

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**MAY 25, 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.

I. ROLL CALL

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

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

Attorney Robert Maslan, Corporation Counsel
Ellen Wink, City Clerk
Mr. McQuaid and Mr. Kydes were absent. Thirteen members were in attendance.

II. ACCEPTANCE OF MINUTES
Regular meeting – May 11, 2010

Mr. Hempstead stated that there were several discrepancies on the roll call votes, along with Mr. McQuaid’s name being left of the attendance roll, when he was present. He requested the City Clerk to review the tapes for clarification, and suggested the minutes be tabled.

**** MR. HEMPSTEAD MOTIONED TO TABLE THE MINUTES FROM THE MAY 11, 2010 MEETING, PENDING REVIEW OF THE TAPES FOR CLARIFICATION ON ROLL CALL VOTES.**
**** THE MOTION PASSED UNANIMOUSLY.**

III. PUBLIC PARTICIPATION

City Clerk Wink stated that there were no names on the public participation sign up sheet, and asked if there was anyone in attendance who planed to speak on an agenda item. Hearing none, Mayor Moccia stated that public participation of the meeting would be closed.

IV. MAYOR

A. RESIGNATIONS:

1. Larry Bentley, Zoning Commission

Mayor Moccia stated that speaking on behalf of the last three Mayors, he is honored to acknowledge Larry Bentley for having served the City on many boards and giving decades of dedicated service to the City of Norwalk. He added that he humbly accepts Mr. Bentley's resignation with respect to this loyal citizen and thanked him for his years of service.

2. Joseph Santo, Zoning Board of Appeals

Mayor Moccia stated that this is an obvious resignation is due to Mr. Santo's appointment to the Zoning commission, and he accepts Mr. Santo's resignation from the Zoning Board of Appeals, having served sixteen years on the Board of appeals, a member of the Common Council, as well as an entrepreneur and long-term loyal citizen of the City.

APPOINTMENTS:

1. Joseph Santo, Zoning Commission

**** MS. STRANITI MOTIONED TO APPROVE THE APPOINTMENT OF JOSEPH SANTO, TO THE ZONING COMMISSION FOR A TERM TO EXPIRE 07/01/2012.**

**** THE MOTION PASSED UNANIMOUSLY**

2. Guillermo I. Arteaga, Zoning Board of Appeals

Ms. Lindstrom stated that there are four members with upcoming terms scheduled to expire, and in order to ensure the correct balance of party affiliation, she would like to postpone this appointment pending the make up of the balance of the committee members.

Mayor Moccia stated that it is not customary to post-pone appointments especially when the appointee is qualified, has served on many other committees, has been a long-term loyal citizen and active member in the community. He added that the party affiliation of a committee such as the Zoning Board of Appeals is not germane to the appointment of the individual.

**** MS. LINDSTROM MOTIONED TO TABLE THE APPOINTMENT OF JOSEPH SANTO, TO THE ZONING COMMISSION.**

Mayor Moccia called for a roll call vote.

- ** THE MOTION TO TABLE FAILED WITH FIVE IN FAVOR (LINDSTROM, KING, SIMMS, HILLIARD, JAEGER) EIGHT VOTES OPPOSED (HEMPSTEAD, BONENFANT, ROMANO, TOBIN, BONDI, MOUNT, STRANITI, CONROY) AND NO ABSTENTIONS.**
- ** MS. STRANITI MOTIONED TO APPROVE THE APPOINTMENT OF GUILLERMO L. ARTEAGA TO THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE 11/01/2013.**
- ** THE MOTION PASSED WITH EIGHT VOTES IN FAVOR (HEMPSTEAD, BONENFANT, ROMANO, TOBIN, KYDES, MOUNT, STRANITI, CONROY) FIVE OPPOSED (LINDSTROM, KING, SIMMS, HILLIARD, JAEGER) AND NO ABSTENTIONS.**

Ms. King asked if she could make a comment relative to the resumes, and Mayor Moccia acknowledged her request to speak. She stated that the resumes were very brief, sometimes only one sentence, with no history of accomplishments. She asked if there was anyway she could get more detailed information on the appointee such as their voting record, and added that the resumes should be done in a more professional manner. Mayor Moccia responded that if she wanted more information she was welcome to contact the person to interview them on their record of service and added that voting records would be very difficult to obtain, and resumes can be verified upon request.

REMARKS

Mayor Moccia referred to the recent articles in the local newspapers, and stated that they have put together "A Coalition to End Homelessness." He added that they have members from the Democratic side, Carvin Hilliard and the Republican side, Clyde Mount, along with State Representatives Chris Perone and Terri Wood. He added that the bulk of the committee membership is non profit, and there will be very little city monies as plans are to be receiving funding from United Way and Bank of America. He stated that the objective of the plan is to eliminate homelessness in the City of Norwalk, adding that one of the key goals to eventually close down the shelter.

IV. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Mr. Hempstead stated that after the last meeting, he asked Corporation Counsel to review the role of the Common Council in such matters relative to freedom of information act, collective bargaining or negotiations, and stated that he had asked Attorney Maslan to provide a copy of the rules, and added that they have not been amended for several years and probably need some tweaking.

Mr. Hempstead asked the members to review this, as it was very important to be aware of the role of Council members, and after reviewing the rules, they could recommend any changes that they see fit. Attorney Maslan read the statues relative to negotiations and collective bargaining and the role of the Council, and referred to sections 747.4 and outlined key points regarding FOI regulations and definitions of Executive Session. He highlighted other statements from the statues, and added that basically the Common Council has no role in such matters. Mr. Hempstead thanked Attorney Maslan for this review, and stated that further questions could be addressed to Mr. Hasselkamp, Director of Personnel or Ms. Romano, Chair of the Personnel Committee.

Mr. Hempstead stated that there was a great turn out for the Coast Guard Dedication Service for Shay/McGrath Memorial and he thanked those Council members who attended the ceremony. He acknowledged Mr. Bonenfant for receiving a plaque of service for the years he has provided photography services at no charge to the veterans.

Mr. Hempstead thanked Ms. Romano for her role with distribution of the flags, and stated that over 4,500 flags were placed on veteran's gravesites throughout the City. Ms. Romano added that the City will also participate in the Adopt-a-Platoon program in sponsorship with the Northrop Grumman Corporation, where in the past over 9,000 pounds of supplies were collected and donated to the troops.

Mr. Hempstead added that last weekend's Tree Festival was a great success with over 1,300 visitors to Cranbury Park, and it was a very good crowd who experienced a lot of educational information about trees.

B. CONSENT CALENDAR:

**** MR. HEMPSTEAD MOTIONED THE FOLLOWING ITEMS FOR THE
CONSENT CALENDAR:**

**VIA.1, VIA.2, VIA.3, VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.5, VII.A.6, VII.A.7,
VII.A.8, VII.A.9, VII.A.10, VII.B.1, VII.C.2, VII.C.3, VII.D.1a, VII.D.1b**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

Items on Consent Calendar are in bold type as follows:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. Resolved, that a sum not to exceed \$25,000 is and the same is hereby transferred from Contingency to the Tax Collector's Office to cover expenditures associated with the upcoming tax sale. (Account No. 01-1330-5258).

Consent Calendar – continued

2. Resolved, that a sum not to exceed \$25,000 be and the same is hereby transferred from Increased Estimated Revenues to the Tax Collector's Office to cover expenditures associated with the upcoming tax sale. (Account No. 01-1330-5258).
3. Resolved, that a sum not to exceed \$25,000 be and the same is hereby transferred from Contingency to the Recreation and Parks Department to cover the cost of providing security at the City's parks. (Account No. 01-6010-5296).

