

~ CITY OF DANBURY COMMON COUNCIL ~
Meeting Minutes
Tuesday, June 2, 2009

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 Tuesday, June 2, 2009. Present were Council members: Louise P. McMahon, Shay Nagarsheth, Michael J. Halas, Charles Trombetta, Michael J. Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Joseph M. Cavo, Paul T. Rotello, N. Jane Diggs, Mary Teicholz, Robert F. Arconti, Philip D. Curran, Jack Knapp, Warren M. Levy, Gregg W. Seabury, and Colleen A. Stanley.

ABSENT: Robert T. Riley (family emergency) and City Clerk (out of town).

PRESENT: 20, ABSENT: 1

Also present were Robert J. Yamin, Corporation Counsel; Laszlo L. Pinter, Deputy Corporation Counsel; David St. Hilare, Finance Director; Antonio Iadarola, Director of Public Works; Dennis Elpern, Director of Planning; interested citizens; and members of the press.

PLEDGE OF ALLEGIANCE TO THE FLAG & A PRAYER:

Corporation Counsel Laszlo L. Pinter led everyone in the room in the Pledge of Allegiance. Councilman Curran led everyone in the room in a prayer.

PUBLIC PARTICIPATION:

Lynn Waller, 83 Highland Avenue, spoke in favor of Item 1, and opposed Item 11, and Item 10.

Joseph DaSilva, owner, Palace Theater, spoke in favor of Item 11.

Al Robinson, addressed Item 1, Proposed Regulation of Signs on City Property.

As no other member of the public wished to speak, Public Participation was closed at 7:48 p.m.

Mayor Boughton shared with everyone the recent passing of Dot Stasny's father and extended thoughts and prayers to her and her family.

Mayor Boughton recognized the following: Councilman Chianese's wedding anniversary, Jillian's birthday.

Mayor Boughton read the announcements for the month of June 2009.

MINUTES:

A motion was made by Councilman Cavo and seconded by Councilman Perkins that the Common Council approves the Minutes of the Common Council Meeting of May 5, 2009 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.

Councilman Levy corrected a portion of the minutes by noting that he voted in the negative with regard to Item 21.

The motion carried unanimously.

CONSENT CALENDAR:

Councilman Seabury presented the following items for the Consent Calendar:

2. **Donations to the Department of Elderly Services** - Receive the communication and accept the donations to the Department of Elderly Services, totaling \$75.00, transfer into line item 5002.6000 and send the appropriate letters of thanks.
3. **Donations to the Public Works Department** - Receive the communication and accept the donations to the Second Annual Public Works Awareness and Employee Recognition Day, and send the appropriate letters of thanks.
4. **Appointment of Independent Auditors** - Receive the communication and approve the appointment of McGladrey & Pullen, LLP as our City auditors.
13. **Danbury Youth Services** - Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to contract with the State of Connecticut Department of Education for 2009-2010 Youth Services Bureau Grant.
14. **Energy Efficiency and Conservation Block Grant** - Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Rick Palanzo Superintendent of Public Buildings to accept funding from the United States Department of Energy through the Energy Efficiency and Conservation Block Grant.
15. **Neighborhood Stabilization Program II** - Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or David St. Hilaire Director of Finance to apply for and accept federal funding for the Neighborhood Stabilization Program II (NSP II).
16. **Farmers Market Program** - Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Scott LeRoy Director of Health, Housing and Welfare to accept funding from the State Department of Agriculture for the WIC Program as it administers the Farmers' Market Nutrition Program.
17. **Acquisition of Properties – Westside Sewer Interceptor** - Receive the communication and adopt the Resolution to renew the approval of the acquisition of certain properties by the Corporation Counsel's Office with regards to the Westside Sewer Interceptor.
21. **Request for Sewer and Water Extension – 100 Federal Road** - Receive the reports and approve the Sanitary Sewer and Water Main Extensions as requested subject to the Planning Commission's report and compliance with the conditions including the nine steps as indicated in the City Engineer's Report.

