. PALANZO
SUPERINTENDENT

Department of Public Buildings
Telephone: (203)797-4584
Facsimile: (203)796-1528
Email: r.palanzo@ci.danbury.ct.us

Memorandum

DATE: March 09, 2004

TO: Honorable Mark D.Boughton, Mayor
Common Council Members

FROM: Richard M. Palanzo, Superintendent

RE: Monthly Report - FEBRUARY 2004

CC: W.J. Buckley Jr.

Attached please find the statistical analysis for repairs and maintenance work that the Public Buildings Mechanics engaged in during the month of February. In the month of February we received 337 new work requests and completed 269 work requests. In reviewing this report, you will find the repair time that was expended in major work categories, (current month versus previous month). Also listed is the total number of work order hours completed, (current month versus the previous month).

Our department was heavily engaged in mechanical services of the City's buildings and schools with a total of 304.50 man-hours dedicated to this service. The next largest area of concentration was in plumbing repairs, utilizing 198.00 man-hours of labor. Heating repairs were the third highest category with 187.00 man-hours.

Should you have any questions regarding this report, please do not hesitate to contact me at 797-4584. I am happy to discuss any portion of this report with you.

Enclosure

c/g/pub bldg/CCMRFEB04

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MONTHLY REPORT
FEBRUARY 2004

	LABOR HOURS	TOTAL HOURS THIS MONTH	TOTAL HOURS LAST MONTH	DIFFERENCE	PERCENT CHANGE
ADMINISTRATION		44.00	152.50	-108.50	-71.15
CITY BLDGS	20.50				
SCHOOLS	23.50				
CARPENTRY		0.00	0.00	0.00	0.00
CITY BLDGS	0.00				
SCHOOLS	0.00				
ELECTRICAL		54.50	106.00	-51.50	-48.58
CITY BLDGS	40.00				
SCHOOLS	14.50				
FIRE ALARMS		8.50	30.00	-21.50	-71.67
CITY BLDGS	2.00				
SCHOOLS	6.50				
HVAC		6.50	12.98	-6.48	-49.92
CITY BLDGS	6.50				
SCHOOL	0.00				
LOCKSMITH		20.50	38.00	-17.50	-46.05
CITY BLDGS	20.50				
SCHOOL	0.00				
MAINTENANCE		0.00	11.50	-11.50	-100.00
CITY BLDGS	0.00				
SCHOOLS	0.00				
HEAT		187.00	193.00	-6.00	-3.11
CITY BLDGS	29.00				
SCHOOLS	158.00				

MONTHLY REPORT
FEBRUARY 2004

	LABOR HOURS	TOTAL HOURS THIS MONTH	TOTAL HOURS LAST MONTH	DIFFERENCE	PERCENT CHANGE
MECHANICAL		304.50	197.00	107.50	54.57
CITY BLDGS	268.50				
SCHOOLS	36.00				
PLOWING		0.00	78.50	-78.50	-100.00
CITY BLDGS	0.00				
SCHOOLS	0.00				
PLUMBING		198.00	205.00	-7.00	-3.41
CITY BLDGS	74.50				
SCHOOLS	123.50				
ROOFING		27.50	16.00	11.50	71.88
CITY BLDGS	1.50				
SCHOOLS	26.00				
COMPLETED WORK HOURS		950.50			

CAV/EXCEL/G/MRFEB04

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

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

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

March 23, 2004

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

Re: Engineering Department Monthly Report to the Common Council

Dear Mayor Boughton and Members of the Common Council:

Attached you will find the monthly report for the month of February 2004 for the Engineering Department of the City of Danbury. Attached you will also find a list of assessment projects that you have referred to the Engineering Department along with a status of each of these projects. Additionally, with respect to assessment projects, you will find a tabulation of the allocation of funds appropriated for the design of assessment projects. Earlier this month you held a public hearing on finalizing one of the assessment projects, Woodside Avenue Extension Sanitary Sewer, and held the preliminary public hearing on another, the Boulevard Drive Sanitary Sewer project. We will begin to work on the Benson Drive and Jeanette Heights neighborhood sewer projects in the coming months, as well as the assessment project for a private road, Wilkes Road.

As we have done in the past, we will email each of you a status report noting the many projects that our department is involved in within the City. I have also attached that status report to this report for your easy reference. Keep in mind that the emailed version is sent out to you the day before the Common Council meeting and has the most updated information based on the input we get from the various departments. That status report identifies the projects, cost estimates, the department responsible for the project, and one or two lines of status information concerning the project. While we do not list every project that we are involved in, we do list the major ones. If you have questions regarding any of the information on the project list, please do not hesitate to bring it to my attention or to the attention of the department under which the project is listed.

Since I last reported to you, our Highway Department crews have had to fight some snowstorms and at the same time, they are preparing for the upcoming paving season. As I noted in our last report, our sand and salt supplies are still in good shape, however, not as good as they were last month as a result of the smaller storms that we have been experiencing. It is our hope

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that the snow season is over, however, we know from experience that it is probably not. With respect to roadways, we are beginning to work on some drainage projects so that we have them ready prior to the paving season. You will see our crews around repairing catch basins, installing drainage on Bear Mountain Road, and extending some drainage piping on Old Hayrake Road during the next month. Additionally, Highway crews are beginning the spring cleanup with the sweeping operation moving into full swing later this month and the litter patrols throughout the City trying to clean up the litter on our roads that has accumulated over the winter months.

As you are aware, the bond package passed on March 2, 2004 and we are in the midst of moving most of the bond package projects along. We have advertised for architects and construction managers for the schools projects, the Police Headquarters, the new firehouse, and the Senior Center Expansion (this was a project not included in the Bond Package but funded through block grant monies). Also with respect to the bond package, we are moving forward with the West Wooster Street Bridge, having acquired the three easements and by the time the Common Council meets for the April 2004 meeting that project will be underway. We are about to sign contracts with the engineer for the Rose Hill Avenue Bridge and I am still working with O&G Industries evaluating solutions to the Segar Street Bridge problems, an item currently in front of a Common Council subcommittee.

We continue to work on the acquisition of easements for projects including the East Ditch, Backus Avenue sanitary sewer, Shore Road, the West Side sewer interceptor, and forwarded to you this month descriptions for the site of the new Police Headquarters as well as for the Senior Center Expansion. We are also in the final stages of easement acquisitions for the parking garage on Library Place.

As far as old projects funded through previous bond packages, we continue to complete the design work for Engine Company No. 25, which will be an expansion on the existing volunteer company building. We are hopeful that that project will be out to bid this summer. We are working on plans and specifications for the demolition and reconstruction of the fire-training center on Plumtrees Road. We also have some miscellaneous school work in the science classrooms at Danbury High School remaining as part of the Vision 21 Bond Package.

Lastly, work will begin on the Main Street North Streetscape project now that we have received the approval from the State of Connecticut Department of Transportation and awarded that construction contract. We expect that project to commence during the month of April 2004.

This completes the monthly report update to you from the Engineering Department. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

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

WJB/com

Encl.

