

**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 8:00 p.m. and led the assembly in the Pledge of Allegiance and asked everyone to remain standing.

Mayor Moccia called for a moment of silence for the recent passing of two Norwalk residents Judge Lawrence Hauser and a former mayoral candidate Walter Briggs. He acknowledged them as long-term active members of the Norwalk community that will be remembered for their dedicated service to the City.

I. ROLL CALL

City Clerk Halsey called the roll. The following Council Members were present:

Council at Large:	Mr. Douglas Hempstead	Mr. Fred Bondi	Ms. Joanne Romano
	Anna Duleep	Warren Peña	
District A:	Mr. Matthew Miklave	Mr. David Watts	
District B:	Mr. Carvin Hilliard	Mr. Michael Geake	
District C:	Mr. Nicholas Kydes	Ms. Michelle Maggio	
District D:	Mr. Jerry Petrini	Mr. Bruce Kimmel	
District E:	Mr. David McCarthy	Mr. John Igeneri	

Mayor Richard A. Moccia; Attorney Jeffrey Spahr, Assistant Corporation Counsel; Ms. Erin Halsey, City Clerk. Fifteen members were present.

II. ACCEPTANCE OF MINUTES

Regular meeting – November 13, 2012

**\*\* MS. ROMANO MOVED TO APPROVE THE MINUTES FROM THE MEETING OF NOVEMBER 13, 2012 AS SUBMITTED.**

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

PUBLIC PARTICIPATION - No names on the sign up sheet for public comment.

MAYOR REMARKS

Mayor Moccia welcomed the members of the Norwalk High School Boys Soccer team and stated that Mr. Miklave had organized this special recognition, and he thanked him and the parents and managers of the team for their support and involvement with this award.

Mr. Miklave announced that it was his honor to present the Bears from the Norwalk High School Boys Soccer team and acknowledged them for their accomplishment of winning the Connecticut State LL Soccer Championship.

Statements of congratulations were made by Mr. Petrini, Mr. Kydes, Ms. Maggio, Mr. Hempstead and Mr. Watts.

Mayor Moccia recognized the team for their accomplishments, thanked them for representing the City of Norwalk with level of sportsmanship and honor, then read from the proclamation and presented this award to the team. All members of the team and coaches were congratulated by the Council, and photographs were taken.

RESIGNATIONS AND APPOINTMENTS

APPOINTMENTS: Anne Yang-Dwyer, Planning Commission

Mr. McCarthy stated that he was pleased to recommend Anne Yang-Dwyer to the Planning Commission for this appointment, as she has a stellar resume and background that is very suited to serve on the Planning Commission. He added that this appointment is an example of the efforts by Mayor Moccia to reach out and recruit qualified members of the City to serve on Boards and Commissions. Mr. Kydes echoed Mr. McCarthy's comments that she has an impressive background and is a very qualified candidate.

- \*\* **MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF ANNE YANG-DWYER TO THE PLANNING COMMISSION WITH A TERM TO EXPIRE NOVEMBER 22, 2013.**
- \*\* **THE MOTION PASSED UNANIMOUSLY.**

GENERAL COUNCIL BUSINESS

**ELECTION OF COUNCIL OFFICERS:** Douglas E. Hempstead, Majority Leader  
Warren A. Peña, Minority Leader (6 months)  
David A. Watts, Minority Leader (6 months)

Ms. Duleep announced that this would be her last day serving as Council Minority Leader and expressed her appreciation to the Caucus for the opportunity to serve in this capacity. She spoke about a peaceful transfer of power and responsibility and explained that she is honoring the commitment made by the party to serve only one year in this leadership role.

Ms. Duleep stated that she was pleased to announce that Mr. Warren Peña will now fill the position of Minority Party Leader and that he and David Watts have worked out a split arrangement to serve in subsequent six month terms.

General Council Business – Continued

Mr. Peña thanked Ms. Duleep for her leadership and the Caucus for the opportunity to serve in this leadership position, and expressed that he looks forward to being a voice for the unheard.

Mr. Bondi stated he has the great pleasure to announce that Doug Hempstead will continue to serve as the Majority Party Leader, he has done a great job in this role, he is extremely dedicated and the level of service is outstanding. Mr. Kydes stated that he wanted to echo these comments that Mr. Hempstead is capable, and his level of commitment to the Council and City is commendable.

Mr. Hempstead stated that he thanks the Caucus for the opportunity to serve as Majority Leader, he takes the role very seriously, these are unique times we are in, and he hopes the council can operate at a level of mutual respect.

Ms. Romano stated that she will be resigning from the Council effective November 30, 2012. She expressed her disappointment with the inability of members to get along, she is upset that no one listens, no one cares, there is only public grandstanding, and she has been insulted and humiliated.

