

Common Council Actions

JUNE 12, 2007

**NORWALK, CONNECTICUT 8:00 P.M. DST 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 meeting was called to order at 8:05 p. m. Mayor Moccia led the assembly in the Pledge of Allegiance.

I. ROLL CALL

Ms. Roman called the Roll. There were thirteen (13) members present.

PRESENT: Michael Coffey Fred A. Bondi
Carvin J. Hilliard Nicholas Kydes
Kelly L. Straniti Douglas E. Hempstead
Herbert A. Grant Gwen L. Briggs
Richard McQuaid Joanne T. Romano
Douglas Sutton Matthew Miklave
Kevin Poruban

ABSENT: Rev. Phyllis Bolden and William Krummel

Mayor Moccia then made the following statement:

On April 14th, 2007, members of CT-81, Air Force Junior ROTC from Norwalk High School participated in the first annual Governor's Cup Drill Competition. Hosted by UCONN's Air Force ROTC Detachment 115 in Storrs, the event was open to all Junior ROTC and Sea Cadet units in Connecticut. Participants were judged on basic skills, drill and ceremony in various categories with and without rifles.

Members of CT-81 earned 1st Place, along with the title of State Champions, in the categories of Armed Exhibition Drill, Armed Inspection and Armed Two-man Drill as well as 3rd Place in Unarmed Color Guard.

The Mayor then publicly recognized the following Cadets:

State Champions Armed Drill

Cadet Major Robert Santiago
Cadet Captain Jack Alcock
Cadet 1st Lieutenant Ben Bussiere

Cadet 2nd Lieutenant Jude Santiago
Cadet Master Sergeant Randy Rogers
Cadet Staff Sergeant Kevin Poruban
Cadet Airman Tom Greene

3rd Place Unarmed Color Guard

Cadet Airman 1st Class Travis White
Cadet Airman 1st Class Vanessa Paul
Cadet Airman Genesis Ladinez
Cadet Airman Johny Martinez

Armed Color Guard

Cadet Major Sunita Patel
Cadet 2nd Lieutenant Amanda Segura
Cadet Master Sergeant Susan Silva
Cadet Technical Sergeant Kristhal Mino

II. ACCEPTANCE OF MINUTES

Regular meeting – May 22, 2007

** MR. HEMPSTEAD MOVED TO APPROVE THE MINUTES OF MAY 22, 2007.
** THE MOTION PASSED TO APPROVE THE MINUTES OF MAY 22, 2007 AS
SUBMITTED WITH TWELVE IN FAVOR (COFFEY, BONDI, HILLIARD, KYDES,
STRANITI HEMPSTEAD, GRANT BRIGGS, MCQUAID SUTTON, MIKLAVE AND
PORUBAN) AND ONE ABSTENTION (ROMANO).

III. PUBLIC PARTICIPATION

Mr. John Lombardi of 2 Williams Street came forward to address the Council. He said that he had some concerns about Agenda Item VII-D-2 “Approve Resolution in support of the National Call to Action for Affordable Housing through Regulatory Reform.” Mr. Lombardi said that he had worked to get affordable housing in all the sections of Norwalk, but that he was seeing a disturbing trend where people who live in California and Ohio are purchasing the units rather than Norwalk residents. This leads to the Norwalk taxpayers underwriting the purchases for out of state landlords or tenants. He suggested that it would be nice to have some type of language giving Norwalk residents or those who work in Norwalk preference.

Mr. Lombardi then mentioned a project where the occupants added 36 additional children to the Norwalk School system and reiterated his point that these units should be for Norwalk residents. Mr. Lombardi then repeated his request that the Council look into giving Norwalk residents preference on these units.

IV. MAYOR

** MR MCQUAID MOVED TO SUSPEND THE RULES TO ADD AN ADDITIONAL ITEM TO THE APPOINTMENTS AGENDA.

** THE MOTION PASSED UNANIMOUSLY.

A. RESIGNATIONS AND APPOINTMENTS

Resignations: NONE

Appointments: Linda Guliuzza – Assistant Corporation Counsel

Atty. Nolin addressed the Council and explained that he had inadvertently neglected to present this appointment in time to have it included in the agenda.

** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF ATTY. LINDA GULIUZZA AS THE ASSISTANT CORPORATION COUNSEL FOR THE CITY OF NORWALK.

** THE MOTION PASSED UNANIMOUSLY.

Reappointment: NONE

B. REMARKS

Mayor Moccia mentioned the visit from the Bonding Agency last week and thanked those who participated.

IV. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Council President Coffey thanked the Mayor for the invitation to be present at the Bonding Agency meeting.

