

***Common Council Actions***

**COMMON COUNCIL**

**ACTION**

JANUARY 13, 2004

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**NORWALK, CONNECTICUT 8:00 PM EST, COUNCIL CHAMBERS**

**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.**

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, January 13, 2004, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. The Mayor, Alex A. Knopp, called the meeting to order at 8:05 pm. There was a minute of silence to remember Dave Dunavan who sadly died earlier in January.

**I. ROLL CALL**

Betsy Bain (absent)	Bruce Kimmel
Kenneth Baker	Richard McQuaid
Fred Bondi	Matthew Miklave
Michael Coffey	Jeanette Olmstead-Sawyer
Carvin Hilliard	Kevin Poruban
Douglas Hempstead	Douglas Sutton
William Krummel	Peter Wien

Leona Williams

There were fourteen (14) members present at Roll Call

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## **II. ACCEPTANCE OF THE MINUTES**

A. Regular meeting of December 9, 2003

**\*\* MR. BONDI MOVED APPROVAL OF THE MINUTES AS AMENDED.**

The following correction was made to the minutes of December 9, 2003:

Page nine, under Item VI. A correct the spelling of Estimate.

**\*\* MOTION PASSED ELEVEN VOTES IN FAVOR, THREE ABSTENTIONS (MR. HEMPSTEAD, MR. BAKER AND MS. WILLIAMS) BY VOICE VOTE.**

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## **III. PUBLIC PARTICIPATION**

**Scott Gibson** addressed the Common Council stated that he was here this evening to talk about the Gate House at Matthews Park. He said one of the things he wished the Council to consider would be a restoration lease, given the historic nature of the property. A lot of work needs to be done to bring the building up to code as well as to restore this and he asked the Council to consider this.

**Art Scialabba** stated that he was here tonight to talk about appointments. Mr. Scialabba said in an effort to start the year off right for bi-partisanship, he wished to put forward the two names of Peter Torrano and Peter Andreoli. He said according to Section 11-A-13, the Mayor shall install five members and this Board has not yet done so.

The Mayor thanked Mr. Scialabba and asked for the resumes to be sent to his office.

**Mr. Baccello** said he highly recommended that they try to keep the attractions for South Norwalk and Norwalk in the Norwalk area.

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The Mayor noted that Mr. Simms had arrived and asked permission to take the agenda out of order so they might address Item V. B 1. There were no objections.

## **V. COUNCIL PRESIDENT**

**B. OTHER COUNCIL**

1. Resolution congratulating Travis Simms, Jr.

**\*\* MR. KIMMEL MOVED APPROVAL OF THE RESOLUTION.**

Ms. Williams read the following resolution:

WHEREAS, Travis L. Simms Jr. has been a resident of Norwalk for the past thirty-two years, growing up in Roodner Court, attending Norwalk elementary school and middle school, and graduating from Norwalk High School in 1989; and

WHEREAS, Travis, L. Simms, Jr. has made history for himself and his hometown of Norwalk; and

WHEREAS, Travis Simms' amateur boxing career received many accolades and awards in Norwalk and beyond (earning him the nickname of "Tremendous") including:

- o Western New England Golden Gloves Jr. Middleweight Champion (10 times)
- o New England Regional Jr. Middleweight Champion (4 times)
- o 1995 National P.A.L. Jr. Middleweights Champion
- o 1996 Olympic Trials Jr. Middleweight alternate to David Reid, the only US boxing Gold Medallist of the 1996 Olympics
- o 1996 American Boxing Classic Jr. Middleweight Champion
- o 1997 New York Golden Gloves Champion, Golden Gloves MVP and recipient of Sugar Ray Robinson Award for outstanding fighter of the tournament; and,

WHEREAS, Mr. Simms has carried on his pursuit of excellence in the professional ranks by amassing to date a perfect winning record of 23 victories, no defeats and 18 technical knockouts (TKOs); and

WHEREAS, Travis L. Simms, Jr. captured, with a TKO in the 8<sup>th</sup> round, the North American Boxing Association (NABA) Super Welterweight Championship Title in Louisville KY on November 1, 2002; and

WHEREAS, On December 13, 2003 in Atlantic City, NJ, Travis L. Simms, Jr. by virtue of a 5<sup>th</sup> round knockout (KO) captured the World Boxing Association (WBA) Super Welterweight Title becoming recognized as the first World Boxing Champion for Norwalk and for Fairfield County; and

WHEREAS, Travis L. Simms, Jr. has consistently shared with Norwalk residents his accomplishments, his time, his skills and celebrity to instill community pride and motivation in Norwalk's youth, and therefore is a champion role model and a role model champion for Norwalk's youth.

