ALL COMMON COUNCIL ACTIONS TAKEN AT THIS MEETING TO APPROVE EXPENDITURES AND CONTRACTS OR TO ACCEPT BIDS AND OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS ARE SUBJECT TO THE AVAILABILITY OF FUNDS

Mayor Rilling called the meeting to order at 7:36 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Ms. King, City Clerk read the notice stating that the meeting was being videotaped and audio recorded for the public broadcast and that assisted listening devices were available.

I. ROLL CALL

Ms. King called the Roll. The following Common Council members were present:

Council at Large: Mr. Richard Bonenfant Mr. Michael Corsello

Mr. Bruce Kimmel Mr. Nicholas Sacchinelli

Mr. Douglas Hempstead

District A: Ms. Eloisa Melendez

District B: Ms. Faye Bowman Mr. Travis Simms

District C: Mr. John Kydes Ms. Michelle Maggio

District D: Ms. Shannon O'Toole Giandurco

District E: Mr. John Igneri Mr. Thomas Livingston

At Roll Call, there were thirteen Common Council member present and two (2) absent (Mr. DePalma and Mr. Serasis).

Also present were Mayor Harry Rilling; Corporation Counsel, Mario Coppola and City Clerk, Donna King.

II. ACCEPTANCE OF MINUTES

Regular Meeting: April 25, 2017

- ** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES AS PRESENTED
- ** MOTION PASSED WITH ONE (1) ABSTENTION (MR. HEMPSTEAD)

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III. PUBLIC PARTICIPATION

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted.

Mr. George Albano spoke in support of naming the new athletic sports complex the Honorable Robert J. Callahan Athletic Complex "The Judge". He said that Judge Callahan was considered to be one of the best athletes to come out of Norwalk. He highlighted his athletic accomplishments and added that he had a highly respected 40-year law career.

Ms. Meghan Callahan Kane, one of Judge Callahan's eight children said her father would be honored to have the field named after him. He loved Norwalk and sports. He has grandchildren who play on that field every day.

Mr. Pamma Singh Gulati said it was a great honor that one of their highest religious days was being honored by the City. He explained the origins of the holiday. He said this declaration strengthens their bond with the City.

Ms. Renna Kaur Auora thanked the Common Council on behalf of the Sikhs community for this declaration. She said she is their Chair of their community organization and described their many charitable works in the local community. In addition, she conducts diversity training with the Police Department.

Ms. Patsy Brescia said she had the privilege of sitting next to Judge Callahan when they were on the Common Council together. She said she is the Vice Chair of the Library Board and impressed how important the current negotiations are. She said she also chairs the Lockwood Mathews Mansion Museum Board of Trustees and said they have several items on the agenda for improvements to the Mansion.

There were no other members of the public who wished to speak.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were none this evening.

APPOINTMENTS: There were none this evening.

REAPPOINTMENTS:

** MS. BOWMAN MOVED TO APPROVE THE FOLLOWING REAPPOINTMENT:

JEFFREY A. INGRAHAM, FAIR HOUSING ADVISORY COMMISSION

Ms. Bowman explained that Rev. Ingraham is a Pastor in the South Norwalk community does a great job. Mayor Rilling added that he adds a lot to the Commission.

- ** MOTION PASSED UNANIMOUSLY
- ** MR. IGNERI MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS:

LEWIS W. CLARK, WATER POLLUTION CONTROL AUTHORITY JOHN J. FLYNN, WATER POLLUTION CONTROL AUTHORITY

Mr. Igneri said he worked with both Mr. Clark and Mr. Flynn for a number of years and they understand the workings of the WPCA. They are both Civil Engineers

** MOTION PASSED UNANIMOUSLY

MAYOR'S REMARKS

Mayor Rilling read a proclamation in honor of Vaisakhi Day, April 14th. This day commemorates the founding of the religion in 1699. He said the Sikhs community is a wonderful part of the community. He said they do so much such as standing with the community following September 11th. He said it was heartwarming and helped ease the pain.

Mayor Rilling announced upcoming activities to commemorate Memorial Day. The Memorial Day parade will take place on May 29th. A Citywide Art show to be held on May 16, 2017 in the Community Room and the Norwalk Police Memorial Ceremony will take place on May 17, 2017 at the Norwalk Police Plaza to recognize the more than 16,000 Police Officers fallen in the line of duty.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Mr. Igneri thanked everyone who was here earlier for the public hearing. A second public hearing will take place on Monday, May 15, 2017 at 7:00 pm. in room 231.

