

City Council Meeting
April 04, 2013

Honorable Mayor, Mark D. Boughton, called the meeting to order at 7:35 pm in the Council Chambers.

PLEDGE OF ALLEGIANCE & PRAYER

Dr. Glass lead all in the Pledge of Allegiance and Councilman Curran lead all in prayer.

ROLL CALL

PRESENT COUNCIL MEMBERS: Philip Curran, Michael Haddad Sr, Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Donald Taylor, Phillip Colla, Mike Halas, Joseph Cavo, Thomas Saadi, Andrew Wetmore, Elmer Palma, Peter Nero, Duane Perkins, Benjamin Chianese, Paul Rotello, Joseph Scozzafava, and Mary Teicholz.

ABSENT: Shay Nagarsheth was out of town on business, and Fred Visconti was ill.

PRESENT: 19 ABSENT: 2

ALSO PRESENT: Jean Natale, Legislative Assistant; Robert Yamin, Corporation Council; Les Pinter, Deputy Corporation Council; and David St. Hilaire, Director of Finance.

PUBLIC SPEAKING

No members of the public came forward to speak.

ANNOUNCEMENTS

The Mayor made announcements for the month of April.

BUDGET ADDRESS

The Mayor presented the 2013-2014 Budget. Please see attachment.

MINUTES - Minutes of the Council Meeting held March 5, 2013

A motion was made by Joseph Cavo and seconded by Duane Perkins to waive the reading and approve the minutes of the previous meeting as all members have copies and additional copies are on file in the Office of the Legislative Assistant. The motion carried unanimously.

CONSENT CALENDAR

Mr. Seabury read the consent calendar:

- 5 - Receive the Communication and approve the appointment of Mark Omasta as a member of the Aviation Commission with terms to expire July 1, 2016.
- 6 - Receive the Communication and approve the appointment of Elisa Munoz as a member of the Tarrywile Park Authority with a term to expire January 1, 2016.
- 7- Receive the Communication and approve the appointment of Vincent DeGilio Jr. as an alternate Member of the Zoning Board of Appeals with a term to expire November 1, 2016.
- 21 - Receive the Communication and adopt the Resolution authorizing the Mayor to apply for and accept funding from that State of Connecticut LOCIP program for an additional \$10,000. This funding, in addition to the \$40,000 previously approved by the City Council, will be used for the Improvements/Renovations to City Firehouse Phase 2.

22 - Receive the Communication and adopt the Resolution renewing the City Council's previous approval to acquire the certain property for the Long Ridge Road bridge reconstruction project.

23 - Receive the Reports of the City Engineer, Corporation Counsel and the Planning Commission and approve the roads and easements and appurtenances as submitted by Peterson Farm - First Nine Corporation, Peterson Lane and Allen Drive. This approval is subject to the completion of all necessary documentation in a form acceptable to the Office of Corporation Counsel.

24 - Receive the reports of the City Engineer, Corporation Counsel, and the Planning Commission and approve the Traffic Easements as submitted by Sugar Hollow Associates, LLC., Sugar Hollow Road and Backus Ave. This approval is subject to the completion of all necessary documentation in a form acceptable to the Office of Corporation Counsel and the City Engineer.

A motion was made by Jack Knapp and seconded by Duane Perkins to accept the consent calendar as presented. The motion passed unanimously.

(1) ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014

Council President Cavo requested that this item be referred to a Public Hearing. Mayor Boughton so ordered.

(2) ORDINANCE - An Ordinance Appropriating \$3,000,000 for Public Improvements in the 2013-2014 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 Seabury requested that this item be referred to a Public Hearing. Mayor Boughton so ordered.

(3) RESOLUTION - Downtown Special Services District - Tax Levy

Council President Cavo requested that this item be tabled. Mayor Boughton so ordered.

(4) ORDINANCE - Senior Tax Freeze

Councilman Knapp requested that this item be referred to a Public Hearing. Mayor Boughton so ordered.

(5) COMMUNICATION - Appointment to the Aviation Commission

The communication was received on the Consent Calendar and approved.

(6) COMMUNICATION - Appointment to the Tarrywile Park Authority

The communication was received on the Consent Calendar and approved.

