

COMMON COUNCIL MEETING – JUNE 3, 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,
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 May 6, 2003

CONSENT CALENDAR

1 – COMMUNICATION – Resignation of Connie Shuler from the Common Council

2 – RESOLUTION – Homeland Security Overtime Grant

3 – RESOLUTION – Mootry Peak – Purchase of Property

3A – RESOLUTION – Acquisition of Land for Blind Brook Playground

4 – RESOLUTION – Downtown Parking Garage – Library Place

5 – COMMUNICATION – Promotion to Sergeant in the Police Department

6 – COMMUNICATION – Promotion to Sergeant in the Police Department

7 – COMMUNICATION – Promotion to Lieutenant in the Police Department

8 – COMMUNICATION – Promotion to Detective in the Police Department

9 – COMMUNICATION – Donations to the Library

10 – COMMUNICATION – Donations to the Department of Elderly Services

11 – COMMUNICATION – Donation to the Still River Greenway

12 – COMMUNICATION – Transfer of Funds from Police Budget to Animal Control

13 – COMMUNICATION – Farioly Fund Appropriation

- 14 – COMMUNICATION – Reappropriation of Donated Funds
-
- 15 – COMMUNICATION – Billing Services Agreement with MedFinancial
-
- 16 – COMMUNICATION – Ratification of Teamsters Local #677 Contract
-
- 17 – COMMUNICATION & ORDINANCE – Reapportionment
-
- 18 – COMMUNICATION – Installation of Fencing
-
- 19 – COMMUNICATION – Assignment of Tax Liens to the Juniper Ridge Tax District
-
- 20 – COMMUNICATION – Request for Sewer and Water Extensions – 113 & 115
Clapboard Ridge Road
-
- 21 – COMMUNICATION – Offer to Donate Land on Hayes Street to the City of Danbury
-
- 22 – COMMUNICATION – Request for Sewer Extension at 69 Padanaram Road
-
- 23 – COMMUNICATION – Redevelopment Parcel 9
-
- 24 – COMMUNICATION – Reports regarding Purchase of Property on West Kenosia
-
- 25 – COMMUNICATION – Reports regarding Proposed Sidewalk Easement – 29-35
Padanaram Road
-
- 26 – COMMUNICATION – Offer to Sell Property on Grand Street to the City of Danbury
-
- 27 – COMMUNICATION – Reports regarding Proposed Parking Garage – Delay Street
-
- 28 – COMMUNICATION & RESOLUTIONS – Community Development Block Grant –
PY29 & Section 108 Funding
-
- 29 – REPORT & ORDINANCE – Tax Deferral for Elderly Homeowners
-
- 30 – REPORT & RESOLUTION – Neighborhood Assistance Act
-
- 31 – REPORT – Government Entities Review and Evaluation
-
- 32 – REPORT – Crow's Nest Lane
-
- 33 – REPORT – Appropriation for the Board of Education

34 – REPORT – Website

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

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

CONSENT CALENDAR – JUNE 3, 2003

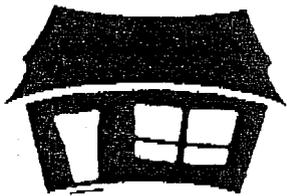
- 2 – Adopt the Resolution to apply for and accept grant funding from the U. S. Department of Justice in the amount of up to \$120,506.00 for overtime funding for community policing and homeland security as described.
- 3 – Adopt the Resolution to authorize Mayor Boughton to re-execute the Conservation and Public Recreation Easement agreement with the State of Connecticut as described.
- 3A – Adopt the Resolution to renew the authorization for the acquisition of property at 6 Williams Street for construction of a playground as described.
- 4 – Adopt the Resolution to authorize the Corporation Counsel to acquire certain parcels of property and easements described in Exhibits A through F for the construction of a downtown parking garage, subject to and only upon prior approval by the Planning Commission as described.
- 12 – Approve the request to transfer \$50,000 from the Police Department Regular Salaries line item account to the Animal Control Contributions-Grants line item account as described.
- 14 – Approve the transfer of \$1,345.00 from the Elderly Services Donations Account to the Commission on Aging budget as described.
- 17 – Receive the communication regarding the reapportionment ordinance and defer the ordinance to public hearing.
- 19 – Adopt the Resolution authorizing American Tax Funding, LLC to assign all of its rights, title and interest to certain tax liens encumbering the Lake Wackawana parcel to the Juniper Ridge Tax District as described.
- 23 – Adopt a Resolution authorizing Mayor Boughton to execute an agreement allowing the City to conduct environmental testing on property at the corner of Patriot Drive and Pahquioque Avenue as described.
- 24 – Receive the reports and deny the request to purchase City owned property at Lake Kenosia.
- 25 – Receive reports regarding a request to grant the City a sidewalk easement along Padanaram Road and take no action.
- 26 – Receive reports regarding an offer to sell property at 63 Grand Street and authorize the Corporation Counsel to start informal preliminary negotiations and refer to the Planning Commission.
- 27 – Receive reports regarding consideration of a new parking garage at 6-8 Delay Street and take no action.

30 – Receive the report regarding the Neighborhood Assistance Act and adopt the Resolution.

31 – Receive the report regarding Government Entities Review and Evaluation and adopt the Ordinance.

32 – Receive the report regarding Crow's Nest Lane and approve its recommendations.

34 – Receive the reports regarding the City's web site and approve its recommendations.



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To Danbury Democratic Town Committee
Danbury Common Council
Mayor Mark Boughton

This is to inform you that as of May 14, 2003 I am resigning from the council this is do to my printing business. I must take more time now in order to take it to the next level. As everyone know that things are not that good out there now.

I had to layoff my worker because of no work so that just leave me to run the shop so i will not be able to come to meeting and building up my finance base is the up most at this time.

It was great working on the council and more fun being able to help the people of Danbury but that is longer at the top of the list now.

thanks to every one

Connie E. Shuler

B. Gallo Chairman Danbury Democratic Town Committee

Assistant Corporation Counsel Eric L. Gottschalk
Corporation Counsel Robert J. Yamin

All members of the common council

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





2

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

M E M O R A N D U M

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: **HOMELAND SECURITY OVERTIME GRANT**
DATE: May 28, 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 U.S. Department of Justice, to supplement the police overtime account for an additional patrol for homeland security related issues. The Federal share would be approximately \$90,379.50, or 75% of the cost, and the City's share would be approximately \$30,126.50, or 25 % of the cost. I have been advised by Chief Robert Paquette that the City's share will come from the 2003-04 Police budget salary line item.

Attached is a copy of the application 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

Cc: Robert Paquette



COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

COPS Application Packet

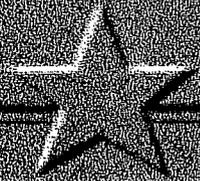
www.cops.usdoj.gov

Homeland Security Overtime Program Application Packet

June 13, 2003 (priority consideration) and
June 27, 2003 final deadline

U.S. Department of Justice
Office of Community Oriented Policing Services
Carl R. Peed, Director
OMB Approval Number: 1103-0027

www.cops.usdoj.gov



Dear Colleague:

The COPS Office is pleased to announce the new Homeland Security Overtime Program (HSOP), which will offer state, local, and tribal law enforcement agencies the opportunity to apply for additional officer overtime funding to support community policing and homeland security efforts. HSOP will support programs that increase community safety and security, and reduce public fear. HSOP grants will supplement the selected agencies' state or locally-funded officer overtime budgets, increasing the amount of overtime funding available for these critical functions.

The National Strategy for Homeland Security, the Administration's roadmap for securing the homeland, highlights the key role that state, local and tribal governments play in responding to a terrorist attack. Terrorism preparedness and prevention have become key responsibilities for state and local agencies. As such, while all policing agencies are eligible to apply for this program, COPS will give priority consideration to applications that demonstrate the use of community policing strategies to prepare for or respond to acts of terrorism through officer overtime.

HSOP grants can be used to pay officer overtime during homeland security training sessions and other law enforcement activities that are designed to assist in the prevention of acts of terrorism and other violent and drug-related crimes. Law enforcement agencies that have temporarily lost sworn officers to military reserve duty and wish to deploy other officers on an overtime basis to help address these temporary vacancies are also eligible to apply for HSOP grants. HSOP funds may also be available to support the overtime efforts of non-supervisory sworn personnel including intelligence officers, crime analysts, undercover officers, and other sworn personnel who work on homeland security/terrorism task forces (such as Joint Terrorism Task Forces). These funds may only be used for non-supervisory sworn personnel and may not be applied towards civilian or reserve officer costs.

HSOP funds must be used consistently with the agency's typical or average officer overtime pay scale. In other words, HSOP funds must be used to support officer overtime at the same pay scale that the agency would normally use for locally funded overtime. As stated above, HSOP grants also must supplement the selected agency's state or locally funded officer overtime budgets. *To comply with the COPS statute, agencies may not rely on the availability of HSOP grant funding to reduce the amount of state or local funds budgeted and expended for officer overtime in their current or future budget cycles.*

Up to \$60 million is available under this program. We anticipate that funding for these grants will be extremely competitive. Law enforcement agencies may apply for funding amounts based on the size of the population they serve or the size of their budgeted sworn strength at the time of application. Federal funds may be requested for up to 75 percent of the total requested additional overtime costs, with a minimum 25 percent local cash match. The chart below represents the maximum 75 percent federal share of HSOP funding that may be requested based on population or budgeted sworn strength.

Please use the following guidelines when determining your department's request for HSOP:

<u>Agencies serving populations:</u>	<u>OR</u>	<u>Budgeted sworn force:</u>	<u>May apply for a federal share of up to:</u>
under 24,999		1-49	\$25,000
from 25,000 to 49,999		50-99	\$50,000
from 50,000 to 99,999		100-199	\$100,000
from 100,000 to 249,999		200-499	\$250,000
from 250,000 to 499,999		500-999	\$500,000
from 500,000 to 999,999		1,000-1,999	\$1,000,000
over 1,000,000		above 2,000	\$3,000,000

A local cash match of 25 percent is required for all HSOP grants. **The match must be a cash match, made from local, state or other non-COPS funds and may not be paid through reallocating funds otherwise budgeted for specific law enforcement purposes.** Given the expected demand and limited funding, waivers of the local match will not be available for grants awarded under this particular program. Overtime grants will be awarded for a one-year period.

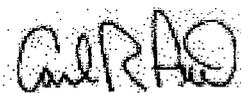
When determining how much additional overtime funding to request within the limits noted above, agencies should consider the one-year grant period; the amount of state or local funding that they will otherwise budget for officer overtime; their ability to meet the 25 percent local cash match; past officer overtime expenditures; and current and anticipated law enforcement needs that will require additional officer overtime beyond the state or locally-funded amount. HSOP grants cannot be used to reimburse grantees for overtime expenditures that occur prior to the award start date.

There are two application deadlines for this program. **Applications that are postmarked on or before June 13, 2003 will receive priority consideration.** However, COPS will also accept applications that are postmarked on or before June 27, 2003. Applications postmarked after June 27, 2003 will not be considered. The application kit includes the specific mailing address and unique zip code for overnight mail deliveries.

Agencies are strongly encouraged to electronically download the HSOP application kit from COPS Online at www.cops.usdoj.gov. To have a paper copy mailed to your agency, please contact the U.S. Department of Justice Response Center at 800.421.6770.

We look forward to your interest in this program.

Sincerely,



Carl R. Peed
Director

Homeland Security Overtime Program Application Packet

For more information about COPS grants, call the U.S. Department of Justice Response Center at 800.421.6770.



U.S. Department of Justice
Office of Community Oriented Policing Services
Homeland Security Overtime Program (HSOP) Control Desk
1100 Vermont Avenue, N.W.
7th floor
Washington, D.C. 20530 (use zip 20005 for overnight mail)

Due to continued mail delays in the Washington, D.C. area, we strongly encourage you to submit your application packet by an express or overnight delivery service. If you choose to use an express delivery service, please use zip code 20005 for your submission.

COPS Online: www.cops.usdoj.gov

Revised: April 2003

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I. Application Instructions

Applications without all requested information and the required original signatures will not be considered for funding. Please send the **original** application and **two copies** to the COPS Office by **June 13, 2003**, or by the second deadline of **June 27, 2003**. Applications received by the first deadline will receive priority consideration.

Before mailing your application, please ensure that the following are included:

- Please complete Sections II, III, IV, V. Under Section V, please include original signatures from the appropriate law enforcement executive and government executive.
- Please complete Section VI, answering all questions when appropriate for your agency. In particular, please provide a narrative for Question 8 describing how your department plans to use the overtime funding to improve or build upon your homeland security efforts, and for Question 9 describing your agency's specific need for federal assistance.
- Please complete Sections VII and VIII, providing accurate and complete financial and budget information.
- Please complete and provide the appropriate original signatures for the following documents located in Section IX:
 - Assurances (please sign and return)
 - Certifications (please sign and return)
 - Disclosure of Lobbying Activities (please sign and return, if applicable)
 - Sheriff's Department Questionnaire (please sign and return, if applicable)
 - Special Department Questionnaire (please sign and return, if applicable)

II. General Information

Applicant Organization's Legal Name:

Applicant Agency ORI Number: CT00034

The ORI number is assigned to your agency by the FBI for purposes of UCR crime reporting. It begins with your state abbreviation followed by five digits. If your agency does not have an ORI number, leave this blank, and the COPS Office will assign one to you.

Applicant Agency EIN Number: 066001868

The EIN number is assigned to your agency by the Internal Revenue Service (IRS) and consists of nine digits. If the Office of Justice Programs has assigned your department an EIN number, please use that assigned number. Otherwise, use your IRS EIN number.

Federal Congressional District Number: _____

Do not substitute state or local congressional districts. If your agency spans more than one congressional district, please list all of those districts above.

Is your agency contracting for law enforcement services?

[Check one]

Yes No

If "yes," enter the name and agency information of the contract law enforcement department in Section III., Executive Information.

III. Executive Information

The law enforcement and government executives that appear in this section **must** be those individuals who will have ultimate financial and programmatic authority for this grant. Typically, these are the highest-ranking officials within your jurisdiction (e.g., Chief of Police, Sheriff, or equivalent for law enforcement executives, and Mayor, City Administrator, or equivalent for government executives). Listing individuals without ultimate financial and programmatic authority for the grant could delay the review of your application or remove your application from consideration.

Law Enforcement Executive's Name:

Title: Robert L. Paquette, Chief of Police

Agency Name: Danbury Police Department

Address: 120 Main Street

Danbury, Connecticut

City: Danbury State: CT Zip Code: 06810

Telephone: 203-797-4538 Fax: 203-796-8016

E-mail (if applicable):

Type of Law Enforcement Agency:

Municipal State County Police Department

Sheriff* Tribal Transit*

School* Public Housing*

University/College* Please indicate: (Public or Private)

Other* (please specify): _____

** Agency types with an asterisk next to them must complete the appropriate additional questionnaire found in Section IX.*

Government Executive's Name:

Title: Mark D. Boughton Mayor

Name of Government Entity: City of Danbury

Address: 155 Deer Hill Ave.

City: Danbury State: CT Zip Code: 06810

Telephone: 203-797-4511 Fax: _____

E-mail (if applicable): _____

Type of Government Entity:

- State City Town County
- Village Borough Township Territory
- Region Council Community Pueblo
- Nation School District
- Other (please specify): _____

Contact Information:

Contact person in your department who is familiar with this grant:

Name: Arthur P. Sullo

Title: Captain, Admin Cmdr. Danbury Police Dept.

Telephone: 203-797-4538 Fax: 203-796-8016

E-mail (if applicable): ollus1@juno.com

IV. Department Information

Population served as of 2000 U.S. Census: 74,848

If the population that your agency serves is not represented by U.S. Census figures (e.g., colleges, special departments), please indicate the size of the population served here: _____

Exclude the population primarily served by other law enforcement agencies within your jurisdiction. For example, a sheriff's department must exclude populations covered by a city police department for which the sheriff's department has no primary law enforcement authority.

Current budgeted sworn strength as of the date of application. *The budgeted sworn strength is the number of sworn officer positions your department has allocated for its budget. This number will include all budgeted officer positions, including locally-funded, COPS-funded, vacancies, and other grant-funded officer positions:*

Full-time officers: 152 Part-time officers: 15

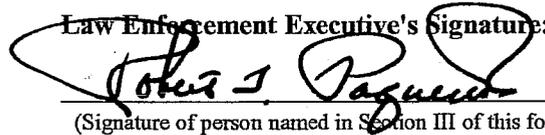
V. Required Signatures

IMPORTANT! PLEASE READ PRIOR TO SIGNING BELOW:

*Prior to receiving an HSOP grant award, your agency must comply with all application and program requirements set forth in the Public Safety Partnership and Community Policing Act of 1994 and all other requirements of federal law. Your signatures below certify that by submitting this application, your agency is requesting COPS funding only for officer overtime which would not otherwise be funded in your agency's budget with state or local funds. **Reminder:** In order to process your agency's funding request, original signatures of the law enforcement and government executives who will have ultimate financial and programmatic authority for this grant are required on all application documents. Faxed copies will **not** be accepted. Stamped or electronic signatures also will **not** be accepted. It is not permissible for someone to sign application forms in place of the law enforcement and/or government executives named in the application. Applications with missing, incomplete or inaccurate signatures or responses may not be considered for funding.*

By signing below, I certify that the information provided on this form and on the attached forms is true and accurate to the best of my knowledge. I understand that false statements or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any other remedy available by law. I also acknowledge that a hold may be placed on this application if it is deemed that the applicant agency is not in compliance with Federal civil rights laws and/or is not cooperating with an ongoing Federal civil rights investigation.

Law Enforcement Executive's Signature:



Date: 5/20/03

(Signature of person named in Section III of this form)

Robert L. Paquette

(Print name)

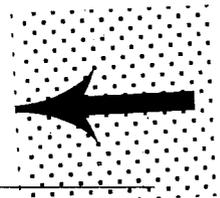
Government Executive's Signature:

_____ Date: _____

(Signature of person named in Section III of this form)

Mark D. Boughton, Mayor

(Print name)



**SIGN
HERE**

VI. Terrorism Preparedness

The questions below relate to your agency's present and anticipated homeland security/anti-terrorism efforts. Please answer all questions below as completely and accurately as possible **for your agency as a whole**. Please do not include any *confidential* or *classified* information in your responses. For the questions that require a written explanation, do not exceed the maximum number of words specified. Additionally, your responses must be consistent with the definitions of homeland security/anti-terrorism and terrorism as defined below.

Homeland Security/Anti-Terrorism: *Your agency's efforts to detect, prepare for, prevent, protect against, respond to, and recover from terrorist attacks within your jurisdiction.*

Terrorism: *An act that 1) is dangerous to human life or potentially destructive of critical infrastructure or key resources, and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States, and 2) appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping.*

1. In the past fiscal year, on average, how many overtime hours per week did your current officers engage in homeland security-related activities?

[Check one]

- | | |
|--|---|
| <input type="checkbox"/> 0 hours or only on an as-needed basis | <input type="checkbox"/> 11-20 hours per week |
| <input type="checkbox"/> 1-5 hours per week | <input type="checkbox"/> 21-30 hours per week |
| <input checked="" type="checkbox"/> 6-10 hours per week | <input type="checkbox"/> 30+ hours per week |

2. On average, how many additional hours per week do you anticipate the requested overtime funding would be used specifically for anti-terrorism/homeland security activities?

[Check one]

- | | |
|--|--|
| <input type="checkbox"/> 0 hours or only on an as-needed basis | <input type="checkbox"/> 11-20 hours per week |
| <input type="checkbox"/> 1-5 hours per week | <input type="checkbox"/> 21-30 hours per week |
| <input type="checkbox"/> 6-10 hours per week | <input checked="" type="checkbox"/> 30+ hours per week |

3. What is the average number of annual hours for homeland security/anti-terrorism training that your agency anticipates providing for officers this year?

[Check one]

- | | |
|--|---|
| <input type="checkbox"/> 0 hours or only on an as-needed basic | <input type="checkbox"/> 11-20 hours per year |
| <input type="checkbox"/> 1-5 hours per year | <input type="checkbox"/> 20+ per year |
| <input checked="" type="checkbox"/> 6-10 hours per year | <input type="checkbox"/> Don't know |

4. Do you have any of the following critical infrastructures within your law enforcement jurisdiction? [Please check all that apply, and provide a one to three word description for each item that is checked.]

- Major bridges or tunnels Interstate Highway & Railroad overpass bridges & Tunnel
- Significant national or regional monuments WWII, Korea & Vietnam
- Major sites of historical significance Local Memorials
- Skyscrapers or tall apartment/commercial buildings Residential and Limited Commercial
- Nuclear reactors/plants _____
- Dams or hydro-electric facilities Candlewood Lake Causeway
- Reservoirs or other major public water systems 3 Reservoirs
- Major electric or other power plants (non-nuclear or hydro-electric) Three power electric transmission sites
- Chemical plants or storage facilities Many Industrial chemical use sites.
- Buildings that house/develop/maintain biologically hazardous materials Danbury hospital Medical Waste, Radioactive Chemicals & machine chemicals for equipment
- Borders with other countries (e.g., Mexico, Canada) _____
- Airports utilized by commercial aircraft Danbury Airport
- Trains or subway systems Metro North Train Station
- Major waterway ports of entry _____
- Oil/petroleum refineries, pipes, or storage facilities Algonquin Gas Transmission pipes Oil & gas 5 locations
- Major tourist attractions (e.g., major theme parks, zoos) Danbury Mall
- Major sporting arenas (e.g., collegiate or professional stadiums) Ives Center Danbury Ice Arena, Minor League Stadium to be built 03-04
- Major sporting or public events 1st Night Danbury
- Active military bases _____
- Major communication centers (e.g., TV, radio, Internet, satellite, newspapers) Radio & Police Transmission Towers
- Strategic missile or other weapon sites _____
- Centers of government (e.g., state capitals) Danbury City Hall
- Major financial centers GE Capital @ 2 sites Corporate
- Major industrial centers Commerce Park & Sherman Turnpike
- Immigration ports of entry Illegal Port of Entry: Danbury Estimate up to 15,000 illegal aliens residing in Danbury.
- Other _____
- Other _____

5. Has your agency participated in any type of joint terrorism task force activity, or are such activities planned in the near future?

[Check one]

Yes No

6. Does your agency/jurisdiction have any of the following currently in place, or do you plan to implement any of the following if awarded in this grant?

[Please check all that apply]

Public anti-fear campaigns

Riot control protocols

Evacuation plans

Decontamination units/plans

Bomb threat protocols

Protection protocols against major cyber-attacks

Public broadcast systems/reverse 911/email notification protocols

Printed and publicly disseminated documents on citizen preparedness (including website information)

Public/community meetings focused on homeland security/citizen preparedness

Increased sworn officer presence at potential terrorism targets.

7. How many officers within your agency have been called up as full time military reservists in the past year (and are therefore no longer available for local policing services)?

[Check one]

0

11-50

1-5

Over 50

6-10

8. Overtime grants can be used to pay for additional officer overtime, over and above your agency's state and locally-funded overtime budget, in connection with training and other law enforcement activities that are designed to assist in the prevention of acts of terrorism and other violent and drug-related crimes. While all policing agencies are eligible to apply for this program, priority consideration will be given to applications that demonstrate the use of community policing strategies to prepare for or respond to acts of terrorism. Please explain how your agency will use the additional officer overtime funded through HSOP, if awarded, to improve or enhance your current homeland security efforts. **Please explain in 250 words or less** (You may attach an additional sheet if necessary, but do not exceed the 250 words allotted).

Michael Georgoulis, a Danbury Police Officer and a US Marine Reserve soldier was called to active duty the result of the Afghanistan Campaign in the Middle East on or about January 14, 2002. This Officer is still serving in the Middle East and is not expected to return to duty as a police officer for approximately another 12 to 18 months.

Danbury Police would like to create a full-time position known as the Danbury Homeland Security Patrol. The most qualified officer will be drafted from the Uniform Patrol position for this most important and priority assignment for purposes of continuity of assignment.

The proposed Danbury Homeland Security Officer (DHSO) will apply applications of Community Policing for purposes of enhancing and improving Homeland Security in Danbury.

The DHSO will be expected to check all critical infrastructures sites a minimum of two times daily with more time directed as sites needing more attention. A daily activity report will be developed for this assignment. This DHSO will review electronic and written intelligence on a daily basis and will be required to file reports of all suspicious activity. THE DHSO will learn to conduct site surveys for purposes of assisting owners of critical infrastructures to make site security enhancements.

Overtime amounting to \$74,132 will be used to back-fill for the proposed DHSO assignment and to assist with the vacancy created by the officer on military leave. Additionally, \$31,648 of Overtime will provide for 8 hours of mandated Overtime Homeland Security Training for 111 officers.

9. In reference to Question #8, please describe what specific goals or public safety needs your agency would be able to address using additional officer overtime that it would **not** be able to address without these funds. **Please explain in 150 words or less** (You may attach an additional sheet if necessary, but do not exceed the 150 words allotted).

As aforementioned, Danbury Police with approval of the Homeland Security Overtime Program Grant application will be able to develop a mandated 1-day training day on Danbury Hometown Security for all police officers and detectives. **Danbury Police will absorb the full cost of training for 37 supervisory personnel without grant funds.**

Currently, all patrols have been asked to be vigilant and report all suspicious activity. Current workload in Patrol does not afford enough time to pro-active patrol. By developing a dedicated patrol to be known as the Danbury Police Homeland Security Patrol and with placement under the Community Policing umbrella. The Patrol will work out of the Community Services Division. The officer will receive additional training in Community Policing, Homeland Security, and Intelligence for purposes of assisting with the job requirements.

Obviously without grant approval during current financial troubled times this added patrol and mandated training could not be added.

VII. Local Budget

Overtime funds being requested must be in addition to overtime already funded in your agency's budget. In other words, COPS funds cannot be used to pay for any overtime for which your agency has already budgeted (or will otherwise budget during the grant period). HSOP provides for 75 percent of anticipated additional overtime costs for non-supervisory sworn personnel based on an average overtime rate specific for your department (please refer to the example provided in Section VIII for assistance when determining your department's average overtime rate).

Federal funds may be requested for up to 75 percent of the total requested additional overtime costs, with a minimum 25 percent local cash match. *The match must be a cash match, made from local, state or other non-COPS funds and may not be paid through reallocating funds otherwise budgeted for specific law enforcement purposes.*

In the spaces provided below, please identify the amount of state and/or local funding for officer overtime currently budgeted in your fiscal year 2003 budget, and your anticipated budgeted level of officer overtime funding for fiscal year 2004 (in the absence of HSOP funding). You may provide additional comments below, but please do not exceed the space provided. The COPS Office reserves the right to request documentation demonstrating state and/or local funds budgeted for overtime; however, this documentation should not be submitted at the time of application.

State and/or local funding currently budgeted for officer overtime:

Fiscal Year 2003 \$ 900,804 FY 02-03 As Amended

State and/or local funding anticipated for officer overtime:

Fiscal Year 2004 \$ 900,000 FY 03-04 As Adopted

Comments: (please do not exceed the space allotted)

Locally Funded Fiscal YearStarting date of your fiscal year: 07, 01, 2002Ending date of your fiscal year: 06, 30, 2003**Cognizant Federal Agency**

Many state and municipal agencies that receive federal grants are required to have audits of those grants forwarded to a single federal agency (e.g., Justice, HUD, HHS, Transportation). The single federal agency where such audits are sent is known as your "Cognizant Federal Agency." Please enter the name of your Cognizant Federal Agency (typically the federal agency that provides your government entity with the most federal funding) in the space provided. If your department does not receive federal funds, enter "U.S. Department of Justice."

