

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

Common Council President, Mr. Kydes called the meeting to order at 8:00 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Ms. King, City Clerk read the notice stating that the meeting was being videotaped and audio recorded for the public broadcast and that assisted listening devices were available.

I. ROLL CALL

Ms. King called the Roll. The following Common Council members were present:

Council at Large:	Mr. Gregory Burnett	Mr. Michael Corsello
	Mr. Nicholas Sacchinelli	Ms. Barbara Smyth
	Mr. Douglas Stern	
District A:	Ms. Eloisa Melendez	Mr. Chris Yerinides
District B:	Ms. Faye Bowman	Mr. Travis Simms
District C:	Mr. John Kydes	Ms. Beth Siegelbaum
District D:	Mr. Douglas Hempstead	Mr. George Tsiranides
District E:	Mr. Thomas Livingston	

At Roll Call there were fourteen (14) Common Council members present and one (1) absent (Mr. Igneri)

Also present were Mayor Harry Rilling; Corporation Counsel, Mario Coppola and City Clerk, Donna King.

II. ACCEPTANCE OF MINUTES

Regular Meeting: January 23, 2018

The following corrections were made to the minutes:

Page 1: remove Mr. Hempstead's name under At Large

Page 6: remove the last sentence in the first paragraph

**** MS. MELENDEZ MOVED TO ACCEPT THE MINUTES AS CORRECTED
** MOTION PASSED WITH ONE (1) ABSTENTION (MR. SACCHINELLI)**

III. PUBLIC PARTICIPATION

Ms. Lisa Biagiarelli, City of Norwalk Tax Collector spoke in support of the proposal to name City Hall Drive to Honorable Frank J. Esposito Way. She said he was involved in many community organizations and did a lot for the City. She said that he deserves this honor.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: R. Richard Roina, Zoning Commission, Alternate

Mr. Kydes announced and accepted Mr. Roina's resignation.

APPOINTMENTS:

**** MS. SIEGELBAUM MOVED TO ACCEPT THE FOLLOWING
APPOINTMENT:**

STEVEN KLOCKE, CONSERVATION COMMISSION

**** MOTION PASSED UNANIMOUSLY**

**** MR. HEMPSTEAD MOVED TO APPROVE THE FOLLOWING
APPOINTMENT:**

**SHANNON O'TOOLE GIANDURCO, FACILITIES CONSTRUCTION
COMMISSION**

Mr. Hempstead spoke in support of the appointment and said Ms. O'Toole Giandurco brings unique experience and will make a great addition to the Commission.

Mr. Livingston said that as a member of the Facilities Construction Commission he looks forward to working with her.

Mr. Kydes said he served four years on the Common Council with her and they are lucky to have her.

**** MOTION PASSED UNANIMOUSLY**

**** MR. STERN MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

SAMUEL J. PRIDE, FAIR RENT COMMISSION

Mr. Stern said he has known Mr. Pride for several years and he is committed and dedicated to the City.

Mr. Simms said he has known Mr. Pride for quite some time and he will be a great addition to the Board.

**** MOTION PASSED UNANIMOUSLY**

**** MR. CORSELLO MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

NORMAN J. WEINBERGER, BOARD OF HEALTH

Mr. Corsello said that Dr. Weinberger helped raise hundreds of thousands of Norwalkers. He founded the Norwalk River Rowing Association and is very well qualified.

**** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

Colin A. Hosten, Human Relations

Mr. Livingston said he has known Mr. Hosten for a year and a half; he is very active in the Village Creek Neighborhood Association. In addition, his peers recognize his leadership skills.

**** MOTION PASSED UNANIMOUSLY**

Tyrone R. McClain, Public Library Board of Trustees

Mr. McClain withdrew his name.

**** MR. HEMPSTEAD MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

ANDREW T. CONROY, ZONING BOARD OF APPEALS, ALTERNATE

Mr. Hempstead said that Mr. Conroy brings a lot of experience to the Board.

**** MOTION PASSED UNANIMOUSLY**

**** MR. YERINIDES MOVED TO APPROVE THE FOLLOWING APPOINTMENT:
DAVID HEUVELMAN, ZONING BOARD OF APPEALS, ALTERNATE**

Mr. Yerinides said Mr. Heuvelman is very dedicated and looks at the big picture.

**** MOTION PASSED UNANIMOUSLY**

Due to a potential conflict of interest, Mr. Tsiranides recused himself and left the Common Council chambers.

**** MR. HEMPSTEAD MOVED TO APPROVE THE FOLLOWING APPOINTMENT:**

R. RICHARD ROINA, ZONING COMMISSION, REGULAR

Mr. Stern said he had the pleasure of serving on the Zoning Commission with Mr. Roina and that he was happy his name was up for a permanent role.

Mr. Kydes said he has known him for many years and his profession deals with Planning and Zoning.

Mr. Corsello said he is a respected attorney in the real estate field.

Mr. Hempstead said he has a good reputation.

**** MOTION PASSED UNANIMOUSLY**

Mr. Tsiranides returned to the Common Council chambers.

REAPPOINTMENTS:

**** MS. BOWMAN MOVED TO APPROVE THE FOLLOWING REAPPOINTMENT:**

LISA M. COOPER, REDEVELOPMENT AGENCY

Ms. Bowman said Ms. Cooper does a great job for the community and that she is glad she will be willing to give of her time.

Mr. Simms said she is passionate about Norwalk. She sits on the Redevelopment Agency now and is doing a phenomenal job there.

**** MOTION PASSED UNANIMOUSLY**

Ms. King administered the Oath of Office to those present.

MAYOR'S REMARKS:

Common Council President Mr. Kydes gave the remarks. He said there was a special Common Council meeting prior to this meeting where Mr. Barron, the Finance Director presented the 2018-2019 Operating Budget. He reminded everyone that Monday, February 19th is Presidents' Day and City Hall will be closed.

Mr. Kydes read a proclamation honoring February as Black History Month.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

B. CONSENT CALENDAR:

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

VI.A.2, VII.A.1, VII.A.2a, VII.A.2b, VII.B.1, VII.B.2, VII.B.3, VII.B.4, VII.B.5, VII.D.1a, VII.D.1b, VII.D.4a, VII.D. 4b, VII.D.5

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

**1. AUTHORIZATION FOR AUTHORITY TO FILE OFFER OF COMPROMISE:
TERRANCE CUMMINGS V. JERMAINE NASH, ET AL. EXECUTIVE
SESSION CONSENT TO TABLE TO NEXT MEETING**

**2. AUTHORIZATION TO SETTLE BOND CLAIM (#106015363) AND FOR
MAYOR TO EXECUTE THE SETTLEMENT AGREEMENT, COVENANT NOT
TO SUE AND RELEASE. EXECUTIVE SESSION**

VII. COMMON COUNCIL COMMITTEES

A. PLANNING COMMITTEE

1. APPROVE THE PROPOSED SCOPE OF WORK FOR THE PROGRAM OF PUBLIC IMPROVEMENTS TO SUPPORT THE PHASE II WAYPOINTE DEVELOPMENT AS PRESENTED IN THE PINNACLE UTILITY INFRASTRUCTURE & STREETScape UPGRADE DATED JANUARY 5, 2018.

2A. AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. FOR THE PLAN OF CONSERVATION AND DEVELOPMENT TO AUTHORIZE ADDITIONAL SERVICES RELATED TO A PLANNING PEER REVIEW OF THE 230 EAST AVENUE TOD APPLICATION AND INCREASE THE COMPENSATION PAYABLE BY AN ADDITIONAL SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.). [THERE IS NO COST TO THE CITY BECAUSE THE APPLICANT WILL BE PAYING THE FEES FROM AN ESCROW ACCOUNT ESTABLISHED WITH THE CITY].

2B. AUTHORIZE THE DIRECTOR OF PLANNING AND ZONING TO EXECUTE AN ESCROW AGREEMENT WITH THE APPLICANT, 230 EAST AVENUE LLC, IN ORDER TO ESTABLISH THE ESCROW ACCOUNT AND TERMS OF PAYMENT FOR THE PEER REVIEW SERVICES.

B. PUBLIC WORKS COMMITTEE

1. APPROVE THE HONORARY NAMING OF THE CITY HALL DRIVE (SUNSET HILL AVENUE TO EVERSLEY AVENUE) TO “HONORABLE FRANK J. ESPOSITO WAY” IN MEMORY OF MAYOR FRANK J. ESPOSITO.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL REQUIRED DOCUMENTS RELATED TO THE EXECUTION OF THE EASEMENT AGREEMENT BETWEEN THE CITY OF NORWALK AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A PERMANENT EASEMENT OF 23,060+ SQUARE FEET TO CONSTRUCT AND MAINTAIN THE WALK RAILROAD BRIDGE AS DEPICTED ON A MAP PREPARED BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION ENTITLED “COMPILATION PLAN TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT,” DATED DECEMBER 2017, AT A SCALE OF 1” = 40’ ON FILE IN THE DEPARTMENT OF PUBLIC WORKS IN EXCHANGE FOR A PAYMENT OF \$580,000.00.