B. CONSENT CALENDAR:

Council President Coffey announced that the following items were on consent: VII.A1-3b; VII.B1, 3, 4, 5, 6, 7, 8; VII.C1, 2; VII.D1, 3; IX.1.

A. LAND USE & BUILDING MANAGEMENT COMMITTEE

1. Resolution, closeout the following Capital Budget accounts:

09027100 5777 C0225 City Hall Misc. Improv. \$ 67.86

09027100 5777 C0228 City Hall Energy \$ 745.90

09047100 5777 C0335 Concert Hall Rigging Repair \$ 871.43

09057100 5777 C0325 Lockwood House Boiler Repair \$ 212.86

Reduce the following Capital Budget account:
09074071 5777 C0389 Roosevelt Center Roof Replace. \$66,901.95

2. Resolution, Special Capital Appropriation in the amount of \$68,800.00 for the Ben Franklin Center- Lead Based Paint Abatement Project. These funds to be combined with \$50,000 available in the Ben Franklin Center capital budget account. Acct. #09047100 5777 C0295

A. LAND USE & BUILDING MANAGEMENT COMMITTEE (continued)

3a. Authorize the Mayor, Richard A. Moccia, to execute a contract with Bako Construction and Restoration Inc. for the exterior lead based paint abatement project at Ben Franklin Center for a total not to exceed \$132,000.00. Subject to approval of Special Appropriation request, funds will be available from various Capital Budget accounts and CDBG funds.

3b. Authorize the Office of Building Management to issue change order on contract for a total not to exceed \$19,800.00

B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Milone & MacBroom for final survey of the landfill capping project for a sum not to exceed \$7,000.00. Account No. 09 02 0910 5777 C0241

3. Authorize the Purchasing Agent to purchase three (3) snowplow trucks from Interstate Ford Truck Sales, Inc., for a sum not to exceed \$406,461. Account No. 09 07/08 4031 5777 C0313 (\$375,000) 01 40 25 5736 (FY 06-07) (\$ 31,461)

4. Authorize a Special Appropriation in the amount of \$1,709,074.20 for the Westport Avenue Area Inflow and Infiltration (I/I) Remediation (Project WPCA 2007-01) from the WPCA available fund balance to the Capital Construction account. WPCA approved on Monday, May 14, 2007. Account No. 22 40 62 5777

5. Authorize the Director of Public Works to pay for emergency work to Kemsco Construction and Equipment Company, Inc. for the installation of 4,200 LF of 1 ½" conduit on Riverside Drive from Belden Avenue to New Canaan Avenue, for a sum not to exceed \$9,500. Account No. 0140 31 5269

6. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with the A. DiCesare, to provide professional engineering services in connection with the East Avenue Bridge

Reconstruction Project, for a sum not to exceed \$50,000. Account No. 0140 32 5258 (\$14,770) & 0900 4021 C0162 (\$35,230)

7. Authorize the Mayor, Richard A. Moccia, to execute the First Amendment to the Agreement for Professional Engineering Services with Tighe & Bond, Inc. for the design of storm drainage system improvements for “Drainage Area I Olmstead Avenue and Fitch Avenue”, and “Drainage Area 5 Buckingham Place and Lockwood Lane” for a sum not to exceed \$333,900. Account No. 0908 4027 5777 C0421

8. Authorize the Mayor, Richard A. Moccia, to execute a letter agreement with the Third Taxing District and the Connecticut Municipal Electric Energy Cooperative for participation in the Forward Capacity Market as a Demand Response asset during the period of June 1, 2010 through May 31, 2011.

VII. COMMON COUNCIL COMMITTEES (continued)

C. RECREATION PARKS & CULTURAL AFFAIRS COMMITTEE

1. Technical Correction: Remove 2 account numbers and replace with 3 new account numbers for items VII D.9a & 9b from the 5/22/07 Council agenda.

Original items read as follows:

9a. Authorize the Purchasing Agent to issue a purchase order to M.E. O’Brien & Sons, Inc. for the supplies and installation of Playground Equipment at Veteran’s Park, Marvin Elementary School and Wolfpit Elementary School for the sum not to exceed \$146,842.00. Account# 09066030-5777-C0364 and #09056030-5777-C0072.

New Account #

Account # 09076030 5777 C0364, Account# 09046030 5777 C0072 and Account# 09026030 5777 C0072 Approved

9b. Authorize the Purchasing Agent to issue orders on contract to M.E. O’Brien & Sons Inc., for the supplies and installation of Playground Equipment for a sum not to exceed \$10,000.

Account# 09066030-5777-C0364 and #09056030-5777-C0072

New Account #

Account # 09076030 5777 C0364, Account# 09046030 5777 C0072 and Account# 09026030 5777 C0072 Approved

2. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the YMCA of Norwalk for the use of Silvermine School grounds for their Summer Camp to begin June 25 through August 24, 2007 from 7:00am – 6:00pm. Estimated attendance 160.

