

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

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Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called on by the host of the meeting during the public comment section. Please find the information using the link above.

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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Donna King at dking@norwalkct.org to provide written public comment prior to the meeting.

Mayor Rilling called the meeting to order at 7:44 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Mr. Coppola called the Roll. The following Common Council members were present:

Council at Large:	Mr. Gregory Burnett	Ms. Dominique Johnson
	Mr. Manny Langella	Mr. Nicholas Sacchinelli

Ms. Barbara Smyth

District A: Mr. David Heuvelman Mr. Kadeem Roberts

District B: Mr. Ernest Dumas Ms. Darlene Young

District C: Mr. John Kydes Mr. George Theodoridis

District D: Mr. George Tsiranides Mr. Tom Keegan

District E: Mr. Thomas Livingston Ms. Lisa Shanahan

At Roll Call there were fifteen (15) Common Council members present. A Quorum was present.

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

Ms. King read the notice.

II. ACCEPTANCE OF MINUTES

June 23, 2020

**** MR. BURNETT 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. Todd Bryant, Norwalk Preservation Trust spoke about item 7B2, POKO. He said that for the last few months, he worked with the Redevelopment Agency and the developer to improve the design. The design, as it now stands, is vastly better and they get full credit for that. He added that any changes that have to be made now, are relatively small.

Mr. Jason Mulligan spoke in opposition to the POKO project and said that in the past year this project has gone completely underground. He said that POKO 2020 is a bad project. He said that Mr. McClutchy is a millionaire who does not spend time in Norwalk and wants to make a \$10 million development deal on this project.

Mr. Mulligan said this project has fake infrastructure. He said that Norwalk will get 34 apartments below market rate, but the rest are expensive. Any other project would require 10% affordable housing; any other builder would have to build 18 apartments. The City will collect less in taxes than it currently gets. Mr. Mulligan asked the Common Council to make Mr. McClutchy pay his fair amount; this does not create tax revenue.

Ms. King read three letters into the record:

Mr. Patrick McMahon submitted a letter in support of the Wall Street project.

Ms. Diane Lauricella submitted a letter in opposition to the West Rocks project and asked that the items related to West Rocks be tabled.

Ms. Audrey Cozzarin, Chair Oak Hills Park Nature Advisory spoke in opposition to the use of artificial turf and said there is no place for it in Norwalk.

Ms. Audrey Avalon wished to speak and asked why no one addressed Mr. Mulligan. She asked about the plans for Isaac Street. Mayor Rilling recommended that Ms. Avalon contact Mr. Carr who can share those plans with her.

IV. MAYOR

A. RESIGNATION AND APPOINTMENTS

RESIGNATIONS: There were no resignations this evening.

APPOINTMENTS:

**** MS. SMYTH MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

MATTHEW O'CALLAGHAN, ARTS COMMISSION

Ms. Smyth spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MS. SMYTH MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

TANNER THOMPSON, BIKE WALK COMMISSION

Ms. Smyth spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KEEGAN MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

DENISE BROWN, OAK HILLS PARK AUTHORITY

Mr. Keegan spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MS. YOUNG MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

TAMARA A. SHOCKLEY, PLANNING COMMISSION

Ms. Young spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KEEGAN MOVED TO APPROVE THE FOLLOWING APPOINTMENT**

MARK JACKSON, HISTORICAL COMMISSION

Mr. Keegan spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS:

**** MR. ROBERTS MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

NORI A. GRUDIN, ARTS COMMISSION

BRIAN KASPR, ARTS COMMISSION

JANET EVELYN, ARTS COMMISSION

Mr. Roberts spoke in support of the reappointments.

**** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

JUDSON R. ALEY, BIKE WALK COMMISSION

COLIN J. GROTHEER, BIKE WALK COMMISSION

Mr. Livingston spoke in support of the reappointments.

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**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS**

FRAN DIMEGLIO, PLANNING COMMISSION

MARY PENISTON, PLANNING COMMISSION

Mr. Kydes spoke in support of the reappointments

**** MOTION PASSED UNANIMOUSLY**

MAYOR'S REMARKS:

Mayor Rilling welcomed the new Superintendent of Schools, Dr. Alexandra Estrella, to Norwalk. He said she is committed to open communication. He added that he feels she will be a pleasure to work with.

Mayor Rilling said the City is working with Wall Street Theater and local restaurants to bring independent films into the Wall Street area. He said plans on providing a unique graduation experience for Norwalk's high school seniors are in motion. Covid robbed the high school seniors of their graduation.

