

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:35PM on Tuesday, December 1, 2009.

Present were Council members: Philip Colla, Shay Nagarsheth, Michael Halas, Charles Trombetta, Joseph Cavo, Jack Knapp, Duane E. Perkins, Fred Visconti, Benjamin Chianese, Peter Nero, Thomas J. Saadi, Paul T. Rotello, Mary Teicholz, Sal Tumino, Robert F. Arconti, Philip Curran, Nancy Deep Damici, Robert Riley, Gregg Seabury, Colleen A. Stanley, Don Taylor

PRESENT: 21 ABSENT: 0

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: Sean Hatch 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 congratulated newly elected Council members, thanked the UNIT for their fine work and spoke on item #13.

Mark Nolan -8 Southern Boulevard congratulated newly elected Council members and spoke on item #17 and stated that he was available to answer questions on item # 14. Mr. Nolan also read a letter from Tom Devine and an email from Robin Riemersma regarding item #17.

Matthew -56 Lawrence Avenue spoke on item #17.

David Bonan -29 Ninth Avenue spoke on item #17.

Sandy Griesbach- 22 Old Lantern Road spoke on item #17

Mayor Boughton read the announcements for the month.

MINUTES – Councilman Cavo moved to waive the reading of the minutes of the Common Council Meeting held on November 5, 2009 as Council members have copies and copies are also available in the City Clerk’s Office, seconded by Councilman Perkins. Motion passed by unanimous vote.

Councilman Seabury presented the following items for the Consent Calendar:

5- Receive the communication and approve the appointment of Council Members Philip Curran, Colleen Stanley, Paul Rotello and the reappointment of Alan T. Boyce and Mark S. Chory to the Government Entities Review Committee.

6- Receive the communication and approve the appointment of Gina Marcus,

Noel Roy Jr, Anthony C. Vournazos, Eileen Marie Curran, Samuel R. Hyman, Sherri Hill, and the reappointment of Steven J. Greenberg and Francis M. Herbert to serve as members of the Charles Ives Authority for the Performing Arts.

8- Receive the communication and accept the donations to the Department of Elderly services, transfer the \$200.00 into line item 5002.6000 donations, and send the appropriate letters of thanks.

10- Receive the communication and approve the transfer of \$2,026.10 from the Park and Recreation Security Deposits 2.2029 to Public Buildings-Maintain Buildings and Structures account 1391.5502 for the purpose of painting Hatters Park Banquet Hall.

13- Receive the communication and approve the Resolution regarding non-union Employee Benefits.

15- Receive the communication and approve the extension of time as requested subject to final approval from the Engineering Department, and the submission of all required legal documents in form and content acceptable to Corporation Counsels Office.

16- Receive the communication and approve the extension of time as requested subject to final approval from the Engineering Department, and the submission of all required legal documents in form and content acceptable to Corporation Counsels Office.

1 - Election of Council President

Mayor Boughton opened the floor for nominations for Council President. Councilman Seabury nominated Councilman Joseph Cavo for Council President, seconded by Councilman Curran. Upon hearing no other nominations, Councilman Seabury moved to close the nominations, seconded by Councilman Nagarsheth. Councilman Saadi read a letter and offered comments on behalf of the democratic members of the Council concerning minority representation on the dais. Councilman Cavo responded to Councilman Saadi via email that he understands their concerns and the comments will be taken into consideration.

Councilman Arconti requested clarification on Councilman Saadi's comments and Councilman Riley encouraged everyone to work in a bi-partisan manner. Councilman Saadi spoke about examples of items of concern to the democratic members.

Colla, Nagarsheth, Halas, Trombetta, Cavo, Knapp, Visconti, Chianese, Nero, Saadi, Rotello, Teicholz, Tumino, Arconti, Curran, Damici, Riley, Seabury, Stanley and Taylor voted in favor. Perkins voted in the negative. **Motion passed 20/1.**

Councilman Cavo requested a point of order to express his thanks to his colleagues on both sides of the dais and stated that he would work for the good of all the residents of the City of Danbury.

