

SPECIAL COMMON COUNCIL MEETING

JULY 14, 1997

Meeting to be called to order at 7:30 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton, Buzaid
Valeri, Machado, Shuler, Setaro, Esposito, Levy, Charles, Gomez
Basso, Butera, Fox, Gallagher, Nolan, Mead.

_____ Present _____ Absent

NOTICE OF THE SPECIAL MEETING- There will be a Special Meeting of
the Common Council of the City of Danbury in the Common Council
Chambers in City Hall to act upon the items listed below.

PUBLIC SPEAKING

1 RESOLUTION- With Respect to The Issuance And Sale Of \$10,100,000
City Of Danbury General Obligation Bonds

2 RESOLUTION- Drinking Water State Revolving Fund (DWSRF)

3 REPORT- Danbury School System's Lease/Purchase Agreement of/Apple
Computers

4 REPORT- Honeywell Schools Services Agreement

5 Communication- Request Regarding Deferral of Assessment

There being no further business to come before the Common Council
a motion was made by _____ for the meeting to be adjourned
second by _____ adjourned at _____ P.M.

CITY OF DANBURY

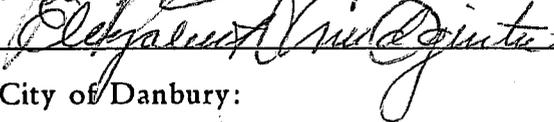
To: Members of the Common Council

A special meeting of the Common Council _____ of the City of Danbury will be held on the 14th day of July 1997 at 7:30 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

- 1. RESOLUTION- With Respect to The Issuance And Sale Of \$10, 100,000 City Of Danbury General Obligation Bonds
- 2. RESOLUTION - Drinking Water State Revoving Fund (DWSRF)
- 3. REPORT- Danbury Schools System's Lease/Purchase Agreement of Apple Computers
- 4. REPORT- Honeywell Schools Services Agreement
- 5. COMMUNICATION- Request Regarding Deferral of Assessment

Dated at Danbury, this 10 day of July 19 97.


 _____ Mayor

 _____ Clerk

To the sheriff or any policeman of the City of Danbury:

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


 _____ Mayor

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	Conie Shuler ✓	11:20
2.	Pauline Basso ✓	11:25
3.	Louis Charles ✓	11:27
4.	Janet Butera ✓	11:31
5.	Roberto Gomez	11:36
6.	Christopher Stearo	11:49
7.	Thomas Valeri	11:53
8.	Valdemiro Machado	11:58
9.	Matthew Gallagher	12:02
10.	Albert Mead	12:05
11.	Emile Buzaid	12:10
12.	John Esposito	12:19
13.	Ernest Bryntens	12:24
14.	Kileen Coladara	12:30
15.	Harry Scalzo	12:42
16.	Vincent Nolan Jr	12:45
17.	Warren Levy	12:52
18.	Helena Abrantes	13:05
19.	Paul McCallister Jr	13:12
20.	Thomas Aronoff	13:35
21.		

Each Notice so served upon each member, all having been done by me on this date 02/11/97.

Attest: ADMLG
Policemen of the City of
Danbury

ROBINSON & COLE LLP

HARTFORD • STAMFORD • GREENWICH • NEW YORK • BOSTON

LAW OFFICES

One Commercial Plaza
280 Trumbull Street
Hartford, CT 06103-3597
860-275-8200
Fax 860-275-8299

S. Frank D'Ercole
860-275-8246
Internet: sdercole@rc.com

June 30, 1997

Via Facsimile and Federal Express

Mr. Eric L. Gottschalk
Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

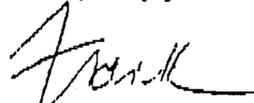
Re: **Resolution With Respect To The Issuance And Sale Of
\$10,100,000 City Of Danbury General Obligation Bonds**

Dear Mr. Gottschalk:

Enclosed is a resolution authorizing the issuance and sale of \$10,100,000 bonds which must be adopted by the City Council prior to the sale of the Bonds. This resolution is not on the agenda for the regular Council meeting scheduled for July 1. Following a discussion with Mr. Setaro, he asks that the Council either waive its rules and consider the resolution tomorrow night, or, in the alternative, call a special meeting in July to adopt the resolution prior to the Bond sale date.

