



CITY OF DANBURY

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

PLEASE REPLY TO:

DANBURY, CT 06810

Jan. 18, 2006
Reply To:
797-4518; 744-7090

HON. MARK D. BOUGHTON, MAYOR
HONORABLE PRESIDENT & MEMBERS OF THE COMMON COUNCIL
155 Deer Hill Avenue
Danbury, CT 06810

RE: ASCAP CONTRACTS/MATTER: (THE AMERICAN SOCIETY OF COMPOSERS
AND AUTHORS & PUBLISHERS)

Dear Mayor and Council Members:

Beginning nearly two (2) years ago, ASCAP began contacting me by telephone and in writing, propounding a municipal music rights (licensing) contract. Throughout that timeframe, I have been deliberating with them the advisability and legal ramifications of entering into such an annual contract arrangement with them, including but not limited to the severe potential legal liabilities of infringement should we elect not to enter into such a contract. For a municipality of our size, the annual license fee would be several hundreds of dollars.

I have also extensively explored the experiences of other Connecticut municipalities and their planned responses to these ASCAP initiatives, by discussing this matter with with CCM (Connecticut Conference of Municipalities), and other appropriate local officials as well as their legal counsel. Clearly the uniform response of these municipalities and their respective legal advisers is to agree to enter into such licensing agreements with ASCAP.

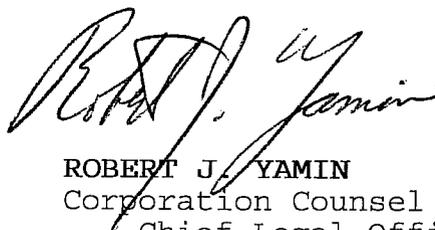
I concur with the assessment of other affected municipalities, and accordingly, I strongly recommend entering into a licensing contract with ASCAP, and respectfully request Council approval and authority do so so.

HON. MARK D. BOUGHTON, MAYOR
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The ASCAP standard form municipal contract provides for a one-year term, automatically renewable unless previously canceled, and the most current annual fee is \$537. Copies of the contract are on file in the Office of the Corporation Counsel.

As always, please do not hesitate to contact me at your convenience to discuss this matter or with any questions regarding the same. Thank you for your attention to this matter.

Very truly yours,
CITY OF DANBURY



ROBERT J. YAMIN
Corporation Counsel and
Chief Legal Officer
797-4518; 744-7090

cc: Eric L. Gottschalk, Esq.

[RJY.la.C.ct.ASCAP.LTR...lit.ltr.(XXXXXXXXX).MAYOR.1/18/2006]