***NOW, THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF NORWALK*** declares its gratitude and appreciation for Mr. Simm's pursuit of excellence through his distinguished career in boxing, and his commitment to the residents and youth of the City of Norwalk.

Mayor Knopp said he had the pleasure to meet Mr. Simms about a year ago when he had just won the North American Boxing Federation title and he came in with John Harris who is prominent in the boxing youth community. At that time he and Mr. Simms had discussed ways in which Mr. Simms could help; the Mayor pointed out that the help was not to do with boxing but how to help the young people in Norwalk.

The Mayor said that afternoon, he and Mr. Travis had stopped at Norwalk High School, where the auditorium was packed with juniors and seniors cheering and stomping because of their enthusiasm for Mr. Simms.

Mayor Knopp said what they are really doing today is not just honoring an outstanding athlete but a world class member of the community, a person who has come back and been generous with his hometown.

Mr. Simms thanked God for the opportunity, his wife and family. He also thanked Mayor Knopp and all of his fans from the city of Norwalk.

Ms. Olmstead-Sawyer said she remembered his so well and had always wished him the best.

Mr. Bondi said he had gone to school with Mr. Simms Sr. and could remember Mr. Simms well. He said Mr. Harris had done a great job. He congratulated Mr. Simms.

**\*\* RESOLUTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The Mayor presented Mr. Simms with the "Travis Simms Way" street sign.

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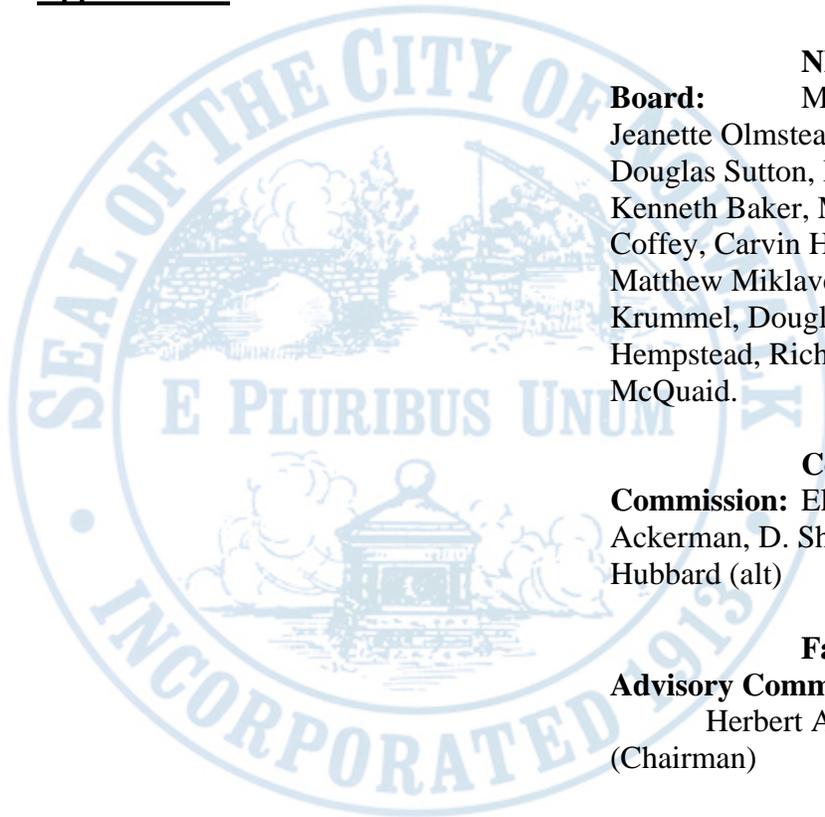
**IV. MAYOR**

**A. RESIGNATIONS AND APPOINTMENTS**

**Resignations:** Larry Losio – Conservation Commission

Nathaniel Shipp – Fair Housing Advisory Commission

**Appointments:**



**NEON**  
**Board:** Mayor Knopp,  
Jeanette Olmstead-Sawyer,  
Douglas Sutton, Peter Wien,  
Kenneth Baker, Michael  
Coffey, Carvin Hilliard,  
Matthew Miklave, William  
Krummel, Douglas  
Hempstead, Richard  
McQuaid.

