

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:

June 14, 2016

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

REAPPOINTMENTS:

MAYOR'S REMARKS:

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

1. Approval of Charter Questions for 2016 Ballot:

- a) Shall the term of the Mayor and Town Clerk be changed from 2 to 4 years?
- b) Shall the offices of City Treasurer, City Sheriff and Selectman be eliminated?
- c) Shall the annual salary of each Common Council member be set at two percent (2%) of the base salary of the Mayor?
- d) Shall all Charter references to members of the Common Council be gender-neutral?

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

Michelle L. Coppola, Ethics Board

REAPPOINTMENTS:

B. CONSENT CALENDAR

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

B. BOARD OF ESTIMATE AND TAXATION

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

1. Approve a special capital appropriation in the amount of \$83,000 to fund the Removal of underground Storage Tanks (09163110-5777-C0542).

B. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to sign the contract renewal with Emergency Communication Network (ECN) for the Code Red Emergency Notification system unlimited service for the period of July 1, 2016 to June 30, 2017, in the amount of \$37,500. Account #: 013160-5258

VIII. RESOLUTIONS FROM COMMON COUNCIL

**PROMOTION OF SAFE PRACTICES IN AREAS WHERE RESIDENTIAL
AND INDUSTRIAL NEIGHBORHOODS MEET**

Sponsored by:

Thomas P. Livingston, Phaedrel L. Bowman, Richard J. Bonenfant, Michael R. Corsello, Michael DePalma, Shannon O'Toole - Giandurco, Douglas Hempstead, John E. Igneri, Bruce I. Kimmel, John T. Kydes, Michelle A. Maggio, Eloisa M. Melendez, Nicholas Sacchinelli, Steve Serasis, Travis L. Simms

WHEREAS, the Common Council acknowledges that Norwalk residents throughout the City have voiced their concerns about the safety and health hazards posed by AMEC Carting; and

WHEREAS, AMEC Carting has been out of compliance with City Zoning regulations and, in light of this, the Common Council hereby expresses its concern about the need to ensure compliance with current City, State and Federal laws and regulations; and

WHEREAS, in particular, the Common Council declares the City's intent that AMEC Carting and all entities conducting business in the City operate in compliance with applicable laws, ordinances and regulations, including Article 70 of the City's Building Zone Regulations.

THEREFORE, be it resolved that the Common Council of the City of Norwalk, Connecticut, reaffirms the importance of upholding and enforcing all applicable laws, regulations and ordinances intended to protect the general health, safety and welfare of the community and in particular those intended to protect neighborhoods surrounding industrial properties; and

THEREFORE, be it further resolved that the applicable City departments take prompt action, including the commencing of civil litigation, if appropriate, in situations where industrial companies are out of compliance with applicable laws and/or regulations; and

THEREFORE, be it further resolved that the Common Council recommends that any bidder who bids on a City contract while being out of compliance with any law and/or regulation be disqualified on the basis of being "not responsible" until such time as the bidder remedies any violation in order to return to full compliance with all applicable laws and regulations.

- IX. **MOTIONS POSTPONED TO A SPECIFIC DATE**
- X. **SUSPENSION OF RULES**
- XI. **ADJOURNMENT**

APPOINTMENTS

ETHICS BOARD

C

Chapter 32-12

MICHELLE L. COPPOLA (R)

Term Expires – 3/10/2018

3 Susan Court
Norwalk, CT 06851

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 7:45 p.m. and led the assembly with the pledge of allegiance and asked all to remain standing. Mayor Rilling gave a memorial acknowledgement on the mass shooting in Orlando, Florida and recalled the tragic events in Sandy Hook, CT that shocked our nation with sadness and mourning of the loss of 26 lives. He expressed sympathy to the loved ones in Orlando for their loss and called for a moment of silence in their memory.

City Clerk King read the notice that this meeting is being video taped and audio recorded for public broadcast, and assisted listening devices are available.

I. ROLL CALL

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

Council at Large:	Mr. Richard Bonenfant	Mr. Doug Hempstead
	Mr. Michael Corsello	Mr. Nick Sacchinelli
	Mr. Bruce Kimmel, Council President	
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:	Ms. Faye Bowman	Mr. Travis Simms
District C:	Mr. John Kydes	
District D:	Ms. Shannon O'Toole-Giandurco	
District E:	Mr. Thomas Livingston	Mr. John Igneri

Mayor Harry Rilling; Attorney Mario Coppola, Corporation Counsel; Donna King, City Clerk; 13 present. Absent: Michelle Maggio, Michael DePalma

II. ACCEPTANCE OF MINUTES - Regular Meeting – May 24, 2106

- ** MR. SIMMS MOVED TO APPROVE THE MINUTES FROM THE MEETING OF MAY 24, 2016 AS SUBMITTED.**
**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION – None

Mayor Rilling asked if there was anyone who wished to speak and hearing none, closed the public participation portion of the meeting at 7:50 p.m.

MAYOR:

RESIGNATIONS/APPOINTMENTS/REAPPOINTMENTS: None

MAYOR'S REMARKS

Mayor Rilling noted the following upcoming events:

June 16: Vigil for Orlando sponsored by the Interfaith Council in front of the Concert Hall at 7pm.

The Mayor congratulated the students and parents of those who are graduating this week, noting that tonight was Norwalk High and tomorrow is Brien McMahon. He added that the City is very proud of the many accomplishments by the students and faculty of the district.

COUNCIL PRESIDENT

CONSENT CALENDAR

Mr. Kimmel asked Mr. Serasis to present the consent calendar and noted that the next meeting consent calendar would be read by Mr. Simins.

**** MR. KIMMEL MOVED THE CONSENT CALENDAR AS PRESENTED
FOLLOWS:**

**VII.A.2a, VII.A.2b, VII.A.2c, VII.A.3a, VII.A.3b, VII.A.3c, VII.A.3d, VII.A.4a, VII.A.4b,
VII.A.4c, VII.A.4d, VII.A.5a, VII.A.5b, VII.A.6a, VII.A.6b, VII.C.1, VII.c.2, VII.D.1,
VII.D.2, VII.D.3a, VII.D.3b, VII.E.1, VII.E.2, VII.E.3, VII.E.4, VII.E.5, VII.E.6, VII.E.7,
VII.E.8, VII.E.9, VII.E.10, VII.E.11, VII.E.12, VII.E.13, VII.E.14, VII.E.15**

**** MOTION TO APPROVE THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

Consent Calendar items:

Items on the Consent Calendar are in bold as follows:

VII. COMMON COUNCIL COMMITTEES

A. LAND USE AND BUILDING MANAGEMENT COMMITTEE

2a. Approve Norwalk Facilities Construction Commission (NFCC) to act as the Norwalk School Building Committee for the West Rocks Middle School exterior windows and doors replacement project.