(7) COMMUNICATION - Appointment to Zoning Board of Appeals - Alternate

The communication was received on the Consent Calendar and approved

(8) COMMUNICATION - Re-establishment of the Solid Waste and Recycling Authority

Councilwoman Stanley requested that this item be referred to an Ad hoc Committee with Corporation Counsel, representative from the Mayor's Office, Director of Finance and be referred to a Public Hearing.

The Mayor so ordered appointing Council Members Teicholz, Haddad, and Chianese to the committee.

(9) COMMUNICATION - Ambulance and Advanced Life Support Agreement (WCHN)

Councilman Knapp requested that this item be referred to an Ad Hoc Committee with Corporation Counsel, a representative from the Mayor's Office, Director of Finance, Fire Chief and the EMS Director of Western CT Health Network.

The Mayor so ordered appointing Council Members Levy, Taylor, and Rotello to the committee.

(10) COMMUNICATION - Retirement Incentive Program

Councilman Colla requested that this item be referred to a Public Hearing to be followed by a committee of the whole. Mayor Boughton so ordered.

(11) COMMUNICATION - Reapportionment 2012 Ordinance - Sections 2-4.2 and 2-4.3

Councilman Andrew Wetmore requested that this item be referred to a Public Hearing. Mayor Boughton so ordered

(12) COMMUNICATION - Still River Alliance

Councilman Haddad requested that this item be referred to an Ad Hoc Committee with Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Curran, Cavo, and Saadi to the Committee.

(13) COMMUNICATION - Amendment to the Plan of Conservation and Development

A motion was made by Jack Knapp and seconded by Paul Rotello to approve the amendments to the Conservation and Development Plan as submitted by the Director pending a public hearing and approval by the Planning Commission. The motion carried unanimously.

Councilman Knapp asked Dennis Elpern, Director of Planning to expand on what is being accomplished by passing the motion before the City Council this evening. Mr. Elpern stated State of Connecticut requires that the Conservation and Development plan be amended by June 30. He stated the changes made were to eliminate and/or modify all items accomplished since 2002. Additionally, items that have been agreed to by the appropriate body have been added. There are no new policy initiatives. The Planning Commission must act or state funding can be effected. These changes will meet the requirements of the laws and it is at the discretion of the Planning Commission to make all final changes. Further discussion took place regarding the substance of the report and initiatives like healthy communities, making additional policy initiatives, and roads and traffic items that are included. Finally, Councilman Saadi wanted to let the public know that there will be a public hearing on June 12.

(14) COMMUNICATION - Request for City to Acquire Property - 4-4 Old Sugar Hollow Road and Old Sugar Hollow Road

Councilman Taylor requested this item be referred to an Ad Hoc Committee with Corporation Counsel, Director of Finance, Director of Public Works and the Airport Administrator. Mayor Boughton so ordered and appointed Council Members Knapp, Cavo and Rotello.

(15) COMMUNICATION - Request for Water - Bellimo Air Controls - 33 Turner Road
Councilman Curran requested that is item be referred to City Engineering and Planning Commission for reports. Mayor Boughton so ordered.

(16) COMMUNICATION - Request for Sewer - 1 and 3 Scuppo Road
Councilman Curran requested this item be referred to City Engineering and Planning Commission for reports. Mayor Boughton so ordered.

(17) RESOLUTION - Master Municipal Agreement for Construction Projects
A motion was made by Warren Levy and seconded by Donald Taylor to authorize the Mayor to sign a 10 year Master Municipal Agreement for construction projects with the CT Department of Transportation as stated in the resolution. The motion carried unanimously.

Councilman Rotello asked Les Pinter, Corporation Counsel, to give an overview--specifically any restrictions that this agreement would place on the City. Mr. Pinter stated that in an attempt to streamline some processes, the state is asking for all municipalities that have projects which receive state or federal funding to sign this 10 year agreement. This agreement would cover all such projects and then small more specific agreements would be signed for individual projects. Mr. Iadarola, Director of Public Works, has reviewed the document and recommends signing. It includes all of the laws that are attached with Federal funding. It is a requirement for State and Federal funding. Mr. Pinter stated that there is no legal reason not to sign the document. Further discussion took place regarding the requirements of the agreement.

