

**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**

I. **ROLL CALL** 13, Ms. Smyth arrived 8:42 pm, Mr. Hempstead and Mr. Dumas absent

II. **ACCEPTANCE OF MINUTES**

**Regular Meeting:** August 13, 2019 **APPROVED**

III. **PUBLIC PARTICIPATION** 8

IV. **MAYOR**

A. **RESIGNATIONS AND APPOINTMENTS**

**RESIGNATIONS:**

**APPOINTMENTS:** Robert Abriola, Arts Commission **APPROVED**

**REAPPOINTMENTS:** Helen Roman Gersten, Arts Commission **APPROVED**  
Melissa Matuska, Arts Commission **APPROVED**  
Matthew Brovender, Board of Health **APPROVED**  
Janet Karpiak, Board of Health **APPROVED**  
Brenda Penn-Williams, Housing Authority **APPROVED**  
Jeffrey Ingraham, Housing Authority **APPROVED**  
Cesar Ramirez, Housing Authority **APPROVED**  
Carol Frank, Fair Housing Advisory **APPROVED**  
Jeffrey Ingraham, Fair Housing Advisory **APPROVED**

**MAYOR'S REMARKS:** A moment of silence was observed in memory of Norwalk Fire Inspector Jess Granton. On September 11, 2019, Norwalk's Annual 9-11 Remembrance will be held in front of City Hall starting at 8:30 am. The 2019 Annual Mayor's Golf Tournament will be held on September 23, 2019 at Oak Hills Park. Beginning next week, paving and milling will be done in the Wall Street area. Lines for the backed-in angle parking will go down the week of September 23, 2019. On September 14, 2019, the Grand Opening Reception for the Blue Teapot Café & Bakery at the Norwalk Public Library will be held. The inaugural Norwalk Film Festival will be held on September 28, 2019. On September 9, 2019, the Norwalk Grassroots Tennis & Education held the ribbon cutting of their new tennis courts.

V. **COUNCIL PRESIDENT**

A. **GENERAL COUNCIL BUSINESS:**

- B. CONSENT CALENDAR:** VI.A.1, VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.5, VII.B.1, VII.B.3, VII.B.4, VII.B.6, VII.B.7a, VII.B.7b, VII.C.2, VII.D.1a, VII.D.1b, VII.D.2., VII.D.3, VII.D.4, VII.D.5, VII.D.6a, VII.D.6b, VII.D.7, VII.E.1., VII.E.2a, VII.E.2b, VII.E.4, VII.E.5, VII.E.6a, VII.E.6b, VII.E.7a, VII.E.7b, VII.E.8

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

**A. CORPORATION COUNSEL**

1. Authorization to Settle Claim: Thomas Bifano v. Georgia Nyquist and the City of Norwalk

**EXECUTIVE SESSION**

**AUTHORIZED**

**VII. COMMON COUNCIL COMMITTEES**

**A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE**

1. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with the Human Services Council for the use of Taylor Farm Park for the Kidzfest Touch A Truck & More to be held on Saturday, October 26, 2019 from 10:00 AM – 3:00 PM. Set up to begin Friday, October 25, 2019 at 10:00 AM with tear down no later than 5:00 PM on Saturday, October 26, 2019. Estimated attendance 500. **AUTHORIZED**

2. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Wolfpit Elementary School for the use of Wolfpit Elementary School Grounds for a Pumpkin Festival to be held Saturday, October 12, 2019 from 11:00 AM – 5:30 PM. Set up to begin at 7:00 AM with tear down no later than 5:30 PM on Saturday, October 12, 2019. Rain Date of Sunday October 13, 2019. Estimated attendance 499. **AUTHORIZED**

3. Authorize the Purchasing Agent to issue a purchase order to Turf Products for the purchase of a Toro Groundsmaster 5910 (T4) for a sum not to exceed \$114,679.44. Account #0920-6030-5777-C0486. **AUTHORIZED**

4. Authorize the Purchasing Agent to issue a purchase order to Gengras Ford, LLC for the purchase of a Ford Explorer Base 4x2 SUV for a sum not to exceed \$29,356.00. Account #0918-6030-5777-C0486 = \$28,929.23, 0919-6030-5777-C0486 = \$426.77. **AUTHORIZED**

5. Authorize the Mayor, Harry W. Rilling to enter into a contract with Conserve ART LLC for the Restoration of the Nathan Hale Memorial Fountain Project #3915 for a sum not to exceed \$58,225.00. Account #0919-6030-5777-C0624 \$45,000.00 and Account #014150-5585 \$13,225.00. **AUTHORIZED**

**B. PUBLIC WORKS COMMITTEE**

1. Authorize the Mayor, Harry W. Rilling, to execute an Agreement between the City of Norwalk and Alfred Benesch & Company for professional services for the replacement design of the West Cedar Bridge over Five Mile River in Norwalk, ConnDOT Project No. 102-366, for an amount not to exceed \$432,200.00. (Funding 80% Federal, 20% City).

