

**CITY OF NORWALK
BOARD OF ESTIMATE AND TAXATION
REGULAR MEETING
MARCH 2, 2009**

ATTENDANCE: Mayor Richard A. Moccia; Friedrich Wilms, Chairman;
James Clark, James Feigenbaum, Michael Kolman, Michael
Lyons, Leo Mellow.

STAFF: Mary Roman, City Clerk; Thomas Hamilton, Director of Finance,
Ossie Lewis, Director of Budget and Management.

OTHERS: Hal Alvord, Department of Public Works.

CALL TO ORDER

Mr. Wilms called the meeting to order at 7:35 p.m. Ms. Roman called the roll and announced that a quorum was present.

**** MR. LYONS MOVED TO APPROVE THE MINUTES OF THE
FEBRUARY 9, 2009 SPECIAL MEETING AS SUBMITTED.
** MAYOR MOCCIA SECONDED.
** THE MOTION PASSED UNANIMOUSLY**

SPECIAL APROPRIATIONS AGENDA (SECTION A)

LIST OF RESOLUTIONS (ADVERTISED ITEMS - 3)

Item 1: \$50,000 from Contingency to the Department of Public Works to pay for Maintenance and Repairs of streets due to the harsh winter. This appropriation is to cover the cost of on-going road repairs and patching potholes through the end of the fiscal year. Mr. Alvord from the Department of Public works reported that due to the severity of the winter, DPW has as expended 91% of the funds appropriated in the account for the fiscal year 2008-09. This is due primarily to significantly high cost of asphalt currently at \$101-\$130/ton versus \$78/ton last year, and that coal patch is also higher and only available at two plants, Danbury and Mt. Vernon, NY.

Mayor Moccia reported that pothole repairs would be delayed to April due to the current weather and the high snow fall conditions. As an aside, he also indicated that there were only eight (8) calls for plowing and that all indications are that the new GPS and routing systems are working great and the city streets are in good condition following the recent 14" snow fall.

Mr. Alvord mentioned that due to the snow fall, the recycling for Monday was moved to Saturday, March 7, because the light weight of the recycling trucks presents a motor safety hazard.

**** MAYOR MOCCIA MOVED TO APPROVE THE SUM NOT TO EXCEED \$50,000 TRANSFERRED FROM CONTINGENCY TO THE DEPARTMENT OF PUBLIC WORKS TO PAY FOR MAINTENANCE AND REPAIRS OF STREETS DUE TO THE HARSH WINTER (ACCOUNT 01-4021-5381).
** THE MOTION PASSED UNANIMOUSLY.**

Item 2: \$585,000 transferred from Contingency to the Department of Public Works for Solid Waste Disposal. Mr. Hamilton reported on the background details of an alternative financial arrangement with City Carting, which was signed in August 2008 but not implemented in time to achieve a projected savings of approximately \$450,000. The actual variance will depend on the tonnage delivered to the transfer station over the next five months.

**** MAYOR MOCCIA MOVED TO APPROVE THE SUM AS AMENDED AND NOT TO EXCEED \$540,000 TRANSFERRED FROM CONTINGENCY TO THE DEPARTMENT OF PUBLIC WORKS FOR SOLID WASTE DISPOSAL. (ACCOUNT 01-4042-5298).
** THE MOTION PASSED UNANIMOUSLY.**

Item 3: \$126,485 transferred from increased estimated revenues to the Board of Education for school heating assistance. Mr. Hamilton presented background information on identified savings that was received from the State of Connecticut which was designated to alleviate part of the city budget deficit. This amount has now been relegated to remain in the Board of Education budget, as requested from the State of Connecticut Office of Policy and Management.

**** MR. WILMS MOVED TO APPROVE THE SUM NOT TO EXCEED \$126,485 TRANSFERRED FROM INCREASED ESTIMATED REVENUES TO THE BOARD OF EDUCATION FOR SCHOOL HEATING ASSISTANCE FROM THE STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT (ACCOUNT 16026200-624-60).**

**** THE MOTION PASSED UNANIMOUSLY**

Justification/Back-up Material

Back-up materials were provided in support of List of Resolutions (3) Advertised Items and report on Special Appropriations, as follows:

