

CITY COUNCIL MEETING

October 6, 2022 - 7:30 P.M.

Honorable Mayor, Dean Esposito, called the meeting to order at 7:35 p.m.

PLEDGE OF ALLEGIANCE & PRAYER

The Pledge of Allegiance was led by Sean Hatch. Councilman DiGilio led all in prayer.

ROLL CALL

COUNCIL MEMBERS PRESENT: Buzaid, Eriquez, Knapp, Levy, DiGilio, Rotello, Henry, Britton, Perkins, Santos, Chianese, Cammisa, Fox, Esposito, Visconti, Palma, Esposito III and Molinaro.

COUNCIL MEMBERS ABSENT: Cavo, Halas and Masi.

PRESENT: 18, ABSENT: 3

ALSO PRESENT: Les Pinter, Deputy Corporation Counsel; Dan Garrick, Assistant Finance Director; and Elisa Etcheto, Legislative Assistant.

PUBLIC INPUT

Ken Gucker, Resident, 89 Padanaram Road, spoke in opposition of item #5. Furthermore, he thanked Councilman Chianese for his work on item #7; and thanked Tim Nolan for addressing a tree issue.

Kate Conetta, Resident, 4 Topfield Road, spoke in opposition of item #5.

MINUTES - Minutes of the Council Meeting held September 7, 2022

A motion was made by Councilman DiGilio, and was seconded by Councilman Perkins, to waive the reading of the Minutes as all members of the Council have copies and copies are on file in the Legislative Assistant's Office; additionally accept the Minutes as presented. The motion carried unanimously.

CONSENT CALENDAR

3. COMMUNICATION - Appointment to Government Entity – Commission on Aging

Receive the Communication and approve the appointment of Diana Lopes to serve on the Commission on Aging.

8. COMMUNICATION – Disposal of Surplus Pumper – Fire Department

Receive the Communication from Richard Thode, Fire Chief, and approve the disposal of the 2006 Pierce Dash Pumper as presented.

9. COMMUNICATION – Funding Apportionments – Town Clerk & Registrar of Voters

Receive the Communication from Mary Ann Doran - Republican Registrar of Voters, Joan Belizna – Democrat Registrar of Voters, and Janice Giegler – Town Clerk, and approve their request for additional funding appropriations for the August Primaries as presented.

10. COMMUNICATION – Disposal of Surplus Vehicles – Purchasing

Receive the Communication from Charles Volpe, Purchasing Agent, and approve the disposal of surplus vehicles as presented.

13. RESOLUTION - CT DECD Supporting Arts Grant – Cultural Commission

Receive the Communication from Dan Garrick, Assistant Director of Finance, and adopt the Resolution authorizing Mayor Dean Esposito or Gregory Wencek, Coordinator of the Cultural Commission, to apply for and accept funding from the Connecticut Department of Economic and Community Development Supporting Arts Grant Program as presented.

14. RESOLUTION - CT DECD Cultural Operating Support Grants – Cultural Commission

Receive the Communication from Dan Garrick, Assistant Director of Finance, and adopt the Resolution authorizing Mayor Dean Esposito or Gregory Wencek, Coordinator of the Cultural Commission, to apply for and accept funding from the Connecticut Department of Economic Development through the Connecticut Cultural Fund Operating Supports Grant Program as presented.

15. RESOLUTION - Easement Acquisitions – Sheridan Street & McDermott Street

Receive the Communication and adopt the Resolution authorizing the City of Danbury through the Office of the Corporation Counsel to acquire the property interests substantially as set forth in the attached descriptions of easement areas to be acquired related to the installation of storm drain piping on properties located at 9 McDermott Street, 62-66 Sheridan Street, and 74 Sheridan Street as presented.

19. REPORTS - Planning & Engineering – Request for Water Line & Hydrant Easement 102 Mill Plain Road

Receive the Reports from the Director of Public Works/City Engineer, the Planning Department, and the Planning Commission and adopt their positive recommendations for Water Line and Hydrant Easement at 102 Mill Plain Road subject to the legal documents being acceptable to the Corporation Counsel's office and the Engineering Division stipulation as presented.

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

1. COMMUNICATION – Fire Department Promotion – James Gagliardo to Fire Lieutenant

A motion was made by Councilman M. Esposito, seconded by Councilman Visconti, to receive the correspondence and confirm the appointment/promotion of Communications Coordinator James Gagliardo, to the position of Fire Lieutenant in the Danbury Fire Department. The motion carried unanimously.

2. No Item *

3. COMMUNICATION - Appointment to Government Entity – Commission on Aging

****CONSENTED*** - as received.

4. COMMUNICATION - Teamsters Collective Bargaining Agreements (3)

A motion was made by Councilman Eriquez, seconded by Councilman Rotello, to receive the communication and approve the funding for the Collective Bargaining Agreements between the City of Danbury and the Teamsters Union, Local 677, from July 1, 2021 to June 30, 2025, as presented. The motion carried unanimously.