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

Very truly yours,



S. Frank D'Ercole

Enclosure

cc: Dominic A. Setaro, Jr.
Kimberly G. Redenz
Susan Kreutzer

RESOLUTION WITH RESPECT TO THE ISSUANCE
AND SALE OF \$10,100,000 CITY OF DANBURY
GENERAL OBLIGATION BONDS

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

Section 1. \$4,100,000 of the \$14,900,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Making Appropriations Aggregating \$14,900,000 For Various Public Improvements (The Cityworks 2000 Program) And Authorizing The Issue Of \$14,900,000 Bonds Of The City To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on July 2, 1996 and approved by the electors at a referendum on November 5, 1996, shall bear an original issue date of August 1, 1997 and mature \$230,000 on August 1 in each of the years 1998-2007, both inclusive, and \$180,000 on August 1 in each of the years 2008-2017, both inclusive.

Section 2. \$6,000,000 of the \$19,000,000 bonds of the City authorized pursuant to an ordinance entitled "An Ordinance Appropriating \$19,000,000 For Reconstruction Of The Margarie Water Treatment Plant, Improvements To West Lake Treatment Plant, Construction Of Additional Transmission Lines And Related Water System Improvements And Authorizing The Issuance Of \$19,000,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Common Council on August 2, 1994 and approved by the electors at a referendum on November 8, 1994, shall bear an original issue date of August 1, 1997 and mature \$280,000 on August 1 in each of the years 1998-2007, both inclusive, and \$320,000 on August 1 in each of the years 2008-2017, both inclusive.

Section 3. Said \$4,100,000, and \$6,000,000 bonds referred to in Sections 1 and 2, hereof, shall be combined into and issued and sold as a single issue of \$10,100,000 City of Danbury General Obligation Bonds, bearing an original issue date of August 1, 1997, maturing, in combination, \$510,000 on August 1 in each of the years 1998-2007, both inclusive, and \$500,000 on August 1 in each of the years 2008-2017, both inclusive, bearing interest payable on February 1 and August 1 in each year until maturity, commencing February 1, 1998 (the "Bonds"). The Bonds maturing on August 1, 2008 and thereafter are subject to redemption at the respective prices set forth in the following table together with interest accrued and unpaid to the redemption date:

	<u>Redemption Date</u>	<u>Redemption Price</u>
From:	August 1, 2007 to July 31, 2008.....	102%
	August 1, 2008 to July 31, 2009.....	101%
	August 1, 2009 and thereafter.....	100%

Section 4. \$4,100,000 of the Bonds are determined to be issued for General Public Improvement purposes and shall be includable in the City's aggregate indebtedness for purposes of the City's statutory limitation on indebtedness under Section 7-374 of the General Statutes of Connecticut as debt for General Public Improvement projects.

Section 5. State Street Bank and Trust Company of Connecticut, N.A., of Hartford, Connecticut, is hereby appointed as agent of the City to act as Registrar and Transfer Agent, Certifying Bank and Paying Agent and with respect to the Bonds.

Section 6. The Bonds shall be issued as book-entry bonds in accordance with the terms and provisions set forth in a Letter of Representations from the City of Danbury to The Depository Trust Company.

