

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:30PM on Tuesday, January 4, 2011.

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

PRESENT: 19 ABSENT: 2 (Robert Riley and Don Taylor)

Jean Natale, Legislative Assistant; Robert J. Yamin, Corporation Counsel; Laszlo L. Pinter, Deputy Corporation Counsel; David St. Hilaire, Director of Finance; and, Dan Garrick, Assistant Finance Director were also present.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER: The Mayor asked Sean Hatch to lead everyone in the room in the Pledge of Allegiance. Councilman Curran led everyone in the room in a prayer.

Legislative Assistant Jean Natale called roll.

The Mayor wished the record to reflect the reasons for the absences: Mr. Riley needed to attend to some family business and Mr. Taylor was ill.

PUBLIC PARTICIPATION:

Mike Cunningham: Chairman of the Ives Trail Task Force. Spoke in favor of Items #6 and #7,

Lynn Taborsak: Addressed Items #7 and #14.

No other member of the public wished to speak, Public Participation was closed.

Mayor Boughton read the announcements for the month of January.

MINUTES: Councilman Cavo moved to waive the reading of the minutes of the Common Council Meeting held on December 7, 2010 and the Special Meeting of December 13, 2010 as Council members have copies and copies are also available in the Legislative Assistants Office, seconded by Councilman Perkins. ***Motion passed by unanimous vote.***

Councilman Seabury presented the following items for the Consent Calendar:

3: Receive the communication/certification of funds from the Director of Finance and approve the transfer of \$2,415.80 from the Farioly/Learmont Fund for the purchase of ESL materials.

5: Receive the communication from the Airport Administrator and adopt the Resolution to apply for a grant to reconstruct parts of taxiways "Bravo" and "Charlie".

6: Receive the communication and adopt the Resolution to renew prior City Council approval to acquire easements of land Lot No. 121002 and Lot No. 121003 for the open space initiative and the Ives Trail Greenway.

8: Receive the communication and adopt the Resolution that will allow the City of Danbury Fire Department to extend a Memorandum of Agreement with the State of Connecticut. This MOA will allow the Danbury Fire Department to continue to house one (1) Mass Casualty Trailer. This extension covers December 20, 2010 through December 1, 2014.

9: Receive the communication and adopt the Resolution that will allow the City of Danbury Department of Health and Human Services to request additional funding from the State of Connecticut Department of Public Health for its WIC (Women, Infants and Children) Program. The additional funding request will increase the budget for the 4th and final year of the current WIC contract from \$345,380.00 to an amount not to exceed \$406,089.00.

10: Receive the annual report from the Board of Ethics for the period of December 8, 2009 through December 6, 2010.

11: Receive the reports from Corporation Counsel, Planning Commission and the City Engineer as requested at the November 2010 City Council meeting and approve the Conveyance of "Parcel X" – Zini Construction, LLC – Fairlawn Avenue.

12: Receive the report from the Planning Commission and the City Engineer as requested at the November 2010 City Council meeting and approve the Water Main Extension – 28 Federal Road. (#K13014) subject to the conditions stated in the reports.

13: Receive the report of the City Council "Committee of the Whole" and adopt the proposed amendment to the Code of Ordinance – Section 8-33 Fire Marshal inspections – Fees for Inspections and Section 8-34 Fire Marshal Plan Review Fees and adopt the Resolution.

A motion was made by Councilman Knapp and seconded by Councilwoman Teicholz **to adopt the Consent Calendar as presented.** *Motion passed by unanimous vote.*

1. COMMUNICATION—Danbury Main Street Partnership:

Legislative Assistant Natale read the communication. **Councilman Trombetta moved that this be referred to an Ad Hoc Committee** which consists of the Corporation Counsel, Director of Finance, Director of Planning and a representative from the Mayor's Office being present. Mayor Boughton so ordered and appointed Council Members Charles Trombetta, Don Taylor and Fred Visconti to the Committee.