Single Audit Clearinghouse

(Cognizant Federal Agency)

Calculating Your Department's Average Overtime Rate Per Hour

When calculating your department's average overtime rate per hour, please average the overtime rate paid within your department for non-supervisory sworn personnel at the base salary. Please list below the personnel ranks/categories, their current overtime rate, and the calculations from averaging these categories to determine your Average Overtime Rate Per Hour. Please use the number of categories that is appropriate for your agency, however, do not exceed 5 personnel ranks/categories when calculating your overall average. For those agencies who have more than 5 ranks/categories, please select those that are representative of your non-supervisory sworn personnel. Once you have determined your department's Average Overtime Rate Per Hour, please multiply by the number of hours your department anticipates a need for above and beyond what is locally budgeted in Fiscal Year 2003 for officer overtime. The Additional Overtime Hours Requested is used for the purpose of determining your specific overtime request. If awarded, you will not be required to expend overtime at the level of hours requested, as long as your department can demonstrate that the goals and objectives of the program were met, and all overtime used under the grant was paid within the personnel categories listed below.

Personnel Category	Overtime Rate Per Hour	Wages Based Upon FY 02-03 Wage Contract
1. <u>Police Officer step 2</u>	<u>\$30.02</u>	
2. <u>Police Officer step 3</u>	<u>\$34.30</u>	
3. <u>Police Officer step 4</u>	<u>\$35.85</u>	
4. <u>Police Officer step 5</u>	<u>\$37.40</u>	
5. <u>Police Officer step 6</u>	<u>\$37.97</u>	
6. <u>Det, Police Officer 6</u>	<u>\$39.31</u>	

Overtime Rate Per Hour <u>Across All Categories</u>	<u>Number of Categories</u>	Average Overtime <u>Rate Per Hour</u>
\$ <u>213.85</u> .00	/ <u>6</u>	= \$ <u>35.64</u> ***

<u>Average Overtime Rate Per Hour</u>	<u>Additional Overtime Hours Requested</u>	Total Cost of Overtime <u>(Before Fringe Benefits)</u>
\$ <u>35.64</u> .00	x <u>2,968</u>	= \$ <u>105,880.00</u>

Overtime Request Summary

When you have completed the average overtime rate per hour and the fringe benefits, transfer the totals for each category to the spaces below. Please compute the total overtime costs and place that amount on the applicable line

Average Overtime Rate Per Hour		\$ <u>35.6400</u>
Additional Overtime Hours Requested	x	<u>2,968</u>
Total Cost of Overtime (Before Fringe Benefits)		\$ <u>105.8800</u>
Fringe Benefits Total	+	\$ <u>5,537.00</u>
Total HSOP Project Costs	=	\$ <u>111,417.00</u>
Federal Request (up to 75 percent of the Total HSOP Project Costs)		\$ <u>83,563.00</u>
Non-Federal Amount (25 percent Minimum Local Cash Match)		\$ <u>27,854.00</u>

The Non-Federal Amount or your Local Match must represent, at a minimum, 25 percent of the Total Overtime Costs.

As a reminder, law enforcement agencies can apply for funding based on the size of the population they serve, or their budgeted sworn force at the time of application using the following guidelines:

<u>Agencies serving populations:</u>	<u>OR</u>	<u>Budgeted sworn force:</u>	<u>May apply for a federal share of up to:</u>
under 24,999		1-49	\$25,000
from 25,000 to 49,999		50-99	\$50,000
from 50,000 to 99,999		100-199	\$100,000
from 100,000 to 249,999		200-499	\$250,000
from 250,000 to 499,999		500-999	\$500,000
from 500,000 to 999,999		1,000-1,999	\$1,000,000
over 1,000,000		above 2,000	\$3,000,000

IX. Addenda

- Assurances (please sign and return)
- Certifications (please sign and return)
- Disclosure of Lobbying Activities (please sign and return if applicable)
- Sheriff's Department Questionnaire (if applicable)
- Special Department Questionnaire (if applicable)

Please be advised that a hold may be placed on this application if it is deemed that the applicant agency is not in compliance with federal civil rights laws and/or is not cooperating with an ongoing federal civil rights investigation.

Paperwork Reduction Act Notice

The public reporting burden for this collection of information is estimated to average 8 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the application. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Community Oriented Policing Services, U.S. Department of Justice, 1100 Vermont Avenue, N.W., Washington, D.C. 20530; and to the Public Use Reports Project, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

Assurances

Several provisions of federal law and policy apply to all grant programs. We (the Office of Community Oriented Policing Services) need to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at (800) 421-6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of OMB Circulars A-87, A-21, A-122, or the Federal Acquisition Regulations, as applicable (governing cost principles); OMB Circulars A-102 or A-110, as applicable (Uniform Administrative Requirements for Grants and Cooperative Agreements); OMB Circular A-133 (governing audits); the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the current edition of the COPS Grant Monitoring Standards and Guidelines; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789(d)); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E and G) of the Code of Federal Regulations.
 - A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.
 - B. Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an eighteen-month period), must submit an acceptable Equal Employment Opportunity Plan ("EEOP") or EEOP short form (if grantee is required to submit an EEOP under 28 CFR 42.302), that is approved by the Office of Justice Programs, Office for Civil Rights within 60 days of the award start date. For grants under \$500,000, but over \$25,000, or for grantees with fewer than 50 employees, the grantee must submit an EEOP Certification. (Grantees of less than \$25,000 are not subject to the EEOP requirement.)
9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.
11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.

12. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.

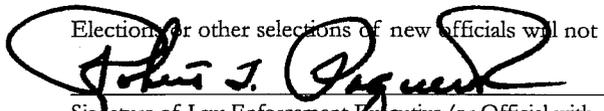
13. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

14. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of one full local budget cycle following expiration of the grant period.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.



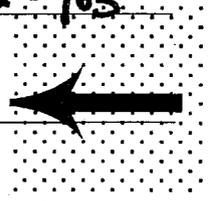
Signature of Law Enforcement Executive (or Official with Programmatic Authority, as applicable)

5/20/03

Date

Signature of Government Executive (or Official with Financial Authority, as applicable)

Date



**SIGN
HERE**

Certifications

Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirement of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 -

A. The applicant certifies that it and its principals:

(i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

(ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

(iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;

(b) The grantee's policy of maintaining a drug-free workplace;

(c) Any available drug counseling, rehabilitation and employee assistance programs; and

Homeland Security Overtime Program Application Packet

- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, DC 20530. Notice shall include the identification number(s) of each affected grant;
- (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v) and (vi).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

120 Main Street
Danbury, Connecticut 06810

Check if there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a state may elect to make one certification in each federal fiscal year, a copy of which should be included with each application for Department of Justice funding. States and state agencies may elect to use OJP Form 4061/7.

Check if the state has elected to complete OJP Form 4061/7.

4. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

Danbury Police Department, City of Danbury

Grantee Name and Address: 120 Main Street, Danbury, Connecticut 06810

Application No. and/or Project Name: Homeland Security Grantee IRS/Vendor Number: 066001868

Overtime Program

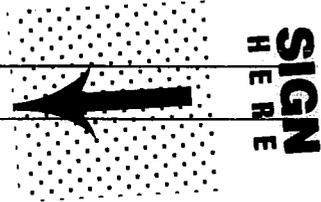
Typed Name and Title of Law Enforcement Executive: _____

Signature: *Robert L. Paquette* **Robert L. Paquette** Date: 5/20/03
Chief of Police

As the duly authorized representative of the governing body, I hereby certify that I am binding the governing body to the above certifications, including the plan to retain. Elections of new officials will not relieve the governing body of its obligations under this grant.

Typed Name and Title of Government Executive: Mark D. Boughton, Mayor

Signature: _____ Date: _____



Disclosure of Lobbying Activities

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient, at the initiation or receipt of a covered federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District number, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the federal agency, enter the federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting registrant identified in item 4 to influence the covered federal action.

(b) Enter the full name(s) of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20530.

N/A

Approved by OMB
O348-0046
(as amended)

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for instructions and public burden disclosure)

1. Type of Federal Action: _____ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: _____ a. bid/offer/application b. initial award c. post-award	3. Report Type: _____ a. initial filing b. material change <i>For Material Change Only:</i> Year: _____ Quarter: _____ Date of last report: _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, <i>if known:</i> Congressional District (number), if known: _____	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District (number), if known: _____	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	10. b. Individuals Performing Services (including address if different from No.10a) (last name, first name, MI):	
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	

Federal Use Only:

Authorized for Local Reproduction, Standard Form - LLL

Special Department Questionnaire

Please answer the following questions if the legal applicant is an established special department. Examples of special departments are housing authority, transit police, university/school police, and park police.

1. Do officers have primary law enforcement authority for the population to be served?

[Check one]

Yes No

If no, please explain:

Deadline:

Applications must be postmarked on or before June 13, 2003 or the final deadline June 27, 2003.

Remember to send an original and two copies of all application materials.

2. What legislation gives officers their police officer status and enforcement authority?

[Check one]

State Local Both

Important! Your agency must attach a copy of the legislation documenting your enforcement authority.

3. Do officers have full and unrestricted arrest authority? If not, what are their limitations?

4. Do officers have full powers over the entire jurisdiction? If not, what area(s) are they restricted to? (e.g., parks, campus)

5. Do officers provide full police services 24 hours a day, 7 days a week? If not, what are their hours?

If you have questions about applying for overtime under the Homeland Security Overtime Program (HSOP), please contact your COPS Grant Program Specialist through the U.S. Department of Justice Response Center at 800.421.6770.

Sheriff's Department Questionnaire

Please answer the following questions if the legal applicant is an established sheriff's department.
Attach additional pages if needed.

1. Do deputies have primary law enforcement authority for the population to be served?

[Check one]

Yes No

If yes, what is the actual population for which your department has primary law enforcement authority? In other words, the 2000 Census population minus the incorporated towns and cities that have their own police departments. If no, please explain below.

Deadline:

Applications must be postmarked on or before

June 13, 2003

or the final deadline

June 27, 2003.

Remember to send an original and two copies of all application materials.

2. In the space below, break down the time spent by your entire department on various types of activities. For example: 50 percent law enforcement duties; 30 percent courthouse/bailiff duties; 20 percent jail duties (total should equal 100%).

3. Of the total percentage of time spent on law enforcement duties (as indicated in question #2), what percentage of that is spent on community policing activities?

4. Briefly describe some of the community policing activities your department participates in and/or coordinates.

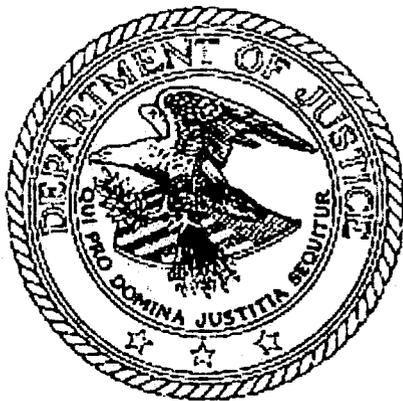
If you have questions about applying for overtime under the Homeland Security Overtime Program (HSOP), please contact your COPS Grant Program Specialist through the U.S. Department of Justice Response Center at 800.421.6770.

X. Return Address

Submit one original and two copies to:

U.S. Department of Justice
Office of Community Oriented Policing Services
Homeland Security Overtime Program (HSOP) Control Desk
1100 Vermont Avenue, N.W.
7th floor
Washington, D.C. 20530 (use zip 20005 for overnight mail)

Due to continued mail delays in the Washington, D.C. area, we strongly encourage you to submit your application packet by an express or overnight delivery service. If you choose to use an express delivery service, please use zip code 20005 for your submission.



FOR MORE INFORMATION:

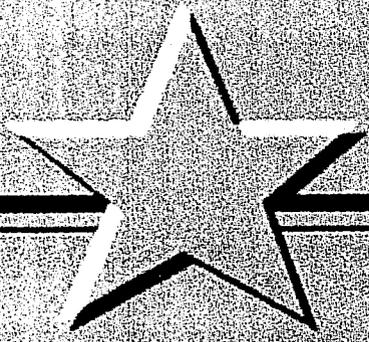
U.S. Department of Justice
Office of Community Oriented Policing Services
1100 Vermont Avenue, N.W.
Washington, D.C. 20530

To obtain details on COPS programs, call the
U.S. Department of Justice Response Center at 800.421.6770

Visit COPS Online at the address listed below.

e04031932

Created Date: April 24, 2003



www.cops.usdoj.gov



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

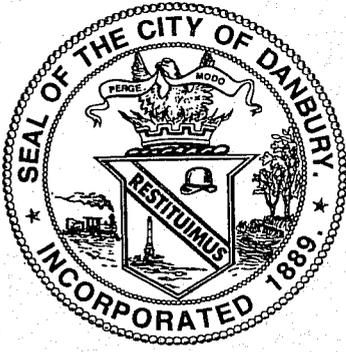
WHEREAS, the U.S. Department of Justice Office of Community Oriented Policing Services ("COPS") has established a Homeland Security Overtime Program ("HSOP") offering local law enforcement agencies the opportunity to apply for additional officer overtime funding to support community policing and homeland security efforts; and

WHEREAS, a COPS grant in the total amount of up to One Hundred Twenty Thousand Five Hundred Six Dollars (\$120,506.00) is being made available with the federal share being up to ninety thousand three hundred seventy nine dollars and 50/100 (\$90,379.50); and

WHEREAS, a local cash match of twenty-five (25%) percent in the amount of up to thirty thousand one hundred twenty six dollars and 50/100 (\$30,126.50) will be required in order to obtain the grant funding; and

WHEREAS, it is desirable for the City of Danbury to obtain the benefits of this grant program in order to serve the Danbury community.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton be and hereby is authorized to make application for said COPS grant and to execute such and additional documents as may be required in order to effectuate the purposes of this program.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the U.S. Department of Justice Office of Community Oriented Policing Services ("COPS") has established a Homeland Security Overtime Program ("HSOP") offering local law enforcement agencies the opportunity to apply for additional officer overtime funding to support community policing and homeland security efforts; and

WHEREAS, a COPS grant in the total amount of up to One Hundred Twenty Thousand Five Hundred Six Dollars (\$120,506.00) is being made available with the federal share being up to ninety thousand three hundred seventy nine dollars and 50/100 (\$90,379.50); and

WHEREAS, a local cash match of twenty-five (25%) percent in the amount of up to thirty thousand one hundred twenty six dollars and 50/100 (\$30,126.50) will be required in order to obtain the grant funding; and

WHEREAS, it is desirable for the City of Danbury to obtain the benefits of this grant program in order to serve the Danbury community.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Mark D. Boughton be and hereby is authorized to make application for said COPS grant and to execute such and additional documents as may be required in order to effectuate the purposes of this program.



3

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 28, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: "Mootry Peak"
Purchase of Property by City of Danbury
Open Space and Watershed Land

Dear Mayor and Council:

The prior Council and administration had authorized the acquisition of the former Blackburn property overlooking and adjacent to Tarrywile Park in order to enlarge the open space land available to Danbury residents. All pertinent transactions have long since occurred, but the State has notified us that Mayor Boughton needs to re-execute the Conservation and Public Recreation Easement and Agreement as a result of the State not having a final, fully executed Agreement in its possession (this Agreement, in essence, states that the City, in return for the State grant to assist in the purchase, will endeavor to keep the property as open space and available for public recreation).

Therefore, and in order to complete all aspects of this transaction, kindly approve the attached resolution (which, except for the name of the Mayor, is identical to the earlier one already approved) authorizing Mayor Boughton to execute the referenced Agreement and return the same to the State DEP for processing.

In the event you have any questions about this, please do not hesitate to call.

Very truly yours,

Laszlo L. Pinter,
Assistant Corporation Counsel

Attachment

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Deputy Corporation Counsel
Jack Kozuchowski, Coordinator of Environmental Health

Llp/mootryrevise





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 "Open Space and Watershed Land Acquisition" grant program is offering up to fifty (50%) percent reimbursement to municipalities for the acquisition of environmentally significant properties that are to be preserved as open space; and

WHEREAS, the grant would be used to purchase the Mootry Peak property adjoining Tarrywile Park; and

WHEREAS, this acquisition is consistent with the long range goal of expanding Tarrywile Park to provide a linkage to Wooster Mountain State Park; and

WHEREAS, based on the current assessed value and the projected appraisal value of this site, the grant application would seek grant funds in the approximate amount of \$95,000.00; and

WHEREAS, the direct cost to the City of Danbury for the balance of the acquisition cost is expected, therefore, to be in the range of \$97,500.00 to \$117,000.00; and

WHEREAS, said City contribution is incorporated within the City capital budget proposal for FY 2000-2001 as submitted by the Planning Department;

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury be and hereby is authorized to make application for grant funds providing reimbursement to the City of Danbury for fifty (50%) percent of the agreed acquisition price for the "Mootry Peak" open space property, and for the Mayor to accept such grant funding if awarded and enter in such agreements with the State of Connecticut as may be required in order to accomplish the goals hereof.



3A

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 28, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: Acquisition of land at 6 Williams Street for the purpose of constructing
a playground in the Blind Brook neighborhood;

Dear Mayor and Council:

The attached resolution proposes to renew a July 2, 2002 Council Resolution approving the acquisition of property at 6 Williams Street for the purpose of constructing a playground in the Blind Brook neighborhood. Due to extended negotiations with the property owners, the acquisition was not accomplished within the six month period allowed by law. Accordingly, we are requesting that the attached Resolution be approved in order to provide a new six-month period in which to accomplish the acquisition of said property.

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

Very truly yours,

Raymond P. Yamin
Associate Corporation Counsel

RPY:la
Enclosure



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

EXHIBIT A

All that certain triangular piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, bounded and described as follows:

Commencing at a point on the South on the Westerly side of Blind Brook, so-called, where the land now or formerly of Bridget McDermott, land now or formerly occupied by John Case and land now or formerly of Patrick J. and Margaret Lynch intersect; thence running in a Northwesterly direction on the West side of said Brook along lands now or formerly of Patrick J. and Margaret Lynch, land of Estate of Rufus Rick. Land of Benjamin F. Butler, land of Ella W. Barlow, 220 1/2 feet, more or less; thence running in an Easterly direction across said Brook and along land of Herman Denninger and land of C. E. Griffing, 144 feet, more or less; thence running in a southwesterly direction along land formerly of the Danbury & Bethel Street Railway Co., 203 feet, more or less, to point of beginning; said land being bounded:

NORTHERLY: by land now or formerly of Herman Denninger and land now or formerly of C. E. Griffing, each in part;

EASTERLY: by land now or formerly of Bridget McDermott;

WESTERLY: by land now or formerly of Patrick J. and Margaret Lynch, land now or formerly of Estate of Rufus Rice, land now or formerly of Benjamin F. Butler and land now or formerly of Ella W. Barlow, each in part and running to a point on the South.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is seeking to construct a playground for neighborhood use in the Blind Brook neighborhood, and specifically on property at 6 Williams Street, which property is described in EXHIBIT A attached hereto;

WHEREAS, in order to accomplish that goal, the City will need to acquire said property, through negotiation with the property owner or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interests of the City of Danbury to acquire said property and to construct said playground;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Corporation Counsel, be and hereby is authorized to acquire the property described in EXHIBIT A attached hereto for the purposes of constructing a playground at said location, in accordance with the procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the property, if any, by December 3, 2003.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

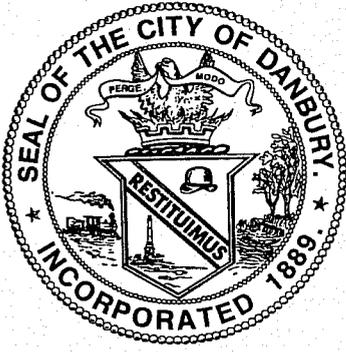
RESOLVED by the Common Council of the City of Danbury:

EXHIBIT A

All that certain triangular piece or parcel of land situated in the City of Danbury, County of Fairfield and State of Connecticut, bounded and described as follows:

Commencing at a point on the South on the Westerly side of Blind Brook, so-called, where the land now or formerly of Bridget McDermott, land now or formerly occupied by John Case and land now or formerly of Patrick J. and Margaret Lynch intersect; thence running in a Northwesterly direction on the West side of said Brook along lands now or formerly of Patrick J. and Margaret Lynch, land of Estate of Rufus Rick. Land of Benjamin F. Butler, land of Ella W. Barlow, 220 1/2 feet, more or less; thence running in an Easterly direction across said Brook and along land of Herman Denninger and land of C. E. Griffing, 144 feet, more or less; thence running in a southwesterly direction along land formerly of the Danbury & Bethel Street Railway Co., 203 feet, more or less, to point of beginning; said land being bounded:

- NORTHERLY: by land now or formerly of Herman Denninger and land now or formerly of C. E. Griffing, each in part;
- EASTERLY: by land now or formerly of Bridget McDermott;
- WESTERLY: by land now or formerly of Patrick J. and Margaret Lynch, land now or formerly of Estate of Rufus Rice, land now or formerly of Benjamin F. Butler and land now or formerly of Ella W. Barlow, each in part and running to a point on the South.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is seeking to construct a playground for neighborhood use in the Blind Brook neighborhood, and specifically on property at 6 Williams Street, which property is described in EXHIBIT A attached hereto;

WHEREAS, in order to accomplish that goal, the City will need to acquire said property, through negotiation with the property owner or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, it is in the best interests of the City of Danbury to acquire said property and to construct said playground;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Corporation Counsel, be and hereby is authorized to acquire the property described in EXHIBIT A attached hereto for the purposes of constructing a playground at said location, in accordance with the procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the property, if any, by December 3, 2003.



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

May 28, 2003

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

Dear Mayor Boughton and Common Council Members:

Downtown Parking Garage – Library Place
Acquisition of Properties and Easements

Enclosed please find copies of proposed property maps and related legal descriptions prepared by our department for the parcels of land needed to construct the proposed downtown parking garage that was funded by the Vision 21² bond issue.

The properties to be acquired are all or portions of the following lots:

- Lot No. I14169 The First Portuguese Speaking Baptist Church of Danbury, Inc.
(portion of lot)
- Lot No. I14162 The First Portuguese Speaking Baptist Church of Danbury, Inc.
(all of lot)
- Lot No. I14167 JDM LLC (portion of lot)
- Lot No. I14168 Charles A. Duncan, III and Louise K. Michael (portion of lot)
- Lot No. I14165 The Daniels Agency of New York, Inc. (portion of lot)

These parcels of land will be acquired subject to a variety of easements (access, refuse removal, etc.) that will allow the property owners to continue to make use of the rear portions of their properties in manners similar to present uses.

Temporary access and construction easements will be required on the following properties:

- Lot No. I14170 Union Savings Bank
- Lot No I14155 James Nolan and Kim E. Nolan, Trustee of the Arline A. Nolan
Revocable Trust Indenture

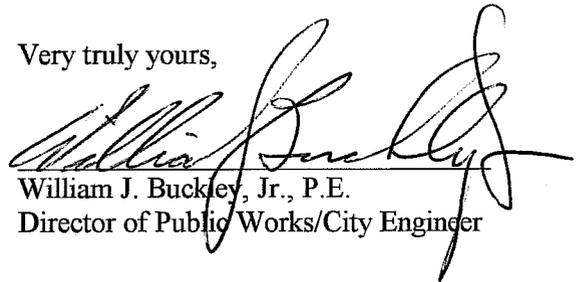
Although no portion of the following property is to be taken, a variety of easements (access, refuse removal, etc.) that will allow the property owners to continue to make use of the rear portion of their property in manners similar to present uses will be needed:

Lot No. I14166 Robert M. Steinberg and Ann Marie Prybylski d/b/a Prystein Investments

We would appreciate if you would authorize the Corporation Counsel's office to take the steps necessary to acquire the properties and easements noted above.

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

Encl.

C: Eric L. Gottschalk, Esq., with encl.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to construct a downtown parking garage; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easements and properties set forth on EXHIBITS A, B, C, D, E and F attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by December 1, 2003.

**FIRST PORTUGUESE SPEAKING BAPTIST CHURCH
OF DANBURY, INC.
(TAX ASSESSOR'S LOT NOS. I14162 AND I14169-PORCION OF)**

A certain piece or parcel of land containing 28,783 square feet (0.6608Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 234 Main Street and Library Place and know as Tax Assessor's Lot Nos. I14162 and I14169 (portion of) bounded and described as follows:

Commencing at a point on the westerly street line of Main Street said point being the southeasterly corner of land now or formerly of Charles A. Duncan, III and Louise K. Michael and the northeasterly corner of land herein described, thence running southerly along the westerly street line of Main Street S. $41^{\circ} 29' 15''$ E. a distance of 10.11 feet to a point, thence turning and running westerly through the land of the Grantor and along the northerly brick face of the existing building S. $61^{\circ} 15' 18''$ W. a distance of 143.11 feet to a point, thence turning and running southerly through the land of the Grantor S. $28^{\circ} 40' 00''$ E. a distance of 39.89 feet to a point on the southerly boundary line of land of the Grantor, thence turning and running westerly along the southerly boundary line of land of the Grantor on the following courses and distances S. $62^{\circ} 04' 25''$ W. a distance of 91.01 feet to point, thence S. $62^{\circ} 04' 25''$ W. a distance of 10.16 feet to a point, thence S. $61^{\circ} 35' 35''$ W. a distance of 81.25 feet to the southwesterly corner of land of the Grantor, thence turning and running northerly along the westerly boundary line of land of the Grantor N. $35^{\circ} 19' 25''$ W. a distance of 110.00 feet to the northwesterly boundary corner of land of the Grantor, thence turning and running easterly along the southerly boundary line of land now or formerly of the Estate of Joseph DaSilva and Maria DaSilva N. $61^{\circ} 31' 45''$ E. a distance of 55.31 feet to a point, thence turning and running northerly along the easterly boundary line of land now or formerly of the Estate of Joseph DaSilva and Maria DaSilva N. $36^{\circ} 27' 35''$ W. a distance of 106.28 feet to a point on the southerly street line of Library Place, thence turning and running easterly along the southerly street line of Library Place N. $53^{\circ} 32' 25''$ E. a distance of 55.00 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of the City of Danbury S. $36^{\circ} 27' 35''$ E. a distance of 114.00 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of the City of Danbury and land now or formerly of The Daniels Agency of New York, Inc, each in part N. $61^{\circ} 31' 45''$ E. a distance of 89.52 feet to a point, thence turning and running southerly along the westerly boundary line of land now or formerly of JDM LLC and land now or formerly of Charles A. Duncan, III and Louise K. Michael, each in part, on the following courses and distances S. $42^{\circ} 50' 35''$ E. a distance of 40.00 feet to a point, thence S. $60^{\circ} 30' 05''$ W. a distance of 2.45 feet to a point, thence S. $33^{\circ} 45' 45''$ E. a distance of 18.40 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of Charles A. Duncan, III and Louise K. Michael on the following courses and distances N. $71^{\circ} 08' 41''$ E. a distance of 27.10 feet to a point, thence N. $60^{\circ} 30' 05''$ E. a distance of 100.00 feet to the point or place of beginning.

Bounded:

- Northerly : By Library Place, by land now or formerly of Estate of Joseph DaSilva and Maria DaSilva, by land now or formerly of the City of Danbury, by land now or formerly of The Daniels Agency of New York, Inc., by land now or formerly of Charles A. Duncan, III and Louise K. Michael, each in part.
- Easterly : By Main Street, by land now or formerly of the City of Danbury, by land now or formerly of JDM LLC, by land now or formerly of Charles A. Duncan, III and Louise K. Michael and by other land of the Grantor, each in part.
- Southerly : By other land of the Grantor, by land now or formerly of Union Savings Bank and by land now or formerly of James Nolan and Kim E. Nolan, Trustees of the Arline A. Nolan Revocable Trust Indenture, each in part.
- Westerly : By land now or formerly of James Nolan, by land now or formerly of The Vincent Administration Limited Liability Partnership, by land now or formerly of Juan Gonzalez and Eustolia Gonzalez and by land now or formerly of Estate of Joseph DaSilva and Maria DaSilva, each in part.

Together with the rights to use and connect lighting, canopies, trusses and related appurtenances on the northerly brick face of the existing building.

Subject to passway rights in favor of Charles A. Duncan, III and Louise K. Michael and JDM LLC as more particularly described in Vol. 91, Pg. 572, Vol. 92, Pg. 538, Vol. 416, Pg. 89 and Vol. 619, Pg. 822 of the D.L.R.

For a more particular description reference is made to a map entitled " Map Showing Property of First Portuguese Speaking Baptist Church of Danbury, Inc. to be Acquired by The City of Danbury Main Street and Library Place Danbury, Connecticut Scale 1" = 20' May 15, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despopjado, P.E. &L.S. No. 12050, which map is to be filed on the Danbury Land Records.

