

Common Council Actions

COMMON COUNCIL

ACTION

August 13, 2002

NORWALK, CONNECTICUT 8:00PM 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 regular meeting of the Common Council of the City of Norwalk was held on Tuesday, August 13, 2002, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8.05pm and led the assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Betsy Bain (absent) Jeanette Olmstead-Sawyer (absent)

Kenneth Baker Christopher Perone

Fred Bondi Kevin Poruban

Barbara Hudgins Judith Rivas

William Krummel Douglas Sutton

Bruce Kimmel (absent) Peter Wien

Joseph Mann William Wrenn (8.10pm)

Matthew Miklave

Eleven (11) Members were present at Roll Call; four (4) were absent.

I. ACCEPTANCE OF MINUTES

A. Regular Meeting July 9, 2002

**** MR. BONDI MOVED APPROVAL OF THE MINUTES.**

**** MOTION PASSED TEN VOTES IN FAVOR, ONE ABSTENTION (MR. SUTTON) BY VOICE VOTE.**

B. Regular Meeting July 23, 2002

Mr. Krummel wished to compliment Telesco Secretarial Services on their last two sets of minutes.

The following corrections were made to the minutes:

Page 3, After the fourth motion: Precede Frances Dimeglio with Ms.

Page 7, 4th Paragraph, 8th Line: Change the word mayor to major.

Mr. Wrenn joined the meeting at 8.10pm.

Page 11, 3rd Motion: Change the word abstention to recusals.

**** MR. BONDI MOVED APPROVAL OF THE MINUTES.**

**** MOTION PASSED BY NINE VOTES IN FAVOR, THREE ABSTENTIONS (MR. WIEN, MR. BAKER, MR. MIKLAWE) BY VOICE VOTE.**

II. PUBLIC PARTICIPATION

There were no speakers this evening.

III. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: Larry L. Bentley – Norwalk Parking Authority

Frank Favano – Planning Commission

Mayor Knopp announced that Larry Bentley has resigned from the Norwalk Parking Authority due to a conflict of schedules.

Mayor Knopp also announced that Frank Favano has resigned from the Planning Commission. Mr. Favano has undergone major heart surgery and does not think he can sustain the same levels of participation.

Mayor Knopp wished to thank both Mr. Bentley and Mr. Favano.

B. **REMARKS**

Mayor Knopp stated that he was privileged to have had a tour conducted by Mike Mocciae of Flax Hill Park. He stated that there has been some extraordinary progress in the construction project and encouraged people to take a look at the site.

IV. **COUNCIL PRESIDENT**

A. **CONSENT CALENDAR**

Mr. Mann moved the following consent items:

V. **REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS**

A. **BOARD OF ESTIMATE AND TAXATION**

1. RESOLVED, that a sum not to exceed \$31,730 be and the same is hereby transferred from Contingency to the Town Clerk's Office to pay ACS Government Records Management for indexing and film verification of land records.

Account No. 01-0500-5255.

2. RESOLVED, that a sum not to exceed \$20,928 be and the same is hereby transferred from Contingency to the Personnel and Labor Department to cover services by Shipman and Goodwin for labor contracts for the Police and Fire Departments.

Account No. 01-0700-5258

3. RESOLVED, that a sum not to exceed \$122,194 be and the same is hereby transferred from Contingency to the Fire Department to pay for additional overtime expenses in the firefighting, communications and fire equipment divisions.

Account No. 01-3120-5120; 01-3151-5120 and 01-3152-5120

4. RESOLVED, that a sum not to exceed \$7,412 be and the same is hereby transferred from Contingency to the Fire Department to pay for additional salary expenses due to a severance payment.

Account No. 01-3130-5110

5. RESOLVED, that a sum not to exceed \$7,624 be and the same is hereby transferred from Increased Estimated Revenues to the Police Department to recognize State Asset Forfeiture.

Account No. 01-3010-5620; 3010-5621

6. RESOLVED, that a sum not to exceed \$12,276 be and the same is hereby transferred from Increased Estimated Revenues to the Police Department for reimbursement from the State of Connecticut for the purchase of new work stations for the Dispatch Center.

