

**COMMON COUNCIL  
NORWALK, CONNECTICUT**

**ACTION**

**MARCH 10, 2009  
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 to order at 8:45pm and the Girl & Boy Scouts Troop led the assembly in the Pledge of Allegiance and the National Anthem.

I. ROLL CALL 15 present - quorum

II. ACCEPTANCE OF MINUTES  
Regular meeting – February 24, 2009 Accepted as corrected

III. PUBLIC PARTICIPATION 1 Speaker

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations:

Appointments: Eileen Brown – Parking Authority Approved

Reappointments: Nancy Burke – Fair Housing Advisory Commission Approved

B. REMARKS

Mayor Moccia mentioned that Council members where sent copies of the stimulus package project list that was sent to the Governor's Office.

V. COUNCIL PRESIDENT

Council President Bolden announced there will be an open government meeting in April.

A. GENERAL COUNCIL BUSINESS

1. Appointment of members to the Board of Ethics: Approved

Alice Allen (U) Reg./ 1yr

Elizabeth Broncati (R) Reg./ 3yrs

James Del Greco (U) Reg./ 2yrs

Jack English (D) Alt./ 3yrs

William Fitzgerald (D) Reg./ 2yrs

Rev. Marcellus Norris (D) Reg./ 3yrs

Charles Stabinsky (R) Alt./ 1yr

B. CONSENT CALENDAR: The following items are on consent: VII.A.1a,1b,3a-6; VII.B1-4

VI. AGENCIES, BOARDS & COMMISSIONS

A. CORPORATION COUNSEL

1. Authorization to settle claim: Stephen Gall v. City of Norwalk **EXECUTIVE SESSION** Authorized

VII. COMMON COUNCIL COMMITTEESA. PUBLIC WORKS COMMITTEE

- 1a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with FGB Construction for Project No. PM 2009-1, Proposed Pavement Management Program, for a sum not to exceed \$1,697,780.50. Authorized
- 1b. Authorize the Director of Public Works, to issue orders on Contract to FGB Construction for Project No. PM 2009-1, Proposed Pavement Management Program, for a sum not to exceed \$169,778.00. Authorized  
Account No. 0909 4021 5777 C0021  
030000 2602 (\$96,497.32)
- 2a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Fred N. Durante for Project No. PM 2009-2, Proposed Bituminous Concrete Permanent Pavement Repair, for a sum not to exceed \$276,740.00. Authorized
- 2b. Authorize the director of Public Works to issue Orders on Contract to Fred N. Durante for Project No. PM 2009-2, Proposed Bituminous Concrete Permanent Repair, for a sum not to exceed \$27,674.00. Authorized  
Account No. 030000 2602
- 3a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Asphalt Paving Systems for Project No. PM 2009-3, Proposed Crack Sealing and Micro-Surfacing, for a sum not to exceed \$211,480.00. Authorized
- 3b. Authorize the Director of Public works to issue Orders on Contract to Asphalt Paving Systems for Project No. PM 2009-3, Proposed Crack Sealing and Micro-Surfacing, for a sum not to exceed \$21,148.00. Authorized  
Account No. 0909 4021 5777 C0021
- 4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Earthmovers, Inc. for Project No. DRG 2008-2, Proposed Drainage Improvements at Mary Austin Place and Silvermine Avenue, for a sum not to exceed \$314,886.00. Authorized
- 4b. Authorize the director of Public Works to issue Orders on contract to Earthmovers, Inc. for Project No. DRG 2008-2, Proposed Drainage Improvements at Mary Austin Place and Silvermine Avenue, for a sum not to exceed \$31,487.00. Authorized  
Account No. 0908 0404 0270 0 5777 C0424 (\$50,000.00)  
0909 0404 0270 0 5777 C0424 (\$248,496.00)  
0903 0404 0270 0 5777 C0138 (\$47,877.00)
- 5a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Nagy Bros. Construction for Project No. DRG 2009-1, Calf Pasture Beach Road Culvert Replacement and Roadway Improvements, for a sum not to exceed \$244,988.50. Authorized
- 5b. Authorize the Director of Public Works to issue Orders on Contract to Nagy Bros. Construction for Project No. DRG 2009-1, Calf Pasture Beach Road Culvert Replacement and Roadway Improvements, for a sum not to exceed \$24,500.00. Authorized  
Account No. 0906 0404 0210 0 5777 C0352 (\$147,000.00)  
0904 0404 0210 0 5777 C0285 (\$24,922.00)  
0909 0404 0210 0 5777 C0021 (\$97,566.50)