- Memorandum from Lisa Burns, Dept. of Public Works to T. Hamilton regarding FY 80-09 Special Appropriation Request Asphalt & Asphalt Filler.
- Copies of invoices from Tilcon Connecticut, Inc. #1026742, 1026743, 1026744, 1026668, 1026669, 1026671.
- Copy of a letter from Tensar, International to Michael Yeosock, regarding literature on GlasGrid Pavement Reinforcement Systems.
- Copy of invoice from N.Y. Materials, LLC #14755 listing Green Patch pricing.
- Memo from Lisa Burns, DPW to T. Hamilton outlining details of actual solid waste expenditures vs. budgeted 2008-09.
- Copy of ACH remittance advice from State of CT Office of State Comptroller on payment of \$126,485.00 OPM School Heating Assistance to the Norwalk Town Treasurer.
- Copy of FEDI Notification Advice from Webster Bank of \$126,485.00 deposit.
- Copy of page 5 of Board of Education minutes dated December 16, 2008.
- Copy of pages 7-8 of Board of Education minutes dated January 6, 2009.
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Transfer Agenda (Section B)

Mr. Wilms stated that there no transfer items for this meeting, and provided a written summary of previously approved transfers from contingency for fiscal year 2008-09 that total \$67,199.

Other Business (Section C)

Item 1: Bond Resolution for West Avenue Corridor (Waypointe) Project

Mr. Hamilton presented an appropriation and bond resolution related to the West Avenue Corridor (Waypointe) Project and executive summary of the proposed Master Development Agreement as prepared by Robinson & Cole, LLP, Special Counsel, City of Norwalk. After several months of detailed review and presentations by the Planning Committee of the Common Council, the proposed Master Development Agreement (MDA) between the City and the developer of the WayPointe Project is nearing the point where the agreement is ready to be considered by the full Common Council.

Mr. Lyons asked about the increase to the city's debt ratio. Mr. Hamilton stated that they expect this to be self-supported debt, and in the worst case would be applied to a debt service reserve fund. There are significant pre-conditions involved where the developer

is required to finance and construct all of the public improvements at his own initial expense; the City does not purchase the public improvements from the developer until the public and private improvements are fully constructed.

Mayor Moccia mentioned that in addition there is \$42 million in Urban Core Development Funds available and if the a City gets part of that the bond amount will go down. He clarified that we are not simply giving \$104 million to the developer.

The developer takes the construction risk, and this is a major infrastructure of public improvements, and represents the future growth of the city of Norwalk. Waypoint will provide several shops and ample parking garages with easy access to I-95 and Route 7, with various large developments that work together. One unique feature relative to transportation is shuttle service not buses will be available surrounding the complex.

Mr. Feigenbaum asked what is the evidence of occupancy. Mr. Clark answered that it was 75% leased and occupied physical occupancy. Mr. Mellow asked about the special tax, and Mr. Hamilton responded that special point is the developer has agreed to a special services district (SSD) tax. This SSD tax will be a supplemental property tax levied on property owners within the Waypointe Special Services District, and will be collected directly by the city. The financial projections are that roughly one half of the funds needed to repay the debt will come from the SSD tax, and one half will come from parking revenue.

Mr. Wilms asked to state just for the record, why now, in view of the unstable economy. Mayor Moccia responded that this has been in the development, planning and presentation stages since last September, and that the city has made a commitment with the equity partner, and wants to get it on the agenda for the March meeting. There is a public hearing going on tonight. Mr. Hamilton added that there is one change to this package that the full Common Council is required to hold a public hearing session in addition to the one being held tonight. As a result, the public hearing will be held on March 10 regarding this proposal and resolutions.

Mr. Clark added that WayPointe has sought feedback from the community, and he has seen a positive benefit from the good, constructive dialogue that has occurred at each stage of the process. WayPointe has been very responsive and has actually changed aspects of the plan based upon feedback from various groups and committees. He is excited by the prospect that the this process will serve the best interests of the city, and all of the committees involved deserve a great deal of credit for all the hard work, and many meetings, discussions, and presentations. He very much looks forward to this project finally moving closer to construction. Mr. Hamilton added that this project will play a vital role in transforming the urban core of the City of Norwalk.

Mayor Moccia restated his appreciation to all involved with the West Avenue Corridor project and said this committee would have the opportunity to have the most impactful and positive change for the future of the City of Norwalk.

