

CITY COUNCIL SPECIAL MEETING

July 17, 2023 – 7 P.M.

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

**NOTICE OF SPECIAL MEETING**

Mayor Esposito read the notice of the Special Meeting

**PLEDGE OF ALLEGIANCE & PRAYER**

The Pledge of Allegiance was led by Mr. Maloney. Councilman DiGilio led all in prayer.

**ROLL CALL**

**COUNCIL MEMBERS PRESENT:** Buzaid, Putnam, Eriquez, VACANT, Levy, DiGilio, Rotello, Visconti, Esposito, VACANT, Esposito III, Fox, Palma, Henry, Britton, Perkins, Chianese, Cammisa.

**COUNCIL MEMBERS ABSENT:** Masi, Palma, Merchan, Tomchik.

**PRESENT: 15, ABSENT: 4, VACANCIES: 2**

**ALSO PRESENT:** Bob Yamin, Corporation Counsel; Les Pinter, Deputy Corporation Counsel; and Elisa Etcheto, Legislative Assistant.

**CALL TO SERVICE**

***A motion was made by Councilman DiGilio, seconded by Councilman Levy, to move forward with this meeting as it has properly been noticed and a call for return to service.*** The motion carried unanimously.

**PUBLIC SPEAKING**

1. Peter Buzaid, Resident, 2 Ervie Drive, spoke on item 2.
2. Larry Riefberg, Resident, 6 Ervie Drive, spoke on item 1.

1. COMMUNICATION – Appointment to the City Council

***A motion was made by Councilman DiGilio, seconded by Councilman Visconti, to receive this communication and confirm the appointment of Michael Coelho to be a member of the City Council here per the recommendation of the Danbury Republican Town Committee as presented.*** The motion carried unanimously.

Councilman Rotello asked for clarification on possible conflicts with a Council member also serving on the Zoning Commission. Deputy Corporation Counsel Pinter explained that he has not found any conflict regarding dual and concurrent service in statutory and local law.

Mr. Coelho was sworn into office by Corporation Counsel Yamin.

Mr. Coelho took his seat on the dias.

### 3. COMMUNICATION – Reapportionment

Main Motion:

**A motion was made by Councilman DiGilio, seconded by Councilman Levy, I move that the City Council receive the Committee of the Whole Report dated July 5, 2023 and hereby approve the modified redistricting plan presented by Dr. Morrison to the Committee of the Whole on July 5<sup>th</sup> 2023, and accordingly modifies the plan approved by the Council on April 4, 2023, providing that 1. Due to the impracticality of meeting statutory deadlines for implementing the modified plan in time for the November 2023 election, the modified plan shall be effective for the November 2025 election, 2. The Plan approved by the Council on April 4, 2023 shall remain effective for the municipal election in November of 2023, 3. The Council shall proceed to consider amendments to Code of Ordinances Sec. 8-1 & Sec. 8-2 to adjust the boundary of wards and voting precincts in accordance with the modified plan to be effective for the November 2025 municipal election.** The motion carried on roll call vote. 11 Yes, 5 No (Rotello, Visconti, Fox, Perkins, Chianese).

Amendment 1:

**A motion was made by Councilman Britton, seconded by Councilman Rotello, to amend the motion on the floor to include holding a public hearing to also consider the map proposed by Councilmen Chianese and Perkins during the most recent Reapportionment Advisory Commission.** The motion failed on roll call vote. 11 No, 5 Yes (Rotello, Visconti, Britton, Perkins, Chianese).

Councilman Rotello discussed the growth of population in the 6<sup>th</sup> Ward which makes the current ward map outdated. He noted the similarities between the new map provided at the June 5<sup>th</sup> Committee of the Whole meeting by the expert and the maps presented at the Ad Hoc, but emphasized the disproportion between the two with regards to who is affected by the ward changes. He asked to continue the process and agreed that a new map would not be able to take effect for the November 2023 election. He asked Attorney Casagrande (Outside Counsel) for clarification on possible litigation.

Attorney Casagrande clarified that there will be no enforcement by the Secretary of State if a new map is approved for the 2025 election, and that litigation could move forward by the existing complainant, however, the city is able to present a strong case.

Councilman Fox opposed the amendment due to a lack of vetting of the previous maps.

Councilman Esposito III asked about the existing threat of litigation. Attorney Casagrande noted that a Federal lawsuit would be expensive and that nothing is certain in litigation but that a court would understand the constraints on implementing a new map for the 2023 election.

Councilman DiGilio noted that he is opposed to the amendment because this is a complicated matter that experts have to review and provide recommendations. He clarified that the new map will be reviewed in more detail before implementation for the 2025 election.

Councilman Britton asked for a bipartisan review of the new map.

Councilman Perkins expressed his disappointment over the process and the expert's disregard of the map presented at the Ad Hoc.

Councilman Chianese discussed his experience of going through the process and urged the city to continue working on a new map.

Councilman Perkins asked for a Roll call Vote.  
(Back to the Main Motion).

Councilman Fox noted that he was against a new map presented by Dr. Morrison and asked about the ramifications of not approving a new map. Attorney Casagrande noted that the Secretary of State wants a new map adopted for the 2025 election now in order to not move forward with enforcement.

Councilman Rotello asked if the decision to adopt a new map can it be revisited if a new administration is elected in November and if council members will be able to modify the map prior to the 2025 election. Attorney Pinter explained that an action taken by a valid council can not be changed, a new map would have to be presented to be voted on by a new council. He further explained that if a new map is adopted tonight, the council will now have the opportunity to participate in the thorough review of the new map as work is done to refine boundaries and confirm the compliance with all regulations.

Councilman Levy noted that the process of Reapportionment has changed over the years and that those changes have caused the issues that have arisen. He noted his support of the new map due to statutory regulations.

Councilman Britton noted that Federal voting laws have existed since 1965, he again expressed his concern with the process and with hiring an expert. He explained that he would be voting yes for the new map because it would be negligent not to.

Councilman Perkins asked for a clarification of the main motion, and Councilman Rotello clarified that the existing map will be used for the November 2023 election. Councilman DiGilio called for the Roll Call Vote.

## **ADJOURNMENT**

**Mayor Extended All Committees.**

**A motion was made by Councilman Rotello, seconded by Councilman DiGilio, to adjourn.** Motion carried unanimously. The meeting adjourned at 8:07p.m.

Copies of Agenda Items are available in the Legislative Assistant's Office and on the City's website.

Respectfully submitted & Attested by, Elisa Etcheto, Legislative Assistant