

21

**CITY OF DANBURY COMMON COUNCIL~**  
**Committee of the Whole Meeting Minutes**  
**Tuesday, March 18, 2008**

Hon. Mark D. Boughton, Mayor  
Common Council Members

President Joseph M. Cavo called the Committee of the Whole Meeting to order at 7:47 p.m. on Tuesday, March 18, 2008. Present were Council members: Louise P. McMahan, Shailesh Nagarsheth, James H. Johnson, Charles Trombetta, Michael J. Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert Arconti, Philip Curran, Jack Knapp, Warren Levy, Robert T. Riley, Gregg W. Seabury and Colleen A. Stanley.

Absent: None.

PRESENT: 21, ABSENT: 0

Also present were Laszlo L. Pinter, Corporation Counsel; Alan D. Baker, Chief of Police; interested citizens; and members of the press.

Mr. Cavo asked Ms. Holding to call Roll.

**GOVERNMENT ENTITIES—Section 2-180:**

A motion was made by Councilwoman Stanley and seconded by Councilman Seabury that the Common Council recommend approval of the re-establishment of The Stanley Lasker Richter Memorial Park Authority, The Conservation Commission and The Environmental Impact Commission in accordance with The Code of Ordinances Section 2-184 with terms through June 30, 2013.

*Councilman Visconti asked if the motion involved Richter House and Councilman Cavo said no. Corporation Counsel Pinter was asked to provide a brief background on the Authorities. Mr. Pinter explained that the Code of Ordinances involving the Authorities provides that once a year, the Common Council reviews the rotating list of entities, a Committee is appointed to review the entities and presents a report to the Common Council. Based on the presentations made to the Committee and the Committee's report, the Common Council then decides whether or not the entities should continue to exist for a period of up to five years. The Common Council can opt to shorten an entity's period of existence as well. If the Common Council decides to terminate one or more of the entities, there is a one-year run-out period which gives the Commission time to appropriately take care of its assets. Councilman Chianese recommended shortening the term for the Richter House Authority. His desire was to have presentations made by the Authority to the Common Council to establish whether or not the Authority is achieving their goals. His recommendation was a two-year term. Councilman Levy agreed. Councilwoman Stanley did not feel that the length of term was an issue as the Common Council could request updates at any point during an entity's term. Councilman Curran disagreed.*

A motion to amend was made by Councilman Curran and seconded by Councilman Saadi to limit The Stanley Lasker Richter Memorial Park Authority to a two-year term.

Councilman Visconti agreed to the suggestion for a shortened term. He felt that it would put pressure on the Authority to ensure their objectives are met. Councilman Rotello expressed concern that decisions are made by the Common Council without entities being present. Having sat in on the meeting with Authority, he came away with a sense that the Authority has the determination to improve the facility under their stewardship. In addition, he felt that the Authority might need some assistance in achieving their goals and suggested the Common Council consider some way to assist them. Councilman Riley pointed out that the Committee's recommendation was to seat the Authority for five years and felt that the Common Council should follow the Committee's recommendation. Councilman Perkins suggested more oversight of the Authority. Councilman Saadi felt the amendment would allow the Authority to continue to operate as it is supposed to operate without the Common Council micromanaging its affairs while giving them a more stringent timeframe in which to achieve their objectives. Councilman Rotello asked Mr. Pinter where their funding came from. Mr. Pinter was not certain but thought that they generated their own funds. Councilman Rotello asked Mr. Pinter who guaranteed any bonding. Mr. Pinter explained that the City of Danbury guaranteed their bonding. Councilman Rotello asked Mr. Pinter to explain what would happen in the event the Authority's term is shortened to two years or the Authority is terminated. Mr. Pinter explained that if an Authority were terminated, there is typically a one-year run-out time in which assets are liquidated, securing the release of any mortgages, etc. One year is the period of time someone is retained to oversee that process. He cautioned the Common Council in changing the term of the Authority to two years, explaining that the Authority might have difficulty bonding or obtaining funding as the various entities might question the Council's lack of trust in the Authority and may not fund them. As an alternative to changing the Authority's term to two years, he suggested including a bail-out or catch-all provision in the Code of Ordinances. It essentially provides that whatever length of time is given to an entity, the Common Council can override that to terminate the entity at any time. Councilman Rotello asked if an Authority is terminated, could a second one be put in place immediately. Mr. Pinter explained that since the Authority has already been created, you have to let the one-year run-out period occur. However, during that time, a new Authority could be developed which could take effect after the one-year run-out period. Councilman Levy pointed out that the City has co-signed for bonds for the Authority in the event of default which did not impair the Authority's ability to bond. Mr. Levy felt the two-year term would be more of an assistant to the Authority as they are not exposed to political scrutiny and can operate in a somewhat impartial manner to serve the community best. He felt that it was the Common Council's responsibility to closely monitor the various boards.

