

Honorable Mark D. Boughton, Mayor
Common Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:30PM on Tuesday, July 1, 2008.

Present were Council Members: Louise P. McMahon, Shay Nagarsheth, James H. Johnson, Charles Trombetta, 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, Colleen A. Stanley

Absent were Council Members: Gregg Seabury, out of state on family business and Michael Calandrino, out due to a family emergency

19 PRESENT, 2 ABSENT

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:

Chief Herald led everyone in the room in the Pledge of Allegiance. Councilman Levy led everyone in the room in a prayer.

PUBLIC PARTICIPATION:

Lynn Waller, 83 Highland Avenue spoke on items #21 and #24, 311 and the Forestry Department

Margaret Mitchell, Main Street & Park Place property owner, spoke on item #19

Dainius Virbickas, taxpayer, spoke on item #30

Wade Anderson, 57 Old Lantern Road, spoke on trees on Osborne Street

Public discussion was closed at 8:10 PM

Mayor Boughton read the announcements for the month of July.

MINUTES:

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

CONSENT CALENDAR:

Councilwoman Teicholz presented the following items for the Consent Calendar:

2 - COMMUNICATION - [Appointment to Tarrywile Park Authority](#)

Receive the communication and confirm the reappointment of Ray J. McGarrigal as a member of the Tarrywile Park Authority with a term to expire January 1, 2011.

3 - COMMUNICATION - [Appointments to E. I. C.](#)

Receive the communication and confirm the appointment of Mark Massoud, as a member of the Environmental Impact Commission with a term to expire December 1, 2010, and also confirm the appointment of Jessica Soriano as an Alternate Member of the Environmental Impact Commission with a term to expire December 1, 2010.

4 - COMMUNICATION - [Appointment to the Planning Commission](#)

Receive the communication and confirm the reappointment of Kenneth Keller as a Member of the Planning Commission with a term to expire January 1, 2011.

6 - COMMUNICATION - [Appointments to the Conservation Commission](#)

Receive the communication and confirm the reappointment of William Montgomery, Richard J. Hale, and Levi Newsome to serve as Members of the Conservation Commission with terms to expire July 1, 2011.

8 - COMMUNICATION - [Appointments to Persons with Disabilities](#)

Receive the communication and confirm the reappointment of John Gentile and Chad Sinanian to serve as Members of the Commission for Persons with Disabilities with terms to expire March 1, 2011.

9 - COMMUNICATION - [Appointments to Lake Kenosia Commission](#)

Receive the communication and confirm the reappointment of Regina L. Ofiero and Leslie Da Silva to serve as Members of the Lake Kenosia Commission with terms to expire May 1, 2011.

10 - COMMUNICATION - [Donations to the Fire Department](#)

Receive the communication and accept the donations to the Fire Department from Wal-Mart Foundation for \$2,000.00 and Ridgebury Hills Community Association for \$100.00 with the funds being deposited in a Fire Department special project line item to be determined by the Finance Director and send the appropriate letters of thanks.

11 - COMMUNICATION - [Donation to the Fire Department - Nolan Enterprises](#)

Receive the communication and accept the donations to the Fire Department from the Nolan Enterprises for \$300.00 in total, with the funds being deposited in a Fire Department special project line item to be determined by the Finance Director and send appropriate letters of thanks.

13 - COMMUNICATION - [Donation to Public Utilities](#)

Receive the communication and accept the donation of pipe and fittings, approximately valued at \$2,000.00, from Jim Mulvaney of Mulvaney Mechanical and send appropriate letter of thanks.

14 - COMMUNICATION - [Donation to the Library](#)

Receive the communication and accept the donation to the Danbury Library from Donald L. Gardner and Associates, P.C. for \$100.00 to be deposited into the LIBRARYFUND .4651 Donations and send the appropriate letter of thanks.

15 - COMMUNICATION - [Donation to the Police Department](#)

Receive the communication and accept the donation to The Danbury Police Department K-9 Britta and her handler, P.O. Antonelli from Great Plain School 5th Grade classes for \$100.00 and send the appropriate letter of thanks.

16 - COMMUNICATION - [Transfer of Funds- Fire Department](#)

Receive the communication and approve the transfer of \$25,000.00 into the Special Service Account #2010.5052 for the Fire Department, due to ongoing events.

20 - COMMUNICATION - [Request to Renumber Sheridan Street](#)

Refer to Planning for report.

22 - COMMUNICATION - [Request for Water - 20 - 22 Old Ridgebury Road](#)

Refer to Planning and Engineering for reports.

23 - RESOLUTION - [Summer Youth Employment](#)

Receive the communication and accept the grant from the Northwest Regional Workforce Investment Board in the amount of \$140,845.00 for the Summer Youth Employment Program.

24 - RESOLUTION - [S.A.V.E.](#)

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or his designee to apply for and receive an Office of Policy and Management grant for the purposes of the S.A.V.E. program and execute such documents.

25 - RESOLUTION - [Renewal of Easement - 51 & 53 Beaver Brook Road](#)

Receive the communication and renew the Resolution for the acquisition of easements for 51 & 53 Beaver Brook Road.

26 - RESOLUTION - [Acquisition of Property - Hawthorn Terrace Water System](#)

Receive the communication and renew the Resolution for the acquisition of property for Hawthorn Terrace Water System.

27 - RESOLUTION - [Per Capita Grant - Additional Funding](#)

Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Scott LeRoy to apply for and accept Per Capita Grant Funds in the amount of \$93,725.04 from the State of Connecticut Department of Public Health.

29 - REPORT - [Sewer Extension - 67 Newtown Road and 1 Plumtrees Road](#)

Receive the report and approve the request for sewer extension at 67 Newtown Road and 1 Plumtrees Road, subject to the standard eight steps/conditions and submission of plans and documents satisfactory to both Engineering and Corporation Counsel.

31 - REPORT - [Water Extension - 115 Mill Plain Road](#)

Receive the report and approve the request for water main extension for Danbury 6 Associates, LLC 115 Mill Plain Road, subject to the standard eight steps/conditions.

34 - REPORT AND ORDINANCE - [Sex Offender Ordinance - Chapter 12, Section 27](#)

Receive the report and approve the recommendations of the committee.

35 - REPORT AND ORDINANCE - [Fire Department Ordinances - Sections 19-4, 19-33 and 19-62](#)

Receive the report and approve the recommendations of the committee.

36 - REPORT AND ORDINANCE - [Fire Marshal Ordinance - Section 8-17](#)

Receive the report and approve the recommendations of the committee.

37 - REPORT AND ORDINANCE - [Penalties - Section 1-7](#)

Receive the report and approve the recommendations of the committee.

38 - REPORT AND ORDINANCE - [Citation - Section 12-34](#)

Receive the report and approve the recommendations of the committee.

39 - REPORT AND ORDINANCE - [Government Entities - Section 2-176](#)

Receive the report and approve the recommendations of the committee.

40 - REPORT AND ORDINANCE - [Tax Deferral for Elderly Homeowner - Section 18-12.1](#)

Receive the report and approve the recommendations of the committee.

41 - REPORT AND ORDINANCE - [Police Department Ordinances - Sections 19-4, 19-34 and 19-35](#)

Receive the report of the Committee of the Whole.

42 - REPORT AND RESOLUTION - [2008 Neighborhood Assistance Act](#)

Receive the report and approve the recommendations of the committee.

43 - AD HOC REPORT & ORDINANCE - [Police Department Ordinances - Sections 19-4, 19-34 and 19-35](#)

Receive the report and refer to a Public Hearing.

44 - AD HOC REPORT - [Hatters Park Field Naming](#)

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. **The motion carried by unanimous vote.**

1 - COMMUNICATION - [Appointment to the Police Department](#)

City Clerk Natale read the communication. Councilwoman Stanley moved to receive the communication and confirm the appointment. Second by Councilman Johnson. **Motion passed by unanimous vote.**

2 - COMMUNICATION - [Appointment to Tarrywile Park Authority](#)

The communication was received on the Consent Calendar and appointment confirmed.

3 - COMMUNICATION - [Appointments to E. J. C.](#)

The communication was received on the Consent Calendar and appointments confirmed.

4- COMMUNICATION - [Appointment to the Planning Commission](#)

The communication was received on the Consent Calendar and the appointment confirmed.