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated May 13, 2010.
2. For informational purposes only: Narrative on Tax Collections dated May 13, 2010.
3. For informational purposes only: Monthly Tax Collector's Report: April 30, 2010.
4. Authorize the Mayor to execute an Amendment to the existing Agreement with Innovative Interfaces Inc., for the renewal of the Automated Library Management system Hardware and Software Maintenance Agreement. The amendment periods and costs shall be as follows: 7/1/2010 – 6/30/2011 @ \$35,676.00; 7/1/2011 – 6/30/2012 @ \$35,676.00; 7/1/2012 – 6/30/2013 @ \$37,450.00. Account 010600-5269, Budgeted operating item.
5. Authorize the Purchasing Agent to issue purchase orders for 24 Dell computers for the Norwalk Public Library for an amount not to exceed \$16,300.00, Acct. 09100600-5777-C0375 (Approved IT Capital item, no special appropriation required).
6. Authorize the Purchasing Agent to issue a purchase order for the purchase of a large format plotter per City Procurement Guidelines for an amount not to exceed \$9,950.00 Acct 09100600-5777-C0375. (Approved IT Capital item; no special appropriation required).
7. Approve RESOLUTION AMENDING RESOLUTIONS APPROPRIATING AND AUTHORIZING BONDS FOR INFRASTRUCTURE AND TRAFFIC IMPROVEMENTS IN THE REED-PUTNAM REDEVELOPMENT AREA.
8. Approve RESOLUTION MAKING APPROPRIATIONS FOR VARIOUS PUBLIC IMPROVEMENTS AGGREGATING \$16,675,500 FOR THE 2010-2011 CAPITAL BUDGET AND AUTHORIZING THE ISSUANCE OF \$11,378,969 GENERAL OBLIGATION BONDS OF THE CITY TO MEET CERTAIN APPROPRIATIONS IN THE 2010-2011 CAPITAL BUDGET.

Consent Calendar – continued

9. Approve RESOLUTION WITH RESPECT TO THE ISSUANCE AND SALE OF NOT EXCEEDING \$19,420,000 CITY OF NORWALK, CONNECTICUT GENERAL OBLIGATION BONDS, SERIES 2010.

10. Authorize the Mayor, Richard A. Moccia, to execute a contract with the Connecticut Interlocal Risk Management Agency (CIRMA) for the total management of the City's Workers' Compensation and Heart/Hypertension Program for the five-year period beginning July 1, 2010 and ending June 30, 2015 at a cost per claim based on the following schedule: Medical Only Claim - \$205; Indemnity Claim - \$1,120; Record Only Claim - \$25; Heart/Hypertension Claim \$1,120. Total estimate annual cost is \$225,455 and total estimate five-year cost is \$1,127,275. Account #169030-5298.

B. ORDINANCE COMMITTEE

1. Approve proposed Chapter 93, Stormwater, Illicit Discharge and Connection Ordinance.

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

2. Authorize the Mayor, Richard A. Moccia to execute a 5-year lease agreement with Tyrone Martylewski for the Caretaker's Cottage Cranbury Park. Terms 5 years 5% each year increase:

2010-2011	\$1,098.76
2011-2012	\$1,153.69
2012-2013	\$1,211.37
2013-2014	\$1,271.93
2014-2015	\$1,335.52

3. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the South Norwalk Community Center, Inc. for their use of Columbus-Magnet School grounds for their Annual Summer Camp to be held from Tuesday, July 6, - Friday, August 13, 2010, Monday – Friday 8:00 A.M. – 3:00 P.M. Estimated attendance 100 – 125.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute a contract with Merritt Contractors, Inc. for the Roosevelt Center HVAC Systems and Window Replacement Project for a total not to exceed \$729,000.00. Account Numbers #350175 556A (EECBG), #091171005777 C0147, #3 000 2633 (Tumble Bugs)

- 1b. Authorize the NFCC to issue change orders on Contract for a total not to exceed \$20,000.00.

VII. COMMON COUNCIL COMMITTEES.

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to execute a 5 year lease with the Norwalk Small Craft Safety Training Program, Inc. d/b/a Norwalk Sailing School for the use of the grounds at Calf Pasture Beach.

