

CITY COUNCIL MEETING
August 2, 2016

Honorable Mayor, Mark D. Boughton, called the meeting to order at 7:30 p.m. in the Council Chambers.

PLEDGE OF ALLEGIANCE & PRAYER

Scott Ferguson led all in the Pledge of Allegiance. Philip Curran led all in prayer.

3. **ROLL CALL:**

COUNCIL MEMBERS PRESENT: Philip Curran, Mike Esposito, Colleen Stanley, Warren Levy, Gregg Seabury, Andrew Wetmore, Irving Fox, John Priola, Vinny DiGilio, Joseph Cavo, Thomas Saadi, Fred Visconti, Elmer Palma, Christopher Arconti, John Esposito, Duane Perkins, Ben Chianese, Paul Rotello, Nancy Cammisa, and Joseph Scozzafava.

COUNCIL MEMBERS ABSENT: Christina Chieffalo is celebrating the birth of their son, Dominik Chieffalo.

PRESENT: 20, ABSENT: 1

ALSO PRESENT: Robert J. Yamin, Corporation Counsel; Les Pinter, Deputy Corporation Counsel; David St. Hilaire, Director of Finance; Dan Garrick, Assistant Director of Finance; Patrick Ridenhour, Chief of Police; David Day, Public Utilities Superintendent; Tim Nolan, Public Services Superintendent; Scott Ferguson, Tax Collector; Paul Estefan, Airport Administrator; and Jean Natale, Legislative Assistant.

PUBLIC SPEAKING

- Al Mead, 23 Jefferson Avenue, Danbury; Richter Park Authority Vice Chairman and Friends of Richter Park President, spoke in favor of Item 13.

- Lynn Waller, 83 Highland Avenue, Danbury; spoke and had questions regarding Items 4., 14., and 15.

- Roberto Lau, 7 West Road, Danbury; spoke regarding Item 15.

- Ken Gucker, 89 Padanaram Road, Danbury; spoke regarding Items 1., 5., 15., and a thank you for the new Police Chief.

ANNOUNCEMENTS

Mayor Boughton made the announcements for the month of August.

MINUTES-Minutes of the Council Meeting held July 6,2016

A motion was made by Councilman Cavo and was seconded by Councilman Perkins, to waive the reading and accept the minutes, as all members have copies and additional copies are available in the office of the Legislative Assistant. The motion carried unanimously.

CONSENT CALENDAR

Councilman Seabury read the Consent Calendar as follows:

5. [COMMUNICATION - Appointment-Vacancy on Zoning Commission](#)

Receive the communication and confirm the appointment of John Herlihy, Jr. to serve as a member of the Zoning Commission.

6. [COMMUNICATION - Danbury Train Station Lease - Proposed Budget](#)

Receive the communication and approve the proposed budget pursuant to the Metro North Railroad Station lease agreement between the City and the State for fiscal year 2016-2017.

12. [RESOLUTION - Per Capita FY 2017 Grant Allocation - Health Department](#)

Receive the communication and adopt the Resolution allowing the City of Danbury's Health and Human Services Department to apply for and accept grant funding in the amount of \$87,753.59 from the State of Connecticut Department of Public Health per capita funding available from July 1, 2016 through June 30, 2017 in accordance with Section 19a-202 of the Connecticut General Statutes. There is no local match required.

A motion was made by Councilman DiGilio and seconded by Councilman Perkins, accept the Consent Calendar as presented. The motion carried unanimously.

1. [COMMUNICATION - Satellite Dish Devices Regulation](#)

A motion was made by Councilman Arconti to receive the communication and refer to an Ad Hoc consisting of Corporation Counsel, Mayors Office, a Representative of the Unit, and the Director of Planning. Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Arconti, Mike Esposito, and Visconti .

2. [COMMUNICATION - Item Withdrawn](#)

3. [COMMUNICATION - Littering on Public or Private Prohibited - Ordinance 4-2](#)

A motion was made by Councilwoman Stanley to refer to an Ad Hoc consisting of Corporation Counsel, Mayors Office, a Representative of the Unit, and the Director of Planning. Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Stanley as Chair, Seabury, and Chianese.

4. [COMMUNICATION - All Terrain Vehicles Prohibited on City Property - Ordinance 12-6](#)

A motion was made by Councilman Cavo to refer to an Ad Hoc consisting of Corporation Counsel, a Representative from the Mayor's Office, the Chief of Police, and a Representative of the Unit. Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Cavo as Chair, Cammisa, and Saadi.

