

To: Mayor Mark D. Boughton and Members of the Common Council

Re: Minutes of the Common Council Meeting held March 6, 2007.

The meeting was called to order at 7:35 p.m. The Pledge of Allegiance and the a prayer were recited. The members were recorded as:

**PRESENT** – McMahon, Nagarsheth, Trombetta, Perkins, Visconti, Chianese, Esposito, Saadi, Cavo, Basso, Rotello, Diggs, Cutsumpas, Riley, Saracino, Seabury, Stanley and Taborsak.

**ABSENT** – Jim Johnson is out of town for training, Mike Calandrino had a death in the family and Mary Teicholz is out of town for her treatment.

18 PRESENT – 3 ABSENT

### **PUBLIC SPEAKING**

Lynn Waller, 83 Highland Avenue. Item #4 - Why appoint 2 people from Sandy Hook. Item #17 Meserve Fund - Why is Danbury receiving money coming through Danbury education foundation? Item #19 – what is the difference in the estimate on the repair.

George Kendall, Reynolds Road. Item #15 – His petition for sewer/water is to go further in scope & would like coordination between planning and zoning at the ad hoc meeting.

Margaret Mitchell, Main Street & Park Place. East Ditch work needs to move forward. Item #5 - The review board is a good idea – please consider signage and façade. Item #21 – Tax deferral is not being rescinded – if we charged taxes \$300,000 would help the City. Questions on how many tenants in each unit and parking.

Joseph Dasilva, Jr., 161 Main Street. Item #21 –there is a problem with the BRT building being used for students. Tax deferral program was to build market rate housing as an economic driver for our downtown. A dormitory is not an economic driver it would not help the downtown merchants.

Andrew Wetmore, 117 Great Plain Road. Item #12 – this item is already addressed by state law and the police can already issue fines. Item #21 – students will be good for the downtown area.

Helena Abrantes, 12 Fanton Road. Item #21 – The deferral benefit has not been used before for housing purposes. I oppose the use of deferral assessment program for housing purposes which only serves to benefit the housing developer.

Ivan Alcime, 2 Midfield Road. Item # 6 – CERT needs this donation; CERT is very beneficial for the City.

James Kelly, 19 Country Ridge Road. Item #21 – Feels the Council should be upset at the letter from Corporation Counsel. The agreement to defer seems to be a flexible agreement arranged by the Mayor, Corporation Counsel and BRT.

The Public Speaking portion of the meeting was closed at 8:00 p.m.

The Mayor read the announcements for the month of March.

Mayor Boughton gave his budget address.

Mayor Boughton appointed the budget committees.

**General Government 1:** Seabury (Chair), Cutsumpas, Cavo, Saadi & Perkins

**General Government 2:** Basso (Chair), Trombetta, Johnson, Rotello & Taborsak

**Public Works:** Cutsumpas (Chair), Stanley, Nagarsheth, Johnson & Chianese

**Education:** Saracino (Chair), Stanley, Riley, Diggs & Visconti

**Health, Housing, Public Safety & Social Services:** Trombetta (Chair), Basso, Diggs, McMahon & Esposito

**Grant Agencies:** Riley (Chair), Cavo, Saracino, Nagarsheth & Rotello

### **MINUTES**

Minutes of the Common Council Meeting held February 6, 2006.

Mr. Cavo made a motion to adopt the minutes as presented and waive the reading as all members have copies and they are also on file in the City Clerk's office. Seconded by Mrs. Basso. Motion carried unanimously.

### **CONSENT CALENDAR**

Mrs. Basso presented the following items for the Consent Calendar:

4 – Receive the communication and confirm the appointment of Donald E. Weeden, Anthony J. Cassano, Steven J. Greenberg, Lisa Trombetta, Paul Sirois, Michael Osborne, G Koryoe Anim-Wright, Francis M. Herbert and L. Fernando Jimenez to serve as members of the Charles Ives Authority for the Performing Arts.

16 – Receive the communication and approve the Resolution authorizing Mayor Mark D. Boughton to make application to the State of Connecticut for and to accept LoCIP funds in the amount of \$257,550 to renovate 1 Memorial Drive and in the amount of \$200,000 to replace underground fuel tanks at the Public Works complex as outlined in the City of Danbury Capital Improvement Plan as recommended by the Planning Commission.

17 – Receive the communication and approve the Resolution authorizing Mayor Mark D. Boughton or his designee to apply for and accept funding from the Meserve Foundation in the amount of \$3,500 for the homeless shelter.

