

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.

*It is noted that this meeting was held in the Concert Hall to accommodate the attendance of members of the public

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. He also expressed his condolence to the family of Joanne Turek who served as a member on the Council back in the 80's and requested a moment of silence. Mayor Moccia noted that Mr. Hempstead, Council President was not present at tonight's meeting; therefore, Majority Leader, Ms. Maggio would be filling in for Mr. Hempstead.

I. ROLL CALL

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

Council at Large:	Mr. Fred Bondi	Ms. Sarah Mann
	Ms. Anna Duleep	Mr. 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 Robert Maslan Corporation Counsel;

Ms. Erin Halsey, City Clerk. Fourteen members were present. Absent: Mr. Hempstead

II. ACCEPTANCE OF MINUTES

Regular meeting – February 12, 2013

Mr. McCarthy requested a correction to page 13, paragraph 7, and the third sentence should end after conflict. Attorney Maslan added in the second sentence, state statutes should be Norwalk City Code.

Ms. Duleep requested a correction to the vote on the motion on page 17 and stated that she had voted in favor not vote opposed.

**** MR. BONDI MOVED TO APPROVE THE MINUTES FROM THE MEETING OF FEBRUARY 12, 2013 AS AMENDED WITH CORRECTIONS NOTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Mayor Moccia stated the rules for public comment and asked those that had signed up to speak to state their name, affiliation and to keep comments civil in nature with no personal attacks and to be related to the agenda to a limit of three minutes.

Public Comments represent summarizations of comments made, unless otherwise noted.

1. Tom Keegan, 2 Barjune Road stated that he was Cranbury School PTO President, and that he supports to fully restore the education budget to include Library aides and Assistant Principals. He added that his daughter has only been able to go to the library every two weeks and the school is not the same without a functioning library. Please fund the schools and bring things back to normal.
2. Laurie Davison, 11 Live Oak Road, is concerned about schools and the Common Core state stands and implementation issues where technology is needed. She added that if there is to be successful students to become future leaders of business how can we educate them with limited budgets. She gave the analogy of to bear fruit you need to plant the seed and water the soil and the same is for education.
3. Mr. Patrick Begos, 10 Richmond Road, spoke in support of the education budget and stated that he feels optimistic after attending the Finance Committee meeting and spoke to urge funding for the Common Core Standards. He added that he was encouraged that nobody pulled back and all assured that a restorative budget was the goal, rather than last year of BOE vs. Finance Dept. He added that there is only \$250,000 apart and it seems a greater level of collaborative efforts and cooperation than in the past. He added that this optimism is real and that the reality is that the Council should want education funding as this is an important part of property value perception and nothing is more important than education funding for the City.
4. Diane Cece, Olmstead Place, read her statement regarding the loan to Oak Hills Authority of \$150,000 and asked for a summary of the loan structuring and repayment plan. She referred to a quote from the Mayor and stated that hoping for better weather is not what is needed to fix the problems with management of the golf course. She added that residents need to stay away from marketing input of the golf course is a déjà vu feeling as this has been done before and public input was not taken into consideration with the terms of the loan. She added that is wishful thinking that this bridge loan will solve the problems, but there are management problems way beyond what the authority is reporting. She replied to Mayor Moccia's request to wrap things up with a comment that she had timed her comments and finds the time limit hard to believe...She asked that the Council put reasonable loan conditions on this item, and to stop putting good money into bad management.
5. Bill Krummel, 21 Little Fox Road said he was a 37 year resident of Norwalk and is not in support of the loan to the Oak Hills Authority. He said the most important element of the cap is education and the fundamental concern with this last minute request for a loan is that no city should perform in this manner. A report of non-revenue rounds spike is really not substantiated and there is no contingency in their financials to get through the winter is very unusual.

Public Comments – continued...

Mr. Krummel added that this should not be done, and asked where are the priorities for the City.

Golf or education. In tough economic times, supporting things like head start and the need for full educational funding should be the top priority, not golf.

6. Mrs. Regina Krummel, 21 Little Fox Road stated that education of our children is the most important priority for the City, yet at the same time where there is low interest in golf the City wants to do another loan to bail out the Oak Hills authority. She added that the heart of the City is education and it is a dismal outcome to try to flourish the community with recreation which the City does not have the knowledge or funding on how to manage. She stated that we need to create early childhood programs for all children versus an 18-hole course that is not profitable. The children deserve the best of classroom education that funding can provide, and an 18-hole golf course that requires a \$150,000 loan is not a priority. All the children of Norwalk, the wealthier, the poorer, the talented and just the average, deserve the best of a first-class education.
7. Diane Lauricella, 37 Blue Mountain Road stated that she was not in agreement with the loan to the Oak Hills Authority, unless there are written conditions of doing an independent audit and management audit. She spoke about a precedent that was set with the Neon audit and BOE audits that were required yet the Council feels the way to help them is to bail out the mismanagement with another loan. She added that it is not a wise idea to not guard the taxpayers from this mismanagement. She added that there should be a reasonable way rather in these economic times rather than a letter dated December 21. She suggested that the authority work closely with the Tree Advisory and Conservation Committees to ensure land preservation and not to take down valuable land for a driving range. She added that this is not happening and unfortunately, this plants a seed of doubt. She asked to make sure all the cards are on the table and this vote should have those conditions outlined. She asked that this should not be on the consent calendar and there should be a roll call vote.
8. Scott Kimmach, 186 Gillies Lane spoke about the Oak Hills and is opposed in principle, He added that while a struggling golf season can be blamed on many factors other than a recession. He spoke about the drainage problems, make the course unplayable and rounds are down not due to recession but to changing attitudes, the number of players has dropped. He added that 18 holes is the main reason to cause financial problems due to maintenance, where fewer holes may be the option. He added that this is not the time for a loan, and there is need to change conditions for annual revenue.
9. Kate Tepper 186 Gillies Lane said Oak Hills authority is ignoring the word park and needs to realized is the larges designated open space park and there should be access for all. She added that there should be conditions attached to this loan and it is not a short term bridge loan but an addition to the long term ten year loan. She suggested specific conditions of repayment to reduce the burden the golf course has been on the city due to being mismanaged over the years. She added there should be a revaluation and replace the course with self-sustaining things like trails and areas for public use without funding from the city coffers She asked for an annual audit of the authority to verify the books and management. There is a distinction between wants and needs and schools, safe streets are needed along with tightening the belts.