Account No. 09 20 4021 5799 C0642  
09 20 4021 5777 C0642

**AUTHORIZED**

- 2a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Laydon Industries, LLC for Project No. TMP2019-2, Artistic Crosswalk at West Avenue and Connecticut Avenue Intersection for a sum not to exceed \$76,870.00.

Account No. 09 20 4021 5777 C0648  
09 18 4021 5777 C0562  
09 19 4021 5777 C0021

**AUTHORIZED**

- 2b. Authorize the Chief of Operations and Public Works, to execute an Agreement with Laydon Industries, LLC for Project No. TMP2019-2, Artistic Crosswalk at West Avenue and Connecticut Avenue Intersection for a sum not to exceed \$7,687.00.

Account No. 09 20 4021 5777 C0648  
09 18 4021 5777 C0562  
09 19 4021 5777 C0021

**AUTHORIZED**

3. Authorize the Mayor, Harry W. Rilling, to execute an Amendment between the City of Norwalk and Deering Construction Inc. for Project No RD2019-1 Concrete, Curbs and Sidewalks at Various Locations, for an amount not to exceed \$600,000.00.

Account No. 09 19 4021 5777 C0318  
09 20 4021 5777 C0021  
09 20 4021 5777 C0318

**AUTHORIZED**

4. Authorize the Mayor, Harry W. Rilling to execute an Agreement with The NY-CONN Corporation for Project No. 3936, Transportation, Mobility and Parking (TMP) On-Call Traffic Signal Emergency Services for a sum not to exceed \$35,000.00.

Account No. 09 16 4021 5777 C0232

**AUTHORIZED**

- 5a. Authorize the Mayor, Harry W. Rilling, to enter into an Agreement with Priority Landscaping, LLC for Removal & Disposal of Deposited Sediment within the Watercourse (Project DPW2019-1) for an amount not to exceed \$389,950.00.

Account No. 09 15 4027 5777 C0440  
09 17 4027 5777 C0440  
09 18 4027 5777 C0440  
09 19 4027 5777 C0440

**AUTHORIZED**

5b. Authorize the Chief of Operations and Public Works, to execute orders on Contract with Priority Landscaping, LLC for Removal & Disposal of Deposited Sediment within the Watercourse (Project DPW2019-1) for an amount not to exceed \$38,995.00. **AUTHORIZED**

6. Authorize the Mayor, Harry W. Rilling, to execute an Agreement between the City of Norwalk and several owners abutting several watercourses, slated for maintenance, under Project DPW2019-1 Removal & Disposal of Deposited Sediment within the Watercourse, to establish a Right of Entry, subject to Section 8-24 of the State Statutes, if required. **AUTHORIZED**

7a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with EET Environmental Services Inc., for a total not to exceed \$284,900.00.

Account No. 09 17 7100 5777 C0119 **AUTHORIZED**

7b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$28,490.00.

Account No. 09 17 7100 5777 C0119 **AUTHORIZED**

**C. ORDINANCE COMMITTEE**

1. Approve new ordinance: Use and Sale of Polystyrene Products; **AUTHORIZED AS AMENDED**

2. Approve proposed revisions to Chapter 32, Code of Ethics, Section 32-3 (Definitions) **AUTHORIZED**

**D. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE**

1a. Authorize the Mayor, Harry W. Rilling to execute any and all documents necessary to apply for and accept grant funds from the Department of Homeland Security, Federal Emergency Management Agency under the 2019 Port Security Grant Program, in the amount of \$42,973.75. **AUTHORIZED**

1b. Authorize the Police Chief, Thomas Kulhawik to execute any and all agreements, documents, instruments and amendments as may be necessary to implement all programs through the 2019 Port Security Grant Program pursuant to said funding. Accounts TBD and 030000 2660. **AUTHORIZED**

