

Common Council Actions

COMMON COUNCIL

JANUARY 27, 2004

ACTION

NORWALK, CONNECTICUT 8:00 PM EST, COUNCIL CHAMBERS

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.

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, January 27, 2004, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. The Mayor, Alex A. Knopp, called the meeting to order at 8:05 pm and lead the assembly in the Pledge of Allegiance

I. ROLL CALL

Betsy Bain	Bruce Kimmel
Kenneth Baker	Richard McQuaid
Fred Bondi	Matthew Miklave
Michael Coffey (absent)	Jeanette Olmstead-Sawyer
Carvin Hilliard	Kevin Poruban
Douglas Hempstead	Douglas Sutton
William Krummel	Peter Wien
	Leona Williams (absent)

There were thirteen (13) members present at Roll Call.

II. ACCEPTANCE OF THE MINUTES

A. Regular meeting of January 13, 2004

**** MR. BONDI MOVED APPROVAL OF THE MINUTES AS AMENDED.**

The following corrections were made to the minutes of January 13, 2004:

Page 5, after the third motion, Ms. Olmstead-Sawyer's comments should reflect the following - ...exposed to a lot of different social project while studying in New Haven.

Page 8, last paragraph, change Kimmel to Krummel.

**** MOTION PASSED TWELVE VOTES IN FAVOR, ONE ABSTENTION (MS. BAIN) BY VOICE VOTE.**

III. PUBLIC PARTICIPATION

Tony Mobilia a member of the Norwalk Harbor Management Association stated that he was in support of dedicating the Boating Center and Visitors Docks to Mr. David Dunavan. He gave some background history of Mr. Dunavan's involvement with the harbor. He introduced Mrs. Sally Dunavan to the Council members.

Art Scialabba stated that he was here tonight to talk about the capital budget and that he was concerned that the rise in taxes would be put to an unaffordable rate forcing people out of Norwalk. Mr. Scialabba suggested that this Common Council establish a cap on spending because by placing a fake cap undermines the Charter. He further suggested that this Common Council use what the taxpayers could afford as a starting point, not a finishing point.

With regard to saving money, Mr. Scialabba referred to Price Waterhouse's plan of \$7 million of savings in school budget; he said this reform had been placed on the shelf and needs to be taken off and implemented. Also on this subject, Mr. Scialabba recommended that a committee be formed to examine the budget for savings and to examine the privatization of services. He said it would be a dereliction of duties if they passed this placeholder budget and did not adopt a real limit on spending. He concluded by saying that passing the buck is not what the members of this Council were elected to do.

Richard Moccia said after the last campaign there is a feeling of negativity toward Council members; he said tonight they had an opportunity to prove otherwise by voting against the pass through budget. He referred to Mr. Scialabba's comments. Mr. Moccia went onto say that members should be responsible and to follow the charter and to exercise their independence.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

There were no resignations or appointments this evening.

B. REMARKS

Mayor Knopp indicated that he would make his remarks during the Item on the capital budget. He also wished everyone a safe journey home in the snow.

V. COUNCIL PRESIDENT

A. CONSENT CALENDAR

**** MR. KIMMEL MOVED APPROVAL OF THE FOLLOWING ITEMS TO BE INCLUDED ON THE CONSENT CALENDAR.**

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. Approve the naming of the Boating Center and Visitors docks, Veterans Park to the David S. Dunavan Boating Center and visitors docks.

C. FINANCE COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to issue a purchase order to MUNIS for Crystal Reports and MUNIS Office software for \$35,850.00 to operate with the City's Financial, Payroll, Personnel and tax system. Item approved by ITT Committee on January 21, 2004.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

B. OTHER COUNCIL

With regard to Item VII A 1 Mayor Knopp thanked Mrs. Dunavan and wished to acknowledge the tremendous role of Mr. Dunavan as former chairman and member of the Harbor Management Commission for work on the Harbor Management Plan and his life long commitment to the Harbor. The Mayor said that he had never met a person so knowledgeable yet so humble.

Mr. Hempstead expressed his sincere sympathy for the loss of Mr. Dunavan. He said not only as a neighbor but during his former years on the Council he had crossed paths with Mr. Dunavan several times with his many dealings in and around the harbor.

There was a round of applause.

VII. COMMON COUNCIL COMMITTEES

B. LAND USE COMMITTEE

1a. Authorize to increase contingency funds for electrical upgrade at Rowayton Elementary School in the amount of \$2,500 (total revised contingency amount shall be \$4,078.00). Acct. # 09025010 5777 CO260

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM**

Mr. Krummel indicated that there had been a problem with the electrical upgrade at Rowayton School and they had had to shut the power down in order for this to be effective. He said there were delays over Easter and the work had to be done during a weekend that had incurred the overtime costs.