On July 27, 2020, a second walk up window at City Hall will be added to increase timely service to residents. In addition, there will also be a drop box, where people can drop off documents for various departments.

While several states are experiencing a resurgence of COVID 19 cases, Norwalk and the State of CT have fared better because of the caution exercised in the reduction of restrictions brought about by the pandemic.

Mayor Rilling said he was proud of the people in Norwalk. He sees people practicing social distancing and wearing masks.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Ms. Smyth said she looked forward to a collaborative relationship with Dr. Estrella.

RESIGNATION AND APPOINTMENTS RESIGNATIONS:

APPOINTMENTS: There were none.

REAPPOINTMENTS: There were none.

B. CONSENT CALENDAR:

** MS. YOUNG MOVED THE FOLLOWING CONSENT CALENDAR:

VII.A.1, VII.A.2a, VII.A.2b, VII.B.1, VII.B.2, VII.C.2, VII.C.3a, VII.C.3b, VII.C.3c, VII.C.4a, VII.C.4b, VII.C.6, VII.C.9, VII.C.10, VII.D.1, VII.D.3, VII.D.4, VII.D.5, VII.D.6, VII.E.1, VII.E.2a, VII.E.2b, VII.E.3a, VII.E.3b, VII.E.4a, VII.E.4b, VII.E.5, VII.E.6, VII.F.1, VII.F.2, VII.F.3, VII.F.4,

VI. REPORTS:

DEPARTMENTS, BOARDS AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. HEALTH AND PUBLIC SAFETY COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT ON BEHALF OF THE FIRE DEPARTMENT TO SEAGRAVE FIRE APPARATUS LLC FOR THE PURCHASE OF A 100 FOOT LADDER TRUCK. NOT TO EXCEED \$1,350,000. ACCOUNT NUMBER 0920310 5777 C0437

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR THE SUPPLY, INSTALLATION, AND SERVICE OF RADIO SYSTEM DISPATCH CONSOLE EQUIPMENT FOR THE POLICE AND FIRE RADIO SYSTEM, PRICING AS PER STATE OF CONNECTICUT MASTER CONTRACT #A-99-001 AND # 967-A23-0338C, FOR AN AMOUNT NOT TO EXCEED \$895,184; FROM ACCOUNT # 09203620 5777 C0638 AND REMAINDER FROM ACCOUNT #01013071 5262.

2B. AUTHORIZE CHIEF THOMAS KULHAWIK TO EXECUTE CHANGE ORDER(S) TO THE ABOVE AGREEMENT FOR THE AMOUNT NOT TO EXCEED \$32,743. ACCOUNT #09203620 5777 C0638 AND 01013071 5262.

B. PLANNING COMMITTEE

1. APPROVE THE AMENDED PY45 ANNUAL ACTION PLAN (AAP) AND CITIZEN PARTICIPATION PLAN FOR THE INCLUSION OF CDBG-CV FUNDS AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS ASSOCIATED WITH THE AMENDED PY45 AAP TO HUD AND ALL DOCUMENTS CONSISTENT WITH THE AMENDED PY45 AAP.

2. AUTHORIZE THE MAYOR TO SUBMIT WAIVER REQUESTS RELATED TO THE CARES ACT/CDBG-CV PROGRAM TO HUD ON BEHALF OF THE AFFECTED PERSONS AS IDENTIFIED BY THE CDBG-CV PUBLIC DISCLOSURE FORMS.

C. PUBLIC WORKS COMMITTEE

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A SECOND AMENDMENT TO THE WOODARD & CURRAN AGREEMENT DATED AUGUST 12, 2019 TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR THE STORM DRAINAGE SYSTEM EVALUATION IN ACCORDANCE WITH SCOPE OF SERVICES TASK ORDER 1E “DREAMY HOLLOW DRAINAGE SYSTEM IMPROVEMENTS” DATED JULY 1, 2020 (COPY OF INCLUDED) FOR A SUM NOT TO EXCEED \$578,886.00. ACCOUNT NO. 09 19 4027 5777 C0425 09 20 4027 5777 C0425

3A. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION OF MARCH 12, 2019, ITEM VII.C.4 TO ADD ACCOUNTS DESIGNATED FOR THE REPAVING OF THE FIRE HOUSE APPARATUS MAINTENANCE BUILDING PARKING LOT LOCATED AT 100 FAIRFIELD AVENUE, ACCOUNT NUMBER: 09 16 3110 5777 C0509.

