

**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 7:39 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Ms. King 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. Michael Corsello  
Mr. Nicholas Sacchinelli  
Ms. Barbara Smyth

District A: Ms. Eloisa Melendez Mr. Chris Yerinides

District B: Mr. Ernest Dumas Ms. Darlene Young

District C: Mr. John Kydes Ms. Beth Siegelbaum

District D: Mr. George Tsiranides Mr. Douglas Hempstead

District E: Mr. John Igneri Mr. Thomas Livingston

At Roll Call there were thirteen (13) Common Council members present and two (2) absent (Mr. Burnett and Mr. Hosten)

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

**II. ACCEPTANCE OF MINUTES**

The following corrections were made to the minutes:

Page 1: Correct the spelling of Ms. Siegelbaum name.

Page 10: Third paragraph, second sentence should read...Mr. Livingston thanked...

**\*\* MR. IGNERI MOVED TO ACCEPT THE MINUTES AS CORRECTED  
\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MS. SIEGELBAUM)**

### **III. PUBLIC PARTICIPATION**

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

Ms. Shannon O'Toole Giandurco congratulated those returning to the Common Council and wished the best to those leaving. She thanked Mr. Hempstead for everything he taught everyone over all of his terms.

Mr. John Flynn said the procedure for public comment should be changed so members of the public could discuss items that are not on the agenda.

### **IV. MAYOR**

**A. RESIGNATIONS AND APPOINTMENTS RESIGNATIONS:**

**APPOINTMENTS:**

**REAPPOINTMENTS:**

**MAYOR'S REMARKS:**

Mayor Rilling said that he and the Town Clerk will be sworn in at 11:30 am on November 19, 2019 in the Community Room at City Hall. At 7:30 pm on the same day, the Common Council members will take the oath of office in the Council Chambers. The Mayor recognized and thanked the six retiring members of the Common Council. He said they operated as a team who wanted to make Norwalk grow.

Mayor Rilling congratulated the Norwalk High School Marching Band for their National Championship Title. He thanked the students, parents and the support team and noted that it is all a labor of love.

### **V. COUNCIL PRESIDENT**

**A. GENERAL COUNCIL BUSINESS:**

**B. CONSENT CALENDAR:**

**\*\* MR. CORSELLO MOVED THE FOLLOWING CONSENT CALENDAR:**

**VII.A.1, VII.B.1, VII.B.2, VII.B.3, VII.B.4, VII.V.1**

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

**A. CORPORATION COUNSEL**

**VII. COMMON COUNCIL COMMITTEES**

**A. LAND USE AND BUILDING MANAGEMENT COMMITTEE**

**1. TECHNICAL CORRECTION:**

**CORRECT COMMON COUNCIL ACTION OF SEPTEMBER 10, 2019 ITEM VII. E.4. & 5. TO REFLECT THE CORRECT ACCOUNT NUMBER OF #0918/195010 5777 C0610:**

**“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. #0918/195010 5777 C0610**

**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 WOOD DOORS & PANELING REPLACEMENT 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. #0918/195010 5777 C0610”**

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

**1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A RIGHT OF ACCESS AND ENTRY AGREEMENT WITH CIANBRO CORPORATION TO MOBILIZE AND STAGE A CRANE OVER A PORTION OF THE POLICE STATION PARKING LOT.**

**2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION UNDER THE 2019-2020 MUNICIPAL DUI ENFORCEMENT GRANT IN THE AMOUNT OF \$60,223.56.**

**3. AUTHORIZE THE PURCHASING AGENT, SHARON CONNERS, TO EXECUTE A PURCHASE ORDER ON BEHALF OF THE FIRE DEPARTMENT TO MOTOROLA SOLUTIONS FOR THE PURCHASE OF PORTABLE RADIOS AS PER SOLE SOURCE PROCUREMENT REQUEST, FOR AN AMOUNT NOT TO EXCEED \$411,000. ACCOUNT # 09203110 0639.**

**4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH RESOURCE MANAGEMENT ASSOCIATES. FOR THE PROMOTIONAL EXAMS – FIRE DEPARTMENT (LIEUTENANT, CAPTAIN AND DEPUTY CHIEF) AT COST NOT TO EXCEED \$28,730.00 FROM ACCOUNT 013140 5258.**

**C. FINANCE COMMITTEE**

**1. RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF UP TO \$22,000,000 CITY OF NORWALK GENERAL OBLIGATION REFUNDING BONDS RESOLVED:**

