

**COMMON COUNCIL  
NORWALK, CONNECTICUT**

**JULY 28, 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.**

**CALL TO ORDER**

The Mayor called the meeting to order at 8:10 p.m. He then requested that everyone remain standing following the Pledge of Allegiance. The Mayor then led those present in reciting the Pledge of Allegiance.

Following the conclusion of the Pledge, the Mayor explained that Norwalk had suffered a major loss recently in the passing of Mr. Anthony Whittingham, who was one of the key sponsors of the Norwalk Hospital Whittingham Cancer Center. He then requested a moment of silence in memory of Mr. Whittingham and said that Rev. Bolden would make a few remarks following the moment of silence.

Rev. Bolden said that Mr. Whittingham had been a very generous support of the Cancer Center and that he would be greatly missed by the hospital and by the community. His generosity helped thousands of people.

**I. ROLL CALL**

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

- |               |               |
|---------------|---------------|
| Mr. Bondi     | Ms. Brown     |
| Mr. Geake     | Mr. McQuaid   |
| Ms. Duleep    | Mr. Bonenfant |
| Mr. Serasis   | Rev. Bolden   |
| Ms. Lindstrom | Mr. Hilliard  |
| Ms. Straniti  | Mr. Conroy    |
| Mr. Kydes     |               |

There were thirteen members present and two members absent, Mr. Hempstead Mr. Krummel.

**A. Resignation**

- 1. Accept the resignation of Common Council member William M. Krummel.**

**\*\* MR. MCQUAID MOVED TO ACCEPT THE RESIGNATION LETTER OF MR. WILLIAM KRUMMEL FROM THE COMMON COUNCIL, EFFECTIVE JULY 28, 2009.**

Mr. McQuaid said that he was the longest serving Republican member of the Council who had worked with Mr. Krummel and that while he did not always agree with Mr. Krummel; Mr. Krummel had made a difference in the City.

Mr. Bondi said that he had great respect for Mr. Krummel and that it was a great shame to see him resign before the end of his term. Mr. Krummel will be missed and Mr. Bondi said he wished Mr. Krummel the best.

Ms. Lindstrom said that she would miss him on the Council and that he always carefully read the agenda items and back up material before the meetings. She said that she would miss him greatly.

Mr. Serasis said that he would also miss Mr. Krummel and that Mr. Krummel was a class act. He added that while he wished Mr. Krummel was sitting next to him right now, Mr. Serasis wished him the best.

Rev. Bolden said that Mr. Krummel was a great leader and had a lot of insight. She added that she suspected he would be busy compiling flight hours for his pilot's license and wished him the best.

Mr. Bonenfant agreed and expressed his best wishes to Mr. Krummel.

Mr. Conroy commented that Mr. Krummel was probably the Council's best editor, and the Council should probably immortalize that in a special plaque. Mr. Conroy said that Mr. Krummel had always been part of lively debates on Council matters. He concluded by wishing Mr. Krummel the best in the future.

Mayor Moccia said that while he frequently disagreed with Mr. Krummel on issues, off duty and off site, he enjoyed his conversations with Mr. Krummel and also enjoyed Mrs. Krummel's poetry. The Mayor reminded everyone that Mr. Krummel had only one thought in mind and that was determining what the best course of action was for Norwalk.

**\*\* THE MOTION TO ACCEPT THE RESIGNATION LETTER OF MR. WILLIAM KRUMMEL FROM THE COMMON COUNCIL, EFFECTIVE JULY 28, 2009 PASSED UNANIMOUSLY.**

**2. Declare vacancy in the office currently held by Common Council member William Krummel**

**\*\* MR. HILLIARD MOVED TO DECLARE VACANCY IN THE OFFICE CURRENTLY HELD BY COMMON COUNCIL MEMBER WILLIAM KRUMMEL.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

## **II. ACCEPTANCE OF MINUTES**

**Regular meeting – July 14, 2009**

**\*\* MR. KYDES MOVED THE MINUTES OF THE JULY 14, 2009 MEETING.**

The following corrections were noted:

Page 5, paragraph 1: Please change “Ms. Brown also said that Ms. Penn-Williams had been a fine example to her daughter.” To “Ms. Brown also said that Ms. Penn-Williams had been a fine example of justice and fairness to her daughter.”

