

Common Council Actions

October 24, 2006

**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.**

Mayor Moccia led the assembly in the Pledge of Allegiance. Mayor Moccia had a moment of silence to recognize fallen soldier, Jonathan Looten, son of a Norwalk resident. Meeting opened at 8:14pm.

I. ROLL CALL 15 Present

II. ACCEPTANCE OF MINUTES

Regular meeting – October 24, 2006 Accepted

III. PUBLIC PARTICIPATION 19 Speakers

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: Nathaniel Yordon – Maritime Authority Accepted

Appointments: (Technical correction): John Tobin – Zoning Commission (Alternate) Approved

Reappointment: William Ireland – Chief Building Official, Code Enforcement Approved

B. REMARKS

Note: Mayor Moccia presented a proclamation in recognition of Mr. Anthony William Harrick as the oldest poll worker in the State of Connecticut.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Council President Coffey mentioned the Common Council announcement regarding the preservation of open space. The Council will be seeking a conservation easement in the Farm Creek area of Rowayton. The Council will be looking to fund the Fodor Farm study.

B. CONSENT CALENDAR: The following items are on consent: VI.A1 (consent to put at the end of agenda); VII.A1,2,3,4,6; VII.B1-8; VII.C1a-4b, 5a & 5b (consent to send to finance.)

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

1. Authorization to Settle Claim: Gorman v. City of Norwalk EXECUTIVE SESSION
Failed

COMMON COUNCIL ACTION PAGE 2 October 24, 2006

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated October 12, 2006.
Accepted

2. For informational purposes only: Monthly Tax Collector's Report Dated September 30, 2006.

3. For informational purposes only: Narrative on Tax Collections dated October 12, 2006

4. Authorize the Mayor, Richard A. Moccia, to execute a modification to the Tax Abatement Agreement with Rowayton Senior Housing Corporation (Hilltop Homes). The purpose of the modification is to allow debt service (mortgage payments) to be deducted from Rental Income prior to the calculation of the 10% Payment in lieu of taxes (PILOT).
Authorized

5. The City of Norwalk is hereby authorized to enter into Master Lease/Purchase Agreement (the "Agreement") with M. Space Holdings, LLC for the lease/purchase of modular classroom buildings in an amount not to exceed \$772,296.00 on such terms and conditions as shall be approved by the Mayor and the Director of Finance. The Board of Education shall be responsible for the lease payments under the Agreement from its annual lump sum appropriation. The Mayor, the Superintendent of Schools and/or the Deputy Superintendent are hereby each individually authorized to execute and deliver the Agreement and any and all other agreements, instruments and documents associated therewith.
Authorized

6. Resolution authorizing the borrowing of not exceeding \$4,300,000 from the proceeds of revenue bonds of the State of Connecticut Health and Educational Facilities Authority to finance the expansion of and capital improvements to the Nathaniel Ely day care center. Resolved

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. Approve the use of the Show Mobile by the American Legion Post 12 for their Annual Tree Lighting Service to be held Sunday, November 26, 2006. Approved

2. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the State of Connecticut Department of Environmental Protection in providing funding under the Clean Vessel Act for the operation and maintenance of a Marine Sewage Disposal

Facility for an amount of \$18,627.23, effective December 1, 2004 through November 30, 2006. Authorized

COMMON COUNCIL ACTION PAGE 3 October 24, 2006

VII. COMMON COUNCIL COMMITTEES (continued)

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE (continued)

3a. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the United Haitian American Society for the 5th Annual Haitian-American Day Celebration to be held on Saturday, July 21, 2007 in Veteran's Park from 11:00 AM – 9:00 PM. Set up to take place Friday, July 20, 2007 after 4:00 PM with break down on Sunday, July 22, 2007 by 12:00 Noon. Estimated attendance 2,000+. Authorized

3b. Approve the use of the Show Mobile by the Haitian-American Society for their Annual event to be held on Saturday, July 21, 2007 in Veteran's Park. Approved

4a. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Columbian American Family Entertainment (C.A.F.E.) for their Columbian Independence Celebration to be held on Sunday, July 15, 2007 at Veteran's Park from 12:00 AM – 9:00 PM. Set up to take place Saturday, July 14, 2007 after 5:00 PM with break down by 12:00 Noon on Monday, July 16, 2007. Estimated attendance 3,000+. Authorized