Public Comments – continued

10. Paul Cantor, 184 Fallow Street spoke in opposition to the Oak Hills loan and that it is unlikely

not to be paid back and where it should be an effort to correct the mismanagement of a losing place. They need restructuring again of loans and now additional \$150,000 while at the same time asking to forgive \$3 million on a re-do of terms. He said this is not a loan but a gift, which is asking more of taxpayers and rewarding them for mismanagement. The theory of a driving range will not solve the problems and to help fund revenue requires a reconfiguration of the course and undermines the quality of this Norwalk park. We need to stop throwing good money after made and this is not a loan but a another gift.

11. Yvonne Lapaur, 184 Fallow Street spoke representing Friends of Oak Hills and stated that it has been badly managed for years and the finances are in bad shape and the city should not loan money. She used words of Tom Hamilton that it would be a major reduction of rounds and a decline in the number of holes nationally. If we provide this loan the course will be bankrupt and defaults result in unlikely ways that it can be paid back.
12. Dianne Keefe, 247 Chestnut Hill Road asked the Council to vote no on Oak Hills loan due to mismanagement and suggested they do what most businesses do is a line of credit with commercial bank rather than coming to the city again for a bail out. She also suggested to raise the price per round to be comparable to other cities and that just a \$10 increase would be a simple way to create additional revenue for cash flow. She added that there has never been a balance sheet revealed and while she agrees that the restaurant is the core of the problems. She added that destroying 8 acres of pristine land is terribly and they should be forced to look at their business differently.
13. Ms. Jody Sattler, Highland Avenue, Rowayton PTO co-President spoke to please fully fund the education budget. She stated she was disappointed last year that after endless meetings and public speakers, there was still loss of important resources. She said that while this is positioned as a restorative budget it lacks full funding of needs to put back aids and resources. Please do what is best for schools and students.
14. Lissette Santiago, Cedar Street and a BMHS parent spoke about the needs of education to fully fund a restorative budget and spoke of the inequities of the Norwalk education spending. She fears that Common Core standards will not be implemented because of lagging technology and we already took librarians. How with children be able to grow to be successful and to progress to have what is needed. She added that there is awaiting list for Art at the high school and if things like these are not met, students will have a gap in activities that will lead to gang activities and neighborhood problems. What are the priorities leisure like golf or needs like education.
15. Don Saunders 14 Rohlm Street said here was are again, and last year teachers already took a hard freeze and at the school dedicated teachers are concerned about students yet we take more away from. Less structure leads to trouble, and increased idle time creates need for more police intervention and increased overtime. If not good schools less young families will move in and rather than focus on golf course bail outs leads try to change and make education a priority.
16. Chris Donahue 6 Inlot Court spoke of the importance of meeting education needs and that is why he chose to live in Norwalk. He reported that his child can only go to the library every other week and the students are missing out. Basic reading is lacking and libraries need to be funded to support the students.

Public Comments – continued

17. Lisa Thomson, 180 Highland Avenue spoke about what she wants from her city, and as a tax payer she wants to transparency not mismanagement, she likes recreation, but the city is not in that business. There should be more welcoming to bring in new residents to increase the grand list not more big box stores as they do not add to the revenue base. She added that she prefers education and improvements to schools not elaborate fire houses. She wants less bickering on the Council and more cooperation and collaborative efforts by our elected officials. She would like to see a create vision for Norwalk to be more than just a place where Darien residents come to shop.
18. Margaret Wyatt 41 Grant St, spoke on how we have to pay for needs not wants like golf. At the schools there are no library aides and January was the first time her child could to go the library. Common Core requires improvements in technology and we need to fully fund this. She added that the CREC report has shown documented gaps in service and response to staff needs, while we are gasping for staffing there is no vision or purpose for under funding. We need to fight for change and to fund the BOE would only cost \$2 per month more in a raise in taxes per family. Let us not grabble over such a small amount and to do the right thing.
19. Drew Todd, Friendly Road, Norwalk spoke about the concerns with not fully funding the BOE budget and shared a story about how much more satisfied parent was with their student after moving here from Westport. He added that the Norwalk schools are superior, this particular student was happy and we need to remember that this is our priority versus giving \$ to a golf course.
20. Andy Garfunkel, 41 Beau Street, Norwalk stated that the Common Council has a difficult job weighing the competing interests here – education and taxes, we’ve heard tonight what our school children will be lacking if the budget proposed by the Mayor and Finance Director is approved. He stated hat he encourage this Council to fund education to the fullest extent possible, but while doing so, tell the Mayor, the Department Heads and the Board of Education that they have to work harder to find efficiencies and savings in their budgets. He added that as a community, we also have to remember that there are two sides to a balance sheet, and that it’s easy to complain about the spending side, but we need to do a better job on the revenue side. Increasing the Grand List through a coordinated, sustained and effective program of economic development is what Norwalk needs instead of simply raising taxes on our current residents to invest in our schools and necessary City services, we need new revenue. He stated that he would encourage the Mayor to focus on that every day; and if he doesn’t, this Council should make it a priority.
21. David O’Malley 31 Fort Point Street spoke about education issues and the need to increase math competency. He added that Common Core standards will bring this up but to compete on a global level standards will need to be brought up to a new level to be competitive. He added that because of past cuts children at Jefferson were able only recently to go to the school librarian for the first time this school year. He added that this council is deciding whether or not this City can be competitive with jobs in the future. We need to find a way to fund the common core improvements, and he described the school board’s requested budget as the most responsible budget it could submit.
22. Clyde J. Mount, 73 Cranbury Road, and an Oak Hills Park Authority member, said that there

