

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 5:10 p.m. and led the assembly with the pledge of allegiance.

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. Michael Corsello	
	Mr. Bruce Kimmel, Council President	
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:		
District C:	Mr. John Kydes	Ms. Michelle Maggio
District D:	Mr. Michael DePalma	
District E:	Mr. Thomas Livingston	Mr. John Igneri

Mayor Harry Rilling; Attorney Mario Coppola, Corporation Counsel; Donna King, City Clerk; 12 present. Absent: F. Bowman, T. Simms, N. Sacchinelli

II. ACCEPTANCE OF MINUTES - Regular Meeting – September 13, 2106

- ** MR. LIVINGSTON MOVED TO APPROVE THE MINUTES FROM THE MEETING OF SEPTEMBER 13, 2016 AS SUBMITTED.**
- ** THE MOTION PASSED WITH TEN VOTES IN FAVOR, NONE OPPOSED AND TWO ABSTENTIONS (CORSELLO, DEPALMA).**

PUBLIC PARTICIPATION

1. Karen Doyle Lyons spoke in favor of the item to approve the pay scale for the Registrar of Voters. She noted that she is grateful to have this come to the Council after an embarrassing history of low salaries and inappropriate comparisons to Danbury where the circumstances and workloads are not comparable. She thanked the Council and noted that she appreciates their consideration.

Public Participation – continued

2. Stuart Wells spoke in favor item VII G1 on the agenda to approve the Section G of the pay scale for the Registrar of Voters. He said he wanted to echo comments made on inappropriate comparisons to Danbury where the circumstances and workloads are not comparable

Mayor Rilling asked if there was anyone who wished to speak and hearing none, closed the public participation portion of the meeting at 5:20 p.m.

MAYOR:

RESIGNATIONS/APPOINTMENTS/REAPPOINTMENTS:

Vincent R Hough, Oak Hills Park Authority

Mr. DePalma spoke in support of Mr. Hough based on his resume and background.

**** MR. DEPALMA MOVED TO APPROVE THE APPOINTMENT OF
VINCENT R. HOUGH TO THE OAK HILLS PARK AUTHORITY WITH A
TERM TO EXIRE JUNE 24, 2018.**

**** MOTION PASSED UNANIMOUSLY.**

City Clerk King administered the oath of office and Mr. Hough was sworn in to this appointment and acknowledged by the assembly.

MAYOR'S REMARKS

Mayor Rilling noted the following upcoming events:

October 11, 2016 is Yom Kippur, the Day of Atonement for the Jewish faith.

Mayor Rilling wished those who observe an easy fast.

October 13, the Pearl, Washington Street will have a grand opening/ribbon cutting ceremony.

October 15, is the 2nd annual SoNo Half Marathon will kick off at 9:00 am in Veteran's Park.

October 29 is the 'Let's Talk @ SoNo' lecture series at the South Norwalk Library

COUNCIL PRESIDENT

CONSENT CALENDAR

Mr. Kimmel asked Mr. DePalma to present the consent calendar, which was read as follows:

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

V.A.1, VII.A.1, VII.A.2, VII.A.3, VII.B.1a, VII.B.1b, VII.B.2, VII.B.3, VII.B.4, VII.B.5, VII.B.6; VII.C.1, VII.D.1, VII.D.2, VII.E.1a, VII.E.1b; VII.F.4, VII.F.5, VII.F.6, VII.F.7, VII.G.

Consent Calendar items:

Items on the Consent Calendar are in bold as follows:

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

Corporation Counsel

1. Appointment of Brian Candela as Assistant Corporation Counsel.

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated: August 10, 2016 and September 15, 2016

2. For informational purposes only: Narrative on Tax Collections dated September 8, 2016.

3. For informational purposes only: Monthly Tax Collector's Reports Dated July 31, 2016 and August 31, 2016.

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1a. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Norwalk Hospital Foundation for a Walk & Run to be held Saturday, April 29, 2017 from 6:00 AM - 12:00 Noon. Estimated attendance 2,000.

1b. Approve the use of the Show Mobile by the Norwalk Hospital Foundation for the Walk & Run to be held Saturday, April 29, 2017.

2. Authorize the Mayor, Harry W. Rilling to enter into an agreement with the Silvermine PTO for the use of Silvermine School grounds for a Fall Festival to be held Saturday, October 22, 2016 from 11 :00 AM - 3:00 PM. Set up to take place Saturday, October 22, 2016 with tear down no later than 5:00 PM on Saturday, October 22, 2016. Estimated attendance 150+.