4b. Approve the use of the Show Mobile by the Columbian American Family Entertainment (C.A.F.E.) for their annual event to be held on Sunday, July 15, 2007. Approved

5. Approve the use of Veteran's Park by the Board of Education and the Maritime Aquarium for their Annual start of their Norwalk River Fun Run to be held on Saturday, December 2, 2006 from 8:00 AM – 12:00 Noon with a rain date of Sunday, December 3, 2006. Estimated attendance 600. Approved

6 Authorize the Mayor, Richard A. Moccia to enter into an amendment to the agreement with Partners for Architecture to provide architectural design service for Calf Pasture Beach Bathhouse Renovations Project for a sum not to exceed \$18,750.00. Account #09026030-5777-C0072. Authorized

7a. Proceed with the disposition procedure of the existing three (3) houses on the property of Fodor Farm with deed restrictions. Approved

7b. Refer the disposition procedure to Land Use and Building Management Committee. Approved

8. Review proposed changes on easement area at Fitch Park and adjacent property. Authorize the Mayor, Richard A. Moccia to execute any and all documents relating to restructuring of easement areas/rights for Fitch Park and adjacent property. (From 9/20/06 committee mtg.) Authorized

C. LAND USE & BUILDING MANAGEMENT COMMITTEE

1a. Authorize to increase contingency allowance for the West Rocks School Boiler Replacement Project, asbestos abatement work performed by New England Services, LLC, by \$21,540. Acct. #09045010 5777 B0291 Authorized

1b. Authorize the NFCC to issue change orders for a total not to exceed approved contingency allowance.
Authorized

COMMON COUNCIL ACTION PAGE 4 October 24, 2006

VII. COMMON COUNCIL COMMITTEES (continued)

C. LAND USE & BUILDING MANAGEMENT COMMITTEE (continued)

2. Authorize the Mayor, Richard A. Moccia, to execute an amendment to Fletcher Thompson's architectural/engineering design services contract for the Brien McMahon High School/Center for Global Studies Project, for additional compensation related a contract amount discrepancy in the amount of \$342,500.00. Acct #0902/03/04 5010-5777-C0237. Authorized

3.a. Authorize to increase the contract contingency allowance for West End Movers (moving services at Columbus School) in the amount of \$4,707.68. Acct. #0904-5010-5777-B0311 Authorized

3b. Authorize the NFCC to issue change orders on the contract for a total not to exceed the contingency amount. Authorized

4a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with BKM Enterprises, Inc. d/b/a BKM Floorcovering, for Phase II carpet replacement at Norwalk City Hall for a total not to exceed \$127,603.00. Acct. #09037100 5777 C0268 and #09074071 5777 C0268. Authorized

4b. Authorize the Office of Building Management to issue Change Orders on contract for a total not to exceed \$12,183.75 Authorized

5a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Brooks Laboratories, Inc. to provide environmental consulting services for the Old Police

Station, for a total not to exceed \$8,145.00. Acct. #09064021 5777 C0368 Send to Finance

5b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$2,000. Send to Finance

6. Authorize the Purchasing Agent to issue a Purchase Order to Aztec Technologies for the purchase of 20 HP laser printers Model #1022N by the B.O.E. for a total not to exceed \$5,200. Acct. # 09045010 5777 C0112 Authorized

VIII. RESOLUTIONS FROM COMMON COUNCIL None

IX. MOTIONS POSTPONED TO A SPECIFIC DATE None

X. SUSPENSION OF THE RULES None

XI. ADJOURNMENT 11:42 pm

COMMON COUNCIL ACTION PAGE 5 October 24, 2006

APPOINTMENTS

ZONING COMMISSION M/C Nwlk Code 79

(Technical correction)

JOHN E. TOBIN (R) Alternate Approved (Succeed D. Watts)

16 Lorena Street Term expires – 07/01/09

Norwalk, CT 06855

REAPPOINTMENTS

CODE ENFORCEMENT DEPARTMENT M/C

WILLIAM IRELAND Approved Term expires – 09/30/10

1 Allen Court

Norwalk, CT 06851