**SECTION 1. A MAXIMUM AMOUNT OF \$22,000,000 GENERAL OBLIGATION REFUNDING BONDS (THE “REFUNDING BONDS”) OF THE CITY OF NORWALK, CONNECTICUT (THE “CITY”) MAY BE ISSUED AND SOLD, SUBJECT TO FINAL APPROVAL BY THE COMMITTEE (AS DEFINED AND DESCRIBED BELOW), IN ONE OR MORE SERIES, IN SUCH PRINCIPAL AMOUNTS, AS THE MAYOR AND THE CHIEF FINANCE OFFICER SHALL DETERMINE TO BE IN THE BEST INTEREST OF THE CITY FOR THE PURPOSE OF ACHIEVING NET PRESENT VALUE SAVINGS AND/OR TO MODERATE DEBT SERVICE PAYMENTS. THE REFUNDING BONDS ARE HEREBY AUTHORIZED TO REFUND ALL OR ANY PORTION OF ANY ONE OR MORE SERIES OF THE CITY’S OUTSTANDING GENERAL OBLIGATION BONDS (THE “REFUNDED BONDS”). SUBJECT TO FINAL**

**APPROVAL BY THE COMMITTEE, EACH SERIES OF REFUNDING BONDS SHALL MATURE IN SUCH AMOUNTS AND ON SUCH DATE OR DATES AS SHALL BE DETERMINED BY THE MAYOR AND THE CHIEF FINANCE OFFICER, PROVIDED THAT NO REFUNDING BONDS SHALL MATURE LATER THAN THE FINAL MATURITY DATE PERMITTED BY LAW. THE REFUNDING BONDS SHALL BE EXECUTED IN THE NAME AND ON BEHALF OF THE CITY BY THE MANUAL OR FACSIMILE SIGNATURES OF THE MAYOR, THE COMPTROLLER, AND THE CHIEF FINANCE OFFICER, BEAR THE CITY SEAL OR A FACSIMILE THEREOF, AND BE APPROVED AS TO THEIR LEGALITY BY PULLMAN & COMLEY, LLC, BOND COUNSEL. THE REFUNDING BONDS SHALL BE GENERAL OBLIGATIONS OF THE CITY AND EACH OF THE REFUNDING BONDS SHALL RECITE THAT EVERY REQUIREMENT OF LAW RELATING TO ITS ISSUE HAS BEEN DULY COMPLIED WITH, THAT SUCH BOND IS WITHIN EVERY DEBT AND OTHER LIMIT PRESCRIBED BY LAW, AND THAT THE FULL FAITH AND CREDIT OF THE CITY ARE PLEDGED TO THE PAYMENT OF THE PRINCIPLE THEREOF AND INTEREST THEREON. THE NET PROCEEDS OF THE SALE OF THE REFUNDING BONDS, AFTER PAYMENT OF THE UNDERWRITER'S DISCOUNT AND OTHER COSTS OF ISSUANCE, SHALL BE DEPOSITED IN AN IRREVOCABLE ESCROW ACCOUNT IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, INTEREST AND REDEMPTION PREMIUM, IF ANY, DUE ON THE REFUNDED BONDS TO MATURITY OR EARLIER REDEMPTION PURSUANT TO THE PLAN OF REFUNDING. THE MAYOR AND THE CHIEF FINANCE OFFICER ARE AUTHORIZED TO APPOINT AN ESCROW AGENT AND OTHER PROFESSIONALS, INCLUDING THE CERTIFYING, PAYING, REGISTRAR AND TRANSFER AGENT FOR THE REFUNDING BONDS, AND TO EXECUTE AND DELIVER ANY AND ALL ESCROW, INVESTMENT AND RELATED AGREEMENTS NECESSARY TO PROVIDE FOR ANY DEBT SERVICE OR REDEMPTION PAYMENTS ON THE REFUNDED BONDS AND TO PROVIDE FOR THE TRANSACTION CONTEMPLATED HEREBY. THE COMMON COUNCIL HEREBY DELEGATES TO THE MAYOR AND THE CHIEF FINANCE OFFICER, SUBJECT TO THE FINAL APPROVAL OF THE PRESIDENT OF THE COMMON COUNCIL, THE MAJORITY LEADER OF THE COMMON COUNCIL, THE MINORITY LEADER OF THE COMMON COUNCIL, AND THE CHAIRMAN OF THE FINANCE COMMITTEE OF THE COMMON COUNCIL, OR ANY TWO OF THEM (THE "COMMITTEE"), THE AUTHORITY TO DETERMINE THE NUMBER OF SERIES TO BE ISSUED, THE PRINCIPAL AMOUNT OF THE REFUNDING BONDS OF EACH SERIES TO BE ISSUED, THE ANNUAL INSTALLMENTS OF PRINCIPAL, REDEMPTION PROVISIONS, IF ANY, AND OTHER TERMS, DETAILS AND**

