

AD HOC REPORT
Private Property Easement – Sauer Memorial Park (AT&T)

49

Hon. Mark D. Boughton, Mayor
Common Council Members

January 22, 2007

Chairman Robert Riley called the meeting to order at 6:00 p.m. In attendance were committee members Councilwoman Louise McMahon and Councilman John Esposito; Laszlo Pinter, Deputy Corporation Counsel; Antonio Iadarola, Director of Public Works; Councilwoman Pauline Basso, ex officio; and Jim Bellano representing the petitioner.

Mr. Riley read the charge of the committee which is to review the request for a private property easement over Sauer Memorial Park. He also noted a negative recommendation from the Planning Commission because it does not believe the City should grant any easements over public parks.

Attorney Pinter reviewed Ms. Calitro's report of 12/4/06 and the negative PC report. He did a preliminary review of the proposed easement which contains language for future assignments.

Mr. Riley said the PC report seems concerned about language on broad rights to assign these rights to another public utility. Could that happen?

Mr. Iadarola said in his experience, easements with utility companies could be a problem in that if the City needs to re-visit or re-work them at a later time it may prove difficult.

Mr. Bellano explained that Watson Company is consolidating their property at this site and AT&T would like to use an existing pole and to run the line over this park property. Ms. McMahon wanted confirmation that it's just one line. Mrs. Basso asked about using another pole. Mr. Bellano said trees would need to be cut and the line would cross the river.

Discussion followed on issues of using the West Street pole; is this a financial imposition; what about trees; the City policy of not crossing over parkland; why is AT&T not here?

Ms. McMahon moved to deny the petition; seconded by Mr. Esposito. Mr. Esposito said based on the negative PC report and department heads saying no he must say no. The petitioner does have another avenue to pursue. Motion passed unanimously.

Mr. Esposito made a motion to adjourn at 6:20 p.m., seconded by Ms. McMahon. Motion passed unanimously.

Respectfully submitted,

Robert Riley, Chairman

Louise McMahon

John Esposito