2. COMMUNICATION—Donation to the Fire Department:

Legislative Assistant Natale read the communication. **Councilman Nagarsheth moved** and Councilman Colla seconded **to receive the communication, accept the donation of \$1,500.00 from Danbury Hospital and send the appropriate letter of thanks.** *Motion passed by unanimous vote.*

3. COMMUNICATION—Certification of Funds – Farioly/Learmont Fund:

The communication was received on the consent calendar and approved.

4. COMMUNICATION—Request for Extension of Sewer – Danbury Hospital:

Legislative Assistant Natale read the communication. **Councilwoman Stanley requested the matter be referred to City Engineering and the Planning Commission for reports.** Mayor Boughton so ordered.

5. RESOLUTION—Reconstruction Grant – Parts of Airport Taxiways:

The communication was received on the consent calendar and approved.

6. RESOLUTION—Easements – Ives Trail Greenway – Lots 121002 & 120003:

The communication was received on the consent calendar and approved.

7. RESOLUTION—Easements – Ives Trail Greenway – Lots 124011 & 123012:

Legislative Assistant Natale read the communication. **Councilman Knapp requested the matter be referred to a Public Hearing and the Committee as a Whole with a report being provided by the Planning Commission.** Mayor Boughton so ordered.

8. RESOLUTION—Mass Casualty Trailer:

The communication was received on the consent calendar and approved.

9. RESOLUTION—WIC Grant Additional Funding Request:

The communication was received on the consent calendar and approved.

10. REPORT—Board of Ethics:

The communication was received on the consent calendar and approved.

11. REPORT—Conveyance of Land – Zini Construction – Fairlawn Avenue:

The communication was received on the consent calendar and approved.

12. REPORT—Water Main Extension – 28 Federal Road:

The communication was received on the consent calendar and approved.

13. REPORT & ORDINANCE—Change of Fees – Fire Marshal – Code of Ordinance – Section 8-33 and Section 8-34:

The communication was received on the consent calendar and approved.

14. AD HOC REPORT—Lease/License Agreement - BRT:

Councilwoman Teicholz read the report. **A motion was made by Councilman Cavo and seconded by Councilwoman Stanley to receive the communication and approve the License Agreement as presented with the recommendations of the Committee that the rate be charged for non-parking public spaces.**

Councilman Rotello expressed concern in taking City property and turning control over to a private entity Councilman Perkins asked for an explanation as to the parking spaces being painted and striped prior to coming before the Council for approval. Mayor Boughton explained that the Planning Department advised Dan Bertram that he did not have ample parking. Mr. Bertram asked if he could convert the area in question into parking spaces. The Mayor instructed Mr. Bertram to move forward but advised him that he would have to obtain the approval from the Planning Commission and go through the approval process. Mayor Boughton further advised Mr. Bertram that should he not receive the proper

permission, he would lose the spaces and they would revert back to the City. Councilman Saadi asked what the cost was associated with the spaces. Mr. St. Hilaire said \$250/space/year. The fee being charged takes into consideration that the property owner will maintain all aspects of the space which includes liability. Mr. Pinter pointed out that according to the provisions of the License, BRT will be required to submit an insurance policy which reflects the amount of insurance in place as well as naming the City as an additional insured.

Motion passed with one objection (Councilman Rotello).

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

Councilman Cavo moved to waive the reading of the reports, seconded by Councilman Nagarshath. ***Motion passed by unanimous vote.***

Councilman Cavo moved to receive the communication and accept the Department Reports as presented, seconded by Councilman Nagarshath. ***Motion passed by unanimous vote.***

Mayor Boughton extended all committees.

Mayor Boughton appointed the following Council Members to the Education Budget Committee: Chaired by Mrs. Stanley with Members that include Mr. Arconti, Mr. Riley, Mr. Visconti and Ms. Deep Damici.

As there was no further business to come before the City Council, **a motion was made by Councilman Cavo** at 8:07 p.m. and seconded by Councilman Saadi **that the City Council Meeting be adjourned.** ***Motion passed by unanimous vote.***

Respectfully submitted,
Amy Holding
Recording Secretary

Attest,
Mark D. Boughton, Mayor