

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

I. ROLL CALL

Mayor Moccia called the meeting to order at 8:00 p.m. Boy Scout Troop 2 from Rowayton, led the Assembly in reciting the Pledge of Allegiance.

Ms. Halsey called the Roll. The following Council Members were present:

Council at Large: Anna Duleep Douglas Hempstead Fred Bondi
 Warren Pena Joanne Romano

District A: Matthew Miklave David Watts
District B: Carvin Hilliard Michael Geake
District C: Nicholas Kydes Michelle Maggio
District D: Bruce Kimmel Jerry Petrini
District E: John Igneri David McCarthy

Fifteen (15) Council Members were present.

II. ACCEPTANCE OF MINUTES

Regular Meeting:

January 24, 2012

The following correction was made to the minutes:

Page 5: First paragraph, first sentence should read: Mr. Petrini stated that he was the president of the Marching Bears for two years and a member for over ten years.

**** MR. PETRINI MOVED TO ACCEPT THE MINUTES AS CORRECTED
** MOTION PASSED UNANIMOUSLY**

II. PUBLIC PARTICIPATION

Dr. Susan Wallerstein, Wolfpit Avenue spoke about board and commission appointments. She said that she accepts and respects the Mayor's right to make those judgments. She said that there seems to be a pattern of going back to the same people. She recognized the City Clerk's efforts to update the City's website showing who is accountable for different functions in the City. Dr. Wallerstein said that there has been a steady decline in people's willingness to vote and she noted the exchange of favors for votes. She said that women are underrepresented on several boards. She said that the

City is not transparent if a resignation is announced on the same night as an appointment to that position is announced.

Mr. Bobby Burgess, Brooklawn Avenue spoke about board and commission appointments. He said that he could not believe the argument he is hearing now. He said that we have a Mayor who listens to the people and feels that people should be appointment to various boards that have a stake in the City. He said that it is nice to have someone who has respect enough to listen to the people.

Ms. Mary Beth Baker, Morgan Avenue commented on the grant application for the Commission on the Arts. She said that the last thing she saw from them was dated in July. She said that she has not seen anything in writing from this Commission and now there is a grant before the Common Council. Mayor Moccia noted that he put Dr. Wallerstein on this Commission.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Mayor Moccia said that of the eight members of the Tax Appeal Board, seven are women. He said that he does the best he can and finds it interesting that there are comments made when four of the eight appointments this evening are women. Mayor Moccia said that he appointment the first woman to the Fire Commission.

RESIGNATIONS: John Federici, Parking Authority

APPOINTMENTS:

**** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF EDWIN CAMACHO, ESQ. TO THE FAIR HOUSING ADVISORY COMMISSION**

Mr. Kydes said that he has known Mr. Camacho for a number of years and feels he is a good choice.

Mr. Hilliard said that he knows Mr. Camacho and feels he is an excellent choice.

Ms. Duleep said that as someone who has not had the benefit of knowing him, appreciates the feedback from the public and the letter in the meeting packet.

Mr. Miklave said that he was speaking globally about the process. He said that he recognizes the Mayor's power and right to make appointments and respects that difficult task, but is disappointed with the process. He said that in January the Mayor pledged to

give this body 10 days notice of appointments, but he has broken his word at every single meeting, including tonight.

Mr. Miklave said that going forward he hoped he could convince the Mayor of the wisdom of keeping his word. He told Mayor Moccia that he would get his way, and asked him what the harm was in giving the public the opportunity to weigh in. He said that a nominee was appointed to the Board of Estimate and Taxation before there was a vacancy. He asked why it was so intolerable to give the public time to weigh in on the discussion. He told Mayor Moccia that he had the votes and the nominations will be approved.

Mr. Miklave said that the public was fed up with the trading off in deals. He said that it is not right and has been told that is politics. He said that he does not believe that is what it should be. He said that it discourages public debate and that is bad for democracy.

Mr. Miklave said that he is used to being criticized, but when people come before this body to express their views, they should be given that opportunity. He said that he will not move to table the appointments.

Mayor Moccia said that he was in St. Louis last week. He said that Ms. Halsey had an illness in her family and there was a miscommunication in the office. He said that he is doing the best he can to provide information.

Mayor Moccia said that he feels he is trustworthy. He has put Democrats that ran against him on boards. He said that he tries the best he can. He said that he is trying to decide how to evaluate the evaluator and that is where he gets into a murky area.

Mayor Moccia said that when Alex Knopp was mayor, he only opposed one appointment because he felt it was a conflict of interest.

**** MOTION PASSED UNANIMOUSLY**

**** MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF
ANDREW T. CONROY, (ALTERNATE) TO THE ZONING
COMMISSION**

Mr. McCarthy said that Mr. Conroy has acted as a mentor to him and as a friend.