2. Authorize the Department of Public Works to have Eversource Electric to install nine (9) new street lights on Betmarlea Drive in accordance with the attached plan at an approximate cost of \$180 per month to be paid for from Account No. 0140 21-5241. **AUTHORIZED**

3. Authorize the Department of Public Works to have Eversource Electric to install two (2) new street lights on Earl Street in accordance with the attached plan at an approximate cost of \$40 per month to be paid for from Account No. 0140 21-5241. **AUTHORIZED**

4. Authorize the Department of Public Works to have Eversource Electric to install a new pole and the associated wire for one (1) of the new street lights at the north end of Center Avenue Extension in accordance with the attached plan at an approximate one-time cost of \$2,200.00 to be paid for from Account No. 0140 21-5241. **AUTHORIZED**
5. Authorize the Department of Public Works to have Eversource Electric to install two (2) new street lights at the north end of Center Avenue Extension in accordance with the attached plan at an approximate cost of \$50.00 per month to be paid for from Account No. 0140 21-5241. **AUTHORIZED**
- 6a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept grant funds from Optimus Health Care Inc. in the amount of \$263,323 per year for contract period October 1, 2019 through September 30, 2021 for the Women, Infants, and Children (WIC) Program. **AUTHORIZED**
- 6b. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments, or amendments as may be necessary to implement the WIC Program for the period October 1, 2019 through September 30, 2021. **AUTHORIZED**
7. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments, or amendments with Cablevision Lightpath, Inc. ("Lightpath" or "Altice Business") to provide cable/internet service for the WIC Program for two years for the period October 1, 2019 through September 30, 2021. Account No. 3520-74-5245 **AUTHORIZED**

**E. LAND USE & BUILDING MANAGEMENT COMMITTEE**

1. Authorize the Mayor, Harry W. Rilling, to execute a lease agreement with Family and Children's Agency for the use of portions of the second floor and third floor of Ben Franklin Center for its children afterschool programs and administrative offices for a period of 5 years, beginning on September 1, 2019 to August 31, 2024. Annual utility payment shall be increased from \$2.50 per sq ft to \$2.75 per sq ft. **AUTHORIZED**
- 2a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with All State Construction Inc. for the Nathaniel Ely Roof Top Units Replacement project for a total not to exceed \$60,433.00. Funds are available from account 0920 7100 5777 C0266. **AUTHORIZED**
- 2b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$6,043.00. **AUTHORIZED**
3. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Eversource to receive Energy Efficiency Incentive Payment for the Ponus School Addition and Renovation Project for an amount up to \$320,805.00. **AUTHORIZED**

4. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Newfield Construction, Inc. as the Construction Manager (CM) for the Norwalk High School Wood Doors & Paneling Replacement Project State Project No. 103-0250 A/CV. Terms of the agreement shall include the following:

Preconstruction Phase Services (including reimbursable allowance)	\$15,000
CM Fees (% of total trade bids)	2.50%
CM Contingency (% of total trade bids)	2.00%

Following bidding process, final contract price (GMP) will be submitted to the Common Council for approval.

Acct. #09195010 5777 C0619 & Acct. #09205010 5777 C0619

**AUTHORIZED**

5. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Newfield Construction, Inc. as the Construction Manager (CM) for the Norwalk High School Black Box Theater/Media Pathway, Learning Commons, Main Entrance Project State Project No. 103-0252. Terms of the agreement shall include the following:

Preconstruction Phase Services (including reimbursable allowance)	\$25,000
CM Fees (% of total trade bids)	2.50%
CM Contingency (% of total trade bids)	2.00%

Following bidding process, final contract price (GMP) will be submitted to the Common Council for approval.

Acct. #09195010 5777 C0619 & Acct. #09205010 5777 C0619

**AUTHORIZED**

- 6a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Antinozzi Associates to provide architectural services for the Jefferson Elementary School – Renovate-as-New project State Project No. 103-0251 for a total amount not to exceed \$1,565,500 Acct. #09195010 5777 C0619

**AUTHORIZED**

- 6b. Approve a contingency for reimbursable expenses and additional services as may be required for a total not to exceed \$50,000.