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL REQUIRED DOCUMENTS RELATED TO THE EXECUTION OF THE EASEMENT AGREEMENT BETWEEN THE CITY OF NORWALK AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A PERMANENT EASEMENT OF 6,098+ SQUARE FEET TO CONSTRUCT AND MAINTAIN THE WALK RAILROAD BRIDGE AS DEPICTED ON A MAP PREPARED BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION ENTITLED “COMPILATION PLAN TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT,” DATED DECEMBER 2017, AT A SCALE OF 1” = 40’ ON FILE IN THE DEPARTMENT OF PUBLIC WORKS IN EXCHANGE FOR A PAYMENT OF \$154,000.00.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL REQUIRED DOCUMENTS RELATED TO THE EXECUTION OF THE EASEMENT AGREEMENT BETWEEN THE CITY OF NORWALK AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A TEMPORARY CONSTRUCTION EASEMENT OF 18,780+ SQUARE FEET FOR THE PURPOSE OF STORAGE OF CONSTRUCTION MATERIALS AND TO PROVIDE ACCESS BETWEEN THE NORWALK RIVER AND LAND OF THE STATE OF CONNECTICUT DURING THE WALK BRIDGE REPLACEMENT PROJECT AS DEPICTED ON A MAP PREPARED BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION ENTITLED “COMPILATION PLAN TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT,” DATED DECEMBER 2017, AT A SCALE OF 1” = 40’ ON FILE IN THE DEPARTMENT OF PUBLIC WORKS IN EXCHANGE FOR A PAYMENT OF \$386,000.00.

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL REQUIRED DOCUMENTS RELATED TO THE EXECUTION OF THE EASEMENT AGREEMENT BETWEEN THE CITY OF NORWALK AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A PERMANENT EASEMENT OF 998+ SQUARE FEET TO PROVIDE ACCESS TO THE YANKEE DOODLE BRIDGE STRUCTURE AS DEPICTED ON A MAP PREPARED BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION ENTITLED “COMPILATION PLAN TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION REHABILITATION OF BRIDGE NO. 00059 (YANKEE DOODLE BRIDGE) I-95 OVER NORWALK RIVER AND HENDRICKS AVENUE,” DATED NOVEMBER 2017, AT A SCALE OF 1” = 20’ ON FILE IN

THE DEPARTMENT OF PUBLIC WORKS IN EXCHANGE FOR A PAYMENT OF \$1,050.00.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH A.V. TUCHY, INC. FOR THE WEST ROCKS MIDDLE SCHOOL WINDOWS AND DOORS REPLACEMENT PROJECT-2018 FOR A TOTAL NOT TO EXCEED \$2,146,088.00. FUNDS ARE AVAILABLE IN ACCOUNT NO. 09185010 5777 C0610 AND 09175010 5777 585.

1B. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDER ON CONTRACT FOR A TOTAL NOT TO EXCEED \$100,000.00.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SILVER PETRUCELLI + ASSOCIATES FOR THE NORWALK HIGH SCHOOL IMPROVEMENTS PROJECT 2018 FOR A TOTAL NOT TO EXCEED \$97,500.00, WHICH INCLUDES AN ALLOWANCE OF \$25,000.00 FOR DESIGN SERVICES RELATING TO THE SUBMISSION OF A STATE GRANT APPLICATION.

ACCOUNT NO. 09185010 5777 C0610 CONSENT TO SEND BACK TO COMMITTEE

4A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH SAV-MOR COOLING & HEATING INC. FOR THE CITY HALL COOLING AND FIRE SUPPRESSION IMPROVEMENT PROJECT FOR A TOTAL NOT TO EXCEED \$149,300.00. FUNDS ARE AVAILABLE FROM THE FOLLOWING ACCOUNTS:

**ACCOUNT NO.
0905 7100 5777 C0323
0912 7100 5777 C0439
0914 4071 5777 C0439
0917/18 7100 5777 C0476**

4B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$14,930.00”

5. RESOLVED, THAT HARRY W. RILLING, MAYOR OF THE CITY OF NORWALK BE AND HEREBY IS AUTHORIZED TO EXECUTE ON BEHALF OF THIS MUNICIPAL CORPORATION AGREEMENTS WITH THE STATE

OF CONNECTICUT FOR FINANCIAL ASSISTANCE TO CONDUCT A HISTORIC RESOURCES INVENTORY.

