

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 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 Irene Dixon at idxon@norwalkct.org to provide written public comment prior to the meeting.

Mayor Rilling called the meeting to order at 7:36 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Dixon called the Roll:

| | | |
|-------------------|-----------------------|------------------------------|
| Council at Large: | Mr. Gregory Burnett | Mr. Joshua Goldstein |
| | Ms. Dominique Johnson | Ms. Nora Niedzielski Eichner |

| | | |
|-------------|-----------------------|-------------------------------|
| | Ms. Barbara Smyth | |
| District A: | Ms. Nicol Ayers | Mr. David Heuvelman |
| District B: | Ms. Darlene Young | Ms. Diana Revolus (7:40 P.M.) |
| District C: | Mr. John Kydes | Ms. Jenn McMurrer |
| District D: | Ms. Heidi Alterman | Mr. Thomas Keegan |
| District E: | Mr. Thomas Livingston | Ms. Lisa Shanahan |

At Roll Call there were fourteen (14) Council members present and one (1) absent (Ms. Revolus). A Quorum was present.

Also present were Mayor Harry Rilling, City Clerk, Irene Dixon, Assistant City Clerk, Jordan Schantz and Corporation Counsel, Mario Coppola.

II. ACCEPTANCE OF MINUTES

Regular Meeting: May 24, 2022

**** MS. SHANAHAN MOVED TO ACCEPT THE MINUTES AS SUBMITTED
** MOTION PASSED UNANIMOUSLY**

Special Meeting: June 6, 2022

The following correction was made to page 3:

That additional funding was approved by the Board of Estimate and Taxation should read as - That additional school funding was approved by the Board of Estimate and Taxation.

**** MS. MCMURRER MOVED TO APPROVE THE MINUTES AS
AMENDED
** MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

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

Mr. Tanner Thompson, Vice Chair of the Bike Walk Commission spoke in support of the appointment of Emily Burnaman to the Bike Walk Commission.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations announced this evening.

APPOINTMENTS:

**** MR. GOLDSTEIN MOVED TO APPROVE THE APPOINTMENT OF EMILY BURNAMAN TO THE BIKE WALK COMMISSION**

Mr. Goldstein and Ms. Johnson spoke in support of the appointment.

Ms. Revolus joined the meeting at 7:40 p.m.

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS: There were no reappointments announced this evening.

MAYOR'S REMARKS:

Mayor Rilling provided an update on Norwalk's COVID-19 numbers, stating that the number of positive cases has been declining and headed in the right direction. He noted that testing and vaccines are still available.

Mayor Rilling said there was a great turn out for the Wall Street design public hearing. He highlighted the Wall Street Kickoff and the investments being made for revitalization in the area.

V. COUNCIL PRESIDENT

1. Appointment of Assistant City Clerk – Jordan Schantz

**** MR. LIVINGSTON MOVED TO APPROVE THE APPOINTMENT OF JORDAN SCHANTZ AS ASSISTANT CITY CLERK**

**** MOTION PASSED UNANIMOUSLY**

Mr. Schantz introduced himself.

2. Adoption of amendments to the Rules of the Common Council and adoption of the Code of Conduct for Norwalk Common Council Members

**** MR. LIVINGSTON MOVED TO ADD AN AMENDMENT TO THE RULES OF THE COMMON COUNCIL AND ADOPTION OF THE CODE OF CONDUCT FOR NORWALK COMMON COUNCIL MEMBERS IN PARAGRAPH 27 TO ADD LANGUAGE TO COVER SPECIAL AND AD HOC COMMITTEES**

**** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED TO APPROVE THE RULES OF THE COMMON COUNCIL AND ADOPTION OF THE CODE OF CONDUCT FOR NORWALK COMMON COUNCIL MEMBERS AS AMENDED**

**** MOTION PASSED UNANIMOUSLY**

3. Flood Mitigation Project Status and Analysis

Mr. Anthony Carr, Chief of Operations and Public Works presented Public Works projects. He presented data source from Hurricane Elsa and Hurricane Ida. Mr. Carr presented a map showing current flooding and mitigation projects.

Mr. Livingston thanked Mr. Carr.

Mr. Goldstein said that a lot of these studies are happening now and asked what mitigation efforts were considered for this season. Mr. Carr explained there are over 20 hot spots in Norwalk and the crew goes out to these spots a few days before a storm to check the storm drainage.

Mr. Carr turned the presentation over to the team working on the New Canaan Avenue/Ponus Avenue project, Mr. Joe Kirby and Mr. Anthony Catalano of Woodard and Curran. They shared their screen and presented the existing conditions and presented the storm drainage and flooding mitigation analysis for the New Cannan Avenue/Ponus Avenue watershed area.

Mr. Livingston thanked Mr. Kirby and Mr. Catalano.