Ms. Maggio stated that she had hoped Ms. Romano would change her mind, and that she respects her, she works hard, and she has been a great help to her in learning the Council member role. She wants her to know that she is appreciated for her efforts and dedication, and she will be missed.

Mr. Hempstead stated that he understands the reasons, that there is a tremendous level of time and emotional toll that takes place in a council position. He thanked Ms. Romano for her service and wished her success with continuing the work she does for the troops and other community service efforts.

Mr. Hilliard stated that he echoes the comments made and wishes Ms. Romano well with her continued involvement with the City. Mr. Kydes stated that he also wanted to say that he agrees with all these comments, that Ms. Romano will be missed on the Council.

#### COMMON COUNCIL COMMISSION

##### A. PERSONNEL COMMITTEE

Approval / Rejection of Binding Arbitration Award between Norwalk BOE and Norwalk Federation of Teachers.

Mr. Hempstead stated that he would be recusing himself from this item due to a conflict and left the Council Chambers at 8:40 p.m.

Mayor Moccia asked corporation Council to present the item and Mr. Spahr referred to the CT statutes that apply to this arbitration. He stated that the only action would be to reject the agreement and that the item could only be rejected by a 2/3<sup>rd</sup> majority vote.

A discussion ensued on the merits of an open public discussion versus Executive Session.

**\*\* MR. KYDES MOVED TO ENTER INTO EXECUTIVE SESSION FOR PUPOSES OF DISCUSSION OF THE APPROVAL / REJECTION OF BINDING**

**ARBITRATION AWARD BETWEEN NORWALK BOE AND NORWALK  
FEDERATION OF TEACHERS.**

Mr. Miklave stated that he felt very strongly that matters such as this should be discussed in public forum and a closed door debate leaves the public with a lack of direction and transparency. Mr. Kimmel asked that if amidst the open discussion the Council could choose to enter into Executive Session if the direction of the discussion becomes uncomfortable in nature, and Mayor Moccia clarified that this was the case.

Mr. Peña stated that he agreed that this should be debated in open dialogue.

Mr. Kydes withdrew his motion.

**\*\* MR. KIMMEL MOVED THAT IN ORDER TO FACILITATE DISCUSSION, TO  
REJECT THE AWARD OF BINDING ARBITRATION BETWEEN NORWALK  
BOE AND NORWALK FEDERATION OF TEACHERS.**

Mr. Kimmel stated that he had questions, and Mr. Lyons asked Attorney Mooney, who represents the Board of Education to field questions. Mr. Kimmel asked about the salary schedules and stated that he was struck by the panel's statements made of dysfunctional language. He added that as a former teacher in the New York school system, the longevity after 17 years is extremely unusual and lack a carrot to retain teachers.

Attorney Mooney stated that under the long-standing provision, NFT members do not receive step increases between 10 and 17 years service for Norwalk Public Schools, and teachers have to wait a long time in this compensation system. He added that the Board had raised this because of how the pension plan is structured, and they felt that this needed to be reworked.

Ms. Duleep asked about the insurance coverage for spouse section, and Attorney Mooney replied that the Board had identified this action as a most bizarre benefit. He explained that it was so unusual that the NFT proposed it be ended, and there was a "grandfathered" clause.

Attorney Mooney added that it took 55 days to negotiate this agreement, it will be revised after three years, and the provision will be among a number of salary structure issues addressed when the contract is reopened in the fall of 2015. Also, the arbitration award calls for a reopener of the contract on salary structure alone in the third and final year of the new contract.

Personnel Committee – continued.

Mr. Miklave stated that it is of utmost importance to remember that, fundamentally, contracts are products of mutual agreement in collective bargaining arbitration. He explained that the dynamics are difficult to untangle in response to questions of how and why items are in the agreement, suddenly what was agreeable is not good anymore and loopholes are found. He added that this is one more reason why he prefers public debate and is against the Executive Session ground rules because negotiations in private lead to deals. He added that these are City employees and our civil servants that we need to foster and keep relationships healthy.

Mr. Watts congratulated Michael Lyons on his new position as Chairman of the Board of Education.

Mr. Petrini thanked outgoing Chairman, Jack Chiaramonte, for his service and dedication to this leadership position on the Board of Education.

Mayor Moccia called for a vote on the motion.

**\*\* MOTION TO REJECT THE AWARD OF BINDING ARBITRATION  
BETWEEN THE NORWALK BOE AND NORWALK FEDERATION OF  
TEACHERS FAILED WITH NO VOTES IN FAVOR, FIFTEEN OPPOSED  
AND NO ABSTENTIONS.**

MOTIONS POSTPONED TO A SPECIFIC DATE - None

SUSPENSION OF RULES

ADJOURNMENT

**\*\* MR. MCCARTHY MOVED TO ADJOURN.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Marilyn Knox,  
Telesco Secretarial Services