3B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH DEERING CONSTRUCTION, INC. FOR PROJECT PM2019-1 PAVEMENT MANAGEMENT PROGRAM FOR A SUM NOT TO EXCEED \$4,538,688.50. ACCOUNT NO. 09 18 4021 5777 C0021 09 19 4021 5777 C0021 09 19 4027 5777 C0302 09 18 4021 5777 C0503 09 17 4021 5777 C0515 09 19 6030 5777 C0472 09 19 6310 5777 C0186 09 19 6310 5777 C0092 09 19 6310 5777 C0132 09 12 4021 5777 C0504 09 16 4021 5777 C0232 03 00 00 2602 01 41 50 5298 09 18 6030 5777 C0588 09 19 6030 5777 C0588 09 20 6030 5777 C0588 09 16 3110 5777 C0509

3C. AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO EXECUTE ORDERS ON THE CONTRACT WITH DEERING CONSTRUCTION, INC. FOR PROJECT PM2019-1 PAVEMENT MANAGEMENT PROGRAM FOR A SUM NOT TO EXCEED \$453,868.85 ACCOUNT NO. 09 18 4021 5777 C0021 09 19 4021 5777 C0021 09 19 4027 5777 C0302 09 18 4021 5777 C0503 09 17 4021 5777 C0515 09 19 6030 5777 C0472 09 19 6310 5777 C0186 09 19 6310 5777 C0092 09 19 6310 5777 C0132 09 12 4021 5777 C0504 09 16 4021 5777 C0232 03 00 00 2602 01 41 50 5298 09

18 6030 5777 C0588 09 19 6030 5777 C0588 09 20 6030 5777 C0588 09 16
3110 5777 C0509

4A. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION OF DECEMBER 10, 2019, ITEM VII.A.1 TO ADD ACCOUNTS DESIGNATED FOR LED STREET LIGHT CONVERSION DESIGN, ACCOUNT NUMBER: 09 20 4031 5777 C0647.

4B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORWALK AND SOUTHPORT ASSOCIATES, PC, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE HISTORIC STREET LIGHT SYSTEM ON WALL STREET, FOR A SUM NOT TO EXCEED \$16,800.00. ACCOUNT NO. 01 40 30 5258 09 20 4031 5777 C0647

5. DISCUSS AND VOTE TO SCHEDULE A PUBLIC HEARING TO INCREASE THE FEE FOR ACCEPTABLE SOLID WASTE FROM \$85/TON TO \$90/TON TO BE SET BY THE DEPARTMENT OF OPERATIONS AND PUBLIC WORKS FEE SCHEDULE. THE PUBLIC HEARING IS SCHEDULED FOR TUESDAY, AUGUST 4, 2020 AT 7:00 P.M. BY VIDEO CONFERENCE AND TELECONFERENCE. CONSENT TO REMOVE FROM AGENDA

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A RIGHT OF ACCESS AND ENTRY AGREEMENT WITH YANKEE GAS SERVICES COMPANY - DBA EVERSOURCE ENERGY - TO USE THE PROPERTY LOCATED AT 102 NEW CANAAN AVE FOR THE FLARE LOCATION AS PART OF THE ACTIVATION OF A 12" STEEL GAS MAIN LOCATED ON RT. 123.

8A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE CONVEYANCE OF THE FOLLOWING LAND FROM NORWALK LAND DEVELOPMENT, LLC TO THE CITY OF NORWALK AT NO COST SUBJECT TO A RELEASE OF MORTGAGE(S) ENCUMBERING SAID LAND: 1. CERTAIN PIECE OR PARCEL IS IDENTIFIED AS "CONVEYANCE AREA A" HAVING AN AREA OF 1,263±S.F. AS SHOWN ON MAP ENTITLED "RIGHT OF WAY SURVEY CITY OF NORWALK MAP SHOWING LAND ACQUIRED FROM NORWALK LAND DEVELOPMENT, LLC BY THE CITY OF NORWALK" DATED NOVEMBER 2019 PREPARED BY LANGAN CT, INC; 2. SAID PIECE OR PARCEL OF PROPERTY IS IDENTIFIED AS "CONVEYANCE AREA B" HAVING AN AREA OF 237±S.F. AS SHOWN ON MAP