**Conservation**  
**Commission:** Elizabeth  
Ackerman, D. Sheeley  
Hubbard (alt)

**Fair Housing**  
**Advisory Commission:**  
Herbert A. Grant  
(Chairman)

**Harbor**  
**Management Commission:**  
Jose Juan C. Cebrian

**Human**  
**Relations Commission:**  
David Angelo Watts

**Library**  
**Board of Directors:** Stanley  
Siegel

**SWRPA:**  
Christopher Perone

**Re-Appointments:**

**Conservation Commission:** Matthew Caputo

Mayor Knopp announced the resignations of Larry Losio and Nathaniel Shipp; he thanked them for serving. He also announced the new appointees of the NEON Board (as listed above).

With regard to new appointments, Mayor Knopp said that Ms. Ackerman is currently an alternate on the Conservation Commission and he was recommending that she be moved to a full member.

**\*\* MR. COFFEY MOVED TO APPOINT ELIZABETH ACKERMAN TO SERVE AS A FULL MEMBER ON THE CONSERVATION COMMISSION.**

**\*\* MOTION PASSED TWELVE VOTES IN FAVOR, TWO ABSTENTIONS (MR. MCQUAID AND MR. HEMPSTEAD).**

Mayor Knopp stated that would be recommending Mr. Hubbard as an alternate position who also happened to be the former republican town chairman of Darien.

**\*\* MR. COFFEY MOVED TO APPOINT D. SHEELEY HUBBARD TO SERVE AS AN ALTERNATE ON THE CONSERVATION COMMISSION.**

**\*\* MOTION PASSED THIRTEEN VOTES IN FAVOR, ONE ABSTENTION (MR. MCQUAID).**

The Mayor put forth the name of Mr. Grant to serve on the Fair Housing Advisory Commission, he has an extensive background in human relations issues and will bring a professional perspective to the Commission.

**\*\* MR. SUTTON MOVED TO APPOINT HERBERT A. GRANT TO SERVE ON THE FAIR HOUSING COMMISSION.**

Mr. Sutton said he has known the Grant family for a number of years and considering the success of their child, he was sure he would do the city good.

Ms. Olmstead-Sawyer agreed with Mr. Sutton saying that Mr. Grant would be a great asset and a great motivator.

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Mayor Knopp said he wished to put forth the name of Mr. Cebrian to serve as a member on the Norwalk Harbor Management Commission to complete the term of Mr. Dave Dunavan. He said Mr. Cebrian is very active in the waterfront and also that he came highly recommended by the current chairman of the Commission, Dr. Pinto.

**\*\* MR. MCQUAID MOVED TO APPOINT JOSE JUAN C. CEBRIAN TO SERVE ON THE NORWALK HARBOR MANAGEMENT COMMISSION.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The Mayor said he would like to recommend Mr. Watts to the Human Relations Commission; he is relatively new to Norwalk and has an active interest in church and school activities.

**\*\* MS. OLMSTEAD-SAWYER MOVED TO APPOINT DAVID ANGELO WATTS TO SERVE ON THE HUMAN RELATIONS COMMISSION.**

Ms. Olmstead-Sawyer said she was very pleased to see Mr. Watts come on board as he has been exposed to a lot of different social projects while studying in New Haven.

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Mayor Knopp put forth the name of Mr. Siegel to serve on the Library Board of Directors; he referred to his extensive resume pointing out that he has been very active with the Chamber of Commerce.

**\*\* MR. BONDI MOVED TO APPOINT STANLEY SIEGEL TO SERVE ON THE LIBRARY BOARD OF DIRECTORS.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Mayor Knopp said he was pleased to announce the appointment of Christopher Perone to serve on SWRPA. When Mr. Perone served on the council he showed a lot of interest in many of the important, regional issues.

Mayor Knopp said he would like to put forth the name of Mr. Caputo for re-appointment on the Conservation Commission. He has served as chairman for a number of years and he was pleased to put his name forward.

**\*\* MR. MCQUAID MOVED TO RE-APPOINT MATTHEW CAPUTO TO SERVE ON THE CONSERVATION COMMISSION.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

**B. REMARKS**

Mayor Knopp indicated that he copy of the schedule for community meetings, pointing out the importance of them and encouraged as many people to attend as possible.

The Mayor also noted that he had passed out information from the Connecticut Conference of Municipalities indicating regarding state aid cuts and that they do affect Norwalk.

Finally, Mayor Knopp wished everyone a very Happy New Year.

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**V. COUNCIL PRESIDENT**

Mr. Kimmel noted that there would be a public hearing on January 22, 2003 at 7:30 pm regarding the proposed budget; he said following the hearing would be a special meeting of the Finance Committee.

