

**COMMON COUNCIL MEETING – MAY 6, 2003**

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

**PLEDGE OF ALLEGIANCE AND PRAYER**

**ROLL CALL**

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

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

**PUBLIC SPEAKING**

**MINUTES** – Minutes of the Common Council Meeting held April 1, 2003

**CONSENT CALENDAR**

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

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

2 – ORDINANCE – An Ordinance Appropriating \$500,000 for Public Improvements in the 2003-2004 Capital Budget and Authorizing the Issuance of \$500,000 Bonds of the City to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for such Purpose

3 – ORDINANCE – Tax Deferral Program for Elderly Homeowners

4 – RESOLUTION – Gradual Increase in Assessed Values

5 – RESOLUTION – Neighborhood Assistance Act

6 – RESOLUTION – Manufacturers' Property Tax Exemption

7 – RESOLUTION – Farmers Market Coupon Grant

8 – RESOLUTION – Driving Under the Influence Safety Grant

9 – RESOLUTION – DUI Enforcement Vehicle Grant

10 – RESOLUTION – Traffic Enforcement Equipment Program Grant

- 11 – RESOLUTION – Shore Road Storm Drainage Easements
- 
- 12 – RESOLUTION – RDA Acquisition of Properties – Main Street
- 
- 13 – COMMUNICATION – Donation to the Police Department
- 
- 14 – COMMUNICATION – Donation to the Parks and Recreation Department
- 
- 15 – COMMUNICATION – Donation to the Library
- 
- 16 – COMMUNICATION – Donations to the Fire Department
- 
- 17 – COMMUNICATION – Donations to the Department of Elderly Services
- 
- 18 – COMMUNICATION – Reappropriation of Donated Funds
- 
- 19 – COMMUNICATION – Request for Funds – Personnel Department
- 
- 20 – COMMUNICATION – Request for Additional Appropriation – Board of Education
- 
- 21 – COMMUNICATION – Funds for Teamsters Contract
- 
- 22 – COMMUNICATION – Amended Ambulance Budget
- 
- 23 – COMMUNICATION – Blight Remediation
- 
- 24 – COMMUNICATION – Request for Committee – Crow’s Nest Lane
- 
- 25 – COMMUNICATION – Interfaith Social Action Corporation Day Care Center
- 
- 26 – COMMUNICATION – Request to Purchase Property on West Kenosia Avenue
- 
- 27 – COMMUNICATION – Sidewalk Easement – 29-35 Padanaram Road
- 
- 28 – COMMUNICATION – Donation of Greenhouse and Trailer
- 
- 29 – COMMUNICATION – Water Problem at 26 Pleasant Street
- 
- 30 – COMMUNICATION – Request for Easement at 2 Candlewood Drive
- 
- 31 – COMMUNICATION – Offer to sell property on Grand Street to the City of Danbury

- 32 – COMMUNICATION – Request for Sewer Extension – 20 Windaway Road
- 
- 33 – COMMUNICATION – Request for Sewer and Water Extension – Crow’s Nest Lane
- 
- 34 – COMMUNICATION – Request for Sewer Extension – 4 Cedar Crest Drive
- 
- 35 – COMMUNICATION – Request for City to accept Crow’s Nest Lane
- 
- 36 – COMMUNICATION – School Maintenance Contract
- 
- 37 – COMMUNICATION – Workfare Investment Act – Memorandum of Agreement
- 
- 38 – COMMUNICATION – Sanitary Sewer Extension – Olive Street/Tilden Road Area
- 
- 39 – COMMUNICATION – Reports regarding Lake Waubeeka Water System
- 
- 40 – COMMUNICATION – Reports regarding 146-148 South Street
- 
- 41 – COMMUNICATION – Reports regarding Drainage Problem at 205 Stadley Rough
- 
- 42 – COMMUNICATION – Parking Garage at Colorado Brewery
- 
- 43 – COMMUNICATION – Lease with Ciao Café
- 
- 44 – REPORT – Request for Water Extension on Margerie Street
- 
- 45 – REPORT – Appointment as Deputy Corporation Counsel
- 
- 46 – REPORT – Request for Water Extension at 24 Clapboard Ridge Road
- 
- 47 – REPORT – Traffic Problems on Coalpit Hill
- 
- 48 – REPORT – Habitat for Humanity Proposals
- 
- 49 – DEPARTMENT REPORTS – Public Works, Police Chief, Fire Chief, Fire Marshall, Permit Center, Health and Housing, Department of Elderly Services, Welfare, Building
- 

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

## **CONSENT CALENDAR – MAY 6, 2003**

5 – Adopt the Resolution to apply for and accept funding from the State of Connecticut Neighborhood Assistance Act Program as described and defer to public hearing.

7 – Adopt the Resolution for the City to recoup manufacturers property tax exemption pursuant to Connecticut General Statutes as described.

8 – Adopt the Resolution for the Police Department to apply for and accept grant funding from the State of Connecticut Department of Transportation in the amount of \$22,821.00 for the 2003 Memorial Day and Fourth of July Driving Under the Influence Enforcement Program as described.

9 – Adopt the Resolution to allow the Police Department to apply for and accept grant funding from the State of Connecticut Department of Transportation in the approximate amount of \$54,147.00 for the purchase of DUI enforcement vehicles as described.

10 – Adopt the Resolution for the Police Department to apply for and accept grant funding from the State of Connecticut Department of Transportation in the amount of \$20,000 for the purchase of a speed monitoring awareness trailer vehicle as described.

11 – Adopt the Resolution to authorize the Corporation Counsel, subject to and only upon approval by the Planning Commission, to acquire Shore Road storm drainage easements as described in Schedules A and B.

12 – Adopt the Resolution to authorize the Corporation Counsel, subject to and only upon prior approval by the Planning Commission, to acquire certain parcels of land described in Exhibits A through H necessary to implement the North Main Street Redevelopment Plan.

18 – Approve the transfer of \$429 from the Elderly Services Donations Account to the Commission on Aging budget as described.

25 – Adopt the Resolution to authorize Mark D. Boughton, Mayor of the City of Danbury and the Corporation Counsel to take such action as may be necessary to transfer ownership of new City facilities at Osborne Street to Interfaith Social Action Corporation with the same terms of the current ground lease, subject to and only upon prior approval by the Planning Commission as described.

35 – Approve a request to accept parcels of land at Crow's Nest Lane subject to Corporation Counsel's report of March 12, 2003 and only after a positive recommendation by the Planning Commission.

37 – Authorize Mark D. Boughton, Mayor of the City of Danbury to sign an Intergovernmental Agreement for the Workforce Investment area on behalf of the City as described.

40 – Approve a request to accept a warranty deed for a road widening parcel as well as a sidewalk road widening easement at 146-148 South Street in accordance with requirements of the Planning Commission and subject to City Engineer approval as described.

41 – Receive a report from the Director of Public Works and Corporation Counsel regarding drainage problem at 205 Stadley Rough Road and approve the recommendations.

44 – Receive a report regarding water extension at Margerie Street and approve the recommendations.

45 – Receive a report regarding confirmation of Deputy Corporation Counsel and approve the committee recommendation to confirm the appointment of Eric Gottschalk.

46 – Receive a report regarding water extension at 24 Clapboard Ridge Road and approve the recommendations.

47 – Receive a report regarding traffic problems on Coalpit Hill and approve the recommendations.

48 – Receive a report regarding water extension at Habitat for Humanity property proposals and approve the recommendation subject to conditions as described.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark Boughton  
Members of the Common Council

### Re: General Government I Budget

The General Government I Budget Committee met on April 15, 2003 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Saadi, Levy, Moore and Buzaid. Also in attendance were Mayor Mark Boughton, Director of Finance Dena Diorio, Council Members Gogliettino, Dean Esposito, Basso and Null, ex-officio, Library Director Betsy McDonough, President of the Library Board Hal Wibling, City Clerk Helena Abrantes and members of the public.

Common Council – Council President Warren Levy said there has been a change in the allocation for the Common Council's budget that is in accordance with Generally Accepted Accounting Principles. The actual costs of operating the Common Council were higher than the \$8,000 reflected in the past. This budget is reflective of the true costs of running the Council and places those costs in the appropriate line items. Mr. Gogliettino asked for an explanation of moving the salary of the assistant clerk into this budget. Mr. Levy stated that the authority to hire assistant clerks is provided by Charter to the Common Council and, as such, the salary is more appropriately located within the operating costs for the Council.

Mayor's Office – Mr. Gogliettino asked about the unfilled position up to the end of last year. Mayor Boughton stated that he filled the position at the end of 2002. The position is that of communications director and will be filled when the current director leaves at the end April.

City Clerk – Mrs. Abrantes asked why the assistant clerk was taken out of her budget. Mr. Levy explained that the salary for that position and other operating costs for the Common Council were now placed within the Common Council's budget to reflect the true costs of operation of the Common Council. He stated that the Common Council fills the assistant clerk's position and that the assistant clerk works for the Common Council. Mr. Saadi said that many expenses directly attributable to the operation of the

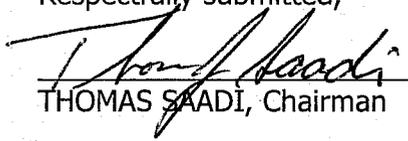
Council that had been placed in other line items in the past should be reflected within the Council's budget.

Town Clerk – Mr. Saadi asked for confirmation that the proposed reduction will not affect the salary for budget of the current town clerk. Ms. Diorio said that was correct. Mr. Saadi presented research showing that the proposed salary of \$45,000 for the Town Clerk was in line with salaries in other towns with comparable populations and levels of work as Danbury. Outside services were reduced because of the new indexing system that will be put in place. Dean Esposito said he is concerned about the reduction of an elected official's salary. Mayor Boughton said that the new salary would only go into effect upon the retirement of the current Town Clerk. Dean Esposito asked about the elimination of an assistant town clerk. Mayor Boughton stated that the position was vacant because of a resignation and was not funded.

Permit Coordinator – This new office has four full-time staff members and two part-time employees. Mr. Levy asked about the responsibility of running the Tech Center. Ms. Diorio said, in addition to running the Tech Center, that person would work the front desk where the mail is processed. Mr. Esposito asked if someone was handling the mail now. Ms. Diorio said that position has been eliminated.

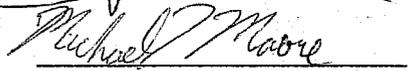
Mr. Moore made a motion to recommend approval of the General Government I Budget as proposed by the Mayor. Seconded by Mr. Buzaid. Motion carried unanimously.

Respectfully submitted,

  
THOMAS SAADI, Chairman

  
WARREN LEVY

  
EMILE BUZAIID

  
MICHAEL MOORE

  
CHRISTIAN DITTRICH



# CITY OF DANBURY

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DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

### Re: **General Government II Budget**

The General Government II Budget committee met on April 29, 2003 at 7:30 P.M. In attendance were committee members Furtado, Shuler, Neptune, Darius and Nolan. Also in attendance were Mayor Mark D. Boughton, Director of Finance Dena Diorio, Council Members Levy and Gogliettino, ex-officio, grant agency representatives and members of the public.

Data Processing – Mr. Nolan asked how the merger with the Board of Education would impact these line items? Ms. Diorio said that the two budgets would have to remain separate for the first year. Mr. Shuler asked if the future purchase of computers would come through the City. Ms. Diorio said they would.

Grants – Ms. Diorio explained the updated review process. Ms. Diorio tried to determine our level of support versus support from other towns. Mr. Furtado said the grant allocations increase every year. He said we should look to reduce them in the future. Ms. Neptune asked why we are still giving a \$10,000 grant to the Portuguese Cultural Center and what part of the community does it serve? Mr. Boa said it serves the whole community and this grant will be used for youth activities.

Mr. Nolan stated that he will not support changes, but shares other committee members concerns about the process. Both Mr. Nolan and Mr. Darius questioned how we would determine who is or is not worthy of receiving a grant. Mr. Darius said there is a need for a policy to be put in place and a consensus that these organizations are performing functions that the City would otherwise have to pick up should we decide not to fund the organizations. The Hispanic Center performs services for the Community that the City would ultimately be responsible for. He said that if we change any of these grants we would be doing so arbitrarily:

Pension Expense – Mr. Gogliettino asked Ms. Diorio if the pension funds are well funded or are we in danger of having to put more money into them? Ms. Diorio said the

general employees are fully funded, but we may have to put money into police and fire funds due to losses.

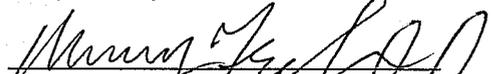
Employee Service Benefits – Mr. Darius asked about the \$60,000 reduction. Ms. Diorio said if employees had a lot of accrued vacation, they were being allowed to cash them out.

EMT Health and Life Insurance – Mr. Darius asked if there have been any re-negotiations since last year? Ms. Diorio said they have all gone out to bid. The only savings was on life insurance. Our increase will be 14% and the Board of Education increase will be 17%.

Contingency – A discussion was held as to being able to guarantee that the contingency account will not be depleted in the first six months of the fiscal year. Mayor Boughton said there is no way to guarantee this. It depends on the snow and ice budget and you cannot predict what the winter will be like.

Ms. Neptune made a motion to recommend adoption of the Mayor's budget as proposed. Seconded by Mr. Nolan. Motion carried unanimously.

Respectfully submitted,



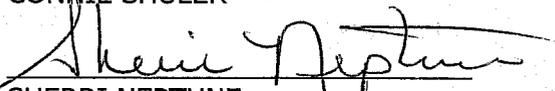
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MANNY FURTADO, Chairman



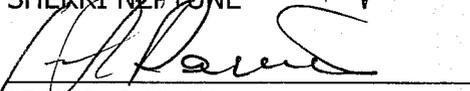
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CONNIE SHULER



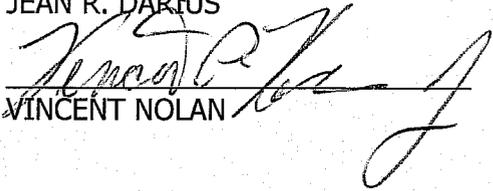
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SHERRI NEPTUNE



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JEAN R. DARIUS



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VINCENT NOLAN



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Education Budget

The Education Budget Committee met on April 10, 2003 and on April 30, 2003 in the Third Floor Caucus Room in City Hall. In attendance at the April 10<sup>th</sup> meeting were committee members Nolan, Neptune, Gogliettino and Scozzafava. Also in attendance were Director of Finance Dena Diorio, Board Finance Director Elio Longo, Superintendent of Schools Bill Glass, Assistant Schools Finance Director Melody Schroeder, School Board Members Gladys Cooper, Michael Fazio, Eileen Alberts, George O'Loughlin, J. R. Mitchell, Council Member Paul McAllister, ex-officio and Lynn Waller. In attendance at the April 30<sup>th</sup> meeting were committee members Nolan, Neptune, Gogliettino, Kelly and Scozzafava. Also in attendance were Director of Finance Dena Diorio, Schools Finance Director Elio Longo, Superintendent of Schools Bill Glass Council Members Levy and Basso, ex-officio, School Board Members O'Loughlin, Cooper, and Mitchell, and members of the public.

Mr. Nolan stated that the Education Budget is the most difficult portion of the budget because it is the largest share of the entire budget. The Board of Education proposed a budget and the City proposed somewhat less of a budget. The committee will hear the rationale of how the budget was structured on both sides. Mr. Nolan asked Director of Finance Dena Diorio to speak to some of the nuances of this budget such as proposed savings. Ms. Diorio stated that the Board requested eighty-eight million dollars and the Mayor gave the Board eighty-five and one half million dollars. The Mayor also offered as an initiative, a dollar for dollar plan. For every dollar saved by the Board, the City would match it.

School Board Members addressed their concerns to the committee concerning the inflexibility this amount of money would cause and the growing enrollment in the schools, as well as pay-to-play and binding arbitration. Dr. Glass addressed the competitive of hiring the best teachers. Dr. Glass was asked to speak to the no child left behind legislation. Dr. Glass explained the criteria in reading that must be met and that we must have highly qualified teachers. A discussion followed about this new law.

Mr. Gogliettino said he is not clear on the dollar for dollar savings initiative. Ms. Diorio explained that for every dollar the Board can save through administrative cost savings, the City would match that with a dollar from our fund balance. That would give the Board an extra million dollars to spend. Mr. Nolan asked about the general point of reaping savings.

A lengthy discussion regarding sports in the schools followed.

Mr. Nolan asked Dr. Glass to detail, in writing, the kinds of things we need to spend additional revenues on. He said that last year's budget had the single highest percentage increase in the last decade. Mr. Nolan asked the committee that if they have questions to please get them to him. The committee will reconvene on April 30<sup>th</sup>.

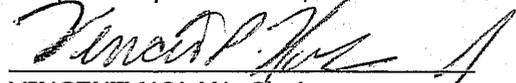
Mr. Nolan opened the meeting at 7:00 P.M. Mr. Scozzafava made a motion to recommend adoption of the Mayor's proposed budget, authorizing that the proposed savings plan be adopted and that any additional monies received from the State will be reappropriated to the Board of Education. Seconded by Mr. Nolan.

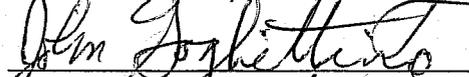
Mr. Longo stated that he met with the Mayor and has reduced the budget request to a 7% increase by eliminating all priority goals. In response to Mr. Gogliettino's question, Mr. O'Loughlin addressed the IT merger. There has not been a formal proposal. A discussion following about the No Child Left Behind legislation.

Mr. Scozzafava stated that these are difficult times. The School Board must look for innovative ways to save money. Although schools are our number one priority, we cannot drive out our elderly or young families. Mr. Scozzafava said we have to work together and would not want to seem dooms day reports coming out about the budget. Mr. Nolan said he agrees with Mr. Scozzafava that these are difficult times. We have converging lines between quality of life and resulting property values, while we have job layoffs and a downturn in the economy.

The motion carried with Council Members Nolan, Kelly and Scozzafava voting in the affirmative and Council Members Gogliettino and Neptune voting in the negative.

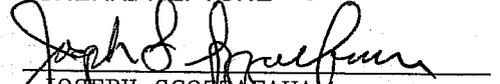
Respectfully submitted,

  
\_\_\_\_\_  
VINCENT NOLAN, Chairman

  
\_\_\_\_\_  
JOHN GOGLIETTINO

  
\_\_\_\_\_  
JAMES KELLY

  
\_\_\_\_\_  
SHERRI NEPTUNE

  
\_\_\_\_\_  
JOSEPH SCOZZAFAVA



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Public Safety Budget**

The Public Safety Budget Committee for an organizational meeting on April 16<sup>th</sup> and again on April 24, 2003 at 7:05 P.M. in Conference Room 3C. In attendance at the April 24<sup>th</sup> meeting were committee members McAllister, Coladarci, Kelly, Null and Basso. Also in attendance were Director of Finance Dena Diorio, Director of Elderly Services Leo McIlrath, Director of Health and Housing William Campbell, Director of Civil Preparedness Paul Estefan, Director of Welfare Deborah MacKenzie, Police Chief Robert Paquette, Fire Chief Peter Siecienski, Deputy Police Chief Mark Rosato, Assistant Police Chief Arthur Sullo, Building Inspector Leo Null, Council Members Levy and Gogliettino, ex-officio and members of the public.

Mr. McAllister noted that questions raised at the organizational meeting had already been e-mailed to department heads.

Fire Department – Chief Siecienski, in response to a previous questions, stated that there were no new positions or cutbacks. He also explained the Volunteer Training line item. His request was \$7,500 and the approved amount was \$3,000. Regarding the sharp decrease in clothing and dry goods, he brought a major initiative forward whereby major protective clothing has been replaced with state of the art clothing. He stated that the \$75,000 in the capital budget for headquarters renovations is basically for paint and furniture. He said he could live within his budget.

Police Department – Chief Paquette said there are two components of the Automotive Equipment line item. One is in the dog ward budget. He had intended to purchase a new truck this year, but it was eliminated. He has budgeted for three SUVs in the regular police budget. The Mayor said he would include this in the equipment account in the upcoming bond package. The Chief spoke about the need for a new police headquarters. Regarding the question concerning the reduction in salary, the assistant dog warden position cannot be eliminated. He spoke with the Mayor about this and the Mayor assured him that he would hire an assistant dog warden when the

current one retires. He can shift funds from the police department salary account to the dog warden salary account.

Ambulance Fund – Regarding the question about equipment, Ms. Diorio said no new equipment would be purchased this year. The leases expire at the end of the next fiscal year. The non-salary equipment account includes leased equipment, medical supplies and medical equipment such as cardiac life packs.

Building Department – Leo Null stated that when he submitted his budget he did not know he was going to have people retiring. The overtime account was to cover emergencies and inspections. He spoke about how the retirements would affect staffing. The Mayor has assured him that he will find money for overtime. His budget is bare bones.

Health and Housing – In response to a previous question, Mr. Campbell said the elimination of the position is significant, but he does have a plan to compensate for it. He is going to cross-train an environmental officer. Jack Kozuchowski and the Senior Inspector are qualified in this area and will pick up some of the responsibility. Mr. Campbell said he could make his budget work.

Welfare – In response to a previous question, Ms. MacKenzie said the part-time salary reduction would not eliminate a position. It was for a WesConn student whose hours do not match up. A discussion regarding the new car pool policy followed. Mr. Kelly made a motion to recommend that the Travel Mileage line item be increased by \$500. Seconded by Mrs. Basso. The motion carried with Council Members Kelly, Null and Basso voting the affirmative and Council Members McAllister and Coladarci voting in the negative.

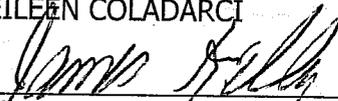
Elderly Services – Mr. McIlrath said he is comfortable with his budget but would like to see \$8,750 restored to retain a part-time staffer who previously had been paid with federal funds. Everything else in his budget is acceptable.

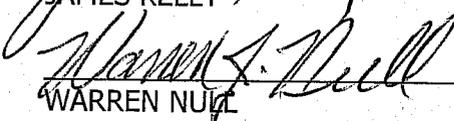
Ms. Coladarci made a motion to adopt the Mayor's proposed budget, as amended. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

  
PAUL McALLISTER, Chairman

EILEEN COLADARCI

  
JAMES KELLY

  
WARREN NULL

PAULINE BASSO



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Public Works Budget**

The Public Works Budget Committee met on April 23, 2003 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Machado, John Esposito, Dean Esposito, Chris Setaro and Joseph Scozzafava. Also in attendance were Director of Public Work William Buckley, Director of Finance Dena Diorio, Director of Parks and Recreation Robert Ryerson, Superintendent of Public Buildings Richard Palanzo, Gerald Daly and Sandra Moy from Tarrywile Park, Council Members Levy and Gogliettino, ex-officio, and members of the public.

Mr. Machado opened the meeting by stating that we have been going through an unstable period and a recession. Federal and State cuts have been enacted. We have to be thankful to live in a City with so many resources and dedicated people.

Parks and Recreation – Director Robert Ryerson said that three line items were changed. He asked for an increase in overtime salaries and he requested more money in part-time services. He also asked for an increase in outside services. John Esposito asked Mr. Ryerson could handle the increase in parks usage with the amount of money he has. Mr. Ryerson said he could and he is satisfied with his budget.

Public Buildings – Mr. Palanzo explained the difference in the Maintain Building Structures line item. In the past he has offered a number of extra maintenance projects to allow the Mayor to decide what he wants to fund. Mr. Machado asked about projects such as Metro North and Union Station. Mr. Palanzo said the funding source for Metro North would be parking revenues. The Mayor has funded the projects that are most important. Mr. Scozzafava asked about the Preventive Maintenance line item. Mr. Palanzo said that he outsources most of it because they can barely keep up with repairs. Mr. Buckley said there has been a fairly significant increase in total dollars for maintenance.

Dean Esposito asked if there are plans for a new roof on the Library? Mr. Palanzo said the trellis needs new rubber but the roof is fine. Regarding the Police

Station, Mr. Buckley said we are going out to bid for \$600,000 worth of repairs, especially on the locker rooms, ballistic work, etc. Mr. Scozzafava asked if we are only putting in exactly what we need so the building is safe. He feels we need a new building. Mr. Buckley said the employees would be in this building for at least five more years.

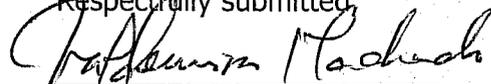
Tarrywile Park Authority – Gerald Daly said there is a shortfall of \$200,000, but he can live with this budget. This is the minimum need to maintain the park. He would like the city to be responsible for minimal maintenance. They are running into problems with the floors at the Mansion. He would like a part-time preventive maintenance person for the Mansion. He would also like a program volunteer coordinator. He would like to upgrade the Mansion porch.

Highways – Mr. Buckley said the increase is \$200,000. He is fairly comfortable with this budget. The costs will be up this year due to the replenishing of the snow and ice account. Mr. Buckley said they would be doing \$1,400,000 worth of repaving.

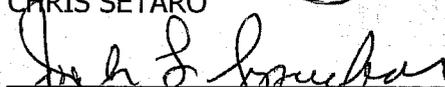
Engineering – Mr. Buckley said one senior engineer is retiring and will not be replaced. If the economy recovers in a year or two, he would like to restore this position. He would have no problem operating at this level.

Mr. Scozzafava made a motion to recommend adoption of the Public Works budget as proposed by the Mayor. Seconded by Mr. Machado. Motion carried unanimously.

Respectfully submitted,



VAL MACHADO, Chairman

  
JOHN ESPOSITO  
DEAN ESPOSITO  
CHRIS SETARO  
JOSEPH SCOZZAFAVA



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Honorable Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 9, 2003

SUBJECT: ORDINANCE: Tax Deferral Program for Elderly Homeowners

Enclosed you will find an ordinance that will establish a property tax deferral program for elderly homeowners. The program will enable elderly homeowners that meet certain income thresholds to defer 15% of their property taxes on an annual basis after the application of all other State and City tax credits. The income limit for qualifying seniors is \$36,100 for single homeowners and \$41,900 for married homeowners.

Upon transfer of the property, the deferred property tax will be paid back to the City with interest at a rate of 5% per annum. A lien will be placed on the property to help protect the City's interests in this regard. The net assessment for a property in the program cannot exceed \$300,000, and no more than 40% of the total net assessment may be deferred.

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



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

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**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** RESOLUTION – GRADUAL INCREASE IN ASSESSED VALUES  
**DATE:** April 2, 2003

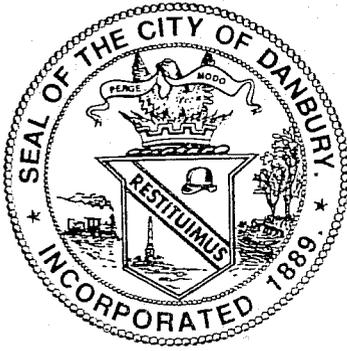
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Attached for your review is a resolution that will provide for a gradual increase in the assessed value of real property for purposes of property tax, commencing with the assessment list of October 1, 2002 and continuing for three additional assessment years.

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

If you have any questions, please call me at 797-4652.

Attach.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Section 12-62 of the Connecticut General Statutes, the City of Danbury completed its most recent revaluation, applicable to the assessed value of real property for purposes of property tax, on October 1, 2002; and,

WHEREAS, said revaluation has, in many cases, resulted in a substantial increase in the assessed value of real property for property tax purposes; and,

WHEREAS, pursuant to Section 12-62c of the Connecticut General Statutes, the City of Danbury wishes to exercise its option to allow for the gradual increase in assessed values; and,

WHEREAS, a gradual increase in said assessed values would be in the best interests of the residents and taxpayers of the City of Danbury.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, pursuant to the provisions of Section 12-62c of the Connecticut General Statutes, the City of Danbury does hereby provide for a gradual increase in the assessed value of real property for purposes of property tax, commencing with the assessment list of October 1, 2002, and continuing for three additional assessment years. Said gradual increase in assessment of real property shall be the result of equal incremental increases in the rate of assessment of real property to be added to the assessment ratio determined under Section 10-261a of the Connecticut General Statutes for the 2001 assessment year. For purposes hereof, there shall be determined, for the 2001 assessment year, the difference between the assessment rate at seventy per cent of present true and actual value, and said ratio of assessed value of real property to fair market value in the 2001 assessment year. Such difference shall represent the portion of the assessment rate at seventy per cent to be added to said ratio in attaining the required assessment rate of seventy per cent of present true and actual value. Such amount shall be added to said ratio in equal increments, for a period of four years, including the 2002 assessment year. For purposes hereof, increments shall be considered equal if the increments are calculated in accordance with the requirements of said Section 12-62c. For purposes hereof, construction first assessed after October 1, 2002 but before the assessment rate has been increased to seventy per cent of present true and actual value, shall be assessed initially at the rate applicable pursuant to the procedure adopted herein and thereafter at the rate then in effect with respect to all other real property in the City of Danbury.

## § 10-261

## EDUCATION AND CULTURE Title 10

Internal references to the public act were changed to § 10-266aa to conform to Gen.St., Rev. to 1999.

Technical changes were made to conform to Gen.St., Rev. to 2001.

### Effective Dates

1969 Act. 1969, P.A. 531, § 3, provided:

"This act shall take effect July 1, 1969, with respect to payments made on and after July 1, 1970."

### Derivation:

1947, Supp. § 238i.

### Administrative Code References

Definitions, see Regs. Conn. State Agencies, § 13a-175u-1.

Department of Environmental Protection, grants to municipalities and water companies for potable water supplies, see Regs. Conn. State Agencies, § 22a-471-1.

### Law Review and Journal Commentaries

Human rights commentator. Emanuel Margolis, 51 Conn.B.J. 178 (1977).

Impasse resolution in local government labor relations. Brian Clemow and Thomas B. Mooney, 9 Conn.L.Rev. 579 (1977).

## § 10-261a. Equalized net grand lists for purposes of educational equalization grants

(a) The Secretary of the Office of Policy and Management, shall, on the basis of data provided by each town in the state in accordance with section 10-261b, determine annually for each town the ratio of the assessed valuation of real property for purposes of the property tax and the fair market value of such property as determined from records of actual sales of such property and from such other data and statistical techniques as deemed appropriate by the secretary. With respect to the assessment year in any town in which a revaluation required under section 12-62 becomes effective, the real estate ratio used for the purposes of this section shall be the assessment rate under the provisions of subsection (b) of section 12-62a. Said ratio as determined with respect to any town shall be used by the secretary to compute the equalized net grand list for such town for purposes of any grant that may be payable to such town under the provisions of section 10-262i, provided the sales assessment ratio used to compute the equalized net grand list of each town shall be calculated using uniform procedures for all towns. The equalized net grand list in such town shall consist of the assessed value of all real property on the net grand list divided by said ratio, plus the assessed value of all personal property on such net grand list divided by the assessment ratio in current use in such town.

(b) The Secretary of the Office of Policy and Management shall, annually, no later than the first day of August submit the equalized net grand list for each town to the State Board of Education for purposes of computing the amount of grant payable to any town under the provisions of said section 10-262i.

(c) The Secretary of the Office of Policy and Management shall, annually, no later than the first day of May mail to the chief executive officer and the assessor in each town and to the State Board of Education, notification concerning the equalized net grand list computed with respect to such town. Within fifteen days following receipt of such notification, any town may appeal

to the secretary for a hearing concerning such equalized net grand list, provided such appeal shall be in writing and include a statement as to the reasons for such appeal. The secretary shall, within fifteen days following receipt of such appeal, grant or deny such hearing by notification in writing, including in the event of denial, a statement as to the reasons for such denial. If any town is aggrieved by the action of the secretary following such hearing or in denying any such hearing, such town may, within thirty days, appeal to the superior court for the judicial district in which such town is located. Such appeal shall be a preferred case, to be heard, unless cause appears to the contrary, at the first session, by the court. Upon all such appeals which are denied, costs may be taxed against the town at the discretion of the court, but no costs shall be taxed against the state.

(d) The Secretary of the Office of Policy and Management is authorized to adopt regulations concerning the determinations and procedures required by this section, provided prior to such adoption a copy shall be sent to the chief executive officer and the assessor in each town and the secretary shall allow a reasonable period of time following such notification for any town to request a hearing concerning such proposed regulations or to submit recommendations.

(1977, P.A. 77-478, § 1, eff. July 1, 1977; 1977, P.A. 77-614, § 139, eff. Jan. 1; 1979; 1977, P.A. 77-614, § 587, eff. June 2, 1977; 1978, 78-244, § 2; 1978, P.A. 78-303, § 85, eff. June 6, 1978; 1980, P.A. 80-483, § 179, eff. July 1, 1980; 1981, P.A. 81-4, §§ 1, 2, eff. Feb. 26, 1981; 1981, P.A. 81-413, § 5, eff. July 1, 1981; 1986, P.A. 86-351, § 1; 1989, P.A. 89-124, § 11, eff. July 1, 1989; 1996, P.A. 96-171, § 2, eff. May 31, 1996; 1997, P.A. 97-244, § 5, eff. July 1, 1997.)

#### Historical and Statutory Notes

##### Codification

"Tax commissioner" or "state tax commissioner" has been changed to "commissioner of revenue services" and "tax department" or "state tax department" has been changed to "department of revenue services", wherever appearing, except in chapters 111 and 112, pursuant to 1977, P.A. 77-614, § 139.

1977, P.A. 77-614, § 587, as amended by 1978, P.A. 78-303, § 85, authorized technical, grammatical, and punctuation changes with ref-

erence to 1977, P.A. 77-614 and the public acts of 1977 and 1978.

Technical changes were made to conform to Gen.St., Rev. to 1995.

##### Effective Dates

**1986 Act.** 1986, P.A. 86-351, § 3, provided:

"This act shall take effect October 1, 1986 and be applicable to the October 1, 1986 assessment list and appeals therefrom in any town and each assessment thereafter."

#### Library References

Schools ⇐19(1).

Westlaw Topic No. 345.

C.J.S. Schools and School Districts §§ 7, 13.

### **§ 10-261b. Data re transfers of real property for preparation of equalized net grand lists**

(a) The town clerk and assessor or board of assessors in each town shall, no later than the last day of each month, submit to the Secretary of the Office of Policy and Management all required data concerning each transfer of real property in such town recorded during the preceding month, except each

Historical and Statutory Notes

The repealed C.G.S.A. § 12-62b, which related to the residential property tax revaluation relief fund, was derived from:

1988, P.A. 88-321, § 8.

1988, S.A. 88-20, § 29.

1987, July Sp.Sess., P.A. 87-1, § 4.

**§ 12-62c. Municipal option to allow gradual increase in assessed values in a year of general revaluation and in a period of not more than three years immediately following**

(a) Any municipality may, with respect to the assessment list in such municipality in a year in which a revaluation becomes effective, as required under section 12-62, for the assessment years commencing on or after October 1, 1987, by vote of its legislative body provide for a gradual increase in assessed values of real property for purposes of property tax, commencing with the year in which such revaluation becomes effective and continuing for a certain number of years as elected by such municipality, not exceeding three years immediately following the year of such revaluation. Such gradual increase in assessed values shall be the result of incremental increases in the rate of assessment of real property, to be added as provided in subsection (b) of this section to the assessment ratio determined under section 10-261a for the year immediately preceding revaluation in such municipality.

(b) Upon electing to increase assessed values in the manner allowed in this section, there shall be determined, with respect to said assessment ratio for the year immediately preceding such revaluation, the difference between the assessment rate at seventy per cent of present true and actual value, as required under subsection (b) of section 12-62a, and said ratio of assessed value of real property to fair market value in the year immediately preceding revaluation for such municipality. Such difference shall represent the portion of the assessment rate at seventy per cent to be added to said ratio for such municipality in attaining the required assessment rate of seventy per cent of present true and actual value. Such amount shall be added to said ratio in equal increments, as determined in accordance with this subsection, over the number of years elected by such municipality, provided the total number of years for such purpose may not exceed four years including the year of such revaluation. For the purposes of this subsection, increments shall be considered equal if such increments are equal (1) in terms of the absolute amount of the increase in the assessment ratio for each of the years of such gradual increase in assessed value or (2) in terms of the percentage of increase in the assessment ratio from year to year which is applicable to such gradual increase in assessed value, for each year of the term of such gradual increase in assessed value.

(c) In a municipality which has adopted the assessment procedure allowed in this section, new construction which is first assessed for purposes of property tax, after the assessment date on which such revaluation becomes effective but before the assessment rate has been increased to seventy per cent of present true and actual value, shall be assessed initially at the rate applicable in the procedure as adopted by such municipality at the time of such initial assess-

ment, and thereafter at the rate of assessment applicable with respect to all real property on the assessment list in such municipality.

(1987, July Sp.Sess., P.A. 87-1, § 6; 1991, P.A. 91-79, § 3; 1995, P.A. 95-283, § 66, eff. July 6, 1995.)

**Historical and Statutory Notes**

**Codification**

Gen.St., Rev. to 1997, changed the section heading from "Municipal option to allow gradual increases in assessed values in a year of general revaluation and in a period of not more than four years immediately following" to "Municipal option to allow gradual increase in assessed values in a year of general revaluation and in a period of not more than three years immediately following".

**Amendments**

**1991 Amendment.** 1991, P.A. 91-79, § 3, in subsec. (a), substituted reference to assessment years commencing on or after October 1, 1987, for reference to assessment years commencing October 1, 1987, to October 1, 1989, inclusive, and in subsec. (b), provided that amount be added to ratio in equal increments as determined in accordance with this subsection, and added subs. (1) and (2) relating to how increments are determined.

**1995 Amendment.** 1995, P.A. 95-283, § 66, in subsec. (a), decreased the maximum period for gradual increase in assessed values of real

property to a maximum of three years immediately following the year in which a revaluation becomes effective, from a maximum of four years immediately following the year in which a revaluation becomes effective, and in subsec. (b), decreased the total number of years to be used in assessment ratio to a maximum of four years, from a maximum of five years.

**Effective Dates**

**1987 Act.** 1987, July Sp. Sess., P.A. 87-1, § 9, provided:

"This act shall take effect from its passage [July 24, 1987], except that section 6 shall be applicable in any municipality to any assessment year commencing in 1987, 1988 or 1989 in which a general revaluation of real property is effective in such municipality."

**1991 Act.** 1991, P.A. 91-79, § 4, provided:

"This act shall take effect from its passage [April 26, 1991], and shall be applicable to assessment years of municipalities commencing on or after October 1, 1990."

**Library References**

**American Digest System**

Taxation ⇨362.5.

**WESTLAW Research**

WESTLAW Topic No. 371.

**Encyclopedias**

C.J.S. Taxation §§ 419, 509.

**§ 12-62d. Residential property tax relief for municipalities with certain effective tax rate following revaluation: State program related to revaluations effective in 1987 and 1988; municipal option program commencing in 1989**

(a) **Municipal option to adopt program in accordance with subsection (d) commencing October 1, 1989.** Commencing October 1, 1989, any municipality which meets the criteria as set forth in this subsection may, upon approval of its legislative body, provide for residential property tax relief in accordance with the provisions of subsection (d) of this section. Such property tax relief may be allowed if the municipality has implemented in that year a revaluation of all real property as required in section 12-62 and the effective tax rate for residential property, as determined in accordance with the provisions of this section, is one and one-half per cent or more of the market value of residential

ment, and thereafter at the rate of assessment applicable with respect to all real property on the assessment list in such municipality.

(1987, July Sp.Sess., P.A. 87-1, § 6; 1991, P.A. 91-79, § 3; 1995, P.A. 95-283, § 66, eff. July 6, 1995.)

**Historical and Statutory Notes**

**Codification**

Gen.St., Rev. to 1997, changed the section heading from "Municipal option to allow gradual increases in assessed values in a year of general revaluation and in a period of not more than four years immediately following" to "Municipal option to allow gradual increase in assessed values in a year of general revaluation and in a period of not more than three years immediately following".

**Amendments**

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property to a maximum of three years immediately following the year in which a revaluation becomes effective, from a maximum of four years immediately following the year in which a revaluation becomes effective, and in subsec. (b), decreased the total number of years to be used in assessment ratio to a maximum of four years, from a maximum of five years.

**Effective Dates**

**1987 Act.** 1987, July Sp. Sess., P.A. 87-1, § 9, provided:

"This act shall take effect from its passage [July 24, 1987], except that section 6 shall be applicable in any municipality to any assessment year commencing in 1987, 1988 or 1989 in which a general revaluation of real property is effective in such municipality."

