

Honorable Mark D. Boughton, Mayor  
City Council Members

Mayor Mark D. Boughton called the City Council Meeting to order at 7:30 P.M. on Tuesday, March 2, 2010.

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

**Absent:** Councilman Seabury was out of state on family business.

**Present: 20 Absent: 1**

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

**Pledge of Allegiance to the Flag and Prayer:** Deputy Chief T.J. Wiedl led everyone in the room in the Pledge of Allegiance. Councilwoman Deep-Damici led everyone in the room in a prayer.

**Public Participation:**

Stephanie Simon of 88 Main St spoke in favor of #5.  
Jim Zeh of 84 W. Wooster St. spoke in favor of #9.  
Peter Green of 84 W. Wooster St. spoke in favor of #9.

Mayor Boughton read the announcements for the month. Mayor Boughton also discussed an incident which occurred that afternoon at Danbury Hospital. Chief Baker and the Police Department staff were praised and congratulated for their swift response. Mayor Boughton described the nurse involved in the incident as a "Danbury Hero".

**MINUTES - Councilman Cavo moved to waive the reading of the minutes of the February 2, 2010 City Council meeting** as Council members have copies and copies are also available in the Legislative Assistant's Office, seconded by Councilman Perkins. ***Motion passed by unanimous vote.***

**CONSENT CALENDAR**

Councilman Knapp presented the following items for the Consent Calendar:

3 - Receive the communication and approve the appointment of the following individuals to serve as members of the Historic Properties commission: Laurie Lee Weistein (D), Noel MacCarry (U), Todd Knapp (D), Mary Saracino (R), Jack Robbins (R). And also approve the appointment of Eliza Munoz (R) as an alternate Member.

4 – Receive the communication and approve the appointment of the following individuals to the Commission on Aging: Estelle Zimmer (D), Neil Corday (U) and Susan Tiso (R),

5 – Receive the communication and approve the donation of surplus medical items stored in the basement of the Old Jail to the Ridgefield based organization, Share Joy, to be sent to Haiti for relief efforts to the earthquake victims of that country.

6 – Receive the memorandum from the Director of Finance and approve the transfer of \$12,995.00 from the Farioly Fund for the purchase of a CD cleaner for the Danbury Public Library.

7 – Receive the memorandum from the Director of Finance and approve the transfer of \$51,747.00, as requested by the Town Clerk, for the purchase of Office Equipment and Outside Services relating to Historic Document Preservation.

8 – Receive the communication and approve the Lease of the Candlewood Lake Concession Stand to Mr. Dave Snook for a period of 5 years.

13 – Receive the communication and adopt the Resolution for the Beaver Street Apartments Cooperative, Inc. Real Estate Tax Abatement not to exceed \$12,000.00

14 – Receive the communication and adopt the Resolution for acquisitions of storm drainage easements – Lincoln Avenue.

17 – Receive the communication and adopt the Resolution allowing the City of Danbury to participate in the enhanced regional municipal Dial-A-Ride matching grant program offered through the State of Connecticut Department of Transportation and designate HART (Housatonic Area Regional Transit) to make application for this funding.

18 – Receive the committee report and approve the request to erect a monument honoring the Merchant Marines and establish an account to handle any and all donations for the monument.

20a – Receive the report of the Committee of the Whole and approve the adoption of an Ordinance appropriating \$1,840,000.00 for the settlement of litigation against the City in the matter of Metcalf and Eddie and authorize the issuance of \$1,840,000.00 Bonds of the City to meet said appropriation.

20b – Receive the report of the Committee of the Whole and approve the recommendation in accordance with the Government Entities – Code of Ordinance, Section 2-176 to re-establish the Flood and Erosion Control Board and the Tarrywile Park Authority through June 30, 2015.

20d – Receive the report of the Committee of the Whole and approve the amended lease with Wireless Edge Communications, LLC.