18 – Receive the communication and approve the resolution authorizing Mayor Mark D. Boughton to apply for and accept funding from the State of Connecticut, Department of Education in the amount of \$75,000 to support Youth and Family Counseling.

22-Receive the report and authorize Mayor Mark D. Boughton to accept the conservation easement as previously negotiated by Corporation Counsel.

24 -Receive the report and take no action at this time.

25 –Receive the report and approve the recommendations of the committee

Mr. Saadi moved to accept the Consent Calendar as read. Seconded by Mr. Visconti. Mr. Saadi asked that items #4 and 16 be removed from the Consent Calendar. Hearing no objection they were removed. Motion then carried unanimously.

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1 – ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year. Beginning July 1, 2007 and ending June 30, 2008 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008.

Mr. Seabury asked that this be deferred to a public hearing. Mayor Boughton so ordered.

2 – ORDINANCE - An Ordinance Appropriating \$500,000 for Public Improvements in the 2007-2008 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to Meet said Appropriations.

Ms. Stanley asked that this be deferred to a public hearing. Mayor Boughton so ordered.

3 – RESOLUTION - Downtown Special Services District – Tax Levy

A RESOLUTION LEVYING THE PROPERTY TAX FOR THE DANBURY DOWNTOWN  
SPECIAL SERVICES DISTRICT FOR THE FISCAL YEAR BEGINNING  
JULY 1, 2007 AND ENDING JUNE 30, 2008

**SECTION 1.** The sum of One Hundred Fifty Nine Thousand Two Hundred Dollars (\$159,200.00) representing the gross appropriation for the City of Danbury Downtown Special Services District of One Hundred Sixty Four Thousand Two Hundred Dollars (\$164,200.00) for the fiscal year beginning July 1, 2007 and ending June 30, 2008, minus indirect revenues of \$ -0-, and minus estimated available "Surplus" of \$5,000.00, is hereby levied and assessed on all taxable interests in real property located within the City of Danbury Downtown Special Services District as set forth on the new tax assessment dated October 1, 2006 based upon a total net assessment of \$81,936,300.00.

**SECTION 2.** Accordingly, the General Fund tax rate for the fiscal year beginning July 1, 2007 and ending June 30, 2008 with respect to said property interests within said District shall be as follows:

**TAX RATE: 2.00 MILLS**

**SECTION 3.** The taxes levied and assessed as herein provided shall be due and payable in quarterly equal installments on July 1, 2007, October 1, 2007, January 1, 2008, and April 1, 2008 except for taxes not in excess of One Hundred Dollars (\$100.00) which taxes shall be paid on July 1, 2007, in accordance with the General Statutes of the State of Connecticut, unless said date shall have lapsed before the effective date of this resolution in which case the Tax Collector shall fix the date as if said date had not been fixed herein as provided by law.

**SECTION 4.** The Tax Collector shall cause the said taxes above levied and assessed to be inserted on the tax rolls for the fiscal year beginning on July 1, 2007 and ending June 30, 2008.

Mr. Cutsumpas moved to accept the Resolution. Seconded by Mrs. Basso. Motion carried unanimously.

4 – COMMUNICATION - Appointments to the Charles Ives Authority (removed from Consent Calendar)

Mr. Cavo moved to receive the communication and confirm the appointment of Donald E. Weeden, Anthony J. Cassano, Steven J. Greenberg, Lisa Trombetta, Paul Sirois, Michael Osborne, G Koryoe Anim-Wright, Francis M. Herbert and L. Fernando Jimenez to serve as members of the Charles Ives Authority for the Performing Arts. Seconded by Mr. Seabury. Mr. Saadi asked how it was determined who was appointed to the Board. The only individual who is not an affiliated Republican is from out of town. Did any Democrats from Danbury express interest? He has had concerns about

this item from the beginning. Mayor Boughton said for the City side they chose people with knowledge of business plans and fund raising abilities. On the WCSU side the ordinance gave direction as to who should be appointed from what departments. Ives is a regional entity and there are plenty of residents who want to help. Motion passed 15 to 3 with Mr. Saadi, Mr. Visconti and Mr. Perkins voting in the negative.

5 – COMMUNICATION - Request for Ad Hoc Committee Architectural Review Board

Mr. Riley asked that this be referred to an ad hoc committee, Corporation Counsel, Planning Director, and a representative from the Mayor's office. Mayor Boughton so ordered and appointed Council Members Diggs, Calandrino and Rotello to the committee.

6– COMMUNICATION - Donations to the Danbury CERT Program

Mr. Nagarsheth moved to receive the communication, accept the donations and send the appropriate letter of thanks. Seconded by Mr. Visconti. Motion passed unanimously.

