

Honorable Mark D. Boughton, Mayor

Common Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:32PM on Tuesday, August 5, 2008.

Present were Council members: Louise P. McMahon, 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 Riley, Gregg Seabury and Colleen A. Stanley

PRESENT: 20 ABSENT: 1

Councilman Nagarsheth was out of town.

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

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

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

PUBLIC PARTICIPATION:

Lynn Waller- 83 Highland Ave. spoke on #15, #31 and #33.

Ken Gucker- 89 Padanaram Rd. spoke on #30, #31, and #33.

Steve Greenberg- 11 Wellington Ct. spoke on item #33.

Public speaking closed at 7:50PM.

The announcements for the of August month were read.

MINUTES - Councilman Cavo moved to accept the minutes of July 1, 2008 and to waive the reading of same, as the Council members have copies and are also on file in the City Clerk's Office. Seconded by Councilman Perkins. **Motion passed by unanimous vote.**

CONSENT CALENDAR

Councilman Seabury presented the following items for the Consent Calendar:

2. Receive the communication and confirm the appointment of Jack A. Robbins, Ph.D. to serve on the City of Danbury Certified Local Government Advisory Committee.
3. Receive the communication and confirm the following individuals to serve on the City of Danbury Other Post Employment Benefit Board: Nicholas Zotos, Pamela Evanska, Andrea J. Gray, Gladys L. Ivansco and Roger A. Palanzo.
4. Receive the communication and accept the donation of \$679.00 and transfer this donation into line item 6000.03 Dress for Success Donations in the HLTHDON account, and send the appropriate letters of thanks.

5. Receive the communication and accept a donation of \$50.00 from Ed and Sharon Makowski, to purchase supplies needed for the Danbury Animal Pound and send the appropriate letter of thanks.
6. Receive the communication and accept the donation of four Japanese maple trees valued at \$300.00, from the Danbury Adult Education Office, and send the appropriate letter of thanks.
7. Receive the communication and accept the donations for performances by the Cellmates, from: Almost Home \$50.00, The Gardens \$25.00, The Homesteads \$25.00, and Laurel Ridge \$125.00 and send the appropriate letters of thanks.
9. Receive the communication and approve the re-appropriation of \$123,432.26 to the Water Fund accounts and \$472,765.18 to the Sewer Funds accounts.
10. Receive the communication and approve the re-appropriation of \$26,000.00 to the Ambulance account 50000.5330
12. Receive the communication and transfer \$18,705.00 into the appropriate line items, from the City's Contingency Account, for the August 12, 2008 primary.
18. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or David Day to enter into and sign contracts with the State of Connecticut Department Environmental Protection, for the nitrogen removal project.
19. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to apply for and accept funding from the U.S. Department of Housing and Urban Development for the Community Development Block Grant.
20. Receive the communication and adopt the Resolution to authorize the City of Danbury Town Clerk to apply for and accept funding from the State of Connecticut, Office of Public Records Administrator through the Connecticut State Library for the preservation of documents.
21. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Paul D. Estefan to apply for and accept funding from the State of Connecticut, Department of Emergency Management and Homeland Security.
22. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Scott LeRoy to apply for and accept a Recreational Trails Grant from the Connecticut Department of Environmental Protection.
24. Receive the report and approve the request for water extension at 20-22 Old Ridgebury Road, subject to compliance with the City Engineering Department standard conditions and the required eight steps.
25. Receive the report and approve the recommendations of the committee.
26. Receive the report and approve the recommendations of the committee.
27. Receive the report and approve the recommendations of the committee.

28. Receive the report and approve the recommendations of the committee.

30. Receive the report and approve the recommendations of the committee.

Councilman Cavo moved to accept the Consent Calendar as presented. Councilman seconded the motion. **The motion carried by unanimous vote.**

1 - COMMUNICATION - [Promotions to the Fire Department](#)

City Clerk Natale read the communication. Councilwoman Stanley moved to confirm the appointment of Heather Anderson to the position of Lieutenant. Seconded by Councilman Cavo. **Motion passed by unanimous vote.**

Councilman Johnson moved to confirm the appointment of Jordan Leach to the position of Fire Inspector/Deputy Fire Marshal. Seconded by Councilwoman McMahon. **Motion passed by unanimous vote.**

Councilman Visconti moved to confirm the appointment of John Osborne to the position of Fire Inspector/Deputy Fire Marshal. Seconded by Councilman Chianese. **Motion passed by unanimous vote.**

Councilman Curran moved to confirm the appointment of James Russell to the position of Fire Inspector/Deputy Fire Marshal. Seconded by Councilman Riley. **Motion passed by unanimous vote.**

2 - COMMUNICATION - [Appointment to Historic Properties Study Committee](#)

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

3 - COMMUNICATION - [Appointments to Other Post Employment Benefit Board](#)

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

4 - COMMUNICATION - [Donations to the Health and Housing - Welfare Division](#)

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

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

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

6 - COMMUNICATION - [Donation to Park and Recreation Department](#)

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

7 - COMMUNICATION - [Donations to Elderly Services](#)

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

8 - COMMUNICATION - [Request for Ad Hoc - Investment Policy](#)

City Clerk Natale read the communication. Councilman Calandrino requested an Ad Hoc with the Director of Finance, City Treasurer and a representative from the Mayor's Office. The committee will consist of Councilmen Calandrino, Trombetta and Chianese.

