

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 23, 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 8:10 p.m. and led those present in reciting the Pledge of Allegiance, and requested all to remain standing. He announced that Reverend Dancy’s brother-in-law was one of those killed in Alabama and asked for a moment of silence in memory. Following the moment of silence, Mayor Moccia stated that the Reverend Dancy is an active member of the community, and the City of Norwalk extends their sincere sympathies to him and his family at this time of their loss.

I. ROLL CALL

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

- | | | |
|-----------------------|-----------------------|----------------------|
| Mr. Douglas Hempstead | | |
| Ms. Joanne Romano | Mr. John Tobin | Mr. Richard McQuaid |
| District A: | Mr. Richard Bonenfant | Mr. David Jaeger |
| 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 fourteen members were present and absent was Mr. Bondi.

II. **ACCEPTANCE OF MINUTES**

Regular meeting – February 9, 2010

Mayor Moccia noted on page 2 to correct “10 Minutes” to “15 Minutes” in two places in that paragraph and Ms. King commented that she appreciated that correction. Mayor Moccia added that the Assistant City Clerk was able to retrieve the exact wording of Mr. Hempstead’s comment regarding a future resolution to amend the new parking rules, and she would have this wording listed on next month’s agenda.

**** MR. KYDES MOTIONED TO APPROVE THE MINUTES FROM THE FEBRUARY 9, 2010 MEETING, WITH CORRECTIONS AS NOTED, CONTINGENT UPON ADDING THE WORDING OF A COMMENT MADE BY MR. HEMPSTEAD RELATIVE TO A PARKING FEE AMENDMENT AS REQUESTED BY MS. KING.**

**** THE MOTION PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

City Clerk Wink stated that there were 23 people who had signed up for public participation and asked the audience to be sure to sign the sheet if there was any one else interested in speaking. Mayor Moccia announced the rules for public participation and asked all those who signed up to speak to limit comments to a length of three minutes, and to keep comments relevant to the agenda, without being personal attacks or comments of political nature. He added that these rules were part of the City charter, and it was important to keep to the three minute time limit due to the number of speakers, and he would give a warning to the speaker if the time limit was being exceeded.

The following comments are not verbatim and represent a summary of statements made.

Ms. Ann D. Artell, 29 Catherine Street stated that the City continues to spend millions of tax dollars from people on fixed incomes and out of work and can no longer afford further tax burdens. She urged the Council not to approve the 80 Fair Street project.

Mr. Bruce Mellion, 9 Mott Avenue, Norwalk stated that he represented the Norwalk Federation of Teachers Union in relation to the Budget Cap and the historic reality is that the Council approves the Cap with no input from the Board of Education. He stated that the NFT continues to make concessions, including a history of health plan modifications that have reduced the BOE Operating Budget by \$2.4 million this year following revised plans to work out previous reductions of \$6.8 million. He clarified that these negotiations and concessions follow the change of health care carriers over several years and a funding platform that clearly shows how they have done their part for decades. The 2010-11 Budget Cap as presented represents a \$5 million difference between the BOE budget as proposed and borders on irresponsibility to the teachers, students, and residents of the City of Norwalk. He concluded with a plea to the Council to amend the Budget Cap upwards to accept a fully funded BOE Budget for 2010-11.

Nathaniel Yorden, 6 Weatherly Drive, Norwalk stated that the opposition to 80 Fair Street is a conflict of ideology, where the state has worked together with the City developers and have joined forces on many positive points, that he cannot understand why members of the Council would be opposed. He said it is not about the dollars and a tax abatement, when you consider the situation with the Globe Theater. He provided an analogy that \$28,000 per year will keep affordable housing for 40 years, with 29,000 property tax payers, this represents 96cents, and he took out a dollar bill and offered it to the Council. He asked the Council to please vote in support of 80 Fair Street, add 96 cents and to put aside ideologies and if you are actually opposed to affordable housing to at least abstain and let this pass.

Mr. Rick Giordano, 37 William Street, Norwalk stated that there are several vacant properties that have been causing a condition of blight for several years, and many have already been subsidized. He added that there is no need to continue to reward developers for the overdevelopment, and to set a precedent with others when they get into trouble .

If that much money is available that does not help control expenses by approving tax abatements, and he asked the Council not to accept this 80 Fair Street PILOT.