**A. CONSENT CALENDAR**

**\*\* MR. KIMMEL MOVED THAT THE FOLLOWING ITEMS BE INCLUDED ON THE CONSENT CALENDAR.**

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

**A. NORWALK FACILITIES CONSTRUCTION COMMISSION**

1a. Rescind Common Council action of November 25, 2003, Item VI. B. 2. which authorized the following:

Authorize the Mayor, Alex A. Knopp, to execute an amendment to Resun Leasing, Inc.'s contract for rental of modular classrooms to relocate 8 existing classrooms from Brookside School to Brien McMahon High School plus 4 additional classrooms for a total not to exceed \$675,921.00. Acct. #09035010-5777-C0237

1c. Authorize the NFCC to issue change orders on Resun Leasing, Inc.'s construction contract for a total not to exceed \$27,457.00.

2a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with AAIS Inc. for asbestos abatement at Brien McMahon High School/Center for Global Studies renovation project for a total not to exceed \$16,400.00. Acct. #09035010-5777-C0237

2b. Authorize the NFCC to issue change orders on contract for a total not to exceed \$ 1,640.00.

3a. Authorize the Mayor, Alex A. Knopp, to execute and deliver in the name and on behalf of the City of Norwalk a certain State Public Library Construction Grant Contract with the Connecticut State Library, State of Connecticut, for State Public Library Construction Grant Number 103B-SC-00 pursuant to Section 111-24c of the General Statutes.

3b. Authorize the Mayor, Alex A. Knopp, to execute and deliver in the name and on behalf of the City of Norwalk any and all other documents, instruments, and amendments thereto, that may be necessary and/or desirable in connection with the acceptance and implementation of the State Public Library Construction Grant Number 103B-SC-00.

4. Authorize the Mayor, Alex A. Knopp, to execute an amendment to Schoenhardt Architects' contract for the South Norwalk Library for additional structural investigation for an amount not to exceed \$14,916. Acct. #09 00/03/04 6210 5777 C0153.

## **VII. COMMON COUNCIL COMMITTEES**

### **A. FINANCE COMMITTEE**

1. For informational purposes only: Narrative on Tax Collections dated December 11, 2003.
2. For informational purposes only: Monthly Tax Collector's Report Dated November 30, 2003.
  
1. For Informational Purposes Only: Narrative on Tax Collections dated Jan. 8, 2004
2. For informational purposes only: Monthly Tax Collector's Report Dated December 30, 2003.

3. For informational purposes only: Revaluation information presented to Finance Committee on January 8, 2004.

Mr. Kimmel moved consent to table the following Item (only)

C. ORDINANCE COMMITTEE

1. Proposed amendment to the Code of the City of Norwalk, Chapter 73A, "Parking Authority".

Mr. Kimmel continued with the Items to be included on the consent calendar.

1. Alternative Amendment to Norwalk Code, Chapter 73A, Parking Authority Ordinance.

D. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Steeltech Building Products, Inc., for the Door Replacement Program at the Wastewater Treatment Plant, Project No. 2042, for a sum not to exceed \$76,347. (funding approved Capital Budget Fiscal Year 2002-03) Acct. # 09 03 4060 5777 C0256
2. Authorize the Mayor, Alex A. Knopp, to execute an Amendment to the Agreement with Vanasse Hangen Brustlin, Inc., to provide professional engineering services in connection with the 4R Pavement Management Program, for a sum not to exceed \$35,000. Acct. # 09 04 4021 5777 C0021

Mr. Kimmel moved consent to refer the following Item back to committee.

E. LAND USE COMMITTEE

1. "Approve the following updated list of historic sites and buildings under the jurisdiction of the Norwalk Historical Commission (updated information in **bold**):
  - Mill Hill Historic Park (**including Town House, School House Governor Fitch Law Office, the Barn and Old Jail on Smith Street, Roger-Ritch-Merritt House and Mill Hill Cemetery**)
  - Lockwood Mathews Mansion, (including Gate Lodge, **Carriage House, Gardener's Cottage and Laundry/Summer Kitchen**)
  - Norwalk Museum **Leasehold and Collection**
  - Pine Island Cemetery
  - Brookside Cemetery
  - Kellogg Cemetery

**Ward House on Cannon Street has been deleted from the original list."**

Mr. Kimmel continued with Items to be included on the consent calendar.

