

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the City Council Meeting to order at 7:35pm on Tuesday, April 5, 2011.

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

PRESENT: 20 ABSENT: 1

Council Member Tumino was out of town.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

Joe Ledan from Boy Scout Troop #9 led everyone in the Pledge of Allegiance. Council Member Curran led everyone in the room in a prayer.

PUBLIC SPEAKING

Lynn Waller - 83 Highland Avenue spoke on item #6.

Andrew Wetmore - 117 Great Plain Road spoke on item #18.

Tom Devine - owner of 5 Ives Street and 261 Main Street spoke on items #4, #15 and #22.

Julie Deluca - 25 Regen Road spoke on item #20.

Mark Nolan - Main Street property owner spoke on items #1, #4, #14, #15, #22 and the Housing Partnership Report.

Dave Bonan -77 Deer Hill Avenue spoke on item #15.

Mike Cunningham, Chair of the Ives Trail Task Force - 101 W. Redding Road spoke on item #21.

Ardita Ismaili - 11 Abbott Avenue spoke on her downtown project.

Reshma Kharawla - 32 Terre Haute Road spoke on her downtown project.

Public speaking closed at 7:58pm.

Mayor Boughton read the announcements for the month.

BUDGET ADDRESS

Mayor Boughton gave the Annual Budget Address. Mayor Boughton discussed initiatives for cost savings, budget assumptions, proposed mill rate and extension of the tax freeze for seniors.

MINUTES - Minutes of the Council Meeting held March 1, 2011

Council Member 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 Council Member Nagarsheth. ***Motion passed by unanimous vote.***

CONSENT CALENDAR

Council Member Gregg Seabury read the following items for the Consent Calendar:

5 - Receive the Communication and approve the appointment of Mr. George Radachowsky as a Member of the Richter Park Authority with a term to expire April 5, 2014.

6 - Receive the Communication and approve the appointment of Mr. Brian Batterson as a Member of the Conservation Commission with a term to expire April 5, 2014.

10- Receive the Communication and adopt the Resolution allowing for the re-approval of Drainage Easements at 78 Garfield Ave – Tax Assessors lot I15144.

11 - Receive the Communication and adopt the Resolution allowing for the re-approval of Drainage Easements at 4 Ford Lane – Tax Assessors lot H11067.

14-(which was added to the Consent Calendar) Receive the Communication and adopt the Resolution authorizing Mayor Boughton to apply an accept funding, if awarded, for a grant from the CT Trust for Historic Preservation.

16 - Receive the Memorandum and adopt the Resolution that will allow the City of Danbury Public Library to accept additional funding from the Woman's Club of Danbury/New Fairfield through its "Philanthropic Funding" program. This funding is for an additional \$100.00 more than previously approved on March 1, 2011 by the City Council. Total Funding will not exceed \$300.00.

17 - Receive the Memorandum and adopt the Resolution that will allow the City of Danbury Board of Education to apply for and accept funding from the Sate of Connecticut Department of Social Services for the "Before and After School" Program. This Resolution covers expected funding from July 1, 2011 through June 30, 2014 in the amount of \$148,766.

19 - Receive the Reports and approve the request for a Sanitary Sewer Extension – Housatonic Habitat for Humanity – 21 Hospital Ave.

22 - Receive the Committee Report and refer to a **Public Hearing**.

Council Member Knapp moved to accept the Consent Calendar as presented, seconded by Council Member Chianese. ***Motion passed by unanimous vote.***

1 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2011 and ending June 30, 2012 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012

Council Member Cavo moved to refer item to a Public Hearing. Mayor Boughton so moved.

2 - ORDINANCE - An Ordinance Appropriating \$3,000,000 for Public Improvements in The 2011-2012 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

Council Member Seabury moved to refer item to a Public Hearing. Mayor Boughton so moved.

3 - ORDINANCE - Amendment to Code of Ordinances - Conveyance Tax

Council Member Trombetta moved to refer item to a Public Hearing. Mayor Boughton so moved.

