

**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**

Mayor Rilling called the meeting to order at 7:34 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

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

Council at Large: Mr. Richard Bonenfant Mr. Douglas Hempstead
 Mr. Glenn Iannaccone Mr. Bruce Kimmel
 Ms. Sharon Stewart

District A: Ms. Eloisa Melendez

District B: Ms. Phaedrel Bowman Mr. Travis Simms

District C: Mr. John Kydes Ms. Michelle Maggio

District D: Ms. Shannon O'Toole-Giandurco Mr. Jerry Petrini

District E: Mr. John Igneri Mr. David McCarthy

Mayor Harry Rilling; Mario Coppola, Corporation Counsel;
Donna King, City Clerk.

There were fourteen (14) members present and one (1) absent, Mr. David Watts.

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

II. ACCEPTANCE OF MINUTES December 8, 2014

Regular Meeting(s):

- ** MR. MCCARTHY MOVED TO ACCEPT THE MINUTES AS PRESENTED**
- ** MOTION PASSED UNANIMOUSLY**

Mr. Watts joined the meeting at 7:37 p.m.

III. PUBLIC PARTICIPATION

David Orr, Sergeant, Norwalk Police Department; President Norwalk Police Union. Sargent Orr said that he was here to address the contract ratification process. He said that negotiations began in 2013 with the previous administration. They were able to come to an agreement in late 2014. He said that the contract was passed by their Membership and they view it as a fair deal.

There were no other members of the public who wished to speak.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations announced this evening.

APPOINTMENTS: There were no appointments announced this evening.

REAPPOINTMENTS: There were no reappointments announced this evening.

MAYOR'S REMARKS:

Mayor Rilling recognized the local, statewide and regional champion, Norwalk Packers under 10 and under 13 Cheerleaders. He read a Proclamation and the names of each participant. The Cheerleaders presented a cheer.

Mayor Rilling recognized Mr. Reynolds, Principal of the Jefferson Science Magnet School for being a 2014 National Blue Ribbon School and read a Proclamation. He said that only four schools in Connecticut won this honor and Jefferson is the only elementary school.

Mayor Rilling announced that there are several events taking place throughout the City to celebrate Dr. Martin Luther King, Jr. this Monday. He invited all to the Mayor's Ball on Friday, January 23rd at Continental Manor. The Ball will benefit Person to Person and the Norwalk Senior Center.

Mayor Rilling said that he was at the swearing in ceremony at the Capital today. There was an economic development discussion at Continental Manor today. He said that it is overwhelming to hear the wonderful things happening in Norwalk.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

B. CONSENT CALENDAR

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

**BOARD OF ESTIMATE: 61A
CORPORATION COUNSEL; 6B1
FINANCE COMMITTEE: 7A1; 7A2; 7A3; 7A4; 7A5; 7A6;7A7;7A8;
7A9;7A10
PUBLIC WORKS: 7B1
PLANNING COMMITTEE: 7C1
LAND USE AND BUILDING MANAGEMENT: 7D1;7D2;7D3**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE & TAXATION

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS COMMON

1. RESOLVED, THAT A SUM NOT TO EXCEED \$7,202 BE AND THE SAME IS HEREBY TRANSFERRED FROM INCREASED REVENUES TO THE POLICE DEPARTMENT TO COVER OVERTIME REIMBURSEMENTS. (ACCOUNT #01-3035-5120).

