

Common Council Actions

JANUARY 9, 2007
COMMON COUNCIL MEETING 8:00 P.M. EST COUNCIL CHAMBERS

CALL TO ORDER

Mayor Moccia called the meeting to order at 8:14 p.m. and led the assembly in reciting the Pledge of Allegiance.

The Mayor asked for a moment of silence following the pledge in memory of former President Ford.

I. ROLL CALL

Ms. Roman called the Roll. There were fourteen (14) members present and one (1) member absent.

PRESENT: Michael Coffey Matthew Miklave
Kevin Poruban Joanne T. Romano
Carvin J. Hillard Fred A. Bondi
Nicholas Kydes Douglas E. Hempstead
Kelly L. Straniti Gwen L. Briggs
William Krummel Herbert A. Grant
Rev. Phyllis Bolden Richard McQuaid

ABSENT: Douglas Sutton

II. ACCEPTANCE OF MINUTES

** MICHAEL COFFEY MOVED TO ACCEPT THE MINUTES OF DECEMBER 12, 2006 AS SUBMITTED.

** THE MOTION PASSED WITH THIRTEEN (13) IN FAVOR (COFFEY, MIKLAVE, PORUBAN, ROMANO, HILLARD, BONDI, HEMPSTEAD, STRANITI, BRIGGS, KRUMMEL, GRANT, BOLDEN, AND MCQUAID.) AND ONE (1) ABSTENTION (KYDES).

III. PUBLIC PARTICIPATION

The Mayor asked for a three minute limit on the speakers and asked that they stay on the agenda.

Let it be noted that the following comments and remarks by all speakers have been summarized and are not necessarily verbatim.

Mr. Michael Geake of 39 Elmwood Ave. was the first speaker. Mr. Geake stated that he had heard another speaker several weeks ago during a public hearing on the proposed wage ordinance. He said that the speaker asked the council to think about how much the ordinance would cost them. He then pleaded that the council look at the record of the cities that had already passed the ordinance. Mr. Geake stated that he had lived in suburban Maryland before moving to Connecticut and, therefore, was familiar with the "Baltimore experience". He stated that, upon passing the ordinance, Baltimore suffered no loss of jobs. He also stated that the increase in cost was negligible. He said this was because wages were a small part of any municipal contract and that they were around 5% to 2%. He also stated that it was a fallacy that companies wouldn't bid. Mr. Geake stated that any company that wouldn't bid post-ordinance wasn't paying their workers more than the living wage. He stated that he hoped that they would pass the ordinance. But he also stated that he was somewhat disappointed because even with the increase, there would be people who would still be living on food stamps. He stated that he wished it would be a 130% increase, but stated that this was a step in the right direction. He then asked the council to figure out where someone making \$11.04 live in Norwalk.

Mrs. Lee Paradino, a Norwalk resident, spoke next. Mrs. Paradino criticized the Mayor's choices for his appointments to the city and stated that they had interests elsewhere. Mrs. Paradino asked how "A Taxman, whose background is taxes, could relate to Norwalk's history. Mrs. Paradino stated that she had never heard of the candidate before. Mrs. Paradino questioned Mr. Chandler's participation in a Revolutionary War re-enactments qualified him for the Commission despite the years of service given to the City by the present Commissioners.

Mrs. Paradino then made a personal comment against Mr. Park. The Mayor reprimanded her quickly for straying from the topic. Mrs. Paradino tried to validate her remarks. She asked why Mr. Lashley had not been in the papers before. She also referred to the Mayor's earlier appointment of a Historical Commission. Mrs. Paradino concluded by stating that the Mayor was establishing a bureaucracy within the Historical Commission.

Mayor Moccia commented that the Council rules discourage outbursts of applause during the meeting.

Mrs. Terry Tylo, a resident of Norwalk, spoke next. Mrs. Tylo stated that she was there to support the four members of the Historical Commission who were not reappointed. Mrs. Tylo stated that she felt that the most experienced and knowledgeable members of the Commission should remain. She also stated that she had concerns for the learning curve of the new members. She then asked everyone to read chapters 55, 56, and 57 of the Codebook. Mrs. Tylo then stated that under 57A, the Historical Commissions purpose is to preserve the history of Norwalk and stated that the former members of the Commission were following the Commissions purpose to the letter. She said that removing the former members would discourage other good members from volunteering when they know they may be subject to a political purge. Mrs. Tylo then urged the council to reappoint the former Commission members and asked that Mr. Bondi refrain from voting due to a possible conflict of interests.

Ms. Regina Krummel, who lives at 21 Little Fox Lane, spoke in favor of the former Commission members. Ms. Krummel stated that she had attended several meetings and had been impressed with the former commissioners. She then praised the former Commissioners work and asked why they had not been reappointed. She then stated that she had heard Mr. Bloom at the schools when her children were being taught and she was impressed with his knowledge. Ms. Krummel stated she had watched the Commission's actions as an objective party. When people have been serving for so long and in such an excellent manner, there should be no need for a change in direction, Ms. Krummel stated. Ms. Krummel concluded by saying that when people have served on the Commission for so long they should not be removed from that position.

Mr. William Wrenn then addressed the Council. He stated that he resided on Weed Avenue in Norwalk. Mr. Wrenn acknowledged that it is the Mayor's prerogative to appoint people to the committees. Mr. Wrenn addressed his remarks to the Council members and reminded them that the Council has the right to step in and retain the previous appointments. Mr. Wrenn asked the Council not to consider the party affiliation but whether the former commissioners are doing a good job. Mr. Wrenn stated that Mr. Bloom, Ms. Falasca and the other commissioner are doing a good job for the people of Norwalk. He stated that historic preservation is a major trend. Norwalk has that potential, Mr. Wrenn said, but by changing the Commission, it will undermine that process. Mr. Wrenn concluded by urging the Council to reject the appointments and to re-instate the previous commissioners.

Mr. Wrenn also stated that he would like to state his support for Item 7E1, the Living Wage ordinance. Mr. Wrenn said that the City should support those who work for the City.

Ms. Marija Bryant addressed the Council next. She stated she worked for the Marine Corp and that the Marines never refer to themselves as ex-Marines, they are always former Marines. She then identified herself as a former Historical Commissioner.

In the papers, the Mayor stated that he wanted a new direction for the Historical Commission. Ms. Bryant stated that in her estimation, the Commission was headed in a new, positive direction while sticking vigorously to their charge to safeguard the heritage of the City. This means working with neighborhood groups to preserve the historic character, obtaining information about preservation incentives for home owners, holding public hearings for the citizens to express their feelings about pending demolitions and bringing the heritage of Norwalk into the public dialog. Mr. Bryant said that no one seemed to have difficulty with the direction of the Commission until the issue of 93 East Avenue came up.

Ms. Bryant stated that the reason the Mayor supposedly wants new blood on the Commission is to maintain and preserving the city owned historic buildings. The buildings don't need new Commissioners, Ms. Bryant maintained, they need funding and grants. Up until last year, the City budgeted four thousand dollars a year to maintain eleven historic buildings. Last year, Ms. Bryant presented the Council with a rotting piece

of trim from the Carriage House and more money was allocated to the Historic Commission. Ms. Bryant stated that she was working on a Master Plan for the conservation of the buildings when she was yanked from the Commission. She supposed that now the old method of trial and error would be how the buildings would be handled. There will be five new Commissioners and two with less than a year's experience. Seven of the eleven will be on a sharp learning curve.