Mr. Kimmel said that Mr. Conroy was the Chair of the Finance Claims Committee during his first four years on the Common Council. He said at the time, there were six Republicans and he was the one Democrat on the Committee and he was always fair to him. He said that he enjoyed his time on that Committee and feels he is an excellent appointment.

Mr. Miklave said that with respect to who evaluates the evaluator; that is what democracy is all about. He said that people get to evaluate the evaluator. He said that there were problems in the process under the prior administration. Mr. Miklave said that in the six plus years he has served on the Common Council, he has never asked for an appointment for a friend or a relative. He said that there is a better way to run the City.

Mr. Miklave said that public involvement is a big deal. He said that he opposed having public work done in private.

Mr. Watts said that he was offended after listening to Mr. Miklave. He said that he supports all of the nominations tonight. He said that unless Mr. Miklave has evidence of backroom deals or corruption he should back off from his comments.

Ms. Duleep said that she worked with Mr. Conroy, but feels that they should consider the comments that came from the public. She said that Dr. Wallerstein had a good point about seeing the same names over and over. She noted that Mr. Conroy served on the Common Council with distinction and that he also serves on The Maritime Aquarium Authority.

Ms. Duleep said that she is going to support Mr. Conroy's appointment but feels that one of the benefits of a City is that getting different people to serve would be a good thing. She said that she wants to be sure that they are welcoming people who want to serve the City.

Ms. Romano said that she has been on the Common Council since 2005 and they have held many public meetings asking the public to get involved so that they will have an abundance of people to choose from. She said that she feels that the choices that were made are people who want to serve the City. She said that she was not sure why they were having this discussion. Ms. Romano said that she understood Mr. Miklave and agreed that they should get information early.

Ms. Romano invited anyone from the public who is interested in serving on a commission or board to submit their resume or contact their Council person.

Mayor Moccia said that five of this evening's nominees have never served on a board.

Mr. Hempstead said that he worked with Mr. Conroy for the past four years. He said that it was important to put experienced people on some boards. There needs to be the right balance. Mr. Hempstead said that it is the Mayor's privilege to make the appointments. The process could be better, but it is what it is.

Mr. Hempstead said that Mr. Conroy has experience. He noted that District A is required to be represented on the Zoning Board of Appeals. He said that Mr. Conroy is
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thoughtful and very meticulous about doing his due diligence.

Mr. Igneri said that he worked with Mr. Conroy in the Sixth Taxing District and will support his nomination.

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF JOHN FEDERICI TO THE BOARD OF ESTIMATE AND TAXATION**

Mr. Kydes said that he has known Mr. Federici for many years and he understands how business and government works.

Mayor Moccia said that Mr. Federici is a Republican from District C and is replacing Mr. Lyons who is a Republican from District C

**** MOTION PASSED WITH ONE (1) ABSTENTION (MS. DULEEP)**

**** MR. HILLIARD MOVED TO APPROVE THE APPOINTMENT OF DAISY FRANKLIN TO THE FAIR HOUSING ADVISORY COMMISSION**

Mr. Hilliard said that he has known Ms. Franklin for a number of years. She is always willing to serve the public. She is involved in her community and is sincere; she wants to do things to improve the situation.

Mr. Hempstead said that Ms. Franklin is an advocate for the extreme poor. She is the right person to have on this Commission.

Ms. Duleep said that she fully supports Ms. Franklin for this appointment. She is warm and compassionate and dedicated. Ms. Franklin is a graduate of the Parent Leader Institute.

Ms. Romano said that she has known Ms. Franklin for quite some time. She said that Ms. Franklin is very involved with the public and her Church. Ms. Romano said that Ms. Franklin is the type of person you want on a board or commission.

**** MOTION PASSED UNANIMOUSLY**

Jonathan C. Maggio, Shellfish Commission – Mayor Moccia said that this appointment was on the agenda for information only.

**** MR. HEMPSTEAD MOVED TO APPROVE THE APPOINTMENT OF YVONNE RODRIGUEZ AS AN (ALTERNATE) TO THE HUMAN**

RELATIONS COMMISSION

Mr. Hempstead said that Ms. Rodriguez' resume speaks well. He said that in one case an appointment would be called a deal and there are occasional compromises made. Sometimes the compromise will be labeled a deal. Mr. Hempstead said that the Mayor gets to make these appointments.

Mr. Hempstead said that he is concerned that going through this process every two weeks will scare people from putting their name in to serve on a committee.

Ms. Duleep said that she wanted to thank Mayor Moccia for putting forward several female candidates tonight. She said that she was happy to support Ms. Rodriguez' appointment.

Mr. Pena said that he did not agree with the process, but it is what it is. He said that he was happy to see Hispanics being put forward because there is a low representation.

Mayor Moccia said that he is being told that the process is flawed and then thanked for putting women, Latinos and Democrats names forward.