were many inaccuracies mentioned tonight. He explained that course restaurant had placed a financial burden on the authority and the debt structure.

Public Comments – continued...

Mr. Mount continued that he rejects comments that the golf course is mismanaged and stated that we are independently audited every year and we share our financials ... there is no mismanagement of funds, we would welcome a management audit, but that's going to take money. He stated that golf is up almost 6% and this data is all available for review on line. He explained that the restaurant is the burden and the reason for the long term debt. HE added that the city spends \$3 million each year on parks and the Oak Hills course gets nothing for this park maintenance and is self supporting. He added that without the bridge loan they will be unable to stay in operation and the consequences are much larger in terms of tax burden to the city.

24. Shannon O'Toole, 130 Fillow Street and Oak Hills Authority member, stated she wanted to echo many of the comments made by Clyde and that the bond still have to be paid or the tax burden will be more. She added that the authority has grown, new management, rolled up sleeves and worked with the BET to provide open transparency with the books, we learned from mistakes in the past, there increased revenue and things are rebuilding. She added that Oak Hills was known as one of the gems of Norwalk and asked to consider this bridge loan to save it.

25. John Fischer, 21 Bedford Avenue stated he was a Jefferson parent and the libraries are very lonely without adequate staffing to keep them open. He said an empty library has no life and the absence of reading enhancement and no staff is a travesty. It does not support learning, you need someone there to help students as a resource guide to help children love reading and to love books and for reference materials. Please come up with the money.

26. Merlin Mitchell 10 Allen Street, and was in support of fully funding 10 Allen Street spoke of the need for fully funding the education budget. He said three families recently moved out of Norwalk to the surrounding towns and if this school budget does not restore the cuts, he will be another one to move.

Mayor Moccia closed the participation portion of the meeting at 8:53 p.m.

RESIGNATIONS AND APPOINTMENTS

REAPPOINTMENTS: John C. Romano, Harbor Management Commission
 Mathew Lloyd Brovender, Board of Health Commission
 Janet W. Karpiak, MD, Board of Health Commission
 Marybeth Sullivan, Conservation Commission

Mr. Kydes stated that he has known Mr. Romano as a good, quality person, involved with the City and has displayed dedication of the harbor and he is pleased to recommend him for this reappointment.

**** MR. KYDES MOVED TO APPROVE THE REAPPOINTMENT OF
JOHN ROMANO TO THE HARBOR MANAGEMENT COMMISSION,
WITH A TERM TO EXPIRE DECEMBER 31, 2016.
** THE MOTION PASSED UNANIMOUSLY.**

Reappointments – continued:

Mathew Lloyd Brovender, Board of Health Commission

Ms. Maggio stated that she recommends Mr. Brovender for reappointment. Ms. Duleep stated that she strongly supports Mr. Brovender and has known him as a life-long resident and his birthday was last week and asked if he wanted his reappointment feels he is a perfect person for the Board of Health

- ** MS. MAGGIO MOVED TO APPROVE THE REAPPOINTMENT OF
MATHEW LLOYD BROVENDER TO THE BOARD OF HEALTH
COMMISSION, WITH A TERM TO EXPIRE DECEMBER 1, 2015.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Janet Karpiak, MD, Board of Health Commission

Mr. McCarthy stated that he strongly supports Dr. Karpiak and has known her as a dedicated community member and a good candidate for reappointment for the Board of Health.

- ** MR. MCCARTHY MOVED TO APPROVE THE REAPPOINTMENT OF
JANET KARPIAK, MD TO THE BOARD OF HEALTH COMMISSION, WITH A
TERM TO EXPIRE DECEMBER 1, 2015.**
- ** THE MOTION PASSED UNANIMOUSLY**

Mary Beth Sullivan, Conservation Commission

Mr. McCarthy stated that he strongly supports Ms. Sullivan and has known her as a dedicated community member perfect for the Conservation Commission. He added that she is concerned with the environment and has been on the commission for several years and will do a great job and he is proud to nominate her for reappointment.

