

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

Mayor Rilling called the meeting to order at 7:30 p.m. and led the Assembly in reciting the Pledge of Allegiance.

## **I. ROLL CALL**

Ms. King called the Roll:

The following Common Council members were present:

Council at Large:	Richard Bonenfant	Douglas Hempstead
	Glenn Iannaccone	Bruce Kimmel
	Sharon Stewart	
District A:	Eloisa Melendez	David Watts
District B:	Phaedrel Bowman	Travis Simms
District C:	John Kydes	Michelle Maggio
District D:	Shannon O'Toole-Giandurco	Jerry Petrini
District E:	David McCarthy	John Igneri

There were fifteen (15) Common Council members present. A quorum was present.

Mayor Harry Rilling, Attorney Mario Coppola and City Clerk Donna King were also present.

## **II. ACCEPTANCE OF MINUTES**

**Regular Meeting(s): November 12, 2013**

- \*\* MR. MCCARTHY MOVED TO ACCEPT THE MINUTES AS PRESENTED**
- \*\* MOTION PASSED WITH EIGHT (8) ABSTENTIONS (MR. BONENFANT; MR. IANNACONE; MS. STEWART; MS. MELENDEZ; MS. BOWMAN; MR. KYDES; MS O'TOOLE-GIANDURCO; MR. SIMMS)**

**November 19, 2013**

- \*\* MR. MCCARTHY MOVED TO ACCEPT THE MINUTES AS PRESENTED**  
**\*\* MOTION PASSED UNANIMOUSLY**

## **II. PUBLIC PARTICIPATION**

Mr. Fred Bondi, King Street welcomed the new Common Council members and wished them good luck. He spoke in opposition to the approval of the Flock Dam even though it is a grant. He said that they did something similar with the Five Mile River, but it caused flooding to a lot of properties in Rowayton. He said that removing the Flock Dam will be detrimental to the Norwalk Yacht Club because the water will come rushing down the Norwalk River. He added that it may also be detrimental to the Waste Water Treatment plant. He said that the only gain will be that the fish will be able to swim upstream and spawn.

Ms. Deb Goldstein, Osborne Avenue thanked the Common Council members for their consideration of Elsa Obuchowski to the Oak Hills Authority. She said that she is a fine appointment.

There were no other members of the public who wished to speak.

## **IV. MAYOR**

### **A. RESIGNATIONS AND APPOINTMENTS**

Mayor Rilling announced the following resignations from the Oak Hills Authority:

RESIGNATIONS: Stephanie McLaughlin, Oak Hills Authority  
Bill Kementzidis, Oak Hills Authority

#### **APPOINTMENTS:**

#### **Gregory D. Burnett, Sr., Board of Estimate and Taxation**

- \*\* MR. IGNERI MOVED TO APPROVE THE APPOINTMENT OF MR. BURNETT TO THE BOARD OF ESTIMATE AND TAXATION**

Mr. Igneri spoke in support of this appointment and said that Mayor Rilling will be the third mayor in a row who has appointed Mr. Burnett to a board. He said that he has great experience.

Mr. Hempstead said that Mr. Burnett will be a great addition to the Board of Estimate and that he is a good choice.

Mr. Kimmel said that he supported the nomination. He said that he has enjoyed debates with Mr. Burnett; they were productive and good for the City.

**\*\* MOTION PASSED UNANIMOUSLY**

**Latanya Langley, Redevelopment Agency**

**\*\* MR. SIMMS MOVED TO APPROVE THE APPOINTMENT OF LATANYA LANGLEY TO THE REDEVELOPMENT AGENCY**

Mr. Simms spoke in support of this appointment. He said that Ms. Langley is a lifelong resident of Norwalk and an attorney for a major corporation in Norwalk. She is a great addition and is a rising star.

Mr. Hempstead said that Ms. Langley will bring a certain expertise to the Redevelopment Agency and that this is a good appointment.

**\*\* MOTION PASSED UNANIMOUSLY**

**Nora King, Zoning Commission**

**\*\* MR. IGNERI MOVED TO APPROVE THE APPOINTMENT OF NORA KING TO THE ZONING COMMISSION**

Mr. Igneri said that when he met Ms. King five years ago, she talked him into running for the Common council. He said that she will be very good on the Zoning Commission and will work hard to make Zoning in the City better.

