

COMMON COUNCIL AGENDA FEBRUARY 12, 2013
NORWALK, CONNECTICUT 8:00 P.M. EST. 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

I. ROLL CALL

II. ACCEPTANCE OF MINUTES

Regular Meeting:

January 22, 2013

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

REAPPOINTMENTS:

Elizabeth M. Broncati, Board of Ethics
Jack English, Board of Ethics

B. CONSENT CALENDAR

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute a Fourth Amendment to the Agreement between the City and Emergency Communications Network, LLC.-Code Red for the CodeRED Emergency Notification System- Amendment will upgrade the calling plan to unlimited minutes for additional compensation amount of \$18,250 in fy 2012/13 and to authorize a contact renewal for fiscal year 2013/14 for a sum not to exceed \$37,500 from

Account number 013160 - 5258 pending approval of budget funding for this purpose.

2. Authorize the Mayor, Richard A. Moccia, to execute an Agreement between the City and Resource Management Associates (RMA) to provide Fire Department Promotional Testing **Services. Services will** include written and oral examinations for the positions of Deputy Fire Chief, Captain and Lieutenant for a sum not to exceed \$15,000 from

Account number 013140 - 5258 pending approval of the 2013/14 budget funding for this purpose.

- 3a. Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary to apply for and accept grant funds from the City of Stamford for contract period October 1, 2012 through September 30, 2017.

- 3b. Authorize the Mayor, Richard A. Moccia, to execute any and all agreements, documents, instruments, or amendments as may be necessary to implement the WIC Program for the period October 1, 2012 through September 30, 2017.

B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Purchasing Agent to issue a Purchase Order to Integrated Classroom Technology, Inc. for the purchase of interactive whiteboard tablet devices for Norwalk Public Schools for a total not to exceed

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\$141,773.20.

Account # 09115010-5777-C0112

2. Authorize the Purchasing Agent to issue a Purchase Order to Connecticut Business Systems for the Purchase of LCD projectors for Norwalk Public Schools for a total not to exceed \$293,775.00.

Account # 09115010-5777-C0112 - \$18,837.15 and Account #0911-5010-5777-C0113 - \$274,937.85

3. Authorize the Purchasing Agent to issue a Purchase Order to ACN d/b/a Digital Back Office for the purchase of desktops and LCD monitors for a total not to exceed \$421,860.

Account # 09115010-5777-C0113

- 4a. Authorize the Purchasing Agent to issue a Purchase Order to ePlus Technology for the supply of data and communication support equipment for the new Fire Headquarters for a total not to exceed \$54,649.54.

Acct. #09123110-5777-C0466

- 4b. Authorize to set aside an equipment contingency for a total not to exceed \$3,000.

5. Authorize the Mayor, Richard A. Moccia, to execute any and all documents (including, but not limited to, a subordination/historic preservation deed restriction) with the State of Connecticut relating to a Historic Restoration Grant from the State Historic Preservation Office (SHPO) to the Norwalk Seaport Association for the Sheffield Island.

6. Authorize the Mayor, Richard A. Moccia, to execute any and all documents (including, but not limited to, a subordination/historic preservation deed restriction) with the State of Connecticut relating to a Historic Restoration Grant from the State Historic Preservation Office (SHPO) to the Lockwood Mathews Mansion Museum.

C. PERSONNEL COMMITTEE

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1. Approval to authorize the Mayor, Richard A. Moccia to execute a 401A-Defined Contribution Plan and any related documents with ICMA Retirement Corporation.

Account #091530-5258

2. Approval to authorize the Mayor, Richard A. Moccia to execute documents related to the selection of the Hartford Insurance Company for City and BOE Life Insurance Program.

3. Approval of Revised Ordinance Pay Plan and Salary Matrix for 2012 and 2013.

D. PUBLIC WORKS COMMITTEE

1. Authorize the Purchasing Agent to issue a purchase order to Bridge-Haven Ford Truck Sales Inc. dba Gabrielli Truck Sales of Milford for the purchase of two (2) 2014 Mack GU712 plow trucks for a sum not to exceed \$405,466.00.