Mr. Robert Burgess, 37 Brooklawn Avenue, Norwalk spoke in favor of 80 Fair Street PILOT tax abatement so that police, fireman, need affordable housing and we cannot continue to force the flight to the valley as the highways can't absorb the increase. He added that all the representatives of the government legislature have voted for this, including the Chamber of Commerce, the Zoning Commissions. He stated he had predicted years ago that their would be crowding and overflows on the highways with the private sector moving and expanding in Norwalk, and that it is a disgrace and shame not to approve the project and to look at other areas of the city where workforce housing can be created. He asked the Council members to search their hearts to see that they will gain much more in the long run than they will lose in tax revenue.

State Representative Bruce Morris, 17 Ascension Avenue, Norwalk stated that at a recent Planning Commission meeting, a delegation of both democratic and republican legislators came together in conjunction with support by Governor Rell. He added that Christopher Perone presented a letter to the Planning Commission signed by the following state legislators: State Representative Larry Cafero, State Representative Bruce Morris, State Representative Peggy Reeves, State Representative Terry Wood, and State Senator Bob Duff. He read the letter, which is summarized as follows:

The Norwalk state legislative delegation would like to make it a matter of public record that we are respectfully asking the Planning and Zoning Commission for a favorable consideration of the 80 Fair Street project. ...There is a real need for this type of housing in the City of Norwalk and without the financial assistance of the city and state; this housing will not be available to the working men and women who truly need it. ...one of the chief contributors to students leaving after college has been a lack of affordable housing, which is referred to as the "brain drain"...lack of housing for employees is a disincentive for businesses to locate in Connecticut.

Mr. Morris went on to say that Governor Rell stated there will be an upcoming legislative session that is going to be marked by legislation that focuses on job creation and the lack of affordable housing is widely considered by most experts to be a major obstacle in the path of a community's future growth and development. He added that Norwalk has the opportunity to move in the right direction, and we ask that you consider the numerous benefits of this project and this opportunity may be too great to ignore. He stated that he was proud to support the efforts of New Neighborhoods by providing affordable housing to help young families be able to stay in Norwalk and live more affordably so they can save to become a home owner. He added that so many of Norwalk's young workforce has had to move up the line to afford to live, which clogs the highways and acts as a economic decline rather than a boost to the city. Norwalk's workforce, their firemen, teachers, and nurses are forced to spend their money out side of Norwalk--in the towns where they can afford to live, rather than investing in our City. He concluded with a statement to urge the Council to consider the numerous benefits of 80 Fair Street and to fully support this PILOT.

Mr. Steven Bentkour, 71 Aiken Street , Norwalk spoke that read much about the arguments in today's paper and the letter to the editor that mentions that this sets a precedent. He added that the building is there, money has been approved by the state, and a PILOT of \$28,000 a year is not a lot of money. Employers in the City such as Norwalk Hospital has a huge need for people to live and work here and to spend their money here, the Mayor and state legislators have spoken out in support of the project.

Mr. Vinny Mangiacopra, 8 Thistle Road, urged the approval of 80 Fair Street and echoed the prior commentors, and added that the diversity in Norwalk is unique and that trend will continue. He urged the Council to make an investment in Norwalk's future for a mere \$28,000 a year, and that the City has a responsibility to provide affordable workforce housing.

David Waters, 901 Main Avenue, Norwalk, and General Counsel with Building and Land Technologies stated that no good deed goes unnoticed, and it was important to understand the background of this project. He stated that the City had asked Building & Land Technology to take this project off their hands and it has gone through the Planning Committee, Zoning, former Council Committees because it was the right thing to do. He clarified that this project is not a tax reduction as it has paid \$56,300 in taxes in 2006 and even with a PILOT will provide tax benefits and in context is not a shifting of a tax burden. He added the benefits of the City to provide affordable housing to Norwalk's workforce and supportive housing for its veterans. He highlighted the support from the State from the Governor on down and urged the Council members to vote on it either up or down and not to kill it by sending it back to Committee.

Mr. Matt Miklave, ½ Highview Avenue, Norwalk stated he was in favor of 80 Fair Street and would allow the other experts who so eloquently spoke about tax increase and other communities to do their fair share of 10% affordable housing, and report on the broad bipartisan support of the issue. He added that he wanted to share his passionate view on the need for working families, policeman, fire-fighters, teachers, those who serve the community to have affordable housing. He stated that you judge a person's character when times are tough, but when it comes to Norwalk, this City is at its best when times are at their worse. The Chamber of Commerce has so clearly stated its support despite tax burdens and budget priorities, but this issue is about the responsibility to build a future for the community and to preserve the intergenerational future for our children. He urged all to support this project.

