

Mayor Mark D. Boughton called the City Council Meeting to order at 7:35pm on Tuesday, August 2, 2011.

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

PRESENT: 18 ABSENT : 3

Council Member Riley was out of town, Council Member Nagarsheth was out of town on business and Council Member Scozzafava was at a family event.

Jean Natale, Legislative Assistant had a family emergency. Robert J. Yamin, Corporation Counsel; and Laszlo Pinter, Deputy Corporation Counsel were also present.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

Veterans Council Member Ken Post led everyone in the Pledge of Allegiance. Council Member Curran led everyone in the room in a prayer.

The Veterans Council Color Guard advanced the colors for the purpose of a special presentation. Dick Cacase gave a brief overview of the roll and accomplishments of the soldiers in the Vietnam War. The Mayor and the City, represented by Council President Joe Cavo, were presented with copies of the book *Warriors Remembered*. The Vietnam War Memorial in Danbury is among the pictures and stories featured in the book dedicated to the memory of the veterans of the Vietnam War. Mayor Boughton thanked the veterans for their presentation and recognized Pat Waldron, Veterans Advisor for the City, for his work with the veterans.

PUBLIC SPEAKING

Tom Devine, property owner at various locations in the City, spoke on item #8.
Lynn Waller, 83 Highland Avenue, spoke on items 3, 8 and 10.
Ken Gucker, 89 Padanaram Road spoke on items 1 and 10.
Margaret Mitchell, owner of Main Street and Park Place, spoke on items 3, 8 and 10.
Lynn Taborsak, 110 Hayestown Road, spoke on items 1 and 10.
Mike Aiello, owner at 64 Bell's Lane, spoke on item 10.
Henry Hall, 6 Flirtation Drive, spoke on item 1.
Public speaking closed at 8:10pm.

Mayor Boughton read the announcements

MINUTES - Minutes of the Council Meeting held July 6, 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 Seabury. ***Motion passed by unanimous vote.***

CONSENT CALENDAR

Council Member Seabury read the Consent Calendar.

4 - Receive the Communication and re-appropriate \$77,852.82 to the City Water Fund accounts and \$138,917.47 to the Sewer Funds accounts for equipment purchases and purchase orders encumbered prior to June 30, 2011.

5 - Receive the Communication and re-appropriate \$515,990.21 to the General Fund for open purchase orders encumbered prior to June 30, 2011 for on-going Capitol Projects from prior fiscal years.

6 - Receive the Communication and re-appropriate \$24,015.00 to the Ambulance Fund to complete outstanding projects encumbered prior to June 30, 2011.

12 - Receive the Communication and adopt the Resolution to allow the City of Danbury, in conjunction with Danbury Youth Services, to apply for and accept grant funding from the State of Connecticut Department of Education. This funding, not to exceed \$70,000 for the next 2 years, will be used to support Youth and Family Counseling, Crisis Intervention, and Substance Abuse Prevention.

13 - Receive the Communication and adopt the Resolution to allow the City of Danbury Health and Human Services Department to enter into an agreement with the State of Connecticut Department of Agriculture. Funds received, in the amount of \$1,085.50, are to be used for supplemental staffing of the WIC program to issue Farmers Market checks to eligible participants during the summer of 2011.

14 - Receive the Communication and adopt the Resolution authorizing the Mayor or the Director of Emergency Management to execute the Region 5 Memorandum of Agreement. This Memorandum allows the City of Danbury to receive funds to conduct training, purchase equipment, and receive monies for the EMPG.

15 - Receive the report of the City Engineer for the Sanitary Sewer Extension on Deepwood Drive and Craigmoor Terrace, Project No. 10-21, and take no further action.

16 - Receive the reports of the City Engineer and Planning Commission and approve the request for Water and Sewer Extensions for the Shops of Marcus Dairy/Sugar Hollow Road Associates at Sugar Hollow Road.

17 - Receive the reports of the City Engineer and Planning Commission and approve the Renewal of Application for Sanitary Sewer and Water Main Extensions including the 9th condition as indicated in the City Engineers report - Reynolds Road – BG Partners.

19 - Receive the reports of the Corporation Council, City Engineer and Planning Commission and approve the proposed Road Extension and Drainage Easement on Spruce Mountain Trail as petitioned by 34 Spruce Mountain Terrace, LLC.

20 – Receive the report of the Ad Hoc Committee and adopt the recommendation to authorize the Finance Director to establish a budgetary line item for \$2800.00 from the contingency fund on behalf of the Historic Properties Commission, only to be released at time of grant approval and to follow reimbursement procedure as specified by the Finance Department.

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

1 - COMMUNICATION - Request for Ad Hoc - Old Ridgebury Road

Council Member Trombetta requested referral to an Ad Hoc with Corporation Counsel, a representative from the Office of the Mayor and a report from Planning. Mayor Boughton

so ordered and appointed Council Members Seabury, Nagarsheth and Chianese to the committee.

2 - COMMUNICATION - Donation to the Police Department

The clerk read the communication. **Council Member Colla moved to accept the donation in the amount of \$10,000 from The Ridgefield & Leir Foundations, Inc. and place the funds in account 6000.2000 to use for the K-9 program for the Danbury Police Department and send a letter of thanks,** seconded by Council Member Chianese. ***Motion passed by unanimous vote.***

3 - COMMUNICATION - Donation to the Park and Recreation Department

The clerk read the communication. **Council Member Seabury moved to accept the donation and send a letter of thanks,** seconded by Council Member Cavo. Nick Kaplanis, Director of recreation, explained that there would be no impact to any of the other activities taking place at the proposed site. The Cricket Club has been playing at the school for several years and would now like to place a practice cage on the school grounds. The field would still be available, at the same time, for all of the other activities. The construction of the cage, hours of use, security, scheduling and maintenance were discussed. **Council Member Seabury moved the question,** seconded by Council Member Trombetta. Council Members Arconti, Curran, Deep-Damici, Seabury, Stanley, Taylor, Colla, Halas, Cavo, Trombetta, Knapp, Nero, Rotello and Teicholz voted in the affirmative. Council Members Saadi, Visconti, Chianese and Perkins voted in the negative. ***Motion passed 14/4. The Mayor then called for a vote on the main motion and it passed by unanimous vote.***

4 - COMMUNICATION - Water and Sewer Fund Re-appropriations - Certification

The communication was received on the Consent Calendar and the re-appropriations certified.