9 - COMMUNICATION - [Water and Sewer Funds Re-appropriations](#)

The communication was received on the Consent Calendar and the re-appropriation approved.

10 - COMMUNICATION - [Ambulance Fund Re-appropriations](#)

The communication was received on the Consent Calendar and the re-appropriation approved.

11 - COMMUNICATION - [Removal of Private Debris, Code of Ordinances, Section 17-7](#)

Councilwoman McMahon requested an Ad Hoc with Corporation Counsel and the Director of Public Works. The committee will consist of Councilman Arconti, Councilman Visconti and Councilwoman McMahon.

12 - COMMUNICATION - [Request for Funds - Democratic Primary](#)

The communication was received on the Consent Calendar the transfer approved.

13 - COMMUNICATION - [Request for Parking - 2 Wheel Vehicles](#)

Councilwoman Teicholz referred the item for reports from the Parking Authority and the Director of Public Works.

14 - COMMUNICATION - [Request for Ad Hoc - Property Tax Abatement](#)

Councilman Trombetta requested an Ad Hoc with Director of Finance, Conservation Commission, Corporation Counsel and a representative from the Tax Assessor's Office. The committee will consist of Councilwoman McMahon and Councilmen Curran and Rotella.

15 - COMMUNICATION - [Proposal to Renew Parking Leases](#)

Councilman Curran requested an Ad Hoc with Corporation Counsel, Airport Administrator, the Director Finance and the Director of Planning. The committee will consist of Councilmen Knapp and Rotella and Councilwoman Teicholz.

16 - COMMUNICATION - [Request for Sewer - 28 Tamarack Road](#)

Councilman Cavo requested reports from the City Engineer and the Planning Commission.

17 - COMMUNICATION - [Request for Sewer - 30 Tamarack Road](#)

Councilman Cavo requested reports from the City Engineer and the Planning Commission.

18 - RESOLUTION - [WWTP Nitrogen Removal Project](#)

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

19 - RESOLUTION - [Community Development Block Grant Fund - Program Year 34](#)

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

20 - RESOLUTION - [Historical Documents Grant](#)

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

21 - RESOLUTION - [EMPG Grant - Emergency Management](#)

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

22 - RESOLUTION - [Still River Greenway and Ives Trail](#)

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

23 - REPORT - [Fire Department Statement of Condition and Property](#)

Councilman Cavo requested waiving the report. The reading of the report was waived without objection. Councilman Cavo moved to receive the report. Seconded by Councilman Saadi. Discussion followed with Chief Herald providing information as requested. Items discussed were the communication system, structure of and driveway at Engine 24, garage space at the New Street Fire Station, potential consolidation of Squads 5, 6 and 7, volunteer

recruitment and geographic areas served by the said squads. **Motion carried by unanimous vote.**

24 - REPORT - [Water Extension - 20-22 Old Ridgebury](#)

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

25 - REPORT & ORDINANCE - [S.A.V.E. - Code of Ordinance, Section 18-12.3](#)

The report was received on the Consent Calendar and the recommendations approved.

26 - REPORT & ORDINANCE – [Tax Deferral Ordinance – Section 18-25, Subsection \(e\)](#)

The report was received on the Consent Calendar and approved.

27 - REPORT & ORDINANCE - [Weights and Measures, Code of Ordinances, Section 22-2](#)

The report was received on the Consent Calendar and approved.

28 - REPORT & ORDINANCE - [Police Depart. Ordinances - Sections 19-4, 19-34.1 and 19-35](#)

The report was received on the Consent Calendar and approved.

29 - AD HOC REPORT & ORDINANCE - [Awarding of Contract, Code of Ordinances, Section 2-152](#)

Councilman Cavo read the Ad Hoc Report. Councilman Saadi requested a Public Hearing on the item.

30 - AD HOC REPORT - [Rockwood Lane](#)

The report was received on the Consent Calendar and approved.