Page 8, paragraph 7, line 2: Please change “He would retract the letter for clarification of the language but that his conclusion was accurate.” To “He would not retract the letter but would clarify the language and that his conclusion was accurate.”

Page 9, paragraph 1, line 1: Please change “The meeting called a recess” to “The Mayor called a recess”

**\*\* THE MOTION TO APPROVE THE MINUTES AS CORRECTED PASSED UNANIMOUSLY.**

**III. PUBLIC PARTICIPATION**

Mr. Tod Bryant of 23 Morgan Avenue, came forward and said that he wished to thank the Council and Historical Commission for their support of Historical Preservation Plan. He said that if the plan is followed, it will save money for the City by making repairs in a timely fashion rather than under emergency conditions. He added that this plan had been proposed by his wife, Marija Bryant, when she was on the Historic Commission.

Mr. Bryant said that he had hoped that Mr. Krummel would have been present because he added much to the meeting.

Mayor then asked if there was anyone else who wished to address the Council. No one came forward and the Mayor closed the Public Participation section of the meeting.

**IV. MAYOR**

**A. RESIGNATIONS AND APPOINTMENTS**

**Resignations:** John Hamlin – *Zoning Board of Appeals*

The Mayor announced the resignation of Mr. John Hamlin from the Zoning Board of Appeals.

**Appointments:** There were no appointments for consideration at this time.

**Reappointment:** There were no reappointments for consideration at this time.

**B. REMARKS**

Mayor Moccia said that the Council would be hearing about the Harbor Management Plan a little later in the meeting, but that he would like to take a moment to thank Senators Lieberman, and Dodd, along with the Harbor Commission for all their hard work in facilitating the dredging of the harbor. A significant amount of commerce takes place on the river and without the river being navigable, it would put more truck traffic on Interstate 95 and local roads.

## **V. COUNCIL PRESIDENT**

### **A. GENERAL COUNCIL BUSINESS**

Rev. Bolden announced that in light of Mr. Krummel's resignation from the Council, Mr. Hilliard had been appointed as the Majority Leader by the Democratic caucus.

Rev. Bolden also commented that there had been a shift in political parties when Mr. Bondi left the party, which necessitated the reappointment of some of the Committee members to the various committees in order to maintain parity.

**\*\* REV. BOLDEN MOVED TO REMOVE MR. BONDI FROM THE CHAIRMANSHIP OF RECREATION AND PARKS AND APPOINT MR. SERASIS AS CHAIR.**

**\*\* THE MOTION PASSED WITH SEVEN IN FAVOR (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, AND LINDSTROM) AND SIX ABSTENTIONS (BONDI, MCQUAID, BONENFANT, KYDES, STRANITI, AND CONROY).**

**\*\* REV. BOLDEN MOVED TO APPOINT MS. LINDSTROM TO DEPARTMENT OF PUBLIC WORKS COMMITTEE AS CHAIR DUE TO MR. KRUMMEL'S RESIGNATION.**

**\*\* THE MOTION PASSED WITH EIGHT IN FAVOR (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, CONROY AND LINDSTROM) AND FIVE ABSTENTIONS (BONDI, MCQUAID, BONENFANT, KYDES, AND STRANITI).**

Mr. Kydes then said that he had known Fred for many years and that he had served the City. Mr. Kydes said he would like to publicly state that Mr. Bondi had done a great deal for youth sports in the City, including football, lacrosse, basketball.

Rev. Bolden then announced the updated committee assignments including the assignment of Mr. Geake to be added to the Public Works Committee, Mr. Serasis to the Ordinance Committee, and the removal of Mr. Bondi from the Public Works Committee.

### **B. CONSENT CALENDAR:**

**\*\* REV. BOLDEN MOVED THE FOLLOWING ITEMS FOR THE CONSENT CALENDAR:**

#### **VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS**

#### **VII. COMMON COUNCIL COMMITTEES**

**A. FINANCE COMMITTEE**

1. **Accept and approve the report of the Claims Committee dated July 9, 2009.**
2. **For informational purposes only: Narrative on Tax Collections dated July 9, 2009.**
3. **For informational purposes only: Monthly Tax Collector's Report dated June 30, 2009.**

**VII. COMMON COUNCIL COMMITTEES**

**B. LAND USE AND BUILDING MANAGEMENT COMMITTEE**

- 1a. **Authorize the Mayor, Richard A. Moccia, to execute a contract with Allen Construction International, LLC for the Roosevelt Center – Tumble Bugs Roof Replacement Project for a total not to exceed \$89,800.00. Funds are available from U.S.A.G. Inc. Reserves for Replacement account #03-000-2633**
- 1b. **Authorize the Office of Building Management to issue Change Orders on contract for a total not exceed \$8,980.00.”**
2. **Authorize the Mayor, Richard A. Moccia, to execute an agreement with John Milner Associates for the preparation of a Historic Building Preservation Plan of City owned historic buildings, for a total not to exceed \$65,000. Funds are available from CT Trust for Historic Preservation (\$25,000) and City Capital Budget Acct. #09096310-5777-C0456 (\$40,000)**
- 3a. **Authorize the Mayor, Richard A. Moccia, to execute a Contract with Forino USA, LLC, Waterbury, CT for exterior painting of Lockwood Mathews Mansion, Lockwood Carriage House and Lockwood Gate House – in Mathews Park for a total not to exceed \$43,700.00. Funds are available in accts. #09096310-5777-C0186, #09076310-5777-C0403 and #09076310-5777-C0404.**
- 3b. **Authorize the Historical Commission to issue Change Orders on Contract for a total not to exceed \$4,370.00.**
- 4a. **Authorize the Mayor, Richard A. Moccia, to execute an agreement with Phil's Main Roofing, LLC for Elastomeric Membrane Roofing for the Public Works Center Administrative and Dispatch buildings for a total not to exceed \$98,770.00. Funds are available from account 09097100-5777-C0119.**
- 4b. **Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$9,877.00.**

5. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the License Agreement with property owners of 195 Liberty Square for the use of an abutting area (approximately 10 feet by 14 feet), for the continue use of an outdoor walk-in freezer. The Agreement shall be extended from November 1, 2009 to October 31, 2014. All remaining terms of the agreement shall remain unchanged.

**C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE**

1. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Splashdown Tours LLC for the use of Veteran's Park parking area to launch a Duck Boat tour of Norwalk. CONSENT TO REMOVE FROM AGENDA COMPLETELY.
2. Approve the use of Brien McMahon Casagrande Field by the Brien McMahon Parents Association for their annual Celebration of Sound to be held Saturday, September 26, 2009 from 2:30 P.M. – 10:00 P.M. Estimated attendance 2,500+
3. Approve the use of Shady Beach by Anthony Tabb for a (Rogers) Family Reunion to be held Saturday, August 15, 2009 from 8:00 A.M. – 7:00 P.M. Estimated attendance 150-200.
- 4a. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Norwalk Hospital Foundation for the Whittingham Cancer Center's Annual Benefit Walk/Run to take place at Calf Pasture Beach on Saturday, May 15, 2010 from 8:00 A.M. - 2:00 P.M. Estimated attendance 1,800.
- 4b. Approve the use of the Show Mobile by the Norwalk Hospital Foundation for their Whittingham Cancer Center's Annual Benefit to take place Saturday, May 15, 2010 from 8:00 A.M. - 2:00 P.M.
5. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Roton Middle School PTO for the use of Roton School Parking area for a Carnival to be held Friday, October 23, 2009 from 6:00 P.M - 10:00 P.M., Saturday, October 24, 2009 from 11:00 A.M.– 5:00 P.M. Set up on Thursday, October 22, 2009 with tear down by Sunday, October 25, 2009 by 12:00 Noon. Estimated attendance 500. CONSENT TO SEND BACK TO COMMITTEE,
6. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Greenwich Kennel Club, Inc. for the use of Taylor Farm for their 78<sup>th</sup> Greenwich Kennel Club A.K.C – All Breed Dog Show, Obedience and Rally Trials to take place Saturday, June 12, 2010 from 8:30 A.M. – 6:30 P.M. Set up Thursday, June 10, 2010 with tear down Sunday, June 13, 2010 by 12:00 Noon. Estimated attendance 1,200.
- 7a. Authorize the Mayor, Richard A. Moccia, to enter into an agreement with the Juvenile Diabetes Research Foundation for a “Walk to Cure Diabetes 2009” to be held at Calf

Pasture Beach on Sunday, October 18, 2009 from 7:00 A.M. – 2:00P.M. Estimated attendance 1,100.

- 7b. Approve the use of the Show Mobile for the Juvenile Diabetes Research Foundation for the “Walk To Cure Diabetes 2009” on Sunday, October 18, 2009 from 7:00 A.M. - 2:00 P.M.
- 8a. Approve the use of Ryan Park by the Heart to Heart Foundation and Bread of Life Ministries with Rev. Nellie Mann for the “Hands Across Our Community Family Event” to be held in Ryan Park Saturday, August 22, 2009 from 11:00 A.M. – 4:00P.M. Estimated Attendance 450.
- 8b. Approve the use of the Show Mobile for the “Hands Across Our Community Family Event” to be held in Ryan Park Saturday, August 22, 2009 from 11:00 A.M.– 4:00 P.M.
9. Authorize the Purchasing Agent to issue a purchase order to M.E. O’Brien & Son Inc. for Playground Equipment at Rowayton School for a sum not to exceed \$50,409.00. Account #09106030-5777-C0364.
12. Authorize the Purchasing Agent to issue a purchase order to M.E. O’Brien & Son Inc. for Playground Equipment at Naramake School for a sum not to exceed \$64,447.00. Account #'s 09106030-5777-C0364, 09096030-5777-C0364, 09086030-5777-C0364.

**D. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE**

- 2a. Authorize the Mayor, Richard A Moccia, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut for the Sexually Transmitted Disease Program for the period July 1, 2009 to June 30, 2012.
- 2b. Authorize the Mayor, Richard A Moccia, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Sexually Transmitted Disease Program for the period July 1, 2009, to June 30, 2012.
3. Authorize the Mayor, Richard A Moccia, to execute any and all documents, instruments or amendments necessary to engage Advanced Business Solutions to supply and support the software for the clinical programs provided by the Health Department for an amount not to exceed \$60,800 for a twelve-month period effective on the signing of the agreements. CONSENT TO TABLE.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE**

10. Authorize the Purchasing Agent to issue a purchase order to Northeast Electrical Distributors Project #2831 Light Poles and Luminaries for City Park Lighting, unit price light pole

**(\$666.00), luminaries (\$444.00), fixtures Calf Pasture (80+), Mathews Park (40+), Oyster Shell Park (50+). Account #'s 09106030-5777-C0365, 09106030-5777-C0132, 09096030-5777-C0132.**

**\*\* MR. BONDI MOVED THE ITEM.**

Ms. Brown said that she had a few questions about the final amount on the lights. Mr. Mocciaie said that the project was going to out to bid in November. It is under Redevelopment budgeting, but the City is overseeing it. At Mathews Park, the price is a unit price that the City uses for the replacement of light poles. He said at Calf Pasture the pedestrian lighting could vary, which is why there was no final firm price.

**\*\* THE MOTION TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO NORTHEAST ELECTRICAL DISTRIBUTORS PROJECT #2831 LIGHT POLES AND LUMINARIES FOR CITY PARK LIGHTING, UNIT PRICE LIGHT POLE (\$666.00), LUMINARIES (\$444.00), FIXTURES CALF PASTURE (80+), MATHEWS PARK (40+), OYSTER SHELL PARK (50+). ACCOUNT #'s 09106030-5777-C0365, 09106030-5777-C0132, 09096030-5777-C0132 PASSED UNANIMOUSLY.**

**11. Approve the proposed 2009 amendments to the Norwalk Harbor Management Plan.**

**\*\* MR. BONDI MOVED THE ITEM.**

Mr. D'Andrea, chairman of the Harbor Commission, came forward and said that the Plan had been under development for the last 11 years. He said that the objective was to bring the Plan into agreement with the State and the Federal Government, along with the ACOE guidelines.

