

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the City Council Meeting to order at 7:30 PM on Tuesday, May 3, 2010.

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

PRESENT: 21 ABSENT:

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 & PRAYER: Councilwoman Deep-Damici led everyone in the room in the Pledge of Allegiance. Councilman Riley led everyone in the room in a prayer.

Mayor Boughton reviewed the ground rules for public speaking portion of the meeting, Saying that some latitude would be granted in the matter of extending the time allotted, but asked participants to speak only on matters concerning items on the agenda. An increase has been proposed for the school budget and work continues to move forward to consider further cost saving measures.

PUBLIC PARTICIPATION:

Margaret Mitchell- 2 Park Place spoke on item #15C.
Julie DeLuca- 25 Regan Road spoke on item #15C.
Richard Jannelli- 18 Benson Dr., Vice Chairman Board of Education, spoke on item #15C.
Kevin Haddad- 13 Haddad Drive spoke on item #15C.
Lori Chetcuti- 188 Westville Avenue Extension spoke on item #15C.
Terri McCarthy- 257 Franklin Street Extension spoke on item #15C.
Kevin Morgan- 10A Grandview Drive spoke on item #15C.
Michelle Keenan- 42 South King Street spoke on item #15C.
Susan (inaudible) Candlewood Vista spoke on item #15C
Cheryl Haddad- Tranquility Court spoke on item #15C.
Gary Falkenthal- 10 Terre Haute Road spoke on item #15C.
Maria Sorrentino- 6 Barnum Road spoke on item #15C.
Mayor Boughton closed public speaking at 8:15 P.M.

Mayor Boughton read the announcements for the month of May.

MINUTES – Councilman Cavo moved to waive the reading of the minutes of the Common Council Meeting held on April 6, 2010 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 Seabury presented the following items for the Consent Calendar:

3 – Receive the communication and accept the recommendation to approve the appointment of Councilman Phil Curran to serve as City Council Representative on the Police Pension Board.

6 – Receive the communication and accept the donation of \$500.00 from the Firematic Supply Company for the “2010 Firefighters and Fire Officers Survival Program” and send the appropriate letter of thanks.

7 – Receive the communication and approve the Memorandum of Understanding between the Federal Correctional Institution and the City of Danbury Fire Department.

11 – Receive the communication and adopt the Resolution authorizing the City of Danbury to enter into necessary contracts and agreements with the U.S. Department of Homeland Security for the purpose of participating in a facility security assessment program.

12 - Receive the communication and adopt the Resolution authorizing the City of Danbury to apply for and accept funding totaling \$12,025.00 from the State of Connecticut Department of Public Health. These funds will be used for a Youth Violence Prevention program at Danbury High School, Broadview Middle School and Rogers Park Middle School.

19 – Receive the communication and accept the report of the Committee of the Whole to adopt the Neighborhood Assistance Act as presented.

20 – Receive the communication and approve the time extensions for renewal of approvals for the Sanitary Sewer and Water Main Extensions Reynolds Road.

21 - Receive the positive recommendation of the Planning Commission and City Engineer and adopt the approval of the request for Water Main Extensions at 2 & 4 Brushy Hill Road.

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

1 – COMMUNICATION - Appointments to the Police Department
Jean Natale, Legislative Assistant read the communication. Councilwoman **Teicholz moved to receive the communication and confirm the appointment of Justin Gibney to the position of Police Officer,** seconded by Councilman Nagarsheth. ***Motion passed by unanimous vote.***

The Legislative Assistant Jean Natale read the communication. **Councilwoman Teicholz moved to receive the communication and confirm the appointment of Michael Hebron to the position of Police Officer,** seconded by Councilman Nagarsheth. Upon the request of Councilman Perkins, Ginny Alosco-Werner, Director of Human Resources advised that the current certified list contains eleven (11) applicants and expires July 28, 2010. ***Motion passed by unanimous vote.***

2 – COMMUNICATION - Appointment to the Danbury Library Board of Directors
The Legislative Assistant Jean Natale read the communication. **Councilman Riley moved to receive the communication and confirm the appointment of Randolph Summ to the Library Board of Directors,** seconded by Councilman Nagarsheth. Upon the request of Councilman Saadi, Mayor Boughton advised that the appointment was to fill a vacancy created by the passing of Mr. Goodman. ***Motion passed by unanimous vote.***

3 - COMMUNICATION - Appointment to the Police Pension Board
The communication was received on the Consent Calendar and the appointment confirmed.