- ** MR. MCCARTHY MOVED TO APPROVE THE REAPPOINTMENT OF
MARY BETH SULLIVAN TO THE CONSERVATION COMMISSION, WITH A
TERM TO EXPIRE JANUARY 1, 2018.**
- ** THE MOTION PASSED UNANIMOUSLY.**

MAYOR - Mayor Remarks:

Mayor Moccia reported that in reply to emails, his recommendation is for \$2.1 million budget for Common Core improvements for technology. He explained that initially \$2.7 was requested but that could not all be spent in one year so \$600m was moved to be spent over five years. So, there were comments made tonight that he wanted to clarify that there is a small gap between what the BOE is requesting and the City funding. He added \$400 is in the operating budget for common core that may be reprogrammed for needs. He added that about \$1.3 million in state aid to Norwalk has been cut in Gov. Malloy's proposed state budget, which will have a serious impact on the City.

COUNCIL PRESIDENT

GENERAL COUNCIL BUSINESS:

Mayor Moccia announced that in Mr. Hempstead's absence, the Majority Leader would handle the Council President role for the meeting, and turned the floor to Ms. Maggio.

CONSENT CALENDAR

- ** MS. MAGGIO MOVED THE FOLLOWING ITEMS FOR CONSENT:
VI.A1; VII.A.1, VII.A.2, VII.B.1, VII.B.2, VII.B.3, VII.B.4a, VII.B.4b, VII.B.5,
VII.B.6, VII.C.1, VII.C.2, VII.D.1, VII.D.2, VII.D.3, VII.D.4, VII.E.2, VII.E.3
** MOTION TO APPROVE THE CONSENT CALENDAR WAS UNANIMOUS.**

The following items in bold are approved on the Consent Calendar:

VI. A. CORPORATION COUNSEL

- 1. Authorization to Settle Claim: - Rodrigo Bento**

B. BOARD OF ESTIMATE AND TAXATION

RESOLVED, that a sum not to exceed \$6,887.04 be and the same is hereby transferred from Increased Revenues to the Police Department to cover overtime expenses. Account #01-3042-5120

RESOLVED, that a sum not to exceed \$13,427.47 be and the same is hereby transferred from Increased Revenues to the Police Department to cover overtime expenses. Account #01-3035-5120

VII. COMMON COUNCIL COMMITTEES

A. FINANCE/CLAIMS COMMITTEE

- 1. For informational purposes only: Monthly Tax Collector's Report dated: January 31, 2013.**
- 2. For informational purposes only: Narrative on Tax Collections dated: February 14, 2013. Consent Calendar - continued**
- 3. Authorize the purchasing Agent to issue Purchase Orders to: En Point Technologies for server and client SQL database software in the amount of \$27,207.00 and; to Insight Public Sector for Windows Server Data Center client and server software in the amount of \$21,965. Both awards-Acct 09130600-5777-C0375 (budgeted IT capital items; no special appropriation required) per Bid # 3250 responses.**

Consent Calendar – continued:

- 4. Authorize the Mayor, Richard Moccia, to execute a contract with North American**
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Theatrix, Ltd., for the supply and installation of the Council Chambers Audio/Visual Improvement Project, Phase 1 infrastructure and audio systems, for an amount not to exceed \$30,240.00, Acct 09130600-5777-C0375 (budgeted IT capital, no special appropriation required).

B. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

Authorize the Purchasing Agent to execute a purchase order to Colt Defense LLC, on the behalf of the Norwalk Police Department, for the sole source purchase of twenty five (25), Colt Model 6940, Law Enforcement Carbines for a total amount not to exceed \$65,000. Acct # 09133010.

C. PLANNING COMMITTEE

It is the request of the Planning Committee to hold a Public Hearing on March 7, 2013 at 7:00 p.m. in the Community Room for the purpose of reviewing the FY14 City Capital Budget.

D. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Norwalk YMCA for the use of the grounds at Silvermine Elementary School for a Day Camp (Camp Sunrise) to take place June 24, 2013 – August 16, 2013 Mondays – Fridays from 7:30 AM – 6:00 PM. Estimated attendance 150.

1. (Date Change) Authorize the Mayor, Richard A. Moccia to enter into an agreement with Click it for Cassie for the use of Calf Pasture Beach Softball fields for a Softball Tournament to be held Saturday, June 15, 2013 with a rain date of Sunday, June 16, 2013 from 7:30 AM – 7:30 PM. Estimated attendance 150.

2. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Fairfield County Bariatrics and Surgical Specialists for the use of Cranbury Park for a Medical Office –Walk/Health Fair to be held Saturday, May 18, 2013 from 8:00 AM – 1:00 PM. Estimated attendance 100.

3. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Crohn's & Colitis Foundation of American Fairfield Chapter for the use of Cranbury Park for "Take Steps Walk for Crohn's & Colitis" to be held Sunday, June 2, 2013 from 8:00 AM – 3:00 PM. Estimated attendance 300 – 350.

4. A) Authorize the Mayor, Richard a. Moccia to enter into an agreement with the Juvenile Diabetes Research Foundation for the use of Calf Pasture Beach for the "Walk to Cure Diabetes" to be held Sunday, October 6, 2013 from 6:00 AM – 1:00 PM. Estimated attendance 1,000.

Consent Calendar - continued

4B) Approve the use of the Show Mobile by the Juvenile Diabetes Research Foundation for their walk to be held Sunday, October 6, 2013 at Calf Pasture Beach.

5. Authorize the Mayor, Richard A. Moccia to enter into an agreement with ALS CT Chapter to use Ponus Ridge Middle School for a Co-Ed Softball Tournament to be held Sunday, April 28, 2013 with a rain date of Saturday, May, 4, 2013 from 10:00 AM – 4:30 PM. Estimated attendance 150 – 200.