- ** MR. IGNERI MOVED TO SUSPEND THE RULES TO MOVE ITEM A1 CORPORATION COUNSEL TO THE END OF THE AGENDA
- ** MOTION PASSED UNANIMOUSLY

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were none this evening.

APPOINTMENTS: There were none this evening.

REAPPOINTMENTS: There were none this evening.

B. CONSENT CALENDAR:

** MR. CORSELLO MOVED THE FOLLOWING CONSENT CALENDAR:

HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

VII.A.1, VII.A.2

LAND USE AND BUILDING MANAGEMENT

VII.B.4A, VII.B.4B, VII.B.5A, VII.B.5B, VII.B.6, VII.B.7A, VII.B.7B, VII.B.7C
VII.B.10A, VII.B.10B, VII.B.11, VII.B.12

PUBLIC WORKS COMMITTEE

VII.C.1, VII.C.2, VII.C.4A, VII.C.4B, VII.C.5

PLANNING COMMITTEE

VII.D.1.

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

B. BOARD OF ESTIMATE AND TAXATION

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE, PUBLIC SAFETY COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A NINTH AMENDMENT TO THE AGREEMENT BETWEEN THE CITY

Common Council May 9, 2017 Page 4 AND EMERGENCY COMMUNICATIONS NETWORK, LLC - CODE RED, FOR THE CODE RED EMERGENCY NOTIFICATION SYSTEM. AMENDMENT WILL CONTINUE TO PROVIDE AN UNLIMITED MINUTE BANK FOR THE COMPENSATION AMOUNT OF \$37,500 IN FY 2017-2018.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANNUAL CONTRACT RENEWALS WITH EMERGENCY COMMUNICATIONS NETWORK, LLC – FOR THE CODE RED NOTIFICATION SERVICE AS LONG AS THE VENDOR AND COST (NOT TO EXCEED \$37,500) REMAIN THE SAME. ACCOUNT NO: 60-5258

B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

4A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT WITH DOMUS CONSTRUCTORS LLC, FOR ROOF REPAIRS ON THE LOCKWOOD MATHEWS MANSION MUSEUM FOR A TOTAL NOT TO EXCEED \$167,400.
ACCOUNT NO: 0917/18 6310 5777 C0092

4B. AUTHORIZE THE HISTORICAL COMMISSION TO EXECUTE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$30,000.00.

5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT WITH DOMUS CONSTRUCTORS LLC FOR THE LOCKWOOD MATHEWS MANSION MUSEUM ADA IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$422,474.00. FUNDS ARE AVAILABLE FROM THE STATE DECD GRANT. ACCOUNT NO: 09177100 5799 C0186.

5B. AUTHORIZE THE HISTORICAL COMMISSION TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$32,885.00.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH DAVID SCOTT PARKER ARCHITECTS, LLC TO PROVIDE ARCHITECTURAL SERVICES FOR THE LOCKWOOD MATHEWS MANSION MUSEUM ADA IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$21,700.00 STATE GRANT ACCOUNT NO: 09177100-5799-C0186

7A. APPROVE NORWALK FACILITIES CONSTRUCTION COMMISSION (NFCC), ACTING IN ACCORDANCE WITH NORWALK ORDINANCES, AS THE NORWALK SCHOOL BUILDING COMMITTEE FOR THE PONUS RIDGE MAGNET SCHOOL PROJECT.

7B. AUTHORIZE THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE PONUS RIDGE MAGNET SCHOOL PROJECT.

7C. AUTHORIZE THE FILING OF A SCHOOL GRANT APPLICATION TO THE STATE DEPARTMENT OF ADMINISTRATIVE SERVICES FOR THE PONUS RIDGE MAGNET SCHOOL PROJECT. CT GENERAL ASSEMBLY DEFINED PROJECT TYPE IS: EA/CV (EA) EXTENSION/ALTERATION (AKA, (E) EXTENSION (AKA, ADDITION) AND (A) ALTERATIONS AKA IMPROVEMENTS OR RENOVATION) / (CV CODE VIOLATION (AKA, HAZARDOUS MATERIAL REMEDIATION).