2. Authorize the Mayor, Alex A. Knopp, to execute an agreement with ADT Security Systems Inc. to provide fire and burglary alarms monitoring and maintenance services at City Hall. The agreement shall commence on January 1, 2004 and ending on December 31, 2005 for an annual amount not to exceed \$8,695.00, with three (3) additional one (1) year option at an increase of 2% per year of monitor/maintenance costs.  
Acct. #014929-5296
1. Authorize the Mayor, Alex A. Knopp, to execute an amendment to U.S, Academy of Gymnastics, Inc.'s lease agreement for Roosevelt Center to include the use of two rooms above Norwalk Senior Center, for back office space. Rent shall be \$6,300 per year plus \$1,800 per year for utilities. All remaining terms of the agreement to remain unchanged.

Mr. Krummel requested that Items VI. A 1b and 1d be removed from the consent calendar. Mr. Hempstead requested that Items VII. A 4 and VII E 4.

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

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

**A. NORWALK FACILITIES CONSTRUCTION COMMISSION**

1b. Authorize the Mayor, Alex A. Knopp, to execute a construction contract with Resun Leasing, Inc. for the relocation of 8 existing classrooms from the Brookside School site and the installation of the same 8 classrooms at the Brien McMahon High School site along with 4 additional classrooms, for an amount not to exceed \$274,575.00 Acct. #09035010-5777-C0237

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE ITEM**

The Mayor indicated that Mr. Hawley and Mr. Lo were available to answer any questions.

Mr. Krummel said the reasons for this Item to be removed from the consent calendar are with regards to the wording as it is inaccurate. Secondly, he considered it to be rather complex and that it required a little more explanation. For example, the relocation of eight existing classrooms is part of the authorization for the construction contract but the relocation of the eight existing classrooms is already included in the Brookside contract. He referred to the backup material. Mr. Krummel said what they are really talking about is the installation of the eight existing classrooms at the Brien McMahon site along with the installation of the four additional classrooms.

Mr. Hawley agreed with the statement.

Mr. Krummel suggested a change in the motion's wording, as follows:

1b. Authorize the Mayor, Alex A. Knopp, to execute a construction contract with Resun Leasing, Inc. for the installation of the 8 classrooms currently at Brookside School site and the Brien McMahon High School site along with 4 additional classrooms, for an amount not to exceed \$274,575.00 Acct. #09035010-5777-C0237.

**\*\* MR. KRUMMEL MOVED TO AMEND THE MOTION.**

**\*\* MOTION TO AMEND PASSED UNANIMOUSLY BY VOICE VOTE.**

**\*\* MAIN MOTION AS AMENDED PASSED UNANIMOUSLY BY VOICE VOTE.**

1d. Authorize the Mayor, Alex A. Knopp, to execute an amendment to the Lease Agreement between the City and Resun Leasing, Inc. dated March 26, 2002 to reflect the relocation of the **8 existing modular classrooms from Brookside School site to the Brien McMahon High School site** and the inclusion of 4 additional classrooms at the Brien McMahon High School site, for an additional amount of \$383,346.00. Acct. #09035010-5777-C0237.

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Krummel explained that the contract they have with Resun Leasing runs to June 30, 2004 and they are talking about an eighteen-month period of rental. He said that puts the units to December 30, 2005. He said they have been offered a lower monthly lease rate

for a twenty-four month lease. He asked for confirmation that they will not require the twenty-four month lease period and they will make use of the facilities and it will be complete by December 30, 2005.

Mr. Hawley stated that the rental will start in January 2005, there will be no charge for the first six months.

Mr. Krummel asked that the Item refers strictly to rental; it does not include relocating. He suggested the following wording:

1d. Authorize the Mayor, Alex A. Knopp, to execute an amendment to the Lease Agreement between the City and Resun Leasing, Inc. dated March 26, 2002 to reflect the **rental** of the 8 existing modular classrooms from Brookside School site to the Brien McMahon High School site and the inclusion of 4 additional classrooms at the Brien McMahon High School site, for an additional amount of \$383,346.00 **for the period January 2005 to July 2006**. Acct. #09035010-5777-C0237.

**\*\* MR. KRUMMEL MOVED TO AMEND THE MOTION.**

**\*\* MOTION TO AMEND PASSED UNANIMOUSLY BY VOICE VOTE.**

**\*\* MAIN MOTION AS AMENDED PASSED UNANIMOUSLY BY VOICE VOTE.**

5. Authorize the NFCC to issue Proposed Change Order #63 to the Fusco Corporation's contract for Brookside School Replacement Project for a total not to exceed \$19,848.00 as an increase to the Guaranteed Maximum Price (GMP). Board of Education shall proceed with Special Appropriation Process for the above amount.

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE ITEM**

Mr. Hawley noted that this is change order number 63 for Brookside School.