Mr. Kimmel interjected by saying that Mr. Opdahl could not be present to answer questions on this but had telephoned him earlier in the day to inform him that this work could only be done when school was not in session. Originally they had planned to do the work in the summer but there was a very full summers school session, then there was an asbestos abatement and finally there were problems fitting in around the CL&P schedules. As a result the work was delayed so much that it was done during a weekend.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

1b. Authorize the Land Use and Building Management Committee to issue change orders on contract with Masi Contracting, Inc. D/B/A Acorn

Electric for electrical upgrade at Rowayton Elementary School for a total not to exceed \$4,078.

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Krummel noted that this authorizes Land Use and Building Management to issue a change order in accordance with Item VII B 1a.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

1. Authorize the Purchasing Agent to issue a Purchase Order to Dell Computers Company for 117 Dell Personal Computers for Board of Education at a unit price of \$892.01 for a total not to exceed \$104,365.17. Acct # 09035010 5777 C0112.

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM**

Mr. McQuaid recused himself and left the Council Chambers.

Mr. Krummel indicated that these are the flat panel, small form factor computers. He noted that the ITT Committee has approved this item.

Mr. Hempstead asked if some additional information could be brought back for the next meeting regarding the replacement of damaged computers.

Mr. Poruban referred this question to Mr. Buswell who said that these computers were not in line to replace damaged computers.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

3. Authorize the Purchasing Agent to issue a Purchase Order to Dell Computer Company for 10 Dell Personal Laptop Computers Model Inspiration 8500 at a unit price of \$1,721.00 for a total amount not to exceed \$17,210.00. Acct. #09035010 5777 C0112.

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Krummel mentioned that these laptop computers will be used as part of the High School Accreditation process for Norwalk High School and Brien McMahan; he said they will become part of a lending library for Curriculum development when not being used for accreditation.

Mr. Poruban noted that he was not present at one of the ITT meetings and asked for clarification on this.

Mr. Buswell said that he too was not certain if this had been approved. Mr. Poruban suggested that the item be tabled until they received clarification.

Mr. Krummel commented that if this is wrong, then it is a very serious matter and the procedure should be changed.

**** MR. PORUBAN MOVED TO TABLE THE ITEM TO THE NEXT COUNCIL MEETING.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

D. PUBLIC HEALTH AND WELFARE COMMITTEE

1. Approve the 2004 fee schedule for Health Department permits and licenses.

Mayor Knopp indicated that would be approved unless there was discussion on it being overturned.

There was no discussion on the item being overturned.

C. FINANCE COMMITTEE

2. Approve Budget Cap Resolution.

**** MR. KIMMEL MOVED: WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.**

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

THE MAXIMUM LIMIT ON TOTAL APPROPRIATION FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2004, SHALL BE NO MORE THAT \$195,496,283. THIS CAP AMOUNT REPRESENTS THE SAME AMOUNT OF EXPENDITURES APPROVED IN THE CURRENT 2003-04 BUDGET LESS AN ESTIMATE OF INTERGOVERNMENTAL GRANTS TO BE RECEIVED FOR 2004-05. IN ADOPTING THIS RESOLUTION, THE COMMON COUNCIL ALSO STATES THAT

THIS EXPENDITURE CAP IS ESSENTIALLY AN ARTIFICIAL PLACEHOLDER CAP, AND SHOULD BE VIEWED AS SUCH. OUR DECISION TO ESTABLISH THIS FLAT PRELIMINARY EXPENDITURE CAP IS PREDICATED ON THE NOTION THAT WE ARE AWAITING ADDITIONAL INFORMATION REGARDING THE OPERATING BUDGET.

BE IT FURTHER RESOLVED THAT THE RESULT OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2004-05 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE BOARD OF ESTIMATE AND TAXATION.

Mr. Kimmel indicated that a number of things have been said about this and wanted to point out the following. He explained that the Charter requires the finance department to submit the budget to the Common Council by the second Tuesday in January, that gives them only two weeks to analyze the information. Mr. Kimmel said that idea of task force is interesting as they have had the lowest city spending and tax increase for the last two years compared to the surrounding towns.

Mr. Kimmel noted that the State Legislature has not yet convened so they still do not know the extent of the state cuts. He also said that they are working with pension actuaries to find sound alternatives and savings as well as in many other areas.