5 - COMMUNICATION - [Appointments to Richter Park Authority](#)

City Clerk Natale read the communication. Councilman Cavo moved to receive the communication and confirm the appointments. Second by Councilman Johnson. **Motion passed by unanimous vote.**

6 - COMMUNICATION - [Appointments to the Conservation Commission](#)

The communication was received on the Consent Calendar and the appointments confirmed.

7 - COMMUNICATION - [Appointments to the Charles Ives Authority](#)

City Clerk Natale read the communication. Councilman Cavo moved to receive the communication and confirm the appointments. Second by Councilwoman McMahon. Councilman Levy requested to divide the question.

1. Paul Sirois- approved by unanimous vote,
2. Gina Ann Marcus- approved by unanimous vote,
3. L. Fernando Jimenez- approved by unanimous vote.

8 - COMMUNICATION - [Appointments to Persons with Disabilities](#)

The communication was received on the Consent Calendar and the appointments confirmed.

9 - COMMUNICATION - [Appointments to Lake Kenosia Commission](#)

The communication was received on the Consent Calendar and the appointments confirmed.

10 - COMMUNICATION - [Donations to the Fire Department](#)

The communication was received on the Consent Calendar and the donation accepted.

11 - COMMUNICATION - [Donation to the Fire Department - Nolan Enterprises](#)

The communication was received on the Consent Calendar and the donation accepted.

12 - COMMUNICATION - [Donations to Park and Recreation Department](#)

City Clerk Natale read the communication. Councilman Nagarsheth moved to receive the communication and send a letter of thanks. Second by Councilwoman McMahon. **Motion passed by unanimous vote.**

13 - COMMUNICATION - [Donation to Public Utilities](#)

The communication was received on the Consent Calendar and the donation accepted.

14 - COMMUNICATION - [Donation to the Library](#)

The communication was received on the Consent Calendar and the donation accepted.

15 - COMMUNICATION - [Donation to the Police Department](#)

The communication was received on the Consent Calendar and the donation accepted.

16 - COMMUNICATION - [Transfer of Funds- Fire Department](#)

The communication was received on the Consent Calendar and approved.

17 - COMMUNICATION - [Request for Audit Committee](#)

City Clerk Natale read the communication. Councilwoman McMahan requested an Ad Hoc with the Director of Finance. The committee will consist of Council Members Calandrino, Curran and Visconti.

18 - COMMUNICATION - [Duckpin Bowling Lane Lease](#)

City Clerk Natale read the communication. Councilman Knapp moved to receive the communication and accept as presented. Second by Councilman Riley. Councilman Saadi requested an Ad Hoc. The committee will consist of Council Members Stanley, Arconti and Saadi.

19 - COMMUNICATION - [Request for Ad Hoc - Connecticut Film Festival](#)

Councilman Trombetta requested an Ad Hoc with the Director of Finance, Corporation Counsel, a representative from City Center, the Director of Economic Development, Tom Caruthers and a representative from the Mayor' Office. The committee will consist of Council Members Calandrino, Trombetta and Rotello.

20 - COMMUNICATION - [Request to Renumber Sheridan Street](#)

The request was received on the Consent Calendar and referred to Planning for a report.

21 - COMMUNICATION - [Oil Watch](#)

Councilman Curran requested an Ad Hoc with Corporation Counsel, the Director of Finance and a representative from the Mayor's Office. The committee shall consist of Council Members Cavo, Calandrino and Visconti.

22 - COMMUNICATION - [Request for Water - 20 - 22 Old Ridgebury Road](#)

The request was received on the Consent Calendar and referred to Planning and Engineering for reports.

23 - RESOLUTION - [Summer Youth Employment](#)

The communication was received on the Consent Calendar and the grant accepted.

24 - RESOLUTION - [S.A.V.E.](#)

The communication was received on the Consent Calendar and the Resolution adopted.

25 - RESOLUTION - [Renewal of Easement - 51 & 53 Beaver Brook Road](#)

The communication was received on the Consent Calendar the Resolution adopted.

26 - RESOLUTION - [Acquisition of Property - Hawthorn Terrace Water System](#)

The communication was received on the Consent Calendar and the Resolution adopted.

27 - RESOLUTION - [Per Capita Grant - Additional Funding](#)

The communication was received on the Consent Calendar and the Resolution adopted.