Section 7. The Mayor and City Treasurer are hereby authorized to execute and deliver a Tax Regulatory Agreement on behalf of the City of Danbury in such form and containing such terms and provisions as they deem necessary and appropriate, and to rebate to the Federal Government such amounts, if any, as may be required pursuant to the Tax Regulatory Agreement for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

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

MEMORANDUM

Date: July 9, 1997

To: Hon. Gene F. Eriquez
via the Common Council

From: Noreen C. Buzarak, Grants Administrator/Internal Auditor

Re: Resolution - Drinking Water State Revolving Fund (DWSRF)

Attached is a resolution for your consideration that will allow the City of Danbury Department of Public Utilities to apply for loan funding from the State of Connecticut, Department of Public Health under the Safe Drinking Water Act. As determined by the City's Department of Public Utilities, three loan applications will be submitted. They are (1) Pleasant Acres in the amount of \$1,197,850; (2) Water Transmission Main Phase IV & V in the amount of \$2,257,548 and (3) Marjorie and West Lake in the amount of \$16,648,664. A copy Drinking Water State Revolving Fund Fact Sheet, the budgets and an Impact Statement are attached.

I request that the Common Council consider this resolution at its next meeting.

Noreen C. Buzarak
Attach.

cc: Dominic A. Setaro, Jr.
Kimberly G. Redenz
L. Wallace

**DRINKING WATER STATE REVOLVING FUND (DWSRF)
FACT SHEET**

LEGISLATION: The Safe Drinking Water Act Amendments of 1996 (SDWA) included authority to establish the Drinking Water State Revolving Fund (DWSRF). Connecticut has adopted State legislation to establish such a fund.

APPROPRIATION: The national appropriation for the DWSRF is \$1.275 billion in Fiscal Year 1997.

STATE ALLOCATION: The State of Connecticut has been authorized to receive 1.70% of the national total allocation or approximately \$21,408,200. The State will contribute a 20% match to this amount.

FUTURE CAPITALIZATION ALLOTMENT TO THE STATE: Beginning in 1998 and subsequent years, the allotment formula will be based on a needs survey of eligible projects. We expect an award of almost \$ 7.5 million annually.

LOAN PROGRAM: Congress intended a loan funding mechanism for water systems to improve drinking water quality and service to the public, administered by the States.

FUNDING AVAILABILITY: Project loan funding is expected to be available in the Fall of 1997.

GUIDANCE / TECHNICAL ASSISTANCE: The United States Environmental Protection Agency (EPA) has developed a Final State Revolving Fund (SRF) Guidance Document for the DWSRF program defining the types of eligible projects that facilitate SDWA compliance and protect public health.

PARTNERSHIP: At the state level, the Office of the Treasurer, the Department of Environmental Protection, Public Utility Control and the Office of Policy Management are working with legislation in partnership to coordinate the procedures for the award of funds. The Connecticut Department of Public Health (DPH) is the lead agency coordinating the DWSRF with these other agencies.

ELIGIBLE PUBLIC WATER SYSTEMS: Public and privately owned community water systems and non-profit, non-community water systems may apply for loans.

PROJECT LOAN AVAILABILITY: Approximately \$15,000,000 in federal money may be directly available to leverage an additional amount for loans this year. Borrowers will be responsible for closing costs and loan periods are 20 years maximum.

LOAN RATES: Interest rates for eligible drinking water projects are expected to be set at one half the market rate.

LOAN REPAYMENT PERIODS: Each project loan obligation shall mature no later than 20 years from the stated date of completion of the project.

NON-PROJECT (SET-ASIDE) FUND AVAILABILITY: The intended use of these funds is to balance the State's public health priorities with the long-term viability of the DWSRF fund. To accomplish this, the State will use a portion of the Capitalization Grant to fund non-project (set-aside) activities in four areas, Administrative, State Program Management, Small Systems Technical Assistance and Local Assistance and other State Programs.

INTENDED USE PLAN: The DPH is presently working with other State and Federal agencies to establish a balanced, and easily understood Intended Use Plan (IUP) for PWS projects. The IUP identifies how Connecticut intends to utilize both Federal and State funds under the DWSRF program.

