

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

Mr. Igneri called the meeting to order at 7:49 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. Bruce Kimmel Mr. Douglas Hempstead	Mr. Michael Corsello Mr. Nicholas Sacchinelli
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:	Ms. Faye Bowman	Mr. Travis Simms
District C:	Mr. John Kydes	
District D:	Ms. Shannon O'Toole Giandurco	
District E:	Mr. John Igneri	Mr. Thomas Livingston

At Roll Call, there were thirteen (13) Common Council members present and two (2) absent (Ms. Maggio and Mr. DePalma).

Also present were Corporation Counsel, Mario Coppola and City Clerk, Donna King.

II. ACCEPTANCE OF MINUTES

Regular Meeting: June 13, 2017

**** MR. IGNERI MOVED TO ACCEPT THE MINUTES AS PRESENTED
** MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. BOWMAN AND**

MR. SIMMS)

III. PUBLIC PARTICIPATION

No members of the public wished to speak this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

Jane Walters, Oak Hills Park Authority

**** MR. IGNERI MOVED TO APPROVE THE REAPPOINTMENT OF JANE WALTERS TO THE OAK HILLS PARK AUTHORITY**

Mr. Igneri said Ms. Walters has served for some time and does a good job.

**** MOTION PASSED UNANIMOUSLY**

Patricia A. Williams, Oak Hills Park Authority

**** MR. BONENFANT MOVED TO APPROVE THE REAPPOINTMENT OF PATRICIA A. WILLIAMS TO THE OAK HILLS PARK AUTHORITY**

Ms. O'Toole Giandurco thanked Ms. Williams for her willingness to serve.

Mayor Rilling thanked Ms. Walters and Ms. Williams for their willingness to serve.

**** MOTION PASSED UNANIMOUSLY**

Ms. King administered the Oath of Office to Ms. Walters and Ms. Williams.

MAYOR'S REMARKS:

Mayor Rilling announced they were successful in bringing together the Norwalk Federation of Teachers and the Board of Education and negotiated a deal that was in the best interest on the children.

Mayor Rilling announced upcoming events, including a farewell reception for Dr. Tracy and Mr. Tim Callahan on June 28th . He thanked both for their service to the community.

Norwalk will be hosting the 10 and under Babe Ruth Tournament on June 30th .

Fireworks will take place on July 3rd at Calf Pasture Beach and July 4th at Bailey Beach.

Mayor Rilling recognized Mr. Walter McLaughlin for his 25 years as a member of the Planning Commission. On behalf of the City of Norwalk, he presented Mr. McLaughlin with a certificate of appreciation.

Mr. Hempstead thanked Mr. McLaughlin for his friendship and said he is the last standing Independent. He really knows Norwalk and it would be hard to find someone as committed as Mr. McLaughlin.

COUNCIL PRESIDENT

A, GENERAL COUNCIL BUSINESS: RESIGNATIONS AND APPOINTMENTS
RESIGNATIONS:

APPOINTMENTS: There were none this evening.

REAPPOINTMENTS: There were none this evening.

B. CONSENT CALENDAR

**** MR. KIMMEL MOVED THE FOLLOWING CONSENT CALENDAR:**

CORPORATION COUNSEL

6A1

RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

7A1

7A2

PLANNING COMMITTEE

7B1A

7B1B

7B2A

7B2B

HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

7D1

7D2

7D3

7D4

Common Council

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7D5A
7D5B

REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A, CORPORATION COUNSEL

- 1. AUTHORIZE THE MAYOR, HARRY W. RILLING, ACTING ON BEHALF OF THE CITY TO EXECUTE AN AGREEMENT IN THE CASE OF CODY GREENE V. CITY OF NORWALK, EL AL, DOCKET NO. CIVIL NO. 3:14-CV-01016 (VLB), PENDING IN THE UNITED STATES DISTRICT COURT, DISTRICT OF CONNECTICUT. EXECUTIVE SESSION**

