

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Special Common Council Meeting held May 2, 2001

The meeting was called to order at 10:30 P.M. The Prayer and Pledge of Allegiance were recited. The members were recorded as:

**PRESENT** – Levy, Scalzo, Smith, Saadi, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore, Saracino

**ABSENT** – McAllister, Buzaid

19 Present – 2 Absent

Mr. McAllister and Mr. Buzaid were out of State.

**NOTICE OF SPECIAL MEETING** – There will be a Special Meeting of the Common Council on May 2, 2001 at 9:15 P.M. in the Common Council Chambers in City Hall to act upon the items listed below. Mr. Levy made a motion to accept the call and return of service. Seconded by Dean Esposito. Motion carried unanimously.

### **PUBLIC SPEAKING**

Donna Moore, 37 Joe's Hill Road – said that the Common Council had no choice but to allocate the requested funds. She gave her opinions on the history of the project and about the liens.

Jim Nolan, 323 Main Street – he would have been surprised if there were no cost overruns.

Michael Conrad, 6 Delay Street – owner of Colorado Brewery – put everything he had into his business because he had faith that the City would finish the project.

Lynn Waller, 83 Highland Avenue – We have faith in the Common Council to ask questions. If we are responsible for the liens, will we bond for them or will they be reflected in our taxes?

1 – REPORT – Ice Rink Property – Maintenance Easement to DSR Holdings, Inc.

Mr. Arconti submitted the following report: The Common Council Committee appointed to review the maintenance easement to DSR Holdings, Inc. at the ice rink property met at 9:00 P.M. on May 2, 2001 in the Third Floor Caucus Room in City Hall. In attendance were committee members Thomas Arconti, John Esposito and Mary Saracino. Also in attendance were Director of Public Works William Buckley, Corporation Counsel Eric Gottschalk, Assistant Corporation Counsels Les Pinter and Dan Casagrande, Director of Finance Dominic Setaro and Mayor Gene F. Eriquez.

Mr. Arconti asked if there were any questions. Mr. Esposito asked for a definition of the easement. He said that a 30-foot easement would close the road entirely. Mr. Buckley stated that the company would still be subject to the normal permits. He said it is a little unusual because the road is within two feet of the property line. Mrs. Saracino asked why an easement is needed and why can't the company just follow the normal practices. Mr. Casagrande said there is not much difference. The easement is non-exclusive. However, the easement does give them more protection than a road-opening permit. The company wants it for added protection. Mr. Esposito asked if the City could give the company permission as needed. Mayor Eriquez stated that the company wants the easement.

Mr. Arconti made a motion to recommend approval of a thirty-foot easement to DSR Holdings at the ice rink property. Seconded by Mr. Esposito. Mrs. Saracino moved to amend the motion by adding to the contract that the approval of this easement does not eliminate the need for the purchaser to obtain the necessary permits and approvals for road openings. Seconded by Mr. Arconti. Motion to amend carried unanimously. Main motion, as amended, carried unanimously.

Mr. Levy made a motion to receive the report and adopt its recommendations. Seconded by Manny Furtado.

Martin Moore asked how this would effect traffic flow and the parking garage. The Mayor said it would have no effect. Motion carried unanimously.

2 – REPORT – Additional Cost to Complete Ice Rink

Mr. Arconti submitted the following report:

The Common Council met as a committee of the whole on May 2, 2001 at 9:20 P.M. in the Common Council Chambers. In attendance were Council Members Levy, Scalzo, Smith, Saadi, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore, Martin Moore, Saracino. Absent were Council Members McAllister and Buzaid.

Mr. Levy made a motion to authorize the transfer of \$480,000 from the Fund Balance to complete the ice rink. Seconded by Mr. Scalzo.

Mayor Eriquez explained the history of the project and why the additional expenditures are necessary. Many of the items that need completion were found through final reviews. Director of Finance Dominic Setaro explained the figures in the communication added to the May agenda. Building Inspector Leo Null explained the inspection process.

After a question and answer period, Mr. Scalzo made a motion to move the question. Seconded by Mr. Levy. Motion carried with Council Members Basso, Manny Furtado, Martin Moore and Saracino voting in the negative.

The motion to allocate the funding carried with Council Members Smith, Saadi, Basso and Martin Moore voting in the negative.

Mr. Levy made a motion to receive the report and authorize the allocation of \$480,000. Seconded by Mr. Gogliettino.

Mr. Saadi asked a series of legal questions about the inspections, the Morganti report and the forbearance agreement. Mr. Levy gave a history of when the project started and why it must go forward.

Mrs. Abrantes stated that when the forbearance agreement expires on May 7<sup>th</sup> and the contract is executed, they will not be able to come back to us for items other than the punch list. The Mayor said that is correct.

Martin Moore made a motion that an investigatory committee of the Common Council be formed to investigate the ice rink project in its entirety. The committee is to report back within sixty days detailing why public funds are necessary to complete the project and assessing its overall management. Seconded by Ms. Saracino. Motion failed with Council Members Basso, Martin Moore and Saracino voting yes.

Dean Esposito made a motion to move the question. Seconded by Mr. Gallagher. Motion carried.

Main motion carried with Council Members Smith, Saadi and Michael Moore voting in the negative.

There being no further business to come before the Common Council a motion to adjourn was made at 11:45 P.M. by Mr. Shuler.

Respectfully submitted,

\_\_\_\_\_  
JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

\_\_\_\_\_  
Elizabeth Crudginton, City Clerk