

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 9, 2010
REGULAR MEETING MINUTES**

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.

CALL TO ORDER

Mayor Moccia called the meeting to order at 8:05 p.m. and led those present in reciting the Pledge of Allegiance, and requested all to remain standing for a moment of silence in memory of those employees of the Middletown Power Plant who lost their lives in the recent explosion. Following the moment of silence, Mayor Moccia stated that the explosion has devastated the nearly completed renovations at the power plant and that Governor Rell has declared Friday as an official day of mourning in the state, flags would be at half-staff and the state officials would be attending memorial services for those who lives were lost. He added that the City of Norwalk extends their sympathies to the Town of Middletown at this time of crisis.

I. ROLL CALL

Ms. Wink called the roll. The following Council Members were present:

Council at Large:

- | | | |
|-------------------|-----------------------|----------------------|
| Mr. Fred Bondi | Mr. Douglas Hempstead | Mr. Richard McQuaid |
| Ms. Joanne Romano | Mr. John Tobin | |
| District A: | Mr. Richard Bonenfant | Mr. David Jaegar |
| District B: | Mr. Carvin Hilliard | Mr. Travis Simms |
| District C: | Mr. Nicholas Kydes | Ms. Laurel Lindstrom |
| District D: | Mr. Clyde Mount | Ms. Kelly Straniti |
| District E: | Mr. Andrew Conroy | Ms. Nora King |

Mayor Moccia announced that all members were present, representing a full Council.

II. ACCEPTANCE OF MINUTES

Regular meeting – January 26, 2010

Mr. Jaeger requested a correction to the spelling of his name as Jaeger not Jaegar throughout the minutes. Mr. Kydes requested changes to the minutes on page 3 and stated that he had recused himself prior to the discussion of the Globe Theater. Mayor Moccia clarified to Mr. Kydes that he had initially stated he may have to recuse himself, but did not actually recuse himself until after the second public comment regarding the Globe Theater. Mr. Kydes stated that on page 4, after paragraph 4, should be changed to “Mr. Kydes recused himself and left the meeting room and re-entered the meeting after the comment was finished at 8:33 p.m.” Mayor Moccia responded that his return was reflected on the next page, and if he wanted to view the tape for clarification he could do so.

Ms. King stated that on page 9, regarding the elimination of the “15 Minutes Free Parking” practice and that there was a resolution left off. She stated that she was with the understanding that Mr. Hempstead stated there should be a resolution to maintain the “10 Minutes Free Parking” practice. Mayor Moccia stated that if that was the case it would not be reflected in tonight’s agenda, and Mr. Hempstead stated that he did not recall the exact wording of his comment. Mayor Moccia suggested that the tape be reviewed to clarify the statement regarding any resolution to amend the new parking rules.

- ** MR. TOBIN MOTIONED TO APPROVE THE MINUTES FROM THE JANUARY 26, 2010 MEETING, WITH CORRECTIONS AS NOTED, CONTINGENT UPON REVIEW OF THE TAPE FOR REFERENCE TO A PARKING RESOLUTION AMENDMENT MADE BY MR. HEMPSTEAD.**
- ** THE MOTION PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

City Clerk Wink stated that there was no sign ups for public comment and asked the audience if there was any one interested in speaking; and hearing none, Mayor Moccia closed the public participation portion of the meeting at 8: 15 p.m.

III. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: There were no resignations to report

Appointments:

Louis J. Bonsangue – Conservation Commission – Alternate
25 Honeysuckle Drive Term expires – 1/1/16
Norwalk, CT 06851

Attorney Maslan stated that there was a correction to the above term which expires 2015.

Mr. Tobin motioned stated that he recommends the appointment of Mr. Bonsangue and stated that he was a dedicated individual and very qualified for the appointment, and would do a great job.