2 - RESOLUTION - Regular Meeting Dates of the Council

City Clerk Natale read the communication. Councilman Cavo moved to receive the communication and adopt the meeting dates as stated in the Resolution, seconded by Councilman Seabury. **Motion passed by unanimous vote.**

3 – RESOLUTION - Special Meetings of the Council

City Clerk Natale read the communication. Councilman Nagarsheth moved to receive the

communication and adopt the Resolution, seconded by Councilman Chianese. **Motion passed by unanimous vote.**

4 - COMMUNICATION - Appointment of Police Officers

City Clerk Natale read the communication. Councilman Arconti moved to confirm the appointment of James Grundman to police officer, seconded by Councilman Taylor. Councilman Saadi requested the ranks of the individuals on the Civil Service List. Ginny Alosco-Werner, Director of Personnel stated that Grundman ranked # 7, Katkocin ranked #5, Malone ranked #8 and Reuter ranked #6. There were 45 individuals on the list which was promulgated in July, 2008 and extended until July, 2010. **Motion passed by unanimous vote**

Councilman Arconti moved to confirm the appointment of Andrew Katkocin to police officer, seconded by Councilwoman Stanley. **Motion passed by unanimous vote.**

Councilman Arconti moved to confirm the appointment of Matthew Malone to police officer, seconded by Councilman Curran. **Motion passed by unanimous vote.**

Councilman Arconti moved to confirm the appointment of Michele Reuter to police officer, seconded by Councilwoman Stanley. **Motion passed by unanimous vote.**

5 - COMMUNICATION - Appointments to the Governmental Entities Review Committee

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

6 - COMMUNICATION - Appointments to the Charles Ives Authority for Performing Arts

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

7 - COMMUNICATION - Donation to the Police Department

City Clerk Natale read the communication. Councilwoman Stanley moved to receive the communication and accept the donation in memory of Henry J. & Erna D. Leir, seconded by Councilman Seabury. Councilman Saadi requested clarification as to what type of equipment was not covered in the budget. Chief Bake responded that due to the budget freeze, this donation could be used for any type of equipment. **Motion passed by unanimous vote.**

8 - COMMUNICATION - Donations to the Department of Elderly Services

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

9 - COMMUNICATION - Donation to the Department of Health, Housing and Welfare

City Clerk Natale read the communication. Councilman Knapp moved to receive the communication and accept the donation from Wal-Mart for the Operation Project Homeless Connect, seconded by Councilman Trombetta. **Motion passed by unanimous vote.**

10 - COMMUNICATION - Certification of Funds - Park & Recreation Security Deposits

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

11 - COMMUNICATION - Request for Sewer and Water - Gallagher Lane

Councilman Curran requested referral to Engineering and Planning for reports.

12 - RESOLUTION - Declaration of Intent - Lease of Ambulance

City Clerk Natale read the communication. Councilman Cavo moved to receive the

communication and adopt the Resolution to move forward with the lease financing as planned for in the 2009/2010 budget, seconded by Councilman Curran. David St. Hilaire, Director of Finance, provided clarification on the Ambulance Fund balance and explained that the vendor would be paid directly and reimbursement would be made to the City from tax-exempt financing. **Motion passed by unanimous vote.**

13 - RESOLUTION - Non Union Employee Benefits

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

14 - REPORT - Victorian Meadows - 120-130 Osborne Street

City Clerk Natale read the communication. Councilman Riley moved to receive the communication and approve the contract as proposed by Corporation Counsel, seconded by Councilman Seabury. Councilman Arconti recused himself. Discussion followed among Councilman Chianese, Councilman Perkins, Mark Nolan and Dennis Elpern, Director of Planning regarding the portion of the units which will be designated "affordable" and the difference between affordable housing and low-income housing. Some of the proposed units will possibly be designated low income.

Colla, Nagarsheth, Halas, Trombetta, Cavo, Knapp, Visconti, Chianese, Nero, Saadi, Rotello, Teicholz, Tumino, Curran, Damici, Riley, Seabury, Stanley and Taylor voted in favor. Perkins voted in the negative. **Motion passed 19/1.**

Councilman Arconti re-entered the meeting.