5. [COMMUNICATION - Appointment-Vacancy on Zoning Commission](#)

**CONSENTED* - Receive the communication and confirm the appointment of John Herlihy, Jr. to serve as a member of the Zoning Commission.

6. [COMMUNICATION - Danbury Train Station Lease-Proposed Budget](#)

**CONSENTED* - Receive the communication and approve the proposed budget pursuant to the Metro North Railroad Station lease agreement between the City and the State for fiscal year 2016-2017.

7. [COMMUNICATION - Request to Purchase Land from City of Danbury - Parcel B08-008 Middle River road.](#)

A motion was made by Councilman Curran to refer to an Ad Hoc consisting of Corporation Counsel, the Tax Assessor, and a report from the Planning Commission. Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Scozzafava as Chair, Priola, and John Esposito.

8. [RESOLUTION - Eversource Grant for Day and Evening Homeless Shelter](#)

A motion was made by Councilman DiGilio, seconded by Councilman Chianese, to receive the communication and adopt the Resolution allowing the City of Danbury to make an application for, and if approved accept said funds from Eversource for the proposed \$20,000 Grant to be used to operate our Day Shelter and Evening Homeless Shelter operations. Motion carried unanimously.

9. [RESOLUTION - Union Savings Bank Grant for Day and Evening Homeless Shelter](#)

A motion was made by Councilman Scozzafava, seconded by Councilman Wetmore, to accept the communication and send a letter of thanks; restated to add adoption of the Resolution. Motion carried unanimously.

10. [RESOLUTION - Waste Management Co. Grant for Day and Evening Homeless Shelter](#)

A motion was made by Councilman Wetmore, seconded by Councilman Chianese, to receive the communication and adopt the Resolution that authorizes the application and receipt of funds from said grant. Motion carried unanimously.

11. [RESOLUTION - Shelter Rock School Temporary Classrooms](#)

[Mr. Pinter responded to Mr. Saadi's questions regarding State requirements for a motion to approve grant funding submission.](#)

A motion was made by Councilman Fox, seconded by Councilman Visconti, to establish a School Building Committee for Shelter Rock Temporary Classrooms, authorize the schematic and final drawings and specifications for the following proposed project - Shelter Rock School Temporary Classrooms, and authorize the City of Danbury Board of Education to submit a grant application with related documents to the State of Connecticut and to accept a grant for State Reimbursement Funding for the Shelter Rock School Temporary Classrooms . Motion carried unanimously.

12. [RESOLUTION - Per Capita FY 2017 Grant Allocation - Health Department](#)

***CONSENTED** - Receive the communication and adopt the Resolution allowing the City of Danbury's Health and Human Services Department to apply for and accept grant funding in the amount of \$87,753.59 from the State of Connecticut Department of Public Health per capita funding available from July 1, 2016 through June 30, 2017 in accordance with Section 19a-202 of the Connecticut General Statutes. There is no local match required.

13. [Report - Richter Park Cell Tower](#)

A motion was made by Councilman Cavo, seconded by Councilman Fox, to waive the reading of the minutes as all members have copies and copies are on file for viewing in the office of the Legislative Assistant. Motion carried unanimously.

Mr. Chianese expressed the opinion that a cell tower does not belong at Richter Park noting aesthetics and new technology addressing safety and communications.

A motion was made by Councilman DiGilio, and seconded by Councilman Curran, to authorize the transfer by license of such parcel of real property as identified and designated through the Stanley Lasker Richter Memorial Park Authority by a site license agreement with Bay Communications subject to the further review and approval requirements set forth by law. The motion carried 18-2, Duane Perkins and Ben Chianese dissenting.

14. [REPORT & ORDINANCE - Bond - Improvements to Wastewater Treatment Plant \(Council as Water Pollution Control Authority\)](#)

A motion was made by Councilman Cavo, seconded by Councilman Arconti, to waive the reading of the report as all members have copies and copies are on file for review in the office of the Legislative Assistant. Motion carried unanimously.

Mr. Day responded to Mr. Rotello's questions regarding ortho phosphate. Mr. Pinter and Mr. Boughton answered Mr. Rotello's question regarding what would happen if the voters reject this in November. Mr. Scozzafava recalled a settlement with the Courts regarding users paying for water and sewer; Mr. Boughton noted other towns using the system and participating in the costs.

