

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the City Council Meeting to order at 7:30pm on Thursday, November 4, 2010.

Present were Council Members: Robert Arconti, Philip Curran, Nancy Deep-Damici, Gregg Seabury, Philip Colla, Shay Nagarsheth, Joseph Cavo, Thomas Saadi, Fred Visconti, Jack Knapp, Peter Nero, Duane Perkins, Benjamin Chianese, Paul Rotello, Mary Teicholz, Sal Tumino

PRESENT: 16 ABSENT: 5

Robert Riley was out of town on family business, Colleen Stanley was out of town on business, Don Taylor was sick, Michael Halas was out of town on family business, and Charles Trombetta was out of town on family business.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

Chief Alan Baker led everyone in the Pledge of Allegiance. Councilman Curran led everyone in a prayer.

PUBLIC SPEAKING

Steven Smart, Danbury taxpayer representing the Lakewood Condo Association, spoke on item #1.

Mark Nichols, Danbury taxpayer, spoke on item 11.

J. Gerard O'Callaghan, 136 Pembroke Rd. spoke on item #1.

Joe Reollo, Danbury taxpayer, spoke on item #11.

Public speaking closed at 7:50pm.

Mayor Boughton read the announcements for the month.

MINUTES - Minutes of the Council Meeting held October 5, 2010

Councilman Cavo moved to waive the reading of the minutes as all members have copies and additional copies are on file in the Office of the Legislative Assistant, seconded by Councilman Perkins. ***Motion passed by unanimous vote.***

CONSENT CALENDAR

Councilman Seabury read the following items for the Consent Calendar:

7 – Receive the communication and accept the report to approve the sidewalk easement as presented for UB-Danbury Inc, - 20-28 Backus Avenue.

8 – Receive the communication and accept the reports of the Planning Commission and the City Engineer and renew the previously approved Sanitary Sewer Extension – Mulvaney Properties LLC, Saw Mill Rd lot # A17005. This approval is subject to the current standard 8 conditions plus one step for a total of 9 steps as determined by the City Engineer.

9 - Receive the communication and accept the reports of the Planning Commission and the City Engineer and approve the Water and Sanitary Sewer Time Extension – 12 Clapboard Ridge Road lot #H 12002. This approval is subject to the current standard 8 conditions

10 - Receive the communication and accept the report of the Planning Commission and the City Engineer and approve the request for Sanitary Sewer Extension – 140 Shelter Rock Rd. lot # L14071. This approval is subject to completion of all required documents in form and content acceptable to the Engineering Department and the Office of Corporation Counsel.

Councilman Knapp moved to accept the Consent Calendar as presented, seconded by Councilman Nagarsheth. ***Motion passed by unanimous vote.***

1 - COMMUNICATION - Wireless Edge Cell Tower - Peck Road

Councilman Cavo requested referral to an Ad Hoc with Corporation Counsel, the Director of Planning, a representative from the Office of the Mayor and a representative from Wireless Edge. Mayor Boughton appointed Council Members Curran, Colla and Saadi to the committee.

2 - COMMUNICATION - Amendment of Section 14-8 of Code of Ordinance Pension Contributions of Non Union General Employees

Councilman Nagarsheth requested **referral to a Public Hearing**. Mayor Boughton so ordered.

3 - COMMUNICATION - Donation - Portuguese Cultural Center and Danbury Youth Baseball

Jean Natale, Legislative Assistant, read the communication. **Councilman Knapp moved to receive the communication and accept the donation from the Portuguese Cultural Center and Danbury Youth Baseball**, seconded by Councilman Nagarsheth. ***Motion passed by unanimous vote.***

4 - COMMUNICATION - Request for Water - 28 Federal Road

Councilwoman Deep-Damici requested **referral to Engineering and Planning** for reports.

5 - COMMUNICATION - Conveyance of Land - Fairlawn Avenue - Zini Construction, LLC

Councilman Curran requested **referral to Corporation Counsel, Engineering and Planning** for reports.

6 - RESOLUTION - First Supplement ARRA Agreement (Backus Avenue Bridge)

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

7 - REPORT - Sidewalk Easement - UB Danbury, Inc. - 20 - 28 Backus Avenue

The communication and report were received on the Consent Calendar and the approval granted.