Dr. Lynne Moore, 813 Foxboro Drive, Norwalk stated that she has been a Norwalk Principal for twelve years, a founding member of Norwalk Cares, and Mentoring programs and has attended the Board of Estimate and Taxation meeting, and represents concerned residents that the budget process is not accessible to the members of the community. She stated that no one is permitted to speak until March despite the Cap which is set and approved by the Council in February. She added that despite the BOE Budget of a modest 3.4% increase, Mr. Hamilton would only accept a 0% increase, which if adopted represents a \$5 million reduction in programs. She stated that this would represent cutting full-day Kindergarten, music and arts programs, and many other vital education programs for our children.

She asked the Council to please support the Board of Education modest increase to the 2010-11 Operating Budget.

Mr. Bill Nightingale, Jr. 17 South Beach Drive, Norwalk, referred to a letter to the editor against the PILOT and stated that it was not a workforce housing issue but a Building and Land Technology deal bail out. The building was built without a tax abatement and the City has done their part, but this is more of an issue of transparency and the process has not been straightforward.

Mr. Michael Nast, Interim Superintendent of the Norwalk Public Schools stated that there was a recent mid-year report from the state on the commended progress and things going in the right direction despite only having an Interim Superintendent. He added that he cannot take credit for this progress as he has not been a part of all the hard work done by Dr. Papallo and Dr. Corda. He added that a \$5 million reduction in the schools operating budget will not help to move the progress in the continued positive direction, and he realizes that budget issues are facing all school districts in the state. He referred to Wallingford where they had a zero increase that resulted in elimination of forty teachers and forty aides. He added that he has shared his concerns with his colleagues and asked the Council members to contact him or his team to clarify issues as needed.

Mr. Mark Pierce, 48 Wilton Avenue, Norwalk, stated he was opposed to the tax abatement and it is unfair to tax payers. He added that he was opposed to the building five years ago, since then there have been many buildings, and now for the City to pick up another tax bill is a slap in the face, and another one dollar tax increase will be felt by him and his household.

Mr. Edward J. Musante, Jr. 101 East Avenue, Norwalk Chairman of the Chamber of Commerce urged the Committee to approve more affordable housing so that workers, such as firemen, teachers and nurses could afford to live in Norwalk. He added that the fact that other suburbs are not doing their part is true and they have exclusionary zoning, but more than the tax burden is living in a City neglecting the future of its children. He added that Norwalk is one of the largest economy generators for Fairfield County having greater employment here, a large hospital here, and employers need to provide affordable housing for their workforce. He stated that at the Planning Committee meeting, Ms. Franco of Norwalk Hospital said that as the City's largest employer, they have a continual issue with maintaining employees. She added that nurses are the bulk of the workforce and it is hard to keep them because they have to live so far away. He added that the highway transportation problem in Fairfield County is in large part due to the fact that many people like teachers and policeman have to commute to their jobs because they can't afford to live in cities like Norwalk. He concluded with the statement that on a personal level it sends the wrong message when a non-for-profit organization asked the City for small piece of relief and the City turns its back it sends a message of no credibility.

Mr. Melvin Patrick, 7 Commerce Street, Norwalk stated that the Fair Street expenses should be cut backwards and should be matched to available resources or decreases in revenue. He stated that his question is since police are many of the highest paid workers, they may not even qualify for this affordable housing. He stated that there is no such right to affordable housing, that you only get to live where you can afford to live.

Paul Kuehner, 901 Main Avenue, Norwalk, of Building and Land Technology, said he and his brother, Carl, had been the primary business contact with the project along with Paul Jones who is no longer with us, but had asked them to help the City with this distressed project. What happened was then was the beginning of what he called “doing the right thing.” He gave a brief overview of the history of the project that began in 2006, and highlighted the stumbling blocks they hit with losing financing, CHAFA denial in 2008, the dismissal of the management company, and finally a call from the state offering their assistance within the realm of affordable housing. He added that the building has been empty for a year and could not go at market rates and they are still trying to do the right thing, not for BLT but for the residents. He heard the call and his answer was yes, and he hopes the Council will hear the call and answer yes.

