

TO: Mayor Mark D. Boughton and Members of the Common Council

RE: Minutes of the Special Common Council Meeting held April 19, 2005

Mayor Boughton called the meeting to order at 8:00 P.M. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

PRESENT – McMahon, Calandrino, Saadi, Barry, Visconti, Steinerd, Urice, Esposito, Nolan, Basso, Saracino, Cavo, Diggs, Teicholz, Nagarsheth, Riley, Stanley

ABSENT – Burns, Trombetta, Payton, Seabury

17 PRESENT – 4 ABSENT

Mr. Trombetta and Mr. Seabury were on vacation.

NOTICE OF THE SPECIAL MEETING – There will be a Special Meeting of the Common Council on April 19, 2005 at 8:00 P.M. in the Common Council Chambers in City Hall to act on the items below.

Ms. Saracino made a motion that the call and return of service be accepted. Seconded by Mr. Saadi. Motion carried unanimously.

PUBLIC SPEAKING

Lynn Waller, 83 Highland Avenue – Thanked the Common Council for working on the Underage Drinking Ordinance.

1 – REPORT & ORDINANCE – Underage Drinking

Mr. Nolan asked that this be deferred to public hearing. Mayor Boughton so ordered.

2 – REPORT – Government Entities Review and Evaluation

Mrs. Basso asked that this be deferred to public hearing. Mayor Boughton so ordered.

3 – COMMUNICATION & RESOLUTIONS – Still River EWP Project

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury is proceeding with plans and designs to implement the emergency stream bank repair of the Still River on Federal Road; and

WHEREAS, temporary construction easements will have to be acquired either by negotiation with the property owners or by eminent domain, if such negotiations are unsuccessful; and

WHEREAS, said easements to be acquired are described and identified in EXHIBIT A, B, C and D attached hereto; and

WHEREAS, it is in the best interest of the City of Danbury to acquire said rights and proceed with the work required.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of Corporation Counsel be and hereby is authorized to acquire the easements set forth on EXHIBITS A, B, C and D, attached hereto, in accordance with procedures established by State law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by October 1, 2005.

Mr. Cavo made a motion to adopt the resolution and authorized the Office of Corporation Counsel to acquire the easements set forth on EXHIBITS A, B, C and D in accordance with procedures established by State Law, either by negotiation or eminent domain through the institution of suit against the interested property owners and holders of mortgages encumbering the properties, if any, by October 1, 2005. Mrs. Basso seconded by motion. The motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the bank of the Still River in the vicinity of Cap City on Federal Road has partially collapsed; and

WHEREAS, the United States Department of Agriculture Natural Resources Conservation Service has designed and proposes to implement an emergency repair program known as the Still River Emergency Watershed Protection Project to ameliorate said condition; and

WHEREAS, the State of Connecticut, acting by its Department of Environmental Protection is prepared to make grant funds available to reimburse the City of Danbury for it's costs in connection with said program.

NOW, THEREFORE, BE IT RESOLVED that Mayor Mark D. Boughton is empowered to execute and deliver in the name and on behalf of the Flood and Erosion Control Board of the City of Danbury a certain agreement with the Department of Environmental Protection, State of Connecticut for the Still River Emergency Watershed Protection Project, and to affix the corporate seal.

Mr. Cavo made a motion, that the Common Council acting as the Flood and Erosion Control Board of the City of Danbury adopt the resolution and authorize Mayor Mark D. Boughton to execute and deliver in the name and on behalf of the Flood and Erosion Control Board of the City of Danbury a certain agreement with the Department of Environmental Protection, State of Connecticut for the Still River Emergency Watershed Protection Project and to affix the corporate seal. Seconded by Mrs. Basso. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury and the Natural Resources Conservation Service (NRCS), United States Department of Agriculture, have agreed to enter into an agreement for the emergency stream bank repair of the Still River on Federal Road; and

WHEREAS, the NRCS will provide up to seventy-five percent (75%) of the estimated cost of \$260,000; and

WHEREAS, the City of Danbury will provide up to twenty-five percent (25%) of the cost; and

WHEREAS, it is agreed that this work will be completed within forty (40) days.

NOW, THERFORE, BE IT RESOLVED that Mayor Mark D. Boughton is empowered to execute and deliver in the name and on behalf of the City of Danbury, a certain Cooperative and Operation and Maintenance Agreement for Emergency Measures agreement between the City of Danbury and the Natural Resources Conservation Service, United States Department of Agriculture, for the Still River Emergency Watershed Protection Project and to affix the corporate seal.

Mr. Cavo made a motion to adopt the resolution and authorize Mayor Mark D. Boughton to execute and deliver in the name and on behalf of the City of Danbury, a Cooperative and Operation and Maintenance Agreement for Emergency Measures agreement between the City of Danbury and the Natural Resources Conservation Service, United States Department of Agriculture for the

Still River Emergency Watershed Protection Project and to affix the corporate seal. Seconded by Mrs. Basso. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made by Mr. Cavo at 8:12 P.M. for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA, Clerk

ATTEST:

MARK D. BOUGHTON, Mayor