Continued -- next page

CONSENT CALENDAR – Continued

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE--continued

3. Approve the use of the Cranbury Park Pavilion I and immediate surrounding grounds by NAA Babe Ruth Girls Softball for an end of season picnic to be held Saturday, June 17, 2017 from 8:00 AM - 5:30 PM. Estimated attendance 250.

4. Approve the use of the Shea McGrath Sports Complex at Norwalk High School for MBI Marching Band Inc. for their U.S. Bands Home Show to be held Saturday, October 15, 2016 from 7:00 AM -10:00 PM. Estimated attendance 1,500.

5. Approve the use of the Shea McGrath Sports Complex at Norwalk High School for the Mac Championship to be held Saturday, October 22, 2016 from 7:00 AM - 10:00 PM. Estimated attendance 1,500.

6. Authorize the Purchasing Director to Issue a purchase order to Stantec Consulting Service Inc. for construction administration for Turf Field Conversion at Brien McMahon High School for an amount not to exceed \$18,500.00. Account #09176030-5777-C0568.

C. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. Authorize Combined Dispatch (NPD) to enter a contract with the low bidder A&R Electric Company to purchase and install a standby generator and connect it to a gas line currently at West Rocks Middle School for an amount not to exceed \$34,500. Account Number: 09153610-5777-C0517

D. PLANNING COMMITTEE

1. Approve the Financial Assistance Proposal for Waypointe Development - Phase II with DECO for public infrastructure improvements for a total cost of \$3,000,000.

2. Authorize the Mayor, Harry Rilling, to execute the Financial Assistance Proposal and all documents necessary to fully execute an Assistance Agreement with DECO for public infrastructure improvements for a total cost of \$3,000,000.

E. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Scholar Painting, LLC for the Belden Main Library Exterior Wood Fayade Restoration Project for a total not to exceed \$43,320. Funds available from account #'s 0915 7100 5777 C0543 and No. 0916 7100 5777 C0133.

1b. Authorize the Office of Building Management to issue change orders on the contract for a total not to exceed \$8,000.00.

CONSENT CALENDAR -- Continued

F. PUBLIC WORKS COMMITTEE

4. Authorize the Director of Public Works to execute Change Orders with Deering Construction, Inc, for Project PM2015-1 Pavement Management Program, for a sum not to exceed \$390,000.00. Account Numbers: 0916 50105777 C0516 Board of Education Account 091750105777 C0516 Board of Education Account.

5. Authorize the Mayor to execute a Temporary Access Easement Construction Easement at 1 Monroe Street with the State of Connecticut Department of Transportation for State Project #301-072 in accordance with the map on file with the City of Norwalk Department of Public Works subject to construction of an approximate 10-space parking lot at an adjoining location at no cost to the City of Norwalk.

6. Authorize the Mayor, Harry W, Rilling, to execute any and ail necessary or desired documents in connection with the finalization of the discontinuance and release of the City's interests In the existing 15 foot Storm Sewer Easement located on 13 Day Street (Tax Lot 2-58-46-0) as depicted on a map on file in the Department of Public Works dated September 12, 2016, including a general release to release any interests that the City may have in the Easement.

7. Schedule a Public Hearing of Necessity for the abandonment/discontinuance of a portion of Hanford Place along the northern boundary of the Hanford Place Right-Of-Way at 13 Day Street (Tax Lot 2-58-46-0) as depicted on a map on file in the Department of Public Works dated September 12, 2016, The Public Hearing of Necessity shall be conducted in order to hear all parties interested in commenting on the necessity of the proposed abandonment and to take such action on said application for abandonment that the Committee may deem advisable. The Public Hearing is scheduled for Tuesday, November 1, 2016 at 7:00 p.m. in Room 231, 2nd floor in Norwalk City Hall, 125 East Avenue, Norwalk, CT.

G. PERSONNEL COMMITTEE

1. Approve modification to Section G of the Pay Plan which will affect the salary of the Registrar of Voters.

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

COUNCIL PRESIDENT – continued

Mr. Kimmel asked Mario Coppola to introduce Brian Candela as Assistant Corporation Counsel, who was appointed .

Attorney Coppola stated that the Assistant Corporation Counsel position had been opened for a while and many individuals were interviewed until they felt the right candidate was selected. He reviewed Brian Candela's background and asked him to come forward to greet the Council.

Attorney Candela came forward thanked the Council for the appointment and stated that he looks forward to working with everyone.