Mr. Bonenfant said that he supported this appoint. He said that he has found Ms. King to be informative and fair minded.

Mr. Hempstead said that Ms. King brings a lot of expertise to the table and will do her due diligence.

Mr. Simms spoke in support of Ms. King's appointment to the Zoning Commission. He said that she has shown great leadership and is fair.

Mr. Watts spoke in support of Ms. King's appointment to the Zoning Commission and said that she is a great person and will do a great job.

**\*\* MOTION PASSED UNANIMOUSLY**

**Elsa Obuchowski, Oak Hills Authority**

**\*\* MS. MELENDEZ MOVED TO APPROVE THE APPOINTMENT OF  
ELSA OBUCHOWSKI TO THE OAK HILLS AUTHORITY**

Ms. Melendez said that Ms. Obuchowski will be a great addition to the Oak Hills Authority.

Mr. Watts said that as Chair of District A, Ms. Obuchowski is willing to get involved and serve the City. This is a great appointment.

**\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MS. O'TOOLE-  
GIANDURCO)**

**William Waters, Oak Hills Authority**

**\*\* MR. PETRINI MOVED TO APPROVE THE APPOINTMENT OF  
WILLIAM WATERS TO THE OAK HILLS AUTHORITY**

Mr. Petrini spoke in support of Mr. Waters' appointment to the Oak Hills Authority and said that he will be a great addition.

Mr. Igneri said that he spoke with Mr. Waters who is a golfer and plays at Oak Hills. He said that he has ideas on how to improve Oak Hills.

**\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MS. O'TOOLE-  
GIANDURCO)**

**Michael Coffey, Zoning Commission (Alt)**

**\*\* MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF  
MICHAEL COFFEY TO THE ZONING COMMISSION**

Mr. McCarthy spoke in support of Mr. Coffey's appointment to the Zoning Commission. He said that he brings a lot of expertise to the table and will do his due diligence on the Zoning Commission and that he will serve the City well.

Mr. Kimmel spoke in support of Mr. Coffey's appointment and said that he is very practical and knows how to get things done. He has respect for the law and will be a good commissioner.

**\*\* MOTION PASSED UNANIMOUSLY**

**REAPPOINTMENTS:**

**Ernie DesRochers, Oak Hills Authority**

**\*\* MS. O'TOOLE-GIANDRUCO MOVED TO APPROVE THE REAPPOINTMENT OF ERNEST DESROCHERS TO THE OAK HILLS AUTHORITY**

Ms. O'Toole-Giandruco said that Mr. DesRochers has worked tirelessly for Oak Hills.

**\*\* MOTION PASSED WITH ONE (1) ABSTENTION (MS. O'TOOLE-GIANDURCO)**

**Rev. Jeffrey Ingraham, Fair Housing Advisory Commission**

**\*\* MS. BOWMAN MOVED TO APPROVE THE REAPPOINTMENT OF REV. JEFFREY INGRAHAM TO THE FAIR HOUSING ADVISORY COMMISSION**

Ms. Bowman said that Rev. Ingraham has the expertise and does great work in the community.

Mr. Watts said that Rev. Ingraham has been a mentor and a friend. He is also a graduate from the Yale Divinity School. He is an asset to the City.

**\*\* MOTION PASSED UNANIMOUSLY**

**MAYOR'S REMARKS**

Mayor Rilling commended everyone from both sides for contributing names and vetting people. He thanked those who put names forward.

Mayor Rilling said that he held his first Mayor's Night Out last night. It was a resounding success and 12 of the 15 Council Members were present along with the City Clerk, Ms. King. The three Council Members who were unable to attend, wanted to attend. Mayor Rilling said that he spent an hour and a half listening to the residents.

Mayor Rilling said that the Governor asked residents to keep December 14<sup>th</sup> in their hearts; it is a solemn anniversary. In keeping with his wishes, Mayor Rilling will ask all churches to ring their bells 26 times. In addition, there will be a moment of silence at St. Paul's Church.

