

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**AUGUST 11, 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 and led those present in reciting the Pledge of Allegiance.

I. ROLL CALL

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

Mr. Bondi	Mr. Geake
Ms. Duleep	Mr. Bonenfant
Rev. Bolden	Mr. Kydes
Mr. Serasis	Ms. Lindstrom
Ms. Straniti	Mr. Hempstead

There were ten members present and four members absent: Mr. McQuaid, Ms. Brown, Mr. Hilliard and Mr. Conroy

II. ACCEPTANCE OF MINUTES

Regular meeting – July 28, 2009

**** MR. HEMPSTEAD MOVED THE ITEM.**

The following corrections were noted:

Page 3, under **Public Participation**, paragraph 1, line 4: please change “Marjia Bryant” to “Marija Bryant”

Page 4, paragraph 4, please replace the following paragraph:

“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.”

WITH:

“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 and the removal of Mr. Bondi as Chairman of the Recreation and Parks Committee in order to maintain parity.”

Page 8 Item 11: Approve the proposed 2009 amendments to the Norwalk Harbor Management Plan: please replace the following:

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 had been 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.

WITH:

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

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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.**

**** THE MOTION TO APPROVE THE MINUTES AS CORRECTED PASSED WITH NINE IN FAVOR (BONDI, GEAKE, DULEEP, BONENFANT, SERASIS,**

BOLDEN, KYDES, LINDSTROM, AND STRANITI) AND ONE ABSTENTION (HEMPSTEAD).

The Mayor then announced that the Democratic Town Committee had selected Mr. Christopher F. Potts, to fill the unexpired term of Mr. Krummel. Mr. Potts came forward and Rev. Bolden read the letter from the Democratic Town Committee addressed to the City Clerk, Ms. Wink and the Town Clerk, Mr. Garfunkel informing them that Mr. Potts had been selected by the Committee to fill the vacancy. Rev. Bolden then administered the oath of office to Mr. Potts.

PUBLIC PARTICIPATION

There was no one present from the public who wished to address the Council at this time.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: Rev. Marcellus Norris – Ethics Commission.

The Mayor announced the resignation of Rev. Norris from the Ethics and said that Rev. Norris had been called to a parish in Massachusetts.

Appointments: Garry Bates, Jr. – Shellfish Commission.

**** MS. STRANITI MOVED TO APPROVE THE APPOINTMENT OF MR. GARRY BATES, JR. TO THE SHELLFISH COMMISSION.**

Ms. Straniti said that she had known Mr. Bates, Jr. for many years. She said that she felt he would be a good addition to the Shellfish Commission.

Mr. Bonenfant reminded everyone that this position was at the sole discretion of the Mayor and did not need a vote.

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

REMARKS

Mayor Moccia then said that there had been an article in The Hour on Sunday about two of the Norwalk summer interns who were selected to work for MetroNorth. This was the first time that any Connecticut summer intern had worked for MetroNorth and the two interns were doing very well. He said that the summer intern program was working out very well and that all the interns were doing fine.

Mr. Conroy joined the meeting at 8:16 p.m.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Rev. Bolden announced that the August 28th Council meeting will be cancelled and the Council meetings will resume in September.

Rev. Bolden said that the Council hoped to bring forth a resolution for Safe Routes to School proposal, so that all of Norwalk's students will be safe going to and from school.

B. CONSENT CALENDAR:

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

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with BL Companies Connecticut, Inc. to provide groundwater monitoring services at the New Police Headquarters for a period of three years for a total not to exceed \$32,125.00. Account #013055-5269, #09074071-5777-C0391, #09024031-5777-C0137, #09034031-5777-C0137

1b. Authorize the Office of Building Management to approve additional services (i.e. waste water disposal, maintenance of wells, traffic protection, etc.) for a maximum not to exceed \$1,500 per year.

B. PUBLIC WORKS COMMITTEE

1. Authorize the Purchasing Agent to issue a Purchase Order to Cargill, Inc. – Deicing Technology Business Unit for Treated Road Salt for Snow and Ice Control, pricing not to exceed \$94.89 per ton for normal and after-hour delivery effective for the 2009-2010 winter season. Account No. 0140 25 5322

2. Authorize the Purchasing Agent to issue a Purchase Order to Gabrielli Truck Sales, Ltd for the purchase of three (3) 2010 Mack GU712 Plow Trucks for a sum not to exceed \$499,452.00.

