

***Common Council Actions***

**COMMON COUNCIL**

**ACTION**

**JUNE 22, 2004**

NORWALK, CONNECTICUT 8:00 PM 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.

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, June 22, 2004, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. The Mayor Alex A. Knopp called the meeting to order at 8:10 pm and led the assembly into 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 (absent)  
Carvin Hilliard Kevin Poruban  
Douglas Hempstead Douglas Sutton  
William Krummel Peter Wien (absent)  
Leona Williams

There were twelve (12) members present at Roll Call.

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**II. ACCEPTANCE OF THE MINUTES**

**A. Regular Meeting – June 8, 2004**

**\*\* MR. BONDI MOVED APPROVAL OF THE MINUTES OF JUNE 8, 2004 AS AMENDED.**

The following amendments were made:

Page three, delete the two groups of names under re-appointments and appointments.  
Page five, insert a line to reflect a comment made by Mr. McQuaid that personal comments should not be discussed during this meeting and they are trying to curb that type of action. Also, add a line to reflect that Mr. Hempstead asked the Mayor if Mr. Kydes had requested to be re-appointed, to which the Mayor replied he had.  
Page ten, fourth paragraph should read as follows: Mr. Kimmel indicated that this would

have to come before the Finance Committee on Thursday; they would support the item tonight so that there are no gaps in the legal department.

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

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### III. PUBLIC PARTICIPATION

No members of the public wished to speak this evening.

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### IV. MAYOR

#### A. RESIGNATIONS AND APPOINTMENTS

Under resignations Mayor Knopp announced that Mr. Davidson and Mr. Schaberg had resigned. Mr. Davidson had stated his reasons in a recent statement and Mr. Schaberg will be moving to Atlanta.

Under appointments, Mayor Knopp stated that he wished to put forward the name of Tanya Court as a member of the Board of Estimate and Taxation; she has a professional history in the area, she was the executive director of SWRPA in Stamford and now works for SACCIA also in Stamford. She is a member of the Cranbury neighborhood taskforce and is very involved with the community.

**\*\* MR. PORUBAN MOVED TO APPOINT TANYA COURT TO THE BOARD OF ESTIMATE AND TAXATION.**

Mr. Hempstead asked (the Mayor) how long Ms. Court has lived in Norwalk.

The Mayor replied that she was here for fifteen years, moved to Florida for one year and then moved back to Norwalk about three years ago.

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

**\*\* MR. KIMMEL MOVED TO APPOINT NATHANIEL YORDAN TO THE MARITIME AUTHORITY.**

Mayor Knopp said he considered this to be an excellent choice; Mr. Yordan is an accountant and had served on the audit committee put together by the Board of Estimate and Taxation and was a member of the Common Council with the Maritime Authority was created.

Mr. Bondi said he too considered the is to be a good choice having served with Mr. Yordan on the Council saying that he is an energetic and conscience person.

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

**\*\* MR. KIMMEL MOVED TO APPOINT JEREMIAH CROWLEY TO THE OAK HILLS AUTHORITY.**

Mayor Knopp said he considered this also to be an excellent choice noting that Mr. Crowley is president of the Harborview Neighborhood Association. After talking to Mr. Tamburri, the Oak Hills Chairman he suggested that Mr. Crowley's extensive business background is a great asset to the Oak Hills Authority.

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

Mayor Knopp said he wished to put forth than name of Jackie Lightfield as a regular member of the Zoning Commission. He acknowledged that it was only last month that Ms. Lightfield had been appointed as an alternate member, but stated that the Chairman of the Zoning Commission had requested this as several terms for expiration are coming up at the end of June and she wanted to make sure that there are enough regular members in case decisions are put off until July.

**\*\* MR. SUTTON MOVED TO APPOINT MS. LIGHTFIELD AS A REGULAR MEMBER OF THE ZONING COMMISSION.**

Mr. Hempstead said he knew that Mr. DesRochers did not want to be re-appointed but wanted to point out what a fine job he had done as Chairman of the Zoning Commission.

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

Mayor Knopp said he was pleased to put forward the name of Anastasios Savvaides as an alternate on the Zoning Commission and as an attorney; this is often helpful in terms of procedures.

**\*\* MR. PORUBAN MOVED TO APPOINT ANASTASIOS SAVVAIDES AS AN ALTERNATE ON THE ZONING COMMISSION.**

Mr. Kimmel said he considered this to be an excellent choice, and again a tri-partisan approach to appointments.