15 - REPORT - Renewal of Approval of Water Main Extension - Danbury 6 Associates, LLC - 115 Mill Plain Road

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

16 - REPORT - Renewal of Approval of Sewer Extension and 9 Zinn Road

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

17 - AD HOC REPORT - Connecticut Film Festival

Councilman Seabury read the report. Mayor Boughton noted that Councilman Calandrino has been ill and Councilman Seabury handled the Committee. Councilman Cavo moved to receive the report and adopt the recommendation of the Committee, seconded by Councilman Rotello. Councilman Tumino recused himself. Upon the request of Councilman Chianese, David St. Hilaire, Director of Finance provided information regarding the budget.

Councilman Chianese amended the motion to reflect that \$25,000 would be taken from Economic Development and the remaining \$25,000 would come from the Contingency Fund based on the condition that a 501-3-C application is filed. The 501-3-C designation will provide opportunities to develop funding for the festival from other sources. Councilman Chianese also volunteered his services to assist Mr. Carruthers with the application. Councilman Cavo accepted the friendly amendment.

Upon the request of Councilwoman Stanley and Councilman Riley, discussion followed regarding Mr. Carruthers' commitment to the City of Danbury should the funding end after the third year, as was originally intended. Councilman Saadi, Councilman Visconti and Councilman Nero spoke in opposition to funding the film festival. Councilman Rotello, Councilman Perkins and Councilwoman Teicholz spoke in favor of providing funding for the event. Councilman Cavo spoke in favor and asked council members to support the proposed funding.

Mr. Carruthers advised that the 501-3-C application process has been started for non-profit status for the festival, that he is committed to continuing the festival in Danbury and is very sensitive to what the City has done.

A roll call vote was taken on the amended motion to provide funding in the amount of \$25,000 from Economic Development and the additional \$25,000 from the contingency fund subject to conditions. Arconti, Colla, Nagarsheth, Halas, Trombetta, Cavo, Knapp, Chianese, Rotello, Teicholz, Curran, Damici, Riley, Seabury, Stanley, Perkins and Taylor voted in favor. Saadi, Visconti and Nero voted in the negative. **Motion passed 17/3.**

18 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services, Library
Councilman Cavo moved to waive the reading of the Department Reports as Council members have copies and copies are also available in the City Clerk's Office, seconded by Councilman Tumino. **Motion passed by unanimous vote.**

Councilman Taylor expressed his appreciation to the Public Works Department for the drainage work performed in the Great Plain area.

Councilman Saadi commended the Police Department for the increase in motor vehicle citations.

Councilman Nagarsheth requested information regarding the Boot Program currently conducted by the Tax Collector's Office. Mayor Boughton advised that approximately \$200,000 has been collected and that the program has raised awareness among the residents to pay their taxes.

Councilman Chianese requested information regarding special equipment for the new police station parking deck. Antonio Iadarola, P.E., Director of Public Works, advised that the equipment has been procured and was needed for snow and ice control due to weight restrictions for areas of the police station. This new piece of equipment would also supplement the existing fleet.

Councilman Visconti expressed his appreciation to the Department of Public Works for repair work done at the cemetery on Wooster St.

19 - EXECUTIVE SESSSION - Pending Litigation
Councilman Saadi move to enter into executive session at 9:38 PM, seconded by Councilman Cavo. **Motion passed by unanimous vote.**

The Council came out of executive session at 10:49 PM.

Mayor Boughton appointed Councilman Seabury as the chairman of the Auditing Committee. Councilman Curran and Councilman Visconti will also serve on the Committee.

Mayor Boughton extended all committees.

Mayor Boughton reminded Council members that this was a historical meeting. It was the last meeting of the Common Council and as of December 3, 2009 per the Charter Revisions accepted by the voters, the Council will be named the **City Council**. He extended his best wishes to everyone for the holiday season.

As there was no further business to come before the Common Council, a motion was made at 10:56 P.M. by Councilman Cavo to adjourn the meeting, seconded by Councilman Seabury. **Motion passed by unanimous vote.**

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest,
Mark D. Boughton, Mayor