

COMMON COUNCIL ACTION JULY 12, 2011
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 called the meeting at 8:00 p.m. and led the assembly in the Pledge of Allegiance.

- I. **ROLL CALL:** **13 present (Absent: McQuaid, King)**
- II. **ACCEPTANCE OF MINUTES**
 - Regular Meeting:** **June 28, 2011** **APPROVED**
 - (Abstain: Simms, Bondi)**
- III. **PUBLIC PARTICIPATION** **1 present**

IV. **MAYOR**

A. **RESIGNATIONS AND APPOINTMENTS**

RESIGNATIONS: Mary Beth Sullivan (Alternate), Conservation Commission **ACCEPTED**

APPOINTMENTS:

Leslie White Siek, (Alternate) Conservation Commission	APPROVED
Bill Nightingale, Jr., (Alternate) Conservation Commission	APPROVED
Mary Beth Sullivan, Conservation Commission	APPROVED
Shannon Giandurco, Oak Hills Authority	APPROVED
Nathan Sumpter, Zoning Commission	APPROVED

REAPPOINTMENTS: Michael Stewart, Tax Assessor **APPROVED**
 Timothy Callahan, Director of Public Health **APPROVED**

Donald O. Nelson, Tree Advisory	APPROVED
Richard Whitehead, Tree Advisory	APPROVED
Mary Geake, Fair Rent Commission	APPROVED
Richard Stumpf, Fair Rent Commission	APPROVED
Erik T. Anderson, (Alternate) Fair Rent Commission	APPROVED
Johnnie Mae Weldon, (Alternate) Fair Rent Commission	APPROVED
Michael Mushak, Zoning Commission	APPROVED
Robert Hard, (Alternate) Zoning Commission	TABLED
Thomas Aikenhead, Oak Hills Authority	APPROVED

MAYOR'S REMARKS: The Mayor thanked everyone for their continued dedication to the City and welcomed several new members to various Commissions. He commended the work they have done and acknowledged all of the time and effort they give to the City.

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V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

B. CONSENT CALENDAR: VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.5, VII.A.8, VII.B.1a, VII.B.1b, VII.B.2, VII.B.3, VII.D.3, VII.D.4, VII.D.5, VII.D.6

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to execute an Agreement for Professional Engineering Services for "On-Call Traffic Engineering Services" with RBA of Connecticut, Inc. in an amount not to exceed \$20,000.00.

Account No. 014030 5258
014031 5343

AUTHORIZED

2. Authorize the Mayor, Richard A. Moccia to execute an Agreement for Professional Engineering Services for "On-Call Traffic Engineering Services" with Vanasse Hangen Brustlin, Inc. in an amount not to exceed \$10,000.00.

Account No. 014030 5258

AUTHORIZED

3. Authorize the Mayor, Richard A. Moccia to execute an amendment to the Agreement for Professional Engineering Services for between the City of Norwalk and Tighe & Bond, Inc. in conjunction with the West Avenue Roadway improvements Project in an amount not to exceed \$72,500.00 and require the Department of Public Works to seek delay damages as a result of a traffic light/signal mast manufacturing error that was discovered after their delivery to the City and which necessitated their return for re-manufacturing.

Account No. Norwalk Redevelopment Agency

AUTHORIZED

4. Approve the technical correction of Item VII. D. 4. of the Common Council meeting of June 14, 2011:

- a. As authorized on June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3045, to provide Transport and Disposal of Yard Waste Materials for a FY 2011-12 price of \$21.75/ton for brush, logs, stumps and woodchips and \$19.60/ton for leaves; FY 2012-13 price of \$22.40/ton for brush, logs, stumps and woodchips and \$20.19/ton for leaves; and FY 2013-14 price of \$23.07/ton for brush, logs, stumps and woodchips and \$20.79/ton for leaves.

Account No. 0140 42 5299

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A. PUBLIC WORKS COMMITTEE cont.

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3045, to provide Transport and Disposal of Yard Waste Materials for a FY 2011-12 price of \$21.75/ton for brush, logs, stumps and woodchips and \$19.60/ton for leaves; FY 2012-13 price of \$22.40/ton for brush, logs, stumps and woodchips and \$20.19/ton for leaves; and, FY 2013-14 price of \$23.07/ton for brush, logs, stumps and woodchips and \$20.79/ton for leaves. The Agreement may be extended for up to three (3) one – year extension terms based on unit pricing stated in bid documents.

Account No. 0140 42 5299

APPROVED

5. Approve the technical correction of Item VII. D.5. of the Common Council meeting of June 14, 2011:

a. As authorized on June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3046, to provide Transportation and Disposal of Street Sweepings/Catch Basin Grit, Excavated Material and Broken Structural Concrete for a FY 2011-12 price of \$31.94/ton; FY 2012-13 price of \$32.90/ton; and FY 2013-14 price of \$33.89/ton.

Account No. 0140 42 5299

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with DW Transport and Leasing, Inc., for Project No., 3046, to provide Transportation and Disposal of Street Sweepings/Catch Basin Grit, Excavated Material and Broken Structural Concrete for a FY 2011-12 price of \$31.94/ton; FY 2012-13 price of \$32.90/ton; and, FY 2013-14 price of \$33.89/ton. The Agreement may be extended for up to three (3) one – year extension terms based on unit pricing stated in bid documents.

Account No. 0140 42 5299

APPROVED

A. PUBLIC WORKS COMMITTEE cont.

6. Authorize the Mayor, Richard A. Moccia to sign the Resolution for the Reconstruction of Rowayton Avenue at Metro-North Railroad Bridge.

AUTHORIZED

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RESOLUTION

Reconstruction of Rowayton Avenue at Metro North Railroad Bridge

WHEREAS, the City of Norwalk has conducted public information meetings regarding the proposed project for the "Reconstruction of Rowayton Avenue at Metro North Railroad Bridge" (ConnDOT Project No. 102-340); and

WHEREAS, the City of Norwalk, CT has published a legal notice display ad, mailed a news release to multiple officials and agencies, and mailed a formal letter to abutting property owners, announcing the latest public informational meeting on the proposed project; and

WHEREAS, the most recent public informational meeting was held on April 13, 2011 from 7:00 PM to 8:30 PM in City Hall, at which residents and elected officials had the opportunity to voice their concerns; and

WHEREAS, the South Western Regional Planning Agency has endorsed this project; and

WHEREAS, the Norwalk, CT Common Council has considered the concerns of residents from the public informational meetings and finds that the proposed project, Reconstruction of Rowayton Avenue at Metro North Railroad Bridge No. 4132R (ConnDOT Project No. 102-340) is in the best interest of the City of Norwalk, CT and will promote the health, safety and general welfare of its residents and provide for the convenience and safety of the motoring public and pedestrian traffic. The City will continue to address the concerns of residents and other interested parties as design development of the project proceeds.

NOW THEREFORE, the City of Norwalk, CT based on the above information, and by virtue of this resolution, hereby fully supports the proposed project, with the understanding that further review of this project is required when project plans are at 50 percent and that the Common Council must approve those plans.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Norwalk, Connecticut, this ____ day of _____, 2011.

Richard A. Moccia
Mayor of the City of Norwalk, CT

ADOPTED BY MAJORITY: Vote: 7 in favor, 3 against, 3 abstained

RESOLVED

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A. PUBLIC WORKS COMMITTEE cont.

7. Approve the technical correction of Item VII. D. 1. of the Common Council meeting of June 14, 2011:

a. As authorized on June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Almstead Tree and Shrub Care, LLC for the supply and planting of trees and shrubs for an amount not to exceed \$60,000 per year.

Account No. 09 08 4021 5777 C0233
09 12 4021 5777 C0233
09 09 6030 5777 C0370
09 12 6030 5777 C0370

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Almstead Tree and Shrub Care, LLC for the supply and planting of trees and shrubs for an amount not to exceed \$60,000 per year. The Agreement to have a base period of three (3) years with two (2) one-year option periods.

Account No. 09 08 4021 5777 C0233
09 12 4021 5777 C0233
09 09 6030 5777 C0370
09 12 6030 5777 C0370

APPROVED

8. Approve the technical correction of Item VII.D.3. of the Common Council meeting of June 14, 2011:

a. As authorized June 14, 2011:

Authorize the Mayor, Richard A. Moccia, to execute and amendment to the agreement with A & J Construction for Project No. PM 2011-1 Proposed Pavement management Program for the sum not to exceed \$2,000,000.00

Accounts Nos. 09 11 4021 5777 C0021
09 12 4021 5777 C0021
030000-2602
09 11 4021 5777 C0318
09 12 4027 5777 C0302

b. Technical correction for approval:

Authorize the Mayor, Richard A. Moccia, to execute and amendment to the agreement with Alcaide, Inc. for Project No. PM 2011-1 Proposed Pavement management Program for the sum not to exceed \$2,000,000.00

Accounts Nos. 09 11 4021 5777 C0021
09 12 4021 5777 C0021
030000-2602
09 11 4021 5777 C0318
09 12 4027 5777 C0302

APPROVED

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B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

- 1a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with NAC Industries Inc., Oxford, CT for the renovation the Fire Services Building at 100 Fairfield Avenue for a total not to exceed \$77,000.00. Acct. #09113110-5777-C0466 **AUTHORIZED**
- 1b. Authorize the Office of Building Management to issue Change Orders on Contract for a total not to exceed \$7,700.00. **AUTHORIZED**
2. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Yankee Gas Services Company for the installation of a new gas service at 100 Fairfield Avenue, necessary to provide gas for the relocation of the fire station from Volk Fire Headquarters. The cost for the new service shall be for a total not to exceed \$16,233. Acct #0911/10-3110-5777-C0466 **AUTHORIZED**

(THE FOLLOWING ITEM WAS TABLED FROM THE COUNCIL MEETING OF JUNE 28, 2011)