## **V. COUNCIL PRESIDENT**

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

#### **RESIGNATIONS AND APPOINTMENTS**

##### **APPOINTMENTS:**

**\*\* MR. HEMPSTEAD MOVED TO APPROVE THE FOLLOWING APPOINTMENTS:**

Glenn Iannaccone, Historical Commission  
Rich Bonenfant, Facilities Construction Commission  
David McCarthy, WPCA  
Douglas Hempstead, WPCA  
John Kydes, Facilities Construction Commission  
Andy Conroy, Maritime Authority  
Shannon O'Toole-Giandurco, Maritime Authority  
Jerry Petrini, Maritime Authority  
Travis Simms, Maritime Authority

**\*\* MOTION PASSED UNANIMOUSLY**

### **B. CONSENT CALENDAR**

Mr. Hempstead commented that it is nice to see that there are a lot of programs celebrating the holidays in the City this year. He encouraged everyone to participate; it keep the small town feeling.

**\*\* MR. HEMPSTEAD MOVED THE FOLLOWING CONSENT CALENDAR:**

**6A1;**  
**7A1;**  
**7A2, 3, 4 (consent to send back to Committee); 7A5A; 7A5B**  
**7B1 6A, 6B; 7B1A; 7B1B; 7B3A; 7B3B;**  
**7C1**  
**7D1; 7D2; 7D3**

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

**A. CORPORATION COUNSEL**

**1. AUTHORIZE A TECHNICAL CORRECTION TO PREVIOUS ACTIONS OF THE COMMON COUNCIL BY REVISING THE GRANT OF AUTHORITY TO PERMIT MAYOR HARRY W. RILLING TO EXECUTE ALL DOCUMENTS PREVIOUSLY APPROVED FOR EXECUTION BY MAYOR RICHARD A. MOCCIA**

**VII. COMMON COUNCIL COMMITTEES**

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

**1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE MOAS WITH THE OF CONNECTICUT DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY FOR THE PARTICIPATION IN THE DEMHS EMERGENCY MANAGEMENT REGIONAL GRANT PROGRAM**

**2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO COLLABORATE WITH THE SOUTH WESTERN REGIONAL PLANNING AGENCY (SWRPA) `TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE STATE OF CONNECTICUT, OFFICE OF POLICY AND MANAGEMENT, UNDER THE REGIONAL PERFORMANCE INCENTIVE GRANT FY 2014, IN THE AMOUNT OF \$1,354,995, FOR THE CREATION OF A REGIONAL FIRE FLEET MAINTENANCE FACILITY AT 100 FAIRFIELD AVE, NORWALK. NO MATCH IS REQUIRED**

**NOTE: THE GRANT AMOUNT MAY BE ADJUSTED IF NECESSARY TO COMPLY WITH STATE OF CT GRANT GUIDELINES**

**3. AUTHORIZE THE FIRE CHIEF, DENIS MCCARTHY, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS AND AMENDMENTS THERETO AS MAY BE NECESSARY TO IMPLEMENT THE FY 2014 REGIONAL PERFORMANCE INCENTIVE GRANT, PURSUANT TO SUCH GRANT FUNDING**

**4. THE LEGISLATIVE BODY OF THE CITY OF NORWALK SHALL ADOPT A RESOLUTION AS FOLLOWS:**

**“THE COMMON COUNCIL OF NORWALK CONNECTICUT ENDORSES SWRPA'S EFFORTS TO ARRANGE FOR THE CREATION OF A REGIONAL FIRE FLEET MAINTENANCE FACILITY, AS PART OF THE STATE OF CONNECTICUT'S REGIONAL PERFORMANCE INCENTIVE PROGRAM, REFERENCED IN SECTION 5 OF PUBLIC ACT 11-61 ‘AN ACT CONCERNING RESPONSIBLE GROWTH.’”**

**5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE GRANT CONTRACTS BETWEEN THE CONNECTICUT STATE DEPARTMENT OF EDUCATION AND THE CITY OF NORWALK, CT UNDER THE SCHOOL READINESS AND CHILD DAY CARE GRANT PROGRAM FOR 2013- 14**

