

CITY COUNCIL

May 6, 2014

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

PLEDGE OF ALLEGIANCE & PRAYER

David St. Hilaire led all in the Pledge of Allegiance and Councilman Curran led a prayer to begin the meeting.

ROLL CALL

COUNCIL MEMBERS PRESENT: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Fred Visconti, Elmer Palma, Christopher Arconti, Peter Nero, Duane Perkins, Benjamin Chianese, Paul Rotello, and Joe Scozzafava.

COUNCIL MEMBERS ABSENT: John Priola, Thomas Saadi, and Marina Loyola.

PRESENT: 18, ABSENT: 3

Councilman Priola was out of the country. Councilman Saadi was on Military Reserve Duty. Councilwoman Loyola is recovering from illness.

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

PUBLIC SPEAKING

- Lynn Waller, 83 Highland Ave., spoke against the sale of land in Item #1, asked if the donation of the tarp, Item #8 would prohibit the use of the field by children. She spoke against the cell tower, Item #10. She also spoke on Items # 17 and #27.
- Ken Gucker, 89 Padanaram Rd spoke against the sale of land in Item #1 and against the development, Item #12.
- Ron Struski, 15 Topfield Road, spoke on Item #2 requesting funding for the Danbury War Memorial.
- Tim Winkler, 7 Patricia Land, spoke on Item #2 requesting funding for the Danbury War Memorial.
- Lorraine Seder, 224 Great Plain Road, spoke against housing development under Item #12.
- Frank Anders, 9 Terra Glenn RD, spoke in favor of funding the Danbury War Memorial under Item #2. In addition, he spoke in favor of the cell tower under Item #10.
- Nancy Troll, 30 Wondy Way, spoke in support of the proposed school budget, Item #21.3.
- Keenan Moore, 10-231 Avalon, spoke in favor of funding for the Danbury War Memorial, Item #2.

ANNOUNCEMENTS

The Mayor read the announcements for the month of May in Danbury. In addition, Mayor Boughton recognized the winners of the American Dream Awards and the read a Proclamation for *Tribuna* newspaper for its positive impact on Danbury.

MINUTES - Minutes of the Council Meeting held April 1, 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:

3 - Receive the communication and approve the appointments of John Schroeder as an Alternate Member to the Commission on Aging with a term to expire October 1, 2017.

4 - Receive the communication and approve the appointment of Bozena "Genna" Kupinska as a Member of the Parks and Recreation Commission with a term to expire July 1, 2017.

5 - Receive the communication and approve the appointments of Janet Harner, Ray McGarrigal and Warren W. Platz as Members of the Tarrywile Park Authority, with terms to expire January 1, 2017.

13 - Receive the Communication and adopt the Resolution that will allow the City of Danbury to apply for and accept funding from the Northwest Regional Workforce Investment Board. This funding request not to exceed \$88,000.00 will be utilized to fund a youth employment program from 7-1-2014 through 8-30-2014 that will be facilitated by Danbury Youth Services.

14 - Receive the Communication and adopt the Resolution that will allow the City of Danbury to apply for and accept funding through the State of Connecticut Local Capital Improvement Program (LoCIP) totaling \$142,000.00. This funding will be used for the replacement of the City Hall boiler system.

15 - Receive the Communication and adopt the Resolution that will allow the City of Danbury Department of Health and Human Services to accept an amendment to existing funding from the State of Connecticut Department of Housing for the emergency shelter. This will extend the current contract through June 30, 2015 and will total an additional \$117,756.00. No local match is required.

16 - Receive the Communication and adopt the Resolution that will allow the City of Danbury Department of Health and Human Services to accept addition funding, totaling \$861.00, from the State of Connecticut Department of Public Health for the current SBHC contract to expire June 30, 2016.

18 - Receive the Report of the Ad Hoc Committee and approve their recommendation to adopt the Resolution authorizing the list agencies to apply for and receive funding in the form of tax revenues from the State of Connecticut through the Neighborhood Assistance Act Program.

19 - Receive the Report of the Ad Hoc Committee and approve their recommendation for the re-establishment of the following entities through June 30, 2019 pursuant to the Code of Ordinance 2-184 ; Danbury Cultural Commission, Commission on Aging, Danbury Parking Authority and the Lake Kenosia Commission. Also the conditional re-establishment of the Danbury Housing Partnership in that they produce and provide a set of guidelines to have responsibility for the Partnership.