7 – COMMUNICATION - Donation to the Police Department – K-9 Vest

Ms. Saracino moved to receive the communication and accept the donation of the K-9 vest from Vest-a-Dog of Connecticut, Inc. and send the appropriate letter of thanks. Seconded by Mr. Cavo. Ms. Saracino asked Chief Baker if K-9 Britta could visit the students at Great Plain School as a thank you. Motion passed unanimously.

8 – COMMUNICATION - Donations to the Department of Elderly Services

Mr. Cavo moved to receive the communication and accept the donations and send the appropriate letter of thanks. Seconded by Mrs. Basso. Motion passed unanimously.

9 – COMMUNICATION - Voting Machines

Mrs. Basso moved to accept the communication and approve the donation of the old voting machines to area schools. Seconded by Mr. Cavo. Mr. Chianese asked if it's premature to get rid of the old machines before the new machines are tested. What are they worth? Cost to store? Mr. Palanzo doesn't know the value – but the cost to store is \$1,000/month out of registrars' budget. Mr. Chianese moved to table this item. Seconded by Ms. Taborsak. Roll call vote to table the motion passed with 10 yes and 8 no.

10 – COMMUNICATION - Request for Ad Hoc Committee Stricter Traffic Controls

Ms. McMahon asked that this be sent to Corporation Counsel and Planning Director for 30 day reports. Mayor Boughton so ordered and also appointed an ad hoc committee with Council members Cavo, Nagarsheth and Visconti.

11 – COMMUNICATION - Request for Ad Hoc Committee Establish New Ordinance

Ms. Diggs asked that this be referred to an ad hoc committee and Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Johnson, Calandrino and Rotello to the committee.

12 – COMMUNICATION - Request for Ad Hoc Committee Cell Phone Use by City Bus Drivers

Mr. Trombetta asked that this be sent to Corporation Counsel for a 30 day report. Mayor Boughton so ordered.

13 – COMMUNICATION - Request for Sewer Survey Rolf's Drive, Greta Drive, Cel Bret, Briar Ridge

Mr. Cavo asked that this be sent to Corporation Counsel and Director of Public Works for 30 day reports. Mayor Boughton so ordered.

14 – COMMUNICATION - Request for Ad Hoc Committee Applebee's – Water & Sewer Rate Reduction

Mr. Seabury asked that this be referred to an ad hoc committee, Corporation Counsel and Director of Public Works. Mayor Boughton so ordered and appointed Council Members Basso, Seabury and Chianese to the committee.

15 – COMMUNICATION - Request for Sewer and Water - Reynolds Road (Sterling Construction)

Mr. Riley asked that this be referred to an ad hoc committee, the Planning Commission for an 8-24 report and the Director of Public Works. Mayor Boughton so ordered and appointed Council Members Nagarsheth, McMahon and Esposito to the committee.

15-1 – COMMUNICATION - Request for Sewer and Water - Reynolds Road (BG Partners)

Mr. Riley asked that this be referred to an ad hoc committee, the Planning Commission for an 8-24 report and the Director of Public Works. Mayor Boughton so ordered and appointed Council Members Nagarsheth, McMahon and Esposito to the committee.

16 – RESOLUTION - LOCIP 2006-2007 Application (removed from Consent Calendar)

**WHEREAS**, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(a)(4) of the General Statutes of the State of Connecticut; and

**WHEREAS**, the City of Danbury desires to make application for a State grant in the amount of \$257,500.00 to renovate 1 Memorial Drive; and

**WHEREAS**, said project is consistent with the City of Danbury's capital improvement program authorized for a five year period by the Danbury Planning Commission in February 2005; and

**WHEREAS**, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

**WHEREAS**, the Common Council hereby approves said project and its financing.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$257,500.00 to renovate 1 Memorial Drive, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

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**WHEREAS**, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(a)(4) of the General Statutes of the State of Connecticut; and

**WHEREAS**, the City of Danbury desires to make application for a State grant in the amount of \$92,766.00 to cover the cost of Repairing City Sidewalks and

**WHEREAS**, said project is consistent with the City of Danbury's capital improvement program authorized for a five year period by the Danbury Planning Commission in February 2005; and

**WHEREAS**, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

**WHEREAS**, the Common Council hereby approves said project and its financing;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$92,766.00 for Repairing City Sidewalks, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

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**WHEREAS**, the City of Danbury is eligible to make application for State grant funds through the Office of Policy and Management under the Local Capital Improvement Program (LoCIP) for local programs within the meaning of Section 7-536(a)(4) of the General Statutes of the State of Connecticut; and