**** MAYOR MOCCIA MOVED TO PASS ALONG FOR APPROVAL TO THE COMMON COUNCIL THE RESOLUTION OF THE CITY OF NORWALK MAKING APROPRIATIONS FOR THE ACQUISITION OF CERTAIN PUBLIC IMPROVEMENTS RELATED TO THE WEST AVENUE CORRIDOR (WAYPOINT) PROJECT AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR REVENUE BONDS OF THE CITY TO MEET SAID APPROPRIATIONS (R&C DRAFT 2/25/09)**

**** THE MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE.**

2. Appointment of Auditor

Mr. Hamilton presented a memorandum and referenced an e-mail stating that they have been very satisfied with McGladrey & Pullen's five-year service, recommending to extend the existing contract without any price increase for the audit of June 30, 2009. Mr. Wilms stated that the feeling from the Audit Committee was that McGladrey & Pullen were very well-known and respected; and there were no reasons not to extend the contract.

Mayor Moccia said five years is a long time, and we should be prepared to do an RFP, which may very well result in McGladrey being the most cost effective choice. Mr. Clark added that BEST accounting practices require an RFP after a five-year period of time. Mr. Hamilton indicated he would prepare for the RFP to be issued in mid-December for a mid-January response, which would be ideal.

**** MR. WILMS MOVED THAT THE BOARD OF ESTIMATE AND TAXATION APPOINT MCGLADREY AND PULLEN AS THE AUDITOR FOR THE CITY OF NORWALK AND BOARD OF EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2009 AT A PRICE NOT TO EXCEED \$92,000 AND THAT THE DIRECTOR OF FINANCE WOULD BEGIN AN RFP PROCESS IN A TIMELY AND ORDERLY FASHION THEREAFTER.**

**** THE MOTION PASSED UNANIMOUSLY.**

Monthly Tax Collection Report – January 31, 2009

There was no specific discussion or action relative to the monthly tax collection report.

5. Additional Information (Section D)

The Fire Department and Police Wage Reports dated 2/26/09 were discussed relative to the deficits due to overtime. Mr. Lewis highlighted that there is a separate item for DROP participants and other severance payments for both the Fire Department (\$154,616) and for the Police of (\$199,882).

The Norwalk Parking Authority consolidated Income Statement was reviewed showing a projected surplus of \$14,000. Mayor Moccia stated that a surplus would most likely not be achieved due to price roll-backs that would no longer be in effect. He mentioned that the Parking Authority like other City departments have been asked to evaluate their operating expenses in view of the current budget situation.

Mayor Moccia provided a brief summary of the Stimulus Package update, stating that he put in for \$188million that has to be applied for directly to Hartford. The package is being managed by governors as opposed to city mayors, which makes it a more cumbersome process. He said he has to prioritize the \$188million, with the number one request for the West Avenue Urban Core of \$42million. Following that is his second priority of repaving city streets for \$25million. The third priority is renovation of the Health Department building for \$3million, and hopefully the remainder for the Police Station. He said it is unlikely he will get the entire \$188million, and amounts will be adjusted based on what is awarded.

There is another grant available called the Fire Station Building Fund. \$210million is available, and Mayor Moccia has put a committee together to get paperwork and proposals prepared quickly. They need to be ready to apply in 90 days, so the committee is working hard to be prepared for implementation in July for the grant that is available.

Mayor Moccia also stated that he received a phone call today that the Community Health Center received a \$1.2million grant for program expansion, not construction, but expansion. \$230,000 was received for Block Grant money primarily to create jobs.

Mr. Wilms asked if there was any report of additional monies coming to education. Mayor Moccia said there was \$3million that was coming in to Special Education, but he did not have the details as how it was to be used, or what the spending parameters are.

Mayor Moccia reported there is also \$24million in JAG money from the Department of Justice, that can be used to hire police officers. The only problem with that is that you may have to hire officers up to that limit because the money cannot be used for vehicles or equipment. He said he has asked Tom to get creative to come up with ways they can apply for grants that can be used for vehicle upgrades or equipment improvements.

The following reports were distributed only without comment to be reviewed in further detail at a later meeting:

- Oak Hills Park Financial Status – January 2009
- Summary of Special Appropriation – FY 2008-09
- Status of Contingency – FY 2008-09
- Financial Reports
 - Year-to-date Operating Budget Report (FY 2008-09)
 - Board of Education Budget Report (FY 2008-09)
 - Salary Accounts

**** MR. WILMS MOTIONED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services