5 - COMMUNICATION - Capitol Projects Re-appropriations - Certification

The communication was received on the Consent Calendar and the re-appropriation certified.

6 - COMMUNICATION - Ambulance Fund Re-appropriations - Certification

The communication was received on the Consent Calendar and the re-appropriation certified.

7 - COMMUNICATION - Time Extension Sewer - 9 Zinn Road

Council Member Stanley requested referral to the City Engineer and Planning for reports.

8 - COMMUNICATION - Expansion - City Center District

Council Member Teicholz requested referral to an Ad Hoc with Corporation Counsel, a representative from the Office of the Mayor, Director of Planning and the Director of City Center. Mayor Boughton so ordered. Council Members Taylor, Cavo and Nero were appointed to the committee.

9 - COMMUNICATION - Reconsideration to Purchase City Land - Lake Avenue Ext

Council Member Cavo requested referral to an Ad Hoc with Corporation Counsel, City Engineer and a report from Planning. Mayor Boughton so ordered. Council Members Knapp, Teicholz and Rotello were appointed to the committee.

10 - COMMUNICATION - Request to Purchase City Land - Bell's Lane and Kennedy

Avenue

Council Member Seabury requested referral to an Ad Hoc with Corporation Counsel, Director of Public Works and Planning for reports. Mayor Boughton so ordered. Council Members Seabury, Knapp and Visconti were appointed to the committee.

11 - COMMUNICATION - Acceptance of City Road and Drainage Easement - Chestnut Street

Council Member Knapp requested referral to Corporation Counsel, City Engineer and Planning for reports.

12 - RESOLUTION - Danbury Youth Services

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

13 - RESOLUTION - WIC Grant - Farmers Market Program

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

14 - RESOLUTION - Region 5 Memorandum of Agreement

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

15- REPORT - Sanitary Sewer Extension - Deepwood Dive & Craigmoor Terrace

The report was received on the Consent Calendar and no action taken.

16- REPORTS - Request for Water & Sanitary Sewer Main Extension - 5 Sugar Hollow & Backus Avenue

The reports were received on the Consent Calendar and the request approved.

17- REPORTS - Renewal of Approvals Sewer and Water Extensions - Reynolds Road

The reports were received on the Consent Calendar and the Renewal of Application approved.

18- REPORT - Statement of Condition - Fire Department

Chief Herald discussed the radio system. The department currently utilizes an old system. There are still some dead areas, but improvements are underway to fill in the gaps. An updated system would cost approx \$10.5 million and not feasible at this time. A constant search for grants occurs, however they are becoming harder to get and some are no longer available. Immediate future needs include a new aerial, a pumper and three sedans with an estimated cost of approximately \$1.5 million.

19- REPORTS - Acceptance of City Road Extension - Spruce Mountain Trail

The reports were received on the Consent Calendar and the proposed Road Extension and Drainage Easement on Spruce Mountain Trail approved.

20 - AD HOC REPORT - Historic Properties Commission Grant Report

The report was received on the Consent Calendar and the recommendation adopted subject to conditions.

21 - DEPARTMENT REPORTS - 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 additional copies are on file in the Office of the

Legislative Assistant, seconded by Council Member Teicholz. ***Motion passed by unanimous vote.***

Council Member Perkins congratulated those members of the Fire Department for their completion of a business course.

Upon the request of Council Member Saadi, Antonio Iadarola, P.E. advised that the police department is investigating the incident concerning tree clear-cutting on City property at Kennedy Avenue. Discussions have ensued with the contractor and owner concerning restoration of the site and a cease and desist order issued by the Tree Warden, Mark Miller. Mr. Iadarola is also working with Corporation Counsel to determine what other actions may be appropriate so that the restoration will be done to the satisfaction of the City. Work continues with the contractor for clean up, removal of the chips, stabilization and replanting. ***Department Reports were accepted by unanimous vote.***

EXECUTIVE SESSION

22 - EXECUTIVE SESSION - Tax Appeals Ratification

Council Member Cavo moved to go into Executive Session at 8:39pm for discussion of Tax Appeals Ratification, seconded by Council Member Saadi. ***Motion passed by unanimous vote.*** Wayne Shepperd, David St. Hilaire, Atty. Pinter and Atty. Yamin were invited into the Executive Session.

Council Member Cavo moved to come out of Executive Session at 9:05 and return to regular session, seconded by Council Member Saadi. ***Motion passed by unanimous vote.***

Council Member Cavo moved to approve the recommendation of the Corporation Counsel and the Tax Assessor's Office to settle the tax appeal between the City of Danbury and Danbury Commons LLC, seconded by Council Member Chianese. ***Motion passed unanimously.***

Mayor Boughton extended all committees. He congratulated all those who would be running again and thanked those not returning for their service on the Council.

There being no further business to come before the Council a motion was made at 9:06 pm to adjourn by Council Member Taylor, seconded by Council Member Saadi. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest:
Mark D. Boughton, Mayor