Mr. Tony Ditrio, 24 Woodlawn Avenue, Norwal, stated that he was principal of Kendall School, and was speaking in support of the Board of Education budget. He said that after two years of a budget cut backs and health care reductions and concessions, to cut any more would be disastrous. He stated that he is well aware of tough times with a decline of property values, but the City must maintain its school system. He added that the future of the children is at stake, and that is the lifeblood of the City which is at a crossroads with an impending decision on a new Superintendent. He added that a \$5 million cut will not support a new Superintendent who is will face the challenge of building measurable progress, and it is time to use the rainy day fund.

Ms. Suzanne Brown Koroshetz, 27 Ravenwood Road, Norwalk, introduced herself as the proud principal of Brien McMahon High School, and was speaking in support of the Board of Education’s budget. She stated that she is concerned with programs that are not included but needed to support all academic achievement levels and those that should be continued to do more. She thanked the Board of Education for all their hard work with developing a budget, and stated that it is not good enough without full funding of what our children need and deserve.

Ms. Amanda Brown, 80 County Street, Norwalk stated that as a former Council member who had been extensively involved with many housing development projects, she clarified that while she served on the Common Council she was hired by Building and Land Technologies, but did not work with them in 2007 when the Fair Street project had been undertaken. She stated that she was here tonight because affordable workforce housing is an issue that affects many of Norwalk’s residents, and her in particular. She stated that grew up in a home where her mother rented and could never afford to own a home in Norwalk. She added that she is a single mother of two children and finds it very difficult to make ends meet with housing costs in Norwalk, and it is a humbling experience to have to work two jobs. She added that she is

here tonight on an emotional appeal to the Council to make sure that people have affordable housing options to raise a family and make a life in the city where they work and live. She stated that when she made a job change, she had to realize a huge increase in her housing expenses just to remain living in the city where her children attend school. . She said that she came to the meeting tonight to speak on the emotional issue, not the financial or law-making issues, as this is one that hits her and many others in the heart. She added that the City has to do their due diligence to not be taken advantage of compared to the lack of compliance with the neighboring towns. However, she asked the Committee members to consider the numerous benefits of this project that is not just a financial burden of a tax abatement, but a \$28,000 investment in people's lives, the lives of so many residents like her. She urged the members to please think of how many young families, middle-income people will be affected by this opportunity to have affordable housing, so they may be able to stay in the City they love; to be able to enjoy the services, the beaches, the many programs that the City works hard to put in place. She closed with an appeal to approve affordable housing to help the Norwalk workforce to be able to afford to pay their rent, to have a better life, and to be able to save money to some day afford to become a home owner.

Ms. Daisy Franklin 82 Sention, Norwalk, stated that she was asking the Council to support the 80 Fair Street project and she usually advocates for low income housing, but in this case the affordable housing represents the forgotten middle class. She added that this group spends 50-80% of their income on housing and this is not the NIMBY but these are police, teachers and veterans, which is a good thing that needs our support.

Ms. Missy Mary Teresa Conrad, 37 Stonecrop Road, Norwalk, spoke in favor of the 80 Fair Street project. She surveyed the neighborhood with a petition and said people do want it and voted in favor of it. She added that former Mayor Esposito made a promise of affordable housing and speaking as a Quaker, this is much needed in view of food pantries and church sponsored programs that are in trouble.

Mayor Moccia asked if there were others who wanted to make public comments, and announced that hearing none, he closed the public comments of the meeting at 9:20 p.m.

Mayor Moccia asked for a five minute recess. The meeting was recessed at 9:20 p.m. and reconvened at 9:29 p.m.

III. MAYOR

A. REMARKS

Mayor Moccia thanked all who spoke for keeping the comments within the time limit and for using restraint with applause to keep order amidst the controversial items. He stated that there were key issues on tonight's agenda that were critical with the City; the first is the Operating Budget CAP and the other is the Fair Street project and the affordable housing issues.

He added that these are very difficult times with the economy, homes are being foreclosed, unemployment is at an all time high, and the budget process has been the most difficult in his tenure with the City. He asked the members to please take all these factors in consideration with their voting on the budget, as well as with their decisions on the Fair Street item. These decisions are not easy, but he advised the members to keep the best interests of the City in mind as they contemplate the issues on the agenda.

IV. COUNCIL PRESIDENT

Remarks

Mr. Hempstead thanked the speakers who commented during the public participation and stated that this was a very informative and productive discussion, with a list of recommendations from the Chamber for consideration.

A. CONSENT CALENDAR:

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

- VII. A1, A2, A3, 5a, 5b, 6; D 2, D3, D4, D5 (with time correction to 9am)
- D6a, D6b, D7, D8a, D8b. with correction to account number noted.

Note: Consent Calendar items are in bold.

A. FINANCE COMMITTEE

1. **Accept and Approve the Report of the Claims Committee Dated: February 11, 2010.**
2. **For informational purposes only: Narrative on Tax Collections dated February 11, 2010.**
3. **For informational purposes only: Monthly Tax Collector's Report: January 31, 2010.**

- 5a. **Authorize the Purchasing Agent to issue a purchase order to Verint Systems, Inc. for the purchase of a Verint Audiolog 3000 Series MaxPro/Quad Core Digital Voice recorder system for Combined Dispatch, pricing and terms and conditions pursuant to GSA Contract#GS-33F-066IT, for an amount not to exceed \$43,076.88, account 09100600-5777-C0375. Budget IT capital expense; no special appropriation required.**
- 5b. **Authorize the Purchasing Agent to issue a purchase order to Business Electronics Inc., for installation and training services for the Verint Analog Audiolog 3000 Series MaxPro/Quad-Core Digital Voice Recorder system for Combined Dispatch, including 2 years warranty, per Business Electronics quote dated 1/15/2010, for an amount not to exceed \$10,000.00, Account 09100600-5777-C0375. Budgeted IT capital expense; no special appropriation required.**
6. **Authorize the Mayor, Richard A. Moccia, to sign a lease agreement with the Third Taxing District for the building occupied by the Norwalk Fire Department at 56 Van Zant Street. Term is for five years beginning July 1, 2008 and**

continuing through June 30, 2013, with automatic extensions of up to nine additional five year terms, unless terminated by either party or a breach occurs. Rent is \$38,000 per year for the first five years and thereafter with annual increases equal to the greater of 3% or the current Consumer Price Index.

D. RECREATION AND PARKS

2. Approve the use of the ShowMobile for the Juvenile Diabetes Research Foundation "Walk for the Cure" to be held on Sunday, October 10, 2010 at Calf Pasture Beach.
3. Approve the use of the ShowMobile for the Alzheimer's Association CT Chapter for their walk to be held on October 3, 2010 at Calf Pasture Beach.
4. Authorize the Mayor Richard A. Moccia to enter into an agreement with the YMCA of Norwalk, Inc. to use Tracey School grounds for Camp Sunrise to take place June 28, 2010 – August 27, 2010 from 7:00 AM – 6:00 PM. Estimated participation 160.
5. Authorize the Mayor Richard A. Moccia to enter into an agreement with Kayak for a Cause for their event Kayak for a Cause X to be held at Calf Pasture Beach, July 24, 2010 from 9:00 AM – 4:00 PM. Estimated attendance 1,500.
6. a. Authorize the Mayor Richard A. Moccia to enter into an agreement with the Leukemia and Lymphoma Society to hold their "Light the Night Walk" on October 1, 2010 from 5:00 PM to 10:00 PM at Calf Pasture Beach. Set-up at 12:00 noon, October 1, 2010, breakdown by 11:00 AM on October 2, 2010. Estimated attendance 800.

Consent Calendar – continued

- 6b. Approve the use of the ShowMobile for the Leukemia and Lymphoma Society's "Light the Night Walk" to be held on October 1, 2010 from 5:00 PM to 10:00 PM.
7. Authorize the Mayor, Richard A. Moccia to execute an agreement with the Norwalk Seaport Association, Inc. for their use of Hope Dock, extending the agreement from February, 1, 2010 through January 31, 2020.
8. a. Authorize the Mayor, Richard A. Moccia to execute a contract with Hawley Construction Corporation for Project #2916 Pedestrian Lighting and Boardwalk at Calf Pasture Beach for a sum not to exceed \$254,999.00. Acct. #09106030-5777-C0365.
b. Authorize the Director of Recreation and Parks, Michael A. Mocciae to issue changes on contract, total not to exceed \$25,500.00. Acct.#09106030-5777-C0365.