Ms. Niedzielski Eichner asked about next steps. Mayor Rilling explained that they have to prioritize the projects and use capital funds efficiently. If they are not careful, they will lose the AAA bond rating; however, he added that they can't continue to experience

flooding. Mr. Carr said the flood mitigation report will narrow the scope once they reach a decision of what is cost prohibitive and what is cost beneficial, they will discuss capital funding gaps with the administration and rank the projects. He said they will apply for grants, but Norwalk is in high competition with other communities.

Mr. Catalano said that as it relates to the New Canaan Avenue/Ponus Avenue project, they can select one of the alternatives and work with the City to come up with an option.

A. GENERAL COUNCIL BUSINESS:

Mr. Livingston announced that Ms. Niedzielski Eichner would be reading this evening's consent calendar.

B. CONSENT CALENDAR:

**** MS. NIEDZIELSKI EICHNER MOVED TO APPROVE THE FOLLOWING CONSENT CALENDAR:**

VI.A.1, VI.A.2, VI.A.3, VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.B.1, VII.B.3, VII.C.1, VII.C.2, VII.C.3, VII.C.4, VII.C.5A, VII.C.5B, VII.C.6A, VII.C.6B, VII.C.7, VII.C.8A, VII.C.8B, VII.C.8C, VII.C.8D, VII.D.1, VII.D.2, VII.D.3, VII.D.4, VII.D.5, VII.D.6, VII.E.1, VII.E.2, VII.E.3, VII.E.4A, VII.E.4B, VII.E.5

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. SETTLEMENT: MARTHE BOYER V. CITY OF NORWALK – CLAIM NO. A13952 – EXECUTIVE SESSION

2. SETTLEMENT: VINCENT FERRANTE V. CITY OF NORWALK – EXECUTIVE SESSION

3. SETTLEMENT: BRUCE MORRIS V. CITY OF NORWALK, NORWALK PUBLIC SCHOOLS AND NORWALK BOARD OF EDUCATION –EXECUTIVE SESSION

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC SAFETY AND GENERAL GOVERNMENT

1. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO AT&T FLEET COMPLETE UNDER NASPO PRICING FOR EQUIPMENT AND SERVICES OF FLEET COMPLETE FOR AN AMOUNT NOT TO EXCEED \$73,000 OVER THREE YEARS. ACCOUNT 09213610 5777

2. AUTHORIZE THE MAYOR HARRY W. RILLING, TO SIGN ANY AND ALL AGREEMENTS, DOCUMENTS AND INSTRUMENTS WITH VIGILANT SOLUTIONS, LLC FOR THE SOLE SOURCE PURCHASE OF VIGILANT INVESTIGATIVE DATA PLATFORM ANNUAL SUBSCRIPTION NOT TO EXCEED \$25,000 ANNUALLY. ACCOUNT # 013030 5235

3. AUTHORIZE THE MAYOR, HARRY W. RILLING TO SIGN AN INFORMATION SHARING AND ACCESS AGREEMENT WITH THE DEPARTMENT OF HOMELAND SECURITY (DHS)/ FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ACCESS NATIONAL FLOOD INSURANCE CLAIMS DATA FOR NORWALK.

4. AUTHORIZE THE PURCHASING AGENT, SHARON CONNERS, TO ISSUE A PURCHASE ORDER TO GOWENS KNIGHT COMPANY FOR THE VEHICLE REFURBISHMENT OF THE 2010 KME AERIAL TRUCK, NOT TO EXCEED \$116,636.36. FUNDING FOR THIS PROJECT WAS APPROVED IN THE 2022-2023 CAPITAL BUDGET. ACCOUNT NUMBER TBD.

B. ECONOMIC AND COMMUNITY DEVELOPMENT

**1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL DOCUMENTS TO RENEW THE CONTRACT FOR MARKETING SERVICES BETWEEN THE CITY OF NORWALK AND DORENBURG KALLENBACH ADVERTISING, LLC FOR ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000).
ACCT: 01-37-80-5258**

3. ADVANCE THE SUBMITTED APPLICATIONS TO THE COMMON COUNCIL FOR THEIR APPROVAL AT THE JUNE 14, 2022 COMMON COUNCIL MEETING FOR THEIR INCLUSION IN THE 2022 CONNECTICUT NEIGHBORHOOD ASSISTANCE ACT PROGRAM.

