

Mayor Mark D. Boughton called the City Council Meeting to order at 7:30pm on Wednesday, July 6, 2011.

Present were Council Members: Robert Arconti, Philip Curran, Nancy Deep-Damici, Gregg Seabury, Colleen Stanley, Philip Colla, Shay Nagarsheth, Joseph Cavo, Thomas Saadi, Fred Visconti, Charles Trombetta, Jack Knapp, Peter Nero, Duane Perkins, Benjamin Chianese, Paul T. Rotello, Mary Teicholz, Joseph Scozzafava

PRESENT: 18 ABSENT : 3

Council Member Riley was not feeling well and Council Members Halas and Taylor had family events.

PLEDGE OF ALLEGIANCE TO THE FLAG & PRAYER:

Council Member Arconti led everyone in the Pledge of Allegiance. Council Member Teicholz led everyone in the room in a prayer.

PUBLIC SPEAKING

Al Mead, Richter Park Authority member and Friends of Richter Park member, - 23 Jefferson Avenue spoke on item #19.

Michael Beaver- 14 Timbercrest Dr. spoke on item #19.

Robin Guzy- 14 Cornell Rd, Wooster Heights, spoke on item #6

Gary Falkenthal- 10 Terre Haute Road spoke on item #6.

John Priola- 27 Heritage Driver, Richter Park Authority member, spoke on item #19.

Lynn Waller- 83 Highland Avenue spoke on item #4.

Public speaking closed at 7:48pm.

Mayor Boughton read the announcements for the month.

MINUTES - Minutes of the Council Meeting held June 7, 2011

Council Member 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 Council Member Nagarsheth. ***Motion passed by unanimous vote.***

CONSENT CALENDAR

Council Member Seabury read the Consent Calendar.

1 - Receive the Communication and approve the appointment of Mr. Gregory Wencek (R) to the Cultural Commission to fill a vacancy, with a term to expire August 1, 2014.

2 - Receive the Communication and approve the appointment of Ms. Erika Askin (D) to the Board of the Danbury Museum Historical Society to fill a vacancy, with a term to expire August 1, 2014.

12 - Receive the Communication and adopt the Resolution to allow the City of Danbury to apply for and accept funding from the U.S. Department of Housing and Urban Development

for the Community Development Block Program. Available funding for the time period August 1, 2011 through July 31, 2012 totals \$566,298.00

13 - Receive the Communication and adopt the Resolution to allow the City of Danbury Fire Department to apply for and accept funding from the Federal Emergency Management Agency (FEMA) through its "Assistance to the Firefighters" program. Maximum grant awards do not exceed \$500,000.00

14 - Receive the Communication and adopt the Resolution to allow the City of Danbury Police Department to apply for and accept grant funding from the U.S. Department of Justice, Bureau of Justice Assistance. This funding is not to exceed \$20,500.00.

15 – Receive the Report of the City Engineer for the Water Extension on Ivy Lane, Cedar Street, Allison Lane, Eugene Lane and Sylvan Drive and take no action.

16 – Receive the Report of the Committee of the Whole dated June 21, 2011 and approve the extension of sanitary sewer services for Olive Street and Tilden Road, Project # 99-02.

17 – Receive the Report of the Committee of the Whole dated June 21, 2011 and approve and adopt Code of Ordinance Section 19-C-1-5, creating a Main Street Partnership.

18 - Receive the Report of the Committee of the Whole dated June 21, 2011 and adopt the recommendations to amend Code of Ordinance Section 18-24 Refusal to Accept Unwrapped Coins.

20 – Receive the Report of the Ad Hoc Committee and approve the recommendations to decline the certification of funds for the Farioly Fund.

21 - Receive the Report of the Ad Hoc Committee and approve the recommendations for the financing of gate equipment in an amount not to exceed \$75,000 from an outside funding source.

Council Member Knapp moved to accept the Consent Calendar as presented, seconded by Council Member Nagarsheth. ***Motion passed by unanimous vote.***

1 - COMMUNICATION - Appointment to the Cultural Commission
The communication was received on the Consent Calendar and the appointment approved.

2 - COMMUNICATION - Appointment to the Danbury Museum and Historical Society
The communication was received on the Consent Calendar and the appointment approved.

3 - COMMUNICATION - Danbury Museum and Historical Society - Shortfall
Council Member Knapp requested referral to an Ad Hoc with the Director of Finance, the Danbury Museum and Historical Society Chair and a representative from the Office of the Mayor. Mayor Boughton so ordered and appointed Council Members Colla, Cavo and Chianese to the committee.

4 - COMMUNICATION - Request for Council Leadership Ad Hoc - Restrict Private Businesses from Sewage Processing
Council Member Cavo requested referral to an Ad Hoc with Corporation Counsel, Director of Public Works, Director of Planning and the Public Utilities Superintendent. Mayor Boughton so ordered and appointed Council Members Cavo, Seabury, Knapp, Saadi and Visconti to the committee.

5 - COMMUNICATION - Donation to Recreation Department - Union Savings Bank
Jean Natale, Legislative Assistant, read the communication. **Council Member Nagarsheth moved to receive the communication, accept the donation and send a letter of thanks,** seconded by Council Member Seabury. ***Motion passed by unanimous vote.***

6 - COMMUNICATION - Proposed Renaming of Cornell Road
Council Member Colla requested referral to a Public Hearing followed by a meeting of the Committee of the Whole. Mayor Boughton so ordered.

7 - COMMUNICATION - Downtown Municipal Sewer and Water Fees
Council Member Teicholz requested referral to an Ad Hoc with Corporation Counsel, Director of Planning, Superintendent of Public Utilities and a representative from the Office of the Mayor. Director of Finance. Mayor Boughton so order and appointed Council Members Seabury, Knapp and Visconti to the committee.