- ** MR. TOBIN MOTIONED TO RECOMMEND AND ACCEPT THE APPOINTMENT OF MR . LOUIS BONSANGUE TO THE CONSERVATION COMMISSION TERM TO EXPIRE 01/01/2015.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Reappointment: Joseph P. Beggan – *Facilities Construction Commission*

JOSEPH P. BEGGAN
15 Pumpkin Lane
Norwalk, CT 06851

Term expires – 1/1/14

Ms. Straniti motioned the item and stated that she recommends Mr. Beggan and was pleased to recommend his reappointment that she had worked with him on the committee and he will do a great job. Mr. Bonenfant stated that he also recommends the reappointment of Mr. Beggan adding that he had worked with him on the Facilities Commission, and he was hard-working, and very knowledgeable with his construction background and has saved the city money with many of his ideas.

**** MS. STRANITI MOTIONED TO RECOMMEND AND ACCEPT THE REAPPOINTMENT OF MR. JOSEPH BEGGAN TO THE FACILITIES CONSTRUCTION COMMISSION TERM TO EXPIRE 01/01/2014.**
**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia congratulated and thanked both Mr. Bosangue and Mr. Beggan for their commitment and willingness to serve the City of Norwalk.

B. REMARKS

Mayor Moccia stated that in addition to the state announcement of the official day of mourning in Middletown, he announced that Norwalk Public Schools have been cancelled for tomorrow due to the inclement weather. In addition, he has declared a snow emergency for parking and stated that both the Webster Lot and Maritime Center lots will be open at no charge for parking so that residents can move cars off the streets to allow for the snow removal vehicles to plow the streets.

IV. COUNCIL PRESIDENT

Remarks

Mr. Hempstead announced that the first meeting of the Board of Education Ad-Hoc Committee meeting would be February 17 at 7pm at room A300.

Mr. Hempstead thanked the members of the Common Council for attending the round-table discussion with the Chamber of Commerce Board of Directors last week. He added that the objective was to learn from their governing board how to improve efficiencies with the program approval process, and this was a very informative and productive discussion, with a list of recommendations from the Chamber for consideration. He hopes to establish an ad-hoc committee to take the recommendations under consideration and come up with a plan to implement some of the points, along with incorporating input from Department Heads as well, to hopefully make Norwalk a better place and attract more projects.

A. GENERAL COUNCIL BUSINESS

Appointment of Assistant City Clerk - Karin Beggan

Mr. Hempstead stated that Ms. Beggan has a very impressive resume, that he has met with her and is assured that she understands the job and will work for the entire Council, along with helping Ellen fill the voids in the City Clerk's office, and he feels she will be a strong asset to the City.

**** MR. HEMPSTEAD MOTIONED TO RECOMMEND AND ACCEPT THE APPOINTMENT OF MS. BEGGAN TO POSITION OF ASSISTANT CITY CLERK.**

**** THE MOTION PASSED UNANIMOUSLY.**

A. CONSENT CALENDAR:

Mr. Hempstead motioned the following items for the Consent Calendar:

7A 1, 7B: 1, 8a, 8b, 8c; 7C1; 7D3, 4, 5-with correction to account number noted.

Note: Consent Calendar items are in bold.

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the purchasing agent, Gerald Foley, to execute a purchase order, on behalf of the Norwalk Police Department to Gerling and Associates, Inc., the low bidder, for the purchase of a 2009 Sentry Class Response Unit to be used by Emergency Services, in an amount not to exceed \$162,000. Funds to be taken from the previously approved Cops Technology Grant, Account No. 35309a5737.

B. LAND USE & BUILDING MANAGEMENT COMMITTEE

1. Authorize to increase contingency allowance for Forino Usa, LLC's Exterior Painting Contract for Lockwood Mathews Mansion, Lockwood Carriage House and Lockwood Gate House – in Mathews Park, for an additional amount not to exceed \$5,501.50 and authorize The Historical Commission to issue change orders on contract. funds are available in Accts. #09096310-5777-C0186, #09076310-5777-C0403, #09076310-5777-C0404.

8a. Approve the Proposed Norwalk City Hall Atrium lighting retrofit project.

8b. Authorize The Mayor, Richard A. Moccia, to execute any and all documents necessary with CL&P for the application and implementation of the Norwalk City Hall Atrium Lighting Retrofit Project. Projected pay-back period is 13 months.