COMMON COUNCIL COMMITTEES

RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

- 1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH LOCKWOOD-MATTHEWS MANSION MUSEUM TO USE THE GROUNDS OF MATHEWS PARK FOR THEIR ANNUAL OLD-FASHIONED FLEA MARKET TO BE HELD SUNDAY, SEPTEMBER 17, 2017 FROM 10:00 AM - 5:00 PM. SET UP TO TAKE PLACE AT 7 DO AM ON SUNDAY, SEPTEMBER 17, 2017 WITH TEAR DOWN NO LATER THAN 8:00 PM ON SUNDAY, SEPTEMBER 17, 2017. ESTIMATED ATTENDANCE 3,000.**
- 2. APPROVE RACE COASTAL ENGINEERING ("RACE") FOR DESIGN AND PROFESSIONAL SERVICES RELATED TO THE REPLACEMENT OF THE FLOATING DOCKS LOCATED AT VETERANS MEMORIAL PARK FOR THE AMOUNT NOT TO EXCEED \$38,000.00. ACCOUNT TBD VETERANS PARK PROJECT.**

PLANNING COMMITTEE

- 1A. APPROVE THE CONTRACT FOR THE PLAN OF CONSERVATION AND DEVELOPMENT TO STANIEC IN THE AMOUNT OF \$195,000.00 1B. AUTHORIZE THE MAYOR TO SIGN THE STANIEC CONTRACT AGREEMENT.**
- 2A. AUTHORIZE THE SUBMISSION OF A SMART GROWTH/TOD GRANT APPLICATION TO THE STATE OFFICE OF POLICY AND MANAGEMENT REQUESTING THE AMOUNT OF \$225,000.00.**

2B. AUTHORIZE THE MAYOR TO SIGN GRANT SUBMISSION.

HEALTH, WELFARE, PUBLIC SAFETY COMMITTEE

- 1. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER FOR 4 THERMAL IMAGING CAMERAS TO HI-TECH FIRE AND SAFETY, INC. 158 ALLEN BOULEVARD-SUITE A FARMINGDALE, NY 11735, FOR AN AMOUNT NOT TO EXCEED \$47,980.00. \$43,613.00 TO BE PAID FOR BY FEMA THROUGH AN ASSISTANCE TO FIREFIGHTERS GRANT (AFG), AND \$4,361.00 TO BE PAID FROM OPERATING ACCOUNT #0131205262 FY 17.**

- 2. AUTHORIZE THE MAYOR, HARRY W RILLING, TO EXECUTE AN AGENCY AGREEMENT TO PERMIT THE NORWALK HOSPITAL TO BE INCLUDED IN THE ICE (LNTERTOWN CAPITAL EQUIPMENT) AGREEMENT AS AN AUTHORIZED AGENCY UNDER THE CITY OF NORWALK. THE CITY OF NORWALK WOULD THEN BE RESPONSIBLE FOR NORWALK HOSPITAL EMS' USE OF THE EQUIPMENT SO WE WILL ALSO NEED TO HAVE AUTHORITY TO ENTER INTO A SEPARATE AGENCY AGREEMENT WITH NORWALK HOSPITAL WHEREBY THE HOSPITAL SHOULD PROVIDE US WITH INSURANCE COVERAGE, WILL BE RESPONSIBLE TO US FOR ITS ACTIONS AND OMISSIONS IN CONNECTION WITH THE USE OF THE EQUIPMENT AND WILL INDEMNIFY AND RELEASE US AGAINST ALL THIRD PARTY CLAIMS AND ITS OWN CLAIMS ARISING OUT OF ITS USE OF THE EQUIPMENT.**

- 3. AUTHORIZE THE MAYOR, HARRY W. RILLING, LO EXECUTE A SUB-GRANT AGREEMENT BETWEEN THE CITY OF NORWALK AND STEPPING STONES MUSEUM FOR CHILDREN, INC. TO ALLOCATE CHILD DAYCARE CONTRACT FUNDS NOT TO EXCEED \$52,902.40 FOR THE PURPOSE OF RUNNING A SUMMER CAMP FOR CHILDREN.**