Mr. Hempstead said it was his understanding that there was a cap set by this council for this project. He asked if this exceeds the cap.

Mr. Hawley replied that this has increased Fusco's GMP.

Mr. Hempstead stated that the Brookside project has gone beyond its original appropriation. Mr. Hawley concurred.

Mr. Hempstead commented that the cost of the over-runs are astronomical and suggested that this account deserves some kind of independent audit.

Mr. Kimmel said this Council had very little to do with the Brookside project as it had started long before 2001. He said many of the problems that they are addressing now go back to the early days of the project. The project was ill conceived and the budget was too low in light of what the original Council wanted to do. Mr. Kimmel said there are many people on this Council who are very concerned about the cost of this project and they are doing all they can to finish it and to find whatever savings they can.

Mr. Krummel added that with respect to the South Norwalk Library they are taking the precaution of a much more thorough investigation of the facilities before proceeding. He said that is what should have been done at the Brookside School.

Mayor Knopp commented that during the last meeting of the NFCC he would be seeking an audit of the cost of over-runs at Brookside School.

**\*\* MOTION PASSED ELEVEN VOTES IN FAVOR, THREE VOTES OPPOSED (MR. BONDI, MR. HEMPSTEAD, MR. MCQUAID).**

## **VII. COMMON COUNCIL COMMITTEES**

### **A. FINANCE COMMITTEE**

1. Accept and Approve the Report of the Claims Committee Dated November 12, 2003 & December 11, 2003.
5. Accept and Approve the Report of the Claims Committee Dated January 8, 2004.

**\*\* MR. KIMMEL MOVED APPROVAL OF THE TWO ITEMS.**

Mr. Miklave recused himself and left the Common Council chambers.

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Mr. Miklave re-joined the meeting.

1. Authorize the Mayor, Alex A. Knopp, to sign an amendment with RCC Consultants contract for the development of specifications for a new telephone system for City Hall for a sum not to exceed \$37,000.00

**\*\* MR. KIMMEL MOVED APPROVAL OF THE ITEM**

Mayor Knopp indicated that Mr. Foley was present to answer any questions.

**\*\* MR. HEMPSTEAD MOVED TO REFER THE ITEM BACK TO COMMITTEE.**

Mr. Hempstead said there are ways of saving money on telephones and one of them is to bring in several different companies (SNET for example) and have them go through the system and to make their recommendations. He said he would like to see some alternative suggestions before spending any money.

Mr. Foley said they are seeking to work with RCC as they are currently working on the police station and Brien McMahon and to add city hall would be to do a combined bid.

Mayor Knopp said the problem is by asking vendors is that one of their rules is that vendors are not allowed to write specifications and then to bid on them. He said this way they are seeking to come up with a bid package so they can enjoy the economy of scale on all three projects.

Mr. Hempstead said that the vendors need not write specifications; they could simply bid to show a comparison. He went onto say that RCC could review the bids. He added that this is a normal business procedure.

Mr. Miklave cautioned that there are city systems that are fragmented throughout the city because they treat every project as a thing unto itself. He said he considered it to be a mistake to look at the telephone system to be different from the systems around the city.

Mr. McQuaid asked Mr. Foley if he had the costs for Brien McMahon and Police Department.

Mr. Foley said for the Police Department it was \$91,931 and for Brien McMahon High School it was \$109,500.

Mr. Coffey said he considered this to be a good move with regard to the integration of technology.

Mr. Hempstead said he did not say this on a whim. He stated that this is a common business practice; he was simply trying to find a way to save money.

**\*\* MOTION TO REFER BACK TO COMMITTEE FAILED, TWO VOTES IN FAVOR (MR. HEMPSTEAD, MR. MCQUAID), TWELVE VOTES OPPOSED BY VOICE VOTE.**

**\*\* MAIN MOTION PASSED TWELVE VOTES IN FAVOR, TWO VOTES OPPOSED (MR. HEMPSTEAD, MR. MCQUAID) BY VOICE VOTE.**

**A. RECREATION, PARKS & CULTURAL AFFAIRS COUNCIL COMMITTEE**

1. Authorize the Mayor, Alex A. Knopp, to execute an amendment to extend the agreement with Atlas Pyrovision Productions, Inc. to cover the 2004 and 2005 Fireworks display July 3<sup>rd</sup> with a rain date of the 5<sup>th</sup>. An amount not to exceed \$35,000 including the barge each year. Acct. # 016021-298

**\*\* MR. BONDI MOVED APPROVAL OF THE ITEM.**

Mr. Poruban recused himself and left the Common Council Chambers.