2b. Authorize the preparation of schematic drawings and outline specifications for the West Rocks Middle School exterior doors replacement project.

2c. Authorize the filing of a school grant application to the State Department of Administrative Services for the West Rocks Middle School exterior windows and doors replacement project.

Consent Calendar – continued

3a. Authorize the Purchasing Agent to issue a purchase order to Connecticut Business System for smart boards for Nathan Hale Middle School and Norwalk Early Childhood Center (NECC) in an amount not to exceed \$30,813.00. Acct # 0917-5010-5777-CO112.

3b. Authorize the Purchasing Agent to issue a purchase order to The Ergonomic Group for Laptops and Chromebooks for schools in an amount not to exceed \$205,738.00. Account #0917-5010-5777-C0112.

3c. Authorize the Purchasing Agent to issue a purchase order to Apple Inc. for iPads for NHMS TTO Program in an amount not to exceed \$3,790.00. Acct #0917-5010-5777-C0112.

3d. Authorize the Purchasing Agent to issue a purchase order to CDW-G for Chromebooks Carts & TV for NHMS TTO in an amount not to exceed \$17,051.80. Acct # 0917-5010-5777-C0112

4a. Authorize the Purchasing Agent to issue the following purchase order to Pearson for CCSS-Aligned *my/World Geography* 6th and 7th Grade Textbooks for a total not to exceed \$112,186 plus a contingency of \$11,218. Account #09 155010 5777 C0538.

4b. Authorize the Purchasing Agent to issue the following purchase order to TCI for CCSS-Aligned GA! Regions and People 6th and 7th grade supplemental materials for a total not to exceed \$17,400 plus a contingency of \$1,740. Account #09 155010 5777 C0538.

4c. Authorize the Purchasing Agent to issue the following purchase order to McGraw Hill Education for CCSS-Aligned DOP US History Early Years 8th Grade Textbooks for a total not to exceed \$55,699 plus a contingency of \$5,569. Account #09 155010 5777 C0538.

4d. Authorize the Purchasing Agent to issue the following purchase order to Vista Learning for CCSS-Aligned French (D'Accord) and Spanish (Descubre) Level 3 Textbooks for a total not to exceed \$30,690 plus a contingency of \$3,069. Account #09 155010 5777 C0538.

5a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Southport Contracting Inc. for HVAC piping replacement at DPW Administration Building for a total not to exceed \$85,000.00. Accounts #09157100 5777 C0119 and #09157100 5777 C0476

5b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$8,500.00.

6a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with New England Energy Control Inc. (NEEC) to upgrade controls on heating ventilator units at DPW Vehicle Maintenance/Fleet Garage for a total not to exceed \$28,000.00. Account #09167100 5777 C0119 and #09157100 5777 C0476.

Consent Calendar – continued

6b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$2,800.00.

B. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept grant funds from the Department of Justice under the FY2016 Edward Byrne Memorial Justice Assistance Grant, in the amount of \$33,712.00.

C. PUBLIC WORKS COMMITTEE

**1. Authorize the Mayor, Harry W. Rilling, to execute an Agreement for design services with Norwalk Transit District to revise design plans for the Norwalk River Valley Trail for an amount not to exceed \$13,500. (Scope of services dated May 20, 2016 attached).
Account No: 09 16 4021 5777 C0407**

2. Authorize the Purchasing Agent to issue a Purchase Order to Traffic & Parking Control Co., Inc. DBA/TAPCO for the purchase of 10 Axis Q6045-E MK II PTZ Dome cameras and 10 Pendent Mount Kits for a total not to exceed \$28,500.00. Account No: 09 14 4021 5777 C0528

D. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Harry W. Rilling to enter into an agreement with the Corporate Fun Run Inc. for the use of Cranbury Park for a Corporate Fun Run Fairfield County 5K to be held Thursday, July 28, 2016 from 5:00 PM – 9:30 PM. Set up to take place Thursday, July 28, 2016 at 10:00 AM with tear down no later than Friday, July 29, 2016 at 10:00 AM. Estimated attendance 500.

**2. Authorize the Mayor, Harry W. Rilling to enter into an agreement with the CT Yankee Council for the use of Taylor Farm on Saturday, September 17, 2016 and Sunday, September 18, 2016 from 10:00 AM Saturday – 10:00 AM Sunday for a Norwalk Scouting Adventure overnight. Set up to take place Friday, September 16, 2016 at 10:00 AM with tear down no later than Sunday, September 18, 2016 at 10:00 AM.
Estimated attendance 100.**

3a. Authorize the Mayor, Harry W. Rilling to enter into a contract with Corner Stone Restoration Project #3674 Building Façade Repairs – Gallaher Mansion House for the sum not to exceed \$79,222.00. Account #09166030- 5777-C0366.

3b. Authorize the Director, Recreation and Parks to issue change orders on contract with Corner Stone Restoration Project #3674 Building Façade Repairs – Gallaher Mansion House for a sum not to exceed \$8,000.00. Account #09166030-5777-C0366.