Account No. 0912/13 4031 5777 C0313

2. Authorize the Purchasing Agent to issue a purchase order to Park City Truck Equipment LLC for the purchase of two (2) Henderson Model RSP-11-42-TE snow plows for a sum not to exceed \$14,766.90.

Account No. 0913 4031 5777 C0313

3. Accept Old Mill Court as a City street.
4. Authorize the Mayor, Richard A. Moccia, to execute The Master Municipal Agreement for Construction Projects between the State of Connecticut and the City of Norwalk, with a ten year term, and any future related Project Authorization Letters issued by the Connecticut Department of transportation for individual construction projects.

E. PLANNING COMMITTEE

1. Approve as to terms the referenced Day Street Option Agreement subject to final form as determined by

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Corporation Counsel. Authorize the Mayor to execute the Option Agreement.

2. Authorize the Mayor to execute the required Certificates of Consistency on behalf of the Greater Norwalk Continuum of **Care's** response to the U.S. Department of Housing and Urban **Development's** SuperNOFA.
3. Authorize the Mayor to execute the required Consolidated Plan Certificate of Consistency on behalf of the Mid-Fairfield AIDS **project's** application for Housing Opportunities for Persons with AIDS (HOPWA) funding.

VIII. RESOLUTIONS FROM COMMON COUNCIL

A Resolution in Favor of Responsible Gun Laws and their Enforcement

Sponsored by David McCarthy (District E), Michael Geake (District B), Sarah Mann (At Large), Bruce Kimmel and Jerry Petrini (District D), Michelle Maggio (District C) and David Watts (District A)

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Whereas, firearms are used in over 2,000 crimes every year in Connecticut.

Whereas, in Connecticut, 60% of murders are committed by illegal firearms.

Whereas, in Connecticut, 23% of “small-city” 9th and 10th graders and 15% of affluent suburban 9th and 10th graders said that it would be “sort of easy” or “very easy” to get an illegal gun.

Whereas, in Connecticut, more than 85 percent of gun crimes are committed by people who cannot legally purchase guns.

Whereas, in Connecticut, there is already a ban on the sale of “assault weapons” as defined in Sec. 53-202a Chapter 943 of the Connecticut General Statutes as well as other laws related to the purchase of guns.

Whereas, on June 27, 2012, a Meriden convenience store owner named Ibrahim Ghazal was shot and killed by a violent felon with illegal gun related felony convictions released under the state’s “Early Release Program.”

Whereas, in Connecticut, of the 7000 prisoners released under the “Early Release Program”, over 10% of them have been arrested for subsequent violent crimes, including many shootings with illegal guns and are back behind bars.

Whereas, in the City of Norwalk, even while the overall crime rate has plummeted in the last 6 years, any crime committed with an illegal gun is of concern.

Whereas, Norwalk has experienced its share of gun violence due to the spread of illegal guns of all kinds.

Whereas, the City of Norwalk, its Police Department, and the bureau of Alcohol, Tobacco and Firearms have experienced significant success in arresting those involved with the crime of gun running and illegal gun possession.

Therefore, be it resolved by the Common Council of the City of Norwalk that the General Assembly of the State of Connecticut should increase the penalties for illegal gun-related crime, especially when it occurs near a school, and cause the enforcement of those laws already enacted, and the prosecution of those arrested under those laws, and facilitate the incarceration of those convicted under those laws.

Therefore, be it resolved by the Common Council of the City of Norwalk that the Chief of Police is encouraged to continue his work to reduce the number of illegal guns on our streets.

Therefore, be it resolved by the Common Council of the City of Norwalk that the General Assembly

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of the State of Connecticut should suspend its “Early Release Program” for violent felons for further study.

