

COMMON COUNCIL --- SPECIAL MEETING

SEPTEMBER 24, 1984

Meeting called to order at 7:15 O'Clock P.M. by the Honorable Mayor, James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Johnson, Sollose, Foti, Torcaso, Esposito, Godfrey, Flanagan, Zotos, Chianese, Skoff, McManus, DaSilva, Gallo, Cassano, Charles, Boynton, Butera, Durkin, Eriquez, Farah, Torian.

18 Present 3 Absent

NOTICE OF SPECIAL MEETING - To be held on the 24th day of September, 1984 at 7:15 O'Clock P.M. in the Council Chambers at City Hall, for the purpose of acting upon the following:

01 - RESOLUTION - AIRPORT GRANT.

02 - REPORT & ORDINANCE - GENERAL EMPLOYEES PENSION PLAN.

03 - COMMUNICATION - OFFER OF LAND IN ROGERS PARK FOR SALE TO THE CITY.

04 - COMMUNICATION - RESOLUTION FOR THE BOARD OF EDUCATION TO APPLY FOR STATE GRANTS-IN-AID FOR PROJECTS AT HAYESTOWN AVENUE SCHOOL - ROGERS PARK JUNIOR HIGH SCHOOL - DANBURY HIGH SCHOOL AND AT LOCUST AVENUE SCHOOL.

RETURN OF SERVICE - Notices delivered and served by Police Officers of the Danbury Police Department.

A motion was made by _____ & seconded by _____ for the Call and Return of Service to be accepted.

01
RESOLUTION - Airport Grant

The Resolution was _____

02
REPORT & ORDINANCE - GENERAL EMPLOYEES PENSION PLAN

The Report was _____ & the Ordinance was _____

03
COMMUNICATION - Offer of Land in Rogers Park for sale to the City.

The Communication was _____

COMMON COUNCIL --- SPECIAL MEETING

SEPTEMBER 24, 1984

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04

COMMUNICATION - Resolution for the Board of Education to apply for State Grants-In-Aid for projects at Hayestown Avenue School - Rogers Park Junior High School - Danbury High School and at Locust Avenue School.

The Communication was _____ & Resolution

PUBLIC SPEAKING SESSION

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



1
①

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

JAMES E. DYER, MAYOR

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
WIBLING ROAD

September 12, 1984

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

Mayor James E. Dyer
155 Deer Hill Avenue
Danbury, CT 06810

Dear Sir:

I am requesting that the Resolution dated 1/3/84 be amended in the third paragraph to change the amount from \$318,000.00 to \$375,000.00 and the local match changed from \$8,000.00 to \$9,375.

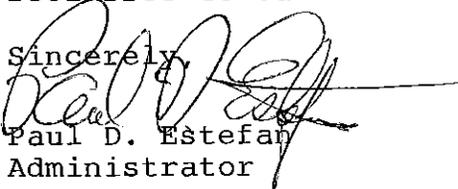
I am not requesting any additional funds to cover the local match as I can take it from the current Airport operating budget.

The bids were opened on September 11, 1984. The lowest bid was \$316,204.00. We had to add the engineering fee, which amounted to \$41,050.00. There is an administrative expense of \$1,000.00 and a contingency fund of \$17,746.00, all of which totals \$375,000.00.

I have notified John Scarfi of the bid results and the change of resolution, because the Commission does not meet again until September 27. Mr. Scarfi has no objections to these changes.

If you have any questions concerning this matter, please feel free to call me.

Sincerely,


Paul D. Estefan
Administrator

**CITY OF DANBURY****DANBURY, CONNECTICUT 06810****THEODORE H. GOLDSTEIN**
CORPORATION COUNSEL**ERIC L. GOTTSCHALK**
SANDRA V. LEHENY
TERRY L. SACHSASSISTANT CORPORATION
COUNSEL

September 18, 1984

PLEASE REPLY TO:

DANBURY, CT 06810

MEMO TO: Hon. James E. Dyer, Mayor

FROM: Eric L. Gottschalk, Assistant Corporation Counsel

RE: Airport Grant

Regrettably, the Council only authorized application and contract for a \$318,000 grant. The current contract calls for a grant of \$337,500.

Ordinarily, we would simply process a new resolution with revised figures. Paul Estefan tells me that we don't have time to wait for the next regular Council meeting since the federal funds will expire on September 25th.

Accordingly, I reluctantly suggest a special meeting to approve a revised resolution which would merely change the \$318,000 figure to \$375,000 (total cost) and the local match from \$8,000 to \$9,375.

A handwritten signature in black ink, appearing to be "ELG", written over a horizontal line.

ELG

ELG:cr



02
2

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

Sept. 24, 1984

REPORT

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

The Common Council held a public hearing regarding the proposed amendments to the General Employees Pension Plan, on September 17, 1984 at 7:30 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole following the public hearing. The committee recommends unanimously, that the proposed amendments, including the amendment to allow cost of living increases to those who retired prior to 1973, be adopted.

Respectfully submitted

Constance McManus
Common Council President

mr



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

January 3, _____ A. D., 1984

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Development Aid Program in accordance with Section 13 of the Airport and Airway Development Act of 1970; and

WHEREAS, the City of Danbury through the Danbury Aviation Commission intends to update the runway lighting system of the Danbury Municipal Airport for the purpose of correcting malfunctions of the current system; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$318,000.00 with a local match of two and one-half (2 ½%) percent equaling an amount not to exceed \$8,000.;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, James E. Dyer, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

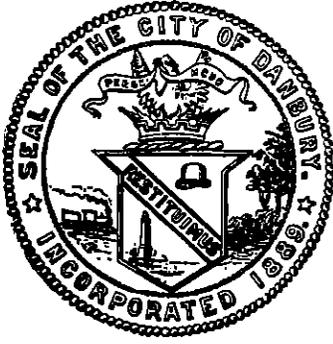
CERTIFICATION

I Elizabeth Crudginton, City Clerk of the City of Danbury, Conn. do hereby certify that the above Resolution is a true copy of the original Resolution adopted by the Common Council of the City of Danbury, on January 3, 1984.

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

Dated at Danbury, Connecticut this Sixth day of January, 1984.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

September 24, 1984 A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Development Aid Program in accordance with Section 13 of the Airport and Airway Development Act of 1970; and

WHEREAS, the City of Danbury through the Danbury Aviation Commission intends to update the runway lighting system of the Danbury Municipal Airport for the purpose of correcting malfunctions of the current system; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$375,000 with a local match of two and one-half (2½%) percent equaling an amount not to exceed \$9,375;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, James E. Dyer, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.



02
2

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

Sept. 24, 1984

REPORT

Honorable Mayor James E. Dyer
Honorable Members of the Common Council

The Common Council held a public hearing regarding the proposed amendments to the General Employees Pension Plan, on September 17, 1984 at 7:30 P.M. in the Council Chambers at City Hall.

The Common Council met as a committee of the whole following the public hearing. The committee recommends unanimously, that the proposed amendments, including the amendment to allow cost of living increases to those who retired prior to 1973, be adopted.