Account No. 01-3058-5741

7. RESOLVED, that a sum not to exceed \$7,181 be and the same is hereby transferred from Increased Estimated Revenues to the Police Department to recognize State Asset Forfeiture.

Account No. 01-3010-5620; 3010-5621

8. RESOLVED, that a sum not to exceed \$7,140 be and the same is hereby transferred from Contingency to the Police Department for a maintenance plan for the "Automated Fingerprint Identification System" (AFIS).

Account No. 01-3046-5298

9. RESOLVED, that a sum not to exceed \$8,500 be and the same is hereby transferred from Contingency to the Department of Public Works for the installation of a crosswalk lighting system for Norwalk Community College. Account No. 01-4024-5343

10. RESOLVED, that the Board of Estimate and Taxation authorized member David S. Davidson, to represent the Board in all aspects of the requirement of Connecticut State Statute 10-153d dealing with the negotiation of administrators and teachers contracts by the Board of Education.

B. CORPORATION COUNCIL

- 1.** Authorization to settle claim: Carol Garvey v. City of Norwalk

VII. COMMON COUNCIL COMMITTEES

B. PUBLIC WORKS COMMITTEE

1. Accept the Amendment to the Fee Schedule to change the Septage Disposal Fee from \$50/1,000 gallons to \$100/1,000 gallons. **REFER BACK TO COMMITTEE**

1. Authorize the Mayor, Alex A. Knopp, to execute an Assignment and Assumption Agreement related to the existing Agreement by and between the City of Norwalk and Operations Management International, Inc., for the Wastewater Treatment System Service Agreement, in order to assign the rights and obligations of the City of Norwalk under the Agreement to the City of Norwalk Water Pollution Control Authority.
2. Authorize the Mayor, to execute a Consent Agreement relative to the Assignment of the License Agreement by and Between the City of Norwalk and Coffee Creations, Inc., for Commuter Concession Services at the East and South Norwalk Railroad Stations, allowing the transfer of ownership of the License, Coffee Creations, Inc., from Doug Engel to Neil Hamilton who will continue the operations under the terms of the current License Agreement (agreement term through June 30, 2005).
3. Authorize the Mayor, Alex A. Knopp, to sign a Commitment to Fund Letter from the State of Connecticut Department of Transportation for the Rehabilitation of the Wall Street Bridge over the Norwalk River through a grant funded under the State Local Bridge Program.
4. Authorize the Mayor, Alex A. Knopp, to execute an Amendment to the Agreement with STV, Incorporated to provide Professional Engineering Services in connection with the design of the Broad Street Bridge for a sum not to exceed \$15,537.

Account No. 09 00/01 40 21 5777 C0028

5. Authorize the Mayor, Alex A. Knopp to execute an Agreement with Walter H. Skid – Land Surveyor, to provide Land Surveying Services in connection with the Highland Avenue Sanitary Sewer Project for a sum not to exceed \$5,100.

Account No. 09 00/01/02/03 40 60 5777 C0045

D. FINANCE/CLAIMS COMMITTEE

1. Accept and approve the Report of the Claims Committee Dated August 7, 2002.

A. PLANNING COMMITTEE

2. Approval by the Common Council of the City of Norwalk of an extension of time through November 15, 2002, during which the property at 14 Putnam Avenue, South Norwalk, may be acquired through exercise of the power of eminent domain.

**** MR. MANN MOVED APPROVAL OF THE CONSENT ITEMS.**

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

B. OTHER GENERAL COUNCIL BUSINESS

There was no other general council business this evening.

VII. COMMON COUNCIL COMMITTEES

A. ORDINANCE

1. Ordinance Creating a New Chapter 59D – Urban Rehabilitation Homeownership Program.

**** MR. WRENN MOVED APPROVAL OF THE ITEM.**

Mr. Wrenn stated that this is a very exciting program; also known as the Urban Rehabilitation Home Project. He said that it creates incentives for municipal employees who can take advantage of the tax incentives for improving property. In the case of a private employer; they participate by helping with the down payment of the house. Mr. Wrenn stated that this encourages people to live closer to their jobs in Norwalk and will also improve the housing stock.