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(a) **Municipal option to adopt program in accordance with subsection (d) commencing October 1, 1989.** Commencing October 1, 1989, any municipality which meets the criteria as set forth in this subsection may, upon approval of its legislative body, provide for residential property tax relief in accordance with the provisions of subsection (d) of this section. Such property tax relief may be allowed if the municipality has implemented in that year a revaluation of all real property as required in section 12-62 and the effective tax rate for residential property, as determined in accordance with the provisions of this section, is one and one-half per cent or more of the market value of residential



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Section 12-62 of the Connecticut General Statutes, the City of Danbury completed its most recent revaluation, applicable to the assessed value of real property for purposes of property tax, on October 1, 2002; and,

WHEREAS, said revaluation has, in many cases, resulted in a substantial increase in the assessed value of real property for property tax purposes; and,

WHEREAS, pursuant to Section 12-62c of the Connecticut General Statutes, the City of Danbury wishes to exercise its option to allow for the gradual increase in assessed values; and,

WHEREAS, a gradual increase in said assessed values would be in the best interests of the residents and taxpayers of the City of Danbury.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT, pursuant to the provisions of Section 12-62c of the Connecticut General Statutes, the City of Danbury does hereby provide for a gradual increase in the assessed value of real property for purposes of property tax, commencing with the assessment list of October 1, 2002, and continuing for three additional assessment years. Said gradual increase in assessment of real property shall be the result of equal incremental increases in the rate of assessment of real property to be added to the assessment ratio determined under Section 10-261a of the Connecticut General Statutes for the 2001 assessment year. For purposes hereof, there shall be determined, for the 2001 assessment year, the difference between the assessment rate at seventy per cent of present true and actual value, and said ratio of assessed value of real property to fair market value in the 2001 assessment year. Such difference shall represent the portion of the assessment rate at seventy per cent to be added to said ratio in attaining the required assessment rate of seventy per cent of present true and actual value. Such amount shall be added to said ratio in equal increments, for a period of four years, including the 2002 assessment year. For purposes hereof, increments shall be considered equal if the increments are calculated in accordance with the requirements of said Section 12-62c. For purposes hereof, construction first assessed after October 1, 2002 but before the assessment rate has been increased to seventy per cent of present true and actual value, shall be assessed initially at the rate applicable pursuant to the procedure adopted herein and thereafter at the rate then in effect with respect to all other real property in the City of Danbury.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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## MEMORANDUM

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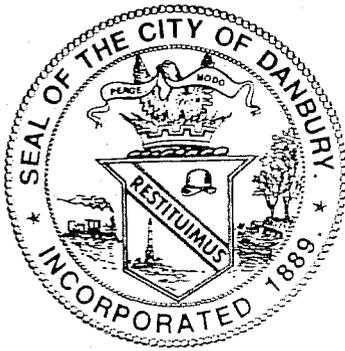
**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** **RESOLUTION – NEIGHBORHOOD ASSISTANCE ACT**  
**DATE:** April 29, 2003

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

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

DD/jgb



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

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

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

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

**WHEREAS**, no local matching funds are required; and

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

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

City of Danbury

2003 Connecticut Neighborhood Assistance Act Program

<u>Agency</u>	<u>Program</u>	<u>Amount</u>	<u>%</u>
Community Action Committee of Danbury, Inc. (CACD)	Neighborhood Services	\$50,000	60%
Danbury Museum & Historical Society	Danbury Museum Lecture & Program Series	\$7,200	40%
Danbury Regional Commission on Child Care, Rights, & Abuse	Volunteer Mentor Program	\$5,000	60%
Danbury Regional Commission on Child Care, Rights, & Abuse	Communication of Parent Effectiveness Skills (COPES) Program	\$10,000	60%
Danbury Regional Commission on Child Care, Rights, & Abuse	Parent Aide Program	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Uninsured Pregnant Women Support	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Indigent Sick Home Care Fund Support	\$20,000	60%
Danbury Visiting Nurses Association, Inc.	Child Abuse & Neglect Prevention fund Support	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Child Health Insurance Outreach Fund Support	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Pregnancy & Newborn Education Fund Support	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Mobile Health Van Fund Support	\$20,000	60%
Danbury Visiting Nurses Association, Inc.	Respite Fund Support	\$20,000	60%
Danbury Visiting Nurses Association, Inc.	Immunization & Flu Vaccine Fund Support	\$5,000	60%
Danbury Visiting Nurses Association, Inc.	Diabetes Education Fund Support	\$10,000	60%
Danbury Visiting Nurses Association, Inc.	Sick Elder Care Fund Support	\$20,000	60%
Danbury Youth Services, Inc.	Youth & Family Counseling	\$20,000	60%

City of Danbury

2003 Connecticut Neighborhood Assistance Act Program

<u>Agency</u>	<u>Program</u>	<u>Amount</u>	<u>%</u>
Family & Children's Aid	Safe Homes	\$150,000	60%
Harambee Center, Inc.	Youth Tutoring Youth	\$23,600	60%
Harambee Center, Inc.	Basic Sewing Fundamentals	\$2,652	60%
Harambee Center, Inc.	Theatre Arts Program	\$4,880	60%
Harambee Center, Inc.	Cultural/Educationa Enrichment Travel Series	\$11,500	60%
Harambee Center, Inc.	Computer Literacy for Adults	\$4,880	60%
Literacy Volunteers of America- Danbury, Inc.	Neighborhood Outreach Program	\$100,000	60%
The Volunteer Center	Friendly Visitor Program	\$12,500	60%
City of Danbury, Department of Welfare & Social Services	Project Rose	\$56,160	60%
United Way of Northern Fairfield County	Help for the Needy	\$150,000	60%
		\$753,372	



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

TO: Mayor Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 22, 2003

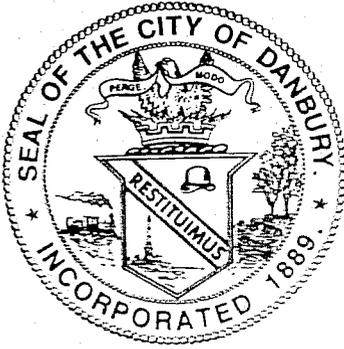
SUBJECT: Resolution Related to the Manufacturers' Property Tax Exemption

Governor Rowland recently signed legislation intended to eliminate the State budget deficit for the fiscal year ending June 30, 2003. That legislation includes a provision that allows municipalities, by local option, to recoup the difference between the State's reimbursement under Section 12-94b for the October 1, 2001 Grand List exemptions, and the amount that would have been paid less the Governor's rescissions.

Under this legislation, the City of Danbury is in a position to recoup approximately \$232,000 from these commercial taxpayers.

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

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



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut recently acted to reduce certain grant appropriations set forth pursuant to C.G.S. Section 12-94b, in an effort to cut costs; and

**WHEREAS**, this reduction included grant(s) to municipalities in order to reimburse municipalities for certain state enacted exemptions from taxation for machinery and equipment; and

**WHEREAS**, said action permits municipalities to recoup said loss in state reimbursement for such exempt property from the October 1, 2001 grand list for manufacturing machinery and equipment and commercial vehicles; and

**WHEREAS**, the City of Danbury would be permitted, by vote of its legislative body, to levy a tax with respect to such otherwise exempt property in the fiscal year ending June 30, 2004, in order to recover the lost grant funds; and

**WHEREAS**, such levy would be in an amount equal to not more than the difference between the amount of the grant payable for the otherwise exempt property under CGS Section 12-94b and the amount of such (reduced) grant pursuant to the recent State legislation;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Common Council of the City of Danbury, pursuant to the provisions of Section 53 of Public Act 02-1, and with respect to such property specified therein in the City fiscal year ending June 30, 2004, hereby authorizes the levy of personal property tax upon property otherwise exempt pursuant to the provisions of CGS Section 12-81 (72) and (74) in an amount equal to not more than the difference between the amount of the grant normally payable pursuant to CGS Section 12-94b and the amount of such grant pursuant to the provisions of Public Act 02-1, for the grand list of October 1, 2001.



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut recently acted to reduce certain grant appropriations set forth pursuant to C.G.S. Section 12-94b, in an effort to cut costs; and

**WHEREAS**, this reduction included grant(s) to municipalities in order to reimburse municipalities for certain state enacted exemptions from taxation for machinery and equipment; and

**WHEREAS**, said action permits municipalities to recoup said loss in state reimbursement for such exempt property from the October 1, 2001 grand list for manufacturing machinery and equipment and commercial vehicles; and

**WHEREAS**, the City of Danbury would be permitted, by vote of its legislative body, to levy a tax with respect to such otherwise exempt property in the fiscal year ending June 30, 2004, in order to recover the lost grant funds; and

**WHEREAS**, such levy would be in an amount equal to not more than the difference between the amount of the grant payable for the otherwise exempt property under CGS Section 12-94b and the amount of such (reduced) grant pursuant to the recent State legislation;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Common Council of the City of Danbury, pursuant to the provisions of Section 53 of Public Act 02-1, and with respect to such property specified therein in the City fiscal year ending June 30, 2004, hereby authorizes the levy of personal property tax upon property otherwise exempt pursuant to the provisions of CGS Section 12-81 (72) and (74) in an amount equal to not more than the difference between the amount of the grant normally payable pursuant to CGS Section 12-94b and the amount of such grant pursuant to the provisions of Public Act 02-1, for the grand list of October 1, 2001.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

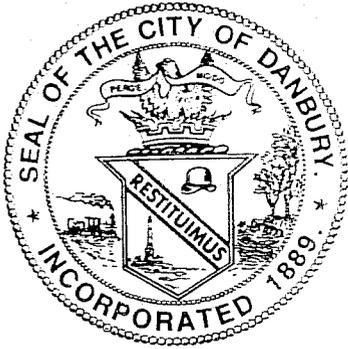
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**DATE:** April 23, 2003  
**TO:** Hon. Mark D. Boughton  
via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** **Resolution – Farmers Market Coupon Grant**  
**CC:** M. Montana

Attached for your review is a resolution that will enable the City of Danbury Women's, Infants and Children's (WIC) program to enter into an agreement with the State Department of Agriculture. The funds, in the amount of \$689.00, are to be used for supplemental staffing of the WIC program during the City's yearly Farmer's Market. The WIC staff will issue Farmer's Market Checks to eligible participants only.

I recommend the Common Council approve the resolution at its May meeting. If you have any questions, please feel free to give me a call.

Attach.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the City of Danbury's Women, Infants, and Children's Program (WIC) wishes to enter into an agreement with the State of Connecticut Department of Agriculture for funds in the amount of \$689.00 to be used for supplemental staffing during the Farmer's Market Program; and

**WHEREAS**, said funds are to be used to administer the issuance of farmer's market coupons to enable WIC participants to purchase fresh fruits and vegetables at the local Farmer's Market during the summer of 2003; and

**WHEREAS**, the period for the availability of this grant is June 2003 through September 2003; and

**WHEREAS**, no local match is required.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Danbury WIC Office is authorized to sign an agreement with the State of Connecticut Department of Agriculture for this amount and to do all things necessary to administer the 2003 summer Farmer's Market Coupon Program to its clients.



# STATE OF CONNECTICUT



## DEPARTMENT OF AGRICULTURE OFFICE OF THE COMMISSIONER

Bruce H. Gresczyk  
Deputy Commissioner

Tel: (860)713-2500  
Fax: (860)713-2514

### LETTER OF AGREEMENT BETWEEN THE DEPARTMENT OF AGRICULTURE AND LOCAL WIC PROGRAM

The purpose of this letter of agreement is to identify the services to be performed by Connecticut's WIC Programs in accordance with the 2003 Farmers' Market Nutrition Program. Participating WIC programs will be reimbursed for these services in the manner described below.

#### Services to be Performed by WIC Programs

1. Use materials provided by the Connecticut Department of Agriculture to alert WIC participants in advance to the Farmers' Market Nutrition Program.
2. Provide secure locked storage for farmers' market checks.
3. Issue farmers' market checks to eligible WIC participants only. Eligible participants are those people over the age of one year, enrolled in the WIC program for any part of the 2003 distribution period.
4. Farmers' market checks must be issued as follows:
  - \* Issuance will be conducted beginning in June and will end September 30.
  - \* \$15 of checks will be given to each eligible participant.
  - \* Serial numbers of checks given to eligible participants must be the same as those assigned to those participants in the farmers' market check register.
  - All WIC participants receiving farmers' market checks must sign the farmers' market check register to indicate their receipt of those checks.

5. Provide an accounting of the farmers' market checks to the Connecticut Department of Agriculture that identifies checks as either distributed to participants (signed register), unclaimed damaged, used, lost, stolen, or voided.
6. Distribute information concerning location of farmers' markets and use of checks to each WIC participant.

Reimbursement

The Connecticut Department of Agriculture agrees to reimburse the Danbury WIC Office for services rendered at a rate of \$.50 per eligible WIC client enrolled before the month of May 2003:

$$1,378 \times \$.50 = \$689.00$$

The funds shall be used for supplemental staffing and/or additional workloads incurred by WIC staff in the administration of the WIC Farmers' Market Nutrition Program. Reimbursement shall be made upon receipt of an **invoice**.

Documentation concerning the expenditure of the above funds shall be maintained to provide an audit acceptable to the Commissioner of the Department of Agriculture in accordance with provisions of Section 7-396 of the Connecticut General Statutes.

State of Connecticut  
Department of Agriculture

Danbury WIC Office

By \_\_\_\_\_  
Bruce Gresczyk  
Acting Commissioner

By \_\_\_\_\_  
WIC Director

Date \_\_\_\_\_

Date \_\_\_\_\_



## WIC PROGRAM

13 Main Street

Danbury, Connecticut 06810

797-4629

### FARMERS' MARKET NUTRITION PROGRAM - FY 2003

#### PROGRAM IMPACT:

The Connecticut Farmers' Market Nutrition Program is a Federal program administered by the Connecticut Department of Agriculture and jointly funded by The State of Connecticut and the U.S. Department of Agriculture. This program is designed to provide a supplemental source of fresh fruits and/or vegetables for participants of the Women, Infants and Children (WIC) who are judged to be "nutritionally at risk". The Program also promotes agricultural diversification by stimulating the demand for Connecticut grown fresh unprocessed fruits and vegetables at farmers' markets. Connecticut Farmers' Market Nutrition Program vouchers can only be used at authorized farmers' markets and for eligible purchases from state certified farmers' market vendors.

All recipients of the CT Farmers' Market Nutrition Program are current participants in the Special Supplemental Food Program for Women, Infants and Children (WIC).

#### FISCAL IMPACT:

The Connecticut Department of Agriculture has agreed to reimburse the Danbury WIC Program at a rate of \$.50 per eligible WIC client enrolled before the month of May 2003 for a total of \$689.00. The funds will be used for staff salaries and fringe benefits, specifically FICA, to compensate for the additional work loads/hours worked in the administration of the Farmers' Market Program. There are no direct City personnel, benefit, equipment or other costs associated with these funds. No future costs are anticipated.

The issuance of Farmers' Market vouchers will be conducted beginning June 2003 and ending September 30, 2003.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

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

**WHEREAS**, the City of Danbury's Women, Infants, and Children's Program (WIC) wishes to enter into an agreement with the State of Connecticut Department of Agriculture for funds in the amount of \$689.00 to be used for supplemental staffing during the Farmer's Market Program; and

**WHEREAS**, said funds are to be used to administer the issuance of farmer's market coupons to enable WIC participants to purchase fresh fruits and vegetables at the local Farmer's Market during the summer of 2003; and

**WHEREAS**, the period for the availability of this grant is June 2003 through September 2003; and

**WHEREAS**, no local match is required.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Danbury WIC Office is authorized to sign an agreement with the State of Connecticut Department of Agriculture for this amount and to do all things necessary to administer the 2003 summer Farmer's Market Coupon Program to its clients.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

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**To:** Hon. Mark D. Boughton via the Common Council  
**From:** Dena Diorio, Director of Finance *Dena*  
**Date:** April 24, 2003  
**Re:** **RESOLUTION – DRIVING UNDER THE INFLUENCE SAFETY GRANT**  
**CC:** R. L. Paquette

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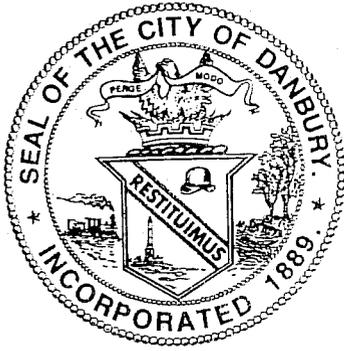
Attached for your review is a resolution that allows the City of Danbury Police Department to apply for and accept grant funding from the State of Connecticut, Department of Transportation for the "2003 Memorial Day and Fourth of July Driving Under the Influence Enforcement Program". This grant in the amount of \$22,821 requires a local match of \$9,780. The funding for the local match is available in the Police Department Budget.

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

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

DD/jgb

Attach.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of \$22,821.00 for the 2003 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

**WHEREAS**, a local cash match of \$9,780.00 is required in order to reach the total cost of the program, which \$32,601.00.

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



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

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

**WHEREAS**, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of \$22,821.00 for the 2003 Memorial Day/Fourth of July Driving Under the Influence Enforcement Program; and

**WHEREAS**, a local cash match of \$9,780.00 is required in order to reach the total cost of the program, which \$32,601.00.

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



**Arthur Sullo/PD/COD**

04/21/2003 11:45 AM

To Kimberly Enteado/FINANCE/COD@Danbury

cc Robert Paquette/PD/COD@Danbury

bcc

Subject DOT Memorial day & 4th July Overtime & Equipment Grant

I sent up the copy of the application from the State to you this morning. I will send up the completed application in 48 hours for your review and for forwarding to the State DOT ASAP.

In the event of Common Council disapproval which I would find highly unlikely, we could simply withdraw our filed application with the state so that should be no problem.

I will make up the needed transfer needed from Police Reg. Salary to the appropriate line items for the purchase of the public safety equipment.

This is a win situation for the City as the equipment will only cost us 30% on the dollar with 70% fed. funding.

Art Sullo

Intra Department Transfer Request – General Fund

FROM: Danbury Police Department

TO: Finance Department

RE: Request for Transfer of Funds

FROM: Amount: \$9,780

Acct. Name: SALARIES REGULAR

Acct. Number: 2000.5020

TO:

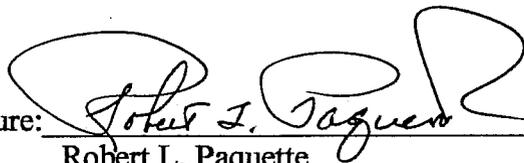
Acct. Name: CONTRIBUTIONS - GRANTS

Acct. Number 2000.5612

**Purpose Requiring Transfer: 30% Matching funds needed for the cost of overtime salaries, public safety & office equipment, office supplies, and clothing & dry goods for the 2003 DHS State of Connecticut, DOT, Div. of Highway Safety Memorial Day & 4<sup>th</sup> of July DUI Enforcement & Equipment Grant.**

**Reason for Transfer:** Meet matching funds requirement.

Signature:



Robert L. Paquette  
Chief of Police

Date: April 23, 2003

## DEPARTMENT OF TRANSPORTATION

## DIVISION OF HIGHWAY SAFETY

PROGRAM DESCRIPTION

Alcohol

PROGRAM AREA

03-AL-164

DATE RECEIVED

DATE APPROVED

## HIGHWAY SAFETY PROJECT APPLICATION

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

## 1. PROJECT TITLE

2003 MEMORIAL DAY /FOURTH OF JULY DUI ENFORCEMENT/EQUIPMENT PROGRAM - CITY/TOWN OF:

## 2. GOVERNMENTAL UNIT

Danbury - City of Danbury

3. ADDRESS OF GOVERNMENTAL UNIT (W/ZIP CODE)

155 Deer Hill Ave., Danbury, CT 06810

## 4. APPLICANT

Danbury Police Department

5. ADDRESS OF APPLICANT (W/ZIP CODE)

120 Main Street, Danbury, CT 06810

## 6. FEDERAL IDENTIFICATION NO.

06-600-1868

7. ANTICIPATED PROJECT START-UP DATE

5/22/03

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

## FROM:

THROUGH: July 31, 2003

## A. PROJECT DIRECTOR

(1) NAME (FIRST, MIDDLE INITIAL, LAST)

Arthur P. Sullo

(2) TITLE

Captain, Admin Cmdr.

(3) TELEPHONE NO.

203-797-4538

(4) SIGNATURE



(5) ADDRESS AND ZIP CODE

Danbury Police Department  
120 Main Street, Danbury, CT 06810

## B. FINANCIAL OFFICER

(1) NAME (FIRST, MIDDLE INITIAL, LAST)

Dena Diorio

(2) TITLE

Finance Director

(3) TELEPHONE NO.

203-797-4652

(4) SIGNATURE

(5) ADDRESS AND ZIP CODE

City of Danbury, 155 Deerhill Ave.  
Danbury, CT 06810

## C. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT

(1) NAME (FIRST, MIDDLE INITIAL, LAST)

Mark D. Boughton

(2) TITLE

Mayor, City of Danbury 203-797-4511

(3) TELEPHONE NO.

(4) SIGNATURE

(5) ADDRESS AND ZIP CODE

155 Deer Hill Ave.  
Danbury, CT 06810

## PROVAL-- (FOR DHS USE ONLY)

RECOMMEND APPROVAL \_\_\_\_\_

B. FISCAL REVIEW COMPLETED BY:

C. DATE

RECOMMEND DENIAL \_\_\_\_\_

D. PROGRAM REVIEW COMPLETE BY:

E. DATE

OBLIGATED FEDERAL FUNDS

G. NAME SUSAN C. MALONEY

H. TITLE Governor's Highway  
Safety Representative

I. SIGNATURE

J. DATE

THIS ACTION:

PREVIOUS:

TOTAL:

9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

In the United States during 2001, 17,380 or 41% of all traffic fatalities were alcohol related. This compares with 49.2% in 1989, 50.2% in 1988 and 57.2% in 1982. This downward trend is the result of a number of factors: legislation, public information and education, selective law enforcement, etc. National statistics also reveal a consistent day of week and time of day occurrence trend. Almost 60% of all such crashes occurred from Friday at 6:00pm to Monday at 6:00am. An average of one alcohol-related fatality occurs every 30 minutes.

Connecticut trends are similar. During 2001, 158 out of 312 traffic fatalities (51%) were alcohol related. This compares with 203 in 1989, 234 in 1988, and 292 in 1982. Day of the week and time of day analysis reveals trends similar to national data.

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

10. OBJECTIVES

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

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

--To supplement DUI enforcement activities with DUI enforcement equipment.

11. ACTIVITIES AND PROCEDURES

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

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

Period : Memorial Day/Fourth of July Holiday Period

	<u>Defined Program Parameters</u>	<u>Planned Project Operations Danbury Police</u>
Dates & Times	5/22/03 03:00pm - 04:00am	04:00pm - 02:00am
	5/23/03 03:00pm - 04:00pm	04:00pm - 02:00am
	5/24/03 03:00pm - 04:00pm	04:00pm - 02:00am
	5/25/03 03:00pm - 04:00pm	04:00pm - 02:00am
	5/26/03 03:00pm - 04:00pm	04:00pm - 02:00am
	7/02/03 03:00pm - 04:00pm	04:00pm - 02:00am
	7/03/03 03:00pm - 04:00am	04:00pm - 02:00am
	7/04/03 03:00pm - 04:00 am	04:00pm - 02:00 am
	7/05/03 03:00pm - 04:00am	04:00pm - 02:00am
	7/06/03 03:00pm - 04:00pm	04:00pm - 02:00 am

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

Primary enforcement locations are as follows:

- Main Street, White Street, Newtown Road, Federal Road, Sugar Hollow Rd (RT 7)
- West Street, Lave Ave, Mill Plain Road, South Street, Triangle Street,
- North St, Padanaram Road, Pembroke Road, Hayestown Road, Clapboard Ridge Rd,
- Ives Street

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

12. BUDGET DETAIL

PLEASE FILL OUT PROJECT COST WORKSHEET AND/OR DUI EQUIPMENT  
WORKSHEET PRIOR TO COMPLETING THIS PAGE.

(A)	*PERSONNEL SERVICES Overtime wages plus fringe benefits (total from Project Cost Worksheet)	\$ 7,900.00
(B)	CONTRACTUAL SERVICES	0.00
(C)	OPERATING COSTS	0.00
(D)	*EQUIPMENT Cost of DUI enforcement equipment to be purchased (total from DUI Equipment Cost Worksheet)	\$24,701.00
(E)	INDIRECT COSTS	0.00
(F)		T O T A L \$32,601.00

2003 MEMORIAL DAY/JULY 4<sup>th</sup> DUI Enforcement/Equipment Program.

Danbury

3. PROJECT EVALUATION AND MILESTONES

An administrative evaluation of this project will be conducted which will consider:

- (a) Schedule/number of DUI overtime hours;
- (b) Total number of DUI citations issued;
- (c) Total number of other motor vehicle citations issued.

An effectiveness evaluation will be conducted which will measure:

- (a) The change in the number of persons killed in motor vehicle crashes in which drugs or alcohol was identified as a contributing factor, which occurred during project dates/times vs. base period.
- (b) The change in the number of persons injured in motor vehicle crashes in which alcohol or drugs was a contributing factor which occurred during project dates/times vs. base period.
- (c) The change in the number of motor vehicle crashes in which alcohol or drugs was identified as a contributing factor which occurred during project dates/times vs. base period.

PROJECT MILESTONES	<u>Memorial Day</u>	<u>Fourth of July</u>
Project announcement date	03/19/03	03/19/03
Project application due date	05/05/03	05/05/03
Publicity related to statewide enforcement	05/19/03	06/27/03
Publicity related to selected community enforcement	05/19 - 05/23/03	06/27 - 07/03/03
Conduct DUI enforcement program	05/22 - 05/26/03	07/02 - 07/06/03
Enforcement summaries/expense claims submitted to Division of Highway Safety	07/31/03	07/31/03

PROJECT TITLE	APPLICANT
2003 MEMORIAL DAY/JULY 4 <sup>th</sup> DUI Enforcement/Equipment Program.	DANBURY POLICE

14. BUDGET SUMMARY

COST CATEGORY	Amount	SOURCE OF FUNDS	TOTAL
*PERSONNEL SERVICES	\$ 7,900.00	FEDERAL FUNDS 70%	\$ 22,820.70
CONTRACTUAL SERVICES	\$ XXXXXXXXXXXXXXXXX	NON-FEDERAL 30%	\$ 9,780.30
OPERATING COSTS	\$ XXXXXXXXXXXXXXXXX	TOTAL FUNDS	\$ 32,601.00
*EQUIPMENT	\$ 24,701.00		
INDIRECT COSTS	\$ XXXXXXXXXXXXXXXXX		
*TOTAL BUDGETED	\$ 32,601		

BUDGET SUMMARY APPROVAL (DHS USE ONLY)

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

TOWN/CITY OF: DANBURY

FRINGE BENEFIT CERTIFICATION STATEMENT

I hereby certify that the fringe benefit rate of 3.78 % is the rate authorized by the Town/City of Danbury For application against all OVERTIME hours worked by the sworn police agency personnel for the following time period: From 5/22/03 To 7/31/03  
(Date) (Date)

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

<u>Cost Category</u>	<u>Percentage</u>
1. <u>Workmans Comp.</u>	<u>3.78</u> %
2. _____	_____ %
3. _____	_____ %
4. _____	_____ %
5. _____	_____ %
6. _____	_____ %
7. _____	_____ %
8. _____	_____ %
<b>TOTAL OVERTIME FRINGE RATE</b>	<u>3.78</u> %

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

TOWN/CITY'S CHIEF FINANCIAL OFFICER

Name: Dena Diorio

Title: Finance Director

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

TOWN/CITY OF: DANBURY

**DUI EQUIPMENT COST WORKSHEET**  
*(Attach this worksheet with grant application)*

Please detail below, the DUI enforcement/educational equipment to be purchased, by description and approximate cost. Eligible items include, but are not limited to: in-car video cameras; checkpoint items, i.e.: signage, illumination devices, reflective clothing; passive alcohol sensor flashlights; Fatal Vision demonstration goggles; and additional items directly related to DUI enforcement/education. Please note that individual pieces of equipment purchased under this grant cannot exceed \$5,000; with a total cap of \$25,000 on the amount of equipment purchased.

DWI/Traffic Enforcement  
**Equipment Description**

**Total Cost**

1. Reflectorless Total Station	\$5,000
2. In-Car Video Camera System	\$3,995
3. Mobile Data Tablet Personal Computer	\$2,500
4. Plotter for diagramming maps	\$2,000
5. Drag sled friction measuring system	\$1,500
6. Fifteen (15) Reflective DUI/Traffic Enforcement Jackets and/or shirts \$80@	\$1,200
7. In House A.I./Traffic Computer w/printer	\$1,500
8. Two (2) Alcohol sensitive flashlights \$500@	\$1,000
9. (2) Digital Video Camera \$500@ (One for DUI Room, one for AI investigations)	\$1,000
10. (2) DUI room chairs \$400@	\$800
11. 35mm Camera	\$500
12. DUI room desk	\$500
13. Paper, ink, drawing supplies, etc.	\$500
14. Traffic Cones \$25 @	\$500
15. Polaroid Camera Law Enforcement Kit	\$450
16. DUI Room storage cabinets	\$400
17. (2) Tripods \$188@	\$376
18. Two (2) Walkable measuring tapes \$100@	\$200
19. Prism Mini Package	\$175
20. 8' Prism pole	\$155
21. Portable Lights	\$100
22. 500 foot measuring tape	\$100
23. Micro voice recorder and tapes	\$100
24. Microphone	\$100
25. Work gloves	\$50
<b>Total Equipment Cost</b>	<b>\$24,701</b>

TOWN/CITY OF DANBURY

HOLIDAY OVERTIME SELECTIVE ENFORCEMENT

PROJECT COST WORKSHEET

(Attach this worksheet with grant application)

\* OVERTIME WAGES AND FRINGE BENEFITS:

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

May 22, 2003 : 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$	37.9651	= \$	379.67
#2:	hrs.	@ \$	.	= \$	.
#3:	hrs.	@ \$	.	= \$	.
#4:	hrs.	@ \$	.	= \$	.

Vehicle #2

Enforcement Officer #1:	10 hrs.	@ \$	37.9651	= \$	379.67
#2:	hrs.	@ \$	.	= \$	.
#3:	hrs.	@ \$	.	= \$	.
#4:	hrs.	@ \$	.	= \$	.

May 23, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$	37.9651	= \$	379.67
#2:	hrs.	@ \$	.	= \$	.
#3:	hrs.	@ \$	.	= \$	.
#4:	hrs.	@ \$	.	= \$	.

Vehicle #2

Enforcement Officer #1:	10 hrs.	@ \$	37.9651	= \$	379.67
#2:	hrs.	@ \$	.	= \$	.
#3:	hrs.	@ \$	.	= \$	.
#4:	hrs.	@ \$	.	= \$	.

May 24, 2003: 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$	37.9651	= \$	379.67
#2:	hrs.	@ \$	.	= \$	.
#3:	hrs.	@ \$	.	= \$	.
#4:	hrs.	@ \$	.	= \$	.

(continued next page)

Vehicle #2

Enforcement Officer	#1:	10 hrs.	@ \$ 37.9651	= \$ 379.67
	#2:	hrs.	@ \$ .	= \$ .
	#3:	hrs.	@ \$ .	= \$ .
	#4:	hrs.	@ \$ .	= \$ .

May 25, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer	#1:	10 hrs.	@ \$ 37.9651	= \$ 379.67
	#2:	hrs.	@ \$ .	= \$ .
	#3:	hrs.	@ \$ .	= \$ .
	#4:	hrs.	@ \$ .	= \$ .

Vehicle #2

Enforcement Officer	#1:	10 hrs.	@ \$ 37.9651	= \$ 379.67
	#2:	hrs.	@ \$ .	= \$ .
	#3:	hrs.	@ \$ .	= \$ .
	#4:	hrs.	@ \$ .	= \$ .

May 26, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer	#1:	10 hrs.	@ \$ 37.9651	= \$ 379.67
	#2:	hrs.	@ \$ .	= \$ .
	#3:	hrs.	@ \$ .	= \$ .
	#4:	hrs.	@ \$ .	= \$ .

Vehicle #2

Enforcement Officer	#1:	10 hrs.	@ \$ 37.9651	= \$ 379.67
	#2:	hrs.	@ \$ .	= \$ .
	#3:	hrs.	@ \$ .	= \$ .
	#4:	hrs.	@ \$ .	= \$ .

SOBRIETY CHECKPOINT

DATE:	Hours:	:00 m -	:00 m		
Enforcement Officer	#1:	hrs.	@ \$ .	= \$ .	
	#2:	hrs.	@ \$ .	= \$ .	
	#3:	hrs.	@ \$ .	= \$ .	
	#4:	hrs.	@ \$ .	= \$ .	
	#5:	hrs.	@ \$ .	= \$ .	
	#6:	hrs.	@ \$ .	= \$ .	
	#7:	hrs.	@ \$ .	= \$ .	

July 02, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

Vehicle #2

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

July 03, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

Vehicle #2

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

July 04, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

Vehicle #2

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

July 05, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1:	10 hrs.	@ \$37.9651	=	\$379.67
#2:	hrs.	@ \$	=	\$
#3:	hrs.	@ \$	=	\$
#4:	hrs.	@ \$	=	\$

Vehicle #2

Enforcement Officer #1	10 hrs.	@ \$ 37.9651	=	\$ 379.67
#2	hrs.	@ \$ .	=	\$ .
#3	hrs.	@ \$ .	=	\$ .
#4	hrs.	@ \$ .	=	\$ .

July 06, 2003 3:00pm - 4:00am (operational parameters)

Vehicle #1

Enforcement Officer #1	10 hrs.	@ \$ 37.9651	=	\$ 379.67
#2	hrs.	@ \$ .	=	\$ .
#3	hrs.	@ \$ .	=	\$ .
#4	hrs.	@ \$ .	=	\$ .

Vehicle #2

Enforcement Officer #1	10 hrs.	@ \$ 37.9651	=	\$ 379.67
#2	hrs.	@ \$ .	=	\$ .
#3	hrs.	@ \$ .	=	\$ .
#4	hrs.	@ \$ .	=	\$ .

SOBRIETY CHECKPOINT

DATE:	Hours:	:00 m -	:00 m		
Enforcement Officer #1:	hrs.	@ \$	.	=	\$ .
#2:	hrs.	@ \$	.	=	\$ .
#3:	hrs.	@ \$	.	=	\$ .
#4:	hrs.	@ \$	.	=	\$ .
#5:	hrs.	@ \$	.	=	\$ .
- #6:	hrs.	@ \$	.	=	\$ .
#7:	hrs.	@ \$	.	=	\$ .

TOTAL ESTIMATED WAGES = \$ \_\_\_\_\_  
 (Sum Total of worksheet)

2. OVERTIME FRINGE BENEFIT RATE @ 3.78 %.

Multiply this rate (if applicable)  
times the TOTAL ESTIMATED WAGES (from  
the above worksheet) to get the :

TOTAL ESTIMATED FRINGE BENEFITS = \$ 287.03

Workman Comp. INS

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

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

GRAND TOTAL = \$ 7,880.43

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

ROUND UP AMOUNT = \$ 7,900.00



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

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**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** **DUI ENFORCEMENT VEHICLE GRANT**  
**DATE:** April 30, 2003  
**CC:** Robert Paquette

---

Attached for your review is a resolution that will allow the City of Danbury Police Department to apply for and accept grant funding from the State of Connecticut, Department of Transportation to purchase DUI enforcement vehicles. The State's share would be approximately \$54,147, or 75% of the cost, and the City's share would be approximately \$18,049, or 25% of the cost. I have been advised by Chief Robert Paquette that the City's share will come from the 2002-03 Police Budget salary line item.

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

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

DD/jgb



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

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

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

April 23, 2003

To: Robert L. Paquette  
Chief of Police  
From: Lieutenant Peter F. Gantert  
Community Services Division  
RE: **State of Connecticut, Department of Transportation**  
**DUI Enforcement Vehicle(s) Grant**

Chief Robert L. Paquette,

Attached is an impact statement and application for the State of Connecticut, DOT 'DUI Enforcement Vehicle(s) Grant'. This grant has been offered to the City of Danbury to aid in the identification and apprehension of DUI operators within our city limits. Under this grant the City of Danbury has been offered 75% reimbursement for the purchase of DUI Enforcement Vehicles. At your direction I have applied this grant towards the purchase of a two four-wheel drive SUV type vehicles. I am requesting that the Common Council act on this issue at their next regular meeting.

Sincerely,

Lieutenant Peter F. Gantert



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

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

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

**IMPACT STATEMENT**

April 23, 2003

To: Robert L. Paquette  
Chief of Police  
From: Lieutenant Peter F. Gantert  
Community Services Division  
RE: **State of Connecticut, Department of Transportation**  
**FY-2003 DUI Enforcement Vehicle(s) Grant**

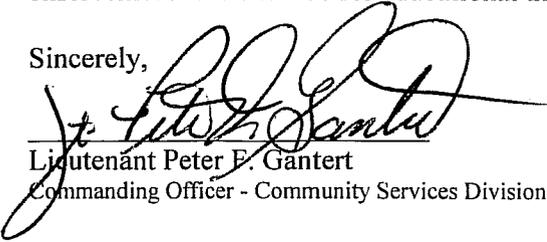
Chief Robert L. Paquette,

I am requesting that the Common Council act on and approve this State of Connecticut, DOT 'DUI Enforcement Vehicles Grant'. This grant has been offered to the City of Danbury to aid in the identification and apprehension of DUI operators within our city limits. Under this grant the City of Danbury has been offered 75% reimbursement for the purchase of DUI Enforcement Vehicles. The City of Danbury has been offered 75% reimbursement from the state with the city sharing 25% responsibility of the total grant amount.

This grant has a closing date of May 15, 2003. At your direction I have applied this grant towards the purchase of a two four-wheel drive SUV type vehicles. I am requesting that the Common Council act on this issue at their next regular meeting. The total price for this equipment is \$72,196.00, thus making the city's financial responsibility \$18,049.00 with the state contributing \$54,147.00.

Members of the Patrol Division and the Community Services Division will utilize these vehicles during their DUI enforcement and education efforts. They will be used for not only an enforcement tool but also for educational the public to the dangers of driving under the influence.

Sincerely,

  
Lieutenant Peter F. Gantert  
Commanding Officer - Community Services Division



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2370

March 27, 2003

Dear Chief:

Enclosed is a grant application for federal funds to purchase a vehicle or vehicles, which would be dedicated to DUI enforcement. The grant allows for 80% federal reimbursement on the purchase of one fully equipped vehicle, or 75% reimbursement on the purchase of two or more fully equipped vehicles. The municipality would then be responsible for the additional 20% / 25% on the vehicle(s) purchased. These vehicles must be marked as "DUI Enforcement Vehicles" and utilized in comprehensive DUI enforcement/education programs.

If you have any further questions, please do not hesitate to contact the Division of Highway Safety at 860-594-2370.

Very truly yours,

A handwritten signature in cursive script that reads "Richard A. Squeglia".

Richard A. Squeglia  
Impaired Driving Program Manager

State of Connecticut  
Department of Transportation  
DIVISION OF HIGHWAY SAFETY  
2800 Berlin Turnpike  
P.O. BOX 317546  
Newington, Connecticut 06131-7546

594-2370

## HIGHWAY SAFETY GRANT APPLICATION

\*\*\*\*\*

All shaded portions of this application will be  
completed by the Division of Highway Safety Planning.  
**Please do not print or type in these shaded areas.**

Connecticut Division of Highway  
REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS

PURPOSE

To provide potential Highway Safety Funding recipients with a comprehensive listing of regulations governing the administration of an approved highway safety project.

GENERAL REGULATIONS

1. The grant shall be administered by a governmental agency, either local or state, having authority and responsibility to conduct the project.
2. Grant expenditures must meet the following criteria:
  - A. Supplement rather than replace existing activities.
  - B. Be necessary and reasonable, and supported in the budget narrative.
  - C. Be eligible expenses under federal, state and local laws/regulations.
  - D. Conform to the federal common rule.
  - E. Be accorded consistent treatment through the application of generally accepted accounting principles.
  - F. Not be included as a cost of any other federally financed program.
  - G. Be net of all applicable credits.
  - H. Incur within an approved grant period.
  - I. Be adequately supported by source documentation.
  - J. Not result in a profit to the grantee.
3. All state agencies must have state budget authority to accept highway safety funds.
4. Only expenses contained within an approved grant budget may be claimed. Any deviations from the approved budget must have prior Division of Highway Safety (DHS) approval to be eligible for reimbursement. Back-up documentation (i.e. fully executed time distribution report) and proof of payment (i.e. cancelled checks) must accompany request for reimbursement.
5. All source documentation for incurred costs must be maintained for review purposes for a three-year period following the final reimbursement of the project.
6. All travel costs outside the state, extensive in-state trips, and conference registrations shall have prior written approval of DHS.

7. All agencies shall use purchasing practices and bid procedures that provide maximum open and free competition. In addition, positive efforts should be in effect to utilize small business and minority-owned business sources of supplies and services. The Minority Business Enterprise requirements of 49 C.F.R. Part 23 apply to this project.
8. The APPLICANT shall comply with the regulations of the United States Department of Transportation (Title 49, Code of Federal Regulations, Part 21), issued in implementation of Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 United States Code 2000d to 2000d-4. Further, the APPLICANT agrees and warrants that in the performance of this project, it will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religion, national origin, sex, sexual orientation, or physical disability, including but not limited to blindness, unless it is shown to be that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States, or the State of Connecticut, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the APPLICANT as related to the provisions of this section. (Section 4-114a and 4a-60a of the Connecticut General Statutes, as revised.)
9. Purchases must be in accordance with normal state and/or agency and/or town procedures. Purchases must also be in accordance with the requirements set forth in the Procurement Standards (based on "OMB Circular A-102, Attachment O"), available upon request. Conformance with the "Buy America Act" (23 U.S.C. 101 Note and 41 U.S.C. 10a) is required.
10. It is a requirement that all applicants comply with the "Drug Free Workplace Act of 1988" (49 C.F.R. Part 29 Subpart F).
11. The Division of Highway Safety MUST be notified (in writing) within thirty (30) days of the receipt of any equipment. Information provided shall consist of: name, model, serial number, cost, date of delivery taken, and a brief description of each article purchased. After the expiration date of this project, all non-expendable equipment purchased under this project will continue to be used in a Highway Safety-related effort. The APPLICANT shall notify the Division of Highway Safety immediately if any equipment purchased under this project ceases to be used in the manner set forth in this project application. In such event, the APPLICANT agrees to refund the residual value of such equipment in an amount to be determined by the Division of Highway Safety, or to transfer or otherwise dispose of such equipment as directed by the Division of Highway Safety. **NO EQUIPMENT WILL BE CONVEYED, SOLD, SALVAGED, TRANSFERRED, OR OTHERWISE BE USED OTHER THAN EXPRESSLY DETAILED IN THIS APPLICATION WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE DIVISION OF HIGHWAY SAFETY.**
12. The APPLICANT shall maintain or cause to be maintained for its useful life, any equipment purchased under this project. Standard procedures governing the ownership, use, and disposition of equipment acquired under this project are covered in the Property Management Standards (based on "OMB Circular A-102, Attachment N").
13. Any contracts entered into as part of this project's performance must receive written approval PRIOR to contract award.
14. Should the APPLICANT agency be audited, and the responsible unit, department, etc. of the grant be included as part of such audit, a copy of that applicable section [of said audit] must be forwarded to the Division of Highway Safety.

## ORIENTATION MEETING

First time approved applicants may be required to participate in an orientation meeting to discuss program requirements.

## PROJECT PROGRESS REPORTS

Project Progress Reports shall be required of all highway safety projects. Failure to submit required reports will result in withholding of reimbursement and/or termination of the project.

## MONITORING REVIEWS

DHS may conduct a monitoring review of your highway safety project. The purpose of this review is to determine adherence to stated project objectives, to review financial procedures, and to ensure compliance with federal regulations.

## COST REIMBURSEMENT

1. Highway safety projects are funded on a cost reimbursement concept. An agency expends its own funds and then proceeds to claim reimbursement for the federal share of incurred project costs.
2. Requests for reimbursements will be made on a monthly or quarterly basis. Cost claims must be submitted to DHS on a minimum of a quarterly basis.
3. It is the responsibility of the project director to ensure that reimbursement requests are submitted on a timely basis.
4. ALL FINAL CLAIMS against this project, together with all supporting financial documentation, MUST be submitted to the Connecticut Division of Highway Safety no later than forty-five (45) days after the funding period ending date.

## COST DOCUMENTATION

The accounting system and cost documentation presently in use by an agency is generally adequate for project purposes. If modification is necessary, DHS will notify you and assistance will be provided.

## PROJECT TERMINATION

A project may be terminated if DHS concludes that the grantee is not in compliance with the conditions or provisions of a grant. DHS will extend an opportunity for the grantee to demonstrate compliance. Notification of termination will be in writing.

**DHS  
STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAY SAFETY**

**SHADED AREAS FOR DHS USE ONLY**

<b>PROJECT NO.</b> 183	
<b>PROGRAM DESCRIPTION</b>	<b>Program Area</b>
<b>DATE RECEIVED</b>	<b>DATE APPROVED</b>

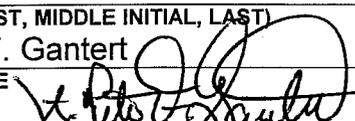
**HIGHWAY SAFETY PROJECT APPLICATION**

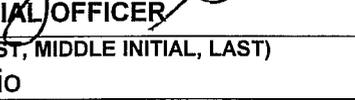
ACCEPTANCE - IT IS UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT FUNDS RECEIVED AS A RESULT OF THIS APPLICATION IS SUBJECT TO THE REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS. THIS AGREEMENT MAY BE TERMINATED BY EITHER PARTY IN ACCORDANCE WITH DHS POLICY. COPY OF POLICY OBTAINED UPON REQUEST.

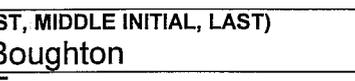
<b>1. PROJECT TITLE</b> DUI ENFORCEMENT VEHICLE (S) - CITY/TOWN OF DANBURY, CONNECTICUT	
<b>2. GOVERNMENTAL UNIT</b> City of Danbury, Connecticut	<b>3. ADDRESS OF GOVERNMENTAL UNIT (W/ZIPCODES)</b> 155 Deer Hill Ave Danbury, CT 06810
<b>4. APPLICANT</b> Danbury Police Department	<b>5. ADDRESS OF APPLICANT (W/ZIP CODES)</b> 120 Main Street Danbury, CT 06810
<b>6. FEDERAL IDENTIFICATION NO.</b> 06-600-1868	<b>7. ANTICIPATED PROJECT START-UP DATE</b>

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

<b>FROM:</b>	<b>THROUGH:</b> JULY 31, 2003
--------------	-------------------------------

<b>8A. PROJECT DIRECTOR</b>		
<b>(1) NAME (FIRST, MIDDLE INITIAL, LAST)</b> Lt. Peter F. Gantert	<b>(2) TITLE</b> Lieutenant	<b>(3) TELEPHONE NO.</b> 203.797.4577
<b>(4) SIGNATURE</b> 	<b>(5) ADDRESS AND ZIP CODE</b> 120 Main St Danbury, CT 06812	

<b>8B. FINANCIAL OFFICER</b>		
<b>(1) NAME (FIRST, MIDDLE INITIAL, LAST)</b> Dena Diorio	<b>(2) TITLE</b> Director of Finance	<b>(3) TELEPHONE NO.</b> 203.797.4652
<b>(4) SIGNATURE</b> 	<b>(5) ADDRESS AND ZIP CODE</b> 155 Deer Hill Ave Danbury, CT 06810	

<b>8C. AUTHORIZING OFFICIAL OF GOVERNMENT UNIT</b>		
<b>(1) NAME (FIRST, MIDDLE INITIAL, LAST)</b> Mr. Mark Boughton	<b>(2) TITLE</b> Mayor	<b>(3) TELEPHONE NO.</b> 203.797.4511
<b>(4) SIGNATURE</b> 	<b>(5) ADDRESS AND ZIP CODE</b> 155 Deer Hill Ave Danbury, Ct 06810	

**APPROVAL - (FOR DHS USE ONLY)**

<b>A. DHS STAFF EVALUATION</b> RECOMMEND APPROVAL _____ RECOMMEND DENIAL _____	<b>B. FISCAL REVIEW COMPLETED BY:</b>	<b>C. DATE</b>
	<b>D. PROGRAM REVIEW COMPLETED BY:</b>	<b>E. DATE</b>
<b>F. OBLIGATED FEDERAL FUNDS</b> FY: 2003 _____	<b>G. NAME</b> Susan C. Maloney	<b>H. TITLE</b> Governor's Highway Safety Representative
	<b>I. SIGNATURE</b> 	<b>J. DATE</b>

<b>THIS ACTION: \$</b>
<b>PREVIOUS: \$</b>
<b>TOTAL: \$</b>

PROJECT TITLE	APPLICATION
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

## 9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Rates of drinking and driving remain unacceptably high among U.S. adults, according to data received from the National Highway Traffic Safety Administration (NHTSA), in 2000 America experienced the largest percentage increase in alcohol-related traffic death on record. 17,380 people were killed in alcohol-related crashes – an average of one every half-hour. These deaths constituted approximately 41% of the 41,945 total traffic fatalities. Connecticut experienced 342 traffic related fatalities in 2000 with 158 being alcohol related or 46.3% of all traffic related fatalities in Connecticut being alcohol related. This average is well above that of the national average. In 2001, we have seen the national average remain at 41% while Connecticut's average has raised to 51% of all traffic related fatalities being related to alcohol.

According to NHTSA (2000), about three in every ten Americans will be involved in an alcohol-related crash sometime in their lives. Of the average driving age public, 98% see drinking and driving as a threat to their personal safety, and 86% feel it is very important to do something to reduce the problem. An estimated 513,000 people are injured in alcohol-related crashes each year, an average of 59 people per hour or approximately one person every minute. In 1998, alcohol-related crashes cost the United States more than 110,000 billion, including \$40 billion in monetary costs and \$70 billion in quality of life losses.

Danbury has seen a rise in DUI arrests over the past year from 198 in 2001 to 225 in 2002. So far in 2003, officers have arrested 55 DUI operators.

DPD responded to 4,204 motor vehicle accidents (MVA) in 2001 rising to 4,615 in 2002. Of the 4,204 MVAs in 2001, 3 were fatalities and 2 of the 4,615 MVAs in 2002 were fatalities. To date in 2003 DPD has responded to 1,405 MVAs 1 of which was a fatality. Of the past 6 fatalities 5 were alcohol-related with the sixth being a suicide. This trend is consistent with national averages for alcohol-related accident/arrests.

Danbury is the seventh largest city in the State of Connecticut with a population of 74,848, according to the 2000 census. It is comprised of 44 square miles and has approximately 230 miles of roadway. It is also home of Western Connecticut State University, which has a full time enrollment of 5,000 students within its two campuses. Also located within the city limits are approximately 20 liquor stores and over 113 alcohol serving establishments. Centrally located with the "CityCenter" of Danbury is the Dining and Entertainment district, which consists of numerous restaurants and nightclubs. Historically this area is plagued by alcohol related offences/nuisances and is frequented by patrons from surrounding towns.

Currently the Danbury Police Department (DPD) employs a multi prong approach to DUI awareness and enforcement. Currently DPD uses both random patrols and checkpoints to identify and arrest intoxicated operator. In addition to this DPD utilizes its 23 member Community Services Division to supplement its enforcement activity along with performing all citywide educational outreach. Community Services Division officers work with the community along with such organizations such as MADD to address issues and concerns that may occur in the public.

<b>PROJECT TITLE</b>	<b>APPLICATION</b>
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

## 10. OBJECTIVES

The objective of the “DUI ENFORCEMENT VEHICLE (S)” grant, is to purchase two four wheel drive sport utility vehicles that will be primarily used for proactive DUI prevention activities. This will include random DUI enforcement patrol assignments and participation at all citywide educational outreach. In addition to these, both vehicle will compliment and improve the overall efficiency of the DPD DUI checkpoint program by allowing storage/transportation for required equipment and the ability to set up a second DUI checkpoint at a secondary location simultaneously.

Both vehicles marking will be consistent with current DPD patrol vehicles with the addition of “DUI ENFORCEMENT”. The idea behind this is to build the public’s awareness of the DPD commitment to eradicating DUI operator from our roadway in addition to providing a highly visible deterrent to this illegal behavior to both underage and adult operators.

It is the intention of the DPD to utilize these vehicles at citywide functions such as trade shows, safety day/fairs and other media and outreach events to promote the publics awareness of driving under the influences dangers, laws and issues. Both vehicles will also be available for use by DPD’s School Resource Officers (SRO) in their substance abuse program and mock DUI crashes put on by local high schools.

Both DUI vehicles will be equipped with the necessary equipment for both DUI detection and public educational outreach.

<b>PROJECT TITLE</b>	<b>APPLICATION</b>
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

## 11. ACTIVITIES AND PROCEDURES

The Danbury Police Department (DPD) has many proactive plans for the use of these “DUI Enforcement” vehicles that will allow for new initiatives and will compliment our current strategies. As previously stated, one of the vehicles will be assigned to the Patrol Division to be part of the regular fleet. This vehicle will be used not only to make the public aware of our DUI enforcement activities due to its marking but also to access remote areas of our 44 square mile city. This will allow us access to areas of the city that were rarely patrolled and used for underage drinking, such as the Tarrywile Park, Bear Mountain Reserve and other areas. The 23 officers of Community Services Division will use the second DUI enforcement vehicle during their public awareness campaigns. In addition for routine patrol in the CityCenter district.

Since both vehicles are marked with “DUI Enforcement” and consistent with current DPD patrol vehicle markings they will provide a visual deterrent to both the underage operator and the adult driver whom may consider drinking and driving. These vehicles will specifically used during DUI enforcement campaigns throughout the year including all checkpoint activities.

Members of the Community Services Division will utilize these vehicles at all DPD educational outreach activities. The Community Services Division organizes or attends approximately 120 major community events annually which results in over 25,000 positive citizen contacts. During which informational and educational information will be distributed concerning a wide array of prevention topics to include DUI prevention. Our Child Passenger Safety Team will utilize these vehicles at all their weekly fitting station and at all local and regional seatbelt installation/inspection clinics. In 2002 alone the DPD inspected/install over 25% of all child safety seats for the entire state. These vehicles will also be stocked with educational pamphlets and giveaways to be handed out at these events to raise the awareness of the dangers of drinking and driving.

In addition to the above mentioned activities these DUI vehicles will be used to compliment DPD,s current checkpoint activities. Both vehicles will be outfitted to allow us to simultaneously operate two separate checkpoints within our city or can be combined with our Mobile Operations Center to operate a full-scale effort in one targeted location. Vehicles will be equipped with mobile data computers to add efficiency to our checkpoints but also reduce the impact on the legally traveling public by reducing the duration of their stop. Stocked in each vehicle will be the necessary traffic warning cones and signs as required by law when operating a DUI checkpoint.

The Danbury Police Department subscribes to a philosophy of multi-jurisdictional cooperation among the law-enforcement community. We have aided and will continue to aid the smaller departments in northern Fairfield County with their outreach efforts. These vehicles, with the permission of the Chief of Police, will be made available to these departments for a regional DUI outreach activities.

The City of Danbury currently has three high schools one being the largest in the state, two middle schools, and approximately 15 elementary schools. DPD currently is strongly involved in the School Resource Officer program and has seven officers working in our schools. These vehicles would be made available to them for educational/ awareness activities to include mock DUI crash demonstrations. Which make students aware of the danger of drinking and driving through the graphic portal of a fatal DUI accident involving their peers.

## 11. CONTINUED

Finally, even though substantial amount of planning and thought has been put into the intended use of these vehicles we cannot anticipate all their uses. The use of these vehicles will only be limited by the imagination of the officers utilizing them. We anticipate that the use and role of these vehicles in our DUI prevention & enforcement efforts will only grow over time.

<b>PROJECT TITLE</b>	<b>APPLICATION</b>
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

**12. Budget Detail**

**A. Personnel Services** **\$ -0-**

**B. Contractual Services** **\$ -0-**

**C. Operating Costs** **\$ -0-**

**D. Equipment**

<u>Description</u>	<u>Qty</u>	<u>Cost Each</u>	<u>Total Cost</u>
1. Ford SUV 4x4 w/ Police Package	2	\$ 24,373.00	\$ 48,746.00
2. Emergency Lighting Package/Siren Package	2	\$ 3,092.00	\$ 6,184.00
3. 28" Reflective Traffic Cones (box of 5)	4	\$ 100.00	\$ 400.00
4. DUI Enforcement Signs	4	\$ 289.00	\$ 1,156.00
5. Police Mobile Radio	2	\$ 800.00	\$ 1,600.00
6. Rear Equipment Compartment	2	\$ 1,000.00	\$ 2,000.00
7. Striping & Lettering	2	\$ 450.00	\$ 900.00
8. Motorola Mobile Data Terminals w/modems	2	\$ 5,605.00	<u>\$ 11,210.00</u>
			\$ 72,196.00

**E. Indirect Costs** **\$ -0-**

**Total** **\$ 72,196.00**

PROJECT TITLE	APPLICATION
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

13. CONTINUATION AND COST ASSUMPTION

The proposed DUI Enforcement Vehicle(s) grant, utilizes two new Ford SUVs with four-wheel drive capabilities. Once purchased through the use of this grant, these vehicles will be kept and maintained by the Danbury Police Department through their regular annual budgetary funding. This will include but not limited to regular scheduled maintenance, periodic cleaning and all other service related issues. As regular fleet vehicles, fuel will be supplied through the regular police department budget. In addition to the above, all equipment bought under this grant to outfit these vehicles will be maintained during its serviceable life by the Danbury Police Department through its regular police budget.

Use of these vehicles will be scheduled by division commanders and overseen by the Chief of Police.

PROJECT TITLE	APPLICATION
DUI ENFORCEMENT VEHICLE (S)	CITY OF DANBURY, CONNECTICUT

**14. Budget Summary**

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	TOTAL
Personnel Services	\$ -0-	Federal Funds 75%	\$ 54,147.00
Contractual Services	\$ -0-	Non-Federal 25%	\$ 18,049.00
Operating Costs	\$ -0-	Total Funds	\$ 72,196.00
Equipment	\$ 72,196.00		
Indirect Costs	\$ -0-		
Total Budget	\$ 72,196.00		

**BUDGET SUMMARY APPROVAL (DHS USE ONLY)**

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	TOTAL
Personnel Services	\$ -0-	Federal Funds %	\$
Contractual Services	\$ -0-	Non-Federal %	\$
Operating Costs	\$ -0-	Total Funds	\$
Equipment	\$		
Indirect Costs	\$ -0-		
Total Budget	\$		



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

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

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

April 28, 2003

MEMORANDUM

To: Dena Diorio, Director of Finance

From: Chief Robert L. Paquette

Subject: **Connecticut DOT Grant Requests**

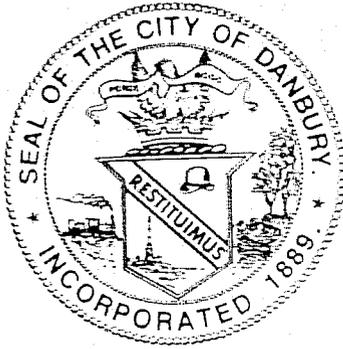
Please find enclosed the necessary applications and impact statements for the Wave Enforcement Grant and the DUI Enforcement Vehicle(s) Grant. Both grants require minimal contributions by the City. I would suggest funding from our FY 02-03 salary accounts.

This needs to go to the Common Council ASAP due to time constraints imposed by the State.

Thank you for your assistance. .

Robert L. Paquette  
Chief of Police

RLP:ks  
Enclosures



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut, Department of Transportation, has made grant funds available to the City of Danbury for DUI enforcement; and

**WHEREAS**, the funding will cover 75% of the full cost of fully equipped DUI enforcement vehicles (\$72,196.00); and

**WHEREAS**, the City of Danbury is eligible to receive funds of approximately \$54,147.00; and

**WHEREAS**, the City of Danbury is required to provide 25% of the cost of the enforcement vehicles, or \$18,049.00.

**NOW THEREFORE, BE IT RESOLVED** that Mark D. Boughton, as Mayor of the City of Danbury, be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be necessary to effectuate the purposes of said grant application and the receipt of such grant.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut, Department of Transportation, has made grant funds available to the City of Danbury for DUI enforcement; and

**WHEREAS**, the funding will cover 75% of the full cost of fully equipped DUI enforcement vehicles (\$72,196.00); and

**WHEREAS**, the City of Danbury is eligible to receive funds of approximately \$54,147.00; and

**WHEREAS**, the City of Danbury is required to provide 25% of the cost of the enforcement vehicles, or \$18,049.00.

**NOW THEREFORE, BE IT RESOLVED** that Mark D. Boughton, as Mayor of the City of Danbury, be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be necessary to effectuate the purposes of said grant application and the receipt of such grant.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

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**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena*  
**RE:** **TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM GRANT**  
**DATE:** April 29, 2003

---

Attached for your review is a resolution that will allow the City of Danbury Police Department to apply for and accept grant funding from the State of Connecticut, Department of Transportation to purchase a speed monitoring awareness radar trailer. The State's share would be approximately \$20,000, and the City's share would be \$5,000. I have been advised by Chief Robert Paquette that the City's share will come from the 2002-03 Police Budget salary line item.

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

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

DD/jgb



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

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

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

April 28, 2003

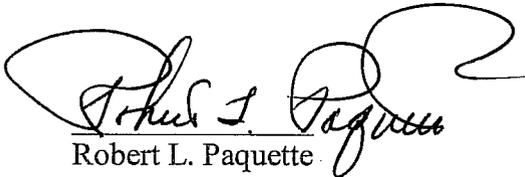
MEMORANDUM

To: Dena Diorio, Director of Finance  
From: Chief Robert L. Paquette  
Subject: **Connecticut DOT Grant Requests**

Please find enclosed the necessary applications and impact statements for the Wave Enforcement Grant and the DUI Enforcement Vehicle(s) Grant. Both grants require minimal contributions by the City. I would suggest funding from our FY 02-03 salary accounts.

This needs to go to the Common Council ASAP due to time constraints imposed by the State.

Thank you for your assistance.



Robert L. Paquette  
Chief of Police

RLP:ks  
Enclosures

RECEIVED  
BY [unclear]  
APR 29 2003



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut Department of Transportation Traffic Enforcement Equipment Program has made available a grant to the City of Danbury due to the City's participation in the State's WAVE enforcement program; and

**WHEREAS**, the maximum, partially reimbursable amount of the grant is \$25,000.00, of which 80%, or \$20,000.00, would be reimbursed to the City of Danbury; and

**WHEREAS**, the balance of 20%, or \$5,000.00, would be the responsibility of the City of Danbury; and

**WHEREAS**, said grant funds would be used to purchase a Speed Monitoring Awareness Radar Trailer, used by the Community Service Division in traffic enforcement activities.

**NOW, THEREFORE, BE IT RESOLVED** that Mayor Mark D. Boughton be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be required in order to accomplish the purposes hereof.



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

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

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

**IMPACT STATEMENT**

April 21, 2003

To: Robert L. Paquette  
Chief of Police

From: Lieutenant Peter F. Gantert  
Community Services Division

RE: **State of Connecticut, Department of Transportation**  
**FY-2003 Traffic Enforcement Equipment Program Grant**

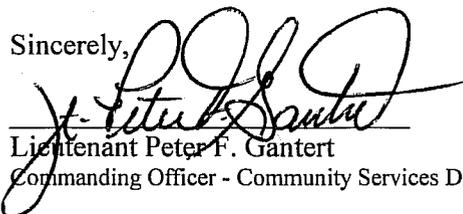
Chief Robert L. Paquette,

I am requesting that the Common Council act on and approve this State of Connecticut, DOT 'Traffic Enforcement Equipment Program Grant'. This grant has been offered to the City of Danbury due to our participation in the State's WAVE enforcement program. Due to this we are offered 80% reimbursement from the state with the city sharing 20% responsibility of the total grant amount.

The maximum that can be applied for under this grant is \$25,000.00, and it has a closing date of May 15, 2003. At your request I have applied for a Speed Monitoring Awareness Radar Trailer – Variable Message Sign (SMART-VMS) manufactured by Kustom Signals, Inc. of Lenexa, KS. The total price for this equipment is \$23,775.00, thus making the city's financial responsibility \$4,755.00 with the state contributing \$19,020.00.

This piece of equipment will be utilized by members of the Community Services Division during their traffic awareness activities in addition to responding to consistent complaints of speeding and recklessly operated vehicles within our city. It will be used for not only an enforcement tool against the habitual violator but also as an educational tool for occasional motorist.

Sincerely,

  
Lieutenant Peter F. Gantert  
Commanding Officer - Community Services Division



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone: 860-594-2370

April 11, 2003

Dear Chief/Resident Trooper:

Subject: Traffic Enforcement Equipment Program

Connecticut's law enforcement community, through its active participation in the High Visibility Safety Belt/Child Safety Seat Enforcement "WAVE" Campaign, has been instrumental in bringing about significant increases in Connecticut's safety belt usage. Once again, this year, Connecticut's increased usage has translated into additional incentive federal funds.

In the interest of maintaining and expanding traffic enforcement in Connecticut, the Division of Highway Safety is making these funds available to support a "Traffic Enforcement Equipment Program." This program is being offered to your agency at an 80% federal share/20% local (municipal) share. The cost of equipment purchased under this grant will be reimbursed at 80% of the total amount of the purchase. The total amount of equipment purchased is not to exceed \$25,000.00.

The enclosed application contains easy to follow instructions for completion and submission of this highway safety grant.

Any questions you may have regarding this grant may be directed to Richard Squeglia at (860-594-2367).

Very truly yours,

Susan C. Maloney  
Governor's Highway Safety  
Representative

Enclosure

*L. Santoro*  
FYI



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

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

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

April 21, 2003

To: Robert L. Paquette  
Chief of Police

From: Lieutenant Peter F. Gantert  
Community Services Division

RE: State of Connecticut, Department of Transportation  
Traffic Enforcement Equipment Program Grant

Chief Robert L. Paquette,

Attached is an impact statement and application for the State of Connecticut, DOT 'Traffic Enforcement Equipment Program Grant'. This grant has been offered to the City of Danbury due to our participation in the State's WAVE enforcement program. Due to this we are offered 80% reimbursement of the total amount of the grant. The maximum amount that can be applied for under this grant is \$25,000.00. At your direction I have applied this grant towards the purchase of a Speed Monitoring Awareness Radar Trailer. I am requesting that the Common Council act on this issue at their next regular meeting.

Sincerely,

Lieutenant Peter F. Gantert

State of Connecticut  
Department of Transportation  
DIVISION OF HIGHWAY SAFETY  
2800 Berlin Turnpike  
P.O. BOX 317546  
Newington, Connecticut 06131-7546

594-2370

## HIGHWAY SAFETY GRANT APPLICATION

\* \* \* \* \*

All shaded portions of this application will be  
completed by the Division of Highway Safety Planning.  
**Please do not print or type in these shaded areas.**

Connecticut Division of Highway  
REGULATIONS GOVERNING HIGHWAY SAFETY PROJECTS

PURPOSE

To provide potential Highway Safety Funding recipients with a comprehensive listing of regulations governing the administration of an approved highway safety project.

GENERAL REGULATIONS

1. The grant shall be administered by a governmental agency, either local or state, having authority and responsibility to conduct the project.
2. Grant expenditures must meet the following criteria:
  - A. Supplement rather than replace existing activities.
  - B. Be necessary and reasonable, and supported in the budget narrative.
  - C. Be eligible expenses under federal, state and local laws/regulations.
  - D. Conform to the federal common rule.
  - E. Be accorded consistent treatment through the application of generally accepted accounting principles.
  - F. Not be included as a cost of any other federally financed program.
  - G. Be net of all applicable credits.
  - H. Incur within an approved grant period.
  - I. Be adequately supported by source documentation.
  - J. Not result in a profit to the grantee.
3. All state agencies must have state budget authority to accept highway safety funds.
4. Only expenses contained within an approved grant budget may be claimed. Any deviations from the approved budget must have prior Division of Highway Safety (DHS) approval to be eligible for reimbursement. Back-up documentation (i.e. fully executed time distribution report) and proof of payment (i.e. cancelled checks) must accompany request for reimbursement.
5. All source documentation for incurred costs must be maintained for review purposes for a three-year period following the final reimbursement of the project.
6. All travel costs outside the state, extensive in-state trips, and conference registrations shall have prior written approval of DHS.

7. All agencies shall use purchasing practices and bid procedures that provide maximum open and free competition. In addition, positive efforts should be in effect to utilize small business and minority-owned business sources of supplies and services. The Minority Business Enterprise requirements of 49 C.F.R. Part 23 apply to this project.
8. The APPLICANT shall comply with the regulations of the United States Department of Transportation (Title 49, Code of Federal Regulations, Part 21), issued in implementation of Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 United States Code 2000d to 2000d-4. Further, the APPLICANT agrees and warrants that in the performance of this project, it will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religion, national origin, sex, sexual orientation, or physical disability, including but not limited to blindness, unless it is shown to be that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States, or the State of Connecticut, and further agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the APPLICANT as related to the provisions of this section. (Section 4-114a and 4a-60a of the Connecticut General Statutes, as revised.)
9. Purchases must be in accordance with normal state and/or agency and/or town procedures. Purchases must also be in accordance with the requirements set forth in the Procurement Standards (based on "OMB Circular A-102, Attachment O"), available upon request. Conformance with the "Buy America Act" (23 U.S.C. 101 Note and 41 U.S.C. 10a) is required.
10. It is a requirement that all applicants comply with the "Drug Free Workplace Act of 1988" (49 C.F.R. Part 29 Subpart F).
11. The Division of Highway Safety MUST be notified (in writing) within thirty (30) days of the receipt of any equipment. Information provided shall consist of: name, model, serial number, cost, date of delivery taken, and a brief description of each article purchased. After the expiration date of this project, all non-expendable equipment purchased under this project will continue to be used in a Highway Safety-related effort. The APPLICANT shall notify the Division of Highway Safety immediately if any equipment purchased under this project ceases to be used in the manner set forth in this project application. In such event, the APPLICANT agrees to refund the residual value of such equipment in an amount to be determined by the Division of Highway Safety, or to transfer or otherwise dispose of such equipment as directed by the Division of Highway Safety. **NO EQUIPMENT WILL BE CONVEYED, SOLD, SALVAGED, TRANSFERRED, OR OTHERWISE BE USED OTHER THAN EXPRESSLY DETAILED IN THIS APPLICATION WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE DIVISION OF HIGHWAY SAFETY.**
12. The APPLICANT shall maintain or cause to be maintained for its useful life, any equipment purchased under this project. Standard procedures governing the ownership, use, and disposition of equipment acquired under this project are covered in the Property Management Standards (based on "OMB Circular A-102, Attachment N").
13. Any contracts entered into as part of this project's performance must receive written approval PRIOR to contract award.
14. Should the APPLICANT agency be audited, and the responsible unit, department, etc. of the grant be included as part of such audit, a copy of that applicable section [of said audit] must be forwarded to the Division of Highway Safety.

## ORIENTATION MEETING

First time approved applicants may be required to participate in an orientation meeting to discuss program requirements.

## PROJECT PROGRESS REPORTS

Project Progress Reports shall be required of all highway safety projects. Failure to submit required reports will result in withholding of reimbursement and/or termination of the project.

## MONITORING REVIEWS

DHS may conduct a monitoring review of your highway safety project. The purpose of this review is to determine adherence to stated project objectives, to review financial procedures, and to ensure compliance with federal regulations.

## COST REIMBURSEMENT

1. Highway safety projects are funded on a cost reimbursement concept. An agency expends its own funds and then proceeds to claim reimbursement for the federal share of incurred project costs.
2. Requests for reimbursements will be made on a monthly or quarterly basis. Cost claims must be submitted to DHS on a minimum of a quarterly basis.
3. It is the responsibility of the project director to ensure that reimbursement requests are submitted on a timely basis.
4. ALL FINAL CLAIMS against this project, together with all supporting financial documentation, MUST be submitted to the Connecticut Division of Highway Safety no later than forty-five (45) days after the funding period ending date.

## COST DOCUMENTATION

The accounting system and cost documentation presently in use by an agency is generally adequate for project purposes. If modification is necessary, DHS will notify you and assistance will be provided.

## PROJECT TERMINATION

A project may be terminated if DHS concludes that the grantee is not in compliance with the conditions or provisions of a grant. DHS will extend an opportunity for the grantee to demonstrate compliance. Notification of termination will be in writing.

**CONNECTICUT HIGHWAY SAFETY PROGRAM**  
**PROJECT APPLICATION INSTRUCTION SHEET**  
**FOR**  
**" TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM "**

Please complete the following sections of the attached HIGHWAY SAFETY PROJECT APPLICATION form, and **RETURN BY MAY 15, 2003**, to the Division of Highway Safety at the following address:

Department of Transportation  
Division of Highway Safety - Unit 1021  
P.O. Box 317546  
2800 Berlin Turnpike  
Newington, CT 06131-7546

**PAGE 1:**

1. PROJECT TITLE: Traffic Enforcement Equipment Program-  
Town/City of: (Name of Town/City submitting  
application).
2. GOVERNMENTAL UNIT: Enter the name of political jurisdiction  
responsible for the overall administration of  
the project (state agency, municipality).
3. ADDRESS OF GOVERNMENTAL UNIT: Enter the complete address of the  
governmental unit including zip  
code.
4. APPLICANT: Enter the organizational unit responsible for the  
administration of the project (Name of police agency).
5. ADDRESS OF APPLICANT: Enter the complete address of the applicant  
including zip code.
6. FEDERAL IDENTIFICATION NUMBER: Enter the nine digit number  
assigned by the U.S. Department of  
Treasury, Internal Revenue  
Service, for tax reporting  
purposes.

7. ANTICIPATED GRANT START-UP DATE: Leave this section blank.

8. AUTHORIZING SIGNATURES:

A. PROJECT DIRECTOR

Enter the full NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the person responsible for the overall administration of the project.

B. FINANCIAL OFFICER

Enter the full NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the person responsible for the overall fiscal administration of the project.

C. AUTHORIZING OFFICIAL OF GOVERNMENTAL UNIT

Enter the full NAME, TITLE, ADDRESS, and TELEPHONE NUMBER of the chief executive officer of the political subdivision (mayor, chief of police, university official, or state agency head.

**NOTE:** SIGNATURES - submit application form with original signatures; xeroxed form will not be accepted.

12. BUDGET DETAIL PAGE

\*\*\* TOTAL COST OF EQUIPMENT IS NOT TO EXCEED \$25,000.00.

(D) EQUIPMENT: Fill in description of equipment to be purchased and total cost.

(F) TOTAL : Bring this amount down from line (D).

14. BUDGET SUMMARY :

(under cost category)

EQUIPMENT & TOTAL BUDGETED

Transfer total from section #12

(BUDGET DETAIL PAGE)

(under source of funds)

FEDERAL FUNDS : FEDERAL SHARE OF TOTAL BUDGETED

NON-FEDERAL : YOUR AGENCY'S SHARE OF TOTAL BUDGETED

**DHS  
STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAY SAFETY**

**SHADED AREAS FOR DHS USE ONLY**

<b>PROJECT NO.</b> 183	
<b>PROGRAM DESCRIPTION</b> Police Traffic Services	<b>Program Area</b> 03 PT 157
<b>DATE RECEIVED</b>	<b>DATE APPROVED</b>

**HIGHWAY SAFETY PROJECT APPLICATION**

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

<b>1. PROJECT TITLE</b> TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM - CITY/TOWN OF DANBURY, CONNECTICUT	
<b>2. GOVERNMENTAL UNIT</b> City of Danbury, Connecticut	<b>3. ADDRESS OF GOVERNMENTAL UNIT (W/ZIP CODES)</b> 155 Deer Hill Ave Danbury, CT 06810
<b>4. APPLICANT</b> Danbury Police Department	<b>5. ADDRESS OF APPLICANT (W/ZIP CODES)</b> 120 Main Street Danbury, CT 06810
<b>6. FEDERAL IDENTIFICATION NO.</b> 06-600-1868	<b>7. ANTICIPATED PROJECT START-UP DATE</b>

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

<b>FROM:</b>	<b>THROUGH:</b> JULY 31, 2003
--------------	-------------------------------

<b>8A. PROJECT DIRECTOR</b>		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Lt. Peter F. Gantert	(2) TITLE Lieutenant	(3) TELEPHONE NO. 203.797.4577
(4) SIGNATURE 	(5) ADDRESS AND ZIP CODE 120 Main St Danbury, CT 06812	

<b>8B. FINANCIAL OFFICER</b>		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Dena Diorio	(2) TITLE Director of Finance	(3) TELEPHONE NO. 203.797.4652
(4) SIGNATURE	(5) ADDRESS AND ZIP CODE 155 Deer Hill Ave Danbury, CT 06810	

<b>8C. AUTHORIZING OFFICIAL OF GOVERNMENT UNIT</b>		
(1) NAME (FIRST, MIDDLE INITIAL, LAST) Mr. Mark Boughton	(2) TITLE Mayor	(3) TELEPHONE NO. 203.797.4511
(4) SIGNATURE	(5) ADDRESS AND ZIP CODE 155 Deer Hill Ave Danbury, Ct 06810	

**APPROVAL - (FOR DHS USE ONLY)**

<b>A. DHS STAFF EVALUATION</b>  RECOMMEND APPROVAL _____  RECOMMEND DENIAL _____	<b>B. FISCAL REVIEW COMPLETED BY:</b>	<b>C. DATE</b>
	<b>D. PROGRAM REVIEW COMPLETED BY:</b>	<b>E. DATE</b>
<b>F. OBLIGATED FEDERAL FUNDS</b>  FY: 2003 _____	<b>G. NAME</b> Susan C. Maloney	<b>H. TITLE</b> Governor's Highway Safety Representative
	<b>I. SIGNATURE</b>	<b>J. DATE</b>

<b>THIS ACTION: \$</b>
<b>PREVIOUS: \$</b>
<b>TOTAL: \$</b>

PROJECT TITLE	APPLICANT
TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM	City of Danbury, Connecticut

9. STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Motor vehicle travel is the primary means of transportation in the United States. For all its advantages, deaths and injuries resulting from motor vehicle crashes are the leading cause of death for persons of every age from 6 to 27 years old. Traffic fatalities account for more than 90 per-cent of transportation-related fatalities. One person dies every 13 minutes in a motor vehicle crash in the United States.

Increasing community demands on law enforcement agencies, existing crime rates and shifting priorities often direct resources away from traffic enforcement. The continued demand to move law enforcement personnel from traffic services to crime-fighting, the cost of acquiring and maintaining available traffic enforcement equipment, budgetary constraints, and continued increases in the numbers of licensed drivers and registered vehicles are factors that presently affect the status of police traffic services.

10. OBJECTIVES

--To provide co-funding to all interested Connecticut police agencies for the purchase of traffic enforcement equipment.

--To increase compliance with Connecticut's motor vehicle laws.

--To reduce the number and severity of traffic crashes through dedicated traffic enforcement.

--To publicize the purchasing of the equipment with respect to enforcement, thus increasing the public's awareness of enforcement efforts.

PROJECT TITLE

APPLICANT

TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM

City of Danbury, Connecticut

11. ACTIVITIES AND PROCEDURES

--A highway safety application will be sent to each municipality/agency for required signatures and returned to the Division of Highway Safety.

--Upon receiving formal written approval, the purchase of traffic enforcement equipment can be initiated.

--The municipality/agency will bear the responsibility of ordering the equipment and assuring delivery.

--As grants are reimbursable, the municipality/agency will pay for the equipment, and submit a claim for reimbursement, with proof of payment, to the Division of Highway Safety. Acceptable forms of documentation for proof of payment are either a copy of an invoice stamped "PAYMENT RECEIVED" by the vendor; or, a copy of both sides of the canceled check used to purchase the equipment.

Project Title	Application
Traffic Enforcement Equipment Program	City of Danbury, Connecticut

**12. Budget Detail**

**A. Personnel Services** **\$ -0-**

**B. Contractual Services** **\$ -0-**

**C. Operating Costs** **\$ -0-**

**D. Equipment\*** **\$23,775.00**

- 1. Kustom Signals, Inc SMART-VMS with directional radar unit-with smart computer &
  - a. VMS tamper alarm
  - b. Solar panel w/4 additional 6 VDC Batteries
  - c. Axle lock cable
  - d. Spare Tire, Powder Coat
  - e. Shipping & Handling

**E. Indirect Costs** **\$ -0-**

**Total** **\$23,775.00**

PROJECT TITLE

APPLICANT

TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM

City of Danbury, Connecticut

### 13. CONTINUATION AND COST ASSUMPTION

1. Each Municipality/agency upon receiving traffic enforcement equipment under this project will, at it's own expense, maintain such equipment in good working order for the useful life (five years from the date of receipt) of the equipment.

2. Equipment purchased under this highway safety project is bound to continued use in a highway safety related capacity by federal regulation. If highway safety use of this equipment is discontinued at any time, the National Highway Traffic Safety Administration (NHTSA) requires a refund of the equipment's residual value.

3. The Division of Highway Safety reserves the right to request a refund of the equipment's residual value or take possession of the equipment at any time if the terms and conditions of this Highway Safety Grant are not met.

FEDERAL PROGRAM REQUIREMENTS stipulate that CONNDOT/DHS monitor this equipment for a period of five years. Upon five years of receipt, unless otherwise notified, all federal requirements will have been met, and complete title of this equipment transfers to the municipality/agency.