**WHEREAS**, the City of Danbury desires to make application for a State grant in the amount of \$200,000.00 to aid in replacing underground fuel tanks at Public Works complex to comply with DEP regulations; and

**WHEREAS**, said project is consistent with the City of Danbury's capital improvement program authorized for a five year period by the Danbury Planning Commission in February 2005; and

**WHEREAS**, the City will maintain detailed accounting records of said project and make them available to the Office of Policy and Management of the State of Connecticut upon request; and

**WHEREAS**, the Common Council hereby approves said project and its financing.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Mayor of the City of Danbury be and hereby is authorized to make application to the State of Connecticut under its Local Capital Improvement Program (LoCIP) in the amount of \$200,000.00 to replace underground fuel tanks at Public Works complex, to execute any contracts or agreements in connection therewith, to accept payments and to do any and all things necessary to effectuate the purposes hereof.

Ms. Saracino moved to receive the communication and approve the Resolution. Seconded by Mr. Riley. Mr. Visconti asked about the plan for which sidewalks will be worked on – any chance it could be South Street. We are going for a grant since it's a state road. Ms. Taborsak asked if these LOCIP funds are for this fiscal year or next? Mayor Boughton said they are '06/'07 funds. Ms. Taborsak asked about total cost of 1 Memorial Drive – how did you arrive at \$157,500? Mr. Iadarola said he toured the building and will have the best estimate within a couple of weeks. Motion passed unanimously.

#### 17 – RESOLUTION - Meserve Memorial Fund

**WHEREAS** the Meserve Memorial Fund has made available the opportunity for the City of Danbury Health, Housing and Welfare Department to apply for funding through a bi-yearly competitive grant application; and

**WHEREAS** the requested amount of \$3,500 would be used to provide the City of Danbury Homeless Shelter with supplies needed for the operation of the Shelter and requires no local match; and

**WHEREAS** the Danbury Health, Housing and Welfare Department will provide the Meserve Memorial Fund with said application and grant narrative.

**NOW, THEREFORE, BE IT RESOLVED THAT** Mark D. Boughton, Mayor of the City of Danbury, or Scott LeRoy, Director of Health, Housing and Welfare, as his designee, is authorized to apply for and accept this funding and execute on behalf of the City of Danbury all contracts, agreements or amendments and to take all actions necessary to accomplish the purposes thereof.

The communication was received on the consent calendar and approved.

18 – RESOLUTION - Danbury Youth Services

**WHEREAS**, grant funds in an amount not to exceed seventy five thousand dollars (\$75,000.00) are available from the State of Connecticut Department of Education for 2006-07 Youth Services Bureau operations; and

**WHEREAS**, the continuation of the Youth Services Bureau for the 30th year is deemed to be in the best interest of the City of Danbury.

**NOW, THEREFORE, BE IT RESOLVED THAT** the actions of Mark D. Boughton as Mayor of the City of Danbury, in applying for these funds be and hereby are ratified and that Mayor Boughton be and hereby is authorized and directed to contract with the State of Connecticut Department of Education for a state cost sharing grant not to exceed \$75,000.00 for a Youth Services Bureau for the fiscal period commencing July 1, 2007.

**BE IT FURTHER RESOLVED THAT** the Mayor is authorized to execute any and all documents, applications or other pertinent instruments to this program.

The communication was received on the consent calendar and approved.

19 – RESOLUTION - Rose Hill Avenue Bridge

Rose Hill Avenue over Still River – Bridge No. 04175

That Mark D. Boughton, Mayor of the City of Danbury, is hereby authorized to execute the LOCAL BRIDGE PROGRAM SUPPLEMENTAL APPLICATION on behalf of the City of Danbury for Rose Hill Avenue over Still River, Bridge No. 04175, together with such other documents as may be necessary for the accomplishment of the purposes thereof.

Ms. Saracino moved to receive the communication and approve the Resolution. Seconded by Mrs. Basso. Mr. Chianese asked about the increase in funding needed to relocate the utilities. Mr. Iadarola said the first numbers were for the local bridge program - a preliminary estimation made without the design and prepared in 2001. There have been additional changes – both sewer & water lines need to be relocated. Mr. Rotello commented the estimates were good considering they are 6 years old. How long will the road be closed? Mr. Iadarola said it would be alternating one way for a while and then fully closed for about 5 weeks. Mr. Visconti asked why we're going for this grant? Ms. Diorio said we cannot finance over \$500,000. Motion carried unanimously.

