

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut.
RE: Minutes of the Special Meeting of the Common Council held on August 12, 1986.

The meeting was called to order at 7:00 O'Clock P.M. by the Honorable Mayor James E. Dyer who led the assembly in the Pledge of Allegiance to the Flag.

The Prayer was offered by Councilman John Esposito.

Roll Call was taken by City Clerk Elizabeth Crudginton with the following members being recorded as:

PRESENT: Council Members - Johnson, Sollose, Torcaso, Zotos, Hadley, Cassano, McManus, Gallo, Esposito, Charles, Butera, DaSilva, Eriquez, Farah, Torian.

ABSENT: Council Members - Philip, Godfrey, Flanagan, Rotello, Boynton, Smith.

15 Members Present -- 6 Members Absent.

It was reported by Common Council President C. McManus that Councilman Boynton was ill, and Councilmen Godfrey and Rotello were out of town.

NOTICE OF SPECIAL MEETING - To be held on the 12th day of August, 1986 at 7:00 O'Clock P.M. in the Council Chambers in City Hall, for the purpose of acting upon the following:

- 01 - REPORT - Appointment to the position of Assistant City Clerk.
- 02 - REPORT - Northeast Danbury Water Supply Improvements.

RETURN OF SERVICE - Notices delivered by Police Officers of the Danbury Police Department.

A motion was made by Councilman DaSilva and seconded by Councilman Charles for the Call and Return Of Service to be accepted. Motion carried.

- 01 - REPORT - Appointment to the position of Assistant City Clerk.

Councilwoman McManus submitted a report stating that the Common Council committee appointed to review the appointment of the Assistant City Clerk, met on August 12, 1986 at 6:45 P.M. in Room 432 in City Hall.

The committee reviewed the Civil Service list of applicants who had taken the test for Assistant City Clerk and discussed the interview which the committee members had conducted with the first place applicant, Jimmetta Samaha.

The committee feels that Civil Service conducted an extremely fair and impartial test which produced a list of highly qualified candidates. The number one candidate, Jimmetta Samaha, attained the highest score on the combined written and oral test scores. During the interview Miss Samaha responded very well to the questions and concerns voiced by the committee members.

The committee unanimously recommends that the Common Council appoint Jimmetta Samaha as Assistant City Clerk. The appointment will be contingent on her successful physical exam.

A motion was made by Councilman Gallo and seconded by Councilman Charles for the Report to be accepted and the appointment confirmed.

Motion carried by a vote of 14 Ayes and 1 Nay. Councilman DaSilva voted Nay. 6 Members were absent.

02 - REPORT & RESOLUTION - NorthEast Danbury Water Supply
Improvements.

Councilwoman Carole Torcaso submitted a report stating that the committee appointed to review the North East Danbury Water Supply improvements met on June, 19, 1986 at 7:30 P.M. with Council Members Torcaso and Rotello present. Mr. Smith was unable to attend. Also present were Basil Friscia, Director of Public Works, William Buckley, Superintendent of Public Utilities, Jack Schweitzer, City Engineer and Ward Mazzucco, Attorney for NorthEast Development Corporation.

Attorney Mazzucco presented two plans for building a water tower for serving the Sterling Woods Condominium project. One plan would locate a large water tank on a high portion of the property already owned by the developer. He explained that this tank would only service the project.

The second plan, on an alternate parcel is being pursued upon recommendation of the City Engineer and the Superintendent of Public Utilities. The plan would place the water tank at a higher elevation, be built to accommodate a second tank for future expansion and would substantially improve fire protection and water supply dependability as well as provide expansion capabilities into the surrounding neighborhood. (Stadley Rough School).

Attorney Mazzucco stated that his client would pay the first \$40,000 of incurred expenses and 50% of all expenses above the \$40,000. He also stated that if he would give approval to an unlimited dollar amount, the City might not have an incentive to keep costs at a minimum. It was decided to discuss the financing arrangements after an appraisal has been received and reviewed.

A second meeting was held on July 24th at 7:30 P.M. with committee members Carole Torcaso, Louis Rotello and Stan Smith present. Also present were Basil Frisci, William Buckley and Attorney Mazzucco. Jack Schweitzer was unable to attend.

The subject of the meeting was to review the appraisal of the land of Thomas Hoffman, Trustee, and Frank Fitzimmons. The Fair Market Value of the requested two acre site is \$15,000.

The committee discussed at length, the benefit the higher elevation would be in providing water service to the Stadley Rough School and immediate area.

Many questions were voiced regarding the financial responsibility the acquisition might be to the City.. Atty. Mazzucco agreed to increase the contribution to \$50,000.

A third meeting was held on August 11, 1986 at 7:30 P.M. with committee members Carole Torcaso and Stan Smith Present. L. Rotello was out of town. Also attending were Council Members Constance McManus, Bernard Gallo, Donald Sollose, William Buckley, Superintendent of Public Utilities, Dom. Setaro, Comptroller and Ward Mazzucco, Attorney for NorthEast Development.

Discussed were methods of financing the project. Mr. Setaro stated that NorthEast Development Corporation could deposit a contribution into an account and the funds would be drawn out as necessary.

Attorney Mazzucco stated NorthEast Development Corporation would contribute \$50,000. This sum would be used to pay for the land acquisition, legal fees and costs involved in the eminent domain condemnation.

02 - continued:

Councilman Stan Smith motioned to accept the \$50,000 from NorthEast Development Corporation for the acquisition of this property. This contribution would be deposited in an account that would be reflected in the Water Fund and disbursed as necessary. It is further noted that if, at some time, additional funds are needed, the Council would have to consider disbursement at that time. Motion seconded and passed unanimously.

RESOLUTION - Resolved by the Common Council of the City of Danbury:

Whereas, the City of Danbury wishes to acquire a water tower to be constructed on behalf of the N. E. Development Corporation on private property; and

Whereas, the purposes of said project oblige the City of Danbury to acquire an interest in and to real property as hereinafter set forth; and

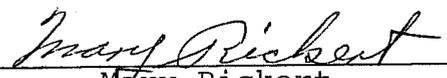
Whereas, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners hereinafter named upon the amount to be paid for the respective interests of each to be taken in, and to, the real property as hereinafter set forth;

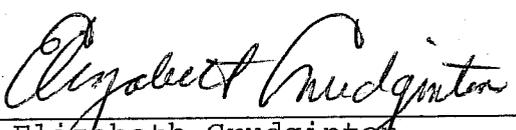
NOW, THEREFORE, BE IT RESOLVED THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire the property interests in and to a two acre parcel of real property located Northeast of Nabby Road in Danbury, as shown on the attached sketch, either by negotiation or by eminent domain through the institution of suits against Thomas Hoffmann, Trustee and Frank H. Fitzsimmons, Jr., Trustee, their successors and assigns and their respective mortgage holders, if any.

A motion was made by Councilwoman McManus and seconded by Councilman Torian for the Report to be accepted and Resolution adopted. Motion carried unanimously.

There being no public speakers and no further business to come before the Common Council, a motion was made by Councilwoman Janet Butera and seconded by Councilman Louis T. Charles, for the meeting to be adjourned at 7:06 P.M.

Respectfully submitted


Mary Rickert
Assistant City Clerk, Acting

Attest: 
Elizabeth Crudginton
City Clerk