<b>PROJECT TITLE</b>	<b>APPLICANT</b>
TRAFFIC ENFORCEMENT EQUIPMENT PROGRAM	City of Danbury, Connecticut

**14. Budget Summary**

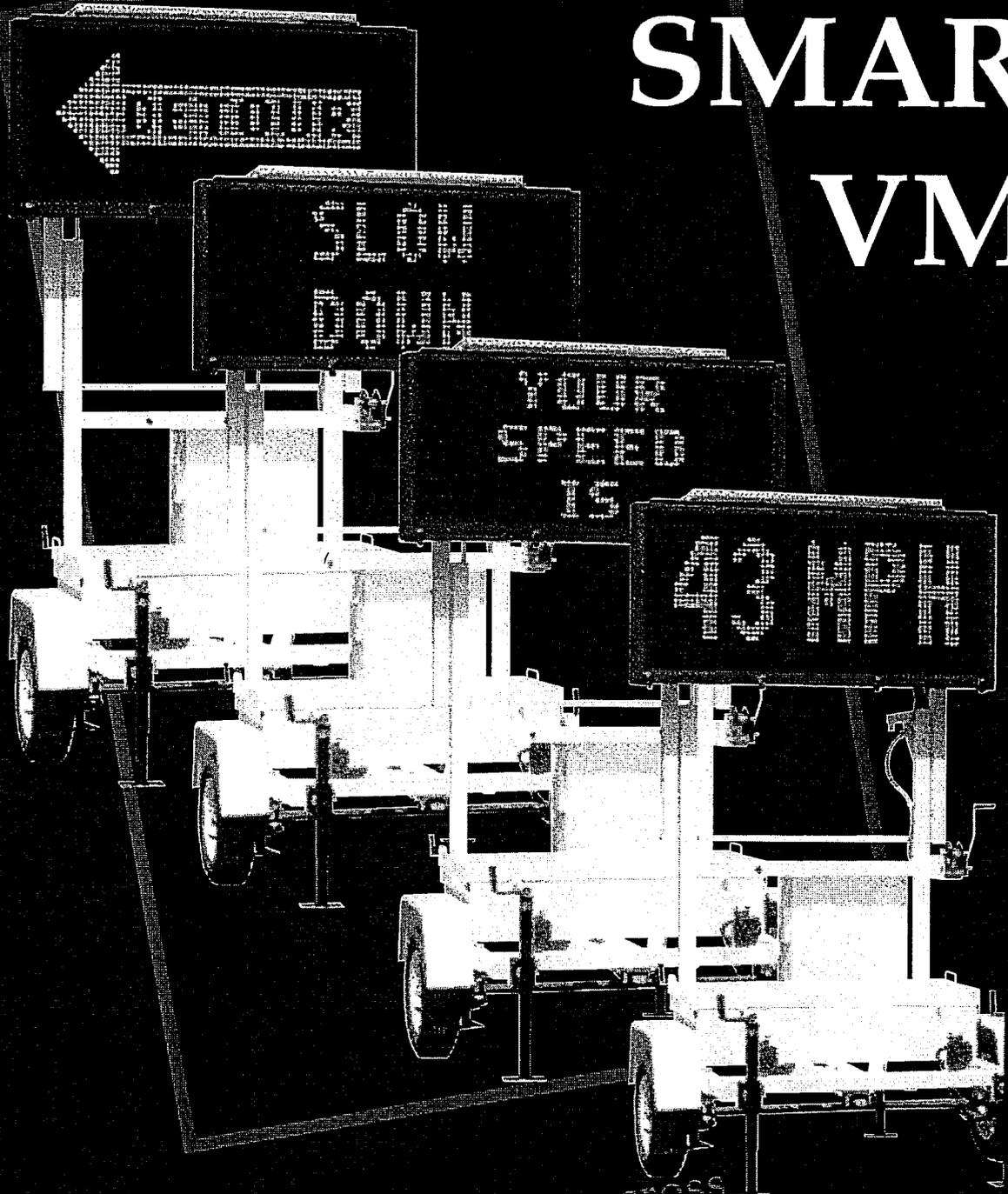
<b>COST CATEGORY</b>	<b>AMOUNT</b>	<b>SOURCE OF FUNDS</b>	<b>TOTAL</b>
Personnel Services	\$ -0-	Federal Funds 80%	\$ 19,020.00
Contractual Services	\$ -0-	Non-Federal 20%	\$ 4,755.00
Operating Costs	\$ -0-	Total Funds	\$ 23,775.00
Equipment	\$ 23,775.00		
Indirect Costs	\$ -0-		
Total Budget	\$ 23,775.00		

**BUDGET SUMMARY APPROVAL (DHS USE ONLY)**

<b>COST CATEGORY</b>	<b>AMOUNT</b>	<b>SOURCE OF FUNDS</b>	<b>TOTAL</b>
Personnel Services	\$ -0-	Federal Funds 80%	\$
Contractual Services	\$ -0-	Non-Federal 20%	\$
Operating Costs	\$ -0-	Total Funds	\$
Equipment	\$		
Indirect Costs	\$ -0-		
Total Budget	\$		

CUSTOM SIGNALS, INC.

# SMART VMS



Get your message across  
with a SMART Variable  
Message Sign Trailer

# SMART VMS

## Speed Monitoring Awareness Radar Trailer – Variable Message Sign

With the SMART VMS, you get a portable, graphics capable/changeable message sign with all the same benefits as a SMART trailer including voluntary speed compliance, community support, and invaluable traffic statistics.

The SMART VMS is an All-LED, full matrix display utilizing 30° ITE amber LEDs. This display method of utilizing All-LEDs provides outstanding legibility during all weather, daylight, and nighttime conditions.

Standard features include a directional radar unit, amber violator alert, and over-speed blanking. Optional features include a SMARTStat traffic statistics computer, a solar panel with four additional batteries, alarm, spare tire, an axle/wheel lock, and aluminum wheels.

### Cost Effective

- Can be operated without sunlight for a period of eight days between recharge events
- Can be recharged using an onboard 110VAC/40 AMP charger

### Graphics and Legibility

- 29 MUTCD symbol signs are available for display on the sign face
- 6 character fonts featuring character heights from 6" to 18" are available for display on the sign face
- Up to 199 popular pre-programmed messages and 199 user-defined messages permit infinite range for all applications
- Full height chevrons, moving arrows
- Ability to flash lines or entire message
- Incident management capability
- School and work zone management capability

### Low Maintenance

- Long life LEDs, typ. 10,000 hours
- Optional trailer mounted SOLR™ recharging power system with four additional batteries

### Built to Last

- Display rated for temperature extremes from -22° to +165°F
- Rain tight keyboard can be used outdoors in inclement weather
- Removable trailer tongue/hitch

## Specifications

### General Trailer

	With Solar	Without Solar
Height (operating):	127"	123.5"
Height (storage):	96"	87.5"
LED operating temperature range:	-22° to +165°F	
Electronics operating temperature range:	-30° to +165°F	
Sign raise/lower:	Manual cable winch	
Sign case height:	34"	
Sign case width:	71"	
Control console display backlit:	LCD	
Pre-programmed messages:	199	
User-defined messages:	199	
Message sequences:	250	

### Trailer Mounted Power Charging System

Battery life:	8 days nominal
Land power:	on-board 40 AMP charger automatically capable of recharging battery pack within 24-48 hours using 110 VAC

SOLR™ Power Charging System Option

### LED Display

Matrix size:	72 columns x 28 rows
Update speed:	Variable timing in .10 sec. increments
LED color:	ITE amber

### Radar Unit

Directional Radar unit—available for approaching targets only	
Operating Frequency:	24.15 GHz
Accuracy:	±1 mph (±2km/h)

### Character Fonts and Legibility Guide

Character Matrix	Normal Size	Characters per Line	Legibility Distance
7 x 7	6"	9	450 ft.
6 x 11	8"	9	650 ft.
9 x 20	18"	6	950 ft.

### Options to Meet Your Special Needs

- SMARTStat Traffic Statistics Computer—the most versatile Windows-compatible statistics computer for gathering invaluable traffic data
- Solar panel w/ four additional batteries
- Alarm
- Aluminum wheels
- Axle/wheel lock
- Spare tire

*In keeping with Kustom Signals' policy of continued refinement of its products, these specifications are subject to change without notice.*

  
**KUSTOM SIGNALS, INC.**  
A SUBSIDIARY OF PUBLIC SAFETY EQUIPMENT, INC.

Call us at 1-800-4KUSTOM or visit [www.kustomsignals.com](http://www.kustomsignals.com)

9235 Pflumm • Lenexa, KS 66215-3347 • 913-492-1400 • 800-458-7866 • FAX 913-492-1703 • [sales@kustomsignals.com](mailto:sales@kustomsignals.com)

First in  
traffic safety

# Quotation



## KUSTOM SIGNALS, INC

A SUBSIDIARY OF PUBLIC SAFETY EQUIPMENT, INC  
9325 Plumm, Lenexa KS 66215-3347  
913-492-1400 Fax 913-492-1700  
sales@kustomsignals.com www.kustomsignals.com

Date 4/21/2003

To... LT PETER GANTERT  
DANBURY POLICE DEPT

120 MAIN ST  
DANBURY CT 06810-7834

Quote # 2451998525613

Terms Net 30

This Quote Expires on 7/16/2003

Phone 203-797-4614

Fax 203-796-8018

Item	Qty	Product Description	Unit Price	SubTotal
1	1	SMART VMS WITH DRU - WITH SMART COMPUTER -	20,995.00	\$20,995.00
2	1	FREIGHT	725.00	\$725.00
3	1	VMS TAMPER ALARM	275.00	\$275.00
4	1	SOLAR PANEL WITH 4 ADDL 6 VDC BATTERIES	1,495.00	\$1,495.00
5	1	SPARE TIRE, POWDER COAT	185.00	\$185.00
6	1	AXLE LOCK CABLE	100.00	\$100.00

Total \$23,775.00

Signature

Title

Toll Free 800-4KUSTOM (800-458-7866)



## RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

**WHEREAS**, the State of Connecticut Department of Transportation Traffic Enforcement Equipment Program has made available a grant to the City of Danbury due to the City's participation in the State's WAVE enforcement program; and

**WHEREAS**, the maximum, partially reimbursable amount of the grant is \$25,000.00, of which 80%, or \$20,000.00, would be reimbursed to the City of Danbury; and

**WHEREAS**, the balance of 20%, or \$5,000.00, would be the responsibility of the City of Danbury; and

**WHEREAS**, said grant funds would be used to purchase a Speed Monitoring Awareness Radar Trailer, used by the Community Service Division in traffic enforcement activities.

**NOW, THEREFORE, BE IT RESOLVED** that Mayor Mark D. Boughton be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be required in order to accomplish the purposes hereof.



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# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 22, 2003

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

Dear Mayor Boughton and Common Council Members:

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

Enclosed please find copies of the two revised easement maps and revised legal descriptions prepared by our department for storm drainage easements required for the Shore Road improvement project. Revisions to the plans affecting three properties have been made since our March 24, 2003 letter to you. The easements required are as follows:

Lot No. K02108	Phyllis W. Banucci permanent and temporary construction access easements
Lot No. K02110 Lot No. K02112	Anthony J. and Vivian Chiapinelli permanent, temporary and temporary construction access easements

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

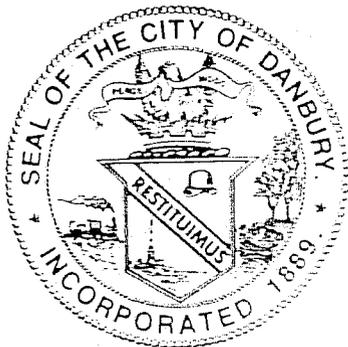
If you have any questions, please give me a call.

Very truly yours,

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

Encl.

C: Eric L. Gottschalk, Esq.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

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

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

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

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

**PHYLLIS W. BANUCCI  
STORM DRAINAGE AND CONSTRUCTION ACCESS EASEMENTS  
(TAX ASSESSOR'S LOT NO. K02108)**

A certain piece or parcel of land containing 105 square feet (0.0024Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at No. 20 Shore Road and known as Tax Assessor's Lot No. K02108 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is the southwesterly corner of land of the Grantor and the land herein described, thence running northwesterly along the northerly street line of Shore Road N.  $41^{\circ} 00' 30''$  W. a distance of 15.00 feet to a point, thence turning and running northeasterly through the land of the Grantor N.  $48^{\circ} 59' 30''$  E. a distance of 7.00 feet to a point, thence turning and running southerly through the land of the Grantor S.  $41^{\circ} 00' 30''$  E. a distance of 15.00 feet to a point on the southerly boundary line of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S.  $48^{\circ} 59' 30''$  W. a distance of 7.00 feet to the point or place of beginning.

Bounded:

Northerly  
and : By other land of the Grantor.

Easterly

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

Westerly : By Shore Road.

Together with a 15 feet wide temporary construction access easement located on the existing paved driveway running parallel with the westerly boundary line as shown on the hereunder referenced map.

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

**ANTHONY J. CHIAPPINELLI AND VIVIAN CHIAPPINELLI  
STORM DRAINAGE, TEMPORARY CONSTRUCTION AND TEMPORARY  
CONSTRUCTION ACCESS EASEMENTS  
(TAX ASSESSOR'S LOT NOS. K02110 AND K02112)**

A certain piece or parcel of land containing 2,627 square feet (0.0603Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 24 Shore Road and known as Tax Assessor's Lot No K02112 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is 45.88 feet from the southwesterly corner of the land of the Grantor and said point being the southwesterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N. 28° 54' 30" W. a distance of 15.01 feet to a point, thence turning and running northeasterly through the land of the Grantor in the following courses and distances N. 62° 57' 35" E. a distance of 7.55 feet to a point, thence S. 79° 47' 28" E. a distance of 33.42 feet to a point, thence S. 74° 14' 12" E. a distance of 34.93 feet to a point, thence N. 61° 05' 30" E. a distance of 100.94 feet to a point on the 440 feet contour (elevation) on land now or formerly of Connecticut Light and Power Company, thence turning and running southerly along the 440 feet contour (elevation) a distance of 15 feet, more or less, to the southeasterly corner of land of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S. 61° 05' 30" W. a distance of 109.45 feet to a point, thence turning and running northwesterly through the land of the Grantor on the following courses and distances N. 74° 14' 07" W. a distance of 49.32 feet to a point, thence N. 67° 53' 40" W. a distance 14.07 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 62° 57' 33" W. a distance of 8.23 feet to the point or place of beginning.

**Bounded:**

Northerly : By other land of the Grantor.

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

Southerly : By land now or formerly of Bruce Goldsmith and Deena Goldsmith and by other land of the Grantor, each in part.

Westerly : By Shore Road and by other land of the Grantor, each in part.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement and a 15 feet wide x 224 feet long temporary construction access easement located on the westerly side of the land of the Grantor starting from the northerly boundary line of the Grantor and running southerly through land of the Grantor to the northerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled " Map Showing Proposed Drainage Easement Through the Land of Anthony J. Chiappinelli and Vivian Chiappinelli No.24 Shore Road Danbury, Connecticut Scale: 1" = 20' March 28, 2003 " which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**ANTHONY J. CHIAPPINELLI AND VIVIAN CHIAPPINELLI**  
**STORM DRAINAGE, TEMPORARY CONSTRUCTION AND TEMPORARY**  
**CONSTRUCTION ACCESS EASEMENTS**  
**(TAX ASSESSOR'S LOT NOS. K02110 AND K02112)**

A certain piece or parcel of land containing 2,627 square feet (0.0603Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 24 Shore Road and known as Tax Assessor's Lot No K02112 (portion of) bounded and described as follows:

Commencing at a point on the northerly street line of Shore Road, which point is 45.88 feet from the southwesterly corner of the land of the Grantor and said point being the southwesterly corner of land herein described, thence running northwesterly along the northerly street line of Shore Road N. 28° 54' 30" W. a distance of 15.01 feet to a point, thence turning and running northeasterly through the land of the Grantor in the following courses and distances N. 62° 57' 35" E. a distance of 7.55 feet to a point, thence S. 79° 47' 28" E. a distance of 33.42 feet to a point, thence S. 74° 14' 12" E. a distance of 34.93 feet to a point, thence N. 61° 05' 30" E. a distance of 100.94 feet to a point on the 440 feet contour (elevation) on land now or formerly of Connecticut Light and Power Company, thence turning and running southerly along the 440 feet contour (elevation) a distance of 15 feet, more or less, to the southeasterly corner of land of the Grantor, thence turning and running southwesterly along the southerly boundary line of the Grantor S. 61° 05' 30" W. a distance of 109.45 feet to a point, thence turning and running northwesterly through the land of the Grantor on the following courses and distances N. 74° 14' 07" W. a distance of 49.32 feet to a point, thence N. 67° 53' 40" W. a distance 14.07 feet to a point, thence turning and running southwesterly through the land of the Grantor S. 62° 57' 33" W. a distance of 8.23 feet to the point or place of beginning.

**Bounded:**

Northerly : By other land of the Grantor.

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

Southerly : By land now or formerly of Bruce Goldsmith and Deena Goldsmith and by other land of the Grantor, each in part.

Westerly : By Shore Road and by other land of the Grantor, each in part.

Together with a 15 feet wide temporary construction easement located adjacent to and parallel with the northerly line of said permanent easement and a 15 feet wide x 224 feet long temporary construction access easement located on the westerly side of the land of the Grantor starting from the northerly boundary line of the Grantor and running southerly through land of the Grantor to the northerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description reference is made to map entitled " Map Showing Proposed Drainage Easement Through the Land of Anthony J. Chiappinelli and Vivian Chiappinelli No.24 Shore Road Danbury, Connecticut Scale: 1" = 20' March 28, 2003 " which map was prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

RESOLVED by the Common Council of the City of Danbury:

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

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

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

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



12

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 1, 2003

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

Dear Mayor Boughton and Common Council Members:

Redevelopment Agency Acquisitions of Properties  
Main Street

Enclosed please find copies of the eight proposed legal descriptions and three proposed property maps prepared by our department for the Redevelopment Agency. The lots for which only descriptions are being provided already have maps on file in the Danbury Land Records. Those existing maps are the maps we referenced in the descriptions.

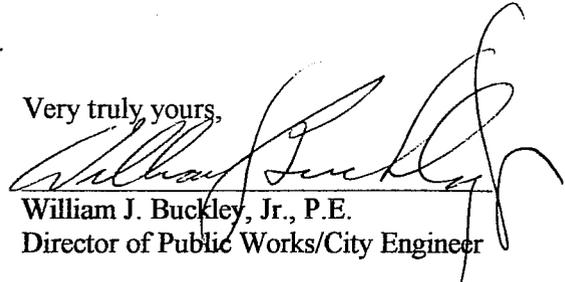
The eight properties to be acquired are as follows:

Lot No. H13308	Kapil M. Bhavsar and Panna Bhavsar
Lot No. H13259	John A. Naim and Elham Naim
Lot No. H13311	Maria DaSilva
Lot Nos. H13310 and H13309	St. Joseph's Roman Catholic Church Corporation
Lot No. H13313	Lu Li
Lot No. H13312	Michael K. Will and Lisa Marie Will
Lot No. H13307	Estate of Joseph DaSilva

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

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

Very truly yours,



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

Encl.

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

**ST. JOSEPH'S ROMAN CATHOLIC CHURCH CORPORATION**  
**(TAX ASSESSOR'S LOT NOS. H13310 AND H13309)**

Two parcels of land, one containing 31,486 square feet (0.7228 Acres), more or less, to be called "Parcel 1" and the second parcel containing 13,118 square feet (0.3011 Acres), more or less, to be called "Parcel 2", situated in the City of Danbury, County of Fairfield and State of Connecticut at 365 and 369 Main Street and known as Tax Assessor's Lot Nos. H13309 and H13310 respectively, bounded and described as follows:

**PARCEL 1 (TAX ASSESSOR'S LOT NO. H13310)**

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 02° 47' 10" W. a distance of 73.04 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Evelyn Panasis, Trustee on the following courses and distances N. 87° 34' 30" E. a distance of 66.50 feet to a point, thence S. 16° 20' 30" E. a distance of 5.83 feet to a point, thence N. 87° 34' 30" E. a distance of 140.84 feet to a point on the westerly boundary line of land now or formerly of The Bunker-Ramo Corporation, thence turning and running southerly along the westerly boundary line of land now or formerly of The Bunker-Ramo Corporation S. 00° 20' 30" E. a distance of 86.26 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Emil Kalil and Louis S. Owen Jr. N. 86° 34' 00" W. a distance of 86.16 feet to a point on the easterly boundary line of "Parcel 2" hereunder described, thence turning and running northerly along the easterly boundary line of "Parcel 2" N. 04° 57' 37" W. a distance of 6.40 feet to a point, thence turning and running westerly along the northerly boundary line of "Parcel 2" on the following courses and distances N. 86° 48' 20" W. a distance of 20.99 feet to a point, thence S. 87° 12' 45" W. a distance of 17.89 feet to a point, thence S. 88° 47' 30" W. a distance of 80.37 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Evelyn Panasis, Trustee.

Easterly : By land now or formerly of The Bunker-Ramo Corporation.

Southerly : By land now or formerly of Emil Kalil and Louis S. Owen, Jr. and by "Parcel 2" hereunder described, each in part.

Westerly : By Main Street.

**PARCEL 2 (TAX ASSESSOR'S LOT NO. H13309)**

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 05° 32' 20" W. a distance of 63.08 feet to a point, thence turning and running easterly along the southerly boundary line of "Parcel 1" hereinabove described on the following courses and distances N. 88° 47' 30" E. a distance of 80.37 feet to a point, thence

N.  $87^{\circ} 12' 45''$  E. a distance of 17.89 feet, thence S.  $86^{\circ} 48' 20''$  E. a distance of 20.99 feet to a point, thence turning and running southerly S.  $04^{\circ} 57' 37''$  E. a distance of 6.40 feet to the northwesterly corner of land now or formerly of Emil Kalil and Louis S. Owen, Jr., thence continuing southerly along the westerly boundary line of land now or formerly Emil Kalil and Louis S. Owen, Jr. S.  $02^{\circ} 15' 04''$  E. a distance of 40.92 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Lewis F. Zurlo S.  $81^{\circ} 38' 43''$  W. a distance of 116.50 feet to the point or place of beginning.

Bounded:

Northerly : By "Parcel 1" hereinabove described.

Easterly : By land now or formerly of Emil Kalil and Louis S. Owen, Jr. and by "Parcel 1" hereinabove described, each in part.

Southerly : By land of now or formerly Lewis F. Zurlo.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled "Surveyor's Certificate Property Surveyed for ST. JOSEPHS CHURCH Location MAIN STREET, Danbury, Connecticut. Refer to Vol. 585, page 1021 and Vol.510, page 353, Danbury Land Records. Scale 1" = 20' November 21, 1983" prepared by John M. Farnsworth & Associates, New Milford, Connecticut and certified substantially correct by John M. Farnsworth R.L.S. No. 3743, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 7711.

**MARIA DASILVA**  
(TAX ASSESSOR'S LOT NO. H13311)

A certain piece or parcel of land containing 11,819 square feet (0.2713 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 373 Main Street and known as Tax Assessor's Lot No. H13311 bounded and described as follows:

Commencing at a point marked by an iron pin located on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 04° 40' 00" W. a distance of 54.00 feet to an iron pin located on the northwesterly corner of land of the Grantor, thence turning and running easterly along the southerly boundary line of land now or formerly of Mitchell M. Kelly on the following courses and distances N. 84° 18' 00" E. a distance of 129.00 feet to an iron pin, thence S. 02° 02' 00" E. a distance of 11.00 feet to an iron pin, thence N. 81° 28' 20" E. a distance of 81.00 feet to an iron pin located on the northeasterly corner of land of the Grantor, thence turning and running southerly along the westerly boundary line of land now or formerly of Risdon Manufacturing Company S. 04° 05' 50" E. a distance of 57.00 feet to an iron pin located on the southeasterly corner of land of the Grantor, thence turning and running westerly along the northerly boundary line of land now or formerly of Michael Showah on the following courses and distances S. 85° 29' 00" W. a distance of 140.84 feet to an iron pin, thence N. 18° 26' 00" W. a distance of 5.83 feet to an iron pin, thence S. 85° 29' 00" W. a distance of 66.50 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of Mitchell M. Kelly.

Easterly : By land now or formerly of Risdon Manufacturing Company.

Southerly : By land now or formerly of Michael Showah.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Property of Louis Showah Danbury, Conn. Scale 1" = 20' Oct. 28, 1965" certified substantially correct by Charles J. Osborne R.L.S.# 07398 of New Milford, Conn., which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 3831.

**JOHN A. NAIM and ELHAM NAIM**  
**(TAX ASSESSOR'S LOT NO. H13259)**

A certain piece or parcel of land containing 449 square feet (0.0103 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at Main Street and known as Tax Assessor's Lot No. H13259 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N.  $06^{\circ} 40' 00''$  W. a distance of 10.93 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Richard Donofrio, Et Al on the following courses and distances N.  $80^{\circ} 43' 00''$  E. a distance of 6.42 feet to a point, thence S.  $09^{\circ} 31' 14''$  E. a distance of 0.54 feet to a point, thence N.  $80^{\circ} 25' 00''$  E. a distance of 38.20 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly Richard Donofrio, Et Al S.  $10^{\circ} 45' 20''$  E. a distance of 9.45 feet to a point on the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp, thence turning and running westerly along the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp S.  $79^{\circ} 17' 25''$  W. a distance of 45.38 feet to the point or place of beginning.

**Bounded:**

Northerly

and : By land now or formerly of Richard Donofrio, Et Al.

Easterly

Southerly : By land now or formerly of Armindo J. Rebeiro and Larry Sharp.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Prepared for Joseph A. Fabian - Ronald Whitlock D.B.A. F & W. Realty Main Street Danbury, Connecticut Scale 1" = 5' February 8, 1977 " prepared by Sydney A. Rapp, Jr. 4 Harmony Street, Danbury, Connecticut and certified substantially correct by Sydney A. Rapp, Jr. R.L.S. No. 7400, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 6152.

**KAPIL M. BHAVSAR AND PANNA BHAVSAR**  
(TAX ASSESSOR'S LOT NO. H13308)

A certain piece or parcel of land containing 3,829 square feet (0.0879 Acres), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 363 Main Street and known as Tax Assessor's Lot No. H13308 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N.  $06^{\circ} 40' 00''$  W. a distance of 29.90 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Valentine Ventura, Et Al N.  $82^{\circ} 02' 00''$  E. a distance of 112.00 feet to a point on the westerly boundary line of land now or formerly of Emil Kalil and Louis S. Owens, Jr., thence turning and running southerly along said westerly boundary line of land now or formerly of Emil Kalil and Louis S. Owens, Jr. S.  $07^{\circ} 28' 40''$  E. a distance of 35.42 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Armindo J. Rebeiro and Larry Sharp S.  $79^{\circ} 17' 25''$  W. a distance of 67.37 feet to a point on the easterly boundary line of land now or formerly of Richard Donofrio, Et Al, thence turning and running northerly along the easterly boundary line of land now or formerly of Richard Donofrio, Et Al N.  $10^{\circ} 45' 20''$  W. a distance of 9.45 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Richard Donofrio, Et Al on the following courses and distances S.  $80^{\circ} 25' 00''$  W. a distance of 38.20 feet to a point, thence N.  $09^{\circ} 31' 14''$  W. a distance of 0.54 feet to a point, thence S.  $80^{\circ} 43' 00''$  W. a distance of 6.42 feet to the point or place beginning.

Bounded:

- Northerly : By land now or formerly of Valentine Ventura, Et Al.
- Easterly : By land now or formerly of Emil Kalill and Louis S. Owens, Jr.
- Southerly : By land now or formerly of Armindo J. Rebeiro and Larry Sharp and by land now or formerly of Richard Donofrio, Et Al, each in part.
- Westerly : By Main Street and by land now or formerly of Richard Donofrio, Et Al, each in part.

For a more particular description reference is made to a map entitled " Map Prepared for Joseph A. Fabian - Ronald Whitlock D.B.A. F. & W. Realty 363 Main Street Danbury, Connecticut Scale 1" = 10' February 9, 1977 " prepared by Sydney A. Rapp, Jr. 4 Harmony Street, Danbury, Connecticut and certified substantially correct by Sydney Rapp, Jr. R.L.S. No. 7400, which map is on file in the office of the Town Clerk of the City of Danbury as Map No. 6151.

**MICHAEL K. WILL AND LISA MARIE WILL**  
**375 MAIN STREET**  
**(TAX ASSESSOR'S LOT NO. H13312)**

A certain piece or parcel of land containing 10,438 square feet (0.2396Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 375 Main Street and known as Tax Assessor's Lot No. H13312 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N. 14° 35' 30" W. a distance of 45.50 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Lu Li N. 72° 56' 47" E. a distance of 203.43 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Aberdeen Development, LLC S. 17° 09' 50" E. a distance of 56.53 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Maria DaSilva on the following courses and distances S. 71° 04' 47" W. a distance of 79.05 feet to a point, thence N. 16° 36' 11" W. a distance of 11.00 feet to a point, thence S. 74° 08' 45" W. a distance of 126.60 feet to the point or place of beginning.

**Bounded:**

Northerly : By land now or formerly of Lu Li.

Easterly : By land now or formerly of Aberdeen Development, LLC.

Southerly : By land now or formerly of Maria DaSilva.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of Michael K. Will & Lisa Marie Will to be Acquired by The City of Danbury 375 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S., which map is to be filed in the Danbury Land Records.

**LU LI**  
**377 MAIN STREET**  
**(TAX ASSESSOR'S LOT NO. H13313)**

A certain piece or parcel of land containing 14,244 square feet (0.3270Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 377 Main Street and known as Tax Assessor's Lot No. H13313 bounded and described as follows:

Commencing at a point on the easterly street line of Main Street, which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street N.  $14^{\circ} 43' 09''$  W. a distance of 76.77 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of the City of Danbury Housing Authority N.  $76^{\circ} 11' 10''$  E. a distance of 197.40 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Aberdeen Development, LLC S.  $19^{\circ} 51' 53''$  E. a distance of 65.63 feet to a point, thence turning and running westerly along the northerly boundary line of land now or formerly of Michael K. Will and Lisa Marie Will S.  $72^{\circ} 56' 47''$  W. a distance of 203.43 feet to the point or place of beginning.

**Bounded:**

Northerly : By land now or formerly of The City of Danbury Housing Authority.

Easterly : By land now or formerly of Aberdeen Development, LLC.

Southerly : By land now or formerly of Michael K. Will and Lisa Marie Will.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled " Map Showing Property of Lu Li to be Acquired by the City of Danbury 377 Main Street Danbury, Connecticut Scale: 1" = 20' March 14, 2003 " prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.

**THE ESTATE OF JOSEPH DASILVA**  
359 – 361 MAIN STREET  
( TAX ASSESSOR’S LOT NO. H13307)

A certain piece or parcel of land containing 7,569 square feet (0.1738Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 359 – 361 Main Street and known as Tax Assessor’s Lot No. H13307 bounded and described as follows:

Commencing at the northeasterly corner of the intersection of Main Street and East Franklin Street which point is the southwesterly corner of land herein described, thence running northerly along the easterly street line of Main Street on the following courses and distances N. 36° 32’ 13” W. a distance of 31.82 feet to a point, thence N. 30° 42’ 13” W. a distance of 13.00 feet to a point thence N. 18° 42’ 26” W. a distance of 30.00 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of John A. Naim and Elham Naim and land now or formerly of Kapil M. and Panna Bhavsar, each in part N. 67° 15’ 01” E. a distance of 111.50 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen S. 31° 40’ 14” E. a distance of 56.85 feet to a point on the northerly street line of East Franklin Street, thence turning and running westerly along the northerly street line of East Franklin Street S. 58° 25’ 38” W. a distance of 114.40 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of John A. Naim and Elham Naim and by land now or formerly of Kapil M. Bhavsar and Panna Bhavsar, each in part.

Easterly : By land now or formerly of Isabelle M. Kalil, Louis S. Owen, III and David G. Owen.

Southerly : By East Franklin Street.

Westerly : By Main Street.

For a more particular description reference is made to a map entitled “ Map Showing Property of The Estate of Joseph DaSilva to be Acquired by The City of Danbury 359 – 361 Main Street Danbury, Connecticut Scale: 1” = 20’ March 14, 2003 ” prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E.&R.L.S. No. 12050, which map is to be filed in the Danbury Land Records.



# RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

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

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

**WHEREAS**, on January 23, 2003, the City of Danbury, acting through its Redevelopment Agency, adopted a Redevelopment Plan, which is designed to further the renewal and revitalization of downtown Danbury; and

**WHEREAS**, said Redevelopment Plan provides for the improvement of a portion of the North Main Street area of Danbury; and,

**WHEREAS**, in order to implement said Redevelopment Plan the acquisition of certain pieces or parcels of land will be necessary; and,

**WHEREAS**, eminent domain proceedings will be required if the City of Danbury cannot agree with the property owners upon the amount to be paid for their interests in said parcels.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL** of the City of Danbury, that said Redevelopment Plan is hereby approved and that the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the aforesaid properties, as more particularly described in EXHIBITS A through H attached hereto, in accordance with procedures established in state law, either by negotiation or by eminent domain through the institution of suit against the interested property owners and holders of mortgages or other encumbrances upon the properties, if any, on or before November 1, 2003.



13

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

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

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

April 3, 2003

MEMORANDUM

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

From: Deputy Chief Mark C. Rosato

Subject: **Request to Accept Donation**

Permission is requested to accept the donation of a 10 passenger van for use by Explorer Post #33. The donation is being made by Mr. James Whiteside, whose son is currently a member of the Explorer Post.

Enclosed is a letter from Detective Matthew McNally, Explorer Post Advisor, explaining the details of this donation.

Mark C. Rosato  
Deputy Chief of Police

MCR:ks  
Enclosure

To: Chief Robert Paquette  
From: Det. Matthew McNally, Explorer Post Advisor  
Re: Vehicle Donation

4/1/03

Chief Paquette,

Mr. James Whiteside of 22 Old Lantern Rd., Danbury, has offered to the explorer post a 10 passenger van that he has. He would like to donate this van to the explorers for their use. His son is currently a member of the explorer post.

The van is a 1991 Ford E250, 10-passenger van, color red, and is in excellent condition. The VIN # is 1FBHE21H9MHA85369 and the vehicle was inspected by P.O. Antedomenico with Mr. Whiteside present. The vehicle is currently registered in Connecticut with marker number 631-JYD. This van would be well used by the explorer program, which has over 50 current members at this time, and would work towards addressing some of our transportation needs. My intention would be to get the vehicle painted white (along with paint and some minor bodywork on the old paddy wagon) to bring them along with the other vehicles that this Department maintains.

I would like to accept this vehicle donation and I am requesting it to be added to the agenda of the next Common Council meeting. Your assistance in this matter will be greatly appreciated.

Respectfully submitted,



Det. Matt McNally  
Explorer Post #33 Advisor

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

HATTERS COMMUNITY PARK  
7 EAST HAYESTOWN ROAD  
DANBURY, CONNECTICUT 06811

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

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

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**TO: Mayor Mark Boughton & Members of Common Counsel**

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

**DATE: March 10, 2003**

**RE: TREE DONATION**

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Enclosed is a check for \$100.00 from Mr. & Mrs. Brancato for the purchase of a tree to be planted at the P.A.L. building on April 23, 2003 @ 10:00 a.m. This is the continued yearly beautification that Leo and Lucy have provided to the City of Danbury.

Please accept this donation and re-appropriate it to account 7002.5633

Please put on Agenda for the May Common Counsel Meeting.

RGR/py  
Cc: Dena Diorio (original check)  
Jimmetta Samaha ✓

March 1, 2003

Parks and Recreation Dept.  
7 East Hayestown Rd.

Dear Mr. Reeson:

Enclosed please find a check in the amount of \$100.00 for a Forsythia Cherry Tree.

This tree will be planted at the P. A. L. building site on April 23, 2003, at 10:00 A. M.

This is our pleasurable contribution to beautifying Danbury.

Thank you.

Sincerely,  
Leo and Lucy Brancato

(1) Enclosure

LEO J. BRANCATO  
LUCY BRANCATO  
137 CHAMBERS ROAD  
DANBURY, CT 06811

51-57/119  
0006972861

6374

DATE March 1, 2003

PAY TO THE  
ORDER OF

City of Danbury - Parks & Rec. Dept. \$ 100 <sup>00</sup>/<sub>100</sub>  
One hundred

DOLLARS



Security Features  
System  
Detail on Back.



02480

Private Clients Group  
www.fleet.com

MEMO

Cherry Tree

Lucy Brancato

MP

⑆0⑆190057⑆⑆00069 7286⑆⑆6374

April 22, 2003

Mayor Mark D. Boughton

Danbury City Hall

Dear Mayor Boughton:

We have received a donation from Danbury/New Fairfield Newcomers Club, c/o Anita McCord, 10 Tanglewood Drive, 06811-4233 in the amount of \$200.00.

Please place this item on the agenda for the May Common Council meeting as this donation needs to be deposited into the LIBRARYFUND.4651 Donations.

Sincerely,



Elizabeth McDonough  
Director

c: Common Council - c/o J. Samaha  
D. Diorio - Director of Finance



**CITY OF DANBURY**

**FIRE DEPARTMENT**

**19 NEW STREET**

**DANBURY, CONNECTICUT 06810**

**Peter Siecienski  
Fire Chief**

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

April 30, 2003

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

Re: Donations to the Fire Department,

Dear Mayor Boughton and Members of the Common Council,

The Fire Department has received the following donations.

- 1. Union Savings Bank of Danbury – Nine thousand one hundred thirty two dollars. (\$9,132.00)**

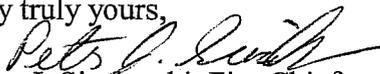
This generous donation is for the replacement of our fire prevention robot. The continued commitment to the community by Union Savings Bank is greatly appreciated. I applaud the efforts of Deputy Fire Marshal Carmen Rao with regards to securing this donation.

I would ask that this generous donation be accepted at the May meeting of the Common Council and deposited to fire department line item 2010.5703 Education equipment.

- 2. The Great Atlantic & Pacific Tea Company Inc. – Three hundred fifty seven dollars. (\$357.00)**

I would ask this donation be accepted and deposited into fire department line item 2010.5713 Public Safety Equipment.

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

Very truly yours,  
  
Peter J. Siecienski, Fire Chief



# CITY OF DANBURY

DANBURY, CONNECTICUT 06810

DEPARTMENT OF ELDERLY SERVICES

COMMISSION ON AGING

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

**Municipal Agent**  
80 Main Street  
(203) 797-4687

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

April 24, 2003

Mayor Boughton and Members of the Common Council:

The following donations of \$200.00 have been sent to the Department of Elderly Services for the use of the Danbury Senior Center:

Town of Newtown	- 50.00
Danbury Assisted Living	- 25.00
United Way of Northern Fairfield County	- 20.00
Team, Inc. Community Action	- 50.00
Morris Street School	- 50.00 - <i>cash</i>
Helen/Harry Damici	- 5.00

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

Respectfully,

Leo McIlrath

THIS DOCUMENT CONTAINS ULTRAVIOLET FIBERS, A BROWN STAIN VOID FEATURE AND SIMULATED WATERMARK ON THE BACK

TOWN OF NEWTOWN  
OFFICE OF THE FINANCIAL DIRECTOR  
45 MAIN ST., TOWN HALL  
NEWTOWN, CONNECTICUT 06470

FLEET BANK  
NEWTOWN, CONN. 06470

CHECK NO. 025662

VOID AFTER 90 DAYS 25662

VENDOR	CHECK DATE	CHECK AMOUNT
3107	03/07/2003	\$50.0

\*\*\*\*\*50 DOLLARS AND NO CENTS

PAY

TO THE ORDER OF DANBURY SENIOR CENTER  
CITY OF DANBURY  
80 MAIN STREET  
DANBURY

CT 06810

*Robert C Rosenthal*  
*Benjamin B. Spragg*

AUTHORIZED SIGNATURE

⑈025662⑈ ⑆011900445⑆ 063 9558⑈

DANBURY ASSISTED LIVING, LLC.

UNION SAVINGS BANK 51-7224-2211  
MAIN OFFICE

0017

2/4/2003

PAY TO THE ORDER OF Danbury Senior Center

\$ \*\*25.00

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

DOL

Danbury Senior Center / Prime Timers  
80 Main Street  
Danbury, CT 06810

*W. J. Landrum*

AUTHORIZED SIGNATURE

MEMO

The Cellmates - Entertainment

⑈001701⑈ ⑆22117224⑆ 690 023 364⑈

MOORE PRESET NO. L-9404 (4/91)  
Security Features Included: Details on back

**TEAM, INC.**  
COMMUNITY ACTION PROGRAM  
30 ELIZABETH STREET  
DERBY, CT 06418

WEBSTER BANK  
WATERBURY, CT 06720  
51-7010/2111

7453

CHECK 611-10677-2

04/10/2003 \*\*\*\*\*50.00  
DATE AMOUNT

\*\* Fifty Dollars and 00 Cents \*\*

NOT VALID AFTER 120 DAYS

PAY  
TO THE  
ORDER  
OF

Danbury Senior Center  
80 Main St  
Danbury CT 06810

*[Signature]*  
AUTHORIZED SIGNATURE

⑈074537⑈ ⑆211170101⑆ 108 005 655⑈



UNITED WAY OF  
NORTHERN FAIRFIELD COUNTY, INC.  
85 WEST STREET  
DANBURY, CT 06810  
(203) 792-5330

UNION SAVINGS BANK

7322

51-7224/2211 CHECK NO.

