

TO: Mayor Mark Boughton and Members of the Common Council

RE: Minutes of the Common Council Meeting held December 4, 2001

Mayor Boughton called the meeting to order at 7:30 P.M. The Pledge of Allegiance and Prayer were offered. The members were recorded as:

PRESENT – Levy, Nolan, McAllister, Null, Kelly, Mazzuchelli, John Esposito, Saadi, Buzaid, Dean Esposito, Machado, Shuler, Williams, Scozzafava, Basso, Darius, Furtado, Gallagher, Gogliettino, Moore, Neptune

21 Members Present

No members of the public addressed the Common Council.

MINUTES – Minutes of the Common Council Meeting held November 8, 2001. Mr. Levy made a motion to approve the minutes and waive the reading as all members have copies, which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Gogliettino. Motion carried unanimously.

CONSENT CALENDAR – John Esposito presented the following items for the Consent Calendar:

1 - Adopt the Resolution to apply for and accept grant funding in an amount of \$15,000 for 2002 Ford Crown Victoria for the Police Department

8 – Approve the transfer of \$10,000 to the Fire Department Special Services Account #2010.5052

9 – Approve the transfer of \$926.00 from the Elderly Services Donations Revenue Account to the Commission on Aging Budget as described.

10 – Approve the transfer of \$4,050.00 from the Elderly Services Donations Revenue Account to the Commission on Aging budget as described.

17 – Receive the report and approve the request to accept Chelsea Drive as a City road subject to conditions.

21 – Receive the reports and take no action at this time

Mr. Levy made a motion to approve the Consent Calendar. Seconded by Mrs. Basso. Motion carried unanimously.

1 – RESOLUTION – Traffic Enforcement Equipment Program Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation Traffic Enforcement Equipment Program has made available a grant to the City of Danbury due to the City's participation in the State's WAVE enforcement program; and

WHEREAS, the maximum, partially reimbursable amount of the grant is \$25,000.00 of which 60%, or \$15,000.00 would be reimbursed to the City of Danbury; and

WHEREAS, the balance, or \$10,000, would be the responsibility of the City of Danbury; and

WHEREAS, said grant funds would be used to purchase a 2002 Ford Crown Victoria Police Interceptor, used by the Community Service Division in traffic enforcement activities.

NOW, THEREFORE, BE IT RESOLVED that Mayor Mark D. Boughton be and is hereby authorized to make application for said grant and to execute such other and necessary documents as may be required in order to accomplish the purposes hereof.

The Resolution to apply for and accept grant funding in the amount of \$15,000 for a 2002 Ford Crown Victoria for the Police Department was adopted on the Consent Calendar.

2 – COMMUNICATION – Appointment as Police Officers

Request from Mayor Enriquez for the confirmation of the appointments of Heather A. Burke and Joseph E. Pooler as police officers in the Danbury Police Department. Dean Esposito made a motion to receive the communication and confirm the appointments. Seconded by Mrs. Basso. Motion carried unanimously.

3 – COMMUNICATION – Donations to the Health Department

Request from Director of Health William Campbell for permission to accept training related donations. Mr. Levy made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Moore. Motion carried unanimously.

4 – COMMUNICATION – Donation from Prime Timers: Friends of Danbury Seniors to the Department of Elderly Services

Request from the Director of Elderly Services Leo McIlrath for permission to accept a donation in the amount of \$4,050 from the Prime Timers: Friends of Danbury Seniors. The money has been designated for the printing and mailing of Seniority. Mr. Gogliettino made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mr. Buzaid. Motion carried unanimously.

5 – COMMUNICATION – Donations to the Department of Elderly Services

Request from Director of Elderly Services Leo McIlrath for permission to accept donations in the total amount of \$220 for the use of the Danbury Senior Center. Mr. Saadi made a motion to receive the communication, accept the donations, credit the appropriate line items and send letters of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

6 – COMMUNICATION – Donations to the Library

Request from Library Director Betsy McDonough for permission to accept donations to the Library in the amount of \$61.50 for the BOOKS line item. Mrs. Basso made a motion to receive the communication, accept the donations, credit the appropriate line item and send letters of thanks. Seconded by Mr. Darius. Motion carried unanimously.

7 – COMMUNICATION – Donation to the Fire Department

Request from Fire Chief Carmen Oliver for permission to accept a donation to the Fire Department in the amount of \$25 from Theresa Lombardi. Mr. Moore made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

8 – COMMUNICATION – Special Services Account – Fire Department

Request from Fire Chief Carmen Oliver that the sum of \$10,000 be transferred into the Fire Department Special Services Account for Fire Watch. The transfer of \$10,000 to the Fire Department Special Services Account was approved on the Consent Calendar.

9 - COMMUNICATION – Reappropriation of Donated Funds - \$926

Request from the Director of Elderly Services that the sum of \$926 be transferred from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

10 – COMMUNICATION – Reappropriation of Donated Funds - \$4,050

Request from the Director of Elderly Services that the sum of \$4,050 be transferred from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

11 – COMMUNICATION & CERTIFICATION – Juvenile Fire Setter Intervention Program

Request from Mayor Gene Eriquez that the sum of \$3,000 be appropriated for the Juvenile Fire Setter Intervention Program. A certification of funds was attached. Mr. McAllister made a motion that the communication be received and the transfer of funds authorized. Seconded by Dean Esposito. Motion carried unanimously.

12 – COMMUNICATION & CERTIFICATION – Senior Net Computer Program

Request from Director of Elderly Services Leo McIlrath requesting that the sum of \$1,700 be appropriated for the purchase of an overhead projector to be used for the SeniorNet Computer Program. A certification of funds was attached. Mr. Saadi made a motion to receive the communication and authorize a transfer of funds. Seconded by Mr. Moore. Motion carried unanimously.

13 – COMMUNICATION – Thermal Imaging Camera

Request from Fire Chief Carmen Oliver to purchase a Thermal Imaging Camera offered through the State of Connecticut for all Fire Departments within the State. The correspondence outlined the tiered pricing. Mr. Levy made a motion to approve the purchase of the camera through the State program with approval of funding when the actual price is set and offer this purchase, if available, to the Volunteer Fire Companies of Danbury. Seconded by Mrs. Basso. Motion carried unanimously.

14 – COMMUNICATION – Proposed Easement – Woodland Hills, Shelter Rock Road

Mr. Moore asked that this be referred to the City Engineer, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

15 – COMMUNICATION – Benedict Avenue Roadway

Mr. McAllister asked that this be referred to the City Engineer, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Boughton so ordered.

16 – COMMUNICATION – White Street Duchess Restaurant

Dean Esposito asked that this be referred to the City Engineer and the Corporation Counsel for reports back within thirty days. Mayor Boughton so ordered.

17 – COMMUNICATION – Request for Road Acceptance – Chelsea Drive

Report from the Director of Public Works recommending acceptance of Chelsea Drive as a City road. The report was received and the request approved on the Consent Calendar.

18 – COMMUNICATION – U. S. Filter Service Agreement – Danbury Sewage Treatment Plant

Mr. Gallagher asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the Director of Finance and the Corporation Counsel. Mayor Boughton so ordered and appointed Council Members Dean Esposito, Basso and Nolan to the committee.

19 – COMMUNICATION – Tisano Realty, Inc. Lease

Mr. McAllister asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance and the Planning Commission. Mayor Boughton so ordered and appointed Council Members Gogliettino, Kelly and Williams to the committee.

20 – COMMUNICATION & RESOLUTION – Storm Drainage Easement – Eagle Road – Tilcon Minerals

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury seeks to correct a drainage problem on Eagle Road; and

WHEREAS, it will be necessary to acquire interest in and to real property as set forth in the Schedule attached hereto containing the legal description of the property involved; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said property upon the amount, if any, to be paid for their respective interests to be taken in and to the real property listed on said Schedule.

NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire property interests as set forth in the attached legal description, on or before June 3, 2002, either by negotiation or by eminent domain through the institution of suit against the named property owners, their heirs, executors, successors and assigns and their respective mortgage holders and encumbrances, if any.

Mr. Gallagher made a motion to receive the communication and adopt the Resolution subject to Planning Commission approval. Seconded by Dean Esposito. Motion carried unanimously.

21 – COMMUNICATION – Request for Road Acceptance - Mariana Farms Drive

Report from City Engineer Bill Buckley stating that the roadway has been inspected and comments relative to construction conditions that require correction were forwarded to the developer's contractor. The reports were received on the Consent Calendar and no action taken at this time.

22 – COMMUNICATION – Wooster Heights Road

Report from Police Chief Robert Paquette regarding conditions on Wooster Heights Road. Mr. McAllister made a motion to receive the report and abide by the Police Chief's recommendations. Seconded by Mr. Moore. Motion carried unanimously.

23 – COMMUNICATION – Hazen's v. City of Danbury – WITHDRAWN

24 – COMMUNICATION – City of Danbury v. Saniuk

Mr. Levy made a motion to move this item to the end of the agenda. Seconded by Mr. Saadi. Motion carried unanimously.

25 – DEPARTMENT REPORTS – Public Works, Fire Chief, Police Chief, Fire Marshall, Department of Elderly Services

Mr. Levy made a motion to receive the report and waive the reading as all members have copies, which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Darius. Motion carried unanimously.

26 – COMMUNICATION – Donations to the Health Department

Mr. Levy made a motion to add this item to the agenda. Seconded by Mrs. Basso. Motion carried with Mr. Gallagher voting in the negative.

Letter from Director of Health William Campbell requesting permission to accept a donation of donuts, bagels and muffins from the White Street Dunkin Donuts for two food safety related training sessions.

Mr. Furtado made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

Mayor Boughton extended all committees.

Mayor Boughton substituted previous committee assignments with current Council Members.

At 8:15 P.M. Mr. Gogliettino made a motion to go into executive session. Seconded by Mr. Gallagher. Motion carried unanimously.

The Common Council reconvened in open session at 8:47 P.M.

Item 24 – Mr. Levy made a motion to approve the recommendations as outlined by Counsel in executive session. Seconded by Mrs. Basso. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made at 8:50 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk