

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**APRIL 14, 2009
8:00 P.M. DST 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 8:10pm and led the Assembly in reciting the Pledge of Allegiance. Mayor Moccia asked for a moment of silence in memory Ms. Carla Gisolfi and spoke about her contributions to the Community.

I. ROLL CALL

Ms. Roman called the Roll. The following Councilmembers were present at Roll Call:

| | |
|---------------------|-------------------|
| Fred Bondi | Carvin Hilliard |
| Michael Geake | Nicholas Kydes |
| Richard McQuaid | Laurel Lindstrom |
| Anna Duleep | Douglas Hempstead |
| Richard Bonenfant | Kelly Straniti |
| Steven Serasis | Andrew Conroy |
| Rev. Phyllis Bolden | William Krummel |

There was one (1) Councilmember absent (Ms. Brown).

II. ACCEPTANCE OF MINUTES

Regular meeting – March 24, 2009

**** MR. KYDES MOVED TO ACCEPT THE MINUTES AS SUBMITTED
** MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

There were no members of the public who wished to speak this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations:

There were no resignations this evening.

Appointments:

**** MR. BONENFANT MOVED THE FOLLOWING APPOINTMENT**

Josephine Deupree – Board of Assessment Appeals - (*Alternate*)

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED THE FOLLOWING APPOINTMENT**

Donald Overton – Board of Assessment Appeals - (*Alternate*)

**** MOTION PASSED UNANIMOUSLY**

**** MR. KYDES MOVED THE FOLLOWING APPOINTMENT**

Harriet Petrides – Board of Assessment Appeals– (*Alternate*)

**** MOTION PASSED UNANIMOUSLY**

Reappointments:

**** MS. STRANITI MOVED THE FOLLOWING REAPPOINTMENT**

Bryan Meek – Parking Authority

**** MOTION PASSED UNANIMOUSLY**

B. REMARKS

Mayor Moccia explained that the Capital Budget was on this evening's agenda. He thanked all of the department heads and Mr. Hamilton and the Finance department for creating a budget that meets the basic needs of the City.

V. COUNCIL PRESIDENT

Mr. McQuaid said that Mr. Reid is very ill and asked everyone to say a prayer for him. He spoke about his leadership qualities. Rev. Bolden said that Mr. Reid gave her her first office job while she was in high school and that he is in her prayers. Mr. Kydes said that Mr. Reid is a good friend and said that he has been praying for him. He asked everyone to reach out to him.

A. GENERAL COUNCIL BUSINESS

Rev. Bolden welcomed everyone to the best Common Council in Connecticut.

B. CONSENT CALENDAR

**** REV. BOLDEN MOVED THE FOLLOWING CONSENT CALENDAR**

VI. AGENCIES, BOARDS & COMMISSIONS

A. CORPORATION COUNSEL

1. Authorization to Settle Claim: Jeffrey George v. City of Norwalk EXECUTIVE SESSION

VII. COMMON COUNCIL COMMITTEES

A. LAND USE & BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute a residential Lease Agreement with Leo Esposito for 35 Smith Street – Unit #1 (a.k.a. Old Smith Street Jail). Lease payment shall be \$600 per month and Lease shall expire April 30, 2010.

Consent to send back to committee

B. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Adopt the Health Department Fee Schedule as Proposed.
- 2a. Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary to apply for and accept grant funds from the Connecticut Department of Education under the Youth Service Bureau Grant Program for 2009-2011.
- 2b. Authorize the Mayor, Richard A. Moccia, to execute any and all agreements, documents, instruments and amendments thereto as may be necessary to implement a Youth Service Bureau Program, pursuant to such grant funding.
- 3a. Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary to apply for and accept grant funds from the Connecticut State Department of Education and State Department of Social Services under the School Readiness and Child Day Care Grant Program for 2009-2011.
- 3b. Authorize the Mayor, Richard A. Moccia, to execute any and all agreements, documents, instruments and amendments thereto as may be necessary to implement a School Readiness and Child Day Care Grant Program, pursuant to such grant funding.
4. Authorize the Purchasing Agent, Gerald Foley to execute Purchase orders for the following Police Technology Initiatives, funding provided by the COPS Technology

Grant, and purchased in accordance to the City Procurement guidelines.”

- (a) Anti-Virus/Spyware Package Account# 35309A-5742 Not to exceed \$10,000.00
Comprehensive system to provide for the automatic deployment of Anti-Virus and Anti-Spyware software across the Police Informational Network.
- (b) Automatic License Plate Readers Account# 35309A-5745 Not to exceed \$100,000
Automatic License Plate Readers, purchased off of the hazardous incident response equipment schedule of the NYS/NASPO Cooperative contract, Group #38232, Award # 19745, Concerning the master agreement with Remington Elsga Law Enforcement Systems, LLC., for Contract # PC62119. not to exceed \$100,000, Account# 35309A-5745
- (c) Ford Crown Victoria License Plate Reader Vehicles Account# 35309A-5745
Not to exceed \$30,000 each.
Quantity 2: Ford Crown Victoria (outfitted with an automated license plate reader, purchased separately), Crown Victoria purchased off the State of Connecticut DAS Contract Award # 06PSX0315, not to exceed \$30,000 each [excluding automated license plate reader device], Account# 35309A-5745
- (d) CAD/GIS Package Account# 35309A-5744 Not to exceed \$19,198.00
System upgrades designed to provide Combined Dispatch with GIS capabilities. Consists of 9 Dell CAD Stations and Arcview licensing.
- (e) Training Stations Account# 35309A-5747 Not to exceed \$6,700.00
System to provide computer training capabilities to the NPD Classroom, consisting of 10 Dell workstations.
- (f) Ford Expedition Ordnance Vehicle Account# 35309A-573J not to exceed \$40,000.
Ford Expedition (outfitted as ordnance vehicle, with ordnance accessories purchased separately), purchased off the State of Connecticut DAS Contract Award # 06PSX0315, not to exceed \$40,000.00 [including ordnance accessories] Account# 35309A-5735.

5. Receive & accept the report from the Police Dept. for the JAG Grant Application.

C. PLANNING COMMITTEE

1. Approve PY35 CDBG Program Allocations and Annual Action Plan.

2. Approve the use of the optional income eligibility limits for the 2009-2010 Program Year.
3. Authorize, the Mayor, Richard A. Moccia to execute any and all documents required to apply for, accept and implement the PY35 CDBG Program.
4. Authorize the Mayor, Richard A. Moccia to execute an access agreement with the United States Environment Protection Agency that will permit a Federal Government Contractor to complete Environmental Assessment activities at the property located at 30 Monroe Street in Norwalk. Such authorization is contingent upon the review of the access agreement by the City's Corporation Counsel.
5. Approve the 2009-2010 City's Capital Budget with amendment to move \$15,000 from Bike Path account and add to the Sidewalk account.

**** MOTION PASSED WITH THE EXCEPTION OF ITEMS 7C 1, 2, & 3**

**** REV. BOLDEN MOVED ITEMS 7C 1, 2, & 3**

**** MOTION PASSED WITH ONE (1) ABSTENTION (MR. SERASIS)**

D. PUBLIC WORKS COMMITTEE

2. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Clean Harbors Environmental Services, Inc. for the conduct of Household Hazardous Waste Collection Days for a sum not to exceed \$24,400.00. Account No. 014042 5258 (funding FY 2008-09 and FY 2009-10)
3. Authorize the Mayor, Richard A. Moccia, to execute an Inter-Municipal Agreement for Cooperation in the Conduct of Household Hazardous Waste Collection Days. *[no associated cost]*
- 4a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Safety Marking Inc. for the installation of new pavement markings and symbols associated with Project TRF2009-2 Proposed Pavement Markings, Symbols & Legends at Various Locations for a sum not to exceed \$137,590.00.
- 4b. Authorize the Director of Public Works to issue Orders on Contract to Safety Marking Inc. for the installation of new pavement markings and symbols associated with Project TRF2009-2 Proposed Pavement Markings, Symbols & Legends at Various Locations for a sum not to exceed \$13,759.00
Account No. 0909 4021 5777 C0021
5. Authorize the Director of Public Works to issue Orders on Contract to the Brunalli Construction Company for Project No. BR 2007-2, Reed Street Railroad Bridge and

Reed Street Extension, in an amount not to exceed \$636,930.00.

Account No. 09020910-5777-C0241 (\$502,360.00)

Account No. 2003103001 (\$134,570.00)

6. Approve City of Norwalk Tree Management Plan as amended and recommended by the Tree Advisory Committee on April 8th, 2009.

8. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with the Town of Westport for the management and maintenance of Duck Pond Road.

