

Honorable Mark D. Boughton, Mayor
Common Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:30PM on Thursday, November 5, 2009.

Present were Council Members: Louise McMahon, Shay Nagarsheth, Duane E. Perkins, Fred Visconti, Benjamin Chianese (entered at 7:45, neighborhood meeting), John J. Esposito, Thomas J. Saadi (entered at 8:10, family event), Joseph M. Cavo, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert F. Arconti, Philip Curran, Jack Knapp, Gregg Seabury, Colleen A. Stanley

Absent were Council Members: Councilman Halas had a family event, Councilman Trombetta was out of town, Councilman Calandrino was absent due to medical issues, Councilman Levy was absent and Councilman Riley was absent.

PRESENT: 16 ABSENT: 5

Jean Natale, City Clerk; Robert J. Yamin, Corporation Counsel and Laszlo L. Pinter, Deputy Corporation Counsel were also present.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER: Councilman Esposito led everyone in the room in the Pledge of Allegiance. Councilman Curran led everyone in the room in a prayer.

PUBLIC PARTICIPATION:

There was no public participation.

Mayor Boughton read the announcements for the month.

MINUTES – Councilman Cavo moved to waive the reading of the minutes of the Common Council Meeting held on October 6, 2009 as Council members have copies and copies are also available in the City Clerk’s Office, seconded by Councilman Perkins.
Motion passed by unanimous vote.

Councilman Seabury presented the following items for the Consent Calendar:

1. Receive the communication and approve the proposed budget for the Danbury Train Station Lease.
2. Receive the communication and approve the appropriation of the Farioly and Learmont funds.
7. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to sign any documents necessary to effectuate the purposes of the grant application from the Connecticut Commission on Culture and Tourism, Historic Preservation and Museum Division for Richter Park. (Item was removed from Consent Agenda and voted in regular Agenda.)
8. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Police Chief Baker to accept grant funds from the State of Connecticut Department of Transportation, Division of Highway Safety for the 2010 Comprehensive Driving Under the Influence Enforcement Program.

9. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Fire Chief Herald to apply for and accept funding from the Federal Emergency Management Agency for a Fire Prevention grant.
10. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or Scott Leroy to apply for and accept funding from the State of Connecticut Department of Public Health to promote optimal health quality in the City of Danbury.
11. Receive the communication and adopt the previously approved Resolutions to authorize Mayor Mark D. Boughton or Paul Estefan to apply to the Federal Aviation Administration and the State of Connecticut for airport improvements.
14. Receive the communication and approve the request for the renewal of the water line extension at 228 Middle River Road, subject to compliance with the standard City Engineering Department conditions and submission of plans and documents satisfactory to Corporation Counsel's office.
15. Receive the communication and approve the request for the renewal of the sewer and water main extensions for Candlewood Park Inc., subject to compliance with submission of plans and documents satisfactory to Corporation Counsel's office and the standard City Engineering Department conditions including additional conditions from the Engineering Department letter dated 10/6/09.

Councilwoman Teicholz moved to adopt the Consent Calendar as presented,
seconded by Councilman Perkins. *Motion passed by unanimous vote.*

Councilman Chianese requested that item #7 be removed from the Consent Calendar.

1 - COMMUNICATION - Danbury Train Station Lease Proposed Budget

The communication was received on the Consent Calendar and the proposed budget approved.

2 - COMMUNICATION - Farioly & Learmont Fund Appropriation

The communication was received on the Consent Calendar and the appropriations approved.

3 - COMMUNICATION - Request to Transfer Roads to the City - Peterson Farm

Councilwoman McMahon moved to refer this item to Corporation Counsel and City Engineer for reports.

4 - COMMUNICATION - Request for Approval - Victorian Meadows 120-130 Osborne Street

Councilwoman Stanley moved to refer this item to Corporation Counsel and Director of Planning and Planning Commission for reports.

5 - COMMUNICATION - Request to Renew Water Line Easement-Mill Plain Road 6 Associates, LLC

Councilman Knapp moved to refer this item to the City Engineer and Planning Commission for reports.

6 - COMMUNICATION - Request for Renewal of Sewer Extension - Zinn Road
Councilwoman Diggs moved to refer this item the City Engineer and Planning for reports.

7 - RESOLUTION - CT Culture and Tourism Grant - Richter Park
City Clerk Natale read the communication. **Councilman Cavo moved to receive the communication and adopt the Resolution authorizing the Mayor to apply for and accept a grant from the Connecticut Commission on Culture and Tourism**, seconded by Councilman Rotello.

Upon request by Councilman Chianese, James Blansfield explained that the project would be done in three phases. Phase I would be to make the Richter House water tight with a start date in the spring. ***Motion passed by unanimous vote.***

8 - RESOLUTION - 2010 Comprehensive DUI Enforcement Program
The communication and Resolution was received on the Consent Calendar and the Resolution adopted.