B. CORPORATION COUNSEL

1. AUTHORIZATION TO SETTLE CLAIM: CL&P V. CITY OF NORWALK – (EXECUTIVE SESSION)

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

- 1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: DECEMBER 11, 2014**
- 2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED DECEMBER 11, 2014.**
- 3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: NOVEMBER 30, 2014**
- 4. RESOLUTION, AUTHORIZING A SPECIAL CAPITAL APPROPRIATION IN THE AMOUNT OF \$880,000 TO FUND THE CONSOLIDATION AND CLASSROOM CONVERSION AT ROOSEVELT SCHOOL TO ESTABLISH A PRE-K CENTER AT THIS BUILDING. ACCOUNT NO. 09155010-5777-C0555.**
- 5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT EXTENSION WITH DB& R CONSULTING, LLC, TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES FOR THE PERIOD COMMENCING JANUARY 1, 2015 AND ENDING JULY 31, 2015, FOR AN HOURLY RATE OF \$195/HOUR, AND NOT TO EXCEED \$50,000. ACCOUNT #161343-5258**
- 6. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: JANUARY 8, 2015**
- 7. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED JANUARY 8, 2015.**
- 8. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: DECEMBER 31, 2014.**
- 9. AUTHORIZE THE PURCHASING AGENT, GERALD J. FOLEY, TO ISSUE A PURCHASE ORDER TO TYLER TECHNOLOGIES FOR THE TYLER MUNIS DOCUMENT IMAGING & INDEXING SYSTEM KNOWN AS THE TYLER CONTENT MANAGEMENT SYSTEM SOFTWARE FOR AN AMOUNT NOT TO EXCEED \$60,000, ACCOUNT 157-12110330-57.**

10. AUTHORIZE THE PURCHASING AGENT, GERALD J. FOLEY, TO ISSUE PURCHASE ORDERS AS NEEDED FOR THE PURCHASE OF SERVER AND PERIPHERAL EQUIPMENT AND SOFTWARE TO SUPPORT THE TYLER CONTENT MANAGEMENT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$30,000, ACCOUNT 09140600-5777-C0375.

B. PUBLIC WORKS

1. APPROVE THE NECESSITY FOR THE ABANDONMENT/DISCONTINUANCE OF A PORTION OF SMITH STREET BEGINNING NEAR THE NORTHERLY TERMINUS AT WALL STREET AND HEADING SOUTH TO THE INTERSECTION OF THE WESTERLY BOUNDARY OF SMITH STREET AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF THE PROPERTY LOCATED AT 6 SMITH STREET (TAX LOT 1-59-8-0) FOR THE HEAD OF THE HARBOR – SOUTH PROJECT PURSUANT TO SECTION 1.2 OF THE OPTION TO PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF NORWALK AND HEAD OF THE HARBOR SOUTH, LLC, REDEVELOPER WALL STREET AREA – DEVELOPMENT PARCEL 3 (SOUTH) AND APPOINT FREEHOLDERS.

C. PLANNING COMMITTEE

1. APPROVE CORPORATION COUNSEL’S RECOMMENDED MODIFICATIONS TO THE DAY STREET OPTION AGREEMENT BETWEEN THE NORWALK HOUSING AUTHORITY AND THE CITY OF NORWALK.

D. LAND USE & BUILDING MANAGEMENT

1. APPROVAL FOR NORWALK PUBLIC SCHOOLS TO UTILIZE PORTION OF THE ROOSEVELT CENTER AT 11 ALLEN ROAD (PREVIOUSLY OCCUPIED BY TUMBLE BUGS) FOR THE NEW NORWALK EARLY CHILDHOOD CENTER.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO SILVER PETRUCELLI & ASSOCIATES’ ARCHITECTURAL SERVICES CONTRACT FOR ROWAYTON SCHOOL IMPROVEMENT PROJECT FOR ADDITIONAL ENVIRONMENTAL REMEDIATION (\$26,870.00) AND GEOTECHNICAL (\$17,343.00) SERVICES FOR A TOTAL NOT TO

EXCEED \$44,213.00. ACCOUNT #09045010 5777 B0322 & 09135010 5777 C0519

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE LICENSE AGREEMENT WITH PROPERTY OWNERS OF 195 LIBERTY SQUARE FOR THE USE OF AN ABUTTING AREA (APPROXIMATELY 10 FEET BY 14 FEET), FOR THE CONTINUED USE OF AN OUTDOOR WALK-IN FREEZER. THE AGREEMENT SHALL BE EXTENDED FROM NOVEMBER 1, 2014 TO OCTOBER 31, 2019 FOR AN ANNUAL AMOUNT OF \$3,150.00. ALL REMAINING TERMS OF THE AGREEMENT SHALL REMAIN UNCHANGED.