4. ADVANCE THE FINAL CDBG PY48 ANNUAL ACTION PLAN (AAP) TO THE COMMON COUNCIL FOR ITS APPROVAL AND TO AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS ASSOCIATED WITH THE SUBMISSION OF THE PY48 AAP TO HUD AND ALL DOCUMENTS CONSISTENT WITH THE APPROVED PY48 AAP. *CONSENT TO TABLE*

C. LAND USE AND BUILDING MANAGEMENT

1. AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDER(S) TO MCGRAW-HILL PUBLISHING FOR WONDERS RESOURCES FOR GRADES K-5 STUDENT LITERACY TEXT/DIGITAL MATERIAL FOR A TOTAL NOT TO EXCEED \$155,000 ACCT. #0920/215010-5777-C0609

2. AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDER TO SADDLEBACK PUBLISHING FOR MULTI-LINGUAL LEARNERS (MLL) READING RESOURCES FOR A TOTAL NOT TO EXCEED \$30,000. ACCT. #0920/215010-5777-C0609

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE PURCHASE ORDER TO BARNES AND NOBEL FOR MIDDLE SCHOOL MULTI-LINGUAL LEARNERS (MLL) READING RESOURCES FOR A TOTAL NOT TO EXCEED \$45,000 ACCT. #0920/215010-5777-C0609

4. AUTHORIZE A CONTINGENCY ALLOWANCE IN THE AMOUNT NOT TO EXCEED \$8,000 IN THE EVENT OF ORDER ADJUSTMENTS. ACCT. #0920/215010-5777-C0609

5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SAV-MOR COOLING AND HEATING, INC. FOR THE BEN FRANKLIN CENTER GYM AIR CONDITIONING INSTALLATION PROJECT FOR A TOTAL NOT TO EXCEED \$145,100.00. ACCOUNT #09226310 5777 C0799

5B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$14,510.00.

6A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH OLD COLONY CONSTRUCTION, LLC. FOR THE WOLFPIT ELEMENTARY SCHOOL OIL TANK REMOVAL PROJECT (STATE PROJ. 103-0254 CV/OT), ROTON MIDDLE SCHOOL OIL TANK REMOVAL PROJECT (STATE PROJ. 103-0256 CV/OT), FOX RUN ELEMENTARY SCHOOL OIL TANK REMOVAL PROJECT (STATE PROJ. 103-0258 CV/OT), AND NARAMAKE ELEMENTARY SCHOOL OIL TANK REMOVAL PROJECT (STATE PROJ. 103-0261 CV/OT) FOR A TOTAL NOT TO EXCEED \$671,400.00. FUNDS ARE AVAILABLE IN ACCT. # 09215010 5777 C0789.

6B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$67,140.00. FUNDS ARE AVAILABLE IN ACCT. #09215010 5777 C0789.

7. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO SPECIAL TESTING LABORATORIES, INC. FOR MATERIALS TESTING AND FIELD INSPECTION SERVICES FOR THE NEW CRANBURY ELEMENTARY SCHOOL PROJECT FOR A TOTAL NOT TO EXCEED \$90,000. FUNDS ARE AVAILABLE IN ACCOUNT 0921 5010 5777 C0786.

8A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CONSTRUCTION SOLUTIONS GROUP, LLC TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR JEFFERSON SCHOOL IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$64,584.75. ACCT. #0919/205010 5777 C0619

8B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CONSTRUCTION SOLUTIONS GROUP, LLC TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR NEW CRANBURY SCHOOL PROJECT FOR A TOTAL NOT TO EXCEED \$379,987.50. ACCT. #09215010 5777 C0786

8C. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CONSTRUCTION SOLUTIONS GROUP, LLC TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR NEW NORWALK HIGH SCHOOL PROJECT FOR A TOTAL NOT TO EXCEED \$1,148,110.50. ACCT. #09215010 5777 C0787

8D. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CONSTRUCTION SOLUTIONS GROUP, LLC TO PROVIDE PROGRAM MANAGEMENT SERVICES FOR NEW SOUTH NORWALK (SONO) SCHOOL PROJECT FOR A TOTAL NOT TO EXCEED \$730,895.00. ACCT. #09225010 5777 C0808

D. PUBLIC WORKS

1. AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO A SUBORDINATION AGREEMENT AND SUCH OTHER DOCUMENTS INCIDENTAL THERETO WITH NORWALK LAND DEVELOPMENT, LLC WITH RESPECT TO THE CITY'S GENERAL UTILITY EASEMENT RECORDED IN VOL. 7920, PAGE 329 OF THE NORWALK LAND RECORDS AND IN CONNECTION WITH NORWALK LAND DEVELOPMENT, LLC'S ELUR APPLICATION TO DEEP.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A 2ND AMENDMENT TO THE SEPTEMBER 8, 2020 AGREEMENT BETWEEN THE CITY OF NORWALK AND M. RONDANO, INC. FOR PROJECT DRG 2020-1 ON-CALL DRAINAGE IMPROVEMENTS AT VARIOUS LOCATIONS FOR A SUM NOT TO EXCEED \$300,000.00.

