

Common Council Actions

COMMON COUNCIL

ACTION

JULY 22, 2003

NORWALK, CONNECTICUT 8:00PM 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, July 22, 2003, 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. There was a minute of silence to remember Mr. Charles Nichols.

I. ROLL CALL

Betsy Bain Jeanette Olmstead Sawyer
Kenneth Baker Christopher Perone
Fred Bondi Kevin Poruban
Carvin Hilliard Judith Rivas
Barbara Hudgins Douglas Sutton
William Krummel (absent) Peter Wien
Bruce Kimmel William Wrenn
Matthew Miklave (8.30 pm)

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

II. ACCEPTANCE OF MINUTES

A. Regular Meeting of July 8, 2003

**** MS. OLMSTEAD-SAWYER MOVED APPROVAL OF THE MINUTES AS AMENDED.**

The following corrections were made:

Page 5, first paragraph, last sentence delete the word tonight and replace with previously. Second paragraph, at the end of the line the contract sum should reflect the inclusion of the cost of the barge.

**** MOTION PASSED ELEVEN VOTES IN FAVOR, TWO ABSTENTIONS, (MR. KIMMEL, MR. BAKER) BY VOICE VOTE.**

III. PUBLIC PARTICIPATION

Mr. Art Scialabba stated that he was speaking tonight regarding the Mayor's decision to hire an attorney specializing in the Siting Counsel utility project. He said the prior republican Common Council did in fact pass a resolution indicating that they wished for all future lines to be buried underground. Mr. Scialabba spoke of Mayor Knopp's agreement with North East Utilities resulting in 130 ft towers to be placed through Silvermine to the Norwalk River. He continued to say that the Mayor has taken a lot of public heat for his decision and has now changed his tune.

Mr. Scialabba stated that they should appeal this, but at what cost, he said the appeal is not free; it will cost money, taxpayer's money. He asked how much would be spent. He said the public should know well in advance of the decisions being made.

Mr. Dick Moccia stated that he too was concerned about the Siting Counsel and added that sometimes you have to look in the rear view mirror to see where you have been in order to know where you are going. He said this should be discussed openly, there should be a question and answer session figuring out why they are in this situation.

Ms. Susan Wallerstein said she was speaking tonight about technology purchases by the Board of Education. She gave her background and said she had five questions/suggestions. First, Ms. Wallerstein said when it comes to rapidly changing technology she asked if they could get more for the same money as they did last year. From one year to the next, it is possible to purchase more computing power for the same money, as well as the different drives (CD, DVD). Secondly, have the educational specifications changed. In her third question Ms. Wallerstein asked what concern there was about having too large an inventory of computers of essentially the same vintage. Her fourth question asked if there was maintenance/repair on the first year purchases and what has the track record been and the downtime. Lastly, Ms. Wallerstein asked how this particular vendor has performed.

Mr. Tod Bryant stated that he wished to speak about the revitalization of Wall Street; he said that he believes that this plan provides an excellent framework for utilizing Norwalk's most important downtown assets; the street grid and the general feel of the place. Mr. Bryant urged the Council to adopt this plan; however the proof will be in the execution but he believed that this is a plan that will actually work.

Mr. Bruce Binfield said he has been involved with the revitalization of SoNo and said he was very impressed with the consultant's work regarding Wall Street. He urged the Council to support the plan.

Mr. Miklave joined the meeting at 8.30 pm.

Mr. Ed Musante spoke on behalf of the Chamber of Commerce regarding Wall Street. He said during the process there were a great many consultations, all of the property owners were involved, countless meeting and planning sessions and said this spoke volumes about how good the plan is because of the collaboration. He said he hoped that those involved remembered that this is not a typical neighborhood; it is truly Norwalk's downtown and needs to be treated as such. He said the Chamber of Commerce urged the Common Council to adopt the concept and looked forward to moving on this as quickly as possible.

Mr. Danny Grunman said he was speaking in favor about the appeal of the Siting Council's decision against the underground cables of Norwalk. He said it is the Siting Council's primary charge to remain neutral in their objective and they failed to do this, it acted only on the proposals submitted and approved by the applicant, North East Utilities. He continued to say that it failed to seek out unbiased expert advise on transmission lines when repeatedly requested to do so. Mr. Grunman said it approved an unreliable and dangerous transmission system that could cause massive black outs. He said he did not believe that phase two will go underground and said Norwalk has become North East Utilities' favorite place to run overhead cables.

Ms. Diane Lauricella stated that she wished to echo the comments of Mr. Grunman. She added that it was interesting that the other towns did request the actual onsite input and had difficulty getting the previous Administration's full attention on this matter; that was how the discussions on hiring an attorney began. She stated that this Administration was handed a lot of problems regarding this issue and although it has taken some education she was pleased to see this Administration turn the situation around. Ms. Lauricella urged the Council to hire an attorney with others, to pool the money and to work together; she also offered her own assistance.

Secondly, Ms. Lauricella spoke about Wall Street and applauded the fact that this has taken place and some real effort is being made. Lastly, Ms. Lauricella spoke about Item F on the agenda regarding the Muddy Sports Group bicycle race. She said a bike race does have a lot of great merit and stated that she does not oppose the sport, however there was an issue that was brought to the attention relating to the use of going through pools and wetlands. She said after a year and a half and after the spring event of 2003 she gave much of her time figuring out a compromise for a suitable bike route. Ms. Lauricella stated that she recently found out that another group will be holding a meeting and asked if a compromise can be made again. She requested that the Item be taken off the consent calendar and either be sent back to committee or hold a special meeting to work out and tweak the contract to make sure the same route is used again (in the fall) and that bikers cannot use the wetlands as a practice course.

IV. MAYOR

Mayor Knopp announced that he wished to introduce a new employee to the city. He said when he became Mayor the city had ignored ten years of advice from the International Association of Chiefs of Police with regard to the police and fire dispatch operation in terms of their coordination and equipment. The Mayor said that he had decided to take the advice and combine the operations as well as civilianize them, which would allow them to put more policemen on the street. Secondly, in the wake of September 11, 2003, the city did not have anyone whose principle task was to coordinate and implement city emergency and preparedness protocols in response to issues such as bio-terrorism and anthrax. Mayor Knopp stated that they decided to create a position that would fill both of these issues and this was supported by both Chief Riling (Police Dept) and Chief Verda (Fire Dept). He welcomed Mike LaTessa who would be filling the position and introduced him to the Council members.

A. Resignations

Mayor Knopp announced the three following resignations.

1. Galen Wright Wells - Zoning Commission
2. Erica Quartarone - Redevelopment Agency
3. Peter Braun - Harbor Management Commission

B. Appointments and Reappointments

1. Dorothy Mobilia Member, Zoning Commission - for a new term to succeed Michael Lyons 7/1/03 -6/30/06

Mayor Knopp stated that he was pleased to nominate Dorothy Mobilia stating that she has a long history in the community and gave some of her background information.

**** MR. KIMMEL MOVED TO APPOINT DOROTHY MOBILIA TO THE ZONING COMMISSION**

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

2. Galen Wells Alternate, Zoning Commission - for a new term to succeed David Mitchell 7/1/03 - 6/30/06

The Mayor stated that he was happy to nominate Galen Wells as an alternate.

**** MS. BAIN MOVED TO APPOINT GALEN WELLS TO THE ZONING COMMISSION**

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

3. Richard Ramsey Harbor Management Commission - to fill unexpired term of Peter Braun 12/31/04

Mayor Knopp nominated Richard Ramsey to the Harbor Management Commission stating that that recommendations also come from Dr. Pinto, the Chairman and Mike Griffin, Harbormaster.

**** MR. BAKER MOVED TO APPOINT RICHARD RAMSEY TO NORWALK HARBOR MANAGEMENT COMMISSION**

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

4. Lee Levey Reappoint for a new term on the Library Board of Directors that expires 12/31/05

Ms. Rivas excused herself and left the Common Council chambers.

The Mayor nominated Lee Levey for reappointment and said that as a professional architect his experience will be highly valuable with the roof replacement.

**** MR. KIMMEL MOVED TO NOMINATE LEE LEVEY TO THE LIBRARY BOARD OF DIRECTORS.**

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

Ms. Rivas re-joined the meeting.

5. Joe Madaffari Oak Hills - for a new term to succeed Ralph DePanfilis, Sr. that expires on 6/24/06

Mayor Knopp stated that he was pleased to nominate Joe Madaffari adding that he is the athletic director at Brien McMahon School.

**** MS. BAIN MOVED TO APPOINT JOE MADAFFARI TO OAK HILLS**

Mr. Kimmel stated that he had got to know Mr. Madaffari and was very impressed with his range of knowledge; he added that he would gladly endorse this recommendation.

Mr. Bondi stated that he too had know Mr. Madaffari for a number of years and was pleased to second the nomination due to his great involvement in youth sports.

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

6. Janine Deering Oak Hills - reappointment for a new term that expires on 6/24/06

Mayor Knopp said he was happy to nominate Janine Deering for reappointment due to her good work and diligence.

**** MR. PORUBAN MOVED TO APPOINT JANINE DEERING TO OAK HILLS.
** MOTION PASSED UNANIMOUSLY.**

B. REMARKS

Mayor Knopp stated that although he had some remarks he would make them during the relevant Item discussions.

V. COUNCIL PRESIDENT

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

VI. REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$31,991 be and the same is hereby transferred from Contingency to the Building Management Department to pay for utility expenses for various buildings due to the severe winter season. Account No. 01-3054-5241; 01-3054-5244; 01-4929-5244; 01-4927-5246; 01-4922-5246

VII. COMMON COUNCIL COMMITTEES

A. PLANNING COMMITTEE

3. Approve request to reprogram up to \$10,000 in Community Development Block Grant (CDBG) funds previously awarded to the Family and Children's Agency to the Norwalk Housing Authority in a manner consistent with the established guidelines set by the Department of Housing and Urban Development to the Common Council.

5. Authorize the Mayor, Alex A. Knopp, to execute the "Certified Resolution of the Legislative Body" to file an application with the State of Connecticut Department of Economic & Community Development to apply for funding in an amount not to exceed \$2,309,985 in conjunction with the Reed Putnam Urban Renewal Project.

C. PERSONNEL COMMITTEE

1. Approve second amendments to Police and Fire Pension Plans and authorize the Mayor, Alex A. Knopp, to sign amendments.

Mr. Miklave moved to table the following Item to the July 31, 2003 meeting.

2. Approve Ordinance List Salary increases effective July 1, 2003.

Mr. Miklave continued with Items on the consent calendar.

D LAND USE & BUILDING MANAGEMENT COMMITTEE

13. Authorize a technical correction to the minutes of June 26, 2003. Correct allocation to roofing projects. (See attached)

E. PUBLIC HEALTH AND WELFARE COMMITTEE

1a. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept \$15,238 in grant funds from the State of Connecticut Department of Public Health for the Skin Cancer Prevention Program for the period July 1, 2003 to June 30, 2004.

1b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Skin Cancer Prevention Program for the period July 1, 2003 to June 30, 2004.

2a. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept \$29,000 in grant funds from the Southwestern Connecticut Area Agency on Aging for the Community Case Manager for the Elderly Program for the period October 1, 2003 to September 30, 2004.

2b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Community Case manager for the Elderly Program for the period October 1, 2003 to September 30, 2004, funded in part by the above grant.

3a. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept \$320,260 in grant funds from the State of Connecticut Department of Public health for the HIV Prevention Program for the period July 1, 2003 to June 30, 2005.

3b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the HIV Prevention Program for the Period July 1, 2003 to June 30, 2005.

F. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

Mr. Miklave moved excise from the agenda the following item as an error.

2. Authorize Mayor, Alex A. Knopp, to enter into an agreement with the Muddy Sports Group to utilize Cranbury Park for their 9th Annual Jack Rabbit Run Fall Classic to be held Sunday September 7, 2003 from 7:00am - 7:00pm. Estimated attendance 500.

Mr. Miklave concluded the consent calendar with the following Item.

3. Approve the use of the Show mobile by the SONO Arts Festival Inc. on Saturday August 2, 2003 from 7:00am -11:00pm and Sunday August 3,2003 from 7:00am - 7:00pm.

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

B. OTHER GENERAL COUNCIL BUSINESS

1. Authorize the holding of a Special Meeting of the Common Council on Thursday, July 31, 2003 at 8:00 pm for the purposes of authorizing action on school construction projects and confirmation of appointments

Mr. Miklave stated that there would be a special meeting of the Common Council on Thursday, July 31, 2003 to authorize school constructions projects and to vote on the salary increases on the ordinance list.

**** MR. MIKLAVE MOVED TO HOLD A SPECIAL MEETING OF THE COMMON COUNCIL ON JULY 31, 2003 FOR AUTHORIZING ACTION ON SCHOOL CONSTRUCTION PROJECTS AND APPROVAL OF ORDINANCE LIST SALARY INCREASES.**

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

2. Authorize the Mayor, Alex A. Knopp to enter into a retainer agreement with a law firm to be recommended by the Corporation Counsel for the purposes of reviewing the record of the Siting Council Docket 217 and appealing the decision.

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

Mr. Kimmel stated that he supported the Item because Norwalk was in a very tough situation and still is with regard to where the cables are going to and from and if North East Utilities intend to go across the Long Island Sound to Long Island. He said another problem that may occur is only being able to deal with one phase at a time and they have to look ahead at phases II and III. Mr. Kimmel said regarding the cost, the four towns attributed quite a lot of expert counsel and believed the total amount spent so far is over \$600,000.

Mr. Kimmel also stated that North East Utilities did withhold information, they said one thing one day and another thing the next so there are a lot of questions to be answered. He concluded by saying that this is a very unusual situation, Norwalk is on the Long Island Sound and they should do everything they can so they don't loose site of it.

Mayor Knopp stated that Norwalk is in the situation because he believed that North East Utilities were misleading and had changed their tune. He said they had entered into the previous agreement based on the information at that time. He said it was his feeling that the Siting Council failed to get expert testimony during the previous meetings. However, a bigger fear is that are the cables in phase II (from New Canaan Avenue substation to

Westport) because if they cannot go underground this will be infeasible. Mayor Knopp said Norwalk has to decide what the best action is to take.

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

VIII. COMMON COUNCIL COMMITTEES

A. PLANNING COMMITTEE

1. Approve the residential, commercial and retail development concepts as outlined in the Cecil Group's proposed update of the 1986 Norwalk Business District Management Plan.

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

Mr. Miklave said he was very pleased to move this Item; he noted that this was a process that had much involvement by property owners and there were many public meetings with a great deal of participation at such an early phase. Mr. Miklave added that he was pleased to support this and was enthusiastic about the concept; he reiterated that it was approval of the concept as there are still things that need to be tweaked.

Mr. Kimmel said he echoed the comments of Mr. Miklave and was pleased about the level of input by the Cecil Group, he said they listened to the public and made adjustments; he said this is the way to go by listening to the public early in a project so that disasters don't happen later on down the road; he commended all parties involved.

Mr. Wien stated that he lived near the Wall Street area and was very pleased to see this moving forward.

Mr. Bondi said he too was pleased to support this and was glad this has come to a head. He said the Cecil Group is competent and well organized.

Ms. Rivas noted that she was impressed with this is seeing the library as one of the key issues and said she would like to see more use of the library in the evenings.