(18) RESOLUTION - Dial-A-Ride Transit Service
A motion was made by Phillip Colla and seconded by Joseph Cavo to adopt the resolution to authorize the Mayor or his designee to negotiate and execute all necessary agreements or documents on behalf of the City of Danbury with CT DOT or on behalf or in conjunction with HART in order to accomplish those purposes. The motion carried unanimously.

(19) RESOLUTION - JAG PVET Grant - Police Department
A motion was made by Mary Teicholz and seconded by Andrew Wetmore to receive the communication and adopt the resolution to authorize Mayor Boughton or Chief Baker to apply for and accept funding from the State of Connecticut OPM for the Police Video Equipment Technology Program not to exceed \$45,278. The motion carried unanimously.

(20) RESOLUTION - 2013 Neighborhood Assistance Act
Councilman Palma request this item be referred to a Public Hearing and Committee of the Whole. Mayor Boughton so ordered.

(21) RESOLUTION - LOCIP 2012 Application
The resolution was received on the Consent Calendar and approved.

(22) RESOLUTION - Bridge Reconstruction Work - Long Ridge Road

The resolution was received on the Consent Calendar and approved.

(23) REPORTS - Acceptance of Roads - Peterson's Farm (Peterson's Lane and Louis Allen Drive)

The report was received on the Consent Calendar and approved.

(24) REPORTS - Traffic Easements 'X', 'Y' and 'Z' - Sugar Hollow and Backus

The report was received on the Consent Calendar and approved.

(25) DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit, Unit, Elderly Services, Library, Homeless Task Force Report

A motion was made by Joseph Cavo and seconded by Duane Perkins to receive department reports and adopt as presented, there are copies available in the Legislative Assistants office. The motion carried unanimously.

(28) Hispanic Center

A motion was made by Joseph Cavo and seconded by Thomas Saadi to add item number 28 The Hispanic Center of Danbury to the agenda. The motion carried unanimously.

A motion was made by Joseph Cavo and seconded by Andrew Wetmore to appropriate \$25,000 from the Contingency Fund to the Hispanic Center for the purposes of continuing operations until such time as there funding issues can be resolved with DSS and CACD . The motion carried unanimously.

Mayor Boughton passed the gavel to President Cavo and gave the Council Members an overview of the issues of funding at The Hispanic Center. There have been problems with the administration of a grant from DSS through CACD, and therefore, the Hispanic Center has not been able to meet their financial obligation. Mayor Boughton noted that the Hispanic Center has conducted fundraising but will not be able to continue to operate without additional funding.

Ingrid Alvarez-DiMarzo, Executive Director-Hispanic Center addressed the council regarding the issue. Further discussion ensued including going operations, strategic plan for moving forward and evolving, breach of agreement with DSS/CACD and specific use of requested funding.

EXECUTIVE SESSION

A motion was made by Joseph Cavo and seconded by Donald Taylor to go into Executive Session for the purposes of discussing litigation. The motion carried unanimously.

The City Council went into Executive Session at 9:11pm and returned at 9:35pm.

A motion was made by Philip Curran and seconded by Paul Rotello to go back to regular session. The motion carried unanimously.

(26) Tax Appeal Settlement - 330 Main Street

A motion was made by Joseph Cavo and seconded by Phillip Colla to receive the communication and authorized the tax appeal settlement as recommended by Corporation Counsel this evening. The motion carried unanimously

(27) Philadelphia Pentecostal Church

A motion was made by Joseph Cavo and seconded by Mike Halas to receive the communication and discussion and approve the settlement as proposed by Corporation Counsel and the Director of Public Works. The motion carried unanimously.

Budget Committees

Mayor Boughton announced the following Budget Committees:

- Government I: Seabury, Cavo, Nagarsheth, Saadi and Perkins
- Government II: Teicholz, Taylor, Cavo, Palma, and Nero
- Public Works: Knapp, Curran, Halas, Levy and Chianese
- Health, Housing, and Public Safety: Curran, Knapp, Colla, Wetmore, and Rotello
- Education: Stanley, Seabury, Haddad, Scozafava, and Visconti

There being no further business to come before the City Council **a motion was made at 9:39 pm by Gregg Seabury and seconded by Colleen Stanley for the meeting to be adjourned. The motion passed unanimously.**

Respectfully submitted,

Shani Burke Specht
Recording Secretary

Attest,
Mark D. Boughton, Mayor