

**MINUTES
FIRST TAXING DISTRICT
OCTOBER 10, 2018**

COMMISSIONERS: Commissioner Marija Bryant, Commissioner Thomas Cullen and Commissioner Elsa Obuchowski

ALSO PRESENT: Dominick M. DiGangi, General Manager, Michelle Botero, Office Services Supervisor, David Capolete, Senior Accountant, Lauren Mappa, District Clerk, Eleanor Militana, Assistant to the General Manager and Jalin Sead, Treasurer

OTHERS PRESENT: Kevin Moynihan, First Selectman, Town of New Canaan and Art Berry, New Canaan Land Trust

1. Roll call

The meeting was called to order at 4:03 p.m. by Commissioner Thomas Cullen. Ms. Michelle Botero called the roll. Commissioners Bryant, Cullen and Obuchowski were present. Treasurer Jalin Sead was also present.

2. Public participation relating to agenda items

Mr. Kevin Moynihan, First Selectman for the Town of New Canaan, addressed the Commissioners and expressed his interest in the purchase of the property at 1124 Valley Road, New Canaan. Mr. Moynihan also stated that he had not gotten a response from the Board of Commissioners to his letter dated September 6, 2018 and would like to have a response from the Board of Commissioners.

***** COMMISSIONER CULLEN MOVED THAT THE COMMISSIONERS ENTER INTO EXECUTIVE SESSION AT 4:06 P.M., AS PROVIDED BY CONNECTICUT GENERAL STATUTES § 1-200(6)(B) AND (D) TO DISCUSS THE SALE OF 1124 VALLEY ROAD, NEW CANAAN, CONNECTICUT BASED UPON AN OFFER TO PURCHASE BY THE TOWN OF NEW CANAAN BY LETTER DATED SEPTEMBER 6, 2018 FROM KEVIN J. MOYNIHAN, FIRST SELECTMAN AND TO DISCUSS PENDING CLAIMS SET FORTH IN HIS LETTER WITH REGARD TO THIS REAL ESTATE. DOMINICK DI GANGI, P.E., GENERAL MANAGER AND DISTRICT COUNSEL, FRANK W. MURPHY ARE INVITED TO ATTEND THE EXECUTIVE SESSION TO PROVIDE OPINION AND LEGAL ADVICE. TREASURER SEAD, LAUREN MAPPA, ELEANOR MILITANA WERE ALSO ASKED TO REMAIN PRESENT.**

COMMISSIONER BRYANT RECUSED HERSELF FROM THE EXECUTIVE SESSION AND PUBLIC DISCUSSION OF AGENDA ITEM # 8

*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY

*** COMMISSIONER CULLEN MOVED TO COME OUT OF EXECUTIVE SESSION AT 4:45 P.M.

*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY

*** COMMISSIONER CULLEN MADE THE FOLLOWING MOTION IN REGARDS TO AGENDA ITEM # 8

MOTION CONCERNING 1124 VALLEY ROAD, NEW CANAAN

AFTER FULL CONSIDERATION OF THE FORMAL OFFER TO PURCHASE 1124 VALLEY ROAD, NEW CANAAN, THE TOWN OF NEW CANAAN SET FORTH IN A LETTER FROM KEVIN J. MOYNIHAN, FIRST SELECTMAN, DATED SEPTEMBER 6, 2018, INCLUDING 8 ATTACHMENTS, I MOVE THAT THE FIRST TAXING DISTRICT OF THE CITY OF NORWALK (“FIRST DISTRICT”) NOT ACCEPT HIS OFFER FOR THE FOLLOWING REASONS:

- 1. THE OFFER TO PURCHASE CONCERNS A PORTION OF A PARCEL OF LAND WHICH IS ADJACENT TO THE GRUPES RESERVOIR AND WAS PURCHASED BY THE FIRST DISTRICT BECAUSE IT ADJOINS THE GRUPES RESERVOIR AND IS NEAR THE JOHN E. RIORDAN WATER TREATMENT PLANT AT 27 VALLEY ROAD, IN NEW CANAAN.**
- 2. THE REAL ESTATE AT 1124 VALLEY ROAD IS IDENTIFIED AS A PORTION OF THE FIRST DISTRICT WATER SUPPLY PLAN ON FILE WITH THE CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, DRINKING WATER SECTION, IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTES § 25-32d AND THE REGULATIONS OF CONNECTICUT STATE AGENCIES, § 25-32d-1.**
- 3. THE JOHN E. RIORDAN WATER TREATMENT PLANT WAS CONSTRUCTED MANY YEARS AGO AND WILL REQUIRE A SUBSTANTIAL UPGRADE IN THE FORESEEABLE FUTURE.**
- 4. ALTHOUGH IN THE PAST, SOME CONSIDERATION WAS GIVEN TO THE TOWN OF NEW CANAAN’S REQUEST TO SUBDIVIDE THE REAL ESTATE AND TO TRANSFER TITLE TO A PORTION OF IT ALONG WITH THE GRUPE-NICHOLS-BROWNE HOUSE TO THE TOWN OF NEW CANAAN, SUCH A TRANSFER IS NOT CONSISTENT WITH THE PRESENT AND FUTURE POTENTIAL NEEDS OF THE FIRST DISTRICT.**