Ms. Olmstead-Sawyer said she too was excited about the plan, she continued to say that this is a unique way of showing off the northern part of the city. At the same time she said she hoped to see diversity in the housing.

Mr. Wrenn agreed with the comments of his colleagues in that the process was particularly exemplary, it allowed for good input and is a good example of smart growth and a great concept.

The Mayor thanked Tim Sheehan and his team for all of their excellent work on this project. He continued to say that the revitalization of Wall Street is one of the top

priorities of this Administration. By the adoption of the plan tonight will mean that the greater Wall Street area is now ready for revitalization, to discover a treasure trove of shops, housing, restaurants, major retail and river walk-ways.

Mayor Knopp said over a year ago he attended a meeting at the library where members presented photographs and a number of developers spoke about the potential for the area. He said he realized this development could not occur unless they updated the urban renewal plan that they have now done.

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

2. Authorize the Mayor, Alex A. Knopp, to execute a contract with SEA Consultants Inc. in the amount of \$83,000 to develop a master plan for the Webster Superblock Area.

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

Ms. Rivas said that she had stopped in this area last week and it had take her twenty minutes to park; she noted that this plan could not come soon enough.

Mayor Knopp said this too has been an open planning process like that used in the Wall Street. He said hoped this would tie in with the Washington Street area.

Mr. Perone said he was very impressed with the plans, they took into consideration affordable and fair market housing, the pathway to the train station and how it would be tied into Washington Street.

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

4. Approve the attached "Certified Resolution of the Legislative Body" authorizing the Mayor, Alex A. Knopp, to file an application and to take certain other actions in conjunction with a grant request not to exceed \$2,309,985 from the Connecticut Department of Economic & Community Development in conjunction with the Reed Putnam Urban Renewal Project.

(RESOLUTION NEEDS TO BE READ INTO THE RECORD)

**** MR. MIKLAVE MOVE APPROVAL OF THE ITEM.**

Ms. Stark read the following resolution.

WHEREAS, pursuant to SPECIAL ACT 01-02 SECTION 28 (D)(1) the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and WHEREAS, it is desirable and in the public interest that the CITY OF NORWALK, CONNECTICUT make an application to the State for \$2,309,985 in order to undertake the REED PUTNAM URBAN RENEWAL PROJECT - YR II and to execute an Assistance Agreement.

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

1. That it is cognizant of the conditions and prerequisites for the State Assistance imposed by SPECIAL ACT 01-02 SEC. 28 (D)(1)
2. That the filing of an application for State financial assistance by THE CITY OF NORWALK, CONNECTICUT in an amount no to exceed \$2,309,985 is hereby approved and that MAYOR, ALEX A. KNOPP is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of CITY OF NORWALK, CONNECTICUT.

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

B. FINANCE COMMITTEE

1. Authorize an Additional Capital Appropriation for New Roof-Main Library. Supplemental Appropriation: \$72,080.00. Account No. 09036210-5777-C0274

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

A. LAND USE & BUILDING MANAGEMENT

Removed from the table at July 8,2003 meeting to be put on agenda of July 22,2003 Common Council Meeting.

1a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Commercial Roofing and Contracting Inc. for the Belden Library Roof Replacement Project for a total amount not to exceed \$145,800.00. Acct.#09036210-5777-C0274

1b. Authorize the Office of Building management to issue change orders on contract for a total amount not to exceed \$14,580.00.

**** MR. KIMMEL MOVED APPROVAL OF ALL THE ITEMS.**

Mr. Kimmel said after going through months and months of discussing the school roofs it dawned on them that a roof is a roof and they should take a logical look at the city roofs to see how construction could be used in an efficient way to replace those in disrepair.

Mr. Miklave said he was pleased to speak in favor of the library roof; he said the library has been on the agenda tonight in other areas and with the replacement of the roof and the

design by the Cecil group he said the library would be a common area for all people to utilize.

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

The Mayor stated that they would take the agenda out of order to deal with the lengthy Items first.