Consent Calendar – continued

E. FINANCE COMMITTEE

- 1. Accept and Approve the Report of the Claims Committee Dated: June 9, 2016**
- 2. For informational purposes only: Narrative on Tax Collections dated June 9, 2016.**
- 3. For informational purposes only: Monthly Tax Collector’s Report Dated: May 31, 2016.**
- 4. Authorize Mayor, Harry W. Rilling to execute all documents necessary for the City of Norwalk to be a fiscal agent to a new School Readiness provider for the Ben Franklin and Nathaniel Ely sites.**
- 5. Authorize the Mayor, Harry W. Rilling, to execute a Software License and Service Agreement with Software Consulting Associates for the licensing and services of MuniCity for a cost not to exceed \$153,199.00, accounts 09120600-5777-C0375 and 013410-TBD.**
- 6. Authorize the Mayor, Harry W. Rilling, to sign a Letter of Agreement regarding the agreement of Software Consulting Associates, CRCOG, and the City of Norwalk, as one of the members of the IT Services Cooperative, commencing June 23, 2016 and ending June 30, 2021 with additional one-year option to renew.**
- 7. Authorize the Mayor, Harry W. Rilling, to submit an application to the State of Connecticut Department of Emergency Services and Public Protection for grant funds for Emergency Management Performance Grant which is approximately \$37,000.**
- 8. Closeout the following capital project, Health Department Security System Replacement with an available balance of \$6,400 (Account: 09152012-5777-C0552). APPROVED**
- 9. Resolution: Approve a special capital appropriation in the amount of \$6,400 to fund HVAC repairs at the Health Department building (Account: 09162012-5777-C0453).**
- 10. Authorize Mayor, Harry W. Rilling to execute General Liability, Automobile Liability, UM/UM, Employee Benefits Liability, Law Enforcement Liability, Public Officials Liability, School Leaders Liability, Umbrella Liability and Automobile Physical Damage insurance placements for the one year period beginning July 1, 2016 with Connecticut Interlocal Risk Management Agency (CIRMA) for an amount not to exceed \$486,099 for FY 16-17. Account #161343-541N, 165053-541N**
- 11. Authorize Mayor, Harry W. Rilling to execute Commercial Property and Boiler & Machinery insurance placements for the FY 2016-17 with A. J. Gallagher for an amount not to exceed \$475,000. Account #161343-541N, 165053- 541N.**

Consent Calendar – continued

Consent Calendar – continued

12. Authorize Mayor, Harry W. Rilling to execute Excess Workers' Compensation insurance placements for the FY 2016-17 with H. D. Segur, Inc. for an amount not to exceed \$147,175. Account #161343-541N, 165053-541N.

13. Authorize Mayor, Harry W. Rilling to execute Crime Insurance placements for the FY 2016-17 with CIRMA for an amount not to exceed \$2,626. Account #161343-541N, 165053-541N.

14. Authorize Mayor, Harry W. Rilling to execute Flood insurance placements for seven (7) separate locations and placements the FY 2016-17 with National Flood Insurance Program - Middlesex Mutual Assurance Co. for a total amount not to exceed \$78,017. Account #161343-541N, 165053-541N.

15. Authorize Mayor, Harry W. Rilling to execute TULIP insurance placements for the FY 2016-17 with Shoff Darby for a total amount not to exceed \$9,000. Account #161343-541N, 165053-541N.

**VIII. RESOLUTIONS FROM COMMON COUNCIL
PROMOTION OF SAFE PRACTICES IN AREAS WHERE RESIDENTIAL
AND INDUSTRIAL NEIGHBORHOODS MEET**

On Consent to Table until the next meeting

The following agenda items were deliberated on the Council floor:

VI. DEPARTMENTS, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

For Fiscal Year 2015-2016:

RESOLVED, that a sum not to exceed \$1,100,000 be and the same is hereby transferred from Fund Balance to fund a Special Education's Development Fund subject to the implementation of a three year Memorandum of Understanding between the Board of Education and the City of Norwalk with the Board of Education contributing \$1,300,000 at the same time; and the third year funding to be mutually agreed upon based on analysis by the City and the Board of Education after review of their respective financials.

Mr. Kiminel presented and spoke in support of the item noting that bringing special education services back into the district will save the city approximately \$8.6 million over the next 10 years. He outlined that the special needs children in our schools, at the end of this program, will be getting top-flight quality education, and we will not be forcing kids to go to school miles and miles here and we'll be a model for other cities. He referred to a letter from the SPED Partners as submitted by Jeffrey Spahr expressing his support for the creation of the special fund outlined how students will benefit from the plan.

B. BOARD OF ESTIMATE AND TAXATION-- Continued

Mr. Kimmel read an excerpt of the letter is as follows:

...It is true that in the short run there will be an investment from the City and the District that needs to be made. However, this investment today will pay off for our students, families and community in the long run. Not only will the District and the City save money as these services are brought in house, but the students will receive much better services and support in a more inclusive environment...

Mayor Rilling thanked the Board of Estimate and Taxation for the hard work in evaluating and analyzing the impact of this transfer, as well as the Board of Education. He added that we are confident that the newest and latest CREC report will be adhered to and will improve our special education program in the city of Norwalk and reduce the cost of out of district placements.

**** MR. KIMMEL MOVED TO ADOPT THE RESOLUTION AS FOLLOWS:
RESOLVED, that a sum not to exceed \$1,100,000 be and the same is hereby transferred from Fund Balance to fund a Special Education's Development Fund subject to the implementation of a three year Memorandum of Understanding between the Board of Education and the City of Norwalk with the Board of Education contributing \$1,300,000 at the same time; and the third year funding to be mutually agreed upon based on analysis by the City and the Board of Education after review of their respective financials.**

**** MOTION PASSED UNANIMOUSLY.**

LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. RESOLUTION:

Whereas, pursuant to Public Act 14-98, Sec. 9(d), the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and Whereas, it is desirable and in the public interest that the City of Norwalk make an application to the State for \$625,000 in order to undertake the Improvements to Historic Buildings in Mill Hill Historic Park and to execute an Assistance Agreement.

Now, therefore, be it resolved by the Common Council

a) That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Public Act 14-98, Sec. 9(d)

b) That the filing of an application for State financial assistance by City of Norwalk in an amount not to exceed \$625,000 is hereby approved and that Mayor Harry W. Rilling is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of City of Norwalk.

Mr. Livingston moved the item and read the resolution.

Mr. Bonenfant explained that as was discussed in Committee, suggested language be added to the last sentence as follows:

Any modification to the land use agreement currently in place on Mill Hill historic property shall be approved by the Common Council.

There was discussion on the proposed amendment. Mr. Livingston noted that he was not in agreement with that modification as it could jeopardize the use of state funding. Mr. Igneri stated that he also was opposed to the modification.

Mr. Hempstead explained that he did not see problems with the language as it would protect the City's interests.