7. A) Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Norwalk Seaport Association Inc. for the use of Veterans Park for the Annual Oyster Festival to be held Friday, September 6, 2013 from 6:00 PM – 11:00 PM, Saturday, September 7, 2013 from 11:00 AM – 11:00 PM, Sunday, September 8, 2013 from 11:00 AM – 8:00 PM. Set up will take place Friday, August 23, 2013 at 12:00 Noon with tear down no later than 5:00 PM Monday, September 23, 2013. Estimated attendance 30,000+.

B) Approve the use of the Show Mobile by the Norwalk Seaport Association for the Annual Oyster Festival to be held September 6-8, 2013 at Veterans Park.

Mr. Petrini asked to clarify that representatives of applications from Recreation Parks what were here all throughout last month's meeting, did not understand the consent process. He stated that the items with the exception of the last item, the Ripka contract, all have been approved and those here in support of those items are welcome to stay but do not need to remain, as the items are approved and will not be discussed.

FINANCE/CLAIMS COMMITTEE

3. Accept and Approve the Report of the Claims Committee dated: February 14, 2013.

*Mr. Miklave stated that in order to avoid a potential implication of impropriety, he recused himself from the item, left the meeting at 9:55 p.m.

**** MR. HILLIARD MOVED TO ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: FEBRUARY 14, 2013.**

**** MOTION PASSED UNANIMOUSLY.**

Mr. Miklave returned to the meeting at 9:56 p.m.

Board of Estimate and Taxation

3. RESOLVED, that a sum not to exceed \$150,000.00 be and the same is hereby transferred from Contingency to the Oak Hills Park Authority to cover operating expenses. Acct #01-6110-54BB

FINANCE/CLAIMS COMMITTEE

Authorize the Mayor, Richard A. Moccia, to execute any and all documents necessary for a Loan Agreement in an amount not to exceed \$150,000 with Oak Hills Park Authority in order to address short term operating needs of the Authority, Account 016110-54BB

Ms. Duleep stated that she was the only Council person able to attend the public hearing and

used a phrase from a public comment made tonight that the city is not in the business of running recreation. She stated that she will vote no on his item. She asked what are the priorities and as she was the only one voting no on a raise for the mayor, she agrees in principle with the item, but not in this year. She added that what former councilman Mr. Krummel stated will this be a short term goal or are we underwriting poor structure. She added that one of the best things we can do as a city it to promote universal Pre-K and that the City was quick to do tough love with NEON, how can we not hold Oak Hills to the same structure of accountability. She added that the very least we can do is to hold them to the same standard. She finds it irresponsible on the part of the city to have this. Instead we permit this poor marketing and less than responsible management and poor standards, and once again she will vote no.

Mr. Kimmel stated that he is not a golfer and years ago he was opposed to a driving range and many of the problems go way back to how the restaurant was structured. He explained that there are a number of concerns and consequences to taxpayers if the loan of \$150,000 and the bond is not covered and payments will not be paid. He added that comments that the recession has nothing to do with decline in golf are inaccurate as it has everything to do with the recession. Statistics mentioned tonight about declines in golf are not reliable, but what is important to note is that the Oak Hills is an integral part of the City and called for many years as one of the “gems of Norwalk”. It is a beautiful area, and he noted that nationally, smaller courses do go under faster than larger holed courses. He added it is a complex issue, if it is small, maybe that is better, and weather does affect the course especially the violent storms we’ve had these past few years. He added that new personnel are working hard and it is well worth a bridge loan to keep things in operations. He added that it is not fair to pit one item against another as if this relatively small amount really affects the education spending—as it is a fraction of that budget.

Mr. Geake stated he has a big problem with the loan, but that simple fixed cost of debt service is the same if it closes, according to basis business management. Do variable revenues cover cost to be open with the exception of January and February and that is yes. Much as it pains us to have to do this, it does to make sense as it will cost more if we don’t, so he will vote a reluctant yes.

Mr. Bondi stated that we need this golf course. We need to support it and fund it. It is a tool for business and increased interest in golf will be come back since Tiger Wood is back. He added that the restaurant needs to be modified rather than a fancy restaurant to a sandwich place. We definitely need to fund the \$150,000.

Mr. Miklave stated that this is not about a driving range, it is about shutting down. He is very concerned with the pay back restructure in September and they said they could make it through the winter and a little rain should not cause major problems. This is not a sudden occurrence of recession, he sees a fluctuation in the financials doesn’t like any of this.

Mr. Miklave continued that unfortunately, they will shut down in March, if we don’t give them the loan and the financial consequences to the city if we don’t do the loan are much greater. He added that he does expect Oak Hills to get its house in order very, very quickly.

Mr. Kydes stated that he will support this item and in comparison to the multi millions loaned to the Maritime Aquarium we need to support the Oak Hills Course. He does expect full disclosure of the operations, and things are turning the corner, and he feels that we need to do this to keep things going.

Mr. Petrini stated that he will support this item, and this authority has a tough task with many problems that are not their fault, and he wants to applaud them for thinking out of the box in terms of looking at the funding and the management of the operations looking at different ways to keep things and that Oak Hills Authority is stuck with problems that have been going on for a long time, take the restaurant out of the equation and you have a very different situation. He stated that this bridge loan is necessary to keep them in operation, as the alternative is unthinkable.