28 - REPORT - [Historic Properties Study Committee](#)

Councilwoman Teicholz requested referral to an Ad Hoc consisting of Corporation Counsel,

Director of Public Works and a representative from the Mayor's Office. The committee will consist of Council Members Johnson, Knapp and Rotello.

29 - REPORT - [Sewer Extension - 67 Newtown Road and 1 Plumtrees Road](#)

The communication was received on the Consent Calendar and approved subject to conditions.

30 - REPORT - [Sewer Extension - 7 and 9 Zinn Road](#)

City Clerk Natale read the reports from Planning and Engineering. Councilwoman Diggs moved to approve the request. Second by Councilman Cavo. Discussion followed regarding creating a precedent, the unique circumstances concerning the two separate lots, proximity to watershed, administrative approval for this type of request, sewer service limit area and the intent to service as two separate lots. **Motion passed by unanimous vote.**

31 - REPORT - [Water Extension - 115 Mill Plain Road](#)

The report was received on the Consent Calendar and the request approved subject to conditions.

32 - ORDINANCE - [Weights and Measures - Section 22-2](#)

Councilwoman Stanley requested referral to a Public Hearing.

33 - ORDINANCE - [Section 2-152](#)

Councilman Johnson requested referral to an Ad Hoc with the Purchasing Agent, Director of Finance and Corporation Counsel. The committee will consist of Council Members Cavo, Arconti and Saadi.

34 - REPORT AND ORDINANCE - [Sex Offender Ordinance - Chapter 12, Section 27](#)

The report was received on the Consent Calendar and approved.

35 - REPORT AND ORDINANCE - [Fire Department Ordinances - Sections 19-4, 19-33 and 19-62](#)

The report was received on the Consent Calendar and approved.

36 - REPORT AND ORDINANCE - [Fire Marshal Ordinance - Section 8-17](#)

The report was received on the Consent Calendar and approved.

37 - REPORT AND ORDINANCE - [Penalties - Section 1-7](#)

The report was received on the Consent Calendar and approved.

38 - REPORT AND ORDINANCE - [Citation - Section 12-34](#)

The report was received on the Consent Calendar and approved.

39 - REPORT AND ORDINANCE - [Government Entities - Section 2-176](#)

The report was received on the Consent Calendar and approved.

40 - REPORT AND ORDINANCE - [Tax Deferral for Elderly Homeowner - Section 18-12.1](#)

The report was received on the Consent Calendar and approved.

41 - REPORT AND ORDINANCE - [Police Department Ordinances - Sections 19-4, 19-34 and 19-35](#)

The report was received on the Consent Calendar.

42 - REPORT AND RESOLUTION - [2008 Neighborhood Assistance Act](#)

The report was received on the Consent Calendar and approved.

43 - AD HOC REPORT & ORDINANCE - [Police Depart. Ordinances - Sections 19-4, 19-34 and 19-35](#)

The report was received on the Consent Calendar and referred to a Public Hearing.

44 - AD HOC REPORT - Hatters Park Field Naming

The report was received on the Consent Calendar and approved.

45 - DEPARTMENT REPORTS - Police, Fire, Public Works, Elderly Services, Dream Homes, Health-Housing & Welfare, Permit Center, Unit.

Councilman Cavo moved to waive the reading of the Department Reports as all members have copies. Second by Councilman Perkins. Discussion followed with thanks and appreciation extended to the Danbury Fire Department, Director of Public Works and employees, Director of Elderly Services and the Senior Center staff. **Motion approved by unanimous vote.**

Councilman Cavo moved to add item #46, Department of Environmental Protection Order-Nutrient Reduction Study. Second by Councilman Knapp. **Motion passed by unanimous vote.**

46. City Clerk Natale read the communication. Councilwoman Teicholz moved to receive the communication and authorize Mayor Mark D. Boughton to execute the DEP Consent Order on behalf of the City of Danbury with the Commissioner of Environmental Protection. Second by Councilman Rotello. **Motion passed by unanimous vote.**

Mayor Boughton extended all committees, thanked the Council for their work and wished everyone a happy 4th of July.

There being no further business to come before the Common Council a motion was made at 8:34P.M. by Councilman Johnson for the meeting to be adjourned. Second by Councilman Rotello. **Motion passed by unanimous vote.**

Respectfully submitted,

Doratheia Gulya-Stasny
Recording Secretary

Attest,

Mark D. Boughton, Mayor