Adopted by the Common Council of the City of Norwalk on February 12, 2013

**Resolution to Support the March for Change: Demanding Common Sense Gun Safety
Legislation in Connecticut
Submitted by Anna Duleep (D-At Large)**

WHEREAS, the Second Amendment to the United States Constitution states: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”; and

WHEREAS, the Norwalk Common Council recognizes District of Columbia v. Heller, 554 U.S. 570 (2008) as the controlling federal decision regarding the Second Amendment; and

WHEREAS, Heller affirms an individual’s right to own a gun: “There seems to us no doubt, on the basis of both text and history, that the Second Amendment conferred an individual right to keep and bear arms. Of course the right was not unlimited, just as the First Amendment’s right of free speech was not” [22]; and

WHEREAS, Heller further affirms the ability of legislative bodies to regulate the right to bear arms: “nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of guns” [54]; and

WHEREAS, Justice Scalia concludes the majority opinion in Heller by stating, “We are aware of the problem of handgun violence in this country, and we take seriously the concerns raised by the many amici who believe that prohibition of handgun ownership is a solution. The Constitution leaves the District of Columbia a variety of tools for combating that problem, including some measures regulating handguns, see supra, at 54-55, and n. 26. But the enshrinement of constitutional rights necessarily takes certain policy choices off the table. These include the absolute prohibition of handguns held and used for self-defense in the home.” [64]; and

WHEREAS, the Connecticut General Assembly has convened the bicameral Bipartisan Task Force on Gun Violence Prevention and Children’s Safety; and

WHEREAS, Norwalk is the sixth largest municipality in the State of Connecticut; and

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WHEREAS, the Norwalk Gun Safety Legislation Forum was held in the Jennie F. Cave Common Council Chambers on January 29, 2013; and

WHEREAS, the bipartisan panel included two State Senators, four State Representatives, four Common Council members, and one Board of Education member; and

WHEREAS, members of the Connecticut Citizens Defense League participated thoughtfully and passionately from the audience; and

WHEREAS, the March for Change will take place on February 14, 2013 at 11 a.m. at the Hartford Capitol; and

WHEREAS, the March for Change and Connecticut Against Gun Violence support the Second Amendment, as interpreted by Heller; and

WHEREAS, the March for Change and Connecticut Against Gun Violence specifically support an individual's right to own a gun for personal protection in Connecticut; and

WHEREAS, the March for Change and Connecticut Against Gun Violence demand legislative change to Connecticut's current laws regulating the use of guns. [www.marchforchange.org]

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we support the bicameral and bipartisan approach taken by the Connecticut General Assembly to address gun safety legislation in the aftermath of the mass murders and suicide in the Sandy Hook neighborhood of Newtown, Connecticut on December 14, 2012; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we fully expect the needs of Connecticut's sixth largest municipality to be a significant factor in the deliberative process of the Bipartisan Task Force on Gun Violence Prevention and Children's Safety; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we support the efforts of March for Change and Connecticut Against Gun Violence to encourage the Connecticut General Assembly to collaborate on reasonable gun safety legislation in a timely fashion; and

NOW, THEREFORE, BE IT RESOLVED BY THE NORWALK COMMON COUNCIL THAT we encourage the 86,000 residents of Norwalk to communicate their views to the Connecticut General Assembly by attending the February 14, 2013 March for Change and submitting testimony online via www.cga.ct.gov/ASaferConnecticut.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT

APPOINTMENTS

REAPPOINTMENTS

BOARD OF ETHICS	C	NWLK
CODE 32-12		
Elizabeth M. Broncati (D)		Term
Exp. 03/10/15		
83 C Ohio Avenue Extension		
Norwalk, CT 06851		

BOARD OF ETHICS	C	NWLK
CODE 32-12		
Jack English (D)		Term Exp. 03/
10/15		
15 Alewives Road		
Norwalk, CT 06850		