

Honorable Mark D. Boughton, Mayor
Common Council Members

Mayor Mark D. Boughton called the Common Council Meeting to order at 7:30PM on Tuesday, September 1, 2009.

Present were Council members: Louise McMahon, Shay Nagarsheth, Michael Halas, Charles Trombetta, Michael Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Joseph M. Cavo, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert F. Arconti, Philip Curran, Jack Knapp, Warren Levy, Robert Riley, Gregg Seabury, Colleen A. Stanley

PRESENT: 21 ABSENT: 0

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: Brent Jacobellis led everyone in the room in the Pledge of Allegiance. Councilman Curran led everyone in the room in a prayer.

PUBLIC PARTICIPATION:

Joseph Rosato 7 Long Ridge Road spoke in opposition of #19.

Mayor Boughton recognized the members Boy Scout Troop #52 who were in attendance. The Mayor also recognized the Cal Ripkin baseball team. He congratulated the coaches for doing an outstanding job with the team and or their recent participation in the World Series. Councilman Halas introduced the members of the team. Mayor Boughton presented the team with a proclamation.

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 August 4, 2009 as Council members have copies and copies are also available in the City Clerk’s Office, seconded by Councilman Nagarsheth.
Motion passed by unanimous vote.

Councilman Seabury presented the following items for the Consent Calendar:

5. Receive the communication and accept the donation of \$100.00, from Mary Lambert to the Danbury Fire Department and send the appropriate letter of thanks.
6. Receive the communication and accept the donations totaling \$50.00 to the Department of Elderly Services, transfer into line item 5002.6000 and send the appropriate letters of thanks.
10. Refer to the City Engineer, Corporation Counsel and the Planning Commission for reports.
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12. Refer to the City Engineer and Corporation Counsel for reports.

13. Refer to the City Engineer and Corporation Counsel for reports.

15. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton or David Day to execute and file applications, contracts and agreements with the Commission of Environmental Protection for the Nutrient Reduction Study.

16. 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 for Emergency Response (H1N1) activities.

17. 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 for activities to promote optimal public health quality.

18. Receive the communication and adopt the Resolution to authorize Mayor Mark D. Boughton to sign the agreement entitled: 'Replacement Backus Avenue Bridge' and "Agreement between the State of Connecticut and the City of Danbury for the Construction, Inspection and Maintenance of the Franklin Street, Franklin Street Extension and White Street Pavement restoration Utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5"

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

1 - COMMUNICATION - Amendments to Code of Ordinance, Section 12-33
(Shopping Carts)

Councilman Nagarsheth moved to refer to an Ad Hoc with Corporation Counsel, a representative from the Mayor's Office and the UNIT. Council members Curran, Arconti and Visconti were appointed to the committee.

2 - COMMUNICATION - Donation of Old Playground Equipment
City Clerk Natale read the communication. **Councilman Cavo moved to declare the equipment surplus and direct the items to the Purchasing Department for disposal,** seconded by Councilman Rotello. ***Motion passed by unanimous vote.***

3 - COMMUNICATION - Donation of a Photograph
City Clerk Natale read the communication. **Councilwoman Stanley moved to receive the communication and accept the donation of the photograph by Carol Gibson,** seconded by Councilwoman McMahon. ***Motion passed by unanimous vote.***

4 - COMMUNICATION - Donation to Veterans Hall
City Clerk Natale read the communication. **Councilwoman Diggs moved to receive the communication and accept the donation of the WWII Memorial print donated by the Gulya Family,** seconded by Councilman Chianese. ***Motion passed by unanimous vote.***

5 - COMMUNICATION - Donation to the Fire Department
The communication was received on the Consent Calendar and the donation accepted.

6 - COMMUNICATION - Donation to the Department of Elderly Services
The communication was received on the Consent Calendar and the donations accepted.