Mr. Kimmel said that it used to be that if you ran for office, you would not be appointed by the other party. He said that he was glad that was over. Mr. Kimmel said that he would call someone if he didn't know them to discuss their views and why they wanted to run for office.

Mr. Kimmel said that as far as the public being able to weigh in, he said that he did not recall an instance when he received communication from the public opposed to any appointments. He said that he feels that the public has concerns about a lot of issue, but is not sure they have concerns that are reflected here.

Mr. Kimmel said that they need to tone this down a bit. As a Democrat, he said that he was glad to see some good Democrats and some good Republicans being appointed.

**** MOTION PASSED UNANIMOUSLY**

**** MR. HILLIARD MOVED TO APPROVE THE APPOINTMENT OF
SHARON STEWART TO THE ZONING BOARD OF APPEALS**

Mr. Hilliard said that Ms. Stewart will do a fine job on the ZBA. She is dedicated and wants to serve the public. Mayor Moccia said that he talked to all of the appointees, except for Mr. Camacho whose name was offered by NEON. Mayor Moccia said that Ms. Stewart told him that she was not a "yes person".

Ms. Duleep said that she had the opportunity to talk to Ms. Stewart during the re-count about issues related to housing and homelessness. She said that she was very impressed by her and is very happy to support her appointment.

Mr. Watts said that he supports Ms. Stewart's appointment. He said that she is qualified to serve and will do a good job.

Ms. Romano said that she has known Ms. Stewart for some time and agreed that she is not a "yes person". Ms. Romano said that she is a good appointment.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED TO APPROVE THE APPOINTMENT OF
PATRICIA H. WILLIAMS TO THE OAKS HILLS AUTHORITY**

Mr. Bondi said that after reading Ms. Williams' resume, he feels that she can put Oak Hills back on track.

Mr. Hempstead said that by looking at Ms. Williams' resume, this is a positive appointment.

**** MOTION PASSED UNANIMOUSLY**

MAYOR'S REMARKS

Mayor Moccia updated the Common Council on the changes at Oak Hills. He said that a lot of expenses have been cut and feels that that going forward it will be a better golf course. He said that it is a beautiful asset to the City.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Mr. Hilliard commended Mayor Moccia for the diversity of his appointments. He noted that was not the case in the past. He said that now all parts of Norwalk are represented.

B. CONSENT CALENDAR

** MR. HILLIARD MOVED THE FOLLOWING CONSENT CALENDAR:

Corporation Counsel – A1, consent to the end of the agenda.

Planning Committee – A1, 2, 4,

Public Works – B1, 2, 3, 4, 5a, 5b, 5a, 5b,

Finance/Claims Committee - C1, 2, 3

Please note, the following items on consent are listed in bold type:

VII. COMMON COUNCIL COMMITTEES

A. PLANNING COMMITTEE

1. **THE AGENCY, OPERATING AS THE CITY'S CDBG ADMINISTRATOR, DEEMS THE MID-FAIRFIELD AIDS PROJECT'S HOPWA APPLICATION FOR PROGRAM YEAR 38 TO BE CONSISTENT WITH THE CITY'S CURRENT CONSOLIDATED PLAN AND SEEKS COMMON COUNCIL APPROVAL FOR THE MAYOR TO EXECUTE THE REQUIRED CERTIFICATE OF CONSISTENCY THAT MUST ACCOMPANY THE PHA PLAN WHEN SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

2. **AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS REQUIRED TO ADVANCE THE APPLICATION FOR THE NATIONAL ENDOWMENT FOR THE ARTS *OUR TOWN* GRANT IN THE AMOUNT OF \$100,000 AND, IF SELECTED, TO EXECUTE ALL DOCUMENT RELATED TO THE GRANT AGREEMENT.**

4. **AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS REQUIRED TO ADVANCE THE APPLICATION FOR THE TRI-STATE TRANSPORTATION CAMPAIGN TRANSIT-CENTERED DEVELOPMENT GRANT IN THE AMOUNT OF \$ 50,000 AND, IF SELECTED, TO EXECUTE ALL DOCUMENT RELATED TO THE GRANT AGREEMENT.**

B. PUBLIC WORKS COMMITTEE

1. **AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO CROWLEY FORD LLC FOR THE PURCHASE OF THREE**

(3) FORD F-550 TRUCKS WITH PLATFORM BODY AND KNUCKLE CRANE FOR A SUM NOT TO EXCEED \$185,670.54 (STATE OF CONNECTICUT CONTRACT NO. 10PSX0239 – STATE BID LIST).