Mr. Bondi moved the item and stated that there had been a situation where the grounds were left messy with debris, and he suggested an amendment be made for the inclusion of a \$500 bond which would cover any damages.

Mr. Hempstead asked if there was any history to cause the lease not to be renewed, and Mr. Bondi asked Mr. Moccia to step forward to answer questions. Mr. Moccia stated that in the many years of the lease there were never any major problems, adding that only minor complaints of some extra small boats left on the area. There was a representative in attendance from the audience who added that the program has been in place since 1964 without problems.

Ms. Lindstrom asked if it was typical to ask for such a bond for this type of lease, and Mr. Moccia replied that it was customary only for special events or the use of city parks or grounds such as for the Oyster Festival, but not for an on-going lease renewal of this type.

Mr. Jaeger stated that he had been involved in the program for many years and had never been aware of any problems, and added that this is a service of public safety that is provided to the Community in addition to revenue brought in from out of town participants.

Mayor Moccia called for a vote on the amendment.

**** MR. BONDI MOVED THE ITEM BE AMENDED FOR INCLUSION OF A \$500 BOND TO COVER ANY DAMAGES.**

**** THE MOTION FOR AN AMENDMENT FAILED WITH ONE VOTE IN FAVOR (BONDI) AND THIRTEEN OPPOSED (HEMPSTEAD, BONENFANT, ROMANO, TOBIN, KYDES, MOUNT, STRANITI, CONROY) LINDSTROM, KING, SIMMS, HILLIARD, JAEGER) AND NO ABSTENTIONS.**

- ** MR. JAEGER MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE A 5-YEAR LEASE WITH THE NORWALK SMALL CRAFT SAFETY TRAINING PROGRAM, INC. D/B/A NORWALK SAILING SCHOOL FOR THE USE OF THE GROUNDS AT CALF PASTURE BEACH.**
- ** THE MOTION PASSED WITH THIRTEEN VOTES IN FAVOR (HEMPSTEAD, BONENFANT, ROMANO, TOBIN, KYDES, MOUNT, STRANITI, CONROY, LINDSTROM, KING, SIMMS, HILLIARD, JAEGER) AND ONE OPPOSED (BONDI)**

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

4. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Stew Leonard's to utilize Andrew's Field Parking area for employees to use for the following dates:

May 28, 29, 30, 2010
July 1, 2, 3, 2010
September 4, 5, 2010
November 20, 21, 24, 25, 2010
December 4, 5, 11, 12, 18, 19, 23, 24, 31, 2010

Mr. Hempstead recused himself due to a conflict and left the Chambers at 8:40 p.m.

Mr. Moccia presented the item and stated that Stew Leonard's has always been one of the key contributors of landscaping of parks and has donated over 70 plants at Calf Pasture Beach. He added that they always work with the City and this has been a good arrangement with these requests to use the field for parking.

- ** MR. BONENFANT MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH STEW LEONARD'S TO UTILIZE ANDREW'S FIELD PARKING AREA FOR EMPLOYEES TO USE FOR THE FOLLOWING DATES:**

MAY 28, 29, 30, 2010
JULY 1, 2, 3, 2010
SEPTEMBER 4, 5, 2010
NOVEMBER 20, 21, 24, 25, 2010
DECEMBER 4, 5, 11, 12, 18, 19, 23, 24, 31, 2010

- ** THE MOTION PASSED UNANIMOUSLY, WITH ONE ABSTENTION (CONROY).**

Mr. Hempstead returned to the Chambers at 8:42 p.m.

IV. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

There were no reports from Departments, Boards and Commissions

VIII. RESOLUTIONS FROM COMMON COUNCIL

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed.

X. SUSPENSION OF THE RULES

There were no suspensions of the rules.

ADDITIONAL COMMENTS:

XI. ADJOURNMENT

- ** **MS. ROMANO MOTIONED TO ADJOURN.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:45 p.m.

Respectfully submitted:

Marilyn Knox,
Telesco Secretarial Services