**** MOTION PASSED UNANIMOUSLY**

A. BOARD OF ESTIMATE & TAXATION

Due to a potential conflict of interest, Mr. Watts rescused himself and left the Common Council Chambers.

**** MR. KIMMEL MOVED THE FOLLOWING RESOLUTION**

***RESOLVED*, THAT A SUM NOT TO EXCEED \$43,087 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE REGISTRAR OF VOTERS TO COVER CERTAIN COSTS ASSOCIATED WITH THE AUGUST 2014 PRIMARY ELECTION. (ACCOUNT #VARIOUS).**

**** MOTION PASSED UNANIMOUSLY**

Mr. Watts returned to the Common Council chambers.

E. PERSONNEL COMMITTEE

**** MR. IANNACCONE MOVED TO GO INTO EXECUTIVE SESSION.**

Mr. Kimmel said that if nothing is listed, they can't go into executive session, but if it is listed, they do not have to go into executive session. Mr. Hempstead said that past experience is that they can put executive session on consent. He said that this contract is in the public and the option is to vote yes or no. Mr. Coppola said that they have the option of going into executive session.

Ms. Bowman said that she was under the impression that any personnel matter has to be in executive session. Mr. Coppola said that is an option, but is not required. It was listed this way because it was expected that the Common Council would want to go into executive session.

Mr. Watts said that he thought they would have a discussion about this sensitive issue. He said that this is a compensation issue and thought the Personnel Director could provide clarification and thought there would be a brief presentation on the contract.

**** MR. IANNACONE MOVED THE FOLLOWING ITEM**

APPROVAL OF TENTATIVE AGREEMENT BETWEEN CITY AND LOCAL 1727 POLICE UNION – (EXECUTIVE SESSION)

Due to a potential conflict of interest, Ms. Melendez recused herself and left the Common Council Chambers.

Mr. Iannaccone said that he would support this contract. He said that savings are coming from health insurance premium reform; the bulk of the savings is coming from new hires.

Mr. McCarthy said that he is not on the Personnel Committee, but reviewed the material and thanked Mr. Iannaccone and the Committee for doing a good job. He acknowledged Mr. Hibson for bringing his first major contract to the Common Council.

Mr. McCarthy said that the Norwalk Police Officers are exceptionally well trained and the Police force is a representation of the population of Norwalk. He said that he sleeps easier because of them. He added that it is exceptional that Norwalk offers bilingual pay.

Mr. Kimmel said that the contract seem fair and balanced; both sides made concessions. He said that the Police are underpaid compared to other jobs that are not nearly as dangerous.

Mr. Hempstead said that contract negotiations are never easy. He thanked the Committee for coming to the table with an open mind. The leadership has turned the attitude of the Department in a positive way. He thanked all of the Police Officers for their service to the City of Norwalk.

Mr. Igneri said that he serves on the Personnel Committee and they spent time going over this the other night. He said that there are compromises in the Contract that will help the City keep expenses down.

Ms. Bowman said that she is on the Personnel Committee and feels that there are things she is ok with. She said that she would like to see body cameras and that they need to recruit from the City. She said that they need more diversity. Ms. Bowman said that she would like to see a requirement for Police Officers to live in Norwalk.

Ms. O'Toole Giandurco commended the Police for all they do. She said that she was happy they were able to work on the terms of the contract and will support it.

Mr. Watts said that one Police Officer got \$197,000 and another \$191,000. He said that Norwalk is pretty generous to its employees, overall. He said that there are significant issues.

Mr. Watts said that they are all good Police Officers and it is hard to criticize them because they put their lives on the line. This is about personnel matters and spending. He said that he did not feel that Norwalk could afford this contract; spending needs to be reined in. He said that it is difficult when you see top salaries coming in.

Mr. Watts said that the lack of minorities in the Police Department is troubling; there are no African Americans in the top spots and no one in the City is taking this seriously. He said that they are great men and women, but the City has to offer great jobs and benefits and encourage minorities to apply. Mr. Watts said that he would like to see the Police Department reflective of the City's diversity.

Mr. Watts said that if Norwalk allows employees to make that kind of money, as the Minority Leader, he asked how minorities can have these kinds of jobs. He said that it is not fair when they are using City resources. He said that as a minority Common Council member, he feels that the administration has not reached out; it would be better if minorities entered into the ranks and given an opportunity to earn these salaries.

Mr. Watts said that Norwalk continues to make excuses and it is not fair. The Police Union is great, but this contract does not address having a plan for minorities to obtain those funds.

Mr. Bonenfant said that after going over the contract and discussing it with his Caucus, he feels the contract is fair to both parties. He said that a month ago he and Mr. Hempstead and Ms. O'Toole Giandurco sent before the Accreditation Board. Mr. Bonenfant said that he is proud to stand up for the Police Department.

Ms. Maggio said that is a lot of money a year. She said that is the person who does not spend a weekend or holiday with their family; they are working for us. She said that with all the Police have to put up with, they could not pay her enough.

Ms. Maggio said that this is one job where they should not be required to live in town because of retaliation. She said that she believes that a lot of minorities are on the promotion list. She thanked the Police for all they do for us.

Mr. Kimmel said that the net cost to the City is under 2% each year. He said that this is a great contract from the perspective of the taxpayer. He said that with the Police you have to look at over time and other work. When they get over time and other work it is because there are vacancies. It saves money in the long run because there are not additions costs for benefits.

Mr. Kimmel said that many of the overtime requests are paid for out of other funds. When you see it come out of contingency, then it is planned. The bulk of the \$190,000 was paid by private sources, not the City budget.

Mr. Kimmel asked Mr. Hibson about the base salary for an officer in Norwalk. Mr. Hibson said that starting salary is \$61,420; the top step is \$74,747 at six years. Mr. Kimmel said that base pay for a teacher is \$100,000. He said that if a teacher maxes out at \$120,000 and a Police Officer maxes out at \$75,000, then there is a situation. He noted that the max base salary for an officer will qualify that officer for affordable housing.

Mr. Kimmel said that the City should always do what they can to ensure that every level of the Department reflects the City.

Ms. Bowman asked about differential pay. Mr. Hibson explained the shift differential.

Ms. Bowman asked how departments pay for officers. Mr. Hibson said that departments do not pay for officers. He said that over time is to cover shift vacancies. He said that the types of work that require a Police Officer will hire them.

Sergeant Orr said that they did an audit of all overtime in 2012 and 92% of the overtime was from private extra duty that was subject to a 15% fee that is revenue to the City.

Mr. Petrini said that he was briefed thoroughly from the Caucus members and agreed that this is a fair contract. He said that when people read the top City earners, it skews peoples' opinion. Mr. Petrini spoke about the job all first responders have to do. He said that during Hurricane Sandy, they were all on the job; during snow storms, they are out there. He said that they are a welcome sight if someone is sick or you need someone to respond to your home. Mr. Petrini said that when he looks at the excellent job the Norwalk Police do, they deserve everything. He said that he will support the contract.

Mr. Watts said that they all love and respect the first responders. He said that 37 Police Officers are on the 100 top earners list. Mr. Hibson said that is not as high as you may

think. Other towns have over 40. He said that when you talk about \$191,000, that is an individual; not a contractual issue. He said that the increase is extremely fair and that Norwalk is below State average. He said that for someone to earn \$191,000 means that there is work to be done. Mr. Hibson said that overtime is a requirement by law and what you are asking is that they not allow someone to work.

Mr. Watts said that the real action is in the other staff. He said that when you look at the 15% surcharge, it seems that there is a hiring problem and asked how many officers there should be. Mr. Hibson said that Personnel does not hire for the Police or Fire departments.