A motion was made by Councilwoman Teicholz and seconded by Councilman Nagarsheth to accept the Consent Calendar as presented. The motion carried unanimously.

1. COMMUNICATION—Proposed Regulation of Signs on City Property:

Attorney Yamin filled in for City Clerk Natale.

Attorney Yamin read the communication.

Councilwoman McMahon asked that this be referred to an Ad Hoc Committee along with a representative from the Planning and Zoning Department and Corporation Counsel being present. Mayor Boughton so ordered and appointed Council Members Charles Trombetta, Colleen Stanley and Fred Visconti to the Committee.

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

The communication was received on the consent calendar and approved.

3. COMMUNICATION—Donations to the Public Works Department:

The communication was received on the consent calendar and approved.

4. COMMUNICATION—Appointment of Independent Auditors:

The communication was received on the consent calendar and approved.

5. COMMUNICATION—Appropriation to the Ambulance Fund:

Attorney Yamin read the communication.

A motion was made by Councilman Nagarsheth and seconded by Councilwoman McMahon to receive the communication and approve the appropriation of \$68,000 to the Ambulance Fund Budget (\$23,000 to line item 50000.5338, other miscellaneous services, and \$45,000 to line item 50000.5349, billing fees) noting the certification of funds.

Councilman Saadi desired clarification regarding the request before the Council. He asked for confirmation that the \$68,000 was not an additional appropriation from the City but rather funds taken from the increased revenue in the ambulance fund generated by the user fees. Mr. St. Hilare concurred.

The motion carried unanimously.

6. COMMUNICATION—Renewal of Sewer and Water Extensions—62 Chestnut Street:

Attorney Yamin read the communication.

Councilwoman Teicholz asked that this item be referred to Planning Commission and the City Engineer. Mayor Boughton so ordered.

7. COMMUNICATION—Request to Purchase Roadway:

Attorney Yamin read the communication.

Councilman Cavo asked that this be referred to an Ad Hoc Committee along with the Director of Public Works Department, Corporation Counsel and a report from the Planning Department. Mayor Boughton so ordered and appointed Council Members Jack Knapp, Mary Teicholz and Paul Rotello to the Committee.

8. RESOLUTION—Summer Youth Employment:

Attorney Yamin read the communication.

A motion was made by Councilman Cavo and seconded by Councilwoman Teicholz to receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for and accept funding for the Summer Youth Employment Program.

A discussion on what entity oversees the various aspects involved in the Program, i.e. notices, applications, availability of internships, decisions as to participation by entities/businesses, allocation of participants to various departments. Mayor Boughton explained that the Program was brought to the City 3-4 years ago. It is utilized specifically for the challenged youths of a community to provide work opportunities to them as well as the skill/job training necessary. Funding is provided by the federal government. Mayor Boughton explained at great length the program criteria, funding guidelines, program activities and the life skills and training that are offered.

The motion carried unanimously.

9. RESOLUTION—2009 Neighborhood Assistance Act:

Attorney Yamin read the communication.

Councilman Arconti asked that this item be deferred to a Public Hearing. Mayor Boughton so ordered.

10. RESOLUTION—Community Development Block Grant—Program Year 35:

Attorney Yamin read the communication.

A motion was made by Councilman Knapp and seconded by Councilman Seabury to receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for and accept funding for the Community Development Block Grant—Program Year 35.

The motion carried unanimously.

11. RESOLUTION—CT Culture and Tourism Grant—Palace Theater:

Attorney Yamin read the communication.

A motion was made by Councilman Calandrino and seconded by Councilman Rotello to receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for and accept funding for the CT Culture and Tourism Grant—Palace Theater.

A discussion followed with Councilman Rotello pointed out the various production companies that have recently relocated to Connecticut which have provided 700+ employment opportunities. Councilman Seabury pointed out that the funding is not tax money, rather funding that the Connecticut Trust for Historic Preservation raised. He approved the request noting that it would be a great opportunity for Danbury.

Mayor Boughton pointed out that the study will help to determine if a partnership is viable. The study is an opportunity to find out what the building's viability is and how much money would be required to restore the building.