- ** MR. BONEFANT MOVED TO AMEND THE RESOLUTION LANGUAGE:
ANY MODIFICATION TO THE LAND USE AGREEMENT CURRENTLY IN
PLACE ON MILL HILL HISTORIC PROPERTY SHALL BE APPROVED BY
THE COMMON COUNCIL.**
- ** MOTION TO APPROVE THE AMENDMENT FAILED WITH THREE VOTES
IN FAVOR (BONENFANT, HEMPSTEAD, O'TOOLE-GIANDURCO) TEN
OPPOSED (CORSELLO, SACCHINELLI, KIMMEL, MELENDEZ, SERASIS,
BOWMAN, SIMMS, KYDES, LIVINGSTON, IGNERI) AND NO ABSTENTIONS.**
- ** MR. LIVINGSTON MOVED TO ADOPT THE RESOLUTION AS PRESENTED.**
- ** MOTION PASSED UNANIMOUSLY.**

B. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

2. Authorize the Police Chief, Thomas E. Kulhawik, to execute any and all agreements, documents, instruments and amendments thereto as may be necessary to implement all programs through the FY2016 Edward Byrne Memorial Justice Assistance Grant pursuant to such grant funding.

Ms. Bowman read the item and asked Lt. Bennett to come forward to field questions. He explained that it was funds to supplement expenses for unforeseen circumstances to secure properties as needed. He noted that the amount of non-matching was below \$33,000.

Ms. Bowman made suggestions that the wording be incorporated for grant funding clarification.

- ** MS. BOWMAN MOVED TO AUTHORIZE THE POLICE CHIEF, THOMAS E.
KULHAWIK, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS,
INSTRUMENTS AND AMENDMENTS THERETO AS MAY BE NECESSARY TO
IMPLEMENT ALL PROGRAMS THROUGH THE FY2016 EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT PURSUANT TO SUCH GRANT FUNDING.**
- ** MOTION PASSED UNANIMOUSLY.**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE – none

X. SUSPENSION OF RULES – none

XI. ADJOURNMENT

**** MR. IGNERI MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,
M. Knox; Telesco Secretarial Services

ATTEST _____
Donna King, City Clerk Date:

V. A. 1



**REPORT OF THE CHARTER REVISION COMMISSION TO THE
COMMON COUNCIL OF THE CITY OF NORWALK
APRIL 5, 2016**

I. Introduction

The Common Council, at its January 12, 2016 meeting, empaneled this Charter Revision Commission, pursuant to the procedure set out in Connecticut General Statutes Section 7-187, et seq., to consider specific changes in regard to the Charter of the City of Norwalk, adopted by Special Act of the Legislature in 1913, and revised and amended from time to time since then. Specifically, the Common Council sought recommendations of the Commission in regards to whether charter revisions should be proposed to the voters to:

1. Amend Section 1-166 to provide that the town and city election for the office of Mayor shall occur every four years rather than biennially
2. If the Mayoral term is increased to four years, then amend Charter Section 1-166 so there is a two-term limit for the Mayor
3. Investigate the possibility of extending the terms of Common Council members, the Town Clerk and other City officials to four years
4. Investigate the possibility of amending Charter Section 1-167 to correspondingly adjust the election of the members of the Board of Education, which are currently on the ballot "at each general municipal election"
5. Amend Charter Section 1-166 to remove all references to Selectman, City Treasurer and Sheriff
6. Amend Charter Sections 1-215 and 1-224 to remove all references to the salaries of City

officials; or, investigate the possibility of amending those sections so the Board of Estimate and Taxation sets the salaries of city officials

In carrying out its charge, the Commission held one organizational meeting, two public hearings, and three deliberation (i.e. work) sessions. It received testimony and written submissions from a number of members of the public, as well as from the Board of Education, the Registrars of Voters and other civic and/or political groups. It is notable that at both public hearings, there were speakers who asked that the Commission expand the scope of its consideration and proposals to include other subjects that were not included within the initial set of subjects that the Common Council requested the Charter Revision Commission to consider.

The Commission, due to the short timetable necessitated by the April 5 due date for its report, has (with one exception hereinafter noted) focused on that charge as its first priority, a focus that has not left sufficient opportunity to fully and seriously consider the policies and revisions that would be necessary to address the other matters raised before the Commission. The Commission further recognizes that, while the Commission does have the ability to consider matters beyond its charge, great deference is due to the Common Council that empaneled it on the question of scope, as that Common Council is comprised of the people's representatives, chosen by the electorate through the democratic process. The Commission does, nonetheless, acknowledge the value of the hearing process in bringing forward for further consideration and possible future Charter Revision Commission(s), proposals regarding Norwalk's governmental structure. Accordingly, in an Appendix to this report, the Commission transmits to the Council an overview of the subject matters outside of the Commission's charge that were brought forward at those hearings.

The following report is a summary of the results of the Commission's work, setting out those revisions to the Charter that the Commission is proposing, as well as address those items that were within the Commission's charge concerning which, after due consideration, the Commission proposes no changes.

II. Proposed Changes - Text and Discussion

The Commission proposes four sets of revisions to the Charter. These are addressed as follows, with each being captioned by the language that the Commission suggests as the ballot question language for each proposal that the Common Council chooses to send to the voters for action.

A. "Shall the term of Mayor and Town Clerk be changed from 2 to 4 years?"

The Commission is unanimous in its support of changes to the Charter that would extend the term of the Mayor and Town Clerk from two years to four years (Exhibit 1). In this regard, the Commission proposes certain revisions to the Charter that would preserve the current staggered biennial appointment of

members of the Board of Estimate and Taxation (Exhibit 2), as well as to provide for the filling of a vacancy in the office of Mayor at the next municipal election if that vacancy occurs early enough in the mayoral term (Exhibit 3). The Commission proposes that each of these three revisions be included on the ballot under the quoted ballot question above.

The reasons for adopting a four-year term for Mayor and Town Clerk are several. First, the members of the Commission believe that adoption of a four-year term will promote effective administration in both offices.

The Office of the Town Clerk, while selected as part of the political process, once elected is almost entirely administrative and ministerial in nature. The duties of that Office are both extensive and complex, involving maintaining the town's land records and vital statistics, as well as administering certain state functions such as the issuance of hunting and fishing licenses. The Town Clerk's office also plays an important role in the election process in regard to the issuance of absentee ballots. Given the extent and nature of the Town Clerk's responsibilities, the consensus of the Commission is that a four-year term gives even a new Town Clerk a sufficient period of time to familiarize himself or herself with those responsibilities and provide the voters with a sufficient track record to judge his or her success in that office.