VII. COMMON COUNCIL COMMITTEES (continued)A. PUBLIC WORKS COMMITTEE (continued)

6. Technical correction: To the February 10, 2009 Action, item VII.A3 to reflect correct name of company.

Original item:

3. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Westport Electric Co., Inc. for the installation of new wire and miscellaneous components associated with the Washington Street Historic Street Lighting for a sum not to exceed \$45,150.
- |   |          |
|---|----------|
| Account Nos: 09-07-040-40210-0-5777-C0380 | \$28,650 |
| 09-00-091-05701-C0009                     | \$16,500 |

Correct item:

3. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Wanat's Westport Electric Company, Inc. for the installation of new wire and miscellaneous components associated with the Washington Street Historic Street Lighting for a sum not to exceed \$45,150.
- |   |          |                   |
|---|----------|-------------------|
| Account Nos: 09-07-040-40210-0-5777-C0380 | \$28,650 |                   |
| 09-00-091-05701-C0009                     | \$16,500 | <u>Authorized</u> |

B. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute a First Amendment to the Frequency Reconfiguration Agreement between the City and Nextel Communications Mid-Atlantic Inc. in order to increase the authorized budget for legal fees to compensate special counsel for services in connection with the negotiations with Sprint/ Nextel. The costs of legal fees will be reimbursed by the Sprint Nextel Corporation. Authorized
2. Authorize the Mayor, Richard A. Moccia, to execute a Second Amendment to the Frequency Reconfiguration Agreement. This Amendment shall amend and revise that certain Frequency Reconfiguration Agreement (the "Agreement") executed on May 22, 2008 and amended on \_\_\_\_\_ by and between City of Norwalk, a political subdivision of the State of Connecticut ("Incumbent") and Nextel Communications of the Mid-Atlantic, Inc. ("Nextel"), a wholly owned indirect subsidiary of Sprint Nextel Corporation, a Kansas corporation (each is referred to in this Agreement as a "Party" and collectively as the "Parties"). Authorized
- 3a. Authorize the Mayor, Richard A Moccia, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut for the Immunization Action Plan Program for the period January 1, 2009 to December 31, 2011. Authorized
- 3b. Authorize the Mayor, Richard A Moccia, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Immunization Action Plan Program for the period January 1, 2009, to December 31, 2011. Authorized
4. Authorize the Mayor, Richard A. Moccia, to execute an amendment to Salamone and Associates, P.C. contract for engineering services for the health department building to prepare a construction document package and bidding and construction administration for a total not to exceed \$7,500.00 acct. # 0909 2012 5777 project # C-0453. Authorized

- VIII. RESOLUTIONS FROM COMMON COUNCIL None
- IX. MOTIONS POSTPONED TO A SPECIFIC DATE None
- X. SUSPENSION OF THE RULES None
- XI. ADJOURNMENT 9:45pm

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APPOINTMENTS

PARKING AUTHORITY	M/C	Nwlk Code 73A
EILEEN BROWN (R) 33 N. Water Street #308 Norwalk, CT 06854	<u>Approved</u>	(Fill J. Santos unexpired term) Term expires 3/31/12

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REAPPOINTMENTS

FAIR HOUSING ADVISORY COMMISSION	M/C	Nwlk Code 59-A
NANCY BURKE (D) 154 Winfield Street Norwalk, CT 06855	<u>Approved</u>	Term expires – 9/1/11