ACCOUNT NO. 0912 4031 5777 C0313

- 2. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO TYLER EQUIPMENT CORPORATION FOR THE PURCHASE OF A 2012 BANDIT INDUSTRIES 1890XP WOOD CHIPPER FOR A SUM NOT TO EXCEED \$ 53,815.00.**

ACCOUNT NO. 0912 4031 5777 C0313

- 3. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE THE FIRST SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF NORWALK AND URS CORPORATION AES FOR ENGINEERING SERVICES REQUIRED IN CONJUNCTION WITH THE DESIGN OF THE REHABILITATION OF THE JAMES STREET BRIDGE (BRIDGE NO. 04989) OVER THE SILVERMINE RIVER FOR A SUM NOT TO EXCEED OF \$ 47,853.00.**

ACCOUNT NO. 0906 4021 5777 C0315

- 4. APPROVE TECHNICAL CORRECTION:**

AS APPROVED BY COUNCIL ON DECEMBER 13, 2011:

- 5. A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH A. M. RIZZO FOR STATE PROJECT NO. 102-326 TRAFFIC SIGNAL CONTROLLER/ SYSTEM UPGRADE - PHASE 2 FOR A SUM NOT TO EXCEED \$ 1,824,659.65.**
- 5. B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ORDERS ON CONTRACT TO A. M. RIZZO FOR STATE PROJECT NO. 102-326 TRAFFIC SIGNAL CONTROLLER/ SYSTEM UPGRADE - PHASE 2 FOR A SUM NOT TO EXCEED \$ 182,465.97.**

ACCOUNT NO. 0912 4120 5799 C0410

TECHNICAL CORRECTION FOR APPROVAL:

- 5. A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH A. M. RIZZO ELECTRICAL CONTRACTORS, INC. FOR STATE PROJECT NO. 102-326 TRAFFIC**

**SIGNAL CONTROLLER/ SYSTEM UPGRADE - PHASE 2 FOR A
SUM NOT TO EXCEED \$1,824,659.65.**

- 5. B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE
ORDERS ON CONTRACT TO A. M. RIZZO ELECTRICAL
CONTRACTORS, INC. FOR STATE PROJECT NO. 102-326 TRAFFIC
SIGNAL CONTROLLER/ SYSTEM UPGRADE - PHASE 2 FOR A
SUM NOT TO EXCEED
\$ 182,465.97.**

ACCOUNT NO. 0912 4120 5799 C0410

C. FINANCE/CLAIMS COMMITTEE

- 1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS
COMMITTEE DATED: FEBRUARY 9, 2012**
- 2. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX
COLLECTOR'S REPORT DATED: JANUARY 31, 2012**
- 3. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX
COLLECTIONS DATED FEBRUARY 9, 2012.**

**** MOTION PASSED UNANIMOUSLY**

B. BOARD OF ESTIMATE AND TAXATION

**** MR. KIMMEL MOVED THE FOLLOWING RESOLUTION:**

- 1. RESOLVED, THAT A SUM NOT TO EXCEED \$6,055 BE AND THE
SAME IS HEREBY TRANSFERRED FROM INCREASED
ESTIMATED REVENUES TO THE POLICE DEPARTMENT TO PAY
FOR OVERTIME EXPENSES. (ACCOUNT NO.: 01-3010-4181).**

Mr. Thomas Hamilton, City Finance Director explained that this overtime expense is the direct result of the Norwalk Police department's participation in the drug related task force.

**** MOTION PASSED UNANIMOUSLY**

A. PLANNING COMMITTEE

- ** MR. MIKLAVE MOVED TO AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS REQUIRED TO ADVANCE THE APPLICATION TO THE DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT OFFICE OF THE ARTS CITY CANVASES GRANT IN THE AMOUNT OF \$200,000 AND, IF SELECTED, TO EXECUTE ALL DOCUMENTS REQUIRED TO EXECUTE THE GRANT AGREEMENT.**

Dr. Wallerstein explained that she first saw this grant agreement this morning. She said that she did not feel it was appropriate for this to go forward when it has not been reviewed by the Commission. She said that given the time-frame that Norwalk would be eligible for this grant. Mayor Moccia said that there was a short time-frame for this grant.

Mr. Miklave said that he appreciated Dr. Wallerstein bringing this to the Common Council's attention. He said that because it was a grant, he assumed that it had all of the requisite coordination.

Ms. Duleep asked if there had been a change in their organization. Dr. Wallerstein said that Norwalk only has an advisory commission for the arts. She said that there was a transition between May and September.

- ** MOTION PASSED UNANIMOUSLY**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

- ** MR. HEMPSTEAD MOVED TO APPROVE THE AUTHORIZATION TO SETTLE THE CLAIM:**

LEO BOTWIN V. CITY OF NORWALK

- ** MOTION PASSED UNANIMOUSLY**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

XI. ADJOURNMENT

** MR. HEMPSTEAD MOVED TO ADJOURN

** MOTION PASSED UNANIMOUSLY

There was no further business and the meeting was unanimously adjourned at 9:15 p.m.

ATTEST: _____
Erin Halsey, City Clerk