While the office of Mayor is more political than that of the Town Clerk, the administrative duties of the Mayor are a core function of that office as well, and a large portion of the Mayor's time is spent overseeing the provision of basic municipal services. In this respect, the argument in favor of a four-year term is the same as for the Town Clerk, i.e., that a new Mayor has an extensive learning curve, and that a four-year term allows a Mayor sufficient time to learn the ropes of the position before being judged by the electorate on his or her performance in the job.

Beyond the purely administrative functions of the office, the Mayor has an important governmental role that has no equivalent in the Town Clerk -- that role in defining and promoting public policy on a wide range of local issues. This function is carried out in conjunction with the Common Council and other city bodies, and is a function not just of the Mayor's day-to-day involvement with municipal administration, but also and importantly: 1) as a function of the Mayor's appointment powers; and 2) the Mayor's role on city boards and commissions, most notably the Board of Estimate and Taxation, and the Police and Fire Commissions. In this area of public policy, the lengthening of the mayoral term to four years would allow the Mayor to focus on a longer time frame for policy decisions, enabling her or him to play a leadership role in

adopting policies that may require several years before they can be appraised in their full context by the electorate.

As the cost of mayoral election campaigns has increased over the last decades, our city is approaching a point where continued biennial elections contribute to a political culture where the Mayor (and the Mayor's prospective challengers) will need to fund-raise from the very beginning of the two year term in order to meet the financial demands of election or re-election. Shifting to a four-year term opens up a greater space for governing rather than campaigning and fundraising. And in conjunction with the longer-term policy focus discussed above, the four-year term creates greater possibilities for thoughtful and well-planned policy and leadership at the Mayoral level.

While the Commission does recognize the perception that less frequent elections provide fewer opportunities for voters to hold the Mayor accountable, the four-year term puts a Mayor in office for a long enough period to allow voters to fairly judge the entirety of that term at the next election.

The other concern that the Commission considered was the likelihood that in the "mid-term" municipal elections, i.e., the elections in which there is no Mayoral contest, there will be a fall-off in voter turnout. While the Commission recognizes that there will likely be some fall-off in voter turnout when there is no "top of the ticket", the Commission has chosen to recommend no other changes to municipal elected official terms or electoral timetables. It is the Commission's hope that the preservation of the established voting schedule in all other respects will minimize confusion in regard to the electoral process and continue to sustain turnout in the off-year elections, as voters elect their representatives to the Common Council, Board of Education and taxing district offices.

B. "Shall the offices of City Treasurer, City Sheriff and Selectman be eliminated?"

At the time of the adoption of the Charter in 1913, the offices of City Treasurer and City Sheriff had specific duties that were necessary to the City at that time. Throughout the years and as the result of various revisions to the Charter, these two offices have lost any real function in Norwalk's government. Likewise, the functions of the three Selectmen, already significantly limited by the original 1913 Charter, no longer exist in any real way.

Under these circumstances, the elimination of these offices should not effect the functioning of municipal government in any significant manner. Elimination would bring a small cost savings (each of these three offices carries a very small

salary under current Charter provisions), but perhaps more importantly, would allow the shortening of the municipal ballot to the point where at some elections municipal ballots may be printed on one side.¹

The proposal involves revising Charter Section 1-166 (Exhibit 1) to eliminate the offices in question, as well as deleting or revising specific Charter sections to delete both the salaries and the language regarding official functions of these positions, language that as noted above has been rendered superfluous by prior revisions to the Charter. (Exhibits 5 and 6)

- C. **Shall the annual salary of each Common Council member be set at two percent (2%) of the base salary of the Mayor?**

Section 1-225 of the Charter provides that "the compensation of all officers and employees of said City of Norwalk shall be fixed by the Council" with the exception of the compensation of the members of the Common Council itself, whose compensation is currently fixed at \$600 per year.

Service on the Common Council is important to the proper functioning of our municipal government, and is extraordinarily time-consuming for its members. The current compensation level, in place since 1980, does not approach a fair level of compensation for the time and effort most members of the Common Council give to the job. Nevertheless, the Commission did not envision any adjustment of the Council's compensation as giving a salary commensurate with the time and responsibility of a Council member's job.

Rather, the Commission recognizes that service on the Common Council is *and ought to be* primarily driven by the impulse towards public service, and that it would not benefit or improve our municipal government if compensation for Common Council members were set at a level high enough to attract candidates as a money-making opportunity. Still, it is only fair that Common Council members, who often informally and regularly expend out-of-pocket expenses in furtherance of their public role, receive a level of compensation that recognizes their service and ensures that this service is not inevitably a *money-losing* proposition for them.

1

The switch over the last decade from mechanical voting machines to optically-scanned, computer-tabulated paper ballots has resulted in the need at some elections for the paper ballot to be two sided, in order to accommodate all of the offices up for election. This has, in turn, resulted in some voter confusion and the failure of some voters to cast votes on the second side of the ballot. While ultimately this phenomenon must be addressed by ongoing voter education efforts, the Commission accepts that there is a value to being able to group all elective offices on one side of the ballot.

From the start, the Charter has wisely provided that the Common Council does not control its own compensation level. To date, however, this has been accomplished by fixing a dollar amount for Council compensation in the Charter itself. This approach has resulted in multiple decades passing between adjustments of Council compensation, which in turn has resulted in that compensation over time coming to represent only a fraction of that compensation's original value in real dollar terms.

The Commission's proposal would address this situation in two ways. First, it would re-set the Common Council compensation at a level that is more realistic than the current \$600 per year level. The proposed formula, 2% of the Mayor's base salary, would currently represent approximately \$2,281.70. (Exhibit 4). By contrast, \$600.00 in 1980 dollars (the year the current figure was adopted) is the equivalent of \$1,850.26 in 2016 dollars.² The proposed level, then, is not out of line with historical levels of Common Council compensation.

The second manner in which the Commission's proposal addresses the Council's compensation is by abandoning the approach of fixing that compensation in the Charter as a straight dollar amount, choosing instead to peg that compensation as a percentage of the Mayor's base salary. In that manner, neither the Council nor the Board of Estimate and Taxation would directly set the Council's compensation, but that compensation instead would be able to rise appropriately over time to reflect inflation. This latter goal could be achieved by introducing an annual percentage adjustment, but the Commission suggests that a fixed percentage of the Mayor's base salary is a simpler approach, readily understandable to the public and not requiring an ever-lengthening series of annual calculations, each based on prior years.