Items deliberated on the Council floor:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

Authorize the Corporation Counsel to retain the law firm of Halloran & Sage LLP to provide legal counsel to the City regarding issues pertaining to the CT Department of Transportation's plans to reconstruct the Walk Bridge and ancillary Issues.

Mr. Kimmel stated that this item would be for discussion only in Executive Session.

- ** MR. IGNERI MOVED TO ENTER INTO EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION OF ITEM V. A2.
- ** MOTION PASSED UNANIMOUSLY.

The Council entered into Executive Session at 5:30 p.m. and reconvened into public session at 5:55 p.m. There was no action taken.

*It was noted that Councilman Corsello left the meeting following the Executive Session.

- ** MR. KIMMEL MOVED TO AUTHORIZE THE CORPORATION COUNSEL TO RETAIN THE LAW FIRM OF HALLORAN & SAGE LLP TO PROVIDE LEGAL COUNSEL TO THE CITY REGARDING ISSUES PERTAINING TO THE CT DEPARTMENT OF TRANSPORTATION'S PLANS TO RECONSTRUCT THE WALK BRIDGE AND ANCILLARY ISSUES.
- ** MOTION PASSED UNANIMOUSLY.

F. PUBLIC WORKS COMMITTEE

Mr. Igneri moved the following items together as one.

PUBLIC WORKS COMMITTEE

1. Approve the discontinuance and abandonment of a portion of Bates Court as depicted on a map on file in the Department of Public Works for a fee of \$14,400.00 subject to a General Utility Easement.

2. Authorize the Mayor, Harry W. Rilling, to execute any and all necessary or desired documents in connection with the finalization of the discontinuance and release of the City's interests in the discontinued roadway, including a general release to release any interests that the City may have in the property comprising the abandoned portion of Bates Court as depicted on a map on file in the Department of Public Works for a fee of \$14,400.00.

Mr. Igneri stated that he has had discussions with Metro North and feels that these items should move forward to avoid delays with the completion of the project.

Mr. Bonenfant asked for clarification on the location of the easement, and expressed concern that with another piece of land out for proposals it would diminish the value for another RFP.

Mr. DiScala came forward to field questions and comments. Mr. Bonenfant suggested that approval of this item be delayed until future action is required, and the items can be put together and combined as one approval.

**** MR. BONENFANT MOVED TO TABLE THE ITEM UNTIL THE ITEM CAN BE COMBINED WITH OTHER ACTION ITEMS ON THIS LOCATION CAN BE VOTED ON AS ONE ACTION.**

Mayor Rilling noted that a motion to table was not debatable. Mr. Kimmel requested a roll call vote.

**** MOTION TO TABLE FAILED WITH FOUR VOTES IN FAVOR (BONENFANT, HEMPSTEAD, MAGGIO, O'TOOLE-GIANDURCO), SEVEN OPPOSED (DEPALMA, IGNERI, KIMMEL, KYDES, LIVINGSTON, MELENDEZ SERASSIS).**

There was further discussion of the item and Mr. Hempstead asked about the access to the parcel.

Mr. Allan Weber came forward with Michael DiScala and explained the clause not in the contract to buy a small sliver not the parcel in its entirety. He reviewed the topography is the next phase and described the property as a rock cliff with no value and no access from Lowe St.

Ms. Diane Beltz Jacobsen further explained the land is not land locking or making the other property unusable, and the condition that all three happen together as a reverter clause. Attorney Coppola defined the term discontinuance as abandonment and referred to the supporting documents.

*It was noted that Council President Kimmel left the meeting at 6:20 p.m.

VII. F. PUBLIC WORKS – Continued

3. RESOLVED that the Honorable Mayor Harry W. Rilling is hereby authorized to sign the Agreement entitled "Master Municipal Agreement for Right-of-Way Projects" with the State of Connecticut in accordance with letter dated June 27, 2014.

Mr. Igneri moved the item for discussion and stated that as vetted through Committee this is recommended for authorization. .

Mr. Hempstead asked for a point of order and noted that the reason for the Special Meeting and moving up of the meeting time was in consideration of religious practice of being home by sunset. He suggested that the item be tabled in view of the time and the departure of Council members that had to leave to comply with the above stated religious practice.

**** MR. SERASSIS MOVED TO TABLE THE ITEM VII F3 UNTIL THE MEETING OF OCTOBER 25, 2016.**

**** MOTION TO TABLE THE ITEM PASSED UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL – none

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 6:22 p.m.

Respectfully submitted,
M. Knox;
Telesco Secretarial Services

ATTEST _____
Donna King, City Clerk Date: