

Common Council Actions

May 22, 2007

NORWALK, CONNECTICUT 8:00 P.M. DST 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.

Mayor Moccia called the meeting to order at 8:05 p.m. and led the assembly in the Pledge of Allegiance.

I. ROLL CALL

Ms. Roman called the Roll. There were fourteen (14) members present.

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

ABSENT: Joanne T. Romano

II. ACCEPTANCE OF MINUTES

Regular meeting – May 8, 2007

** MR. PORUBAN MOVED THE MINUTES OF MAY 8, 2007.

The following changes were noted:

Page 5, paragraph 7, line 1: please change “Police Sergeant Mockin” to “Police Sergeant Moquin”.

Page 12, paragraph 3, line 1: please change “ Mr. Poruban said that he has had years of looking” to

“Mr. Poruban said that he has had 10 years of looking”

Page 12, paragraph 3, line 2: please change: The expenses for what they need increase which increases the

budget.” to “ The cost of materials and operations have increased over those 10 years, and the

Board of Education budget has also increased because of these costs.”

**** THE MOTION TO APPROVE THE MINUTES AS CORRECTED PASSED WITH TWELVE IN FAVOR (COFFEY, HILLARD, PORUBAN, KYDES, HEMPSTEAD, SUTTON, STRANITI, MCQUAID, BRIGGS, BOLDEN, AND KRUMMEL) AND TWO ABSTENTIONS (BONDI AND GRANT).**

III. PUBLIC PARTICIPATION

Mr. Todd Bryant of 23 Morgan Avenue came forward to greet the Council. He stated that he was President of the Norwalk Preservation Trust. He said that he would like to direct the Council's attention to the fact that May is National Preservation Month and that on May 19th, the Preservation Trust awarded the first Valle Webber Fay Preservation Leadership Awards to the six people who were involved in massive effort to preserve SoNo from demolition thirty years ago.

Mr. Bryant informed the Council that during the ceremony, the Norwalk Preservation Trust received an official citation from the General Assembly introduced by the entire legislative delegation from Norwalk.

Mr. Bryant then read the citation for the Council. He then thanked the Council for their support in preservation.

Mayor Moccia commented that Governor Rell proclaimed that the week of May 20, 2007 as Norwalk Preservation Week in the State of Connecticut, which reinforces the General Assembly's citation on the Norwalk Preservation Trust's achievement. A copy of the resolution will be attached to the minutes on file.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: Thomas Becker – Building Board of Appeals

Appointments

Reappointment:

The Mayor announced that Mr. Becker has moved out of state.

B. REMARKS

The Mayor then congratulated the Preservation Trust for their efforts and recognition.

The Mayor stated that he had attended a dinner honoring foster parents because this month is Foster Parent Month and he would like to recognize the efforts that foster parents make with children they care for. He stated that Norwalk has about 46 foster parents who are currently caring for over 70 children. The Mayor said that these dedicated individuals provide a great service to the community.

Finally, the Mayor commented that last month there was a heated exchange between himself and another Council Member. This has been resolved and the Mayor said that he had brought cannolis for the Council Members.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Council President Coffey said that he would turn the floor over to Reverend Bolden. Rev. Bolden stated that she would like to take a moment to remember Ms. Barbara Penn who passed away this week. She stated the Ms. Penn had worked for N.E.O.N. Child Development and also worked at the Norwalk Senior Center. Rev. Bolden said that Mrs. Penn was always making life easier for others and always helping others. She then asked for a moment of silence.

Council President Coffey then stated that at the non-partisan meeting the topic was garbage and Council Member Krummel arranged for Mr. Alvord to give a PowerPoint presentation on Norwalk's handling of solid waste. He also thanked both Mr. McQuaid and Mr. Hempstead for bringing the food. Council President Coffey said that the general sense of the Council was that Jordan's Pizza was still the front runner. He also announced that the Mayor has graciously offered to bring the pizza next month.

Council President Coffey announced that the third public meeting on the revised Ethics Code on May 24th. He encouraged as many people as possible to attend the meeting.

