

CITY COUNCIL

FEBRUARY 04, 2014

Honorable Mayor, Mark D. Boughton, called the meeting to order at 7:32 pm in the Council Chambers.

PLEDGE OF ALLEGIANCE & PRAYER

Fire Marshal, Jim Russell, led all in the Pledge of Allegiance and Councilman Curran led all in prayer.

ROLL CALL

COUNCIL MEMBERS PRESENT: Philip Curran, Michael Haddad, Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, John Priola, Vinny DiGillio, Joseph Cavo, Thomas Saadi, Fred Visconti, Elmer Palma, Chris Acronti, Peter Nero, Duane Perkins, Benjamin Chianese, Paul Rotello, Marina Loyola, and Joseph Scozzafava

COUNCIL MEMBERS ABSENT: None

PRESENT: 21, ABSENT: 0

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

PUBLIC SPEAKING

- Brigid Guertin, 114 East Pembroke Road spoke on Item #8, commending Councilmen Saadi and Wetmore.
- Tom Devine , Property owner of 5 Ives Street, 2B Ives and 261 Main Street, and Chairman of Danbury City Center, spoke regarding Item #17 and encouraged the City Council to work with the Whalers as they are an asset to Danbury.
- Scott Court, 26 Pocono Rd, spoke regarding Item #13 asking for tax relief.
- Alex Leshko, spoke concerning Item #17 in support of the Whalers.
- Roger Stalker, 35 Hawley Rd Ext., spoke on Item #17 supporting the Whalers and seeking additional information regarding the issue.
- Joe Venatucci, 166 Brookfield, Rd., spoke about Item #17 expressing concern about the tax payers picking up the Whaler's dept and issues about the building.
- Susan Boughton, 54 Forty Acre Mountain Rd., spoke on Item #13 requesting tax relief.
- Ken Gucker, 89 Padanaram Rd spoke on items #16, #5 and #17.

ANNOUNCEMENTS

The Mayor made announcements for events in Danbury for the Month of February.

MINUTES - Minutes of the Council Meeting held January 7, 2014

A motion was made by Joseph Cavo and seconded by Duane Perkins to waive the reading and accept the minutes as all members have copies and additional copies are available in the office of the Legislative Assistant. *The motion carried unanimously.*

CONSENT CALENDAR

Councilman Seabury read the consent calendar as follows:

1 - Receive the Communication and approve the re-appointments of Mr. Francis Herbert and Dr. L Fernando Jimenez as Members of the Charles Ives Authority for the Performing Arts with terms to expire March 2017. Additionally approve the re-appointment of Mr. Paul Reis as an Alternate Members of the Charles Ives Authority for the Performing Arts with his term to also expire in March 2017.

4 - Receive the Communication and approve the appropriation of funds from the Danbury Housing Partnership budget for reimbursement of funds to Mr. Paul Valeri for emergency purchases made for the December 13, 2013 annual Project Homeless Connect.

7 - Receive the Communication and adopt the Resolution authorizing Mayor Mark D. Boughton to sign the Grant Agreement as the final step for the Crosby Street over Padanaram Brook Bridge Project #04125.

9 - Receive the Communication and adopt the Resolution authorizing Mayor Mark D. Boughton to execute the tax abatement as described in the Beaver Street Apartments Cooperative, Inc. - State of Connecticut Real Estate Tax Abatement Project #017-44083. The abatement will be in an amount not to exceed \$10,000.

11 - Receive the reports of the City Engineer and Planning Commission and authorize the request for Water and Sewer Service Extensions at Sawmill and Turner roads. This request is approved subject all documents being reviewed and approved by both the City Engineer and Corporation Counsels office. Additionally, approval will be required from the Town of Ridgefield to do necessary work on portions of Turner Rd.

12 - Receive the reports of the City Engineer and Planning Commission and authorize the request, pursuant to CT General Statutes/ Sec. 8-24 for the conveyance of land for road widening purposes, corner of Hospital Ave. and Forest Avenue. All documents are to be reviewed and approved by both the City Engineer and Corporation Counsels office.