ENGINEERING DEPARTMENT
February 2004

A. Sanitary Sewer Permits Issued: 5

B. Water Permits Issued: 4

C. Project Bid Openings: Qualification Statements – 21st Century Bond Issue School Projects – Architect and Construction Manager
Qualification Statements – Senior Center Phase II Architect

D. Projects under review, design and/or construction

1. AT&T Antenna – Danbury High School
2. Backus Avenue area sanitary sewer
3. Bank Street – parking lot construction
4. Baseball team selection process
5. Bear Mountain water storage tank
6. Beckerle Street storm drainage (DaSilva)
7. Benedict Avenue improvements (BRT)
8. Benson Drive sanitary sewer (assessment project)
9. Boehringer Ingelheim area road and infrastructure improvements
10. Boulevard Drive sanitary sewer (assessment project)
11. Burton's Bridge sanitary sewer and water main extensions and bridge
12. Candlewood Terrace/Candlelight Drive water system improvements
13. Carolyn Avenue area sanitary sewer – assessment project
14. Caraway Estates – road construction
15. Center Street sidewalk improvements -CDBG
16. Claremont Terrace sanitary sewer extension
17. Cobblestone Drive – road acceptance
18. Common Council reviews and reports
19. Danbury Library egress renovations
20. Danbury Library plaza improvements
21. Duck Street – sewer and water extensions
22. East Ditch drainage project
23. Engine Co. 25
24. Fieldstone Drive acceptance
25. Fire Training School – Plumtrees Road
26. Flint Ridge Road acceptance
27. Germantown Area Phase II sanitary sewer extensions
28. Hatters Park interior improvements
29. Hatters Park parking lot expansion
30. Hatters Park/PAL connecting walkway
31. Hawthorne Terrace water system
32. Hospital Avenue sidewalk
33. HVCEO – various traffic reports and projects
34. Immanuel Lutheran School Renovations
35. Inspections – sanitary sewer and water connections
36. Jackson Drive/Great Plain Road area sanitary sewer extension

37. Jireh Lane
38. Karen Road storm drainage
39. Landfill closure
40. Lexington Mews sanitary sewer and water main extensions
41. Main Street – streetscape south end
42. Main Street – streetscape north end
43. Magnet elementary school
44. Margerie Street water line extension
45. Middle Schools Additions and Renovations
46. Middle School (third) – feasibility study
47. Mill Plain Road improvements – DOT project
48. Mill Plain Road sanitary sewer and water extensions
49. Morton Street sanitary sewer
50. New elementary/replacement school
51. North Street/Downs Street/Padanaram Road DOT improvement project
52. Old Farm Road sanitary sewer (assessment project)
53. Old Shelter Rock Road/Woodside Avenue sanitary sewer (assessment project)
54. Olive Street/Tilden Road sanitary sewer (assessment project)
55. Parking Garage – Downtown (Library Place)
56. Pembroke Road/Stacey Road intersection improvements
57. Permits – sanitary sewer and water
58. Petersons Farm/Louis Allen Drive water line extension and bridge
59. Planning Commission reviews and reports
60. Police Headquarters improvements (locker rooms and HVAC)
61. Police Headquarters relocation site evaluations
62. Police Headquarters (New) feasibility study
63. Retaining wall reviews
64. Ridgewood Drive sanitary sewer extension (Botelho)
65. Rose Hill Avenue Bridge – State Local Bridge Program application
66. Scuppo Road sanitary sewer extension
67. Segar Street sanitary sewer extension – O&G
68. Senior Center Phase II
69. Shannon Ridge Road sanitary sewer extension (Taylor)
70. Shelter Rock Road (GDC) sanitary sewer and water main extensions
71. Shelter Rock Road – Arlington Woods sanitary sewer and water
72. Shelter Rock Road and Crow's Nest Lane sanitary sewer and water main extensions (Tobin's Farm)
73. Shore Road improvements
74. South Cove Road water main extension
75. South King Street area water main extension as-built drawings
76. Stetson Place sanitary sewer and water
77. Still River flooding study – Army Corps of Engineers
78. Storm drainage mapping (citywide)
79. Stormwater NPDES II regulations - plan
80. Ta'Agan Point area water main extension
81. Tarrywile Lake dam rehabilitation
82. Tarrywile Lake Road – road construction
83. The Reserve – former Union Carbide property
84. Thorpe Street Extension bridge

85. Traffic report reviews
86. Traffic signal maintenance
87. Victor Street sanitary sewer and water line extensions
88. Westside Fire Station
89. Westside Sanitary Sewer Interceptor
90. West Wooster Street bridge
91. Wilkes Road improvements
92. Windaway Road sanitary sewer (assessment project)
93. Wooster Mountain Shooting Range Noise Abatement Study
94. Wooster School sanitary sewer and water line extensions

COMMON COUNCIL REFERRALS TO ENGINEERING DEPARTMENT (ASSESSMENT PROJECTS)
3/22/04

REFERRAL DATE	LOCATION / NATURE OF REQUEST
October 4, 1994	Jackson Drive - sanitary sewer extension – public hearing held 1/6/04 Common Council authorized project to go to construction – Roald Haestad, Inc. working on easements and design
February 6, 1996	Wilkes Road - road improvements / acceptance (preliminary assessments / public hearing)
April 2, 1996	Indian Avenue - road improvements/acceptance (mail survey)
May 7, 1996	Short Street and Lombardi Street - sanitary sewer extension (mail survey) – add Concord Road per 7/18/96 request by Lance Brevard
June 4, 1996	Shepard Road - sanitary sewer extension – construction complete. Final assessments being computed.
June 4, 1996	Sand Pit Road - sanitary sewer extension – construction complete. Final assessments being computed.
June 4, 1996	Deerfield Avenue - sanitary sewer extension – construction complete. Final assessments being computed.
July 2, 1996	Beaver Brook Road - sanitary sewer extension – construction complete. Final assessments being computed.
July 2, 1996	Old Newtown Road - sanitary sewer extension – construction complete. Final assessments being computed.
July 2, 1996	Carolyn Avenue Area - sanitary sewer extension. Mail survey sent out 10/24/03. Public hearing held January 12, 2004 – 2/3/04 Common Council authorized project to go to construction
July 2, 1996	Michaud Road - sanitary sewer extension – construction complete. Final assessments being computed.
August 6, 1996	Starr Road - sanitary sewer extension – construction complete. Final assessments being computed.
December 3, 1996 & May 6, 1997	Mabel Ave., Jeanette Rd., Horseshoe Dr., Clayton Rd. sewer extension (mail survey)
January 7, 1997	Great Plain Road - sanitary sewer extension – construction complete. Final assessments being computed.

February 4, 1997	Kenosia Avenue (#54) - sanitary sewer extension (preliminary assessments - public hearing) - Public Hearing held April 20, 1997 - at May 5, 1998 Common Council meeting : project to go ahead when funds are available – Paul Estefan looking into FAA funding
April 1, 1997 & August 7, 1998	Tilden Road and Olive Street - sanitary sewer extension mail survey sent out – public hearing held January 12, 2004 – 2/3/04 Common Council authorized project to go to construction easement maps being prepared
July 1, 1997	East Pembroke Road / Wood Street - sanitary sewer extension (mail survey)
December 2, 1997	Old Shelter Rock Road - sanitary sewer extension – construction complete. Final assessments computed and forwarded to Common Council February 24, 2004 public hearing held March 15, 2004
April 7, 1998	Benson Drive - sanitary sewer extension (mail survey) – being worked on by Engineering Department
July 7, 1998	Route 37 (Kevin Drive) - sanitary sewer extension
September 1, 1998	Cornell Hills – sanitary sewer and water (mail survey) (3/5/02 – add Hunter Road to project)
March 2, 1999	Boulevard Drive - sanitary sewer (mail survey)- mail survey sent out by Engineering Department 1/22/04. Report sent to Common Council February 23, 2004 – public hearing held March 15, 2004
July 6, 1999	Cedar Crest Drive and Lindencrest Drive – sanitary sewer extension (mail survey)
August 3, 1999	Henso Drive and Stuart Drive – sanitary sewer (mail survey)
August 3, 1999	Cozy Hollow Road – sanitary sewer (mail survey) (included with Carolyn Avenue area) Mail survey sent out 10/24/03. Public hearing held - January 12, 2004 – 2/3/04 Common Council authorized project to go to construction.
September 8, 1999	Hayestown Heights/Rose Lane – drainage (mail survey)
October 3, 2000	Briar Ridge Road, Rolf's Drive, Greta Drive, Cel Bret Drive sanitary sewer extension (mail survey)
December 6, 2000	Oak Lane and Haddy Lane – sanitary sewer extension (mail survey)
June 5, 2001	Alexander D – sanitary sewer extension

August 7, 2001	Royal Pine Drive, Fairway Drive, Country Way Sanitary sewer (mail survey)
October 2, 2001	Shannon Ridge Road, Fairlawn Avenue and Edgewood Street-Sanitary sewer extension (mail survey)
October 2, 2001	Old Farm Road – sanitary sewer extension (mail survey) At 10/7/03 meeting, Common Council made this a priority project. City hired engineer to prepare plans – 11/19/03.
April 2, 2002	Mountainville Road, Mountain Road, Willow Lane, Berkshire Lane (mail survey)
August 6, 2002	Ivy Lane – water main extension
August 6, 2002	Deepwood Drive – sanitary sewer extension
August 6, 2002	Lakeview Community (Jensen's) – sanitary sewer extension (preliminary assessments for public hearing)
August 6, 2002	3 Old Shelter Rock Road and 39 and 48 Woodside Avenue – sanitary sewer extension – construction complete. Final assessments computed and forwarded to Common Council February 24, 2004 public hearing held March 15, 2004
November 7, 2002	Lakeview Community (Jensen's) – water main extension (preliminary assessments for public hearing) – being worked on by Roald Haestad, Inc.
November 7, 2002	7 and 9 Moody Lane – water main extension – included with Ta'Agan Point water system improvements project – construction complete – waiting for final invoices/ State grant funding determination to compute final assessments.
November 7, 2002	Ivy Lane, Cedar Street and Sylvan Drive – water main extension (mail survey)
April 1, 2003	Candlewood Terrace – water main extension (priority) – being worked on by Roald Haestad, Inc. At 10/7/03 meeting, Common Council authorized project to proceed.
April 1, 2003	Hawthorne Terrace – water system – at 11/6/03 meeting, Common Council authorized this project to proceed – being worked on by Roald Haestad, Inc.
July 1, 2003 & September 3, 2003	Juniper Ridge Drive – sanitary sewer
December 2, 2003	Backus Avenue – sanitary sewer – mail survey sent out December 11, 2003, public hearing 1/12/04, 2/3/04 Common Council authorized project to go to construction easements to Common Council March 2, 2004

ASSESSED PROJECTS - SANITARY SEWER, WATER, ROAD

SPECIAL ACCOUNT - CONSULTING ENGINEER FEES

8/01 Common Council Appropriation $50,000.00

DATE	PROJECT	CONSULTANT	FEE	ACCOUNT BALANCE	
9/6/2001	Jackson Drive and Great Plain Road Sanitary Sewer Extension	Roald Haestad, Inc.	$10,500.00	$39,500.00	
9/6/2001	Germantown Phase II Sanitary Sewer (Shepard Rd., Sand Pit Rd., Deerfield Rd., Michaud Rd., Starr Rd.)	Roald Haestad, Inc.	$17,500.00	$22,000.00	
10/17/2001	Kenosia Service Center Sanitary Sewer Extension	Roald Haestad, Inc.	$ 1,500.00	$20,500.00	
3/14/2002	Kenosia Service Center Sewer Sanitary sewer - credited back to allocation		($1,500.00)	$22,000.00	
4/3/2002	Ta'Agan Point Water System	Roald Haestad, Inc.	$1,500.00	$20,500.00	
5/7/2002	Jackson Drive and Great Plain Road Sanitary Sewer Extension - mail surv.	Roald Haestad, Inc.	$4,500.00	$16,000.00	
5/7/2002	Jackson Drive and Great Plain Road Sanitary Sewer Extension-field survey	Roald Haestad, Inc.	$15,000.00	$1,000.00	
6/4/2002	Common Council appropriation			$51,000.00	$50,000.00
6/7/2002	Ta'Agan Point Water System - credited back to allocation		($1,500.00)	$52,500.00	
6/19/2002	Jackson Drive and Great Plain Road	Roald Haestad, Inc.	$51,000.00	$1,500.00	
8/6/2002	Common Council appropriation				$12,000.00
8/7/2002	Old Shelter Rock Rd/Woodside Ave. Sanitary Sewer Extension	Roald Haestad, Inc.	$12,000.00	$1,500.00	
11/8/2002	Germantown Phase II Sanitary Sewer - credited back to allocation (Shepard Rd., Sand Pit Rd., Deerfield Rd., Michaud Rd., Starr Rd.)		($17,500.00)	$19,000.00	
Nov. 2, 2002	Jackson Drive and Great Plain Road	Roald Haestad, Inc.	$ 15,600.00	$3,400.00	

1/22/2003	Old Shelter Rock/Woodside Ave. - credited back to allocation		($12,000.00)	$15,400.00	
2/12/2003	Carolyn Avenue Area	Roald Haestad, Inc.	$15,000.00	$400.00	
	Sanitary Sewer Extension - mail survey				
3/27/2003	Jackson Drive and Great Plain Road		($51,334.82	51,734.82	
	unencumber remaining balance				
5/6/2003	Jackson Drive and Great Plain Road	Roald Haestad, Inc.	667.06	51,067.76	
Aug. 27, 2003	Candlewood Terrace Water Main	Roald Haestad, Inc.	$3,400.00	47,667.76	
10/21/2003	Candlewood Terrace Water Main - credited back to allocation		($3,400.00)	51,067.76	
10/24/2003	Carolyn Avenue Area Sanitary Sewer		$185.27	50,882.49	
	Mail survey postage				
11/19/2003	Old Farm Road Area Sanitary Sewer	Roald Haestad, Inc.	$9,000.00	41,882.49	
11/19/2003	Carolyn Avenue Area Sanitary Sewer	Roald haestad, Inc.	$736.30	41,146.19	
	Jackson Drive and Great Plain Road	Roald Haestad, Inc.	374.57	40,771.62	
1/8/2004	Jackson Drive and Great Plain Road		(43306.81	84,078.43	
	unencumber Roald Haestad fee				
2/4/2004	Carolyn Drive Area Sewer		(15921.57	100,000.00	
	unencumber Road Haestad, Inc. fee				
	and postage				

CITY OF DANBURY

3/23/2004

PROJECTS PRESENTLY UNDER CONSTRUCTION

PROJECT NAME	ESTIMATE	DESIGNER/CONST. MGR/CONTRACTOR	LEAD DEPARTMENT/PERSON	COMMENTS
Hydrant Repairs	60,000	Public Utilities Crew	Public Utilities	90 Hydrants out of service (2/23/04))
				Contractor has been hired to help replace
				hydrants once weather permits.
City Center Maintainence	N/A	Public Works/Parks & Rec./Police/		Ongoing
		City Center		
Downtown Parking Garage	5,000,000	Desman Associates	Engineering Department	Design for Library Place garage begun.
				Common Council authorized easement
				and land acquisitions.Electric relocation
				to be bid April/May 2004.
Police Headquarters Improvements	31,800	DeCarlo & Doll - Design	Public Buildings Department	Construction started 7/28/03.
	279,000	Caldwell & Walsh - Locker Rooms		Locker Rm. Phase I & Phase II 99%
	256,165	Rizzo Corporation - HVAC		complete. HVAC complete by 1/1/04.
Oil Tank Removal, Landfill & Public Works Upgrade	73,000	Public Utilities	Public Utilities	Phase II to begin in Spring.
		Advance Corp. - Contractor		
Thorpe Street Extension Bridge Replacement	1,089,700	Purcell Associates - Engineer	Engineering Department	Awarded 6/25/03. 100% funded State and
		Rotha Contracting Co., Inc. - Contractor		Federal. Bridge closed 4/02. Construction
				began 7/29/03. Reopened.
Street Sign Program (Phase I & II)	45,000	Various locations	Public Works	Phase I complete.Phase II to start in April.
				Signs & Materials have been ordered.
Library Plaza	540,000	Didona Assoc. - Landscape Arch.	Engineering Department	Contracts signed 9/16/03. Work underway.
		NYCONN - contractor		Phase I 40% complete.
Library Interior/Main St. Modifications	39,000	Donald Zaleta - Architect	Library	Approved by BOA. Contract signed.
		Rizzo Corporation	Engineering Department	Started work 11/17/03. 99% complete.
				Being punch listed.
Main Street North Streetscape	75,000	Tectonic	Engineering Department	Tectonic contract signed.
Construction Services Consultant				
Main Street North Streetscape	1,329,000	Consultants & Engineers Inc - eng.	Engineering Department	Bid opening October 16, 2003.State ok to
		Didona Associates - Landscape architect	Planning Department	award.Received-awarded,waiting for
		H.I. Stone - Contractor		contracts to be signed.

PROJECTS PRESENTLY UNDER CONSTRUCTION

PROJECT NAME	ESTIMATE	DESIGNER/CONST. MGR/CONTRACTOR	LEAD DEPARTMENT/PERSON	COMMENTS
Germantown Area Phase II Sanitary Sewer	1,022,558	Roald Haestad, Inc. - Engineer	Engineering Department	Contract signed 5/20/03. Construction
		Mark IV Construction - Contractor		complete,final assessments to be
				computed.
Danbury High School Tennis Courts Rehabilitation	33,205	True North Enterprises, Inc.	Parks & Recreation Department	Awarded to True North, contract signed.
				Capital Budget 2003-3004. Fencing
				installed, remaining work is weather
				dependent.Most work will be completed
				by April 1, 2004.
Woodside Ave/Old Shelter Rock Rd. Sanitary Sewer	240,544	Roald Haestad, Inc.	Engineering Department	Contract signed 5/20/03. Construction
		Complete Construction		complete.Final assessments to Common
				Council for public hearing.
Repair Heating Mill Ridge Intermediate School	20,366		Public Buildings	Funds available March 19th.
Replace Heating Rogers Park Middle School Gym	30,000		Public Buildings	Funds available March 19th.
Roof Repairs Beaver Brook Administrative Center	10,000		Public Buildings	Funds available March 19th.
Interior Painting PDHQ	23,000		Public Buildings	Funds available March 19th.
Citywide Drainage Study	1,540,000	Roald Haestad, Inc.	Engineering Department	Awaiting funding-partial funding ($350,000)
				Vision 21².
Ives Trail	106,000		Health Dept./Jack Kozuchowski	Task force appointed and meeting-
				performed survey to find routes.Funding
				from HVCEO received,applying for DEP
				grant.

PROJECTS PRESENTLY OUT TO BID

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
West Wooster Street Bridge Replacement	240,000	WMC Inc. - Engineer	Engineering Department	State Local Bridge Program Supplemental
	(City share)			Application submitted to DOT. Awaiting
				additional funding "Bond package." Bridge
				closed 10/9/03. Easements to Common
				Council 11/06/03. Bid opening 1/13/04.
				Bids under review.

PROJECTS PRESENTLY OUT TO BID

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
Magnet Elementary School - WestConn Campus	15,800,000	Frair Associates - Architect	Engineering Department	Land transfer May 28, 2003.Design
		Morganti - Construction manager		Completed. Bid opening Nov. 20, 2003.
				Some subcontracts being rebid.
Senior Center "Campus" Expansion	3,200,000	Marin - Environmental	Mayor's Office	Looking at additional land acquisition
			Health Department	and conceptual design.Health Dept.
			Engineering Department	handling RFQ for environmental
				evaluation.Architects qualification
				statements received and being reviewed.
Police Dept. Headquarters - New Facility	2,700,000		Engineering Department	Qualifications from architects &
				construction managers due 3/9/04.
City Hall Roof	218,630	H.B. Fishman & Co. - Architect	Public Buildings	LOCIP funding approved.Qualification
				statements from architects received
				1/29/04-will award to on-call architect.
Library Roof Trellis Waterproof	123,000	H.B. Fishman & Co. - Architect	Public Buildings	LOCIP funding approved.Qualification
				statements from architects received
				1/29/04-will award to on-call architect.

PROJECTS IN DESIGN/PLANNING STAGES

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
Precision Drive Traffic Signal	30,000	City Traffic Engineer	Engineering Department	Design begun.
Candlewood Terrace Water Line	200,000	Roald Haestad, Inc. - Engineer	Engineering Department	Common Council authorized project to
				bid. Under design, needs easements.
Jackson Drive Area Sanitary Sewer	2,180,000	Roald Haestad, Inc. - Engineer	Engineering Department	Public Hearing held 3/24/03. Common
				Council authorized this project to go
				forward January 2004.Under design,
				needs easements.
Nancy Drive, Carolyn Avenue Proposed Sewer	2,725,000	Roald Haestad, Inc. - Engineer	Engineering Department	Mail survey sent out. Public hearing
				January 12, 2004.Common Council
				authorized this project to go forward
				February 4, 2004.Under design, needs
				easements.

PROJECTS IN DESIGN/PLANNING STAGES

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
Olive St., Tilden Rd., Melrose Ave. Sanitary Sewer	380,000		Engineering Department	Mail survey sent to prop. owners, Report sent to Common Council 5/5/03 meeting. January 12, 2004 public hearing.Common Council authorized project to go forward February 4, 2004. Under design, needs easements.
Backus Avenue Sanitary Sewer	1,700,000	Roald Haestad, Inc. - Engineer	Engineering Department	Design underway. Common Council authorized project to proceed February 4, 2004.Easements required.
Highland Avenue Playground Improvements	200,000		Engineering Parks & Recreation	Proposed 2004 bond issue.
New Elementary School - Construction Manager	16,800,000 (Total Budget)	O & G Industries	Engineering Department	Services awarded-contract to be negotiated Waiting for funding-bond package upcoming.
New Elementary School - Architect	16,800,000 (Total budget)	Friar Associates, Inc.	Engineering Department	Services awarded-contract to be negotiated Awaiting funding-upcoming bond package.
Osborne St. & Hospital Ave. sidewalks	200,000	Engineering Department	Engineering Department	Under design & pending funding (Capital Budget request).
Hawthorne Terrace Water System	750,000	Roald Haestad, Inc.	Engineering Department	Existing private water system evaluated. Report finalized. November meeting Common Council authorized project to go forward.Under design.
Shore Road - Road & Drainage Improvements	145,000	Roald Haestad, Inc.	Engineering Department	Under design, easements being acquired Construction will be bid with Hawthorne Terrace water mains. Funding from 2004 bond package.
Mill Plain Road/Route 6 Widening		State DOT Luchs Consulting Engineers	Engineering Department	Design 85% complete.Anticipated bid April 2005.
Main Street - North End Redevelopment Property Acquisitions	1,500,000		Planning Department Corporation Counsel	Acquisition on May Common Council agenda-demolition of buildings after acquisition.Hazmat study underway.

PROJECTS IN DESIGN/PLANNING STAGES

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
Old East Ditch Drainage Improvements	4,300,000	Roald Haestad, Inc. - engineering study	Engineering Department	Final design for portion underway. ($1,000,000 presently funded)-additional funding in upcoming bond package. Easements being prepared and sent to Common Council in phases-appraisals and title searches being done; negotiations continuing.Several easements acquired.
Hatters Park Parking and Walkway and Town Park Walkway (Within Park)	175,000	Roald Haestad, Inc.	Engineering Department	Additional parking area and improvements to existiing parking area.Currently preparing site plan.EIC approval required. Capital Project 2003-2004-partial funding.
Rose Hill Avenue Bridge	1,300,000	AI Engineers, Inc.	Public Works	State Local Bridge Program. Awarded subject to funding. Sidewalk ordered closed by DOT-upcoming bond package. Temporary repairs to be done soon.
STP Nitrogen Removal		Stearns & Wheler, LLC	Public Utilities	Grant application approved by Bond Commission. Study started.Common Council to reauthorize grant application resolution.
Bear Mountain Water Storage Tank	1,850,000	Roald Haestad, Inc.	Engineering/Public Utilities	Draft report reviewed.On hold for funding.
West Side Sewer	14,000,000	Roald Haestad, Inc.	Engineering Department	Awaiting funding-in acquisition phase Construction in phases. Line survey in process.
Blind Brook Area Playground	35,000		Mayor's Office Parks & Recreation Public Works	Property acquired by City. Public Works Dept. and Parks & Rec. to prepare site. EIC approval needed. Parks & Recreation preparing funding request-CDBG. August 2004 funding anticipated.
Southwest High Service Area Water Storage Tank	1,850,000	Roald Haestad, Inc.	Engineering Department Public Utilities	Study complete & funding in upcoming bond package.
Fire Training School Renovations	100,000	Engineering Department	Fire Department/Engineering	Eng. Dept. design "in house."

PROJECTS IN DESIGN/PLANNING STAGES

PROJECT NAME	ESTIMATE	DESIGNER/CONSTRUCTION MANAGER	LEAD DEPARTMENT/PERSON	COMMENTS
Engine Company 25	500,000	Donald Zaleta, AIA, architect	Engineering Department	Vision 21 squared funding addition to existing volunteer's firehouse. Preliminary plans under review. Lease agreement being worked on.
Danbury High School Auditor. Seating Refurbishment	235,000	State of CT Enterprises of CT	Public Buildings	Constructionbegan Dec. 28, 2003. Expected to complete by 9/04.
9-11 Memorial	45,500		Mayor	
Repave School Parking Lots	50,000		Highway Department	King St. School. (partial) - spring paving.
Fire HQ Renovations	75,000		Fire Department	Paint, windows, furnishing. Windows completed. Painting completed.
Still River Warning System		State of Connecticut	Health Department	State is waiting for new central dispatch area.
Baseball Stadium		Woodland Group II, LLC.	Mayor Engineering Department	Site plan submitted to Planning. Approved with conditions.
Annual Paving and Drainage Improvements 2004	1,000,000	Highway Department Outside contractors.	Highway Department	2004 preliminary paving list prepared, under review.
Old Farm Road Sewer	9,000	Roald Haestad, Inc.	Engineering Department	In preliminary/conceptual design. Assessment project.
Boulevard Drive Sewer	603,000	Engineering Department	Engineering Department	Mail survey sent out 1/22/04.Report sent to Common Council, public hearing to be scheduled.
Benson Road Sewer	1,300,000	Engineering Department	Engineering Department	Preliminary assessments being prepared. for mail survey.

PROPOSED/POTENTIAL FUTURE PROJECTS

PROJECT NAME	ESTIMATE	DESIGNER/CONST. MGR/CONTRACTOR	LEAD DEPARTMENT/PERSON	COMMENTS
Blind Brook Drainage Improvements	2,900,000			$45,000 funded and spent to date.

PROPOSED/POTENTIAL FUTURE PROJECTS

PROJECT NAME	ESTIMATE	DESIGNER/CONST. MGR/CONTRACTOR	LEAD DEPARTMENT/PERSON	COMMENTS
Kenosia Avenue corridor improvements	3,000,000		Engineering & Planning Departments	City share 500,000
				State share (STPO) 2,500,000 (HVCEO)
Backus Avenue corridor improvements	3,000,000		Engineering & Planning Departments	City share 500,000
				State share (STPO) 2,500,000 (HVCEO)
Centralized Dispatch (Fire & Police)		To be determined	Engineering/Police/Fire	Evaluation to be part of new PD building
				project.
Mill Plain Swamp Education Center	192,000		Health Dept./Jack Kozuchowski	Various plans being developed.
				Survey work required.
				On hold until acquire additional funding-
				capital budget request.
Highway Garage Heating	48,000		Public Buildings	LOCIP funding approved, waiting for approv-
				al from Director of Finance to proceed
Charter School (Middle School)			Mayor	Bennett's Property (69+ acres)
				250+/- students
Still River Greenway Handicap Access	25,000		Health Department	DEP Grant. Need construction estimates.
			Engineering Department	Consulting engineer donating services.
				Funding in place.
Padanaram Road./North Street/Down Street	6,514,500	State DOT	Engineering & Planning Departments	City share 14,500 - Mayor put back on TIP
Route 37 Improvements				State share (ISTEA) 6,500,000 (HVCEO)
				City has met with DOT re:conceptual
				scope of work-public informational
				meeting for Phase I to be 3/16/04.
Still River Pedestrian Bridge II			Health Department	Working on funding.
Old Ridgebury Road/Area - Boehringer	3,000,000		Engineering Department	Working with State on infrastructure
Ingelheim Infrastructure Improvements				improvement grant.
Rogers Park Skate Park	75,000		land acquisition - Corporation Counsel	Reviewing potential sites.
			Parks and Recreation	Design - Build scope being developed.
			Engineering Department	Project on hold for funding.
Stacey Road Intersection Realignment		State DOT	Engineering Department	

PROJECTS COMPLETED					
PROJECT NAME	**ESTIMATE**	**DESIGNER/CONST. MGR/CONTRACTOR**	**LEAD DEPARTMENT/PERSON**	**COMMENTS**	
Windaway Road Sanitary Sewer Phase II	18,613	Engineering Department	Engineering Department	Complete.	
		Mark IV Construction - Contractor			
Homeless Shelter Renovations	84,500		Public Buildings	Complete.	
Police Dept. Headquarters Replacement Site Study	14,000	DeCarlo & Doll	Engineering/Police Dept.	Completed.	

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CITY OF DANBURY

FIRE DEPARTMENT

19 NEW STREET

DANBURY, CONNECTICUT 06810

Peter Siecienski
Fire Chief

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

March 30, 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. **The Praxair Foundation – Ten Thousand Dollars ($10,000)**

   This donation was made to assist our department in the purchase of rescue equipment. This donation was funded with the assistance of Lt. Dave Easter and Firefighter Ron Hollister two individuals that are participating in our grant and procurement initiatives.

   I would ask that this generous donation be accepted at the April meeting of the Common Council and funds be deposited in the Fire Department special revenue account as directed by the Finance Director.

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

Respectfully submitted,

Peter J. Siecienski

Peter J. Siecienski,
Fire Chief

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CITY OF DANBURY

DEPARTMENT OF PUBLIC UTILITIES

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

MARIO RICOZZI, P.E., F. ASCE
SUPERINTENDENT
m.ricozzi@ci.danbury.ct.us

(203) 797-4637
FAX: (203) 796-1590

March 31, 2004

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

RE: Independent System Operators of New England - Load Response Program
Emergency Capability Agreement – Pinpoint Power, LLC

Dear Mayor Boughton and Members of the Common Council:

We have been working with the Independent System Operators of New England (ISO-NE) on a Load Response Program. ISO-NE provides oversight of the electrical grid in New England. They are establishing a Load Response Program for shedding the electrical demand on the power lines during peak months.

The City of Danbury has 5 emergency generators that were included in a proposal by Pinpoint Power, LLC, to be turned on in case of an electrical high demand event in the area. By turning on the generators, the wastewater treatment plant, our two water treatment plants and a pump station would continue to operate under their own power and lessen the need to rely on the electrical power grid. By a number of facilities shedding the electrical demand on the grid, the occurrences of rolling brown outs and black outs in the Danbury area would be minimized.

For our participation through Pinpoint Power, the City of Danbury would receive standby payments, and payments for each occurrence that we have to respond to. During the 1990s, and prior to deregulation of electricity, we participated in a similar program with CL&P.

I would ask that the Common Council appoint a committee to review the proposed use of City generators in the ISO-NE Load Response Program and an agreement with Pinpoint Power, LLC. Thank you for your consideration, and do not hesitate to call me with any questions.

Sincerely,

Mario Ricozzi, P.E., F.ASCE

Superintendent

C: William J. Buckley, Jr., P.E.
Dena Diorio
Eric L. Gottschalk, Esq.

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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

March 31, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

The City of Danbury Citizen Corps is making great strides in developing Community Emergency Response Teams throughout the city. We have developed a wonderful training program in collaboration with the Red Cross and the VISTA program to expand CERT to fifteen neighborhoods in the coming year.

The United States Department of Homeland Security grants available for these activities ask us to focus on training senior citizens for emergency preparation. CERT training is an ideal vehicle to achieve these goals. Accordingly, attached is a no-local-match grant application for the Danbury Citizen Corps in the amount of $18,565. This funding will allow us to train 200 new Community Emergency Response Team members over the next year.

Thank you for your consideration of this important initiative.

Sincerely,

Mark D. Boughton
Mayor

RECYCLED PAPER

DHS FY 03 Applicant Questionnaire

CERT Sub-grant Program

Date Received by HSEC:

Applicant Information	
Legal Name: City of Danbury Citizen Corps	
Address (give city, county, state and zip code): 155 Deer Hill Avenue Danbury CT 06810	
Employer Identification Number:	
Agency Contact: Michael McLachlan	Agency Contact Phone: (203) 797-4511
Agency Contact E-mail: m.mclachlan@ci.danbury.ct.us	Agency Contact Fax: (203) 796-1666

To the best of my knowledge and belief, all data in this application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

Type Name of Authorized Representative Mark D. Boughton	Phone Number: 203-797-4511
Title Mayor	E-mail: m.boughton@ci.danbury.ct.us
Signature of Authorized Representative	Date Signed:

(Important Note: Please DO NOT include copies of the application instruction pages in your application package.

Title Page

Application Type (please check one): ✓ Start-Up Expansion

Amount Requested for Sub-Grant: $ 18,865.00

Applicant Information

Name of Organization: City of Danbury Citizen Corps

Address: 155 Deer Hill Avenue

City: Danbury County: CT Zip Code: 06810

Federal ID #: _____

Point of Contact: (If this changes at any time please send e-mail with new individuals information to: roy.pietro@po.state.ct.us)

Name: Michael McLachlan

Phone: 203-797-4511

Fax: 203-796-1666

Email: m.mclachlan@ci.danbury.ct.us

Authorized Signature
Please refer to instructions page 8, #9.

Signature:

Title: **Date:**

APPLICATION

Section I – Questionnaire (maximum 20 points)

1. Is this request for a CERT Sub-grant for a "Start-up" of a whole new program in a jurisdiction currently without a CERT program (or) is this request for an expansion/enhancement of a current CERT program?

__XX__ Start-up

____ Expansion

2. If this request is for a "Start-Up" of a whole new program, who will be the sponsoring First Responder agency/group:

____ Not a "start-up"

____ Local Law Enforcement

____ Local Emergency Management

__XX__ Citizen Corps Council

____ Fire/Rescue Service

____ Local Emergency Medical Service

3. Is a letter of support from the sponsoring Local First Responder Agency (s) included with this application? __XX__ Yes ____No

4. The following are the minimum required items to be provided to all graduates under the CERT grant:

- PPE Equipment
  - Hard hat
  - ID tag
  - Light stick
  - Latex or nitrile gloves
  - Signal whistle
  - Leather or work gloves
  - Disaster medical care items (gauze, triangles, etc.)
  - Cardboard or simple splint (forearm or leg)("Sam" Type and
  - Roll Duck Tape similar multipurpose also ok)
  - Protective eyewear
  - Dust mask or simple HEPA mask
  - Reflective vest
  - Marking caulk or marking crayon
  - Bag/backpack
  - Flashlight
- Participant manuals
- Certificate

Will you meet these requirements? __XX__ Yes ____No

4. Indirect Costs: Overhead expenses (phones, lights, etc.) N/A

All Applications US Mailed, Ground Delivered, Overnight Delivered, hand delivered or in any other manner sent in, must be received and "clocked in as received" by **2:00 pm** on **Friday, March 26, 2004** at the following address:

Application Coordinator
Attn: Sharon L. Alexander, C.P.M.
Director of Procurement & Logistical Services
University of Connecticut
3 North Hillside Road Unit 6076
Storrs, CT 06269-6076

5. The following are the minimum required items for the CERT Basic Training Course to be taught under this sub-grant:

- Utilization of the Full FEMA/EMI/FDEM CERT Basic Training Course – 317 including the terrorism module and showing the Sheltering-In-Place Video (DVD)
- Utilization of a CERT Train-the-Trainer (TTT) Qualified Individual (FEMA/FDEM graduate of the CERT TTT-417 or 317 Trainer Course) as Program Manager, Course Manager, or Lead Instructor
- Utilization of Adequate Training Facility

Will you meet these requirements? XX Yes ____ No

6. The following items cannot be purchased with grant funds:

- Sophisticated radios or radios costing more than $200 each (ex. 800 mhz)
- Advanced Emergency Care Items
- Sophisticated First Aid kits
- Vehicles
- Response Trailers

Will you meet these requirements? XX Yes ____ No

7. Tracking and reporting the number of trained CERT volunteers is not only a State of Connecticut priority, but also a DHS/ODP priority. Do you currently have a database to track the number of trained volunteers, as well as someone, to monitor/enter data to such a database? XX Yes ____ No

8. Indicate below any additional items that will be provided to the trainees individually or used to augment the CERT course. (These items are not mandatory but do demonstrate the applicant's ability to "stretch" the grant funds for maximum program effectiveness).

100	Boots or Rubber Shoe Covers		Shovels
	Pry Bars	40	Fire extinguisher refills
	Backboard (Inexpensive)		Cribbing Materials
12 sets	"intra team" radios (2 or 5 watt FMR) (less than $200 for set of 2)		Other:

9. While this Sub-grant is a "No Match" grant, do you plan to provide additional resources so that this grant may be leveraged to train more CERT members? XX Yes ___ No If yes briefly detail "In-kind" functions:

Office space, telephone, staff support from Director of Civil Preparedness, Fire Marshall, DPD Community Services Division & Office of the Mayor. CDBG funding of Vista

10. There will be a brief (one page) but important Monthly Training Report due on the 4th of each month. It will also include brief monthly grant expenditure status information. Quarterly reports will be due as indicated in the signed contract. Do you agree to abide by these reporting requirements?

XX Yes ___ No

SECTION II – Cost Effectiveness (Maximum 35 points)

1. A) Start Up Program: ____Yes ____XXN/A

What is the cost per trainee for this grant?

18,865.00 / 200 = 94.33

(Grant amount request) / (Number of Trainees)

B) Expansion Programs:

Note: Expansion programs can spend up to 30% of their grant award on refresher courses.

What is the cost per trainee for this grant?

_____ - _____ / _____ = _____

(Grant amount request – Refresher course amount)/Number of Basic Course Trainees

Section III - Proposed Budget (Maximum 10 points)

Program Name: Danbury Citizen Corps

	Federal Funds	Total
1. Personnel		
A. Salary and Fringe Benefits (no greater than 10% of the total award for program administration)	1,500.00	
B. Contractual Services (trainer costs, etc.)	5,000.00	
Subtotal		
2. Travel (no greater than 3% of the total award)	165.00	
Subtotal		
3. Expenses		
A. PPE Equipment	9,400.00	
B. Reproduction Costs	1,250.00	
C. Non-expendable equipment (no greater than 20% of total award)*	1,250.00	
D. General Office Supplies	300.00	
Subtotal		
4. Indirect Costs (no greater than 3% of total award)	- 0 -	
Subtotal		
Total		18,865.00

*Examples of non-expendable equipment include: laptops, LCD projectors, video screens, etc.