Mayor Boughton made the following Budget Committee Assignments:

General Government I - Council Members Seabury, Cavo, Taylor, Saadi and Perkins

General Government II - Council Members Teicholz, Trombetta, Curran, Nagarsheth and Nero

Public Works - Council Members Knapp, Curran, Seabury, Halas and Chianese

Health, Public Safety - Council Members Trombetta, Knapp, Colla, Tumino and Rotello
The Education Budget Committee remains the same with Council Members Stanley, Arconti, Deep-Damici, Riley and Visconti.

4 - RESOLUTION - Downtown Special Services District - Tax Levy
Council Member Cavo moved to receive the communication and Resolution and approve the Downtown Special Services District Tax Levy as presented, seconded by Council Member Perkins. ***Motion passed by unanimous vote.***

5 - COMMUNICATION - Appointment to the Richter Park Authority
The communication was received on the Consent Calendar and the appointment approved.

6 - COMMUNICATION - Appointment to the Conservation Commission
The communication was received on the Consent Calendar and the appointment approved.

7 - COMMUNICATION - Donation to Danbury Municipal Airport
Jean Natale, Legislative Assistant, read the communication. **Council Member Colla moved to receive the communication and accept the generous donation from Conanicut Aviation, LLC, deposit the funds in account 9200.5549 and send a letter of thanks,** seconded by Council Member Chianese. ***Motion passed by unanimous vote.***

8 - COMMUNICATION - Lease - Candlewood Lake Concession
Jean Natale, Legislative Assistant, read the communication. **Council Member Knapp moved to receive the communication and approve the five (5) year lease to Luis Bautista for \$7,500,** seconded by Council Member Trombetta. ***Motion passed by unanimous vote.***

9 - COMMUNICATION - Request for Water and Sewer Renewal - Prindle Lane
Council Member Taylor moved to refer to Engineering and Corporation Counsel for reports. Mayor Boughton so ordered.

10 - RESOLUTION - Drainage Easements (Renewal) - Garfield Avenue
The communication and Resolution were received on the Consent Calendar and the Resolution allowing for re-approval was approved.

11 - RESOLUTION - Drainage Easements (Renewal) - Ford Lane/Clapboard Ridge
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

12 - RESOLUTION - 2011 Neighborhood Assistance Act
Council Member Nagarsheth moved to refer to a Public Hearing. Mayor Boughton so ordered.

13 - RESOLUTION - Information Technology Software & Hardware (CRM) Project
Council Member Teicholz moved to refer to an Ad Hoc with the Director of Finance and Corporation Counsel. Mayor Boughton appointed Council Members Cavo, Teicholz and Perkins to the committee.

14 - RESOLUTION - Grant Application - CT Trust for Historic Preservation Vibrant Communities Initiative

The communication and Resolution authorizing Mayor Boughton to apply an accept funding, were received on the Consent Calendar and the Resolution adopted.

15 - RESOLUTION - Closure of the Main Street Post Office

Jean Natale, Legislative Assistant, read the communication. **Council Member Stanley moved to receive the communication and adopt the Resolution authorizing the Mayor and the City Council to petition federal and state officials to keep the Main Street Post Office at its present downtown location.** seconded by Council Member Chianese.

Discussion followed. The Director of Planning, Dennis Elpern, advised that if the building is sold to a private entity, there is no mechanism to stop the removal of the building in spite of the fact that it is listed on the National Register of Historic Places and the City would not be given any preference to purchase it. Councilman Saadi spoke in favor of the Resolution. Councilman Rotello would like to explore the possibility for the City to acquire the building for \$1.00. Councilman Riley would like to see the postal service retain a presence in the downtown area if only as a store front operation. ***Motion passed by unanimous vote.***

16 - RESOLUTION - Woman's Club Grant - Library

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

17 - RESOLUTION - Before & After School Program

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

18 - RESOLUTION - Danbury Schools Energy Conservation Project

Council Member Curran moved to refer to an Ad Hoc with Corporation Counsel, Director of Public Works, Director of Finance, Superintendent of Public Buildings and a representative from the Mayor's office. Mayor Boughton appointed Council Members Knapp, Seabury and Chianese to the committee.