ENTITLED “RIGHT OF WAY SURVEY CITY OF NORWALK MAP SHOWING LAND ACQUIRED FROM NORWALK LAND DEVELOPMENT, LLC BY THE CITY OF NORWALK” DATED NOVEMBER 2019 PREPARED BY LANGAN CT, INC. CONSENT TO REMOVE FROM AGENDA

8B. REFERRAL OF ITEM 9A TO THE PLANNING COMMISSION FOR A REPORT AND RECOMMENDED ACTION PURSUANT TO CONN. GEN. STAT. §8-24. CONSENT TO REMOVE FROM AGENDA

9. AUTHORIZE THE MAYOR, HARRY W. RILLING TO CONCUR WITH PROJECT AUTHORIZATION LETTER FOR STATE PROJECT 0102-0350 NORWALK RIVER VALLEY TRAIL – PHASE 2 AND TO PROVIDE A DEMAND DEPOSIT OF \$40,062 TO THE STATE OF CONNECTICUT. ACCOUNT NO. 09 16 4021 5777 C0407

10. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C.N. WOOD OF CONNECTICUT, LLC, FOR THE PURCHASE OF ONE (1) VACTOR 2100 PLUS VACUUM TRUCK NOT TO EXCEED \$537,342.80. ACCOUNT NO. 09 21 4031 5777 C0313

D. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ADDENDUM NO. 1 WITH LAND-TECH CONSULTANTS, INC. FOR THE DESIGN SERVICES FOR PROJECT NO. 3860 WEST ROCKS MIDDLE SCHOOL ATHLETIC FIELD DESIGN SERVICES, DATED JANUARY 10, 2019, FOR A SUM NOT TO EXCEED \$32,300.00 FOR SURVEYING AND CONSTRUCTION ADMINISTRATION SERVICES. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631.

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH FIELD TURF USA, INC. (SOLE SOURCE) FOR THE SYNTHETIC TURF SURFACE AT WEST ROCKS SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$443,088.00. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631. CONSENT TO REMOVE FROM AGENDA

2B. AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS TO EXECUTE CHANGE ORDER ON CONTRACT WITH FIELD TURF USA, INC. (SOLE SOURCE) FOR THE SYNTHETIC TURF SURFACE AT WEST ROCKS SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$44,308.00. ACCOUNT #'S 09206030-5777-C0631, 09216030-5777-C0631. CONSENT TO REMOVE FROM AGENDA

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C.N. WOOD OF CONNECTICUT, LLC FOR THE PURCHASE OF ONE (1) TRACKLESS MT7 ARTICULATING TRACTOR AND V-PLOW ATTACHMENT NOT TO EXCEED \$130,955.00. ACCOUNT #'S 09186030-5777-C0486, 09196030-5777-C0486.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH M.E. O'BRIEN & SONS (SOLE SOURCE) STATE CONTRACT #17PSX0081 FOR THE PURCHASE AND INSTALLATION OF PLAY EQUIPMENT AND ENGINEERED WOODFIBER SAFETY SURFACING AT TRACEY ELEMENTARY SCHOOL FOR A SUM NOT TO EXCEED \$119,198.00. ACCOUNT #'S 09206030-5777-C0364, 09216030-5777-C0364.

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH M.E. O'BRIEN & SONS (SOLE SOURCE) STATE CONTRACT #17PSX0081 FOR THE PURCHASE AND INSTALLATION OF PLAY EQUIPMENT AT SILVERMINE ELEMENTARY SCHOOL FOR A SUM NOT TO EXCEED \$147,983.00. ACCOUNT #'S 09206030-5777- C0364, 09216030-5777-C0364.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ADDENDUM NO. 1 WITH FGB CONSTRUCTION COMPANY FOR PROJECT DPW RNP2020-1 NATHAN HALE MIDDLE SCHOOL BATHROOM – CONCESSION BUILDING SITE WORK FOR A SUM NOT TO EXCEED \$67,570.00. ACCOUNT #014150-5585.

E. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A CONTRACT WITH THE NORWALK BOARD OF EDUCATION AND DURHAM STUDENT SERVICES, L.P. TO SUBLEASE 334 WILSON AVENUE, NORWALK, CONNECTICUT FOR A TERM CONTERMINOUS WITH THE “AGREEMENT FOR TYPE I AND TYPE II STUDENT TRANSPORTATION SERVICE BY AND BETWEEN THE NORWALK BOARD OF EDUCATION AND DURHAM SCHOOL SERVICES L.P.” DATED MAY 18, 2020, WHICH, ABSENT EXTENSION, ENDS ON JUNE 30, 2025.

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENTS WITH STEWART MECHANICAL SERVICES, INC. FOR THE ROTON MIDDLE SCHOOL PORTABLE AIR CONDITIONING AND ELECTRICAL UPGRADE – PHASE 2 PROJECT

FOR A TOTAL NOT EXCEED \$394,000. FUNDS ARE AVAILABLE IN ACCT. #09205010 5777 C0652.

2B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$39,400. FUNDS ARE AVAILABLE IN ACCT. #09205010 5777 C0652.

3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENTS WITH SALAMONE & ASSOCIATES, P.C. FOR THE NORWALK PUBLIC SCHOOLS OIL TANK REPLACEMENT PROJECT FOR A TOTAL NOT EXCEED \$106,670. FUNDS ARE AVAILABLE IN ACCT. #0921 5010 5777 C0789.

3B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$10,700. FUNDS ARE AVAILABLE IN ACCT. #0921 5010 5777 C0789.

4A. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO PRECISION PLACEMENT LLC. FOR MOVING SERVICES FOR THE JEFFERSON ELEMENTARY SCHOOL RENOVATION AND IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$55,230. FUNDS ARE AVAILABLE IN ACCT. #09195010 5777 C0619.

4B. AUTHORIZE A CONTINGENCY ALLOWANCE FOR A TOTAL NOT TO EXCEED \$5,500.

5. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO INCREASE THE PURCHASE ORDER WITH WILLIAM B. MEYER, INC. FOR MOVING SERVICES FOR THE PONUS RIDGE SCHOOL ADDITION AND ALTERATIONS PROJECT FOR A TOTAL NOT TO EXCEED \$20,000.00. ACCT. #09185010 5777 C0608.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE O&G INDUSTRIES/AP CONSTRUCTION TMA, A JOINT VENTURE AGREEMENT FOR THE NORWALK MARITIME AQUARIUM FUNCTIONAL REPLACEMENT PROJECT TO PROVIDE ADDITIONAL STAFF SUPPORT FOR A TOTAL NOT TO EXCEED \$100,000 AND TO EXTEND THE COMPLETION DATE FOR THE 4D THEATER TO JANUARY 15, 2021 AND THE SEAL TANK TO MARCH 19, 2021. FUNDS ARE AVAILABLE FROM THE MARITIME AQUARIUM STATE FUNCTIONAL REPLACEMENT ACCOUNT #09194031 5799 C0635

F. FINANCE AND CLAIMS COMMITTEE

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: JULY 9, 2020

2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: JULY 9, 2020

3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: JUNE 2020

4. AUTHORIZE THE MAYOR, HARRY RILLING, TO EXECUTE A CONTRACT FOR MANAGEMENT AND ADMINISTRATION OF THE CITY'S WORKERS COMPENSATION AND HEART & HYPERTENSION PROGRAM FOR THE THREE YEAR PERIOD BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2023 AT A COST PER CLAIM BASED ON THE FOLLOWING SCHEDULE: REPORT ONLY CLAIMS - \$27 PER CLAIM COST; MEDICAL ONLY CLAIMS - \$215 PER CLAIM COST; INDEMNITY CLAIMS - \$1,175 PER CLAIM COST; AND HEART & HYPERTENSION CLAIMS - \$1,175 PER CLAIM COST. TOTAL ESTIMATE ANNUAL COST IS \$104,747 AND TOTAL ESTIMATE THREE-YEAR COST IS \$314,241. ACCOUNTS: 16-1344-5258 AND 16-5054-5258.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

VII. COMMON COUNCIL COMMITTEES

B. PLANNING COMMITTEE

**** MR. KYDES MOVED TO APPROVE THE AMENDED LAND DISPOSITION AND DEVELOPMENT AGREEMENT ("LDA") BY AND BETWEEN THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK AND POKO-IWSR DEVELOPERS, LLC, DATED NOVEMBER 14, 2007 (AS AMENDED), AND THE PROPOSED AMENDMENT TO THE LOAN RECOGNITION AGREEMENT ("LRA"), BY AND BETWEEN POKO-IWSR DEVELOPERS, LLC, THE CITY OF NORWALK, THE REDEVELOPMENT AGENCY OF THE CITY NORWALK, CITIBANK, N.A., DATED NOVEMBER 14, 2007 (AS AMENDED); AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS**

**ASSOCIATED WITH THE AMENDED LDA AND LRA AS NECESSARY
TO ALLOW FOR THE PROPOSED DEVELOPMENT BY MUNICIPAL
HOLDINGS, LLC TO COMPLETE THE PHASE I CONSTRUCTION OF**

Attorney William Hennessey said he gave a detailed presentation to the Planning Committee on July 2nd. He provided an overview of the project.

