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CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

August 3, 2004

Mayor Mark D. Boughton
Members of the Common Council

Re: **Public Building Use Policy**

The Common Council Committee appointed to review the policy for use of public buildings met on July 21, 2004 at 7:10 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Nolan, Trombetta and Saadi. Also in attendance were Assistant Corporation Counsel Robin Edwards, Director of Finance Dena Diorio, Superintendent of Public Buildings Richard Palanzo and Council Members Basso, Cavo and Saracino, ex-officio.

Mr. Nolan asked Attorney Edwards for an overview. Attorney Edwards stated that last March she and Mr. Palanzo worked together to draft a policy to regulate use of public buildings. They devised ground rules and a fee schedule. The policy covers Elmwood Hall, City Hall and the Marion Anderson Recital Hall. Mr. Palanzo stated that most of the rules apply to Elmwood Hall and the Marion Anderson Recital Hall. Ms. Diorio said one of the most important reasons for the policy is liability.

Mr. Saadi stated that this issued raised concerns over the rental of rooms in City Hall, especially the Common Council rooms, including the Common Council Chambers, the Caucus Room, Conference Room 3C and the Workroom. He understands the liability issue. He asked if the required insurance certificate could be waived. Attorney Edwards said the Superintendent of Public Buildings and the Risk Manager could waive it. Mr. Saadi asked if the City has a boilerplate release of liability or a hold harmless agreement? Mr. Palanzo said it does not. Mr. Saadi said he is concerned with having this policy apply to Common Council rooms that creates a rental policy that could be taken away from them at a very short notice.

Mr. Nolan stated that under this policy we would make a commitment to a user group who would have to make application thirty days in advance, we would take their money and if the Council needed the room on a moment's notice, we would cancel them. This is not good public policy. Mr. Palanzo agreed that it would not be good to do and it is his recommendation that these rooms be excluded.

Mr. Nolan stated that the major political parties sometimes hold their conventions in the Chambers and he feels that this practice should continue, space permitting. Mr. Saadi said he would have a hard time saying major political parties, thereby excluding minor parties. Mr. Nolan agreed. Mr. Saadi voiced his concern above charging groups such as a neighborhood watch group. The types of meetings held in City Hall are different than those held at other buildings. Ms. Saracino said she would have a hard time telling taxpayers that they cannot use City Hall.

Mr. Nolan stated that this policy allows the opportunity to test those rooms not used by the Common Council which would be Conference Rooms 2C and 3A. He asked Attorney Edward to clean up the language in the policy piece and have Group One include political parties. Mr. Palanzo said for those groups that use those spaces, a hold harmless agreement would cover our liability. Mr. Saadi asked Attorney Edwards to prepare a hold harmless agreement.

Mr. Saadi made a motion to recommend adoption of the public building use policy, with the following alterations:

The Common Council Chambers, the Caucus Room, Conference Room 3C and the Common Council Workroom are exempted from this policy.

Political parties shall be included in Group One.

Clarify that government organizations need not complete application for use and recommend that the Common Council direct the Corporation Counsel to draft an appropriate hold harmless agreement for organizations using the exempted Council rooms. Organizations that are required to sign a waiver must do so or be excluded from use.

Mr. Trombetta seconded the motion, which carried unanimously.

Respectfully submitted,

VINCENT P. NOLAN, Chairman

CHARLES TROMBETTA

THOMAS J. SAADI