5. THE INTENTION OF THE FIRST DISTRICT IS TO MAINTAIN 1124 VALLEY ROAD FOR CURRENT USES, INCLUDING, BUT NOT LIMITED TO, USE AS A RESIDENTIAL FACILITY FOR AN EMPLOYEE OF THE FIRST DISTRICT, WHO WILL ACT AS A CARETAKER FOR THE RESERVOIR PROPERTY, AND FOR FUTURE USE AS A FIELD OFFICE FOR THE GRUPES RESERVOIR DAM REHABILITATION PROJECT AND ANY RELATED INFRASTRUCTURE IMPROVEMENTS.
6. THE GENERAL MANAGER IS AUTHORIZED TO CONFIRM, IN WRITING, TO KEVIN J. MOYNIHAN, FIRST SELECTMAN, TOWN OF NEW CANAAN, THAT THE FIRST DISTRICT DOES NOT ACCEPT HIS OFFER SET FORTH IN HIS LETTER OF SEPTEMBER 6, 2018, AND IS NOT INTERESTED IN NEGOTIATING FOR THE SALE OF 1124 VALLEY ROAD, NEW CANAAN.
7. ALTHOUGH THE FIRST DISTRICT IS NOT ACCEPTING THE OFFER OF THE TOWN OF NEW CANAAN, AND IS NOT INTERESTED IN FURTHER DISCUSSIONS CONCERNING A POTENTIAL SALE/PURCHASE, IT LOOKS FORWARD TO A CIVIL AND RESPECTFUL RELATIONSHIP WITH THE TOWN OF NEW CANAAN AND ITS OFFICERS, EMPLOYEES, DEPARTMENTS AND COMMISSIONS THAT THE PARTIES HAVE ENJOYED IN THE PAST.

*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
 *** THE MOTION PASSED UNANIMOUSLY

3. Approval of Minutes:

- September 12, 2018 Regular Meeting of the Board of Commissioners

*** COMMISSIONER BRYANT MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 12, 2018 REGULAR MEETING WITH CORRECTIONS

*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
 *** THE MOTION PASSED UNANIMOUSLY

4. Correspondence

- “Negotiations continue for site of 1750 house”; Stamford Advocate, September 18, 2018
- Request from the Wall Street Neighborhood Association for the installation of electricity on the island bound by Belden Avenue, Wall Street and West Avenue

THERE WAS NO ACTION NECESSARY

5. Receive Financial Report

***** COMMISSIONER BRYANT MOVED TO RECEIVE THE FINANCIAL REPORT
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

6. Approval of FY 2019 Operating Budget Transfers

***** COMMISSIONER BRYANT MOVED TO APPROVE THE FY 2019 OPERATING BUDGET TRANSFERS
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

7. Receive Monthly Operations Report

***** COMMISSIONER OBUCHOWSKI MOVED TO RECEIVE THE MONTHLY OPERATIONS REPORT
*** COMMISSIONER BRYANT SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

Agenda Item # 8 was taken out of order after Item # 2

8. Town of New Canaan offer to purchase the house and a portion of the land located at 1124 Valley Road, New Canaan

9. Approve an increase in the authorization to the General Manager to issue Orders on Contract to A.J. Penna and Son Construction, Inc. for Project WM 2016-04, Harbor Avenue Improvements – Proposed New Water Mains at Various Locations in the Harbor Avenue Section of Norwalk, CT for an additional sum of \$67,033.76 increasing the total not to exceed to \$158,584.61 (Account Nos. 30 2017 3610 00, 30 2015 3610 00, and 30 2016 3610 00)

***** COMMISSIONER BRYANT MOVED TO APPROVE AN INCREASE IN THE AUTHORIZATION TO THE GENERAL MANAGER TO ISSUE ORDERS ON CONTRACT TO A.J. PENNA AND SON CONSTRUCTION, INC. FOR PROJECT WM 2016-04 HARBOR AVENUE IMPROVEMENTS – PROPOSED NEW WATER MAINS AT VARIOUS LOCATIONS IN THE HARBOR AVENUE SECTION OF NORWALK, CT FOR AN ADDITIONAL SUM OF \$63,033.76 INCREASING THE TOTAL NOT TO EXCEED TO \$158,584.61 (ACCOUNT NOS. 30 2017 3610 00, 30 2015 3610 00, AND 30 2016 3610 00)
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

10. Approve Final Acceptance of Various Capital Project Assets by Account Number and Asset Classification as shown on Exhibit 10

***** COMMISSIONER BRYANT MOVED TO APPROVE FINAL
ACCEPTANCE OF VARIOUS CAPITAL PROJECT ASSETS BY
ACCOUNT NUMBER AND ASSET CLASSIFICATION AS SHOWN
ON EXHIBIT 10
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

11. Adoption of the 2019 Schedule of Regular Meetings

***** COMMISSIONER BRYANT MOVED TO ADOPT THE 2019
SCHEDULE OF REGULAR MEETINGS
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

12. Call to the public

THERE WAS NO PUBLIC PRESENT

13. Adjournment

***** COMMISSIONER BRYANT MOVED TO ADJOURN THE MEETING
*** COMMISSIONER OBUCHOWSKI SECONDED THE MOTION
*** THE MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 5:44 p.m.

Respectfully submitted,

Lauren Mappa
District Clerk