Twenty and 0/100 Dollars

DATE AMOUNT  
Feb 3, 2003 \*\*\*\*\*\$20.00

PAY  
TO THE  
ORDER  
OF

Senior Citizen Ctr. of Danbury  
80 Main Street  
Danbury, CT 06810

TWO SIGNATURES REQUIRED OVER \$1500.00

*[Signature]*

AUTHORIZED SIGNATURE

⑈007322⑈ ⑆221172241⑆ 660 032 868⑈

HELEN M. DAMICI  
HARRY J. DAMICI  
5B TERRACE PL. 860-354-5401  
NEW MILFORD, CT 06776-2805

1369

*April 2, 03* Date

51-7224/2211  
BRANCH 6

Pay to the Order of *Department of Elderly Services*

\$ 5.00

*Five and 00/100*

Dollars



For

*Harry Damici*

⑆221172241⑆ 605 009 593⑈ 1369



18

# CITY OF DANBURY

DANBURY, CONNECTICUT 06810  
DEPARTMENT OF ELDERLY SERVICES  
COMMISSION ON AGING

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

**Municipal Agent**  
80 Main Street  
(203) 797-4687

Date: 04/24/03

MEMO TO: Hon. Mark Boughton  
via the Common Council

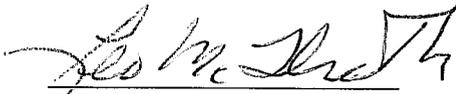
FROM: Leo McIlrath, Director  
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$429.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Printing/Binding	5002.5601	\$429.00
------------------	-----------	----------

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

  
Leo McIlrath

LM/jgb

cc: Dena Diorio  
Director of Finance



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

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

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

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**DATE:** April 29, 2003  
**TO:** Hon. Mark D. Boughton via the Common Council  
**FROM:** Dena Diorio, Director of Finance *Dena Diorio*  
**RE:** Commission on Aging

**CERTIFICATION**

I hereby certify the availability of \$429.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget to the following account:

Printing/Binding	5002.5601	\$429.00
------------------	-----------	----------

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

/jgb



19

# CITY OF DANBURY

PERSONNEL/CIVIL SERVICE  
DANBURY, CONNECTICUT 06810

CAROL A. DESANTIE  
PERSONNEL DIRECTOR

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

## MEMORANDUM

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

From: Carol A. DeSantie, Personnel Director

A handwritten signature in black ink that reads "Carol A. DeSantie".

Re: Request for Funds

Date: April 30, 2003

---

Once again I come with a request for additional funds to pay for outstanding Professional Services (Legal Fees) and anticipated costs for Labor Negotiations that are already in progress with the Fire Union, Police Union and the Danbury Municipal Employees Association. To cover the outstanding bills and projected costs for this fiscal year I am requesting an additional \$55,000 to be placed in Professional Services (Expense Code 1330.5311) line item account of the Labor Negotiations (Expense Code 1330).

Thank you in advance for your assistance on this matter.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

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

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 30, 2003

SUBJECT: Funds for Labor Relations Account **CERTIFICATION**

Per the attached request from the Director of Personnel, Carol DeSantie, I hereby certify the availability of \$55,000 to be transferred from the Insurance & Official Bond Premium, Public Liability, 8008.5810 to the following line item in the Labor Relations Department:

1330.5311 Professional Services \$55,000

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

Thank you.

# DANBURY BOARD OF EDUCATION

63 Beaver Brook Road  
Danbury, CT 06810-6211  
(203) 797-4700  
(203) 830-6560 Fax

Gladys B. Cooper, Chairperson  
Joan W. Hodge, Vice Chairperson  
George G. O'Loughlin, Secretary

*Board Members*

Eileen W. Alberts	Daryle J. Dennis
Michael S. Fazio	Louis A. Rofello
Ellen M. Morelock	Bobby J. Poole
Kathleen M. Silva	J. R. Mitchell

April 25, 2003  
HAND DELIVERED

TO: Members of the Common Council  
Mayor Mark Boughton

At the April 23, 2003 Board of Education meeting, the Board members voted unanimously authorizing me, as Chairperson, to request a supplemental appropriation for the current fiscal year 2002-2003 BOE budget.

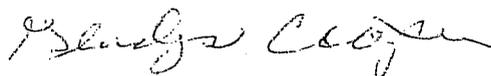
Our Finance Director, Elio Longo, has previously met with Mayor Boughton and informed him of a possible supplemental appropriation request. After due consideration, the Board members have agreed to request two supplemental appropriations to address extraordinary financial concerns. As you are aware, the Danbury Public Schools was directly impacted by reductions in State grant aid during this fiscal year. In addition, facility improvement at the Danbury High School baseball/softball field as directed by the City has led to the transport of our athletic team students to offsite fields for practice and games, resulting in costs that exceed our athletic transportation budget.

The Board of Education respectfully requests two supplemental appropriations are made to address the aforementioned extraordinary items. This request is made at a time when the Board of Education works diligently to finish the fiscal year with a balanced budget. It is under such financial constraints that the extraordinary costs cannot be absorbed in our regular budget. Attached please find two supporting documents detailing a combined request of \$179,059. I ask that this request be forwarded to the Common Council for consideration at their next regularly scheduled meeting. Please ask the

Common Council to consider each of the two supplemental appropriation requests individually.

Should you require additional information, please contact our Finance Director, Elio Longo at 797-4703. I would also like to take this opportunity to thank you, the Administration and the Common Council for your support and partnership throughout this fiscal year.

Sincerely,



Gladys Cooper, Chairperson  
DANBURY BOARD OF EDUCATION

GC/fm

Attachments (2)

Cc: Board Members }  
Mayor Boughton }  
William Glass } w/attachments  
Warren Levy }  
Vin Nolan }

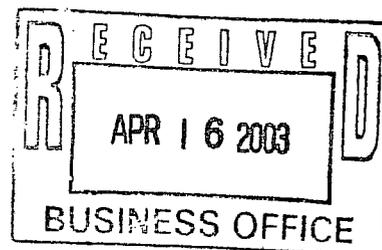
## 2002-2003 GRANT CUTS

Grant #	Grant Title	<u>Anticipated Entitlement</u>	<u>Final Entitlement</u>	<u>Difference</u>
008	Bilingual	\$ 125,584	\$ 119,305	\$ (6,279)
038	TNT Drug Enforcement	\$ 123,282	\$ -	\$ (123,282)
084	Health & Welfare (2001-2002)	\$ 164,910	\$ 147,412	\$ (17,498)
085	Services for the Blind	\$ 37,000	\$ 11,000	\$ (26,000)
		<u>\$ 450,776</u>	<u>\$ 277,717</u>	<u>\$ (173,059)</u>

**CHIP SALVESTRINI**

Director of Athletics / PE (9-12)

203-797-4853



To: Elio Longo

From: Chip Salvestrini

Date: April 16, 2003

Re: Additional Transportation Costs Related to DHS Baseball/Softball Field Construction

Due to the construction on the varsity baseball and softball fields at the high school, additional transportation costs not budgeted for, will further impact an already under-funded 691 budget.

The best case estimate that I can give for the additional costs to shuttle 3 softball and 3 baseball teams off site for practices and games is the following:

- Spring sports practices and bus shuttle runs began during the week of *March 24*. Practices and games will end **on or around Friday May 30**. This a 10 week period. Each shuttle for each day has an approximate cost of \$60.00 per trip. If we run 2 shuttles (\$120.00) a day for 5 days X 10 weeks, the maximum cost would then be \$6,000.00 for the 10 week period.

Thank you for your attention in this matter.

DANBURY HIGH SCHOOL  
Clapboard Ridge Road  
Danbury, CT 06811  
203-797-4800



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
**DIRECTOR OF FINANCE**

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

## MEMORANDUM

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

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 29, 2003

**CERTIFICATION**

SUBJECT: Supplemental Appropriation for the Board of Education

Per the attached request from the Danbury Board of Education, I hereby certify the availability of \$179,059 to be taken from the City's Fund Balance.

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



21

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

## MEMORANDUM

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

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 28, 2003

SUBJECT: Funds for Teamsters Contract

### CERTIFICATION

I hereby certify the availability of \$99,562 to be transferred from Revenue Line Item, FEMA, 1000.4535. There are sufficient funds in this account as the City was recently notified that it will receive \$107,032.47 for reimbursable expenses related to the President's Day storm.

1340.5020	Public Buildings/Salaries	\$11,829
3001.5020	Highways/Salaries	\$49,983
3020.5020	Equipment Maintenance/Salaries	\$8,552
7002.5020	Parks and Recreation/Salaries	\$27,236
9200.5020	Airport/Salaries	<u>\$1,962</u>
<b>Total</b>		<b>\$99,562</b>

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



STATE OF CONNECTICUT  
OFFICE OF POLICY AND MANAGEMENT

4/28/03  
Dena,  
FYI  
[Signature]

Date: April 28, 2003

To: Dan Garrick, Asst. Dir. of Finance, Danbury PA No. 001-18430-00

From: W. David LeVasseur, Undersecretary, IGP, OPM

Re: FEMA Reimbursement (Snow)

Your entity's application for reimbursement for costs incurred during the Presidents' Day snowstorm of February 17-18, 2003 (FEMA 3176-EM-CT) has been approved.

The Attached Federal Emergency Management Agency **Project Application Summary (P.2)** shows you the dollar amount that you will shortly be receiving. Also attached is a **Project Worksheet (PW)** report that further breaks down the approved reimbursement funds.

As you know, the Presidential Disaster Declaration entitled your city/town/nonprofit to a 75% reimbursement for cost incurred for snow removal as a direct result of record or near record snows recorded during the incident period.

In accordance with FEMA Snow Removal Assistance Policy the line items shown in the summary report reflect the costs for a 48-hour period that you choose.

Here is a short explanation of the columns in the P. 2 report:

The PW amount identifies the total dollar amount eligible from your application. That same figure also appears in the summary section mid-way down the report. This is the total amount your 75% reimbursement is based on.

The next column shows the "Federal Share" which is the 75% reimbursement amount you will receive. In addition an administrative fee ( SUBGRANTEE ADMIN EXP. ) is added to te reimbursement amount showing you a total (GRAND TOTAL) (\$107,032.47,) that you will be receiving.

You are expected to keep your records for three years including how you apportioned your time for the completion of this project application. Under the Single Audit Act, please direct your auditor to **CFDA 83.544 Public Assistance Grants**.

The reimbursement check will be sent to the Treasurer of your entity.

If you have any questions, call Stuart Mahler at (860) 418-6323.

RECEIVED  
FINANCE DEPT.

APR 28 2003



22

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

**DENA DIORIO**  
DIRECTOR OF FINANCE

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

**MEMORANDUM**

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

FROM: Dena Diorio, Director of Finance *Dena*

DATE: April 29, 2003

SUBJECT: Amended Ambulance Budget **CERTIFICATION**

As you are aware, the City of Danbury has a contractual relationship with Business Systems Incorporated (BSI) for the delivery of ambulance services in the City of Danbury. The contract includes a provision whereby BSI is responsible for collecting all fees related to the provision of ambulance services and remitting such fees back to the City. BSI has retained MedFinancial as its billing company who is paid 10% on all patient bills that are collected from any source.

Over the last several months, BSI has seen a significant increase in its collections through MedFinancial. Through March 31, 2003, collections totaled \$687,471, a 44% increase over the same period last year. The increase is largely due to increased payment amounts from payers such as Medicare, increased call volume due to the new west side deployment strategy, and a larger percentage of ambulance trips being billed as Advanced Life Support versus Basic Life Support.

However, since MedFinancial is paid a percentage on collections, expenditures in this area have exceeded budget. The budget for the contract year assumed an average of \$7,667 per month or \$92,000 annually. Through March 31, 2003, payments to MedFinancial have totaled \$68,747 or an average of \$11,458 per month.

In addition, since call volume is on the rise, BSI has seen increased expenditures related to medical supplies. The City is responsible for funding expenditures above the adopted budget if the excess is related to call volume.

I would ask that the Common Council at its May meeting approve an additional appropriation of \$42,633 in the 2002-2003 budget from fund balance. Of the total appropriation, \$37,800 will be used for MedFinancial's fees and \$4,833 will go toward the purchase of medical supplies.

I hereby certify the availability of these funds. Should you need additional information, feel free to give me a call.



23

## CITY OF DANBURY

OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON  
MAYOR

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

April 30, 2003

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

Re: Blight Remediation

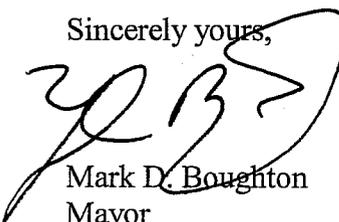
Dear Common Council Members:

I have been reviewing options and alternatives in conjunction with our continuing efforts to reduce housing blight in our City. As you know, we recently enacted a blight ordinance that imposes fines and penalties upon non-compliant violators, and which sets forth a process to handle blight remediation, through our Building Department.

In order to put more positive force into the remediation process and to encourage owners of property to further expedite remediation of their properties, I would like you to consider several additional components to the process which might greatly assist to getting this important job done, and therefore ask that a subcommittee of the Council be established in order to review these proposals.

If you wish to have more details in advance, or if you have any questions regarding this process, please contact my office.

Sincerely yours,



Mark D. Boughton  
Mayor



24

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Dear Mayor and Council Members:

I have received numerous calls from my constituents on Crows Nest Lane pertaining to the condition of their road.

I request that an ad hoc committee be appointed to review what problems need to be repaired.

Sincerely yours,

*John Esposito*  
John Esposito  
4<sup>th</sup> Ward *JS*



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

OFFICE OF THE CORPORATION COUNSEL

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

April 30, 2003

PLEASE REPLY TO:  
DANBURY, CT 06810

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

Re: Interfaith Social Action Corporation day care center

Dear Mayor and Council Members:

In February of 1974 the City of Danbury leased a parcel of land on Osborne Street to the Interfaith Social Action Corporation. Over the following months Interfaith obtained a grant and constructed a facility on the site, which was used as a non-profit day care center for almost twenty years. Under the terms of the forty-five year lease any improvement to the property, including the building, would be owned by the city at the end of the lease.

In 1992 Danbury Hospital requested that the city convey the Interfaith site to the Hospital with the understanding that the Hospital would construct new facilities for Interfaith on another site owned by the city. Interfaith agreed to this arrangement and contracts and leases were drafted and approved by the common council and executed by the parties.

Last fall the Hospital completed construction and Interfaith now occupies the new building. Because it was constructed on city owned property under an agreement between the city and the hospital the new building is technically owned by the city. Since the original day care center was owned by Interfaith, Interfaith wishes to obtain ownership of the new building during the term of the ground lease, with the understanding that upon termination of the lease the building will be owned by the city.

Since the transfer of the building to Interfaith would benefit both Interfaith and the city, it is our recommendation that the city quitclaim its interest in the building during the term of the lease. Please refer this matter to the Planning Commission for a report and then consider the request in the usual fashion.

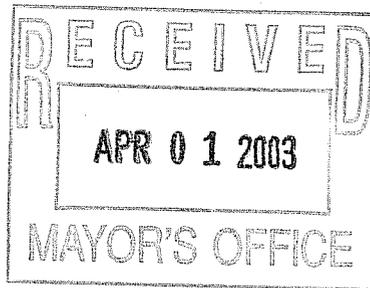
If you have any questions regarding this proposal, please feel free to contact me.

Sincerely,

Eric L. Gottschalk  
Assistant Corporation Counsel

cc: Hugh L. Carolan

26



**Honorable Mayor Mark Boughton  
And  
Members Common Council City of Danbury**

**Dear Mayor Boughton & Common Council Members:**

I am interested in the purchase of city-owned property located on West Kenosia Avenue. This property is that piece of parcel that runs from the end of the soccer field to the water line of Lake Kenosia. There are presently two buildings standing in disarray on this parcel.

The purpose of my interest in this property is to construct an elegant sit-down restaurant on this site. This parcel would flow in with my present business of Anthony's Lake Club Catering. It would put this empty parcel on the tax rolls and generate needed real estate taxes for the city.

If it is determined that this parcel can be declared excess city property, I would be deeply interested. Thank you in advance for your consideration and am looking forward to hearing from you.

**Very truly yours,**

**Rocco G. Perna**

# Konover

*Development Corporation*

April 29, 2003

Mayor Mark D. Fountain  
155 Deer Hill Avenue  
Danbury, CT 06810

RE: 29 - 35 Padanaram Road  
Danbury, CT

Dear Mayor Fountain and Members of the Common Council:

As a condition of the approval for the CVS store/pharmacy at the above referenced location, the following items are being submitted for granting a sidewalk easement to the City of Danbury:

1. A mylar of the sidewalk easement has been delivered to Kelly Greene, City Engineer and Pat Ellsworth, Assistant City Engineer for review and approval with a copy to Eric Gottchuck, City Attorney.
2. A Title Commitment and a draft easement document have been forwarded to the City Attorney and City Engineer.

Notification has been made to the Assistant City Clerk, Jimmetta Samaha, to include this request on the May 6, 2003 meeting agenda.

Thank you for your assistance.

Sincerely,



Deborah Kern, CSM  
Construction Administration Manager

DK/mg

C: S. Glantz  
J. Juliano, Esq.



TARRYWILE  
PARK &  
MANSION

70 Southern Blvd., Danbury, CT 06810

28

203 744-3130

Fax 203 778-3352

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

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

April 24, 2003

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

RE: Donation of Greenhouse and Trailer

Dear Mayor Boughton and Members of the Common Council:

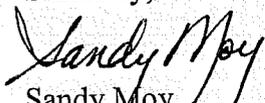
This letter is written in response to a request made by the Common Council to better identify the use of the greenhouse that Manuel Machado, Jr. proposes to donate to the City of Danbury. The Tarrywile Authority would like to acquire the greenhouse to be used in conjunction with a proposed community garden.

A representative of the community garden, presently located on Middle River Rd., contacted the Tarrywile Park Authority. As you know, the new magnet school will dislocate the gardeners and they have asked to relocate to the Park. The Authority has agreed to the idea in concept and has included it in the Master Plan of Development. The plan will be presented to the Planning Commission, the citizens of Danbury and the Common Council within the next several months. It is our understanding that such a project cannot go forward until such time as our Master Plan is approved. In the meantime, we would need to store the greenhouse for this future use. The storage area would be in the Park's Camp building located off Brushy Hill Rd.

With regards to the donation of the trailer, we had at first decided that we did not want it. After visiting the site where it is being stored, we determined that because it was in excellent condition, we would like to acquire the trailer to be used to move equipment and supplies. We will not need to register the trailer, as it will only be used within the Park grounds and not on public roads.

I hope that you will kindly upon our request to accept the greenhouse and the trailer for use at Tarrywile Park. If I can be of any further assistance, please feel free to call me at 203 744-3130.

Sincerely,

  
Sandy Moy  
Business Manager

29  
Mayor Mark D. Boughton  
City of Danbury  
Danbury, CT 06810

Dear Mayor Boughton:

I am writing to ask for your assistance in correcting a water problem at my home on 26 Pleasant Street. Beginning last fall I contacted the Building Department, the Engineers and the Health Department. I was informed the problem was mine and there was no action to be taken.

When the building department allowed a builder to construct a home on Park Avenue, we began to have a major water problem and no drainage. It is my opinion not an act of God, but the construction of this home has formed a man-made dam. This in turn has caused a lake to form in the three yards from the corner of Pleasant Street including mine. The stagnant water is over two feet deep and when the warm weather arrived so did the geese and ducks to swim. This is now a safety concern for my family, pets, and my neighbors, as well as me. In my opinion, the larvae that the mosquito lays are a health risk to humans and pets in the area. The water was covered with insects on the few warm days we have had so far. I am extremely worried about the West Nile Virus affecting the health of all in the area. The possible spread of Heartworm disease to pets is also a great concern. The land around my home being saturated concerns me greatly also.

I have spoken recently to Mr. Buckley who told me someone would be out to look at the "lake" here at Pleasant Street and he was going to contact the Health Department. Mr. Buckley felt the new home shouldn't be sold until this problem created by the construction is taken care of. I told him I had spoken to a man in the health department last fall and he was extremely rude and when I asked if he was concerned with a stagnant water problem and the threat of disease, I was told it was my problem and not his concern. I was extremely upset. Mr. Buckley was going to have someone out today or yesterday and inform me of the results. I have not heard as of yet.

I have been extremely patience but would like, if at all possible, a common council sub-committee appointed to investigate further and let me know how the Building, Engineer and Health Department will handle this situation.

Thanking you, in advance, I am

Sincerely,

Martha L. Logan  
26 Pleasant Street  
Danbury, CT 06810

cc Warren Levy - President of Common Council  
cc Family Attorney

COLLINS, HANNAFIN, GARAMELLA, JABER & TUOZZOLO  
PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
148 DEER HILL AVENUE, POST OFFICE BOX 440, DANBURY, CONNECTICUT 06813-0440

FRANCIS J. COLLINS  
EDWARD J. HANNAFIN  
JACK D. GARAMELLA  
PAUL N. JABER  
JOHN J. TUOZZOLO\*  
ROBERT M. OPOTZNER\*\*  
E. O'MALLEY SMITH  
THOMAS W. BEECHER  
EVA M. DEFranCO  
CHRISTOPHER K. LEONARD  
LAURA A. GOLDSTEIN  
GAIL HAMATY MATTHEWS\*\*\*  
ANITA B. ALLEN  
GREGG A. BRAUNEISEN\*\*

TELEPHONE (203) 744-2150  
EXTENSION:  
FACSIMILE (203) 791-1126

---

RIDGEFIELD OFFICE:  
24 BAILEY AVENUE  
RIDGEFIELD, CONNECTICUT 06877  
TELEPHONE (203) 438-7403  
FACSIMILE (203) 438-7425

---

INTERNET ADDRESS:  
[HTTP://WWW.CHGJTLAW.COM](http://www.chgjtlaw.com)  
PLEASE RESPOND TO DANBURY OFFICE

\*OF COUNSEL  
\*\*ALSO ADMITTED IN NEW YORK  
\*\*\*ALSO ADMITTED IN PENNSYLVANIA

April 21, 2003

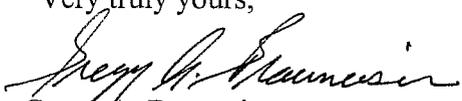
**HAND DELIVERED**  
Warren Levy, Chairman  
Danbury Common Council  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: **Joseph M. Cavo**  
**Our File No. 03-16333-3-H**

Dear Mr. Levy:

Please be advised that our office represents Mr Joseph M. Cavo of 2 Candlewood Drive, Danbury, Connecticut. Mr. Cavo came to my office expressing concern that the well that serves his property is actually located 2 feet outside of his property line, on property owned by the City of Danbury. I have enclosed a copy of the survey of the subject property. I am asking that the City of Danbury grant an easement for the subject property's use and enjoyment of the well. I have enclosed a copy of an easement that the City of Danbury granted for a property owner in a similar situation.

If you have any questions regarding this matter, please do not hesitate to contact me. I will await your response.

Very truly yours,  
  
Gregg A. Brauneisen

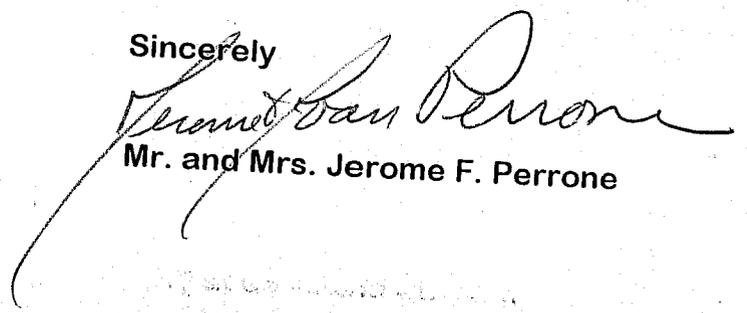
cc: Laszlo L. Pinter, Esq.

Jerome & Joan Perrone .... 560 Redding Rd.  
W. Redding, Ct. 06896, April 8, 2003

Dear Members of the Danbury Council:

As a result of an appraisal on our property at 63 Grand Street in Danbury, we were advised that the City for purposes of it's own is acquiring property near or around our property on Grand Street. For reference purposes, the property we own directly adjoins the former Danbury Box Company location. We have owned this property for many years and just recently have considered selling it as we both are retired. Before we go any further we thought we would contact City officials to see if there is any interest on your part in acquiring this location. If this desire on our part to sell this property somehow fits in with the City's plans please contact us at the above location, at 938-9120. Also if for some reason we are addressing the wrong parties within the City of Danbury please advise us. Thank you for your time and consideration.

Sincerely



Mr. and Mrs. Jerome F. Perrone

COMMON COUNCIL - CITY OF DANBURY

32

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer

Water

Name of Applicant: LUCIANA MACARI

Address: 20 WINDAWAY RD  
DANBURY, CT 06810

Telephone: 203-798-9148

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

Located at: 20 WINDAWAY RD - DANBURY, CT 06810

Assessors's Lot No. D16093

Zone: \_\_\_\_\_

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

Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units \_\_\_\_\_

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units \_\_\_\_\_

Luciana Macari  
SIGNATURE

4-8-03  
DATE

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer    
 Water

Name of Applicant: Tobin's Farm LLC,

Address: c/o Ward J. Mazzucco, 30 Main St., Ste. 204  
Danbury, CT 06810

Telephone: (203) 744-1929

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

Located at: Crow's Nest Lane

Assessors's Lot No. L14017 and L14016

Zone: RA-20

Intended Use: Retail \_\_\_\_\_ Single Family Residential X  
Office \_\_\_\_\_ Multiple Family Development \_\_\_\_\_  
Mixed Use \_\_\_\_\_  
Industrial \_\_\_\_\_

Number of Efficiency Units \_\_\_\_\_  
Number of 1 Bedroom Units \_\_\_\_\_  
Number of 2 Bedroom Units \_\_\_\_\_  
Number of 3 Bedroom Units \_\_\_\_\_  
Total Number of Units \_\_\_\_\_

  
SIGNATURE

4-4-03  
DATE

COMMON COUNCIL - CITY OF DANBURY

34

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer

Water \_\_\_\_\_

Name of Applicant: Francisco E. Montero

Address: 4 Cedar Crest Dr.  
Danbury Ct. 06811

Telephone: (203) 798-9266

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

Located at: 4 Cedar Crest Dr

Assessors's Lot No. C 13027 Hist # 10901-34

Zone: \_\_\_\_\_

Intended Use: Retail \_\_\_\_\_ Single Family Residential   
Four bedroom's  
Office \_\_\_\_\_ Multiple Family Development \_\_\_\_\_  
Mixed Use \_\_\_\_\_  
Industrial \_\_\_\_\_

Number of Efficiency Units \_\_\_\_\_

Number of 1 Bedroom Units \_\_\_\_\_

Number of 2 Bedroom Units \_\_\_\_\_

Number of 3 Bedroom Units \_\_\_\_\_

Total Number of Units \_\_\_\_\_

Francisco Montero  
SIGNATURE  
3/29/03  
DATE

CHIPMAN, MAZZUCCO,  
LAND & PENNAROLA, LLC  
ATTORNEYS AT LAW

DAVID R. CHIPMAN  
RICHARD S. LAND  
WARD J. MAZZUCCO  
FRANCIS G. PENNAROLA  
FRANCES CODD SLUSARZ

30 MAIN STREET, SUITE 204  
DANBURY, CT 06810-3043  
TEL (203) 744-1929  
FAX (203) 790-5954  
DANBURYLAW.COM

April 29, 2003

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

Re: **Tobin's Farm - Crow's Nest Lane - March Agenda Item #26**

Dear Council Members:

By letter dated February 25, 2003, (copy enclosed) on behalf of Tobin's Farm, LLC, we requested the City to accept whatever interest in Crows's Nest Lane the Estate of William Tobin may have. A map is enclosed to illustrate the strip that the Estate of William Tobin seeks to convey. We further requested the City to accept other segments of Crow's Nest Lane which may have already been offered to the City. Attorney Eric L. Gottschalk has deeds and maps which reflect those other segments.

Please refer this request to the Planning Commission and to any other appropriate Council subcommittee or City officials.

Thank you.

Very truly yours,



Ward J. Mazucco

WJM:sm

Enclosures

CHIPMAN, MAZZUCCO,  
LAND & PENNAROLA, LLC  
ATTORNEYS AT LAW

DAVID R. CHIPMAN  
RICHARD S. LAND  
WARD J. MAZZUCCO  
FRANCIS G. PENNAROLA  
ELIZABETH S. LACHTERMAN  
RYAN J. MORLEY  
FRANCES CODD SLUSARZ

30 MAIN STREET, SUITE 204  
DANBURY, CT 06810-3043  
TEL. (203) 744-1929  
FAX (203) 790-5954  
WWW.DANBURLAW.COM

February 25, 2003

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

Re: **Tobin's Farm - Crow's Nest Lane**

Honorable Council Members:

I write on behalf of Tobin Farm, LLC, which has agreed to purchase the property on Crow's Nest Lane owned by the Estate of William Tobin, Danbury's former Chief of Police. Our client proposes to create a cluster development and will apply to the Planning Commission in due course.

Meanwhile, we respectfully request an extension of sewer and water lines to the site. We further request the City to accept whatever interest in Crow's Nest Lane the Estate may have, together with other segments of the road which may have already been offered.

Please refer these requests to the appropriate Council subcommittees or City officials.  
Thank you.

Very truly yours,



Ward J. Mazucco

WJM:sm

36

RECEIVED

FEB 27 2003

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

HATTERS COMMUNITY PARK  
7 EAST HAYESTOWN ROAD  
DANBURY, CONNECTICUT 06811

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

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

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**TO:** Mayor Mark Boughton & Member of Common Council

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

**DATE:** February 27, 2003

**RE:** SCHOOL MAINTENANCE CONTRACT

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The present school maintenance contract expires on June 30, 2003. I request your approval of a new five-year contract with the Board of Education that will begin on July 1, 2003. The language and content are the same as past contracts.

**Cc:** Les Pinter ✓  
Dena Diorio  
City Clerk

## AGREEMENT

THIS AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 2003, by and between the Danbury Board of Education, acting herein by Gladys B. Cooper, its Chairman (hereinafter designated as the "BOARD") and the City of Danbury, acting herein by Mark D. Boughton, its Mayor, (hereinafter designated as the "CITY").

WHEREAS, pursuant to the Connecticut General Statutes the BOARD is charged with the responsibility to maintain good public elementary and secondary schools within the Danbury School District; and

WHEREAS, the Director of the Department of Parks and Recreation of the CITY currently has the responsibility for maintenance of many other municipal facilities; and

WHEREAS, an organized program of maintenance of public elementary and secondary school grounds and recreational fields undertaken by the CITY in cooperation with the BOARD would reduce the cost of maintenance of said facilities;

NOW, THEREFORE, the parties hereto do agree to a transfer of maintenance responsibilities in accordance with the further provisions hereof.

### WITNESSETH:

#### ARTICLE I.

##### OBLIGATIONS OF THE CITY:

A.- It is hereby agreed that the CITY shall provide sufficient equipment and personnel to perform regular maintenance and repair work with respect to various school grounds and recreational facilities currently within the custody and control of the BOARD, as provided in Exhibit A attached hereto and made a part hereof.

B. Commencing with the budget preparation for the fiscal year beginning July 1, 2003 and every year thereafter during the term hereof (as set forth in ARTICLE III), the Director of the Department of Parks and Recreation shall recommend to the BOARD a maintenance budget specifying the costs of labor, equipment, supplies and privately provided contractual services needed to perform maintenance and repair of grounds and facilities covered by this Agreement. Said recommended budget shall be submitted to the BOARD on or before December 15 in the year immediately preceding the fiscal year to which it applies. On or before January 15 of each such year the BOARD shall respond to the Director of the Department of Parks and Recreation specifying what, if any, changes should be made to the recommended budget or to Exhibit A. Thereafter, the Director of the Department of Parks and Recreation shall, in accordance with the Danbury Municipal Charter, submit to the Mayor a budget approved by the BOARD which the Director deems appropriate for the upcoming fiscal year. Subsequent review and adoption of said budget shall be accomplished in accordance with the terms of the Danbury Municipal Charter. All personnel performing maintenance and repair work pursuant to the terms hereof shall be under the supervision and direction and shall be evaluated by the Director of the Department of Parks and Recreation of the CITY who shall be responsible for determining how and when the work assignments shall be performed, as well as for determining their efficiency and acceptability.

C. The BOARD shall not be liable for any cost or project above or beyond those described in Exhibit A and the budget approved by the BOARD and the CITY unless the BOARD agrees in writing to pay one half of the amount necessary to complete any such additional project. The CITY shall not be required to perform any project above or beyond the budget and the projects described in Exhibit A.

D. In the event of added expenses resulting from collective bargaining completed after BOARD approval of the budget or resulting from other circumstances which were not foreseeable at the time the BOARD and the CITY approved the budget, or in the event that following Common Council consideration of the budget the BOARD elects to reduce to total funding available to complete the work to be performed hereunder, the parties shall meet and shall modify the work to be performed by reducing it to a level attainable within the available funding. Notwithstanding any provision hereof to the contrary, at no time following Common Council deliberation on the budget may the BOARD refuse to allocate sufficient funds to pay its share of any privately provided contractual services described in subsection B4 of Article II hereof or of any personnel costs and fringe benefits associated with the employment of maintenance personnel described in subsection B1 of Article II hereof. It is however understood that the number of Park Maintainer positions and any privately provided contractual services shall have been approved by the BOARD and the CITY pursuant to section B of Article I hereof prior to submission of the budget to the Mayor.

## ARTICLE II.

### OBLIGATIONS OF THE BOARD.

The BOARD shall:

A. Provide access to and permit the use of a maintenance garage located on the northeast side of Danbury High School by the Director of the Department of Parks and Recreation. Notwithstanding the provisions of the preceding sentence, the BOARD shall retain custody and control of that portion of the maintenance garage currently used for storage of athletic equipment and separated from the main garage area by screening.

B. For the fiscal year commencing on July 1, 2003 and for each fiscal year thereafter during the term hereof, in accordance with the provisions of Article I above:

1. Reimburse the CITY annually for fifty percent (50%) of all payroll costs and fringe benefits incurred for seven (7) Park Maintainer positions or for such other number of Park Maintainer positions as required to fulfill the terms of this Agreement, provided that if the number of positions is reduced, any consequential costs of layoffs shall be borne equally by the parties and shall be so allocated in the budget process set forth in Article I above. Also, for twenty percent (20%) of the base salary and benefits as computed by the city finance director for one (1) mechanic.

2. Reimburse the CITY for all payroll costs and fringe benefits incurred by the CITY as the result of the CITY's obligation to provide maintenance personnel at interscholastic athletic events.

3. Pay to the CITY fifty percent (50%) of all costs established pursuant to Article I hereof and incurred by the CITY to repair and replace equipment and purchase supplies for ground maintenance, as well as to purchase materials and repair athletic fields and other school grounds.

4. Pay to the CITY fifty percent (50%) of all costs established pursuant to Article I hereof and incurred by the CITY in connection with privately provided contractual services relating to completion of the work to be performed hereunder, if any.

The costs of paragraphs B(1)-(4) above shall be billed to the BOARD periodically, but not more than monthly. Payroll rates and fringe benefit costs paid shall be conclusively established by the Comptroller/Director of Finance of the CITY. Reimbursements to the CITY required pursuant to the provisions of Article II hereof shall be made within thirty (30) days of billing.

## ARTICLE III.

TERM. The term of this contract shall commence on July 1, 2003 and shall expire on June 30, 2008 unless sooner terminated in accordance with the provisions of Article IV hereof.

## ARTICLE IV.

TERMINATION. This contract may be terminated by either party upon commencement of any new fiscal year during its term provided that the terminating party gives written notice thereof to the other party not later than ninety (90) days prior to the commencement of said fiscal year.

ARTICLE V.

NOTICE OF ATHLETIC EVENTS. As soon as possible following the commencement of each fiscal year, the BOARD shall provide the Director of the Department of Parks and Recreation with a schedule of anticipated interscholastic athletic events requiring specific field preparation by the CITY. The BOARD shall give the CITY at least thirty (30) days notice of any interscholastic athletic event requiring specific field preparation. The provisions of the preceding sentence notwithstanding, the CITY shall perform specific field preparation prior to an interscholastic athletic event if the failure to provide the required notice of said event to the CITY is due to a cancellation, or to causes beyond control of the BOARD. In any such case the Board shall notify the designee, not less than twenty four (24) hours prior to the event, or if an event is rescheduled less than twenty four (24) hours following cancellation, then the BOARD shall notify the CITY not less than five (5) hours before the rescheduled event is to take place. In addition to performing specific maintenance tasks as described in Exhibit A, the CITY shall provide such number of maintenance personnel as deemed necessary by the Director of the Department of Parks and Recreation after consultation with the BOARD provided that specific BOARD approval must be obtained as to any service which would result in costs exceeding the amount approved by the BOARD for the year pursuant to Article I. Said personnel shall be in attendance at all interscholastic athletic events.

ARTICLE VI.

ARBITRATION. All claims, demands or disputes that may arise between the CITY and the BOARD under this Agreement shall be submitted to and determined and settled by arbitration, in the manner hereinafter set forth, provided, however, that neither party may exercise its right to arbitration of any such claim, demand or dispute unless and until the other party has been given written notice of said claim, demand or dispute and a period of sixty (60) days has elapsed without resolution of said claim, demand or dispute by the parties. Subject to the preceding sentence, arbitration shall be initiated and shall proceed as follows:

A party desiring arbitration shall send written notice to the other party. Within ten (10) days from the receipt of notice, each party shall give written notice to the other identifying a representative to serve on an arbitration panel to decide the dispute. Within seven (7) days of their appointment, these two representatives shall appoint in writing a third arbitrator acceptable to both of them. The three arbitrators shall hear the dispute and render an award by majority rule within sixty (60) days of the appointment of the third arbitrator. The fees of the third arbitrator and expenses of the arbitration shall be borne equally by the parties. The award of the arbitrators as to any issue submitted shall be binding upon the parties hereto and the judgment may be entered thereon in any court having jurisdiction. The decision of the arbitrators shall be a condition precedent to the right of any legal action. If the applicable statute of limitations would bar the institution of any legal or equitable proceedings based on a claim or dispute under this Agreement, neither party shall have the right to seek arbitration of such claim or dispute under this paragraph.

ARTICLE VII.

NOTICES. Except as otherwise indicated, any notice required or provided for herein shall be effective if mailed by certified or registered mail, return receipt requested, or delivered to the other party hereto at the address specified below. The delivery at the address names below, or the depositing in a postpaid wrapper directed to the said address, in the post office box regularly maintained by the Post Office Department, of any notice, letter or other communication to the other party hereto shall be deemed sufficient service thereof upon the said party, and the date of said service shall be the date of such delivery or mailing. The address of either party may be changed at any time by an instrument in writing, executed and acknowledged by said party and delivered to the other. Nothing herein contained shall be deemed to preclude or render inoperative the service of any notice, letter or other communication upon a party personally, through its authorized representative.



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

On this the 23 day of April 2003, before me, Florence Modzelewski, the undersigned officer, personally appeared Gladys B. Cooper, who acknowledged herself to be the Chairman of the Danbury Board of Education, an Agency of the State of Connecticut, and that she as such Chairman, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Danbury Board of Education by herself as such Chairman.

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

Florence Modzelewski  
Notary Public  
My Commission expires:  
Commissioner of the Superior Court

**FLORENCE MODZELEWSKI**  
**NOTARY PUBLIC**  
My Commission Expires June 30, 2007

## EXHIBIT A

### WORK TO BE PERFORMED BY THE CITY

I. Routine Maintenance of Athletic Fields. Routine maintenance of athletic fields at those schools listed in Exhibit B shall include the following:

- A. Mowing and Cleanup.
  - 1. Maintain all lawns to a height of one and one half to two inches and remove all debris, sticks, stones and clippings.
  - 2. Weather permitting, mowing shall be performed not less than once every ten (10) working days during the growing season.
- B. Aeration and Scarification.

Aerate and scarify all interscholastic athletic fields at least twice per year between April and October.
- C. Fertilization.

Fertilize all athletic fields at Danbury High School twice a year.
- D. Seeding, Topdressing, Mulching.
  - 1. Perform seeding twice a year between April 1 and October 15.
  - 2. Topdressing and mulching performed as deemed necessary by the Director of the Department of Parks and Recreation.

II. Special Maintenance Prior to Athletic Events. Before each interscholastic event the CITY shall, if necessary, perform the following maintenance and repair tasks:

- A. Baseball and Softball Fields
  - 1. Scarify existing skinned areas.
  - 2. Restore sides of all skinned areas.
  - 3. Fill skinned areas to a finished grade with a three to one Red Mountain Clay.
  - 4. Line fields prior to interscholastic athletic events.
- B. Soccer and Field Hockey Fields
  - 1. Aerate and seed as required.
  - 2. Place lines where appropriate prior to interscholastic athletic events.
- C. Track and Field.
  - 1. Maintain new all weather track and accessory event areas used for track and field in a satisfactory condition for all interscholastic athletic events.
- D. D.H.S. Stadium
  - 1. Maintain new synthetic field in a satisfactory condition for all interscholastic events.

III. Routine Maintenance of Exterior School Grounds. The CITY shall perform the following routine maintenance of all exterior school grounds listed in Exhibit B:

- A. The CITY shall maintain all lawns to a height of between one and one half to two inches.
- B. As required:

The CITY shall aerate exterior grounds at least once each year between April and October; shall fertilize exterior grounds once annually; shall seed exterior grounds twice during each year, once between April 1 and June 1 and once between August 15 and October 15.

- C. Topdressing shall be performed by the CITY as deemed necessary by the Director of the Department of Parks and Recreation.
- D. The CITY shall maintain shrubs on exterior school grounds.
- E. Each fall the CITY shall clear school grounds of all sticks, leaves and other debris.
- F. The CITY shall clear snow from the Danbury High School garage access road as well as from all exits and entrances at Danbury High School.
- G. The CITY shall maintain all playground equipment and play areas in a safe condition. The Director of the Department of Parks and Recreation shall recommend capital expenditures for the school playgrounds and athletic fields as part of the annual budget. In order to insure the proper quality of all playground equipment to be donated to the BOARD, prior to the acceptance of any such donation, the BOARD shall refer the donor to the Director of Parks and Recreation for the standards of approved equipment.
- H. The CITY shall line play areas to assist the Physical Education department prior to special events.

EXHIBIT B

SCHOOLS AND BUILDINGS TO BE MAINTAINED

Roberts Avenue School  
Stadley Rough School  
King Street Schools - Primary and Intermediate  
Mill Ridge Schools - Primary and Intermediate  
Hayestown School  
Morris Street School  
Park Avenue School  
South Street School  
Great Plain School  
Shelter Rock School  
Broadview Middle School  
Danbury High School  
Rogers Park Middle School  
Alternative Center for Education (ACE)  
Beaver Brook Administration Center  
Educational Service Center - Osborne Street  
Pembroke School  
Community Resource Center – Mill Ridge



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# CITY OF DANBURY

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

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

April 9, 2003

PLEASE REPLY TO:  
DANBURY, CT 06810

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

Re: Workforce Investment Act  
Memorandum of Agreement

Dear Council Members:

At the Mayor's request I am forwarding to you a proposed Intergovernmental Agreement among the forty one municipalities currently comprising the Local Workforce Investment Area established under the federal Workforce Investment Act ("WIA" or the "Act"). The Act is intended to spur regional efforts to increase employment, retention and earnings of the workforce, increase occupational skill attainment, improve the quality of the workforce, reduce welfare dependency and enhance the productivity and competitiveness of the Nation's economy.

Since your consideration and approval of the first generation Agreement back in 2001, Governor Rowland has reduced the number of service delivery areas in the state from eight to five, requiring the consolidation of the Waterbury and Danbury/Torrington Areas. As a result a new Agreement is now required.

The Agreement, a copy of which is attached hereto for your review, describes the duties, powers and obligations of the municipalities under the Act. Central among these will be the creation of a new policy-making Executive Committee consisting of five members, Danbury and Waterbury being permanent members, and the other three being selected on a rotating basis. Administrative duties, to be performed by the Northwest Regional Workforce Investment Board, will include receipt and disbursement of federal and state funds allocated for the implementation of workforce development.

Please review this proposed agreement and authorize Mayor Mark D. Boughton to sign it on behalf of Danbury. If you have any questions regarding the proposal, please contact me at your convenience.

Sincerely,



Eric L. Gottschalk

Assistant Corporation Counsel

cc: Mayor Mark D. Boughton

## Intergovernmental Agreement Among the Municipalities of:

Barkhamsted, Bethlehem, Bethel, Bridgewater, Brookfield, Canaan, Cheshire, Colebrook, Cornwall, Danbury, Goshen, Hartland Harwinton, Kent, Litchfield, Middlebury, Morris, Newtown, New Fairfield, New Milford, New Hartford, Naugatuck, Norfolk, North Canaan, Prospect, Redding, Ridgefield, Roxbury, Salisbury, Sharon, Sherman, Southbury, Thomaston, Torrington, Warren, Washington, Waterbury, Watertown, Winchester / Winsted, Wolcott, Woodbury

RE: WORKFORCE INVESTMENT

THIS Intergovernmental Agreement (“Agreement”), is entered into by and among the above referenced municipalities; (collectively, the “Parties” and, each individually, a “Party”).

WHEREAS, the Parties desire to enter into an agreement in order for each Party acting by and through its chief elected official or other designated elected official (each, a “Chief Elected Official”) to implement workforce development activities under the Workforce Investment Act of 1998, as it may be amended or replaced, and under such other workforce grants or appropriations, whether formula or discretionary, awarded by the United States or the State of Connecticut; and

WHEREAS, the Parties desire to enter into such workforce agreement in order for each Party to authorize its Chief Elected Official to appoint local workforce board members in accordance with the Workforce Investment Act or such other legislation as may require the appointment of a local workforce board in order to implement a workforce system and to strategically plan for the delivery of workforce services in the workforce region encompassing the geographic area comprised by the Parties (referred to herein as the “Local Workforce Investment Area”), and to assign responsibilities among the Chief Elected Officials of each of the Parties;

NOW, THEREFORE, in consideration of the premises and mutual covenants and obligations herein contained and subject to the terms and conditions hereinafter stated, the Parties agree and understand as follows:

### ARTICLE I: AGREEMENT PURPOSE

- a. It is the purpose of this Agreement to affirm, state, and establish the duties, powers, and obligations of the consortium of “Chief Elected Officials” (the “Consortium”) and Executive Committee (the “Executive Committee”) created under this Agreement. The terms and conditions that follow reflect the joint understanding among the Parties and shall be construed as the essential elements of the mutual considerations upon which this Agreement is based.

- b. The Parties intend to incorporate into this Agreement the duties and obligations governing the Parties, the Consortium, the Executive Committee, their grant and grant sub-recipients, the fiscal agent and regional workforce board (the "Local Workforce Investment Board" or "Board") they shall appoint, and services providers they select to implement and operate State and federal workforce investment programs.
- c. The Executive Committee shall be responsible for oversight and policy determination for the development of a workforce system in the Local Workforce Investment Area.
- d. Entry into this Agreement shall not be construed to affect any of the State's or Governor's rights to establish workforce areas or otherwise implement and oversee statewide workforce activities.

## ARTICLE II: PARTIES TO THE AGREEMENT

- a. The Parties shall constitute a Local Workforce Investment Area in accordance with applicable State and federal laws. The Northwest Regional Workforce Investment Board, formerly known as the Greater Waterbury Workforce Investment Board, shall be the Local Workforce Investment Board for the Local Workforce Investment Area.
- b. Each Party represents and warrants that it has the constitutional and/or statutory power pursuant to the Connecticut General Statutes to enter into this Agreement. Further, that each has complied with any and all municipal charter, ordinance and/or other applicable requirements necessary to authorize the execution and delivery of this Agreement, including any subsequent amendments hereto that increase the liability of such Party under the terms of this Agreement and to designate a Chief Elected Official from the municipality to serve on the Consortium or the Executive Committee as applicable, and to act on the municipality's behalf. Further, each Party represents and warrants that this Agreement constitutes, and such subsequent amendments shall constitute, the legal, valid and binding obligation of such Party enforceable in accordance with its terms, and that the Parties have the constitutional and/or statutory power pursuant to the Connecticut General Statutes to enter into this Agreement.

## ARTICLE III: TERM

- a. This Agreement shall become effective on June 1, 2003, and shall be automatically renewed on July 1st of each subsequent year, unless or until:
  - i. the Governor re-designates the Local Workforce Investment Area, or
  - ii. the end of the fortieth year from the date this agreement has been executed by all Parties, or

- iii. this Agreement has been terminated by a Party upon the giving of written notice to the other Parties at least ninety (90) days prior to the end of the program year for receipt of federal workforce funds. In such instance this Agreement shall be terminated only as to such Party and not as to the other Parties to the Agreement.
- b. If any Party withdraws from this Agreement in accordance with the terms and conditions of this Agreement;
  - i. The withdrawing Party shall be liable for obligations entered into or incurred prior to the effective date of its respective withdrawal. The remaining Parties shall be allocated the future liabilities of the withdrawing Party on a pro-rata basis relative to its then-existing pro-rata liabilities hereunder;
  - ii. At the option of the other Parties,
    - A. This Agreement shall continue as to all of the other Parties and, to the extent that an amendment is necessary or appropriate, the Parties may enter into such amendment, or
    - B. A new agreement may be negotiated;
  - iii. In the event of the withdrawal of a Party, the Governor may take such action as is appropriate to address workforce area designation and amendment to this Agreement if necessary shall be effectuated by the Parties to conform to the action taken by the Governor.

#### ARTICLE IV: ORGANIZATION

- a. To carry out the purposes of this Agreement a Consortium shall be created consisting of each Party's Chief Elected Official.
- b. There shall be an Executive Committee of the Consortium, which shall consist of (5) members. Two shall be permanent members and a three shall serve on a one (1) year rotating basis. The Mayors of Waterbury and Danbury shall be the permanent members. The rotating members shall be determined as follows: The Mayor of Danbury shall select one municipality, the Mayor of Waterbury shall select one municipality and together the Mayors of Waterbury and Danbury shall select one municipality. The term of the rotating members shall coincide with the calendar year, however the inaugural rotation term shall commence on July 1, 2003 and terminate on December 31, 2004
- c. The officers of the Executive Committee shall include a chairperson, a vice-chairperson and a chairperson pro-tempore. The Chief Elected Officials of the City of Danbury and Waterbury shall alternate annually as chair and vice-chair, commencing with Danbury as the chair. There shall be a chairperson pro-tempore whom shall be elected by the full Executive Committee, from among the Chief Elected Officials of

the rotating municipalities. Each shall hold office until their successors are duly elected. Notwithstanding the foregoing, the initial term of officers shall commence in July 1, 2003 and shall terminate on December 31, 2004.

- d. The Executive Committee is the body that shall perform the duties and responsibilities of the Chief Elected Officials as specified in the Workforce Investment Act and assume signatory responsibilities for Chief Elected Officials as specified in the Workforce Investment Act. If signatories are required, the signature of the chairperson shall be required on behalf of the Consortium.
- e. Meetings.
  - i. The Executive Committee shall hold meetings to discuss workforce matters at least semi-annually, in the months of January and June, and more frequently at the discretion of the Executive Committee.
  - ii. The chairperson shall preside at all Executive Committee meetings and shall perform all duties incident to that office. The vice-chairperson shall preside in the absence of the chairperson and shall have the power to exercise and perform all duties of the chairperson.
  - iii. Meetings of the Executive Committee shall be noticed and declared public meetings, open to the public, in accordance with Connecticut State Statutes and federal law.
  - iv. A quorum at any Executive Committee meeting shall consist of the majority of the members of the Executive Committee. Actions by the Executive Committee must receive the affirmative votes of a majority of those members present and voting.
- f. The Consortium, acting by and through the Executive Committee shall support its programs and any costs incidental to the operation of programs by grant funds appropriated to it by the federal and State grants or appropriations. In addition, the Executive Committee or its designee is authorized to accept any other grants in aid or assistance or appropriations from any of its members, or any other organization or person, including the acceptance of gifts, grants, or bequests whether they be in the form of tangible or intangible property.
- g. The City of Waterbury shall be the grant recipient for the purposes of receipt of federal and State workforce investment and related funds.
- h. The Northwest Regional Workforce Investment Board, Inc. (formerly the Greater Waterbury Workforce Investment Board, Inc.) shall be the grant sub-recipient and fiscal agent for purposes of receipt of federal and State workforce investment and related funds.

- i. The Executive Committee shall be provided with staff and related support by the same staff as that hired to provide staff support to the Local Workforce Investment Board. The staff shall carry out the policies of the Executive Committee, produce required reports for their review and approval and provide such other services as may be necessary for the Executive Committee to carry out its business.
- j. The Executive Committee shall appoint a private sector Board which meets the requirements of federal and State law, including without limitation, Sections 117(b)(2) and 117(c)(1)(A) and (B) of the Workforce Investment Act of 1998 and Conn. General Statutes 33-31, as they may be amended from time to time, with respect to the receipt of State and federal funding streams over which the Executive Committee shall exercise policy and oversight for the implementation of workforce investment and related programs, and which meets criteria established by the Governor and the State Workforce Investment Board (the "State Board"), currently the Connecticut Employment and Training Commission, pursuant to section 117(b)(1) of the Workforce Investment Act for use by the Executive Committee in appointing such members. This majority private sector Board shall exercise those responsibilities with respect to workforce and related funding streams as shall be determined in any authorizing legislation or as shall be set forth herein.
- k. Appointments of the private sector members to the Local Workforce Investment Board shall be allocated pursuant to the population-based methodology and each member's municipal population, as is more particularly prescribed in Exhibit A attached herein. This population-based formula shall be based upon the then current federal census data for the member municipalities. The Executive Committee shall appoint private sector members to the Board based upon the submission of names for their consideration following a nomination process as required under the Workforce Investment Act. Private sector members shall be from local business, local business organizations and trade associations.
  - i. Private sector members shall be in the majority of the members appointed.
  - ii. When possible half of the business members appointed shall represent small business including minority business.
  - iii. Non-business members shall be selected in accordance with applicable law and the organizations, agencies, groups and institutions representing those sectors required by governing legislation to be appointed to the non-business seats on the Board.
  - iv. The Executive Committee, together with the Local Workforce Investment Board shall be authorized to take such actions as are necessary to develop a workforce system for the Local Workforce Investment Area as described herein.

- v. All nominations obtained and appointments made to the local Workforce Investment Board shall be in accordance with the Workforce Investment Act and Connecticut General Statutes 33-31, as they may be amended from time to time.
- vi. Local Workforce Investment Board members shall serve at the pleasure of the Executive Committee.
- vii. The Adult, Youth and Dislocated Worker Program funding streams, or other funding streams under the oversight of the Executive Committee shall be represented on the Local Workforce Investment Board by a member(s) of the Executive Committee, as determined by the Executive Committee for this purpose.

#### ARTICLE V: POWERS DELEGATED TO THE EXECUTIVE COMMITTEE

Without limiting the general delegation of authority and responsibility given to the Executive Committee under Article IV, Section (d) and without limiting the authority of the Executive Committee under the other provisions of this Agreement, the Executive Committee shall make policy decisions and shall act for the Parties in connection with all matters related to the subject matter of this Agreement, including, without limitation:

- a. The power to contract with any one of the Parties, the power to amend this Agreement, except for amendments or modifications to this Agreement for which a Party has consent rights under Article VI, Section (h) of this Agreement, and the power to contract with the State Board or the Local Workforce Investment Board;
- b. Establishment of the manner in which funds shall be disbursed or paid, including the manner in which funds shall be disbursed by or on behalf of, one or more of the Consortium members or any entity it appoints to make such disbursements;
- c. Establishment of the manner in which purchases shall be made;
- d. Acquisition, ownership, custody, operation, maintenance, lease or sale of real and/or personal property;
- e. The disposition, diversion or distribution of any property acquired;
- f. The power to create a separate legal administrative entity to carry out Consortium's policies;
- g. The manner in which accountability for fund expenditures shall be provided for including an independent audit to be done in accordance with the Connecticut General Statutes, and applicable federal legislation, as well as oversight and monitoring;

- h. The acceptance of grants, gifts, or other types of financial assistance as allowed by law;
- i. The manner in which any program income, fee for services or surplus funds may be expended;
- j. The composition, membership appointments, and organizational approval of any advisory or partnership bodies to the Executive Committee or the Consortium.
- k. The development of policies and procedures and/or administrative rules to effectively carry out the Executive Committee or the Consortium's policies and decisions of the Executive Committee on behalf of the Consortium so long as they do not conflict with federal and State rules and regulations, or impinge upon powers granted to the Board through any authorizing legislation governing any of the funding streams received.
- l. Together with the Local Workforce Investment Board:
  - i. Approve the budget of the Board;
  - ii. Approve the Local Workforce Plan;
  - iii. Designate/certify or competitively select local one-stop operators;
  - iv. Provide oversight with respect to local youth activities, employment and training activities, and the one-stop delivery system;
  - v. Appoint the local youth council;
  - vi. Negotiate local performance measures and levels with the State;
  - vii. Establish the manner in which staff shall be employed to carry out and serve Consortium objectives with regard to workforce investment and related program policies; and
  - viii. The Local Workforce Investment Board shall be responsible for the selection of an executive director. The process for the selection of an executive director shall be approved by the Executive Committee; and
- m. Any other necessary and proper matters as they may arise and as is agreed upon by the Executive Committee or Parties.

#### ARTICLE VI: GENERAL PROVISIONS

- a. The municipalities who execute this Agreement shall assume liability for the misappropriation, misuse or other loss of grant funds and other obligations in an

amount equal to their proportionate share of costs of benefits and services derived by their respective residents during the previous fiscal year of the Local Workforce Investment Board from any and all federal or State workforce investment programs, including, without limitation, any and all federal grant funds allocated to the Local Workforce Investment Area and utilized to implement programs pursuant to sections 128 and 133 of the Workforce Investment Act. Such liability shall derive from contractual and other obligations of the Consortium, the Executive Committee, the grant recipient and any sub grant recipient or fiscal agent and shall include without limitation, liability for any misuse of or loss related to the funds received under this Agreement to the extent allowed and/or required by law.

- b. Without limiting the foregoing, the Executive Committee shall require that the Local Workforce Investment Board purchase such commercially reasonable insurance as is necessary to insure and indemnify the Parties, their Chief Elected Officials, the signatories to this Agreement, the Consortium, the Executive Committee and/or any of its members and any separate legal entity, grant recipient or grant sub-recipient from any liability which may attach due to the operation of Workforce Investment, Welfare to Work or other federal or State workforce investment programs.
- c. The Parties shall save harmless and indemnify the Executive Committee, each individual Party, the Consortium, the grant recipient, the grant sub-recipient, the Board and their respective members from and against financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence, intentional act or alleged deprivation of any person's civil rights or other alleged act or omission resulting in alleged damage or injury, if the indemnified person or entity is found to have been acting in the discharge of duties or within the scope of employment and such act or omission is found not to have been wanton, reckless or malicious. Each Party's liability under this subsection shall be in an amount equal to its proportionate share of costs of benefits and services derived by its residents during the previous fiscal year of the local Workforce Investment Board from any and all federal or State workforce investment programs, including, without limitation, any and all federal grant funds allocated to the Local Workforce Investment Area and utilized to implement programs pursuant to sections 128 and 133 of the Workforce Investment Act.

The Executive Committee shall coordinate the defense of any such indemnified person or entity in any civil action or proceeding in any state or federal court arising out of any alleged act, omission or deprivation that occurred or was alleged to have occurred while the indemnified person or entity was acting in the discharge of duties or in the scope of employment. Defense costs shall be allocated in the manner provided for in this Section.

- d. The Executive Committee shall be responsible for deciding on a course of action or defense in the event of a potential loss or liability covered under this Article VI.

- e. This Agreement incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this Agreement. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.
- f. Whenever any Party desires to give notice unto another Party, notice must be given in writing sent by registered United States Mail with Return Receipt Requested, or by nationally recognized overnight courier, addressed to the Party for whom it is intended, at the address last specified in compliance with the provision of this Section. The Parties designate the office address of their respective Chief Elected Officials listed with their respective signatures on this Agreement as place for giving notice to a Party under this Agreement. Each Party may change the address for notice pursuant to a subsequent notice by the method and manner described in this Section.
- g. The Executive Committee shall make such reports to the State and the federal government as may be required and shall require such reports as necessary from the Board, the grant recipient or grant sub-recipient.
- h. No amendment or modification to this Agreement that increases the liability of any Party to the Agreement shall be effective unless such amendment or modification is agreed to in a written document executed and delivered on behalf of such Party by its authorized representative provided, however that any amendment to liabilities that occurs pursuant to Article III, Section b of this Agreement shall not require such written consent. All other amendments or modifications to the Agreement may be effected by the Executive Committee, which shall provide written notice to all Parties of such other amendments or modifications to this Agreement.
- i. Executive Committee members may be reimbursed for travel and out of pocket expenses to the extent allowed by the authorizing legislation governing the funding stream from which reimbursement is sought. Reimbursement shall be in accordance with federal, State and local policies.
- j. To the extent a dispute shall arise among the Parties in connection with this Agreement, the Parties shall first attempt an informal resolution, followed by formal mediation.
- k. Captions to Articles of this Agreement are for convenience only and shall form no part of this Agreement.
- l. This Agreement shall be deemed to be a binding contract and shall be construed in accordance with and governed by the laws of the State of Connecticut, without regard to its principles governing conflicts of laws.

- m. In the event that any provision of this Agreement or the application of any such provision to any Party or circumstances be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall remain in full force and effect.
- n. Any waiver at any time by any Party of its rights with respect to any default or other matter arising in connection with this Agreement shall not be considered a waiver with respect to any subsequent default or other matter.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates under each signature;

**Signature Page of**

**DANBURY**

**Intergovernmental Agreement between the Municipalities of**

Barkhamsted, Bethlehem, Bethel, Bridgewater, Brookfield, Canaan, Cheshire, Colebrook, Cornwall, Danbury, Goshen, Hartland Harwinton, Kent, Litchfield, Middlebury, Morris, Newtown, New Fairfield, New Milford, New Hartford, Naugatuck, Norfolk, North Canaan, Prospect, Redding, Ridgefield, Roxbury, Salisbury, Sharon, Sherman, Southbury, Thomaston, Torrington, Warren, Washington, Waterbury, Watertown, Winchester / Winsted, Wolcott, Woodbury

**The Municipality of DANBURY**, through its \_\_\_\_\_, duly authorized.

Address for Notice

City Hall  
155 Deer Hill Avenue

Danbury CT 06810

**BY:** \_\_\_\_\_  
Mark D. Boughton, Mayor

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

**EXHIBIT A**  
**NORTHWEST REGIONAL WORKFORCE INVESTMENT AREA**  
**PRIVATE SECTOR APPOINTMENTS**  
**BASED ON POPULATION**

Towns	Labor Force	Employed	Population	Pop/Emp	Pop/Emp Less Base Factor 21,000	Base Factor	Formula Factor	Total Seats	Actual Seats
<b>Population over 100,000</b>									
Waterbury	51,398	48,303	107,271	155,574	134,574	1	6.41	7	7
<b>Population between 21,000 and 100,000</b>									
Danbury	35,797	34,711	74,848	109,559	88,559	1	4.22	5	5
Torrington	18,143	17,413	35,202	52,615	31,615	1	1.51	3	3
Naugatuck	16,283	15,607	30,989	46,596	25,596	1	1.22	2	2
New Milford	13,793	13,454	27,121	40,575	19,575	1	0.93	2	2
Cheshire	13,683	13,384	28,543	41,927	20,927	1	1.00	2	1
Newtown	12,305	12,004	25,031	37,035	16,035	1	0.76	2	1
Ridgefield	12,114	11,895	23,643	35,538	14,538	1	0.69	2	1
Watertown	12,040	11,629	21,661	33,290	12,290	1	0.59	2	1
<b>Population between 10,500 and 21,000</b>									
Bethel	9,553	9,322	18,067	27,389	6,389	1	0.30	1	1
Wolcott	8,576	8,311	15,215	23,526	2,526	1	0.12	1	1
Brookfield	8,052	7,879	15,664	23,543	2,543	1	0.12	1	1
New Fairfield	6,950	6,776	13,953	20,729	(271)	0	0.99	1	1
Southbury	6,759	6,559	18,567	25,126	4,126	1	0.20	1	1
Winchester	5,811	5,569	10,664	16,233	(4,767)	0	0.77	1	1
<b>Population Under 10,500 * Shared seats (Geographic clusters)</b>									
Woodbury	5,041	4,916	9,198	14,114	(6,886)	0	0.67		
Middlebury	3,300	3,210	6,451	9,661	(11,339)	0	0.46		
Redding	4,402	4,308	8,270	12,578	(8,422)	0	0.60		
Washington	2,038	1,998	3,596	5,594	(15,406)	0	0.27		
Bethlehem	1,904	1,856	3,422	5,278	(15,722)	0	0.25		
Roxbury	1,036	1,021	2,136	3,157	(17,843)	0	0.15		1
Morris	1,114	1,080	2,301	3,381	(17,619)	0	0.16		
Prospect	4,652	4,517	8,707	13,224	(7,776)	0	0.63		
Litchfield	4,321	4,216	8,316	12,532	(8,468)	0	0.60		
Thomaston	4,081	3,919	7,503	11,422	(9,578)	0	0.54		
Goshen	1,331	1,300	2,697	3,997	(17,003)	0	0.19		1
New Hartford	3,612	3,530	6,088	9,618	(11,382)	0	0.46		
Barkhamsted	2,048	1,999	3,494	5,493	(15,507)	0	0.26		
Hartland	979	960	2,012	2,972	(18,028)	0	0.14		
Harwinton	2,928	2,856	5,283	8,139	(12,861)	0	0.39		1
Sharon	1,950	1,930	2,968	4,898	(16,102)	0	0.23		
Kent	2,025	1,991	2,858	4,849	(16,151)	0	0.23		
Warren	671	658	1,254	1,912	(19,088)	0	0.09		
Cornwall	781	770	1,434	2,204	(18,796)	0	0.10		
Sherman	1,666	1,637	3,827	5,464	(15,536)	0	0.26		1
Bridgewater	944	925	1,824	2,749	(18,251)	0	0.13		
Salisbury	2,331	2,301	3,977	6,278	(14,722)	0	0.30		
North Canaan	2,133	2,093	3,350	5,443	(15,557)	0	0.26		
Norfolk	1,057	1,032	1,660	2,692	(18,308)	0	0.13		
Colebrook	778	767	1,471	2,238	(18,762)	0	0.11		
Canaan	695	681	1,081	1,762	(19,238)	0	0.08		1
<b>Totals</b>	<b>282,081</b>	<b>272,413</b>	<b>560,078</b>	<b>832,491</b>	<b>76,491</b>	<b>13</b>	<b>27</b>		

\* Denotes shared seats



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 29, 2003

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

Dear Mayor Boughton and Common Council Members:

Sanitary Sewer Extension (Assessment Method)  
Olive Street/Tilden Road Area  
Project No. 99-2

The mail survey soliciting input from those property owners who would benefit from the extension of the City's sanitary sewer system to the Olive Street/Tilden Road area has been completed.

The results of this survey were compiled on April 29, 2003 with the following results:

- a. Comparison of results by number of lots:
  - Yes ----- 13 (48.15%)
  - No ----- 7 (25.93%)
  - No response ----- 7 (25.93%)
  - 27 Total number of lots in survey
  
- b. Comparison of results by areas of lots:
  - Yes ----- 4.064 acres (43.04%)
  - No ----- 2.24 acres (23.72%)
  - No response ----- 3.138 acres (33.23%)
  - 9.442 acres – Total acreage of benefiting properties

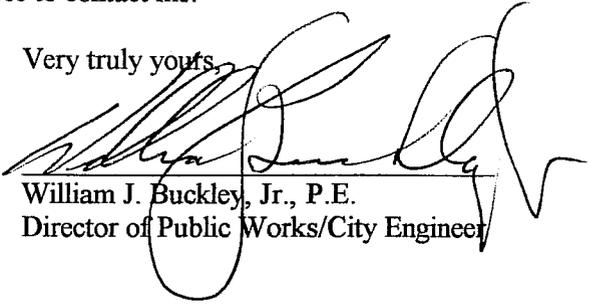
A color coded map showing how the owners of the lots that would be served voted has been prepared. The map is available in my office for review. I will bring the map to the May Common Council meeting.

Hopefully, this information will assist you in your deliberations as to whether this sanitary sewer construction project should go forward. If you decide that it should, we will prepare more detailed plans and profiles as well as an updated estimate and updated assessments for a public hearing.



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

Very truly yours,

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

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

C: Mario Ricozzi, P.E.  
Dena R. Diorio  
David M. Day, P.E.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

March 31, 2003

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

Dear Mayor Boughton and Common Council Members:

Proposed Sanitary Sewer Assessment Project  
Portions of Olive Street, Tilden Road, Melrose Avenue,  
and Springside Avenue

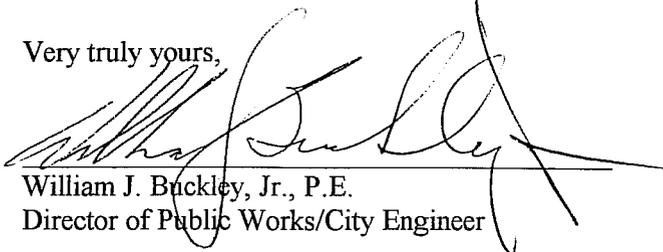
Enclosed please find copies of the March 27, 2003 mail survey letter sent by the Engineering Department to the property owners who would benefit from the above noted proposed sanitary sewer extension. Petitions for this sanitary sewer were referred to our department by the Common Council at April 1, 1997 and August 7, 1998 Common Council meetings.

Also enclosed for your reference are the spreadsheets that list the properties that will benefit from this project as well as property owner and assessment estimates information.

Our intent is to report the mail survey results to the Common Council for its May 2003 meeting.

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

Very truly yours,



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

Encl.

C: Dena R. Diorio



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

March 27, 2003

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

Dear Property Owner:

Proposed Sanitary Sewer: Portions of Olive Street, Melrose Avenue  
Springside Avenue, Tilden Road

The Common Council of the City of Danbury has received a request from property owners in your area to review the possibility of the extension of a municipal sanitary sewer to the above noted section of the City.

Before instructing this office to proceed with the preparation of detailed plans and cost estimates, the Common Council would like to get an idea of just how much interest there is in this proposal. Owners of lots that can be served by this proposed sanitary sewer have been mailed this letter.

Based upon preliminary cost estimates, it is estimated that the assessment for the benefits derived by said sewer extension is \_\_\_\_\_ for lot \_\_\_\_\_. This assessment amount represents your share in the total cost of the installation of the sanitary sewer main and of a lateral run to a point off the paved roadway for each property. This work will be done by a contractor chosen after the City puts this project out for public bid. This cost does not cover the cost to install your individual sewer service from the end of the lateral near the edge of the road to your dwelling. It also does not include the cost to abandon your existing septic system.

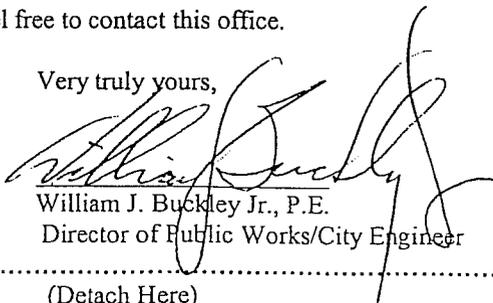
Payment of sewer assessments can generally be made over an extended time period, usually nineteen (19) years.

Will you please mark your choice on the bottom portion of this letter, detach it and return it in the enclosed self-addressed stamped envelope to the Engineering Department no later than April 23, 2003.

In order for the Common Council to make a decision on the status of this project, responses from a large percentage of property owners are needed.

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

Very truly yours,



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

(Detach Here)

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

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

Lot Number \_\_\_\_\_ Your Name \_\_\_\_\_

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



**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 3/27/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
1	K12126	27 OLIVE STREET	CURESKY, JOSEPH JOHN 27 OLIVE STREET DANBURY, CT 06810-6125	\$ 129,500.00	\$ 2,768.06	0.370	\$ 3,519.44	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 11,317.87	RA20,TC NONE, RESIDENTIAL,EX 1 FAMILY
2	K12127	29 OLIVE STREET	BABYAK, WILLIAM J & ROSEMARIE T 29 OLIVE STREET DANBURY, CT 06810-6125	\$ 139,700.00	\$ 2,986.08	0.370	\$ 3,519.44	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 11,535.89	RA20,TC NONE RESIDENTIAL,EX 1 FAMILY
3	K12025	30 OLIVE STREET	KOHUT, KENNETH A MULLEN, PATRICIA L 30 OLIVE STREET DANBURY, CT 06810-6144	\$ 117,900.00	\$ 2,520.11	0.180	\$ 1,712.16	70.00	\$ 2,406.40	1	\$ 2,967.74	\$ 9,606.41	RA20, TC 1395 RESIDENTIAL EX 1 FAMILY
4	K12128	31 OLIVE STREET	FREDDY E CALDERON 31 OLIVE STREET DANBURY, CT 06810	\$ 183,000.00	\$ 3,911.62	0.500	\$ 4,755.99	109.00	\$ 3,747.11	2	\$ 5,935.48	\$ 18,350.21	RA20,TC NONE RESIDENTIAL EX 2 FAMILY
5	K12010	32 OLIVE STREET	CICCARONE, VIRGINIA P., TRUSTEE 34 OLIVE STREET DANBURY, CT 06810	\$ 129,100.00	\$ 2,759.51	0.230	\$ 2,187.80	84.00	\$ 2,887.68	1	\$ 2,967.74	\$ 10,802.73	RA20,TC NONE RESIDENTIAL EX 1 FAMILY
6	K12009	34 OLIVE STREET	CICCARONE, VIRGINIA P., TRUSTEE 34 OLIVE STREET DANBURY, CT 06810	\$ 161,900.00	\$ 3,460.61	0.230	\$ 2,187.76	102.50	\$ 3,523.66	1	\$ 2,967.74	\$ 12,139.77	RA20,TC NONE, RESIDENTIAL EX 1 FAMILY CORNER LOT (80+125)/2
7	K12129	35 OLIVE STREET	JIMENEZ, WILLIAM & NINA 35 OLIVE STREET DANBURY, CT 06810-6125	\$ 121,700.00	\$ 2,601.33	0.180	\$ 1,712.16	65.00	\$ 2,234.52	1	\$ 2,967.74	\$ 9,515.75	RA20 TC NONE RESIDENTIAL EX 1 FAMILY
8	K12130	37 OLIVE STREET	POLK, JAMELE F 37 OLIVE STREET DANBURY, CT 06810-6125	\$ 121,700.00	\$ 2,601.33	0.140	\$ 1,331.68	50.00	\$ 1,718.86	1	\$ 2,967.74	\$ 8,619.61	RA20 RESIDENTIAL EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 3/27/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)	FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS	
9	K11018	38 OLIVE STREET	PETRUSO, BRIAN J & CHRISTINA LIANA 38 OLIVE STREET DANBURY, CT 06810	\$ 157,000.00	\$ 3,355.87	0.240	\$ 2,282.88	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 11,184.78	RA20 RESIDENTIAL EX. 1 FAMILY
10	K12131	39 OLIVE STREET	GRANGER ADAM & WALTERS, JESSICA 39 OLIVE STREET DANBURY, CT 06810	\$ 126,000.00	\$ 2,693.25	0.140	\$ 1,331.68	87.50	\$ 3,008.00	1	\$ 2,967.74	\$ 10,000.67	RA20, TC NONE EX 1 FAMILY CORNER LOT (50+125)/2
11	K11017	40 OLIVE STREET	ZEGARRA, ARTURO 40 OLIVE STREET DANBURY, CT 06810-5041	\$ 167,900.00	\$ 3,588.86	0.250	\$ 2,378.00	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 11,512.88	RA20 EX 1 FAMILY TC 101
12	K11022	41 OLIVE STREET	POSEM, DOROTHY M 43 OLIVE ST. DANBURY, CT 06810-5016	\$ 182,300.00	\$ 3,896.66	0.834	\$ 7,933.00	198.00	\$ 6,806.68	1	\$ 2,967.74	\$ 21,604.08	LOTS 22,23,24,25 & 26 EX 1 FAMILY, TC8941 CORNER LOT (150+246)/2
13	K11016	42 OLIVE STREET	SALAZAR JULIO & VICENTE ALBERTO & MIRIAN 42 OLIVE STREET DANBURY, CT 06810	\$ 173,200.00	\$ 3,702.14	0.240	\$ 2,282.88	104.50	\$ 3,592.41	2	\$ 5,935.48	\$ 15,512.92	RA20, No TC Map EX 2 FAMILY CORNER LOT (150+59)/2
14	K11004	46 OLIVE STREET	BARTON, MICHAEL & THERESA 46 OLIVE STREET DANBURY, CT 06810	\$ 182,200.00	\$ 3,894.52	0.290	\$ 2,758.48	95.19	\$ 3,272.36	1	\$ 2,967.74	\$ 12,893.10	RA20, TC1812 EX 1 FAMILY
15	K11027	47 OLIVE STREET	ANGLACE, KEITH A. & CATHERINE T. 47 OLIVE STREET DANBURY, CT 06810-5016	\$ 161,700.00	\$ 3,456.33	0.390	\$ 3,709.68	75.00	\$ 2,578.29	1	\$ 2,967.74	\$ 12,712.04	RA20 EX 1 FAMILY TC NONE
16	K11028	49 OLIVE STREET	HUY, LAY TOUCH, ASHLEY S 48 OLIVE STREET DANBURY, CT 06810	\$ 171,600.00	\$ 3,667.94	0.410	\$ 3,899.92	81.00	\$ 2,784.55	1	\$ 2,967.74	\$ 13,320.15	RA20, TC NONE EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 3/27/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
17	K11029	51 OLIVE STREET	KOEHLERT, AUGUST H IV & MICHELE G. LU TO SHADEED COLETTE 51 OLIVE STREET DANBURY, CT 06810-5016	\$ 197,900.00	\$ 4,230.11	0.760	\$ 7,229.11	150.00	\$ 5,156.57	1	\$ 2,967.74	\$ 19,583.53	RA20, TC NONE EX 1 FAMILY
18	K11031	55 OLIVE STREET	HOUSING AUTHORITY OF THE CITY OF DANBURY 2 MILL RIDGE ROAD DANBURY CT 06811-5231	\$ 216,400.00	\$ 4,625.54	1.128	\$ 10,729.52	220.46	\$ 7,578.79	2	\$ 5,935.48	\$ 28,869.34	RA20, TC4479 RESIDENTIAL EX. 2 FAMILY
19	K12026	32 MELROSE AVENUE	ARCHIERE, CARY J. & NINA J. 32 MELROSE AVENUE DANBURY, CT 06810-6142	\$ 137,300.00	\$ 2,934.78	0.180	\$ 1,712.16	107.75	\$ 3,704.14	1	\$ 2,967.74	\$ 11,318.82	RA20, TC1395 EX 1 FAMILY CORNER LOT (135.5+80)/2
20	K12027	34 MELROSE AVENUE	ARCHIERE, CARY J. & NINA J. 34 MELROSE AVENUE DANBURY, CT 06810-6142	\$ 35,000.00	\$ 748.12	0.150	\$ 1,426.80	60.00	\$ 2,062.63	1	\$ 2,967.74	\$ 7,205.29	RA20, TC1395 VACANT
21	K11020	30 SPRINGSIDE AVENUE	CASSAVECHIA MATTHEW G & CHRISTINE 30 SPRINGSIDE AVE DANBURY, CT 06810	\$ 238,000.00	\$ 5,087.24	0.360	\$ 3,424.32	128.00	\$ 4,400.28	1	\$ 2,967.74	\$ 15,879.58	RA20, TC101 EX 1 FAMILY CORNER LOT (100+156)/2
22	K11042	33 SPRINGSIDE AVENUE	BOCK, JACK K. JR, & GERTRAUT 35 SPRINGSIDE AVENUE DANBURY, CT 06810-6145	\$ 152,100.00	\$ 3,251.13	0.490	\$ 4,660.87	127.00	\$ 4,365.90	1	\$ 2,967.74	\$ 15,245.65	RA20, TC101 EX 1 FAMILY
23	K11007	7 TILDEN ROAD	NAZZARO, NELLIE CATHERN 7 TILDEN ROAD DANBURY, CT 06810-5017	\$ 147,300.00	\$ 3,148.53	0.310	\$ 2,948.72	85.00	\$ 2,922.06	1	\$ 2,967.74	\$ 11,987.05	RA20, TC 1755 EX. 1 FAMILY
24	K11006	9 TILDEN ROAD	JOHNSON, JULIANNE 9 TILDEN ROAD DANBURY, CT 06810-5017	\$ 152,700.00	\$ 3,263.96	0.300	\$ 2,853.60	85.00	\$ 2,922.06	1	\$ 2,967.74	\$ 12,007.36	RA20, TC 1755 EX 1 FAMILY

**OLIVE STREET, TILDEN ROAD, SPRINGSIDE AVENUE AND MELROSE AVENUE SANITARY SEWERS  
PRELIMINARY ASSESSMENTS (AS OF 3/27/03)**

No.	LOT #	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	ASSESSED VALUE		AREA (AC)		FRONT-AGE(ft)		UNITS		TOTAL ASSESSMENT	COMMENTS
25	K11005	11 TILDEN ROAD	BERGER MATTHEW A & MULLER KAREN A 11 TILDEN ROAD DANBURY, CT 06810	\$ 148,200.00	\$ 3,167.77	0.240	\$ 2,282.88	102.60	\$ 3,526.93	1	\$ 2,967.74	\$ 11,945.31	RA20, TC1811 EX 1 FAMILY CORNER LOT (74.5+130.69)/2
26	K11013	14 TILDEN ROAD	SILVA, ARTUR C. & MARIA HELENA 14 TILDEN ROAD DANBURY, CT 06810-5018	\$ 155,400.00	\$ 3,321.67	0.260	\$ 2,473.12	74.85	\$ 2,573.13	1	\$ 2,967.74	\$ 11,335.66	RA20, TC 1729 EX 1 FAMILY
27	K11014	16 TILDEN ROAD	ALVAREZ, EDGAR G & ANNA JEANNE 16 TILDEN ROAD DANBURY, CT 06810	\$ 150,400.00	\$ 3,214.80	0.260	\$ 2,473.12	74.85	\$ 2,573.13	1	\$ 2,967.74	\$ 11,228.79	RA20, TC1729 EX 1 FAMILY
28	K11015	18 TILDEN ROAD	LANSON, ERIC J. & SUZANNE H. 18 TILDEN ROAD DANBURY, CT 06810-5018	\$ 147,000.00	\$ 3,142.12	0.240	\$ 2,282.88	69.00	\$ 2,372.02	1	\$ 2,967.74	\$ 10,764.76	RA20, TC NONE EX 1 FAMILY
		TOTAL CONST:											
		\$ 368,000.00		\$ 4,304,100.00	\$ 92,000.00	9.67	\$ 92,000.00	2,676.20	\$ 92,000.00	31	\$ 92,000.00	\$ 368,000.00	
		\$ 92,000.00											



21-April

39

# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 11, 2003

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

Re: Lake Waubeeka Water System  
April 1, 2003 Meeting of the Common Council, Item No. 21

Dear Mayor Boughton and Members of the Common Council:

At the April 1, 2003 meeting of the Common Council, you referred Item No. 21 to me for a thirty-day report. Item No. 21 concerned a request from the Lake Waubeeka Association for the City to take over its water system. Be advised that the Lake Waubeeka water system is the second largest in the City of Danbury, second only to the City of Danbury's own water system. It serves a population of over one thousand.