ELIGIBILITY RANKING FORM: The Eligibility Ranking Application will soon be available to PWS. This application will be reviewed by DPH staff for the purpose of determining the eligibility and assist in ranking of DWSRF projects for the priority list. This application is a prerequisite for eligibility determination, ranking of projects and the full loan application.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING &
SOLID WASTE DEPARTMENTS
(203) 797-4539
FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

Impact Statement

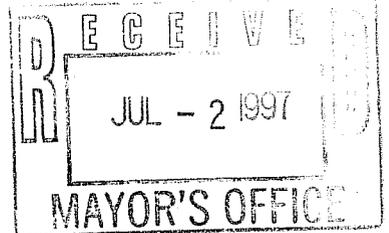
Drinking Water State Revolving Fund Application

If approved, these applications will enable the City of Danbury to save as much as \$750,000 on various bond expenses associated with the Marjorie and West Lake Treatment plant upgrades, the Transmission Mains extension, and the Pleasant Acres project.



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WILLIAM J. BUCKLEY JR., P.E.
SUPERINTENDENT OF PUBLIC UTILITIES

July 1, 1997

The Honorable Gene F. Eriquez
Mayor of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Mayor Eriquez:

You will soon receive a packet containing Danbury's application to the Drinking Water State Revolving Fund. The application must be forwarded to the State of Connecticut, Department of Health by August 1st. If our application is approved by the State, savings on bond interest could be as high as \$750,000. The application requires Common Council approval and your signature.

When this application is completed, I ask that you please place it on the Common Council agenda for the July special meeting. Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,

William J. Buckley, Jr.
Superintendent of Public Utilities



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health is making available loans through the Safe Drinking Water Act (SDWA) for the establishment of a Drinking Water Revolving Fund (DWSRF) program, and

WHEREAS, the Drinking Water Revolving Fund program is to assist public water systems with financing infrastructure upgrades needed to achieve and maintain compliance with SDWA requirements to protect public health, and

WHEREAS, as determined by the City of Danbury Department of Public Utilities three eligibility loan applications will be submitted pursuant to this Fund program as follows:

1. Pleasant Acres in the amount of \$1,197,850.
2. Water Transmission Main - Phase IV & V in the amount of \$2,257,548.
3. Marjorie and West Lake in the amount of \$16,648,664., and

WHEREAS, loan funding is expected to be available in the Fall of 1997 at an interest rate set at one half of the market rate.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is authorized to apply for and accept said loan and to execute such documents necessary for the accomplishment of the purposes thereof.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

July 10, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Danbury School System's Lease/Purchase Agreement of Apple Computers

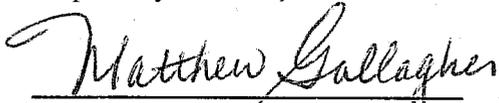
The Common Council committee charged with reviewing the Lease/Purchase Agreement of Apple computers by the Danbury School System met in Room 432 of City Hall on July 8, 1997 at 7:15 p.m. In attendance were committee members Abrantes, Shuler, Scalzo and Gallagher, Mayor Gene Eriquez, Director of Finance; Dom Setaro, Danbury School's Business Manager; Jack Heidenrich, Coordinator of Educational Services; Brenda White, and Common Council members Setaro and Levy ex-officio. Committee member Mead was out of town.

Mr. Heidenrich stated that since 1992 the school system has had a technology plan and a group overseeing this plan, and that this lease/purchase would complete the first phase of their plan. He added that the school system had chosen Apple as existing school software was Apple based (although some IBM equipment was being utilized at the DHS business wing), that Apple also allowed for a rollover during the lease, an additional financial avenue for the school system, and that this would probably be the final Apple purchase.

Discussion ensued regarding the choice of Apple computers and the technology infrastructure should the school system change computers. Mr. Scalzo asked about the competitive pricing of this equipment. Mr. Levy asked whether there was an alternative financing mechanism. Mr. Shuler asked about the warranty period.