Likewise, the political process in Norwalk has historically kept the Mayor's salary in check, and the Commission does not see a great danger of the Common Council voting runaway mayoral salaries as a means towards increasing their own compensation.

Finally, it is worth noting that the fiscal impact of the proposed change would be minimal. By definition, the collective cost of 15 Common Council member salaries would be equal to 30% of the Mayor's base salary in total. This is well within the ability of the City's finances, and it will be well worth the expense if it encourages and supports the proper functioning of a public-spirited Common

² By comparison, the Common Council salary of \$300 per year set in 1933 would be worth \$5,416.60 in 2016 dollars, and the original Common Council salary of \$100 per year, effective January 1, 1914, would be worth \$2,365.25 in 2016 dollars.

Council.

- D. **Shall all Charter references to members of the Common Council be gender-neutral?**

This is the one proposal that falls outside of the Commission's original charge, but the Commission's members feel strongly that the time has come for this adjustment to be made. The existing Charter was adopted approximately seven years before the Twentieth Amendment assured women the right to vote, and as the one hundredth anniversary of the ratification of that Amendment approaches, it is fitting that the City of Norwalk take this step. While these revisions do not change the substance or structure of the Charter, they do represent a long-overdue and important recognition that our municipality's governing document should be free of language that would even suggest gender bias of any sort.

III. Items for Which No Change is Proposed - List and Discussion

A. Mayoral Term Limits

The Commission considered the question of whether or not a four-year mayoral term should be accompanied by a two-term limit on the office of Mayor, and has chosen to not recommend the adoption of term limits.

The strongest rationale for electoral term limits occurs in circumstances where the inherent advantages of incumbency are such as to create a permanent structural bias in favor of the incumbent office holder. This has not proven to be a difficulty in Norwalk's political system, and Norwalk voters over the years have proven themselves quite happy to eject incumbent mayors from office after one, two or more terms. Indeed, only one Mayor in the century-plus history of our current Charter has served more than 8 consecutive years, and in the end the advantages of years in office were insufficient to prevent his eventual loss of the office at the polls.

Term limits by their very nature deny the voters the ability to return to office a public official who is doing a good job and retains the support of a majority of the electorate. In a representative democracy, voters should be allowed the widest choice of potential candidates, and, absent the sort of significant systemic bias in favor of incumbents, the last thing that should disqualify a person from being elected to a particular office -- in this case Mayor -- is the fact that that person has

done the job well enough to earn repeated re-election in the past.

B. Common Council Terms

The Commission has chosen not to make any changes in the terms of the Common Council. While the administrative functions of the Mayor and the benefits of a four-year term help outweigh any loss of accountability in regard to that office, the same considerations are not as strong in regard to the Common Council. As the people's legislative representatives at the municipal level, members of the Common Council benefit from the close contact with the electorate that biennial elections entail.

From a campaign finance point of view, Common Council elections are markedly less expensive than mayoral elections, and biennial elections for the Common Council pose a much smaller risk of requiring constant fundraising than would continued biennial mayoral elections.

Finally, the Commission's members noted that, while the Charter does include provisions for the recall of a Mayor under some circumstances, there is no parallel provision in the Charter concerning members of the Common Council. Maintaining biennial elections for the Common Council serves this function, allowing the electorate frequent opportunities to vote out any Common Council member who is not performing his or her duties in a manner satisfactory to the voters.

C. Board of Education Electoral Schedule and Terms

Given the Commission's decision to not alter the terms of the members of the Common Council, the Commission has determined that it is not necessary or beneficial at this time to alter the terms of the Board of Education. The Commission also received input from the Board of Education at the beginning of the Charter Revision process, in which the Board of Education strongly opposed making any changes to the terms of its members.

IV. Conclusion

The Commission believes that the four proposed sets of revisions set forth above represent a thoughtful approach to maintaining the delicate balance between maintaining electoral accountability and allowing the executive offices of Mayor and Town Clerk to have terms that are more appropriately calibrated in length to promote administrative effectiveness and policy leadership. The Commission seeks to eliminate superfluous officers, and set Common Council

compensation that is fair to Common Council members and capable of adjusting for economic realities without further recourse to Charter Revision for those adjustments. Finally, the Commission proposes to the Common Council, and it hopes to the voters, that the language of the Charter be revised to be gender-neutral, so as to bring this document into conformance with modern norms of legislative drafting.

The Commission proposes that the proposed changes take effect as of the November 2017 municipal election. That is, if all the proposals are placed on the ballot and approved in November 2016, then in the November 2017 election, the candidates for Mayor and Town Clerk would be running for a four-year term, and there would be no candidates for City Treasurer, City Sheriff or Selectman (as those positions would no longer exist). Any change to the salaries of the members of the Common Council would take effect for the Common Council serving in the 2017-2019 term. In this manner, no office-holder, whether Mayor, Town Clerk or Common Council member, would be affected by any of these changes until after the next municipal election.

Finally, the Commission and its members wish to thank the Common Council and the public for the opportunity to serve Norwalk in this manner.

Respectfully Submitted

Charter Revision Commission

William Fitzgerald, Esq., Chair

Jerry E. Petrini, Vice-Chair

Glenn Iannaccone

Stephen B. Keogh, Esq.

Yvonne Rodriguez

Mary B. Roman

Michael L. Witherspoon, Esq.

APPENDIX TO REPORT OF CHARTER REVISION COMMISSION

March 28, 2016

Common Council
City of Norwalk

On January 12, 2016, you (the Common Council of the City of Norwalk) voted to appoint a Charter Revision commission made up of seven individuals. We, the Commission, were charged with investigating whether we should amend the Charter pertaining to six topics that were clearly indicated to us. Once the Common Council voted to enable the Commission, not only do we have the power to present to you our opinion of the six topics you asked us to investigate, but we could, by a simple majority vote of the Commission, recommend any additional changes to the Charter, whether you asked us to or not.