Mr. Garrick explained the contract terms (\$500,000 increase per year) to Councilman Levy. He clarified the contracts' funding details (total increase of \$2.5 million) with Councilman Chianese.

5. COMMUNICATION - Extension of Property Tax Assessment Deferral Agreement – 333 Main St

A motion was made by Councilman DiGilio, to send this item to an Ad Hoc, that consists of Corporation Counsel, Director of Planning, Director of Finance, Tax Assessor, Representative from the Mayor's Office, and petitioner. So Ordered.

The Mayor appointed Councilman DiGilio in the chair, along with Councilmen Henry and Perkins.

6. COMMUNICATION – Tax Appeal Litigation – Danbury Mall, LLC/MS Portfolio

A motion was made by Councilman DiGilio, seconded by Councilman Perkins, to move the item to the end of the agenda, to go into executive session at that time. The motion carried unanimously.

7. COMMUNICATION – Reapportionment Advisory Commission (R.A.C.) Final Report

A motion was made by Councilman Knapp, to refer this to an Ad Hoc, consisting of Corporation Counsel, Republican Registrar Voters, Democrat Registrar Voters. So Ordered.

The Mayor appointed Councilman Knapp in the chair, along with Councilwoman Cammisa and Councilman Visconti

8. COMMUNICATION – Disposal of Surplus Pumper – Fire Department

***CONSENTED** - as received.

9. COMMUNICATION – Funding Apportionments – Town Clerk & Registrar of Voters

***CONSENTED** - as received.

10. COMMUNICATION – Disposal of Surplus Vehicles – Purchasing

***CONSENTED** - as received.

11. COMMUNICATION - Application for Renewal of Extension of Water Main - 54, 55 & 58 Town Hill Avenue & Park Avenue

A motion was made by Councilman Henry, to refer this to the City Engineer and Planning for reports. So Ordered.

12. RESOLUTION – American Rescue Plan Act (ARPA) of 2021 – Reallocation of Funds

A motion was made by Councilman Esposito III, seconded by Councilman M. Esposito, to adopt the resolution as presented. The motion carried unanimously.

Mr. Garrick and Councilman Rotello discussed ARPA Funding. He clarified that \$32 million (remaining balance of \$10,218,000) in ARPA funding has been received and some has already been distributed. He responded to Councilman Chianese regarding public input. Furthermore, he discussed the use of a consultant to release funding including to the Authorities.

Councilman DiGilio spoke on the creation of the list of recipients of ARPA funding

13. RESOLUTION - CT DECD Supporting Arts Grant – Cultural Commission

**CONSENTED* - as received.

14. RESOLUTION - CT DECD Cultural Operating Support Grants – Cultural Commission

**CONSENTED* - as received.

15. RESOLUTION - Easement Acquisitions – Sheridan Street & McDermott Street

**CONSENTED* - as received.

16. RESOLUTION - Acquisition of Property – 40 Apple Ridge Road

A motion was made by Councilman Levy, seconded by Councilman DiGilio, to adopt the resolution authorizing the City of Danbury through the Office of Corporation Counsel, to continue negotiations and to acquire 40 Apple Ridge Road property, as outlined in agenda item 16 resolution; including the Apple Ridge Road legal description. The motion carried unanimously.

Corporation Counsel Yamin asked for confirmation that the council had been provided with the supplemental/adjunct document consisting of a legal description of the property. Confirmation was provided by the Legislative Assistant.

Mr. Iadarola clarified the progress of the project with Councilman Chianese. The first phase of the project was presented to the State, and City staff is working diligently towards the second phase.

Mayor Esposito explained the timeline of the project to Councilman Rotello. The sale will be finalized soon, and the project is moving forward. The plan is to have the property secured by the end of next week.

17. REPORT & RESOLUTION - Ad Hoc – Charter Revision - 2022

A motion was made by Councilman DiGilio, and was seconded by Councilman Perkins, to waive the reading of the Minutes of this report, as all members have copies and copies are on file in the Legislative Assistant's Office. The motion carried unanimously.

A motion was made by Councilman DiGilio, and was seconded by Councilman Palma, to receive this communication and accept the report, and approve the recommendation of the Ad Hoc Committee and the

adoption of the resolution as presented. 12 – Yes, 6 – No (Rotello, Viconsti, Britton, Santos, Perkins, Molinaro). Motion Fails (due to Charter requirements of majority vote, 14+ to pass).

Councilman Rotello stated he does not support moving forward with a Charter revision due to a lack of details regarding what would be addressed; and requested a clarification of the revision process. Mr. Pinter commented that the Council can choose not to initiate a Charter revision; the purpose of the Charter revision is to update outdated laws.

