

**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 Rilling called the meeting to order at 7:30 p.m. and asked the Eagle Scout applicants to lead the assembly in the Pledge of Allegiance.

I. ROLL CALL

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

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

Mayor Harry W. Rilling; Attorney Mario Coppola, Corporation Counsel;
Donna King, City Clerk. Fifteen members present.

II. ACCEPTANCE OF MINUTES - Regular meeting – January 28, 2014

**** MR. MCCARTHY MOVED TO APPROVE THE MINUTES FROM THE
MEETING OF JANUARY 28, 2014 AS SUBMITTED
** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Mayor Rilling read the rules for public participation and asked City Clerk King to call those who signed up to speak to come forward when their names were called.

Comments represent summarizations of comments made, unless otherwise noted.

1. Alberto Bernardez stated he was the Assistant director for 32BJ, that he represented the workers at the Maritime Aquarium. He explained that the Maritime Aquarium receives funds from the state and they should not be in a position to displace people on the issue of wages. He stated those who were until recently working for the Norwalk Aquarium were making decent wages with benefits, and now, because of the actions of the Norwalk aquarium, those workers are not going to have a choice but to line up ... for public benefits. He said these are good decent residents that have made inroads on improving their lives and now how are they are to support their families. The council needs to now allow this and this is something we cannot accept. He then introduced those who had signed up to speak and he translated from Spanish to English.

PUBLIC COMMENTS – continued

2. Erika Aguilera, 21 Laura Street spoke about her background and job history and the loss of work by the cleaning workers and asked how they are to get their jobs back. She added that the Aquarium is treating them less than second class citizens and asked the council to please help them get their jobs back.
3. Carlos Laines, 20 Laura Street, spoke for his mother and said she is from Honduras, has four children, two at NCC, and she is worried about how to keep her family income and her children in college.
4. Judith Paz, 8 Trinity Place, has two children and spoke about the salary of when she started at \$6.25 per house to \$13.25 and earned vacation pay and 6 holidays. She stated her children are in Jefferson and now with her job loss she has been behind in rent and asked the Council to stop this action to give them their jobs back.
5. Ibette Aguilar, 21 Laura Street stated she has worked for seven years for the Maritime Aquarium and asked how they can do this to save \$43,000 out of \$15 million in revenue. She is very sad of the loss of jobs and begs the council to get the jobs back.
6. Carmen Sargent, SEIU Representative stated that cleaning workers have lost jobs and health insurance and she asked the Council to be aware of this situation. She said this affect the lives of many workers and the taxpayers will suffer the burden of the lay-off expense. The employees said they believe they lost their jobs because they belong to a labor union
7. Maria Alicia Alcantara, 40 Martin Luther King Drive said she is a single mother of three, and she came to Norwalk from Mexico in 2004. She stated that she has paid taxes and worked at the Aquarium for nine years before being let go on Dec. 31, and this decision by the Norwalk Aquarium put us in a very difficult situation for my co-workers and myself. My co-workers and I have to pay for rent, have to pay for food and other things. Please help us get our jobs back.
8. Maria Maya, 14 Fairfield Avenue said she is a single mother of three and her salary was eliminated and it is impossible to sustain living in Norwalk. They want to be part of the union as it is their right and asked how she can have hope in this country of dreams when she has lost hope.
9. Israel Navarro, 4 Lincoln Avenue spoke as a son of displaced workers, and said he feels it is not right for the workers to lose their jobs after being dedicated loyal workers for many years. He said he is proud to live in Norwalk and be a member of the Hispanic community, but they need to not be silent and it is important for their voices to be heard. It's time that the leaders rise up from within the community to protect the needs of the Latino community that for too long have been underserved by and they deserve to work for unions and to be treated fairly.
10. Peter Thor, stated that the Maritime Aquarium is wrong the way it terminated its contract with PMI and what has happened is not a legitimate layoff when people are losing their jobs because of union. He said this foolish endeavor by the Maritime Authority is not good business and is mistreatment to lay off workers because of unionization. This concept goes against fair trade which is woven into the fabric of this country, and the council needs to repair this.
11. Rev. Nellie Mann spoke in support of the workers and to note that the Aquarium receives \$500,000 from the Dept. of Economic and Community Development., is a taxpayer-funded organization, and pays almost no rent to the city for the building it uses in South Norwalk. Replacing their long term and loyal workers at poverty wages saves them \$43,000 which is less than 3/10 of a percent of the annual revenue of \$15 million, now there's no excuse for this, shame on you, Maritime. She asked who will care for the families, making sure they have food and clothing and as a part of the South Norwalk Community, said to the workers that she will be there for them, she will support them. She said she will be an advocate for them, and thanked the council for the opportunity to speak on their behalf.