It was also announced that the agenda had been amended and some of the numbering of the consent calendar agenda items had changed.

B. CONSENT CALENDAR:

VII. COMMON COUNCIL COMMITTEES

** COUNCIL PRESIDENT COFFEY MOVED THE FOLLOWING CONSENT CALENDAR:

A. FINANCE COMMITTEE

2. For informational purposes only: Monthly Tax Collector's Report Dated April 30, 2007.
3. For informational purposes only: Narrative on Tax Collections dated May 10, 2007.
4. Authorize the Mayor to sign any and all documents necessary to assign the existing contract by and between the City and Lanier Worldwide, Inc. for mailroom services to Ricoh Americas Corporation, of which Lanier Worldwide, Inc. has become a part. Acct 011362-5259.
5. Authorize the Purchasing Agent to issue annual Blanket Purchase Orders for the purchase of miscellaneous office supplies with Universal Business Equipment

Corporation for an annual amount not to exceed \$150,000.00, commencing July 1, 2007, for three fiscal years, with options to extend the orders for two (2) additional two (2) year periods.

7. Resolution, to increase the Capital Budget authorization by \$1,921,101 in anticipation of receiving monies from the State School Construction Fund for the Ponus Ridge School Alteration Project (Project Account No. 09075010-5799-B0317).

8. Resolution, to increase the Capital Budget authorization by \$1,933,867 in anticipation of receiving monies from the State School Construction Fund for the Nathan Hale Middle School Project (Project Account No. 09075010-5799-B0316).

10, Resolution, appropriating \$279,932 to fund the rehabilitation of the restroom facilities at Calf Pasture Beach (Project Account No. 09076030-5777-C0292).

11. Resolution, authorizing the closeout of a capital project in the amount of \$26,000 for bathroom refurbishment at the Norwalk Library (Project Account No. 09-076210-5777-C0402).

13. Resolution with respect to the closeout of Bond Projects and reducing the authorized and unissued amounts for such projects. The authorized and unissued bond amounts for the Projects are hereby reduced in accordance with Schedule A. The aggregate amount of such reductions totals \$10,525,109.

14. Resolution making appropriations for various public improvements aggregating \$12,223,000 for the 2007-2008 Capital Budget and authorizing the issuance of \$8,831,000 General Obligation Bonds of the City to meet certain appropriations in the 2007-2008 Capital Budget.

15. Resolution with respect to the Authorization, Issuance and Sale of not exceeding \$27,000,000 City of Norwalk General Obligation Bonds, Series 2007.

C. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, acting on behalf of the City of Norwalk, to execute any and all documents and agreements with and accept payment from the City of

Bridgeport in connection with the Big Read Grant from the National Endowment for the Arts.

D. RECREATION PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the Leukemia and Lymphoma Society for the Annual "Light The Night Walk" on Thursday, October 4, 2007 from 12:00noon – 9:00pm at Calf Pasture Beach. Estimated attendance 450.

D. RECREATION PARKS & CULTURAL AFFAIRS COMMITTEE (continued)

2. Authorize the Mayor, Richard A. Moccia to enter into an agreement with NEON/South Norwalk Community Center to utilize the grounds at Columbus Magnet School for their Annual Summer Camp from Monday, July 2, 2007 – August 10, 2007 from 8:30am – 2:30pm. Estimated attendance 125.

3. Approve the use of Brien McMahon Athletic Complex for the Annual Celebration of Sound Band Competition to be held on Saturday, September 15, 2007 from 3:00pm – 10:00pm. Estimated attendance 1,500+.

4. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Sea Fair for the use of Veteran's Park and Visitors Docks from October 17-21, 2007 from 11:00am - 7:00pm daily for the "Invitation Only" art gallery aboard the Grand Luxe. Estimated attendance 2000.

5. Authorize the Mayor, Richard A. Moccia to enter into an agreement with the National Marine Manufacturers Association for the use of Calf Pasture Beach, Shady Beach, Taylor Farm and Marvin School for the Annual Boat Show parking to be held September 20-23, 2007 from 7:00am - 7:00pm. Estimated attendance 50,000+.

6. Authorize the Mayor, Richard A. Moccia to enter into an agreement with A.C.H.I.E.V.E. (All Children Have the Intelligence, Enthusiasm and Values to Excel) for the use of the grounds at Jefferson Elementary School for the Annual Summer Enrichment Program to be held June 25 – August 10, 2007 from 7:30am – 5:30pm. Estimated attendance 150.

8a. Authorize the Mayor, Richard A. Moccia to execute an agreement with Marquise Development, Thornwood, NY for the proposed Calf Pasture Beach Parking Lot Improvements for Project No. Parks2007-1, Calf Pasture Improvements for a sum not to exceed \$191,005.40. Account# 09076030-5777-C0365.

8b. Authorize the Mayor, Richard A. Moccia to issue orders on contract to the lowest responsible bidder for Project No. Parks2007-1 Calf Pasture Beach Improvements for a sum not to exceed \$19,100.00. Account# 09076030-5777-C0365.

9a. Authorize the Purchasing Agent to issue a purchase order to M.E. O'Brien & Sons, Inc. for the supplies and installation of Playground Equipment at Veteran's Park, Marvin Elementary School and Wolfpit Elementary School for the sum not to exceed \$146,842.00. Account# 09066030-5777-C0364 and #09056030-5777-C0072.

9b. Authorize the Purchasing Agent to issue orders on contract to M.E. O'Brien & Sons Inc., for the supplies and installation of Playground Equipment for a sum not to exceed \$10,000.
Account# 09066030-5777-C0364 and #09056030-5777-C0072.

E. ORDINANCE COMMITTEE

1. Approve proposed Ordinance changes to Chapter 96- Excavations and Encroachments in Public Streets and Grounds.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

1. Health, Welfare & Public Safety Committee, agenda item VII.A 4. Tabled on 5/8/07 to 5/22/07 meeting.

4. Authorize the Mayor to execute any hold harmless agreements that may be necessary or desirable in connection with the use by the Norwalk Police Department of private property for police training purposes as, from time to time, it may be deemed advisable.

**** THE MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$189,498 be and the same is hereby transferred from Contingency to various departments to pay for contract settlement of the Norwalk Municipal Employees Association (NMEA) Union. (Account No. See attached).

**** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:**

1. RESOLVED, THAT A SUM NOT TO EXCEED \$189,498 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO VARIOUS DEPARTMENTS TO PAY FOR CONTRACT SETTLEMENT OF THE NORWALK MUNICIPAL EMPLOYEES ASSOCIATION (NMEA) UNION. (ACCOUNT NO. SEE ATTACHED).

Mr. Krummel asked for some clarification regarding the amounts that were transferred from one budget to another one. Mr. Hamilton, the Director of Finance, came forward and explained that the information packet had been prepared for BET and there was

additional information contained it in about these transfers. He explained that the money which was being transferred was to cover salaries until the end of the fiscal year and that the budget department had determined the amounts needed to do so.

**** THE MOTION PASSED UNANIMOUSLY.**

2. RESOLVED, that a sum not to exceed \$177,330 be and the same is hereby transferred from Contingency to the various departments to pay for contract settlement for the Local 2405 Union (Account No. See attached).

**** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:**

2. RESOLVED, THAT A SUM NOT TO EXCEED \$177,330 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE VARIOUS DEPARTMENTS TO PAY FOR CONTRACT SETTLEMENT FOR THE LOCAL 2405 UNION (ACCOUNT NO. SEE ATTACHED).

**** THE MOTION PASSED UNANIMOUSLY.**

A. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated May 10, 2007.

Mr. Miklave recused himself from the room.

**** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:**

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED MAY 10, 2007.

**** THE MOTION PASSED UNANIMOUSLY.**

6a. Authorize the Mayor, Richard A. Moccia, to execute an agreement with Total Communications, Inc., for the supply, design, installation and support of a Cisco telephone system for City Hall, Health Department, Public Works Campus, 5 Fire Stations and Fire Maintenance Facility, per City RFP project 2426, for a total amount not to exceed \$635,916.87 Accounts (09060100-5777-C0376; 09003110-5777-C0169; 090605010-5777-C0112; 09060600-5777-C0375; 011362-5245; State of Connecticut Grant No.