8 - COMMUNICATION - Renewal of Sewer Line Extension - 60 Shelter Rock Road
Council Member Cavo requested referral to Planning and City Engineer for a report. Mayor Boughton so ordered.

9 - COMMUNICATION - Acceptance of Road & Easement Clarification - Spruce Mountain Trail
Council Member Stanley requested referral to the City Engineer, Director of Planning and Corporation Counsel for reports. Mayor Boughton so ordered.

10 - COMMUNICATION - Request for Roof Overhang Easement - 70 Main Street
Council Member Visconti requested referral to Planning, Corporation Counsel, Director Pubic Works and the Risk Manager for reports. Mayor Boughton so ordered.

11 - COMMUNICATION - Renewal of Danbury Aviation Lease
Council Member Curran requested referral to an Ad Hoc with Corporation Counsel, Airport Administrator and a planning report. Mayor Boughton so ordered and appointed Council Members Knapp, Scozzafava and Rotello to the committee.

12 - RESOLUTION - Community Development Block Grant Program - Year 37
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

13 - RESOLUTION - 2011 FEMA Assistance to Firefighter Grant
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

14 - RESOLUTION - 2011 Byrne JAG Program - Police Department
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

15- REPORT - Water Extension - Ivy Lane, Cedar Street, Allison Lane, Eugene Lane and Sylvan Drive
The Report was received on the Consent Calendar and no action taken.

16- REPORT - Sewer Extension – Olive St. and Tilden Rd. Area
The Report was received on the Consent Calendar and the extension approved.

17- REPORT - Code of Ordinance, Section 19C 1-5 Danbury Main Street Partnership
The Report was received on the Consent Calendar and the Code of Ordinance Section 19-C-15 approved and adopted.

18- REPORT - Code of Ordinance, Section 18-24 - Refusal to Accept Unwrapped Coins
The Report was received on the Consent Calendar and the amendment recommendations adopted.

19- AD HOC REPORT - Cell Tower - Richter Park
Council Member Nagarsheth recused himself from discussion on the item. Council Member Knapp read the report **Council Member Cavo move to receive the report and adopt the recommendation to authorize the Richter Park Authority to proceed with the inquiry to the possibility of the placement of a cell tower on the Richter Park property with this Council having the final approval or disapproval of said tower,** seconded by Council Member Seabury.

Discussion followed. Council Member Chianese spoke in opposition based on his understanding of the deed. Council Member Rotello commented that the neighbors should be queried for their input. Mayor Boughton clarified that a Public Hearing would be held giving the neighbors the opportunity to voice their concerns and opinions. Atty. Pinter advised that the Council has the final say before the Siting Council becomes involved. Council Member Saadi requested Atty. Pinter to write a legal opinion and clarified that this would be an informational vote and not an endorsement to build a cell tower at Richter Park. Council Member Trombetta inquired as to what the ramifications could be, should the deed restrictions be dishonored. Atty. Pinter advised that a claim would need to be filed by a member of the Richter family. Upon the request of Council Member Visconti, Chief Herald confirmed that 911 calls are routed to New York State and then re-routed to Danbury, which causes delays in services.

The vote was taken as follows: Arconti, Curran, Seabury, Stanley, Colla, Nagarsheth, Cavo, Saadi, Visconti, Trombetta, Knapp, Nero, Rotello, Teicholz, Scozzafava voted in the affirmative. Council Members Perkins, Chianese and Deep-Damici voted in the negative.
Motion passed 15/3.

20 - AD HOC REPORT - Farioly Funds - Library
The Report was received on the Consent Calendar and the recommendations to decline the certification of funds approved.

21 - AD HOC REPORT - Parking Authority - Request for Financing
The Report was received on the Consent Calendar and the recommendations approved.

22 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services
Council Member Cavo moved to waive reading the Department Reports as all members have copies and additional copies are in the office of the legislative assistant, seconded by Council Member Nagarsheth.

Upon the request of Council Member Rotello, Chief Baker stated that violent crime is down in the City and the rise in theft and burglaries was due to drug addict activity, but the department has a handle on it at the present time.

Council Member Visconti praised the Public Works Department for work completed on Long Ridge and West Redding Roads and Sean Stillman, of the UNIT, for handling an issue in Rogers Park.

Council Member Saadi spoke on the impressive report and work done by the Explorers.

Motion to accept Department Reports passed by unanimous vote.

Mayor Boughton extended all committees.

EXECUTIVE SESSION

23 - EXECUTIVE SESSION - Tax Appeals Ratification
Wayne Shepard, Atty. Pinter, Atty. Yamin, David St. Hilaire and Colleen LaHood were invited into the Executive Session. **Council Member Saadi moved to go into Executive session at 8:45pm,** seconded by Council Member Trombetta. Motion passed by unanimous vote. **Council Member Cavo moved to return to regular session at 9:18pm,** seconded by Council Member Perkins. ***Motion passed by unanimous vote.***

Council Member Cavo moved to accept the recommendation of Corporation Counsel, Tax Assessor and the Finance Director in regards to tax appeals heard tonight with regards to 40 Old Ridgebury Road, 42 Old Ridgebury Road, 44 Old Ridgebury Road and Woodland property, seconded by Council Member Trombetta. ***Motion passed by unanimous vote.***

There being no further business to come before the Council a motion to adjourn was made at 9:20pm by Council Member Rotello, seconded by Council Member Teicholz. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest:

Mark D. Boughton, Mayor