**JDM LLC
240-242 MAIN STREET
(TAX ASSESSOR'S LOT NO. I14167)**

A certain piece or parcel of land containing 276 square feet (0.0063Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 240-242 Main Street and known as Tax Assessor's Lot No. I14167 (portion of) bounded and described as follows:

Commencing at a point on the southwesterly corner of land of the Grantor, said point being the southwesterly corner of land herein described, thence running northerly along the westerly boundary line of the Grantor N. $42^{\circ} 50' 35''$ W. a distance of 40.00 feet to a point on the southerly boundary line of land now or formerly of The Daniels Agency of New York, Inc., thence turning and running easterly along the southerly boundary line of land now or formerly of The Daniels Agency of New York, Inc. N. $60^{\circ} 42' 20''$ E. a distance of 11.59 feet to a point, thence turning and running southerly through the land of the Grantor S. $29^{\circ} 51' 34''$ E. a distance of 38.88 feet to a point on the northerly boundary line of land now or formerly of Charles A. Duncan, III and Louise K. Michael, thence turning and running westerly along the northerly boundary line of land now or formerly of Charles A. Duncan, III and Louise K. Michael S. $60^{\circ} 30' 05''$ W. a distance of 2.60 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of The Daniels Agency of New York, Inc.

Easterly : By other land of the Grantor.

Southerly : By land now or formerly of Charles A. Duncan, III and Louise K. Michael.

Westerly : By land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc.

For a more particular description reference is made to a map entitled "Map Showing Property of JDM LLC to be Acquired by The City of Danbury 240-242 Main Street, Danbury Connecticut Scale: 1" = 10' May 15, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed on the Danbury Land Records.

CHARLES A. DUNCAN, III AND LOUISE K. MICHAEL
238 MAIN STREET
(TAASSESSOR'S LOT NO. I14168)

A certain piece or parcel of land containing 386 square feet (0.0089 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 238 Main Street and known as Tax Assessor's Lot No. I14168 (portion of) bounded and described as follows:

Commencing at a point on the northerly side of land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc. known as a passway and said point being the southwesterly corner of land herein described, thence running northerly along the face of a stone retaining wall N. $33^{\circ} 45' 45''$ W. a distance of 18.40 feet to a point, thence turning and running easterly along the southerly boundary line of land now or formerly of JDM LLC N. $60^{\circ} 30' 05''$ E. a distance of 17.31 feet to a point, thence turning and running southerly through the land of the Grantor S. $42^{\circ} 50' 35''$ E. a distance of 22.96 feet to a point on the northerly boundary line of land now or formerly of First Portuguese Speaking Baptist Church of Danbury, Inc., thence turning and running westerly along the northerly boundary line of land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc. S. $71^{\circ} 08' 40''$ W. a distance of 21.61 feet to the point or place of beginning.

Bounded:

Northerly : By land now or formerly of JDM LLC.

Easterly : By other land of the Grantor.

Southerly : By land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc., known as passway.

Westerly : By land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc.

Together with the rights to use and connect lighting, canopies, trusses and related appurtenances on the southerly brick wall face of the existing building.

For a more particular description reference is made to a map entitled "Map Showing Property of Charles A. Duncan, III and Louise K. Michael to be Acquired by The City of Danbury 238 Main Street Danbury, Connecticut Scale: 1" = 10' May 15, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed on the Danbury Land Records.

THE DANIELS AGENCY OF NEW YORK, INC.
248 MAIN STREET
(TAX ASSESSOR'S LOT NO. I14164)

A certain piece or parcel of land containing 767 square feet (0.01765 Acre), more or less, situated in the City of Danbury, County of Fairfield and State of Connecticut at 248 Main Street and known as Tax Assessor's Lot No. I14164 (portion of) bounded and described as follows:

Commencing at a point on the southwesterly corner of land of the Grantor and said point being the southwesterly corner of land herein described, thence running northerly N. $47^{\circ} 37' 35''$ W. a distance of 7.50 feet to a point on the southerly boundary line of land now or formerly of the City of Danbury, thence turning and running easterly along the southerly boundary line of land now or formerly of the City of Danbury N. $48^{\circ} 27' 23''$ E. a distance of 58.90 feet to a point, thence turning and running southerly through the land of the Grantor S. $25^{\circ} 34' 33''$ E. a distance of 20.16 feet to a point on the southerly boundary line of the Grantor and the northerly boundary line of land now or formerly of JDM LLC, thence turning and running westerly along the southerly boundary line of the Grantor S. $60^{\circ} 42' 20''$ W. a distance of 19.02 feet to the northeast corner of land now or formerly of the First Portuguese Speaking Baptist Church of Danbury, Inc., thence continuing westerly along the northerly boundary line of land now or formerly the First Portuguese Speaking Baptist Church of Danbury, Inc. S. $61^{\circ} 31' 45''$ W. a distance of 34.90 feet to the point or place of beginning.

Bounded:

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

Easterly : By other land of the Grantor.

Southerly : By land now or formerly of JDM LLC and by land now or formerly of the First Portuguese Speaking Baptist Church, Inc., each in part.

Westerly : By land now or formerly of The City of Danbury.

For a more particular description reference is made to a map entitled "Map Showing Property of The Daniels Agency of New York, Inc. to be Acquired by The City of Danbury 248 Main Street Danbury, Connecticut Scale: 1" = 10' May 15, 2003" prepared by the Engineering Department of the City of Danbury and certified substantially correct by Ireneo H. Despojado, P.E.&L.S. No. 12050, which map is to be filed on the Danbury Land Records,

UNION SAVINGS BANK
PROPOSED 25 FEET WIDE TEMPORARY CONSTRUCTION EASEMENT
AND 20 FEET WIDE TEMPORARY CONSTRUCTION ACCESS EASEMENT
(TAX ASSESSOR'S LOT NO. I14170)

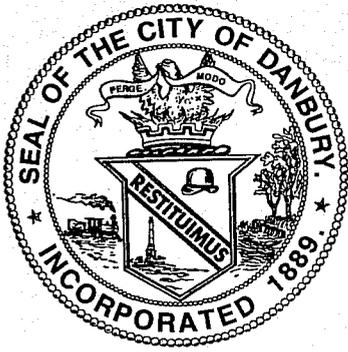
A 25 feet wide temporary construction easement containing 2,625 square feet, more or less, located adjacent to and parallel with the northerly boundary line (portion of) of the Grantor and a 130 feet long by 20 feet wide temporary construction access easement located along the westerly boundary line of the Grantor starting at Chapel Street and running northerly through the existing driveway and parking lot of the Grantor to the southerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description referenced is made to a map entitled "Map Showing Proposed Construction and Access Easement Over the Land of Union Savings Bank to be Acquired by The City of Danbury Chapel Place, Danbury, Connecticut Scale: 1" = 20' May 15, 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 on the Danbury Land Records.

**JAMES NOLAN AND KIM E. NOLAN
TRUSTEE OF THE ARLINE A. NOLAN REVOCABLE TRUST INDENTURE
PROPOSED 25 FEET WIDE TEMPORARY CONSTRUCTION EASEMENT
AND TEMPORARY CONSTRUCTION ACCESS EASEMENT
(TAX ASSESSOR'S LOT NOS. I14155)**

A 25 feet wide temporary construction easement containing approximately 2,285 square feet, more or less, located adjacent to and parallel with the northerly boundary line of the Grantors and a 130 feet long by 12 to 15 feet wide temporary construction access easement located along on the easterly boundary line of the Grantors starting at Chapel Place and running northerly through the existing driveway and parking lot of the Grantors to the southerly line of the temporary construction easement, all as shown on the hereunder referenced map.

For a more particular description reference is made to a map entitled "Map Showing Proposed Construction and Access Easements Over the Land of James Nolan and Kim E. Nolan Trustee of the Arline A. Nolan Revocable Trust Indenture to be Acquired by The City of Danbury Chapel Place, Danbury, Connecticut Scale: 1" = 20' May 15, 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 on the Danbury Land Records.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200__

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury, pursuant to authorization through the Vision² bond package, is proceeding, through plans and designs, to construct a downtown parking garage; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel, be and hereby is authorized to acquire the easements and properties set forth on EXHIBITS A, B, C, D, E and F attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by December 1, 2003.



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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

June 3, 2003

Honorable Members of the Common Council
City of Danbury

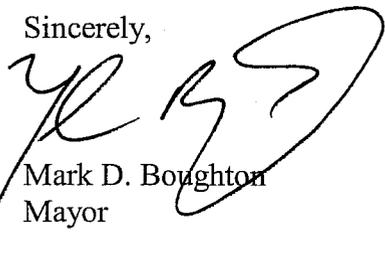
Dear Council Members:

I hereby submit for your confirmation the promotion of Police Officer Christian A. Carroccio to the rank of Sergeant in the Danbury Police Department. Officer Carroccio successfully completed the Civil Service requirements for this position,

Officer Carroccio was appointed to the Police Department on May 24, 1996. He earned his Bachelor of Science Degree in Justice and Law Administration. Officer Carroccio was awarded two (2) Meritorious Citations, two (2) Exceptional Police Service Awards, one (1) Unit Citation, and two (2) Letters of Commendation. He has served in temporary assignments with the Special Investigations Division and the Traffic Division. Officer Carroccio and his wife Stacey have a daughter, Alexander.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

June 3, 2003

Honorable Members of the Common Council
City of Danbury

Dear Council Members:

I hereby submit for your confirmation the promotion of Detective Police Officer Matthew McNally to the rank of Sergeant in the Danbury Police Department. Officer McNally successfully completed the Civil Service requirements for this position.

Officer McNally was appointed to the Police Department on January 28, 1985. He was appointed to the position of Detective on September 7, 1998. Detective Officer McNally earned a Master's Degree in Forensic Science. He is a Certified Senior Crime Scene Analyst. Detective McNally was awarded the 1995 Rotary Officer of the Year, and in 1996 the Exchange Club Officer of the Year. Detective McNally is a Department Instructor, Dive Team Member, and Head of the Police Explorer Program. He also served in the Marine Corps Reserve. Officer McNally and his wife, Doreen, have three children – a son Matthew V, and two daughters, Brianna and Meighan.

Thank you for your consideration of this appointment.

Sincerely,

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

Mark D. Boughton
Mayor



revised

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

June 3, 2003

Honorable Members of the Common Council
City of Danbury

Dear Council Members:

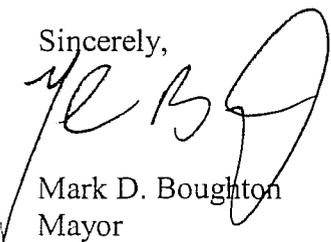
I hereby submit for your confirmation the promotion of Sergeant Francis Krupinsky, Jr. to the rank of Lieutenant in the Danbury Police Department. Sergeant Krupinsky successfully completed the Civil Service requirements for this position.

Sergeant Krupinsky was appointed to the Police Department on August 18, 1975. He was promoted to the rank of Sergeant on November 23, 1982. Sergeant Krupinsky has been assigned as Court Liaison Officer since October 19, 1987, and he still serves in that capacity. Sergeant Krupinsky was a Departmental Training Officer and a SWAT Team Leader. He also served on the uniform committee 26 years ago that redesigned the police uniform. That uniform is still being used today. Sergeant Krupinsky has 29 Letters of Commendation or Appreciation.

Sergeant Krupinsky and his wife Lorraine (Lori) have two daughters – Karen and Kim.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor



CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

June 3, 2003

Honorable Members of the Common Council
City of Danbury

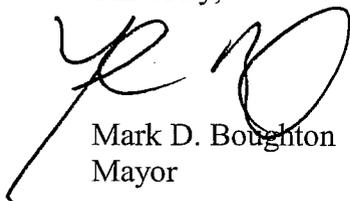
Dear Council Members:

I hereby submit for your confirmation the promotion of Police Officer Bryan Bishop to the rank of Detective in the Danbury Police Department. Officer Bishop successfully completed the Civil Service requirements for this position.

Officer Bishop was appointed to the Police Department on May 24, 1996. Officer Bishop was awarded a Medal of Meritorious Service, two Meritorious Citations, two Exceptional Police Service Awards, two Unit Citations, and ten letters of Commendation or Appreciation. Officer Bishop is currently serving as a full-time evidence technician. He has served with the Bicycle Patrol Unit, and is temporarily serving with the Special Investigation Division. Bryan is also an E.M.T. He and his wife Michelle are parents of two daughters, Sarah and Rachel.

Thank you for your consideration of this appointment.

Sincerely,



Mark D. Boughton
Mayor

May 27, 2003

Mayor Mark D. Boughton
Danbury City Hall

Dear Mayor Boughton:

We have received the following donations:

<u>DONOR</u>	<u>AMOUNT</u>
1. Edyce D. Hornig, 46 Britannia Drive, Danbury 06811	\$16.50
2. The Marcus Family and Marcus Dairy Bar, Inc., 3 Sugar Hollow Rd., 06810-7401	1,000.00

Please place these items on the agenda for the June Common Council meeting as these donations need to be deposited into the LIBRARYFUND.4651 Donations.

Sincerely,



E. McDonough
Director

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





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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 = 155 Deer Hill Avenue
Danbury, CT 06810

May 26, 2003

Mayor Boughton and Members of the Common Council:

The following donations (\$925.00) have been sent to the Department of Elderly Services for the use of materials needed for Elmwood Hall – the new Danbury Senior Center. Please receive them and transfer them into the appropriate line item, as listed on the accompanying form:

✓ Head of Meadow School (Newtown)	250.00	
✓ The Danbury JayCees	500.00	
✓ Palace View Housing Community	25.00	
✓ New Fairfield Senior Center	25.00	
✓ Candlewood Valley Convalescent Home	25.00	
✓ Village at Brookfield Commons	25.00	
✓ Almost Family Adult Day Care	25.00	
✓ Town of New Milford	25.00	
Heritage Heights Convalescent Center	25.00	- Cash
Total:	925.00	

Respectfully,

Leo E. McIlrath, Director
Elderly Services



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CITY OF DANBURY
DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
155 DEER HILL AVENUE

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

May 28, 2003

The Honorable Mayor Mark Boughton and Members of the Danbury Common Council
155 Deer Hill Avenue
Danbury, Connecticut

Dear Mayor Boughton and Members of the Danbury Common Council:

We have received an offer of a donation from the Branson Ultrasonic Corporation for conservation-related development of the Still River Greenway. The funds offered (\$2,500) would be used to construct a "water quality basin" on the bank of the Still River by Branson, which will reduce erosion and purify stormwater prior to discharging into the River.

I respectfully request your authorization to accept his donation on behalf of the City.

Respectfully Yours,

Jack Kozuchowski

Coordinator of Environmental &
Occupational Health Services

Cc: Dena Diorio

May 27, 2003

Jack Kozuchowski
Coordinator of Environmental &
Occupational Health Services
City of Danbury – Health and Housing Dept.
155 Deer Hill Road
Danbury, CT 06810

Dear Mr. Kozuchowski:

RE: Still River Alliance Donation

The Still River Alliance is an organization that Branson Ultrasonics is proud to support.

This year, Branson would like to make a donation in the amount of \$2,500 to the City of Danbury towards the latest segment of the Still River Greenway project – the storm-water management / riverine habitat basin.

Please accept this letter as confirmation of our forthcoming donation.

If you have any questions, please contact me at 203-796-2212.

Sincerely,



Ann Laudadio
Executive Administrative
Secretary



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CITY OF DANBURY
DANBURY, CONNECTICUT 06810

DEPARTMENT OF POLICE
120 MAIN STREET

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

May 12, 2003

MEMORANDUM

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

From: Chief Robert L. Paquette

Subject: **Authorization and Certification of Available Funds for Purposes of Transferring Funds from the Danbury Police Department Budget to the Danbury Animal Control Budget**

The Animal Control Budget is in need of additional funds in the amount of \$50,000 for purposes of funding salary related expenses for sick leave and vacation pay redemption and for purposes of purchasing a replacement Animal Control vehicle. The current animal transport and enforcement vehicle has 128,000 miles.

I am requesting that the amount of \$23,000 be transferred from Police Regular Salaries 2000.5020 to Animal Control Regular Salaries 6000 and that \$27,000 be transferred from Police Regular Salaries 2000.5020 to Animal Control Automotive Equipment 6000.5707.

Your consideration of this transfer request will be appreciated.

Robert L. Paquette
Chief of Police

RLP:ks

C: Dena Diorio, Finance Director



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: May 27, 2003

SUBJECT: Animal Control Budget

CERTIFICATION

As per the attached request from Police Chief Robert L. Paquette, I hereby certify the availability of \$50,000 to be transferred from the Police Department, Regular Salaries line item, Account #2000.5020 to the Animal Control, Contributions – Grants line item, Account #2001.5855. In addition, the appropriate line items in the Animal Control budget will be adjusted.

Should you need any additional information, feel free to contact me. Thank you.



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*
RE: FARIOLY FUND APPROPRIATION
DATE: May 27, 2003
CC: Elizabeth McDonough

CERTIFICATION

On April 3, 2003, the Library Board of Directors voted to expend \$23,015 from the Farioly Fund to purchase one self-checkout machine. Per the resolution adopted by the Common Council in September 1998, expenditures of funds from the Farioly Fund must first be approved by the Library Board and then the Common Council.

I would, therefore, recommend that the Common Council authorize the reappropriation of \$23,015 from the Farioly Fund to a special revenue account to be established for the purchase of the self-checkout machine. I have attached a copy of the request from the Library Board and the minutes approving the expenditure.

DD/jgb

Attach.

Date: May 23, 2003
To: Dena Diorio
From: Betsy McDonough
RE: **FARIOLY FUNDS**

At the April 3, 2003 Library Board of Directors meeting, members approved the expenditure from the Farioly Fund to purchase one self-checkout machine. The cost is \$23,015. Enclosed is a copy of the minutes of this meeting.

Please place appropriation of the funds on the June 2003 Common Council agenda. Thank you.

THE DANBURY PUBLIC LIBRARY

CITY BOARD OF DIRECTORS

REGULAR MEETING – April 3, 2003

The President, John W. Hoffer, called the meeting to order at 4:00 PM.

PRESENT: John W. Hoffer, President; B. J. Hull, Vice President; Ned Moore, Treasurer; Joan Damia, Secretary; Robert Feinson, Tom Frizzell, Jr.; FRIENDS; Diane Greenwald, Assistant Director, and Elizabeth McDonough, Director

1. Minutes – February 6, 2003

- * **Motion made by Mr. Feinson to approve the minutes of the February 3, 2003 meeting. It was seconded by Mr. Moore and approved unanimously.**

2. Financial Report – Elizabeth McDonough

Expenditures for March include the ACLB membership dues and newspaper stands that are part of the main floor redesign. April's expenditures are for staff development. Ms. McDonough reported that at this time fines are keeping pace with our book expenditures. The \$3,620 State grant check was deposited into the Board's funds. **Motion made by Mrs. Damia to accept**

- * **the financial reports as presented. It was seconded by Mr. Moore and approved unanimously.**

3. FRIENDS of the Library – Tom Frizzell, Jr.

Mr. Frizzell reported that the FRIENDS are seeking ways to increase fund raising.

4. REPORT ON MAIN FLOOR REDESIGN – Diane Greenwald

Ms. Greenwald related the history of this project and walked the Board through the redesign using Advent's floor plan as a visual guide. The focus of this plan is to create an environment where our customers are encouraged to browse and find things quickly. This in turn supports our long-range objective and the focus of the redesign, which is to increase circulation of printed materials. Ms. McDonough distributed the main floor redesign and express checkout budgets. An important element of this plan is the self-checkout machines. The City has included the cost of one machine in the Mayor's proposed capital budget for FY 2003-04. Ms. McDonough requested the use of Farioly Funds to purchase the second machine needed. The Farioly fund interest to date would be sufficient to cover the cost of this item. **Motion made**

- * **by Mr. Moore to use Farioly funds to purchase one self-checkout machine. It was seconded by Mr. Feinson and approved unanimously.**

5. Director's Report - Elizabeth McDonough

9 Bank Street: Demolition of the house is complete. City Engineering will complete a parking plan for approval by the Planning Commission. Ms. McDonough will keep the Board posted.

Plaza Renovation: The contracts have been signed with Mrs. Didona to redesign the front entrance without steps and Mr. Zaleta for the interior design work. City funding for this project the outside plaza renovation project is \$411,000.

FY 2003-04 Operating Budget Request: The Mayor presented his proposed budget request to the Common Council this week. He mentioned how this coming year was going to be a difficult year. The Mayor's proposed budget for the library was very positive. The following line items were reduced:

- Regular Salaries - Two people taking the early retirement package are both Junior Library staff members. They staff the circulation desk 90% of the time and they will not be replaced. We will try to resolve this situation by combining the Adult and Junior Library circulation functions and initiate self-checkout for customers.
- Outside Services – Reduction includes \$18,000 needed to upgrade our on-line circulation and catalog system. The effect of the remaining reduction is still under review.
- Recordings, Films and Audiobooks – Reduced from request, but slightly higher than this year's budget.
- Office Equipment – Requested equipment will be funded.

FT 2003-04 Capital Budget Request: The funding for one self-checkout machine is included and Public Buildings has funding for the Technology Center's HVAC system. There is \$75,000 for renovation of the main floor, but funds may not be available until March 2004. Ms. McDonough will speak with Mrs. Diorio, Director of Finance, and the Mayor regarding the funding timeframe versus the renovation timeline.

U. S. Patriot Act: This will not change the way we do business.

Programs and Services: Computer self-signup is coming in May. The Technology Center has been testing this system and implementation is on target. Compliment to the staff by our colleagues throughout the State. During this year's annual Connecticut Library Conference, Mrs. Stevenson will present two programs while Mrs. Foster and Mrs. Ellen will give a program on the Kid Zone. Mrs. Harrigan will also present another program. This reflects very well on the library and its staff.

6. President's Report:

No report this month.

7. Other Business:

No further business to discuss.

* Motion made by Mr. Feinson to adjourn at 5:09 PM. It was seconded by and approved unanimously.

The next meeting date will be Thursday, May 1, 2003, at 4:00 PM.

Respectfully submitted,

Eileen McCormack

James W. Feinson, Pres.

Date: April 23, 2003



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: 05/27/03

MEMO TO: Hon. Mark Boughton
via the Common Council

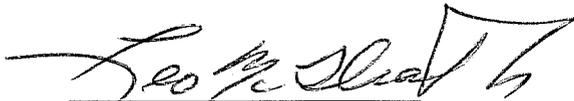
FROM: Leo McIlrath, Director
Elderly Services

RE: Reappropriation of Donated Funds

I hereby request a transfer of funds in the amount of \$1345.00 from the Elderly Services donations account to the Commission on Aging budget for the following accounts:

Office Equipment	5002.5701	\$1345.00
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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

M E M O R A N D U M

DATE: May 27, 2003
TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
RE: Commission on Aging

CERTIFICATION

I hereby certify the availability of \$1,345.00 to be transferred from the Elderly Services Donations Revenue Account to the Commission on Aging budget to the following account:

Office Equipment	5002.5701	\$1,345.00
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Should you have any questions, feel free to give me a call.

/jgb



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CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DENA DIORIO
DIRECTOR OF FINANCE

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

MEMORANDUM

TO: Hon. Mark D. Boughton via the Common Council
FROM: Dena Diorio, Director of Finance *Dena*
DATE: May 27, 2003

SUBJECT: Billing Services Agreement with MedFinancial

Attached for your review and consideration is the proposed agreement with MedFinancial for billing services as they relate to the provision of ambulance services. As you may recall, earlier this year, the City commenced a competitive proposal process for the provision of ambulance and related billing services. The Selection Committee recommended that the ambulance services be awarded to Business Systems Inc. (BSI), and the billing portion be awarded to MedFinancial.

I am requesting that the Common Council consider this agreement at its next meeting.

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

Billing Services Agreement

Terms and Conditions

This Agreement is made and entered into on this ____ day of _____, 2003, by and between the City of Danbury, 155 Deer Hill Avenue, Danbury CT (hereinafter referred to as the "City") and MedFinancial, 2 National Place, Danbury CT 06801 (hereinafter referred to as "MedFinancial") and shall govern the Terms and Conditions under which MedFinancial will provide Practice Management and Medical Billing Services to the City as described herein. MedFinancial acknowledges that Business Systems, Inc., 24 Hospital Avenue, Danbury CT 06810 (hereinafter referred to as "BSI"), is the City's provider of EMS services, and accepts BSI as the City's agent as it relates to providing billing and related information in conjunction with this agreement.

I. Agreement Objective

The City has selected MedFinancial to provide the City with balance-forward Billing Services for Danbury EMS. MedFinancial seeks to build a mutually beneficial, productive and long-term relationship with the City by providing these desired value-added services. Therefore, in view of the agreements and covenants herein contained, and other valuable consideration, the following terms are mutually agreed upon and understood by and between both parties hereto:

II. Services and Resources to be Provided by MedFinancial

- 1.) One Patient Database for All EMS Units Served by BSI
- 2.) Daily Patient Registration, Posting of Charges and Adjustments
- 3.) Daily Electronic and/or Hard Copy Insurance Claims Submittal
- 4.) Lock Box for Depositing Payments and Insurance Reimbursements
- 5.) Secondary Billing to Multiple Insurance Carriers
- 6.) Telephone and Letter Follow-up of Insurance Claims
- 7.) An Initial Bill and Three Mailed Statements to Self-pay and Patient Balance Accounts
- 8.) One Follow-up Telephone Call to Self-pay and Patient Balance Accounts
- 9.) Standard and Client-Directed Customized Monthly Financial Reports
- 10.) Inter-Office Daily Courier Service as Required within the City
- 11.) Toll-Free Inbound Telephone Number for Patient Billing Inquiries
- 12.) Automated Collection Roll-over of Delinquent Accounts Over \$50.00
- 13.) Skip Tracing Activities on Return Mail

III. The City's Responsibilities

- 1.) The City agrees, to the best of its knowledge, that its business operations and procedures are in accordance with all governing state and federal laws and statutes as well as all third-party insurance rules and regulations. These activities include, but are not limited to, the establishment of patient charges, coding, claim preparation and the gathering and recording of claim information.
- 2.) The City agrees to accept complete responsibility for all ICD-9 diagnostic and HCPC or CPT procedure coding decisions and designations.
- 3.) The City, through BSI, agrees to provide MedFinancial timely and accurate hard copy output of the following billing-related and claim information: patient registration and demographic information, itemized patient charges, EOB's, or any other data necessary to submit a patient bill or claim, subject to federal and state law, including the Health Insurance Portability and Accountability Act (HIPAA), the provisions of which shall be deemed to apply throughout this agreement. The City further agrees to grant MedFinancial access to any relevant medical or patient financial records which MedFinancial deems necessary to perform its responsibilities and obligations.
- 4.) The City agrees to report to MedFinancial, on a weekly basis, all payments received on accounts placed with MedFinancial whether from a patient, guarantor or a third-party payor.
- 5.) The City agrees to promptly inform MedFinancial, and clearly document on appropriate forms, all patient courtesy discounts and any non-chargeable patient services or visits.
- 6.) The City agrees to provide MedFinancial with a database of names and addresses for the sole purpose of performing skip tracing activities on return mail. The City agrees to provide the database twice a year.

IV. Fees, Invoicing and Payment Terms

- 1.) The City agrees to pay MedFinancial a fee of ten (10) percent of revenue collected on patient bills from any payment source up to a mutually agreed upon revenue level. The revenue level will to be determined through negotiation by both parties on an annual basis. For Fiscal Year 2003-2004, the agreed upon revenue level is \$1,485,000. The City agrees to pay a fee of twelve and a half (12.5%) percent of revenue collected above that agreed upon revenue level.
- 2.) MedFinancial will issue invoices monthly no later than the 10th business day of the following month. Payment terms are Net 30 Days from invoice date.
- 3.) The City agrees to be responsible for any and all federal, state or local taxes or assessments levied by any instrumentality or regulatory authority which apply to the services performed, except those measured by MedFinancial's net income.