Councilman Esposito III and Councilman DiGilio spoke in support of moving forward with a Charter revision.

Councilman Levy spoke about the importance of initiating a Charter revision.

18. **REPORT & RESOLUTION - Ad Hoc – Application for Tax Deferral – Main St., White St. & Post Office Walk Savings Bank of Danbury**

A motion was made by Councilman DiGilio, and was seconded by Councilman Perkins, to waive the reading of the Minutes, as all members have copies and copies are on file in the Legislative Assistant's Office. The motion carried unanimously.

A motion was made by Councilman Levy, and was seconded by Councilman Fox, to receive this report and adopt the recommendations to grant a 7-year tax deferral in accordance with Connecticut General Statute 12-656, and City Code of Ordinance Section 44-53, and other relevant City department requirements, such as the Planning Department. 16- Yes, 1 - No (Perkins), 1 Abstention (Santos). The motion carried.

Councilman Chianese stated the proposal greatly benefits the Downtown area.

Councilman Perkins stated he supports the project; however, he does not support the tax abatements.

Councilman Rotello stated the Savings Bank of Danbury is making a substantial investment in Danbury and supports the tax abatement. He encouraged other businesses to expand their business operations in the City.

Mayor Esposito commented the tax deferral is considered an incentive to attract businesses to expand in Danbury. He asked the Council to support the tax deferral to continue Downtown development.

Councilman DiGilio spoke in support of the tax deferral. To note, the City will be collecting \$19,000+ in taxes immediately, and \$190,000+ in tax revenue after 7-years, and emphasized that the bank is keeping its other assets in the city.

19. **REPORTS - Planning & Engineering – Request for Water Line & Hydrant Easement 102 Mill Plain Road**

****CONSENTED*** - as received.

DEPARTMENT REPORTS - Police, Fire, Health & Human Services, Public Works, Permit Center, U.N.I.T., Elderly Services, Public Library

A motion was made by Councilman DiGilio, and was seconded by Councilman Perkins, to waive the reading of the Minutes as all members of the Council have copies and copies are on file in the Legislative Assistant's Office; as well as accept these reports as presented. The motion carried unanimously.

Councilman Esposito III thanked Mayor Esposito and City staff for their hard work completing road improvements and paving around the City.

Mr. Iadarola explained Eversource's infrastructure work and gas main mandates (replacement of old cast-iron mains) to Councilman Santos. He discussed the City's work in finishing up the paving program, and plans on starting some drainage prep work next year. Furthermore, he explained the high schools HVAC challenges to Councilman Britton, and that the City will be applying for the state's new HVAC grant program.

Councilman DiGilio thanked Deputy Police Chief Michael Sturdevant and Officer Webber for supporting the local Boy Scout Troops.

Mr. Ridenhour addressed Councilman Chianese regarding an update on the ATV Ordinance., and explained that the department does not have data at the time regarding the ordinance's impact so far..

Mayor Esposito recognized City employees for their hard work this year. He encouraged the public to view the new City website.

EXECUTIVE SESSION

A motion was made by Councilman DiGilio, seconded by Councilman Levy, to enter into Executive Session for the purposes of discussing a pending legal matter involving a tax appeal with Macerich Co., the following individuals are directed to remain for the session, Corp Counsel Attorney Pinter and Attorney Yamin, Tax Assessor Murphy, Asst. Finance Director Garrick, Chief of Staff Palanzo, and members of Mayor's Office; Kleinhans and Barney. Motion Carried unanimously.

Meeting moved into Executive Session at 9:05 pm.

The following were present during Executive Session: Mayor Esposito; 18 Council Members; Robert Yamin, Corporation Counsel; Les Pinter, Deputy Corporation Counsel; Dan Garrick, Assistant Finance Director; Donna Murphy, Tax Assessor; Roger Palanzo, Chief of Staff; Jonathan Barney, Mayor's Office

A motion was made by Councilman DiGilio, seconded by Councilman Levy, to return to open session. Motion carried unanimously.

City Council meeting moved back into Open Session at 9:53 pm.

A motion was made by Councilman DiGilio, seconded by Councilman Rotello, to authorize the resolution of the pending legal matter in accordance with the discussion, to authorize the Mayor to sign the agreement together with the certification of funds provided. Motion Carries unanimously.

Mayor Extended All Committees.

ADJOURNMENT

A motion was made by Councilman DiGilio, seconded by Councilwoman Cammisa, to adjourn. Motion carried unanimously.

The meeting adjourned at 9:55 p.m.

Copies of Agenda Items are available in the Legislative Assistant's Office.

** Note on Item #2: The agenda was prepared, numbered and printed with a placeholder for Item #2. The decision was ultimately made to not include this item. Therefore, there is no Item #2.*

Respectfully submitted, Christina Martinez, Recording Secretary
Attest, Elisa Etcheto, Legislative Assistant