PUBLIC COMMENTS – continued

12. Mr. John Mosby, 15 Adamson Avenue, Norwalk stated that he was a member of the AFSME Union and head of the Custodial Union for 35 years and came out of retirement on behalf of his son to right the poor treatment. He stated that he put together the contract which was one of the best for workers of this city. He said what is going on with the workers at the Maritime Aquarium is not right and these workers have a right to be in the union. He thanked Councilman Watts and Mr. Pena and Mangiacopra and others for having a rally. He reported that he has filed a complaint in Hartford on Freedom of Information because there is hidden information about contracts because they have been rigged. He stated that when he requested the contract it was a different one. He has asked why Corporation Counsel had gotten involved when under the charter this is not what is supposed to be for the Board. He said the Board of Education always uses their lawyer, they put the Corporation Counsel on me. We had a big fight up there, this is a violation of the charter — the BOE is separate from the city. He said he asked for the Board for answers and they fail to get back to him.

Mayor Rilling asked Mr. Mosby to keep his comments to matters on the Council agenda and that Board of Education matters are not part of the Council. Mr. Mosby asked the Mayor not to shut him down and said when the Corporation Council is involved in matters it does involve the City. He continued on and said if you don't do something with the Corporation Counsel he is getting ready to file charges against the Common Council. He added that's what he is trying to get across that they are violating the city charter, Mayor Moccia never did something like this, he let the board handle their own thing. I'm not against you Mayor, I'm trying to tell you about it.

Mayor Rilling again asked Mr. Mosby to keep comments to matters on the Council agenda and to wrap up his comments. Mr. Mosby said when the Corporation Council is involved in matters it does involve the City and that Board of Education matters are part of the Council. Mayor Rilling asked Mr. Mosby to stop his comments, and Mr. Mosby said he will continue to demand answers and he is suing the City. Mr. Mosby said he would not be bullied, you guys think you can do anything you want, but I'm going to warn this Common Council. We're not going to let you get away with this.

13. Mr. Mushak, 50 Elmwood Avenue stated that he supported the signing of documents for the Norwalk River Valley Trail. He explained that this is a 20 mile bike trail from Norwalk to Danbury that begins at Union Park and extends along New Canaan Avenue. He then spoke about the Maritime Aquarium and noted that the City has forgiven \$35 million in public debt, which was very generous decision to allow the center to keep the doors open. He applauds all those for legitimatizing the labor issue for working together to find a resolution and hopes that a solution can e found. He also spoke in support of the recommended appointments on the agenda and in particular the current alternates that are experienced and will move up to serve as regular board member positions.

14. Andy Conroy, 17 Old Witch Court, Norwalk clarified that the lease for the Aquarium on consent is to table the item. He stated that he supported the appointments of the current alternates on the ZBA to the regular board positions. He stated that this fills out the Board, makes it functional, the alternates have experience and he is confident they will use this with their good judgment in their positions.

Mayor Rilling asked if there were others who wished to make comments, and hearing none closed the Public Participation portion of the meeting at 8:10 p.m.