10A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH DPM CONTRACTING LLC FOR ADA ALTERATIONS AT NORWALK HIGH SCHOOL AND BRIEN MCMAHON HIGH SCHOOL FOR A TOTAL NOT TO EXCEED \$65,888.00

ACCOUNT NO: 09161000-5777-C0536

10B. AUTHORIZE THE SCHOOL FACILITIES DIRECTOR TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$6,588.00.

11. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH PDF ENGINEERING AND CONSTRUCTION, INC. FOR THE ROWAYTON ELEMENTARY SCHOOL CAFETERIA IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$150,000.00.

ACCOUNT NO: 09185010 5777 C0610.

12. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO SILVER PETRUCELLI ASSOCIATES' DESIGN SERVICES CONTRACT FOR WEST ROCKS SCHOOL WINDOW REPLACEMENT PROJECT FOR ENVIRONMENTAL REMEDIATION SERVICES FOR A TOTAL NOT TO EXCEED \$24,854.00 ACCOUNT NO: 09175010 5777 C0566 AND 09175010 5777 C0585

C. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH TIGHE & BOND FOR ITS ENGINEERING SERVICES FOR THE ROWAYTON POND DAM PROJECT. FOR A SUM **NOT TO EXCEED \$20,000.00** ACCOUNT NO: 09 14 4027 5777 C0440

- 2. APPROVE THE FOURTH TAXING DISTRICT PROPERTY EXTENSIONS THROUGH SEPTEMBER 30, 2016 AS PER THE LIST **DATED APRIL 5, 2017.**
- 4A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SEALCOATING INC. FOR PROJECT NO. PM 2017-3 PROPOSED HOT-IN-PLACE RECYCLING AND MICRO -SURFACING, FOR A SUM NOT TO EXCEED \$478,840.60. ACCOUNT NO: 09 17 4021 5777 C0021
- 4B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, BRUCE CHIMENTO, TO EXECUTE ORDERS ON CONTRACT WITH SEALCOATING INC. FOR PROJECT NO. PM 2017-3 PROPOSED HOT-IN-PLACE RECYCLING AND MICRO-SURFACING, FOR A SUM NOT TO EXCEED \$47.884.06 ACCOUNT NO: 09 17 4021 5777 C0021
- 5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH PRIME AE GROUP, INC. FOR SCANNING AND INDEXING SERVICES PERTAINING TO THE EDMS ELECTRONIC DOCUMENT MANAGEMENT SYSTEM PROJECT, FOR A SUM NOT TO EXCEED \$50,934.00. ACCOUNT NO: 09 10 4031 5777 C0037 09 13 4031 5777 C0037

22 40 62 5741 (WPCA)

D. PLANNING COMMITTEE

- 1. APPROVE THE APPLICATIONS LISTED IN THE ATTACHED MEMO FOR REFERRAL TO THE STATE FOR INCLUSION IN THE 2017 NAA TAX CREDIT PROGRAM.
- ** MOTION PASSED UNANIMOUSLY

B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

** MR. LIVINGSTON MOVED TO APPROVE THE FOLLOWING ITEM:

1. APPROVE TO NAME THE NEW NATHAN HALE ATHLETIC COMPLEX IN HONOR OF THE LATE CONNECTICUT SUPREME COURT CHIEF JUSTICE, JUDGE ROBERT J. CALLAHAN AS HONORABLE ROBERT J. CALLAHAN ATHLETIC COMPLEX "THE JUDGE".

Mr. Livingston said that he never knew Judge Callahan, but he sounds like an amazing person. He said the idea is that the athletic complex would be known as the Honorable Robert J. Callahan Athletic Complex, with the nickname "The Judge".

Ms. Maggio said it is true that his descendants are on the field every day. Mr. Bonenfant said he had the privilege to know Judge Callahan and said he was a really nice guy; always friendly. He said the field is beautiful and the players love to play there.

Mr. Hempstead said Judge Callahan represents all the good things about Norwalk and the State of Connecticut. He said it is a real honor to have his name on the field.

Mayor Rilling said he knew Judge Callahan and said he was a wonderful man and public servant.

** MOTION PASSED UNANIMOUSLY

** MR. LIVINGSTON MOVED THE FOLLOWING ITEM:

- 2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A LEASE AGREEMENT WITH FAMILY & CHILDREN'S AGENCY FOR THE THIRD FLOOR OF BEN FRANKLIN CENTER BASED ON UTILITY PAYMENT OF \$2.50/SF/YEAR FOR:
- JUNE 1, 2017 TO AUGUST 31, 2017 4,768 SF FOR A TOTAL OF \$3,973.33
- SEPTEMBER 1, 2017 TO AUGUST 31, 2019 7,127 SF FOR A TOTAL OF \$17,817.50 PER YEAR WITH ONE 2-YEAR RENEWAL OPTION. REMAINING TERMS SHALL BE AS OUTLINED IN ALAN LO'S MEMO DATED APRIL 24, 2017.

Mr. Livingston said the \$2.50 represents the City's utility cost. He said it is important to note that this is a non-profit providing valuable service to the City.

Mr. Bonenfant said the City should get \$4.00, which is the breakeven point to run the building. He said he agreed that they provide a good service to the City.

- ** MOTION PASSED WITH ONE VOTE IN OPPOSITION (1) (MR. BONENFANT)
- ** MR. LIVINGSTON MOVED THE FOLLOWING ITEM:
 - 3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH MID FAIRFIELD CHILD GUIDANCE CENTER FOR THE THIRD FLOOR OF BEN FRANKLIN CENTER, LIMITED TO ROOMS #301A, #306, #307 AND #310 (TOTAL 4,768 SF) BASED ON UTILITY PAYMENT OF \$2.50/SF/YEAR, FROM JUNE 1, 2017 TO AUGUST 31, 2017, FOR A TOTAL OF \$1,474.38.
 - ** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. BONENFANT)
- ** MR. LIVINGSTON MOVED THE FOLLOWING ITEMS:

8A. APPROVE NORWALK FACILITIES CONSTRUCTION COMMISSION (NFCC), ACTING IN ACCORDANCE WITH NORWALK ORDINANCES, AS THE NORWALK SCHOOL BUILDING COMMITTEE FOR THE CONSTRUCTION OF A NEW SOUTH NORWALK SCHOOL ON THE ELY SITE.

8B. AUTHORIZE THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE CONSTRUCTION OF A NEW SOUTH NORWALK SCHOOL ON THE ELY SITE.

8C. AUTHORIZE THE FILING OF A SCHOOL GRANT APPLICATION TO THE STATE DEPARTMENT OF ADMINISTRATIVE SERVICES FOR THE CONSTRUCTION OF A NEW SOUTH NORWALK SCHOOL ON THE ELY SITE. CT GENERAL ASSEMBLY DEFINED PROJECT TYPE IS: N (N) NEW CONSTRUCTION.

Mr. Simms said he did not think these items should be moved because approval to use the field not been received from the DEP.

Mr. Kimmel explained that these are technical items that were already approved. He explained how the State guidelines work and said they have to move this forward and then have discussions with the State.

Mr. Livingston said this does not authorize construction. It approves the NFCC to authorize drawings.

Ms. Bowman said she did not vote in favor of this in Committee. She asked about the Community Advisory Board. Mr. Alan Lo explained that the Superintendent set up an ad hoc committee. They need to complete the Education specs by June 30th and then this committee is finished. As part of their responsibilities, the NFCC and Advisory Board will develop a construction plan.

Ms. Bowman asked about funding for the traffic study. Mr. Lo said they will have to find the money in the budget to pay for the traffic study.

- ** MOTION PASSED WITH TWO (2) VOTES IN OPPOSITION (MS. BOWMAN AND MR. SIMMS)
- ** MR. LIVINGSTON MOVED THE FOLLOWING ITEMS:

9A. APPROVE NORWALK FACILITIES CONSTRUCTION COMMISSION (NFCC), ACTING IN ACCORDANCE WITH NORWALK ORDINANCES, AS THE NORWALK SCHOOL BUILDING COMMITTEE FOR THE WEST ROCKS MIDDLE SCHOOL WINDOW REPLACEMENT PROJECT (2018).

9B. AUTHORIZE THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE WEST ROCKS MIDDLE SCHOOL WINDOW REPLACEMENT PROJECT (2018).