Mrs. Abrantes moved to recommend to the Common Council approval of the \$235,000 Lease/Purchase Agreement of Apple computers by the Danbury School System. Seconded by Mr. Shuler and approved unanimously. The meeting was adjourned at 8 p.m.

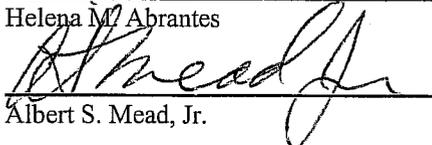
Respectfully submitted,



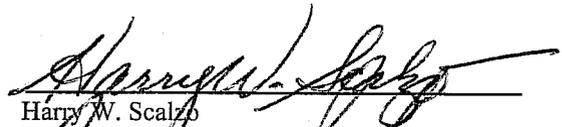
Matthew Gallagher, Chairman



Helena M. Abrantes



Albert S. Mead, Jr.



Harry W. Scalzo



Connie E. Shuler



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Respectfully submitted,

Matthew Gallagher, Chairman

Harry W. Scalzo

Helena M. Abrantes

Connie E. Shuler

Albert S. Mead, Jr.



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

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July 10, 1997

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

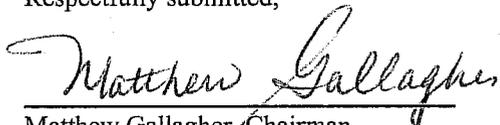
Re: Honeywell Schools Services Agreement

The Common Council committee charged with reviewing the Honeywell Schools Services agreement with the Danbury School System met in Room 432 of City Hall on July 8, 1997 at 6:30 p.m. In attendance were committee members Abrantes, Shuler, Scalzo and Gallagher, Mayor Gene Eriquez, Director of Finance; Dom Setaro, Director of Public Works; Jack Schweitzer, Danbury School's Business Manager; Jack Heidenrich, Honeywell representative; Susan Duskow, and Common Council members Setaro and Levy ex-officio. Committee member Mead was out of town.

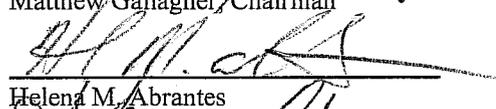
Mayor Eriquez stated that an ad hoc committee of city and school officials had been working with Honeywell to create a plan for \$1.4 million in capital improvements relating to energy efficiency, for Danbury High School, Broadview Middle School and Rogers Park Middle School. The improvements would be paid for through guaranteed energy and operational savings. Mr. Heidenrich described the plan as a "win win" situation whereby the school environments would improve, the school infrastructure would improve, with minimal capital outlay. Susan Duskow of Honeywell gave a brief overview of the ten year plan including; energy conservation measures, support services, financial highlights, and the project implementation time frame. Dominic Setaro pointed out certain language in the contract regarding guaranteed savings, which will need clarification. Mr. Scalzo and Mr. Shuler both asked questions regarding warranty period, preventative maintenance, and standard maintenance.

Mr. Scalzo moved to recommend to the Common Council approval of the Honeywell School Services Program, provided that all contract language be resolved by the Corporation Counsel's office to all parties satisfaction. Seconded by Mrs. Abrantes and passed unanimously. The meeting was adjourned at 7:15 p.m.

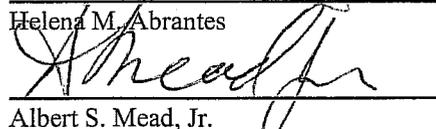
Respectfully submitted,


Matthew Gallagher, Chairman

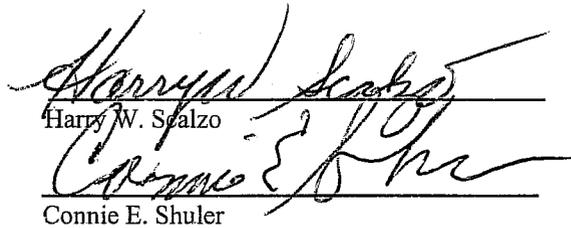
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Helena M. Abrantes

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Albert S. Mead, Jr.