15 - Receive the Ad-hoc report and adopt the recommendation of the committee to approve the License Agreement with Danbury Hackerspace Inc. and Authorize Mayor Mark Boughton to sign all necessary documents.

16 - Receive the Ad-hoc report and adopt the recommendation of the committee to approve the application for a deferral of tax increases in regards to 20 Kenosia Ave, Tax Assessor Lot #E16030 subject to terms of the agreement.

A motion was made by Jack Knapp and seconded by Duane Perkins to accept the Consent Calendar as presented. The motion carried unanimously.

1- COMMUNICATION Appointments to the Charles Ives Authority

The Communication was received and approved on the Consent Calendar.

2 - COMMUNICATION Donation - Police Department

A motion was made by Andrew Wetmore and seconded by Chris Acronti **to receive the communication, accept the donation and send an appropriate letter of thanks.** *The motion carried unanimously.*

3 - COMMUNICATION Donation - Danbury Housing Partnership

A motion was made by Colleen Stanley and seconded by Andrew Wetmore **to receive the communication, accept the donation of \$1000 from Walmart to be used for Project Homeless Connect and send appropriate letter of thanks.** *The motion carried unanimously.*

4- COMMUNICATION Reimbursement - Danbury Housing Partnership Fund

The Communication was received on the Consent Calendar and approved.

5 - COMMUNICATION Building Department Fee Schedule Amendment

Councilman DiGillio requested that the item be referred to an Ad Hoc Committee with Building Official and Corporation Counsel and to a Public Hearing. Seeing no objection the request was ordered by Mayor Boughton. Mayor appointed Council Members Levy, Loyola, and Nero to the committee.

6 - COMMUNICATION Sidewalk Easement and Traffic Control Easement - 59 Eagle Road

Councilman Haddad requested that this item be referred to City Engineering and Corporation Counsel for reports. Seeing no objection, Mayor Boughton ordered the request.

7 - RESOLUTION Crosby Street over Padanaram Brook Bridge #04125

The Resolution was received and adopted on the Consent Calendar.

8 - RESOLUTION Hat Capitol of the World

A motion was made by Andrew Wetmore and seconded by Thomas Saadi **to accept the resolution and adopt the resolution as presented.**

Mr. Saadi requested that a friendly amendment be made to the motion to change Hat City Day to the first Tuesday of December beginning in 2014. Councilman Wetmore accepted the amendment to the motion. *The motion carried unanimously.*

9 - RESOLUTION Beaver Street Apartment Cooperative, Inc., State of Connecticut Real Estate Tax Abatement

The Resolution was received and adopted on the Consent Calendar.

10 - RESOLUTION PCLB Foundation Grant - Elderly Services

A motion was made by Philip Curran and seconded by Fred Visconti **to receive communication and adopt the resolution to allow the Danbury Elderly Services Department to apply for and accept the funding from the Peter and Carmen Lucia Buck Foundation and allow the Director to expand the services to the City's elderly clients.** *The motion carried unanimously.*

11 - REPORTS Request for Sewer and Water Extensions - Sawmill Road and Turner Road

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

12 - REPORT Conveyance of Land - Road Widening - 39 Hospital Avenue

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

13 - AD HOC REPORT Tax Relief Residential/APT Taxpayers

A motion was made by Joseph Cavo and seconded by Paul Rotello **to waive the reading of the report.** *The motion carried unanimously.*

President Cavo requested that Item #13 be referred to Public Hearing.

Seeing no objections the request was ordered by Mayor Boughton. Mayor Boughton stated that there would be a special meeting following the Public Hearing to address the issue. Mr. Saadi noted that the Public Hearing is required by law. Mayor Boughton reminded all residents to file an appeal by 20-Feb-2014 with Tax Assessors Office.

14 - AD HOC REPORT Chow House - Farrington Woods

Councilman Knapp read the report of the Ad Hoc Committee.

