

**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.**

CALL TO ORDER

Mayor Rilling called the meeting to order at 7:30 p.m. with the pledge of allegiance. He called for a moment of silence in remembrance of Council President, Jerry Petrini's father, who passed away last week.

City Clerk King read the notice that this meeting is being video taped and audio recorded for public broadcast, and assisted listening devices are available.

I. ROLL CALL

City Clerk King called the roll. The following Council Members were present:

Council at Large: Mr. Richard Bonenfant Mr. Douglas Hempstead

Mr. Glenn Iannaccone Mr. Bruce Kimmel Ms. Sharon Stewart

District A: Ms. Eloisa Melendez Mr. David Watts

District B: Ms. Phaedrel Bowman Mr. Travis Simms

District C: Ms. Michelle Maggio

District D: Ms. Shannon O'Toole-Giandurco Mr. Jerry Petrini

District E: Mr. John Igneri Mr. David McCarthy

Mayor Harry Rilling; Attorney Mario Coppola (7:20 p.m.), Corporation Counsel; Donna King, City Clerk Fourteen (14) members present. Absent: John Kydes.

II. ACCEPTANCE OF MINUTES - Regular Meeting – April 14, 2015

Mr. McCarthy requested corrections on Page 14, last paragraph, first sentence, change 'would' to 'could' and delete 'because'.

**\*\* MS. MAGGIO MOVED TO APPROVE THE MINUTES FROM THE MEETING OF APRIL 14, 2015 AS AMENDED WITH CORRECTION NOTED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mr. Watts requested a point of order for the City Clerk to read the broadcast announcement because he did not hear it. He noted that last meeting was not video taped and he received many comments from his constituents. It was duly noted that the announcement was read prior to the roll call.

PUBLIC PARTICIPATION

*Note: Public comments are not verbatim and represent summarizations of statements made unless otherwise noted.*

1. Jeffrey Spahr, 32 Stoneybrook Road, Norwalk, spoke in support of the recognition of the Percussion Ensemble from Norwalk High and thanked the Mayor for inviting them and for greeting the bus upon their return to the City for this was a nice gesture. He commended the students for their hard work and achievements. He wanted to acknowledge the Director, Mr. Rivera and his staff at Norwalk High for their dedication and efforts, as the program is the best there is with promoting musical endeavors along with discipline and dedication. He reported that the groups attended national competitions in Dayton, Ohio and the Percussion group came home with a Bronze medal and the Guard place 9th out of 45 groups. He spoke of how well the band represents Norwalk with superior performance and attitude and the groups are comprised of a diverse representation of demographic and economic population of Norwalk. Mr. Spahr commended the Band Instructor, Chris Rivera and noted that this is a tribute to the program that continues to out perform and represent Norwalk and the band members should be proud of this accomplishment, and he hopes the Board of Education continues to provide funding for the programs.

Mayor Rilling asked if any member of the public wished to speak, and hearing none, closed the public participation portion of the meeting at 7:15 p.m.

RESIGNATIONS/APPOINTMENTS/REAPPOINTMENTS: None

MAYOR REMARKS

Mayor Rilling stated that Norwalk High School Winter Percussion received a Bronze Medal at the National Band Competition in Ohio. He noted that the music program at the schools is another example of the wonderful programs and student achievement. He added that the Winter Percussion Ensemble and Color Guard are being recognized tonight and he read the proclamation of their accomplishments.

The following Council members commented and congratulated the band members:  
Council President, Jerry Petrini; Council Members Bonenfant, Hempstead, Iannaccone, Maggio.

They commended the students for their hard work and achievements, for their dedication and efforts, as the program is the best there is with promoting musical endeavors along with discipline and dedication. They spoke of how well the band represents Norwalk with superior performance and attitude and noted that this is a tribute to the program that continues to out perform and represent Norwalk and band members should be proud of these accomplishments.

Mayor Remarks – continued

The band percussion and color guard students came forward to receive the proclamation and were congratulated by the Council, and a group photograph was taken with the Mayor.

Mayor Rilling recognized Girls Scout Troup 509 and they came forward to be recognized by the Council. Troop Leader commented that they were in attendance as part of their badge requirement for municipal government participation and observation.