- 4. AUTHORIZE THE MAYOR, HARRY W RILLING, TO EXECUTE A SUB-GRANT AGREEMENT BETWEEN THE CITY OF NORWALK AND ODYSSEY LEARNING INC. TO ALLOCATE CHILD DAYCARE CONTRACT FUNDS NOT TO EXCEED \$46,289.60 FOR THE PURPOSE OF RUNNING A SUMMER CAMP FOR CHILDREN.**

- 5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS IN THE AMOUNT OF \$638,245.00 FROM THE SLATE OF CONNECTICUT FOR THE SEXUALLY TRANSMITTED DISEASES**

**AND TUBERCULOSIS CONTROL PROGRAMS FOR THE PERIOD
JULY 1, 2017 TO JUNE 30, 2022.**

**5B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY
AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS OR
AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENT THE
SEXUALLY TRANSMITTED DISEASES AND TUBERCULOSIS
CONTROL PROGRAMS FOR THE PERIOD JULY 1, 2017, TO JUNE 30,
2022.**

**** MOTION PASSED UNANIMOUSLY**

C. PUBLIC WORKS COMMITTEE

**** MR. IGNERI MOVED THE FOLLOWING ITEMS**

**1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN
AGREEMENT WITH THE GRASSO COMPANIES, LLC. FOR PROJECT
NO. RD 2017-2 CONCRETE CURBS AND SIDEWALKS AT VARIOUS
LOCATIONS, FOR A SUM NOT TO EXCEED \$826,618.00; SUBJECT TO
THE SAME TERMS AND CONDITIONS AS AWARD CONTRACT
PM2017-1.**

ACCOUNT NO: 0918 4021 5777 C0318

**1B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, BRUCE
CHIMENTO, TO EXECUTE ORDERS ON CONTRACT WITH THE
GRASSO COMPANIES, LLC. FOR PROJECT NO. RD 2017-2
CONCRETE CURBS AND SIDEWALKS AT VARIOUS LOCATIONS,
FOR A SUM NOT TO EXCEED \$166,763.00. THIS VALUE CONSISTS OF
10% THE CONTRACT VALUE, PLUS AN \$84,101.00 ESTIMATED COST
FOR SIDEWALK AND CURB REPLACEMENT WORK TO BE
PERFORMED FOR REDEVELOPMENT AGENCY AT SIDE BY SIDE
SCHOOL AT THE INTERSECTION OF CHESTNUT ST AND HENRY ST
TO BE FUNDED BY AN URBAN CORRIDOR ACCOUNT.**

**ACCOUNT NO: 09 18 4021 5777 C0318
09 18 0910 5777 C0287**

Mr. Igneri explained that he and Mr. Livingston met with Mr. Joe Grasso and a representative from the Village Creek Homeowners Association and feel they communicated on very good terms. Mr. Grasso promised to move the trucks before they

start in the morning. In addition, the residents at Village Creek have his phone number.

Mr. Simms urged his colleagues to not approve the contract as the company has an outstanding obligation to the City. They have not paid their taxes to the City since 2007 and seems to keep reorganizes the companies. It would be prudent to not move forward with this.

Mr. Livingston said he would vote in favor of this. They are different entities and that has been established. Also it has been established that he is not in violation of any laws. Mr. Livingston said he, Mr. Grasso and Mr. Ignneri met with a representative of Village Creek and Mr. Grasso provided his contact information to the representative.

Mr. Livingston spoke about the letter Mr. Grasso's attorney sent that was viewed as stifling a legitimate concern. He said Mr. Grasso apologized for sending that letter and will take him at his word.

Mr. Hempstead said he will not support the contract. He said the telling part is having to put a special condition on a contract. He said he is not buying that.

Mr. Bonenfant said he believes Mr. Grasso's attempt to be a better neighbor, but while there may be special conditions, they are going into July now, so he said he feels they are meaningless. There were still outstanding issues in the last letter from Zoning.

Ms. Bowman said they asked the Common Council to disassociate the two businesses, but their promises seem related to the property. She said it does not appear to be separated with the others. They promised to control that site and that shows they did not disassociate themselves from the property owners.