**\*\* MOTION PASSED TEN VOTES IN FAVOR, TWO ABSTENTIONS (MR. MCQUAID AND MR. HEMPSTEAD) BY VOICE VOTE.**

## **B. REMARKS**

Mayor Knopp congratulated Jody Rell for her term as Governor of the State of Connecticut. After serving with Ms. Rell, the Mayor said he felt that she would do an excellent job giving more attention to the needs of municipalities than has been the case in the past.

Secondly, the Mayor announced that Fitch Agency awarded Norwalk its Triple A bond rating indicating that the city is in excellent financial shape.

Lastly, the Mayor reported that the Siting Council would be holding a meeting, tomorrow morning at 10:00. At that meeting they will discuss phase II to review the changes in procedure to take into account the fact the ISO New England will not certify underground transmission line as proposed by North East Utilities. A proposal has to be submitted to the state by June 30, 2004, at the meeting tomorrow there is a need to get a recommendation from the municipalities on this change in position and how this will affect the procedure. Mayor Knopp stated that he would be attending the meeting.

Mr. Bondi thanked Mr. Davidson, Mr. Schaberg and Mr. Lombardi for their service to the city.

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#### V. COUNCIL PRESIDENT

##### A. CONSENT CALENDAR

\*\* MR. KIMMEL MOVED APPROVAL OF THE CONSENT CALENDAR AS AMENDED.

#### VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

##### A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$12,000 be and the same is hereby transferred from Increased Estimated Revenues to the Town Clerk's Office to pay for scanning and microfilming of maps and IT equipment. Acct. # 01-0500-5726; 01-0500-5742

3. RESOLVED, that a sum not to exceed \$30,250 be and the same is hereby transferred from Increased Estimated Revenues to the Police Department to pay for recruitment expenses. Acct. # 01-3031-5258

#### VII. COMMON COUNCIL COMMITTEES

##### A. FINANCE COMMITTEE

2. For informational purposes only: Monthly Tax Collector's Report Dated May 31, 2004.

3. Narrative on Tax Collections dated June 10, 2004 - Receive Report and discuss.

4. Authorize the Mayor, Alex A. Knopp, to execute insurance renewals for the 2004- 05 fiscal year with the Connecticut Interlocal Risk Management Agency in an amount not to exceed \$554,800.

5. Authorize the Mayor, Alex A. Knopp, to place insurance coverage for the 2004- 05 fiscal year with the Axis Reinsurance Company (Insurance Company) HD Segur (broker) in an amount not to exceed \$268,463.

6. Authorize the Mayor, Alex A. Knopp, to execute an amendment to the agreement with the Connecticut Interlocal Risk Management Agency to provide workers' compensation TPA services for the FY 2004-05 fiscal year in an amount not to exceed \$166,425.

7. Authorize the reduction of the Capital Budget appropriations for the Exterior Repairs to Fire Stations Project. Acct. # 09007100-5777-C0148 - Reduction: \$16,900

8. Authorize the reduction of the Capital Budget appropriations for the Roosevelt Center Retube Boilers Project. Acct. # 09027100-5777-C0226 - Reduction \$307

9. Authorize the reduction of the Capital Budget appropriations for the Various Building Chimney Repairs Project. Acct. # 09027100-5777-C0230 - Reduction \$117

10. Authorize the reduction of the Capital Budget appropriations for the Various Building Replacement of Water Heaters Project. Acct. # 09047100-5777-C0298 - Reduction \$3,485

11. Authorize the Special Capital Appropriation for Concert Hall Rigging/Repair and Replacement Project. Acct. # 09047100-5777-C0335 - Supplemental Appropriation: \$54,700

#### B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Complete Construction Co., Inc., for Project No. BR94-2, State Project No. 102-272, FAP No. STOP-7102 (6), Superstructure Replacement of Broad Street Bridge Over Norwalk River, for a sum not to exceed \$1,096,777.40, subject to (1) the approval of such governmental agencies as may be required by law; and (2) the appropriation of adequate funds by the proper agencies.

2. Authorize the Director of Public Works to issue Orders on Contract to Complete Construction Co., Inc., for Project No. BR94-2, State Project No. 102-272, FAP No. STOP- 7102 (6), Superstructure Replacement of Broad Street Bridge Over Norwalk River, for a sum not to exceed \$109,677.74. Acct. # 0901 4021 5777 C0028

#### C. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Norwalk Seaport Association for the 27th Annual Oyster Festival to be held in Veterans Park on the following dates:

Friday - September 10, 2004 from 5:00 PM - 11:00 PM  
Saturday - September 11, 2004 from 10:00 AM - 11:00 PM  
Sunday - September 12, 2004 from 10:00 AM - 9:00 PM

Access to the Park would begin Saturday August 28, 2004 through September 30, 2004.  
Estimated attendance 50,000+

2. Approve the use of the Showmobile by the SONO Arts Celebration August 7, and 8th 2004 for the 2004 Celebration.
3. Approve the rules and regulations for moorings and anchoring vessels and mooring permit fee schedule for 2004.
4. Approve the design of the 9/11 Memorial to be placed in Veterans Park.

#### D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Purchasing Department to issue Purchase Order to Sysconet Inc. for 3COM switching components to create the LAN (Local Area Network) at Brookside School for a total amount not to exceed \$ 22,071.51 Acct. #09035010 5777 C0112
3. Subject to Common Council approval of Special Appropriation funds:
  - a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Walker Specialties for Norwalk Concert Hall Rigging System Improvement Project for a total not to exceed \$43,762.00. Acct. # to be determined.
  - b. Authorize the Office of Building Management to execute change orders on contract for a total not to exceed \$10,938.00.
4. Authorize the Mayor, Alex A. Knopp, to execute an amendment to the Agreement with Cognisa Security, formerly doing business as Argenbright Security, Inc. and UNICCO Security Services, Inc. in order to revise the scope of services provided by removing the parking facilities from the locations serviced and reducing the amount of compensation paid commensurate with the reduction of services.
  - 6a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Pinnacle Environmental Corporation for lead based paint abatement at Nathaniel Ely Center for a total amount not to exceed \$29,800.00. Account #09047100 5777 C0266
  - 6b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed \$2,980.00

Mr. Kimmel moved consent to refer the next two items back to committee.

#### VIII. MOTIONS POSTPONED TO A SPECIFIC DATE

A. PUBLIC WORKS COMMITTEE Tabled at May 25, 2004 meeting.

1a. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with the O & G Industries, Inc. for Project No. BR 94-2, State Project No. 102-272, FAP No. STOP-7102 (6), Superstructure Replacement of Broad Street, Bridge over Norwalk River, for a sum not to exceed \$1,114,947.30

1b. Authorize the Director of Public Works to issue Orders on Contract to the O & G Industries, Inc., for Project No. BR 94-2, State Project No. 102-272, FAP No. STOP-7102 (6). Superstructure Replacement of Broad Street Bridge over Norwalk River, for a sum not to exceed \$111,494.00. Acct. # 0901 4021 5777 C0028

Mr. McQuaid requested that Item VII D. 5 be removed from the consent calendar.

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

B. OTHER GENERAL COUNCIL BUSINESS

There was no other business this evening.

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Mayor Knopp requested that they take the agenda out of order. There were no objections.

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

B. NORWALK FACILITIES CONSTRUCTION COMMISSION

1. Norwalk High School

a. RESOLVED, that the Common Council authorize the Norwalk Board of Education to apply to the Commissioner of the State Department of Education and to accept or reject a grant for the alteration and expansion project at Norwalk High School.

b. RESOLVED, that per City of Norwalk ordinance, the alteration and expansion project at Norwalk High School be hereby referred to the Norwalk Facilities Construction Commission as the City's standing building committee.

c. RESOLVED, that the Common Council hereby authorizes the preparation of schematic drawings and outline specifications for the alteration and expansion project at Norwalk High School.

2. Roton Middle School

a. RESOLVED, that the Common Council authorize the Norwalk Board of Education to apply to the Commissioner of the State Department of Education and to accept or reject a grant for the alteration and expansion project at Roton Middle School.

b. RESOLVED, that per City of Norwalk ordinance, the alteration and expansion project at Roton Middle School be hereby referred to the Norwalk Facilities Construction Commission as the City's standing building committee.

c. RESOLVED, that the Common Council hereby authorizes the preparation of schematic drawings and outline specifications for the alteration and expansion project at Roton Middle School.

### 3. Columbus Elementary School

a. RESOLVED, that the Common Council authorize the Norwalk Board of Education to apply to the Commissioner of the State Department of Education and to accept or reject a grant for the alteration and expansion project at Columbus Elementary School.

b. RESOLVED, that per City of Norwalk ordinance, the alteration and expansion project at Columbus Elementary School be hereby referred to the Norwalk Facilities Construction Commission as the City's standing building committee.

c. RESOLVED, that the Common Council hereby authorizes the preparation of schematic drawings and outline specifications for the alteration and expansion project at Columbus Elementary School.