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

4. Operating Budget Cap Resolution

Mr. Kydes read the resolution as follows: **WHEREAS**, Section I-289 of the Norwalk Charter requires that a majority of the Common Council vote to establish a specific spending limitation

on locally funded expenditures during the process of establishing next fiscal year's operating budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT: The maximum limit on total appropriations for the City of Norwalk for Fiscal Year beginning July 1, 2010 shall be no more than \$266,700,472. This appropriation cap represents total expenditures of \$281,654,921 less estimated inter governmental grants of \$14,954,449. BE IT FURTHER RESOLVED that the result of this vote and resolution, together with the attached 2010-11 Budget Guide, be forwarded by the Clerk of the City of Norwalk to the board of estimate and taxation.

Mr. Kydes presented the 2010 Budget Presentation as prepared by the Finance Committee dated February 11, 2010 and highlighted the bulleted points from the pages entitled: Economic Environment, The Impact on Norwalk's Budget, and summarized that the preparation involved the evaluation of all financial elements with a fine-toothed comb. He thanked the members of the Finance Committee for all their hard work and deliberation with the multitude of issues and the many scenarios developed to evaluate an address the concerns from the public.

He asked Mr. Hamilton to review the presentation and he highlighted the Key Revenue Drivers, Key Expenditure Drivers, Budget Reduction Strategies, and he summarized that this budget was one of the most challenging he has ever been involved in, and said that at one point, State aid was 17% of the budget, but now it is about 5%. Mr. Hamilton said that the requested budget would require a 4.2% expenditure increase and a 7.7% tax levy increase. Mr. Hamilton explained that the NASA bargaining group and the NMEA bargaining group have been completed, and that the assumption is that there will be no wage increases next year. Mr. Hamilton showed how the funding is divided. He said that the biggest part goes to the Board of Education.

Board of Education	54%	Public Safety	13%	Public Works	6%
Debt Service	9%	Employee Benefits	9%	All Others	9%

Mr. Hamilton said that there is a significant decline in debt service by \$1.1 million.

Ms. King asked about the tax collection rate. Mr. Hamilton explained that when they do a tax sale in July, that results in taxes paid and booked in the new year. Mr. Hamilton said that the proposed budget is austere and calls for shared sacrifices.

Ms. King asked if key revenue drivers had been evaluated to see if other areas could be determined, and Mr. Hamilton responded that the primary area was the RE Conveyance decrease due to the economy. Mr. Kydes stated that Ms. King was at the meeting and was surprised that she was not fully aware of all the budget details as presented, and Ms. King responded that she did not leave the meeting early and had voted against the proposed 2010-11 budget.

Mayor Moccia commented that the Finance Department has spent months evaluating these revenue drivers and if any Council member had areas of input, they were more than welcome to bring those ideas to the Finance Committee.

Ms. Lindstrom stated that her primary concern was that the Education Budget could not be met and in view of other City spending, public improvements and so forth could wait, but the education of children cannot wait as they only pass through the school system once. Mr. Hilliard stated that a flat increase was actually a decrease as other economic factors go up, the non-increase in spending is actually a decrease in the budget.

Ms. Romano stated that when she was on the council she thought the council should never be talking about taking money away from education for the children or teachers and that the budget should be kept down by making cuts elsewhere. She stated that there are areas of the education department that can be cut and that money should never be taken away from the classroom and that The Board needs to find ways to do it. She stated that the City is in a very bad fiscal situation right now and that we are asking employees of the city and many people to pull their belts in. The City needs to make the right decisions as there are places in the Board of Education budget that can be tightened without taking programs away from the kids, teachers out of the classrooms or anything else that belongs with the children.

Mr. Kydes stated that with 60% of the City spending on education, where the City has no input relative to how that money is spent, it represents the largest piece of the pie that has to be treated with the objective to continue to identify ways to improve operations with essentially flat budgets and austere sacrifice.

Mr. Hilliard stated that a flat increase was actually a decrease as other economic factors go up, the non-increase in spending is actually a decrease in the budget and that just is not in the best interests of the children and in providing them an education.

Mr. Tobin suggested that one solution to moving the issue forward was to propose an amendment to raise the Budget Cap in order to accomplish the spending requests set forth by the Board of Education proposed budget.