**APPROVED**

- 7a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Enviro Shield Inc. for the Norwalk Maritime Aquarium underground heating oil storage tank removal project for a total not to exceed \$9,250.00. Acct # 9177100 5777 C0543 and #0919/207100 5777 C0476

**AUTHORIZED**

- 7b. Approve a contingency in the amount of \$9,000.00 for miscellaneous work and removal of approximately 7,000 gallons of residual oil at 0.94 per gallon. Removal and disposal of contaminated soil (if any) has not been included this contract.

**APPROVED**

8. **Amend** Common Council action of January 23, 2018 Item VII.A.6a & 6b to replace Board of Education Facilities Study Improvements Capital Budget account number 09175010 5777 C0585 with Board of Education New Columbus School at Ely Capital Budget account number 09185010 5777 C0607. Amended action to read as follows with changes highlighted in bold:

“6a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Classic Turf Company LLC for the Springwood Ely Park Tennis Courts Development Project for a total not to exceed \$950,000. Acct. # 0917/186030 5777 C0321, **\$400,000 from 09185010 5777 C0607** and \$300,000 from Norwalk Grassroots Tennis and Education (acct. # to be determined)

6b. Authorize the Office of Building Management to issue Change Orders on Contract for a total not to exceed \$95,000. Acct. # 09186030 5777 C0321, 09176030 5777 C0364, **\$11,169 from 09185010 5777 C0607** and \$50,000 from Norwalk Grassroots Tennis and Education (acct. # to be determined)” **AUTHORIZED**

**F. PLANNING COMMITTEE**

1. Authorize the Mayor to sign the Mayoral Certification and approve the advancement of the PY44 CAPER to HUD. **AUTHORIZED**

**X. MOTIONS POSTPONED TO A SPECIFIC DATE**

**X. SUSPENSION OF RULES**

**XI. ADJOURNMENT 8:52 PM**

**APPOINTMENTS**

<b>ARTS COMMISSION</b>	<b>M/C</b>	<b>Norwalk Code 17A</b>
<b>ROBERT ABRIOLA (R)</b> 7 Blake Street Norwalk, CT 06851	<b>APPROVED</b>	Term Expires 07/11/2021

**REAPPOINTMENTS**

<b>ARTS COMMISSION</b>	<b>M/C</b>	<b>Nwtk. Code 17A</b>
<b>HELEN ROMAN GERSTEN (D)</b> 314 Sunrise Hill Lane Norwalk, CT 06851	<b>APPROVED</b>	Term Expires 07/11/2022

<b>MELISSA MATUSKA (D)</b> 1 Longshore Avenue Norwalk, CT 06854	<b>APPROVED</b>	Term Expires 07/11/2022
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<b>BOARD OF HEALTH</b>	<b>M/C</b>	<b>Nwtk. Code 57-4</b>
<b>MATTHEW BROVENDER (U)</b> 22 Fullin Road Norwalk, CT 06851	<b>APPROVED</b>	Term Expires 12/01/2021

<b>JANET KARPIAK (U)</b> 58 Ledgebrook Drive Norwalk, CT 06854	<b>APPROVED</b>	Term Expires 12/01/2021
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<b>HOUSING AUTHORITY</b>	<b>M/C</b>	<b>Gen. Stat 8-40</b>
<b>BRENDA PENN-WILLIAMS (D)</b> 21 Karen Drive Norwalk, CT 06851	<b>APPROVED</b>	Term Expires 05/31/2024

<b>JEFFREY INGRAHAM (U)</b> 6 Leatherwood Road Norwalk, CT 06851	<b>APPROVED</b>	Term Expires 05/31/2021
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<b>CESAR RAMIREZ (R)</b> 28 Dr. Martin Luther King Drive Norwalk, CT 06854	<b>APPROVED</b>	Term Expires 05/31/2022
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**COMMON COUNCIL  
NORWALK, CONNECTICUT**

**ACTION  
7:30 PM EST**

**SEPTEMBER 10, 2019  
COUNCIL CHAMBERS**

**FAIR HOUSING ADVISORY COMMISSION**

**M/C**

**NwIk. Code 59-A**

**CAROL FRANK (R)**  
5 Cranbury Woods Road  
Norwalk, CT 06851

**APPROVED**

Term Expires 09/01/2022

**JEFFREY INGRAHAM (U)**

6 Leatherwood Road  
Norwalk, CT 06851

**APPROVED**

Term Expires 09/01/2022