In 2015 Phase I was put under construction. It involved an automated parking garage; however, after 14 months of construction it stopped. In the summer of 2017, Citibank gained control of the project and turned it over to JHM.

JHM studied the innovative parking garage and determined it was not working. They began looking at parking until spring 2018, when a third party purchased the parking area. By December 2018 the parking garage was judged to be useless and the substitute parking area disappeared.

Mr. Todd McClutchy reviewed the building and the programming. He said there were three main concerns with the project:

- 100% affordable units
- The art component
- The exterior architecture

Mr. McClutchy explained they addressed all three of the concerns and re-submitted their proposal in May 2020. He added the he feels they got it right.

Mr. McClutchy described the art component of the project. He said over the last year, they met with various representatives to improve the architectural design of the project. He presented drawings of the project.

Mr. McClutchy reviewed the income bands and said they came up with a tiering level. He described how they determined the income levels and noted they tried to create a broad mixture.

Mr. Kydes said that at the meeting last year, the Common Council imposed a wish list and he said JHM successfully achieved and surpassed those conditions. He said it was unfortunate that the theater is not there, but is happy to hear Mayor Rilling's announcement earlier this evening.

Mr. Kydes said he feels this is a solid project and asked his fellow Councilmembers to approve it.

Ms. Young asked about the number of bedrooms. She was told there would be 108 – two bedroom units and 16 one bedroom units. Ms. Young asked how the units would be dispersed. Mr. McClutchy said the affordable units are all located at 61 Wall Street due

to a Zoning issue. Ms. Young said that is a concern and asked if he could look into to. Mr. McClutchy said the goal is to intermingle the units.

Mr. Livingston noted this project has been in the works for a long time. He said he had a number of issues with this project, but will support it, because a lot has changed of the last year. He said that thanks to the efforts of Mr. Bryant and Mr. Beinfeld, this is a good project.

Mr. Livingston commented on the tax incentives and noted they align with other tax incentives given to other projects. This project will serve as a catalyst for the neighborhood. He added that he hoped they would be able to work toward a mutually satisfactory resolution with Mr. Mulligan.

Mr. Heuvelman asked about parking. Mr. McClutchy explained there is a commitment to provide a minimum of 30 public parking spaces. He said the required Zoning parking is a mathematical exercise and depends upon where the units are located. Mr. Heuvelman expressed concern about parking. He said he would like to see the project move forward to revitalize Wall Street.

Ms. Smyth said this project came a long way. It has been an eyesore in the Wall Street area. It is exciting to think about revitalizing the area.

Ms. Smyth said the affordable housing is very needed. She said she had an opportunity to tour the McClutchy projects in Darien and liked the commitment from the developer to create a sense of community.

Ms. Johnson asked about access for emergency service vehicles. Mr. McClutchy said they were challenged with that and said trucks will be able to get into the site and out of the site. He said he is comfortable that public safety will be well protected.

Mr. Burnett asked about the affordable housing units. He asked if they will create a waiting list for the property, or if additional affordable units would open up. Mr. McClutchy explained that these projects are regulated. In addition, they need to maintain the rents so they can pay their debt service. They can't create additional affordable units.

Ms. Shanahan asked what would happen if people max out on their income. Mr. McClutchy explained that people would be able to stay within the building.

Ms. Young asked about additional fees for amenities. Mr. McClutchy explained that all of the amenities were included in the rent.

Mr. Heuvelman asked about the development fee. Mr. McClutchy explained that the development fee is a component of the tax credit program. The State of Connecticut has a sliding fee. Mr. Coppola said that for the last year and a half, a lot of questions were answered about the development fee. He added that generally, the development fee is not favorable to the developer.

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Mr. John McClutchy said that a majority of the development fee goes back to the development of the project. He said he has a long relationship with Citibank and they agreed to defer a majority of the development fee to make the project work. He said they are not making what they would normally get for a project.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

C. PUBLIC WORKS COMMITTEE

**** MR. TSIRANIDES MOVED TO APPROVE THE REQUEST FOR THE HONORARY NAMING OF THE PORTION OF CHESTNUT STREET FROM MONROE STREET TO MERRITT PLACE TO OFFICER CESAR RAMIREZ DRIVE.**

Mr. Tsiranides said he understood the importance of a City Ordinance, but feels this is a certain circumstance. He said that Officer Ramirez was very important to Norwalk. He said that this will add closure to his family and for the residents who knew him.