20 - Receive the Report of the Ad Hoc Committee and approve their recommendation to adopt the amendment to the City Code of Ordinance, Section 6-02, adding footing inspections to sub section (a)(2) and adding a requirement for a Certificate of Approval as sub-section (b)(8)

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

1. COMMUNICATION-Old Ridgebury Road - 13 Acre Parcel

Councilman Wetmore made a request to refer Item #1 to an Ad hoc Committee with a representative of the Mayor's office and Corporation Counsel. Hearing no objection Mayor Boughton ordered the committee with the following Council Members Curran, Priola and Chianese.

2. COMMUNICATION-Danbury War Memorial

Councilman Curran requested that this item be referred to an Ad hoc committee with a representative from the Mayor's Office, Corporation Counsel, Director of Finance, Director of Public Utilities and a War Memorial Board Member. Hearing no objection Mayor Boughton ordered the committee with the following Council Members Cavo, Haddad and Visconti.

3. COMMUNICATION-Appointment to the Commission on Aging

The Communication was received on the Consent Calendar and approved.

Receive the communication and approve the appointments of John Schroeder as an Alternate Member to the Commission on Aging with a term to expire October 1, 2017.

4. COMMUNICATION-Appointment to the Parks & Recreation Commission

The Communication was received on the Consent Calendar and approved.

Receive the communication and approve the appointment of Bozena "Genna" Kupinska as a Member of the Parks and Recreation Commission with a term to expire July 1, 2017.

5. COMMUNICATION-Re-Appointments to the Tarrywile Park

The Communication was received on the Consent Calendar and approved.

Receive the communication and approve the appointments of Janet Harner, Ray McGarrigal and Warren W. Platz as Members of the Tarrywile Park Authority, with terms to expire January 1, 2017.

6. COMMUNICATION-Donation to the Police Department-Ridgefield & Leir Foundations

A motion was made by Colleen Stanley and seconded by Andrew Wetmore **to receive the communication and accept the donation of \$10,000 from the Ridgefield & Leir Foundations in memory of Henry J. Leir to be placed in account 6.00.200 and used for equipment and training.** *The motion carried unanimously.*

7. COMMUNICATION-Donation to the Police Department - CPWDA

A motion was made by Christopher Arconti and seconded by Andrew Wetmore **to receive the communication and accept the \$2000 donation to the Danbury K-9 unit and send appropriate letter of thanks.** *The motion carried unanimously.*

8. COMMUNICATION-Donation to the Parks & Recreation Department-Danbury Westerners

A motion was made by Michael Haddad, Sr. and seconded by Irving Fox **to receive the communication and accept the generous donation from the Danbury Westerners and send appropriate letter of thanks.**

Councilman Chianese asked who is responsible for placing and removing the tarp. Mr. Kaplanis, Director of Parks and Recreation, stated those who use the field as well as the Parks and Recreation staff will place and remove the tarp depending on the timing of games and storms. Councilman Visconti asked if other leagues would be able to use the field after accepting this donation. Mr. Kaplanis noted that all the groups that currently use the field will continue to do so and the tarp will make it possible to play more often. ***The motion carried unanimously.***

9. COMMUNICATION-Use of City Property for Parking-2-4 Germantown Road

Councilman Knapp requested that this item be referred to an Ad hoc Committee with Corporation Counsel, Director of Public Works and a report from planning. Hearing no objection Mayor Boughton ordered the committee with the following Council Members Levy, Palma and Perkins.

10. COMMUNICATION-Cell Tower-Richter Park Authority

Councilman Curran requested that this Item be referred to an Ad hoc Committee with Corporation Counsel, Director of Planning, a representative from Richter Park and a report from Planning. Hearing no objection Mayor Boughton ordered the committee with the following Council Members Knapp, Curran, and Rotello.

11. COMMUNICATION-Request for Sewer and Water Extension-Padanaram Road and Eastwood Road

Councilman Seabury referred this item to City Engineering and Planning for reports. A brief discussion regarding the need for and timing of an Ad hoc committee took place. Hearing no objection Mayor Boughton ordered reports from the City Engineer.