Mr. Igeneri stated that as mentioned Oak Hills is one of the gems of Norwalk, it is better than many country clubs. With a little TLC it can go back to being an integral part and it is much better value to do the loan and keep them operational.

Mr. McCarthy stated that he encourages the Oak Hills authority to change things to be on the path of budget stability and is disappointed on the discussions. There should be civil manner in looking at this issue. The authority was fully transparent in bringing this appropriation request to the Finance Committee and Mr. Barron did a full evaluation of their books, and everything was very thorough with plans fully vetted. We need to preserve this valuable asset of the City.

Mayor Moccia stated that he agrees with Mr. Kimmel that it is unfair to pit one group against another. Head Start is a program implemented by the federal government and should not be compared to Oak Hills. He added that it is not proper to mix issues. He agrees with Mr. Miklave and his points are well taken that we need to look at options and get the financial house in order. He added that there are areas for walking, and it is known that the restaurant is the major problem and financial drain, but that when it comes to education, there are attributes of the course for our student athletes, and we should come together to make it work and not cast dispersions on the financial management. There are legitimate points made tonight, but we must move forward and find a rational way to keep the course in operation

Ms. Duleep wanted to note that in regards to one of the comments for private loan it would be worth pursuing other financing options.

Mr. McCarthy noted that rates would be much higher if going through commercial banks.

**** MR. HILLIARD MOVED TO APPROVE THE FOLLOWING:
RESOLVED, THAT A SUM NOT TO EXCEED \$150,000.00 BE AND THE SAME IS
HEREBY TRANSFERRED FROM CONTINGENCY TO THE OAK HILLS PARK
AUTHORITY TO COVER OPERATING EXPENSES. ACCT #01-6110-54BB**

**AND TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE ANY
AND ALL DOCUMENTS NECESSARY FOR A LOAN AGREEMENT IN AN
AMOUNT NOT TO EXCEED \$150,000 WITH OAK HILLS PARK AUTHORITY
IN ORDER TO ADDRESS SHORT TERM OPERATING NEEDS OF THE
AUTHORITY, ACCOUNT 016110-54BB.**

**** MOTION PASSED WITH THIRTEEN VOTES IN FAVOR, ONE OPPOSED
(DULEEP) AND NO ABSTENTIONS.**

discussion mainly as a courtesy to a the representatives who are in attendance.

Recreation, Parks, Cultural Affairs Committee

Authorize the Mayor, Richard A. Moccia to execute a License Agreement with MRC Ventures d/b/a Ripka's Bulls Head Market to provide concession services at the Calf Pasture Beach and Veterans Memorial Park concession facilities for ten (10) years with two (2) five (5) year options. Rental payments for the initial ten (10) year period shall be as follows:

Lease Period April 15, 2013 – April 14, 2014 Total 2013 Lease Fee Proposed \$16,000.00

Lease Period April 15, 2014 – April 14, 2015 Total 2014 Lease Fee Proposed \$27,000.00

Lease Period April 15, 2015 – April 14, 2016 Total 2015 Lease Fee Proposed \$27,811.00

Lease Period April 15, 2016 – April 14, 2017 Total 2016 Lease Fee Proposed \$28,644.00

Lease Period April 15, 2017 – April 14, 2018 Total 2017 Lease Fee Proposed \$29,504.00

Lease Period April 15, 2018 – April 14, 2019 Total 2018 Lease Fee Proposed \$30,388.00

Lease Period April 15, 2019 – April 14, 2020 Total 2019 Lease Fee Proposed \$31,300.00

Lease Period April 15, 2020 – April 14, 2021 Total 2020 Lease Fee Proposed \$32,204.00

Lease Period April 15, 2021 – April 14, 2022 Total 2021 Lease Fee Proposed \$33,207.00

Lease Period April 15, 2022 – April 14, 2023 Total 2022 Lease Fee Proposed \$34,203.00

Total Lump Sum Proposed Lease Fee for ten (10) year period \$323,504.00

Total Lump Sum Proposed Alternate Lease Fee for ten (10) year period in Writing:

Three hundred twenty-three thousand five hundred and four dollars.

Mayor Moccia asked about the Stew Leonard's lease and Mr. Petrini replied that it was 5 years with options of renewal of five years.

Mr. Miklave asked how much the Stew Leonard's lease agreement was and Mr. Petrini thought it was \$8,000. Regarding questions about the terms and timelines Mr. Foley came forward to discuss the contract. He explained that Stews was \$3,000 and that the RFP was set up as 5 years plus renewal options of five years, and the intention was to emulate the terms consistent with the Stew Leonard's. Mr. Miklave said it was an inordinate amount of time and that twenty years at the city's option was just too long, without going to public bid which was different than the Stew Leonard's lease.

Mr. McCarthy asked about the agreement and typical out clauses for the City and Atty. Maslan replied that typically there are many clauses under which the Council could choice to end or deny renewal.

**** MR. WATTS MOVED TO TABLE THE ITEM BACK TO COMMITTEE
** MOTION FAILED WITH FOUR VOTES IN FAVOR (DULEEP, WATTS,
IGNERI, MIKLAVE), TEN OPPOSED AND NO ABSTENTIONS.**

Mr. Petrini explained that this was thoroughly evaluated in Committee and it was not unreasonable based on the RFP as outlined and the substantial investment being made by the vendor. He added that Ripka will be bringing the building up to date and will do much hard work, and has a proven track record for other businesses in the City. He added that there could be considerable revenue compared to past, and options are in the contract.