7 - COMMUNICATION - Donation to Palace Theater Restoration Planning Study
City Clerk Natale read the communication. **Councilman Knapp moved to receive the communication and accept the donation in the amount of \$10,000 from Joseph DaSilva, Jr.,** seconded by Councilman Chianese. Discussion followed with Dennis Elpern, Director of Planning regarding the total cost of the study and release of the grant funds. Mr. Elpern advised that there is a \$50,000 budget for the study, the grant funds have not been released and a tour of the theater was conducted for prospective bidders. ***Motion passed by unanimous vote.***

8 - COMMUNICATION - Request for Ad Hoc - Connecticut Film Festival
Council Trombetta moved to refer to an Ad Hoc with a representative from the Mayor's Office, Corporation Counsel, Economic Development, a representative from the CT Film Festival and a representative from the Cultural Commission.
Council members Calandrino, Seabury and Rotello were appointed to the committee.

9 - COMMUNICATION - Transfer of Funds - Historic Document Reserve Account
City Clerk Natale read the communication. **Councilman Arconti moved to approve and certify the funds for the funds for the preservation of historic documents,** seconded by Councilman Chianese. Upon request, Dan Garrick, Asst. Director of Finance, certified the funds. ***Motion passed by unanimous vote.***

10 - COMMUNICATION - Request for Sewer and Water - 120 - 130 Osborne Street
The communication was received on the Consent Calendar and referred to the City Engineer, Corporation Counsel and the Planning Commission for reports.

11 - COMMUNICATION - Request for Sewer and Water - Interstate Business Center LLC - Prindle Lane
The communication was received on the Consent Calendar and referred to the City Engineer, Corporation Counsel and the Planning Commission for reports.

12 - COMMUNICATION - Request for Renewal Sewer Line Extensions - Shelter Rock
The communication was received on the Consent Calendar and referred to the City Engineer and Corporation Counsel for reports.

13 - COMMUNICATION - Request for Renewal Water and Sewer Line Extension - Candlewood Park, Inc.
The communication was received on the Consent Calendar and referred to the City Engineer and Corporation Counsel for reports.

14 - RESOLUTION - Equipment Lease Agreement - Danbury Public Schools
City Clerk read the communication. **Councilwoman Teicholz moved to receive the communication and adopt the Resolution authorizing the Superintendent, or his designee, to enter into the lease purchase agreement,** seconded by Councilman Cavo. Upon request, Elio Longo, Director of Finance for the school system provided details regarding the negotiated contract, in particular the interest rate. The Board of Education approved entering into and agreement with the leasing company and requests final approval from the Council. The lease purchase agreement is for 48 months with an option to buy the equipment for a nominal fee. Mr. Longo explained the bidding process, estimated cost savings and estimated service agreements after the 48 month lease period expires. ***Motion passed 19-2 with Council Members Saadi and Visconti voting in the negative***

15 - RESOLUTION - Danbury WPCP - Nutrient Reduction Study
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

16 - RESOLUTION - Public Health Emergency Response/H1N1 Grant
The communication was received on the Consent Calendar and the Resolution adopted reports.

17 - RESOLUTION - Per Capita Grant - August 2009 Allocation
The communication was received on the Consent Calendar and the Resolution was adopted.

18 - RESOLUTIONS - A. Replacement of Backus Avenue Bridge
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

B. Milling and Paving of Franklin Street, Franklin Street Ext and White Street
The communication and Resolution were received on the Consent Calendar and the Resolution adopted.

19 - AD HOC REPORT - Long Ridge Road
Councilman Knapp read the Ad Hoc Report. Councilman Seabury moved to accept the report and recommendation to start the petition process, seconded by Councilman Perkins. Upon request, discussion followed with Atty. Pinter. Atty. Pinter explained that there is a specific process to change the ordinance. The first step in this process would be to mail a survey to the property owners affected by this proposed change of ordinance. ***Motion passed by unanimous vote.***

20 - DEPARTMENT REPORTS - Police, Fire, Health-Housing & Welfare, Dream Homes, Public Works, Permit Center, UNIT, Elderly Services, Library
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 Perkins. There was no discussion. ***Motion passed by unanimous vote.***

Mayor Boughton extended all committees.

As there was no further business to come before the Common Council, a motion was made at 8:30 P.M. by Councilman Rotella to adjourn the meeting, seconded by Councilman Saadi. ***Motion passed by unanimous vote.***

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest,

Mark D. Boughton, Mayor