

Honorable Mark D. Boughton, Mayor
City Council Members

Mayor Mark D. Boughton called the City Council Meeting to order at 7:40 PM on Tuesday, August 3, 2010.

Present were Council members: Robert Arconti, Philip Curran, Nancy Deep-Damici, Robert Riley, Gregg Seabury, Philip Colla, Don Taylor, Michael Halas, Joseph Cavo, Thomas Saadi, Fred Visconti, Charles Trombetta, Jack Knapp, Peter Nero, Benjamin Chianese, Paul T. Rotello, Mary Teicholz, Sal Tumino

PRESENT: 18 ABSENT: 3

Council Member Stanley was at a family event, Council Members Nagarsheth and Perkins were out of town with family.

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

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER: David St. Hilaire, Director of Finance led everyone in the room in the Pledge of Allegiance. Councilman Curran led everyone in the room in a prayer.

PUBLIC SPEAKING

Charlotte Barrows- 55 Hospital Avenue spoke on item #18.

Lynn Waller- 83 Highland Avenue spoke on items #2 and 18.

Margaret Mitchell, taxpayer at Park Place spoke on items #1 and 18.

Public speaking closed at 7:56P.M.

Mayor Boughton read the announcements for the month.

MINUTES - Minutes of the Council Meeting held July 7, 2010

Councilman Cavo moved to waive the reading of the minutes as all members have copies and additional copies are on file in the Office of the Legislative Assistant, seconded by Councilman Taylor. *Motion passed by unanimous vote.*

CONSENT CALENDAR

Councilman Seabury read the following items for the Consent Calendar:

5 - Receive the communication and approve the request for the transfer of \$20,000 from the Historic Document Reserve Account 2.2129 to the Town Clerk's Printing and Binding Account 1160.5324, for the preservation of Town Records, attachments, and maps of Danbury dating back to the 1800's.

8 - Receive the communication and re-appropriate \$92,918.93 to the Water Fund Accounts and \$91,143.18 to the Sewer Fund accounts as listed in the preliminary financial statement dated July 26, 2010.

9 - Receive the communication and refer this request to the City Engineer and the Planning Commission for reports.

10 - Receive the communication and adopt the Resolution which will allow Mayor Mark D. Boughton or the Director of Emergency Management to execute the Region 5 Memorandum of Agreement.

11 - Receive the communication and adopt the Resolution which will allow the City of Danbury Health and Human Services Department to apply for and accept grant funding from the State of Connecticut Department of Health Services. This funding request of \$1,490,901 will be used to fund the City of Danbury's three school-based health center sites over the next 3 years.

12 - Receive the communication and adopt the Resolution which will allow the City of Danbury Health and Human Services Department to extend the dental grant period until July 31, 2011 for the SBHC Dental Care Funding.

14 - Receive the communication and accept the Report of the Planning Commission to approve the request for sewer and water extensions – 44 Old Ridgebury Road. This approval is subject to completion of all required documents in form and content acceptable to the Engineering Department and the Office of the Corporation Counsel.

15 - Receive the communication and accept the Report of the Planning Commission to approve the request for sewer extension – 8 Rose St. This approval is subject to completion of all required documents in form and content acceptable to the Engineering Department and the Office of the Corporation Counsel.

16 - Receive the communication and accept the Report of the Planning Commission to approve the request for water extension, 6 - 8 Margerie St. This approval is subject to completion of all required documents in form and content acceptable to the Engineering Department and the Office of the Corporation Counsel.

17 - Receive the communication and accept the Report of the Planning Commission to approve the request for a storm drainage easement – 12 Dixon Rd. This approval is subject to completion of all required documents in form and content acceptable to the Engineering Department and the office of the Corporation Counsel.

Councilman Rotello requested to take #9 off of the Consent Calendar.

Councilman Knapp moved to accept the Consent Calendar as presented, seconded by Councilman Seabury. ***Motion passed by unanimous vote.***

1 - COMMUNICATION - Transfer of State Armory

Councilman Rotello requested referral of the item to an Ad Hoc with Corporation Counsel, Director of Finance, a representative from the Office of the Mayor, a report from Planning and a Public Hearing. Mayor Boughton so ordered and appointed Council Members Trombetta, Teicholz and Nero to the committee.

2 - COMMUNICATION - BOE - American Carrera Tech

Councilman Trombetta requested referral to an Ad Hoc with the Superintendent of Schools, Corporation Counsel, Director of Finance, Finance Director for the Board of Education and Superintendent of Public Buildings. Mayor Boughton appointed Council Members Stanley, Arconti and Visconti to the committee.

3 - COMMUNICATION - Request for Ad Hoc - Laundromat Fees

Councilman Seabury requested referral to an Ad Hoc with Corporation Counsel, Director of Finance and Sealer of Weights and Measures. Mayor Boughton appointed Council Members Arconti, Tumino and Perkins to the committee.

4- COMMUNICATION - Donation of Fencing at Kaplanis Memorial Field
Jean Natale, Legislative Assistant, read the communication.

Councilman Trombetta moved to receive the communication and accept the donation from the Kaplanis family, seconded by Councilman Riley. Councilman Taylor thanked the Kaplanis family for their generous donation.

Motion passed by unanimous vote.

5 - COMMUNICATION - Historic Document Reserve Account
The communication was received on the Consent Calendar and the transfer approved.

6 - COMMUNICATION - Airport Lease - Westconn Aviation, LLC
Councilwoman Teicholz requested referral to an Ad Hoc with Corporation Counsel, Director of Finance, Airport Administrator, a report from Planning and a Public Hearing. Mayor Boughton so ordered and appointed Council Members Knapp, Taylor and Rotello to the committee.

7 - COMMUNICATION - Proposed Pension Plan for New Hires of Non-Union Employees
Councilman Knapp requested referral to an Ad Hoc with Corporation Counsel, Director of Planning and Director of Human Resources. Mayor Boughton appointed Council Members Curran, Nagarsheth and Chianese to the committee.

8 - COMMUNICATION - Water and Sewer Fund Re-Appropriations
The communication was received on the Consent Calendar and the re-appropriations approved.

9 - COMMUNICATION - Sewer and Water Request - Wooster School - 91 Miry Brook Road
Councilman Rotello requested referral to an Ad Hoc with Corporation Council, Director of Planning and the City Engineer. Mayor Boughton appointed Council Members Rotello, Chianese and Deep-Damici to the committee.

10 - RESOLUTION - Region 5 Memorandum of Agreement
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

11 - RESOLUTION - School-Based Health Centers Grant
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

12 - RESOLUTION - SBHC Dental Care Funding-Extension
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

13- REPORT - Habitat For Humanity - Bayberry Lane
Jean Natale , Legislative Assistant, read the communication.

Councilman Cavo moved to receive the report and accept the cul de sac extension, drainage easement and proposed access easement with respect to Bayberry Lane, as approved by the Planning Commission, Corporation Counsel and the City Engineer, seconded by Councilwoman Teicholz.

Discussion followed. Farid Khouri, City Engineer explained that the easement provides the City with the right to pass over a portion of Churchill Road to the rear of the City owned property to perform maintenance and repairs. ***Motion passed by unanimous vote.***

14 - REPORT - Request for Sewer and Water - 44 Old Ridgebury Road
The report was received on the Consent Calendar and the request approved subject to completion

of all required documents.

15 - REPORT - Request for Sewer Extension - 8 Rose Street

The report was received on the Consent Calendar and the request approved subject to the completion of all required documents.

16 - REPORT - Request for Water Extension - 6-8 Margerie Street

The report was received on the Consent Calendar and the request approved subject to the completion of all required documents.