Proposed Budget Narrative:

Please provide more detail regarding the line items listed above.

1. Personnel
   (A) Salary/Benefits - Program Admin
   (B) Cont. Svcs. TTT Instructor - 200 hrs/25.00/hr
2. Travel - Staff 500 miles / .33/mile
3. Expenses
   (A) PPE Equipment: 200 kits @ 47.00/kit
   (B) Reproduction costs: copying manuals, brochures, certificates
   (C) Non-expendable equipment: defray cost of used laptop
   (D) General office supplies: purchase of pens, binders, paper, etc.

Section IV - Program Narrative (maximum 35 points)

This section cannot exceed two (2) pages. (Note: All items mentioned below must be addressed in this section)

1. Please explain why you answered "No" to any of the questions in Section I.
2. Please discuss your implementation plan for the CERT program. This should include, at minimum:
    a. Organizational structure
    b. Strategy and methodology for recruitment of trainees;
    c. A tentative schedule of training classes during the contract period(tentatively indicate start date & end date of each course (April 1,2004- March 31, 2005);
    d. Plans to maintain CERT members after graduation from the course;
    e. Plans to utilize CERT graduates in emergency situations;
    f. Plans to maintain the CERT program after funding has ended; and
    g. Any additional programmatic information specific to your program.
3. Please provide a justification for the calculation of your cost per trainee ratio. For example, describe what factors impact the costs involved in operating the CERT program.

City of Danbury Citizen Corps
Community Emergency Response Team – Sub-Grant Application
April 6, 2004

Section IV – Program Narrative

1. N/A
2. A) The City of Danbury Citizen Corps was organized in January 2003 under the leadership of the Danbury Local Emergency Planning Committee. Danbury Citizen Corps will serve as the lead agency for CERT training in collaboration with the Red Cross Emergency Services, the City of Danbury Department of Civil Preparedness, Office of the Mayor, the Danbury Police Department Community Services Division, the Danbury Fire Department. And the Housing Authority of the City of Danbury.

   B) Danbury Citizen Corps successfully launched the first CERT training in February 2004 at the Crosby Manor site owned by the Housing Authority of the City of Danbury. Four team members graduated from the training program on March 29, 2004 and these CERT members will be used to assist in future recruiting at other Housing Authority sites. The Housing Authority has seven high-density housing sites and nearly forty scattered site locations. Additionally, five private low-income housing sites will be targeted for CERT team training. A total of 314 housing units will be targeted to recruit 200 CERT team members for training.

   C) Training classes will consist of five sessions at each site. The next program is scheduled to launch at Ives Manor, Main Street, Danbury on May 1, 2004. A total of ten classes with 20 students will be held from May 1, 2004 through February 28, 2005.

   D) CERT graduates will receive yearly refresher training from certified CERT trainers. The City of Danbury Citizen Corps already has three certified CERT trainers in place and plans to expand to six certified trainers by 12/31/04.

   E) Danbury Citizen Corps is developing specific protocols for housing site CERT teams in partnership with the Danbury Fire Department, Danbury Police Department and the Department of Civil Preparedness.

   F) The City of Danbury is committed to hiring a full-time Director of Civil Preparedness in 2004 that will be assigned the task of coordinating all Citizen Corps activities and assuring CERT team training and refresher training continues.

   G) Danbury Citizen Corps has a unique collaboration of agencies and volunteers working together to assure the success of our CERT training. The Mayor is recommending the commitment Community Development Block Grant funds to create a VISTA program of two positions focused on CERT training. This creates a substantial leveraging of multiple funding sources to provide the human and financial resources required to reach our aggressive goals of graduating 200 CERT Team members by 2/28/05.
3. Our cost ratios are very low as we have leveraged resources and gained substantial commitments from corporations for donations to couple with this grant funding.

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Homeland Security has made grant funds available for the development of Community Emergency Response Teams; and,

WHEREAS, the City of Danbury Citizen Corps has developed such teams throughout the city, and, in collaboration with the Red Cross and VISTA, intends to expand the scope of the program in fifteen additional neighborhoods in the coming year; and,

WHEREAS, said grants make provision for training programs focusing on training senior citizens for emergency preparation; and,

WHEREAS, said grants are available and require no local matching funds;

NOW, THEREFORE, be it resolved that Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to execute and deliver all necessary grant applications and contracts in the name and on behalf of the City of Danbury acting through the City of Danbury Citizen Corps and to take any additional action necessary to effectuate the purposes hereof.

4/5/04
To: Danbury Common Council
Kevin N. Barry
Pauline Repko Basso
Scott Bingaman
Georgette M. Burns
Michael J. Calandrino
Joe Cavo
John J. Esposito
Louise P. McMahon
Shay Nagarsheth
Vincent P. Nolan, Jr.
Wanda L. Payton
Robert T. Riley
Thomas J. Saadi
Mary G. Saracino
Gregg W. Seabury
Coleen A. Stanley
Michael Steinerd
Mary Teicholz
Charles J. Trombetta
Joel B. Urice
Fred Visconti
From: Danbury Airport Neighbors Association, Inc.
Re: Airport Tree Cutting

Before making a final decision about clearing runway approaches at Danbury Municipal Airport, the City of Danbury has an obligation to identify and assess the impact of the tree cutting on airport traffic, noise, and safety, as well as the associated costs.

At the outset, the City needs to recognize that the tree cutting will expand airport operations by inviting larger planes and facilitating more airport traffic. The tree clearing study on which this plan is based was conducted for the express purpose of increasing runway "efficiency" and access.[1] Documents obtained from the FAA, as well as a discussion with Bradley Davis of the FAA, confirm that the proposed tree cutting will remove the main impediment to the introduction of planes with 30 or more passenger seats at the airport, under FAA Part 139. These changes and other in the nature and extent of airport traffic, unacknowledged by the City and therefore not included in the

[1] Runway 8/26 Approach Study at Danbury Municipal Airport by Hoyle, Tanner, and Associates, Inc., April 2000. "Management of the Danbury Municipal Airport is desirous of *improving* approaches to Runways 8 and 26 to *increase* both the reliability and efficiency of the two runways." (page 1) [Emphasis added] "Airport management and City officials have repeatedly expressed a desire to *increase* the efficiency and reliability of the primary runway end, Runway 8." (page 6) [Emphasis added]

City's financial calculations, create additional potential liability and costs that must be included by the City in its financial assessments.

On behalf of its members, many of whom are Danbury voters and taxpayers, the Danbury Airport Neighbors' Association, Inc. (DANA) submits that the City has not fully considered or disclosed the impact of its plan or its direct and indirect costs. We submit that if the City fully considers these costs, it must recognize that the best policy is to leave the trees uncut.

The Airport Administrator has stated that the City's cost estimate for obtaining easements for tree cutting is not based on appraisals.[2] In other words, the City appears not to have an updated, factual basis for its cost estimates.

Nor do the estimates accurately include the legal fees and potentially much higher easement costs that may result from contested and protracted eminent domain proceedings. Trees penetrating runway approaches are located on many properties, owned by many different people. The Wooster School, a religious institution, owns the most crucial property containing obstructions to Runway 8 approaches.[3] Some of these obstructions are located in areas explicitly protected from tree cutting by the school's 1963 easement agreement with the City.[4] The Wooster School has publicly stated its intention to vigorously oppose tree cutting on its property – in court if necessary – to preserve the school. Other property owners also may refuse to permit tree cutting on their land, and contest any eminent domain proceedings by the City, which must be brought individually against each property owner. Given the increased traffic, noise pollution, and safety risk associated with the airport expansion, property owners may take the position that full condemnation is necessary, with compensation based on a fair market value purchase of the entire property or business.

DANA's Danbury members have reason to be deeply concerned: Danbury taxpayers risk getting stuck with undefined and potentially very burdensome extra costs. The FAA has informed the Danbury Airport Administrator that, "the threshold siting surface for Runway 8…must be cleared of all obstructions, **with or without Federal funds."**[5] [Emphasis added] The FAA has also stated to Mr. Estefan that, "Your commitment was to proceed with acquiring property rights and clearing **without federal funds if necessary**."[6] [Emphasis added]

Although the FAA is pushing for expansion of Danbury Municipal Airport , presumably to meet FAA objectives of regional expansion, it has also presented the City with a clear (and much more cost-effective) alternative: leaving the trees uncut, and accepting shorter runways, prohibition of night IFR activity, and continued prohibition of

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[2] Letter from Paul Estefan to Gail Lattrell of the FAA, dated April 16, 2003.
[3] Hoyle Tanner Study.
[4] Avigation Easement executed October 4, 1963.
[5] Letter from F. Craig Bailey of the FAA to Paul Estefan, dated July 25, 2001.
[6] Letter from Gail Lattrell to Mr. Estefan dated August 23, 2003.

planes with over 30 passenger seats.[7] We regard all three of these outcomes as highly desirable, for DANA members, for Danbury taxpayers, and for the City, as well as for the many other people negatively affected by airport operations.

Since the City has not been forthcoming about this matter, DANA has relied on the Freedom of Information Act to obtain extensive files. These files contain no evidence to support the suggestion that the FAA has ever threatened to shut the airport, or to curtail its use by smaller planes, even if the runway obstructions are not removed.

DANA is aware that at least one Fixed Base Operator (FBO) has threatened to "force" the City to clear the obstructions to runway approaches.[8] DANA does not believe that the City's leases with FBOs compel the City to clear the trees. Instead, DANA urges the City to base its decision on an objective and comprehensive evaluation of the pros and cons of the available alternatives, including consideration of the relative merits of all threatened and potential litigation. This evaluation should consider all of the City's potential legal defense costs and liability should it choose to proceed or not proceed with the plan. Should the City attempt to proceed with the tree cutting and airport expansion plan, counsel's review of the potential legal fees and damages should also consider potential causes of action against the City not included in the City's current financial calculations. These may include, among others, actions alleging violations of equal protection and due process, inverse condemnation including by property owners not specifically scheduled for easements, and annual reimbursements owed to the Town of Ridgefield based on a diminution in the Ridgefield tax base caused by the airport expansion. The City's assessment should also include an evaluation of the potentiality of increased liability from crashes that may be statistically associated with increased airport usage, including catastrophic crashes of larger planes that would be allowed to use the airport under Part 139.

Contributing factors to the City's potential liability include both procedural and substantive issues, as follows:

1) **Lack of disclosure:** The City has been negotiating with the FAA since at least 1989 about tree cutting and related airport expansion. Despite an affirmative duty to fully inform the many parties whose interests will be materially impacted by the outcome, the City has not done so. Among the affected parties are neighbors of the airport, both in Danbury and in other municipalities; Danbury taxpayers; owners of

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[7] Letter from M. Keith Barnett of the FAA to Paul Estefan re Part 139, dated July 2, 1996 ; Announcement by Paul Estefan barring landings of aircraft with over 30 passenger seats, July 5, 1996; Letter from Bradley A. Davis to Paul Estefan re Part 139, July 16, 1998; Meeting Minutes for Obstruction Analysis and Fence Installation Danbury Municipal Airport, March 4, 1999; Runway 8/26 Approach Study at Danbury Municipal Airport by Hoyle Tanner and Associates, Inc., April 2000; Meeting Minutes for Runway 8/26 Approach Study, Danbury City Hall, May 11, 2000; Letter from Gail Lattrell to Paul Estefan, February 12, 2001; Letter from Gail Lattrell to Paul Estefan, August 23, 2002; Letter from Gail Lattrell to Paul Estefan, February 28, 2003; Letter to Gail Lattrell from Paul Estefan, August 23, 2003; Letter from Wayne R. Toher to Gail Lattrell, August 26, 2003.

[8] Letter from Wayne R. Toher to Gail Lattrell, August 26, 2003.

properties containing obstructions to runway approaches, located in both Danbury and Ridgefield; Danbury schools and day-care centers in the immediate vicinity of the airport, including Wooster School; the ongoing Part 150 study of airport noise; and the Town of Ridgefield, which has contributed funding for the Part 150 noise study, presently receives the overwhelming majority of the noise generated by Danbury Municipal Airport, and has suffered three air crashes with six fatalities since 1983. Ridgefield is also the site of 9.41 acres of land containing obstructions to runway approaches. The City has failed to respond to specific requests for information about Danbury's tree-cutting plans by Ridgefield First Selectman Rudy Marconi, among others.

2) **Lack of consultation:** The City and the FAA have consulted on this matter with airport FBOs, as well as AOPA, the pilots' special-interest lobbying group[9][10][11]. However, the City has not consulted with the affected parties listed above. Nor has the City directed its hired Part 150 consultants to analyze the impact of the tree-cutting program and related airport expansion on airport noise, despite a Scope of Work that specifically requires the Part 150 study to estimate future airport noise. As of the last meeting of the Part 150 Working Group, on February 19, 2004, the subject of tree cutting had not been formally introduced, despite participation by representatives of three entities that were informed about it: the City, the FAA, and the FBOs. Any certifications of appropriate community involvement by the City in applying for federal or state funding would be patently false.

3) **Irreparable harm:** The City's proposed course of action would cause irreparable harm to many parties. Clearing runway approaches will result in significant expansion of the airport, increasing traffic by jets and other large planes, increasing traffic at night, and removing the existing impediment to use of Danbury Municipal Airport by aircraft seating 30+ passengers under FAA Part 139, for which the airport holds limited (Class IV) certification. Clearing only the approaches to Runway 8, as the City's pre-application for federal funding specifies, would concentrate and increase the noise and safety impact of the airport on areas to the west, including neighborhoods in Danbury and Ridgefield, and the Wooster School.

The City's obligation is to provide a safe airport, not an expanded airport. A safe airport can be achieved with the shorter runways and nighttime flight restrictions that the FAA has specified. Given the alternatives mentioned above, it would be incorrect to say that the City has an absolute obligation to remove the runway obstructions. On the contrary, the documents in DANA's possession make it clear that the City has an

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[9] Letter from Bradley A. Davis of the FAA to Paul Estefan, dated July 16,1998, referencing a meeting held in City Hall on November 25, 1996.

[10] Meeting Minutes for Runway 8/26 Approach Study, May 11, 2000, City Hall.

[11] Posting on AOPA website about meeting with Mayor Boughton, January 2004.

either/or choice: clearing the trees, or else taking other actions to promote safer airport operations.

Although DANA opposes the proposed tree cutting and airport expansion, we are not advocating closing Danbury Municipal Airport.

We recommend that the City take no further action on this matter before completing the factual, procedural, financial, liability, and other evaluations discussed above.

We also recommend that the City proceed with a comprehensive economic analysis of the airport, as previously proposed by Mayor Boughton. It is DANA's understanding that aviation activities at the airport make no significant contribution to the City budgets. The only significant income the City receives from the airport property comes from leases to non-aviation businesses. The City and its taxpayers deserve a cost-benefit analysis of the airport that considers all the available alternatives, including leasing the airport's 250 acres of land for commercial use, before the City incurs further federal indebtedness. Without the information such a study would produce, responsible planning on behalf of Danbury taxpayers is impossible.

DANA submits that when the City fully and objectively assesses the tree cutting and airport expansion plan, it will determine not to spend any money for tree cutting or expanding the airport.