Ms. Bryant asked why the unseated Commissioners would want to continue in this frustrating role. The answer was, Ms. Bryant asserted, because the former Commissioners love it and their hearts are deeply committed to the history of Norwalk. She stated that this was the most bi-partisan group in Norwalk.

Ms. Bryant distributed copies of a document that listed the historic buildings and the repairs that will need to be done in the future along with the correct process for their maintenance and repairs.

Ms. Diane Witkowski addressed the Council next. She stated that she lives at 79 Truman Street in Norwalk and was present to speak in favor of the Commissioners who were not reappointed. Personally, Ms. Witkowski stated that she had not met harder working individuals. She stated that the number of hours that these Commissioners put in is quite large and said that she was not sure why they were being replaced. These are highly qualified individuals, including the City Historian. The new candidates do not have a quarter of the former Commissioners expertise. In the corporate world, people are not replaced for doing an excellent job because it is time for a scenery change. The Council's job is to evaluate whether or not the Commission members are worthy. She stated that none of the people present were being represented properly by any of the Council members.

Ms. Vera Levitt addressed the Council next. She stated that she was a member of ACORN and a Norwalk resident. She thanked the Council for considering the Living Wage ordinance. She believes that organizations that receive tax breaks from the City should pass along some of this money back to the City in terms of helping the workers received a decent wage for their hard work. On a federal level, there has been no minimum wage increase in over ten years. This is shameful and negatively impacted low income workers in many ways.

On a positive note, Ms. Levitt stated, ACORN succeeded in raising the minimum wage in many states and cities across the nation. In addition, Ms. Levitt stated that she was pleased that the Council had introduced a Living Wage ordinance. She stated that she was calling on Congress to pass a \$7.25 minimum wage increase bill this week with no special interest agendas attached. ACORN will continue to work towards making a Federal minimum wage a Living Wage so that more low income earners will be able to have their hard work rewarded.

Ms. Robinson addressed the Council next. She stated that she was the Chairperson of the Commission and stated that she here to request that the four Commissioners whose terms

expired on December 31st be reappointed. Ms. Robinson stated that these four individuals were the most qualified, hard working that she had ever worked with. She claimed it was a privilege to serve as the Chairperson of the Commission with these individuals. She stated that the Commissioners don't meet just once a month, but they meet in subcommittees, as Ms. Bryant mentioned such as being in charge of all the building maintenance. Ms. Robinson stated that Ms. Bryant was dealing with problems in the buildings on a daily basis. Ms. Robinson stated that she was perplexed by the reasons that were presented regarding why the four Commissioners were not reappointed. The Mayor stated that the Commission needs a new direction. This statement also perplexed other speakers. Ms. Robinson said that she was wondering what new direction that might be, since the Historical Commission is now one of the hardest working, dedicated Commissions currently in the City. The Commission is closely following their charge from the City to safeguard the historical nature of Norwalk. Ms. Robinson stated that she and the Mayor had attended a press conference that afternoon with Mr. Sheehan about the valuable historical significance of the Wall Street Redevelopment project and the cooperation between the Historical Commission and the Redevelopment Agency was acknowledged and praised. Ms. Robinson then listed some of the projects that the Historical Commission had participated in. Ms. Robinson then quoted Council Member Hempstead regarding his statement about the appointment of the new commissioners not taking anything away from what the Historic Commission has done in the past. Ms. Robinson then asked Council Member Hempstead how he would feel if people gave the same reasons for electing someone else when Council Member Hempstead is on the slate for re-election.

Mayor Moccia then requested that Ms. Robinson sum up her remarks.

Ms. Robinson stated that Council Member McQuaid and others have attended the public hearings for various locations and never commented that the Commission should not be holding public hearings. Ms. Robinson concluded by saying, "As chairman of the Commission, please give me my four Commissioners back." She reiterated their qualifications and then said that even though this had been discussed in caucus and the vote had been already determined, she requested that the Council Members consider what the public said tonight and change their minds.

Ms. Gail Wall addressed the Council next. She stated that she resides at 119 Partrick Avenue in Norwalk and was also a Norwalk Historical Commissioner. She stated that although she was active in other organizations, she was addressing the Council solely as a Norwalk Historical Commissioner.

Norwalk has unique historic treasures. She stated that the community efforts to preserve the history and assess were recognized in July of 2005 when Norwalk became the first city in Connecticut to be designated by First Lady Laura Bush as a "Preserve America City". Appointments to the Norwalk's Historical Commission should be a fair and balanced representation of the Norwalk community. Candidates must be able to vote yes or no on all historic preservation matters that are before the Commission without conflict of interest or indebted political relationships. The Mayor has a right to nominate

candidates to the Historical Commission, which is not the issue. The Commission questions why he has decided not to re-nominate the existing commission members that have been hard working, effective and bi-partisan, gender balanced and independent of having a political agenda. The members whose terms have expired have clearly worked in the interest of Norwalk and its historical heritage.

Ms. Wall then asked why the Mayor wanted to change, or reorganize an effective, qualified team. Ms. Wall then quoted the Mayor as saying, "My Chevy has more historic value than 93 East Avenue." She went on to say that the Mayor had publicly stated that he was not in favor of creating a local historic district at Fodor Farm. Ms. Wall stated that the Mayor's conflicts of interest are many regarding historic preservation. The Norwalk Inn is the unofficial home of the Republican Party, Ms. Wall claimed.

Mayor Moccia stated that he recognized that Ms. Wall's remarks were directed toward him, but that he felt it was improper for Ms. Wall to comment on his integrity or any conflicts of interest. He stated that the appointments were the subject of the discussion. Mayor Moccia stated that there were issues that he could raise, but he would not do that and commented that it was necessary to stay on the agenda.

Ms. Wall continued that 93 East Avenue was in litigation with the Norwalk Preservation Trust and the State of Connecticut. Both parties are suing under the Connecticut Environmental Protection Act to save the Grumman St. John house from unnecessary demolition by the owners of the Norwalk Inn. Ms. Wall commented that on January 10th, Mayor Moccia had appointed the owner of the Norwalk Inn to the Conservation Commission. The city cannot afford to support this type of cronyism. There has been too much of this in Norwalk and in Connecticut and it has to stop. By all means, it is important to support small business, but not at the expense of destroying our historical heritage.

Simply put, Ms. Wall said, the Mayor wants to change the membership of the Commission because he cannot have his way with the existing team. He wants a submissive Commission. The Common Council has several options to consider before approving any candidates. The first is to table the approval of all four candidates for evaluation; a second is to request a review to consider all candidate letters of interest and resumes; following this, and then consult with the Mayor about the selection of each candidate.

Mayor Moccia stated that Ms. Wall was over the time limit and requested that she sum up her remarks.

Ms. Wall then suggested that the Council consider re-appointing any or all of the Commissioners that are found to be hard-working, effective and have Norwalk's Historical heritage at heart. She suggested that the Council appeal to the community for additional candidates. She then requested that Mayor Moccia be required to provide specific reasons for not re-appointing the former Commissioners. Ms. Wall stated that she had heard that a change was needed in the Historic Commission. Big change can come

from the Council, Ms. Wall asserted. By reviewing these options, the Council could also review the upcoming budget to fund the buildings for the Historic Commission

Mayor Moccia then asked stated Ms. Wall was at five minutes and requested that Ms. Wall respect the rules set by the Council.