- 4.) In the event of governmental postage increases, the City agrees to pay additional postage costs above and beyond the current rate of .37 per letter.

V. Confidentiality

{a} Definition of Confidential Information

“Confidential Information” hereunder is defined as any information marked “Confidential” by the City whether it is financial, business or personal in nature. Confidential Information includes, but is not limited to, patient or customer demographic and financial information; knowledge of proprietary internal systems; processes and procedures; and any other information not generally known to the public. Notwithstanding the preceding two sentences, all patient identifiable data and information is strictly confidential.

{b} MedFinancial Obligations

MedFinancial agrees to treat in strictest confidence, in a manner adequate to protect Client’s rights and the rights of patients therein, any Confidential Information received by MedFinancial from the City or generated by MedFinancial during the performance of this Agreement. MedFinancial shall not, without Client’s and patient’s prior written consent as applicable, disclose any of the Confidential Information to any other party nor will MedFinancial use Confidential Information for any purpose other than performing the Accounts Receivable Services so specified under this Agreement. MedFinancial’s obligation of confidentiality and non-use shall survive the termination date of this Agreement for a period of three (3) years, or such time as may be established pursuant to federal, state or other local law.

{c} Exceptions

Information which is not to be considered as Confidential Information under this Agreement shall be any non-patient identifiable information which MedFinancial can prove:

- [1] was publicly available at the time of disclosure to MedFinancial by the City; or
- [2] became publicly available after disclosure by the City to MedFinancial from a source other than Client, as evidenced by MedFinancial’s written records; or
- [3] was known to MedFinancial after disclosure by the City to MedFinancial from a source other than Client, as evidenced by MedFinancial’s written records; or
- [4] was rightfully acquired by MedFinancial after disclosure by the City to MedFinancial from a third party who was lawfully in possession of the information and was under no legal duty to The City to maintain the confidentiality of the information.

{d} Further Obligations

[1] Limited Disclosure

MedFinancial shall only disclose Confidential Information to employees of MedFinancial who have a need to know such information in order to carry out MedFinancial’s responsibilities hereunder, and only then to employees who have been advised that such information is confidential and proprietary to the City

and patients who have agreed to accept the same obligation of confidentiality agreement in form and substance satisfactory to the City.

[2] Return of Documents

All documents and other materials transferred to MedFinancial in confidence hereunder shall remain the property of the City. Upon termination of this Agreement, or at any other time requested by the City, MedFinancial shall return any original account documents and materials, and any other notes or other records, written or electronic, which contain Confidential Information.

VI. Ownership

Any and all the City proprietary documents, custom reports, custom computer programming, or other work product created specifically to carry out MedFinancial's responsibilities, which are conceived, made or reduced to practice by MedFinancial during the performance of services hereunder, shall be reported to the City and shall be Client's sole and exclusive property. Exceptions to the foregoing sentence shall apply to any MedFinancial proprietary data, which shall include, but not be limited to, any documents, reports, computer software, computer programming or information systems, which were either previously owned or in the possession of MedFinancial, whether used or not used by MedFinancial, to carry out MedFinancial's responsibilities hereunder.

VII. Cancellation

Either party may cancel this Agreement by giving thirty (30) days advance written notice of said cancellation to the other party, or within such lesser time as MedFinancial may find necessary to conclude the work currently underway, and summarize or report its findings to the City. In the event of such cancellation, the City will be responsible for payment to MedFinancial all fees as specified in the terms of this Agreement, which have been performed or committed to, for a period of thirty (30) days from date of written cancellation notice. The confidentiality provisions, ownership provisions and the City's indemnification shall survive any cancellation or termination of this Agreement.

VIII. Independent MedFinancial Relationship

This Agreement does not create an employment, partnership, joint venture, license or any other relationship between MedFinancial and the City except the independent relationship as set forth herein. The City and MedFinancial also agree that MedFinancial is not a collection agency.

IX. MedFinancial Indemnification

MedFinancial indemnifies and holds the City harmless from, and will defend the City against costs or liabilities, which result from any claims whatsoever against the City by third parties where such claims arise from MedFinancial's gross negligence or willful misconduct or the gross negligence or willful misconduct of its representatives.

X. The City Indemnification

The City hereby agrees to indemnify, defend and hold MedFinancial and its representatives harmless from and against any damages arising out of its performance under this Agreement and caused by or resulting from the gross negligence or willful misconduct of the City or any of its representatives, including, without limitation, any damages relating to any orders investigations, audits, suits, actions, or claims of any third-party arising out of or relating to this Agreement, the establishment of charges, bill coding, preparation of claims, the collection and entry of all information related hereto and all of the City's other operations.

XI. Modification

This Agreement constitutes the entire understanding between the City and MedFinancial with respect to the subject hereof and shall not be amended or modified without specific written provision to that effect, signed by both parties. No oral statement of any person shall, in any manner or degree, modify or otherwise affect the terms and provisions of this Agreement.

XII. Governing Law

This Agreement shall be construed in accordance with the laws of the State of Connecticut. If any provision, or portion thereof, of this Agreement is invalid under applicable statute or rule of law, it is only to that extent to be deemed omitted.

XIII. Effective Date and Term

This Agreement is effective as of July 1, 2003, and shall remain in effect for 5 (five) years from the date of initial account placement unless earlier canceled as set forth herein.

The City of Danbury

MedFinancial

By: _____

By: _____

Title: _____

Title: _____



CITY OF DANBURY

PERSONNEL/CIVIL SERVICE
DANBURY, CONNECTICUT 06810

CAROL A. DESANTIE
PERSONNEL DIRECTOR

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

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

FROM: Carol A. DeSantie, Director of Personnel

Handwritten signature of Carol A. DeSantie in cursive.

DATE: May 27, 2003

RE: Ratification of Agreement Between City of Danbury & Teamsters Local #677
- Public Utilities Division

Please include the following items on the agenda of the regular meeting of the Common Council scheduled for Tuesday, June 3, 2003:

Ratification of the Agreement between the
City of Danbury and Teamsters Local #677
Public Utilities Division – Effective July 1,
2002 – June 30, 2005.

Dena Diorio, Director of Finance, will report on the certification of funds.

enclosure

AGREEMENT

between

CITY OF DANBURY

and

TEAMSTERS LOCAL #677

**PUBLIC UTILITIES
WATER AND MAINTENANCE DIVISIONS**

~~July 1, 1998 through June 30, 2002~~

2002 - 2005

**SPM 02/02/99
337034 v.01
234945 v.01
February 17, 2003**

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This Agreement made and entered into by and between the ~~City of Danbury and Teamsters Union Local #677~~. **CITY OF DANBURY (the "City" or the "Employer") and TEAMSTERS UNION LOCAL #677 (the "Union")**.

ARTICLE 1 -- RECOGNITION

- 1.1 The City of Danbury recognizes and acknowledges that the Union, its duly authorized agents, representatives, successors, is the exclusive bargaining agent for the employees in the departments hereinafter referred to in this Agreement between the City of Danbury (hereinafter the "Employer" or "City") and Teamsters Local #677 (hereinafter the "Union"), namely, Department of Public Utilities, Water Division and Maintenance Division.

ARTICLE 2 - UNION SECURITY

- 2.1 All classified present employees and unclassified employees who have completed both ninety (90) calendar days and sixty-five (65) working days, who are members of the Union on the effective date of this Agreement, shall remain members of the Union in good standing by the payment of their regular monthly dues on or before the last day of each month as a condition of continued employment. Future classified full time employees and unclassified employees who are hired or work in the classifications specified herein and who complete both ninety (90) calendar days and sixty-five (65) working days shall become and remain members in good standing by payment of the required initiation fee and regular monthly dues of the Local Union on the 31st day following the execution of this Agreement or the date of employment, whichever is later, and shall thereafter maintain such good dues standing for the term of this Agreement. An employee who chooses not to become and remain a Union member shall have the option to pay an agency fee equal to that proportion of Union dues expended for the purposes of collective bargaining contract administration and grievance adjustment.
- 2.2 The Employer agrees to deduct regular monthly dues, administrative dues and initiation fees of the Union from the wages of all full time classified employees and unclassified employees covered by this Agreement for whom a written authorization form is received and agrees to remit all such deductions to the Union. In the case of the initial deduction for a new employee, the Employer shall make retroactive deductions. Dues deductions shall be made from pay due for the second payroll period of each month. The Union agrees that it will save the Employer harmless from any suits or damages resulting from dues deductions made on the basis of reliance upon this or other contract language requiring such deductions.

ARTICLE 3 - NON-DISCRIMINATION

- 3.1 The Employer and the Union agree not to discriminate against an individual with respect to hiring, compensation, terms or conditions of employment because of such individual's race, color, religion, sex, national origin ~~or age, nor, age, marital status, sexual orientation or disability~~, **except on the basis of a bona fide occupational qualification or business necessity**. Nor will they limit, segregate or classify employees in any way to deprive any individual employee of employment opportunities because of race, color, religion, sex, national origin ~~or age, age, marital status, sexual orientation or disability~~, **except on the basis of bona fide occupational qualification or business necessity**.
- 3.2 The Employer and the Union agree that there will be no discrimination by the Employer or the Union against any employee because of his or her membership in the Union or because of any employee's lawful activity and/or support of the Union.

ARTICLE 4 - HOURS OF WORK AND OVERTIME

- 4.1 Water Distribution, Transmission Division, Sewage Collection, Meter Division, Technical Services Division, Maintenance Division.
- (a) Five (5) days shall constitute a normal work week - Monday through Friday.
- (b) Time worked in excess of eight (8) hours per day or forty (40) hours per week, whichever is the greater, shall be paid as overtime at one and one-half (1 1/2) times the normal hourly rate.
- If an employee is required to work two consecutive or back-to-back shifts, the employee shall be paid time and one-half for the second shift.
- (c) The regular work day shall be from 7:30 a.m. to 4:00 p.m.
- (d) All hours worked before the regular starting time shall be paid at one and one-half (1 1/2) the normal hourly rate
- (e) Saturday work shall be paid at one and one-half (1 1/2) times the normal hourly rate. Sunday work shall be paid at two (2) times the normal hourly rate.
- (f) On available and overtime work, permanent employees will be given preference and called in before any part-time or spare help.

- (g) Employees called in for emergency work shall be paid a minimum of two (2) hours at time and one-half (1 1/2) and may leave when the emergency work is completed.
- (h) Employees on standby will be paid a premium of ~~seventy-five~~ **ninety** dollars (~~\$75.00~~)**(\$90.00)** per week. The standby premium shall increase to ~~eighty-five~~ **one hundred** dollars (~~\$85.00~~)**(\$100.00)** effective July 1, ~~1999~~ **2003** and to ~~ninety~~ **one hundred ten** dollars (~~\$90.00~~)**(\$110.00)** effective July 1, ~~2001~~ **2004**.

Standby shall be rotated among the affected employees.

Any employee, when on standby, who is not available when called, shall forfeit his standby premium for that week.

4.2 Water Treatment Plants

- (a) Saturday and Sunday as part of a five (5) consecutive day work schedule is considered a normal and straight time work week.
- (b) There shall be three water treatment plant operator positions considered "regulars." Any other positions on the schedule shall be considered "relief" workers.

The work schedule for the operators shall be set forth in Schedule A.

Positions 1, 2 and 3 on the schedule shall be designated "regulars", and positions 4, 6 and 7 shall be designated "relief" positions. Operators shall select their positions on the work schedule in order of seniority. Position 5 on the schedule is the Operator Repairman.

In either case, the employee who fills position #2 on the schedule may be moved to another day shift at straight time if there is no relief employee available for coverage of said shift, or to do otherwise would impose an overtime cost on the employer. For the employee in that position, in any week when such movement occurs, the work week shall not necessarily be five consecutive days.

There will be a switchover for days off every six (6) months. The switchovers shall take place in January and July.

For those who are regulars, the normal work week shall be five (5) consecutive days. Relief workers need not necessarily be assigned five (5) consecutive work days. Saturday and Sunday work is considered normal, straight-time work for all operators and the Operator Repairman.

For all employees:

Time worked in excess of eight (8) hours per day or forty (40) hours per week, whichever is greater, shall be paid as overtime at time and one-half.

If an employee is required to work two consecutive or back-to-back shifts, the employee shall be paid time and one-half for the second shift.

The regular work day shall be eight (8) hours. The starting times of the shifts shall be as follows:

7:00 a.m.
3:00 p.m.
11:00 p.m.

Whenever an employee is the only person assigned to a shift, the employee shall work eight (8) straight hours (e.g., 3:00 p.m. to 11:00 p.m. or 11:00 p.m. to 7:00 a.m.). Whenever there is more than one employee on a shift, each employee shall receive a one-half (1/2) hour meal break and their end time of the shift shall be eight and one-half (8 ½) hours following the starting time (e.g., 7:00 a.m. to 3:30 p.m., 3:00 p.m. to 11:30 p.m.).

These shift hours may be changed at the discretion of the City. Prior to making any change in shift hours, the change shall be negotiated with the Union.

- (d) All hours worked before the regular starting time shall be paid at one and one-half (1 1/2) the normal hourly rate.
- (e) Employees of the Water Treatment Plants who normally work Saturday, Sunday and holidays, if required to work on their normal days off, shall be compensated at one and one-half (1 1/2) times their normal rate.
- (f) On available and overtime work, permanent employees will be given preference and called in before any part-time or spare help.
- (g) Employees on night shifts shall be paid a differential of ~~seventy eight cents (\$.70)~~ **eighty cents (\$.80)** per hour in addition to their normal rate. ~~The night shift differential shall increase to seventy five cents (\$.75) per hour effective July 1, 1999 and to eighty cents (\$.80) effective July 1, 2000.~~
- (h) Employees called in for emergency work shall be paid a minimum of two (2) hours at time and one-half (1 1/2) and may leave when the emergency work is completed.

4.3 Laboratory Division

- (a) The normal hours for Laboratory personnel shall be 7:30 a.m. to 4:00 p.m. **The beginning and ending times of the day may be varied by mutual agreement of the employee and the supervisor, with the approval of the Superintendent.**
- (b) Laboratory personnel shall work five consecutive days, either Monday through Friday, Sunday through Thursday or Tuesday through Saturday.

4.4 Distribution of Overtime

Overtime Distribution Procedure for Scheduled or Planned Overtime

Scheduled or planned overtime is overtime which is scheduled at least 24 hours in advance of the work.

If such overtime is available, the employees in the job classifications which management determines are needed to perform the overtime work shall be offered the available overtime in order of their seniority. If those employees do not accept the offered overtime or cannot be reached, management may offer the work to employees in other classifications, provided that management determines they are qualified to perform the work needed. Normally, available overtime shall be offered first to the employees in the Division in which the overtime need occurs.

If no employees in the appropriate job classifications are willing to accept the overtime offered on a voluntary basis, management may order the least senior qualified employee(s) in the job classification(s) needed to work overtime.

Unplanned Overtime

If an employee is assigned to a job which requires overtime before/after the normal work day, the employee shall be required to come in early or remain on the job and work the overtime hours required.

If an employee is assigned to a job which may require overtime at the end of the day and the employee has a commitment after work which precludes him/her from working late that day, the employee shall so inform the foreman at the start of the work day. The City shall continue its prior practice of making reasonable accommodation to employees in such situations.

If management determines that employees other than those on a job are needed for overtime before/after the work day, the procedure for planned overtime shall apply.

Overtime for Long-Term Projects

When volunteers are sought for a long-term overtime project, employees shall be informed of the nature and approximate duration of the project. Employees shall initially be offered such work as provided in the overtime distribution provision above; however, if an employee accepts an overtime job on a long-term basis, that employee shall continue to have preference for overtime work opportunity on that job.

Pipe Installers

The present practice concerning distribution of overtime for Pipe Installers shall continue. In accordance with this practice, Pipe Installers who work primarily in water transmission and distribution shall be called first for water-related overtime and Pipe Installers who work primarily in sewer collection shall be called first for sewer-related overtime.

ARTICLE 5 – -SENIORITY

- 5.1 Seniority for employees governed by this Agreement shall be defined as the period of employment with the Employer in the work covered by this Agreement.

The term "seniority" as used in this Agreement shall apply to overtime assignments, layoffs from employment, and recalls to active employment provided the employee has the qualifications and ability to perform the required work. After satisfactory completion of the probationary period, an employee's seniority date shall be the employee's last date of hire.

The provisions of the Civil Service Commission Rules and Regulations shall govern all promotions without regard to the provisions of this Agreement.

- 5.2 Stewards shall be granted superseniority for all purposes including layoff providing the steward has the ability to perform one of the remaining jobs, as permitted by law.
- 5.3 **The City will provide the Union with a seniority list annually.**

ARTICLE 6 – HOLIDAYS AND PERSONAL LEAVE

- 6.1 All employees covered by this Agreement who are not required to work shall receive a full day's pay at their straight time rate of pay for the holidays listed below or days celebrated as such regardless of the day of the week upon which such holiday shall fall:

New Year's Day
Good Friday
Lincoln's Birthday
Washington's Birthday
Memorial Day
Independence Day

Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Christmas Day
Martin Luther King Day

- 6.2 ~~Each employee shall be entitled to two (2) personal days per contract year. Forty eight (48) hours notice must be given to the employer.~~
- 6.3 If an employee works on a holiday he shall be paid at double his normal hourly rate for any and all hours worked on that day in addition to the holiday pay provided in Section 6.1.
- 6.3 An employee, to be eligible for holiday pay, must first work the last scheduled working day before and the next scheduled working day after the holiday to receive holiday pay. When a holiday falls in a week during which an employee is on vacation, he shall receive the holiday pay. There shall be no days off in lieu of holiday pay. Employees assigned to continuous operations shall celebrate the holiday on the day on which it is officially celebrated by the City, except December 25 which shall be celebrated on that date.
- 6.4 **Each employee shall be entitled to two (2) personal days per contract year. Forty-eight (48) hours notice must be given to the employer. Employees must take personal leave in half-day increments.**

ARTICLE 7 - VACATIONS

- 7.1 Employees who have been on the payroll one (1) year shall receive one (1) week vacation with pay.
- 7.2 Employees with two (2) years' service shall receive two (2) weeks' vacation with pay.
- 7.3 Employees with five (5) years of service shall receive three (3) weeks' vacation with pay.
- 7.4 Employees with twelve (12) years of service shall receive four (4) weeks' vacation with pay.
- 7.5 Employees with twenty (20) years of service shall receive five (5) weeks' vacation with pay.

- 7.6 Employees shall select their full weeks of vacation in the order of their seniority. A sign-up for vacation selection for the coming contract year (July 1 to June 30) shall be posted on or about March 1. Employees must sign up for vacation not later than April 1 in order to exercise their seniority rights for the full weeks of vacation.
- 7.7 The Department Head shall post a vacation schedule based on the sign-up under Section 7.6. This schedule shall be posted on or about May 1.
- 7.8 Employees who have not taken or scheduled their vacation by February 28th of the vacation year shall have vacation time assigned by the Department Head.
- 7.9 The amount of vacation time which an employee with more than one (1) year of service receives during a vacation year shall be based upon the years of service which he has or will have as of his anniversary date of hire during that vacation period. For example, an employee who will have five years of service on August 1, 1998 shall be eligible for three weeks' vacation during the vacation year of July 1, 1998 to June 30, 1999.
- 7.10 Upon discharge by the Employer, or quit by the employee, earned vacation time and pay shall be included in all final wage payments. In case of death of an employee who is eligible for a vacation, vacation pay due such an employee shall be paid to the employee's estate.
- 7.11 The vacation period for the Public Utilities Department shall be from July 1st to June 30th.
- 7.12 Employees who are eligible to receive two (2) or more weeks of vacation in one year may elect to take up to five (5) of those vacation days as individual days consistent with the orderly and efficient operation of the Department by making a request seventy-two (72) hours in advance and receiving permission of the Department Head. Employees who are eligible to receive four (4) or more weeks of vacation in one year may elect to take up to ten (10) of these vacation days as individual days, subject to the same requirements.
- If more employees request an individual vacation day than can be granted time off by the Department Head, the Department Head will grant preference for time off based on seniority as defined in Section 5.1. However, once an employee's request for an individual vacation day is approved, the employee may not be "bumped" by a more senior employee.
- 7.13 Within the Water Division, two (2) employees may be off the same week provided no overtime is needed and there is no interference with operations.
- 7.14 There shall be no carryover of vacation from one vacation period to the next. Vacation not taken during the vacation period shall be forfeited.

- 7.15 When payment for unused vacation is made pursuant to Section 7.10, if the employee has left prior to his/her anniversary date after using vacation time for that vacation period in excess of time earned, the City will be reimbursed by pro-rating salary earned and/or pay back by the employee at the time of termination.
- 7.16 An employee who has a previously scheduled vacation and who is unable to take that vacation because he/she is on workers' compensation, may use vacation time to supplement workers' compensation payments, on the same basis as is permitted for use of sick days under Section 8.4. This shall also apply to an employee who has exhausted his/her sick leave and wishes to use accrued vacation to supplement workers' compensation payments.
- 7.17 **Employees must take vacation in full day increments.**

ARTICLE 8 - SICK LEAVE

- 8.1 Employees hired on or after July 1, 1982 and employees who previously elected to be covered by the Income Protection Plan shall have sick leave benefits in accordance with Section 8.5.

For employees not covered by Section 8.5, sick leave shall be fifteen (15) days per year accrued at the rate of one and one-quarter (1 1/4) days per completed calendar month of service, cumulative to total days not used. After one hundred and five (105) days are accumulated, employees shall be paid for any additional sick days not taken at their request. In case of death, any accumulated sick days will be paid to an employee's estate. Unused sick leave will be paid on retirement.

- 8.2 Employees out sick shall, on each of the first three (3) days, call at least fifteen (15) minutes before the start of the shift.
- 8.3 After the third (3rd) day out sick, notification must be given to the Department Head by a doctor. An employee punching out without approval of the foreman for illness will not be paid sick time during the balance of the day.
- 8.4 The City shall pay full sick pay for the first week of the employee's illness if the employee has earned sick days available. In all weeks after the first week of an illness, the employee shall be allowed at his/her option, with notice at the time of the absence and not later than the Friday prior to a Friday payday, to supplement his Teamsters disability pay by use of earned sick days available in one-half day increments, and not to exceed his regular straight time weekly pay. The benefits paid under the Teamsters Health Services and Insurance plan included in this contract shall compensate an

employee each week for days of illness after the third day in accordance with the terms of the Plan.

8.5 **Income Protection Plan.** Employees hired on or after July 1, 1982, and employees who elected to be so covered within thirty (30) days of the effective date of this plan, shall be covered by the following sick leave provisions:

- (1) It is recognized that from time to time an employee may be stricken with a disabling illness or injury which will prevent the employee from performing the requirements of the job. In such instances, it is the intention of the parties to minimize the financial impact of absence from work.
- (2) Effective July 1, 1982, each employee shall have accredited to this sick leave account the number of days not to exceed one hundred and five (105), that were credited to the employee's account on June 30, 1982.
- (3) During the fiscal year beginning on July 1, 1982, and in each fiscal year thereafter, the employee shall be credited with ten (10) days towards the sick leave account for each completed year of service until such time as the account reaches a maximum of one hundred and fifty (150) days when the accumulation shall cease.
- (4) Employees who are absent due to a disabling illness or injury for five (5) or more days and who are under the care of a medical doctor, shall have such absence charged against the sick leave account and shall be paid for those days provided there are days still credited to the account.
- (5) Employees who are absent due to disabling illness or injury for periods of four (4) consecutive days or less, shall be paid for such days up to a maximum of eight (8) days each fiscal year. In the initial year of employment, these eight (8) days shall be earned by each employee at the rate of two-thirds (2/3rds) of a day for each month in which the employee works more than half of the scheduled working days. In each subsequent year of employment, the employee will be credited with eight (8) days of occasional sick days on July 1st of each year. If an employee does not use the sick days as provided for in this subsection, the unused days shall be credited to the sick leave account on June 30th of each fiscal year as provided in subparagraph (2) above at the rate of one and one-half (1 1/2) days for each unused day up to a maximum accumulation of one hundred and fifty (150) days.

8.6 **Employees must take sick leave in half-day increments.**

8.7 **Workers' Compensation.** Employees who are disabled and lose time as a result of an injury suffered in the course of their employment shall be paid at sixty-six and two-

thirds percent (66 2/3%) of their normal straight time pay during the first three (3) days of such injury. Any employee absent from duty because of Workers' Compensation causes connected to his employment with the City shall not have his sick leave counted for this absence except that an employee will use accumulated sick leave for days not paid under Workers' Compensation. If an employee so desires, he may opt to charge his sick day account for one-half (1/2) day of sick pay for each day that he elects to receive the difference between Workers' Compensation pay and his regular straight time pay.

~~8.7~~

8.8 Death Benefit. If an employee dies as a result of an on-the-job injury, the City will reimburse the employee's eligible dependents for the first twelve (12) months of their COBRA premium payments.

ARTICLE 9 - FUNERAL LEAVE

9.1 ~~Employees covered by this Agreement shall be granted up to five (5) working days shall be granted as funeral leave.~~ **In the event of death of a spouse, child, stepchild, mother, stepmother, father, or stepfather, up to five (5) working days shall be granted as funeral leave.**

9.2 ~~Up to three (3) working days shall be granted in the event of death of a sister, brother, grandmother, grandfather, grandmother-in-law, grandfather-in-law, grandchild, off with pay during a normal work week at his/her straight time rate for eight (8) hours per day if a death occurs in the employee's immediate family. The last day of funeral leave shall be the day of the funeral unless an employee is required to travel outside of the 200 mile radius from the center of Danbury, in which case the last day of funeral leave may be a travel day.~~

~~9.2~~ ~~Immediate family may be defined as mother, father, brother, sister, child, grandparents, in laws (mother-in-law, father-in-law, brother in law, sister in law), grandchildren and spouse. Five (5) working days off with pay, at the employee's straight time rate for eight (8) hours per day, shall be granted in the case of a spouse or child. One (1) working day with pay, at the employee's straight time rate for eight (8) hours per day, shall be granted on the day of the funeral for the aunt or uncle of an employee. sister-in-law, brother-in-law, daughter-in-law, son-in-law, or any relative who is domiciled in the employee's home.~~

9.3 **One (1) working day leave shall be granted for the funeral of first aunts or uncles, nieces or nephews of the employee or his/her spouse.**

ARTICLE 10 - LONGEVITY PAY

- 10.1 Employees with more than ten (10) ~~years of~~ years' service with the City of Danbury shall receive **will have** a longevity increment of ~~one two hundred fifty twenty-five~~ **two hundred fifty** dollars (~~\$150.00~~)**(\$225.00)**. This longevity increment shall increase to two hundred ~~forty~~ **forty** dollars (~~\$200.00~~) **in 1999-2000(\$240.00) in 2003-2004** and to two hundred ~~twenty-fifty-five~~ **twenty-five** dollars (~~\$225.00~~) **in 2001-2002(\$255.00) in 2004-2005**.
- 10.2 Employees with more than fifteen (15) ~~years of~~ years' service with the City of Danbury shall receive **will have** a longevity increment of ~~two three hundred fifty twenty-five~~ **three hundred fifty** dollars (~~\$250.00~~)**(\$325.00)**. This longevity increment shall increase to three hundred ~~forty~~ **forty** dollars (~~\$300.00~~) **in 1999-2000(\$340.00) in 2003-2004** and to three hundred ~~twenty-fifty-five~~ **twenty-five** dollars (~~\$325.00~~) **in 2001-2002(\$355.00) in 2004-2005**.
- 10.3 Employees with more than twenty (20) ~~years of~~ years' service with the City of Danbury shall receive **will have** a longevity increment of ~~three four hundred fifty~~ **four hundred fifty** dollars (~~\$350.00~~)**(\$425.00)**. This longevity increment shall increase to four hundred ~~forty~~ **forty** dollars (~~\$400.00~~) **in 1999-2000(\$440.00) in 2003-2004** and to four hundred ~~twenty-fifty-five~~ **twenty-five** dollars (~~\$425.00~~) **in 2001-2002(\$455.00) in 2004-2005**.
- 10.4 Payment of longevity shall be made to the employee the first payday of December each year.