**Councilwoman Teicholz moved to accept the Consent Calendar as presented,** seconded by Councilman Cavo. ***Motion passed by unanimous vote.***

1 - COMMUNICATION - Promotion - Police Department  
Jean Natale, Legislative Assistant, read the communication. **Councilman Arconti moved to confirm the promotion of Police Officer Marc Scocozza to the position of Sergeant,** seconded by Councilman Chianese. ***Motion passed by unanimous vote.***

2 - COMMUNICATION - Appointments - Police Department  
Jean Natale, Legislative Assistant, read the communication. **Councilman Colla moved to**

**confirm the appointment of Ryan Howley to the position of Police Officer**, seconded by Councilman Nagersheth. *Motion passed by unanimous vote.*

**Councilman Colla moved to confirm the appointment of Ashley Wooding to the position of Police Officer**, seconded by Councilwoman Stanley. *Motion passed by unanimous vote.*

3 - COMMUNICATION - Appointments - Historic Properties Commission  
The communication was received on the Consent Calendar and the appointments approved.

4 - COMMUNICATION - Appointments to Commission on Aging  
The communication was received on the Consent Calendar and the appointments approved.

5 - COMMUNICATION - Donation to Share Joy  
The communication was received on the Consent Calendar and the donation approved.

6 - COMMUNICATION - Transfer of Funds - Danbury Library - Farioly Funds  
The communication was received on the Consent Calendar and the transfer approved.

7 - COMMUNICATION - Certification of Funds - Historic Document Reserve Account  
The communication was received on the Consent Calendar and the transfer approved.

8 - COMMUNICATION - Lease of Candlewood Lake Concession  
The communication was received on the Consent Calendar and the lease approved.

9 - COMMUNICATION - Housing Authority Cooperative Agreement - Crosby Manor  
Councilwoman Teicholz recused herself from discussion of this item. Jean Natale, Legislative Assistant, read the communication. **Councilman Cavo moved to receive the communication and approve authorizing the request for the Development of a Cooperation Agreement in Support of Planned Federalization of the 50 Crosby Manor State Public Housing Units**, seconded by Councilman Riley *Motion passed by unanimous vote.* Discussion followed regarding financing of the renovations and resident expectations, plans for other housing developments, in particular Rocky Glen Apartments. Director Sistrunk gave an overview of the proposed renovation project. Residents would be relocated, if needed, the project would be financed with ARRA funds and research is currently underway to secure funding for renovations to the Rocky Glen units. She requested adoption of the proposal, as it is good for the City and good for the residents. Councilman Trombetta thanked Director Sistrunk for the work that has been done on behalf of all the citizens of Danbury.

10 - COMMUNICATION - Repeal of Ordinance - Section 18-18  
Councilman Trombetta requested that this item be referred to an Ad Hoc with Corporation Counsel, Tax Assessor and the Director of Finance. Mayor Boughton appointed Councilman Curran, Councilwoman Deep-Damici and Councilman Visconti to the committee.

11 - COMMUNICATION - Amendment of Section 14-8 - Code of Ordinances (Revised)  
Councilwoman Teicholz requested referral of this item to a public hearing. Mayor Boughton so ordered.

12 - RESOLUTION - Tarrywile Park Authority - Grant - Parking Lot  
Jean Natale, Legislative Assistant, read the communication. **Councilman Knapp moved to receive the communication and Resolution and to adopt the Resolution authorizing the City of Danbury and the Tarrywile Park Authority to execute the agreement to obtain funding for the parking lot**, seconded by Councilman Visconti. Discussion followed regarding neighbors' concerns and the CT Department of Environmental Protection approval. Michael

Marcus, Tarrywile Park Authority Chairman, explained that CT DEP has granted an approval for the proposed site; however they may not approve a new proposal for an alternative site. He stated that the neighbors concerns were taken into account and alternative sites have been discussed. The Authority will put forth their best effort to secure approval for an alternative site while retaining the funding. **Motion passed by unanimous vote.**

13 - RESOLUTION - Beaver Street Apartments Cooperative - CT Real Estate Abatement  
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

14 - RESOLUTION - Storm Drainage Easements - Lincoln Avenue  
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

15 - RESOLUTION - Open Space Grant - Back O Beyond Inc  
**Councilman Nagarsheth moved to receive the communication and Resolution and to adopt the Resolution as presented,** seconded by Councilman Trombetta. Discussion followed. Upon the request of Councilman Saadi, Laszlo Pinter, Deputy Corporation Counsel, clarified that the proposed acquisition would come before the Council for finalization.