A motion was made by Irving Fox and seconded by Jack Knapp **to accept the report and approve the lease arrangement with Mr. Ahearn for the Chow House at Farrington Woods with the terms and rental amount to be determined through negotiation with Corporation Counsel, Director of Buildings and Director of Parks and Recreation.**

Councilman Knapp requested that Mr. Pinter give an overview of the elements of the lease that has been negotiate since the Ad hoc Committee meeting. Mr. Pinter stated that the lease that has been negotiated for \$700 per month, for a 1 year term renewable at the option of the City, does not allow subletting or assignment and, by attachment, stipulates elements of care taking as agreed to between the City and Mr. Ahearn.

A brief discussion occurred regarding the property, distinction between license versus lease and the requirement for Public Hearing. Mr. Pinter stated that it is a Lease Agreement, and it does not reach the threshold for a Public Hearing. ***The motion carried unanimously.***

15 - AD HOC REPORT Danbury Innovation Center License

The report was received and the recommendation of the committee approved on the Consent Calendar.

16 - AD HOC REPORT Deferral of Assessment Increase - 20 Kenosia Avenue

The report was received and the recommendation of the committee approved on the Consent Calendar.

17 - AD HOC REPORT Interim Report - Past Due Payments - Whalers

A motion was made by Joseph Cavo and seconded by Paul Rotello **to waive the reading of the report as all members have copies and additional copies are available in the office of the Legislative Assistant.** *The motion carried unanimously.*

A motion was made by Jack Knapp and seconded by Duane Perkins to receive the report as present and adopt the recommendation of the Ad hoc Committee.

Councilman Fox stated that he has been a long time supporter of the Danbury Whaler's, attends games and believes the Whalers are beneficial to Danbury. He stated the in considering this Item he referenced the Lease Agreement and State Statute which both stipulate that it is the Whaler's responsibility to provide Police and Fire protection at their events. He stated that he is in support of the motion as it will bring about a settlement and additionally facilitate on-going communication between the Whalers and the City.

Mr. Saadi thanked fans for coming out to support the Whalers in a very respectful way. He noted the statute reference by Councilman Fox prohibits the City Council from making decisions about the numbers or action of the Police and Fire Departments regarding public safety. He continued that passing this motion does not end the discussions. The Ad hoc committee is continued, and the motion authorizes Corporation Counsel to continue to negotiate with the Danbury Whalers.

Councilman Seabury asked Mr. St. Hilaire, Director of Finance, who would pay for the Police and Fire protection that has been used by the Whalers. Mr. St. Hilaire stated that the tax payers must make the payments if the Whalers do not fulfill their obligation.

A further discussion ensued including the City Council's willingness to work with the Whaler's to find a solution and the requirements for other organization including non-profits for Fire and Police protection. Mayor Boughton stated that the Building Inspector and the Fire Marshal plan to conduct a comprehensive building inspection and will report back to the committee next week.

The motion carried unanimously.

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

A motion was made by Joseph Cavo and seconded by Duane Perkins to waive the reading of Departmental Reports as all members have copies and copies are on file in the Office of the Legislative Assistant.

The motion carried unanimously.

Councilman Knapp asked Mr. Iadarola, Director of Public Works, for a status report regarding storm readiness. Mr. Iadarola stated that we are on our 16th storm of the season. He stated he has heard reports of salt shortages, but we should be good for this storm. Further discussion occurred regarding snow removal and clean streets. Mr. Iadorola stated that he is working with the Finance Director to move some funds, but he may be requesting additional funding for the next month. Councilman Wetmore asked Mr. Kaplanis about the operation of the outdoor rink. Mr. Kaplanis stated that the rink is open, snow removal has been an issue, and use may be lower due to the extreme cold weather.

A motion was made by Joseph Scozzafava and seconded by Paul Rotello to Adjourn. *The motion carried unanimously and the meeting adjourned at 9:04 pm.*

Respectfully submitted,

Shani Burke Specht
Recording Secretary

Attest,
Mark D. Boughton, Mayor