Mayor Rilling announced the following upcoming events and items of City interest:

- April 30 Economic Development Workshop at City Hall A collaboration of partners – including the Connecticut Economic Resource Center, Inc. (CERC), the Connecticut Economic Development Association (CEDAS), the Connecticut Main Street Center and the Metro Hartford Alliance – has developed this unique municipal economic development course for Council Members and Department Heads.
- May 6 - Norwalk Day in Hartford at the State Capitol
- May 7 - Norwalk Energy Challenge Workshop
  - Energy Task Force encourages home audits to save residents on energy bills.
- Saturday, May 16 Connecticut Tree Festival
  - Bike Rodeo is May 2 at city Hall at 10am for bicycle safety and education.
  - Keep Norwalk Beautiful May 12 – park clean up at Ryan Park
  - Citizens are encouraged to do their part for trash clean up of residential areas.
  - Mayor Rilling extended a Happy Mother’s Day for May 10.

COUNCIL PRESIDENT

GENERAL COUNCIL BUSINESS:

Mr. Petrini apologized for the video problems for the last meeting, as noted by Mr. Watts. He explained that there were technical issues that have been since resolved, and there was audio but no video for that meeting on the public access channel.

Mr. Petrini explained the consent calendar to those in attendance and noted that if their item is on consent it means that no further discussion will take place on the items. He further explained how items on the agenda are then discussed and voted upon by the council members.

CONSENT CALENDAR

- \*\* **MR. PETRINI MOVED THE CONSENT CALENDAR AS FOLLOWS: VII. A1.**
- \*\* **MOTION TO APPROVE THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

*Items on the Consent Calendar are in bold as follows:*

**VI. REPORTS DEPARTMENTS, BOARDS AND COMMISSIONS:**

**HEALTH, WELFARE, PUBLIC SAFETY**

**1. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept grant funds from the Connecticut Office of Early Childhood for the Quality Enhancement and School Readiness Grant Program(s) for fund years 2015-2017.**

**BOARD OF ESTIMATE AND TAXATION**

1. RESOLVED, that a sum not to exceed \$789,117 be and from which \$308,645 is hereby transferred from Assigned Fund Balance and \$480,472 is transferred from Contingency to the Police Department to cover Contract Wage Settlements (Account #Various).

Mr. Kimmel moved the item for discussion and explained the supporting documentation. He noted that this was not a new expenditure but a retroactive amount based on contract settlements. He noted that it was tabled from the last meeting because no representation from the Police Department, but that both the Finance Director and Police Chief at here at tonight's meeting. He explained that the funds are associated with retroactive payments based upon negotiated agreement of the 2013-14 and 2014-15 2% salary increases. He reviewed the highlights of the contract and explained that this actually saved the city money as the increases were lower than municipal standards and inflation rates.

Mr. Watts asked Chief Kulhawik to come forward to address questions. Chief Kulhawik explained that as stated by Mr. Kimmel this was not new expenditure but contract allocation of the approved contract and the item is based on Human Resource and Finance allocations. Mr. Hamilton came forward and explained that all funds had been anticipated from the assigned fund balance.

There was discussion on whether the City is obligated by law to fund the contract agreement.

Mr. Hamilton explained that it was point of the decision when the council approved the contract that led to the appropriation. There was further discussion and exchange of comments over how much the contract is costing and what percent the operating budget and salary increases were from prior years.

Mr. Hempstead asked if we don't vote if it is a violation, and Corporation Counsel replied that although he did not have the contract in front of him, in theory it would be a violation if an approved agreement was not funded.

Mr. Hamilton stated that the city is obligated to abide and failure puts the Police Department in a bind with their budget to make up funding and potentially lay off the force for the month June, as an example.

Mr. Watts stated that this is an example that Norwalk always finds a way to fund the things they want and always puts other areas aside and say those public interest programs can't be funded. He stated this puts us in a tight space and we should do business straight up without such conditions. He added that groups dominate the funding and as a squeaky wheel gets the funding requested and this is a pad way go govern using such scare tactics.

Ms. Bowman stated this was irresponsible and requested an analysis of expenditure increases. She clarified that the increase is one million dollars and Mr. Hamilton explained that it was retroactive for two fiscal years. Ms. Bowman asked for an analysis that outlines the department budget, increases and salary increases for these years. She noted that she would reserve other comments for the next item.

Mr. Kimmel explained that the standard practice is to reserve funds for unsettled contracts and in Connecticut binding arbitration controls the negotiations of last best offer and the result would be a financial loss. He added that negotiated health care and pension plus cost of living increase are essential in all negotiated contract.

Mr. Petrini added that his is a sound way to do business and financial planning.

Ms. Melendez stated that she agrees completely with Mr. Petrini and Mr. Kimmel's comments.

Mr. Bonenfant stated he also was in agreement and basically you are paying for what you voted for.