With full knowledge of the responsibility that was placed in our hands we, the Commission, decided to only investigate the topics that you asked to do, with one exception. We will be asking the Council to consider amending the Charter to reference its members to be gender neutral. The reason that we decided to deviate from your specific-only items in the Charter was that we felt this small, but very important change should have been done years ago. Since we left the election of the Common Council and the Board of Education untouched, and we decided not to impose any term limits on the mayor, we were able to put forth to you only four proposed referendums that will appear on the ballot, with your approval, including the gender neutral question.

During the months that this Commission has been established, we had numerous posted meetings and two public hearings. On February 10, 2016, we held our first public hearing and there were 21 speakers. On March 22, 2016, we held our second public hearing and there were nine speakers, three first-time contributors and six individuals that we already heard from on the February 10, 2016, hearing. There were a number of topics that these 24 different individuals asked us to investigate and hopefully change.

Some of the topics that were asked were:

1. Investigate unfair practice of the beach sticker process.
2. District water rates for out-of-district customers.
3. Citizens review board for the Police Department.
4. Eliminate or make changes to the Redevelopment Agency.
5. Hire a City Manager.
6. Eliminate the non-substantial language in the Charter.

One topic that seven of the 24 speakers asked us to look into was to restructure the Planning and Zoning Department and hire a City Planner that would head the department.

Once you have reviewed our proposed changes to this Charter and, by procedure, you will be holding a public hearing of your own, you will probably hear more on the City Planner issue. We suggest that you listen and look into this matter and address it with another Charter Revision Commission in the near future or at your discretion, this Commission can be reconvened to explore the feasibility of a City Planner.

The Charter Revision Commission

R

MICHELLE L. COPPOLA

3 Susan Court Norwalk, CT 06851

Michellcoppola@hotmail.com

(203) 858-6243

EXPERIENCE

Xerox Corporation, Norwalk, CT

July 13-Present

Manager, US Client Briefing Centers

- Lead and manage the US CBCs and team of 7 to create and deliver world class experiences and events for current and prospective clients at locations in NYC, Chicago, DC, and Palo Alto
- Deliver customized experiences with tailored client engagements relevant and personal to their business industry and pain points with digital interactive content and storytelling techniques
- Develop marketing plans that drive awareness of the CBCs capabilities, mission, and value
- Partner with account teams to ensure new services, technology and resources are leveraged in each of our centers, and strategic account opportunities are closed as a direct result of a visit at one of our locations
- Manage a \$1.5M budget for operations, technology, interactive media, and headcount
- Establish and maintain vendor relationships and contracts globally for events, catering, concierge, etc
- Support CEO Senior Leadership events including quarterly Board of Directors meetings
- Identified as high potential new leader and selected for Essentials of Business Leadership program

kate spade, Westport, CT

Feb 11-May 13

Store Manager

- Oversaw the development of clientele and built repeat business through daily outreach, client books, and marketing events targeting community businesses and corporate organizations to generate revenue
- Recruited, hired, trained and coached associates to be ambassadors to the brand, produce strong sales results, and elevate the client experience above corporate standards
- Achieved profitability and paid off opening costs in the first year of business
- Managed payroll, budgets, and store operations accurately to mitigate inventory discrepancy
- Supervised visual merchandising execution, and provided training at other district locations
- Managed multiple locations in the Northeast; recruited and trained sales associates, and management team

Louis Vuitton, White Plains, NY

June 10 – Feb 11

Sales Manager

Coach, Inc., Westport, CT

June 03 – June 10

Assistant Manager

- Placed in the Performance Leadership Program 2009 as one of four top performers in the North East

Sean John / Bad Boy Worldwide Entertainment, New York, NY

Apr 06 – Aug 08

Assistant Personal Stylist / Wardrobe Manager

- Organized and managed Mr. Combs' wardrobe closets
- Shopped for and styled Mr. Combs for day-to-day, special events, appearances, travel, and personal
- Aided the design team and Mr. Combs in the Sean John Mercedes Benz NYC Fashion Show execution

EDUCATION

Fordham University, Tarrytown, NY

Sept 04 – May 08

- Bachelor of Science: Fashion Design

London College of Fashion, London, UK

Aug 07 – Dec 07

- Study Abroad Program, Fashion Design

SKILLS

Proficient with Excel, Microsoft Word, PowerPoint, and Adobe Photoshop & Illustrator



VII. A. 1

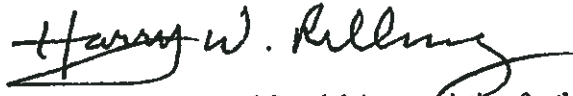
OFFICE OF THE MAYOR

HARRY W. RILLING

MEMORANDUM

DATE: May 31, 2016

TO: The Members of the Board of Estimate & Taxation
The Members of the Planning Commission
The Members of the Common Council

FROM: Harry Rilling, Mayor 

RE: Fire Department Capital Project Close Out and Special Appropriation for the
Removal of Underground Storage Tanks project

Chief Reilly is requesting that the City approve a special capital appropriation for \$83,000 to finish the Removal of Underground Storage Tanks project (0915-3110-5777-C0542).

The attached back-up documentation provides an explanation for this request, along with the Finance Director's recommendation.

ACTION REQUESTED:

1. **RESOLUTION:** Approve a special capital appropriation in the amount of \$83,000 to fund the Removal of Underground Storage Tanks (0915-3110-5777-C0542).

Cc: Laurence Reilly, Fire Chief



CITY OF NORWALK, DEPARTMENT OF FINANCE
Robert Barron, CPFO
Director of Finance
rbarron@norwalkct.org


P: 203-854-7870 / F: 203-854-7848

125 East Avenue, PO BOX 5125
Norwalk, CT 06856-5125

MEMORANDUM

DATE: May 31, 2016

TO: Harry Rilling, Mayor
The Members of the Board of Estimate & Taxation
The Members of the Planning Commission
The Members of the Common Council

FROM: Robert Barron, Director of Finance 

RE: Fire Department Capital Project Close Out and Special Appropriation
for the Removal of Underground Storage Tanks Project.

Chief Reilly is requesting that the City approve a special capital appropriation for \$83,000 to finish the Removal of Underground Storage Tanks project (0915-3110-5777-C0542).