12. COMMUNICATION-Request for Sewer - Great Meadow Road and Great Plain Road

Councilman Fox requested that this Item be referred to an Ad hoc committee with Corporation Counsel, City Engineer, Superintendent of Public Utilities ,Director of Public works and a report from the Planning Commission. Hearing no objection Mayor Boughton ordered the committee with the following Council Members Knapp, DiGilio and Saadi.

13. RESOLUTION-NRWIB-Youth Employment Funding

The Resolution was received on the Consent Calendar and adopted.

Receive the Communication and adopt the Resolution that will allow the City of Danbury to apply for and accept funding from the Northwest Regional Workforce Investment Board. This funding request not to exceed \$88,000.00 will be utilized to fund a youth employment program from 7-1-2014 through 8-30-2014 that will be facilitated by Danbury Youth Services.

14. RESOLUTION-LOCIP-Public Buildings

The Resolution was received on the Consent Calendar and adopted.

Receive the Communication and adopt the Resolution that will allow the City of Danbury to apply for and accept funding through the State of Connecticut Local Capitol Improvement Program (LoCIP) totaling \$142,000.00. This funding will be used for the replacement of the City Hall boiler system.

15. RESOLUTION-DOH Shelter Funding

The Resolution was received on the Consent Calendar and adopted.

Receive the Communication and adopt the Resolution that will allow the City of Danbury Department of Health and Human Services to accept an amendment to existing funding from the State of Connecticut Department of Housing for the

emergency shelter. This will extend the current contract through June 30, 2015 and will total an additional \$117,756.00. No local match is required.

16. RESOLUTION-SBHC FY 13/14 - Additional Funding

The Resolution was received on the Consent Calendar and adopted.

Receive the Communication and adopt the Resolution that will allow the City of Danbury Department of Health and Human Services to accept addition funding, totaling \$861.00, from the State of Connecticut Department of Public Health for the current SBHC contract to expire June 30, 2016

17. RESOLUTION-Veterans Market Nutrition Program

A motion was made by Warren Levy and seconded by Colleen Stanley to receive the communication and adopt the resolution to authorize Mark D. Boughton and/or Scott Leroy to sign the Letter Of Agreement with the State of CT, Dept. of Agriculture and to do all things necessary to administer the Veterans Farm Market Nutrition Program. The motion carried unanimously.

A brief discussion regarding the operation of the program occurred. Mr. Leroy stated that his department has the information and resources to find and distribute the coupons through their community partnerships. He additionally stated that those not meeting the income guidelines are helped through other community program partners. Mr. Leroy also thanked Sue Zaborowski, Social Services Coordinator, for finding the program.

18. REPORT-2014 Neighborhood Assistance Act

The Report was received on the Consent Calendar and approved.

Receive the Report of the Ad Hoc Committee and approve their recommendation to adopt the Resolution authorizing the list agencies to apply for and receive funding in the form of tax revenues from the State of Connecticut through the Neighborhood Assistance Act Program.

19. REPORT & ORDINANCE-Governmental Entities, Code of Ordinance, Section 2-176

The Report was received on the Consent Calendar and approved.

Receive the Report of the Ad Hoc Committee and approve their recommendation for the re-establishment of the following entities through June 30, 2019 pursuant to the Code of Ordinance 2-184 ; Danbury Cultural Commission, Commission on Aging, Danbury Parking Authority and the Lake Kenosia Commission. Also the conditional re-establishment of the Danbury Housing Partnership in that they produce and provide a set of guidelines to have responsibility for the Partnership.

20. REPORT & ORDINANCE-Building Department Fee Schedule-Code of Ordinance, Section 6-02 (a), and 6-02 (b)

The Report was received on the Consent Calendar and approved.

Receive the Report of the Ad Hoc Committee and approve their recommendation to adopt the amendment to the City Code of Ordinance, Section 6-02, adding footing inspections to sub section (a)(2) and adding a requirement for a Certificate of Approval as sub-section (b)(8).

21. REPORT-ORDINANCE & RESOLUTION-An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2014 and ending June 30,2015 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015

A motion was made by Joseph Cavo and seconded by Gregg Seabury to receive the report and make appropriations for the Fiscal Year beginning July 1, 2014 and ending June 30,2015 and adopting the Resolution setting the mill rate at 27.60 and levying the Property Tax for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015

Mayor Boughton stated for clarification that each committee report would be discussed individually, before voting on the main motion for the entire budget.

A motion was made by Joseph Cavo and seconded by Duane Perkins to waive the reading of reports. The motion carried unanimously.

A. General Government 1 Budget Report

A motion was made by Gregg Seabury and seconded by Joseph Cavo to Approve to accept the report from General Government I, which includes a salary increase for the Registrar of Voters.

The motion carried by a 13:5 vote:

AYES: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Elmer Palma, Christopher Arconti, and Joe Scozzafava.

NAYS: Fred Visconti, Peter Nero, Duane Perkins, Benjamin Chianese, and Paul Rotello.

B. General Government II Budget Report

A motion was made by Warren Levy and seconded by Gregg Seabury to adopt the recommendations of the committee.

The motion carried by a 14:3 vote with 1 abstention:

AYES: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Fred Visconti, Elmer Palma, Christopher Arconti, and Joe Scozzafava.

NAYS: Duane Perkins, Benjamin Chianese, and Paul Rotello.

ABSTAIN: Peter Nero.

C. Education Budget Report

A motion was made by Colleen Stanley and seconded by Michael Haddad, Sr. to Approve to adopt the committee's recommendations in the report.

Councilwoman Stanley thanked Mr. Martino for presenting a more transparent budget for the committee this year. Councilman Visconti asked for clarification on Head Start funding. Mr. Martino stated that \$485,000 was outside of the BOE operating general fund and within the Alliance/ECS funding from the state of CT. He stated that no cuts were made to Head Start in this budget. Councilman Nero asked if the Utilities and Repairs were separated for the Council as requested in the Committee meeting. Mr. Martino stated that it will be separated in next's year's budget and he could follow-up with Councilman Nero for this year's figures. A discussion regarding the Energy Conservation Program took place. Mr. Martino stated that a detailed report of all the measures taken was in progress. This reported would be presented to the Board of Education and then shared with the City Council. Councilman Palma asked for clarification on the distribution of supplies. Mr. Martino stated that the supplies budget would be by student so that schools with more students would have more supplies. Councilman Fox asked if there was a contingency plan if Alliance funding is no longer available from the state especially as it relates to all day kindergarten. Mr. Martino stated that the \$6.6 million, of current funding for major

initiatives is substantial. The BOE will look at additional grants and re-allocating resources. Councilmen Visconti, Fox and Scozzafava all express their satisfaction in working with Mr. Martino and Dr. Pascarella on this year's budget.

The motion carried unanimously.

D. Public Works Budget Report

A motion was made by Jack Knapp and seconded by Vinny DiGilio **to adopt the committee recommendations and approve the Mayor's budget for Public Works.** *The motion carried 17 in favor with Councilman Nero abstaining.*

E. Health & Housing, Public Safety, Welfare & Social Services Budget Report

A motion was made by Philip Curran and seconded by Vinny DiGilio **to adopt the recommendation of the committee.** *The motion carried 17 in favor with Councilman Nero abstaining.*

Mayor Boughton asked if there was any discussion on the main motion for the whole budget.

Councilman Visconti stated that there was not adequate time to review the budget materials and many questions have not been answered. For those reasons he cannot support the budget as a whole. President Cavo thanked Mr. St. Hilaire and all the department heads for their work in preparing the budgets and answering questions of the City Council Members both in committee meetings and outside of meetings.

The motion carried by a 13:4 vote with 1 abstention:

AYES: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Elmer Palma, Christopher Arconti, and Joe Scozzafava.

NAYS: Fred Visconti, Duane Perkins, Benjamin Chianese, and Paul Rotello.

ABSTAIN: Peter Nero.