Mayor Rilling said that there is no appropriate number – there are no statistics; it is based on community need.

Mr. Watts said that as a Common Councilmember, he can't fight City Hall. He said that this is a status quo contract; this is the way Norwalk tends to do business. This contract is just more of the same.

Mr. Watts said that he will not support this contract because there is not enough to control spending. He said that he supports the Norwalk Police Department; they are the finest and asked them not to take what he is saying personally.

Mr. McCarthy said that he looked at the facts, because Mr. Watts and Ms. Bowman said that the Police Department is not reflective of the community. He said that the hiring programs in place are resulting in a Police force that represents the community.

Mr. Hempstead asked if Police Officers get to count their overtime in their retirement. Mr. Hibson said that their retirement is based on their base pay and years of service.

Mr. Hempstead noted that if the contract is not approved it will go to arbitration. He said that the Common Council is prohibited from participating in negotiations.

Mr. Watts said that there are no African Americans in leadership positions on the Police force. He asked who the highest ranking African American was. Sergeant Orr said that Sergeant Liam is the highest ranking African American.

Sergeant Orr explained that promotions are by competitive exam. He said that when someone gets promoted, they lose their seniority, which makes it a deterrent.

Mr. Watts said that this was an opportunity to speak to where some of the people in the minority community feel. He suggested encouraging minorities to apply; he said that he wants a Police Department that is reflective of all of the City of Norwalk.

Mayor Rilling said that of the last 20 Officers hired – 8 were minorities and 4 were women. He said that the Norwalk Police Department is committed to hiring a diverse workforce that is representative of the community. He said that has always been their commitment and feels that overall they did a fairly good job.

Mayor Rilling said that a vast amount of money comes from private contractors; an officer can only work 16 hours in a 24 hour period. He noted that 80 of the top 100 paid in Stamford were Police Officers.

Mayor Rilling thanked Mr. Hibson and the Police Union for doing a great job. He thanked all the men and women on the Norwalk Police force who do a wonderful job with awesome responsibilities. He said that they never know what they will encounter on their next call.

**** MOTION PASSED BY ROLL CALL VOTE WITH THIRTEEN (13) IN FAVOR (MR. BONENFANT; MR. HEMPSTEAD; MR. IANNACCONO; MR. KIMMEL; MS. STEWART; MS. BOWMAN; MR. SIMMS; MR. KYDES; MS. MAGGIO; MS. O'TOOLE GIANDURCO; MR. PETRINI; MR. IGNERI; MR. MCCARTHY) AND ONE (1) VOTE IN OPPOSITION (MR. WATTS)**

Ms. Melendez returned to the Common Council Chambers.

**** MR. IANNACCONO MOVED THE FOLLOWING ITEM**

APPROVAL OF TENTATIVE AGREEMENT BETWEEN CITY AND ATTORNEYS – (EXECUTIVE SESSION)

Mr. Iannaccone said that he believed this is fair to both parties and will support it.

Mr. Hempstead asked Mr. Hibson about the notification process for re-appointment. Mr. Hibson read the re-appointment section of the contract. He said that it is meant to give someone reasonable notice. Mr. Coppola said that he could go back and ask for language that will clarify that point.

Mr. Hibson said that they either have to accept or reject the contract; if it is rejected, they will have to go to arbitration. Mr. Hempstead said that the attorney that represents the City should be insulated and is not happy with that part of the contract.

Mr. Watts said that it makes sense to support this contract and urged his colleagues to support this. He said that he wants to recruit and retain good attorneys. Mr. Watts said

that he asked the City to be sure to get an excellent trail attorney. He said that they work extremely hard and he has no problem with the amount of compensation they receive.

Mayor Rilling said that Mr. Coppola does a great job.

**** MOTION PASSED UNANIMOUSLY**

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

**** MR. MCCARTHY MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:31 p.m.

ATTEST: _____
Donna King, City Clerk