Upon the requests of Councilman Chianese and Councilman Knapp, Jack Kozuchowski of Kozuchowski Environmental Consulting gave an overview of the proposed purchase. The proposed acquisition consists of two parcels, Sanford's Pond and the parcel of land around it. Of the 192 acres, a portion is potentially buildable; however a large part is wetlands. There are multi benefits to acquiring this property. Among other things, there is a scenic ridgeline, beach and camping area, along with numerous other environmental attributes. ***Motion passed by unanimous vote.***

16 - RESOLUTION - Praxair Foundation Grant - Library  
Jean Natale, Legislative Assistant read the communication. **Councilman Tumino moved to receive the communication and Resolution and to adopt the Resolution authorizing the Danbury Public Library to accept funding from the Praxair Foundation through the Library Links Program,** seconded by Councilwoman Teicholz. ***Motion passed by unanimous vote.***

17 - RESOLUTION - Dial-A-Ride Transit Service  
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

18 - AD HOC REPORT - CWV - Merchant Marine Monument  
The report was received on the Consent Calendar and the request granted.

19 - AD HOC REPORT - Adjunct Parking Lease - 20 Backus Avenue  
Councilman Knapp read the report. **Councilman Riley moved to waive the reading of the report regarding item #20C, and to accept the reports for items 19 and 20C as they are one and the same,** seconded by Councilwoman Stanley. Discussion and debate followed.

Mayor Boughton suggested combining discussion on the two items. The members of the Council concurred.

Councilmen Arconti and Riley spoke in favor of the proposal stating that jobs and income would be generated. Approval would demonstrate that the City is on the side of business and economic development.

Councilman Saadi expressed concerns regarding the FAA and airport administrator, but is most concerned about the fact that the lease, along with a special exception application, has not been reviewed by Planning at this time.

Councilman Perkins expressed concerns about traffic and the fact that these service jobs created would not enhance economic development.

Councilman Nero also expressed traffic concerns.

Councilman Visconti requested clarification on the proposal and motion.

Atty. Pinter advised that the motion is for the lease of the property only. Zoning, traffic, egress, ingress, safety and other matters would be subject to the usual review. Although it is not the preference of the City to approve the lease prior to the department approvals, however there is a time constraint. Approval of the lease would demonstrate that the City is willing to lease this property, which would be used as an adjunct for additional parking.

The vote was taken as follows: Arconti, Curran, Deep-Damici, Riley, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Visconti, Trombetta, Knapp, Nero, Rotello, Teicholz and Tumino voted in favor. Saadi, Perkins and Chianese voted in opposition. **Motion passed 17/3.**

## 20 - REPORT - **Public Hearing**

### A. Settlement of Litigation - Metcalf and Eddy

The report was received on the Consent Calendar and the Ordinance and appropriation approved.

### B. Governmental Entities - Code of Ordinance, Section 2-176

The Report was received on the Consent Calendar and the recommendation approved.

### C. Adjunct Parking Lease

This item was discussed in conjunction with item #19

### D. Wireless Edge Lease

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

21 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Home, Public Works, Permit Center, UNIT, Elderly Services, Library, CT Film **Councilman Cavo moved to waive the reading of the Department Reports as Council members have copies and copies are also available in the Legislative Assistant's Office.** seconded by Councilman Nagarsheth.

Councilman Riley thanked the drivers and road maintainers for their efforts during the 2-3 weeks of storm events.

***Motion passed by unanimous vote.***

Mayor Boughton extended all Committees and reminded everyone that work on the annual budget will be starting soon. He emphasized that this is going to, once again, be a challenging budget period and encouraged all members to provide input and advised that he is open to any discussions.

There being no further business to come before the Common Council **Councilman Cavo moved to adjourn the meeting at 8:46 P.M.**, seconded by Councilman Saadi. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny  
Recording Secretary

Attest:

Mayor Mark D. Boughton