

Hon. Mark D. Boughton, Mayor

Common Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:30 p.m. on Wednesday, February 6, 2008.

Present were Council Members: Louise P. McMahon, Shay Nagarsheth, James H. Johnson, Charles Trombetta, Michael J. Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Joseph M. Cavo, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert F. Arconti, Philip Curran, Jack Knapp, Warren M. Levy Robert T. Riley, Gregg Seabury and Colleen A. Stanley

Absent were Council Members: None

PRESENT: 21, ABSENT: 0

Also present were Jean Natale, City Clerk; Robert J. Yamin, Corporation Counsel and Laszlo L. Pinter, Deputy Corporation Counsel

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

Councilman Joseph Cavo led everyone in the room in the Pledge of Allegiance. Councilman Philip Curran led everyone in the room in a prayer.

PUBLIC PARTICIPATION:

Joel Brooks, 4 Cannondale Drive, spoke on item #13

Ken Gucker, 89 Padanaram Road, spoke in opposition of item #26

Marjorie Brooks, 4 Cannondale Drive, spoke on item #13

Ivan Alcime, 2 Midfield Road, spoke in favor of item #24

Renata Amaral, 17 Park Avenue, spoke in opposition of item #29

Julio, (last name inaudible), 19 Lawncrest, spoke in opposition of item #29

Pastor Barros, 1 Buckskin Heights Dr., spoke in opposition of item #29

Patricia Weiner, 150 Brushy Hill Road, spoke in opposition of item #29

Emilia Fernandes, 16 Deal Drive, spoke in opposition item #29

Luis Sanchez, 1 Dogwood Road, spoke in opposition of item #29

Donald Troiano, 80 Hillandale Road, spoke in opposition of item #29

Rosemary, (last name inaudible), 19 Faith Lane, spoke in opposition of item #29

Ednei Lima, 95 Park Avenue, spoke in opposition of item #29

Dan Ribeiro, (address inaudible), spoke in opposition of item #29

Public Participation was closed at 8:05 p.m.

Mayor Boughton read the announcements for the month of February.

MINUTES:

A motion was made by Councilman Cavo and seconded by Councilman Nagarsheth that the Common Council approve the Minutes of the Common Council Meeting of January 3, 2008 as presented and to waive the reading of same as the Council have copies of the Minutes and are available in the City Clerk's office. ***The motion carried unanimously.***

CONSENT CALENDAR:

Councilman Seabury presented the following items for the Consent Calendar:

2. COMMUNICATION - Re-Appointments to the Board of Ethics:

Receive the communication and confirm the reappointment of Arthur Mannion, Hillel Goldman, Joseph Pepin, Margaret Koschel, and William D. Boehm to the Board of Ethics with terms to expire December 1, 2012.

3. COMMUNICATION — Appointment to the Charter Revision Commission:

Receive the communication and confirm the appointment of Mary Comstock to the Charter Revision Commission to replace Thomas Green who resigned.

4. COMMUNICATION— Re-Appointment of Alternate to the Planning Commission:

Receive the communication and confirm the reappointment of Fil Cerminara as an Alternate Member of the Planning Commission with a term to expire January 1, 2011.

5. COMMUNICATION— Appointments to the Conservation Commission:

Receive the communication and confirm the appointment of Ellen V. Tresselt and Linda L. Murray as Members of the Conservation Commission, and confirm the reappointment of Edward F. Prybylski, Jr. also as a Member of the Conservation Commission.

11. COMMUNICATION— Transfer of Funds – Fire Department:

Receive the communication and approve the transfer of \$20,000.00 into the Fire Department Special Services Account #2010.5052 due to ongoing events.

12. COMMUNICATION— Sheridan Commons, LLC – Road Widening:

Receive the communication and accept the road-widening parcel, Sheridan Street and Triangle Street, from Sheridan Commons, LLC.

18. RESOLUTION — Van Grant – Elderly Services:

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to apply for and accept funding, not to exceed \$40,000.00, from the State of Connecticut Department of Transportation to purchase a wheelchair accessible van.

19. RESOLUTION — FEMA – United Way Grant:

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton, to accept funds and execute any agreements or other documents necessary to effectuate the FEMA grant available through the United Way for the purpose of acquiring homeless shelter supplies.