17 - REPORT - Storm Drainage Easement - 12 Dixon Road

The report was received on the Consent Calendar and the request approved subject to the completion of all required documents.

18 - AD HOC REPORT - Surplus City Property - 6 Boughton Street & 116, 120 Main Street

Councilman Visconti recused himself from discussion of the item.

Councilman Seabury moved to waive the reading of the minutes of the Ad Hoc meeting, seconded by Councilman Riley. ***Motion passed by unanimous vote.***

Councilman Cavo moved to declare City properties at 6 Boughton Street, 116 Main Street and 120 Main Street surplus, to engage in negotiations for a contract of sale to Union Savings Bank to develop the sites in accordance with the proposal before the ad hoc committee of July 21, 2010, such proposal and eventual sale being subject to a public hearing, Planning Commission report and return to the Council for final vote to sell and authorization. In the event said negotiations or sale is unsuccessful, the property will be returned to the Council for alternative decisions on disposition of the properties, including those procedures set forth in Code Section 2-133, seconded by Councilman Saadi. *Discussion followed.*

Upon the request of Councilman Saadi, Atty. Pinter advised that the motion waives the bidding process for the purpose of the City engaging in negotiations with Union Savings Bank. If the negotiations with USB are not successful, the matter would be brought back to the Council. A public hearing would be held and the Council would still have to authorize the sale of the property.

Mayor Boughton explained that the intent of the motion is to declare the property as surplus and it allows the City to enter into negotiations with USB. Should the USB negotiations not move forward, the Purchasing Department would initiate the bid process. The best proposals would then be brought back to the Council for discussion.

Councilman Taylor spoke in favor of the USB proposal stating that it would create jobs and bring people to the downtown area. He would like to explore an increased number of senior housing units.

Upon the request of Councilman Chianese the motion was repeated.

Gene Eriquez, Vice President of USB explained that the proposal and drawings are still in the conceptual stages.

Atty. Pinter advised that efforts to negotiate the contract would be within the parameters of the final proposal.

Councilman Rotello discussed parking.

The main motion, to refer the item to a *public hearing passed by unanimous vote.*

Councilman Cavo moved to take item #2 from the table from June 21, 2010 Special Meeting and subsequent July 7, 2010 meeting regarding the lease on Old Ridgebury Road, seconded by Councilwoman Teicholz. *Discussion followed.*

Mayor Boughton explained that the objective is to send the item to an Ad Hoc in order to review the proposed lease and bring the item to the September meeting for ratification. ***Motion passed by unanimous vote.***

Councilman Knapp requested referral to an Ad Hoc with Corporation Council, Director of Finance, Director of Planning and a representative from the Office of the Mayor. Mayor Boughton appointed Council Members Seabury, Nagarsheth and Chianese to the committee.

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

Councilman Cavo moved to waive the reading of the Department Reports as all Members have copies and additional copies are on file in the Office of the Legislative Assistant, seconded by Council member Teicholz. ***Motion passed by unanimous vote.***
Discussion followed.

Councilman Taylor spoke in favor of the electronic recycling program.

Councilman Riley thanked Chief Herald for the quality of his reports. Chief Herald discussed the recent failure of the 911 server and thanked the Brookfield Police Department for their assistance.

20 - EXECUTIVE SESSION - Tax Appeals Ratification

The City Council went into executive session at 8:38 P.M. At 9:12 P.M. the Council came out of executive session.

Councilman Cavo moved to receive the report from Corporation Counsel regarding the tax appeals and to adopt the recommendations, seconded by Councilman Chianese.
Motion passed by unanimous vote.

Mayor Boughton extended all committees.

There being no further business to come before the City Council a motion was made at 9:14 P.M. by Councilman Saadi and seconded by Council man Taylor to adjourn the meeting. ***Motion passed by unanimous vote.***

Respectfully submitted:

Dorathea A. Gulya-Stasny
Recording Secretary

Attest:
Mark D. Boughton, Mayor