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155 DEER HILL AVENUE

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COMMON COUNCIL

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July 10, 1997

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Honorable Members of the Common Council

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Respectfully submitted,

Matthew Gallagher, Chairman

Harry W. Scalzo

Helena M. Abrantes

Connie E. Shuler

Albert S. Mead, Jr.



**BERKSHIRE
CORPORATE
PARK**

2 Parklawn Drive • Bethel, Connecticut 06801
(203) 743-7201 • Fax (203) 744-3905

July 8, 1997

Mayor Gene Eriquez
City of Danbury
155 Deer Hill Ave.
Danbury, CT 06810

Subject: Ordinance Regarding Assessment Deferrals - Section 18-25

Dear Mr. Eriquez:

This is a letter of inquiry regarding Section 18-25 of the Code of Ordinances of the City of Danbury regarding deferral of assessment increases due to construction and improvements on property within Berkshire Corporate Park in Danbury, Connecticut. Specifically the purpose of this ordinance, Section 18-25, is to encourage economic development in the City of Danbury. Be advised that Berkshire Industrial Corporation and its affiliated companies are in current ongoing discussions and negotiations with G.E. Capital Corporation's Vendor Financial Services Group for a proposed build-to-suit 180,000 s.f. office building to be located, in the City of Danbury, in Berkshire Corporate Park.

G.E. Capital's Vendor Financial Services Group is currently located at the Still River Corporate Centre in Danbury. We have been advised they will be relocating out of that facility by year end 1998 and will be making their decision for a new location in the immediate future. The City of Danbury's assessment deferral incentive is of interest to G.E. Capital and jointly with Berkshire Industrial Corp. wish to pursue an application for deferral of real estate assessment increase per Section 18-25 of the City of Danbury Ordinances for the proposed new office building in Berkshire Corporate Park.

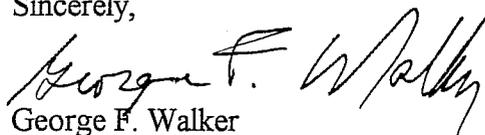
G.E. Capital's Vendor Financial Services has investigated several alternative locations both within the Greater Danbury Area and outside of the Greater Danbury Area. They are reviewing locating into several non-Danbury locations both out of state and out of the Greater Danbury Area. Berkshire Corporate Park's proposal and negotiations focus on a location within the City of Danbury at Berkshire Corporate Park along Riverview Drive. The new facility and location being discussed and negotiated is significantly larger than is available at G.E. Capital's current location. The new proposed site provides for future expansion with the capability of doubling the size of the facility at a later date.

G.E. Capital has advised us that since they will bear the direct cost of the real estate taxes, this cost is a major item in their decision process for their future location. Therefore real estate assessment deferrals will be an important consideration in their final decision and negotiation process for locating within the City of Danbury at Berkshire Corporate Park.

Berkshire Industrial Corporation has reviewed the assessment deferral ordinance Section 18-25 with G.E. Capital and we collectively have produced the enclosed information and data for your review. This data is provided for informational and inquiry purposes for an application of the deferral of such assessment increases in accordance with Section 18-25 of the Code of Ordinances, City of Danbury. We are requesting deferrals for a period of 7 years. Please reference to the enclosed and review with the Danbury Common Council which we understand is the next step in the process of determining the eligibility of this project for deferral of real estate assessment incentives. We and a representative from G.E. Capital Services will be prepared to discuss and provide further detailed information at the next meeting of the Common Council.

We are looking forward to working with you and the City of Danbury to retain this exciting, growing and progressive company as a long term asset for the community.

Sincerely,



George F. Walker

Vice President

Development and Marketing

GFW/cgj