**** MR. HILLIARD MOTIONED TO AMEND THE BUDGET CAP TO \$284,685,021 REPRESENTING A \$3 MILLION INCREASE IN ORDER TO ACCEPT AND ADOPT THE SPENDING REQUESTS SET FORTH BY THE BOARD OF EDUCATION PROPOSED BUDGET.**

Mayor Moccia requested a roll-call vote.

**** THE MOTION FAILED WITH 5 VOTES IN FAVOR (MR. HILLIARD, MR. JAEGER, MR. SIMMS, MS. KING, MS. LINDSTROM) AND 9 OPPOSED (MR. CONROY, MS. STRANITI, MS. ROMANO, MR. TOBIN, MR. BONENFANT, MR. KYDES, MR. MOUNT, MR. MCQUAID, MR. HEMPSTEAD.)**

**** MR. KYDES MOTIONED TO APPROVE THE OPERATING BUDGET CAP RESOLUTION RESOLVED THAT THE RESULT OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2010-11 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE**

BOARD OF ESTIMATE AND TAXATION WITH THE RESOLUTIONS AS LISTED ABOVE.

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2010 SHALL BE NO MORE THAN \$266,700,472. THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURES OF \$281,654,921 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$14,954,449. BE IT FURTHER RESOLVED THAT THE RESULT OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2010-11 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE BOARD OF ESTIMATE AND TAXATION.

Mayor Moccia requested a roll-call vote.

**** THE MOTION PASSED WITH 9 VOTES IN FAVOR (MR. CONROY, MS. STRANTI, MS. ROMANO, MR. TOBIN, MR. BONENFANT, MR. KYDES, MR. MOUNT, MR. MCQUAID, MR. HEMPSTEAD) AND 5 OPPOSED (MR. HILLIARD, MR. JAEGER, MR. SIMMS, MS. KING, MS. LINDSTROM)**

Mayor Moccia thanked Mr. Hamilton for providing a thorough review and analysis of the City's Operating Budget. He added that this was one of the most difficult budget preparations in the past several years, and he applauds the hard work that the Finance Department has done with their efforts to keep the budget within the guidelines set forth for 2010-2011.

B. LAND USE & BUILDING MANAGEMENT COMMITTEE

1. 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. BONEFANT MOTIONED TO TAKE THE ITEM OFF THE TABLED ITEM FROM LAST MONTH.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

Mr. Hilliard stated that he was against four-year contracts in general and asked to go over the advantages to the city of having four as opposed to three year contracts. Mayor Moccia asked Alan Lo from Facilities Management to address the question.

Mr. Lo stated that changing contracts requires operational changes that are very difficult to handle, along with practices of re-education, and in addition it was a negotiation tool in effort to hold dollars in next year's budget. Mr. Mount asked what would the increases have been and if there was a cancellation option. Mr. Lo responded that the 2010-11 would have gone up to 3.5% or \$31,000 as opposed to being held at no increase along with the additional increases in the subsequent years over a larger base number, and the cancellation clause is sixty-day cancellation.

- ** **MR. BONEFANT MOTIONED TO 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, AS LISTED ABOVE.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

C. PLANNING COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute a Tax Abatement Agreement with Fair Street Apartments Limited Partnership, in accordance with Chapter 58 of Norwalk Code of Ordinances.

Mr. Hempstead stated that while he agrees with comments from the public on the issue of affordable housing, he is not in a position to support the project with the current budget constraints that the City is facing. He added that putting aside the issue of other cities non-compliance with the state guidelines for affordable housing, Norwalk has done more than their share and this is not the time to do more.

Mr. Hempstead added a point of clarification that it was not the City who requested this to be done, as was inferred by the public comments, and he is sure that the project can be modified to completion within the private sector, without the City's involvement. He summarized that this is not the place, not the time and this is not the issue for the City's focus of its best interests. Therefore, he does not support the 80 Fair Street Project.

Ms. Lindstrom stated that she found the public comments very moving and fully supports the idea of affordable housing and was impressed by the number of people present and the eloquent manner with which they spoke. She added that the number of law-makers and commissions that are in favor of this project is really unprecedented, including the state representatives and bi-partisan delegations in the legislature from the governor on down. She added that she has followed the idea of workforce housing and was impressed was very moved by the speakers and is very sensitive to this issue that so many of the Norwalk work force faces. She stated that while she realized there are tax implications, she hopes the state legislature can correct the unfair and inequitable situation that Norwalk is faced with, and she strongly supports the PILOT for 80 Fair Street.

