

COMMON COUNCIL ACTION JUNE 12, 2012
NORWALK, CONNECTICUT 8:00 P.M. EST. 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 8:00 p.m. and led the assembly in the Pledge of the Allegiance.

- I. ROLL CALL 15 PRESENT**
- II. ACCEPTANCE OF MINUTES**
ACCEPTED
Regular Meeting: May 22, 2012
- III. PUBLIC PARTICIPATION 33 SPEAKERS**
- IV. MAYOR**

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

NONE

APPOINTMENTS:

NONE

MAYOR'S REMARKS: The Mayor stated that he wanted to recognize and present Certificates from the City of Norwalk to two great athletes. A Certificate for Bryan Daniello who was not present was chosen as the 2012 Connecticut Gatorade Baseball Player of the Year award. The other Certificate was presented by the Mayor to Matt Iannazzo who broke the University of Pittsburgh School's record for the most wins in four years.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

APPOINTMENTS: Galen Wells, Water Pollution Control Authority (**Alternate**)

B. CONSENT CALENDAR VII.A1, VII.A2a., VII.A2b., VII.A3., VII.A4a., VII.A4b., VII.A5a., VII.A5b., VII.A6., VII.A7., VII.A8a., VII.A8b., VII.B., VII.C1., VII.C2., VII.C3., VII.C4., VII.C4a., VII.C4b., VII.C5a., VII.C5b., VIII.C6.

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

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A. CORPORATION COUNSEL

1. Authorization to Settle Claim:
Philomena Gribosky v. City of Norwalk

EXECUTIVE SESSION

AUTHORIZED

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A, Moccia, to execute an Amendment to the Agreement with RBA Group of Connecticut, LLC for Professional Engineering for On-Call Traffic Engineering Services for a sum not to exceed \$15,000.00.

Account No. 0901 4021 5777 C0232

AUTHORIZED

- 2a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Sealcoating, Inc. for Project No. PM 2012-3, Crack Sealing at Various Locations, for a sum not to exceed \$263,150.00.

AUTHORIZED

- 2b. Authorize the Director of Public Works to issue Orders on Contract to Sealcoating, Inc. for Project No. PM 2012-3, Proposed Crack Sealing at Various Locations, for a sum not to exceed \$26,315.00.

Account No. 0912 4021 5777 C0021

AUTHORIZED

3. Authorize the Purchasing Agent to issue a Purchase Order to Bigson, LLC dba Equipment Service for the purchase of ten (10) Tailgate Pre-Wet Systems for a sum not to exceed \$56,420.00.

Account No. 0912 4031 5777 C0313

AUTHORIZED

- 4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Deering Construction, Inc. for Project DRG 2011-2 Drainage Improvement Project on West Main Street & Summer Street for a sum not to exceed

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\$479,907.00.
AUTHORIZED

- 4b. Authorize the Director of Public Works to issue Orders on Contract to Deering Construction, Inc. for Project DRG
2011-2 Drainage Improvement Project on West Main Street & Summer Street for a sum not to exceed
\$47,991.00.
AUTHORIZED

Account No. 0911 4027 5777 C0483
0912 4027 5777 C0302

5. Technical correction:

- a. As approved by Council on May 8, 2012:

Authorize the Purchasing Agent to issue a Purchase Order to Bobcat Company, 250 East Beaton Drive,
P.O. Box 6000, West Fargo, ND 58078-6000 for the purchase of a 2012 S650 Bobcat Skid-Steer Loader as
specified in Quotation Number 8131E08562, for a sum not to exceed \$53,705.78
(Connecticut State Contract
No. 08PSX0121 - state bid list).
Account No. 0912 4031 5777 C0313

- b. Technical correction for approval:

Authorize the Purchasing Agent to issue a Purchase Order to Clark Equipment Company dba Bobcat Company,
250 East Beaton Drive, P.O. Box 6000, West Fargo, ND 58078-6000 for the purchase of a 2012 S650 Bobcat
Skid-Steer Loader as specified in Quotation Number 8131E08562 for a sum not to exceed \$53,705.78
(Connecticut State Contract No. 08PSX0121 - state bid list).

AUTHORIZED

Account No. 0912 4031 5777 C0313

6. Authorize the Mayor, Richard A. Moccia, to execute the Pole Attachment Agreement for Municipal Attachments
between the Southern New England Telephone Company dba AT&T Connecticut and the City of Norwalk,
Connecticut.

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AUTHORIZED

7. Authorize the Purchasing Agent to issue a Purchase Order to C. N. Wood of CT, LLC for the purchase of a 2012 Elgin Pelican Street Sweeper for a sum not to exceed \$140,942.00.

Account No. 0912 4031 5777 C0313

AUTHORIZED

- 8a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with X-Pert General Services, LLC for Project #3174 Fiber Optic Cabling for a sum not to exceed \$27,928.00.