**\*\* MR. KIMMEL MOVED TO ADOPT THE RESOLUTION AS FOLLOWS:  
RESOLVED, THAT A SUM NOT TO EXCEED \$789,117 BE AND FROM WHICH  
\$308,645 IS HEREBY TRANSFERRED FROM ASSIGNED FUND BALANCE AND  
\$480,472 IS TRANSFERRED FROM CONTINGENCY TO THE POLICE  
DEPARTMENT TO COVER CONTRACT WAGE SETTLEMENTS  
(ACCOUNT #VARIOUS).**

**\*\* MOTION PASSED WITH TEN VOTES IN FAVOR, FOUR OPPOSED  
(BOWMAN, SIMMS, STEWART, WATTS) AND NO ABSTENTIONS.**

Ms. Melendez clarified that she was able to vote on this item as it has nothing to do with contract or family matters, and it was noted that it was a funding issue and she was eligible to vote.

2. RESOLVED, that a sum not to exceed \$550,233 be and the same is here transferred from Contingency to the Police Department to cover DROP and severance payments and anticipated overtime wage settlement (Account #Various)

Mr. Kimmel moved the item for discussion and explained the supporting documentation. He noted that this was not a new expenditure but a retroactive amount based on contract settlements. He noted that it was also tabled from the last meeting because no representation from the Police Department, but that both the Finance Director and Police Chief at here at tonight's meeting. He explained that this is the same issue, that funds are associated with retroactive payments based upon negotiated contract agreement terms for 2013-14 and 2014-15.

Ms. Stewart asked to comment and gave comparisons of funding that was cut from Headstart. She explained that people lost their jobs and the result was devastating, yet the Police Department contracts increase and overtime increases. She said this just does not make sense and is not fair and equitable.

Ms. Bowman asked for an analysis of overtime versus hiring additional officers. Mr. Hamilton explained that new hires have a higher impact on the budget as there are additional costs of health benefits that far exceed overtime. Ms. Bowman stated that she requested this analysis and it has not been done and she repeated her requests for a report that outlines the department budget, increases and salary increases for these years.

Mayor Rilling asked for an update on the Headstart questions raised and Mr. Hamilton came forward. He explained that the City has made substantial appropriation after the BET and Council reduced the funding cap two years ago. He further explained that as Neon was experiencing difficulty in relation to audit and funds misspent, there was a reduction to their funding. He noted that fast forward to this year, the Housing Authority has reached an agreement with what is needed and the city has funded \$350,000 based on the number of students served.

Ms. Stewart stated that they do not have nearly what they need. Mr. Hamilton replied that they have been given all they have asked for in the budget following a clarification that items had been double counted in the prior agreement.

Mr. Watts stated that the system is broken and he wants to go on record that he is not anti-police. He stated they are just a group of volunteers with limited knowledge trying to make sense of what looks like excessive spending. He added that here again, this is an example that Norwalk always finds a way to fund the things they want and always puts other areas aside and say those public interest programs can't be funded. He stated this puts us in a tight space and we should do business straight up without such conditions. He added that groups dominate the funding and as a squeaky wheel gets the funding requested and this is a bad way to govern using such scare tactics.

Ms. Bowman stated it was good to have her colleagues in agreement that this was irresponsible and requested an analysis of expenditure increases. She clarified that the increase is one million dollars and other areas of the city budget are being not funded.

Mr. Petrini noted that while he does not intend to silence anyone, comments have gone way from the agenda and barring a motion to suspend the rules, requested to stay on the agenda item.

- \*\* MR. KIMMEL MOVED TO ADOPT THE RESOLUTION AS FOLLOWS:  
RESOLVED, THAT A SUM NOT TO EXCEED \$550,233 BE AND THE SAME IS  
HERE TRANSFERRED FROM CONTINGENCY TO THE POLICE DEPARTMENT  
TO COVER DROP AND SEVERANCE PAYMENTS AND ANTICIPATED  
OVERTIME WAGE SETTLEMENT (ACCOUNT #VARIOUS)  
\*\* MOTION PASSED WITH TEN VOTES IN FAVOR, FOUR OPPOSED (BOWMAN,  
SIMMS, STEWART, WATTS) AND NO ABSTENTIONS.**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE – none

X. SUSPENSION OF RULES – None

XI. ADJOURNMENT

- \*\* MR. MCCARTHY MOVED TO ADJOURN.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

M. Knox;  
Telesco Secretarial Services

ATTEST

\_\_\_\_\_  
Donna King, City Clerk

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Date