

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 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	Mr. Douglas Hempstead
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:	Ms. Phaedrel Bowman	Mr. Travis Simms
District C:	Mr. John Kydes	Ms. Michelle Maggio
District D:	Ms. Shannon O'Toole-Giandurco	Mr. Michael DePalma
District E:	Mr. John Igneri, Council President	Mr. Thomas Livingston

Mayor Harry Rilling; Attorney Mario Coppola, Corporation Counsel; Donna King, City Clerk; 14 present. Absent: Mr. Nick Sacchinelli

II. ACCEPTANCE OF MINUTES - Regular Meeting – February 28, 2017

**** MR. LIVINGSTON MOVED TO APPROVE THE MINUTES FROM THE MEETING OF FEBRUARY 28, 2017 AS SUBMITTED.**

**** THE MOTION PASSED WITH THIRTEEN VOTES IN FAVOR, NONE OPPOSED AND ONE ABSTENTION (SERASIS).**

PUBLIC PARTICIPATION

1. Betsy Back, 17 Rome Street, asked to speak on the issue for Stand Up Norwalk. Mr. Igneri noted that this wasn't on the meeting's agenda. Mayor Rilling explained that public comments were limited to items on the agenda, and suggested the group contact his office to set up a meeting.
2. Diane Lauricella 21 Blue Mountain Ridge Road, spoke on DPW Items 2a-2b, and questioned if Grasso had outstanding zoning violations as were brought by the Village Creek Homeowners Association. In addition she spoke on Item A5, O&G family business with a Head of Harbor zoning violation with an asphalt pile higher than the building. She spoke on item C1 and noted that she was not opposed to Greenskies but is concerned with the process of building zoning proposals, RFPs and purchases that should be open and save taxpayer \$.
3. Yvonne Lopaur said she was here to voice a protest against the process regarding putting item on agenda, trying to put the issue for Stand Up Norwalk on the agenda since the beginning of December and nothing has happened and have not received any positive action from council members that have been approached.

Mayor Rilling asked if there was anyone who wished to speak and hearing none, closed the public participation portion of the meeting at 7:43 p.m.

MAYOR:

RESIGNATIONS/APPOINTMENTS/REAPPOINTMENTS: None

MAYOR'S REMARKS

Mayor Rilling noted congratulations to the Emerald Society for a successful yet cold St. Patrick's Day parade, and noted that they hope to have a Columbus Day parade per the Italian American Police Society. He reported that on March 27 there will be a public hearing on the Operating Budget at the Concert Hall as presented by the BET. He added that the New England Music Festival was held here at City Hall this past weekend that featured over 400 high school music students from all over New England that stayed with local host families. He noted that this was a great support of the music programs that Norwalk Public Schools offer and a chance to showcase the City of Norwalk.

COUNCIL PRESIDENT

CONSENT CALENDAR

Mr. Igneri asked Mr. Simms to present the consent calendar, and noted that Mr. Serasis is next on reading of the consent calendar assignment.

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

VII.A.1 (On Consent to Table), VII.A4a. 4b., 5, 6a. 6b. 7a. 7b, 8; C.2a, 2b, 3a, 3b, 4a, 4b; VII.D.1, D.2, D3, D4, D5, D6; VII.E.1, E2, E3, E4.

**** MOTION PASSED UNANIMOUSLY.**

Consent Calendar items:

Items on the Consent Calendar are in bold as follows:

**VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS
VII. COMMON COUNCIL COMMITTEES**

A. PUBLIC WORKS COMMITTEE

On Consent to Table back to Committee:

1. Authorize the Mayor, Harry W. Rilling, to execute a Second Amendment to the September 18, 2015 Agreement with Safety Marking, Inc. for Project TRF2015-1 Proposed Pavement Markings, Symbols & Legend at Various Locations for a sum not to exceed \$300,000.00. Account No: 0917 40215777 C0562.

4a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Frontier Communications Corporation for 'Enabling Phase' utility adjustments pertaining to the Raymond & Day Streets Project, for a sum not to exceed \$40,463.41.