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

Mr. Poruban re-joined the meeting.

**E. LAND USE COMMITTEE**

1. Authorize the Mayor, Alex A. Knopp, to execute a lease agreement with Southwestern Regional District CVB for the Gate House at Mathews Park. Lease period shall be for 5 years with a 5 year renewal option for an annual payment of \$1, with the District responsible for all operating expenses.

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mayor Knopp indicated that both Mr. Walters, Chairman of the Tourism Council and Mr. Paganelli, Executive Director of Southwestern Regional District were available to answer questions.

Mayor Knopp indicated that he had met with both Mr. Walters and Mr. Paganelli last Monday and they indicated they could not pay their current rent and he indicated that he was in support of the motion due to the importance of tourism to Norwalk. On Tuesday they accepted the offer but he was not aware of this; this was why it had been added to tonight's agenda.

Mr. Krummel referred to Mr. Coffey's earlier question with regard to insurance.

Mayor Knopp said this was answered today; he explained that the District would be required to provide liability insurance as well as fire insurance.

Mr. Hempstead asked Mr. Walters and Mr. Paganelli asked why they wanted to move.

Mr. Paganelli said they had actually vacated the building because their budget was reduced and they had consolidated their administrative operations. Mr. Walters said one of the things that had generated their need to relocate was that the state has re-organized the districts, their district lost about 65% of its funding. He said they have had to lay off two thirds of the staff and they are back to an operation they were at fifteen years ago.

Mr. Walters gave a break down of the fifteen municipalities in the district.

Mr. Hempstead asked if an request for proposal had gone out to any others for rent.

Mayor Knopp replied that the city had not entertained any proposals, as it is not a commercial facility. He also said that both Stamford and Bridgeport had offered to take the facility out of Norwalk.

Mr. Hempstead asked what the hours of operation would be.

Mr. Paganelli said they are looking at a lot of options; definitely five days a week and their hope is to add weekends.

Mr. Hempstead stated that he did not think it fair that the citizens of Norwalk should pick up tab when there are state cut-backs. He said to give this away for a dollar a year is not good.

Mr. Walters said they had a number of centers including a mobile van; all that has now gone. This is the only way they will have any kind of visitor information presence at all. The benefit that Norwalk gets is there will be a visitor information center, if they are not at the Gatehouse there will not be a center.

Mr. Hempstead asked about evenings and weekends, when visitors come to the city.

Mr. Kimmel asked if any kind of analysis had been done with regard to the cash benefits by having the visitor center in Norwalk.

Mr. Paganelli said he did not have any numbers specific to having the visitor information in Norwalk. However, he said they do serve the twenty to forty thousand visitors that do come into Norwalk. He said there is a tremendous benefit to having it in Norwalk.

Mr. Kimmel said it would be useful to have that kind of information, as this is a benefit to tax payers instead of a drain.

Mr. Walters said there was a study done a number of years ago, where every \$1 was spent by the tourism district, some \$22 came back in the form of revenues. The bottom line is that there is a positive benefit.

Mr. Krummel said the state has dropped the ball and he applauded the city of Norwalk in the initiative in moving forward to support this project. He asked if Mr. Paganelli foresaw any major capital improvements.

Mr. Paganelli said as previous tenants they have already invested around \$60,000 in restoration as it was his deliberate intention to restore the building. He said the main building is not handicap accessible and that is one of their priorities.

Mr. Coffey commented that he considered this to be a win/win proposition and they are fortunate to have chosen Norwalk for their headquarters. He said it will be an excellent return on their money.

Mr. Wien said although he thought the location as a great idea, he did agree with Mr. Hempstead that as a tourist point they should consider staying open during the weekends as this would be crucial.

Mr. Paganelli said they should be able to stay open seven days a week due to their excellent volunteer group. He also agreed that weekends and evenings are a critical time to receive visitors and to connect them to the restaurants, shops and hotels; he added that they would certainly do their best to stay open during those times.

Mr. McQuaid asked if they were paying rent when they previously occupied the Gate House.

Mr. Paganelli replied that they were paying \$1 a year, or \$1,200 when they factored in insurance coverage; the same rate that they want now. He gave some background history with regard to where they had their offices.

Mr. Hempstead said he had no doubt that what they are doing is a wonderful thing, he said it a question of being fair. He said they are giving away something for nothing to an agency that the state aids and all the others towns are going to get a free ride. Mr. Hempstead said he thought it was a great idea to have them in Norwalk, he added that he also thought it a good idea if they paid a fair share of the rent to the city. He said the question is, should they not as a city seek rent for this office.