20 – REPORT - Illegally Parked Cars

Mr. Cavo moved to authorize Mayor Boughton to enter into discussion with the police union on this matter. Seconded by Mr. Seabury. Motion carried unanimously.

21 – REPORT - BRT Tax Assessment Deferral – Crosby Street

Mr. Cavo asked that this be referred to an ad hoc committee, Corporation Counsel, a representative from the Mayor's office, a representative from WCSU and a representative from BRT. Mayor

Boughton so ordered and appointed Council Members Riley, Nagarsheth and Visconti to the committee.

#### 22 – REPORT - 20 Deer Hill Avenue

The communication was received on the consent calendar and approved.

#### 23 – AD HOC REPORT - Purchase of Property – 51A East Lake Road

Mr. Nagarsheth read the report. Mr. Trombetta moved to receive the communication and accept the committee's recommendation based on a certification of funds from the Finance department.

Seconded by Mr. Perkins. Mr. Perkins thanked his fellow committee members for doing a thorough job and being diligent on this matter. He didn't want to set a precedent that the City would bail people out of non useable land deals. Motion carried 11 yes to 7 no (roll call vote).

#### 24 – AD HOC REPORT - Danbury Airport – Request for Lease of Adjacent Property

The report and recommendation to take no action at this time was received on the consent calendar.

#### 25 – AD HOC REPORT - Sewer and Water – Prindle Lane

The communication was received on the consent calendar and approved.

#### 26 – DEPARTMENT REPORTS – Police, Fire, Elderly Services, Health-Housing & Welfare, Dream Homes, Public Works, Permit, Unit, Library

Mr. Cavo made a motion to accept the department reports as submitted and waive the reading as all members have copies and copies are on file in the Office of the City Clerk. Seconded by Mr. Nagarsheth. Discussion followed: Ms. Taborsak asked about the DSS tax levy – what properties does this apply to? Ms. Diorio said all properties not exempt in the downtown district. Ms. Taborsak asked if 30 Crosby Street is subject to the special services tax? Mayor Boughton said that 30 Crosby Street is not exempt and Ms. Diorio does not have a department report on the agenda and called Ms. Taborsak out of order. The question has been answered. There is nothing about 30 Cosby Street in the department reports. Ms. Taborsak asked about the Housing Partnership – she is surprised at how fast the Charles Ives Authority was passed and people appointed – when the Housing Partnership has been around over 1 year – when might people get appointed to this matter? Mayor Boughton said, again the Housing Partnership is not on the department head reports and you must keep your comments to things on the reports, but some appointments have been made – they don't need to come to the Council. First meeting should be within the next 3 – 4 weeks. Mr. Visconti thanked Chief Curran and staff for a very moving testament to the 2 firefighters who died 25 years ago. Chief Baker and staff did a good job also. Mr. Seabury thanked Rick Palanzo for his quick response to a problem at DHS. Mr. Riley thanked Rick Antous and his staff for a job well done. Mr. Chianese thanked Ms. Diorio for her work and contributions to the City. Mr. Saadi asked for clarification on the limitations of comments with regard to reports or any questions to a department head. Is it a specific item on the department head report and anything under the jurisdiction of the department? Very often significant latitude is provided to council members. Mayor Boughton replied there is some latitude with a general question. It must be referenced within the report. Ms. Taborsak left the meeting at 9:15 p.m. Motion carried unanimously 17 / 0.

Mr. Cavo moved to add item #27 to the agenda which is the appointment of 5 new firefighters for the Danbury Fire Department. Seconded by Ms. Saracino. Motion carried unanimously 17 / 0.

#### 27 – COMMUNICATION. Appointments to the Fire Department.

Mr. Cavo read the appointment letter from Mayor Boughton asking for confirmation on the following 5 individuals to the position of firefighter for the City of Danbury: Nate Chapin, Jonathan DeJoseph,

Patrick Heron, Kenneth Stilson, III and Douglas Zaniewski. Mrs. Basso moved to received the communication and approve the appointment for all 5 individuals. Seconded by Ms. Saracino. Motion carried unanimously 17 / 0.

Mayor Boughton extended all committees. For the ad hoc committees items #24, 30 and 31 established at the February 2007 Common Council meeting, Jim Johnson will replace Mary Teicholz on each committee.

There being no further business to come before the Common Council a motion was made at 9:20 P.M. by Mr. Cavo for the meeting to be adjourned. Seconded by Mr. Cutsumpas. Motion carried unanimously 17 / 0.

Respectfully submitted,

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ROBIN A. SHEPARD, Executive Secretary

ATTEST:

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MARK D. BOUGHTON, Mayor