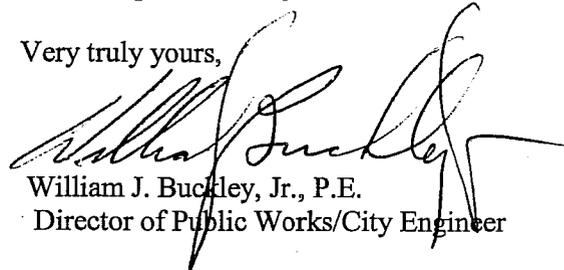
In the past, the City of Danbury has either taken over or acquired approximately fourteen of these smaller water systems. The procedure that we have followed is outlined below:

The Common Council normally authorizes us to conduct an engineering evaluation of the particular water system. Once the results of that engineering evaluation are reported back to us, we would review them and then forward a recommendation to the Common Council as to whether or not the Public Works staff would recommend that the City proceed with the acquisition of this water system and would discuss with the Common Council whether or not there was an expense associated with the acquisition of the water system. In instances where an expense is associated with the acquisition of the water system in the past, the Common Council has authorized us to acquire the water system through the assessment methodology (Pleasant Acres and Ta'Agan Point).

Consistent with the above procedure, we have requested of Roald Haestad, Inc., our consulting engineer relative to our water system, to provide us with a proposed scope of service that would cover the evaluation of the Lake Waubeeka Association private water system. Attached for your information is the April 7, 2003 scope of service prepared for us by Roald Haestad, Inc. consistent with the above-recommended procedure. As you can see on page three of the proposal, Roald Haestad, Inc. recommends a budget figure of \$10,500.00 for this

evaluation work. We have reviewed the scope and the budget and feel that this is a reasonable proposal and a proposal that accomplishes what we would like to see before coming back to the Common Council. At this point, if you would like us to move forward with this project, you should authorize us to proceed with the study. The monies would come from the water fund, fund balance, providing that a certification from the Director of Finance is attached. If you choose to authorize us to move forward, we will then complete the study and report its findings back to you so that we can discuss with you what further action you wish us to take. We estimate that the study period, once authorized, would be about two months, which would give us enough time to review the report upon its completion before we report back to you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William J. Buckley, Jr.', written over a printed name and title.

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

WJB/com

Encl.

C: Mario Ricoszi, P.E., with encl.  
Patricia A. Ellsworth, P.E.  
Dena R. Diorio, with encl.

**ROALD HAESTAD, INC.**  
*Consulting Engineers*

37 Brookside Road, Waterbury, Connecticut 06708  
Telephone: (203) 753-9800 FAX: (203) 597-1488

ROALD HAESTAD, P.E., F-ASCE, DEE  
RONALD G. LITKE, P.E., M-ASCE  
DONALD L. SMITH, P.E., F-ASCE, DEE  
SALVATORE LONGO, P.E., M-ASCE

April 7, 2003

RECEIVED

APR 7 2003

ENGINEERING DEPT.

City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Attention: William Buckley Jr., P.E.  
City Engineer/Public Works Director

Re: Amendment to October 27, 2000 Contract  
for On-Call Services  
Evaluation of Lake Waubeeka Association  
Private Water System

Gentlemen:

As per your April 1, 2003 request, we are pleased to provide herein our Scope of Services and estimated fee for preparing an Engineering Report on the proposed acquisition of the Lake Waubeeka Association water system by the City of Danbury. This report is intended to: evaluate the existing conditions of the system; determine the improvements needed to bring the system to the minimum standards of the Department of Public Utility Control (DPUC) or the Danbury Water Department (DWD), whichever is greater; and to evaluate the present worth of the system using DPUC procedures. If the City acquires this system, the final report will serve as an amendment to the City of Danbury Comprehensive Water Supply Plan.

SCOPE OF SERVICES

1. Review City of Danbury's files on the private water system, and any other pertinent data available from the City of Danbury, the Owner of the private water system, DPUC and Department of Public Health (DPH) (including Housatonic Water Utility Coordinating Committee reports).
2. Inspect the private water system with representatives from the DWD and System's Owner.
3. Prepare an Engineering Report to include the following:
  - a. Description of various components of the water system, pipe sizes and types, sources of supply, storage and treatment facilities.
  - b. List of deficiencies relative to DWD and DPUC standards.
  - c. Need for Department of Environmental Protection Diversion Permits for the wells.

## ROALD HAESTAD, INC.

### Amendment to October 27, 2000 Contract for On-Call Services Evaluation of Lake Waubeeka Association Private Water System

- d. Recommended improvements to upgrade service to comply with the requirements and standards of the DWD and DPUC, and for the DWD to provide adequate quantity and quality of water at acceptable pressures. It is anticipated that this system will remain a satellite system as it cannot be economically connected to the City's distribution system.
  - e. Estimates of existing and future population to be served, and projected consumption.
  - f. Expected revenues based on existing customers and consumption, and City of Danbury rate schedule.
  - g. Evaluation of the existing sources of supply and their suitability for continued use to provide adequate safe yield to serve the existing and projected demands of the system.
  - h. Review of the performance of the existing system, history of breakdowns of equipment, water main breaks, and loss of pressure or service from inadequate supply.
  - i. Identification of the utility lands associated with the system, their current use and adequacy for such use, and suitability for continued use in the DWD system.
  - j. Verification of service area as shown on the DWD service area map, showing potential expansion areas for the system, if any.
  - k. Identification of the future needs of the system and assessment of options for correcting deficiencies.
  - l. Cost estimates for improvements necessary to bring the system up to the standards of the DWD and DPUC.
  - m. Evaluation of the present worth using DPUC procedures.
  - n. Estimate manpower costs to operate the satellite system.
4. Submit two (2) review copies of draft report.
  5. Meet with you to review the report and make modifications to meet your approval.
  6. Provide 5 copies of final report.
  7. Attend meetings and hearings with DPH and DPUC. Upon your direction, provide additional data and documentation as they may request.
  8. Determine what properties are required for the City to own and operate the existing water system.
  9. Perform field surveys, as required, to verify that all components of the water supply and distribution system are within the parcels included in Item 8 above.
  10. Review proposed Agreements, between City and Owner of private water system.
  11. Provide letter report on findings of Items 8 - 10.

ROALD HAESTAD, INC.

Amendment to October 27, 2000 Contract for On-Call Services  
Evaluation of Lake Waubeeka Association  
Private Water System

FEE AND PAYMENT

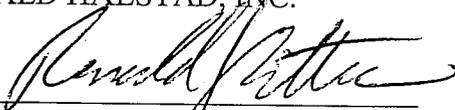
For Engineering Services under Scope of Services, Items 1 through 11, a per diem rate as described in Attachment I. A budget figure of \$10,500 is estimated for this work, although the scope is not well defined and beyond our control.

Two copies of this proposal are provided. The return of one signed copy will signify acceptance of its intent and our authorization to proceed.

If you have any questions please call.

Very truly yours,

ROALD HAESTAD, INC.

By   
Ronald G. Litke, P.E.  
Vice President

RGL/cmr

Accepted \_\_\_\_\_, 2003

CITY OF DANBURY

By \_\_\_\_\_  
(Duly Authorized)

Per Diem Compensation

The per diem rate is the hourly rate of the staff provided plus non-salary expense.

\*Average Hourly Rates

\*Average Hourly Rates for the various classifications of employees are as follows:

Principal	\$125.
Project Manager	115.
Professional Engineer/and Surveyor	90.
Engineer	75.
Inspector	73.
Drafter	70.
Technician/Clerical	40.

Non-Salary Expenses:

Mileage: Current IRS allowable (year 2003 = \$0.36/mile)

Identifiable costs directly applicable to the work such as costs of additional in-house copies of reports and contract documents beyond those supplied under contract:

- xerographic copies of pages at \$0.15/page (8-1/2" x 11");
- paper prints of drawings at \$0.75/s.f. with a minimum of \$4.50/sheet;
- drawings on plastic film at \$4.00/s.f. with a minimum of \$24.00/sheet; and,
- electronic media at \$50/diskette or CD.

Service directly applicable to the work such as commercial printing, photographs, special consultants, borings, laboratory charges, and the like, the actual invoice amount plus a service charge of 10%.

\*Calculation of the Average Hourly Rates shown above are as follows:

Hourly Base = Annual Base salary divided by 2080 hours.  
 example: (\$20,800/year divided by 2080 = \$10/hour)

Salary Cost = Base salary times a factor of 1.382 which covers the cost of payroll taxes vacation, sick leave, medical and insurance benefits, and the like.  
 example: (\$10 x 1.382 = \$13.82 per hour)

Overhead and Profit = Salary cost times a factor of 2.156  
 example: (\$13.82 x 2.156 = \$29.80 charged per hour)

Billing is based on the actual Hourly Rate of the employee whose time is directly chargeable to the work at the time the service is performed.



# CITY OF DANBURY

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

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

April 30, 2003

PLEASE REPLY TO:  
DANBURY, CT 06810

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

Re: April Agenda Item #21  
Lake Waubeeka Water System

Dear Mayor and Common Council Members:

Please accept this letter in response to your request for a report concerning the above-referenced item. This matter comes before the Common Council in the form of a request by the Lake Waubeeka Association, Inc. that the city consider the possibility of taking over ownership and operation of the Lake Waubeeka water system. I have received a copy of the report from the City Engineer, in which Mr. Buckley proposes to hire Roald Haestad, Inc. to evaluate the system.

This approach seems quite reasonable because before we can properly consider the request, we need to know the condition of the system. If you choose to proceed with the evaluation we will of course be available to work with the Public Utilities personnel to craft a proposal for your consideration should that be appropriate.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gottschalk".

Eric L. Gottschalk  
Assistant Corporation Counsel

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



# CITY OF DANBURY

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

40

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

PLEASE REPLY TO:  
DANBURY, CT 06810

April 30, 2003

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

Re: April Agenda Item #31  
146-148 South Street, LLC - Road Widening Parcels  
Conveyance to City

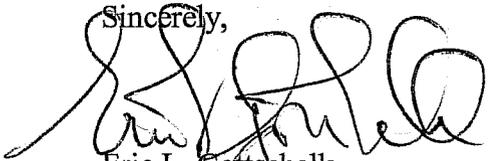
Dear Mayor and Common Council Members:

Please accept this letter in response to your request for a report concerning the above-referenced item. This matter comes before the Common Council in the form of a request for City acceptance of a warranty deed to a road-widening parcel as well as a sidewalk/road widening easement submitted by the petitioner, 146-148 South Street, LLC. The deed and easement are offered to the City in accordance with the requirements of planning commission special exception and site plan approval.

Once you have obtained a report from the City Engineer, the decision to accept or reject the offer of these property interests will be within the discretion of the Common Council. Acceptance of them has however been the general rule to be followed unless some unusual condition exists.

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

Sincerely,



Eric L. Gottschalk  
Assistant Corporation Counsel

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



33-4111

# CITY OF DANBURY

41

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 25, 2003

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

Re: Item #33, April 1, 2003 Common Council Meeting  
Drainage Problem at 205 Stadley Rough Road

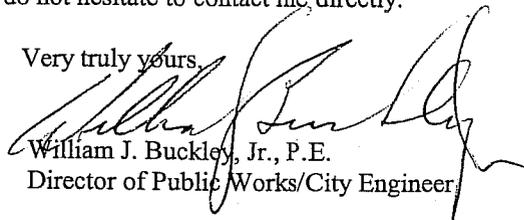
Dear Mayor Boughton and Members of the Common Council:

At the April 1, 2003 meeting of the Common Council, you referred the above referenced item to me for a thirty-day report. Attached you will find a letter that I have written to Brian Olsen outlining a proposed resolution to the drainage problem outlined in his March 2003 letter to you which also had attached to it a copy of a May 12, 1992 letter to Mayor Gene Eriquez. As you can see from my response to Mr. Olsen, I have been involved in this problem for quite some time and have proposed solutions to him in the past that did not meet with his satisfaction or agreement. We are proposing, with your concurrence and approval, to pave a portion of his driveway and/or to compensate him monetarily for having his driveway paved by his own paving contractor. I would want both of these conditions to be put in an agreement that would be approved by the Corporation Counsel's office. Again, this would be subject to your approval.

The pipe that Mr. Olsen refers to is on his property, was not installed by the City of Danbury, and there does not appear to be an easement to the City for this particular drainage pipe. My guess is that a swale at one time carried water from the road and in order to build the house that Mr. Olsen now lives in along with its garage, the pipe was installed by the developer and carried the water to the backyard of the house. As some of you are aware, this is not uncommon and more often than not creates a problem similar to the one we are addressing here.

Highway Superintendent Frank Cavagna and I do think that what we are proposing in the attached letter represents a fair compromise on settling the issue relative to the damaged driveway. As always, should you have any questions regarding this matter, do not hesitate to contact me directly.

Very truly yours,



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

Encl.

cc: Brian Olsen  
Frank Cavagna





# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

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

April 25, 2003

Brian Olsen  
205 Stadley Rough Road  
Danbury, CT 06810

Dear Mr. Olsen:

Re: 205 Stadley Rough Road

Your letter to the Common Council was referred to me for a thirty-day report. As you are aware, I have been at the property noted above a number of times with different City personnel to try to evaluate and find a solution that would be agreeable to you. Just recently, Highway Superintendent Frank Cavagna and I visited the site again and, with only one exception the elimination and removal of the hot water heater at the terminus of the pipe in your backyard, the pipe along and under the driveway looks very much the same as it has for the last ten years.

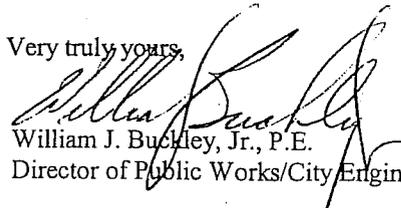
Our offer to you then was for the City to pave the driveway along its length, up to the point at the back of your house. We would not pave the driveway past the point of the back of your house. The portion of the paved area directly in front of the garages was deteriorated ten years ago and continues to deteriorate as a result of the high water table and a lack of sub-base material in the area of that particular paved portion. It is important to note that that particular paved portion has nothing to do with the drainage pipe which was the subject of your letter to the Common Council.

Mr. Frank Cavagna and I have reviewed the situation again, and we feel that our offer to pave the driveway, consistent with Common Council approval, and subject to the conditions listed in the above paragraph, still stands. In lieu of that, we would pay up to \$1500.00 towards your paving of the driveway. Again, this would be subject to Common Council approval. It also would be subject to terms and conditions as outlined by the City's Corporation Counsel.

I will be forwarding a copy of this letter to the Common Council so that they can determine whether or not they wish to support this proposal or discuss it further. If the Common Council chooses to support it, I will contact you again after the May meeting of the Common Council to see if you would like to negotiate the terms of the paving or the payment proposal solutions. Both Mr. Cavagna and I see no reason to relocate the pipe or to adjust its height.

Should you have any questions in the meantime, feel free to contact me.

Very truly yours,



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

cc: Frank Cavagna



# CITY OF DANBURY

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

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

PLEASE REPLY TO:  
DANBURY, CT 06810

April 30, 2003

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

Re: April Agenda Item #33  
Drainage Problem at 205 Stadley Rough Road

Dear Mayor and Common Council Members:

Please accept this letter in response to your request for a report concerning the above-referenced item. This matter comes before the Common Council in the form of a claim submitted by the petitioner, Brian Olson. I have received a copy of the report from the City Engineer, in which Mr. Buckley proposes to either pave a portion of Mr. Olson's driveway or compensate him for the cost of doing so himself.

I would suggest further, as part of the settlement of this claim, first, that the property owner should provide the city with an easement covering the area of the drainage pipe and second, that the parties should exchange mutual releases. These additional steps would have advantages for both parties in terms of resolving past liability as well as future maintenance responsibilities.

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

Sincerely,

Eric L. Gottschalk  
Assistant Corporation Counsel

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

April 21, 2003,

Dear Common Council Member,

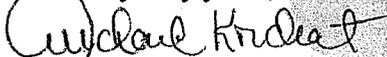
The enclosed materials represent a proposal for a parking garage in the basement of the Straus building on Delay Street in City Center. The building currently houses Zero Gravity Gymnastics and The Colorado Brewery & Steakhouse. Three proposals are identified with other configurations possible. The cost and capacities make the proposals timely considering the identified need for increased parking and the cost effectiveness of using an existing space ideally located in the downtown City Center. The proposal would provide the added benefit of a "walk through" passage from Main Street to businesses and the Danbury Ice Arena in City Center.

The Colorado Brewery & Steakhouse, the Danbury Ice Arena and other businesses agree with the study commissioned by City Hall identifying the need for increased parking. The cost savings from utilizing prime vacant space, readily available, would allow the city to explore the other parking options currently being considered while providing parking to the businesses that need it immediately. The landlord, Fred Straus Realty, has expressed a willingness and desire to work with the city to make the space available and commissioned the proposal from O&S Associates of Englewood Cliffs, New Jersey. It represents a well thought out plan that is timely and cost effective.

O&S Associates is the designer of the new 600 car facility currently under construction by the city of Yonkers. The cost per car at that facility is \$15,000, not including real estate. That number is 2-3 times, approximately \$4000-\$7000 per car, of the proposed basement conversion at 6-8 Delay Street. Please note the estimated period of renovation is 3-4 months as opposed to the proposed projects which are, at best, two years away from actually providing parking spaces to our customers. I have also enclosed a list of successful O&S Associates conversion and renovation projects.

At a minimum, I believe this proposal warrants a feasibility review by city engineers and planning. Your consideration and input would be greatly appreciated.

Very truly yours,



Michael Kondrat  
Owner

/kaa  
encl.



February 10, 2003

**FAXED & MAILED**

**Colorado Brewery & Trading Company**

6 Delay Street  
Danbury, CT 06810  
(Tel# 203/791-1450 Fax# 203/791-1445)

Attn.: Mr. Michael Kondrat

RE: Conversion of Existing Basement to Parking Garage at the  
**6-8 DELAY STREET BUILDING, Danbury, CT**

Gentlemen:

In our letter of March 9, 2001 to Fred Strauss, Inc., we outlined a program to convert the existing 40,000 sf basement of the 6-8 Delay Building into a parking garage. The conversion will require construction of new vehicular ramp from the parking lot into the basement. This new ramp may be located at the center of the existing building where the present lobby and main stairs are located. This construction would entail minor structural modifications and architectural changes to the building's façade and 1<sup>st</sup> floor tenant egress and entrances. The new construction of the ramp will also require reconfiguration of the existing parking lot and new curb cuts at the sidewalk.

The estimated project costs of the three conversion options are as follows:

Option	Description	Capacity (Estimated)	TOTAL PROJECT COST	COST per Car
#1	Convert Basement to Self-Park Enclosed Parking Garage	90 cars, self park	\$ 650,000.00	\$ 7,222.22
#2	Convert Basement to Valet-Park Enclosed Parking Garage	160 cars, Valet park	\$ 700,000.00	\$ 4,375.00
#3	Convert Basement to Self-Park Enclosed Parking Garage	220 cars, valet park w/Vehicle Stackers	\$ 940,000.00	\$ 4,272.73

The following is the proposed scope of work required for the conversion of the building's basement into an enclosed parking garage

### SCOPE OF GARAGE RENOVATION WORK

- 1) Reconfiguration of existing parking lot with new curb cuts.
- 2) Demolition of existing building lobby, stairs and landscaping.
- 3) Construction of concrete retaining walls for new ramp.
- 4) Construction of new vehicular ramp.
- 5) New parking lot lighting and landscaping.
- 6) Structural modifications to building's façade.
- 7) Architectural changes to 1<sup>st</sup> floor of tenant egress and entrance.
- 8) Interior of garage demolition of existing finishes and equipment.
- 9) Installation of new mechanical ventilation system.
- 10) Installation of carbon monoxide monitoring system.
- 11) New Lighting System to meet standards for enclosed parking garage.
- 12) New emergency lighting to existing exits.
- 13) Accommodation of required handicap spaces in parking plan to meet code requirements.
- 14) Modifications to existing floor drainage system.
- 15) Installation of oil separator tanks below grade.
- 16) New Fire Alarm system and panel.
- 17) Modifications to existing sprinkler system to dry system.
- 18) New 2hrs rated column and ceiling enclosure.
- 19) Insulation of ceiling for 1<sup>st</sup> floor tenants.
- 20) Heat tracing and protection of existing drainage and water lines from 1<sup>st</sup> floor tenants.
- 21) Enclosure of existing sprinkler valves, electrical panels etc.
- 22) Replacement of existing doors and hardware for garage egress.
- 23) New interior concrete curbs and walkways.
- 24) New security system for garage.
- 25) Minor structural repairs to existing floor slab and steel framing.
- 26) Installation of protective guardrail system to protect columns and walls.
- 27) Floor crack and joint repair.
- 28) Scarification and sealing of concrete slab-on-grade to create a slip-resistant floor.
- 29) New garage manager's office.
- 30) New painted and illuminated signage system.
- 31) Installation of security gates and card reading equipment.
- 32) New overhead door for garage.
- 33) For option No.3, installation of new car stackers in selected locations. This work may require minor structural modifications to existing concrete slab on-grade.

The estimated period to complete the above outline renovation work would be about 3 to 4 months.



Mr. Michael Kondrat  
COLORADO BREWERY & TRADING COMPANY  
February 10, 2003

We understand that the City of Danbury is planning to construct two new parking structures. O&S Associates is the designer of the new 600 car Buena Vista Parking Structure for the City of Yonkers. This facility is under construction and the cost per car is about \$15,000.00 per self-park space. The cost per car for a new facility is two to three times the cost of the basement conversion at 6-8 Delay Street.

O&S Associates Consulting Engineers provides the Owner an experienced and knowledgeable design team in parking garage construction, renovation and functional/aesthetic improvements. We are currently providing parking consultant services such a planning and feasibility studies to several major developers in the area. Our design teams has been involved in the planning, design, construction and restoration of over 400 parking garages. This O&S design team has successfully completed the planning, design, construction and rehabilitation of many parking garages and lots. Based on our successful track record and our specialized experience in the parking industry, we strongly believe that the O&S design team will provide you with a cost effective garage conversion project.

We appreciate the opportunity of being considered for these consulting services. We trust that our letter has been responsive to your request, the needs of the project, Colorado Brewery and the **City of Danbury.**

Sincerely,  
**O & S Associates, Inc.**

A handwritten signature in black ink, appearing to read 'Orlando E. Ballate'.

**Orlando E. Ballate, P.E.**  
Principal

c. O&S Brochure



March 9, 2001

**FAXED & MAILED**

**Fred Strauss Inc.**

104 St. Andrews Place  
Yonkers, New York 10705  
(Tel# 914/969-4848 Fax# 914/969-4849)

Attn.: Mr. Steve Strauss

RE: Conversion of Existing Basement to Parking Garage at the  
**6-8 DELAY STREET BUILDING**, Danbury, CT  
*Proposal for Consulting Engineering Services*

Gentlemen:

Per your request, we are pleased to submit our proposal for consulting engineering and parking consulting services associated with the conversion of the existing 40,000 sf basement of the Delay Street Building into an enclosed parking garage. We have visited the building on March 7, 2001 and have made a preliminary review of several of the original design drawings. Based on our preliminary review, the conversion of the basement into an enclosed garage appears to be feasible without major structural changes. We have made a preliminary review of the potential parking capacity of the basement with three parking options:

OPTION #1 – Self-Park, Enclosed Basement Parking Garage	90 cars
OPTION #2 – Valet-Park, Enclosed Basement Parking Garage	160 –170 cars
OPTION #3 – Self-Park, Enclosed Basement Parking Garage W/ Mechanical Lifts	240 - 280 cars

The conversion will require construction of new vehicular ramp from the parking lot into the basement. This new ramp may be located at the center of the existing building where the present lobby and main stairs are located. This construction would entail minor structural modifications and architectural changes to the building's façade and 1<sup>st</sup> floor tenant egress and entrances. The new construction of the ramp will also require reconfiguration of the existing parking lot and new curb cuts at the sidewalk.

The following is the proposed scope of work required for the conversion of the building's basement into an enclosed parking garage

SCOPE OF GARAGE RENOVATION WORK

- 1) Reconfiguration of existing parking lot with new curb cuts.
- 2) Demolition of existing building lobby, stairs and landscaping.
- 3) Construction of concrete retaining walls for new ramp.
- 4) Construction of new vehicular ramp.
- 5) New parking lot lighting and landscaping.
- 6) Structural modifications to building's façade.
- 7) Architectural changes to 1<sup>st</sup> floor of tenant egress and entrance.
- 8) Interior of garage demolition of existing finishes and equipment.
- 9) Installation of new mechanical ventilation system.
- 10) Installation of carbon monoxide monitoring system.
- 11) New Lighting System to meet standards for enclosed parking garage.
- 12) New emergency lighting to existing exits.
- 13) Accommodation of required handicap spaces in parking plan to meet code requirements.
- 14) Modifications to existing floor drainage system.
- 15) Installation of oil separator tanks below grade.
- 16) New Fire Alarm system and panel.
- 17) Modifications to existing sprinkler system to dry system.
- 18) New 2hrs rated column and ceiling enclosure.
- 19) Insulation of ceiling for 1<sup>st</sup> floor tenants.



Mr. Steve Strauss  
FRED STRAUSS Inc.  
March 9, 2001

- 20) Heat tracing and protection of existing drainage and water lines from 1<sup>st</sup> floor tenants.
- 21) Enclosure of existing sprinkler valves, electrical panels etc.
- 22) Replacement of existing doors and hardware for garage egress.
- 23) New interior concrete curbs and walkways.
- 24) New security system for garage.
- 25) Minor structural repairs to existing floor slab and steel framing.
- 26) Installation of protective guardrail system to protect columns and walls.
- 27) Floor crack and joint repair.
- 28) Scarification and sealing of concrete slab-on-grade to create a slip-resistant floor.
- 29) New garage manager's office.
- 30) New painted and illuminated signage system.
- 31) Installation of security gates and card reading equipment.
- 32) New overhead door for garage.
- 33) For option No.3, installation of new car stackers in selected locations. This work may require minor structural modifications to existing concrete slab on-grade.

We would estimate the construction cost of this conversion would be about \$600,000 to \$700,000 (Average Cost per valet car space \$ 3,900/valet car or \$7,200/self-park space) excluding cost of new stackers. The cost of new stackers for option No. 3 would be an additional \$250,000 to \$300,000 (Average cost for Option# 3 is \$3,500/valet car). The estimated period to complete the above outline renovation work would be about 3 to 4 months.

Our scope of architectural and engineering services for this project would be as follows:

***PART I – Design, Engineering, Drawings and Project Specifications:***

**TASK 1 – ANALYSIS, DESIGN and PREPARATION OF DETAILS**

1. Condition Survey and Testing of existing structure to prepare preliminary drawings and cost estimates for work. These drawings are to be used to present to zoning for project approval.
2. Prepare architectural drawings for the garage conversion.
3. Design of new parking garage vehicular entrances/exits.
4. Design and Prepare details for structural modifications.
5. Design and Prepare Details for waterproofing work.
6. Design and Prepare Details for Drainage improvements.
7. Design and Prepare Details for New Mechanical Ventilation System.
8. Design new Lighting System for garage and parking lot.
9. Design new Carbon Monoxide Monitoring System.
10. Modifications to existing fire protection system.
11. New parking lot configuration and curb cuts.
12. Design of new manager's office and customer waiting area.
13. Design of new Painted and Illuminated Signage.
14. Design and Prepare Details for other repair and renovation work.

**TASK 2 - DEVELOPMENT OF TECHNICAL SPECIFICATIONS**

1. Preparation of technical specifications for each individual work item outlining performance criteria, testing requirements during construction, warranties for each work item.
2. Repair procedures and specific materials are to be identified in the specifications to assure proper prosecution of the work.
3. Specific material testing during construction is to be outlined to determine acceptability and conformance of work with contract requirements.

**TASK 3 –PREPARATION OF RENOVATION DRAWINGS**

1. A detailed set of renovation drawings are to be issued incorporating value engineering and survey information showing location and/or approximate extent of repairs.

***PART II – Bidding Assistance:***

1. Assist the OWNER in the preparation of technical and procurement of bids, attend pre-bid conferences and preparation and issuance of addenda as appropriate to interpret, clarify, or expand the bidding documents.
2. Assist the OWNER in reviewing the qualifications and acceptability of prospective contractors, subcontractors and suppliers.
3. Advise the OWNER as to the acceptability of alternate materials and equipment proposed by the prospective contractors when substitution prior to award of contracts is allowed by the bidding documents. Any substitution shall be made prior to formal award of the construction contract.
4. Evaluate the bids received and submit their findings and recommendations to OWNER based on the technical competence and cost competitiveness of the bidding parties.

***PART III - Construction Administration and Supervision:*****TASK 1 - CONSTRUCTION ADMINISTRATION**

- A. Review and approval of all submittals from the Contractor. This includes all shop drawings and other materials such as concrete mixes, etc.
- B. Interpret and clarify contract documents, prepare change orders requiring special inspections and testing of the work, and make recommendations as to the acceptability of the work. Formal approval by the OWNER shall be required on all changes affecting form, fit function and cost.
- C. Review the Applications for Payment submitted by the Contractor and forward them with recommendations for payment.
- D. After Substantial Completion, review the completed work and prepare a punchlist.
- E. Final inspection and written report upon completion of the project, including recommendations concerning final payments to contractors and release of retained percentages.

**TASK 2 - PERIODIC JOBSITE VISITS by PROJECT ENGINEER**

- A. Conduct on-site observations and spot check the work in progress as a basis for determining conformance of work, materials and equipment with the Contract Documents.
- B. Attend jobsite visits requested by Owner or Garage Manager.



O&S Associates Consulting Engineers provides the Owner an experienced and knowledgeable design team in parking garage construction, renovation and functional/aesthetic improvements. We are currently providing parking consultant services such a planning and feasibility studies to several major developers in the area. Our design teams has been involved in the planning, design, construction and restoration of over 400 parking garages.

Following is partial listing of garage restoration projects engineered by O&S Associates:

- (1) New Jersey Performing Arts Center Garage, Newark, NJ
- (2) 175 Great Neck Garage, Great Neck, NY
- (3) The Doric Apt. Building Garage, Union City, NJ
- (4) 300 Old Country Road Garage, Mineola, NY
- (5) Stamford Town Center, Stamford, CT
- (6) Riverside Square Mall Garage, Hackensack, NJ
- (7) The Blair House, Hackensack, NJ
- (8) The Versailles parking garage, West New York, NJ
- (9) Blue Cross - Blue Shield Garage, Providence, RI
- (10) Shawnee Mission Parkway Garage, Kansas City, KS
- (11) The Atrium Palace, Fort Lee, NJ
- (12) The Bell Street Garage, Stamford, CT
- (13) One Liberty Place, New York, NY
- (14) World Financial Plaza, New York, NY
- (15) 101 JFK Parkway Garages, Short Hills, NJ
- (16) Garth Essex Garage/Plaza, Scarsdale, NY
- (17) 360 Hamilton Avenue Parking Garage, White Plains, NY
- (18) 60 Cuttermill Rd. Office Building Garage, Great Neck, NY
- (19) 20-40 Jay Street Office Building Garage, New York, NY
- (20) 500 Summit Lake Drive Garage, Valhalla, NY

This O&S design team has successfully completed the planning, design, construction and rehabilitation of many parking garages and lots. Based on our successful track record and our specialized experience in the parking industry, we strongly believe that the O&S design team will provide you with a cost effective garage conversion project.



**FEES AND SCHEDULE**

The total proposed engineering fees for the Survey, Design and Construction Supervision are as follows:

- PART IA – Condition Survey and Preliminary Design for Zoning Approval ..... \$20,000.00
- PART IB – Design, Engineering, Drawings, Specifications and Bid Documents .....\$35,000.00
- PART II – Bidding Services ..... \$5,000.00
- PART III – Construction Administration and Supervision
  - (a) Construction Administration ..... \$ 2,500.00 per month.
  - (b) Jobsite Inspections ..... \$ 400.00 per visit

The costs for reimbursable expenses for bid document reproduction, testing costs for material testing during construction, mailing costs and travel costs would be **\$1,500.00.**

**PROJECT SCHEDULE:**

O&S is prepared to dedicate the required staff to meet the proposed project schedule shown below:

- 1. Engineering Contract Award 3/15/01
- 2. Condition Survey and Preliminary Design 4/10/01
- 3. Zoning Approval (2 weeks)
- 4. Construction Drawings and Bid Documents 5/10/01
- 5. Project Bidding and Award 6/1/01
- 6. Renovation Work 6/8 thru 8/15

O&S can provide assistance during bidding in identifying qualified specialty garage renovation contractors. The short bidding period will contacting contractors during the design process and alerting them to the project scope in order to receive the most favorable pricing.

We will dedicate manpower/resources of O&S to perform our services on a timely and responsive basis.

**TERMS AND CONDITIONS**

- (1) The OWNER will provide O & S Associates original design documents and all previous survey and design documentation (reports, drawings and specifications) prepared by others.
- (2) If payment is not received within 20 days of invoicing O & S may discontinue all services relating to this contract and retain all information, plans and specifications completed for the project.
- (3) The Owner will pay O&S a Lump Sum retainer amount of \$5,000.00 (Five Thousand Dollars) at the start of the engineering assignment.
- (4) Service performed by this office under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the engineering profession currently practicing under similar conditions. No other warranty, expressed or implied is made.



Mr. Steve Strauss  
FRED STRAUSS Inc.  
March 9, 2001

We appreciate the opportunity of being considered for these consulting services. We trust that our proposal has been responsive to your request, the needs of the project and **Fred Strauss Inc.** If this proposal is acceptable, please sign below and return a copy for our files.

Sincerely,  
O & S Associates, Inc.

Orlando E. Ballate, P.E.  
Principal

ACCEPTED: \_\_\_\_\_

NAME/TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

c. O&S Brochure

43

# Ciao! Cafe and Wine Bar

Historic Dining/ Entertainment District  
2B Ives Street Danbury, CT 06810 (203) 791-0404

3/24/03

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

Sirs,

It has come to my attention that a lease agreement between the City of Danbury and Ives Restaurant Associates Inc, d/b/a Ciao Café concerning 191 square feet of sidewalk used for part of an outdoor patio has ended. I would like to renew this lease for another 10 years under the terms, rent and conditions of the original lease. A copy is enclosed for your review.

Ciao Café recently celebrated its 14<sup>th</sup> year as part of CityCenter Danbury. We are proud to have an Award of Distinction from the Zagat Guide as well as an Award of Excellence from the Wine Spectator. I feel both Ciao! Café and our other restaurant Two Steps Downtown Grille are an integral part of economic revitalization in CityCenter Danbury. Your time and consideration is appreciated.

Sincerely,



Tom Devine President  
Ives Restaurant Associates, Inc. d/b/a  
Ciao! Cafe and Wine Bar

Cc: Dennis Elpern

- Wine Spectator Award of Excellence Since 1997 -  
- Zagat Guide Award of Distinction -

# This Indenture,

Made by and between the CITY OF DANBURY, a municipal corporation located in the County of Fairfield and organized and existing under and by virtue of the laws of the State of Connecticut, acting herein by Gene F. Enriquez, its Mayor, hereunto duly authorized, hereinafter designated as the

copy of P. Elgerson 5/6/93

**Lessor**, and IVES RESTAURANT ASSOCIATES, INC., D/B/A CIAO CAFE, a Connecticut Corporation, having a principal place of business at Ives Street, Danbury, Connecticut, acting herein by Thomas Devine, its President, hereinafter designated as the

**Lessee**, WITNESSETH: That the Lessor has leased, and does hereby lease to the said Lessee

ALL THAT CERTAIN PIECE or parcel of land containing 191 Square Feet, more or less, and more particularly described in Schedule A attached hereto and made a part hereof. Said property shall be used solely for and as an outdoor patio in conjunction with the operation of the LESSEE'S restaurant business located at Ives Street, Danbury, Connecticut.

for the term of ten (10) years from the first day of January A.D., 19 93,  
for the term rent of Ten Dollars (\$10.00) ~~Dollars,~~  
payable in annual payments of One Dollar (\$1.00) ~~Dollars,~~  
each, to wit: on the first day of January in each year of said lease term.

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

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

Provided, however, and it is further agreed that if the said rent shall remain unpaid ten (10) days after the same shall become payable as aforesaid, or if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration therein without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation therein expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken, as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee

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

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

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

~~And it is further agreed that the said Lessee to pay the water rates, or rent, for all water used and consumed on said leased premises during the term aforesaid, in addition to the rent hereinbefore provided for.~~

~~And it is further agreed between the parties to these presents, that in case the building or buildings erected on the premises hereby leased shall be partially damaged by fire or otherwise, the same shall be repaired as speedily as possible at the expense of the said Lessor; that in case the damage shall be so extensive as to render the building or demised premises untenable, the rent shall cease until such time as the building shall be put in complete repair; but in the case of the total destruction of the premises, by fire or otherwise, the rent shall be paid up to the time of such destruction and then and from thenceforth this Lease shall cease and come to an end.~~

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

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

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

AND THE LESSEE shall take out and maintain during the life of the Lease such comprehensive general liability insurance as will protect it and the LESSOR from claims for damages for personal injury, including accidental or wrongful death, as well as from claims for property damage which may arise from the LESSEE'S use and occupancy of the leased premises, whether from the actions or inactions of any of the LESSEE'S officers, agents, employees or business invitees. As a minimum limit of insurance coverage, the LESSEE shall maintain limits of not less than \$1,000,000 (combined) per occurrence, covering both personal injury liability and property damage liability. Insurance policies shall provide for the reinstatement of full coverage following the payment of each and every claim. During the entire term of this Lease, the LESSOR shall be named as an additional insured on each such policy of insurance. On or before the date of execution of this Lease, the LESSEE shall provide LESSOR with a Certificate of Insurance reciting the extent of the LESSEE'S coverage and providing for not less than thirty (30) days' notice of policy cancellation. It is understood and agreed that this Lease shall automatically terminate upon the failure of the LESSEE to maintain the foregoing insurance throughout the term hereof.

County of FAIRFIELD

On this the 4th

day of December, 19 92, before me,  
the undersigned officer, personally appeared

Thomas Devine who acknowledged himself to be the President  
of Ives Restaurant Associates, Inc., a corporation, and that he as such President,  
being authorized so to do, executed the foregoing instrument for the purposes therein  
contained, by signing the name of the corporation by himself as President

In Witness Whereof, I hereunto set my hand and official seal.

*Louise P. O'Neil*  
LOUISE P. O'NEIL  
NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 31 1993  
Title of Office

DEPT. I V & F 1901. 00 I

...not attach anything thereto without the LESSOR'S prior written consent.

THIS LEASE shall automatically terminate upon the expiration or termination of the LESSEE'S lease of property currently occupied by Ciao Cafe on Ives Street in Danbury, Connecticut.

THE LESSOR may, at its sole option and in its sole discretion, terminate this Lease without obligation or liability of any kind to the LESSEE, upon ninety (90) days' prior written notice to it.

In Witness Whereof, the parties hereto have hereunto set their hands and seals, and to a duplicate of the same tenor and date, this 11th day of January A. D. 19 93.

Signed, Sealed and Delivered in presence of

Laszlo L. Pinter  
Laszlo L. Pinter

CITY OF DANBURY LS

Basil J. Priscia  
Basil J. Priscia

By: Gene F. Eriquez LS  
Gene F. Eriquez, its Mayor

Catherine R. White  
Catherine R. White

IVES RESTAURANT ASSOCIATES, INC. LS  
D/B/A CIAO CAFE

Louise I. Oliva  
Louise I. Oliva

By: Thomas Devine LS  
Thomas Devine, its President

State of Connecticut }  
County of

On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 92, before me, \_\_\_\_\_ the undersigned officer, personally appeared

whose name \_\_\_\_\_ known to me (or satisfactorily proven) to be the person subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

State of Connecticut }  
County of FAIRFIELD } ss. DANBURY

Title of Officer

On this the 11th day of January, 19 93 before me,

Laszlo L. Pinter the undersigned officer, personally appeared Gene F. Eriquez who acknowledged himself to be the Mayor of the City of Danbury, a corporation, and that he as such Mayor being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

In Witness Whereof, I hereunto set my hand and official seal.