Mayor Boughton pointed out that the goal is to get the facility up and running with little exposure to the taxpayers. The study is the first step.

Councilman Saadi moved the question which was seconded by Councilman Curran.

The motion to move the question carried unanimously.

The main motion carried with an objection made by Councilwoman Stanley.

12. RESOLUTION—United Way Funding—Shelter:

Attorney Yamin read the communication.

A motion was made by Councilwoman Stanley and seconded by Councilman Trombetta to receive the communication and adopt the Resolution authorizing Mayor Mark D. Boughton to apply for and accept funding for the United Way—Shelter.

The motion carried unanimously.

13. RESOLUTION—Danbury Youth Services:

The communication was received on the consent calendar and approved.

14. RESOLUTION—Energy Efficiency and Conservation Block Grant:

The communication was received on the consent calendar and approved.

15. RESOLUTION—Neighborhood Stabilization Program II:

The communication was received on the consent calendar and approved.

16. RESOLUTION—Farmers Market Program:

The communication was received on the consent calendar and approved.

17. RESOLUTION—Acquisition of Properties — Westside Sewer Interceptor (Renewal of Authority):

The communication was received on the consent calendar and approved.

18. RESOLUTION—Revised Agreement Between the City and Bethel Consolidated:

Attorney Yamin read the communication.

Councilman Trombetta asked that this be referred to an Ad Hoc Committee along with a City Engineer, Corporation Counsel, Superintendent of Public Utilities and a report from the Planning Department. Mayor Boughton so ordered and appointed Council Members Colleen Stanley, Shay Nagarsheth and Benjamin Chianese to the Committee.

19. REPORT—Annual Suspense List:

Attorney Yamin read the communication.

A motion was made by Councilman Halas and seconded by Councilman Nagarsheth to receive the report and approve the transfer of \$261,477.19 to the Suspense List.

Scott M. Ferguson, Tax Collector, Danbury, was present to address this item.

Councilman Chianese questioned that the request is over ten years old. Mr. Ferguson explained that there is a Statute that allows collection attempts to occur over the course of fifteen years. Every effort is made to collect delinquent motor vehicle taxes plus interest. You do not want to write off a receivable too quickly even though a balance might seem high. There are approximately \$5 million worth of receivables going back to 1993.

The motion carried unanimously.

20. REPORT—Open Space Bond Acquisition—Sugar Hollow Road:

Attorney Yamin read the communication.

A motion was made by Councilman Cavo and seconded by Councilman Seabury to remove from the table Agenda Item 22 which was tabled at the April Council Meeting.

The motion carried unanimously.

A motion was made by Councilman Cavo and seconded by Councilman Seabury to receive the communication from the April Agenda and adopt the Resolution for the purchase of 17 acres on Sugar Hollow Road, Lot No. F22001, with the purchase price not to exceed \$30,600 pending certification and allocation of funds from the Director of Finance.

The motion carried unanimously.

21. REPORT—Request for Sewer and Water Extension—100 Federal Road:

The communication was received on the consent calendar and approved.

22. DEPARTMENT REPORTS—Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services, Library, Economic Development:

A motion was made by Councilman Cavo and seconded by Councilman Perkins to waive the reading of the Department Reports as all as the Council members have copies of the Reports and the Reports are available in the City Clerk's office, to receive the communication and accept the Department Reports as presented.

Discussion ensued with regard to a recent expense the Board of Education incurred concerning a trip that was taken out West. Mayor Boughton pointed out the ban in place on all out-of-state travel and questioned such a trip occurring during the current state of the economy. It was the desire of the Council to obtain accountability and explanation as to the travel expense which included five members of the Board of Education.

The motion carried unanimously.

Mayor Boughton extended all committees.

A motion was made by Councilwoman Diggs and seconded by Councilman Cavo that the Common Council Meeting be adjourned.

The motion carried unanimously at 9:10 p.m.

Respectfully submitted,

Amy Holding
Recording Secretary

Attest,
Mark D. Boughton, Mayor