D. LAND USE & BUILDING MANAGEMENT COMMITTEE

12. Authorize the Mayor, Alex A. Knopp to modify the agreement with Barrett Roofing Company of Danbury, Inc. relevant to the Ponus Ridge Middle School Roof Replacement Project from an amount not to exceed \$879,000.00 to an amount not to exceed \$1,068,000.00 and to change the project scope to include the removal of all asbestos laden materials from the flashing and roof fields. Acct. # 09035010-5777-C0261 and 09045010-5777-C0307

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

The Mayor asked Mr. Baulcano from the Barrett Roofing Company to set forward to answer any questions.

Mayor Knopp asked Mr. Baulcano that it was not the responsibility of his company to inspect for asbestos, but under the contract it is there responsibility to remove it. He also asked if Barrett Roofing could give their assurance that they would complete substantial completion of this job prior to the opening of school and the remainder of the work to be completed without disruption while school is open.

Mr. Barrett said that is correct and said they hoped to finish the entire school, weather permitting before school opens.

The Mayor said, as he understood the situation, the first consultant said there was asbestos, the second said there was not and third consultant said it is in fact present and therefore they had several choices. One was to delay the situation, the other was to do part of the work and the final one was to take action, provide funding and do the entire roof.

There was a discussion about asbestos and where it is found.

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

11a Authorize the Mayor, Alex A. Knopp, to execute an amendment to the Fusco Corporation's agreement for Brookside School Replacement Project to increase the Guaranteed Maximum Price (GMP) for an amount not to exceed \$213,364.00 as necessary to remediate existing roofing deficiencies. Board of Education shall proceed with Special Capital Appropriation Process for the above amount and source of funding shall be from existing Board of Education surplus capital funds.

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

Mayor Knopp asked Mr. Opdahl, Mr. Greg Plasil (Fusco Corp) and Mr. George Wiles (Wiles & Associated Architect) to step forward to answer any questions.

Mr. Wiles gave a break down of the process and a detailed description of the roof replacement on Brookside School. He concluded by stating that the roof is now level in order to provide the proper pitch.

Mayor Knopp asked Mr. Plasil if this is approved would Fusco be able to complete the work that needs to be done prior to the opening of school. Mr. Plasil replied that they could.

Mr. Opdahl added that they have had to go through a process of testing the beams, litho bars and the decking and that they are confident that it will be completed.

Mayor Knopp stated that they had become aware of this some time ago and at that time he had asked Bill Ireland for his help. He said the engineering solution that has been recommended tonight is one that Mr. Ireland agrees with also.

Ms. Bain said that the Land Use and Building Management Committee was aware of this situation from the very beginning and that all parties involved took their time to ensure that this was investigated fully and there was a consensus among the various consultants that this was the correct solution.

Mr. Kimmel commended Mr. Krummel who was absent this evening in pursuing this.

Mr. Kimmel asked Mr. Opdahl to give him an idea as to where the funds are coming from. Mr. Opdahl replied that the funds are coming from the remaining funds left over after the West Rocks project.

Mayor Knopp confirmed that the funds did not come out of the \$70 million. Mr. Opdahl agreed with the statement.

**** MOTION PASSED THIRTEEN VOTES IN FAVOR, ONE OPPOSED (MR. BONDI).**

11b. Authorize the School Building Committee to issue change order numbers 44 and 45 on The Fusco Corporation's contract for Brookside School Replacement Project as necessary to implement roof remediation work, for a total amount not to exceed \$213,364.00.

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

**** MOTION PASSED THIRTEEN VOTES IN FAVOR, ONE OPPOSED (MR. BONDI).**

F. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. Authorize Mayor, Alex A. Knopp, to enter into an agreement with the Muddy Sports Group to utilize Cranbury Park for their 9th Annual Jack Rabbit Run Fall Classic to be held Sunday September 7, 2003 from 7:00am - 7:00pm. Estimated attendance 500.

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

Mr. Kimmel asked Mr. Mocciaie if the route to be used will be different from that used in the spring of 2003. Mr. Mocciaie replied that the route/races would be the same.

Mr. Kimmel asked Mr. Mocciaie what he seen after the race had been run last time. Mr. Mocciaie said first of all when they had met with the committee they had worked out some strict conditions that had been included in the contract and the bond was raised from \$1000 to \$5000 to ensure that if there were any damage then it would be taken care of. He said the second issue was that the bikers would stay out of any wetland areas or areas adjacent to this. Mr. Mocciaie said during the day of the race, the route is marked very clearly, this too was part of the contract. Lastly, Mr. Mocciaie said he walked the race both before and after the race and that he had video taped it to make sure there was no damage - he said he had not found any tire tracks.

Mr. Kimmel asked about other trails being used prior to the race. Mr. Mocciaie suggested that a map be included with all the trails marked out clearly so they stay on the appropriate route. He added that the warm up route would be the race route.

Mr. Kimmel noted that the group involved is a good organization and he was happy to support it.

Mr. Wien asked when they had discussions did the group get validation on how it is run from Parks and Recreations. Mr. Mocciaie said they deal with all park user issues.

Mr. Wien said he did attend this last time and added that it was a good use of the park for families etc.

Ms. Bain stated that this is an excellent example of compromise and applauded Ms. Lauricella in bringing issues forward that they may not have been aware of.

Mr. Wrenn said that when the voted last time he was under the impression that Muddy Sports Group would not come back in September and asked if this is going to be an annual event.

Mr. Mocciaie replied that until the appropriate committee is formed this will be limited to one event a year, he suggested the month of July as opposed to the spring.

Mr. Wrenn noted the importance of giving the park some rest time or they will see long term effects of erosion, lose of trees etc. He thanked Mr. Mocciaie for his efforts.

**** MOTION PASSED ELEVEN VOTES IN FAVOR, THREE OPPOSED (MS. OLMSTEAD-SAWYER, MR. PERONE, MR. WRENN).**

2a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Ray Weiner LLC d/b/a All Phase Construction for new playground equipment at Broad River and Calf Pasture Beach for an amount not to exceed \$99,120. Acct. # 09046030-5777-C0072

2b. Authorize the Director of Recreation and Parks Department to issue change order on contract for a total not to exceed \$9,120.00.

**** MR. BONDI MOVED APPROVAL OF BOTH ITEMS.**

Mr. Bondi stated that the three account numbers needed to be changed to 09026030-5777-C0072, 09036030-5777-C0072 and 0904630-5777-C0072.

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

2. Authorize the Purchasing Department to issue Purchase Orders to Corporate Computer Services Inc., Woburn, Ma. for the supply and installation of personal computers to the Board of Education for a total amount not to exceed \$503,250.00. Acct. # 09035010-5777-C0112

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

Mr. Poruban asked with reference to the monitors if they used LCD monitors could this reduce the heat and energy usage.

Mr. Opdahl said that he was unable to answer any technical questions, he said that Mr. Reichenbach would be able to. Mr. Opdahl gave some background information on how the issue had come up and how it related to the IT committee.

Mr. Miklave asked Mr. Opdahl whether removal of the removable hard-drive from the specification would decrease the cost. Mr. Opdahl replied that it would be more expensive, however he was not able to provide an accurate figure, he again referred those types of questions to Mr. Reichenbach.

Mr. Miklave asked if the specifications were to be changed, would the computers be ready in time for the opening of school. Mr. Opdahl replied that they would. Mr. Miklave suggested that this be approved during the July 31, 2003 meeting.

Mr. Kimmel asked Mr. Opdahl if he was comfortable with the choice of computer. Mr. Opdahl said Mr. Reichenbach had told him that they had worked very well and they had a three year warranty.

Ms. Bain referred to one of the questions asked earlier in the benefits of buying in one lump. Mr. Opdahl stated that they do not buy anything in one lump.

Mr. Wrenn asked if Mr. Opdahl had a long-term plan of when they would make purchases. Mr. Opdahl stated that they did.