Laszlo L. Pinter  
Laszlo L. Pinter  
Commissioner of the Superior Court

Title of Officer

Notary for Record  
4:00 P.M.  
JAN 15 1993  
Michael R. Seac

A parcel of land containing 191 square feet, more or less, located on the southwesterly side of Ives Street described as follows:

Beginning at a point on the southwesterly Ives Street street line, said point being 5.5 feet southeast of the northeasterly corner of land now or formerly of Cappiello Jewelry Stores, Inc., thence along the southwesterly Ives Street street line  $S28^{\circ}37'44''E$  a distance of 21.70 feet, thence turning and running through the Ives Street right of way  $N65^{\circ}06'32''E$  a distance of 5.84 feet to a point, thence  $N44^{\circ}53'06''E$  a distance of 6.74 feet to a point, thence turning and running westerly along a curve to the left with a radius of 67.50 feet, and a central (interior) angle of  $17^{\circ}57'11''$  and a length of curve of 21.15 feet to a point, thence  $S61^{\circ}22'16''W$  a distance of 6.20 feet to the point or place of beginning.

For a more particular description reference is made to a map entitled "Map Prepared for the City of Danbury Showing Portion of Ives Street Right of Way to be Leased to Ciao Cafe Ives Street, Danbury, Conn. Scale 1"=10' October 8, 1992" prepared by Ireneo H. Despojado, P.E. & R.L.S. No. 12050 which map is to be filed in the Danbury Land Records.

RECORDED  
INDEXED  
OCT 10 1992  
CITY OF DANBURY

# *Ciao! Cafe and Wine Bar*

43

Historic Dining/ Entertainment District  
2B Ives Street Danbury, CT 06810 (203) 791-0404

3/24/03

Jimetta Samaha  
Assistant City Clerk  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Ms. Samaha,

Could you please put us on the next agenda for the Common Council meeting. Also if you would notify me either by phone or mail so that I can plan to attend. Thank you. (203) 794-0032.

Sincerely,



Tom Devine  
Ciao! Cafe and Wine Bar  
Two Steps Downtown Grille

*Ciao! Cafe and Wine Bar*  
Historic Dining/ Entertainment District  
2B Ives Street Danbury, CT 06810 (203) 791-0404

3/24/03

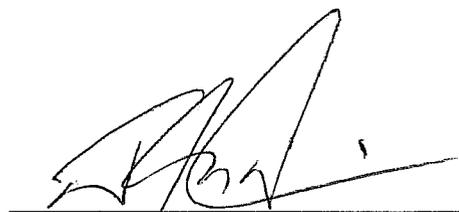
Honorable Mayor Mark C. Boughton  
Honorable Members of the Common Council  
155 Deer Hill Avenue  
Danbury, CT 06810

Sirs,

It has come to my attention that a lease agreement between the City of Danbury and Ives Restaurant Associates Inc, d/b/a Ciao Café concerning 191 square feet of sidewalk used for part of an outdoor patio has ended. I would like to renew this lease for another 10 years under the terms, rent and conditions of the original lease. A copy is enclosed for your review.

Ciao Café recently celebrated its 14<sup>th</sup> year as part of CityCenter Danbury. We are proud to have an Award of Distinction from the Zagat Guide as well as an Award of Excellence from the Wine Spectator. I feel both Ciao! Café and our other restaurant Two Steps Downtown Grille are an integral part of economic revitalization in CityCenter Danbury. Your time and consideration is appreciated.

Sincerely,



Tom Devine President  
Ives Restaurant Associates, Inc. d/b/a  
Ciao! Cafe and Wine Bar

Cc: Dennis Elpern

- Wine Spectator Award of Excellence Since 1997 -  
- Zagat Guide Award of Distinction -

# This Indenture,

Made by and between the CITY OF DANBURY, a municipal corporation located in the County of Fairfield and organized and existing under and by virtue of the laws of the State of Connecticut, acting herein by Gene F. Enriquez, its Mayor, hereunto duly authorized, hereinafter designated as the

**Lessor**, and IVES RESTAURANT ASSOCIATES, INC., D/B/A CIAO CAFE, a Connecticut Corporation, having a principal place of business at Ives Street, Danbury, Connecticut, acting herein by Thomas Devine, its President, hereinafter designated as the

**Lessee**, WITNESSETH: That the Lessor has leased, and do es hereby lease to the said Lessee

ALL THAT CERTAIN PIECE or parcel of land containing 191 Square Feet, more or less, and more particularly described in Schedule A attached hereto and made a part hereof. Said property shall be used solely for and as an outdoor patio in conjunction with the operation of the LESSEE'S restaurant business located at Ives Street, Danbury, Connecticut.

for the term of ten (10) years from the first day of January A.D., 19 93,  
for the term rent of Ten Dollars (\$10.00) Dollars,  
payable in annual payments of One Dollar (\$1.00) Dollars,  
each, to wit: on the first day of January in each year of said lease term.

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

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

1/1/93  
copy to P. Elgarin 5/16/93

**Provided, however,** and it is further agreed that if the said rent shall remain unpaid ten (10) days after the same shall become payable as aforesaid, or if the said Lessee shall assign this Lease, or underlet or otherwise dispose of the whole or any part of said demised premises, or use the same for any purpose but that hereinbefore authorized or make any alteration therein without the consent of the Lessor in writing, or shall commit waste or suffer the same to be committed on said premises, or injure or misuse the same, then this Lease shall thereupon, by virtue of this express stipulation therein expire and terminate, and the Lessor may, at any time thereafter, re-enter said premises, and the same have and possess as of its former estate, and without such re-entry, may recover possession thereof in the manner prescribed by the statute relating to summary process; it being understood that no demand for rent, and no re-entry for condition broken, as at common law, shall be necessary to enable the Lessor to recover such possession pursuant to said statute relating to summary process, but that all right to any such demand, or any such re-entry is hereby expressly waived by the said Lessee

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

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

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

~~**And it is further agreed** that the said Lessee to pay the water rates, or rent, for all water used and consumed on said leased premises during the term aforesaid, in addition to the rent hereinbefore provided for.~~

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

**And Lessee** further covenants and agrees that no accumulation of boxes, barrels, packages, waste paper, or other articles shall be permitted in or upon the premises, and that it shall maintain the premises in a neat and orderly condition.

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

AND THE LESSEE shall take out and maintain during the life of the Lease such comprehensive general liability insurance as will protect it and the LESSOR from claims for damages for personal injury, including accidental or wrongful death, as well as from claims for property damage which may arise from the LESSEE'S use and occupancy of the leased premises, whether from the actions or inactions of any of the LESSEE'S officers, agents, employees or business invitees. As a minimum limit of insurance coverage, the LESSEE shall maintain limits of not less than \$1,000,000 (combined) per occurrence, covering both personal injury liability and property damage liability. Insurance policies shall provide for the reinstatement of full coverage following the payment of each and every claim. During the entire term of this Lease, the LESSOR shall be named as an additional insured on each such policy of insurance. On or before the date of execution of this Lease, the LESSEE shall provide LESSOR with a Certificate of Insurance reciting the extent of the LESSEE'S coverage and providing for not less than thirty (30) days' notice of policy cancellation. It is understood and agreed that this Lease shall automatically terminate upon the failure of the LESSEE to maintain the foregoing insurance throughout the term hereof.

County of FAIRFIELD

DANBURY

On this the

4th

day of

December

, 19 92 , before me,

the undersigned officer, personally appeared

who acknowledged himself to be the President

of Ives Restaurant Associates, Inc. , a corporation, and that he as such President ,

being authorized so to do, executed the foregoing instrument for the purposes therein

contained. by signing the name of the corporation by himself as President

In Witness Whereof,

I hereunto set my hand and official seal.

*Louise Polya*

LOUISE POLYA

NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 31 1993

Title of Officer

REC 103/PAV 334

premises nor affix anything thereto without the LESSOR'S prior written consent.

THIS LEASE shall automatically terminate upon the expiration or termination of the LESSEE'S lease of property currently occupied by Ciao Cafe on Ives Street in Danbury, Connecticut.

THE LESSOR may, at its sole option and in its sole discretion, terminate this Lease without obligation or liability of any kind to the LESSEE, upon ninety (90) days' prior written notice to it.

In Witness Whereof, the parties hereto have hereunto set their hands and seals, and to a duplicate of the same tenor and date, this 11th day of January A. D. 19 93.

Signed, Sealed and Delivered in presence of

Laszlo L. Pinter  
Laszlo L. Pinter

CITY OF DANBURY LS

Basil J. Friscia  
Basil J. Friscia

By: Gene F. Eriquez LS  
Gene F. Eriquez, its Mayor

Catherine R. White  
Catherine R. White

IVES RESTAURANT ASSOCIATES, INC. LS  
D/B/A CIAO CAFE

Louise I. Oliva  
Louise I. Oliva

By: Thomas Devine LS  
Thomas Devine, its President

State of Connecticut, } ss.  
County of

On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 92, before me, \_\_\_\_\_, the undersigned officer, personally appeared

whose name \_\_\_\_\_ known to me (or satisfactorily proven) to be the person same for the purposes therein contained. \_\_\_\_\_, a corporation, and that he as such Mayor signing the name of the corporation by himself as Mayor.

In Witness Whereof, I hereunto set my hand and official seal.

State of Connecticut, } ss. DANBURY  
County of FAIRFIELD

Title of Officer

On this the 11th day of January, 19 93 before me, Laszlo L. Pinter the undersigned officer, personally appeared

Gene F. Eriquez who acknowledged himself to be the Mayor of the City of Danbury, a corporation, and that he as such Mayor being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

In Witness Whereof, I hereunto set my hand and official seal.

Laszlo L. Pinter  
Laszlo L. Pinter  
Commissioner of the Superior Court

Title of Officer

it was at 4:00 P.M. JAN 15 1993

Michael R. Seal

A parcel of land containing 191 square feet, more or less, located on the southwesterly side of Ives Street described as follows:

Beginning at a point on the southwesterly Ives Street street line, said point being 5.5 feet southeast of the northeasterly corner of land now or formerly of Cappiello Jewelry Stores, Inc., thence along the southwesterly Ives Street street line  $S28^{\circ}37'44''E$  a distance of 21.70 feet, thence turning and running through the Ives Street right of way  $N65^{\circ}06'32''E$  a distance of 5.84 feet to a point, thence  $N44^{\circ}53'06''E$  a distance of 6.74 feet to a point, thence turning and running westerly along a curve to the left with a radius of 67.50 feet, and a central (interior) angle of  $17^{\circ}57'11''$  and a length of curve of 21.15 feet to a point, thence  $S61^{\circ}22'16''W$  a distance of 6.20 feet to the point or place of beginning.

For a more particular description reference is made to a map entitled "Map Prepared for the City of Danbury Showing Portion of Ives Street Right of Way to be Leased to Ciao Cafe Ives Street, Danbury, Conn. Scale 1"=10' October 8, 1992" prepared by Irene H. Despojado, P.E. & R.L.S. No. 12050 which map is to be filed in the Danbury Land Records.



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

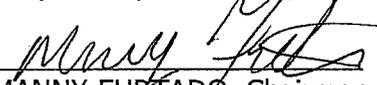
Re: **Request for Water Extension at Margerie Street**

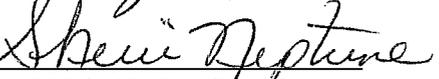
The Common Council Committee appointed to review the request for water extension on Margerie Street met on April 1, 2003 in the Third Floor Caucus Room at 7:15 P.M. In attendance were committee members Furtado and Nolan. Ms. Neptune was absent. Also in attendance were Director of Public Works William Buckley, the petitioner Jim Casali and Council President Warren Levy, ex-officio.

Mr. Furtado noted the positive recommendation of the Planning Commission. Mr. Casali showed the committee the project on a map. The line will come up Hillside Avenue to Margerie to service three houses on Margerie. Mr. Buckley said he would recommend approving the request subject to the required eight steps.

Mr. Nolan made a motion to recommend approval of the request subject to the required eight steps. Seconded by Mr. Furtado. Motion carried unanimously.

Respectfully submitted,

  
MANNY FURTADO, Chairman

  
SHERRI NEPTUNE

  
VINCENT NOLAN



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Appointment as Deputy Corporation Counsel**

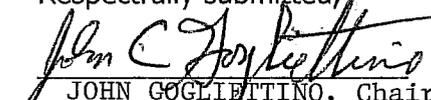
The Common Council Committee appointed to review the appointment of Eric Gottschalk as Deputy Corporation Counsel met on April 10, 2003 at 7:30 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Gogliettino, McAllister and Basso. Also in attendance were Assistant Corporation Counsel Eric Gottschalk and Council Member Vincent Nolan, ex-officio.

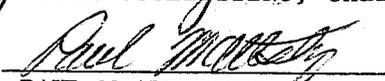
Mr. Gogliettino asked Attorney Gottschalk why he feels this position is necessary. Attorney Gottschalk explained that, except for the past twelve years when he was corporation counsel, there had been a part-time attorney to serve the Mayor as corporation counsel. Things have evolved since 1987 and we now have three full-time attorneys and a part-time corporation counsel, as well as two other assistants outside the office. The need arose for someone to manage the department, as there is a need for regular oversight. He handed out a memorandum from Corporation Counsel Robert Yamin requesting that everyone report to Attorney Gottschalk. This is consistent with the way things had worked for the previous twelve years. They look to him for priorities, help and advice. They rely on Attorney Yamin for policy decisions.

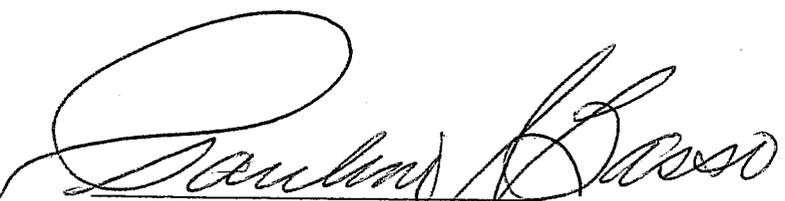
Mr. McAllister suggested that if no one has been appointed parliamentarian, the Deputy Corporation Counsel would act as such. Attorney Gottschalk said he would pass this recommendation on to the Personnel Department and the administration.

Mrs. Basso made a motion to recommend confirmation of the appointment of Eric Gottschalk as Deputy Corporation Counsel. Seconded by Mr. McAllister. Mr. Gogliettino said he is against expanding the government more than it need be. This will warrant more salary in the future. Motion carried with Council Members McAllister and Basso voting in the affirmative and Council Member Gogliettino voting in the negative.

Respectfully submitted,

  
JOHN GOGLIETTINO, Chair

  
PAUL McALLISTER

  
PAULINE BASSO



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

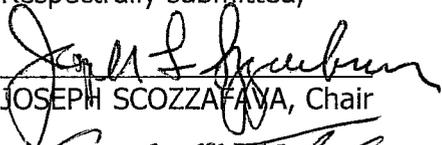
Re: **Request for Water Extension at 24 Clapboard Ridge Road**

The Common Council Committee appointed to review the request for water extension at 24 Clapboard Ridge Road met at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Scozzafava, McAllister and Moore. Also in attendance was Director of Public Works William Buckley and Council Members Levy, Nolan and Furtado, ex-officio.

Mr. Scozzafava noted the positive recommendation from the Planning Commission. Mr. Buckley said this extension is for the Unitarian Universalist Society Church and he would recommend granting the request subject to the required eight steps.

Mr. McAllister made a motion to recommend approval of the request subject to the required eight steps. Seconded by Mr. Moore. Motion carried unanimously.

Respectfully submitted,

  
JOSEPH SCOZZAFAVA, Chair

  
PAUL McALLISTER

  
MICHAEL MOORE



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Traffic Problems on Coalpit Hill

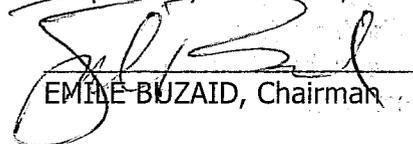
The committee appointed to review traffic problems on Coalpit Hill Road met twice, first on March 12, 2003 and again on April 29, 2003. In attendance at the April 29<sup>th</sup> meeting were committee members Buzaid, Saadi and Basso. Also in attendance were Captain Dan Mulvey of the Police Department, Council President Warren Levy, ex-officio, the petitioner, Donna Hamblet and members of the public.

At the March 12<sup>th</sup> meeting, after discussion of the situation, the meeting adjourned to allow Captain Mulvey to investigate the situation and offer solutions. When the meeting reconvened on April 29<sup>th</sup>, Captain Mulvey submitted a detailed report stating that the concern was the amount of traffic and the moving violations by speeders. One of the biggest concerns is backing out of the driveway at 53 and 55 Coalpit Hill. Making a left hand turn is dangerous. They have done some traffic enforcement and have given out twenty summonses. His recommendations that 25 MPH speed limit sign and a slow blind sign are posted together at the approach to the houses. Beyond number 55 and over the crest a 30 MPH speed limit sign should be posted. At the North line from Putnam Drive he would like to post two 25 MPH signs and a slow blind sign together and over the crest he would like to replace the 30 MPH sign with one that says 25 MPH and repost the 30 MPH sign near Harrison Street.

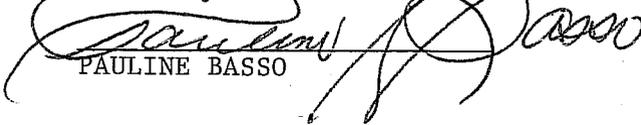
Regarding the tree that is obstructing the view, Captain Mulvey said he does not know if the tree is on municipal property or private property. Mr. Saadi said if the tree is on private property, the tenants should request that the landlord remove it.

Mr. Saadi made a motion to adopt the recommendations by Captain Mulvey and authorize the Police Department and the Forestry Department to determine if the tree can be removed. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

  
EMME BUZAID, Chairman

  
THOMAS SAADI

  
PAULINE BASSO



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 6, 2003

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Habitat for Humanity Proposals

The Common Council Committee appointed to review two proposals made by Habitat for Humanity met twice, once on March 11, 2003 and again on April 22, 2003. In attendance at the March 11<sup>th</sup> meeting were committee members Moore, Neptune and Nolan. Also in attendance were Director of Public Works William Buckley, Habitat for Humanity Director Chris Brown, Council President Warren Levy, ex-officio and members of the public.

The two proposals include property on 16 Patch Street and on Oakland Avenue. Regarding the 16 Patch Street property, Habitat asked the City to consider reducing past due sewer and water bills, or eliminate them altogether. Mr. Brown said if he had understood that the City couldn't waive the sewer and water fees, he would not have taken the property because they cannot afford it. Attorney Yamin said the City couldn't waive the fees since they are set by ordinance. He is exploring other options. Ms. Diorio stated that she is sensitive to the fact that Habitat did not use the sewer and water. After discussing many options, Mr. Moore said one possibility is to refer this to city departments to explore other options.

Mr. Nolan made a motion to ask the Corporation Counsel to draft potential legal solutions, including ordinance change, whereby we might legally waive these fees. Alternately, the Director of Finance should propose methodology to finance this if a waiver is not possible. Seconded by Ms. Neptune. Motion carried unanimously.

Mr. Moore asked Mr. Brown for a brief synopsis of the Oakland Avenue proposal. Mr. Brown said that in June 2002 Habitat showed an interest in acquiring a piece of property owned by the City on Oakland Avenue. At that time the value of the property was assessed at \$1,400, which was affordable for Habitat. The new appraised value for 2002 is \$33,100. They are requesting that a reasonable price be negotiated for this lot or that the City donate the lot to Habitat for Humanity.

Mr. and Mrs. Dennis of 15 Oakland Avenue said that he was told that he owned this lot when he purchased his property fifteen years ago. Attorney Yamin said his office has determined that the City owns the lot. Mr. and Mrs. Dennis asked to be allowed to bid on the lot.

Ms. Neptune made a motion to continue to meeting to allow city departments to explore options on both this proposals. Seconded by Mr. Nolan and passed unanimously.

The committee reconvened on April 22, 2003 at 7:15 P.M. In attendance were committee members Moore, Neptune and Nolan. Also in attendance were Director of Public Works William Buckley, Director of Finance Dena Diorio, Habitat for Humanity Executive Director Chris Brown, Council President Warren Levy, ex-officio, Mr. and Mrs. Dennis and members of the public.

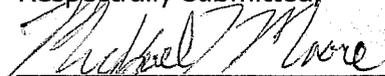
Mr. Moore stated that city staff has come up with a solution for the outstanding costs on the Patch Street property. The solution is to have Habitat deed the property back to the City. The City will then sell the property back to Habitat for a nominal fee with a clean deed. This would resolve Habitat of the liens. It would not erase the charges. They would remain on the City's books. This would not set a new precedent.

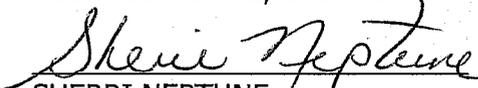
Mr. Nolan made a motion to adopt the proposal to have Habitat deed the property back to the City, then have the City sell the property back to Habitat for a nominal fee with a clean deed, pending approval by the Planning Commission. Seconded by Ms. Neptune. Motion carried unanimously.

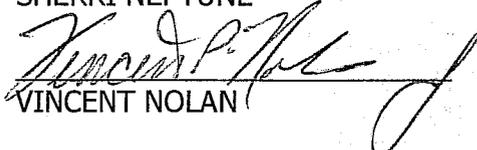
The initial proposal regarding the Oakland Avenue property has been rescinded by Habitat. Mr. Moore said we would not be able to sell this property outright to Mr. and Mrs. Dennis. It would have to go through the City's surplus declaration process allowing others to bid on it as well.

Ms. Neptune made a motion to leave the property as is. Seconded by Mr. Nolan. Mr. Nolan said the most appropriate action is to leave things as they are and not declare this property surplus. Motion carried unanimously.

Respectfully submitted,

  
MICHAEL MOORE, Chairman

  
SHERRI NEPTUNE

  
VINCENT NOLAN



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

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

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

April 30, 2003

**MEMORANDUM**

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

From: Chief Robert L. Paquette

Subject: **Police Department Monthly Report**  
**April 2003**

I submit this report of the activities of the Danbury Police Department for the month of April.

Personnel

Department – 148 sworn personnel. Five officers remain out on injury leave.

Activity Report

Calls for Service	5,041
Arrests	388
Parking Tickets	244
MVA's	267 (no injuries)
	84 (injuries)
	36 (evading responsibility)

Community Services (see attached)

Training

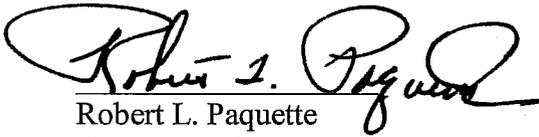
3/31 – 4/4	Regional Review Training, police officers
4/2	Police Liability in Connecticut, Captain Sullo
4/3	Firearms Qualification, police officers
4/8	Understanding Islam, Det. Lt. Michael, Capt. Mulvey, P.O. Brevard
4/10	Firearms Qualification, police officers
4/15	Firearms Qualification, police officers

4/18            Outlaw Motorcycle Gangs, P.O's Mable, Guertin, Norkus

Chief Paquette's Significant Meetings

- 4/03    Exchange Club – P.O. Year Dinner (P.O. Kenneth Utter)
- 4/04    Meeting/Personnel Dept.
- 4/07    Police Dept. Awards Board meeting
- 4/10    Rotary Club – P.O. Year Dinner (P.O. Thadeus Zalenski)
- 4/14    Captain's meeting
- 4/15    Union negotiations
- 4/16    Council committee meeting
- 4/21    Meeting with Mayor Boughton
- 4/23    Site committee meeting
- 4/24    Public Safety Budget meeting
- 4/28    Meeting with Mayor Boughton
- 4/30    Meeting/Personnel Dept.

Respectfully submitted,



Robert L. Paquette  
Chief of Police

RLP:ks  
Attach.



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## DANBURY POLICE DEPARTMENT

### COMMUNITY SERVICES DIVISION

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**DATE:** THURSDAY, APRIL 29, 2003  
**TO:** ROBERT L. PAQUETTE, CHIEF OF POLICE  
**CC:** DEPUTY CHIEF ROSATO, CAPT. A. SULLO  
**FROM:** LIEUTENANT PETER F. GANTERT  
**RE:** APRIL 2003, ACTIVITY REPORT: COMMUNITY SERVICES DIVISION

---

Chief Paquette,

The following is a brief overview of activities engaged in by officers of the Community Services Division for the month of April 2003.

**Community Services Division - Commanding Officer:**

Lieutenant Peter F. Gantert

Numerous meetings were attended to coordinate the police departments' response to downtown events and citywide issues and upcoming special events. Additional meetings were attended to address downtown safety and quality of life issues.

Work was performed on all open grants assigned to the Community Services Division with the State of Connecticut's Office of Policy and Management, Department of Justice and Connecticut Department of Transportation. Two additional CT-DOT grant applications have been applied for and if granted will allow the department to purchase a Speed Monitoring Awareness Radar Trailer and two Ford SUVs used for DUI enforcement.

Numerous events and meetings were organized, participated and planned during the month to include the following:

- ✓ **Child Passenger Safety Fitting Station** – Weekly at CSD Building Monday mornings by appointment. Over the past month (75) seats were checked. Currently our department has

Community Services Division – 116 Main Street – Danbury, Connecticut 06810  
Phone: 203.797.4577 Fax: 203.796.8018  
P.Gantert@ci.danbury.ct.us

twelve federally certified Child Passenger Safety Seat Technicians, two of which are Federally Certified Instructor. For appointments or additional information concerning our fitting station contact the Child Passenger Safety Team at 743-6314.

- ✓ **Bi-weekly Crime prevention articles** – 2 articles submitted to Tribuna News Paper
- ✓ **Emergency Operation Center Renovations-** Basement of City Hall
- ✓ **Small Pox Emergency Clinic Planning Meetings**
- ✓ **Citizen Police Academy class #11 to started March 12, 2003 and continue until May 14, 2003**

We are currently planning numerous upcoming events/programs:

- **Sensational Summer After School Program:** August 2003 Danbury Public School system
- **Mayor's Risky Behavior / Child Safety Outreach (computer cop software)** - 5/22/03
- **Department Web Site** – Being reevaluated and reconstructed to meet the needs of our community and department. Currently department information is being placed on the city's website at [www.ci.danbury.ct.us](http://www.ci.danbury.ct.us). Also placed on the city website are numerous crime prevention and safety information including Internet safety.
- **Internet Safety Outreach-** Letter submitted to BOE, principals and PTO regarding internet safety programs that CSD offer.
- **Terrorism Prevention Program-** Outreach efforts made within the Jewish and Muslim community address any concerns they may have due to the current world condition.
- **WAVE Enforcement Campaign-** May 19<sup>th</sup> to June 1<sup>st</sup>, 2003 DOT seatbelt education and enforcement campaign run in conjunction with Operation ABC Mobilization.

### **Community Policing Unit:**

Sergeant Rory DeRocco

- ❖ **Community Policing Unit: Bicycle patrol: 9 officers:** Officers Timothy Strano, Marcel Kruijs, Trevor Horten, Brian Hayes, Paul Carroccio, Tom Collins, Steven Cameron, Michelle Brown

Officer Brown has been assigned to this unit upon Officer Simon being assigned to the Patrol Division. With the assignment of Officer Brown this unit is one officer short of its' authorized staffing level.

Monthly activity: The community policing officers made (6) arrests this month, (1) for warrants and (0) drug related, (36) parking tickets were issued, and (30) State infractions were also issued, including (1) for drinking in public, (16) for loitering and (0) for simple trespass. In addition the above enforcement activity they handled (73) calls for service.

The Community Policing Unit was tasked by the Chief's office to step up the enforcement activity in the downtown area. With an emphasis being placed on pedestrian safety. As of 4/28/03 the Chief has reinstated 10 hrs of overtime per week towards this initiative. Our goal is to make the downtown area more pedestrian friendly. Officers have been tasked with enforcement activities concentrating on crosswalk violations, speeding and seatbelt enforcement.

Due to budgetary freeze there was no enforcement activity for this safety campaign this month. As stated previously, the Chief of Police has authorized 10 hrs over overtime weekly towards this campaign.

Officers are currently adjusting their work hours on a voluntary basis to address the issues at the Kennedy Ave Park. Currently officer are coming in a 07:00 hrs and monitoring and managing this area for criminal and quality of life issues.

Substantial time is also being spent on the Ives Street area addressing concerns from local business owners concerning a growing juvenile problem. Officers are addressing concerns and have attended numerous meeting and common council committees meeting concerning issues relating to this area.

Members of the Community Services Division conducted the second DUI/sobriety checkpoint on April 25, 2003. Over 1500 vehicles were stopped, with 2 DUI arrest, 1 possession arrest, 1 arrest for no insurance and 11 infractions issued. Approximately 30 field sobriety tests were given to operators suspected of drinking and driving. In addition to this enforcement activity, 150 educational pamphlets were given to operators that came through he checkpoint.

❖ **Graffiti Task-force:** Officer Kenneth Utter

The Graffiti Task-force is tasked with the identification of graffiti, graffiti writers as well as the clean up of graffiti on public property. Officer Utter continued his partnership with the court system, coordinating community service ordered work by GA#3. This has resulted in the removal of thousands of dollars worth of damage at no cost to city residents.

Officer Utter has been chosen by the Exchange Club of Danbury to be honored as the Police Officer of the Year for Community Service. His awards dinner was held on April 3, 2003 and he is being honored by the state Exchange Club on May 1, 2003 at the Aqua Turf.

**Community Affairs Unit:**

Sergeant Edward Lopes

❖ **Community Affairs Unit: 1 Sergeant, 6 Officers:**  
Sgt. Lopes, Ofc. Mortara, Dinardo, Tragni, O'Brien, Frinton,

The community Affairs Unit is tasked with the responsibility of all community outreach and safety programs conducted by the Danbury Police Department. In addition to this all our school based prevention initiatives and school resource officers are coordinated out of this unit

Numerous events were organized, participated and planned during the month to include the following:

- ✓ **Neighborhood Watch Group Issues or Meeting-** Barclay Commons
- ✓ **CPTED survey-** Woodland Hills Community
- ✓ **Tribuna Crime Prevention Articles:** Miscellaneous Crime Prevention topics were discussed.
- ✓ **Seatbelt Safety Campaign:** working with Insurance Institute for Highway Safety and the Preusser Research Group to bring a seatbelt safety pilot program targeting high school aged youth.

### **Special Programs Unit:**

Is directly supervised by the Commanding Officer of the Community Services Division and consists mainly of support services for the department. Under this unit are four fulltime units staffed by two sergeants, one officer and one civilian employee. In addition to this there are four part-time units staffed on an as needed basis, which consist of the Honor Guard, Chaplains, Recruiting Officer and Mobile Operations Center Team. For monthly activity relating to these units please see below.

#### ❖ **Police Activities League: 1 Sergeant –** Sergeant Robert Guerrero

Sgt. Guerrero currently runs PAL operations with the assistance of Ret. Detective Lt. Thomas Mack. They are currently planning softball, baseball and soccer programs with all basketball programs winding down. This year Pal held its' annual carnival in the North Street Shopping Center.

#### ❖ **Communications / Special Events / Fleet Management –** Sergeant Joseph Brunelli

Sgt. Brunelli is tasked with the daily duties of managing and supervising the department's school crossing guards and dispatchers. In addition to this he is responsible for planning the departments response to all special events and keeping our fleet of vehicles in operating condition.

#### Up-coming events:

- May 18, 2003 – Housitonic Valley Bike Race
- May 26, 2003 – Memorial Day parade

#### Miscellaneous Information:

Sgt. Brunelli submitted no report due to an unexpected illness. Due to this Sgt. Lopes has been assigned the additional duties of Sgt. Brunelli until he is expected to return sometime in June 2003.

This month Sgt Lopes and myself met with representatives from Collect/NCIC concerning violations discovered in the June 2002 audit by the FBI. Letters were drafted explaining the corrective actions taken to address these violations.

❖ **Information Systems Unit: 1 Officer** – Officer Stephen Bobel

Officer Bobel currently oversees the department integration into mobile data in addition to his normal information and technology duties.

- ✓ Conversion to TCP/IP is completed. We have also converted our mobile side to TC/PIP and we are experiencing minor problems. Motorola has been advised and has supplied us with a new client that has addressed our problems appropriately. Motorola and the ISU continue to test this new client to identify problems. None have been found as of the writing of this report.
- ✓ Discussion with HTE and Data Processing concerning infield reporting and anticipate a better understanding of the capabilities of this component of the HTE system. No further progress has been made on this project as of the writing of this report. Data Processing is aware of the significance of this project and its' priority.
- ✓ The Detective Division has been set up with their wireless and mobile networks and has received four laptops and cases. Problems have surfaced with the DP supplied Novotel Merlin CDPD modems. Officer Bobel has identified the problem and replaced the current CDPD modems with Sierra Wireless AP200, which are now working correctly. We will be asking DP to replace the Novotel modems with two new Sierra Wireless AP200s.
- ✓ With the installation of the new I-series 270, DDSI has been contacted concerning digital imaging. DDSI is schedule to be on site on April 29, 2003 to install the system. We have experienced system access problems to the I-series 270 due to an error message stating that there is a client licenses violation. As of the writing of this report DDSI has been unable to bring photo imaging up.
- ✓ The File Maker Pro (police reports) printer creep issue remains unaddressed at this time. Data Processing has been made aware of this problem and requests have been made to correct this problem. As of the writing of this report all work on this issue appears to have been stalled.

❖ **Civilian Crime Prevention Advisor: 1 Civilian** – Retired Det. Lt. Kevin Barry

Under the proposed 2003/2004 City budget this position is being eliminated. Lt. Barry's 20+ years as an experience in the area of crime prevention and community policing will be a loss a great loss for the department.

Retired Lieutenant Kevin Barry is currently assigned to the Community Services Division, to provide technical assistance and support to personnel assigned to this division and other units of the Danbury Police Department. His duties include but are not limited to the following; crime prevention advisor, community policing advisor, and to assist with grant preparation and fulfillment. In addition to these duties, Kevin has been assigned the additional duties of City Hall Security Advisor and as security advisor/liason to our schools.

**Honor Guard 2 Sergeants 18 Officers:**

Sgt. Brian Murphy, Sgt. John Browne, Sgt. Scott Fabich

The Honor Guard participated in the following events this month.

Funeral for Ret. Captain Chelso.

Upcoming Events:

**May 23, 2003** – Police Awards – Memorial Day

**May 26, 2003** – Memorial Day Parade

❖ **Recruiting Officer: 1 Officer** – Assigned as needed

Currently the Danbury Police Department is not involved in active recruiting. We have currently developed a recruiting brochure in cooperation with the city Personnel Department that will be used by this unit at any event.

Upcoming Scheduled Recruiting Events:

None

Recruiting Events Attended this Month:

None

❖ **Mobile Operations Center Team:** Sgt. Lopes, Browne, Mattei, Williams, Russo & Officers LeRose, Mortara, Maher, Bobel, Lobraico

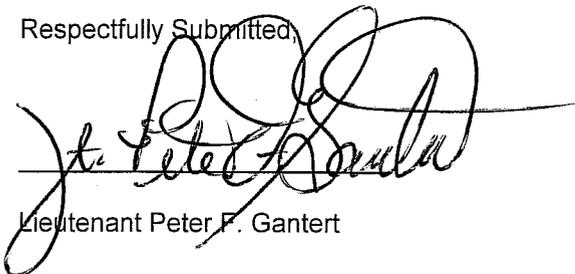
Officers are responsible for the operation and supervision of this vehicle during any emergency deployment or scheduled event where this vehicle can be utilized.

April 22, 2003 – Hazardous–Material spill incident I-84

April 25, 2002 – DUI Sobriety Checkpoint

April 27, 2002 – Special Event Marcus Dairy Motorcycle Rally

Respectfully Submitted,



Lieutenant Peter F. Gantert

Community Services Division

4  
gradual increase  
in assessed value

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN	✓	
PAUL McALLISTER	✓	
WARREN NULL	✓	
JAMES KELLY	✓	
EILEEN COLADARCI		
EMILE BUZAID	✓	
DEAN ESPOSITO		✓
VALDEMIRO MACHADO	✓	
CONNIE SHULER		✓
JOSEPH SCOZZAFAVA	✓	
WARREN LEVY	✓	
JOHN ESPOSITO	✓	
THOMAS SAADI	✓	
CHRISTIAN DITTRICH	✓	
PAULINE BASSO	✓	
JEAN DARIUS		✓
MANNY FURTADO	✓	
JOHN GOGLIETTINO	✓	
MICHAEL MOORE	✓	
SHERRI NEPTUNE		✓
CHRIS SETARO	✓	<del>✓</del>
	16	4

~~to accept~~ motion ordinance + Res

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN	x	
PAUL McALLISTER	x	
WARREN NULL		x
JAMES KELLY		x
EILEEN COLADARCI		
EMILE BUZAID	x	
DEAN ESPOSITO		x
VALDEMIRO MACHADO	x	
CONNIE SHULER		x
JOSEPH SCOZZAFAVA	x	
WARREN LEVY	x	
JOHN ESPOSITO	x	
THOMAS SAADI	x	
CHRISTIAN DITTRICH	x	
PAULINE BASSO	x	
JEAN DARIUS		x
MANNY FURTADO	x	
JOHN GOGLIETTINO		x
MICHAEL MOORE	x	
SHERRI NEPTUNE		x
CHRIS SETARO		x

12 8

move transfer  
to City Clerk  
& eliminate

001552 (14)

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN		X
PAUL McALLISTER		X
WARREN NULL	X	
JAMES KELLY	X	
EILEEN COLADARCI		
EMILE BUZAID		X
DEAN ESPOSITO	X	
VALDEMIRO MACHADO	X	
CONNIE SHULER	X	
JOSEPH SCOZZAFAVA		X
WARREN LEVY		X
JOHN ESPOSITO		X
THOMAS SAADI		X
CHRISTIAN DITTRICH		X
PAULINE BASSO		X
JEAN DARIUS	X	
MANNY FURTADO		X
JOHN GOGLIETTINO		X
MICHAEL MOORE		X
SHERRI NEPTUNE	X	
CHRIS SETARO	X	

8

12

~~Budget Report~~  
Town clerk's salary to 58,000

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN		X
PAUL McALLISTER		X
WARREN NULL	X	
JAMES KELLY		X
EILEEN COLADARCI		
EMILE BUZAID		X
DEAN ESPOSITO	X	
VALDEMIRO MACHADO		X
CONNIE SHULER	X	
JOSEPH SCOZZAFAVA		X
WARREN LEVY		X
JOHN ESPOSITO		X
THOMAS SAADI		X
CHRISTIAN DITTRICH		X
PAULINE BASSO		X
JEAN DARIUS	X	
MANNY FURTADO		X
JOHN GOGLIETTINO		X
MICHAEL MOORE		X
SHERRI NEPTUNE		X
CHRIS SETARO	X	

4

15

STJ  
Report

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN	x	
PAUL McALLISTER	x	
WARREN NULL	x	<del>x</del>
JAMES KELLY	x	
EILEEN COLADARCI		
EMILE BUZAID	x	
DEAN ESPOSITO		x
VALDEMIRO MACHADO	x	
CONNIE SHULER		x
JOSEPH SCOZZAFAVA	x	
WARREN LEVY	x	
JOHN ESPOSITO	x	
THOMAS SAADI	x	
CHRISTIAN DITTRICH	x	
PAULINE BASSO	x	
JEAN DARIUS		x
MANNY FURTADO	x	
JOHN GOGLIETTINO	x	
MICHAEL MOORE	x	
SHERRI NEPTUNE		x
CHRIS SETARO		x
	15	5

300,000

fails

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN		X
PAUL McALLISTER		X
WARREN NULL	X	
JAMES KELLY	X	
EILEEN COLADARCI		
EMILE BUZAID	X	
DEAN ESPOSITO	<del>X</del>	X
VALDEMIRO MACHADO	X	
CONNIE SHULER	X	
JOSEPH SCOZZAFAVA		X
WARREN LEVY		X
JOHN ESPOSITO		X
THOMAS SAADI		X
CHRISTIAN DITTRICH		X
PAULINE BASSO		X
JEAN DARIUS		X
MANNY FURTADO		X
JOHN GOGLIETTINO	X	
MICHAEL MOORE		X
SHERRI NEPTUNE	X	
CHRIS SETARO	X	
	8	12

4  
more the  
question

**COMMON COUNCIL ROLL CALL**

<b><u>NAME</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>
VINCENT NOLAN	✓	
PAUL McALLISTER	✓	
WARREN NULL		✓
JAMES KELLY		✓
EILEEN COLADARCI		
EMILE BUZAID		✓
DEAN ESPOSITO		✓
VALDEMIRO MACHADO	✓	<del>✓</del>
CONNIE SHULER		✓
JOSEPH SCOZZAFAVA	✓	
WARREN LEVY	✓	
JOHN ESPOSITO	✓	
THOMAS SAADI	✓	
CHRISTIAN DITTRICH	✓	
PAULINE BASSO	✓	
JEAN DARIUS		✓
MANNY FURTADO		✓
JOHN GOGLIETTINO		✓
MICHAEL MOORE	✓	
SHERRI NEPTUNE		
CHRIS SETARO		
	10	10

yes