**Account No: 0916 0910 5777 C0560 (Redevelopment Agency)
09 17 0910 5777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

4b. Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with Frontier Communications Corporation for 'Enabling Phase' utility adjustments pertaining to the Raymond & Day Streets Project, for a sum not to exceed \$404, 634. Acct No: 09 1609105777 C0560 (Redevelopment Agency)

**09 170910 5777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - C0560)**

5. Authorize the Mayor, Harry W, Rilling, to execute an Agreement with O&G Industries, Inc, for Construction Manager at Risk Services pertaining to the Raymond & Day Streets Project, for a sum not to exceed \$8,900,000 (in accordance with letter proposal dated March 3, 2017)

**Account No: 09 16 0910 5777 C0560 (Redevelopment Agency)
09 17 09105777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

**Proposed Escrow Agreement w/Trinity Washington Village Ltd. Partnership (\$484,000)
Proposed Escrow Agreement w/Spinnaker Real Estate Partners, LLC (\$71,500)**

Consent Calendar – continued

6a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Cablevision of Litchfield, Inc for 'Enabling Phase' utility adjustments pertaining to the Raymond &Day Streets Project, for a sum not to exceed \$8,000.

**Account No: 09 16 09105777 C0560 (Redevelopment Agency)
09 170910 5777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

6b. Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with Cablevision of Litchfield, Inc, for 'Enabling Phase' utility adjustments pertaining to the Raymond &Day Streets Project, for a sum not to exceed \$800

**Account No: 09 160910 5777 C0560 (Redevelopment Agency)
09 170910 5777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

7a. Authorize the Mayor, Harry W, Rilling, to execute an Agreement with Lighttower Fiber Networks II, LLC for 'Enabling Phase' utility adjustments pertaining to the Raymond &Day Streets Project, for a sum not to exceed \$5,000.

**Account No: 0916 0910 5777 C0560 (Redevelopment Agency)
09 17 09105777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

7b, Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with Lighttower Fiber Networks II, LLC for 'Enabling Phase' utility adjustments pertaining to the Raymond &Day Streets Project, for a sum not to exceed \$500,

**Account No: 09 16 0910 5777 C0560 (Redevelopment Agency)
09 1709105777 C0560 (Redevelopment Agency)
Reimbursable \$4M Grant (CDBG - Project C0560)**

8. Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with Deering Construction, Inc. for Project PM2015-1 Pavement Management Program, for a sum not to exceed \$9,500.Account No 091740215777 C0021

2a. Authorize the Mayor, Harry W. Rilling, to execute a Contract with Domus Construction, LLC for the reframing of the historic Smith Street Jail for a total not to exceed \$30,742. Account No 161343-5414 - 091763105777 C0430

PLANNING COMMITTEE

2b. Authorize the Historical Commission to Issue change orders on Contract for a total not to exceed \$6,000.

Consent Calendar – continued

3a. Authorize the Purchasing Agent to Issue a Purchase Order to Etricity Electrical Co., Inc., for the Norwalk Police Headquarters Camera Upgrade Project for a total not to exceed \$66,411.32. Funds are available from Account No. 0917 7100 5777 C0137.

3b. Authorize the Office of Building Management to Issue change orders on Purchase Order for a total not to exceed \$6,641.

4a. Authorize the Mayor, Harry W. Rilling, to execute a Contract with DPM Contracting for the restrooms renovation project at Norwalk Senior Center for a total not to exceed \$106,088.00.

Funds are available from Redevelopment Agency CDBG, Human Relations ADA Account No. 091710005777 C0526 and Building Management Capital Improvement Account No. 0916117 71005777 C0476.

4b. Authorize Building Management to issue Change Order on Contract for a total not to exceed \$10,608.00

D. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Achilles International (50103) to use Shady Beach for the Lighthouse to Lighthouse Race to be held Saturday, September 16, 2017 from 9:30 AM - 4:30 PM. Set up 10 take place on 6:00 AM with tear down no later than 5:00 PM on Saturday, September 16, 2017. Estimated attendance 250.

2. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Achilles International (501c3) to use Shady Beach for the Lighthouse to Lighthouse Race 10 be held Sunday, September 17, 2017 from 9:30 AM - 4:30 PM. Set up to take place on 8:30 AM with tear down no later than 5:00 PM on Sunday, September 17, 2017. Estimated attendance 150.

3. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Ninety 9 Bottles for the use of Oyster Shell Park for the 'Ninety 9Bottles Craft Beer Festival' to be held Saturday, June 3, 2017 from 2:00 PM - 5:00 PM, with a rain date of Sunday, June 4, 2017. Set up to take place Saturday, June 3, 2017 at 9:00 Am with tear down no later than 7:00 PM on Saturday, June 3, 2017. Estimated attendance 1,000.

4. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Team Mossman Events to use Calf Pasture Beach for the 'Mossman Sprint Triathlon' to be held Sunday, July 16, 2017 6:30 AM -11 :00 AM. Set up Saturday, July 15, 2017 at 10:00 AM with tear down no later than 5:00 PM Sunday, July 16, 2017. Estimated attendance 400.

Consent Calendar – continued

RECREATION, PARKS, CULTURAL AFFAIRS COMMITTEE -- continued

5. Approve 2017-2018 Department of Recreation and Parks Facility Usage and Park Fees.

6. Authorize the Mayor, Harry W. Rilling, to accept funding and sign all documents relating to the maintenance and operating expenses associated with the Veterans Park pump out station under the Federal Clean Vessel Act. The contract is between the City of Norwalk and the Department of Energy and Environmental Protection. The contract is in the amount of \$6,352.83 effective January 1, 2017 through December 31, 2017. The state funds 75% of our operating expenses.

E. FINANCE COMMITTEE

1. Resolution appropriating \$200,000 for the purpose of a Parking Capacity Study.

**2. Accept and Approve the Report of the Claims Committee
Dated: February 9, 2017 - March 9, 2017**

3. For informational purposes only: Narrative on Tax Collections dated March 6, 2017.

**4. For informational purposes only, Monthly Tax Collector's Report Dated
January 31, 2017
February 28, 2017**

Items deliberated on the Council floor:

PUBLIC WORKS COMMITTEE

Mr. Igneri moved the following items together as one motion.

2a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with The Grasso Companies LLC for Project PM 2017-1 Pavement Management Program, for a sum not to exceed \$3,410,044.00. Acct No 09174021 5777 C0021; 09 174021 5777 C0302
09 1740215777 C0318; 09 174021 5777 C0439; 0300002602

2b. Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with The Grasso Companies LLC for Project PM 2017-1 Pavement Management Program, for a sum not to exceed \$341,004.40. Account No: 09 174021 5777 C0021; 09174021 5777 C0302
091740215777 C0318; 09174021 5777 C0439; 0300002802

PUBLIC WORKS COMMITTEE—continued

Mr. Igneri noted that there are no claims against this Grasso Company, and the Committee recommends moving the item for consideration.

Mr. Simms explained that his reservation is that Grasso company is in violation with the city and with back taxes and Zoning violations. He added that Grasso changed the company from his name to his son's name to avoid this which is a huge issue against these regulations in place.

Mr. Bonenfant noted that he had the same concern with owing taxes on that land. Corporation Counsel Coppola replied that the legal department did extensive research into this and to the best of our knowledge the bidder does not owe the city any taxes and is not in violation of any of the city rules or regulations.

Ms. Bowman asked if there were former contracts with this company, and DPW Director, Bruce Chimento came forward to address the questions.

There was further discussion and it was suggested to table the item with the proviso that the Legal Department clarify the issues on ownership, taxes and violations. Mr. Igneri suggested that the ordinance be reviewed.

- ** MR. SIMMS MOVED TO TABLE THE ITEM VII. A.2a. 2b. UNTIL THE NEXT COUNCIL MEETING OF MARCH 28, 2017, BASED ON THE PROVISION FOR LEGAL DEPARTMENT CLARIFICATION AND ORDINANCE REVIEW.**
- ** THE MOTION PASSED WITH THIRTEEN VOTES IN FAVOR, ONE OPPOSED (CORSELLO) AND NO ABSTENTIONS.**

3a. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with The Second Taxing District of the City of Norwalk, Connecticut, acting by and through, South Norwalk Electric and Water ("SNEW") for 'Enabling Phase' utility adjustments pertaining to the Raymond & Day Streets Project, for a sum not to exceed \$270,140. Account No:

09 16 0910 5777 C0560 (Redevelopment Agency)

09 170910 5777 C0560 (Redevelopment Agency)

Reimbursable \$4M Grant (CDBG - Project C0560)

3b. Authorize the Director of Public Works, Bruce Chimento, to execute Orders on Contract with The Second Taxing District of the City of Norwalk, Connecticut, acting by and through, South Norwalk Electric and Water ("SNEW") for 'Enabling Phase' utility adjustments pertaining to the Raymond & Day Streets Project, for a sum not to exceed \$27,014.

