

**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 7:36 p.m. and led the Assembly in reciting the Pledge of Allegiance.

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

**ROLL CALL**

Ms. King called the Roll and 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
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District C:	Mr. John Kydes	Ms. Michelle Maggio
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District D:	Ms. Shannon O'Toole-Giandurco	Mr. Jerry Petrini
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District E:	Mr. John Igneri	Mr. David McCarthy
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Mayor Harry Rilling; Mario Coppola, Corporation Counsel; Donna King, City Clerk

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

**ACCEPTANCE OF MINUTES**

Regular Meeting

September 22, 2015

The following correction was made to page 2:

Pope Benedict should be changed to Pope Francis.

- \*\* MR. MCCARTHY MOVED TO ACCEPT THE MINUTES AS CORRECTED**
- \*\* MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. BOWMAN AND MR. KIMMEL)**

### **PUBLIC PARTICIPATION**

*Public comments are not verbatim and represent summarization of statements unless otherwise noted.*

Mr. Douglas Adams, GGP thanked the Planning Committee for their thoughtful work on the project. He said that they agreed to all of the conditions to date except for the one to remove all parking over North Water Street. Without the approval of all of the conditions the project will not be allowed to move forward.

Ms. Margaret Suib, Fair Housing Officer. (comments attached)

Ms. Ellen Tully, Walnut Avenue said that there are 100,000 solutions to this problem and the developer chose the one that is best for him.

Mr. Gordon Tully, Walnut Avenue said that as a citizen he spent a lot of time looking at the alternatives. He said that the first problem is the daylight in the overpass and that it is important to get daylight in the center of the overpass. He said that cutting away parking at the end will not do the job. He suggested that GGP provide an LED wall that would be programmed by local artists. Mr. Tully recommended bringing the building out to the corner and said that by doing this, they will get more retail and indoor space.

Missy Conrad, Stonecrop Road said that GGP should be required to give money for housing to the City of Norwalk. She said that this is a wonderful chance to show how government is different from business.

Mr. Edward Musante, President of the Greater Norwalk Chamber of Commerce commended all those who took part in the process where they met outside of a normal meeting schedule and put aside personal time to work on this project. While he said that this should be a night to celebrate, it might not be the case; GGP worked to overcome 25 concerns and 24 were resolved. He said that he hopes that this approval will be one that GGP can live with.

Mr. John Levin, Chestnut Hill Road said that there is no requirement for the Common Council to vote tonight. He said that if they feel they need more information or wish to consider more alternatives that they should take their time and defer their decision.

Ms. Diane Lauricella, asked that the 25<sup>th</sup> restriction be knocked off and add affordable housing. She said that this large developer could be the first and should not be the only one to put money in a pot to rehab and redevelop housing. She said that she disagrees that Norwalk has enough affordable housing.

Ms. Patsy Brescia, East Avenue said that she was concerned that trying to make a final decision tonight may jeopardize the project. Norwalk has struggled in that area for decades. She urged the Common Council to be wise and not lose this opportunity for Norwalk.

## MAYOR

### RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:                    There were no resignations this evening.

APPOINTMENTS:                Deidre Davis – Fair Housing Authority Commission

**\*\* MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF MS. DAVIS TO THE FAIR HOUSING AUTHORITY COMMISSION**  
**\*\* MOTION PASSED UNANIMOUSLY**

REAPPOINTMENT:                Daisy Franklin – Fair Housing Authority Commission

**\*\* MR. SIMMS MOVED TO APPROVE THE REAPPOINTMENT OF MS. FRANKLIN TO THE FAIR HOUSING AUTHORITY COMMISSION**  
**\*\* MOTION PASSED UNANIMOUSLY**

### **MAYOR'S REMARKS:**

Mayor Rilling announced that vouchers for fire wood will be available on the City's website on October 14<sup>th</sup>. He thanked Mr. Kydes for this project.

October is Breast Cancer Awareness month and the Saturday morning walk was dedicated to Breast Cancer awareness.