**** MOTION PASSED UNANIMOUSLY**

B. PUBLIC WORKS COMMITTEE

**** MR. LIVINGSTON MOVED TO AUTHORIZE THE FOLLOWING ITEM:**

6. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO EXECUTE CHANGE ORDERS FOR THE GRASSO COMPANIES, LLC PROJECT RD2017-2 CONCRETE CURBS AND SIDEWALKS, FOR A SUM NOT TO EXCEED \$162,300.00.

ACCOUNT NO.

09 16 1000 5777 C0536

09 17 1000 5777 C0536

09 18 0910 5777 C0287

Mr. Livingston explained that this is a change order to an existing contract for curbs and sidewalks. He said The Grasso Companies is required to be in compliance with Zoning regulations and they have no violations against this company. He added that they are doing good work.

Mr. Simms said the Common Council should not continue to award them additional jobs in the City. He said they have not been in compliance for decades and have not paid their taxes. He said it is not in the best interest of the City to allow them to get away with not paying their obligation to the City. In addition, he said they are not friendly to the neighbors.

**** MOTION PASSED WITH TWO (2) VOTES IN OPPOSITION (MR. HEMPSTEAD AND MR. SIMMS)**

C. PERSONNEL COMMITTEE

**** MS. BOWMAN MOVED TO APPROVE THE FOLLOWING ITEM:**

1. APPROVE REVISED GRANTS COORDINATOR/COMMUNICATIONS MANAGER POSITION DESCRIPTION AND DUTIES.

Ms. Bowman explained that the Grants Coordinator position is being tweaked to include communication duties. The salary is being lowered and the Common Council is being asked to approve the position. Ms. Bowman added that the Common Council has no part in the selection process for this position. This is an ask for an approval of the job description.

Mr. Hempstead said a tweak is adding a line or two. He asked Mr. Burney, Director of Personnel and Labor Relations for clarification. He noted that of the 11 qualifications, the job description only had one line for grant writing. The job description is more heavily weighted toward the Communications Manager's position. Mr. Burney said that they are basic abilities they want for both positions.

Mr. Hempstead said he will not support this item; he said this is written for a hand picked individual. He said that he hoped they would be as generous to the Board of Education's ask.

Mr. Sacchinelli called for a recess at 8:39 p.m.

The meeting resumed at 8:52 p.m.

**** MS. BOWMAN MOVED TO TABLE THE ITEM BACK TO COMMITTEE INDEFINITELY**

**** MOTION PASSED BY ROLL CALL VOTE WITH THIRTEEN (13) IN FAVOR (MR. BURNETT; MR. CORSELLO; MR. SACCHINELLI; MS. SMYTH; MR. STERN; MS. MELENDEZ; MR. YERINIDES; MS. BOWMAN; MR. KYDES; MS. SIEGELBAUM; MR. HEMPSTEAD; MR. TSIRANIDES; MR. LIVINGSTON) AND ONE (1) ABSTENTION (MR. SIMMS)**

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

Due to a potential conflict of interest Mr. Stern recused himself and left the Common Council chambers.

**** MR. LIVINGSTON MOVED TO AUTHORIZE THE FOLLOWING ITEM:**

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A LEASE AGREEMENT WITH FAMILY & CHILDREN'S AGENCY FOR THE SECOND FLOOR OF BEN FRANKLIN CENTER BASED ON A TOTAL OF APPROXIMATELY 5,732 SQUARE FEET AT \$2.50/SF/YEAR FOR UTILITY RELATED EXPENSES FOR A TOTAL OF \$14,330.00 PER YEAR. LEASE PERIOD SHALL BE FROM MARCH 1, 2018 TO FEBRUARY 29, 2020 WITH 3 – ONE YEAR RENEWAL OPTION. REMAINING TERMS SHALL BE AS OUTLINED IN ALAN LO'S MEMO DATED FEBRUARY 1, 2018.

Mr. Livingston explained that the Agency uses the third floor and are excellent tenants. They will use this for child and family programs.

**** MOTION PASSED UNANIMOUSLY**

Mr. Stern returned to the Common Council chambers.

VIII. **RESOLUTIONS FROM COMMON COUNCIL**

There were none this evening.

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

There were none this evening.

X. **SUSPENSION OF RULES**

There were none this evening.

XI. **ADJOURNMENT**

** **MS. BOWMAN MOVED TO ADJOURN**

** **MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:55 p.m.

ATTEST: _____
Donna King, City Clerk