Ms. Wall concluded by requesting that the Council elect a fair and balanced Commission.

The Mayor stated that the Public Comment portion was now closed. Ms. Straniti pointed out that there were two additional people who wished to speak. The Mayor apologized for his oversight and called Mr. Chiaramonte to the podium.

Mr. Jack Chiaramonte spoke next. He stated that he was a local Norwalk businessman and gave his address. He stated that he had read about the Living Wage that was before the Council. As a businessman, Mr. Chiaramonte stated that he was disturbed by the proposal. He stated that he did not feel it was the role of the government to impose on any business what they should be paying. Mr. Chiaramonte stated that it shouldn't be a union or organization that should dictate what someone should be paid. Mr. Chiaramonte asked if an impact study had been done on the amendment. He said he did not believe that this was the case. He commented that the last time something similar was done was during the DROP program and it has cost the City greatly. Mr. Chiaramonte said he did not understand how the administration could announce they would pass this without knowing all the facts. Mr. Chiaramonte stated that it was important to check out all the facts first before making the decision rather than the other way around. If a company that is doing business with the City is told that the wages he pays his workers must be a specific sum, then the contractor will raise his bid. Ultimately, the person who pays for this is the taxpayer. As a Norwalk taxpayer, Mr. Chiaramonte stated that this was not right. Mr. Chiaramonte then asked why it was that when the City requested bids, they chose the best bid, but at the same time require the contractor to pay a set wage. While it is a good and noble idea that everyone makes a living, no one requires someone to take a job. He stated that this was in effect another tax on the residents of Norwalk. Mr. Chiaramonte suggested that this proposal should be sent to France rather than remain in our free market.

Ms. Daisy Franklin of 261 Ely Ave. Ms. Franklin stated that she was present to show support for the living wage ordinance. She stated that she believed that it would help the low-income person to be protected.

With this, public comment portion at 8:58 P.M.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: There were no resignations at this time.

Appointments:

Eric Chandler - Historical Commission
Charles Lashley - Historical Commission
David Park – Historical Commission
Charles Yost - Historical Commission

** MS. STRANITI MOVED TO APPROVE MR. CHANDLER TO THE HISTORIC COMMISSION.

** MR. BONDI SECONDED.

Mrs. Straniti spoke out in favor before the vote, saying that she had known Mr. Chandler for several years. She stated that she had had many political discussions with him. She stated that both of them loved history and stated that he was “a Revolutionary war buff”. Mr. Chandler has a good historical collection within his office and he has been a long time Norwalk resident and that she felt he was going to be a good member of the commission.

The Mayor asked if there was going to be any further discussion. Mr. Krummel stated that he would like to speak.

Mr. Krummel stated that he did not wish to hurt or embarrass the nominees, but that he felt that the council was dealing with a much deeper problem. He stated that he “regretted some of the incidents we’ve had tonight.” He mentioned Ms. Paradino and stated that she was a valuable person. A short while ago, Mr. and Mrs. Krummel had an interview with Ms. Paradino, who mentioned a farm that existed shortly after WWII. He stated that the experience was valuable. Mr. Krummel stated that he would like to make a motion, but wanted a discussion beforehand. Mr. Krummel stated that the mayor had rejected his help and asked for a meeting with the former Commission but changed it to an executive commission and that that the one remaining member of the commission was overworked. Mr. Krummel accused the mayor of not listening to him and that this was an embarrassment for the entire council.

Ms. Briggs said that she understood that it was the Mayor’s privilege to make appointments as he sees fit and the Council’s responsibility to approve those appointments. Ms. Briggs stated that in this case, she felt frustrated because the Council has not had the opportunity to interview these appointments about the direction that the appointees may wish to take the Commissions. She stated that she did not know what their feelings were regarding historic preservation and there was no other chance to know that.

Mr. Miklave stated that he felt that many on the council shared the comments of the public. He stated that he felt the role of council, however, was oversight. He stated that he believed that the council had not fulfilled its role as of late. Mr. Miklave stated that the problem was easily curable. Currently appointees come to the Council without a chance for the Council to get to know them first. He stated that there were two easy measures that could allow people to get to know appointees beforehand. One, a nomination must be pending for at least one council meeting to give the public the chance to assess the nominee and express their input to us. Secondly, that the nominee appear before a Council committee with the of the oversight function of that organization to give the council members the opportunity to get to know that individual and understand how they will vote on issues of interest to them. Mr. Miklave stated that in order for a couple planning to get married in Cranbury Park, they must appear before a Council committee to ask permission. But if you wish to serve on the Historical Commission or any other agency you don't need to attend any prior meetings. Mr. Miklave stated that he believes the process needs to be fixed.

Mr. Poruban stated that he felt that Mr. Chandler would be a good candidate for the commission, but that he was displeased with the process that placed him up for appointment. As a result, he plans to vote against all four candidates. He has known him for thirty years.

Mr. Hillard stated that he would like to echo what Mr. Krummel said. He stated the he did not know any of the new appointees. He stated that he would vote against them because he believes that replacing four members of the commission at one time was not a wise choice and that he believed replacing four commissioners could send the message that, if you didn't play by the Mayor's rules, you could be replaced. He also stated that he knew the former commissioners and felt that they were very dedicated to their work. The city needed preservationists to keep a balance with the amount of construction within the city. Therefore, Mr. Hillard said he would vote against the four new nominations.

Mr. McQuaid stated that he had sat on previous councils that he had to make decisions he did not favor. He pointed out that they were not voting to replace the former commissioners, but that they were voting to appoint new ones. He then stated that the council could not reappoint the former commissioners even if the current appointments were rejected. He pointed out that, if the appointees were not elected, there would be four vacancies on the commission. He concluded by saying that he would vote in favor of the four appointees.

Mr. Kydes thanked the mayor for being a good listener as he began. He stated that he would support the four appointees and that one of the goals for the Historical Commission was to take care of any historical properties that fell under its care. He pointed to a failure of the former members concerning the Rodgers Fitch Merritt house, which has been boxed up in trailer trucks. Mr. Kydes stated that no one knew the state of the house but taxpayer dollars were still being spent on the house. Mr. Kydes expressed his doubt about the management and maintenance of the current properties. There have been numerous articles in the newspapers during the last six months or more. This was

overstepping the boundaries of the Commission, Mr. Kydes stated, and therefore, he would support the appointment of the four candidates and thanked the Mayor for a job well done.

Mr. Hempstead stated that he agreed that it was “not a perfect process”. However, he disagreed with Mr. Miklave on how the process should be handled. Mr. Hempstead said that he found it difficult enough to encourage people to volunteer and reminded everyone that this was not the Senate doing hearings in Washington D.C. or job applicants or appointments as City Department heads or judges. These are every day people, who work and live in Norwalk. To send people through a difficult interview process would discourage any individual from ever applying for these positions. There are no qualifications for Council positions other than living in the district. There are no qualifications for the position of Mayor other than a willingness to serve. Mr. Hempstead thanked the public for volunteering their time without being in the political process like the Council members.