Mr. Conroy stated that the threat of being under the 10% rule creates a flood by developers and he cringes at what projects are being forced upon the City. He added that he fails to understand why Norwalk is the target and it has to stop, and while Norwalk has complied with the 20% rule, other cities simply have not and have suffered no consequences. He added that we simply can't keep doing this and be considered a wealthy community. Mr. Conroy stated that hears from desperate residents in his district that can't handle increased taxes. He added that this is a self-perpetuating situation which creates a shortfall for education, the state assistance is ever-dwindling, and he sees this project resulting in an increase in taxes that is just not possible in these times of budget cuts and zero increases. He summarized that it creates a precedent and epidemic to the city and state.

Ms. King stated that she felt it was critically important to approve more affordable housing so that workers, such as firemen, teachers and nurses could afford to live in Norwalk. He added that the fact that other suburbs are not doing their part is true but she it is about a City neglecting the future of its young adult population that have to move up the line because they cannot afford to live here. She referred to many of the comments that were made by the public comments and quoted the phrases such as Norwalk is one of the largest economy generators for Fairfield County, having greater employment here, and employers need to provide affordable housing for their workforce. She added that many people like teachers and policeman have to commute to their jobs because they can't afford to live in cities like Norwalk, and that we owe it to the City to do a better job of providing this type of housing and investing in the future of the young citizens of the community.

Mr. Hilliard stated that he was very much in agreement with Ms. King and Ms. Lindstrom's comments and feels 100 % that Norwalk desperately needs housing for the workers, nurses, and spoke in agreement of the brain drain concept where young people leave the City in search of an area where they can afford to live, and it needs to be changed. He asked the question of what the resident would complain about having a policeman or fire-fighter as a neighbor with affordable housing.

Mr. Kydes stated that while he agrees with comments from the public on the issue of affordable housing, he does not support the project with the current budget constraints that

the City is facing, and just cannot find it appropriate to bail out this project when there are so many other pressing needs for the future of the City.

Mr. Jaeger stated that relative to the issue of other cities non-compliance with the state guidelines for affordable housing, he really does not care what other cities are doing and it does not matter what Westport is doing but that Norwalk continues to do their share, and that this is the time to focus on meeting the demands of affordable housing for the workforce so they can live here, work here, spend and invest here in their future.

Mr. Hilliard requested it to be shown on the record that he supports the 80 Fair Street project and questions why residents would not want policemen or firefighters as neighbors. He added that this project has been approved from all the legislature delegates including the governor and is something that the City should move forward as it is the right thing to do to provide affordable housing for the workforce.

**** MR. HEMPSTEAD MOTIONED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A TAX ABATEMENT AGREEMENT WITH FAIR STREET APARTMENTS LIMITED PARTNERSHIP, IN ACCORDANCE WITH CHAPTER 58 OF NORWALK CODE OF ORDINANCES.**

Mayor Moccia requested a roll-call vote.

**** THE MOTION FAILED WITH 5 VOTES IN FAVOR (MR. HILLIARD, MR. JAEGER, MR. SIMMS, MS. KING, MS. LINDSTROM) AND 9 OPPOSED (MR. CONROY, MS. STRANITI, MS. ROMANO, MR. TOBIN, MR. BONENFANT, MR. KYDES, MR. MOUNT, MR. MCQUAID, MR. HEMPSTEAD.)**

D. RECREATION AND PARKS

1. Approve the Master Plan of Cranbury Park.

Mr. McQuaid introduced Mr. Moccia and stated that the plan represented the most comprehensive “people’s plan” for Cranbury Park and he thanked him for all the hard work and transparent nature of the plan.

Ms. King asked about the parking and if the proposed gatekeeper would serve as a parking booth attendant, and Mr. Moccia responded that it would not be like that of Calf Pasture and residents would not be charged admission. He added that Norwalk stickers would be required and charging non-residents is something that could be implemented as the plan comes into implementation.

**** MR. MCQUAID MOTIONED TO APPROVE THE CRANBURY PARK MASTER PLAN.**

**** THE MOTION PASSED UNANIMOUSLY.**

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

There were no suspension of the rules.

XI. ADJOURNMENT

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

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services