### 4. Tracey Elementary School

a. RESOLVED, that the Common Council authorize the Norwalk Board of Education to apply to the Commissioner of the State Department of Education and to accept or reject a grant for the alteration and expansion project at Tracey Elementary School.

b. RESOLVED, that per City of Norwalk ordinance, the alteration and expansion project at Tracey Elementary School be hereby referred to the Norwalk Facilities Construction Commission as the City's standing building committee.

c. RESOLVED, that the Common Council hereby authorizes the preparation of schematic drawings and outline specifications for the alteration and expansion project at Tracey Elementary School.

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE ITEMS.**

Mayor Knopp indicated that both John Hawley (Gilbane) and Alan Lo (Redevelopment) were present to answer questions.

Mr. Krummel said the Board of Education had to file ED049 grant applications to the state for the alteration and expansion for Norwalk High School, Roton Middle School, Columbus Elementary and Tracey Elementary School. Items 1b, 2b, 3b and 4b refer to the NFCC and items 1c, 2c, 3c and 4c each authorizes the preparation of schematic drawings and outline specs for each project.



Mr. Kimmel said he was fascinating to see four schools moving forward like this simultaneously noting the difficulty of even getting a school repaired in the past. After the organization of the city, with the creation of the NFCC, using construction managers they have been able to handle big projects and change the way they used to approach construction projects. He concluded by saying that he is pleased to see this and it is exciting for the city.

Mr. Hempstead said that the material pertaining to this, handed to them only on Friday (and another memo that night) that the item should be tabled because it has been rushed and they have not had enough time to be able read through and digest all of the information. He noted that he thought this is an excellent project but wanted to be certain before voting on a project of this size.

Mayor Knopp explained that he had had this memo drafted because this is a multi-year plan to improve Norwalk schools. This Council did have a briefing on the plan by Gilbane many weeks ago and in May the Board of Education made the final changes; at that time Gilbane distributed copies of the plan. The sequence is that the NFCC was created to construct a plan adopted by the Board of Education and approved by the Board of Estimate; the process is however, that the Board of Education adopts educational specifications and those are forwarded to State. The purpose of this memo is to highlight the variances between the educational specifications as adopted by the Board of Education and the facilities plan adopted by the Board of Education. They will be constructing a facilities plan and the problem is the very tight deadline, in that if the resolutions before them tonight are not approved before June 30, 2004, then the penalty imposed on Norwalk is a delay for a one year period. Mayor Knopp explained that when you submit educational specifications to the state you are allowed to file amended educational specifications, you can always do less, you can never do more than you file. In this case, several additional items have been added, however they had not had a chance to review the educational specifications in detail before the Board of Education and the Educational Specifications Committee, chaired by David Cole had approved them. So the reason that Gilbane were asked to prepare this memo was to give a side-by-side comparison of the facilities construction plan for each school and the educational specifications for each school. He stated that the idea of the plan is to take politics, favoritism and pressure out of the school construction plan.

Mr. Hempstead indicated that he did not disagree with the resolution, his concern lay in the fact that they are being forced to make a decision without having a chance to digest the information that was presented to them. He added that nobody from the Board of Education or its office was present to answer questions noting their rudeness and lack of responsibility.

Mayor Knopp said under normal conditions he would agree with him in getting information from the Board of Education in a timely matter. In this case this is a result of plan that has been available to the city for several months, the matters were reviewed by the NFCC, by Gilbane, by Alan Lo and by other professional staff. He said they would like to have had more time but because of the state deadline it was not available.

Mr. Hempstead said he understood the deadline but wanted it to be noted for the record that he objected to this vote without having adequate time to digest the report that was given to them. He added that he would like to see some of these items be passed through the Land Use Committee before coming to the full Council meetings.

Mr. McQuaid referred to the educational specification chaired by David Cole, he asked if there were any Council members on that committee.

The Mayor replied that there were not as it was established by the Board of Education.

Mr. McQuaid said he would like to see in the memo from Gilbane some description of the timelines and why it is important that they vote on it tonight.

Mayor Knopp said if he looked at the NFCC book there is a time sheet that describes every important date for the next eight years; this deadline is June 30th every year that is how the state works.

Mr. Hempstead asked how many schools are planned for next year.

Mr. Hawley replied that there would be four more schools next year.

Mr. Hempstead said at some point he would like to see a resolution put forward that the Board of Education has to submit their information by certain times to allow more time for review.