**PARTICULARS OF SUCH REFUNDING BONDS INCLUDING THE RATE OR RATES OF INTEREST PAYABLE THEREON AND THE TERMS OF ANY PURCHASE AGREEMENT EXECUTED IN CONNECTION WITH THE SALE OF THE REFUNDING BONDS IN A NEGOTIATED UNDERWRITING.**

**SECTION 2. THE REFUNDING BONDS SHALL BE ISSUED AND SOLD EITHER IN A NEGOTIATED UNDERWRITING OR A COMPETITIVE OFFERING, AT SUCH TIME OR TIMES AS THE MAYOR AND THE CHIEF FINANCE OFFICER SHALL DETERMINE TO BE THE MOST OPPORTUNE FOR THE CITY. IF SOLD IN A COMPETITIVE OFFERING, THE REFUNDING BONDS SHALL BE SOLD AT NOT LESS THAN PAR AND ACCRUED INTEREST ON THE BASIS OF THE LOWEST NET OR TRUE INTEREST COST TO THE CITY. IF THE REFUNDING BONDS ARE SOLD BY NEGOTIATION, THE PURCHASE AGREEMENT SHALL BE SIGNED BY THE MAYOR AND THE FINANCE DIRECTOR, SUBJECT TO THE FINAL APPROVAL OF THE COMMITTEE. THE MAYOR AND THE CHIEF FINANCE OFFICER, ARE AUTHORIZED TO PREPARE AND DISTRIBUTE PRELIMINARY AND FINAL OFFICIAL STATEMENTS OF THE CITY FOR USE IN CONNECTION WITH THE OFFERING AND SALE OF ANY REFUNDING BONDS, AND THEY ARE HEREBY AUTHORIZED TO EXECUTE AND DELIVER ON BEHALF OF THE CITY, A CONTINUING DISCLOSURE AGREEMENT, A TAX REGULATORY AGREEMENT, AGREEMENTS MODERATING INTEREST RATE FLUCTUATION PURSUANT TO SECTION 7-370B SUBJECT TO FINAL APPROVAL BY THE COMMITTEE, AND SUCH OTHER AGREEMENTS, INSTRUMENTS, DOCUMENTS AND CERTIFICATES NECESSARY OR DESIRABLE FOR THE ISSUANCE OF THE REFUNDING BONDS AND THE DEBT SERVICE OR REDEMPTION PAYMENTS ON THE REFUNDED BONDS.**

**SECTION 3. THIS RESOLUTION SHALL BE EFFECTIVE UNTIL JULY 31, 2020.**

**\*\* MOTION PASSED UNANIMOUSLY**

Mr. Livingston noted that this is the last meeting of the Common Council for this term. He congratulated everyone who ran and was re-elected and wished a farewell to those who were leaving. He highlighted the accomplishments of this Common Council and said they all worked well together.

Mr. Livingston thanked those who were leaving and said they made his life easier. He presented a plaque of application on behalf of the Common Council.

Common Council members each took time to thank individual Councilmembers who were leaving the Common Council. Common Councilmembers who were leaving also thanked

individual Councilmembers. Mr. Hempstead reflected on his many years on the Common Council. He noted that he had the fortunate experience of serving with five different Mayors. He said they all agreed that it was about Norwalk. Mr. Hempstead was given a standing ovation.

Mayor Rilling thanked everyone and said it was bittersweet because they were losing great Councilmembers. He said everyone worked tirelessly.

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

There were none.

**X. SUSPENSION OF RULES**

There were none

**XI. ADJOURNMENT**

**\*\* MR. HEMPSTEAD, MR. IGNERI AND MS. MELENDEZ MOVED TO  
ADJOURN**

**\*\* MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:36 p.m.

ATTEST: \_\_\_\_\_  
Donna King, City Clerk