RESIGNATIONS AND APPOINTMENTS --

RESIGNATIONS: Gregg Burnett - Board of Health Commission

Mayor Rilling noted the above resignation is accepted as Mr. Burnett has been appointed to serve on the Board of Estimate and Taxation.

APPOINTMENTS: Meggan Douglas – Board of Assessment Appeals (Alternate)
Judith Metzger – Board of Assessment Appeals (Alternate)
Steve Scatamacchia – Board of Assessment Appeals (Alternate)

Mayor Rilling asked to move the above three appointments together as one item.

**** MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENTS OF
MEGGAN DOUGLAS, JUDITH METZGER, STEVE SCATAMACCHIA TO THE
BOARD OF ASSESSMENT APPEALS FOR TERMS TO EXPIRE 09/30/2015.**

**** THE MOTION PASSED UNANIMOUSLY.**

Steve Ferguson – Planning Commission

**** MR. SIMMS MOVED TO APPROVE THE APPOINTMENT OF STEVE
FERGUSON TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE
07/01/2017.**

**** THE MOTION PASSED UNANIMOUSLY.**

Joseph Beggan – Zoning Board of Appeals (Regular)

Jennifer Campbell - Zoning Board of Appeals (Regular)

Keith Lyons - Zoning Board of Appeals (Regular)

**** MR. PETRINI MOVED TO APPROVE THE APPOINTMENT JOSEPH
BEGGAN TO THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE
11/01/2018.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. HEMPSTEAD MOVED TO APPROVE THE APPOINTMENT OF
JENNIFER CAMPBELL TO THE ZONING BOARD OF APPEALS FOR A
TERM TO EXPIRE 11/01/2018.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Hempstead noted that all three individuals represent dedicated members that have served as alternates and moving them up to regular members acknowledges their experience and service.

**** MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF KEITH
LYONS TO THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE
11/01/2014. (FILLS UNEXPIRED TERM OF L. FAN, ALT)**

**** THE MOTION PASSED UNANIMOUSLY.**

APPOINTMENTS--continued

Lee Levey - Zoning Board of Appeals (Alternate)

Juanita Olquin - Zoning Board of Appeals (Alternate)

**** MR. KIMMEL MOVED TO APPROVE THE APPOINTMENT OF LEE LEVEY AS AN ALTERNATE ON THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE 11/01/2015 (FILLS UNEXPIRED TERM OF J. BEGGAN, ALT).**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. WATTS MOVED TO APPROVE THE APPOINTMENT OF JUANITA OLQUIN AS AN ALTERNATE ON THE ZONING BOARD OF APPEALS FOR A TERM TO EXPIRE 11/01/2017.**

(FILLS UNEXPIRED TERM J. CAMPBELL ALT)

**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENT: Kenneth Lalime – Board of Health Commission

**** MS. O'TOOLE-GIANDURCO MOVED TO APPROVE THE APPOINTMENT OF KENNETH LALIME TO THE BOARD OF HEALTH COMMISSION FOR A TERM TO EXPIRE 12/01/2015 (FILLS UNEXPIRED TERM OF G. BURNETT).**

**** THE MOTION PASSED UNANIMOUSLY.**

MAYOR COMMENTS:

Mayor Rilling thanked Councilmen Igneri, Petrini and Watts and that they had met earlier with Aquarium representatives. He reported that they are trying to resolve this in way that will meet everybody's needs and we do appreciate those workers being here tonight. He added that the council has tabled action on the proposed lease renewal until their March 11 meeting, and will send the lease proposal to the Maritime Authority for review.

Mayor Rilling announced that the CT Fair Housing Authority will hold a seminar on avoiding foreclosures to be held at City Hall on March 19.

Ms. Maggio asked to acknowledge the Boy Scouts in attendance and that they did not have to stay for the remainder of the meeting. Mayor Rilling thanked them for attending and noted that this was an experience to witness the local government process in connection with their Eagle Scout community involvement.