In FY14-15 \$35,000 was budgeted to cover the removal of the underground storage tanks at 100 Fairfield Avenue, this included the disposal of up to 100 tons of potentially contaminated soil. Upon removal, the contractor determined that while the tanks were not leaking there was a large amount of contaminated soil in the ground, approximately 359 tons, significantly more than originally assumed or budgeted for. In addition, 5,000 gallons of groundwater that kept filling the hole had to be removed. As a result of the discovery of contaminated soil, the State DEEP required site monitoring and testing was also not included in the original budget. This \$83,000 will cover the all of these unanticipated costs and complete the project.

As outlined in the attached memo, Chief Reilly is requesting the Stations Alerting System-Phase II (0909-3110-5777-C0411) and the Building Repairs and Replacement (09163110-5777-C0385) with balances of \$5,204 and \$5,106 respectively be closed out and those available balances be returned to the capital fund balance. Both of these projects have been completed and these funds are no longer required.

ACTION REQUESTED:

1. **RESOLUTION:** Approve a special capital appropriation in the amount of \$83,000 to fund the Removal of Underground Storage Tanks (0915-3110-5777-C0542).

The most feasible means to finance this special appropriation is from the capital projects fund balance with a portion of the funds specifically coming from the closed out Fire Department projects.

CITY OF NORWALK
FIRE DEPARTMENT

121 CONNECTICUT AVENUE
NORWALK, CONNECTICUT 06854



Tel: (203) 854-0200

TO: Robert Barron
FROM: Laurence Reilly
DATE: May 19, 2016
RE: Special Appropriation Request

The Fire Department requests a special capital appropriation of \$83,000 into Account (0915-3110-5777-C0542) to pay the balance of costs associated with the removal of Underground Fuel Tanks.

The Fire Department has a capital budget appropriation of \$35,000 (0915-3110-5777-C0542) for the removal of four unused underground fuel storage tanks at 100 Fairfield Avenue. We based the amount of our request on contractor estimates. When we developed the bid specifications, bidders were asked for unit pricing for removal/replacement of any contaminated soil.

Once the contractor removed the tanks they confirmed that none of the tanks appeared to be leaking. However there was a large amount of contaminated soil in the area of the driveway for building. The contractor removed 359.1 tons of contaminated soil and replaced it with clean fill. During removal of the contaminated soil, the excavation kept filling up with ground water. DEEP directed the contractor to use a vac truck to remove the water until no more water appeared in the excavation. This has resulted in a considerable additional cost for the project. Additionally, since we had contaminated soil, our consultant, Big East Environmental, spent considerable additional hours at the site monitoring and testing.

As an offset to this additional expense, the Fire Department will close the following two capital projects with excess funds.:

Account #0909-3110-5777-CO411 \$ 5,204

Account #0916-3110-5777-C0385 \$ 5,105
\$10,310

Additional information on costs is on the following page.

Costs

ETT tank removal	\$28,899
Contaminated soil	\$61,736
Vac truck	\$16,039
Paving	\$ 2,048
Big East Consultants	<u>\$ 9,130</u>

Total Cost \$117,852

Less Original Budget - \$35,000

Total Req. from Fund Balance \$82,542

Please let me know if you need more information, back-up etc.

Respectfully,

Laurence Reilly
Fire Chief

VII. B. 1

**EIGHTH AMENDMENT TO AGREEMENT
BY AND BETWEEN
THE CITY OF NORWALK
AND
EMERGENCY COMMUNICATIONS NETWORK, LLC
F/K/A EMERGENCY COMMUNICATIONS NETWORK, INC.
FOR
CodeRED EMERGENCY NOTIFICATION SYSTEM**

WHEREAS, the City of Norwalk, Connecticut (the CITY) and Emergency Communications Network, Inc., entered into an Agreement dated February 1, 2009 for the Code Red Emergency Notification System (hereinafter the "System") and related equipment and services; a First Amendment to Agreement dated June 16, 2010; a Second Amendment to Agreement dated December 14, 2011; a Third Amendment to Agreement dated June 27, 2012; a Fourth Amendment to Agreement dated April 15, 2013; a Fifth Amendment to Agreement dated June 11, 2013; a Sixth Amendment to Agreement dated August 5, 2014; and a Seventh Amendment to the Agreement dated June 15, 2015 (as amended to date, the "Agreement"); and

WHEREAS, the parties now wish to further amend the Agreement in order to extend the term for the license and use of the System for an additional one year period.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

AGREEMENT TERM

Article 6 of the Agreement is hereby further amended to include the following:

The term of this Agreement is hereby extended to be effective for an additional twelve-month period from July 1, 2016 through June 30, 2017. This term may be further extended by future agreement(s) for annual compensation amounts not to exceed Thirty-Seven Thousand Five Hundred Dollars (\$37,500.00) Any such extensions must be expressed in writing and signed by duly authorized representatives of each.

COMPENSATION

Article 4 of the Agreement is hereby further amended by inserting the following:

For the extension term of July 1, 2016 through June 30, 2017

the CITY will compensate the CONTRACTOR the annual fee of **Thirty Seven Thousand Five Hundred Dollars and No Cents (\$37,500.00)** for unlimited access and use of the System and System Minutes during the extension term, as set forth on **Exhibit A-4** of the Fourth Amendment.

The compensation amount payable during any future extension term(s) for which the CITY renews its license and rights for the Services and System Minutes hereunder shall be **Thirty Seven Thousand Five Hundred Dollars and No Cents (\$37,500.00)** annually.

REMAINING TERMS UNAFFECTED

All other provisions of the Agreement, as amended, shall remain in full force and effect, except as they may be inconsistent herewith.

The CONTRACTOR represents to the CITY as follows:

That this Agreement is duly executed and delivered by an authorized corporate officer, in accordance with such officer's powers to bind the CONTRACTOR hereunder, and as such constitutes a valid and binding obligation enforceable in accordance with its terms, conditions and provisions.

Dated at Norwalk, Connecticut, this _____ day of _____, 2016.

Signed, Sealed and Delivered
in the Presence of:

CITY OF NORWALK

Witness

Witness

By:

Harry W. Rilling
Its Mayor
Duly Authorized

Signed, Sealed and Delivered
in the Presence of:

Emergency Communications Network, LLC

Witness

Witness

By: _____
David DiGiacomo
Its Principal
Duly Authorized

Date Signed: _____

APPROVED AS TO FORM:
OFFICE OF CORPORATION COUNSEL

APPROVED AS TO
AVAILABILITY OF FUNDS:

By: _____

By: _____
Comptroller

Date Signed: _____