Mr. Miklave stated that he would like to recognize and thank the staff of the Redevelopment Agency for all their hard work.

Mayor Knopp wished to thank Ed Schmidt who helped formulate the Urban Rehabilitation Home Project.

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

1. Amendment to Chapter 59A – Housing: Equal Opportunity.

**** MR. WRENN MOVED APPROVAL OF THE ITEM.**

Mr. Wrenn stated that the amendments are made to make the ordinance consistent with the State Statute so that a person making an appeal would know the format.

Mr. Miklave said this is an example of what is being dealt with on a day-to-day basis and wanted to commend the people on the Ordinance Committee.

Mayor Knopp thanked Louis Ciccarello.

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

B. PUBLIC WORKS COMMITTEE

1. Accept the Amendment to the Fee Schedule to change the Solid Waste Tipping Fee Surcharge from \$4/ton to \$6/ton (total tip fee to be \$66/ton).

**** MR. PERONE MOVED THE APPROVAL OF THE ITEM.**

Mr. Perone stated that CRRA adopted a dollar increase on July 1, 2002, in the solid waste tip fee at the Bridgeport Plant, bringing the total they pay to CRRA to \$61 per ton. He continued to say that the DPW would incur a cost of \$260,00 for staffing and operating the transfer station. Mr. Perone stated that currently they charge a surcharge of \$4 per ton for non-municipal wastes delivered to the transfer station that generates \$65,000 to partially offset their cost at the transfer station. He said that the DPW recommend that they increase the surcharge by another \$2 for a total fee of \$66.

Mr. Miklave stated that he is opposed to this item. He recognizes the costs but they are trying to make everyone pay their fair share of these services and if this were just an amendment to increase the fee by \$1 he would support it. However he could not see the back-up documentation and felt there are some thing he needed to know; for example, what percentage of the waste comes from private haulers as opposed to public haulers and how many tons of the private haulers' waste is included in the process.

Mayor Knopp asked Mr. Grumman if this information was in the file. Mr. Grumman informed the Mayor that a breakdown was available but it had not been included with the back-up documentation.

**** MOTION PASSED NINE VOTES IN FAVOR, THREE OPPOSED (MR. MIKLAVE, MR. SUTTON, MR. WRENN) BY VOICE VOTE.**

8. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Lockwood, Kessler & Bartlett, Inc., to provide professional engineering services in connection with the design and environmental permitting

for the North Taylor Avenue Storm Drainage
Improvements for a sum not to exceed \$41,900.

Account No. 09 00/02/03 40 27 5777 C013

**** MR. PERONE MOVED THE ITEM.**

Mr. Perone stated that this to provide professional engineering and environmental services required to prepare contract plans and wetland permits for drainage improvements in the North Taylor Avenue Area.

Mr. Wrenn said this project is long overdue even after attending the public hearing and realizing there were people who did not agree with the study that was performed. However, overall it should lead to an improvement.

Mr. Bondi stated that he agreed with Mr. Wrenn and this has been a long time in coming and hopefully the problems in this area, such as flooding, can be rectified.

Mayor Knopp said he was invited by the neighbors to sit in their back yard to discuss the problem and stated it is clear that this project should go forward.

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

9. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Raymond Brown Associates in connection with the relocation of a House of Historic Significance at #61 South Main Street and to reimburse expenses incurred by Raymond Brown Associates up to a maximum of \$12,500.

Account No. 09 00 40 31 5777 C0137

**** MR. PERONE MOVED APPROVAL OF THE ITEM.**

Mr. Bondi stated that he hopes the house can be moved as soon as possible

Mr. Mann said there have been a few snags along the way but this situation has worked out well for everybody.

Mr. Wrenn stated that this is a good resolution, however he felt disappointed that they could not save both of the houses and also they did not get involved a little bit earlier so that the historic value could have been recognized and incorporated into the project. Mr. Wrenn said it was the better of the two houses that were saved and in the future, he hoped that the Historical Commission could play more of a part in the planning process.