Account No: 09 1609105777 C0560 (Redevelopment Agency)

091709105777 C0560 (Redevelopment Agency)

Reimbursable \$4M Grant (CDBG - Project C0560)

PUBLIC WORKS COMMITTEE—continued

Mr. Igneri moved the items together as one motion and noted that the agreement was vetted through committee and is in compliance with required guidelines.

Mr. Simms stated that he had questions about the process for the city to have to reimburse South Norwalk Electric Works for Police Officers and other areas. DPW Director Bruce Chimento came forward and explained that all of the utilities have to be moved so that the intersection can be raised six feet, the water mains would wind up an unacceptable 10 feet below the road if they weren't relocated and the power lines won't be high enough over the street. Mr. Simms said he was concerned that SNEW would appropriate some of the money for other projects, not related to Washington Village. Mr. Chimento responded that this won't happen because the city is in charge of the \$9 million road raising now, and we are controlling this project.

**** MR. IGNERI MOVED TO APPROVE ITEM VII. A.3a. 3b. AS PRESENTED.
** MOTION PASSED UNANIMOUSLY.**

B. PLANNING COMMITTEE

Mr. Kydes moved the item for discussion:

1. Approve Citibank's request for City consent to waive the 90 day written notice requirement to accept a deed in lieu of foreclosure on Phase I of the Wall Street Place Development and authorize the Mayor to sign all required documents conveying such consent on behalf of the City.

Mr. Hempstead asked about the Citibank timeline and Mr. Tim Sheehan of the Redevelopment Agency came forward and fielded questions on modifications of the LDA.

**** MR. KYDES MOVED TO APPROVE ITEM VII. B.1 AS PRESENTED.
** MOTION PASSED UNANIMOUSLY.**

2. Approve the support for Northeast Community Innovation Corporation's (NCIC) application for an Innovation Places Implementation Grant.

Mr. Kydes moved the item for discussion:

Mr. Serasis spoke in support of this start up business and his involvement with the technology program, and the potential positive impact on the City. Mr. Livingston noted that he echoed those comments and reviewed the positive aspects of the NCIC. Mr. Igneri stated he also would be supporting this program.

PLANNING COMMITTEE—continued

Ms. Bowman spoke on how this organization could have come this far without first coming to District B. She further explained the uncertainty of all of the details with which this program came to the Council and that she was not ready to vote on this until the diversity can be established.

Mr. DePalma stated he was against tabling this item and did not want to risk this important technology initiative being moved on by other cities. Members of the NCIC organization came forward along with Elizabeth Stocker to field questions and comments.

Mr. Hempstead asked what the measure was for the deliverables and Ms. Stocker referred to the supporting documents and replied to the questions for the program.

**** MR. KYDES MOVED TO APPROVE ITEM VII. B.2 AS PRESENTED.
** MOTION PASSED UNANIMOUSLY.**

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute a 15-year Power Purchase Agreement (PPA) with Greenskies Renewable Energy, for the installation of photo-voltaic panels on the City Hall roof. Terms for the agreement shall be as outlined In Alan Lo's memo dated February 23, 2017.

Mr. Livingston moved the item for discussion. Mr. Simms questioned the RFP process and how the bid was set up.

Mr. Alan Lo, Director of Facilities Management came forward and fielded questions and comments. He explained that the bid was set up according to standard RFP requirements and guidelines, and outlined that all was vetted through Committee according to protocols.

**** MR. LIVINGSTON MOVED TO APPROVE ITEM VII. C.1 AS PRESENTED.
** MOTION PASSED UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL – none

IX. MOTIONS POSTPONED TO A SPECIFIC DATE - none

X. SUSPENSION OF RULES – none

XI. ADJOURNMENT

**** MS. MAGGIO MOVED TO ADJOURN.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

M. Knox; Telesco Secretarial Services

ATTEST _____
Donna King, City Clerk Date: