

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 7:31 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 audio recorded and videotaped with subtitles for public broadcast. She asked everyone to speak clearly, one at a time, into the microphone and said 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. Gregory Burnett	Mr. Michael Corsello
	Mr. Nicholas Sacchinelli	Mr. Douglas Stern
District A:	Ms. Eloisa Melendez	Mr. Chris Yerinides
District B:	Ms. Faye Bowman	Mr. Travis Simms (7:34 p.m.)
District C:	Mr. John Kydes	Ms. Beth Siegelbaum
District D:	Mr. George Tsiranides	
District E:	Mr. Thomas Livingston	Mr. John Igeneri

At Roll Call there were twelve (12) Common Council members present and three (3) absent (Mr. Hempstead; Mr. Simms (7:34 p.m.) and Ms. Smyth)
Also present were Mayor Harry Rilling; Corporation Counsel, Mario Coppola and City Clerk, Donna King.

II. ACCEPTANCE OF MINUTES

Regular Meeting: May 8, 2018

**** MR.IGNERI MOVED TO ACCEPT THE MINUTES AS PRESENTED
** MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

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

Mr. Simms joined the meeting at 7:34 p.m.

Ms. Diane Lauricella spoke about the proposed Ordinance, item 7C4 and suggested a title change. She also asked the Common Council to consider the reference “just to the public” to be discussed more fully. Under enforcement, Ms. Lauricella suggested that it would be better to be limited to specific departments.

Ms. Lisa Stewart, Norwalk River Watershed Association spoke about the proposed Ordinance, item 7C4 and said she was concerned about enforcement and the improper use of materials for building. She asked why anyone would not want to ban this from public and private construction.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were none this evening.

APPOINTMENTS: There were none this evening.

REAPPOINTMENTS There were none this evening.

MAYOR’S REMARKS:

Mayor Rilling acknowledged the presence of Mr. Josh Morgan, the new Grants Coordinator and Communications Manager.

Mayor Rilling announced the upcoming Rowayton and Norwalk Memorial Day parades. He also announced the Pride in the Park event being held on June 9th.

Mayor Rilling spoke about Norwalk's dedication to our Veterans.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

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. STERN MOVED THE FOLLOWING CONSENT CALENDAR:**

VI.A.1,

VII.A.1, VII.A.2a, VII.A.2b, VII.A.3, VII.A.4,

VII.B.1, VII.B.2, VII.B.3, VII.B.5,

VII.C.1,

VII.D.1a, VII.D.1b

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

**1. AUTHORIZATION TO SETTLE CLAIM: AUSTIN GETNER, PPA
AMY GETNER V. CITY OF NORWALK, *ET AL***

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION ON MARCH 27, 2018 ITEM VII B 1 TO REVISE SET UP DATE AND TIME ORIGINAL SATURDAY, JUNE 2, 2018 AT 9:00 AM NEW ACTION TO READ AS FOLLOWS:

AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NINETY 9 BOTTLES FOR THE USE OF OYSTER SHELL PARK FOR THE NINETY 9 BOTTLES CRAFT BEER FESTIVAL TO BE HELD SATURDAY, JUNE 2, 2018 FROM 2:00 PM – 5:00 PM. SET UP TO TAKE PLACE FRIDAY, JUNE 1, 2018 AT 2:00 PM WITH TEAR DOWN NO LATER THAN SATURDAY, JUNE 2, 2018 AT 10:00 PM. ESTIMATED ATTENDANCE 1,200.

2. TECHNICAL CORRECTION OF COMMON COUNCIL ACTION ON APRIL 24, 2018 ITEM VII B 2A AND 2B TO INCLUDE A RAIN DATE. NEW ACTION TO READ AS FOLLOWS:

A) AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH THE EXCHANGE CLUB OF NORWALK FOR THEIR USE OF TAYLOR FARM FOR THE GATEWAY ANTIQUE AUTO SHOW TO BE HELD SUNDAY, APRIL 29, 2018 FROM 8:00 AM – 5:00 PM WITH A RAIN DATE OF SUNDAY, MAY 6, 2018. SET UP TO BEGIN SUNDAY, APRIL 29, 2018 AT 6:00 AM WITH TEAR DOWN NO LATER THAN 7:00 PM ON SUNDAY, APRIL 29, 2018.

B) APPROVE THE USE OF THE SHOW MOBILE BY THE EXCHANGE CLUB OF NORWALK FOR USE AT TAYLOR FARM ON SUNDAY, APRIL 29, 2018 FROM 8:00 AM – 5:00 PM WITH A RAIN DATE OF SUNDAY, MAY 6, 2018.

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH LIGHT FOR KARA FOR THEIR USE OF CALF PASTURE BEACH FOR THE LIGHT FOR KARA 5K TO BE

**HELD SATURDAY, OCTOBER 13, 2018 FROM 8:00 AM – 12:00 NOON
WITH SET UP TO TAKE PLACE AT 6:30 AM AND TEAR DOWN NO
LATER THAN 1:00 PM ON SATURDAY, OCTOBER 13, 2018.
ESTIMATED ATTENDANCE 300.**

**4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO
AN AGREEMENT WITH STEW LEONARD'S FOR THE USE OF
ANDREWS PARKING AREA TO SERVICE THEIR EMPLOYEES
DURING BUSY STORE DATES.**

2018:

JUNE 30

JULY 1, 2, 3

NOVEMBER 20, 21

DECEMBER 1, 2, 8, 9, 22, 23, 24

2019:

APRIL 19, 20

MAY 11, 12

MAY 25, 26,

B. FINANCE COMMITTEE

**1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS
COMMITTEE DATED: MAY 10, 2018.**

**2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX
COLLECTIONS DATED MAY 10, 2018.**

**3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX
COLLECTOR'S REPORT DATED: APRIL 30, 2018.**

**5. RESOLVED, THAT A SUM NOT TO EXCEED \$1,345 BE AND THE
SAME IS HEREBY TRANSFERRED FROM INCREASED REVENUES
FROM THE STATE OF CONNECTICUT LIBRARY TO THE NORWALK
PUBLIC LIBRARY.**

C. ORDINANCE COMMITTEE

1. APPROVE PROPOSED REVISIONS TO THE 401 GOVERNMENTAL MONEY PURCHASE PLAN & TRUST BASIC DOCUMENT

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1A. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO COMMERCIAL HEATING SUPPLY, A DIVISION OF TORRCO COMPANY FOR THE PURCHASE OF BOILERS FOR THE CRANBURY SCHOOL BOILERS REPLACEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$74,551.00 CAPITAL BUDGET ACCT. #09185010 5777 C0610 AND NORWALK PUBLIC SCHOOLS – STATE ALLIANCE II GRANT ACCOUNT NO: 28355200-430-25

1B. AUTHORIZE AN ALLOWANCE FOR CHANGE ORDER FOR A TOTAL NOT TO EXCEED \$4,000.00.

**** MOTION PASSED UNANIMOUSLY**

B. FINANCE COMMITTEE

**** MR. BURNETT MOVED THE FOLLOWING RESOLUTION:**

4. RESOLVED, THAT A SUM NOT TO EXCEED \$1,200,000 BE AND THE SAME IS HEREBY TRANSFERRED FROM FUND BALANCE TO THE BOARD OF EDUCATION TO FUND A SPECIAL EDUCATION'S DEVELOPMENT FUND REPRESENTING THE FINAL PAYMENT OF THE THREE YEAR MEMORANDUM OF AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE CITY OF NORWALK.

Mr. Burnett explained that this item is related to Special Education funding to bring services into the District.

Mr. Kydes asked Mr. Thomas Hamilton, Board of Education Finance Director if they reached the savings expected from this initiative. Mr. Hamilton said they are on track. The number of students being placed out of District has declined, so they are achieving savings in that area. In addition, they are projecting that expenses will also decline.

**** MOTION PASSED UNANIMOUSLY**

C. ORDINANCE COMMITTEE

**** MS. MELENDEZ MOVED THE FOLLOWING ITEMS:**

2. APPROVE PROPOSED REVISIONS TO ARTICLE II SIGNS ON STREETS AND HIGHWAYS:

A) § 21-19 (PERMITS REQUIRED; FEE)

B) § 21-21 (REQUIREMENT FOR SIGNS)

Mr. Livingston said this issue came to his attention when he visited Bucchiarelli Farm and despite the fact they have been posting signs for many years, they ran afoul of the City's sign ordinance. He said the proposed amendment to the Ordinance will allow farms to post up to seven signs. Mr. Livingston said this is a local farm with a limited season. The State of Connecticut recognizes the importance of local agriculture.

Mr. Corsello said that he has been going to Bucchiarelli's Farm since he was a kid, but does not think this Ordinance will do what they want. The Ordinance does not allow them to advertise what they have items for sale.

Mr. Corsello said he has a problem carving special exceptions. This Ordinance makes provisions for one entity and that is bad practice. He said he can not support this item.

Mr. Livingston explained that the definition is the one used and recommended by the State. In addition, the State supports farming.

**** MOTION PASSED WITH TWO (2) VOTES IN OPPOSITION (MR. CORSELLO AND MR. SIMMS) AND ONE (1) ABSTENTION (MS. BOWMAN)**

**** MS. MELENDEZ MOVED THE FOLLOWING ITEM**

3. APPROVE PROPOSED REVISIONS TO ARTICLE III TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS:

A) § 103-6 (ELIGIBILITY)

B) § 103-12 (AMOUNT OF BENEFITS; ANNUAL ADJUSTMENT)

Ms. Melendez explained that since she has been on the Common Council this Ordinance has been addressed to help some of our most vulnerable constituents. It is important to continue to do this.

Mr. Burnett said that this will have a positive effect and will increase the amount of tax relief and benefit for both tier one and tier two. He thanked the Tax Assessor, Mr. Stewart and his team for putting this initiative forward.

Ms. Bowman said Mr. Stewart did a great job and said she wants to be sure churches and community centers have the information that income levels have increased. She said this is great and that she supports this.

Mayor Rilling explained there was a public information session last year that was quite informative and encouraged Mr. Stewart to hold one again this year. He also suggested doing a press release notifying people when the session will take place.

Mayor Rilling encouraged the State Legislators to work in initiatives so they do not have to rely on property tax.

Mayor Rilling thanked the Ordinance Committee and the Common Council and Mr. Stewart. He said this is the fifth year in a row they have been able to provide property tax relief.

**** MOTION PASSED UNANIMOUSLY**

**** MS. MELENDEZ MOVED THE FOLLOWING ITEM:**

4. APPROVE PROPOSED NEW ORDINANCE: PROHIBITING NATURAL GAS WASTE AND OIL WASTE FROM NATURAL GAS EXTRACTION ACTIVITIES WITHIN THE CITY OF NORWALK.

Ms. Melendez explained that when this item was first discussed, so many residents came out to express their feelings about this issue. If this Ordinance is passed, it will be one more big city in the State to do so.

**** MS. MELENDEZ MOVED TO AMEND SECTION C1 TO REMOVE “PUBLIC”**

Mr. Yerinides said that passing this ban is a monumental step. He said he was inspired by the number of people engaged by this. This is a ban that closes more loopholes and ensures the safety of our residents.

Mr. Corsello said, regrettably, he has concerns. He said he does not want fracking waste anywhere, but he is not in favor of having laws the City can't enforce. This is not for municipalities to enforce. He said what is being said is that the City is against fracking and that can be done through a resolution.

Ms. Bowman said she was going to abstain from this vote. She said this is an important issue and the Ordinance can't be enforced.

Mr. Livingston noted that Section B provides specific language for City contractors and stops fracking waste from being used.

Mr. Simms said he was also going to abstain since the law can't be enforced, it is almost like pushing the can down the road. As Mr. Corsello said, this is a State issue.

Mr. Sacchinelli said the Ordinance needs to be in place before they can determine how it can be enforced.

Mr. Yerinides said the Health Department is willing to help where they can to enforce the Ordinance. He said it is important that Norwalk be a leader, especially in environmental issues and not leave it to the State to fight this battle.

Ms. Bowman said no one owns the enforcement of this Ordinance. She asked who was going to enforce this.

Mr. Corsello said that while the Health Department is in favor of this ban, they can't issue citations. He reiterated his concern that this is a law that can't be enforced.

**** THE AMENDMENT PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. CORSELLO) AND TWO (2) ABSTENTIONS (MS. BOWMAN AND MR. SIMMS)**

**** MOTION AS AMENDED PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. CORSELLO) AND TWO (2) ABSTENTIONS (MS. BOWMAN AND MR. SIMMS)**

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

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

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ON BEHALF OF THE CITY OF NORWALK, THE DOCUMENT TITLED ADMINISTRATIVE SETTLEMENT AGREEMENT, BETWEEN THE CITY OF NORWALK AND THE STATE OF CONNECTICUT FOR THE STATE TO OBTAIN CERTAIN PROPERTY RIGHTS FROM THE CITY'S PROPERTY AT 10 NORTH WATER STREET, NORWALK, CT WHERE THE MARITIME AQUARIUM IS LOCATED, AND FOR THE FUNCTIONAL REPLACEMENT OF THE IMAX THEATRE AND OTHER IMPROVEMENTS AT THE MARITIME AQUARIUM.

Mr. Livingston explained that this agreement provides certain easements in exchange for funding for functional replacement of the IMAX Theatre and other items. He said that he was told that this is the only time that a functional replacement provision has been used. Mr. Livingston commented all for negotiating a great deal.

Ms. Bowman asked if someone from The Maritime Aquarium wished to talk.

Mr. Michael Widland, Chairman of the Board said they are very much in favor of this. He noted it represents three years of work with the City and will help ensure the revitalization of South Norwalk.

Mr. Kydes praised the attorneys and Dr. Davis and said it is a very good deal for the City.

Mr. Corsello said this is a unique circumstance and the only time the State has agreed to these provisions.

Ms. Bowman said that she and Mr. Simms, as representatives in South Norwalk would like to see The Maritime Aquarium succeed through this process.

Mayor Rilling said this is bitter sweet because Dr. Davis is leaving for Atlanta. He did a remarkable job in elevating The Maritime Aquarium to a level only imagined. He said it has been challenging, but they were able to protect The Maritime Aquarium and the City's interest.

Mayor Rilling wished Dr. Davis Godspeed.

Mr. Livingston said he wanted to commend the leadership at The Maritime Aquarium for their ban of plastics.

Mr. Simms said Dr. Davis has been instrumental in moving The Maritime Aquarium forward and as a member of the Maritime Aquarium Authority he is extremely proud of his leadership.

Dr. Davis was given a standing ovation.

**** MOTION PASSED UNANIMOUSLY**

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.

XI. ADJOURNMENT

**** MR. IGNERI MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:29 p.m.

ATTEST: _____

Donna King, City Clerk