Mr. Kimmel indicated that January notes the beginning of what needs to be done. Until March they need to balance the budget by looking at the needs of the taxpayer, to keep taxes as low as they can and to also look at the needs of the city including the schools and basic services to the citizens. He said this is a hard balance to find, they cannot just pull the number out of a hat. He concluded by saying that this is the process they have followed in the last two years and it works.

Mr. McQuaid stated that he couldn't support an artificial placeholder. He pointed out that it is very hard for them to do their job without realistic numbers and referred to the DPW figures, To Be Determined, he reiterated that it is a tough job without the proper information. Mr. McQuaid also stated that he had requested a copy of the budget after not receiving one; he produced a copy of an email he had received. Mr. McQuaid referred to an article in the newspaper specifically to some comments made by a Common Council member.

Ms. Bain responded to Mr. McQuaid's comments explaining the context in which they were used.

Mr. Hempstead said that he applauded the efforts of the zero percent increase but was opposed to the original process. He said there are known and unknown items in the budget and suggested that they take the known items such as contracts etc and to produce some real numbers.

**** MR. HEMPSTEAD MOVED TO AMEND THE MOTION BY REMOVING THE WORD "PRELIMINARY" IN THE SECOND PARAGRAPH.**

Mr. Miklave stated that he was opposed to the amendment because of the falsehood behind the statement that a cap means an impact on taxes. He stated that this simply is not true.

Mr. Kimmel said he too was against the amendment. He explained further that they could not just come up with any figure to balance this. He referred to a freeze that was announced in January 2000 saying that people were afraid at that time about the schools and the services. He said by removing the words in the resolution probably wouldn't effect the overall budget, but Mr. Kimmel said he would rather keep the wording as it is to let people know that they are looking at both sides of the budget.

Mr. Hempstead said he wished to reiterate why it was important for this Council to set the tone so they can let the department heads and the Board of Education to look at this budget. At this point he complimented the Mayor's decision regarding the cuts for the Board of Education last year.

Mr. McQuaid reported that Senator Duff had stated that 16.7% would be the amount coming back to Norwalk. This is a number from the state that they work from.

**** AMENDMENT FAILED, TWO VOTES IN FAVOR (MR. MCQUAID, MR. HEMPSTEAD), ELEVEN VOTES OPPOSED (MS. BAIN, MR. BAKER, MR. BONDI, MR. HILLIARD, MR. KRUMMEL, MR. KIMMEL, MR. MIKLAVE, MS. OLMSTEAD-SAWYER, MR. PORUBAN, MR. SUTTON, MR. WIEN) BY ROLE CALL VOTE.**

Mayor Knopp commented that the procedure being proposed is the same that has been used for the last two budgets and there have been no complaints from anybody. He went over the figures submitted by the departments and the Board of Education over the last two years and how those figures had been trimmed. This has resulted in the lowest overall municipal spending. Mayor Knopp said the biggest deceit tonight is that this Administration has been a big spender. He thanked Mr. Hempstead for acknowledging their tough choices. The Mayor referred to some of Mr. Scialabba's previous comments. With regard to the Board of Education's budget, Mayor Knopp pointed out that both the Republic members of the Board of Education voted for the 9% increase in spending.

Mayor Knopp stated that Charter revision is flawed because the date was not changed with regard to the submission of the Board of Education's budget. He specifically referred to Section 1-1518 of the Charter - it requires the Board of Education to submit a budget by the third Monday of December in each year, after the Charter was revised it required the Finance Director to submit a budget to the Board of Estimate by the second Monday in January of each year. He said it is simply impossible in that period of time to

go through and make thorough revisions. The Mayor stated that he will be making a recommendation that the Board of Education submit its budget earlier and that the Finance Director submit the budget later in order to get a more realistic timetable for adoption.

Mayor Knopp reiterated that his main point is that this is the procedure they had used for the last two years and they were able to responsibly find ways to reduce spending to very low levels and this is their goal again this year.

Mr. Hempstead pointed out that the Board of Education and department heads have to submit a budget "by" that date; that means they could have done it sooner.

**** MOTION PASSED ELEVEN VOTES IN FAVOR, TWO VOTES OPPOSED (MR. HEMPSTEAD, MR. MCQUAID) BY VOICE VOTE.**

VIII. **RESOLUTIONS FROM COUNCIL MEMBERS**

There were none this evening.

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

There were none this evening.

X. **SUSPENSION OF THE RULES**

There were none this evening.

XI. **ADJOURNMENT**

**** MR. BAKER MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The meeting was adjourned at 9:15 pm.

ATTEST: _____

Pam Stark, City Clerk