ACCOUNT NO. 13 40 10 5796 APW05

09 20 4062 5777 C0361

09 21 4021 5777 C0318

09 22 4021 5777 C0318

09 23 4021 5777 C0318

09 23 4021 5777 C0021

09 23 4021 5777 C0302

3. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION OF SEPTEMBER 14, 2021, ITEM VII.C.4 TO ADD ACCOUNTS DESIGNATED FOR THE ALMSTEAD TREE & SHRUB CARE COMPANY LLC FOR THE SUPPLY AND PLANTING OF TREES AND SHRUBS.

ACCOUNT NO. 380000 5790

01 37 20 5258

52 0000 5796 MLK07

510000 5796 GGP04

09 22 3710 5777 C0773

4. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION DATED OCTOBER 12, 2021, ITEM VII.B.6A AND ITEM VII.B.6B TO ADD ACCOUNTS DESIGNATED FOR DEERING CONSTRUCTION COMPANY INC. FOR PROJECT RD2021-2 CONCRETE CURB AND SIDEWALKS AT VARIOUS LOCATIONS ACCOUNT NUMBERS 09 23 4021 5777 C0021, 09 23 4021 5777 C0503, AND 09 23 4021 5777 C0318.

5. TECHNICAL CORRECTION OF THE COMMON COUNCIL ACTION DATED JULY 14, 2020, ITEM VII.C.7A AND ITEM VII.C.7B TO ADD ACCOUNTS DESIGNATED FOR THE GRASSO CONSTRUCTION COMPANIES LLC FOR PROJECT RD2020-1 CONCRETE CURB AND SIDEWALKS AT VARIOUS LOCATIONS ACCOUNT NUMBERS 09 22 4021 5777 C0021, 09 22 4021 5777 C0503, 09 22 4021 5777 C0318, 09 23 4021 5777 C0021, 09 23 4021 5777 C0503, AND 09 23 4021 5777 C0318.

**6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO CONCUR WITH PROJECT AUTHORIZATION LETTER (PAL) BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR STATE PROJECT 102-364 WEST AVENUE/BELDEN AVENUE ADAPTIVE TRAFFIC SIGNAL SYSTEM DATED MAY 24, 2022 AND SUBMIT A DEMAND DEPOSIT PAYMENT OF \$4,345 TO THE CONNECTICUT DEPARTMENT OF TRANSPORTATION.
ACCOUNT NO. 09 20 40 5777 C0528**

E. FINANCE AND CLAIMS

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: JUNE 9, 2022

2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: JUNE 9, 2022

3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: JUNE 2022

4A. AUTHORIZE THE MAYOR TO EXECUTE THE LEASE-NASPO-PURCHASE ORDER (STATE OF CT CONTRACT NUMBER 16PSX0180 / NASPO CONTRACT NUMBER ADSP016-169901) WITH QUADIENT INC FOR A SIXTY (60) MONTH LEASE, A TOTAL AMOUNT NOT TO EXCEED \$20,247. FUNDING AVAILABLE FROM ACCOUNT 011362-5294

4B. AUTHORIZE THE PURCHASING DEPARTMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$ 2,025. FUNDING AVAILABLE FROM ACCOUNT 011362-5294

5. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AGREEMENT WITH CLIFTON LARSON ALLEN, LLP (CLA) FOR ADDITION WORK RELATED TO GASB 87 IMPLEMENTATION. A TOTAL AMOUNT NOT TO EXCEED \$70,000 ACCOUNT 011310-5258.

**** MOTION PASSED UNANIMOUSLY**

VII. COMMON COUNCIL COMMITTEES

B. ECONOMIC AND COMMUNITY DEVELOPMENT

**** MR. KYDES MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT FOR LANDSCAPING SERVICES BETWEEN THE CITY OF NORWALK AND METICULOUS LANDSCAPING NOT TO EXCEED ONE HUNDRED AND EIGHTY THOUSAND DOLLARS EVERY YEAR FOR THE NEXT 3 YEARS (\$180,000).**

ACCT: 0923-3720-5777-C0806

ACCT: 0922-3710-5777-C0703

ACCT: 01-37-20-5258

Mr. Kydes explained that he took this item off of Consent, because he had some concerns. He said Meticulous Landscaping was the only business to respond to the RFP and he felt a three-year contract was too long. Mr. Livingston said that locking in a three-year contract when inflation is raging is beneficial to the City. Ms. Shanahan added that

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she believed they have been working for the City for a few years. Ms. Young added that they expanded their scope of work. Ms. Niedzielski Eichner said the bid was put out properly and they were not a sole source contractor. Mr. Heuvelman said they are a Norwalk company, employing Norwalk and Stamford residents. In addition, they have a diversity hiring practice. The City has a track record with this business and he sees no problem with the three-year contract.

**** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. KYDES)**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

XI. ADJOURNMENT

**** MS. REVOLUS MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:56 p.m.

ATTEST: _____
Irene Dixon, City Clerk