31 - AD HOC REPORT - [84 Hospital Avenue](#)

Councilman Knapp read the Ad Hoc report. Councilman Calandrino moved to receive the report and approve. Seconded by Councilman Cavo. Discussion and debate followed. Councilmen Saadi, Visconti, Perkins and Trombetta spoke in opposition of the proposal. Councilman Rotella suggested referring the item back to the Board of Education. Director of Public Works, Antonio Iadarola, P.E., provided information regarding the map and the number of parking spaces. Councilman Chianese made inquiries and Atty. Pinter provided information regarding the need for a Public Hearing. Councilman Visconti moved the question.

A roll call vote to move the question was taken with all members voting in favor. **The motion to move the question passed by unanimous vote.**

A roll call vote was taken on the main motion to grant the request as follows: Knapp and Seabury voted in favor. McMahon, Johnson, Trombetta, Calandrino, Perkins, Visconti, Chianese, Esposito, Saadi, Cavo, Rotello, Diggs, Teicholz, Arconti, Curran, Levy, Riley and Stanley cast negative votes. **Motion failed 2-18.**

32 - AD HOC REPORT - [Duckpin Bowling Lane Lease](#)

Councilwoman Stanley read the Ad Hoc report. Councilman Cavo advised the Council that the three stipulated items had not been met.

1. Language in all relevant documentation to ensure that during the option period that Mr. Troccola is ultimately liable for any defaults under the existing lease,
2. That a credit check be performed on Mr. Nelson,
3. That a background check be performed.

Councilman Cavo moved to table the item. Seconded by Councilman Trombetta. Atty. Pinter advised that he was currently reviewing item #1 and that items #2 were still in process. **Motion passed by unanimous vote.**

33 - AD HOC REPORT - [Charles Ives Property Acquisition](#)

Councilman Knapp read the Ad Hoc report. Councilman Arconti moved to receive, adopt and approve the recommendation of the committee. Discussion followed. Atty. Yamin provided clarification regarding the purchase of the property, which was going into foreclosure, and that the City would need to move rather quickly on the matter. Through negotiations with Newtown Savings Bank, the property could be purchased for \$50,000 less than is owed to the bank. The property will provide an enhancement to the current Ives Center location, is 1.42 acres and the purchase could be funded through the Open Space Bond. Councilman Levy and Rotello spoke in favor of the purchase and the benefit that the Ives Center provides to the residents of Danbury. Councilman Curran inquired about the future needs of the Center. Mayor Boughton provided information regarding programs and attendance. Councilman Calandrino moved the question. Seconded by Councilwoman McMahon. A roll call vote was taken as follows: McMahon, Johnson, Trombetta, Calandrino, Cavo, Diggs, Teicholz, Arconti, Curran, Knapp, Riley, Seabury, Stanley vote in the affirmative. Perkins, Visconti, Chianese, Esposito, Saadi, Rotello and Levy cast negative votes. **Motion passed 13-7.**

A roll call vote was taken on the main motion to purchase the property as follows: McMahon, Trombetta, Johnson, Calandrino, Chianese, Esposito, Cavo, Rotello, Diggs, Teicholz, Arconti, Curran, Knapp, Levy, Riley, Seabury, Stanley voted in the affirmative. Perkins, Visconti and Saadi cast negative votes. **Motion passed 17-3.**

34 - AD HOC REPORT - [Property Tax Abatement](#)

Councilwoman McMahon requested a public hearing on the item.

35 - DEPARTMENT REPORTS – Councilman Cavo moved to waive the reading of the Department Reports as all members have copies and same are on file with the City Clerk. The motion was seconded by Councilman Johnson.

Congratulations were extended to Wayne Shepard on the success of the Nutmeg Games, Mayor Boughton and the Director of Finance on the City's Bond Rating, and Antonio Iadarola, P.E., Director of Public Works, for his recent recognition at the Beaver Street Block Party. Inquiries regarding traffic enforcement, pedestrian traffic at the construction site for the new police station, Rose Hill Avenue Bridge Project and the status of technology purchases by the Board of Education were discussed. City employees were recognized for their contributions to the monthly food drive and the Police Dept. for the compassionate care for a constituent injured in an automobile accident. **Motion passed by unanimous vote.**

Mayor Boughton recognized Tax Collector, Scott Ferguson, for his recent certification.

All committees were extended.

A special presentation was made to Councilman Saadi to celebrate his soon-to-be fatherhood. Councilman Saadi expressed his appreciation to the Council.

There being no further business to come before the Common Council a motion was made at 9:45P.M. by Councilman Seabury for the meeting to be adjourn. Seconded by Councilman Cavo. **Motion passed by unanimous vote.**

Respectfully submitted,

Dorathea Gulya-Stasny

Recording Secretary

Attest,

Mark D. Boughton, Mayor