9C. AUTHORIZE THE FILING OF A SCHOOL GRANT APPLICATION TO THE STATE DEPARTMENT OF ADMINISTRATIVE SERVICES FOR THE WEST ROCKS MIDDLE SCHOOL WINDOW REPLACEMENT PROJECT (2018). CT GENERAL ASSEMBLY DEFINED PROJECT TYPE IS: EC/CV (EC) ENERGY CONSERVATION (AKA, WINDOW REPLACEMENT) / (CV) CODE VIOLATION (AKA, HAZARDOUS MATERIAL REMEDIATION)

Mr. Livingston explained that this is the next step in advancing this project to the State. He said this project is way over budget, but it is a project that needs to be done. Currently, the windows are falling out.

Mr. Kimmel pointed out that during their discussions with the architect, the issue came up about how do they fold in remediation costs. He said that going forward with City projects, they have to know, to the extent possible, what the potential remediation costs will be so they do not find themselves in this same position.

Mr. Bonenfant said that this project is over \$3 million and if they are wasting \$10,000 in heating oil, it would take 300 years to make up for that. He said this is getting a little out of hand.

Mr. Lo said they are doing the windows facing the parking lot this summer. The next phase will be for the rest of the windows. He explained that under the new regulations, they have to create a security entrance when doing renovations.

Mr. Kimmel said this is not an energy savings project. The windows are falling out and are full of PCB. The windows need to be safe and decontaminated. There are young kids and staff in the building. The windows cannot remain this way. The state of the windows is very dangerous; this is something that can't be avoided.

Mr. Lo said the NFCC will have oversite, but can only spend what is authorized by the Common Council. Ms. Bowman said this is an important project. Mr. Kydes said that the original estimated did not allocate anything for PCB. Mr. Lo said the architect did not include an environmental study. The City is not required to test for PCB. Mr. Lo said that about 30% of the project is directed toward remediation. During the design process they added the security windows.

Mr. Kimmel said that in the late 1990s, there was an \$887,000 change order for West Rocks when asbestos was found late in the project. He said they have to look at upfront costs to the City.

** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. BONENFANT)

C. PUBLIC WORKS COMMITTEE

Due to a potential conflict of interest, Mr. Hempstead recused himself and left the Common Council chambers.

** MR. IGNERI MOVED THE FOLLOWING ITEM:

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN EASEMENT AGREEMENT WITH NORWALK LAND DEVELOPMENT LLC FOR INSTALLATION AND MAINTENANCE OF TIE-BACKS / SOIL NAILS AND SOIL NAIL WALLS UNDER NORTH WATER STREET AND PINE STREET EXTENSION IN CONNECTION WITH THE CONSTRUCTION OF THE SONO COLLECTION PROJECT.

Ms. Bowman noted this work will be near the Macedonia Church and asked that the Church be notified when construction will take place.

** MOTION PASSED UNANIMOUSLY

Mr. Hempstead returned to the Common Council chambers.

Mr. Kydes left the Common Council chambers.

** MR. IGNERI MOVED THE FOLLOWING ITEM:

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN ESCROW AGREEMENT WITH NORWALK LAND DEVELOPMENT, LLC FOR SONO COLLECTION INSPECTION SERVICES FOR A SUM NOT TO EXCEED \$299,730.00.

** MOTION PASSED UNANIMOUSLY

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

- A. CORPORATION COUNSEL
- ** MR. IGNERI MOVED TO GO INTO EXECUTIVE SESSION AT 8:48 P.M.
- ** MOTION PASSED UNANIMOUSLY
 - 1. DISCUSSION OF NEGOTIATIONS PERTAINING TO PROPOSED OPTION TO PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF NORWALK, THE NORWALK PUBLIC LIBRARY BOARD AND 587 CT AVE, LLC. EXECUTIVE SESSION

The public was excused and the Common Council members went into Executive Session.

The Common Council members came out of Executive Session at 9:48 p.m. During the Executive Session, no motions or votes were taken.

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

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XI. ADJOURNMENT

- ** MR. HEMPSTEAD MOVED TO ADJOURN
- ** MOTION PASSED UNANIMOUSLY

There was no	further busin	ess and the	meeting wa	is unanimously	adjourned at	. 9:48 p.m.

ATTEST: ______ Donna King, City Clerk