Mayor Knopp said as he understood the situation, the original intent was to remove the hard drive and that would exclude certain manufacturers from bidding. Mr. Opdahl said he could not be sure of this as they had received bids from other companies.

Mr. Poruban said this did not exclude bidders; it made the cost higher. He suggested that this Item be referred back to committee for further discussion.

Mayor Knopp suggested that the Item be tabled until the July 31, 2003 meeting.

Mr. Kimmel agreed stating that it was incumbent to have all of the information so they would be sure of the best buy.

**** MR. PORUBAN MOVED TO TABLE THE ITEM TO THE JULY 31, 2003 SPECIAL MEETING .**

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

3. Authorize the Purchasing Department to issue Purchase Orders to ASAP Software Express, Inc. for Symantec Anti-virus Software license renewal for the Board of Education for a total amount not to exceed \$14,248.00. Acct. # 09035010-5777-C0112.

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

**** MR. PORUBAN MOVED TO TABLE THE ITEM TO THE JULY 31, 2003 SPECIAL MEETING.**

**** MOTION PASSED UNANIMOUSLY.**

4. Authorize the Purchasing Department to issue single source Purchase Order to 3Com Corporation for Hardware and Software support for the Board of Education for a total amount not to exceed \$19,440.00. Acct. # 09035010-5777-C0112

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

**** MR. PORUBAN MOVED TO TABLE THE ITEM TO THE JULY 31, 2003 SPECIAL MEETING.**

**** MOTION PASSED UNANIMOUSLY.**

1. Authorize the Purchasing Department to issue Purchase Orders to WB Mason for the computer chairs for the Board of Education for a total amount not to exceed \$36,871.40. Account #09035010-5777-C0112

**** MS. BAIN MOVED APPROVAL OF THE ITEM.**

Mr. Bondi suggested this Item be tabled also until they knew for sure what was happening with the computers.

**** MR. BONDI MOVED TO TABLE THE ITEM TO THE JULY 31, 2003 SPECIAL MEETING.**

**** MOTION PASSED UNANIMOUSLY.**

5. Authorize the Purchasing Department to issue Purchase Orders to Harcourt for Social Studies Text Books for the Board of Education for a total amount not to exceed \$214,050.17. Acct.#090350-5777-C0309

6. Authorize the Purchasing Department to issue Purchase Orders to Educational Solution for Social Studies textbooks-National Geographic Publishing for the Board of Education for a total amount not to exceed \$77,643.98. Acct. #09035010-5777-C0309

7. Authorize the Purchasing Department to issue Purchase Orders to Harcourt for Trophies 2003 Textbooks for the Board of Education for a total amount not to exceed \$709,123.42. Acct. #09035010-5777-C0309

8. Authorize the Purchasing Department to issue Purchase Orders to Harcourt for Trofeos 2003 textbooks for the Board of Education for a total amount not to exceed \$31,802.90. Acct. #09035010-5777-C0309

9. Authorize the Purchasing Department to issue Purchase Orders to Great Sources for Write Source language textbooks for the Board of Education for a total amount not to exceed \$52,647.00. Acct. #09035010-5777-C0309

10. Authorize the Purchasing Department to issue Purchase Orders to Perfection Learning for Language Arts-Perfection Learning for the Board of Education for a total amount not to exceed \$205,019.20. Acct.#09035010-5777-C0309

**** MS. BAIN MOVED APPROVAL OF SIX ITEMS.**

Ms. Bain stated that it was a pleasure to authorize the purchase of the textbook especially with the curriculum revision at the Board of Education.

Mr. Kimmel stated he too had pleasure in supporting this.

**** MOTION PASSED UNANIMOUSLY.**

X. SUSPENSION OF THE RULES

There were none this evening.

XI. ADJOURNMENT

**** MR. PORUBAN MOVED TO ADJOURN.**

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

The meeting was adjourned at 10:45 p.m.

ATTEST _____

Pam Stark, City Clerk