8c. Approve to utilize energy cost savings to offset installation costs through monthly billings from CL&P.

C. PERSONNEL COMMITTEE

1. Approval of Pay Plan Changes for Ordinance and Elected Officials.

D. PUBLIC WORKS COMMITTEE - Consent Calendar items – cont'd.

3. Authorize the Mayor, Richard A. Moccia, to execute the Second Amendment to the Agreement for Professional Engineering Services with Tighe & Bond, Inc. for the design of the Lockwood Lane Storm Drain Improvements for additional services in accordance with Tighe & Bond letter of January 22, 2010, for a sum not to exceed \$9,000. Account No. 09084027 5777 C0421

4. Authorize the Mayor, Richard A. Moccia, to execute an Agreement for Professional Engineering Services with Tighe & Bond, Inc. in connection with the Certification of the Norwalk River LPP Levee in accordance with the proposal dated January 29, 2010 for a sum not to exceed \$57,700.00 Account No. 090940275777C0440

5. Approve amended authorization as follows:

Authorize the Mayor, Richard A. Moccia, to enter into an agreement with Vanasse Hangen Brustlin, Inc. to provide engineering services for the Design of State Project 102-334, West Avenue Traffic Signal System Upgrade, for an amount not to exceed \$162,677.28. Account No. 09030910-5777-C0277 (80% federal/20% RDA).

VII. COMMON COUNCIL COMMITTEES

B. LAND USE & BUILDING MANAGEMENT COMMITTEE

Mr. Bondi requested to move the following items together as 1 item: B2, B3, B4, B5, B6:

2. Authorize the Purchasing Agent to issue a Purchase Order to The Apple Store for the purchase of 84 iPod's with accessory equipment and 3 Mac laptops for NHS World Language Lab for a total not to exceed \$35,968.65. Acct. #0908/09-5010-5777-C0112.

(Mr. Bondi stated the amount had been revised to \$24,000.)

3. Authorize the Purchasing Agent to issue a Purchase Order to Advance Corporate Networking for the purchase of 29 HP desktops and 1 HP laptops for NHS World Language Lab for a total not to exceed \$18,520.00. Acct. #0908/09-5010-5777-C0112.

4. Authorize the Purchasing Agent to issue a Purchase Order to Hertz Furniture Systems for the purchase of 13 lab tables for NHS World Language Lab for a total not to exceed \$2,639.00. Acct. #0908/09-5010-5777-C0112.

5. Authorize the Purchasing Agent to issue a Purchase Order to W.B. Mason for the purchase of 28 lab chairs for NHS World Language Lab for a total not to exceed \$1,399.72. Acct. #0908/09-5010-5777-C0112.

6. Authorize the Purchasing Agent to issue a Purchase Order to The Apple Store for the purchase of 30 laptops and 2 mobile carts for NHS and BMHS Music Labs for a total not to exceed \$29,969.90. Acct. #0908/09-5010-5777-C0112.

- ** MR. BONDI MOTIONED TO TABLE THE ABOVE ITEMS: B2, B3, B4, B5, B6 TO BE SENT BACK TO COMMITTEE FOR FURTHER REVIEW.**
**** THE MOTION PASSED UNANIMOUSLY.**

7. Authorize, the Mayor, Richard A Moccia, to execute an agreement with Partners for Architecture, Inc. to provide professional design services for the Elementary Schools Facilities Study for a total not to exceed \$37,500.00 plus a reimbursable allowance of \$2,000.00. (Acct. # 090-45010 5777 B0291)

Mr. Bondi moved the item for discussion.

Ms. King asked if the RFP process thoroughly evaluated the vendors, or if Partners in Architecture was selected purely on price, and did they take into account the visionary aspects and vendor qualifications. Mr. Bondi responded that since Partners in Architecture is a Stamford-based firm, Interim Superintendent, Dr. William Papallo most likely was familiar with them, since he is from Stamford. Mayor Moccia responded that Dr. Papallo was not on the committee, and suggested Allan Lo come forward to field Ms. King's questions. Mr. Lo stated he was not involved with the bidding process of this project and stated that it had gone through the standard vetting through the Purchasing Department and was confident that was done based on normal due diligence and the RFP process.

Mr. Conroy stated that he was familiar with the study and that the purpose behind it was to look at enrollment data to accommodate changes across elementary schools in response to the issue of Rowayton School's numbers being "shoe-horned". Mr. Kydes asked if this had gone through the normal bid, and Allan Lo stated yes. Mr. McQuaid stated that the Board of Education appointed the Facilities Construction Commission to interview vendors, and it is their role through the RFP process to recommend the item along to the council.

Mr. Kydes added that it is a stringent and diligent process, and he has every confidence in their qualifications to be a suitable vendor. Mr. Jaeger added that he was on the Facilities Committee and was a part of the Land Use Committee. He stated that the project is scheduled to be done in May and it is dollars well spent. Ms. King restated that she wanted assurance that the company with the best vision was selected, not just the lowest bidder.

Mayor Moccia stated that it is based on the recommendation by the Board of Education, and not the Council's role to question the bidding process.

- ** MR. BONDI MOTIONED TO AUTHORIZE, THE MAYOR, RICHARD A MOCCIA, TO EXECUTE AN AGREEMENT WITH PARTNERS FOR ARCHITECTURE, INC. TO PROVIDE PROFESSIONAL DESIGN SERVICES FOR THE ELEMENTARY SCHOOLS FACILITIES STUDY FOR A TOTAL NOT TO EXCEED \$37,500.00 PLUS A REIMBURSABLE ALLOWANCE OF \$2,000.00. (ACCT. # 090-45010 5777 B0291)**
**** THE MOTION PASSED UNANIMOUSLY.**

9. Authorize the Mayor, Richard A. Moccia, to execute an amendment to Guardian Service Industry, Inc.'s contract for building management services and janitorial/building engineering services for various city buildings to establish a new 4-year base contract beginning on July 1, 2010 plus an option to renew for 2 additional years thereafter. Fee structure shall be as follows:

Building Management Services

Current year (2009-2010)	\$372,149.00
2010-2011 – will hold at	\$372,149.00
2011-2012 - 1.5% increase	\$377,731.24
2012 forward – 3.5% increase per year	

Janitorial/Building Engineering Services (excluding vehicles and engineering overtime)

Current year (2009-2010)	\$660,501.27
2010-2011 – 1.5% increase	\$670,408.79
2011-2012 – 2.5% increase	\$687,169.01
2012 forward – 3.5% increase per year	

Mr. Bondi moved to table the above item.

Mayor Moccia called for a roll-call vote.

**** MR. BONDI MOTIONED TO TABLE THE ABOVE ITEM B9 TO BE SENT BACK TO COMMITTEE FOR FURTHER REVIEW.**

**** THE MOTION PASSED WITH NINE VOTES IN FAVOR AND FOUR OPPOSED (MS. LINDSTROM, MS. KING, MR. SIMMS, MR. JAEGER).**

C. PERSONNEL COMMITTEE

1. Approval of the NASA tentative agreement (Executive Session).

Mayor Moccia suggested the above item be moved to last on the agenda, due to the Executive Session and the members were all in agreement.

D. PUBLIC WORKS COMMITTEE

1. Approve reducing the “Three Tons Free” policy at the transfer station and yard debris site to a policy of “One Ton Free.”

Mr. Conroy moved the item for discussion.

Mr. Kydes stated that he was concerned about homeowners doing garden work or home renovations and need to bring the debris to the dump, and if they exceeded the tonnage that they will be charged for the excess, and wanted to know how we are going to protect the homeowners from getting charged.

Mayor Moccia stated that over one ton there is no way to protect the homeowners and that it is either lowering the free tonnage or raising taxes, and asked Mr. Alvord to come to address the question. Mr. Alvord stated that lowering the free tonnage from three to one will generate \$45,000 in annual revenues for the city and eliminating the free tonnage would generate \$305,000 a year.

Ms. Straniti stated that they spent a great deal of time evaluating this issue in committee and said that it was a compromise on behalf of those citizens doing an annual clean up. Mr. Conroy clarified that the issue is over trucks or business dumpers not residents. Mr. Jaeger stated that he agrees, and that one ton is a lot of debris. Mr. Hempstead stated that he agreed with Mr. Jaeger and added that the intention is for Norwalk residents with a sticker to not be charged.

Mr. Alvord clarified that as before, residents driving cars and small utility vehicles will not be required to cross the scales, and that the weigh clerk on duty will check to ensure that the drivers are Norwalk residents.

Mr. Hilliard expressed concern that the lower tonnage will cause residents to dump debris alongside roads rather than paying to go to the transfer station, and stated that he was afraid that we will start seeing refrigerators outside the dump yards, and things like that that make him a little leery.

Mayor Moccia applauded the efforts of Mr. Alvord with balancing revenues with services.

**** MR. CONROY MOTIONED TO APPROVE REDUCING THE “THREE TONS FREE” POLICY AT THE TRANSFER STATION AND YARD DEBRIS SITE TO A POLICY OF “ONE TON FREE.”**

**** THE MOTION PASSED WITH THIRTEEN VOTES IN FAVOR AND TWO OPPOSED (MR. KYDES AND MR. HILLIARD).**

2. Approve the Fourth Taxing District property extensions through September 30, 2009 per the list dated January 15, 2010.

Ms. King stated that she wanted to be sure the list is being published across the board. Mr. Alvord responded that the 1st, 2nd, 3rd, 5th and 6th Taxing Districts all have fixed boundaries. He added Properties that are in the 5th Taxing District usually have subsurface sewage disposal systems and do not have access to the City sanitary sewer system. He summarized that on an annual basis the list will be published as outlined in the supporting documentation.

**** MR. CONROY MOTIONED TO APPROVE THE FOURTH TAXING DISTRICT PROPERTY EXTENSIONS THROUGH SEPTEMBER 30, 2009 PER THE LIST DATED JANUARY 15, 2010.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Moccia requested to enter into Executive Session for the purpose of discussing the NASA tentative agreement.

- ** MR. CONROY MOTIONED ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE NASA TENTATIVE AGREEMENT.
- ** THE MOTION PASSED UNANIMOUSLY.

The Council entered into an Executive Session at 9:00 p.m.

- ** MR. CONROY MOTIONED TO RE-ENTER BACK INTO PUBLIC SESSION FOR THE PURPOSE OF STATING THE OUTCOME OF THE DISCUSSION ON THE NASA TENTATIVE AGREEMENT.
- ** THE MOTION PASSED UNANIMOUSLY.

The public session was reconvened at 9:20 p.m.

Mayor Moccia stated that during the Executive Session there were no motions and no vote was taken.

- ** MS. ROMANO MOTIONED TO APPROVE THE NASA TENTATIVE AGREEMENT.
- ** THE MOTION PASSED UNANIMOUSLY.

Mayor Moccia thanked Mr. Hasselkamp and Mr. Hamilton for providing a thorough review and analysis of the negotiations with NASA, and for presenting the case in behalf of the City as requested by the Council. He added that this was one of the most difficult negotiations in the past several years, and he applauds the hard work that they have done with their efforts to keep the budget within the guidelines set forth for 2010-2011.

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from Common Council.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed.

X. SUSPENSION OF THE RULES

Mayor Moccia had requested a suspension of the rules to move the Executive Session to the end of the agenda.

ADDITIONAL COMMENTS:

Mayor Moccia added a statement to acknowledge the former Assistant City Clerk, Darlene Young, and stated that she will remain at the City Clerk's office and will continue working on the Youth Programs including the Summer Youth Employment programs. He added that she had been very dedicated and hard-working and has done a great job working with over 200 kids, has helped create a City youth website, and really has done a terrific job for the youth of the City. He added that she developed programs, solicited donations from organizations, and has been very diligent in her service to the City, and he wanted to publicly thank her for her continuing efforts and hard work.

XI. ADJOURNMENT

** MR. KYDES MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services

