

~AD HOC REPORT~
Add Charles Ives Authority to the Government Entities
Thursday, March 8, 2007

(32)

Hon. Mark D. Boughton, Mayor
Common Council Members

Chairman Ted Cutsumpas called the meeting to order at 6:00 p.m. on Thursday, March 8, 2007, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present were Committee members Jane Diggs and Paul Rotello. Also present were Corporation Counsel Laszlo L. Pinter, Petitioner Benjamin Chianese and interested citizens.

Chairman Cutsumpas explained that the charge of the Committee was to consider adding the newly formed Charles Ives Authority to Article VII Section 2-176 of the Code of Ordinances. Mr. Chianese explained the purpose in adding them to the sunset provisions was to hold the new Authority accountable to the City and to the Common Council as to their progress as there has been concern in the past over financial losses. Mr. Chianese made note of several other similar entities that fell under the sunset provisions.

Chairman Cutsumpas asked the opinion of Corporation Counsel Pinter and whether or not a Public Hearing was required in light of the Ordinance being amended. Corporation Counsel Pinter explained that when an Ordinance is amended, a Public Hearing is held and then the item is brought before the Council with a recommendation by the Committee.

Chairman Cutsumpas opened the meeting up for discussion and/or questions. Councilwoman Diggs asked for an explanation of a sunset provision. Corporation Counsel Pinter explained that some years ago, the Common Council adopted the Ordinance to be used as a review of the various boards, commissions and authorities of the City of Danbury so that there is not a duplication of services or a waste of resources. The Ordinance was adopted with groupings of boards, commissions and authorities in order that each may be reviewed every five years by the Common Council to determine whether or not to terminate them or maintain their existence. Councilman Rotello asked if bringing the matter before a Public Hearing would cause the Authority to experience any effects or delays in their schedule. Corporation Counsel Pinter said no.

Councilman Rotello noted the importance of supporting the Ives Center. While he expressed his approval of the sunset provision, it was more because of having to follow a process than the possibility of failure. He felt the continued input regarding the Ives Center was critical for public awareness. Chairman Cutsumpas asked if Councilman Rotello felt five years was not enough time. Councilman Rotello noted the continued lease problems the Ives Center has faced as it was a one-year lease. Each year, the Ives Center has been faced with whether or not it would exist at its present location. He felt more comfortable with a seven-year provision or, if possible, longer. Mr. Chianese noted that the first five years are critical with the first year being the most difficult with having to endure reorganization. By having a five-year review, progress can be evaluated. If there is not a review until seven or ten years, accountability would be more difficult. At the five-year review, Mr. Chianese suggested making a recommendation for a longer sunset provision. Corporation Counsel Pinter recommended a five-year provision but agreed with Mr. Chianese's recommendation.

32-1

A motion was made by Councilwoman Diggs and seconded by Councilman Rotello to amend Article VIII Section 2-176 to add Section (e) for the purpose of adding the Charles Ives Authority to governmental entities that are terminated, effective June 30, 2012, unless re-established in accordance with Section 2-184 of this Article.

Chairman Cutsumpas asked the Corporation Counsel if the motion was proper. Corporation Counsel said yes, however, noted that that the termination year may need to be June 30, 2011 and would confirm that when the Ordinance was brought before the Council. He pointed out that the issue was before the Council in 2006 and might need to be included with the 2006 grouping. Councilman Rotello did not agree with a four-year sunset provision for the Authority. He recommended using July, 2007 as the start date for the Authority in an effort to make the sunset provision 2012 to afford the Authority a full five years. Corporation Counsel said that was another option noting the effective date as July 1, 2007. Both Chairman Cutsumpas and Chairwoman Diggs agreed with Councilman Rotello's suggestion. With the consent of Councilman Rotello, Councilwoman Diggs re-stated her motion to read as follows:

To amend Article VIII Section 2-176 to add Section (e) for the purpose of adding the Charles Ives Authority to governmental entities that are terminated, effective June 30, 2012, unless re-established in accordance with Section 2-184 of this Article, to be effective July 1, 2007. The motion carried unanimously.

A motion to adjourn was made by Councilwoman Diggs and seconded by Councilman Rotello. The motion carried unanimously at 6:22 p.m.

Respectfully submitted,

Ted Cutsumpas, Chairman

Jane Diggs

Paul Rotello