Mr. Garrick provided Mr. Visconti with an overview of where the City stands with regard to the bonds. Mr. Boughton reviewed next steps as requested by Mr. Chianese.

A motion was made by Councilman Levy, seconded by Councilman DiGilio, that the City Council, acting as the Water Pollution Control Authority, approve an Ordinance appropriating \$10,000,000 for the Design, Improvements, Upgrades, and Rehabilitation to the Wastewater Treatment's Plant and Facilities System and authorize the issuance Of \$10,000,000 Bonds of The City to meet said appropriation and pending the issuance thereof, the making of temporary borrowings for such purpose together with the adoption of a Resolution providing for a special City meeting of the electors on November 8, 2016. The motion carried unanimously.

15. [REPORT & ORDINANCE - Bond - Various Public Improvements](#)

A motion was made by Councilman Cavo, seconded by Councilman Saadi, to waive the reading of the minutes as all members have copies and copies are on file for review in the office of the Legislative Assistant. Motion carried unanimously.

Mr. Saadi expressed a preference for sending to the voters as two separate bond proposal packages as follows:

1) Infrastructure and Recreation Bond for street and infrastructure improvements, paving, drainage, etc., recreation improvements, and new animal control facilities (as outlined in package Item 6) totaling \$7,450,000. Language would be altered adding '(in lieu of \$10,000,000) insert \$7,450,000' and replacing 'various public improvements' with 'various public infrastructure recreation improvements;' and

2) Richter Park and Tarrywile Park Improvement Bond for said park improvements for \$2,550,000. Language would be altered adding '(in lieu of \$10,000,000) insert \$2,550,000;' and adding 'various improvements at Richter Park and Tarrywile Park.'

Mr. Pinter stated Bond Counsel would have to weigh in on that and would likely require another Public Hearing and the Councilmembers expressed their opinions on dividing the bond.

A motion was made by Councilman Saadi, and was seconded, to amend the motion below to divide the referendum question to be placed before the voters on November 8, 2016 (as noted above). The motion failed 6-14, Councilmembers Curran, Mike Esposito, Stanley, Levy, Seabury, Wetmore, Fox, Priola, DiGilio, Cavo, Visconti, Palma, Arconti, John Esposito, Cammisa, and Scozzafava dissenting.

A motion was made by Councilman Palma, seconded by Councilman Fox, to approve an Ordinance appropriating \$10,000,000 for various public improvements and authorizing the issuance Of \$10,000,000 Bonds of The City to meet said appropriation and pending the issuance thereof, the making of temporary borrowings for such purpose together with the adoption of a Resolution providing for a special City meeting of electors on November 8, 2016. The motion carried 17-3, Councilmembers Rotello, Perkins, and Chianese dissenting.

16. [AD-HOC REPORT - Danbury Library Cafe - Bagelman](#)

A motion was made by Councilman Cavo, seconded by Councilman Saadi, to waive the reading of the minutes as all members have copies and copies are on file for review in the office of the Legislative Assistant. Motion carried unanimously.

Mr. Pinter responded to Mr. Saadi regarding the agreement, six-month trial period, subsequent negotiations, and other details.

A motion was made by Councilman Saadi to amend the motion below so that the license agreement would require that the parties thereto engage not later than 45 days prior to the expiration in good faith final status negotiations for the license or lease of the property. Also that it will then return to the Council for a final vote. Mayor Boughton ordered that will be added to the Agreement.

A motion was made by Councilwoman Cammisa, and seconded by Councilman M. Esposito, to receive the Ad Hoc Committee report and adopt the recommendation as presented. The motion passed unanimously.

17. DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, Unit, Elderly, Library

Mr. Ridenhour commented, at Mr. Cavo's request, regarding the assault on Officer Joe Pooler.

Mr. Chianese thanked Public Services Superintendent Tim Nolan and staff on repaving work.

A motion was made by Councilman Cavo, and was seconded by Councilman Perkins, to waive the reading of the Department Reports as all members have copies and copies are on file in the Legislative Assistant's Office for review. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, Mayor Boughton adjourned the meeting at 8:55 p.m. The Mayor extended all committees.

Respectfully Submitted,

Lori Goor
Recording Secretary

Attest,
Mark D. Boughton, Mayor