3. Authorize the Mayor, Richard A. Moccia, to execute a Lease Agreement with Western Connecticut Convention & Visitors Bureau for the Gate House at Mathews Park. Terms of the Agreement shall include:
- Use – Tourism Center. Sublease limited to tourism and cultural related uses only. Terms of sublease agreements will be subject to approval by the Common Council and Historical Commission.
 - Lease Period – One year with 30 day termination clause for both parties.
 - Lease Amount – \$5/ years plus \$2,000 security deposit with Lessee responsible for all utilities and building operating expenses.
- AUTHORIZED**

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to enter into an agreement with the TPA Design Group RFP #3033 – Creation of a Comprehensive Master Plan for Veteran's Park for a sum not to exceed \$30,000. Account #09096030-5777-C0367. **REFER BACK TO COMMITTEE**

D. PLANNING COMMITTEE

1. Deny 1-year extension as requested by POKO-IWSR Developers, LLC (Redeveloper) on March 21, 2011. **DENIED**
2. Approve a six month extension to September 21, 2011 **APPROVED**
3. Approve the Housing Authority's application to the federal Section 3 Program Coordination and Implementation Program to be consistent with the City's current Consolidated Plan and approve the Mayor to execute the required Certificate of Consistency. **APPROVED**

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D. PLANNING COMMITTEE cont.

4. Approve the Norwalk Housing Authority's application to the federal 2011 Capital Fund Education and Training Community Facilities (CFCE) Program to be consistent with the City's current Consolidated Plan and approve the Mayor to execute the required Certificate of Consistency. **APPROVED**
5. Authorize the City acting through the Norwalk Redevelopment Agency to submit an application for a Transit-Oriented Development Pilot Program Grant in the amount of \$500,000 to fund the design and engineering of pedestrian access and streetscape improvements as recommended by the Transit Oriented Development Master Plan for the South Norwalk Railroad Station Neighborhood. **AUTHORIZED**
6. Authorize the Mayor to execute all documents required to advance the application and the Redevelopment Agency to administer the grant. **AUTHORIZED**

VIII. RESOLUTIONS FROM COMMON COUNCIL None

IX. MOTIONS POSTPONED TO A SPECIFIC DATE None

X. SUSPENSION OF RULES None

XI. ADJOURNMENT at 9:24 p.m.

APPOINTMENTS

CONSERVATION COMMISSION	M/C	NWLK CODE 352 A
Leslie White Siek (U) (Alternate) 15 Ensign Road Norwalk, CT 06853-1706	APPROVED	Term Exp. 01/01/2013 fill unexpired term Mary Beth Sullivan

Bill Nightingale (R) (Alternate) 17 South Beach Drive Norwalk, CT 06853	APPROVED	Term Exp.01/01/2015 fill unexpired term of Elizabeth Ackerman
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Mary Beth Sullivan (D) 9 Harbor View Avenue Norwalk, CT 06854	APPROVED	Term Exp. 01/01/2013 fill unexpired term of Anne Cagnina
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OAK HILLS AUTHORITY	M/C	NWLK CODE §73-2
Shannon O'Toole Giandurco (U) 130 Fillow Street Norwalk, CT 06850	APPROVED	Term Exp. 06/24/2014

ZONING COMMISSION	M/C	NORWALK CODE §79
Nathan Sumpter (D) 45 Baxter Drive Norwalk, CT 06851	APPROVED	Term Exp. 07/01/2014

REAPPOINTMENTS

TAX ASSESSOR	M/C	
Michael Stewart 209 Edgecombe Avenue New York, New York 10030	APPROVED	Term Exp. 6/30/2015

DIRECTOR OF HEALTH	M/C	NWLK Code 57-2
Timothy Callahan 66 Jackman Ave. Fairfield, CT 06825	APPROVED	Term expires-7/01/15

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TREE ADVISORY	M/C	NWLK CODE §112-3b
Donald O. Nelson (R) 19 Isaacs Street, Apt. 205 Norwalk, CT06850	APPROVED	Term Exp. 07/01/2014
Richard Whitehead (Arborist) 53 Maple Street Darien, CT06820	APPROVED	Term Exp. 07/01/2014
FAIR RENT COMMISSION	M/C	NWLK CODE 39
Mary Geake (D) 39 Elmwood Avenue Norwalk, CT 06854	APPROVED	Term Exp. 07/01/2014
Richard Stumpf (R) 25 Cobblers Lane Norwalk, CT 06851	APPROVED	Term Exp. 07/01/2014
Erik T. Anderson (D) (Alternate) 28 Adams Avenue Norwalk, CT 06851	APPROVED	Term Exp. 07/01/2014
Johnnie Mae Weldon (D) (Alternate) 40 Taylor Avenue Norwalk, CT 06854	APPROVED	Term Exp. 07/01/2014
ZONING COMMISSION	M/C	NORWALK CODE §79
Michael Mushak (D) 50 Elmwood Avenue Norwalk, CT 06854	APPROVED	Term Exp. 07/01/2014
Robert Hard (D) (Alternate) 213 Wolfpit Avenue Norwalk, CT 06851	TABLED	Term Exp. 07/01/2014
OAK HILLS AUTHORITY	M/C	NWLK CODE §73-2
Thomas Aikenhead (D) 82 Ledgebrook Drive Norwalk, CT 06850	APPROVED	Term Exp. 06/24/2014