E. PERSONNEL COMMITTEE

1. Authorize the Purchasing Agent to issue a Purchase Order to “3 D, Success by Design” for on-site diversity training and education seminar(s) for 489 employees, pursuant to the requirements outlined in RFP #2702. Not to exceed \$21,800 – Account #01-10-00-5272.
2. Authorize the Purchasing Agent to issue a Purchase Order to ESI, Inc for City employee assistance program services, pursuant to pricing at \$30 per employee for police and fire employees and \$21.95 per employee for non police and non fire employees not to exceed \$17,250 per year for an initial duration of three years and two months commencing May 1, 2009 through June 30, 2012, with an option for an additional two (2) one-year extensions. Account #01-07-00-525J.
3. NMEA Tentative Agreement EXECUTIVE SESSION
Consent to table

DI. PUBLIC WORKS COMMITTEE

**** MR. KRUMMEL MOVED THE FOLLOWING ITEM:**

1. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the Agreement with A. DiCesare Associates, P.C. for professional engineering services (survey, mapping and ancillary tasks) for the design of East Avenue Roadway Improvements for a sum not to exceed \$54,360.00.
Account No. 0900 040 40210 5777 C0162 (\$7,130.00)

Mr. Krummel explained that this is a step toward the design of the project and feels that they should move forward. Mr. Kydes said that he supports this item and was at the State presentation meeting. He urged all Councilmembers to look at the plan which will improve the intersection by the railroad bridge. He said that it is a very good plan and highly engineered. He recommended that East Norwalk residents go on line to look at the plan.

Ms. Lindstrom said that there is a lot of good to the plan and there is funding for this, so that City funds will not be used. She said that the railroad bridge and the train station is a project they all are in agreement with. The vast majority of residents in the area consider this their main boulevard and there are hundreds of resident that live close by and feel pride in their neighborhood that exists and look to enhance what there is already. If changes are going to be made, they want to be sure that they are in keeping with the neighborhood.

Ms. Lindstrom said that the residents have been told that there will be an opportunity to put in esthetic enhancements, but if they are looking to have a straight, wide road, beyond what the neighborhood feels is right, then it is difficult to go back. Ms. Lindstrom said that they want to be sure that the historic structures are not removed. She said that she is concerned about the loss of the neighborhood.

Ms. Lindstrom said that she wants the DPW to sit with the DOT to review the comments handed in at the March 17th meeting. People are outraged that the plan has not changed significantly concerning the widening of the road. Ms. Lindstrom said that she has heard that the comments have not been considered by DPW. There have been some accommodations to the business owners but nothing to the property owners in the neighborhood. East Avenue is the gateway to East Norwalk and the neighborhood needs to be respected and that has not been shown clearly.

Ms. Lindstrom recommended sending this item back to committee to allow time for the DPW to consider what the residents are saying. There are ways to improve traffic flow, such as round out curbs. Ms. Lindstrom said that she would like to see what other alterations can be. She added that this is something that she would like to see discussed.

Mr. Bondi said that he feels this plan is needed. Widening East Avenue will take the pressure off of Strawberry Hill Avenue. He said that people will use East Avenue as the main thoroughfare, which will take traffic off of St. John Street, Osborne Avenue and Fitch Street. Mr. Bondi said that they need to work the plan to move the traffic at a better pace.

Mr. McQuaid asked Mr. Alvord about the public input. Mr. Alvord said that the design is being done in steps. This project began in 1994 and since then there has been a lot of public input and significant changes. The width of the road has been brought down and brought back almost to the point where they can't get the four lanes in there.

Mr. Alvord explained that they are not at the stage of the project to design esthetics. The design process has not started yet.

Mr. Conroy asked Mr. Alvord if he was prepared to provide comments from the March 17th public information meeting at the next meeting of the Public Works Committee. He said that he feels a review is in order. Mr. Alvord agreed to provide those comments.

Mr. Kydes said that they were putting the cart before the horse. He said that it was incorrect to bring this item back to committee. This is about mapping and engineering work that has to be done before they can come up with a plan. Mr. Kydes said that this is a badly needed improvement. He said that he was concerned about how the project would affect the businesses and St. Thomas the Apostle Church, but was assured by the DOD that there would be minimal disruption. Mr. Kydes recommended not sending this back to committee.

Ms. Lindstrom said that there is tunnel vision going on. She asked what the hurry was and added that they have to have time for a review of the public's comments. There is no need for urgency. Ms. Lindstrom said that moving traffic from Strawberry Hill Avenue is a non-issue.