**5B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS AND AMENDMENTS THERETO AS MAY BE NECESSARY TO IMPLEMENT A SCHOOL READINESS AND CHILD CARE GRANT PROGRAM, PURSUANT TO SUCH GRANT FUNDING**

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

**1. RESCIND: COMMON COUNCIL ACTION OF OCTOBER 8, 2013 ITEM VII C. 6A AND 6B. WHICH AUTHORIZED THE FOLLOWING:**

**6A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO A.P. CONSTRUCTION COMPANY’S AGREEMENT FOR THE IMPLEMENTATION OF THE NARAMAKE SCHOOL IMPROVEMENT PROJECT, TO INCORPORATE A GUARANTEED MAXIMUM PRICE (GMP) IN THE AMOUNT OF \$3,851,979.00. ACCOUNT #’S 09045010 5777 C0321 & SPECIAL APPROPRIATION FOR STATE SHARE – ACCT. # TO BE DETERMINED**

**6B. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$203,598.00**

**NEW ACTION:**

**1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO A.P. CONSTRUCTION COMPANY’S AGREEMENT FOR THE CONSTRUCTION OF THE NARAMAKE SCHOOL IMPROVEMENT PROJECT, TO**



**INCORPORATE A GUARANTEED MAXIMUM PRICE (GMP) IN THE AMOUNT OF \$3,904,274.00  
ACCOUNT #'S 09045010 5777 C0321 & SPECIAL APPROPRIATION FOR STATE SHARE – ACCT. # TO BE DETERMINED**

**1B. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$189,636.00**

**3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH ARROW STEEL WINDOW CORPORATION FOR THE ROOSEVELT CENTER WINDOW REPLACEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$82,000.00  
ACCOUNT #09137100 5777 C0147 AND #09127100 5777 C0147**

**3B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$8,200.00**

**C. PERSONNEL COMMITTEE**

**1. AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH ESI FOR A THREE YEAR CONTRACT WITH CITY FOR PHARMACY BENEFITS**

**D. PUBLIC WORKS COMMITTEE**

**1. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO NORTHEAST ELECTRICAL DISTRIBUTORS, UNDER STATE BID CONTRACT 10PSX0090, FOR THE INSTALLATION OF 11 SYLVANIA 70 RETROFIT BULBS AS PART OF A RE-LAMPING PROJECT ON BELDEN AVENUE AND CROSS STREET FOR A SUM NOT TO EXCEED \$5,445.00  
ACCOUNT NO. 0903 040 40210 5777 C0234**

**2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO SIGN THE “ACCEPTANCE AGREEMENT” WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR THE ACQUISITION OF 5,638 SQUARE FEET OF CITY PROPERTY ON MADISON STREET FOR THE SUM OF \$37,000.00 FOR THE CONSTRUCTION OF THE REPLACEMENT OF 6TH WAYSIDE SUBSTATION FOR METRO NORTH RAILROAD**

**3. AUTHORIZE THE MAYOR, HARRY W. RILLING, ON BEHALF OF THE CITY OF NORWALK, TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH THE STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A GRANT FOR THE “ENGINEERING DESIGN AND PERMITTING FOR THE REMOVAL OF THE FLOCK PROCESS DAM ON THE NORWALK RIVER.” CONTRACT PSA #2011-11172, DATED 5/24/2011, TO EXTEND THE APPLICABLE TERM**

**\*\* MOTION PASSED UNANIMOUSLY**

Mr. Hempstead thanked the outgoing members of the Oak Hills Authority and the Redevelopment Agency for their service.

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

**\*\* MR. BONENFANT MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH A.V. TUCHY BUILDERS FOR THE INSTALLATION OF AN EMERGENCY GENERATOR AT CITY HALL FOR A TOTAL NOT TO EXCEED \$589,285.00  
ACCT. #09144071 5777 C0439.**

**AND TO AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$30,000**

Mr. Bonenfant explained that the amount authorized by the Land Use and Building Management Committee was different due to a discrepancy in the size of the generator. He said that this generator will service all of City Hall, including the Concert Hall, which is used during emergencies.

