



17

CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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

August 30, 2004

Honorable Members of the Common Council
City of Danbury, Connecticut

RE: City's use of State Courthouse property on Main Street

Dear Common Council Members:

The City of Danbury will dedicate the new Danbury 9-11 Memorial on Saturday, September 11, 2004 at an 11:00 AM ceremony. Our plans include use of the front lawn of the Connecticut Courthouse directly across from the monument at Elmwood Park. The State of Connecticut Judicial Branch has granted permission to use the property providing we execute the attached agreement and provide a certificate of insurance. Please approve this agreement to allow the city's access to this property for the ceremony.

Thank you for your consideration of this matter.

Sincerely,

Mark D. Boughton
Mayor



STATE OF CONNECTICUT
JUDICIAL BRANCH

COURT OPERATIONS DIVISION

LEGAL SERVICES

Nicholas J. Cimmino, *Deputy Director of Legal Services*

100 Washington Street, P.O. Box 150474

Hartford, Connecticut 06115-0474

(860) 566-2347 Fax (860) 566-3449

Judicial Branch Website: www.jud.state.ct.us

August 18, 2004

Mr. Michael McLachlan
Office of the Mayor
155 Deer Hill Avenue
Danbury, CT 06810



Re: Request to Use Grounds in Front of Danbury Courthouse

Dear Mr. McLachlan:

The city's request to use the lawn in front of the courthouse on ~~White~~ ^{Main} Street on September 11, 2004, to erect a stage in connection with the dedication of a monument in the park across the street from the courthouse was approved by Judge Pellegrino, the Chief Court Administrator, subject to the following conditions:

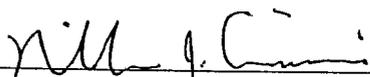
1. The stage will be erected Saturday morning, September 11, 2004, and will be removed from the grounds the afternoon of September 11, 2004, by 3:00 p.m.
2. The City of Danbury shall agree to at all times protect, defend, indemnify and save harmless the Judicial Branch and its officers, agents and employees on account of any and all claims, damages, injuries, losses, litigation expenses and counsel fees caused in whole or in part by the acts, omissions or negligence of the City of Danbury, its officers, employees, agents, contractors or invitees in connection with the permission granted herein.
3. The City of Danbury shall provide public liability insurance, with the Judicial Branch named as an additional insured, in a combined single limit of \$5,000,000 for bodily injury and property damage to protect the interests of the Judicial Branch, and shall provide the Judicial Branch with a certificate of insurance to that effect. The insurance policy shall contain a provision that the insurer shall waive the defense of governmental immunity in the protection of the interests of the Judicial Branch. The required certificate of insurance shall include a statement that the Judicial Branch is an additional insured, that the insurer shall waive the aforementioned defense, and that the policy shall not be amended or revoked without ten (10)

days' advance written notice to the Judicial Branch.

- 4. The permission granted shall not be effective until the Judicial Branch receives the required certificate of insurance.
- 5. The permission granted shall not be assigned by the City of Danbury.
- 6. The permission granted shall be revocable, at will, by the Judicial Branch.

If the City of Danbury agrees with the above terms, please have someone who is authorized to sign on behalf of the city sign in the spot indicated below and return the signed agreement, together with proof of authority to sign on behalf of the City, to me and I will ask Judge Pellegrino to countersign the agreement.

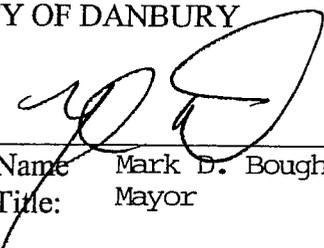
Very truly yours,



 Nicholas J. Cimmino
 Deputy Director of Legal Services

NJC:cf

AGREED TO AND ACCEPTED BY: *
CITY OF DANBURY

BY: 

 Name Mark D. Boughton
 Title Mayor

August 20 2004

 Date

STATE OF CONNECTICUT :
COUNTY OF FAIRFIELD SS. Danbury

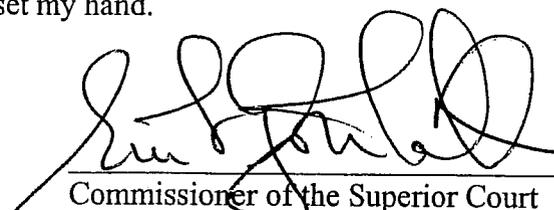
On this, the 20th day of August, 2004, before me,

Eric L. Gottschalk, the undersigned officer, personally appeared
 Mark D. Boughton, known to me (or satisfactorily proven) to be the
 person whose name is subscribed to in the above agreement, and _____

* Subject to Common Council approval anticipated on September 8, 2004.

acknowledged that he being duly authorized, executed the same in the capacity therein stated and for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand.



Commissioner of the Superior Court
~~Notary Public~~ Eric L. Gottschalk

Approved and so ordered:

JUDICIAL BRANCH
STATE OF CONNECTICUT

BY: _____
Joseph H. Pellegrino
Chief Court Administrator

_____ Date