9 - RESOLUTION - FEMA Assistance to Firefighters Grant - Fire Department
The communication and Resolution was received on the Consent Calendar and the Resolution adopted.

10 - RESOLUTION - Per Capita Grant - 2009/2010 Allocation
The communication and Resolution was received on the Consent Calendar and the Resolution adopted.

11 - RESOLUTIONS - Airport Projects
The communication and Resolution was received on the Consent Calendar and the previously approved Resolutions adopted.

12 - REPORT - Boulevard Drive Sanitary Sewer Extension Survey
City Clerk Natale read the report. Councilman Cavo solicited information regarding any health concerns with the area. City Engineer, Farid Khouri, P.E., stated that he was not aware of any health concerns for the area. **Councilman Cavo moved to receive the report and take no action**, seconded by Councilman Curran. Mayor Boughton explained that to take no action is deemed a denial and could not be brought back to the city for 5 years.. ***Motion passed by unanimous vote.***

13 - REPORT - Briar Ridge Road Area Sanitary Sewer Extension Survey
City Clerk Natale read the report. Councilman Chianese recused himself. **Councilman Nagarsheth moved to receive the report and take no action**, seconded by Councilman Curran. ***Motion passed by unanimous vote.*** Councilman Rotello moved to refer to an Ad Hoc with the City Engineer, Director Finance and Corporation Counsel. City Engineer Khouri stated that the first survey has been conducted. Councilman Visconti, Councilman Seabury and Councilman Nagarsheth were appointed to the committee.

14 - REPORT - Renewal of Water Line Extension - 228 Middle River Road
The communication was received on the Consent Calendar and the request approved subject to conditions.

15 - REPORT - Renewal of Sewer and Water Main Extension for Candlewood Park
The communication was received on the Consent Calendar and the request approved

subject to conditions.

16 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services

Councilman Cavo moved to waive the reading of the Department Reports as all members have copies and additional copies are available in the City Clerk's office, seconded by Councilman Rotello. There was no discussion. ***Motion passed by unanimous vote.***

Mayor Boughton congratulated the newly re-elected council members and thanked them for their service. Mayor Boughton also recognized the members of the Council that were retiring. Councilwoman Diggs, Councilwoman McMahon and Councilman Esposito were recognized and presented with an award of appreciation. The retiring members expressed their honor and pleasure to have served on the Council.

Councilman Esposito was recognized for his 28 consecutive years on the Common Council. Councilwoman Teicholz, Councilman Seabury and Councilwoman Stanley presented him with a token of their appreciation and each thanked him for his service to the City.

Councilman Saadi addressed Councilman Esposito and thanked him for his many years of service on the Council. He also recognized Councilman Esposito's service in the military during WWII. A token of appreciation was presented from the democratic council members.

Councilman Cavo acknowledged Councilman Esposito's years of service, and also the retiring members, and thanked them all for their hard work and dedication to the City of Danbury.

Mayor Boughton unveiled a plaque dedicated to Councilman Esposito, which will hang in the Council Chambers in perpetuity honoring him as the longest serving Common Council member in the history of the City of Danbury, his hard work and commitment to the City of Danbury.

Councilman Rotello moved to enter into executive session at 8:30 PM, seconded by Councilman Curran. ***Motion passed by unanimous vote.***

17 - EXECUTIVE SESSION - Pending Litigation
Executive session ended at 9:15 PM.

Councilman Cavo moved to approve the settlement of litigation in the matter of Metcalf and Eddy in accordance with the terms provided and explained by Corporation Counsel and approved by the court and to adopt the resolution presented tonight authorizing the reimbursement of expenditures as such settlement in the maximum amount of the approved settlement sum for the issuance of bonds in form and manner to be authorized by the Common Council within eighteen (18) months hereof and to appropriate \$375,000 from the fund balance for the purposes of reimbursement of legal costs involved in the settlement of this matter in accordance with the attached certification from the Department of Finance. The motion was seconded by Councilman Arconti. ***Motion passed by unanimous vote.***

18 – Agreement Between the City of Danbury and Local 801 International Association of Fire Fighters

Mayor Boughton explained that this item is an addition to the contract relating to the Airport Crash and Rescue Team.

City Clerk Natale read the communication. **Councilman Curran moved to accept the memorandum of agreement between the City of Danbury Local 801,** seconded by Councilman Seabury. Chief Geoffrey Herald gave a brief overview of the agreement. The agreement insures that the training provided will meet FAA standards and that the training would be performed while staff is on duty. The training is not intended for volunteers, but instead for career firefighters. Motion passed by unanimous vote.

Mayor Boughton announced that the swearing-in ceremony would be held on November 30, 2009.

Mayor Boughton extended all committees.

As there was no further business to come before the Common Council, a motion was made at 9:25 P.M. by Councilman Seabury to adjourn the meeting, seconded by Councilman Rotello. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest,

Mark D. Boughton, Mayor