**COUNCIL PRESIDENT**

**GENERAL COUNCIL BUSINESS**

**CONSENT CALENDAR**

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

**Finance:**

**7c1, 2, 3**

**Public Works**

**7d1, 2a & 2b, 3, 4, 5**

**Land Use and Building Management**

**7e3, 4, 5a & b, 6, 7, 8 a & b**

**REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS**

**COMMON COUNCIL COMMITTEES**

**HEALTH, WELFARE AND PUBLIC SAFETY**

**AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH TRI DATA OF MARYLAND, LLC TO PROVIDE ‘FOCUSED ASSESSMENT OF SPECIFIC ASPECTS OF THE NORWALK FIRE DEPARTMENT’ SPECIFICALLY RELATED TO EMERGENCY RESPONSE AND STATION LOCATION(S) IN THE WESTPORT AVENUE AND CRANBURY NEIGHBORHOODS FOR A SUM NOT TO EXCEED \$35,000 FROM ACCOUNT 0915 3110 5777 C0556. (THIS IS A TECHNICAL CORRECTION. THE NAME OF THE VENDOR HAS CHANGED FROM SYSTEMS PLANNING CORP. TO TRI DATA LLC).**

**AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT FUNDS FROM THE STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH TO IMPLEMENT A LEAD POISON PREVENTION PROGRAM FOR THE PERIOD JULY 1, 2015 TO JUNE 30, 2016 IN THE AMOUNT OF \$18,238.00**

**AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS INSTRUMENTS OR**

**AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENT A LEAD  
POISON PREVENTION PROGRAM FOR THE PERIOD JULY 1, 2015 TO  
JUNE 30, 2016**

**FINANCE/CLAIMS COMMITTEE**

**ACCEPT AND APPROVE THE REPORT OF THE CLAIMS  
COMMITTEE DATED: OCTOBER 8, 2015**

**FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX  
COLLECTOR'S REPORT DATED: SEPTEMBER 30, 2015**

**INFORMATIONAL SUMMARY OF STATE SENATE BILL 1**

**PUBLIC WORKS COMMITTEE**

**AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE AN  
AMENDMENT TO THE SEPTEMBER 18, 2015 AGREEMENT WITH  
SAFETY MARKING, INC. FOR PROJECT TRF 2015-1 PROPOSED  
PAVEMENT MARKINGS, SYMBOLS & LEGENDS AT VARIOUS  
LOCATIONS FOR A SUM NOT TO EXCEED \$82,719  
ACCOUNT NO: 09-16-4021-5777-C0562**

**AUTHORIZE THE MAYOR HARRY W. RILLING TO EXECUTE A  
SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF NORWALK  
AND URS CORPORATION AES FOR ENGINEERING SERVICES  
REQUIRED IN CONJUNCTION WITH THE REHABILITATION OF  
THE PERRY AVENUE BRIDGE OVER THE NORWALK RIVER,  
CONDOT PROJECT NO. 102-319 FOR A SUM NOT TO EXCEED  
\$35,970.06**

**AND TO AUTHORIZE THE MAYOR, HARRY W. RILLING TO  
EXECUTE A SUPPLEMENTAL AGREEMENT BETWEEN THE CITY  
OF NORWALK AND THE STATE OF CONNECTICUT FOR  
ENGINEERING SERVICES IN CONJUNCTION WITH THE  
REHABILITATION OF THE PERRY AVENUE BRIDGE OVER THE  
NORWALK RIVER, CONNDOT PROJECT NO. 102-319 FOR A SUM  
NOT TO EXCEED \$35,970.06  
ACCOUNT NO: 09-09-4021-5777-C0392**

**AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE  
ORDER TO TASCA AUTOMOTIVE GROUP CT EAST, INC. FOR THE**

**PURCHASE OF ONE (1) 2016 FORD SUPER DUTY F-350 XL FLATBED TRUCK FOR A SUM NOT TO EXCEED \$36,299.00  
ACCOUNT NO: 09-15-4031-5777-C0313**

**AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO C. N. WOOD OF CONNECTICUT, LLC FOR THE PURCHASE OF ONE (1) TRACKLESS MT6 ARTICULATING TRACTOR FOR AND ATTACHMENTS FOR A SUM NOT TO EXCEED \$148,785.00  
ACCOUNT NO: 09-15-4031-5777-C0313**

**AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO MORTON SALT FOR ROAD SALT FOR THE PURPOSE OF SNOW AND ICE CONTROL, PRICING NOT TO EXCEED \$77.68 PER TON FOR NORMAL AND AFTER-HOUR DELIVERIES EFFECTIVE FOR THE 2015-2016 WINTER SEASON**

**LAND USE AND BUILDING MANAGEMENT COMMITTEE**

**AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AMENDMENT TO EASEMENTS AND DECLARATIONS IN FAVOR OF THE STATE OF CONNECTICUT HISTORIC PRESERVATION OFFICE, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT ENCUMBERING THE LOCKWOOD MATHEWS MANSION MUSEUM IN CONSIDERATION FOR A GRANT OF \$179,599 FOR THE PERFORMANCE OF ADA UPGRADES TO THE MANSION BUILDING, ELEVATOR AND RESTROOMS AND VARIOUS FINISH REPAIRS**

**AUTHORIZE THE HISTORICAL COMMISSION TO ISSUE CHANGE ORDERS ON CONTRACT WITH DOMUS CONSTRUCTION LLC FOR LOCKWOOD MATHEWS MANSION MUSEUM – PHASE II ROOF REPAIR PROJECT FOR ADDITIONAL WORK FOR A TOTAL NOT TO EXCEED \$12,000  
ACCOUNT NO: 09166310 5777 C0092**

**AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH DOMUS CONSTRUCTION LLC FOR LOCKWOOD MATHEWS MANSION MUSEUM – PHASE III ROOF REPAIR PROJECT FOR A TOTAL NOT TO EXCEED \$154,500.00  
ACCOUNT NO: 09166310 5777 C0092**

**AUTHORIZE THE NORWALK HISTORICAL COMMISSION TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$10,000.00**

**AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AMENDMENT TO SILVER PETRUCELLI'S ARCHITECTURAL SERVICES CONTRACT FOR THE NEW NORWALK EARLY CHILDHOOD CENTER AT ROOSEVELT CENTER TO INCORPORATE ADDITIONAL ARCHITECTURAL SERVICES FOR A TOTAL NOT TO EXCEED \$33,400 AND FOR IT/SECURITY/AUDIO SUB CONSULTANT SERVICES FOR A TOTAL NOT TO EXCEED \$31,680.  
ACCOUNT NO: 09155010 5777 C0555**

**TECHNICAL CORRECTION OF COMMON COUNCIL ACTION OF JUNE 9, 2015, ITEM VII.D. 1D IN WHICH INCORRECTLY IDENTIFY TWO ACCOUNT NUMBERS TO BE CORRECTED FROM "09153010 5777 C05555" TO "09155010 5777 C0555":**

**RESOLVED, THAT THE PROPOSED NORWALK EARLY CHILDHOOD CENTER PROJECT TO CREATE 6 NEW CLASSROOMS IN ROOSEVELT CENTER ON ALLEN ROAD FOR THE NORWALK PUBLIC SCHOOL, PRE-K/SPECIAL ED 50/50 PROGRAM. THE ESTIMATED PROJECT COST IS \$2,466,888 AND PROJECT FUNDING IS AS FOLLOWS:**

**#09155010 5777 C0555- APPROVED PREVIOUS UNEXPENDED FUNDS  
\$ 771,000**

**#09155010 5777 C0555- APPROVED SPECIAL APPROPRIATION  
\$ 880,000**

**#09045010 5777 B0291- BALANCE IN UNASSIGNED SCHOOL  
CONSTRUCTION FUNDS  
\$ 316,777**

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**TOTAL AVAILABLE LOCAL FUNDING \$ 1,967,777**