Ms. Bowman said no constituent contacted her to let her know the property was cleaned; however, she got a complaint about a month ago, and nothing was done.

Ms. O'Toole Giandurco said she will not support this. She said she wants to see in a year how they are doing.

Mr. Kimmel said this is a very difficult situation. The structure of the companies has been examined repeatedly. He said he does not want to act recklessly because that could cost the City millions. Mr. Kimmel said he will support this. He said he understands how difficult this is, but has to do what is in the best interest of the City.

Mr. Ignneri said this is a very difficult situation. It is the right decision to approve this contract.

Mr. Kydes said at this point, he knows the process and the legalities. If the contract is not approved, sidewalks and roads will not be paved and he said he could not live with that. He said all eyes will be on Mr. Grasso.

Mr. Livingston said Mr. Grasso will not be policing the entire property. He said there are no violations against Mr. Grasso; there are violations against Mr. Grasso senior.

Mr. Simms said that folks in his district have sidewalks that have not been fixed in 30-35 years. He said he is in support of repairing the sidewalks, but with the lowest bidder; not one that is out of compliance. He said even though they reorganized, he asked when will this end. If they came into compliance, then everyone will be comfortable with awarding the contract. Mr. Simms said this is showing favoritism. If they are holding all of the companies to a certain standard, that has to include Grasso.

Mr. Serasis said all eyes are on them to be sure they are on the up and up. Thirty days is not long enough. He said everyone wants sidewalks and roads fixed. The problem is with the contract being awarded to someone who is questionable. That letter written by an attorney to stifle the neighbors was done with thought. Mr. Serasis said he has to vote no. They need more than 30 days.

Ms. Bowman said if trucks start early, it is because they have to get to a City project. She said the Village Creek residents are settlers. She said the story is that there were Jewish residents and African American residents who wanted to purchase land, but were discriminated against. They had a Caucasian purchase the property and then sell the property to them.

Ms. Bowman said there is discrimination against the residents of Meadow Street, Wilson Avenue and Village Creek. She said this would not happen in Rowayton or Silvermine. Ms. Bowman said she will vote no, but no is not forever. If they clean up then can do business with the City.

Mr. Kydes said he spoke with legal counsel and the legal process would be a lawsuit followed by an injunction and work on sidewalks and roads would not be done.

Mr. Ignieri said Mr. Grasso is within his rights to start at 6:30 – 7:00 a.m., but they are not permitted to load trucks. He said they are a separate entity legally and should not be discriminated against.

Mr. Livingston asked Mr. Chimento to explain the implication of not approving this contract. Mr. Chimento said they would have to bring the next bidder back to Public works in August and then move that to the full Common Council. This cuts the timeframe down and not all of the work will get done.

Mr. Simms said the Chair can call for a special meeting with a quorum to approve the next highest bidder.

Mr. Kimmel asked if there is a possibility that Grasso Corp. can impose an injunction. Mr. Chimento said that there is not a large possibility, but yes.

**** MOTION PASSED BY ROLL CALL VOTE WITH SEVEN (7) VOTES IN FAVOR (MR. CORSELLO, MR. KIMMEL, MR. SACCHINELLI, MS. MELENDEZ; MR. KYDES; MR. IGNERI AND MR. LIVINGSTON) AND SIX (6) VOTES IN OPPOSITION (MR. BONENFANT; MR. HEMPSTEAD; MR. SERASIS; MS. BOWMAN; MR. SIMMS; MS. O'TOOLE GIANDURCO)**

Ms. Bowman said it was completely ridiculous how all of you vote against South Norwalk, especially the Democrats. She said she encouraged all who want to open a construction company to go to Rowayton or Silvermine. She said that when people from South Norwalk ask you to vote a certain way, you should take note.

RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

SUSPENSION OF RULES

There were none this evening.

ADJOURNMENT

**** MR. IGNERI MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:44 p.m.

ATTEST: _____
Donna King, City Clerk