ARTICLE 11 - EQUIPMENT

- 11.1 The Employer shall install heaters, defrosters, or equipment required by law on all trucks, including flares, backup lights, fire extinguishers, etc. All vehicles must have a first aid kit. **Within sixty (60) days after the signing of this Agreement, radios will be included in all vehicles.**
- 11.2 The City shall continue to provide rain gear and gloves for all employees who need these items in their work.
- 11.3 All employees of the Public Utilities Department shall be required to wear safety shoes that meet OSHA standards during the working day. Meter readers shall not be required to wear safety shoes when reading meters, so long as OSHA standards do not require such; provided, however, that safety shoes will be carried in the meter reader's vehicle.

The Employer shall pay a safety shoe allowance to each employee during the month of August, in the **in the amount of one hundred dollars (\$100.00)**. ~~following amounts:~~

~~August 1998 — \$90.00~~

~~August 1999 — \$95.00~~

~~August 2000 - \$95.00~~
~~August 2001 - \$100.00~~

- 11.4 The City shall continue to supply uniforms for the Equipment and Utility Mechanics.

The City shall continue to supply coveralls for the transmission and distribution crew and others in accordance with past practice.

- 11.5 Equipment Mechanics shall receive an annual tool allowance of ~~\$85.00. This allowance shall increase to ninety dollars (\$90.00) in 1999-2000 and to one hundred dollars (\$100.00) in 2001-2002.~~

ARTICLE 12 - ACCESS TO JOBS, RECORDS AND TIME RECORDS

- 12.1 Authorized representatives of the Union shall have free access to the Employer's establishments, or any job site where employees subject to the terms of this Agreement are employed, during working hours for the purpose of adjusting disputes, investigating working conditions and determining whether or not the terms of this Agreement are being adhered to. Such authorized representatives of the Union shall have the right to inspect time cards and payroll records of the individuals involved for the same purposes and representatives of the Health Services and Insurance Plan shall have the right to audit such records to determine whether or not the Employer has complied with the terms of this Agreement and/or the rules and regulations of such plan.

ARTICLE 13 - BULLETIN BOARDS

- 13.1 The Employer agrees that it will provide suitable bulletin boards in conspicuous places, where the employees are employed, for the posting of information of interest to the employees subject to this Agreement. Employees will not deface or destroy notices placed on bulletin boards. Violators will be suspended.

ARTICLE 14 - HEALTH SERVICES AND INSURANCE PLAN

- 14.1 The City agrees to provide insurance coverage for each member of the bargaining unit and his family from the Teamsters Local #677 Health Services and Insurance Fund at the level of benefits established by the Trustees of the Fund and to contribute to the Fund hourly contributions for each covered employee to a maximum of forty (40) hours per week. ~~The contribution rate shall be \$3.25 per hour for the first three years of this Agreement. Effective July 1, 2001, the contribution rate shall be \$3.35 per hour.~~

Effective July 1, 2002 - \$3.80

Effective July 1, 2003 - \$4.15

Effective July 1, 2004 - \$4.50

- 14.2 Payments shall be based on forty (40) hours worked. Payments shall be made from the first hour of employment for all classified employees and for unclassified employees who are members of the Union not on withdrawal at the time of their employment with the City of Danbury for work covered by this Agreement. Payments shall be made from the ninety-first day of employment for all other unclassified employees covered by this Agreement.
- 14.3 For the purpose of this Article, each hour paid for, figured to the nearest quarter (1/4) hour, as well as hours of paid vacation, paid holidays and other hours for which pay is received by the employee, shall be counted as hours for which contributions are payable. If an employee is injured on the job, the Employer shall continue to pay the required contributions until such employee returns to work; however, such contributions of thirty-two (32) hours shall not be paid for a period of more than twelve (12) months. All contributions shall be made at such time and such manner as the Trustees require, and the Trustees shall have the authority to have an independent certified public accountant audit the payroll and wage records of the Employer for the purposes of determining the accuracy of contributions of the Health Services and Insurance Plan.

Payment to the fund for hours paid but not worked shall be made only when the employee is taking paid leave during the course of his/her active employment. No payment to the fund will be made on lump sum payments to the employee for unused paid leave.

If an employee is absent because of illness or off-the-job injury, and the employee notifies the Employer of such absence and provides such certification from a physician as the City may require, the City shall continue to make the contributions required to maintain health benefits, thirty-two (32) hours per week for a period of twelve (12) weeks.

- 14.4 The Employer and Union, which are signators hereto, ratify the designation of the Employer and employee Trustees under such Agreement and ratify all action already taken, or to be taken by such Trustees within the scope of their authority.
- 14.5 **Upon normal retirement under the rule of 85 and continuing to age 65 (when the retiree is eligible for Medicare), the City shall sponsor the retiree's participation in the Teamsters Retiree Insurance Plan. The City shall pay the premiums to the Teamsters' Health Services and Insurance Fund, at the rates set forth in Appendix A. The City shall deduct from the pension check of each retiree who elects this Teamsters' retiree insurance:**

- a) **20% of the cost for the member and spouse; and**

- b) **the additional cost of any other dependent coverage elected by the retiree.**

ARTICLE 15 - GRIEVANCES

15.1 This procedure is established to seek an equitable resolution of problems that arise as a result of an Employer-employee relationship within the aforementioned departments.

15.2 Purpose:

The purpose of the grievance procedure shall be to settle employee grievances on as low an administrative level as possible so as to insure efficiency and employee morale.

15.3 Definition:

A grievance, for the purpose of this procedure, shall be considered to be an employee ~~complaint~~ **complaints** concerned with:

- a. ~~Discharge~~ **discharge**, suspension or other disciplinary action;

- b. ~~Charge of favoritism or discrimination.~~

- e. ~~Matters~~ **b) matters** relating to the interpretation and application of sections in this Agreement.

Discipline shall be for just cause; provided, however, that an arbitrator shall not substitute his/her judgment for that of the City as to the appropriateness of the penalty imposed.

15.4 Procedure:

15.4.1 Step 1. Within six (6) working days of the aggrieved action or event, the aggrieved employee(s) and/or the steward and/or the business representative must present the grievance to the Superintendent of Public Utilities, or his representative, in writing, specifying the nature of the grievance and the section of the contract claimed to be violated.

A decision thereon must be given to the employee(s) and the Union within five (5) working days. Any agreement settling the grievance shall be reduced to writing and signed by the parties. In the event the business representative shall be of the opinion that an employee grievance is without merit, the Local Union shall not be required to process the matter any further, and he shall so inform the employee filing the grievance

and the Employer. There shall be no liability imposed thereby upon the Union or the Employer.

- 15.4.2 Step 2. Within five (5) working days thereafter, the business representative shall then take the matter up with the Director of Public Works, or his representative with authority to act on such grievance, and a decision therein must be given to the business representative within five (5) working days. Any agreement settling the grievance shall be reduced to writing and signed by the parties. In the event the business representative shall be of the opinion that an employee grievance is without merit, the Local Union shall not be required to process the matter any further, and he shall so inform the employee filing the grievance and the Employer. There shall be no liability imposed thereby upon the Union or the Employer.
- 15.4.3 Step 3. Within five (5) working days thereafter, the business representative shall then take the matter up with the Mayor or his designee, and a decision therein must be given to the business representative within five (5) working days. Any agreement settling the grievance shall be reduced to writing and signed by the parties. In the event the business representative shall be of the opinion that an employee grievance is without merit, the Local Union shall not be required to process the matter any further, and he shall so inform the employee filing the grievance and the Employer. There shall be no liability imposed thereby upon the Union or the Employer.
- 15.4.4 If prior steps have been complied with and settlement of a grievance has not been effected, the matter shall be submitted to the Connecticut State Board of Mediation and Arbitration **within twenty (20) working days after the City's Step 3 decision.**

The decision rendered by the arbitrator or arbitrators shall be final and binding upon both parties provided the decision complies with this Agreement. The arbitrator shall have no power to add to or in any way modify the terms of this Agreement.

- 15.5 A Department Head shall have the right to determine all matters concerning work activities, management and administration that he deems necessary for the best interest of his department and the City of Danbury.
- 15.6 Persons who have not completed both ninety (90) calendar days and sixty-five (65) working days of continuous employment with the City may be discharged by the City for any reason. Such persons shall not be deemed "employees" for purposes of this Article and shall not have access to the grievance procedure.

ARTICLE 16 - WAGES

16.1 The Employer shall pay the following rates:

CLASSIFICATIONS	7/1/02	7/1/03	7/1/04
	<u>(3.00%)</u>	<u>(3.00%)</u>	<u>(3.00%)</u>
<u>Water Plant Classifications</u>			
Operator	\$17.39	\$17.91	\$18.45
Operator Repairperson	\$19.44	\$20.02	\$20.62
<u>Collection and Distribution Classifications</u>			
Cross Connector	\$17.64	\$18.17	\$18.72
Laborer	\$17.03	\$17.54	\$18.07
Meter Reader/Installer	\$17.23	\$17.75	\$18.28
Pipe Installer	\$19.35	\$19.93	\$20.53
Public Utilities Technician	\$17.39	\$17.91	\$18.45
<u>Maintenance Classifications</u>			
Equipment Mechanic	\$20.59	\$21.21	\$21.85
Laborer	\$17.03	\$17.54	\$18.07
Mason	\$18.51	\$19.07	\$19.64
Parts Attendant	\$18.90	\$19.47	\$20.05
Utility Mechanic	\$20.62	\$21.24	\$21.88
<u>Laboratory Classifications</u>			
Lab Technician	\$19.76	\$20.35	\$20.96
Senior Lab Technician	\$20.57	\$21.19	\$21.83

A Laborer who is assigned to work as a Pipe Installer for a full shift or a majority of the shift hours shall receive Pipe Installer pay for the shift.

An employee who has been designated as "Leader" will be paid a premium of ~~fifty two seventy cents (\$52)(\$.70)~~ per hour. ~~This premium shall increase to sixty cents (\$.60) per hour effective July 1, 1999 and to seventy cents (\$.70) effective July 1, 2001.~~

16.2 Employees who are required to work unscheduled or emergency overtime work shall receive a meal allowance(s) in accordance with the Department of Public Utilities standard policy. The amount of the meal allowance shall be six dollars (\$6.00) per meal. Not more than three such allowances shall be payable in a twenty-four (24) hour period. **Effective July 1, 2003, the meal allowance shall be increased to seven**

dollars (\$7.00). Effective July 1, 2004, the meal allowance shall be increased to seven dollars and fifty cents (\$7.50).

- 16.3 The City shall pay the IRS rate per mile, as established each January 1, when an employee is required to use his personal vehicle on assigned duties.
- 16.4 Utility Mechanics who hold one or more of the following licenses shall receive a premium of one dollar (\$1.00) per hour. For the purposes of this section, the licenses referenced above are:

- (1) P-1 Contractor Unlimited
- (2) P-2 Journeymen Unlimited
- (3) E-1 Class I Unlimited Contractor
- (4) E-2 Class II Unlimited Journeymen

The employee is responsible for renewal of his/her license before the date of expiration and presenting it to the department head. Department heads will send copies of licenses to the Personnel Director who, in turn, will submit to the Payroll Department a list of names, licenses held and the expiration dates. Premiums will only be paid to holders of a valid license.

- 16.5 As a condition of employment, all new employees at the water and treatment plants shall obtain Level 1 certification within one year of hire, and shall maintain such certification as a condition of continued employment.

All employees hired on or after February 1, 2003 shall be required to achieve Level 4 certification not later than two (2) years following date of hire.

Employees hired prior to February 1, ²⁰⁰³~~2004~~ shall be required to make a good faith effort to achieve level 4 certification. The City will assist such employees by providing study materials and, if feasible, courses.

- 16.6 All cross connection inspectors holding a State of Connecticut certificate shall receive a premium of one dollar (\$1.00) per hour for all hours worked.
- 16.7 A Treatment Plant Operator or a Laborer possessing a Class A-CDL license will be paid a premium of \$1.00 per hour when assigned to drive the trailer which is used to dispose of the sludge. If the employee drives the trailer four (4) hours or more in a work day the premium will be paid for all eight (8) hours.
- 16.8 **The City shall continue to offer the option of direct deposit to employees. The Union agrees that employees are encouraged to use the direct deposit system for receipt of their earnings.**

The City shall have the option to convert to a biweekly pay system. The City intends to do so when it is able to implement biweekly pay for a substantial majority of employees. Prior to implementation of biweekly pay, the City shall give three (3) months notice to the Union and to employees.

ARTICLE 17 - JURY DUTY

- 17.1 If an employee must serve on jury duty, the City will pay the difference between the jury duty pay and his normal weekly earnings, but in no event shall the difference exceed forty (40) hours per week.

ARTICLE 18 - MANAGEMENT RIGHTS

- 18.1 The City retains all rights it had prior to the signing of this contract except as such rights are specifically relinquished or abridged by this contract.
- 18.2 Without limiting the foregoing, the City shall have the right to transfer or reassign qualified employees wherever the City's needs require, irrespective of whether or not such transfer or reassignment crosses departmental lines, as long as the transfer or reassignment does not cross beyond Teamster bargaining unit lines.

ARTICLE 19 - PENSION PLAN

- 19.1 The City agrees to continue in effect the terms of the present pension plan for the duration of this Agreement except as it may be modified by mutual agreement of the parties.
- 19.2 **If an employee is eligible for normal retirement and dies while in active employment before retiring, the surviving spouse shall be paid a forty thousand dollars (\$40,000) survivor benefit.**

ARTICLE 20 - LEAVE OF ABSENCE

- 20.1 **An employee who has completed at least one year of service in the bargaining unit may request a leave of absence without pay. The request shall be in writing and shall state the reason for the leave as well as the amount of leave requested. The request shall be submitted in advance to the employee's department head and the Personnel Department. The decision to grant or deny such leave shall be in the discretion of the Personnel Department. Such leave of absence shall be without pay or benefits, but an employee shall not lose his or her seniority as a result of**

taking such leave of absence. A leave of absence will be for an approved period of time, but in no instance will the leave be for more than one (1) year. During the period of the leave, the employee shall not engage in gainful employment. Failure to comply with this provision shall result in forfeiture of the employee's right to return to employment with the City. If an employee fails to return to work at the expiration of a leave of absence, his/her employment shall be terminated.

ARTICLE 21 – DRUG AND ALCOHOL TESTING

- 21.1 CDL Employees.** The consequences of failure of a drug or alcohol test for employees holding CDL licenses are set forth in the City's Drug and Alcohol Policy for Safety Sensitive Employees.
- 21.2 Non-CDL Employees.** The City's Drug and Alcohol Policy for Non-Safety Sensitive Employees shall include the following provisions in the section on "Penalties for Violations":

Employees who are involved with illegal drugs or controlled substances on their own time will be subject to disciplinary action up to and including discharge if such involvement has an adverse effect on the City. Examples of adverse effects are impaired work performance or attendance, endangered safety of employees or the public, and improper use of City property.

The following are the specific penalties for employees who violate the City's Drug and Alcohol Policy for Non-Safety Sensitive Employees:

(a)	Refusal to submit to testing	Discharge
(b)	Positive drug test or alcohol test with concentration of .04 or greater – first occasion	Opportunity for rehabilitation: if accepted and successfully completed, return to work after leave which shall be considered a disciplinary suspension; if rejected or if not successfully completed, discharge
(c)	Positive drug test or alcohol test with concentration of .04 or greater – second occasion	Discharge

(d)(i)	Positive alcohol test with concentration of .02 to .039 - first occasion	Disciplinary suspension of not less than one day and continuing until re-tested and free of alcohol
(d)(ii)	Positive alcohol test with concentration of .02 to .039 - second occasion	Ten-day disciplinary suspension, at which point the employee must exercise the opportunity for rehabilitation; however, discharge shall result if the first positive alcohol test was .04 or greater
(d)(iii)	Positive alcohol test with concentration of .02 to .039 - third occasion	Discharge
(e)	Possession of drug paraphernalia	Discharge
(f)	Sale or distribution of drugs	Discharge
(g)	Abuse of prescription drugs	Same approach as illegal drugs
(h)	Use of alcohol while on duty	Discharge

ARTICLE 22 ~~ARTICLE 20~~ - DURATION AND TERMINATION

20.1

22.1 This Agreement shall be effective on signing with the following ~~exception~~: exceptions:

- a. **Payments to the Teamsters Health Services and Insurance Fund shall be retroactive to July 1, 2002 at the rates specified in Article 14, Section 14.1. The City's agreement to make these payments retroactively is without prejudice to its position on retroactivity in any future negotiations.**
- b. Individuals employed when this Agreement becomes effective shall receive the wage rates rate of Article 16, Section 16.1 effective July 1, 1998 2002 as specified in that Section.

22.2 This Agreement shall terminate on the 30th day of June, 2002. ~~2005.~~

Signed this ____ day of _____, 2003.

CITY OF DANBURY

TEAMSTERS LOCAL UNION NO. #677,
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS

By _____
~~Gene F. Eriquez~~
Mark Boughton
Mayor

By _____
Clifford Socquet
Business Representative

By _____
~~Julio A. Lopez~~
Assistant
Carol A. DeSantie
Director of Personnel

By _____
Witness

Date Signed _____

APPENDIX A

TEAMSTERS RETIREE INSURANCE PLAN

Plan SR Monthly Premium Rates – Ages 50 to 60

Member \$325
Member & Spouse \$650
Children \$135

Plan SR (\$1,000,000 Maximum Benefit) Monthly Premium Rates – Ages 60 to 65

	30+ Years of Coverage	25-29 Years of Coverage	20-24 Years of Coverage	15-19 Years of Coverage
Member	\$35.00	\$45.00	\$50.00	\$55.00
Member & Spouse	\$70.00	\$90.00	\$100.00	\$110.00
Children	\$135.00	\$135.00	\$135.00	\$135.00

APPENDIX B

**OPERATORS' WORK SCHEDULE
DANBURY WATER TREATMENT PLANTS**

Shift	Sunday	Monday	Tuesday	Wednesd ay	Thursday	Friday	Saturday
11 p.m.	1	1	1	1	1	6	6
7 a.m.	4 5	4 5 6	2 4 5 6	2 4 5 6	2 4 5 7	2 7	2 7
3 p.m.	7	7	3	3	3	3	3

Positions 1, 2, 3, 4, 6 and 7 are Operators.

Position 5 is the Operator ~~Repairman~~ **Repairperson**.

SIDE LETTER

RE: Article 4, Section 4.4
Distribution of Overtime

~~The City and the Union have agreed that the present practice concerning distribution of overtime for Pipe Installers shall continue. In accordance with this practice, Pipe Installers who work primarily in water transmission and distribution shall be called first for water related overtime and Pipe Installers who work primarily in sewer collection shall be called first for sewer related overtime.~~

This redlined draft, generated by CompareRite (TM) - The Instant Redliner, shows the differences between -

original document : \\HFD-DATA-

01\DOCSDATA\DOCSOPEN\HARTFORD\SPM\0234945.01

and revised document: G:\DOCSOPEN\HARTFORD\SPM\0337034.01

CompareRite found 145 change(s) in the text

Deletions appear as Overstrike text

Additions appear as Bold text



17

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 27, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: Reapportionment
Code of Ordinances Sections 2-4.2 and 2-4.3

Dear Mayor and Council Members:

We are in the process of preparing amendments to two sections of the Code of Ordinances dealing with ward and voting precinct boundary descriptions. These changes came about as a result of reapportionment earlier this year. While work continues we thought it wise to request that you schedule a public hearing so that the council could consider and act on the ordinance amendments at the July meeting, well in advance of next fall's election season. Accordingly, please schedule a public hearing late in the month of June. We will arrange to have copies of the changes on file in the Office of the Assistant City Clerk prior to the publication of the public hearing notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gottschalk".

Eric L. Gottschalk
Deputy Corporation Counsel



CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

May 28, 2003

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

The City of Danbury is experiencing rapid growth of fence installations on private property that are not neighbor-friendly. Some of these structures are over twelve feet high, lack proper maintenance and are terrible eyesores for neighborhoods. Another challenge is "backstop" fencing constructed for volleyball courts that often exceed twenty feet in height without adequate anchors.

Numerous complaints from Danbury residents regarding this challenge suggest we should consider adopting responsible regulations for fencing. I request an Ad Hoc Committee of the Common Council consider this proposal and request prompt action as the building and outdoor activities season is approaching peak season.

Thank you for your attention to this matter.

Sincerely,

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

Mark D. Boughton
Mayor

May 28, 2003

Honorable Mayor Mark D. Boughton
Honorable Members of the Common Council
City Hall
Danbury, Connecticut 06810

American Tax Funding, LLC desires to assign all of its right, title and interest to those certain tax liens encumbering the Lake Wackawana parcel, to the Juniper Ridge Tax District. As you may be aware, the Juniper Ridge Tax District is interested in obtaining the assignment in conjunction with its efforts concerning the reconstruction of the two dams on Lake Wackawana, which is located within the Juniper Ridge Tax District. I believe that permitting this assignment will serve the best interests of all concerned parties.

Accordingly, American Tax Funding is respectfully requesting approval from the City of Danbury to assign its interest in the tax liens to the Juniper Ridge Tax District.

Should you have any comments or questions regarding this request, please do not hesitate to contact me at 561-841-3126. I look forward to your response.

Sincerely,



Justin Weisenbacher

President

COMMON COUNCIL

CITY OF DANBURY

APPLICATION FOR EXTENSION OF SEWER AND/OR WATER

Sewer

Water

Application: BRT Development, LLC

Address: 50 Newtown Road

Danbury, CT 06810

Telephone No. (203) 748-5100

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

Located at: 113 & 115 Clapboard Ridge Road

Assessor's Lot No.: F080066, F090036, F090035, F090091

Zone in which the Property Lies: RA-40

Intended Use:

Retail

Office

Mixed Use

Industrial

Single Family Residential

Multiple Family Development

_____ Number of Efficiency Units

_____ Number of 1 Bedroom Units

_____ Number of 2 Bedroom Units

_____ Number of 3 Bedroom Units

_____ Total Number of Units

H. Peter Damia
(Signature)

2/19/03
(Date)

3 Evergreen Row
Armonk, NY 10504
May 20, 2003

Ms. Jimmetta Samaha
Common Council
City of Danbury
Town Hall
155 Deer Hill Avenue
Danbury, CT 06810

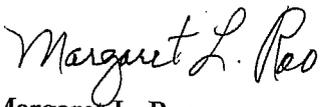
Dear Council,

For at least 27 years I have owned a small strip of land on Hayes Street in Aqua Vista:

J05060 (some of your mailings identify it as JO5//60//)

Although I have paid taxes on it all these years, I have no use for it and would like to donate it to the city of Danbury. I would appreciate your telling me how I can go about this. If it is possible to donate it, could you send me an evaluation?

Sincerely,


Margaret L. Rao

Tel: 914-273-4121

E-mail: RAOEWA@JUNO.COM

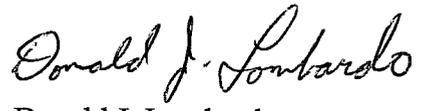
70 Old Ridgebury Road
Danbury, Connecticut 06810
May 14, 2003

Members of the Common Council
City Clerk's Office
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Dear Members of the Common Council,

I own a property at 69 Padanaram Road. I want to request the permission to extend the sewer to this property and to hook up to the sewer. Please place this appeal on your agenda. Thank you for your cooperation in this matter.

Very truly yours,


Donald J. Lombardo



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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

DANBURY, CT 06810

May 27, 2003

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

Re: Redevelopment Parcel 9

Dear Mayor and Council Members:

Attached please find a proposed agreement between the City and Yankee Gas Services Company. You will recall that the Council earlier this year authorized the City to acquire a small, triangular strip of Yankee Gas property on the corner of Patriot Drive and Pahquioque Avenue. That strip will be added to Redevelopment Parcel 9, which the City's Redevelopment Agency is now negotiating to transfer to a redeveloper (with the appropriate City approvals).

The agreement would allow the City to conduct environmental testing on the Yankee Gas parcel as part of the environmental testing which the City is having done on the entire Redevelopment Parcel 9.

This office respectfully requests the Council to approve the proposed agreement, authorize the Corporation Counsel to make minor revisions consistent with its intent, and authorize the Mayor to execute the agreement.

Very truly yours,

Daniel E. Casagrande
Assistant Corporation Counsel

INDEMNIFICATION AGREEMENT

This AGREEMENT (“Agreement”) made as of the ____ day of June, 2003 (“Effective Date”), between **THE CITY OF DANBURY**, a Connecticut municipal corporation (the “Municipality”), and **YANKEE GAS SERVICES COMPANY**, a specially-chartered Connecticut corporation with a principal office at 107 Selden Street, Berlin, CT 06037 (“Yankee”). The Municipality and Yankee are each referred to herein as a “Party” and collectively as the “Parties”.

WITNESSETH:

WHEREAS, the Municipality has initiated a condemnation proceeding in the Connecticut Superior Court, Docket No. CV-97-0327230-S, as such proceeding may be amended or supplemented from time to time (the “Condemnation Proceeding”) to acquire from Yankee a certain parcel containing approximately 1,954 square feet in the City of Danbury, Connecticut, which is more particularly described in a Statement of Compensation filed by the Municipality on March 17, 1997 in Docket No. CV-97-0327230-S (the “Original Property”); and

WHEREAS, the Municipality also seeks to acquire from Yankee an additional parcel of approximately 300 square feet that is adjacent to the Original Property (the “Additional Property”, and together with the Original Property, the “Property”); and

WHEREAS, pending the completion of the Condemnation Proceeding and prior to the date on which legal title to the Property vests in the Municipality, the Municipality requests permission from Yankee to conduct certain tests and inspections on the Property; and

WHEREAS, Yankee authorizes the Municipality to conduct such tests and inspections subject to the terms set forth in this Agreement.

NOW, THEREFORE, in consideration the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Municipality and Yankee, the Parties agree as follows:

1. Inspection of Property.

- 1.1 Inspections. Following the Effective Date of this Agreement, the Municipality may have access to the Property, upon providing prior notice to Yankee, in order to inspect the Property and the improvements thereon, prepare a survey and take measurements. If the Municipality wishes to take samples of soil, groundwater, or other natural or manmade materials (collectively, “Environmental Tests”), the Municipality may do so using reasonable means at reasonable times after providing reasonable prior notice to Yankee. The Municipality’s personnel shall not interfere with Yankee’s operations or damage the Property or any other real and personal property owned by Yankee (“Other Yankee Property”) and Buyer shall repair any damage to the Property or Other Yankee Property occasioned thereby, unless directed otherwise by Yankee. In the case of

physical sampling, such repair shall include grouting any boreholes and properly closing any monitoring wells, unless directed otherwise by Yankee.