Account No. 09 09/10 4031 5777 C0313

3. Authorize the Purchasing Agent to issue a Purchase Order to Award Excellence Co., LLC for the Supply of Uniforms (Work Apparel) for a sum not to exceed \$17,000.00. Account No. 0140 21 5276

4. Authorize the Director of Public Works to issue Orders on Contract to Wanat's Westport Electric Company, Inc., for the Washington Street Historic Light Project, (to install fiber optic cable along portions of Riverside and Ponus Avenues) for a negotiated sum not to exceed \$36,750.00.

Account Nos. 014031-5264
014031-5267
014031-5269
014031-5296
014031-5336
014031-5341
014031-5343
014031-5345

5 Authorize the Mayor, Richard A. Moccia, to enter into an agreement with Vanasse Hangen Brustlin, Inc. to provide engineering services for the Design of State Project 102-334, West Avenue Traffic Signal System Upgrade, for an amount not to exceed \$148,677.28.

Account No. ConnDOT - 80% federal grant through DOT (account to be established)

NRA - 20% local match from RDA capital account (account number to be established)

6. Authorize the Mayor, Richard A. Moccia, to sign the Resolution in support of the 2009 ARRA Norwalk Pavement Preservation Project (RESOLUTION FOLLOWS):

RESOLUTION

2009 AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) NORWALK PAVEMENT PRESERVATION PROJECT

WHEREAS, THE CITY OF NORWALK, CT HAS IDENTIFIED AND PUT FORTH LOCALLY MAINTAINED FEDERAL AID SYSTEM COLLECTOR AND ARTERIAL ROADS THAT MEET THE REQUIREMENTS OF THE PAVEMENT PRESERVATION PROGRAM; AND

WHEREAS, THE CITY OF NORWALK, CT HAS CONDUCTED A PUBLIC OPEN HOUSE TO INFORM RESIDENTS OF THE SCOPE AND BENEFITS OF THE PROJECT; AND

WHEREAS, THE CITY OF NORWALK, CT ACKNOWLEDGES THAT THE ARRA PAVEMENT PRESERVATION PROGRAM IS A REIMBURSEMENT PROGRAM, THAT ALL EXPENDITURES MUST BE BORNE BY THE CITY AND THAT EXPENDITURES IN EXCESS OF THE ARRA AMOUNT WILL BE BORNE SOLELY BY THE CITY; AND

WHEREAS, THE SOUTH WESTERN REGIONAL PLANNING AGENCY HAS ENDORSED THE PROJECT.

NOW THEREFORE, THE CITY OF NORWALK, CT BASED ON THE ABOVE INFORMATION, AND BY VIRTUE OF THIS RESOLUTION, HEREBY FULLY SUPPORTS THE PROPOSED PROJECT.

- 7. Authorize the Mayor, Richard A. Moccia, to sign the Resolution for Replacement of the Metro North Railroad Bridge over East Avenue and Reconstruction of East Avenue RESOLUTION AMENDED AS FOLLOWS:**

FROM:

RESOLUTION

REPLACEMENT OF METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE AND RECONSTRUCTION OF EAST AVENUE

WHEREAS, THE CITY OF NORWALK, CT HAS CONDUCTED PUBLIC INFORMATIONAL MEETINGS REGARDING THE PROPOSED PROJECT FOR THE “REPLACEMENT OF THE METRO NORTH BRIDGE OVER EAST AVENUE AND THE RECONSTRUCTION OF EAST AVENUE” (CONNDOT PROJECT NOS. 102-1375/102-297); AND

WHEREAS, THE CITY OF NORWALK, CT HAS MADE CHANGES IN THE CONCEPTUAL APPROACH TO THE RECONSTRUCTION OF EAST AVENUE IN RESPONSE TO RESIDENT COMMENTS; AND

WHEREAS, THE CITY OF NORWALK, CT HAS PUBLISHED A LEGAL NOTICE DISPLAY AD, MAILED A NEWS RELEASE TO MULTIPLE OFFICIALS AND AGENCIES, AND MAILED A FORMAL LETTER TO ABUTTING PROPERTY OWNERS, ANNOUNCING THE LATEST PUBLIC INFORMATIONAL MEETING ON THE PROPOSED PROJECT; AND

WHEREAS, THE MOST RECENT PUBLIC INFORMATIONAL MEETING WAS HELD ON MARCH 17, 2009 FROM 7:00 PM TO 9:30 PM IN CITY HALL, AT WHICH RESIDENTS AND ELECTED OFFICIALS HAD THE OPPORTUNITY TO PROVIDE ADDITIONAL COMMENTS AND VOICE CONCERNS; AND

WHEREAS, THE SOUTH WESTERN REGIONAL PLANNING AGENCY AND THE NORWALK TRAFFIC AUTHORITY HAVE ENDORSED THESE PROJECTS; AND

WHEREAS, THE NORWALK CITY STAFF WILL CONTINUE TO CONSIDER THE COMMENTS AND CONCERNS OF RESIDENTS AND WILL WORK TO INCORPORATE INTO THE ROADWAY PROJECT GRASS SNOW SHELVES, PLANTINGS, PEDESTRIAN AMENITIES, UNDERGROUND UTILITIES AND OTHER CONSIDERATIONS TO RETAIN AND/OR IMPROVE THE CHARACTER OF THE NEIGHBORHOOD, THE COMMON COUNCIL FINDS THAT THE PROPOSED PROJECTS, REPLACEMENT OF THE METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE AND RECONSTRUCTION OF EAST AVENUE (CONNDOT PROJECT NOS. 102-1375/102-297) ARE IN THE BEST INTEREST OF THE CITY OF NORWALK, CT AND WILL PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF ITS RESIDENTS AND PROVIDE FOR THE CONVENIENCE AND SAFETY OF THE MOTORING PUBLIC AND PEDESTRIAN TRAFFIC.

NOW THEREFORE, THE CITY OF NORWALK, CT BASED ON THE ABOVE INFORMATION, AND BY VIRTUE OF THIS RESOLUTION, HEREBY FULLY SUPPORTS THE PROPOSED PROJECTS.

TO:

RESOLUTION

**REPLACEMENT OF METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE
AND RECONSTRUCTION OF EAST AVENUE**

WHEREAS, THE CITY OF NORWALK, CT HAS CONDUCTED PUBLIC INFORMATIONAL MEETINGS REGARDING THE PROPOSED PROJECT FOR THE “REPLACEMENT OF THE METRO NORTH BRIDGE OVER EAST AVENUE AND THE RECONSTRUCTION OF EAST AVENUE” (CONNDOT PROJECT NOS. 102-1375/102-297); AND

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WHEREAS, THE SOUTH WESTERN REGIONAL PLANNING AGENCY AND THE NORWALK TRAFFIC AUTHORITY HAVE ENDORSED THESE PROJECTS; AND

WHEREAS, THE NORWALK CITY STAFF WILL CONTINUE TO CONSIDER THE COMMENTS AND CONCERNS OF RESIDENTS AND WILL CONDUCT FURTHER PUBLIC INFORMATION SESSIONS DURING THE DEVELOPMENT OF THE ROADWAY IMPROVEMENT PROJECT AND WILL WORK TO INCORPORATE INTO THE ROADWAY PROJECT GRASS SNOW SHELVES, PLANTINGS, PEDESTRIAN AMENITIES, UNDERGROUND UTILITIES AND OTHER CONSIDERATIONS TO RETAIN AND/OR IMPROVE THE CHARACTER OF THE NEIGHBORHOOD, THE COMMON COUNCIL FINDS THAT THE PROPOSED PROJECTS, REPLACEMENT OF THE METRO NORTH RAILROAD BRIDGE OVER EAST AVENUE AND RECONSTRUCTION OF EAST AVENUE (CONNDOT PROJECT NOS. 102-1375/102-297) ARE IN THE BEST INTEREST OF THE CITY OF NORWALK, CT AND WILL PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF ITS RESIDENTS AND PROVIDE FOR THE CONVENIENCE AND SAFETY OF THE MOTORING PUBLIC AND PEDESTRIAN TRAFFIC.

NOW THEREFORE, THE CITY OF NORWALK, CT BASED ON THE ABOVE INFORMATION, AND BY VIRTUE OF THIS RESOLUTION, HEREBY FULLY SUPPORTS THE PROPOSED PROJECTS.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE,

Item VII.D3 from the July 28, 2009 CC meeting.

- 1. 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. Account # 35-20-93-5741**

**** THE MOTION TO APPROVE THE CONSENT CALENDAR AS PRESENTED PASSED UNANIMOUSLY.**

X. SUSPENSION OF THE RULES

There were no motions to suspend the rules at this time.

XI. ADJOURNMENT

- ** MR. HEMPSTEAD MOVED TO ADJOURN.**
- ** MR. KYDES SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:16 p.m.

Respectfully submitted

Sharon L. Soltes
Telesco Secretarial Services