4 – COMMUNICATION - Donation to the Park and Recreation Department
Danbury Youth Baseball

The Legislative Assistant read the communication. **Councilwoman Stanley moved to receive the communication and accept the donation,** seconded by Councilman Nagarsheth. Upon the request of Councilman Visconti, Nick Kaplanis, Director of Recreation, advised that the work would take place at the backfields and near Rogers Park Middle School. ***Motion passed by unanimous vote.***

5 - COMMUNICATION - Donation to the Park and Recreation Department
Latino Softball League

The Legislative Assistant read the communication. **Councilman Trombetta moved to receive the communication and accept the donation,** seconded by Councilman Nagarsheth. Mayor Boughton thanked the Latino Softball League for their generous donation. ***Motion passed by***

unanimous vote.

6 - COMMUNICATION - Donation to the Fire Department – Firematic Supply Co. Inc
The communication was received on the Consent Calendar and the donation accepted.

7 – COMMUNICATION - Memorandum of Understanding (MOU)
Danbury Fire Department and FCI

The communication was received on the Consent Calendar and the Memorandum of Understanding approved.

8 – COMMUNICATION - Easement/Rights to Drain – 7 New Street
Councilman Riley requested referral to an Ad Hoc with the Director of Public Works, Corporation Counsel, Permit Coordinator and a report from Planning. Mayor Boughton appointed Council members Arconti, Colla and Perkins to the committee.

9 – COMMUNICATION - Certification of Funds – Farioly Fund
The Legislative Assistant Jean Natale read the communication. **Councilman Cavo moved to receive the certification and approve the appropriation**, seconded by Councilman Riley. Councilman Taylor spoke of the need for the self-check machines. Mark Hasskarl, Library Director, advised that research was conducted to ensure that the proposed machines will meet the needs of the library and the current machines have little or no salvage value. The decision was made to use the Farioly Fund because those funds are readily available to pay for the machines. ***Motion passed by unanimous vote.***

10 – COMMUNICATION - Request for Water – 53 Lake Avenue Extension
Councilwoman Stanley requested referral to Planning and Engineering for reports.

11 – RESOLUTION - U.S. Department of Homeland Security – Security Assessment
Of Danbury Water Facilities

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

12 – RESOLUTION - Preventative Health Block Grant

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

13 – RESOLUTION - Downtown Special Services District - Tax Levy

The Legislative Assistant read the communication. **Councilman Seabury moved to adopt the Resolution establishing the annual tax levy for the Downtown Special Services District in accordance with the provisions of Section 19B-7 of the Danbury Code of Ordinances**, seconded Councilman Nagarsheth. Upon the request of Councilman Saadi, David St. Hilaire, Finance Director, will follow-up with the voting record. ***Motion passed by unanimous vote.***

14 – RESOLUTION - Maintenance of the 2009 Phase-in on the Assessed Value of
Real Property

The Legislative Assistant Jean Natale read the communication. **Councilman Nagarsheth moved to receive the communication and adopt the Resolution to freeze the increase in taxable assessment values for real property for the Tax List of 10/1/10 at the phase-in values from the 10/1/09 list**, seconded by Councilman Seabury. Mayor Boughton advised that a state mandated, physical revaluation would be undertaken later this year. ***Motion passed by unanimous vote.***

15 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2010 and ending June 30, 2011 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009

- A. General Government I Budget Report
- B. General Government II Budget Report

- C. Education Budget Report
- D. Public Works Budget Report
- E. Health & Housing, Public Safety, Welfare & Social Services Budget Report

Councilman Cavo moved to approve the Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2010 and ending June 30, 2011 while also adopting the Resolution for the fiscal year beginning July 1, 2010 and ending June 30, 2011 and setting the mill rate set at 20.96, seconded by Councilman Knapp.

Councilman Cavo moved to waive the reading of the Budget Committee reports, seconded by Councilman Nagarsheth. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Visconti, Knapp, Nero, Teicholz and Tumino voted in favor. Saadi, Chianese, Rotello and Perkins voted in opposition. ***Motion passed 17/4.***

Discussion followed with David St. Hilaire explaining proposed revisions to the budget FY 2010-2011. Estimates were revised in revenues and expenditures reducing the proposed mill rate from 21.41 to 20.96.

Upon the request of Councilman Rotello, Mr. St. Hilaire advised that there have been inquiries regarding the old police station and it is reasonable to expect that it would be sold within the coming year. Discussion followed regarding the un-appropriated fund balance. Upon the request of Councilman Saadi, Mr. St. Hilaire explained the impact of reducing contributions to the Pension Fund could adversely affect the City's bond rating, which is currently AAA.

Discussion followed regarding the 21.41 mill rate vs. not doing the \$3,000,000 bond proposal. Mr. St. Hilaire explained that by stretching the \$3M over a longer period of time, it reduces the burden on the taxpayers to pay the \$3M over a 12 month period. Councilman Cavo stated that \$1.8M has been saved by refinancing the current bonds.

Discussion on the main motion followed.

Councilman Saadi discussed school funding and the public comments. Adjustments to the education budget should be made at Board of Education meetings. The City Council does not have statutory authority over how the funds are utilized.

Councilman Saadi moved to reduce the Charles Ives Authority in the amount of \$25,000 and place that amount in the Contingency Fund, seconded by Councilman Chianese. Discussion followed with Councilman Rotello stating that the propose \$64,000 funding represents a 10% reduction. Councilman Cavo stated that the Authority was established with the intention that funding would decrease over time, but to cut an additional \$25,000 would have a devastating effect and the Council should stand by the previous Council's commitment. Mayor Boughton advised that the Council could meet with the Authority to discuss future plans. Councilman Trombetta stated that no one from the Council has attended any of the Authority's meetings and questioned further reducing funding without discussions with the Authority. Councilman Riley stated that the Authority has done a commendable work. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Knapp, Nero, Teicholz, Tumino and Rotello voted in opposition. Saadi, Visconti, Perkins and Chianese voted in favor. ***Amendment failed with a vote of 17/4.***

Councilman Riley spoke in favor of the proposed budget. Councilman Perkins thanked the members of the public for attending the budget meetings and public hearing.

Councilman Saadi moved to draw \$500,000 from the general fund to further reduce the budget, seconded by Councilman Perkins. David St. Hilaire cautioned that \$1M has already been drawn from the fund balanced and further withdrawals could affect the City's bond rating and that the budget has been carefully thought-out. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Visconti, Knapp, Nero, Teicholz, and Tumino

voted in opposition. Saadi, Perkins, Rotello and Chianese voted in favor. **Amendment failed with a vote of 17/4.**

Motion to adopt the budget as follows: Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Visconti, Knapp, Nero, Teicholz, Chianese, and Tumino voted in favor. Saadi, Perkins and Rotello voted in opposition. **Motion passed 18/3**

16 - ORDINANCE - An Ordinance Appropriating \$3,000,000 for Public Improvements in The 2010-2011 Capital Budget And Authorizing the Issuance of \$3,000,000 Bonds Of The City to Meet Said Appropriations and Pending The Issuance Thereof The Making of Temporary Borrowings For Such Purpose

Councilman Rotello requested to divide the question. As there was no objection, the Mayor so ordered. **Councilman Cavo moved to adopt the Ordinance**, seconded by Councilman Nagarsheth.