- 1.2 Remediation. Upon the completion of the Environmental Tests, if it is determined that remediation of the Property is necessary to meet any state or federal environmental standards (“Remediation”), the Municipality can either (i) Remediate the Property to meet state and federal environmental requirements at the Municipality’s sole cost and expense and acquire title to the Property in an “AS IS” condition via condemnation; or (ii) terminate any pending condemnation proceeding to acquire title to the Property and recover any amounts already paid or deposited with the Superior Court.
2. Confidentiality of Environmental Tests. Any reports, documentation, data or other information in whatever form obtained through, or reflecting the results of, any Environmental Test shall constitute “Confidential Information”. Prior to the date and time that legal title to all of the Property vests in the Municipality and a deed (or other appropriate document evidencing the transfer of legal title to the Property to the Municipality) is recorded in the Danbury Land Records, the Municipality may not disclose such Confidential Information to any third-party; provided, however, that the Municipality may disclose Confidential Information (i) to those officers, directors, legal counsel, employees and agents of the Municipality directly involved in the Municipality’s acquisition of the Property who have a need-to-know such Confidential Information or any developer in negotiations with the Municipality to develop any portion of the Property, provided that each such recipient agrees to be bound by the confidentiality provisions of this Agreement, or (ii) if the Municipality is required to do so by law, including but not limited to Section 1-210(b)(7) of the Connecticut Freedom of Information Act.
3. Indemnification. The Municipality shall release, defend, indemnify and hold Yankee harmless from and against all injuries or deaths, to any person, or damage or loss of any kind to property (including without limitation the Property, the Other Yankee Property and any property of the Municipality) that may occur as a result of the Municipality’s (i) exercise of its right in Section 1 of this Agreement to conduct Environmental Tests, (ii) disclosure of Confidential Information in violation of Section 2 of this Agreement, or (iii) negligent, willful or wanton conduct. The Municipality’s obligations under this Section 3 shall include reimbursing Yankee for all of its reasonable attorney’s fees and other costs of defense.
4. Survival. The Municipality’s obligations in Sections 1, 2 and 3 of this Agreement shall survive any termination or cancellation of this Agreement.
5. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Connecticut without taking into account conflict of laws principles.
6. Notices. All notices and correspondence in connection with this Agreement shall be delivered via certified mail or facsimile to:

For Yankee
Yankee Gas Services Company

c/o Northeast Utilities Service Company
107 Selden Street, Berlin CT 06037
Attn: Salvatore Giuliano Manager, Real Estate and Land Planning
Tel: (860) 665-6173
Fax (860) 665-6933

For Municipality

Dennis Elpern
Executive Director
Redevelopment Agency of The City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(Tel) 203-797-4525

7. Entire Agreement. This Agreement contains the entire agreement between the Parties hereto with respect to the subject matter hereof. All prior communications between the Parties concerning the subject matter hereof, whether oral or written, shall be superseded by this Agreement. This Agreement may be amended only by a writing signed by the Parties.
8. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties, their successors and permitted assigns.
9. Waiver of Governmental Immunity. The Municipality hereby waives any governmental immunity that it has or may have under Connecticut law and any defense based thereon solely with respect to any suit, action or proceeding which may be brought (i) to enforce or interpret this Agreement or (ii) which relates to any obligation of the Municipality arising out of this Agreement.
10. Representations and Warranties. Each Party represents and warrants that:
 - (a) it has full power and authority to enter into and perform this Agreement and that the person signing this Agreement on its behalf has been duly authorized and empowered to execute and deliver this Agreement on its behalf;
 - (b) this Agreement constitutes the valid and binding obligations of such Party, enforceable in accordance with its respective terms;
 - (c) the execution, delivery and performance of this Agreement does not and will not result in any violation of or be in conflict with or cause a default under any provision, term or condition of any organizational document of such Party, or any other agreement or document, judgment, decree, order, statute, rule, regulation, ordinance, franchise, certificate, permit, municipal charter or other authority applicable to that Party; and
 - (d) no additional consent, order, approval or authorization of, or registration, declaration or filing with any governmental or other public authority, body or agency, including but not

limited to the Mayor or other public officials representing the City of Danbury, is required in connection with the execution, delivery and performance of this Agreement.

[signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed in their names and on their behalf, respectively, by persons duly authorized as of the Effective Date.

NORTHEAST UTILITIES SERVICE
COMPANY, acting as agent on behalf of
YANKEE GAS SERVICES COMPANY

By: _____
Name: Salvatore Giuliano
Title: Manager, Real Estate and Land Planning

THE CITY OF DANBURY

By: _____
Name: _____
Title: _____



26-May

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

24

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

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

May 8, 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:

Request to Purchase Property
Rocco G. Perna
West Kenosia Avenue

At the May 6, 2003 Common Council meeting, the letter submitted by Rocco G. Perna expressing interest in purchasing City owned land located between the soccer fields on West Kenosia Avenue and Lake Kenosia was forwarded to this office for a report within 30 days (reference item 26 of the meeting minutes).

This is the same parcel of land that the Ancient Order of Hibernians offered to purchase in a May 21, 2001 letter to you. Enclosed please find copies of the June 18, 2002 letter report and map prepared by our department and submitted in response to that request.

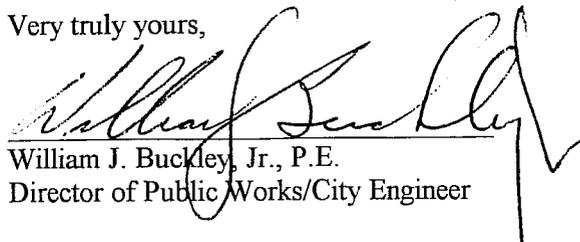
Interest in acquisition of this parcel of land was also expressed by B.P.O.E. Danbury Lodge No. 120, Inc. in an October 12, 2001 letter to Mayor Gene F. Eriquez and the Common Council.

At the August 6, 2003 Common Council meeting, the Council voted to take no action on the Ancient Order of Hibernians request. A copy of the appropriate page from the meeting minutes is enclosed for your reference (see Item 38).

This shoreline property is an extremely valuable piece of City property with potential future recreational uses. It is the opinion of the Public Works Department that this piece of land should not be sold.

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: Eric L. Gottschalk, Esq., with encl.
Robert Ryerson, with encl.
Dennis Elpern

equipment purchases at the end of the fiscal year. The Reappropriations were approved on the Consent Calendar.

35 – COMMUNICATION – Tamarack Investments – 45A Miry Brook Road

Request for installation of a sewer line from Wallingford Road to the Miry Brook site and the construction of a pump station. Mr. Gogliettino asked that this be referred to an ad hoc committee, the Superintendent of Public Works, the Corporation Counsel and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Gallagher, Furtado and Nolan to the committee.

36 – COMMUNICATION – Request for Sewers on Deepwood Drive

Mr. Moore asked that this be referred to the Superintendent of Public Works to begin the sewer assessment process. Mayor Boughton so ordered.

37 – COMMUNICATION – Report regarding request to purchase land on Terre Haute.

Report from the Director of Public Works William Buckley stating that the Housing Authority of the City of Danbury presently owns this land. The report was received on the Consent Calendar and forwarded to the Housing Authority for review.

38 – COMMUNICATION – Reports regarding request to purchase property on Lake Kenosia

Reports from the Corporation Counsel, the Superintendent of Public Works and the Director of Parks and Recreation regarding the request to purchase property on Lake Kenosia. The reports were received on the Consent Calendar and no action taken.

39 – COMMUNICATION – Report regarding request for Water Extension on Pembroke Road

Mr. McAllister asked that this be referred to an ad hoc committee, the Superintendent of Public Works, the Corporation Counsel and the Director of Finance. Mayor Boughton so ordered and appointed Council Members McAllister, Null and Scozzafava to the committee.

40 – COMMUNICATION – Report regarding HUSKY Program

Report from the Director of Welfare and the Director of Health and Housing recommending that the request for \$20,000 to the Danbury VNA for the HUSKY Program be approved. Mr. Nolan made a motion to receive the report and appropriate \$20,000 for the HUSKY Outreach Program. Seconded by Mrs. Basso. Dean Esposito asked that this be referred to an ad hoc committee and the Director of Finance. Mayor Boughton so ordered and appointed Council Members Moore, Dean Esposito and Basso to the committee.

41 – REPORT – Request for Sewer Extension – 94 Mill Plain Road

Mr. Moore submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 94 Mill Plain Road met on July 23, 2002 in the Third Floor Caucus Room in City Hal. In attendance were committee members Moore, Darius and Dittrich. Also in attendance were Director of Public Works William Buckley, Attorney Paul Jaber and Mike Riefenhauser from Weeks Automotive and Council Member Pauline Basso, ex-officio.

Mr. Moore read the positive recommendation from the Planning Commission. He asked Mr. Buckley for an overview of the request. Mr. Buckley said that this is a request for sewers. Water is available at the site. The approximate cost to Weeks would be \$100 per linear foot. Mr. Darius asked if there were any foreseeable issues that should concern the Common Council. Mr. Buckley felt that there were no outstanding issues and recommended approval subject to the required eight steps.



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

June 18, 2002

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

Dear Mayor Boughton and Common Council Members:

Request to Purchase Property
Ancient Order of Hibernians
West Kenosia Avenue

At the June 4, 2002 Common Council meeting, the May 21, 2002 letter from James Taylor of the Ancient Order of Hibernians and Maura Melody of the Ladies Ancient Order of Hibernians offering to purchase property (2 acres) adjacent to Lake Kenosia was forwarded to this office for a thirty days report (reference Item 19 of the meeting minutes).

Enclosed please find a copy of the City's topographical map of the area on which we have marked the approximate location of the two acres that the Ancient Order of Hibernians would like to purchase.

At the February 5, 2002 Common Council meeting, the committee report relative to the previous request by the Ancient Order of Hibernians to purchase this property was received and it was moved to take no action on the request.

We recommend that the following comments be considered during the Common Council's deliberation on this issue:

1. This parcel of land would have no road frontage. Access (we assume) would be over the same driveway presently used by the Vespucci Recreation Center. It should be kept in mind that the City Highway Department does not plow the driveways in Kenosia Park during the winter. Snow removal on any driveway to this site would need to be taken care of by private property owners (Vespucci Recreation Center and Ancient Order of Hibernians).

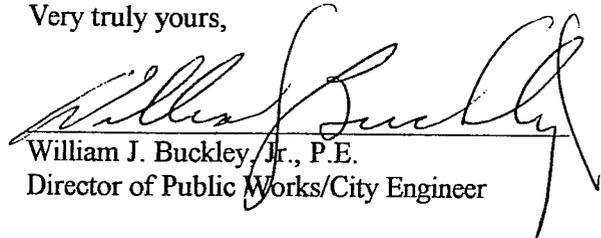


2. The existing City parcel of land would need to be subdivided. The acceptability of such a subdivision would be determined by the Planning Department/Planning Commission.
3. It is assumed that the Tax Assessor will review the adequacy of the \$150,000.00 offer.
4. A water main extension would be required to service development on this site.
5. The sanitary sewer extension that is presently out to bid to serve Kenosia Park will serve this site. The City of Danbury is to be assessed for the portion of the sanitary sewer main that will be installed on City owned property. If the property in question is transferred before final sanitary sewer assessments are calculated and if no specific provisions relative to the assessment are included in the Common Council actions relative to the sale, the Ancient order of Hibernians (or whoever ends up purchasing this property) will be assessed the appropriate share based on their benefit when final assessments are calculated.
6. Environmental Impact Commission approval of any proposed development on this site will be required. We recommend that input be solicited from Coordinator of Environmental Health Jack Kozuchowski at this time relative to the potential impact of development of this site on Lake Kenosia.
7. Lake Kenosia is used as a supplementary source of drinking water by the Public Utilities Department in times on need. Water from Lake Kenosia was pumped to West Lake Reservoir as recently as this past spring. We recommend that input from Superintendent of Public Utilities Mario Ricozzi, P.E. relative to this proposal be solicited.
8. A City water supply well and related piping (presently not in use) exist on this property. Input from Superintendent of Public Utilities Mario Ricozzi, P.E. relative to the impact of this transfer request should be solicited
9. Will all parking relative to the proposed development on this site be located on the two acre parcel? If no, what area parking lots are proposed to be used? Will use of other parking areas impact parking for soccer games and other uses of the City park?
10. It is our understanding that there is an existing well on the former Camp Thunderbird property. This well may serve a portion of the Vespucci Recreation Center facility. Further investigation relative to this well is needed. The well is to be abandoned if warranted.
11. Enclosed please find a copy of the October 12, 2001 letter sent to Mayor Gene F. Eriquez by Bernard J. White of the B. P. O. E. Danbury Lodge No. 120, Inc. requesting that the Danbury Lodge #120 be given due consideration relative to the purchase of the site. Are there any other groups who would be interested in this property? If the land is declared surplus, should the Purchasing Department publicize its sale as it does for other City surplus properties.

It is assumed that Director of Parks and Recreation Robert Ryerson will offer his recommendation as to the advisability of the City transferring title to land adjacent to an existing City park to a private entity and will inform you as to any potential uses of this property by the City that would preclude this sale.

If you have any questions or require additional information, please feel free to contact this office.

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

WJB/PAE/pe

C: Eric L. Gottschalk, Esq.
Dennis I. Elpern
Robert Ryerson
Mario Ricoszi, P.E.
Jack Kozuchowski
Charles J. Volpe, Jr.

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

HATTERS COMMUNITY PARK
7 EAST HAYESTOWN ROAD
DANBURY, CONNECTICUT 06811

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

MEMORANDUM

TO: Mayor Boughton & Members of the Common Council

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

DATE: May 12, 2003

RE: REQUEST TO PURCHASE PROPERTY
Rocco G. Perna
West Kenosia Avenue

At the May 6, 2003 Common Council meeting Rocco Perna expressed interest in purchasing land located between the Vespucci Lodge and Kenosia Park. This parcel is known as the Camp Thunderbird picnic grounds.

This same parcel was the land that the Ancient order of Hibernians & B.P.O.E. Danbury Lodge #20 Inc. wanted to purchase in 2001. No action was taken by the Common Council on the Ancient Order of Hibernians request at their meeting on August 6, 2002.

Since that time, the city has connected the sewer line from Kenosia Park Service Center. This shoreline and property is a valuable asset to the Parks & Recreation Dept. It is my opinion that this parcel should not be sold and remain a city asset.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 22, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: May Agenda Item No. 26
Request to Purchase City Property
West Kenosia Avenue
Rocco G. Perna

Dear Mayor and Council:

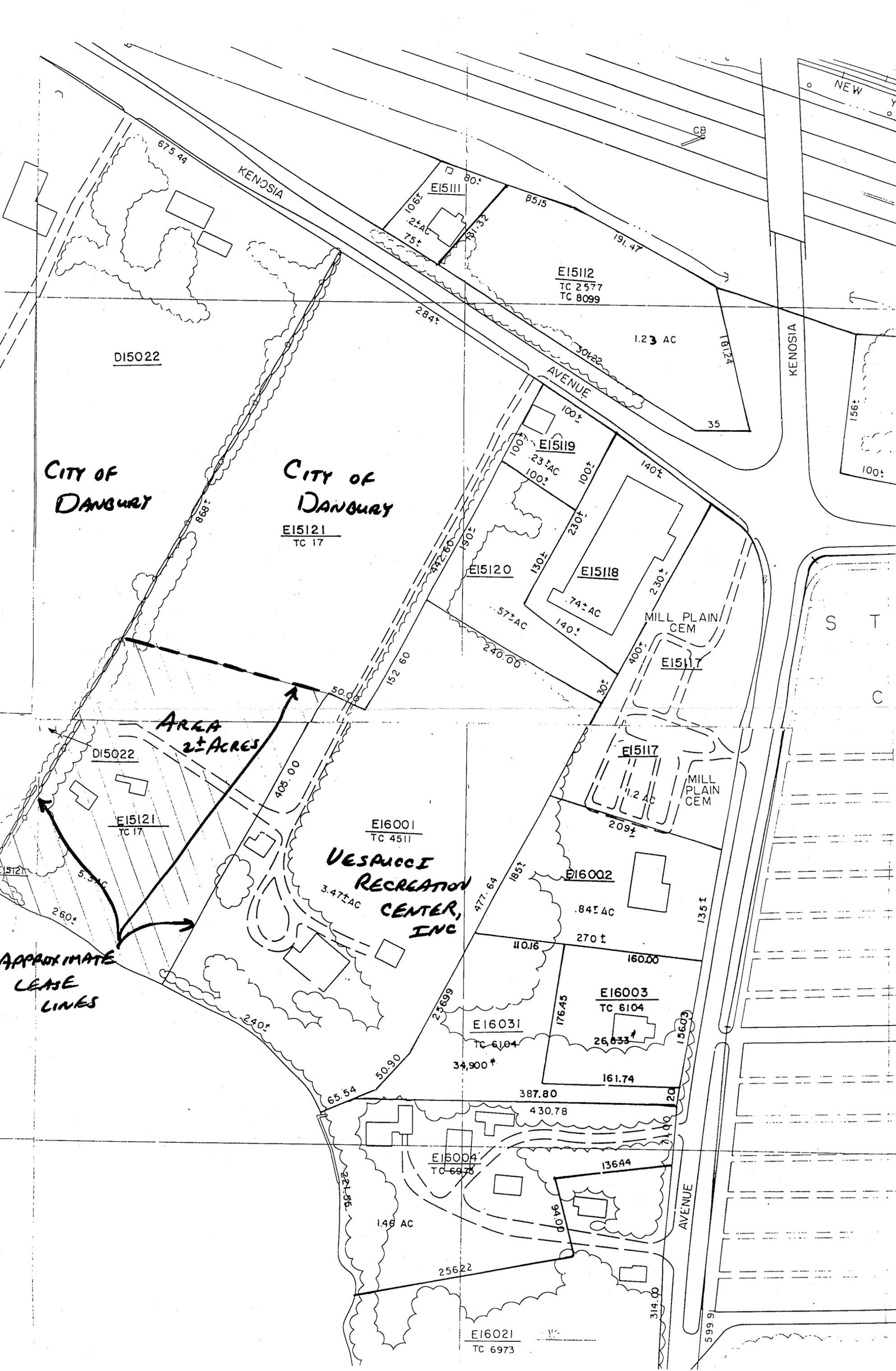
The above matter was forwarded to this office for a report. We note that a letter from Superintendent William J. Buckley to you and dated May 8, 2003 reaffirms the need for the City to retain this land, and that earlier requests to buy this parcel had not been entertained by this Council. In the event that the Council changes its position with respect to the disposition of this parcel, we would be prepared to advise you accordingly.

Please do not hesitate to contact us in the event you have any questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Deputy Corporation Counsel
William J. Buckley, Jr, P.E., Dir. Public Works/ City Engineer
Dennis I. Elpern, Director of Planning and Zoning
Jack Kozuchowski, Coordinator of Environmental Health
Llp/rperna



CITY OF DANBURY

CITY OF DANBURY

D15022

E15121
TC 17

D15022

E15121
TC 17

E16001
TC 4511

VESPUCCI
RECREATION
CENTER,
INC
3.47± AC

E16002
.84± AC

E16003
TC 6104
26,633±

E16031
TC 6104
34,900±

E15004
TC 6978
1.48 AC

E16021
TC 6973

E15112
TC 2577
TC 8099
1.23 AC

E15119
23± AC

E15118
74± AC

E15117
11.2 AC

AREA
2± ACRES

APPROXIMATE
LEASE
LINES

SCALE 1" = 100'



2 1-May

25

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

May 13, 2003

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

Dear Mayor Boughton and Common Council Members:

CVS 29-35 Padanaram Road
Proposed Sidewalk Easement

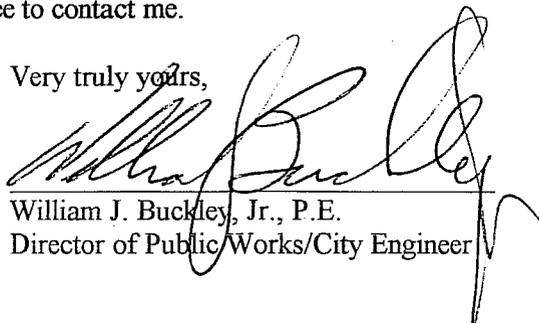
At the May 6, 2003 Common Council meeting, the April 29, 2003 letter from Deborah Kern, CSM of Konover Development Corporation relative to the granting of a sidewalk easement along the Padanaram Road frontage of the proposed CVS development was forwarded to our office for a report within 30 days (reference item 27 of the meeting minutes).

During the Planning site plan approval process, the request for this easement was made by the City Public Works department.

The Public Works Department is in favor of a sidewalk easement across the frontage of this property, however, since Padanaram Road is a State highway, the actual easement should be in favor of the State of Connecticut.

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

Very truly yours,



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

C: Eric L. Gottschalk, Esq.
Dennis Elpern
Ann Klebacha
Paul Kurek



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 27, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: May Agenda Item #27
CVS 29-35 Padanaram Road
Proposed Sidewalk Easement

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report regarding the item referenced above. This item came to you in the form of a letter, from Konover Development Corporation, offering an easement over a strip of land on Padanaram Road to the city to be used as a sidewalk. Konover sought city acceptance of the easement.

In addition to referring this item to our office, you also requested information from the City Engineer. Mr. Buckley responded to you by letter dated May 13, 2003. In his letter the City Engineer indicated that since Padanaram Road is a state highway, the easement should be offered not to the city but directly to the state. We concur with that suggestion and recommend that you take no action at this time. We have already advised Konover that they should seek acceptance from the State of Connecticut. If this matter should require your attention in the future, we will advise you.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gottschalk".

Eric L. Gottschalk
Deputy Corporation Counsel

cc: City Engineer William J. Buckley, Jr.



31-May

26

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

May 8, 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:

Offer to Sell Property
Jerome F. Perrone and Joan B. Perrone
63 Grand Street (Tax Assessor's Lot I15266)

At the May 6, 2003 Common Council meeting, the April 8, 2003 letter submitted by Jerome F. Perrone and Joan B. Perrone expressing interest in selling to the City a lot they own located at 63 Grand Street was forwarded to this office for a report within 30 days (reference item 31 of the meeting minutes).

The lot being offered (Tax Assessor's Lot No. I15266) is a 0.18 acre parcel that fronts Grand Street. A three family dwelling exists on this lot. A copy of the Tax Assessor's card for this property is enclosed for your information.

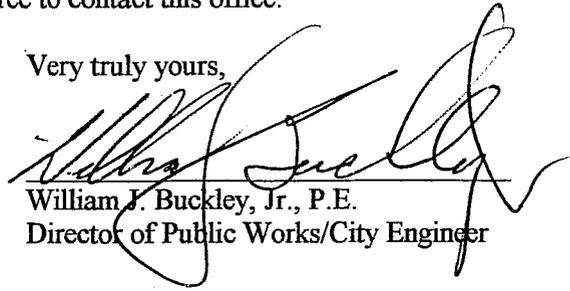
Enclosed please find a copy of a section of the Tax Assessor's map that shows the relationship of this lot to the Senior Center/Elmwood Hall that is presently nearing construction completion.

Long range plans for the Senior Center/Elmwood Hall area call for the acquisition of additional surrounding properties on Elmwood Place and on Grand Street to allow the City to develop a Senior Center "campus" with additional parking areas, another building (fronting Grand Street) and landscaped "green" areas on which benches would be installed and where outdoor activities could take place. Enclosed please find a copy of a map prepared by our office that shows the properties surrounding the new Senior Center/Elmwood Hall that are recommended for acquisition.

It is our recommendation that the City pursue negotiations with the property owners (Jerome F. Perrone and Joan B. Perrone) relative to the acquisition of 63 Grand Street (Tax Assessor's Lot No. I15266).

If you have any questions, please feel free to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. J. Buckley, Jr.", written over a horizontal line.

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

Encl.

C: Eric L. Gottschalk, Esq., with encl.
Dennis Elpern, with encl.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 27, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: May Agenda Item #31
63 Grand Street
Proposed Property Acquisition

Dear Mayor and Council Members:

Please accept this letter in response to your request for a report regarding the item referenced above. This item came to you in the form of a letter from Jerome and Joan Perrone concerning the sale of their property at 63 Grand Street to the city. As indicated to you by William J. Buckley, Jr., in his letter of May 8, 2003, long range plans contemplate the possibility of acquiring sites in the area of the new Senior Center as part of a larger Senior Center campus.

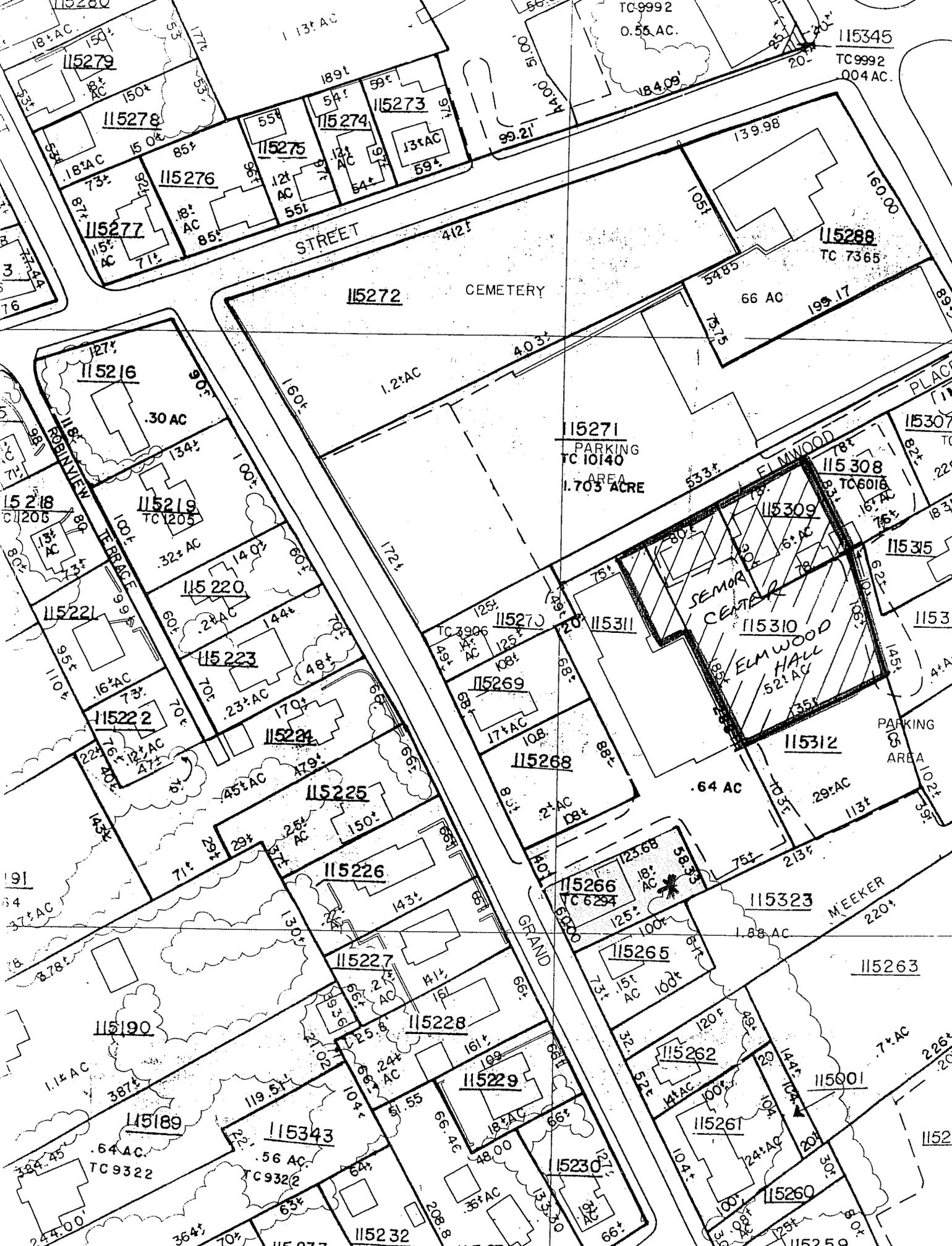
If the Common Council wishes to begin the process of acquiring land in the area of the Senior Center or wish to acquire this specific parcel, I recommend that you begin by obtaining a report from the planning commission (I believe one has already been requested) and financial information regarding available funding for such a purpose. You may also direct this office to start informal, preliminary negotiations with the property owners, subject to your final approval. If on the other hand you wish to proceed more formally, we will furnish you with the customary resolution authorizing negotiations and acquisition.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Gottschalk".

Eric L. Gottschalk
Deputy Corporation Counsel

cc: City Engineer William J. Buckley, Jr.



TC9992
0.55 AC.