**** MS. LINDSTROM MOVED THIS ITEM BACK TO COMMITTEE
** MOTION FAILED BY ROLL CALL VOTE WITH TWO (2) VOTES IN FAVOR (MS. LINDSTROM AND MS. DULEEP) AND TWELVE (12) IN OPPOSITION (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; MR. SERASIS; REV. BOLDEN; MR. HILLIARD; MR. KYDES; MR. HEMPSTEAD; MS. STRANITI; MR. CONROY; MR. KRUMMEL)**

Rev. Bolden said that she was in favor of this item. Mr. Krummel said that even though Ms. Lindstrom's motion was voted down, he appreciates what she is trying to bring forward. He said that it is important that the Public Works Committee continue interest in this project. He said that he hoped the Committee will have an opportunity to see the comments from the information meeting and to see the design. He said that Ms. Lindstrom's comments are heard.

Ms. Duleep said that she appreciates the intent of Ms. Lindstrom's comments

**** MOTION PASSED BY ROLL CALL VOTE WITH ONE (1) ABSTENTION (MS. DULEEP) ONE (1) VOTE IN OPPOSITION (MS. LINDSTROM) AND TWELVE (12) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; MR. SERASIS; REV. BOLDEN; MR. HILLIARD; MR. KYDES; MR. HEMPSTEAD; MS. STRANITI; MR. CONROY; MR. KRUMMEL)**

**** MR. BONDI MOVED THE FOLLOWING ITEM**

7. Reconsideration of Common Council action taken at its meeting of February 10, 2009 rejecting elimination of "Three Tons Free" policy and establishing a "1.5 Tons Free" policy.
 - a. Approve elimination of "Three Tons Free" policy for residential tonnage self-hauled to the Transfer Station and Yard Debris Site.

- b. Approve elimination of “1.5 Tons Free” policy for residential tonnage self-hauled to the Transfer Station and Yard Debris Site and to reinstate the Three Ton Policy.

Mr. Krummel said that he was concerned about the Public Work’s Department ability to handling the billing required with the 1.5 tons free and 3 tons free policy. This would create a significant increase in bookkeeping that they are not able to handle. Mr. Krummel said that he is in favor of no free tons. He said that Public Works estimates that this would increase their income by \$300,000.

Mr. Krummel said that he recognizes that people now being confronted with paying a new fee, may dump their trash elsewhere. He said that he hopes that people will not resort to that antisocial behavior. Mr. Krummel said that this proposal will not affect the existing policy for cars and suvs.

**** MR. KRUMMEL MOVED TO AMEND THE MOTION TO NO FREE TONS POLICY FOR TRUCKS, VANS AND TRAILERS**

Mayor Moccia said that the amendment is inconsistent with the reconsideration motion. Mr. Bondi said that the motion to go back to three free tons is consistent with the action taken on February 10th. Mayor Moccia explained that if the motion is passed they will go back to three free tons.

Mr. Bondi asked Mr. Alvord if there is a provision for weighing vehicles on their way out of the transfer station, so they know how much the person has dumped. Mr. Alvord said that the first time a person goes to the transfer station and establishes an account, their vehicle is weighed empty. Mr. Kydes said that he did not believe that all of the vehicles are getting weighed.

Rev. Bolden asked Mr. Alvord if he has staff to manage this. Mr. Alvord explained that he currently has four administrative positions, but in two weeks, three of the four people will be leaving. He said that he can’t do the work with 25% of the workforce. Mayor Moccia said that they will be advertising for one of the positions.

Mr. Bonenfant said that they still have to administer this program. Mr. Alvord said that they have to track this manually. When a person hits the three ton limit, they will begin receiving invoices which is a big piece of the problem. Mr. Bonenfant said that he would not be in favor of a cash system.

Mayor Moccia called for a recess at 9:10 p.m.

The meeting resumed at 9:15 p.m.

Ms. Lindstrom asked Mr. Alvord for clarification that he is not able to collect fees even with the new software. Mayor Moccia said that they are going to get the personnel to get the job done. DPW is not going to stop functioning, no matter what. Mayor Moccia said that the job will get done.

In response to Mr. Geake's question, Mr. Alvord said that someone using a car will not have their trash weighed at the transfer station.

**** MOTION PASSED WITH THREE (3) VOTES IN OPPOSITION (MR. HEMPSTEAD; MR. CONROY; MR. KRUMMEL) AND ELEVEN (11) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MS. DULEEP; MR. BONENFANT; MR. SERASIS; REV. BOLDEN; MR. HILLIARD; MR. KYDES; MS. LINDSTROM; MS. STRANITI)**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none.

X. SUSPENSION OF THE RULES

There were none.

ADJOURNMENT

**** MR. BONDI MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:20 p.m.

ATTEST: _____

Mary Roman, City Clerk