AUTHORIZED

- 8b. Authorize the Director of Public Works to issue Orders on Contract to X-Pert General Services, LLC for Project #3174 Fiber Optic Cabling for a sum not to exceed \$2,793.00.

Account No. 014031 5343

AUTHORIZED

B. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

Technical correction:

RESCIND Action VII.B.7 of January 24, 2012, which states the following:

Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the design services Agreement with BSC Group for Oyster Shell Park, Phase 1, to provide construction administration services for a total not to exceed \$80,150.00. Said services shall include Landscape Architect/Civil Engineering, Structural, Geotechnical and Electrical consulting services, for the duration of construction ending December 1, 2012, and submission of closure report.

Account #0902910-577-C0241

AUTHORIZED

APPROVE the following:

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Authorize the Mayor, Richard A. Moccia, to execute an Agreement with BSC Group, Inc. for construction phase services in connection with the Oyster Shell Park, Phase I. Project for a total not to exceed \$80,150.00. Such services will include Landscape Architect/Civil Engineering, Structural, Geotechnical and Electrical consulting services and submission of closure report.

Account #0902910-577-C0241

AUTHORIZED

C. LAND, USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Purchasing Agent to issue a Purchase Order to Hewlett Packard for the purchase of 620 HP PC Workstations for Board of Education for a total not to exceed \$367,387.20. Acct #0911/12- 5010-C0112.

AUTHORIZED

2. Approve the following resolution to confirm availability of City of Norwalk, Capital Budget funds for the Naramake Elementary School Improvement Project, State Project No. TMP-103-WNWM:

APPROVED

RESOLVED that:

WHEREAS, as part of the Fiscal Year 2003-2004 Norwalk Capital Budget, the City of Norwalk allocated \$70,000,000 Capital Budget Funds for a long range Norwalk Public School improvements program which included Naramake Elementary School;

WHEREAS, from the balance in the \$70,000,000 account, the amount of **\$3,145,856** has been transferred into Capital Budget account #09045010 5777 B0321 and is available as City/Local Share for the Naramake Elementary School Improvement Project.

THEREFORE, the total available City/Local Share for Naramake Elementary School Improvement Project is **\$3,145,856**.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NORWALK, CONNECTICUT THIS _____ DAY OF _____, 2012.

APPROVED

3. Approve the following resolution to confirm availability of City of Norwalk, Capital Budget funds for the Rowayton Elementary School Improvement Project, State Project No. TMP-103-CHVJ:

APPROVED

RESOLVED that:

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WHEREAS, as part of the Fiscal Year 2003-2004 Norwalk Capital Budget, the City of Norwalk allocated \$70,000,000 Capital Budget Funds for a long range Norwalk Public School improvements program which included Rowayton Elementary School;

WHEREAS, from the balance in the \$70,000,000 account, the amount of **\$4,115,398.85** has been transferred into Capital Budget account #09045010 5777 B0322 and is available as City/Local Share for the Rowayton Elementary School Improvement Project;

WHEREAS, on April 10, 2012, the Norwalk Common Council adopted the City's 2012-2013 Capital Budget which included an allocation of **\$1,733,000.00** for the City/Local Share for Rowayton Elementary School Improvement Project, and

THEREFORE, the total available City/Local Share for Rowayton Elementary School Improvement Project is **\$5,848,398.85**.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NORWALK, CONNECTICUT THIS _____ DAY OF _____, 2012."

APPROVED

4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Rizzo Corporation for the Rowayton School Improvement Project for site work and relocation of portable classrooms for a total not to exceed \$298,800. Acct. #09045010 5777 B0291

AUTHORIZED

4b. Authorize the NFCC to issue Change Orders on Contract for a total not to exceed \$29,880.

AUTHORIZED

5a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Modular Space Corporation for the Rowayton School Improvement Project for the relocation of the leased portable classrooms for a total not to exceed \$79,523. Acct. #09045010 5777 B0291

AUTHORIZED

5b. Authorize the NFCC to issue Change Orders on Contract for a total not to exceed \$7,952.

AUTHORIZED

6. Authorize the Purchasing Agent to issue a Purchase Order to Linlee Design LLC for furniture design services (FF&E) for the new Fire Headquarters building for a total not to exceed \$9,800.00.