Respectfully submitted

Constance McManus
Common Council President

mr



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

Emanuel A. Merullo
Director of Personnel

(203) 797-4598

TO: Honorable James E. Dyer, Mayor
Honorable Members of the Common Council

FROM: Emanuel A. Merullo, Director of Personnel *Em*

DATE: August 30, 1984

Since assuming the position of Director of Personnel in February, 1983, one of the most persistent issues to come to my attention is the condition of the General Employees' Pension Plan (GEPP).

There are approximately 600 municipal and school department employees who are members of this plan. They comprise eight (8) separate bargaining units and the unaffiliated employees. Expressions of concern about the failure of the GEPP to keep pace with the economy, the condition of the Social Security provisions and the contemporary pension mode has come from every sector of the membership. Since pension details are negotiable, the issue is going to be a major consideration in contract deliberations in the next few years. The changes in the GEPP, herein proposed, reflect the City's recognition of the plan's deficiencies and its willingness to improve them, thereby providing a positive basis for future negotiations. Costs of these improvements could be reflected in wage settlements.

During the last year, the GEPP has been thoroughly scrutinized and comparisons were made of other pension plans in both the public and private sectors. The Mercer/Meidinger Corporation, custodians of the GEPP, provided advise and actuarial data. The proposal for change is based on this professional input.

Incidentally, it should be pointed out that a major obstacle to changes in the GEPP through negotiations lies in the fact that so many bargaining units are involved. Unlike the Police and Firefighters, these bargaining units could not negotiate changes effecting members of other bargaining units. Plans are shaping up to remedy that problem.

One of the more glaring weaknesses of the current GEPP is the income averaging provision - average of the last 10 years

salaries. This is unheard of in today's pension plans. Three (3) years is most common.

Meetings have been held with all bargaining units involved. All have agreed to the changes in the ordinance proposed in the enclosed document. These revisions and approximate cost in capsulated form are:

Section 14-2	Revise payroll averaging from 10 years to best 3 years.	\$256,000
Section 14-3	Extension of membership to other full time employees previously denied - (3 persons).	6,000
Section 14-3.2	Inclusion of prior service for Town Clerk's employees for time served prior to December 1979.	2,000
Section 14-4	Extension of service and salary credits to age 70.	No direct cost impact
Section 14-5	Provide full accrued benefits to anyone whose age plus service is at least 85.	250,000
Section 14-7	Improve vesting to 50% after 5 years, increasing by 10% per year with full vesting after 10 years.	10,000



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

THEODORE H. GOLDSTEIN
CORPORATION COUNSEL

ERIC L. GOTTSCHALK
SANDRA V. LEHENY
TERRY L. SACHS

ASSISTANT CORPORATION
COUNSEL

September 5, 1984

PLEASE REPLY TO:

DANBURY, CT 06810

MEMO TO: Constance A. McManus, President
Common Council

FROM: Eric L. Gottschalk, Assistant Corporation Counsel

RE: Pension Agreements

As indicated earlier, the Common Council is required to act on negotiated collective bargaining agreements within 30 days of the end of the 14 day period for submission, as provided in the attached subsection 7-474(b) of the Connecticut General Statutes.

A handwritten signature in black ink, appearing to be "ELG", written over a horizontal line.

ELG

ELG:cr

Attachment

Ch. 113 EMPLOYEES—GENERAL PROVISIONS § 7-474

Law Review Commentaries

Structuring collective bargaining in public employment. Harry H. Wellington and Ralph K. Winter, Jr. (1970) 79 Yale L.J. 805.

Library References

Labor Relations § 458.

C.J.S. Labor Relations § 474.

§ 7-474. Negotiations and agreements between municipality and employee representative

(a) Except as hereinafter provided, when an employee organization has been designated, in accordance with the provisions of sections 7-467 to 7-477, inclusive, as the exclusive representative of employees in an appropriate unit, the chief executive officer, whether elected or appointed, or his designated representative or representatives, shall represent the municipal employer in collective bargaining with such employee organization. *Am*

(b) Any agreement reached by the negotiators shall be reduced to writing. Except where the legislative body is the town meeting, a request for funds necessary to implement such written agreement and for approval of any provisions of the agreement which are in conflict with any charter, special act, ordinance, rule or regulation adopted by the municipal employer or its agents, such as a personnel board or civil service commission, or any general statute directly regulating the hours of work of policemen or firemen or any general statute providing for the method or manner of covering or removing employees from coverage under the Connecticut municipal employees' retirement system or under the policemen and firemen survivors' benefit fund shall be submitted by the bargaining representative of the municipality within fourteen days of the date on which such agreement is reached to the legislative body which may approve or reject such request as a whole by a majority vote of those present and voting on the matter; but, if rejected, the matter shall be returned to the parties for further bargaining. Failure by the bargaining representative of the municipality to submit such request to the legislative body within such fourteen-day period shall be considered to be a prohibited practice committed by the municipal employer. Such request shall be considered approved if the legislative body fails to vote to approve or reject such request within thirty days of the end of the fourteen-day period for submission to said body. Where the legislative body is the selectmen shall make the agreement valid and binding upon *Am*

the town and the board of finance shall appropriate or provide whatever funds are necessary to comply with such collective bargaining agreement.

A (c) Notwithstanding any provision of any general statute, charter, special act or ordinance to the contrary, the budget-appropriating authority of any municipal employer shall appropriate whatever funds are required to comply with a collective bargaining agreement, provided the request called for in subsection (b) of this section has been approved by the legislative body of such municipal employer.

A (d) If the municipal employer is a district, school board, housing authority or other authority established by law, which by statute, charter, special act or ordinance has sole and exclusive control over the appointment of and the wages, hours and conditions of employment of its employees, such district, school board, housing authority or other authority, or its designated representatives, shall represent such municipal employer in collective bargaining and shall have the authority to enter into collective bargaining agreements with the employee organization which is the exclusive representative of such employees, and such agreements shall be binding on the parties thereto, and no such agreement or any part thereof shall require approval of the legislative body of the municipality.

(e) No provision of any general statute, charter, special act or ordinance shall prevent negotiations between a municipal employer and an employee organization, which has been designated or recognized as the exclusive representative of employees in an appropriate unit, from continuing after the final date for making or setting the budget of such municipal employer. An agreement between a municipal employer and an employee organization shall be valid and in force under its terms when entered into in accordance with the provisions of sections 7-467 to 7-477, inclusive, and signed by the chief executive officer or administrator as a ministerial act. Such terms may make any such agreement effective on a date prior to the date on which such agreement is entered. No publication thereof shall be required to make it effective. The procedure for the making of an agreement between the municipal employer and an employee organization provided by said sections shall be the exclusive method for making a valid agreement for municipal employees represented by an employee organization, and any provisions in any general statute, charter or special act to the contrary shall not apply to such an agreement.



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ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

September 24, 1984

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

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-2(c) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"*Compensation* means the amount paid to the employee by the employer for the services of the employee, but excluding any amounts paid on the account of the employee under this plan, any other employee trust or any employee insurance plan of the employer. Compensation of an employee absent due to service in the armed forces shall be computed assuming that the employee is actively at work during the period of such absence and receives compensation from the employer at the rate which was paid to the employee by the employer at the time the employee ceased active employment to enter on such service in the armed forces.

"For all members retiring prior to January 1, 1984 *average compensation* shall mean the average of compensation over the period of ten (10) years prior to the earliest of termination of service, actual retirement, or normal retirement date. If the total period of service is less than ten (10) years, the total period of service prior to the earliest of termination of service, early retirement, or normal retirement date shall be used in computing average compensation.

"For all members retiring after January 1, 1984 *average compensation* shall mean the average of compensation over the period of three (3) years of highest compensation."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-2(d) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"For all members retiring prior to January 1, 1984 *credited service* shall mean the period of time which elapses between the first day of the month following



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

the date upon which the employee commences full-time employment and the date upon which the employee is eligible for retirement or the date of the employee's termination, whichever comes earlier. If re-employed, *credited service* shall be the sum of all years of full-time employment. Credited service shall be computed on the basis of completed years and fractions thereof through the last completed full calendar month of employment. The provisions of this paragraph shall be retroactive to January 1, 1973.

"For all members retiring after January 1, 1984 *credited service* shall mean the period of time which elapses between the first day of the month following the employee's date of full-time employment and the date upon which services of the employee terminate. If re-employed, *credited service* shall be the sum of all years of full-time employment. Credited service shall be computed on the basis of completed years and fractions thereof through the last completed full calendar month of employment.

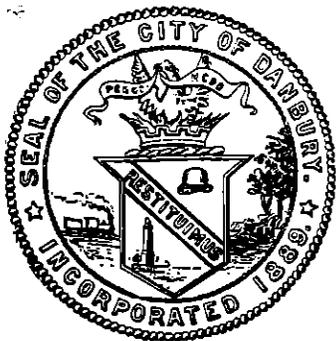
"There shall be included in such credited service:

"(1) Any period of absence while on active service in the armed forces, provided the employee returns to employment within ninety (90) days after the date when the employee is first eligible for release from active service in the armed forces, or at the end of any period for which such ninety (90) day period has been extended by the employer.

"(2) Any period of time not in excess of three (3) months during any one excused absence from employment due to disability or layoff.

"There shall be excluded from such elapsed period of time in computing the credited service of the employee:

"(1) Any period of time during any excused absence due to disability or layoff in excess of three (3) months during any one excused absence from employment due to disability or layoff, or



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

"(2) Any period of time during which the employee is on leave of absence without pay."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-2(e) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"*Employee* shall mean any person regularly employed by the employer on a full-time basis, including elected officials, but excluding police officers, firefighters and persons eligible for membership in the State Teachers Retirement System; provided, however, that police officers, firefighters and persons eligible for membership in the State Teachers Retirement System may be considered employees for purposes of this Article by virtue of other full-time employment with the employer."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-3 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Eligibility for membership.

"Effective June 1, 1973 employees shall become members or shall be considered to have become members on the first day of the month following employment or election. For all members retiring prior to January 1, 1984 all past service with the City of Danbury or Town of Danbury on a full-time basis shall be included regardless of when service took place and regardless of whether in the service of the former City government or Town government if said service was prior to normal retirement date. For all members retiring after January 1, 1984 all past service with the City of Danbury or Town of Danbury on a full-time basis shall be included regardless of when service took place and regardless of whether in the



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

service of the former City government or Town government if said service was prior to a member's seventieth (70th) birthday."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT the Code of Ordinances of Danbury, Connecticut be and hereby is amended by the addition of a new section to be designated as Section 14-3.2 which section shall read as follows:

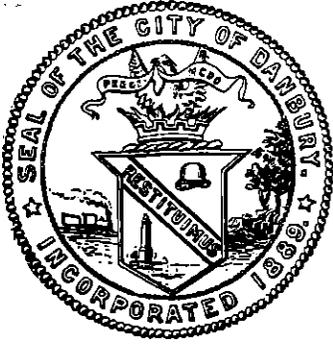
"Participation of employees in Office of the Town Clerk.

"Members of the plan who were employed in the Office of the Town Clerk prior to November 19, 1979 as full-time employees shall have their credited service extended to include the number of months of continuous employment in said office immediately preceding November 19, 1979."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-4 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Retirement dates.

"Effective June 1, 1973 the normal retirement date shall be the first of the month following a member's sixty-fifth (65th) birthday, except that in the case of elected officials it shall be the later of the first day of the month following the member's sixty-fifth (65th) birthday or the date upon which the member is no longer an employee as defined in Section 14-2(e). A member, active or inactive, who has attained age fifty-five (55) may retire and commence benefits on the first day of any month following the member's fifty-fifth (55th) birthday subject to the provisions of Section 14-5. For all members retiring prior to January 1, 1984 no pension benefits shall accrue beyond normal retirement date.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

For all members retiring after January 1, 1984 credited service shall continue to accrue beyond the normal retirement date until actual retirement or until the first of the month following the member's seventieth (70th) birthday when retirement shall be mandatory."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-5 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Retirement benefits, normal form and amount:

"The normal form of retirement benefit payable hereunder (whether payment commences on a normal retirement date or an early retirement date) shall be an income payable monthly to the retired member for life, commencing on the first day of the month on which the first payment is due in accordance with the provisions hereof and ceasing with the payment due on the first day of the month in which the member's death occurs.

"Each member upon retiring on or after the member's normal retirement date shall be entitled to receive, commencing on the first day of the calendar month coincident with or next following the member's retirement date a monthly amount of retirement benefit equal to one-twelfth (1/12) of the product of one and one-half per cent (1½%) of the member's average compensation multiplied by the member's number of years of credited service.

"Each member retiring before January 1, 1984 and before the member's normal retirement date in accordance with Section 14-4 shall be entitled to receive, commencing on his or her normal retirement date, a monthly pension equal to one-twelfth (1/12) of one and one-half per cent (1½%) of the member's average compensation multiplied by the member's number of years of credited service.

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

"Each member retiring after January 1, 1984 and before the member's normal retirement date in accordance with Section 14-4 shall be entitled to receive, commencing on the earlier of either the member's normal retirement date or the first day of the month following the birthday of a member which causes the sum of his or her age and number of years of service to equal eighty-five (85), a monthly pension equal to one-twelfth (1/12) of one and one-half per cent (1/12 of 1½%) of the member's average compensation multiplied by the member's number of years of credited service.

"In lieu of the early retirement specified in the two preceding paragraphs, a member age fifty-five (55) or over and retiring prior to January 1, 1984 may elect to receive a reduced monthly amount of retirement benefit (commencing on the first day of any month on or after the member's early retirement date and before his or her normal retirement date) which shall be the monthly benefit which otherwise would commence on the member's normal retirement date reduced by one-half of one per cent (1/2 of 1%) for each month by which the actual commencement of pension benefit payments precedes the normal retirement date.

"Each member retiring after January 1, 1984 and before both the member's normal retirement date and the first day of the month following the birthday of a member which causes the sum of the member's age and number of years of service as an employee of the City to be equal to eighty-five (85) may elect to receive a reduced monthly amount of retirement benefit which shall be the monthly benefit which otherwise would commence on the earlier of either a member's normal retirement date or the first day of the month following the birthday of a member which causes the sum of the member's age and number of years of service as an employee of the City of Danbury to equal eighty-five (85), reduced by one-half of one per cent (1/2 of 1%) for each month by which actual commencement of pension benefit payments precedes the earlier of either the member's normal



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

retirement date or the first day of the month following the birthday of a member which causes the sum of the member's age and number of years of service as an employee of the City of Danbury to equal eighty-five (85).

"In lieu of the early retirement benefit specified above and provided none of the optional forms of retirement benefit described in Section 14-6 is in effect, a member retiring in advance of the date on which he or she is eligible to receive his or her primary Social Security benefit may elect in writing, filed with the committee prior to the commencement of retirement benefit payments, a form of retirement benefit of equivalent actuarial value to the retirement benefits which would otherwise be paid and under which he or she shall receive a greater amount of retirement benefit until the date on which it is expected he or she will become eligible to commence receiving Social Security benefit payments, and a smaller amount of retirement benefit or no retirement benefit thereafter, so that, insofar as is practicable, he or she may have a constant total amount of retirement income inclusive of his or her benefit payments under the Social Security Act.

"The election of an early retirement benefit under this section must be in writing and filed with the committee, in such form as it shall prescribe at least sixty (60) days prior to the date benefits are to begin.

"If the monthly payment hereunder to any person would amount to less than twenty dollars (\$20.00) the committee may cause payment to be made to such person at less frequent intervals (but not less frequently than annually) in correspondingly greater amounts; provided, however, that if the annual rate of benefit payable to any person is less than one hundred dollars (\$100.00), the committee may, at its sole discretion, direct the trustee to pay such person the then present value of the retirement benefit in one sum forthwith or in installments with interest over such period of time as the committee may determine.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

"Those persons receiving pensions based on formulas in effect under this Pension Plan, prior to December 4, 1968, shall have their annual pensions increased by the sum of two hundred dollars (\$200.00) effective July 1, 1971. All persons retiring prior to July 3, 1973, shall have their pension increased by ten (10%) per cent effective September 1, 1975, and all persons retiring prior to July 3, 1973, shall have their pensions increased by an additional ten (10%) per cent effective September 1, 1977. All persons retiring prior to July 3, 1973 shall have their pensions increased by an additional fifteen (15%) per cent effective January 1, 1982.

"Persons retiring from service with the City of Danbury shall have their pensions increased from time to time for increases in the cost of living, as hereinafter described. For purposes of this section, the term 'base month' shall mean the month of December next preceding the July 1 on which the most recent cost of living increase in pensions became effective, but the first base month shall be December, 1973; the term 'cost of living index' shall mean the 'Consumer Price Index for Urban Wage Earners and Clerical Workers,' United States city average, all items — Series A (1967=100), published by the United States Department of Labor, Bureau of Labor Statistics. Each January, commencing January, 1975, the cost of living index for the next preceding December shall be divided by the cost of living index for the base month; if the quotient equals or exceeds 1.15, all pensions shall be increased by multiplying the pension currently being paid by 1.15; such increase to be effective the following July 1. Such increases in pensions shall apply to surviving beneficiaries and surviving contingent annuitants to whom benefits are payable under the terms of this chapter, as well as to retired members.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

In order to qualify for a cost of living adjustment as provided for herein, a member must have retired prior to January first in the year during which said cost of living adjustment became effective.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-6 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Optional forms of retirement benefit; beneficiaries.

"Subject to the conditions enumerated in this section, a member may elect to receive any one of the following optional forms of retirement benefit in lieu of the normal form of retirement benefit to which said member would otherwise be entitled in accordance with Section 14-5.

"*Option A:* A contingent annuitant form of retirement benefit under which the member shall receive, commencing on the same date as that on which benefits would otherwise commence, and ceasing with the payment due on the first day of the month in which said member's death occurs, a reduced amount of retirement benefit; and after said member's death a person designated by said member as his or her contingent annuitant (if such person shall survive the member) shall receive for life either the same amount of retirement benefit or, subject to the approval of the committee, a percentage thereof as specified by the member in his or her election; or

"*Option B:* A form of retirement benefit under which the member shall receive, commencing on the same date as that on which benefits would otherwise commence, and ceasing with the payment due on the first day of the month in which the member's death occurs, a reduced amount of retirement benefit; and after said member's death, if death occurs before he or she shall have received monthly retirement benefits for a period of five (5) years,



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

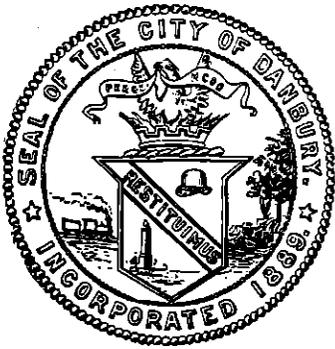
ten (10) years, or fifteen (15) years, whichever the member shall elect, the beneficiary shall receive the same reduced monthly retirement benefit until monthly payments to the member and his or her beneficiary have been made for the period so elected by the member; or

"Option C: Such other form of retirement benefit, payment or settlement as the committee, at its sole discretion, may approve which does not permit the deferment of benefits to the retired member and payment of all or a substantial part thereof to a beneficiary or other person upon the death of the member.

"Option D: Repealed by Ord. No. 141, 3-4-69.

"The conditions under which any one of these options may be elected are as follows:

- "(a) The member's election must be in writing and filed with the committee in such form as it shall prescribe, and shall become effective on the member's actual or normal retirement date, whichever is the earlier; provided, however, that if such election is not so filed either before January 1, 1964, or at least two (2) years prior to the earlier of the member's normal retirement date, or early retirement date, it shall not so become effective unless evidence satisfactory to the committee of the member's good health is furnished.
- "(b) If the employee has elected Option B or Option C in a form which provides a benefit following the member's death, he or she shall designate in writing, in such form as the committee shall require, a beneficiary to receive any retirement benefit payments to be made after said member's death. Such designation may be changed, either prior to or subsequent to the effective date of the election of such option, by a new designation.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

- "(c) After an employee's actual or normal retirement date whichever is earlier, an election of an option under this section which became effective on such date in accordance with (a) above may not be rescinded, nor may the contingent annuitant under Option A be changed.
- "(d) If the contingent annuitant under Option A dies before the effective date of the option, the election shall cease to be effective unless the member shall, within sixty (60) days thereafter, name a new contingent annuitant. If the beneficiary under Option B or C dies before the effective date of the option, the member may rescind his or her election by filing a written request therefor with the committee.
- "(e) The death of a contingent annuitant under Option A, or of a beneficiary under Option B or C, after the effective date of the option and while a retired member is still living, shall not affect the amount of retirement benefit payable to the retired member pursuant to his or her election under this section.
- "(f) If an employee retires prior to his or her normal retirement date and pension benefits hereunder are to commence prior to such normal retirement date, anything herein to the contrary notwithstanding, the committee may refuse to give effect to an election made hereunder unless evidence of the good health of the employee, satisfactory to the committee, shall have been furnished to it.
- "(g) The amount of retirement benefit payable under an option effective under this section shall be of equivalent actuarial value to the amount of normal retirement benefit which otherwise would have been payable to the member.

"Each member to whom benefits are payable under Option B (or Option C, when appropriate) shall designate a beneficiary to whom any benefits payable upon the

death of such employee in accordance with such Option B (or Option C) shall be paid. Such member (or retired member) may also designate a contingent beneficiary, and may designate or change his or her beneficiary, or contingent beneficiary, from time to time, before or after said member's retirement, by filing a written notice thereof with the committee in such forms as shall be prescribed by it.

"If a beneficiary under Option B or C does not survive the member or the retired member for more than forty-eight (48) hours, and if no contingent beneficiary has been named by such member or retired member, the commuted value of the benefits, if any, to which his or her surviving beneficiary would have been entitled shall be paid in one sum to the executor (executrix) or administrator (administratrix) of the estate of the deceased member or deceased retired member. If a beneficiary who survives the member or retired member for more than forty-eight (48) hours dies before receiving all payments to which he or she is entitled, the commuted value of payments due thereafter shall be paid in one sum to the executor (executrix) or administrator (administratrix) of the estate of such deceased beneficiary. Such payments shall fully discharge the liability of the plan with respect to the amount so paid.

"Anything herein to the contrary notwithstanding, any amount which shall become payable to the executor (executrix) or administrator (administratrix) of the estate of a deceased member, deceased retired member, or deceased beneficiary may, at the sole discretion of the committee, be paid instead to any one or more of the following surviving relatives of the deceased member, deceased retired member, or deceased beneficiary, as the case may be: wife, husband, mother, father, child (including stepchild or child by adoption), sister, or brother. Any such payment shall fully discharge the liability of the plan and trust with respect to the amount so paid."



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-7 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

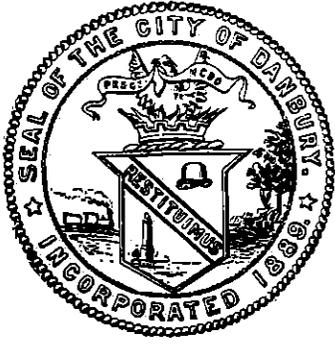
"Termination of employment.

"In the event of the termination of employment of any member hired prior to December 31, 1983, such member shall be vested under the most advantageous provisions of subsections 14-7(a), (b), (c), or (d). In the event of the termination of employment of any member hired on or after January 1, 1984, such member shall be vested only in accordance with the provisions of subsection 14-7(d). Any qualifying member may elect to receive early retirement benefits in accordance with the provisions of this Article. Nothing herein shall be interpreted to prevent application by a qualifying member for disability retirement benefits in accordance with the provisions of Section 14-14 hereof.

"In the event of the termination of employment of a member:

"(a) If said member has worked for ten (10) years he or she shall not forfeit any pension right. Membership in the plan shall continue and upon attainment of his or her normal retirement date he or she shall be entitled to receive a retirement benefit determined in accordance with Section 14-5 and based on the member's average compensation and credited service to the date of termination. Likewise such member may exercise early retirement options but only after the age of fifty-five (55).

"(b) If a member's employment is terminated and said member cannot qualify under paragraph (a) of this section said member may qualify if the sum of his or her years of service plus said member's age at his or her last birthday totals the number fifty (50). Said member shall receive a pension as described in (a) above.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

- "(c) A member terminating before normal retirement date not qualifying under the above paragraphs loses all pension benefits unless he or she is rehired and can accumulate the additional service to qualify under the above paragraphs. Persons returning to work must work a minimum of one year to qualify under this section.
- "(d) The benefits provided under this pension plan shall vest in accordance with the following schedule:

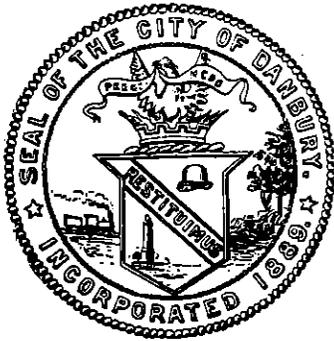
Vesting Schedule

<u>Years of Full Employment</u>	<u>Percentage of Vesting at Normal Retirement Age</u>
Less than 5 years	No pension
5	50
6	60
7	70
8	80
9	90
10	100"

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-11 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Amendment to plan, termination of plan or discontinuance or suspension of employer contributions.

"The employer reserves the right to modify or amend the plan or any of its provisions by delivery to the retirement committee of a certified copy of the vote of the common council making such modification or amendment; provided, however, that no such modification or amendment shall be made which would:



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

- "(a) Increase the duties or liabilities of the trustee without its written consent;
- "(b) Divest a member of any interest hereunder that has accrued to him or her; or
- "(c) Cause or permit any portion of the trust fund to be converted to or become the property of the employer prior to the satisfaction of all liabilities with respect to the plan;

unless such modification or amendment is necessary or appropriate to enable the plan or trust to qualify under Section 401 of the Internal Revenue Code as from time to time amended or under any corresponding section of the Internal Revenue Code as hereafter enacted.

"In the event the plan at any time shall be terminated in whole or in part or contributions under the plan shall be discontinued, the value of the assets of the trust fund shall be determined. Such assets shall then be used in such way that each of the following provisions shall be given full effect before any later provision is carried out and in such way that if, in the carrying out of a provision the value of the property remaining in the trust fund is insufficient to carry out such provision in full, the property available therefor shall be applied in the same proportions as the allocation which would be made if such property were sufficient to carry out the provisions in full:

"(1) To provide the retirement benefits still to be paid to any retired member, or contingent annuitant, or beneficiary of a deceased retired member.

"(2) To provide the retirement benefits which have accrued to members who have reached their normal retirement dates or who have reached the first day of the month following the birthday which causes the sum of their age and number of years of service as an employee of the City of Danbury to equal eighty-five (85) and who have not retired.



2

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

- "(3) To provide the retirement benefits which have accrued to members who have reached a date upon which they could terminate employment without forfeiting all interest in the trust fund in accordance with section 14-7.
- "(4) If there is a balance of the fund remaining after the allocations provided for in (1), (2) and (3) above, to allocate such balance among the remaining members, the allocation to each such remaining member being in the proportion to which the then present value, actuarially computed, of the amount of normal retirement benefit which is accrued to his or her account for credited service to the date of termination of the plan or discontinuance of contributions bears to the then present value of the amount of normal retirement benefit which has so accrued to the account of all such members, but not in excess of one hundred per cent (100%) of the then present value of any member's retirement benefit.
- "(5) To return to the employer any balance which shall remain after all liabilities under the plan with respect to retired members, members, contingent annuitants and beneficiaries have been fully satisfied as hereinbefore provided.

"The value of the retirement benefits and the amount of actuarial reserves required to provide such retirement benefits shall be determined by the actuaries in accordance with Section 14-13.

"The retirement committee may direct that the allocation so found to be due any person shall be:

- "(a) Paid to him or her as a retirement benefit through the continuance of the existing trust fund or a replacing trust fund; or



2

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

September 24, 1984

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

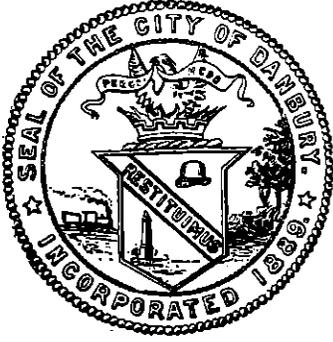
- "(b) Used to purchase an annuity contract from an insurance company for his or her benefit; or
- "(c) Paid to him or her in cash forthwith or in installments over such period of time as the retirement committee, at its sole discretion, may determine.

"A temporary discontinuance of contributions by the employer shall not be construed as, nor constitute, discontinuance of contributions for the purpose of this plan."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-14(d) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"For each member who retires under this section, the monthly amount of disability retirement benefit shall be equal to one-twelfth of one and one-half per cent ($1/12$ of $1\frac{1}{2}\%$) of said member's average compensation multiplied by the number of years of credited service prior to the date of disability. For each member who retired under this section prior to January 1, 1975, the monthly amount of disability retirement benefit shall be reduced by one-half of one per cent ($1/2$ of 1%) for each month by which the actual commencement of disability retirement benefit payments preceded the member's normal retirement date. For each member who retired under this section on or after January 1, 1975 and prior to January 1, 1983 the monthly amount of disability retirement benefit shall be reduced by the lessor of:

- "(1) The reduction described in the immediately preceding sentence, or
- "(2) A reduction so that the amount of benefit shall be of equivalent actuarial value to the amount of benefit which otherwise would have been payable commencing on the member's normal retirement date.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

September 24, 1984

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

THAT subsection 14-2(i) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"(i) *Retirement benefit or benefit* means the monthly, or other, payments to be provided under the plan for a retired member, his or her contingent annuitant or beneficiary."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-2(k) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"(k) *Termination of employment* of an employee means:

- (1) Voluntary cessation of employment with the employer by an employee;
- (2) Discharge of an employee by the employer;
- (3) Failure of an employee to return to work within ten (10) days after notice has been sent by the employer recalling him or her to work after a layoff;
- (4) Failure of an employee to return to active employment:
 - (a) Upon recovery from a disability, being then able to perform his or her regular duties;
 - (b) At the end of a period for which the employee has been granted a leave of absence, or any extension thereof;
 - (c) Within ninety (90) days after the date when said employee is first eligible for release from active service in the armed forces, or at the end of any period for which such ninety (90) day period has been extended by the employer upon request for such extension by the employee or somebody acting on his or her behalf;
- (5) Layoff of an employee:
 - (a) For a period of three (3) months in the case of an employee with less than six (6) months of credited service;
 - (b) For a period of one (1) year in the case of an employee with six (6) months or more of credited service."



2

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT COMMON COUNCIL

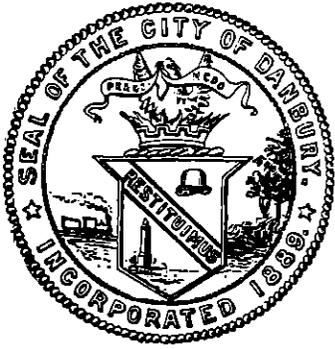
Be it ordained by the Common Council of the City of Danbury:

THAT Section 14-9 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Sec. 14-9. Limitation of rights of employees.

"Nothing contained in the plan gives, or is intended to give, any employee the right to be retained in the service of the employer or interferes, or is intended to interfere, with the right of the employer to discharge or terminate the employment of any employee at any time. No employee shall have any right or claim to benefits beyond those expressly provided by the plan. All rights and claims are limited as set forth in the plan and are further limited to the extent of the funds available therefor in the hands of the trustee.

"No benefits payable at any time under the plan shall be subject, in any manner, to alienation, sale, transfer, assignment, pledge, attachment or encumbrance of any kind. Any attempt to alienate, sell, transfer, assign, pledge or otherwise encumber any such benefit, whether presently or thereafter payable, shall be void. No retirement benefit and no trust established in connection with this plan shall in any manner be subject to the debts or liabilities of any member, retired member, contingent annuitant, or beneficiary entitled to any benefit, nor shall any trustee of such trust be required to make any payment toward such debts or liability. If the member, retired member, contingent annuitant or beneficiary shall attempt to, or shall alienate or encumber his or her benefits under this plan or any part hereof, or if by reason of his or her bankruptcy (voluntary or involuntary) or insolvency or by reason of any attachment or any other event happening at any time, such benefits or any part thereof would devolve upon anyone else or would not be enjoyed by said member, his or her right to receive same shall absolutely cease and terminate; provided, however, that thereafter the committee may, at its discretion, cause to be paid or applied for the support and maintenance of said member, retired member, contingent annuitant or beneficiary or for the support and maintenance of any member of his or her family, so much of said benefit, and in such shares and proportions as the committee may deem proper.



2

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

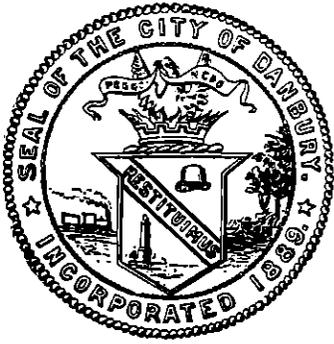
Be it ordained by the Common Council of the City of Danbury:

"In the event it shall be determined by the committee that any retired member, contingent annuitant or beneficiary is unable to care for his or her affairs due to mental or physical incapacity, any benefits payable to him or her may be paid to the spouse, parent, brother or sister, or other person deemed by the committee to have incurred expenses for such retired member, contingent annuitant or beneficiary unless prior claim thereof has been made by a duly qualified guardian or other legal representative. Any such payment shall be a payment for the account of the retired member, contingent annuitant or beneficiary, and shall be a complete discharge of any liability of the plan therefor."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT Section 14-10 of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"Sec. 14-10. Administration of the plan.

"The general administration of the plan and the responsibility for carrying out its provisions shall be vested in a three (3) person retirement committee composed of the mayor of the City of Danbury (or his or her nominee), the comptroller of the City of Danbury (or his or her nominee) and one other person appointed jointly by them. A committee member may be replaced at any time by the person or persons who appointed said member. A person appointed a member of such committee shall serve without compensation and shall signify his or her acceptance in writing. A committee member may resign by delivering a written resignation to the committee and such resignation shall become effective upon its delivery or at any later date specified therein. If at any time there shall be a vacancy in the membership of the committee, the remaining member or members shall continue to act until such vacancy is filled by action of the mayor or the comptroller of the city, or the two of them jointly.



2

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

"The committee shall appoint from among its members a chairperson, and shall appoint as secretary a person who may, but need not, be a member of the committee or eligible for benefits under the plan.

"The committee shall hold meetings upon such notice, at such place or places, and at such times as its members may from time to time determine. A simple majority of the members at the time in office shall constitute a quorum for the transaction of business. All action taken by the committee at any meeting shall be by vote of the simple majority of those present at such meeting, but the committee may act without a meeting by unanimous action of its members evidenced by a resolution or other writing signed by all of the members of the committee.

"Subject to the terms of the plan, the committee may from time to time adopt by-laws, rules and regulations for the administration of the plan and the conduct and transaction of its business affairs.

"The committee shall have such power as may be necessary to discharge its duties hereunder, including, but not limited to, the power to interpret and construe the plan, to determine all questions of eligibility, duration of credited service, dates of birth, membership and retirement, computation of benefits, value of benefits, and similarly related matters for the purpose of the plan, and the committee's determination of all questions arising under the plan shall be binding upon all employees, members, retired members, or any others concerned.

"The committee shall employ an actuary at such times as are necessary and the committee may retain or consult counsel and may employ such clerical, medical, accounting, and actuarial services as it deems expedient in carrying out the provisions of the plan.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

"The committee shall require each member to submit to it, in such form as it shall deem reasonably adequate and acceptable, proof of age or date of birth and that of his or her contingent annuitant if such member shall elect Option A.

"The committee shall keep such records and minutes of its proceedings and actions as it deems appropriate. It shall also maintain accounts showing the fiscal transactions of the plan and shall keep in convenient form such data as may be necessary for the actuarial valuation of the assets and liabilities of the plan. The committee shall prepare annually a report to the common council showing in reasonable detail the assets and liabilities and a brief account of the operation for the preceding year. It shall keep a copy of the plan in the office of the mayor and the comptroller of the city available for inspection by members and retired members, and shall permit any member or retired member to examine such of its records as are material to his or her rights and benefits hereunder.

"The committee shall direct the trustee concerning all payments which are to be made out of the fund pursuant to the plan and all terminations of such payments.

"The committee may authorize one or more of its members, officers or agents to sign on its behalf any instructions of the committee to the trustee and the trustee will be fully protected in action thereon.

"The members of the committee shall use ordinary care and reasonable diligence in the performance of their duties, but no member shall be personally liable for any error of omission or commission unless such error results from gross negligence, wilful misconduct or lack of good faith; nor shall any member be personally liable for any act of any other member or members.

"Operation and administration expenses of the committee shall be paid by the employer. The employer shall reimburse members of the committee for all necessary expenses. The secretary of the committee shall be entitled to such compensation, if any, as the board shall from time to time direct.



2

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

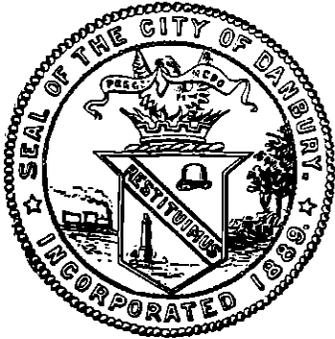
COMMON COUNCIL

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

"Neither the committee, nor the employer, shall be responsible for any reports furnished by the actuary employed by the committee, but shall be entitled to rely thereon as well as on all tables, valuations and certificates furnished by such actuary, and on all opinions of counsel. The committee, the employer and the trustee shall be fully protected with respect to any action taken or suffered by them in good faith and reliance upon any such actuary, accountant or counsel, and all actions taken and suffered in such reliance shall be binding between, and without liability to, each of them and to each and all members, contingent annuitants or beneficiaries under this plan or under a trust agreement made a part hereof. Neither the employer, nor the trustee of any trust established hereunder in connection with the funding of the plan, shall be liable hereunder, or under any trust agreement entered into hereunder, for any error of omission or commission unless such error results from its own gross negligence, wilful misconduct or lack of good faith; and neither the employer nor any trustee shall be liable hereunder for any error of omission or commission of any attorney or agent unless in the selection of such attorney or agent it was guilty of gross negligence, wilful misconduct, or lack of good faith."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT subsection 14-14(c) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"(c) A member who is in receipt of a disability benefit shall, upon attaining his or her normal retirement date, be entitled to a normal retirement benefit of the same amount as his or her disability retirement benefit."



2

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

September 24, 1984

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

THAT subsection 14-14(e) of the Code of Ordinances of Danbury, Connecticut be and hereby is amended to read as follows:

"(e) A member whose disability retirement benefit has been discontinued and who immediately returns to employment shall, upon subsequent retirement, be entitled to a retirement benefit computed in accordance with section 14-5 based upon said member's average compensation and years of membership in the plan exclusive of the period during which he or she was in receipt of a disability retirement benefit."

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, Connecticut.

Adopted by the Common Council September 24, 1984.
Approved by Mayor James E. Dyer - September 25, 1984.

Attest:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk

If parties are in agreement, please signify with appropriate signatures.

FOR THE CITY OF DANBURY

FOR BARGAINING UNITS

[Signature]
Mayor James E. Dyer
Emanuel A. Merullo
Emanuel A. Merullo

George Lamontagne
D.B. Local #677 Highway
George Lamontagne
D.B. Local #677 Utilities
George Lamontagne
D.B. Local #677 Public Buildings
George Lamontagne
D.B. Local #677 School Cafeteria Employees
George Lamontagne
D.B. Local #677 School Custodians
John Brown
Civil Service Employees Affiliates, Inc.
Virginia Atberg
Danbury Para-professionals
Jan Pappas
Danbury School Nurses Association
Jeffrey Ollendy
Danbury Municipal Employees Association

8/30/84
Date



**Richard Jowdy,
Inc.**

109 NORTH STREET
DANBURY, CT 06811
(203) 744-5544

3

September 6, 1984

Mr. James Dyer
Mayor of Danbury
Danbury City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dear Mayor Dyer:

We have recently acquired the exclusive right to sell the Estate of Katie Wojcik. The property consists of 4½ acres and a 2-story stone house located in the center of Rogers Park.

We would like to make you aware of the availability of this property. In light of the fact that it has just become available, there is a very good chance that we will be approached by many developers who may be interested in acquiring this site.

We feel that the city should have every opportunity to consider purchasing this property.

The highest and best use would be additional elderly housing, middle income apartments or condominiums or some sort of municipal facility either recreational or official.

If you feel that this offering would be of interest to the city, we suggest that your immediate attention and consideration be given to this matter. We have enclosed the particulars and map.

If you have any questions, please call us at our office.

Respectfully,

MERRILL LYNCH REALTY/Richard Jowdy, Inc.

Cindy Bennette
Cindy Bennette, Realtor

Mary Foley
Mary Foley, Realtor

Enc.

TYPE (Circle One Only) 1. Single Family 2. Condominium 3. Waterfront Zone 03
Price 800,000 Street No. Street Name York Street City Danbury

One Number (Only) must be circled under each of the following categories:

Table with columns: STATUS, SALE/LEASE, FULL BATHS, HALF BATHS, GARAGE Cap., BASEMENT, STYLE, AGE, TOTAL LIV. SP. Includes handwritten entries like '1. Active', '1. For Sale', '0. None', '0. No', '0. Other', '3', '0. Unknown'.

KEY WORDS

GENERAL INFO

List Agt Mary & Cindy, List OFF Merrill, Owners Mary & Cindy, Occ Ph, USZ, Ten. Name, LB Y/N, Kk Sz, SR SZ, BR SZ, DIRECTS, INSLC, W, F

Circle Numbers in front of all that apply:

- A. ZONING: 1. 1/4 Acre, 2. 1/2 Acre, 3. 1 Acre, 4. 2 Acre, 5. 3 Acre, 6. 4 Acre, 7. Residential, 8. Historical, 9. Bus./Comm., 10. Industrial, 11. Agriculture, 12. Other
B. LIVING ROOM: 1. Yes, 2. Main Level, 3. Upper Level, 4. Lower Level, 5. Fireplace, 6. Wood Stove/Other, 7. Cth/Vlt/Ceiling, 8. Beams, 9. Wood Floor, 10. Well-Wall Carpet, 11. Sliding Glass Door, 12. Skylights, 13. Wet Bar
C. KITCHEN: 1. Main Level, 2. Upper Level
D. FAMILY ROOM: 1. Yes, 2. Main Level, 3. Upper Level, 4. Lower Level, 5. Fireplace, 6. Wood Stove/Other, 7. Cth/Vlt/Ceiling, 8. Beams, 9. Wood Floor, 10. Well-Wall Carpet, 11. Tile, 12. Sliding Glass Door, 13. Paneling, 14. Wet Bar, 15. Skylights
E. BEDROOMS: 1. Yes, 2. Main Level, 3. Upper Level, 4. Lower Level
F. MASTER BEDROOM: 1. Yes, 2. Main Level, 3. Upper Level, 4. Lower Level, 5 w/Full Bath, 6. Shower Stall, 7. Tub/Bath, 8. Double Sinks, 9. w/Half Bath
G. LAUNDRY ROOM: 1. Yes, 2. Main Level, 3. Upper Level, 4. Lower Level, 5. Mudroom Comb., 6. Kitchen, 7. Bath Comb., 8. Closet Area, 9. Garage Area
H. OTHER ROOMS: 1. Yes, 2. Game Room, 3. Study/Library, 4. Den/Office, 5. Loft, 6. Foyer, 7. Mudroom, 8. Workshop
I. INTERIOR FEATURES: 1. Humidifier, 2. De-Humidifier, 3. Security System, 4. Smoke Alarm, 5. Fire Alarm, 6. Air Filter System, 7. Intarcom, 9. Central Vacuum, 10. Cable T.V. Available, 11. Washer, 12. Dryer, 13. Wtrstfner Owned, 14. Wtrstfner Rented, 15. Blinds/Shades, 16. Drapes/Curtains, 17. Rods
J. FIREPLACE: 1. Yes, 2. One, 3. Two, 4. Three, 5. Four or More
K. HEATING: 1. Oil, 2. Gas, 3. Electric, 4. Passive Solar, 5. Active Solar, 6. Hot Water Bd, 7. Forced Hot Air, 8. Hot Air, 9. Radiant, 10. Steam, 11. Heat Pump, 12. Wood, 13. Coal, 14. Central Air, 15. No Heat, 16. Attic Fan, 17. Window A/C Unit
L. ADDITIONAL HEAT: 1. Yes, 2. Wood Stove, 3. Coal Stove, 4. Wood/Coal Stove, 5. FP w/Heatilator
M. DOMESTIC H/W: 1. Off Boiler, 2. Separate Electric, 3. Separate Gas, 4. Separate Oil, 5. Solar, 6. Other
N. WATER: 1. City Water, 2. City Sewer, 3. Automatic, 4. Well, 5. Cistern, 6. Seepage, 7. Septic, 8. Cesspool, 9. Other
O. WIRING: 1. 110V, 2. 220V, 3. 35/45 Amp, 4. 110/125-150 Amp, 5. 200 Amp, 6. Fuses, 7. Circuit Breaker
P. STORM WINDOWS: 1. Yes, 2. Partial
Q. INSULATION: 1. Unknown, 2. Full, 3. Partial, 4. Fiberglass, 5. Blown-in, 6. Styrofoam, 7. None
R. BASEMENT: 1. Yes, 2. Full, 3. Partial, 4. Crawl, 5. Walk-out, 6. Partial Finish, 7. All Finished, 8. Sump Pump, 9. As in A
S. UPPI: 5. Present, 6. Basement, 7. Not Finished, 8. Unknown
T. OTHER AMENITIES: 1. Waterfront, 2. Water View, 3. Deeded Beach Rights, 4. Dead End, 5. In-Law Apartment, 6. Plot Plan, 7. Survey, 8. Hot Tub, 9. Sauna, 10. Greenhouse, 11. See Remarks, 12. Rent/Option, 13. Rent/Purchase
U. EXISTING 1st MORTG: 1. None, 2. Conventional, 3. VA, 4. FHA, 5. Private, 6. Conventional Special, 7. FHA Special, 8. FNMA, 9. Other
W. ROOF: 1. Asphalt, 2. Wood, 3. Slate, 4. Tile, 5. Other
X. EXTERIOR FEATURES: 1. Above ground pool, 2. Inground pool, 3. Tennis court, 4. Storage shed, 5. Barn, 6. Paddock, 7. Dog run, 8. Fencing, 9. Awnings, 10. Dock, 11. TV Antenna, 12. Cabana

FINANCIAL

1st Assumable, Accelerated, Qualify, Assumption Amount, Assumable Payment (Bil), 1st Mtg. Lender, 1st Mtg. Balance, Annual Taxes 2,460, Assessed Value, Condo/Assoc Fee, Rental Price, Rental Security Deposit, Option Deposit, Water Cst., Water Assmt. Bal., Sewer Cst., Sewer Assmt. Bal., Heat Cst. (gal.), Elect. Cst., Water Softner Rental Cst., Special Financing

FINANCIAL

First Line of Remarks an Be Printed With One Line Print-out. All Lines Are 45 Characters.

Assessable condominium at garden apartments centrally located large detached house could be incorporated in plans house partially incomplete call LHA to see plans to show gas Rm 12 zone change 110/125-150 amp 50V

FINANCIAL

AUTHORIZATION TO USE MULTIPLE LISTING SERVICE AND DISCOUNT

The undersigned Owner(s) authorize(s) and instruct(s) the REALTOR to submit the information herein to the Greater Danbury Multiple Listing Service, Inc. for the purpose of offering the property for sale or lease through its participants during the term of the listing agreement.

Submitted by: Mary & Cindy, REALTOR authorization, Owner, Owner, Owner

DANBURY PUBLIC SCHOOLS

School Administration Building, Mill Ridge
Danbury, Connecticut 06810
(203)797-4700



Irene M. Lober, Ed.D.
Superintendent
797-4701

September 18, 1984

The Honorable James E. Dyer
Mayor, City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Dyer:

As part of the procedure to obtain reimbursement from the State Department of Education for the eligible projects currently being undertaken, it is necessary for the legislative body (the Common Council) to authorize the Board of Education to apply for, and to accept, state grants for these projects.

In accordance with this requirement, I am respectfully requesting that you place the following resolution on the Common Council's agenda at your earliest convenience:

That the Board of Education be and is hereby authorized in the name of, and on behalf of, the City to apply for, and accept or reject, any and all state grants-in-aid for the following projects:

1. Asbestos removal/ceiling replacement at Hayestown Avenue School
2. Classroom and corridor separations at Rogers Park Junior High School
3. All-weather track at Danbury High School
4. Renovations/code violations at Locust Avenue School.

As we proceed through the projects approved in the November 1983 referendum,

Mayor James E. Dyer
September 18, 1984

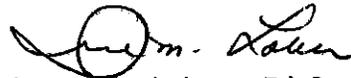
2.

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and those that will be approved in the November 1984 referendum, this action will be necessary for all reimbursable projects. Given the scope of the projects listed in the forthcoming referendum, there is a need to indicate that it will be necessary to work closely with the architect on the timely filing of all required forms.

Thank you for your assistance.

Sincerely,



Irene M. Lober, Ed.D.
Superintendent of Schools

IML/WES/jgh