Mr. Burnett said Officer Ramirez was passionate about his work as a Police Officer and he loved his community. This tribute is our way of saying thank you for your service to Norwalk.

Mayor Rilling said he knew Officer Ramirez for many years; it was a very sad day when he found out he was ill. Officer Ramirez did so much for the community. Mayor Rilling said he did not think he ever saw him home because he was always out doing good for the community.

Ms. Young said she knows Officer Ramirez's youngest son and he always wondered why his father was always out helping people. His family saw the love from the community at his tribute.

Ms. Shanahan said the Ordinance was amended so they can consider an item like this with a super majority.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

Mayor Rilling said this is a wonderful tribute and a ceremony will take place. Students from Columbus Magnet and the Side by Side Schools will be invited along with Officer Ramirez's family and the members of the Common Council.

**** MR. TSIRANIDES MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH THE GRASSO COMPANIES, LLC FOR PROJECT RD2020-1 CONCRETE, CURBS AND SIDEWALKS IN VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$2,749,668.00. ACCOUNT NO. 09 20 4021 5777 C0318 09 20 4120 5777 C0649 09 20 4021 5777 C0021 09 21 4120 5777 C0649 09 21 4021 5777 C0318 09 21 4021 5777 C0021**

AND TO AUTHORIZE THE CHIEF OF OPERATIONS AND PUBLIC WORKS TO EXECUTE ORDERS ON THE CONTRACT WITH THE GRASSO COMPANIES, LLC FOR PROJECT RD2020-1 CONCRETE, CURBS AND SIDEWALKS IN VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$274,966.80. ACCOUNT NO. 09 20 4120 5777 C0649 09 20 4021 5777 09 20 4021 5777 C0021 09 21 4120 5777 C0649 09 21 4021 5777 C0318 09 21 4021 5777 C0021

Mr. Tsiranides said this was a long time in coming.

Mr. Anthony Carr said they received four bids for this project and the lowest was from The Grasso Companies. The other bids were significantly higher. He reviewed the scope of work and said they plan to start the work in September.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

F. FINANCE AND CLAIMS COMMITTEE

5. RESOLUTION:

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

GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF NORWALK (THE "CITY") IN A PRINCIPAL AMOUNT NOT EXCEEDING \$53,000,000 ARE HEREBY AUTHORIZED TO BE ISSUED, AND THE PROCEEDS THEREOF APPROPRIATED, IN SUCH AMOUNT OR IN SUCH LESSER AMOUNT AS SHALL BE NECESSARY TO REFUND ALL OR ANY PORTION OF THE CITY'S OUTSTANDING

**GENERAL OBLIGATION BONDS AND CLEAN WATER FUND
PROJECT LOAN OBLIGATIONS AND INTERIM FUNDING
OBLIGATIONS.**

THE BONDS, OR ANY PORTION THEREOF, MAY BEAR INTEREST WHICH IS INCLUDABLE IN THE GROSS INCOME OF HOLDERS THEREOF FOR FEDERAL INCOME TAX PURPOSES PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AS THE ISSUANCE OF SUCH TAXABLE BONDS IS HEREBY DETERMINED TO BE IN THE PUBLIC INTEREST.

THE COMMON COUNCIL HEREBY DELEGATES TO THE MAYOR AND DIRECTOR OF FINANCE, 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 BOND OF EACH SERIES TO BE ISSUED, THE ANNUAL INSTALLMENTS OF PRINCIPAL, REDEMPTION PROVISIONS, IF ANY, OTHER TERMS, DETAILS AND PARTICULARS OF SUCH BONDS, INCLUDING THE RATE OR RATES OF INTEREST PAYABLE THEREON, TO MAKE APPOINTMENTS AND EXECUTE DOCUMENTS REFERENCED IN THIS RESOLUTION AND TO EXECUTE SUCH OTHER AGREEMENTS, INSTRUMENTS, DOCUMENTS AND CERTIFICATES NECESSARY OR DESIRABLE FOR THE ISSUANCE OF THE BONDS.

Mr. Burnett explained that this approach will lead to a potential savings over the life of the Bonds.

Mr. Henry Dachowitz, CFO introduced Mr. Matt Ritter and their new Bond Counsel.

Mr. Dachowitz said this refunding is comparable to refinancing a mortgage. He said everyone is predicting a long duration of low interest rates. They expect to close this deal at the beginning of August and expect to see significant savings.

**** MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN; MS. SMYTH)**

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

**** MR. SACCHINELLI MOVED TO SUSPEND THE RULES TO ADD AN ITEM FROM THE HEALTH AND PUBLIC SAFETY COMMITTEE TO THE AGENDA**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

The following item was added:

VII.A. HEALTH AND PUBLIC SAFETY COMMITTEE

**** MR. SACCHINELLI MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH NORWALK HOSPITAL ACCEPTING NORWALK HOSPITALS COMMITMENT TO PROVIDE HEALTH CARE TO INDIGENT, UNINSURED, AND UNDERINSURED RESIDENTS OF CONNECTICUT AS HISTORIC LEVELS.**

Mr. Sacchinelli explained that this is an agreement with Norwalk Hospital to serve low income residents in Norwalk. There is no obligation on the part of the City of Norwalk.

Attorney Callahan said this is a statutory requirement for Norwalk Hospital. The City of Norwalk can opt out at any time.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

**** MS. YOUNG MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA FROM THE PARKS, RECREATION AND CULTURAL AFFAIRS COMMITTEE**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

VII. D. PARKS, RECREATION AND CULTURAL AFFAIRS COMMITTEE:

**** MS. YOUNG MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH TD AND SONS, INC. FOR PROJECT RNP2020-2 WEST ROCKS MIDDLE SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED**

\$1,016,078.80 (BASE BID), \$240,468.80 (LIGHTING AND PARKING LOT ALTERNATE), \$258,293.00 (CONCESSION STAND ALTERNATE), \$149,400.00 (TERRACED SEAT WALL ALTERNATE), AND \$36,000.00 (SAFETY NETTING ALTERNATE). ACCOUNT NO. 0920 6030 5777 C0631 0921 6030 5777 C0631

AND TO AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS TO EXECUTE ORDERS ON CONTRACT WITH TD AND SONS, INC. FOR PROJECT RNP2020-2 WEST ROCKS MIDDLE SCHOOL PROPOSED SOCCER FIELD COMPLEX FOR A SUM NOT TO EXCEED \$170,024.06. ACCOUNT NO. 0920 6030 5777 C0631 0921 6030 5777 C0631

Mr. Nick Roberts explained the items. He said this was on the Parks and Recreation agenda last week, but a bid was misplaced and sent to West Rocks. It was the low bid.

Mr. Roberts said this is a much-needed project for the City of Norwalk. He said that regarding the field turf, there are approximately 1,000 fields built each year and it is not uncommon to use this material. There is a low risk of chemical exposure. The State of Connecticut concluded that the risk assessments were not elevated for adults and children. He said he spoke to the Director of the Health Department and she is waiting for results.

Mr. Roberts said they took alternative measures to reduce the temperature of the field by 40 degrees. He noted there are no additional maintenance costs.

Ms. Shanahan asked if there were any other environmental concerns about using this plastic product. She said she is quite concerned about the water supply and asked why they could not use grass. Mr. Roberts said they would not get the same playability.

Mr. Roberts said that Parks and Recreation and the Health Department are monitoring this. He said this product has been in use for 20 years and there have been extensive studies done.

Ms. Johnson asked about the crumb rubber. Mr. Roberts explained that this is a plastic mat. This will be the seventh field using this material. He said this product will be 40 degrees cooler than the crumb rubber. He said if someone rubs their hand over the material, they can get pieces on their hand. It is not 100% conclusive there are no elevated risks.

Ms. Johnson asked Mr. Roberts if he was prepared to remedy this if there are any issues with the material. He said that he believed the cost to replace an infield is \$90,000, but they will have to do what the study dictates.

**** MOTION PASSED BY ROLL CALL VOTE WITH THIRTEEN (13) VOTES IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. LANGELLA;**

**MR. SACCHINELLI; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG;
MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR. TSIRANIDES;
MR. LIVINGSTON; MS. SMYTH) AND ONE (1) VOTE IN OPPOSITION
(MS. SHANAHAN)**

XI. ADJOURNMENT

Ms. Smyth announced that the July 28th meeting of the Common Council may be cancelled.

**** MS. SMYTH MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

There was no further business and the meeting was unanimously adjourned at 10:34 p.m.

ATTEST: _____
Donna King, City Clerk