To be determined (Health Department).

6b. Authorize the City's Director of Information Technology to issue change orders on the agreement in an amount not to exceed \$63,591.68.

**** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEMS:**

6A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH TOTAL COMMUNICATIONS, INC., FOR THE SUPPLY, DESIGN, INSTALLATION AND SUPPORT OF A CISCO TELEPHONE SYSTEM FOR CITY HALL, HEALTH DEPARTMENT, PUBLIC WORKS CAMPUS, 5 FIRE STATIONS AND FIRE MAINTENANCE FACILITY, PER CITY RFP PROJECT 2426, FOR A TOTAL AMOUNT NOT TO EXCEED \$635,916.87 ACCOUNTS (09060100-5777-C0376; 09003110-5777-C0169; 090605010-5777-C0112; 09060600-5777-C0375; 011362-5245; STATE OF CONNECTICUT GRANT NO. TO BE DETERMINED (HEALTH DEPARTMENT)).

6B. AUTHORIZE THE CITY'S DIRECTOR OF INFORMATION TECHNOLOGY TO ISSUE CHANGE ORDERS ON THE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$63,591.68.

Mr. Krummel pointed out that the City had experienced previous phone problems with vendors, including the phones used by the Board of Education. Ms. DelVecchio came forward and said that there had been discussions about this particular project and that these would be the standard for the entire City.

** THE MOTION PASSED UNANIMOUSLY.

9. Resolution, authorizing the closeout of the balance of an existing capital project relating to façade improvements to the Concession Building at Calf Pasture Beach. (Project Account No. 09006030-5777-C0069; 09016030-5777-C0069 and 09026030-5777-C0069.

Mr. Hempstead recused himself from the room.

** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:

9. RESOLUTION, AUTHORIZING THE CLOSEOUT OF THE BALANCE OF AN EXISTING CAPITAL PROJECT RELATING TO FAÇADE IMPROVEMENTS TO THE CONCESSION BUILDING AT CALF PASTURE BEACH. (PROJECT ACCOUNT NO. 09006030-5777-C0069; 09016030-5777-C0069 AND 09026030-5777-C0069.

** THE MOTION PASSED UNANIMOUSLY.

12. Resolution, appropriating \$26,000 for a Special Capital Appropriation for the renovation of Norwalk Library Main Entrance (Project Account No. 09076210-5777-C0400).

** MR. HILLARD MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:

12. RESOLUTION, APPROPRIATING \$26,000 FOR A SPECIAL CAPITAL APPROPRIATION FOR THE RENOVATION OF NORWALK LIBRARY MAIN ENTRANCE (PROJECT ACCOUNT NO. 09076210-5777-C0400).

** THE MOTION PASSED UNANIMOUSLY.

B. PUBLIC WORKS COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with McVac Environmental, for Project No. DRG 2007-1, Clean & TV Existing Drainage Systems at Various Locations, for a sum not to exceed \$165,217.

1b. Authorize the Director of Public Works to issue Orders on Contract to McVac Environmental, for Project No. DRG 2007-1, Clean and TV Existing Drainage Systems at Various Locations, for a sum not to exceed \$94,542. Account No. 0140 27 5258

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

1A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AGREEMENT WITH MCVAC ENVIRONMENTAL, FOR PROJECT NO. DRG 2007-1, CLEAN & TV EXISTING DRAINAGE SYSTEMS AT VARIOUS LOCATIONS, FOR A SUM NOT TO EXCEED \$165,217.

