

**~CITY OF DANBURYCOMMON COUNCIL~**  
*Committee of the Whole Meeting Minutes*  
*Tuesday, March 18, 2008*

Hon. Mark D. Boughton, Mayor  
Common Council Members

President Joseph M. Cavo called the Committee of the Whole Meeting to order at 7:47 p.m. on Tuesday, March 18, 2008. Present were Council members: Louise P. McMahon, Shailesh Nagarsheth, James H. Johnson, Charles Trombetta, Michael J. Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert Arconti, Philip Curran, Jack Knapp, Warren Levy, Robert T. Riley, Gregg W. Seabury and Colleen A. Stanley.

Absent: None.

PRESENT: 21, ABSENT: 0

Also present were Laszlo L. Pinter, Corporation Counsel; Alan D. Baker, Chief of Police; interested citizens; and members of the press.

Mr. Cavo asked Ms. Holding to call Roll.

**SALE OF LAND—Rockwood Lane—Public Act 07-218:**

A motion was made by Councilman Johnson and seconded by Councilwoman Stanley that the Common Council recommend approval of the sale of land, Rockwood Lane, Lot #B09001, Public Act 07-218, for the appraised value of \$20,000.00.

*While Councilman Saadi understood the desire to purchase land to act as a buffer, he expressed concern with combining lots and future development. He inquired about Deed restrictions. Mr. Pinter suggested that if the Common Council decided to sell the parcel of land in question to the petitioner, negotiations could be made whereby the Common Council authorized the sale subject to a clause in the Deed which would require some form of restriction for conservation purposes.*

A motion to amend was made by Councilman Saadi and seconded by Councilman Visconti to authorize and direct Corporation Counsel to draft an appropriate Deed restriction/conservation easement to prevent the 2-acre parcel (Lot #B09001) from being developed by the current petitioner or subsequent owners.

*Councilman Cavo opened the floor up for discussion on the amendment.*

*Councilman Trombetta, as the Chairperson for the Committee that evaluated the request, approved of the amendment. Councilman Calandrino approved of the amendment. Councilman Rotello questioned whether or not thirty years from now the Deed restriction would hold up to the State of Connecticut's 10% affordable housing threshold. Mr. Pinter explained that the two-acre parcel would be carved out of any affordable housing or other related housing legislation as it is a restricted piece of property. Councilman Seabury asked if the amendment was approved, would rewording be necessary. Mr. Pinter said yes and added that the petitioner would need to be contacted to see if they agree to the new terms and then the new agreement would come back before the Common Council. Councilwoman Stanley approved of the amendment. Councilman Chianese asked for an explanation of the difference between open space and a conservation easement. Mr. Pinter explained that open space is not necessarily protected or restricted unless the Common Council decides to designate it as such. The parcel of land in question would be conserving the open space and adding the restriction. In addition to a conservation easement, Councilman Rotello questioned whether or not an access easement would be needed to reserve the City's right to access the property for the public to either hike through or pass through. Mr. Pinter said that the elements could be added if that was the Common Council's desire. Councilman Chianese requested a draft be made available to the Common Council at their April meeting. Councilman Saadi pointed out that the intent of the easement was to be in perpetuity.*

The motion to amend carried unanimously.

*Councilman Cavo opened the floor up for discussion on the main motion.*

*Councilman Chianese asked if the two parcels of land could be merged to form one parcel. Mr. Pinter, while unclear as to the process, said that there was a way to accomplish a merger of land. Councilman Chianese asked if the Deed would survive such a merger and Mr. Pinter said yes. Councilman Curran asked which fund receives the money from the sale of land. He desired to a special fund for future land purchases. Mr. Pinter explained that funds are placed in the general fund. A vehicle can then be created to re-direct the funds into a special fund for such a purpose. He suggested seeking advice from the Finance Director.*

The main motion carried. (No: Councilman Rotello.)