As to the those members of the Commission that were not re-appointed, Mr. Hempstead said kudos to them all, especially Ms. Booth, who Mr. Hempstead pointed out, served a very long tenure on the Board. He stated that the former Commissioners had given their hearts and souls to the Commission work. However, Mr. Hempstead said most respectfully, that this is not necessarily a qualification to be re-appointed. Mr. Hempstead then recounted his own experience of not being re-appointed to the Zoning Commission after campaigning for the Village District, because it was not the wishes of the Mayor who was sitting at that time. He stated that he had worked very hard for the Zoning Commission and supported historic preservation on that Commission. There was no statement regarding an interview process when the new Zoning Commissioner was appointed in Mr. Hempstead’s place. It is the prerogative of the sitting Mayor. Come Election Day, the residents will have the right to make a judgment on that decision. It is not a perfect process.

Mr. Hempstead thanked the former Commissioners for all their time and effort. He also commented that it was very difficult for the appointed candidates to be sitting in the audience hearing others basically say that they are not wanted in the position because they are not well known by the Council or others. Mr. Hempstead said that at one point everyone who served on the Commissions or Council were the new members who were not well known.

Mr. Miklave stated that he wanted to respond to a few comments that Mr. Hempstead made. He stated that he did respect his colleagues Mr. Hempstead and Mr. McQuaid. There have been times over the last five years in which the process by which appointments were made under both administrations have caused Mr. Miklave some concern. He stated that he did share Mr. McQuaid’s views that there have been problems and that things had been done differently. However, a mistake made in the past does not mean that the same mistake should be replicated in the future. The process that Mr. Miklave suggested earlier is one that should be considered. He then reiterated his earlier point about couples that wish to marry at Cranbury Park. Mr. Miklave stated that he felt

that if appointees were attending Commission meeting before their appointments, they should also not object to getting to know the Council members before their appointment.

With respect to issue of who appoints and who confirms, Mr. Miklave stated that he was very aware that the Mayor has the appointing authority, but that this was part of the checks and balance structure. He said that the Council has the ability, if it has the political will to exercise that balance.

**** MR KRUMMEL MADE A MOTION TO TABLE THE FOURN APPOINTMENTS TO THE HISTORICAL COMMISSION UNTIL THE NEXT COUNCIL MEETING FOR THE PURPOSE OF FURTHER DELIBERATIONS.**

The Mayor stated that a motion to table was non-debatable and stated that there would be a roll call vote.

**** THE MOTION TO TABLE FAILED WITH SIX IN FAVOR (MIKLAVE, PORUBAN, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL) AND EIGHT AGAINST (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, AND STRANITI).**

Mayor Moccia then announced that the first vote would be regarding the appointment of Mr. Chandler to the Historic Commission, which had been made earlier by Ms. Straniti. The Mayor announced that this would be done by a roll call vote.

**** THE MOTION TO APPOINT MR. ERIC CHANDLER TO THE HISTORIC COMMISSION PASSED WITH EIGHT IN FAVOR (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, AND STRANITI) AND SIX AGAINST (MIKLAVE, PORUBAN, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL).**

**** MR. GRANT MOVED TO APPROVE MR. LASHLEY TO THE HISTORIC COMMISSION.**

Mr. Coffey stated that he knew Mr. Lashley and that he is well qualified. Mr. McQuaid said that it was important to have minority representation on the Commission and that he seconded the motion.

**** MR. COFFEY SECONDED.**

**** THE MOTION TO APPOINT MR. CHARLES LASHLEY TO THE HISTORIC COMMISSION PASSED WITH EIGHT IN FAVOR (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, AND STRANITI) AND SIX AGAINST (MIKLAVE, PORUBAN, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL).**

**** MR. KYDES MOVED TO APPROVE MR. PARK TO THE HISTORIC COMMISSION.**

Mr. Kydes said that Mr. Park has lived in Norwalk 22 years and that he has been involved in the Strawberry Hill Association. Mr. Kydes believes that Mr. Park has the proper objectives in mind and will serve the Historic Commission well.

**** MR. BONDI SECONDED.**

**** THE MOTION TO APPOINT MR. DAVID PARK TO THE HISTORIC COMMISSION PASSED WITH EIGHT IN FAVOR (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, AND STRANITI) AND SIX AGAINST (MIKLAVE, PORUBAN, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL).**

**** MR. HEMPSTEAD MOVED TO APPROVE MR. YOST TO THE HISTORIC COMMISSION.**

Mr. Hempstead stated that Mr. Yost was involved in the community over the years. He did not know that Mr. Yost was interested in the Historic Commission until recently, but he and Mr. Yost had a discussion about the issues that were going on at the Museum a few years ago. Mr. Hempstead said that he had worked with Mr. Yost on various non-profit boards over the years.

****MR. BONDI SECONDED.**

Mr. Bondi said that he seconded the motion because he had known Mr. Yost for a number of years. He stated that Mr. Yost was a good East Norwalk resident and that Mr. Bondi was happy that Mr. Yost had submitted his name. Mr. Yost has served on the Board of Estimate and Taxation along with other boards in the City, so he is well qualified to serve.

**** THE MOTION TO APPOINT MR. CHARLES YOST TO THE HISTORIC COMMISSION PASSED WITH EIGHT IN FAVOR (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, AND STRANITI) AND SIX AGAINST (MIKLAVE, PORUBAN, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL).**

Mayor Moccia stated that Mr. Lashley was not able to attend because of a business trip, but Mr. Park, Mr. Yost and Mr. Chandler were all present. The Mayor thanked them for their willingness to serve.

Reappointment:

John McNamara – Board of Health
Paul Arcario – Facilities Construction Committee
Steven Kerschner - Facilities Construction Committee
Patricia Clark – Harbor Management Commission
Tony D’Andrea – Harbor Management Commission

Mary Pugh - Library Bd. of Directors
Stanley Siegel - Library Bd. of Directors
Lori Torrano – Library Bd. of Directors
Mohan Tracy - Library Bd. of Directors (Correction to term – s/b 12/31/08)

Mr. Coffey suggested that the reappointments be taken as a full slate. There was an objection to that by one of the Council Members who wished to make some comments about one the reappointment candidates.

**** MR. COFFEY MOVED TO APPROVE MR. JOHN MCNAMARA FOR REAPPOINTMENT TO THE BOARD OF HEALTH.**

**** THE MOTION PASSED WITH THIRTEEN IN FAVOR (COFFEY, ROMANO, GRANT, MCQUAID, BONDI, KYDES, HEMPSTEAD, STRANITI, MIKLAVE, BOLDEN, HILLARD, BRIGGS, AND KRUMMEL) AND ONE AGAINST (PORUBAN).**

**** MR. PORUBAN MOVED TO APPROVE MR. PAUL ARCARIO FOR REAPPOINTMENT TO THE FACILITIES CONSTRUCTION COMMITTEE.**

Mr. McQuaid stated that he had served with Mr. Arcario on the Facilities Construction Committee. Mr. McQuaid said that Mr. Arcario was very hard working and had been quite active with the Columbus renovations and other projects. Mayor Moccia agreed with Mr. McQuaid.