Acct. #090123110-5777-C0466

AUTHORIZED

VIII. RESOLUTIONS FROM COMMON COUNCIL

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1. A Resolution of the Norwalk Common Council sponsored by Council Members Matthew Miklave (District A), Bruce Kimmel (District D), John Igneri (District E), Warren Pena (At Large) and Anna Duleep (at Large)

Whereas, in January 2012 the City of Norwalk received the “Norwalk Pedestrian and Bikeway Transportation Plan” (the “Transportation Plan”) from Fitzgerald and Holiday Inc.; and

Whereas, the Transportation Plan identified Calf Pasture Beach Road as a Tier 1 priority corridor based on one or more of the following, multiple pedestrian crashes, multiple bicycle crashes and no sidewalk on either side of a roadway within one-quarter mile of a school or transit center; and

Whereas, the Transportation Plan recommended ways in which to improve Calf Pasture Beach Road to promote and improve access to **Norwalk’s** beaches by way of biking and walking; and

Whereas, the Transportation Plan recommended, among other things, that the City of Norwalk consider a “Road Diet” plan for Calf Pasture Beach Road which would convert the four-lane road (there being two travel lanes in each direction) into a two-lane road (with one travel lane in each direction) with additional dedicated vehicle-free lanes for the use of walkers, runners, strollers, cyclists and school children at Marvin Elementary School; and

Whereas, establishing vehicle-free lanes along both sides of Calf Pasture Beach Road would improve the quality of life of Norwalk residents and visitors and create a safe space for walkers, runners, strollers, cyclists and school children at Marvin Elementary School; and

Whereas, establishing vehicle-free lanes along both sides of Calf Pasture Beach Road would not significantly cause traffic congestion because Gregory Boulevard, the two-lane street which carries most traffic on to or away from Calf Pasture Beach Road, does not currently experience any backup due to school or beach access; and

Whereas, converting Calf Pasture Beach Road into a two-lane road with dedicated vehicle-free lanes in both directions for a temporary period of time during the summer months of July and August would permit the City of Norwalk to observe any traffic, pedestrian or other unforeseen issues created by following the recommendations of the Transportation Plan; and

Whereas, temporarily converting Calf Pasture Beach Road into a two-lane road with dedicated vehicle-free lanes in both directions would permit the City of Norwalk to reopen the lanes on the evening of the Fourth of July Fireworks Celebration, thereby eliminating any impediment to traffic egress from the beach following the fireworks;

NOW, therefore, be it resolve by the Common Council of the City of Norwalk that:

The Common Council calls on the City of Norwalk to temporarily convert Calf Pasture Beach

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Road from a four-lane road into a two-lane road and to establish a vehicle-free lane in both directions for the exclusive use of walkers, runners, strollers, cyclists and school children; and

The Common Council calls on the City to maintain these vehicle-free lanes during the months of July and August so that the City can assess the impact of this temporary conversion; and

The Common Council calls on the City to reestablish Calf Pasture Beach Road as a four-lane road on the evening of the Fourth of July Fireworks Celebration to permit egress from the parking areas abutting the beach; and

The Common Council calls on the City to formally report on the temporary conversion of Calf Pasture Beach Road in September 2012 so that further action to permanently convert Calf Pasture Beach Road may be considered.

REFER TO TRAFFIC

AUTHORITY

2. A Resolution of the Norwalk Common Council sponsored by Council Members Warren Peña (At-Large), David Watts (District A), John Igneri (District E)

Whereas, the Common Council on February 28, 2012, approved of a maximum limit on the total appropriations for the City of Norwalk for the Fiscal Year beginning July 1, 2012 which shall be no more than \$286,182,707; and

hereas, at the end of April 2012 the Board of Education (“BOE”) notified the City of Norwalk that it would run a deficit of approximately \$4 million in their 2011-2012 budget due to a shortfall in certain accounts. Of said shortfall, \$1.8 million is expected to be taken from the BOE budget of 2012-2013; and

Whereas, the Common Council Members above do not agree with the proposed payment arrangement offered to the BOE, as this unforeseen additional expense widens the gap of the approved BOE budget which was not taken into consideration by the Common Council in its deliberations for the 2012-2013 budget; and

Whereas, the Common Council still has not received any formal report in connection with a focused fact finding investigation to thoroughly explain: (1) where did the money go, (2) why the loss went uncovered for so long; (3) were all education expenditures approved by the BOE or under BOE established policies; (4) were funds spent as reported on staff which were not approved by the BOE and (5) how come the calculation for other post-employment benefits, or OPEB, was incorrect and not detected by BOE and City Officials earlier than April 2012; and

Whereas, the members of the Common Council referenced above support a full 4 Year deferral of any payment of the amount due and owing the City for any and all support that is provided in connection with covering the \$4 million shortfall in the BOE 2011-2012 budget.

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NOW, therefore, be it resolve by the Common Council of the City of Norwalk that:

The Common Council calls on the City of Norwalk to provide the full \$4 million needed to cover the deficit and any payment of said assistance be paid at least four years from the date of said notification to the City of Norwalk of said shortage.

REFER TO FINANCE COMMITTEE

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

APPROVED

To suspend time past 12:00 a.m.

XI. ADJOURNMENT 12:20 a.m.

APPOINTMENTS

WATER POLLUTION CONTROL AUTHORITY

C

NWLK CODE 91-2

Galen Wells (D)

Term Exp. 11/22/13

224 West Norwalk Road

Norwalk, CT 06851