Mr. Paganelli said he understood where Mr. Hempstead was coming from but wished to make the following comments. The issues are there is a benefit to Norwalk that the other communities do not receive in that they are able to move people directly to Norwalk facilities by being here. Another issue is that their budget has been so significantly reduced that the effect of what they do is to focus as much of their budget on marketing and as little of it on overheads. Mr. Paganelli said they have had offers from other communities to go there free of charge and that is the direction they will go if they need to. He said their decision has to be based on how they can be most effective with the money they have. In conclusion, Mr. Paganelli said this is not a situation they desire to be in but they are dealing with the reality they have been dealt.

**\*\* MR. HEMPSTEAD MOVED TO AMEND THE AGREEMENT TO PROVIDE THAT THE TOURIST DISTRICT SHALL REMAIN OPEN FOR SEVEN DAYS A WEEK, FORTY-EIGHT WEEKS OUT OF THE YEAR.**

Mayor Knopp said he did not believe that the Common Council had the authority to enforce hours of operation. He asked Mr. Hempstead what the penalty shall be if they do not open for the agreed hours. Mr. Hempstead replied that they should pay rent as a penalty.

Mr. Bondi agreed that this is a good amendment, in that it is only right that they stay open seven days a week because this is when it is most important for visitors stopping by etc. He said it was good to have that stipulation included and that it was good to have the visitor center in Norwalk, as it is a good asset.

Mr. Baker asked when they had a \$1 for the lease previously did they have the same hours of operation as they are proposing to have now.

Mr. Paganelli said for the last ten years they did not have their administrative offices in that building as they had outgrown the space.

Mr. Baker confirmed that when they had started to pay rent it was because they had more obligations.

Mr. Paganelli said they are back to where they were about ten years ago with regard to funding, structure etc.

Mr. Baker asked if there were stipulations on the hours during that time. Mr. Paganelli said the center was not open on weekends for the earlier years; only during the summer months.

Mr. Kimmel asked if the city had ever given the ability to do what they are doing for a year based on something that restrictive.

Mayor Knopp, said no, nothing this specific.

Mr. Kimmel said dealing with non-profits there is a presumption of trust because people want to do the best they can and where possible, stay open. He said he trusted them to do the right thing and that he had no doubt that people at the center would be there as much as possible.

Mr. Walters said not only do they not have their desires because they have been stated; but they also have a track record, they have been on this site for fifteen years doing exactly what they intend to keep doing. He said this demonstrates that they want to be out there and open because that is where they want to be.

Mayor Knopp said he agreed with Mr. Kimmel. He said when the Rowland administration tried to cut this budget it was always turned down. At some point last year, they lost because of bigger budget deals. The Mayor continued to say that the money that used to go to Norwalk tourism sites now goes to promote a hotel area in Hartford. He asked do we acquiesce to a long-range decision to diminish a local visitor center or find a way to deal with it and let it go to Stamford or Bridgeport. Mayor Knopp said he was opposed to the idea of encumbering the lease to stay open seven days a week.

Mr. Krummel said he definitely opposed to micro-managing the fine operations; imposing seven day a week requirement will interfere with their management and that they have to show confidence in running their operation properly.

Mr. Wien asked if this was a demand, could they do it.

Mr. Paganelli said they could work towards this. Mr. Walters said they cannot commit that they will be there seven days a week.

**\*\* MR. HEMPSTEAD WITHDREW HIS MOTION TO AMEND THE MOTION.**

Mayor Knopp asked for discussion on the original amendment.

Mr. Hempstead asked how many towns and cities are in their district. Mr. Paganelli replied that there are fifteen.

Mr. Hempstead asked if Norwalk was better or less off because of where the center is situated.

Mayor Knopp said during a previous meeting he had said he would contact the other effected municipalities and would ask for donations and other materials.

Mr. McQuaid said if they had known what had gone on during the previous meeting in the Mayor's office, they would not have gone through this discussion tonight. He suggested that this should have gone through committee.

**\*\* MOTION PASSED TWELVE VOTES IN FAVOR, TWO OPPOSED (MR. HEMPSTEAD, MR. MCQUAID).**

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**VIII. RESOLUTIONS FROM COUNCIL MEMBERS**

There were none this evening.

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

There were none this evening.

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**X. SUSPENSION OF THE RULES**

There were none this evening.

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**XI. ADJOURNMENT**

**\*\* MR. BONDI MOVED TO ADJOURN.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The meeting was adjourned at 10:15 pm.

ATTEST: \_\_\_\_\_

*Pam Stark, City Clerk*