A. Stadley Rough School Roof - **Motion passed by unanimous vote.**

B. Revaluation, trucks, paving and drainage. Discussion followed regarding funding for the revaluation which has been traditionally bonded due to the overall cost. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Saadi, Trombetta, Visconti, Knapp, Perkins, Nero, Teicholz, Chianese, and Tumino voted in favor. Rotello voted in opposition **Motion passed 20/1.**

17 - ORDINANCE - Sewer Rates as of July 1, 2010

The Legislative Assistant Jean Natale read the communication. **Councilman Halas moved to approve the Ordinance for Sewer Rates**, seconded by Councilman Visconti. Discussion followed. Mayor Boughton advised that the nitrogen credit is heading downward and measures have been taken to avoid nitrogen credits in the future.

Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Visconti, Trombetta, Knapp, Teicholz, Tumino and Rotello voted in favor. Saadi, Nero, Perkins and Chianese voted in opposition. **Motion passed 17/4.**

18 - ORDINANCE - Water Rates as of July 1, 2010

Councilwoman Deep-Damici moved to approve the Ordinance for Water Rates, seconded by Councilwoman Teicholz. Discussion followed. The average user would see and increase of approximately \$.02 per day. The increase revenues would be use for repairs and maintenance. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Visconti, Knapp, Nero, Rotello, Teicholz and Tumino voted in favor, Saadi, Chianese and Perkins voted in opposition. **Motion passed 18/3.**

19 - REPORT - 2010 Neighborhood Assistance Act

The report was received and accepted on the Consent Calendar.

20 - REPORT - Sewer and Water Extension - Reynolds Road

The report was received on the Consent Calendar and the extensions granted.

21 - REPORT - Water Extension - 2 and 4 Brushy Hill Road

The report was received on the Consent Calendar and the request for approval adopted.

22 - AD HOC REPORT - Change of Fees (Fire Marshal) - Section 8-33 and 8-34

Councilman Taylor move to accept the report and requested referral to a public hearing. Mayor Boughton so ordered.

23 - AD HOC REPORT - BOE - Fibertech Networks, LLC - Broadband Service

Councilwoman Stanley read the Ad Hoc Report. Councilman Knapp moved to receive the report and approve the 5 year agreement with Fibertech Networks, seconded by Councilman Taylor. Discussion followed regarding the anticipated savings by the switch-over. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo,

Trombetta, Knapp, Nero, Chianese, Rotello, Perkins, Teicholz and Tumino voted in favor, Saadi and Visconti voted in opposition. ***Motion passed 19/2.***

24 – AD HOC REPORT - Tax Freeze Program for Elderly Homeowners

Councilman Cavo moved to accept the report and waive the reading as all members have copies, seconded by Councilman Knapp. Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Saadi, Visconti, Trombetta, Rotello, Knapp, Nero, Chianese, Teicholz and Tumino voted in favor.

Perkins voted in opposition. ***Motion passed 20/1***

Councilman Curran requested referral to a public hearing. Mayor Boughton so ordered.

25 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services

Councilman Cavo moved to waive the reading of the Department Reports, seconded by Councilman Saadi Discussion followed regarding the Honeywell contract. ***Motion passed by unanimous vote.***

26-EXECUTIVE SESSION- Pending Dispute or Litigation – Trustees of Teamsters

The executive session was withdrawn.

Mayor Boughton extended all committees and advised that a special meeting would be held in June. He would like to establish an ad hoc committee to work on a proposal for private roads. He thanked everyone for their honorable work on the budget and reminded everyone that Danbury will still have the lowest water and sewer rates in the State.

There being no further business to come before the Common Council **a motion was made at 10:25 P.M. PM by Councilman Cavo,** seconded by Councilman Riley to adjourn the meeting. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest,
Mark D. Boughton, Mayor