V. COUNCIL PRESIDENT

Mr. Hempstead acknowledge the passing of former council woman Doris Ross and noted that she was a dedicated community leader who served on the council for eight years. He added that

the service for her speaks volumes as to the memory of appreciation for her leadership for Norwalk.

Mr. Hempstead noted that the Council work session on goal setting was postponed because of the service for Doris Ross, and it will be held next Saturday, February 15.

CONSENT CALENDAR

- ** MR. HEMPSTEAD MOVED THE CONSENT CALENDAR AS FOLLOWS:
VI. A.1 (move to end) VII. A.1, A2, A3, A4. C.1(on consent to table until 03/11/14).**
- ** MOTION TO APPROVE THE CONSENT CALENDAR PASSED
UNANIMOUSLY.**

Items on the Consent Calendar are in bold as follows:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

- 1. Authorization to settle claim – Sandra Lee Guytan V. City of Norwalk, et al –
(On consent to move to the end of the agenda)**

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

- 1. Authorize the Director of Public Works to pay the State of Connecticut, Department of Transportation, the required Demand Deposit of \$2,986.38 in connection with the State Project No. 102-299, Federal Aid Project TEA-PEDS (56), Norwalk River Valley Multi-Purpose Trail Account No. 09 03 40 4021 5777 C0234**
- 2. Authorize the Mayor, Harry W. Rilling to execute an Amendment to the Agreement with X-Pert General Services for Project TRF 2013-1 On-Call Fiber Optic Installation for Traffic, for a sum not to exceed \$20,000.00 Account No. 09 03 41 4120 5777 C0232**
- 3. Approve the 2013 4th Taxing District property extensions**
- 4. Authorize the Mayor, Harry W. Rilling, to execute the First Amendment to the agreement with Urban Engineers, Inc. for State Project 102-347 Traffic Signal Upgrade – Phase 3 for a sum not to exceed \$100,000.00 Account No. 0913 0404 0310 5777 C0514.**

C. PLANNING COMMITTEE

- 1 Authorize the Mayor to sign the Amended and Restated Lease by and among the City of Norwalk and the Maritime Aquarium
ON CONSENT TO TABLE UNTIL MARCH 11 MEETING.**

B. LAND USE & BUILDING MANAGEMENT

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 11, 2014
REGULAR MEETING MINUTES**

1. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Jaffe Holden Acoustics, Inc. for the design of assisted listening devices for Norwalk City Hall facilities for a total not to exceed \$10,000.00 Acct. #09141000 5779 C0536.

Mr. Bonenfant moved the item for discussion, and asked Mr. Bovilsky, Director of Human Relations to come forward to explain the item. Mr. Bovilsky explained that this was part of the approved ADA items needed for compliance with guidelines to accommodate the hearing impaired. He noted that the devices would be in the concert Hall, Community Room, and meeting rooms 101 and 231.

Mr. Kimmel noted that proper signage would be necessary on how to use the devices along with the need to publicize that these devices are available. Mr. Bovilsky replied that they are in the process of having signs on the doors along with the symbols listed on meeting notices. He added that this is a part of communication requirements as a reasonable accommodation request.

Mayor Rilling noted that this could be included in the disclaimer statement that is read prior to all council meetings the way it is now announced that the meeting is being taped for audio and video viewing.

Mr. Hempstead asked to have Adam present the ADA compliance items to the new members, and Mr. Bovilsky replied that it is currently posted on the website.

