

**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 8:08 p.m. and led the Assembly in reciting the Pledge of the Allegiance. He requested a moment of silence for former Lieutenant Thomas Riley who was known as the ‘Community Police Officer of Norwalk’ who died on Sunday. Mayor Moccia said that he was an exceptional person and Police Officer. He expressed his condolences to the family.

**I. ROLL CALL**

Ms. Halsey called the Roll:

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

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

There were fourteen (14) Councilmembers present and one (1) absent (Mr. Geake)

**II. ACCEPTANCE OF MINUTES**

**Regular Meeting: March 27, 2012**

**\*\* MR. KYDES MOVED TO ACCEPT THE MINUTES AS PRESENTED  
\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MR. BONDI)**

**II. PUBLIC PARTICIPATION**

Mr. David Westmoreland spoke in support of Ms. Cuzzone’s nomination to the Historical Commission. He said that she is very qualified to be on the Commission. Mr. Westmoreland also spoke in support of the amended Capital budget. He thanked the Chair of the Planning Committee, Mr. Kydes, Mr. Hempstead, Mr. McCarthy and Mr. Pena.

**IV. MAYOR**

**A. RESIGNATIONS AND APPOINTMENTS**

**RESIGNATIONS:** There were no resignations announced this evening.

**APPOINTMENTS:** Holly Barbara Cuzzone, Historical Commission

**\*\* MR. BONDI MOVED TO NOMINATE HOLLY BARBARA CUZZONE TO THE HISTORICAL COMMISSION**

Mr. Bondi said that she will do an excellent job and is a good choice. Mayor Moccia and Mr. Hempstead spoke in support of the nomination. Mr. Watts also spoke in support of the nomination and noted that she is a fellow Yale alumni.

**\*\* MOTION PASSED UNANIMOUSLY**

**MAYOR'S REMARKS:**

Mayor Moccia said that he just returned from the West Rocks Middle School. Governor Dannel Malloy was there to discuss the proposed Education Reform Bill. He said that he appreciated the Governor's efforts towards education.

**V. COUNCIL PRESIDENT**

**A. GENERAL COUNCIL BUSINESS**

**B. CONSENT CALENDAR**

**\*\* MR. HILLIARD MOVED THE FOLLOWING CONSENT CALENDAR:**

VII.A.1a., VII.A.1b., VII.A.2a., VII.A.2b., VII.A.3a., VII.A.3b., VII.B.1., VII.C.1., VII.C.2., VII.C.3., VII.C.4., VII.D.1., VII.D.2.a., VII.D.2.b., VII.D.3.a., VII.D.3.b., VII.D.4., VII.D.5., VII.D.6.a., VII.D.6.b., VII.D.7.a., VII.D.7.b., VII.D.8., VII.D.9.

**VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS**

**A. CORPORATION COUNSEL**

**B. BOARD OF ESTIMATE AND TAXATION**

**VII. COMMON COUNCIL COMMITTEES**

**A. LAND, USE AND BUILDING MANAGEMENT COMMITTEE**

- 1a. Authorize the Mayor, Richard A. Moccia, to execute a contract with W.P.I. Construction, Inc. for the Roosevelt Center – North Wing Roof Replacement Project for a total not to exceed \$55,000.00.**

**Account #09127100 5777 C0147**

- 1b. Authorize the Office of Building Management to issue Change Orders on contract for a total not to exceed \$5,500.00.**
- 2a. Authorize the Mayor, Richard A. Moccia, to execute a Contract with SAV-MOR Cooling and Heating, Inc. for the Nathaniel Ely Center HVAC Improvement Project for a total not to exceed \$65,485.00. Funds are available from**

**Account #09074071- 5777-C0346 and 09127100-5777-C0266**

- 2b. Authorize the Office of Building Management to issue change order on contract for a total not to exceed \$6,548.00.**
- 3a. Authorize the Purchasing Agent to issue a Purchase Order to Main Enterprises, Inc. for the installation of a supplemental air conditioning unit for BOE IT Equipment Center for a total not to exceed \$19,708.00.**