At this point in the discussion, Councilman Cavo passed the gavel to Councilman Seabury in order that he may speak on the issue at hand. Councilman Cavo expressed concern with shortening the term of the Richter Park Authority. He pointed out that the issue before the Common Council is the entity of the Authority and not the Board of the Authority who may or may not have done a great job of running the Richter House which has only recently come to light. There is not enough information to determine whether or not there was malfeasance on their part. He felt that the Authority has run well with the Board members that it has had. By limiting them to a two-year Authority, may put them in a position where they have difficulty

*borrowing money whether to repair the Richter House or for other reasons. He did not support the amendment to the motion and urged the Common Council to think about what they are voting on.*

*Councilman Cavo asked Ms. Holding to take roll call for the vote on the amendment:*

*Yes = to limit the Authority to a two-year term  
No = not to limit the Authority to a two-year term*

- McMahon – No*
- Nagarsheth - No*
- Johnson – No*
- Trombetta – No*
- Calandrino – No*
- Perkins – No*
- Visconti – Yes*
- Chianese – Yes*
- Esposito – Yes*
- Saadi – Yes*
- Cavo – No*
- Rotello – No*
- Diggs – No*
- Teicholz – No*
- Arconti – No*
- Curran – Yes*
- Knapp – Yes*
- Levy – Yes*
- Riley – No*
- Seabury – No*
- Stanley – No*

*No = 14  
Yes = 7*

The amendment failed. (Yes – 7, No – 14.)

The main motion carried unanimously.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

#### Sec. 2-176. Schedule of termination of government entities.

- (a) **The following governmental entities are terminated, effective June 30, 2010, unless reestablished in accordance with the provisions of section 2-184:**
  - (1) The Flood and Erosion Control Board of the City of Danbury.
  - (2) The Tarrywile Park Authority.
  
- (b) **The following governmental entities are terminated, effective June 30, 2011, unless reestablished in accordance with the provisions of section 2-184:**
  - (1) The Danbury Parks and Recreation Commission.
  - (2) The Aviation Commission.
  - (3) The Youth Commission.
  
- (c) **The following governmental entities are terminated, effective June 30, 2012, unless reestablished in accordance with section 2-184:**
  - (1) The Commission for Persons with Disabilities.
  - (2) The Danbury Aquifer Protection Agency.
  - (3) The Fair Rent Commission.
  - (4) The Board of Ethics.
  - (5) The Charles Ives Authority for the Performing Arts.
  
- (d) **The following governmental entities are terminated, effective June 30, 2013, unless reestablished in accordance with section 2-184:**
  - (1) The Stanley Lasker Richter Memorial Park Authority.
  - (2) The Conservation Commission.
  - (3) The Environmental Impact Commission.
  
- (e) **The following governmental entities are terminated, effective June 30, 2009, unless reestablished in accordance with section 2-184:**
  - (1) The City of Danbury Cultural Commission.
  - (2) The Commission on Aging.
  - (3) The Parking Authority of the City of Danbury.
  - (4) The Danbury Housing Partnership.
  - (5) The Lake Kenosia Commission.