22. REPORT & ORDINANCE-An Ordinance Appropriating \$3,000,000 for Public Improvements in the 2014-2015 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

A motion was made by Joseph Cavo and seconded by Andrew Wetmore **to receive that report of the Committee of the Whole and adopt the Ordinance appropriating \$3,000,000 for public improvements in the 2014-2015 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 purposes.** *The motion carried unanimously.*

23. REPORT & ORDINANCE-Sewer Rates as of July 1, 2014

A motion was made by Gregg Seabury and seconded by Irving Fox **to receive the report of the Committee of the Whole and adopt the Ordinance revisions establishing Sewer Rates as of July 1, 2014.** *The motion carried unanimously.*

24. REPORT & ORDINANCE-Water Rates as of July 1, 2014

A motion was made by Jack Knapp and seconded by Vinny DiGilio **to receive report of the Committee of the Whole and adopt the ordinance revisions establishing Water Rates as of July 1, 2014.**

The motion carried by the following vote 16-2:

AYES: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Fred Visconti,

Christopher Arconti, Peter Nero, Benjamin Chianese, Paul Rotello, and Joe Scozzafava.
NAYS: Elmer Palma and Duane Perkins.

Item #5 April Meeting taken from the table: RESOLUTION--Downtown Special Services District - Tax Levy

A motion was made by Joseph Cavo to take from the table Item #5: RESOLUTION--Downtown Special Services District - Tax Levy from April 01, 2014 meeting for discussion. The motion carried unanimously.

A motion was made by Joseph Cavo and seconded by Gregg Seabury to Adjourn to receive the communication and adopt the resolution levying the property tax for the Downtown Special Services District for the fiscal year beginning July 1 2014 and ending June 30, 2015 and setting the mill rate at 2.175 mills.

The motion carried by a 15:3 vote:

AYES: Philip Curran, Michael Haddad, Sr., Jack Knapp, Warren Levy, Gregg Seabury, Colleen Stanley, Andrew Wetmore, Irving Fox, Vinny DiGilio, Joseph Cavo, Elmer Palma, Christopher Arconti, Peter Nero, Paul Rotello, and Joe Scozzafava.

NAYS: Fred Visconti, Duane Perkins, and Benjamin Chianese

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

A motion was made by Joseph Cavo to waive the reading of departmental reports as all members have copies and additional copies are available in the office of the legislative assistance. The motion carried unanimously.

Councilman Perkins asked for an update on the beaver situation. Mr. Iadarola commented that the Department of Public Works is looking into ways of trapping the beavers at all of the reservoirs. Permits will be necessary to trap outside of the season.

Councilman Rotello commented that the Sycamore at the end of Main Street must be removed. He asked that if any cannonballs are found they be given to the Danbury Historical Society.

President Cavo thanked Mr. Iadarola and the Public Works Dept. for their help with Danbury clean-up day.

EXECUTIVE SESSION

A motion was made by Joseph Cavo and seconded by Vinny DiGilio to Approve to go into Executive Session for the purposes of discussing purchase of City property, Tax Appeal Settlements, and Litigation Strategy. The motion carried unanimously.

The meeting went into Executive Session at 9:04 pm

A motion was made by Joseph Cavo and seconded by Fred Visconti to end Executive Session. The motion carried unanimously.

The meeting returned to regular session at 10:06 pm

26. COMMUNICATION-Purchase of Property by City

A motion was made by Joseph Cavo and seconded by Paul Rotello to authorize Mayor Boughton to negotiate with the property owner as discussed in Executive Session and to bring back to the City Council for

approval a proposed agreement for the property. The motion carried unanimously.

27. COMMUNICATION-Supplemental Budget Request - Litigation Costs

A motion was made by Joseph Cavo and seconded by Andrew Wetmore **to approve the request along with the certification from the Director of Finance for the funds requested by Corporation Counsel for current litigation expenses and increase the amount by the certification to \$100,000. The motion carried unanimously.**

28. COMMUNICATION-Ratification of Recent Tax appeal Settlements

A motion was made by Joseph Cavo and seconded by Andrew Wetmore **to approve the proposed settlements and authorize Corporation Counsel to take actions necessary to effectuate those settlements as discussed in Executive Session. The motion carried unanimously.**

ADJOURN

A motion was made by Christopher Arconti and seconded by Peter Nero **to adjourn. The motion carried unanimously.** There was no further business before the City Council; the meeting adjourned at 10:09 pm.

Respectfully submitted,

Shani Burke Specht
Recording Secretary

Attest,
Mark D. Boughton, Mayor