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Mr. Kimmel added that he participated in the discussions in Committee and there are improvements such as a year round restaurant as Mr. Petrini pointed out there are clauses that are built in options if we are not happy.

Mr. Miklave stated that years ago he had voted against the Stew Leonard's item for the same reason, due to the length of the contract. He explained that now, long terms particularly during this economic recession, and that 10-20 years is just too long versus risk of expansion in the private sector. He added that he would love to see any contract with a substantial investment and would be shocked if the City could then terminate the agreement. He stated that this just not the way things should be done and an agreement for 20 years goes against what he believes is a reasonable length and is an example of how the system just should not work.

**** MR. PETRINI MOVED TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE A LICENSE AGREEMENT WITH MRC VENTURES D/B/A RIPKA'S BULLS HEAD MARKET TO PROVIDE CONCESSION SERVICES AT THE CALF PASTURE BEACH AND VETERANS MEMORIAL PARK CONCESSION FACILITIES FOR TEN (10) YEARS WITH TWO (2) FIVE (5) YEAR OPTIONS. RENTAL PAYMENTS FOR THE INITIAL TEN (10) YEAR PERIOD SHALL BE AS FOLLOWS:**

LEASE PERIOD APRIL 15, 2013 – APRIL 14, 2014 TOTAL 2013 LEASE FEE PROPOSED \$16,000.00
LEASE PERIOD APRIL 15, 2014 – APRIL 14, 2015 TOTAL 2014 LEASE FEE PROPOSED \$27,000.00
LEASE PERIOD APRIL 15, 2015 – APRIL 14, 2016 TOTAL 2015 LEASE FEE PROPOSED \$27,811.00
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LEASE PERIOD APRIL 15, 2021 – APRIL 14, 2022 TOTAL 2021 LEASE FEE PROPOSED \$33,207.00
LEASE PERIOD APRIL 15, 2022 – APRIL 14, 2023 TOTAL 2022 LEASE FEE PROPOSED \$34,203.00

TOTAL LUMP SUM PROPOSED LEASE FEE FOR TEN (10) YEAR PERIOD \$323,504.00

TOTAL LUMP SUM PROPOSED ALTERNATE LEASE FEE FOR TEN (10) YEAR PERIOD IN WRITING: THREE HUNDRED TWENTY-THREE THOUSAND FIVE HUNDRED AND FOUR DOLLARS.

**** MOTION PASSED WITH THIRTEEN IN FAVOR, ONE OPPOSED (MIKLAVE) AND NO ABSTENTIONS.**

Mayor Moccia called for a ten minute recess. The meeting was recessed at 10:10 p.m. and reconvened back into public session at 10:20 p.m.

RESOLUTION:

Mr. Hilliard read the resolution and moved the item for discussion as follows:

WHEREAS, Section I-289 of the Norwalk Charter requires that a majority of the Common Council vote to establish a specific spending limitation on locally funded expenditures during the process of establishing the next fiscal year's operating budget.

NOW, THEREFORE, be it resolved by the common council of the City of Norwalk that:

The maximum limit on total appropriations for the City of Norwalk for Fiscal Year beginning July 1, 2013 shall be no more than \$294,798,999. This appropriation cap represents total expenditures of \$311,317,270 less estimated intergovernmental grants of \$16,518,271.

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BE IT FURTHER RESOLVED that the result of this vote and resolution, together with the attached 2013-14 Budget Guide, be forwarded by the Clerk of the City of Norwalk to the Board of Estimate and Taxation.

Mr. Kimmel asked to make an amendment then to speak on the reasons why and merits of the amended amount. He proposed an amended resolution to increase the cap to \$294,879,967 and change total expenditures to \$311,398,238 representing a change of \$80,968. He stated that first of all he wanted to thank the Finance Department that has been very cooperative and responsive to the requests from the Council and this has been helpful and greatly appreciate. He added that the increase is by only about \$81,000, but we think it provides the Board of Estimate and Taxation a little more wiggle room, and he is confident, come spring, we will be very close to fully funding the Board of Education's budget. This is closer than we've been in years and we're off to a good start. He spoke about unresolved aid from the state is still not final and that this is yet to be determined. He spoke about the increase in the mill rate and the minimal increase with his proposed amendments that the recommended budget would boost the mill rate by 3.94% and the average annual property tax bill on the median single-family home in the city's 4th Taxing District by \$253; and the addition it would raise those figures to 3.97 % and \$255.

Mr. Kimmel added that in light of what was said earlier there is already \$2 million in the capital budget for the Common Core Curriculum, along with training and funding has been set aside for restoration of library aides and additional police officers and school, resource officers. Amidst tough economic times this adds up to a 3.7 % increase to the mill rate and although this is not significant it helps. He added it needs to be note that final determination will not be decided until early May. And he is confident once everything is finalized with state aid and the BET works with all the departments he is confident come spring we will be very close to the BOE budget

Mr. Kydes asked to made another amendment and Mayor Moccia replied that there is an amendment on the floor first for vote.

Mr. Miklave asked for Mr. Hamilton to address questions as a follow up and reference on taking from the fund balance, and it that is accurate that various draw-downs of the city's rainy-day fund represent a \$1.7 million placing downward pressure and issues associated with insurance fund did place pressure. Mr. Hamilton replied that it is not an exact science but the rating agencies are predicted to have a slightly negative response.