**"PROJECTED" STATE REIMBURSEMENT BASED ON ANTICIPATED  
ELIGIBLE IMPROVEMENTS AT 32.86% \$ 752,457**

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**TOTAL PROJECT BUDGET                      \$ 2,720,234**

**AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE A CONTRACT WITH A. V. TUCHY, INC. FOR THE CONSTRUCTION OF A MAINTENANCE EQUIPMENT WASH PAD AT OAK HILLS PARK FOR A TOTAL NOT TO EXCEED \$38,240.00. FUNDS ARE AVAILABLE FROM THE STATE DEEP GRANT**

**AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$3,824.00**

**\*\*        MOTION PASSED UNANIMOUSLY**

**COMMON COUNCIL COMMITTEES**

**\*\*        MR. PETRINI MOVED TO TAKE THE AGENDA OUT OF ORDER  
\*\*        MOTION PASSED UNANIMOUSLY**

**LAND USE AND BUILDING MANAGEMENT COMMITTEE**

**\*\*        MR. BONENFANT MOVED TO APPROVE THE NAMING OF MARVIN SCHOOL SOFTBALL FIELD AFTER ISABELLA EMMA ICATAR**

Mr. Bonenfant said that the Icatar family was present this evening. He said that they are happy to do this, but it is very sad that they lost their daughter. He told the Icatar family that their hearts go out to them.

Mr. Petrini said that this request first came before the Parks and Recreation Committee where it was passed unanimously; however, there were procedures that has to be followed. He said that he is very pleased that the field at Marvin School will be named after their daughter.

Ms. Bowman told the Icatar family that she was very sorry for their loss and was happy to be able to do this for them.

Mayor Rilling said that he was happy that prior to the naming of the field, Parks and Recreation was able to go out and fix the field.

**\*\*        MOTION PASSED UNANIMOUSLY**



**\*\* MR. BONENFANT MOVED TO AUTHORIZE THE PLACEMENT OF “PARKLAND” DEED RESTRICTION ON CITY OWNED PROPERTIES IDENTIFIED AS D5 B64 L359 ALONG NORTH TAYLOR AVENUE (A.K.A. OLD LEAF DUMP – 10.7 ACRE) AND D5 B64 L425 AT 194 SCRIBNER AVENUE (A.K.A. NIBLIK PROPERTY – 6.2 ACRE). THESE PROPERTIES ABUT OAK HILLS PARK**

Mr. Bonenfant explained that the properties abut Oak Hills Park. He commended the full Common Council for preserving this open space.

Mr. McCarthy thanked Mr. Bonenfant for taking care of this and said that he did a good job.

**\*\* MOTION PASSED UNANIMOUSLY**

**PLANNING COMMITTEE**

**\*\* MR. IGNERI MOVED FOR A RECESS AT 8:24 P.M.**

**\*\* MOTION PASSED UNANIMOUSLY**

The meeting reconvened at 8:38 p.m.

**\*\* MR. HEMPSTEAD MOVED TO APPROVE AMENDMENT 4 TO THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT BY AND AMONG THE NORWALK REDEVELOPMENT AGENCY, THE CITY OF NORWALK, CONNECTICUT AND NORWALK LAND DEVELOPMENT, LLC AND TO**

**AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT 4 TO THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT**

Mr. Hempstead thanked the Planning Committee members and all of the Common Council members who attended the meetings. He sent a special shout out to Mr. Simms and Mr. Serrano for attending the Saturday meetings. He also thanked the staff, Mr. Sheehan and all of the attorneys. Mr. Hempstead said that there were 24 meetings.

Mr. Hempstead said that the reason for getting this to this body by the end of their term is because this body lived with this. He said that there has been a lot of hard work and feels that a good financial deal was made for the City. This project will have a permanent and long term impact on the City.

There have been issues about traffic impact and the way this is set up is that the traffic impact is left for others to determine. It is a shame that the housing issue went by the

wayside; however, the affordable aspect was made up with Waypointe. Mr. Hempstead said that Norwalk puts money into its budget for affordable housing every year. This is a business transaction between the City and GGP.

Mr. Hempstead urged for the adoption and suggested that the Cecil Group, GGP and Mr. Tully get together.

Mr. Kimmel said that his primary concern is that if this is adopted there will still be the major issue of parking on the overpass. Mr. Sheehan said that he would hope that there will still be a dialogue with GGP on this condition. He said that he believes there are alternatives that are better than what GGP came up with. He said that he hopes GGP will have a reasonable conversation with the Agency about alternatives.

Mr. Kimmel said that he would like to have another bite at the apple if this is passed this evening and GGP meets with the City and nothing is changed. Mr. Sheehan said that would depend on GGP to bring it to the Agency this week.

Mr. Petrini said that he has been a very strong supporter for this project. He said that this is probably a game changer for Norwalk and he is looking at tonight as a stepping stone for this process.

Mr. Petrini said that he thinks they can move ahead with one thing outstanding. If they approve this as it came out of Committee, it shows GGP that the City is in tune with having a mall. He said that he strongly supports the mall and will vote in favor. Mr. Petrini said that he feels there is a way to negotiate the one problem.

Mr. Kydes said that as a member of the Planning Committee there was not one stone left unturned. He thanked GGP for working with them and hearing their issues. Mr. Kydes said that he hope to have a long lasting, fruitful relationship.

Mr. Simms commended all of the members of the Planning Committee, especially Mr. Hempstead for his efforts to work in a bipartisan manner. He said that this property sites in the heart of South Norwalk and he wants to see the project finished. He said that he takes his hat off to all who worked so hard on this and said that they owe this to the taxpayers in Norwalk. Mr. Simms said that this project will create new jobs and do great things for this City. He said that he wants to fill in the big hole that is an eye sore in his district.

Ms. O'Toole Giandurco said that she is also a member of the Planning Committee and said that they all worked together to complete this in a timely manner. She thanked Mr. Sheehan and the staff, Mr. Hempstead and Mr. Serrano for getting this process to this point as well as fellow Planning Committee members and Redevelopment Agency members.

Mr. McCarthy said that GGP spent a significant amount of time doing socialization about the project and road shows. He said that he is not on the Planning Committee, but attended ¾ of their meetings. He said that just the permit fees for construction will be an instant \$5 million benefit to the City along with jobs. This will be a good thing for Norwalk, but there will be continuing negotiations. He said that he was happy to support this.

Mr. Bonenfant thanked GGP and Mr. Hempstead and said that they did good. He said that there was a lot of public support for the mall; however, he said that he thought they could have done a little better on the business terms. He said that he is concerned about traffic, but that is up to Zoning. If the traffic is a mess, the Common Council will get blamed for it.

Mr. Bonenfant said that GGP has a vested interest in this and is confident that they will figure this out. He said that he is looking forward to having a tax producing entity that does not stress the school system.

Ms. Bowman congratulated the Planning Committee and said that she supports the project and will vote in favor. She said that she is looking for GGP to take care of what needs to be taken care of.

Ms. Bowman said that a lot of people brought up housing; the mall will be located in South Norwalk and they are willing to be part of the improvement of South Norwalk. She said that if they are saying that will kill the project, the Common Council needs to respect that.

Mayor Rilling thanked everyone involved, especially Attorney Coppola who worked very hard on a weekly basis on the negotiations. He said that this is a project that will bring construction and retail jobs to the City and will relieve the burden from the shoulders of taxpayers. He thanked everyone for their diligence.

**\*\* MOTION PASSED UNANIMOUSLY**

**MOTIONS POSTPONED TO A SPECIFIC DATE**

There were none this evening.

**SUSPENSION OF RULES**

There were none this evening.

**ADJOURNMENT**

**\*\* MR. MCCARTHY MOVED TO ADJOURN  
\*\* MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:14 p.m.

ATTEST: \_\_\_\_\_  
Donna King, City Clerk