Mr. Poruban commented that he had known Mr. Arcario for ten years and that Mr. Arcario has been hard working, knows the construction business and keeps an eye on the bottom line.

Mr. Krummel said that he had also had experience with Mr. Arcario from the time when Mr. Arcario served on the Brookside Advisory Committee and the Facilities Construction Committee. Mr., Krummel said that he was grateful that Mr. Arcario was willing to continue to serve.

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. HEMPSTEAD MOVED TO APPROVE MR. STEVEN KERSCHNER FOR REAPPOINTMENT TO THE FACILITIES CONSTRUCTION COMMITTEE.**

Mr. Hempstead stated that Mr. Kerschner brings a wealth of knowledge and understanding to the meetings.

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. BONDI MOVED TO APPROVE PATRICIA CLARK FOR REAPPOINTMENT TO THE HARBOR MANAGEMENT COMMISSION.**

**** THE MOTION PASSED UNANIMOUSLY.**

** MR. BONDI MOVED TO APPROVE TONY D'ANDREA FOR REAPPOINTMENT TO THE HARBOR MANAGEMENT COMMISSION.
** THE MOTION PASSED UNANIMOUSLY.

** MR. PORUBAN MOVED TO APPROVE MARY PUGH FOR REAPPOINTMENT TO THE LIBRARY BD. OF DIRECTORS.

Mr. Poruban stated that he knew Ms. Pugh for several years and that he finds her to be a very passionate advocate for the Library. Mr. Hillard agreed with Mr. Poruban about Ms. Pugh. Mr. Bondi commented that although Ms. Tylo had left, he thought that Mr. Krummel should not abstain because of his wife's involvement with the Library. Atty. Nolin stated that it was not a conflict for Mr. Krummel to vote on this issue.

** THE MOTION PASSED UNANIMOUSLY.

** MR. HEMPSTEAD MOVED TO APPROVE MR. STANLEY SIEGEL FOR REAPPOINTMENT TO THE LIBRARY BD. OF DIRECTORS.

Mr. Hempstead stated that Mr. Siegel was a force unto himself and had done a yeoman's work in bringing outside funding and resource to the Library, particularly with the South Norwalk Library. Mr. Siegel is dedicated in his efforts to improve the Library.

Mr. Krummel stated that Mr. Hempstead was quite eloquent in his description of a fine public servant. Mr. Siegel is a fine example of the excellent qualities that Mr. Hempstead has raised.

** THE MOTION PASSED UNANIMOUSLY.

** MS. ROMANO MOVED TO APPROVE MS. LORI TORRANO FOR REAPPOINTMENT TO THE LIBRARY BD. OF DIRECTORS.

Ms. Romano stated that she has known Ms. Torrano longer than anyone present. Ms. Romano said that Ms. Torrano works very hard at everything she does and Ms. Romano was pleased to move her re-appointment.

** THE MOTION PASSED UNANIMOUSLY.

** MR. HEMPSTEAD MOVED TO APPROVE MS. MOHAN TRACY FOR CORRECTION TO TERM – s/b 12/31/08 AND RECONFIRMATION FOR THE LIBRARY BD. OF DIRECTORS.

Mr. Hempstead said that Ms. Tracy was another example of a dedicated volunteer.

** THE MOTION PASSED UNANIMOUSLY.

B. REMARKS

Announce appointment of Jessica Fogg to Youth Advisory Council.

Mayor Moccia stated that Ms. Fogg has been involved in Outward Bound and many other organizations. Mayor Moccia stated that he appreciated her willingness to serve and stated that this appointment did not require Council approval.

Mayor Moccia then stated that if the Council followed suggestions that were given tonight, there would never be any new Commissioners. Putting people through the implications that their roads would be paved and the appointment is a political pay off is not right. Mayor Moccia stated that there were thirteen appointments or reappointments. Five of those appointments were Republican, five were unaffiliated, and four were Democrats. These appointments were across the board and there was no political favoritism in these appointments. Two of the appointees to the Historic Commission, two were Republican, one was Democratic and one was unaffiliated.

Mayor Moccia commented that he would reiterate Mr. Hempstead's comments in that these were not Supreme Court Justices or Secretary of State nominations. As far as the change in direction goes, Mayor Moccia said that part of it was due to the animosity between the staff at the Museum and some of the legal issues that have been raised over the years. Fresh blood and a new outlook are needed. This does not mean that the old Commissioners were wrong; it will just be a different perspective. Mayor Moccia gave Mr. Krummel credit for admitting that the new appointees were not unqualified, but felt that this was not the time to make the changes. The Mayor then asked when the appropriate time would be, particularly if no one would come forward to make new changes. Having previous Commissioners doing the interviews would guarantee that there would be no change.

Mayor Moccia pointed out that when he was elected Mayor, he believed that some of the Boards and Commissions wanted change. Others may argue about the mandate, but that was what the people indicated when they elected him for a change of direction. The Mayor stated that the decision making process was not perfect, but he has tried to be fair in his appointments. Implying that 93 East Avenue has to do with comments that were made before his election as Mayor is inappropriate and speaks to the reason why people don't like politicians. While people may disagree, they should not be disagreeable or imply other's integrity. As an elected leader, Mayor Moccia stated that he intends to lead and those are the reason that he made the choices for appointment that he did. Mayor Moccia concluded by saying that he stands by his choices and his position to make those recommendations.

The clerk read the following award from the Mayor.

“WHEREAS, the Finance Department received the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA).
WHEREAS, this award is for the City's annual budget preparation for the fiscal year

beginning July 1, 2006, which satisfied the nationally recognized guidelines for effective budget presentation.

WHEREAS, this award is the highest form of recognition in governmental budgeting and represents a significant achievement for Norwalk.

NOW THEREFORE, I, Mayor Richard A. Moccia, congratulate the City's Department of Finance, Division of Management & Budgets.”

A round of applause followed. The Mayor requested a recess.

RECESS

The Council went into recess at 9:42 p.m. The Council reconvened at 9:47 p.m.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

There was nothing to discuss here at the moment.

B. CONSENT CALENDAR:

** MR. COFFEY MOVED THE FOLLOWING ITEMS:

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, THAT A SUM NOT TO EXCEED \$10,000 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE DEPARTMENT OF PUBLIC WORKS TO PAY FOR CITYWORKS TECHNICAL SUPPORT SERVICES. (ACCOUNT NO. 01-4080-5255).

2. RESOLVED, THAT A SUM NOT TO EXCEED \$6,623 BE AND THE SAME IS HEREBY TRANSFERRED FROM INCREASED APPLICATION FEE REVENUE TO THE FIRE DEPARTMENT'S OTHER PROFESSIONAL SERVICES ACCOUNT TO COVER THE COST OF THE ORAL SEGMENT OF THE ENTRY-LEVEL FIREFIGHTER'S EXAMINATION. (ACCOUNT NO. 01-3140-4509).

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1A. AUTHORIZE THE MAYOR, RICHARD A MOCCIA, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRANT FUNDS

FROM THE STATE OF CONNECTICUT FOR THE IMMUNIZATION ACTION PLAN PROGRAM FOR THE PERIOD JANUARY 1, 2007 TO DECEMBER 31, 2008.

1B. AUTHORIZE THE MAYOR, RICHARD A MOCCIA, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS OR AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENT THE IMMUNIZATION ACTION PLAN PROGRAM FOR THE PERIOD JANUARY 1, 2007, TO DECEMBER 31, 2008.

B. FINANCE COMMITTEE

2. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED NOVEMBER 30, 2006.

3. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED DECEMBER 14, 2006

4. AUTHORIZE THE PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER TO VOTING MACHINE SERVICE CENTER FOR THE MISC. REPAIRS & CERTIFICATION OF VOTING EQUIPMENT FOR A TOTAL NOT TO EXCEED \$17,145.00. ACCT. # 01120-5262.

5. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH THE SEGAL COMPANY TO PERFORM A CLAIMS AUDIT OF INSURANCE PROGRAMMERS, INC. RELATIVE TO THE CITY'S PROCESSING OF RETIREE HEALTH INSURANCE CLAIMS IN AN AMOUNT NOT TO EXCEED \$23,500. ACCOUNT # (169010-5253)

C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH THE NORWALK KARTING ASSOCIATION TO USE CALF PASTURE BEACH PARKING LOT FOR THEIR 2007 SPRING & FALL RACING SEASON ON THE FOLLOWING DATES:

SPRING FALL

MARCH 24, 31 SEPTEMBER 29

APRIL 7,14,21,28 OCTOBER 6,13,20,27

MAY 5,13,19 NOVEMBER 3,10,17

(CANNOT RUN SATURDAY, MAY 12 OR SUNDAY MAY 20, 2007). ALL OTHER SUNDAY'S ARE AVAILABLE FOR RAIN UNLESS CONSTRUCTION PARKING LOT ISLANDS DISRUPT OPERATIONS IN THE SPRING SESSION.

2. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH THE ROUND HILL HIGHLAND GAMES INC. TO USE CRANBURY PARK FOR THE ANNUAL ROUND HILL HIGHLAND GAMES TO BE HELD ON SATURDAY, JUNE 30, 2007 FROM 9:00AM – 6:00PM. SET-UP ON

THURSDAY, JUNE 28, 2007 AT 7:00AM AND BREAK DOWN BY MONDAY, JULY 1, 2007. ESTIMATED ATTENDANCE 4,000.

3. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH M.T.E LLC TO USE CALF PASTURE BEACH FOR THE ANNUAL MOSSMAN TRIATHLON AND MINI TRIATHLON TO BE HELD JULY 7-8, 2007 FROM 6:00AM-12:00PM. SET-UP FRIDAY, JULY 6, 2007 AFTER 12:00PM AND BREAKDOWN BY MONDAY, JULY 9, 2007, 12:00PM.

4. APPROVE THE NAMING OF THE TRAIL IN HERITAGE PARK AFTER SPECIALIST WILFREDO PEREZ, JR. KILLED WHILE SERVING HIS COUNTRY IN IRAQ. THE TRAIL WILL BE MARKED WITH A SIGN, FLAG POLE AND PLAQUE DEDICATED TO MR. PEREZ.

5A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH THE NORWALK HOSPITAL FOR THEIR ANNUAL CANCER WALK "WALK WITH US" TO BE HELD AT CALF PASTURE BEACH ON SATURDAY, MAY 12, 2007 FROM 7:00AM – 2:00PM. ESTIMATED ATTENDANCE 400. SET-UP TO TAKE PLACE ON FRIDAY, MAY 11, 2007 AFTER 1:00PM.

5B. APPROVE THE USE OF THE SHOW MOBILE BY THE NORWALK HOSPITAL FOR THEIR CANCER WALK TO BE HELD ON SATURDAY, MAY 12, 2007 FROM 7:00AM – 2:00PM.

D. PUBLIC WORKS COMMITTEE

2. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH A.M. RIZZO, FOR PROJECT NO. TRF 2005-1, IMPROVEMENTS TO TRAFFIC SIGNAL AT FOXBORO CONDOMINIUMS, FOR A SUM NOT TO EXCEED \$47,850. ACCOUNT NO. 0903/04 4120 5777 C0284

3A. APPROVE THE EXECUTION OF A FORCE ACCOUNT AGREEMENT BETWEEN THE CITY OF NORWALK AND METRO NORTH AND AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE FORCE ACCOUNT AGREEMENT FOR THE PURPOSE OF CONSTRUCTION OF THAT PORTION OF THE REED STREET EXTENSION AND UNDERPASS PROJECT DETERMINED TO FALL WITHIN THE REQUIREMENTS OF THE FORCE ACCOUNT BY METRO NORTH.

3B. APPROVE AN AMOUNT NOT TO EXCEED \$900,000 TO FUND THE FORCE ACCOUNT WORK REQUIRED UNDER THE FORCE ACCOUNT AGREEMENT BETWEEN THE CITY OF NORWALK AND METRO NORTH RAILROAD FOR THE REED STREET EXTENSION AND UNDERPASS PROJECT. (FUNDING

SOURCE – SPECIAL ACT 01-02 REED PUTNAM URBAN RENEWAL PROJECT ASSISTANCE AGREEMENT 6.5)

F. LAND USE & BUILDING MANAGEMENT COMMITTEE

3A. INCREASE CONTINGENCY ALLOWANCE FOR AAIS CORP. OF WEST HAVEN CT'S ASBESTOS ABATEMENT CONTRACT FOR THE NATHANIEL ELY CENTER IMPROVEMENT PROJECT, FOR AN ADDITIONAL AMOUNT OF \$25,000. ACCOUNT #09064074-5777-C0346

3B. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED THE CONTINGENCY ALLOWANCE.

** THE MOTION ON THE ABOVE CONSENT CALENDAR ITEMS PASSED UNANIMOUSLY.

The following items were removed from the consent calendar for discussion:

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

2a. Authorize the Purchasing agent to issue a purchase order to Morande Ford for ten (10) 2007

Crown Victoria P-71, for an amount not to exceed \$216,802. Funds to be taken from Account #0130535731.

2b. Authorize the Purchasing Agent to issue a purchase order to Fair Auto Supplies for Emergency Equipment and graphics for ten (10) vehicles for an amount not to exceed \$86,451. Funds to be taken from Account# 0130535731.

2c. Authorize the Purchasing Agent to issue a purchase order to Northeastern Communications for police radios for ten (10) vehicles for an amount not to exceed \$39,390. Funds to be taken from Account# 0130535731.

** REV. BOLDEN MOVED THE FOLLOWING ITEMS:

2a. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO MORANDE FORD FOR TEN (10) 2007 CROWN VICTORIA P-71, FOR AN AMOUNT NOT TO EXCEED \$216,802. FUNDS TO BE TAKEN FROM ACCOUNT #0130535731.

2b. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO FAIR AUTO SUPPLIES FOR EMERGENCY EQUIPMENT AND GRAPHICS FOR

TEN (10) VEHICLES FOR AN MOUNT NOT TO EXCEED \$86,451. FUNDS TO BE TAKEN FROM ACCOUNT# 0130535731.

2c. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO NORTHEASTERN COMMUNICATIONS FOR POLICE RADIOS FOR TEN (10) VEHICLES FOR AN AMOUNT NOT TO EXCEED \$39,390. FUNDS TO BE TAKEN FROM ACCOUNT# 0130535731.

Mr. Bondi stated that he has been the one that requested these items be removed from the consent calendar because he had some questions. However, he had spoken with Police Chief Rilling earlier and received the answers to his questions, therefore at this time, Mr. Bondi had no further questions.

** THE MOTION PASSED UNANIMOUSLY.

Mr. Miklave recused himself from the next discussion on Finance and left the room to avoid the appearance of impropriety.

B. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated December 14, 2006.

** MR. BONDI MOVED TO APPROVE TO ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED DECEMBER 14, 2006.

** THE MOTION PASSED UNANIMOUSLY.

D. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the contract with Almstead Tree and Shrub Care, Inc. for tree trimming and removal for a sum not to exceed \$259,200.

Account No. 014029 5298 (pending special appropriation)

Mr. Krummel stated that he felt the public needed to be informed as to what the issue was that the Council was voting on.

** MR. KRUMMEL MOVED TO APPROVE AUTHORIZING THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH ALMSTEAD TREE AND SHRUB CARE, INC. FOR TREE TRIMMING AND REMOVAL FOR A SUM NOT TO EXCEED \$259,200.

ACCOUNT NO. 014029 5298 (pending special appropriation).

Mr. Krummel stated that Mr. Alvord was present to answer questions, but Mr. Krummel pointed out that the contract amendment that was being proposed is for safety. There are trees that there were trees overhanging roads and posing other dangers that are a hazard to the public.

Mr. McQuaid asked about the Special Appropriation. Mr. McQuaid said that this was sequence was out of order, because it should have gone to BET first. The Mayor agreed and suggested that this item be tabled to have the request go through the normal procedure.

Mr. Krummel stated that he was willing to admit that he was wrong. The Mayor replied that Mr. Krummel was not wrong; it was needed to go through the proper channels. Mr. Krummel then asked Mr. Alvord if there was a timing problem.

Mr. Alvord said that a parallel request had been submitted to the Board of Estimate and Taxation with the expectation that it would be considered at this month's meeting. The meeting was later cancelled, which means that the request would not be considered until next month. This means it potentially would be April before the funds would be available and be able to execute the amendment to the contract. Mr. Alvord stated that there are no funds left in this account. If there were some kind of tree emergency that happened in the power zone or to a tree that was over 40 feet, the City would not be able to deal with it. After the BET meeting was cancelled, this item was left on the Public Works agenda with the hopes that it would come before the Council so that the authorization would be in place when any portion of the funding is approved. This would save some time in the process.

Mr. Hamilton was then asked if it was appropriate to present the project this way. Mr. Hamilton said that he would say that the proper procedure would be that the Appropriation in place first, but any action of the Council is always subject to the availability of the funds. He suggested that while the appropriation could be considered simultaneously, putting the authorization first would not be correct.

**** MR. HEMPSTEAD MOVED TO REFER BACK TO COMMITTEE AUTHORIZING THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH ALMSTEAD TREE AND SHRUB CARE, INC. FOR TREE TRIMMING AND REMOVAL FOR A SUM NOT TO EXCEED \$259,200.**

ACCOUNT NO. 014029 5298 (pending special appropriation).

**** THE MOTION PASSED UNANIMOUSLY.**

E. ORDINANCE COMMITTEE

1. Approve proposed Living Wage Ordinance.

Mr. Coffey then said that this ordinance covers a number of areas. Mr. Coffey said that the newspaper reported in the past week that Fairfield County is the highest area for the Cost of Living in the United States. It makes sense that our wages would reflect the higher cost of living. Mr. Coffey stated that this was the morally right thing to do. History looks at societies and judges them according to how they treat their poorest members.

The people who would be affected by these contracts are clearly the lowest paid employees.

The Living Wage Ordinance is modeled after the Manchester Living Wage Ordinance. Mr. Coffey stated that he had received a letter from the Mayor of Manchester, which said that from a staffing standpoint. There is no hiring of additional staff in Manchester. Mr. Coffey stated that he had some of the studies with him at the meeting. He admitted that there is a cost increase, about one to two percent on the contracts. Mr. Coffey said that this was minimal. However this is offset by efficiency. There are over seventy cities that have a Living Wage Ordinance. The one that Norwalk is proposing is 115% of the poverty level, which is a very low wage compared to the recent study that stated one needed to make \$31 an hour to reside in this area.

Mr. Hillard then stated that there is a need for a Living Wage in the country. It has been quite some time since the minimum wage has been raised. Because of this, municipalities have taken this responsibility upon themselves to enact this type of ordinance. Another reason for this is that Mr. Hillard does not believe that the City of Norwalk should be in the business of adding to the rolls of working poor. This ordinance will prevent the contractors from submitting an artificially low bid. It also reduced employee turnover. It acts as a safety net for those services that become privatized.

Ms. Romano commended the Committee for presenting this ordinance, but Ms. Romano stated she had several concerns. She said that she had not seen any impact studies on the cost to the City or the taxpayers. Ms. Romano asked where this would lead in terms of the City's vendors. She then stated that she would abstain from voting on this issue.

Mr. Kydes also stated he would like to have more information on this ordinance. The ordinance has the potential of diminishing competition, Mr. Kydes stated, and this would hinder our free market economy. He stated that it would increase the cost of doing business with the City of Norwalk and increase the burden on the taxpayer who pay the bills for this subsidy. It has the potential to create more red tape for City Departments who have to manage the process and insure that the firms that do business with the City are complying with the ordinance. This will increase the required staff to supervise this. Mr. Kydes stated that he would vote against this ordinance.

Ms. Straniti said that she was on the Ordinance Committee and knows the amount of time that was devoted to it. There are studies that are both for and against the Living Wage Ordinance.

**** MS. STRANITI MOVED TO TABLE THE APPROVAL OF THE LIVING WAGE ORDINANCE UNTIL SUCH TIME AS THE FINANCE DIRECTOR HAS HAD TIME TO DO ITS OWN FINANCIAL IMPACT ANALYSIS ON THIS ISSUE.**

**** THE MOTION TO TABLE FAILED WITH SIX IN FAVOR (STRANITI, HEMPSTEAD, MCQUAID, ROMANO, KYDES, AND MIKLAVE) AND EIGHT**

AGAINST (COFFEY, GRANT, HILLARD, KRUMMEL, BONDI, PORUBAN, BRIGGS AND BOLDEN).

Mr. Hempstead said that he had read information that promoted the Living Wage and others that did not. He stated that for him, there was not a clear picture. He stated that he was part of a Council that inherited a DROP program that was not examined well in terms of the fiscal impact and to be financially responsible, it is important to understand what the fiscal impact would be.

A second concern Mr. Hempstead had was with the language. He was unsure if the language would require the Laura Raymond Homes who receive tax abatements from the City, qualifies for the ordinance or not. The wording in the contracts is unclear to Mr. Hempstead regarding non-profits or housing projects. He also pointed out that the Board of Education, which is the largest employer in the City of Norwalk is not in the ordinance at all. Mr. Hempstead requested that the Board of Education not be exempted from this ordinance.

Mr. Nolin said that the City does not have the power to do something like that as the Board of Education is a separate, political district under State law. Mr. Hempstead asked if the City could make it a condition of the approval of the Board of Education's budget. Mr. Nolin said that he did not believe that the City had authority to tell the BOE how to spend their money. Mr. Nolin stated that in the past, the City has attempted to tell the BOE how to spend their money and the City has been advised by outside legal counsel that the City has no jurisdiction. Mr. Hempstead said that he would honor that statement and commented that it was even more reason to send this back to Committee to see if the Board of Education would sign on to the ordinance.

Mr. Hempstead pointed out that the State does have a minimum wage law, which is one of the highest in the country. The State has defined what they believe is a living wage and the City is going beyond that with the Living Wage Ordinance. He also commented that the wages that were being proposed would not even qualify a full time worker for the best affordable housing available now. His own personal philosophy would encourage people to buy American products. NAFTA was a major mistake for the country, Mr. Hempstead said, especially if the country was trying to keep good paying jobs in America. Part of the contract should state that all goods provided, should be American in origin.

Mr., Krummel stated that there was a lesson here. He said with all due respect to Ms. Straniti, a motion to table halts all debate and that the Council would not have heard Mr. Hempstead's excellent points if the motion to table had been successful. He suggested that the Council save the motion to table until the Council members have had the opportunity to express their views.

Mr. Krummel said that he had some regrets about how this issue had been handled. He was concerned that the staff had not been consulted. Out of respect, the Council and committee members should have been asking them for their views on the impact of this ordinance. Putting this aside, Mr. Krummel stated that he did not believe that country

could not survive without a strong American citizenry. Poverty, children without health benefits and conditions that prevent our citizens from participating in our democracy will hurt the country. This is a small step with many defects, but a very necessary step. In the long run, it will save money and also help the country. The country can not survive as a divided country with people who do not have the opportunity for education, are forced to live far from their jobs and then are forced to go on food stamps in order to make ends meet.

Rev. Bolden pointed out that Mr. Hillard and Mr. Coffey had both done their due diligence in this matter and that she respected their findings. She agrees with one of the speakers who claimed that a wage increase would boost morale and help with personal esteem. Minimum wage is not a living wage. When people have a decent wage, they go out and spend their money in the community, so the money recycles itself. With a Living Wage, the parents would be home with their children instead of working multiple jobs. This would result in a reduction in drug use, crime and teen pregnancy. Rev. Bolden stated that she was in full support of a Living Wage.

Mr. Poruban then addressed the Council. He stated that he had not seen the information that Mr. Hillard had presented but he had done his own research on the subject. He stated that he found this to be a positive ordinance. There is a waiver and exemption clause in the ordinance, so if someone is prevented from participating because of the Living Wage, they can receive an exemption. Mr. Poruban stated that he had located a study that supported the fact that the Living Wage Ordinance does decrease crime in a community because it allows the parents to be home and supervising their children.

Ms. Briggs then stated that was for the ordinance.

Mr. McQuaid that he and Mr. Poruban were most likely the only two union members on the Council. He stated that there were many questions that had come forward at the meeting that needed to be answered. He said that he was in favor of tabling the item because there was no real answer to who would enforce the ordinance or what the cost would be. He concluded with the fact that he would abstain.

Mr. Hillard said he appreciated the comments that were made and agreed with Mr. Hempstead that free trade is not necessary fair trade, but this is beyond the scope of the Council tonight. This is a first step and not a perfect ordinance. The City needs to move forward. The need is evident.

Mr. Hempstead said that he was unclear about something. If a contractor was out of state or out of country, he wanted to know if the Living Wage would apply. He pointed out that some professional services that are not Connecticut companies. Mr. Coffey replied that this would be a case where the waiver would apply. Mr. Hempstead asked if this limitation would only apply to Connecticut companies. Mr. Coffey said that the ordinance was as it was. Mr. Poruban said that he had never encounter a contract elsewhere when someone from out of state who would fit within the guidelines. Services that have been contracted out of state have always been over the \$100,000 amount.

**** THE MOTION TO APPROVE THE PROPOSED LIVING WAGE ORDINANCE PASSED WITH EIGHT IN FAVOR (COFFEY, PORUBAN, GRANT, BOLDEN, HILLARD, BONDI, BRIGGS AND KRUMMEL), THREE AGAINST (MIKLAVE, HEMPSTEAD, AND STRANITI) AND THREE ABSTENTIONS (ROMANO, KYDES, AND MCQUAID).**

Mayor Moccia commented that he would follow the lead of the Council and would work with Corporation Counsel and the Department heads regarding this ordinance.

F. LAND USE & BUILDING MANAGEMENT COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute a Guaranteed Maximum Price (GMP) amendment to Skanska USA Building, Inc.'s contract for Construction Management (CM) Services for the Roton Middle School Improvement Project for a total not-to exceed \$6,739,437 Acct #0904-5010-5777-B0312.

1b. Establish an allowance for Owner's Contingency in the amount of \$675,000.

1c. Authorize the NFCC to issue change orders on contract for a total not to exceed the Owner's Contingency Allowance.

The Mayor announced that Mr. Coffey recused himself to avoid any possible conflict of interest.

Mr. Krummel informed the Council that Mr. Sutton was the chairman of the Land Use and Building Management Committee and was not present due to a death in the family.

**** MR. KRUMMEL MOVED TO APPROVE THE FOLLOWING ITEMS:**

1A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT TO SKANSKA USA BUILDING, INC.'S CONTRACT FOR CONSTRUCTION MANAGEMENT (CM) SERVICES FOR THE ROTON MIDDLE SCHOOL IMPROVEMENT PROJECT FOR A TOTAL NOT-TO EXCEED \$6,739,437 ACCT #0904-5010-5777-B0312.

1B. ESTABLISH AN ALLOWANCE FOR OWNER'S CONTINGENCY IN THE AMOUNT OF \$675,000.

1C. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED THE OWNER'S CONTINGENCY ALLOWANCE.

These items deal with an amendment to the Maximum Guaranteed Price for Roton Middle School. Mr. Shamar was present to answer any questions from the Council.

**** THE MOTION PASSED UNANIMOUSLY.**

2. Authorize the Mayor, Richard A. Moccia, to execute an amendment to URS Corporation's contract for the Columbus and Tracey Elementary Schools to provide additional monitoring services associated with the removal of the Hazardous Material during the construction phase as follows: Tracey Elementary School in the amount of \$14,913.00 (Acct. # 09045010-5777-B0311) and Columbus Elementary School in the amount of \$8,639.00 (Acct. #09045010-5777-B0314).

Mr. Krummel presented the proposal. The Mayor stated for the record that Mr. Coffey had recused himself from this item.

**** MR. KRUMMEL MOVED TO APPROVE AUTHORIZING THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO URS CORPORATION'S CONTRACT FOR THE COLUMBUS AND TRACEY ELEMENTARY SCHOOLS TO PROVIDE ADDITIONAL MONITORING SERVICES ASSOCIATED WITH THE REMOVAL OF THE HAZARDOUS MATERIAL DURING THE CONSTRUCTION PHASE AS FOLLOWS: TRACEY ELEMENTARY SCHOOL IN THE AMOUNT OF \$14,913.00 (ACCT. # 09045010-5777-B0311) AND COLUMBUS ELEMENTARY SCHOOL IN THE AMOUNT OF \$8,639.00 (ACCT. #09045010-5777-B0314).**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. MIKLAVE MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:40 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services