20. RESOLUTION — DSS – Homeless Shelter Grant:

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton, to apply for, accept grant funds in the amount of \$103,676.00 and execute any agreements or other documents necessary to effectuate the Homeless Shelter Grant.

21. RESOLUTION — Backus Avenue Bridge over Miry Brook:

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to sign the agreement "PROJECT GRANT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE

CITY OF DANBURY UNDER THE LOCAL BRIDGE PROGRAM for Backus Avenue over Miry Brook, Bridge No. 034024", together with such other documents as may be necessary for the accomplishment for the purposes thereof.

22. RESOLUTION – Renewals – Pocono Lane/Mountain Road and Grenier & Wooster School:

Receive the communication and adopt the Resolutions renewing authorization for the acquisition or negotiation of property rights for Pocono Lane/Mountain Road; Grenier and Wooster School.

23. AD HOC REPORT – Request for Sewer and Water - 91 Boulevard Drive:

Receive the report and approve the recommendations of the committee.

25. AD HOC REPORT – Wilkes Road – Road Improvement Project:

Receive the report and approve the recommendations of the committee.

26. AD HOC REPORT – Purchase of Land - Rockwood Lane:

Receive the committee report and refer the proposed sale of City property to a Public Hearing and posting in accordance with Public Act 07-218.

27. AD HOC REPORT – Request for Sewer and Water – Danbury Fair Mall:

Receive the report and approve the recommendations of the committee.

28. AD HOC REPORT – License Easement - New Hope Baptist Church:

Receive the report and approve the recommendations of the committee.

30. AD HOC REPORT - Transfer of Property – Eagle Road:

Receive the report and approve the recommendations of the committee.

31. AD HOC REPORT - Widening Strips – Long Ridge Road:

Receive the report and approve the recommendations of the committee.

32. AD HOC REPORT - Grandview Drive Addresses:

Receive the report and approve the recommendations of the committee.

Councilman Cavo ***moved to accept the Consent Calendar as presented. Councilman Nagarsheth seconded the motion.*** Councilman Nagarsheth asked that item 32 be removed from the consent calendar and Councilman Rotello asked that item 27 be removed from the consent calendar. The two items were removed and ***the motion carried unanimously.***

1. COMMUNICATION - Promotions – Danbury Police Department:

City Clerk Natale read the communication from the Mayor appointing Adam D. Marcus to the position of Sergeant in the Police Department. Councilman Visconti ***moved to accept the communication and confirm the promotion.*** Councilman Perkins seconded the motion. ***The motion carried unanimously.***

City Clerk Natale read the communication from the Mayor appointing George M. Coe to the position of Sergeant in the Police Department. Councilman Arconti ***moved to accept the communication and confirm the appointment.*** Councilwoman McMahon seconded the motion. ***The motion carried unanimously.***

2. COMMUNICATION - Re-Appointments to the Board of Ethics:

The Communication was received on the consent calendar and the appointments confirmed.

3. COMMUNICATION — Appointment to the Charter Revision Commission:

The Communication was received on the consent calendar and the appointment confirmed.

4. COMMUNICATION— Re-Appointment of Alternate to the Planning Commission:

The Communication was received on the consent calendar and the appointment confirmed.

5. COMMUNICATION— Appointments to the Conservation Commission:

The Communication was received on the consent calendar and the appointments confirmed.

6. COMMUNICATION— Request for Ad Hoc – Hispanic Center

City Clerk Natale read the communication from the Mayor. Councilwoman Diggs asked that this be referred to the Ad Hoc Committee, the Director of Finance, representative from the Hispanic Center, and a representative from the Mayor's Office. Mayor Boughton so ordered and appointed Council Members Bob Riley, Shay Nagarsheth and Fred Visconti to the Committee.

7. COMMUNICATION— Request for Ad Hoc - SAVE:

City Clerk Natale read the communication from the Mayor. Councilwoman Stanley asked that this be referred to the Ad Hoc Committee, the Director of Finance, Director of Elderly Services, Representative of the Mayor's Office, Director of Personnel, a Representative from the Commission on Aging and the Tax Assessor. Mayor Boughton so ordered and appointed Council Members Colleen Stanley, Louise McMahon, Gregg Seabury, John Esposito and Fred Visconti to the Committee.

8. COMMUNICATION— Donation to the Homeless Shelter:

City Clerk Natale read the communication of a donation to the Homeless Shelter from Connecticut Light and Power Giving Program. Councilman Johnson ***moved to accept the donation and send a letter of thanks***. Councilman Perkins seconded the motion. ***The motion carried unanimously.***

9. COMMUNICATION— Donations to the Department of Elderly Services:

City Clerk Natale read the communication of donations to the Department of Elderly Services from the Gardens, New Milford Health and Rehab and Maplewood of Danbury. Councilman Cavo ***moved to accept the donation and send a letter of thanks***. Councilman Nagarsheth seconded the motion. ***The motion carried unanimously.***

10. COMMUNICATION— Donation to the Fire Department – Smoke & Carbon Monoxide Detectors:

City Clerk Natale read the communication of a donation to the Fire Department of smoke and carbon monoxide detectors from the Lowe's. Councilman Curran ***moved to accept the donation and send a letter of thanks***. Councilwoman Perkins seconded the motion. ***Councilman Visconti asked how the detectors were distributed. Chief Herald stated they were given out in several ways, for example they are given to AARP, those that request and cannot afford a detector, and where the department deems necessary. The motion carried unanimously.***

11. COMMUNICATION— Transfer of Funds – Fire Department:

The Communication was received on the consent calendar and the transfer approved.

12. COMMUNICATION— Sheridan Commons, LLC – Road Widening:

The Communication was received on the consent calendar and the road-widening parcel was accepted.

13. COMMUNICATION— Proposed Road Improvements – Cannondale Drive:

City Clerk Natale read the communication

Councilman Cavo moved **to terminate the project and to cease sanding and plowing Cannondale Drive immediately.** Councilman Riley seconded the motion.

A discussion followed regarding funding and bonds that may be available for the cost incurred and what may be done in the future.

The motion carried unanimously.

14. COMMUNICATION — Additional Appropriation for Snow and Ice Removal and Maintenance:

City Clerk Natale read the communication

Councilman Knapp moved to accept the communication and transfer the funds. The motion was seconded by Councilman Calandrino. *Councilman Saadi asked if this money would be enough for the end of the season or fiscal year. Director of Public Works Iadarola stated it would be good for the remainder of the fiscal year.*

The motion carried unanimously.

15. COMMUNICATION— Request for Ad Hoc – ‘Sister City’:

City Clerk Natale read the request.

Councilwoman McMahon asked that this be referred to an Ad Hoc Committee along with a Representative of the Mayor’s Office and a Representative from the AOH. Mayor Boughton so ordered and appointed Council Members Phil Curran, James Johnson and Warren Levy to the Committee.

16. RESOLUTION — Request for Water – 22 Shelter Rock Lane:

City Clerk Natale read the communication. Councilman Saadi asked that this be referred for Reports from the City Engineer and Planning Commission.

17. RESOLUTION — Request for Water – 102 Federal and Starr Roads:

City Clerk Natale read the communication. Councilman Nagarsheth asked that this be referred for Reports from the City Engineer and Planning Commission.

18. RESOLUTION — Van Grant – Elderly Services:

The communication was received on the consent calendar and Resolution approved.

19. RESOLUTION — FEMA – United Way Grant:

The communication was received on the consent calendar and Resolution approved.

20. RESOLUTION — DSS – Homeless Shelter Grant:

The communication was received on the consent calendar and Resolution approved.

21. RESOLUTION — Backus Avenue Bridge over Miry Brook:

The communication was received on the consent calendar and Resolution approved.

22. RESOLUTION – Renewals – Pocono Lane/Mountain Road and Grenier & Wooster School:

The communication was received on the consent calendar and Resolutions approved.

23. AD HOC REPORT – Request for Sewer and Water - 91 Boulevard Drive:

The Report was received on the consent calendar and approved.