D. PLANNING COMMITTEE

1. Approve the list of programs for inclusion in the Neighborhood Assistance Act Tax Credit Program.

3. Approve lease renewal for L&L Evergreen.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

1. LAND USE & BUILDING MANAGEMENT COMMITTEE agenda item VII.F 2a & 2b. Tabled on 5/22/07 to 6/12/07 meeting.

Mr. Miklave stated as a point of clarification for the record that one of his clients had a connection to this agenda item.

VII. COMMON COUNCIL COMMITTEES (continued)

2a. Authorize the Mayor, Richard A. Moccia, to execute a contract with Ray Weiner LLC, d/b/a All Phase Construction for the renovation of the Belden Library main entrance for a total not to exceed \$166,360.00. Acct. #09076210 5777 C0400.

2b. Authorize the Library Director to issue change orders on contract for a total not to exceed \$16,636.00.

**** THE MOTION TO APPROVE THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

The following matters were then considered and discussed by the Council.

B. PUBLIC WORKS COMMITTEE

2. Approve the Proposed Public Works rates and fee revisions.

**** MR. PORUBAN MOVED AGENDA ITEM VII-B -2**

Mr. Hempstead stated as a point of clarification for the record that his employer, Stew Leonard's, has a garbage permit with the City of Norwalk.

**** THE MOTION TO APPROVE AGENDA ITEM VII-B -2 - THE PROPOSED PUBLIC WORKS RATES AND FEE REVISIONS PASSED UNANIMOUSLY.**

D. PLANNING COMMITTEE

2. Approve Resolution in support of the National Call to Action for Affordable Housing through Regulatory Reform.

**** MR. MIKLAVE MOVED AGENDA ITEM VII-D-2.**

Mr. Hempstead said that he was reluctant to have an outside agency working on this and then listed a number of different Commissions and other related parties that could form a committee to work on this proposal. Mr. Miklave said that he agreed with Mr. Hempstead's suggestion. Mr. Hilliard commented that the reason that the Housing Partnership was involved was because they had a good record of building housing. Mr. Kydes asked if it would be possible to support those who work in Norwalk. The discussion continued regarding the details of this proposal.

Council President Coffey said that he applauded the efforts of Mr. Miklave and Mr. Hempstead working together and acknowledged that a great deal of effort has been put into this project.

**** MR. MIKLAVE THEN MOVED TO TABLE AGENDA ITEM VII-D-2 - RESOLUTION IN SUPPORT OF THE NATIONAL CALL TO ACTION FOR AFFORDABLE HOUSING THROUGH REGULATORY REFORM TO THE JUNE 26TH COMMON COUNCIL MEETING.**

**** THE MOTION PASSED UNANIMOUSLY.**

E. PERSONNEL COMMITTEE

1. Reject the Arbitration Award on Successor Contract between City of Norwalk and Norwalk Police Union, Local 1727, Council# 15. (Yes=rejection; No=acceptance of award. Requires 2/3 vote to reject)

**** MR. GRANT MOVED AGENDA ITEM VII-E-1 - REJECT THE ARBITRATION AWARD ON SUCCESSOR CONTRACT BETWEEN CITY OF NORWALK AND NORWALK POLICE UNION, LOCAL 1727, COUNCIL# 15.**

Mr. Grant explained that there would be a roll call vote and that a "Yes" vote was to reject the proposal and a "No" vote would be to accept the arbitration award. This item would require a super majority (2/3rd vote) in order to reject the arbitration award.

**** THE MOTION TO REJECT THE ARBITRATION AWARD ON SUCCESSOR CONTRACT BETWEEN CITY OF NORWALK AND NORWALK POLICE UNION, LOCAL 1727, COUNCIL# 15 FAILED UNANIMOUSLY THEREFORE THE CONTRACT WAS APPROVED BY OPERATION OF THE LAW.**

2. Approve Collective Bargaining Agreement on Successor Contract between City of Norwalk and Norwalk Public Health Nurses, Local 1303-163.

**** MR. GRANT MOVED AGENDA ITEM VII-E-2 COLLECTIVE BARGAINING AGREEMENT ON SUCCESSOR CONTRACT BETWEEN CITY OF NORWALK AND NORWALK PUBLIC HEALTH NURSES, LOCAL 1303-163.**

Mr. Grant stated that there would be a roll call vote on this agenda item.

**** THE MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

There were no reports from the Departments, Boards or Commission at this time.

VII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Council

X. SUSPENSION OF THE RULES

There were no additional suspensions of the rules.

XI. ADJOURNMENT

**** COUNCIL PRESENT COFFEY MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