8 - REPORT - Sanitary Sewer Extension - Saw Mill Road

The communication and report were received on the Consent Calendar and the renewal granted subject to the standard 8 conditions plus one step for a total of 9 steps.

9 - REPORT - Sanitary Sewer and Water - 12 Clapboard Ridge Road
The communication and report were received on the Consent Calendar and the time extension granted subject to the standard 8 conditions.

10 - RESOLUTION - Sanitary Sewer Extension - 140 Shelter Rock Road
The communication and Resolution were received on the Consent Calendar and the request approved subject to conditions.

11 - AD HOC REPORT - Laundromat Fees
Councilman Cavo moved to waive the reading of the report as all members have copies and copies are on file in the Office of the Legislative Assistant. As there was no objection, Mayor Boughton so ordered.

Councilman Tumino moved to receive the communication and adopt the Resolution, seconded by Councilman Saadi. Discussion followed regarding equipment inspection requirements, the Council's right to decide what fees to charge and State of CT inspection requirements. The sealer of weights and measures will be directed to cease and desist on the actual measurements. ***Motion passed by unanimous vote.***

12- AD HOC REPORT - Easement Extension - Plumtrees Plaza
Councilman Arconti read the report. **Councilman Seabury moved to receive the communication and refer the easement proposal as recommended to C.G.S. section 7-163(e), public hearing posting and the return to the Council for final approval,** seconded by Councilman Saadi. Discussion followed regarding the extension of the existing easement. Antonio Iadarola, P.E. indicated that some testing would need to be done to determine if the Public Works Department would be able to use the fill generated by the project. The Director of Finance advised that he and the Assessor reviewed the easement appraisal and it was found to be appropriate. ***Motion passed by unanimous vote.***

13- AD HOC REPORT - Airport Lease - Westconn Aviation
Councilman Cavo moved to waive the reading of the report as all members have copies and copies are on file in the Office of the Legislative Assistant. As there was no objection, Mayor Boughton so ordered.

Councilwoman Teicholz moved to receive the committee report and refer the lease as recommended, but with the amended rent schedule, to a 7-163e Public Hearing and posting, and return to this Council for final approval in accordance with the public law, seconded by Councilman Chianese. ***Motion passed by unanimous vote.***

14- AD HOC REPORT - Parkland Preservation
Councilman Cavo moved to waive the reading of the report as all members have copies and copies are on file in the Office of the Legislative Assistant. As there was no objection, Mayor Boughton so ordered.

Councilman Cavo moved to recommit for further review and discussion, seconded by Councilman Saadi. ***Motion passed by unanimous vote.*** Committee Members are Council Member Nagarsheth, Teicholz and Visconti

15 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Library, Elderly Services, Mayor's Report

Councilman Cavo moved to waive the reading of the Department Reports as all members have copies and copies are on file in the Office of the Legislative Assistant, seconded by Councilman Perkins.

Councilman Nagarsheth thanked the Director of Public Works and the Highway Division for the speed hump installed on Grammar School Dr. and stated that the neighbors were very pleased.

Councilman Cavo thanked the Registrars of Voters for their fine work on the recent election.

Motion passed by unanimous vote.

EXECUTIVE SESSION

16 - EXECUTIVE SESSION - Tax Appeal Resolution/Settlement

Councilman Cavo moved to enter into executive session at 8:28pm to discuss Tax Appeal Resolution/Settlement, seconded by Councilman Saadi. ***Motion passed by unanimous vote.***

Executive session ended at 8:43pm.

Councilman Cavo moved to authorize Corporation Counsel's Office to enter into legal issues for the tax appeal presented in the executive session, seconded by Councilman Seabury. ***Motion passed by unanimous vote.***

Mayor Boughton extended all committees.

There being no further business to come before the City Council **a motion was made at 8:45 pm by Councilman Saadi** and seconded by Councilman Seabury to adjourn the meeting. ***Motion passed by unanimous vote.***

Respectfully submitted:

Doratheia A. Gulya-Stasny
Recording Secretary

Attest:
Mark D. Boughton, Mayor