**** MR. BONENFANT MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH JAFFE HOLDEN ACOUSTICS, INC. FOR THE DESIGN OF ASSISTED LISTENING DEVICES FOR NORWALK CITY HALL FACILITIES FOR A TOTAL NOT TO EXCEED \$10,000.00 ACCT. #09141000 5779 C0536.**

**** MOTION TO APPROVE PASSED UNANIMOUSLY.**

2a. Authorize the Purchasing Agent to issue a Purchase Order to Electrical Services Group, LLC for the Norwalk Concert Hall – House Lighting Dimming System Improvement Project for a total not to exceed \$18,580.00. Acct. # 09144071 5777C0439

2b. Authorize the Office of Building Management to issue Change Orders for a total not to exceed \$1,858.00

Mr. Bonenfant moved the items for discussion, and asked Mr. Lo, Director of Building Services to come forward to explain the item. Mr. Lo explained that as witnessed during last year budget hearings, the electrical system would dim or go on and off without operating the control panel. He noted that the item was put into this year's budget and on for approval to the Building and Land Use Committee.

**** MR. BONENFANT MOVED TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO ELECTRICAL SERVICES GROUP, LLC FOR THE NORWALK CONCERT HALL – HOUSE LIGHTING DIMMING SYSTEM IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$18,580.00. ACCT. # 09144071 5777C0439.**

**AND TO AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE
CHANGE ORDERS FOR A TOTAL NOT TO EXCEED \$1,858.00**

**** MOTION TO APPROVE PASSED UNANIMOUSLY.**

Land Use & Building Management – continued.

3a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with South Norwalk Electric Works (SNEW) for the installation of a photovoltaic ground mounted panel system at the Fire Headquarters property. City's share shall be for a total not to exceed \$32,664.00
Account #'s 0913/147100 5777 C0149

3b. Authorize the Mayor, Harry W. Rilling, to execute any and all documents with the State of Connecticut as necessary for the City to utilize portion of State property at the Norwalk Fire Headquarters property, for the installation of a photovoltaic system

Mr. Bonenfant moved the items for discussion, and asked Mr. Lo to explain the item. Mr. Lo explained that the solar cell panel system is about three to eight feet and generates 18 Kilowatts of power. It was noted that the while it may take longer for the investment to pay back over time, the collaboration with SNEW is a great opportunity to pursue solar energy.

**** MR. BONENFANT MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SOUTH NORWALK ELECTRIC WORKS (SNEW) FOR THE INSTALLATION OF A PHOTOVOLTAIC GROUND MOUNTED PANEL SYSTEM AT THE FIRE HEADQUARTERS PROPERTY. CITY'S SHARE SHALL BE FOR A TOTAL NOT TO EXCEED \$32,664.00. ACCOUNT #'S 0913/147100 5777 C0149. AND TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS WITH THE STATE OF CONNECTICUT AS NECESSARY FOR THE CITY TO UTILIZE PORTION OF STATE PROPERTY AT THE NORWALK FIRE HEADQUARTERS PROPERTY, FOR THE INSTALLATION OF A PHOTOVOLTAIC SYSTEM.**

**** MOTION PASSED UNANIMOUSLY.**

Mr. Bonenfant thanked the members for allowing the committee to present these items in detail directly to the Council, because their meeting was cancelled due to last week's snow storm.

A. CORPORATION COUNSEL

1. Authorization to settle claim – Sandra Lee Guytan V. City of Norwalk, et al –

**** MR. HEMPSTEAD MOVED TO ENTER INTO EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION OF CLAIM: SANDRA LEE GUYTAN V. CITY OF NORWALK.**

**** MOTION PASSED UNANIMOUSLY.**

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 11, 2014
REGULAR MEETING MINUTES**

The meeting entered into Executive Session at 8:45 p.m. with Council Members in attendance as listed above. The meeting was reconvened into Public Session at 9:10 p.m.

**** MR. HEMPSTEAD MOVED TO ACCEPT THE LEGAL DEPARTMENT'S
RECOMMENDATION TO SETTLE THE CLAIM BY SANDRA LEE GUYTAN
V. CITY OF NORWALK.**

**** MOTION PASSED UNANIMOUSLY.**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE – none

X. SUSPENSION OF RULES - none

XI. ADJOURNMENT

**** MR. HEMPSTEAD MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Marilyn Knox;
Telesco Secretarial Services