Mr. Miklave said every 1% mill increase means \$6 million is it his impression additional \$2 million on fund balance is a one shot revenue and does not occur year after year and unless fund balance is growing, it is going to be a proper draw down, is when you are no longer able to draw down this creates a big mountain will result in increased taxes. Mr. Miklave asked if this \$1.7 million taken out of fund balance is a one time charge. Mr. Hamilton explained that it will be made clear to the rating agencies that is financially prudent to address this as a one-time expense due \$2 million in pension contributions and payments for the insurance fund.

Mr. Kydes stated that seeing he will not be able to make his amendment to the resolution, and He would have asked for a cap \$4 million lower and he does not see the logic of increasing it based on the amendment by Mr. Kimmel. He reiterated that the taxpayers of Norwalk don't want their taxes raised and politicians should not be used to fun campaigns and does not want that to happen here. He said residents are asking for more education but we need to balance the

spending to make sure funds are allocated as the city also includes police, fire, DPW and we are elected to be fiduciaries of the funds. Mr. Kydes said let's look hard at the expense side, let's not look to the revenue side as this adds another burden on the taxpayers and he cannot vote for it.

.Mayor Moccia said as mentioned during public comments in the recommended budget there is \$2.1 million in the 2013-14 capital budget for Common Core Standards at Norwalk Public Schools. He added that he is not quite sure how recommending \$2.1 million in one year for Common Core is not funding Common Core.

Mr. Miklave stated he would support Mr. Kimmel's amendment to the cap and that he had been assured that we are going to fully fund the Board of Education's request.

Mayor Moccia said the real problem in crafting the city's 2013-14 budget lies with state aid under Gov. Dannel P. Malloy's proposed budget. He explained that the problem does not lie in this hall, it lies in Hartford with the proposed budget from the governor is far more dangerous to our educational system than our budget. He added that Gov. Malloy's budget may allocate the city additional Education Cost Sharing dollars but places many strings on the extra money. He added that the strengths of the Norwalk Public Schools are many and the reputation of our teachers and the great programs and comparable test scores. He added that there can't be said that Norwalk does not support the schools because we do, yet the misperception is that we are against education even only if the numbers are slightly off. It is important to look at the impact of millions of less funding for the hospitals and money going into the general fund of the state.

Mayor Moccia called for a roll call vote on the amendment.

**** MR. KIMMEL MOVED AN AMENDED RESOLUTION TO INCREASE THE CAP TO \$294,879,967 THE TOTAL EXPENDITURES TO \$311,398,238 REPRESENTING A CHANGE OF \$80,968.**

**** MOTION PASSED WITH NINE VOTES IN FAVOR (MANN, KIMMEL, MCCARTHY, BONDI, GEAKE, HILIARD, PETRINI, MAGGIO, MIKLAVE) FIVE VOTES OPPOSED (DULEEP, IGNERI, KYDES, PENA, WATTS)**

Mr. Miklave stated he fully supports the BOE which he feels is reasonable budget request and that he has been assured that after this process they will fully fund common core and the BOE funding requests. This council sets a maximum on how much in expenditures the city will have in the fiscal year as we do not have line item authority. He spoke to the pressures of the state and federal government and declining revenues and that we are looking several years ahead of tougher times and for years now he has advocated to do things differently. He stated that we need to look at a new way of budgeting. He referred to the budget book and that it lists the department as if we fund the departments without examining services and need to set performance standard to get bang for buck and set performance standards real by regular reviewing on how we are doing on every program. He added that we need to make difficult decisions on what works we stay out of way and with what is not working we should not proceed funding what does not work. We need to be held accountable to find new ways to hold them accountable to improve efficiencies and to ask why. We need to be reminded if it is a low priority we need to stop spending \$ and will find savings. \$311 million is a huge amount of money and of that will be \$15 million more spent versus last year with little increase services. We need to adopt budget reforms and leaders of nationally conservative and progressive groups promote these tactics and

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we need to do a better job. We need to revolutionize how service are provided and he will meet with anyone at anytime to find savings and improve results to eliminate what is not effective and will meet anytime and any place.

Mayor Moccia noted that he does meet annually with department heads and there are evaluations of efficiencies and the departments do make recommendations each year to increase efficiencies.

Mayor Moccia called for a roll call vote on the resolution.

**** MR. HILLIARD MOVED TO APPROVE THE AMENDED RESOLUTION AS FOLLOWS:**

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2013 SHALL BE NO MORE THAN \$294,879,967. THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURES OF \$311,398,238 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$16,518,271.

BE IT FURTHER RESOLVED THAT THE RESULT OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2013-14 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE BOARD OF ESTIMATE AND TAXATION. ADOPTED BY MAJORITY

VOTE: NINE IN FAVOR; FIVE AGAINST

**** MOTION PASSED WITH NINE VOTES IN FAVOR (MANN, KIMMEL, MCCARTHY, BONDI, GEAKE, HILIARD, PETRINI, MAGGIO, MIKLAVE) FIVE VOTES OPPOSED (DULEEP, IGNERI, KYDES, PENA, WATTS)**

VIII. RESOLUTIONS FROM COMMON COUNCIL - As noted above under Finance Committee.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE.

X. SUSPENSION OF RULES

XI. ADJOURNMENT

**** MR. PEÑA MOTIONED TO ADJOURN.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Marilyn Knox,

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Telesco Secretarial Services