1B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ORDERS ON CONTRACT TO MCVAC ENVIRONMENTAL, FOR PROJECT NO. DRG 2007-1, CLEAN AND TV EXISTING DRAINAGE SYSTEMS AT VARIOUS LOCATIONS, FOR A SUM NOT TO EXCEED \$94,542. ACCOUNT NO. 0140 27 5258

Mr. Krummel asked Mr. Alvord to update the Commission on what is being done to alleviate the flooding. Mr. Alvord said that these two agreements would allow the pipes to be cleared of obstructions that have contributed to the flooding problems. He also added that this would not include the two culverts (Bouton & Fitch Streets) under the Metro North line. When asked, Mr. Alvord then explained that the Bouton Street Metro North culvert has debris in it, including tires and possibly an air conditioner. The Metro North Culvert at Fitch Street has compacted sediment. He also said that Atty. Nolin was drafting a letter to Metro North about this situation and others contacted Norwalk's legislative representatives about this problem.

Rev. Bolden then asked how long these conditions have existed. Mr. Alvord said that no one really knows. The situation on Bouton Street was clarified last year by OMI, who kindly sent their televised cable through to locate the blockage. Mr. Alvord said that the sediment build up at Fitch Street has been there for years.

Mr. Hempstead asked if there was a timeline as to taking an additional step regarding this. Mr. Alvord said that Metro North claims this is a scheduling problem. There are also concerns that the Bouton Street culvert could suffer a partial collapse when the debris is

removed. There were additional specific questions, which Mr. Krummel said should be taken up with the Public Works Committee.

D. RECREATION PARKS & CULTURAL AFFAIRS COMMITTEE

1. Approve the use of the Testa Athletic Field Complex at Norwalk High School by the Norwalk High Marching Band for their 25th Annual Cavalcade of Bands to be held Saturday, November 3, 2007 from 3:00pm – 10:00pm. Estimated attendance 2000+.

** MR. BONDI MOVED TO APPROVE THE FOLLOWING AGENDA ITEM:

1. APPROVE THE USE OF THE TESTA ATHLETIC FIELD COMPLEX AT NORWALK HIGH SCHOOL BY THE NORWALK HIGH MARCHING BAND FOR THEIR 25TH ANNUAL CAVALCADE OF BANDS TO BE HELD SATURDAY, NOVEMBER 3, 2007 FROM 3:00PM – 10:00PM. ESTIMATED ATTENDANCE 2000+.

Mr. Poruban asked about having the High School secure a bond. Mr. Bondi said that this was common practice and had been done in previous years.

** THE MOTION PASSED UNANIMOUSLY.

F. LAND USE & BUILDING MANAGEMENT COMMITTEE

1. The following has been approved by the Land Use and Building Management Committee and is hereby referred to the Council for Information Purposes Only: Request from Norwalk Fire Department to expend approximately \$90,000 from the Central Fire Headquarters/Fire Services Support Facilities renovation account (acct. #09063110 5777 C0343 with current free balance of \$173,386) to implement repair work necessary for continued operation at both locations.

Mr. Miklave asked why proposal language was used with this agenda item. Mr. Lo came forward and explained that the Committee simply wished to let the Council see the language of the approved contract agreement. No action was required on this agenda item.

VII. RESOLUTIONS FROM COMMON COUNCIL

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

F. LAND USE & BUILDING MANAGEMENT COMMITTEE

2a. Authorize the Mayor, Richard A. Moccia, to execute a contract with Ray Weiner LLC, d/b/a All Phase Construction for the renovation of the Belden Library main entrance for a total not to exceed \$166,360.00. Acct. #09076210 5777 C0400.

2b. Authorize the Library Director to issue change orders on contract for a total not to exceed \$16,636.00.

** MR. SUTTON MOVED TO TABLE THE FOLLOWING ITEMS TO THE NEXT COUNCIL MEETING:

2A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE A CONTRACT WITH RAY WEINER LLC, D/B/A ALL PHASE CONSTRUCTION FOR THE RENOVATION OF THE BELDEN LIBRARY MAIN ENTRANCE FOR A TOTAL NOT TO EXCEED \$166,360.00. ACCT. #09076210 5777 C0400.

2B. AUTHORIZE THE LIBRARY DIRECTOR TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$16,636.00.

** THE MOTION PASSED UNANIMOUSLY.

X. SUSPENSION OF THE RULES

XI. ADJOURNMENT

** REV. BOLDEN MOVED TO ADJOURN.

** THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services