24. AD HOC REPORT – Connecticut Film Festival:

Councilman Cavo **moved to waive the reading of the report as members all have copies and copies are on file in the City Clerks Office.** Councilman Rotello seconded the motion. ***The motion carried unanimously.***

Councilwoman Teicholz **moved to receive the report and approve the recommendation of the Committee.** Councilman Rotello seconded the motion.

A discussion followed regarding the finances, the City's options for the future, promotions and monthly reports,

Councilman Chianese **amended the main motion to include invoices be given to the City for payment up to \$75,000.** The amendment was seconded by Councilman Perkins.

After further discussion it was decided Director of Economic Development Wayne Shepperd would submit month reports to the Council on the progress. Councilman Chianese withdrew his amendment.

The motion carried 20 yes and 1 no with Councilman Levy voting against.

25. AD HOC REPORT – Wilkes Road – Road Improvement Project:

The Report was received on the consent calendar and approved.

26. AD HOC REPORT – Purchase of Land - Rockwood Lane:

The Report was received on the consent calendar and approved.

27. AD HOC REPORT – Request for Sewer and Water – Danbury Fair Mall:

This item was removed from Consent Calendar.

Councilwoman Teicholz read the report.

Councilman Cavo **moved to receive the report and approve the recommendation of the Committee.** Councilman Trombetta seconded the motion. A brief discussion on the ponds followed. ***The motion carried unanimously.***

28. AD HOC REPORT – License Easement - New Hope Baptist Church:

The Report was received on the consent calendar and approved.

29. AD HOC REPORT - ICE Access:

Councilman Cavo read the report.

Councilman Seabury **moved to accept the report and allow Chief Baker to enter into the agreement with ICE.** Councilwoman Stanley seconded the motion.

A discussion followed. Council Members expressed their thoughts and personal feelings on ICE Access, its impact, and the establishment of a task force. They pledged their support to ensure adherence to the mission of the partnership with ICE. They also promised to monitor the program to ensure that there is no abuse or racial profiling.

Mayor Boughton turned the gavel over to Councilman Cavo. He stated, for the record, that the purpose of partnering with ICE was to enable the police force to focus on criminal activity. Part of the MOU requires a steering committee to meet monthly. He proposed that the task force, be included in order to facilitate a high quality of communication.

A roll call vote followed with Council Members Louise McMahon, Shay Nagarsheth, James Johnson, Charles Trombetta, Mike Calandrino, Fred Visconti, Benjamin Chianese, John Esposito, Thomas Saadi, Joe Cavo, Jane Diggs, Mary Teicholz, Robert Arconti, Philip Curran, Jack Knapp, Warren Levy Robert Riley, Gregg Seabury and Colleen Stanley voting for the motion

Council Members Duane Perkins and Paul Rotello voting against the motion.

The motion passed 19 yes to 2 no

30. AD HOC REPORT - Transfer of Property – Eagle Road:

The Report was received on the consent calendar and approved.

31. AD HOC REPORT - Widening Strips – Long Ridge Road:

The Report was received on the consent calendar and approved.

32. AD HOC REPORT - Grandview Drive Addresses:

This item was removed from Consent Calendar.

Councilman Cavo ***moved to waive the reading of the report as members all have copies and copies are on file in the City Clerks Office.*** Councilman Rotello seconded the motion. ***The motion carried unanimously.***

Councilman Levy moved to accept the report and adopt the recommendations of the Committee. Councilman Perkins seconded the motion.

The motion passed 19 yes to 2 no with Council Members McMahon and Nagarsheth voting in the negative

33. DEPARTMENT REPORTS—Police, Fire, Fire Marshall, Elderly Services, Health-Housing & Welfare, Dream Homes, Public Works, Permit, Unit, Library:

Councilman Cavo moved **to accept the communication and the Department Reports as presented as all members have copies and they are available in the City Clerk's office.** Councilman Rotello seconded the motion. ***The motion carried unanimously.***

A discussion followed with some departments.

Mayor Boughton extended all committees.

A motion was made by Councilman Cavo and seconded by Councilman Seabury that the Common Council Meeting be adjourned. ***The motion carried unanimously at 10:23 pm.***

Respectfully submitted,

Doratheia Stasny
Recording Secretary

Attest,
Mark D. Boughton, Mayor