**Account #09125010-5777-C0112**

- 3b. Authorize the Office of Building Management to issue change orders on Purchase Order for a total not to exceed \$1,970.00.**

**B. PERSONNEL COMMITTEE**

- 1. Approval of Grants Union Contract.**  
**EXECUTIVE SESSION**

**C. PLANNING COMMITTEE**

- 2. Authorize Mayor Richard A. Moccia to execute all documents associated with submission of Annual Action Plan to HUD.**

3. **Approve a proportional reduction of all approved PY38 sub-grants commensurate with any percentage reduction in the City PY38 Entitlement Grant by HUD.**

**D. PUBLIC WORKS COMMITTEE**

1. **Authorize the Purchasing Agent to issue a Purchase Order to Bobcat of Connecticut, Inc. for the purchase of a 2012 S650 Bobcat Skid-Steer Loader as specified in Quotation Number 8131E08562 for a sum not to exceed \$55,079.18. (Connecticut State Contract No. 08PSX0121 - state bid list)**

**Account No. 0912 4031 5777 C0313**

- 2.a. **Authorize the Mayor, Richard A. Moccia, on behalf of the City of Norwalk, to enter into an agreement with the State of Connecticut Department of Energy and Environmental Protection for a grant for the “Silvermine River Watershed Rain Barrel Project”.**

- 2.b. **Approve the following resolution:**

**Be it resolved that it is in the best interests of the City of Norwalk to enter into contracts with the State of Connecticut Department of Energy and Environmental Protection for a grant for the “Silvermine River Watershed Rain Barrel Project”.**

**In furtherance of this resolution, Mayor Richard A. Moccia holds the office of Mayor of the City of Norwalk since November 2011 and will hold the office until November 2013 and is duly authorized to enter into and sign said contracts on behalf of the City of Norwalk. The Mayor of Norwalk is further authorized to provide such additional information and execute such other documents as may be required by local, state or federal government in connection with said contracts and to execute any amendments, rescissions and revisions thereto.**

- 3.a. **Authorize the Mayor, Richard A. Moccia, to execute an agreement with Waters Construction Company, Inc., for Project No. DPW 2012-1, Site Remediation South Norwalk Train Station Parking Lot, for a sum not to exceed \$152,415.00.**

- 3.b. Authorize the Director of Public Works to issue orders on contract to Waters Construction Company, Inc., for Project No. DPW 2012-1, Site Remediation South Norwalk Train Station Parking Lot, for a sum not to exceed \$15,240.00.**

**Account No. 09110910 5799 C0494 (Norwalk Redevelopment Agency)**

- 4. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the agreement with Tighe & Bond, Inc. for Professional Engineering Services for the West Avenue Roadway Improvements Project RD 2009-1 for a sum not to exceed \$18,160.00.**

**Account No. Funding by Norwalk Redevelopment Agency**

- 5. Authorize the Mayor, Richard A. Moccia to execute an amendment to the Contract with Deering Construction, Inc. for Project RD 2009-1 West Avenue Roadway Improvements in an amount not to exceed \$275,000.00.**

**Account No. 0900 4120 5777 C0053 - \$105,000.00**

**Account No. Norwalk Redevelopment - \$170,000.00**

- 6.a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Hugo Key and Son, Inc., for Project No. DPW 2012-2, Total Marine Outfall Pipe Dredging, for a sum not to exceed \$83,400.00.**

- 6.b. Authorize the Director of Public Works to issue orders on contract to Hugo Key and Son, Inc., for Project No. DPW 2012-2, Total Marine Outfall Pipe Dredging, for a sum not to exceed \$ 8,340.00.**

**Account No. 091040275777 C0440  
091140275777 C0440**

- 7.a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with H.I. Stone & Son, Inc., for Project No. MISC 2012-1, Waypointe Mixed Use Development Project in West Avenue Corridor Electrical Infrastructure Upgrade, for a sum not to exceed \$626,827.00.**

- 7.b. Authorize the Director of Public Works to issue orders on contract to H.I. Stone & Son, Inc., for Project No. MISC 2012-1, Waypointe Mixed Use Development Project in West Avenue Corridor Electrical**

**Infrastructure Upgrade, for a sum not to exceed \$62,683.00.**

**Account No. Funding by Norwalk Redevelopment Agency**

8. **Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Tighe & Bond, Inc. to provide engineering services for additional lighting improvements on Cedar Street in conjunction with the Cedar Street Streetscape Improvement Project for an amount not to exceed \$2,200.00.**

**Account No. 0910 4021 5777 C0443**

9. **Authorize the Mayor, Richard A. Moccia, to execute any and all documents in connection with the easement to be granted in favor of the State of Connecticut over property located at 30 Monroe Street and depicted on the map entitled: *Town of Norwalk Map Showing Easement Acquired From City of Norwalk by the State of Connecticut Department of Transportation*. Such easement is required for the State's Project known as "Reconstruction of Metro-North RR Bridge over Monroe Street".**

**\*\* MOTION PASSED UNANIMOUSLY**

**C. PLANNING COMMITTEE**

**\*\* MR. KYDES MOVED TO APPROVE CDBG PY38 ANNUAL ACTION PLAN**

Mr. Kydes asked Mr. Sheehan to answer any questions. Mr. Watts asked for an explanation of the CDGB process. Mr. Sheehan explained that it is intended to support low and moderate income residents. The Agency, by contract, is the administrator. He described the criteria used to review the applications. Mr. Watts asked what was done in the year prior to this year. Mr. Sheehan said that they used the same process this year as they did last year. He said that there was a joint committee the year before. Mr. Watts asked who was on the committee. Mr. Sheehan said that it was a varying group of folks.

Mr. Watts asked why it was done differently this year. Mr. Sheehan said that the reason for the change is that the Agency is a sub-recipient and it was determined that the Agency should not make recommendations. Mr. Watts asked how many Commissioners were minorities. Mr. Sheehan said that there were no minorities. He said that the staff makes the recommendations and the Committee makes the recommendations to the Common Council.

Mr. Sheehan said that the Redevelopment Agency should have no role in making

decisions regarding funding. He said that decision was made by HUD. The ultimate decision lies with the legislative body; the Agency can only make recommendations based on specific criteria.

Mr. Watts asked how the Planning Committee determined who gets funded. Mr. Sheehan said that they made recommendations. Mr. Watts said that there were no minorities involved in the scoring process. Mr. Sheehan said that Mr. Hilliard reviewed the scores that were made by the staff two years ago. He said that there was no difference between what the joint committee looked at and what the Planning Committee looked at. Mr. Watts said that there were no minorities involved in the scoring process. Mr. Sheehan said that there were three staff members that scored the applications this year.

Mr. Sheehan described the scoring process and said that there were factual issues. Mr. Watts said that he would argue that anyone could have an opinion, but when you are talking about low and moderate income residents, there were no minorities involved and that shouldn't happen. Mr. Sheehan said that the Planning Committee went by the guidelines.

Mr. Watts said that he will not support this item. He said that when you talk about urban areas, there should be minority representation. Mr. Watts said that he took time to attend Planning Committee meetings and did not like what he saw. He said that minorities should be involved when the scoring was made. Mr. Sheehan said that he was not insensitive to that. Mr. Watts said that he felt a better job could have been done having minority representation in the scoring process. He said that he will vote against this item, because he does not like the scoring process.

Mayor Moccia said that Sally Johnson, who is African-American was involved in the scoring, until he hired her to be his Executive Assistant.

Mr. Kimmel said that he went to the Planning Committee meetings. He said that the Committee used a systematic system. He said that in the past, he felt there was cronyism involved, but did not feel that this time. Mr. Kimmel said that he participated in this process a number of years ago and now feels that this is a more systematic process. He commended the Committee members who went through the process. He said that it was more informed and objective than it was 10 years ago.

Mr. Hempstead said that this was year 19 for him and over the years the scoring system has gotten more accurate. He described the scoring system from 8-10 years ago and said that the Chair would pick an ad hoc committee to meet with the members of the Redevelopment Commission. They would then review the staff recommendations.

Mr. Hempstead said that he thought the process has always been fair, and that there were three different opportunities for people to express their concerns. He reviewed the scoring process and said that there were three opportunities to make adjustments. He said that he wished there was another million dollars available so everyone would get funded.

Mr. Hilliard said that he disagreed with Mr. Kimmel and Mr. Hempstead. He said that no one meant to do South Norwalk any harm, but minorities should have been involved in the process so that there was no appearance of unfair play. He said that people see things differently according to their background and who they are. Mr. Sheehan said that he is sensitive to that.

Mr. Watts said to Mayor Moccia that there are more minorities in the City than Ms. Johnson. He said that he wants to see minorities involved in the scoring process so that there is a true reflection of the people being served. He said that this opens the City up to perception.

Mr. Miklave thanked Mr. Watts and Mr. Hilliard for raising the issue. He said that it merits a great deal of consideration. He said that that perception does become reality and people with different backgrounds have different perceptions.

Mr. Miklave thanked Mr. Sheehan and the staff. He said that Mary Grace went out of her way to help with the process of making difficult decisions. Mr. Miklave said that all of the programs were worthy but there was not enough money to fund all of the programs. He said that the Committee held a public hearing. He said that when someone had a question about the scoring, the staff met with them and went to great effort to locate other pools of money to fund the programs that were not being funded.

Mr. Miklave said that the math just doesn't work; there are too many programs and not enough money. He said that the Planning Committee rejected the Redevelopment Agency's recommendations and then went to another Committee meeting followed by a 30-day comment period which led to the final CDBG vote. He said that the process was one of the best. He said that he is sure the Planning Committee and the Redevelopment Agency will take Mr. Watts' and Mr. Hilliard's comments into consideration going forward.

Mr. Miklave acknowledged the Redevelopment Agency staff and thanked his colleagues for raising the issues.

**\*\* MOTION PASSED WITH TWELVE (12) IN FAVOR (MR. HEMPSTEAD; MS. DULEEP; MR. BONDI; MR. PENA; MS. ROMANO; MR. MIKLAVE; MR. KYDES; MS. MAGGIO; MR. KIMMEL; MR. PETRINI; MR. IGNERI; MR. MCCARTHY) AND TWO (2) IN OPPOSITION (MR. HILLIARD AND MR. WATTS)**

Mayor Moccia read the following as a point of information from Lieutenant Susan Zecca regarding the Edward Byrne Memorial JAG application.

One of the requirements of the grant is that the application be presented to the governing body at least 30 days prior to submission. The deadline for submission of the application is May 14, 2012. No action is required by the Common Council on this application at this time. I will be submitting the authorization request to



the Health, Welfare and Public Safety Committee for their April 26, 2012 meeting.

**\*\* MR. KYDES MOVED TO APPROVE FY13 CAPITAL BUDGET ALLOCATIONS AS AMENDED**

**G 12 OPEN SPACE REDUCE BY \$25,000.  
M 3 SIDEWALK PLAN REDUCE BY \$70,000.  
M 2 BIKEWAY PLAN REDUCE BY \$5,000.  
I 3 CONSTRUCTION OF THE ADA ACCESS TO MILL HILL INCREASE \$100,000.**

Mr. Kimmel said that this was the right decision and feels that the requests are relatively moderate. Mayor Moccia said that the Common Council and staff worked very hard on the infrastructure. In addition, everyone worked hard to respect the tax payers. He said that everyone did a great job.

**\*\* 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**

**\*\* MS. ROMANO MOVED TO ADJOURN  
\*\* MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:04 p.m.

**ATTEST:** \_\_\_\_\_  
Erin Halsey, City Clerk