Mr. Kimmel said that the Committee was under the impression that the smaller generator would cover all of City Hall, including the Concert Hall. He said that the Concert Hall is used during heat waves or storms. Mr. Kimmel said that they need the larger generator if they want to cover the entire building.

**\*\* MOTION PASSED UNANIMOUSLY**

Mr. Hempstead rescused himself and left the Common Council Chambers.

**\*\* MR. BONENFANT MOVED TO APPROVE THE TECHNICAL CORRECTION:**

**COMMON COUNCIL ACTION OF OCTOBER 8, 2013 – ITEM VII. C. 5. SHALL BE CORRECTED TO REFLECT THE CORRECT ACCOUNT NUMBER AS FOLLOWS:**

**“AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH PETERSON ENGINEERING GROUP, LLC TO PREPARE AN INTEGRATED HVAC AND ENERGY ASSESSMENT OF CITY HALL, FOR A TOTAL AMOUNT NOT TO EXCEED \$49,250.00 ACCT. #09117100 5777 C0439. “**

Mr. Bonenfant explained that the account number was wrong. This is a new account number to go with the item. This item was approved in the previous Council.

**\*\* MOTION PASSED UNANIMOUSLY**

Mr. Hempstead returned to the Common Council Chambers.

### **C. PERSONNEL COMMITTEE**

**\*\* MR. IGNERI MOVED TO REJECT THE AGREEMENT BETWEEN CITY AND NASA UNION REGARDING THE CITY ATTORNEYS**

Mr. Kimmel said that he believed if they reject this item, it will go to binding arbitration. Attorney Coppola said that if they wish to discuss this further, it would be appropriate to go into executive session. Mr. Kimmel said that it was his understanding that the negotiations were complete and therefore, saw no reason to go into Executive Session.

Mr. Watts said that he respects the workers’ rights to organize. He said that the Common Council should reject the contract because of the way it was done. He said that they should create an Ordinance that once the election is over a mayor can’t do this. Mr. Watts said that they should reject the contract and allow the workers to get a good deal and to get a good deal for the City.

**\*\* MR. PETRINI MOVED TO GO INTO EXECUTIVE SESSION AT 8:12 P.M.**

**\*\* MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. KIMMEL)**

The Common Council members went into Executive Session at 8:12 p.m. and the public left the Common Council Chambers.

The Common Council members came out of Executive Session at 8:28 p.m. and the public returned to the Common Council Chambers.

**\*\* MR. IGNERI MOVED TO REJECT THE AGREEMENT BETWEEN CITY AND NASA UNION REGARDING THE CITY ATTORNEYS  
\*\* MOTION PASSED UNANIMOUSLY**

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

**\*\* MR. PETRINI MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH COASTLINE CONSULTING & DEVELOPMENT LLC (PROJECT #3365) FOR MAINTENANCE DREDGING OF THE VISITOR DOCK AREA OF VETERAN'S MEMORIAL PARK FOR A SUM NOT TO EXCEED \$380,000  
ACCOUNT #'S 0906-6410 5777 C0281, 09096410 5777 C0460, 09126130 5777 C0367**

Mr. Petrini explained the item and said that it began in May. He said that the most expensive part of the dredging is finding suitable capping material. He said that by law all dredging has to be done by February 1<sup>st</sup>. If this gets done this year, the State will reimburse the City 80% and the City will see significant savings. Mr. Petrini said that this is a perfect example of good government at work. The dredging will help a lot with the problems at the Donovan dock and the problem at the boat ramps at high tide.

Mr. Kimmel commented Mr. Petrini for getting this item here by this date. He said that dredging is so important to the city and is extremely complicated. He said that this is going to help a lot of businesses in the City.

**\*\* MOTION PASSED UNANIMOUSLY**

Mr. Hempstead announced that the next Common Council meeting has been cancelled. He said that tomorrow evening's Planning Committee is going to have a big overview and the Finance Committee is going to go over the revaluation process and the budget process.

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

There were none.

**X. SUSPENSION OF RULES**

There were none.

**XI. ADJOURNMENT**

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

There was no further business and the meeting was unanimously adjourned at 8:37 p.m.

ATTEST: \_\_\_\_\_  
Donna King, City Clerk