Mayor Knopp commented that this was a fair comment, however moving forward with the Ed Spec committee now set up and Gilbane doing the review they have a process where educational specifications can be worked out sooner. This was a case of doing it all for the first time.

Mayor Knopp asked members of the Council if they wished to remove any of the items from the block being moved. There were none.

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

#### **A. BOARD OF ESTIMATE AND TAXATION**

**2. RESOLVED**, that a sum not to exceed \$17,530 be and the same is hereby transferred from Increased Estimated Revenues to the Town Clerk's Office to pay for back-logged mailings of recording documents. Acct. # 01-0500-5139; 01-0500-5211; 01-0500-5311

**\*\* MR. KIMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Kimmel indicated that there has been a lot of real estate activity in the Town Clerk's office and they have been extremely busy generating revenue for the city but pointed out

that it has been hard staying up on the dates. He said they are proposing to hire a temporary staff person for a month or so to catch up.

Mr. McQuaid said he wanted to ask Mr. Garfunkel a question but noted that he was not here. In referring to his (Mr. Garfunkel's) memo he said this backlog is something he inherited some four years ago and it was ten months behind then. He said he had a problem with knowing where they stand with regard to catching up on the backlog and what he had done to catch up.

Mayor Knopp said he did not believe that Mr. Garfunkel was four and a half years behind. He said they were able to maintain that gap but not to completely close it.

Mr. McQuaid said if there are items coming before the Council the relevant department head should show up for the meeting.

Mr. Hamilton said in going through the requests from the Town Clerk's office one of the important factors was the installation of the new system that was relatively recent and it did not make a lot of sense to clear out the backlog before this was installed because there was the high probability that if they had done so a year or two later there would have been another back-log. With the installation of the new system they can now record all their documents and get their work done on a timely basis so now is the best time to clear out the backlog.

\*\* MOTION PASSED ELEVEN VOTES IN FAVOR, ONE ABSTENTION (MR. MCQUAID).

## VII. COMMON COUNCIL COMMITTEES

### D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

5. Authorize the Mayor, Alex A. Knopp, to execute an amendment to Grubb & Ellis Management Services, Inc.'s contract to delete services for the South Norwalk Railroad Station and add New Police Station and Dog Pound for a net reduction of management fee in the amount \$6,243.00. The revised contract amount for FY2004- 05 will be \$296,635.66.

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

Mayor Knopp indicated that Frank Favano (Police Department) and Alan Lo (Redevelopment) were available to answer questions.

Mr. McQuaid referred to the cleaning services and in what areas they would be used. Mr. Lo said this is being proposed for property management services; the cleaning contract is separate.

Mr. McQuaid confirmed that their staff was doing the work previously.

Mr. Favano said the staff clean the dog kennels on the weekends and every other day.

Mr. Lo explained that building management manages the building, but if something needs to be repaired it is done by contract (he gave the example of a broken a/c unit).

Mr. McQuaid asked who was performing this service before.

Mr. Lo replied that nobody was adding that this way the building will be properly managed from the building management side and they will find people as necessary to do the repairs.

Mr. Hempstead questioned the new police building and when it was expected it to be up and running.

Mr. Lo said they anticipated obtaining a certificate of occupation by March 2005, but they would not be moving in right away. The move in would be phased in with the furniture etc and the combined dispatch center. He continued to say that Building Management staff have been going to the building for the last two months, as it is a highly sophisticated building. The purpose of staff going there is to look at how the construction is put together, a process called building commission, a strategy so that they can monitor all of the equipment, know where all the controls are and exactly where everything is.

Mr. Hempstead asked how long the Grubb & Ellis contract is. Mr. Lo replied that they have one year to go.

Mr. Hempstead said theoretically that by next June there could be another contractor. Mr. Lo said this was possible.

Mr. Hempstead questioned if this was a wise investment as there is no guarantee that they will be there next year.

Mayor Knopp indicated that the information Grubb & Ellis gets is passed would be passed onto their successor, they would not get to keep it.

Mr. Hempstead asked if Grubb & Ellis are writing a maintenance book for the city.

Mr. Lo said with regard to Grubb & Ellis' services, that is up to the city if they want to re-new the contract or not. In terms of the operation of the building, the city will have all of that information.

Mr. Hempstead said the strategy makes sense however his concern lay with a company that might not be here in a year.

Mr. Lo said they are in control with what happens in the future.