Ms. Brown asked about Section 2.2 – where it says the Plan will adopt or amend ordinance. She asked if there were ordinance under consideration. Mr. D'Andrea said that the City issues ordinance and that the Harbor Commission uses them.

Ms. Brown asked about the Section 3.5.2 – 3-22 where some language showed strike throughs. Mr. D'Andrea said that he believe that Recreation and Parks set the fees and the Harbor commission does not set the fees, nor does it collect the fees.

Ms. Brown said that the Harbor Commission had been working with the State on this and asked what the most significant change was. Mr. D'Andrea said that the biggest change was that the no vessel or dock should be touching the bottom during a normal tide cycle because of the shellfish protection. Norwalk is one of the largest shellfish beds on the Northeast coast. Docks, boats or other objects resting on the bottom during the low tide harm the shellfish.

Mr. McQuaid said he recognized that the Commission had worked on this plan through three mayors and that he had been kept update on the Plan by Dr. Pinto. He then said kudos to the Harbor Commission for all their hard work.

**\*\* THE MOTION PASSED UNANIMOUSLY.**



**D. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE**

- 1. Authorize the Mayor of the City of Norwalk, Richard R. Moccia, to sign any and all documents from the State of Connecticut, relating to applying, contracting, and accepting funds and implementing the CT Local Pass-Through Grant, funds in the amount of \$75,000, no matching funds required.**

**\*\* MR. GEAKE MOVED THE ITEM.**

Mr. Geake said that the funds were for equipment and from the Stimulus funding. The idea was to get the money circulating into the community.

Ms. Brown asked about the grant documentation. She questioned why the officers did not have the equipment yet. Chief Rilling said that the scuba gear equipment needed to be fitted to the individual officers.

Ms. Brown asked about the taser cartridges and how they were tracked. Chief Rilling said that these were already being tracked via computer chip in the individual tasers.

Ms. Brown then asked who would be responsible for reporting to the State. Chief Rilling said that it would be Officer Holland.

Mayor Moccia asked about the use of tasers, Chief Rilling said that there had been two incidents of use, one when a man was swinging a machete at the officer and a second incident where someone was attempting suicide. In both cases, the situation had been resolved successfully.

Chief Rilling then distributed a copy of a report "Study of Deaths following Electro Muscular Disruption: Interim Report" to the Council Members.

Mr. McQuaid said that it should be pointed out how hard the officer work and expressed his appreciation to Officer Justin Bisceglie for his life savings actions during a recent incident at Roodner Court. Chief Rilling said that Officer Bisceglie was being nominated for a Life Savings Award from the Police Department.

**\*\* THE MOTION TO AUTHORIZE THE MAYOR OF THE CITY OF NORWALK, RICHARD R. MOCCIA, TO SIGN ANY AND ALL DOCUMENTS FROM THE STATE OF CONNECTICUT, RELATING TO APPLYING, CONTRACTING, AND ACCEPTING FUNDS AND IMPLEMENTING THE CT LOCAL PASS-THROUGH GRANT, FUNDS IN THE AMOUNT OF \$75,000, NO MATCHING FUNDS REQUIRED PASSED UNANIMOUSLY.**

**VII. RESOLUTIONS FROM COMMON COUNCIL**

There were no resolutions from the Council at this time.

**IX. MOTIONS POSTPONED TO A SPECIFIC DATE**

There were no motions postponed to a specific date at this time.

**X. SUSPENSION OF THE RULES**

There were no suspensions of the rules at this time.

**XI. ADJOURNMENT**

**\*\* MR. KYDES MOVED TO ADJOURN.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:51 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services