115345
TC9992
004 AC.

STREET

CEMETERY

115271
PARKING
TC 10140
AREA
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SENIOR
CENTER
ELMWOOD
HALL
52 AC

MEEKER
220'

GRAND

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115277
13 AC
59'

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Property Location: 63 GRAND ST
 Parcel ID: 16617

MAP ID: I15 / 266 /
 Other ID:

Bldg #: 1 Card 1 of 1

Print Date: 05/08/2003 11:

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT			
JEROME F & JOAN B		4 Rolling	1 All Public	1 Paved		Description	Code	Appraised Value	Assessed Value
REDDING RD REDDING, CT 06896-1903						RES.	100	47,700	33,400
						RES.	100	202,600	141,800
SUPPLEMENTAL DATA						6034 DANBURY/2002 VISIO			
Account #		F/SALE							
TC MAP	6294	VIDEO							
TC LOT	9	Exempt		R					
Census Tract	2101	F/SALE							
F/SALE		F/SALE							
F/SALE									
GIS ID:						Total 250,300 175,200			

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	w/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
JEROME F & JOAN B		0740/0215	07/02/1985				0	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
								2002	100	33,400	2001	100	29,100	1999	100	100
								2002	100	141,800	2001	100	92,300	1999	100	100
								Total:		175,200	Total:		121,400	Total:		1

EXEMPTIONS			OTHER ASSESSMENTS				
Year	Type/Description	Amount	Code	Description	Number	Amount	Comm. Int.
Total:							

This signature acknowledges a visit by a Data Collector or Assessor

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card) _____ 2
 Appraised XF (B) Value (Bldg) _____
 Appraised OB (L) Value (Bldg) _____
 Appraised Land Value (Bldg) _____
 Special Land Value _____

Total Appraised Card Value _____ 1
 Total Appraised Parcel Value _____ 2
 Valuation Method: _____ Cost/Market Va

Net Total Appraised Parcel Value _____ 2:

NOTES

BUILDING PERMIT RECORD								VISIT/CHANGE HISTORY				
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	ID	Cd.	Purpose/Resu
									4/29/1998	SH	00	Mens. & Listed

LAND LINE VALUATION SECTION															
Use Code	Description	Zone	D	Frontage	Depth	Units	Unit Price	I. Factor	S.I.	C. Factor	Nbhd.	Adj.	Notes- Adj/Special Pricing	Adj. Unit Price	Land Val
103	3 Family	R3				0.18 AC	64,800.00	4.09	4	1.00		1.00			
Total Card Land Units						7,841.00	SF	Parcel Total Land Area:				7,841	SF	Total Land Value	

CONSTRUCTION DETAIL			
Element	Cd.	Ch.	Description
Style/ Type	11		Family Conver.
Model	01		Residential
Grade	03		Average
Stories	2		2 Stories
Occupancy	03		
Exterior Wall 1	02		Comp./Wall Brd
Roof Structure	03		Gable/Hip
Roof Cover	03		Asphalt Shngl.
Exterior Wall 1	04		Plywood Panel
	2	03	Plastered
Exterior Floor 1	06		Inlaid Sht Gds
	2	12	Hardwood
Heating Fuel	04		Electric
Heating Type	07		Electr Basebrd
C Type	01		None
Bedrooms	05		5 Bedrooms
Bathrooms	3		3 Bathrooms
Total Rooms	13		13 Rooms
Finish Type	02		Average
Kitchen Style	02		Average

Commercial Data Elements			
Element	Cd.	Ch.	Description
Heat & AC			
Frame Type			
Baths/Plumbing			
Ceiling/Wall			
Rooms/Prtns			
% Common Wall			
Wall Height			

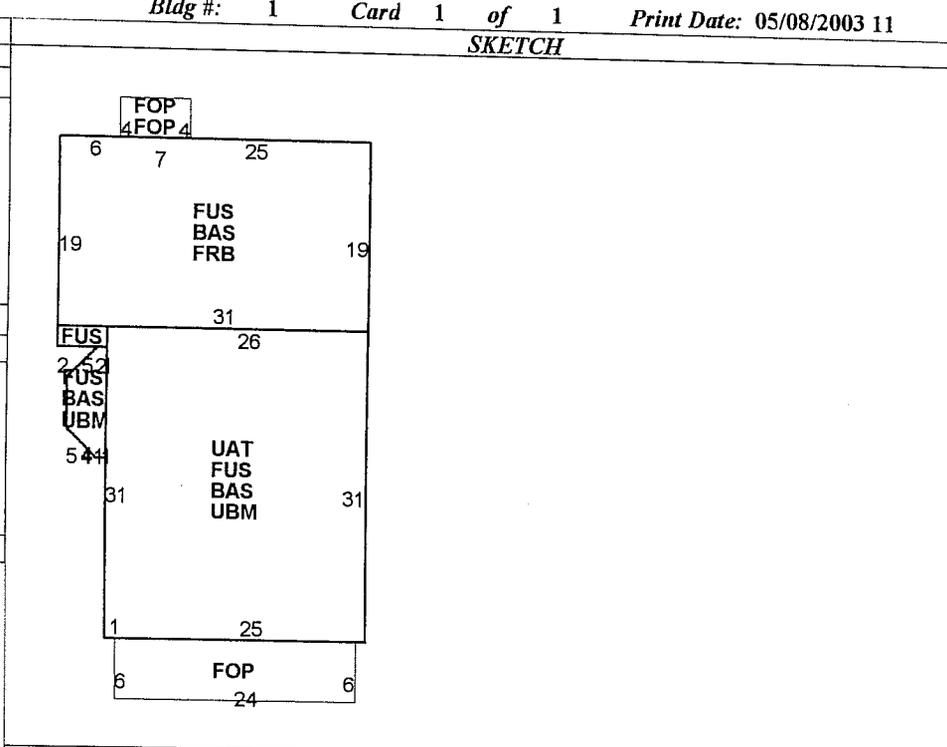
CONDO/MOBILE HOME DATA			
Element	Code	Description	Factor
Complex			
Floor Adj			
Unit Location			
Number of Units			
Number of Levels			
% Ownership			

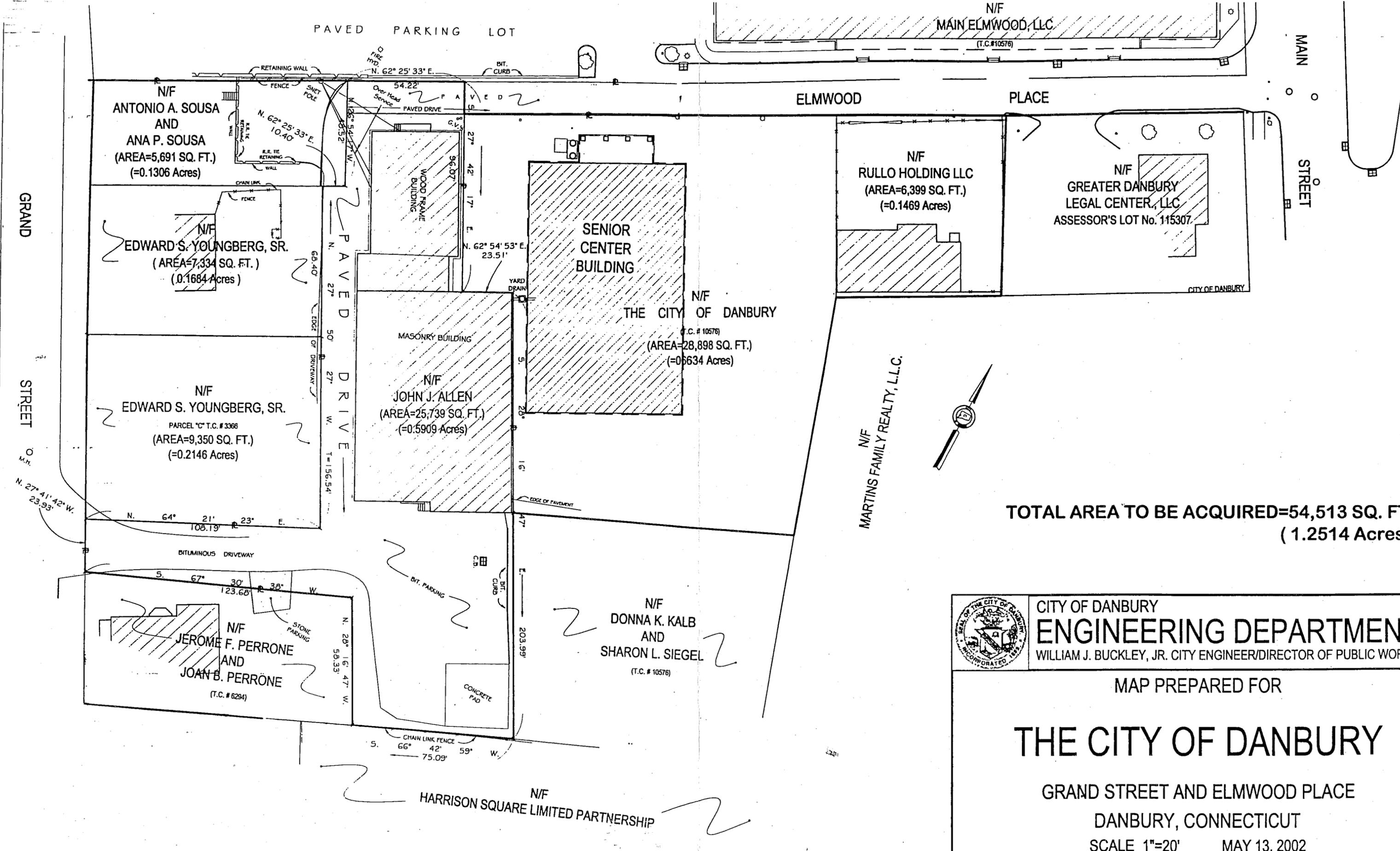
COST/MARKET VALUATION			
Unadj. Base Rate		110.00	
Size Adj. Factor		0.82114	
Grade (Q) Index		0.87	
Adj. Base Rate		78.58	
Bldg. Value New		281,395	
Year Built		1834	
Eff. Year Built		(A) 1974	
Nrml Physcl Dep		28	
Functnl Obslnc		0	
Econ Obslnc		0	
Specl. Cond. Code			
Specl Cond %			
Overall % Cond.		72	
Deprec. Bldg Value		202,600	

MIXED USE		
Code	Description	Percentage
103	3 Family	100

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	Unit Price	Yr.	Dp Rt	%Cnd	Apr. Value	

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,430	1,430		78.58	112,369
FOP	Open Porch	0	200		19.65	3,929
FRB	Fin. Raised Bsmt.	412	589		54.97	32,375
FUS	Finished Upper Story	1,440	1,440		78.58	113,155
JAT	Attic, Unfinished	0	806		7.90	6,365
UBM	Basement, Unfinished	0	841		15.70	13,201
Gross Liv/Lease Area		3,282	5,306		Bldg Val:	281,395





**TOTAL AREA TO BE ACQUIRED=54,513 SQ. FT.
(1.2514 Acres)**



**CITY OF DANBURY
ENGINEERING DEPARTMENT**
WILLIAM J. BUCKLEY, JR. CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

MAP PREPARED FOR

THE CITY OF DANBURY

GRAND STREET AND ELMWOOD PLACE

DANBURY, CONNECTICUT

SCALE 1"=20' MAY 13, 2002

40' 20' 0 40' 80' 120' 160'



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

72-May
27

PLANNING & ZONING DEPARTMENT

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

May 27, 2003

To: Mayor Mark D. Boughton
Members of Common Council

From: Dennis I. Elpern

Re: Proposed Parking Garage, 6-8 Delay Street
Colorado Brewery & Steakhouse

We have received a proposal from Michael Kondrat of the Colorado Brewery & Steakhouse for the City to construct an underground parking facility at their business at 6-8 Delay Street. The design firm of O&S Associates in Englewood Cliffs, New Jersey estimates that the cost of such a facility would range from \$ 650,000 for a 90-car facility to \$ 940,000 for a 220-car facility.

We cannot confirm these cost estimates or the assumptions upon which they are based. However, this proposal was considered by the design team appointed to consider a new parking facility in the downtown and was rejected for reasons outlined in William Buckley's letter to you dated May 23, 2003.

The need for greater downtown parking was recognized in the Plan of Conservation and Development. Their studies established a number of principles to be used to guide decisions relating to the management and expansion of public parking facilities in the downtown. Among those principals was the finding that "*parking must be adequate to meet demand both in the overall number of spaces and in their distribution.*" That is, one must recognize that the fulfillment of parking demand requires that parking facilities be conveniently distributed throughout the downtown to meet the needs of a wide variety of businesses. Demand is not satisfied if one area of the downtown has more than a sufficient amount of parking while others go begging.

But, that is the situation we face today. While there are 631 public off-street parking spaces east of Main Street, the west side has only 125 spaces: 42 spaces on the Library Place lot and 83 at the somewhat inconveniently located Gateway lot. That, obviously, is not enough and is why the Plan recommended a new facility at the Library Place lot.

The feasibility study conducted by Desman Associates for the City in November 2002 reached the same conclusion: *it is recommended that additional parking should be constructed on the west side of the Study Area.*

The proposal runs counter to both of these findings. While such a facility would undoubtedly benefit the Colorado Brewery and Steakhouse, it would not address parking deficiencies elsewhere in the downtown.

Hopefully, Common Council will approve land acquisitions necessary for the construction of a new parking garage on the lots behind the Old Library and partly on former lands of Chase Bank. A new garage in this location will help, to a great degree, in satisfying parking demands on the west side of Main Street. It should also attract some patrons of the Patriot Garage who now walk to Main Street businesses. That should free some spaces for businesses on Delay Street, including the Colorado Brewery.

c: William J. Buckley, Jr.



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

May 23, 2003

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

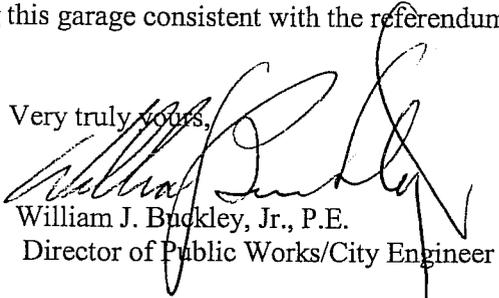
Re: Item #42 – May Meeting of the Common Council
30-Day Report

Dear Mayor Boughton and Members of the Common Council:

The Public Works Department reviewed the April 23, 2003 letter from Michael Kundrat, owner of the Colorado Brewery Company, regarding the proposal to put a parking garage in the basement of the Strauss building on Delay Street in Danbury. We also had discussions with Building Inspector Leo Null, with members of the Parking Authority and with the Planning Department. We ruled this site out for a number of reasons relative to its location, the existing condition of the structure of the existing building, and the current location of the existing parking garage. Perhaps the most important consideration in us ruling this site out was that the bond referendum that was voted on by the public referenced two and only two proposed garage locations. It is my feeling that there is no latitude for us as staff to authorize spending money for a location or for a project that was not approved by the voters. Therefore, we did not pursue looking at this site nor did we spend any bond money investigating this site.

Should you have any further questions regarding this site, please do not hesitate to bring them to my attention. Be advised that we are continuing to develop plans and specifications for one garage located behind the old library on Library Place. As I indicated in my monthly report to you, you should have easements and land acquisition requests before you at the June meeting of the Common Council for the purpose of building this garage consistent with the referendum approved by the voters.

Very truly yours,



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

WJB/com

cc: Dennis I. Elpern



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

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

May 28, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: May Agenda Item No. 42
Colorado Brewery/Parking Garage

Dear Mayor and Council:

This matter was referred to our office for a report. We have reviewed the administrative reports forwarded to you by Director of Public Works William Buckley and Planning Director Dennis Elpern. Both reports appear to state unequivocally that it is not in the best interest of the City of Danbury to entertain this proposal, given the various studies, approvals and plans for west side downtown construction.

In the event that the Council does, however, wish to consider this proposal, the request would have to be further reviewed by City planners and officials in the context of redevelopment and downtown garage planning, as well as the process of negotiating whatever form of agreement(s) the petitioner seeks. In that event, we would be pleased to review the parameters of such a project and the requirements of same at that time.

Please do not hesitate to contact us if you have any questions or concerns.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Deputy Corporation Counsel
William J. Buckley, Jr., Dir. Public Works/City Engineer
Dennis I. Elpern, Director Planning and Zoning
Llp/colorado



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*

Re: Resolutions – Community Development Block Grant – PY29 & Section 108 Funding

Date: May 30, 2003

Attached are two resolutions for your review and consideration. The first resolution will allow the City of Danbury to apply for and accept funding from the U.S. Department of Housing and Urban Development for the Community Development Block Grant Program (CDBG). This available funding for the time period August 1, 2003 through July 31, 2004 is in the total amount of \$849,500, \$772,000 of new funding plus \$77,500 of reprogramming from prior years. No local cash match is required. A listing of Policy Committee's recommended recipients is attached.

The second resolution will permit the City of Danbury to apply for funding under HUD'S Section '108' program to carry out Phase II of the Senior Center project consisting of acquisition, demolition, and the construction of an approximate 8,500 square foot addition with associated site improvements and related costs totaling \$3.2 million. Repayment of Section '108' funds shall be from future CDBG annual funding allocations.

I am requesting that the Common Council consider these resolutions 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., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has allocated funds under Title I of the Housing and Community Development Act of 1987, as amended, which authorized the Community Development Block Grant Program; and

WHEREAS, it is in the best interests of the City of Danbury to apply for a grant under such Act; and

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to approve and submit the City's Consolidated Plan 2003-2008 and Annual Action Plan for PY29 and to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for grant funds for the Community Development Program Year commencing August 1, 2003 through July 31, 2004 for the Twenty-Ninth Year Funding in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Community Development Program Policy Committee.

BE IT FURTHER RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant application.

CDBG Program Year 29 - Proposed Funding Allocations

<u>ACTIVITY</u>	<u>PY29 FUNDING</u>
PAL ADA	\$27,500
Harmony House Rehab/Addition	\$150,000
Interim Assistance	\$50,000
Center Street Sidewalks	\$150,000
Ability Beyond Disability	\$35,000
Amos House Rehabilitation	\$44,000
Neighborhood Slum & Blight Removal	\$50,000
ADA in Public Buildings	\$35,000
Cherry Street Association	\$10,000
Catholic Charities Security Deposit Program	\$10,000
Shelter of the Cross	\$8,500
Interfaith Aids Pantry	\$15,000
HOPE Chest	\$7,000
Welfare Dept.	\$16,300
Board of Education - Homeless Youth Program	\$15,000
Family & Children Aid - Operating Costs	\$25,000
Harambee Center	\$10,000
Senior Transit	\$5,000
CACD	\$18,200
General Administration	\$60,000
Section 108 Repayment	<u>\$108,000</u>
	\$849,500



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has funds available under the Section '108' Loan Guarantee Program for the use of CDBG entitlement communities pursuant to Title I of the Housing and Community Development Act of 1987, as amended, and

WHEREAS, the City of Danbury has determined that a significant community needs exists in the lack of public facilities available to its senior citizen residents, and

WHEREAS, the City of Danbury has identified and developed a project to meet these needs known as Senior Center – Phase II, and

WHEREAS, this project has been reviewed and incorporated into the 2003-2008 City's Consolidated Plan process pursuant to 24 CFR 570.704(c)(v), and

WHEREAS, it is in the best interests of the City of Danbury to apply for funding for this project under this Act;

NOW THEREFORE, be it resolved that the City of Danbury approve and make Application under the Section '108' Loan Guarantee Program for funds to carry out the Senior Center – Phase II project consisting of acquisition, demolition, the construction of an approximate 8,500 square foot addition with associated site improvements and related costs project and program totaling \$3.2 million. Repayment of Section '108' funds shall be from future CDBG annual funding allocations and the Mayor is authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant Application. Pursuant to 24 CFR 570.705 (b) the City pledges repayment from future CDBG grants made or for which the City may become eligible under this part and authorize the Mayor to provide such additional security as HUD may require.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has funds available under the Section '108' Loan Guarantee Program for the use of CDBG entitlement communities pursuant to Title I of the Housing and Community Development Act of 1987, as amended, and

WHEREAS, the City of Danbury has determined that a significant community needs exists in the lack of public facilities available to its senior citizen residents, and

WHEREAS, the City of Danbury has identified and developed a project to meet these needs known as Senior Center – Phase II, and

WHEREAS, this project has been reviewed and incorporated into the 2003-2008 City's Consolidated Plan process pursuant to 24 CFR 570.704(c)(v), and

WHEREAS, it is in the best interests of the City of Danbury to apply for funding for this project under this Act;

NOW THEREFORE, be it resolved that the City of Danbury approve and make Application under the Section '108' Loan Guarantee Program for funds to carry out the Senior Center – Phase II project consisting of acquisition, demolition, the construction of an approximate 8,500 square foot addition with associated site improvements and related costs project and program totaling \$3.2 million. Repayment of Section '108' funds shall be from future CDBG annual funding allocations and the Mayor is authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant Application. Pursuant to 24 CFR 570.705 (b) the City pledges repayment from future CDBG grants made or for which the City may become eligible under this part and authorize the Mayor to provide such additional security as HUD may require.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has allocated funds under Title I of the Housing and Community Development Act of 1987, as amended, which authorized the Community Development Block Grant Program; and

WHEREAS, it is in the best interests of the City of Danbury to apply for a grant under such Act; and

NOW, THEREFORE, BE IT RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to approve and submit the City's Consolidated Plan 2003-2008 and Annual Action Plan for PY29 and to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for grant funds for the Community Development Program Year commencing August 1, 2003 through July 31, 2004 for the Twenty-Ninth Year Funding in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Community Development Program Policy Committee.

BE IT FURTHER RESOLVED THAT Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant application.



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Tax Deferral for Elderly Homeowners**

The Common Council met as a committee of the whole immediately following a public hearing on May 27, 2003 in the Common Council Chambers.

Ms. Diorio explained that the limits are income up to \$36,100 for a single and \$41,900 for a married couple to defer taxes each year. Net assessments must not exceed \$300,000. There will be 5% interest collected on all taxes deferred. A lien will be placed on the property to allow the City to recoup the taxes when the property is sold,

Mr. Nolan moved adoption of the ordinance as proposed. Seconded by Mr. Moore. Motion carried unanimously.

Respectfully submitted,

WARREN LEVY, Chairman



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

June 3, 2003

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 18-12.1, which said section reads as follows:

18-12.1. Tax deferral program for elderly homeowners.

(a) The City of Danbury hereby enacts a tax deferral program for elderly homeowners, pursuant to Section 12-129n of the Connecticut General Statutes, for eligible residents of the City of Danbury on the terms and conditions provided herein. This section is enacted for the purpose of assisting elderly homeowners with a portion of the cost of property taxation commencing with the Assessment List of 2002.

(b) Any person who owns real property in the City of Danbury or is liable for the payment of taxes thereon, pursuant to Section 12-48 of the Connecticut General Statutes, and who occupies the property as a principal residence shall be entitled to defer fifteen per cent (15%) of the real property tax on said residence remaining due after the application all city and state real property tax credits, provided the following conditions are complied with:

- (1) a. Such person is sixty-five (65) years of age or over at the close of the previous calendar year, or his or her spouse is sixty-five (65) years of age or over at the close of the previous calendar year and resides with such person, or such person is sixty (60) years of age or over and the surviving spouse of a taxpayer qualified for tax relief under this section at the time of his or her death; or
b. Such person is under age sixty-five (65) and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or has not been engaged in employment covered by Social Security and accordingly has not qualified for benefits thereunder, but has become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under Social Security.
- (2) Such person must have a principal residence located in Danbury and must have paid taxes in Danbury for one (1) year immediately preceding his or her receipt of tax benefits hereunder.
- (3) The property for which the tax deferral is claimed must be the primary legal residence of such person and occupied more than one hundred eighty-three (183) days of each calendar year.
- (4) With respect to the Assessment List of 2002, applications must be filed with the assessor's office on or before September 15, 2003. Thereafter, applications must be filed annually with the assessor's office between February first and May fifteenth in the year following the assessment list date with respect to which benefits are claimed hereunder. All applications shall be filed in triplicate, one (1) copy going to the taxpayer, one (1) to the tax collector and one (1) to the assessor. The applicant must reapply every year in order to continue eligibility for relief hereunder.



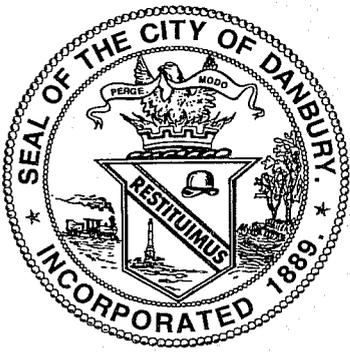
ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

- (5) Such person shall not have received qualifying income during the calendar year preceding the fiscal year for which tax relief is claimed in excess of thirty six thousand, one hundred dollars (\$36,100.00), if single, or forty one thousand, nine hundred dollars (\$41,900.00), if married. For purposes hereof, "qualifying income" shall be defined to include total adjusted gross income, tax-exempt interest, realized capital gains, and Social Security payments, as determined under the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended.
- (6) No property tax relief authorized hereunder shall be given under this section to any persons who owe delinquent taxes to the City of Danbury. The applicant shall submit a certificate from the tax collector to the effect that no such delinquent taxes are owed.
- (7) No property tax relief authorized hereunder, together with any relief received by any such resident under provisions of Section 18-12 of the Danbury Code of Ordinances or under Sections 12-129b to 12-129d, inclusive and 12-170aa of the Connecticut General Statutes, shall exceed, in the aggregate, seventy-five (75) percent of the tax which would, except for said provisions, be laid against the taxpayer.
- (8) The net assessment on real property subject to tax deferral hereunder, after all applicable tax exemptions have been applied, shall not exceed three hundred thousand dollars (\$300,000.00). The aggregate total tax deferred over the life of this program with respect to any parcel of property shall not exceed forty per cent (40%) of the total assessed value of said property.
- (c) Each tax deferral granted in accordance with the provisions of this section shall terminate upon the death of the taxpayer or upon the transfer, assignment, grant or conveyance of the property subject to tax deferral hereunder. Upon such termination the taxpayer or the taxpayer's estate shall reimburse the city for the full amount of the taxes deferred hereunder together with interest at the rate of five per cent (5%) per annum.
- (d) The city shall establish a lien on each property that is subject to tax deferral hereunder in the amount of the relief granted, together with interest at the rate of five per cent (5%) per annum. Said lien shall have a priority in the settlement of the taxpayer's estate.
- (e) The tax deferral provided for herein shall apply only to the residence itself and to the lot on which the residence is located but shall not apply to more than the minimum lot size permitted by the zoning ordinances of the City of Danbury.
- (f) The assessor shall determine whether each applying taxpayer is entitled to a tax deferral under this section and shall compute the amount of the tax deferral to which each qualified taxpayer is entitled and cause a certificate of tax deferral to be issued in such form as to permit the tax collector to reduce the amount of tax levied against the taxpayer. The tax deferral shall be applied proportionately to the tax payments due during the course of each tax year.
- (g) Only one (1) tax deferral shall be allowed for each parcel of real property eligible for tax deferral under this section. If title to such property is recorded in the name of an eligible taxpayer or his or her spouse and any other person or persons, the amount of the deferral shall be



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

prorated to allow a tax deferral equivalent to the fractional share in the property of such taxpayer or spouse. If such property is a multiple-family dwelling, such deferral shall be prorated to reflect the fractional portion of such property occupied by the taxpayer.

(h) The tax deferral allowed hereunder shall not apply to any water use charge, sewer use charge or special utility tax assessments that may be levied against real property in the City of Danbury.

(i) If a taxpayer has qualified and received tax relief under the provisions of this section and subsequently becomes disqualified for any reason, he or she shall notify the tax assessor on or before the next assessment date and his or her exemption shall cease for such assessment year and such disqualification shall continue until he or she becomes eligible again and has filed a new application.

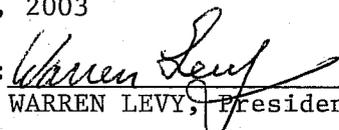
(j) The total of all tax deferrals granted under this section shall not exceed for each assessment year an amount equal to five (5) percent of the total real estate property tax assessed in the City of Danbury during the preceding assessment year; tax deferrals given to eligible applicants hereunder shall be prorated in such a manner so that the total amount of city tax relief hereunder shall remain within the limits fixed herein.

(k) If any person with respect to whom a claim for tax relief in accordance with this section has been approved for any assessment year transfers, assigns, grants or otherwise conveys in such assessment year the interest in real property to which such claim for tax relief is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax deferral shall be a pro rata portion of the amount otherwise applicable in such assessment year to be determined by a fraction the numerator of which shall be the number of full months from the first day of October in such assessment year to the date of such conveyance and the denominator of which shall be twelve (12). If such conveyance occurs in the month of October, the grantor shall be disqualified for tax relief in such assessment year. The grantee shall be required within a period not exceeding ten (10) days immediately following the date of such conveyance to notify the assessor thereof, whereupon the assessor shall determine the amount of tax deferral to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the tax collector of the reduced amount of tax deferral applicable to such interest. Upon receipt of such notice from the assessor, the tax collector shall, if such notice is received after the tax due date in the municipality, within ten (10) days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than thirty (30) days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - June 3, 2003

Approved by Mayor Mark D. Boughton - June 5, 2003

ATTEST: 
WARREN LEVY, President



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Neighborhood Assistance Act**

The Common Council met as a committee of the whole immediately following a public hearing in the Common Council Chambers in City Hall.

Mr. Nolan moved adoption of the resolution. Seconded by Mr. Machado. Motion carried unanimously.

Respectfully submitted,

WARREN LEVY, Chairman



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.



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Government Entities Review and Evaluation**

The Common Council met as a committee of the whole immediately following a public hearing on May 27, 2003 in the Common Council Chambers.

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

Respectfully submitted,

WARREN LEVY, Chairman

REPORT

April 1, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Government Entities Review and Evaluation Committee**

The Government Entities Review and Evaluation Committee met on March 26, 2003 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Moore, Nolan, Mary Saracino and Mark Chory. Also in attendance were Conservation Commission Chairman Frank Klecha, Director of Planning Dennis Elpern, Robert Melillo from the Youth Commission, Dennis Keeler, Chairman of the Richter Park Authority and Council Members Levy, McAllister and Gogliettino, ex-officio.

Mr. Moore reviewed the statutory obligations of the committee. The committee is required to submit a report to the Common Council by April 15, 2003. The committee consists of three Common Council Members and two public members.

Economic Development Commission – Director of Planning Dennis Elpern attended the meeting to represent the Economic Development Commission. Mr. Elpern said that this commission has been dormant for years. The general consensus is that this is a worthwhile commission. It should work in conjunction with the Economic Development Task Force. Mr. Chory asked why, in the seventh largest city in the State, it would become dormant? Mr. Elpern said that it was just let go. Before a commission is set up, a program should be developed. We have commissions that rarely meet and others that are overworked. The second thing that needs to be done is to decide on support staff.

Mr. Nolan said that one of the recommendations in the Economic Development Task Force report was the creation of a staff position. This would be in place before we put in a new commission or concurrent with it. Mr. Elpern stated that it should be decided who is going to do the work, what type of expertise is needed, should they have experience in economic development or be a retired realtor, will the position be covered under Civil Service or be appointed? Mr. Nolan said we should keep the structure in place. Ms. Saracino said that the Task Force is now compiling a list of recommendations and the Economic Development Commission would act on those recommendations. Mr. Elpern said that the staff would bring the recommendations into play and the

commission would give guidance. Mr. Elpern said that economic development touches on many aspects of government and interfaces with many departments and programs.

Danbury Youth Commission – Mr. Moore noted that the Mayor reconstituted this body when he took office. He asked Mr. Melillo to speak to the goal of a future town hall forum. Mr. Melillo said that the commission has been spinning its wheels trying to figure out the issues facing youth today. A town hall forum would give everyone an opportunity to be in the same place at the same time. They have been trying to get this forum underway. It would meet once on a Saturday at Danbury High School. Mr. Moore asked how many student representatives there are? Mr. Melillo said there are five with four vacancies. Mr. Nolan asked if the efforts made so far are moving in the right direction? Mr. Melillo said they are. Mr. Chory asked if the commission works in conjunction with the Board of Education? Mr. Melillo said they have not figured that out yet. They are trying to balance doing reports and other requirements and to focus on what the Charter says they can do.

Environmental Impact Commission – Mr. Moore stated that EIC meets twice each month. They are charged with the regulations of inlands and wetlands. Ms. Saracino asked if the quorum problems have been solved. Mr. Nolan said that based on interaction with EIC members the quorum problems have not been solved, but have been dramatically improved.

Conservation Commission – Chairman Frank Klecha provided some information on the projects they are working on. Mr. Moore asked about staff support at Bear Mountain and the GIS project. Mr. Klecha said he relies on the help of the Parks and Recreation Department. The Common Council approved a staff person one year ago, but he works in every park. There is no real staff at Bear Mountain. The key person is the one who occupies the City house on the property. That person is usually a very good patrol person. There are new picnic benches, new colprovia and portable toilets.

Mr. Klecha spoke about open space. There will be a presentation on this next week. Jack Kozuchowski has been a tremendous support on this. The object is to keep an open space index. There are four phases to the project. The problem is that they need money. They have been working with the Swampfield Trust and the Meserve Fund to get money, along with the money allocated by the Common Council. There is enough money to complete phase two. Open space is the prime objective, not wetlands. Mr. Chory asked if they have enough resources to accomplish what they want to? Mr. Klecha said they would if they get funding every year.

Richter Park Authority – Mr. Moore asked Mr. Keeler if he could address the payment. Mr. Keeler said that if the Authority has more than \$250,000 unused funds, a percentage goes back into the general fund. The City has not had to give them any money since Mayor Dyer. They purchased the carriage house last year. Ms. Saracino asked if the park generates enough revenue to be self-sustaining? Mr. Keeler said that it does. Rates were kept the same for eight years and have gone up only slightly the past two years. There had been a small decrease in rounds last summer due to more golf courses being built.

Tree Advisory Commission – Mr. Moore said he is not sure how active this is right now. It was appointed to advise on the cutting of trees. This function is now done within Parks and Recreation.

Lake Kenosia Commission – Ms. Saracino said they had been dormant, but have revitalized themselves over the past two or three years.

Mr. Nolan made a motion to extent the Richter Park Authority, the Conservation Commission and the Environmental Impact Commission for a period of five years; the Lake Kenosia Commission, the Youth Commission and the Economic Development Commission for a period of three years and that the Tree Advisory Commission be sunsetted. Seconded by Ms. Saracino. Motion carried unanimously.

Respectfully submitted,

MICHAEL MOORE, Chairman

EILEEN COLADARCI

VINCENT NOLAN

MARK CHORY

MARY SARACINO



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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: **Crow's Nest Lane**

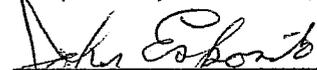
The Common Council Committee appointed to review Crow's Nest Lane met on May 21, 2003 at 7:00 P.M. In attendance were committee members John Esposito, Saadi and Basso, as well as Director of Public Works William Buckley and Council President Warren Levy, ex-officio. Edward Mendoca and Ed Hutchins from Crow's Nest Lane also attended, as well as Margaret Mitchell.

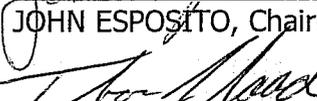
John Esposito stated that he inspected the road, which is in poor but not life-threatening, condition. The road is not an accepted City road. Mr. Saadi noted that there are pending legal issues regarding this road. He asked for a description of what would be necessary to make this a public road?

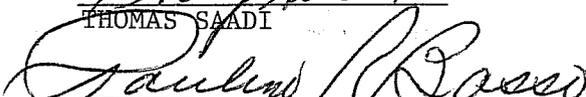
Mr. Buckley stated that portions of the road are private. These are owned by six different people, excluding two parcels owned by the City. Attorney Eric Gottschalk and Assistant City Engineer Pat Ellsworth are working on this and there are many legal issues. A new coat of bituminous concrete would make it acceptable to the City. There is a problem with legal descriptions of the road. He pointed out Tobin's Farm on a map. Mr. Tobin, who recently passed away, was an obstacle. Two pieces belong to the Durkin family, Mr. Ginsberg owns one piece and Eric Wellman owns another. He will quitclaim in piece to the City.

Mr. Saadi made a motion that the City proceed with the legal efforts to make the road public and to resurface the road thereafter. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,


JOHN ESPOSITO, Chairman


THOMAS SAADI


PAULINE BASSO



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: Appropriation for the Board of Education

The Common Council Committee appointed to review the request for an additional appropriation for the Board of Education met on May 27, 2003 at 7:35 P.M. In attendance were committee members Nolan, Scozzafava, Kelly and Gogliettino. Also in attendance were City Director of Finance Dena Diorio and Board Director of Finance Elio Longo, Superintendent of Schools Eddie Davis, School Board Members Gladys Cooper, George O'Loughlin, and J. R. Mitchell, Council Members Levy and McAllister, ex-officio and members of the public.

Mr. Longo handed out revised numbers reducing the amount of the request to \$159,306. The smallest request is for \$1,526 for transportation to ball field without the city due to necessary work being done on the high school field. The original request was for \$6,000. The original request to cover the bilingual grant of \$6,279 was eliminated. The original request of \$123,282 remained the same. The original grant for Health and Welfare remained the same. This is to fund school nurses. The original request for services for the blind in the amount of \$26,000 was reduced to \$17,000.

Mr. Kelly asked for an explanation of the TNT program. What is the down side for not funding this program? Dr. Davis said this program is required under state statute to provide substance abuse prevention training to students. Mr. Kelly asked if this is the same as the DARE program? Mr. O'Loughlin said that DARE is for elementary schools. Dr. Davis said that a certified teacher is required by law. Mr. Scozzafava asked if this money has already been spent? Mr. Longo said it has been.

Mr. Scozzafava asked Ms. Diorio where these funds would come from? Ms. Diorio stated that they would come from the City's fund balance and she recommend going forward with this.

Mr. Nolan stated that by coming in with revised figures, it shows what the Common Council has been looking for, that is taking control of expenditures. He stated

that an earlier committee asked for a comprehensive look at policies and procedures and the book was comprehensive when received by the committee. However, the teeth that the committee members wanted to see are not yet there and that has to do with staff stepping out of bounds with purchase orders and how serious it is to do so. Mr. O'Loughlin pointed out that all policies and issues are part of administrative regulations and the Board cannot do regulations without union input.

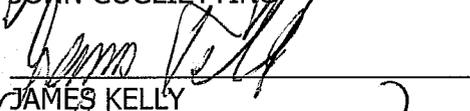
Mr. Gogliettino made a motion to approve the revised request from the Board of Education in the amount of \$159,306. Seconded by Mr. Scozzafava and passed unanimously.

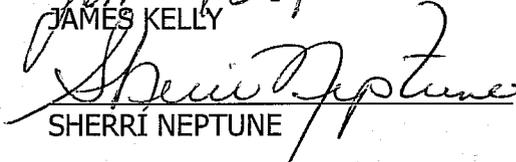
Respectfully submitted,


VINCENT NOLAN, Chairman


JOSEPH SCOZZAFAVA


JOHN GOGLIETTINO


JAMES KELLY


SHERRÍ NEPTUNE

**Board of Education
Supplemental Appropriation Request for FY 2002-2003**

Supplemental Appropriation

Grant #	Grant Title	Expected Amount	Revised Amount	Shortfall	Original Request	Revised Request
008	Bilingual	\$ 125,584	\$ 119,305	\$ (6,279)	\$ 6,279	\$ -
038	TNT Drug Enforcement	\$ 123,282	\$ -	\$ (123,282)	\$ 123,282	\$ 123,282
084	Health & Welfare (2001-2002)	\$ 164,910	\$ 147,412	\$ (17,498)	\$ 17,498	\$ 17,498
085	Services for the Blind	\$ 37,000	\$ 11,000	\$ (26,000)	\$ 26,000	\$ 17,000
				<u>\$ (173,059)</u>	<u>\$ 173,059</u>	<u>\$ 157,780</u>
	Sports Transportation (Extraordinary)			\$ (6,000)	\$ 6,000	\$ 1,526
				<u>\$ (179,059)</u>	<u>\$ 179,059</u>	<u>\$ 159,306</u>

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COMMON COUNCIL ROLL CALL

<u>NAME</u>	<u>YES</u>	<u>NO</u>
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	✓	

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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

June 3, 2003

Mayor Mark D. Boughton
Members of the Common Council

Re: Website

The Common Council Committee appointed to review the City's Website met twice, once on October 30, 2002 and again on May 8, 2003 in the Third Floor Caucus Room in City Hall. In attendance at the October 30th meeting were Committee Members Gogliettino and Dittrich. Also in attendance were Director of Data Processing Wade Anderson and Council President Warren Levy. In attendance at the October 30th meeting were Council Members Gogliettino and Shuler, as well as Wade Anderson.

At the October 30th meeting Mr. Gogliettino stated that the purpose of the committee was to review the website. Items to be reviewed were the Common Council not having a listing; Planning Department minutes and other land use minutes that should be on the site and all agendas should be on the site. Mr. Dittrich stated that most people are going to the community network page first, then onto the government web, then to the Danbury home page. This should be changed so that people can get directly onto the web page. Mr. Gogliettino said some type of site map would be a good addition.

Mr. Anderson stated that work was started on the web page about three years ago. It is a Webmaster type style. There has to be compliance with the Americans with Disabilities Act. The cost is \$200 per month. There is no Webmaster. People send in their information by e-mail and it is organized by department. Approximately approximately ten people who have been trained do the posting. GIS is a big project he is now working on. Wards would be on of the basic layers. Mr. Anderson said there are still ten departments that are working on the WebPages. Mr. Anderson said that land use is a high priority and the focus has been on the Permit Center.

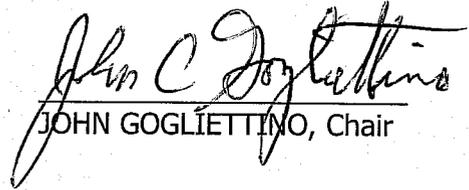
Mr. Dittrich said that Mr. Anderson should make an extra effort to reach out to the public. We have the responsibility to make sure that the Common Council portion of the website is accurate. Mr. Dittrich made a motion to keep the committee open, to write a statement of support to Mr. Anderson in support of continued development, for

this committee to take responsibility to provide updated information and get suggestions to Mr. Anderson. Seconded by Mr. Gogliettino. Motion carried unanimously.

The Committee reconvened at 7:30 P.M. on May 8, 2003. At this meeting, Mr. Anderson submitted a report outlining items that have been accomplished since the first meeting and outlining projects that will receive attention during the remainder of the calendar year.

Mr. Gogliettino made a motion to receive and approve Mr. Anderson's report. Seconded by Mr. Shuler and passed unanimously.

Respectfully submitted,



JOHN GOGLIETTINO, Chair

CONNIE SHULER



CHRISTIAN DITTRICH

City of Danbury
Information Technology Department

May 8, 2003

To: John Gogliettino
Connie Shuler
Christian Dittrich

From: Wade Anderson
Manager, Information Technology

Subject: Web Page Notes

I want to thank the Common Council for the opportunity to report on this aspect of the cities information technology infrastructure. During the last 10 months, since our initial meeting, we have accomplished several things:

- Restructured several important pages, including the Common Council page
- Added page translation services to the entire web site
- Guided the boards and commissions through a review of their pages
- Guided the city departments through two reviews of their pages
- Added vendor notification capability to the Purchasing Department page

Projects that will receive attention during the remainder of the calendar year include:

- A tax bill comparison page designed to clarify 'phase-in'
- The pages and associated back-office processes to collect tax bills on the Internet
- Expanded Parks and Recreation registration system.
- Expand existing services with GIS (Geographic Information Systems) front-end processes.

Attached are summary statistics providing an overview of web page usage. One report covers June/2002, the other March/2003. If there is any other information required or areas you would like addressed, please do not hesitate to contact me.

Cc: Warren Levy
Jimetta Samaha



Report Period: Mar 01 2003 05:13:49 - Mar 31 2003 23:57:29

Analysis of 96 Log files

Summary Statistics

Duration (hh:mm:ss)	738:43:40 (31 Days)
Total Hits	245,134
Unique Visitors	4,161
Visitor Sessions	22,175
Average Visitors Per Hour	5.63
Files Downloaded	162
MB Transferred	1,259.40
Most Popular Search Term(s)	danbury ct
Cached Hits	90,122
Pages Containing Errors	6
Invalid Log File Lines	0

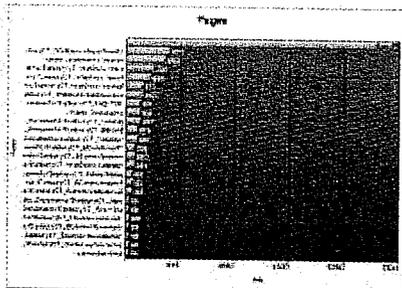
Categories

- [Server](#)
- [Demographics](#)
- [Diagnostic](#)
- [Marketing](#)
- [Traffic](#)
- [Referrals](#)
- [Systems](#)

Server

[back to top](#)

Preview - Pages



Category Description

These reports highlight the popularity of different pages and files, and also where visitors entered and exited your site. You can also use this set of reports to identify typical paths through your site and to/from particular pages.

Server Statistics

Total number of pages viewed:	22,209
Most popular page:	/
Least popular page:	/Public_Documents/DanburyCT_Conserv
Most popular entry page:	/
Most popular exit page:	/
Most accessed file type:	.gif
Most downloaded file:	/Public_Documents/DanburyCT_PZDepart/ZONINGREGStoc_test.pdf

Server Reports

- | | |
|---------------------------------------|---|
| Pages | URLs |
| Pages History | Downloads |
| Pages (Least Visited) | Top Level Directories |
| Entry Pages | Top Level Directories History |
| Entry Pages History | Directories |
| Exit Pages | |
| Exit Pages History | |
| Mean Path | |
| File Types | |

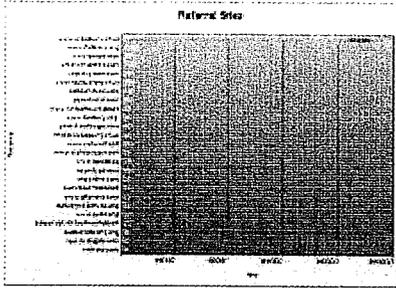
Demographics

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Preview - World Region

Category Description

Preview: Referral Sites



Category Description

These reports show where your site visitors came from. You can also find out the search engines that referred your site, including the actual search terms being used by web surfers to find your site. Use this information to make sure your META tags are appropriate, and to assess the value of potential advertising on different search engines.

Referral Statistics

Most popular referral: /
 Most popular referral site: http://www.ci.danbury.ct.us
 Most popular search engine: google.com
 Most popular search term(s): danbury ct

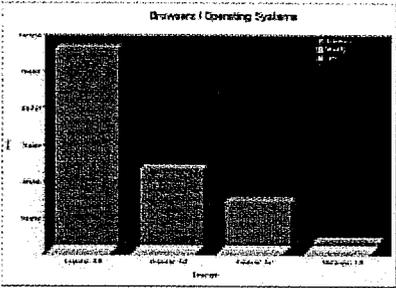
Referral Reports

- [Referral URLs](#)
- [Referral Sites](#)
- [Referral Sites History](#)
- [Search Engines](#)
- [Search Engines History](#)
- [Search Terms](#)
- [Search Terms History](#)

Systems

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Preview: Browser vs. OS



Category Description

These reports show which browsers and operating systems are being used by your site visitors. This information can be used to ensure that your site is designed to be viewable by the majority of visitors.

System Statistics

Most popular browser: Explorer 6.0
 Most popular operating system: Windows 98
 Busiest search engine robot: GoogleBot

System Reports

- [Browsers](#)
- [Browsers History](#)
- [Operating Systems](#)
- [Operating Systems History](#)
- [Browsers/Operating Systems](#)
- [Spiders/Robots](#)
- [Spiders/Robots History](#)
- [Unrecognized Agents](#)



Report Period: Jun 01 2002 06:10:11 - Jul 01 2002 04:50:19

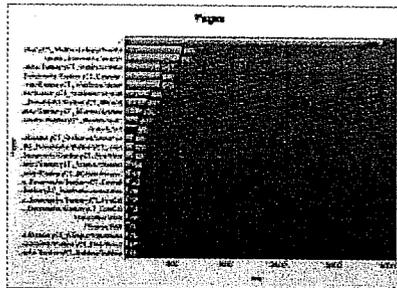
Analysis of 33 Log files

Summary Statistics		Categories
Duration (hh:mm:ss)	718:40:08 (31 Days)	Server
Total Hits	116,030	Demographics
Unique Visitors	2,284	Diagnostic
Visitor Sessions	6,543	Marketing
Average Visitors Per Hour	3.18	Traffic
Files Downloaded	39	Referrals
MB Transferred	612.30	Systems
Most Popular Search Term(s)	N/A	
Cached Hits	28,536	
Pages Containing Errors	1,403	
Invalid Log File Lines	2	

Server

[back to top](#)

Preview - Pages



Category Description

These reports highlight the popularity of different pages and files, and also where visitors entered and exited your site. You can also use this set of reports to identify typical paths through your site and to/from particular pages.

Server Statistics

Total number of pages viewed:	13,565
Most popular page:	/
Least popular page:	/public_documents/DanburyCT_Fire/%23847478
Most popular entry page:	/
Most popular exit page:	/
Most accessed file type:	.gif
Most downloaded file:	/public_documents/danburyct_clerk/Copy%20Birth%20Cert..pdf

Server Reports

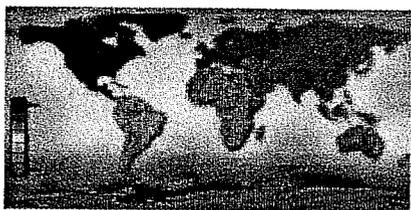
Pages	URLs
Pages History	Downloads
Pages (Least Visited)	Top Level Directories
Entry Pages	Top Level Directories History
Entry Pages History	Directories
Exit Pages	
Exit Pages History	
Mean Path	
File Types	

Demographics

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Preview - World Region

Category Description



This set of reports show the origin and behavior of your site visitors. Track individual visitors' usage over time, and assess the depth of sessions undertaken on your site. The Click Stream report can be used to assess the exact usage patterns of key visitors, or, in an intranet environment, to enforce company policies on banned content. Note that for the best results, DNS Lookups must be switched on.

Demographic Statistics

Country with most visitors: Network
 World region with most visitors: North America
 Domain generating most traffic: [UNRESOLVED IP]
 Traffic by .com visitors: 0.63%
 Visitor with most sessions: 209-166-0-50.client.dsl.net

Demographic Reports

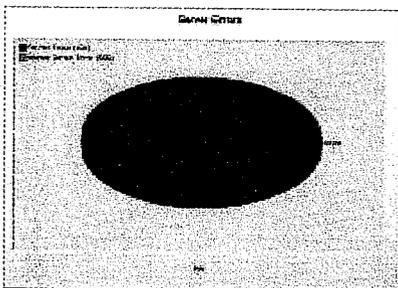
- | | |
|---------------------------------------|-------------------------------|
| Visitors | Countries |
| Visitors History | World Region |
| Visitors Click Stream | Domains |
| Session Distribution | Organizations |

Diagnostic

[back to top](#)

Preview: Server Errors

Category Description



These reports highlight areas of your site that are causing errors and require checking. Use this information to rectify broken links and any other errors which may be compromising your site's integrity.

Diagnostic Statistics

Total number of broken links: 0
 Most common error: File Not Found (404)
 Total server errors: 8,969
 Page with most broken links: N/A
 Visitors affected by errors: 1,272
 Most common file not found: /images/backgrnd.gif (404)

Diagnostic Reports

- | | |
|--|-------------------------------------|
| Server Errors | Failed URLs |
| Server Errors History | Failed URLs History |
| Internal Pages Containing Broken Links | |
| External Pages Containing Broken Links | |

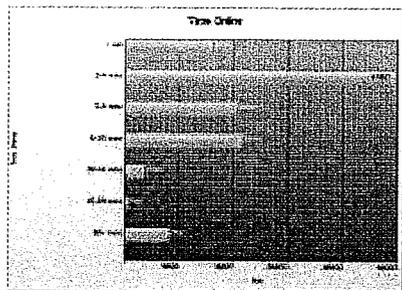
Marketing

[back to top](#)

Preview: Time Online

Category Description

These reports detail visitor loyalty, approximate time spent online and the frequency at which visitors return to your site. Use this information to assess the appropriateness of site content and structure. These results can be affected by the session timeout value. Refer to the User Guide for more information.



Marketing Statistics

Most common session duration: 2-4 minutes
 Most common visitor frequency: Once Only
 Most common level of loyalty: 1 sessions

Marketing Reports

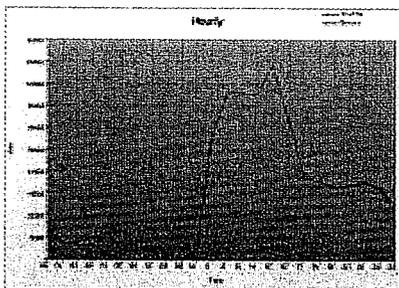
- [Time Online](#)
- [Circulation](#)
- [Loyalty](#)

Traffic

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Preview: Hourly

Category Description



These reports illustrate the amount of traffic being generated by visitors to your site. Use this information to assess bandwidth requirements and locate the hours where maintenance downtime will have the least impact on visitors.

Traffic Statistics

Hour with most sessions: 15:00 - 15:59
 Most popular day: Monday
 Most popular month: Jun 2002
 Most popular date: Jun 10 2002
 Repeat visitors: 504
 One-time visitors: 1,780
 Average session length (secs): 131.00
 Average pages per session: 2.07
 Average hits per session: 17.73
 Average pages viewed per day: 437.00
 Megabytes downloaded as pages: 342.00
 Average daily megabytes served: 0.24 Kb
 Average bits/sec served: 1985.28
 Usage of 64 kbps connection: 3.10%

Traffic Reports

- [Hourly](#)
- [Hourly History](#)
- [Daily](#)
- [Weekly](#)
- [Monthly](#)

Referrals

[back to top](#)

Preview:

Referral Sites report thumbnail

Category Description

These reports show where your site visitors came from. You can also find out the search engines that referred your site, including the actual search terms being used by web surfers to find your site. Use this information to make sure your META tags are appropriate, and to assess the value of potential advertising on different search engines.

Referral Statistics

Most popular referral: [NO REFERRAL]
 Most popular referral site: N/A
 Most popular search engine: N/A
 Most popular search term(s): N/A

Referral Reports

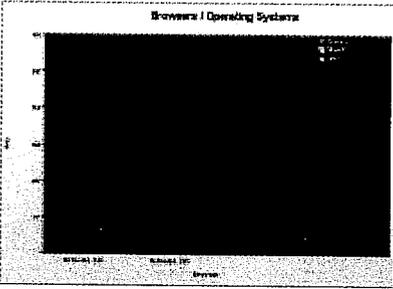
[Referral URLs](#)

Systems

[back to top](#)

Preview: Browser vs. OS

Category Description



These reports show which browsers and operating systems are being used by your site visitors. This information can be used to ensure that your site is designed to be viewable by the majority of visitors.

System Statistics

Most popular browser: Netscape 5.0
 Most popular operating system: Unknown
 Busiest search engine robot: N/A

System Reports

- [Browsers](#)
- [Browsers History](#)
- [Operating Systems](#)
- [Operating Systems History](#)
- [Browsers/Operating Systems](#)



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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

June 3, 2003

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: Bennett's Pond
Eureka V, LLC - Donation
Property Acquisition

Dear Council Members:

I am pleased to advise you that the Eureka V, LLC has generously offered to donate a large parcel of open space to the City of Danbury. The property, known as Bennett's Pond, is located on Route 7 adjacent to the Ridgefield town line and is approximately seventy acres in size. As a condition of the gift, the City must agree to maintain the land in its natural state, with the understanding that, at the City's option, a portion of it may be used as a charter school.

At the request of the donor a Contract of Sale has been executed by the Mayor, which conditions the City's obligation to acquire this property upon a prior planning commission report and approval by the Common Council. Your acceptance of this offer is time sensitive because the Contract contemplates that your approval is to be obtained on or before June 30, 2003.

The acquisition of this parcel is consistent with the city's Plan of Conservation and Development and if accepted by the Council, the land will make a fine addition to the city's inventory of open space. Please ratify the Contract and consider the acceptance of this offer at your earliest convenience.

Sincerely,

Eric L. Gottschalk
Deputy Corporation Counsel

cc: Robert J. Yamin, Esq.