Mr. Miklave said he agreed the logic is good – given how much money the prior administration spent on having the dog pound built, about half a million dollars, they should be having a management contract to make sure nothing goes wrong. In terms of not putting people in there to see how the building is constructed so whoever is going to manage the building on an on-going basis has the inside track; to defer that decision because a year from now they might want to go some place else, does not make a lot of sense. The alternative is to put out every building at a different time so you break up your contract thereby losing the economies of scale and the knowledge that is building up. He said there is no perfect solution, however this is a very worthwhile situation.

Mr. Kimmel said his experience with Grubb & Ellis is that they have saved the city a lot of money and he was very comfortable having them onboard.

Mr. Hempstead said his concern is are they using the right methodology if Grubb & Ellis might not be here next year; this is not a reflection on them. He asked if there was any kind of roadmap that they will be handing off to the city.

Mr. Lo said the maintenance program always stays with the city. They get to keep all of the documents.

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

#### **VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS (Continued)**

##### **A. BOARD OF ESTIMATE AND TAXATION**

4. RESOLVED, that a sum not to exceed \$12,000 be and the same is hereby transferred from Contingency to the Fire Department to pay for a shortfall in the heating fuel account. Acct. # 01-3153-5246

**\*\* MR. KIMMEL MOVED APPROVAL OF THE ITEM.**

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

#### **VII. COMMON COUNCIL COMMITTEES (Continued)**

##### **D. LAND USE AND BUILDING MANAGEMENT COMMITTEE**

2. Authorize the Purchasing Department to issue Purchase Orders to various textbook suppliers as per attached agenda back-up for a total not to exceed \$1,042,669.37 Account #0903/045010 5777 C0309

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

Mr. Krummel stated that he considered this to be a commendable set of material prepared by the staff of the school district giving a rationale for their selection of textbooks. He said he was impressed by the work that has been done for the needs of the textbooks.

Mr. McQuaid said this is an item for over \$1 million and he asked if some of these have been purchased already as he had seen some of it. He noted his concern about no one being present to discuss this item.

Mr. Krummel said that Mr. McQuaid did make a valid point but wished to point out that there was an agreement between Dr. Corda and himself in that if there were any questions on the schoolbook purchase then he would ask Dr. Lang (Assistant Superintendent) to be here. Mr. Krummel said he thought that this item was going to be on consent therefore he did not think it was necessary for Dr. Lang to be present. He accepted responsibility for not calling Dr. Lang.

Mr. Kimmel said he that he spoken at length with Dr. Lang about a number of questions he had about the proposals and all of her answers were given in a very comprehensive way. He did agree that when a big issue comes up a representative should be available to answer questions.

Ms. Bain said in fairness, there is a memo in the backup material that specifically states that Dr. Lang's presence is not necessary and if there are any questions they should notify the Board of Education to make sure that she is here. She said it was their responsibility to have her here.

Mr. McQuaid appreciated Ms. Bain's comments but said it wasn't until he was packing up things for the end of school year today that he realized that some of the things were new. He was not sure without the staff presence that they were the new kits referred to in the resolution.

Mr. Hempstead said he meant no disrespect but the decision not to have Dr. Lang present was made with discussing the Republican members. He went on to say that he would be voting no on this as he did not consider this to be an appropriate item in the capital budget.

Mayor Knopp indicated that Mr. Hempstead had asked Mr. Ciccarello to issue an opinion on this and he confirmed that these are appropriate capital items.

Mr. Bondi said in the future request that department heads show up for the Common Council meetings.

Mayor Knopp replied the Board of Education is a separate entity and they could certainly request this. He added that when matters come through the Board of Estimate and Taxation, Mr. Hamilton would be available to answer any questions.

**\*\* MOTION PASSED TEN VOTES IN FAVOR, ONE VOTE OPPOSED (MR. HEMPSTEAD), ONE ABSTENTION (MR. MCQUAID) BY VOICE VOTE.**

**A. FINANCE COMMITTEE**

1. Accept and Approve the Report of the Claims Committee Dated June 10, 2004.

\*\* MR. KIMMEL MOVED APPROVAL OF THE ITEM.

Mr. Miklave recused himself and exited the Common Council Chambers.

\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

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VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

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X. SUSPENSION OF THE RULES

There were none this evening.

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XI. ADJOURNMENT

\*\* MR. BONDI MOVED TO ADJOURN

\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

The meeting was adjourned at 9:30 pm.

ATTEST: \_\_\_\_\_  
Mary Roman, Assistant City Clerk