Mayor Knopp said he was very much in favor of the process. He stated that this was a problem they inherited and have now resolved. The Mayor wished to thank Mr. Brown for investing his own money and preserving this home. He also wanted to thank Cable Vision for their donation of services.

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

10. Authorize the Director of Public Works to issue Orders on Contract to The

Sullivan Architectural Group/A.F. Conte Construction to install security fencing and gates at the Wastewater Treatment Plant and Fire Practice Area adjacent to the new Dog Pound, for a sum not to exceed \$46,000.

Account No. 09 00 40 60 5777 C0043

**** MR. PERONE MOVED APPROVAL OF THE ITEM.**

Mr. Perone stated that by adding adequate fencing was the least they could do.

**** MOTION PASSED ELEVEN VOTES IN FAVOR, ONE OPPOSED (MR. KRUMMEL).**

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with M.J. Losito Electrical Contractors Inc., Bethel, CT for electrical upgrade at Norwalk High School for a total not to exceed \$61,900.00

Account No. 09035010 5777 C0260

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

Mr. Krummel said that the next four items are for the removal of transformers.

Mr. Krummel stated that this is the lowest bid among ten bidders and they have had a consultant engineer review the bids. It is also below the estimate for this particular job.

Mayor Knopp asked if they knew when the work would commence.

Mr. Krummel said the utility has to move the transformer and there is work to bring service to a new transformer. Mr. Opdahl said as soon as they have the contract, however the transformers cannot be moved until the school is vacant for at least seven days. Mr. Opdahl estimated the work would begin over the Christmas break.

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

1b. Authorize the Land Use and Building Management Committee/School Building Committee to issue change orders on contract for a total not to exceed \$6,190.00.

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

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

2a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with M.J. Losito Contractors Inc., Bethel, CT for electrical upgrade at West Rocks Middle School for a total not to exceed \$67,800.00.

Account No. 09035010 5777 C0055

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

Mr. Krummel stated that this is lowest, acceptable bid and it is considerably less than the estimated price for the job.

**** MOTION PASSED ELEVEN VOTES IN FAVOR, ONE OPPOSED (MR. PORUBAN).**

2b. Authorize the Land Use and Building Management Committee/School Building Committee to issue change orders on contract for a total not to exceed \$6,780.00.

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

**** MOTION PASSED ELEVEN VOTES IN FAVOR, ONE OPPOSED (MR. PORUBAN).**

3a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Select Energy Contracting Inc., E. Hartford, CT for electrical upgrade at Ponus Ridge Middle School for a total not to exceed \$10,500.00

Account No. 09035010 5777 C0260

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

Mr. Krummel stated that this does not involve the removal of a transformer, instead an upgrade of the circuit breaker in the electrical equipment.

Mr. Krummel stated that this is lowest, acceptable bid, however there was a lower bid (Acorn) but this did not include the required \$2000 allowance for utility costs.

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

3b. Authorize the Land Use and Building Management Committee/School Building Committee to issue change orders on contract for a total not to exceed \$1,050.00.

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

**** MOTION PASSED UNANIMOUSLY.**

4a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Masi Contracting, Inc., D/B/A. Acorn Electric, Danbury, CT for electrical upgrade at Rowayton Elementary School for a total not to exceed \$15,786.00

Account No. 09035010 5777 C0260

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

Mr. Krummel stated that this is lowest, acceptable bid on this project. Although they did not include the \$2000 allowance for a previous bid, they did include it on this project. Again this came in below the estimate for the job.

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

4b. Authorize the Land Use and Building Management Committee/School Building Committee to issue change orders on contract for a total not to exceed \$1,578.00.

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

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

VIII. RESOLUTIONS FROM COUNCIL MEMBERS

There were none this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF THE RULES

There were none this evening.

XI. ADJOURNMENT

**** MR. MANN MADE A MOTION TO ADJOURN.**

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

The meeting was adjourned at 8.55pm.

ATTEST: _____

Pam Stark, City Clerk