19 - REPORTS - Sewer Extension - 21 Hospital Avenue

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

20 - REPORT - Sanitary Sewer Extension Survey - Project #09-49

(Hausmann Road, Royal Pine Drive, Fairway Drive, Country Way and Regen Road)

Council Member Halas moved to receive the report and take no action. seconded by Council Member Teicholz. Council Member Cavo advised that he was sorry to see the project fail. ***Motion passed by unanimous vote.***

21 - AD HOC REPORT - Ives Trail Greenway

Council Member Cavo moved to waive the reading of the report as all members have copies and additional copies are on file in the Office of the Legislative Assistant. As there was no objection, Mayor Boughton so ordered.

Council Member Teicholz moved to receive the report and adopt the Resolution to transfer City owned lot I23012 to Noel Roy for the purpose of the creation of the Ives Trail Greenway and authorize Corporation Counsel to acquire and execute an easement and conservation restriction agreement. seconded by Council Member Taylor.

Council Member Perkins moved to recommit item back to the committee, seconded by Council Member Rotello. Council Member Perkins explained that he is unavailable to conduct City business on certain evenings. The meeting was scheduled on a date that he was not

available and he was unable to get it rescheduled. Council Member Cavo explained that he was sorry that Council Member Perkins schedule could not be accommodated and any questions should have been submitted to the committee for discussion.

Motion to recommit: Council Members Saadi, Visconti, Nero, Perkins, Chianese and Rotello voted in favor. Council Members Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Knapp and Teicholz voted in opposition.

Motion failed 14/6.

Discussion followed on the main motion. Upon the request of Council Member Perkins, Mike Cunningham advised that he is in the process of writing a guidebook, areas of the trail would be for pedestrians and there was no way to get around Mr. Roy's property to continue the trail, that it would have to be crossed.

Atty. Ray Yamin clarified that the city owned property being transferred to Mr. Roy was not generating any tax revenue and the easement across the property would complete the trail. The City land is wet and steep and open space was basically imposed on the property. No analysis has been performed to determine the possible use of Mr. Roy's surrounding property for future development.

Council Member Curran spoke in favor of the Resolution.

Council Member Riley moved the question, seconded by Council Member Colla. Motion passed on a hand vote 14-6. Council Members Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Trombetta, Knapp and Teicholz voted in favor. Council Members Saadi, Visconti, Nero, Perkins, Chianese and Rotello voted in opposition.

Motion passed 14/6.

Mayor Boughton called the vote on the main motion to adopt the Resolution and transfer the land. Council Members Arconti, Curran, Deep-Damici, Riley, Seabury, Stanley, Taylor, Colla, Nagarsheth, Halas, Cavo, Visconti, Trombetta, Knapp, Nero and Teicholz voted in favor. Council Members Saadi, Chianese, Rotello and Perkins voted in opposition. **Motion passed 16/4.**

22 - AD HOC REPORT - Danbury Main Street Partnership

The report was received on the Consent Calendar and the item referred to a **Public Hearing**.

23 - DEPARTMENT REPORTS - Homeless Task Force, Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services, Library

Council Member 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 Council Member Nagarsheth.

Council Member Nagarsheth thanked the Mayor, Chief Baker, Deputy Chief Shanahan and the Police Department for meeting with the Indian community to address their concerns.

Upon the request of Council Member Rotello, Antonio Iadarola, P.E., Director of Public works, advised that due to the extraordinary number of potholes, the department has had to purchase cold-patch to supplement what is made at the complex, to keep up with the need for material. The machine that was purchased a few years ago paid for itself in the first year of use.

Council Member Saadi acknowledged Chief Baker and Lt. McNally for implementing the monthly Explorer Report.

Council Member Cavo extended his thanks to the Public Works Department for their fine work this past winter and for shoveling snow off of school roofs.

Chief Herald was called upon to speak regarding the donation in the amount of \$15,000 from Dr. Bedoukian. The donated funds were used for the purchase of a thermal energy camera and night vision goggles.

Council Member Cavo extended his wishes for a speedy recovery to the Director of Health.

Motion passed by unanimous vote.

24- EXECUTIVE SESSION - Recent Tax Appeal Settlements
The Executive Session was cancelled.

Mayor Boughton extended all committees

There being no further business to come before the City Council, a motion was made at 9:16 pm by Council Member Cavo and seconded by Council Member Seabury to adjourn the meeting. *Motion passed by unanimous vote.*****

Respectfully submitted:

Doratheia A. Gulya-Stasny
Recording Secretary

Attest:
Mark D. Boughton, Mayor