

***Common Council Actions***

**COMMON COUNCIL**

**ACTION**

JULY 27, 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, July 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 8:10 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 (absent)  
Michael Coffey (absent) Jeanette Olmstead-Sawyer (absent)  
Carvin Hilliard Kevin Poruban  
Douglas Hempstead Douglas Sutton  
William Krummel Peter Wien (absent)  
Leona Williams (absent)

There were ten (10) members present at Roll Call.

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Mayor Knopp stated that he wished to acknowledge and thank all of the many individuals and groups who spent so much time researching and reenacting the Burning of the City of Norwalk. He said on behalf of the City he wanted to thank the organizers who did a terrific job showing how enriching it can be to learn from the reenactment of a historical event . The individuals that worked on this did so for over a year and he asked Linda Hayes, Peter Bondi and Todd Bryant to step forward to receive a certificate of thanks. Ms. Hayes also presented the certificate to the following Susan Gunn, Kevin Poruban, Peter Bondi, Brendan Wilson, John Curtsman, Deborah Poruban, Rochelle Hayes, Eric Chandler, Salvatore Tarantino, Nancy Rizzetti and Katlyn Hayes. Mr. Bryant presented the certificate to the following Ed and Madelyn Ekhard, Pat Genova, Dick Ventry, Lauren Henry, Gail Wall, Lyn Freeman and Mike Alcott. Mr. Bryant added that there were some more significant people not on this list and wished to thank those who participated in the town meeting, the Mayor, Chief Rilling, Bill Krummel, Bruce Kimmel, Andy Garfunkel and Ed Schmidt saying that they did a fantastic job.

Mayor Knopp asked Mr. Tarantino to step forward thanking him for his role and read a statement by Governor Rell. He congratulated Mr. Tarantino.

Peter Bondi presented the Mayor with a t-shirt.

Mayor Knopp said once again, that behalf of the City that this was just terrific getting so many citizens involved and said that the City would be happy to help other groups wanting to do reenactments.

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## II. ACCEPTANCE OF THE MINUTES

### A. Regular Meeting – July 13, 2004

**\*\* MR. BONDI MOVED APPROVAL OF THE MINUTES OF JULY 13, 2004 AS AMENDED.**

The following corrections were made:

Page one, under Public Participation, fourth line; change the word himself to he. In the next paragraph correct the spelling of Lou Schulman. Page seven, second paragraph, delete the last two sentences. Page fifteen, second paragraph, after Mr. Miklave insert the word praised.

**\*\* MOTION PASSED NINE (9) VOTES IN FAVOR, ONE ABSTENTION (MS. BAIN) BY VOICE VOTE.**

### B. Special Meeting - July 15, 2004

**\*\* MR. BAKER MOVED APPROVAL OF THE MINUTES OF JULY 15, 2004 AS AMENDED.**

The following corrections were made:

Page one, before the Public Participation it should note that Mayor Knopp left the meeting. Page two, three and five correct the spellings of Bruce Mellion, Roseanne Pullaf, Carol Sterrup and Peter Libre. Also page five, last line, delete the first sentence beginning Ms. Bain. The letter referred to from Ms. Bain should be attached to the minutes. Page seven, third paragraph, second line, after opinion insert this presented the best opportunity for savings – then delete should have been able to get a better deal or more savings. Also page seven, last paragraph, first line delete there was a 2.5% ceiling placed on teacher salary increased - replace with the Board of Education agreed to a ceiling of 2.5% of new money to cover salary increases

**\*\* MOTION PASSED SEVEN (7) VOTES IN FAVOR, THREE ABSTENTIONS (MS. BAIN, MR. HEMPSTEAD, MR. MCQUAID) BY VOICE VOTE.**

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### III. PUBLIC PARTICIPATION

No members of the public wished to participate this evening.

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### IV. MAYOR

#### A. RESIGNATIONS AND APPOINTMENTS

Mayor Knopp announced the resignation of Jordan Kolovson from the Fair Rent Commission, as he is now a resident of Greenwich; he thanked him for his service.

#### B. REMARKS

Mayor Knopp announced that tomorrow, at 10:00 am in room 213 Steve Kowaleski will be there to answer questions from veterans regarding the various federal medical benefits and programs. The Mayor added that he has arranged for this to happen on the fourth Wednesday of each month at 10:00 am for veterans who need to talk to a representative.

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### V. COUNCIL PRESIDENT

#### A. CONSENT CALENDAR

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

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

#### A. CORPORATION COUNSEL EXECUTIVE SESSION

1. Authorization to settle claim of Gelco Corporation v. City of Norwalk.

#### B. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$139,944 be and the same is hereby transferred from Contingency to the Police Department to cover an overage in the overtime and regular wage accounts due to increased vacancies and Homeland Security requirements. (Account No. Various)

2. RESOLVED, that a sum not to exceed \$81,796 be and the same is hereby transferred from Contingency to the Fire Department to cover an overage in the overtime and regular wage accounts due to severance payments. (Account No. Various)

## VII. COMMON COUNCIL COMMITTEES

### A. RECREATION AND PARKS & CULTURAL AFFAIRS

2. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Darien Board of Education for the use of Brien McMahon Athletic Complex for Five Football games on the following dates:

September 25, 2004 @ 7:00 PM

October 2, 2004 @ 1:30 PM

October 8, 2004 @ 6:30 PM

October 30, 2004 @ 6:30 PM

November 13, 2004 @ 1:30 PM

Estimated attendance 500+

3. Approve the use of the Showmobile by PAL for the Fall Pumpkin Festival to be held on Saturday October 16, 2004 from 10:00 AM - 6:00 PM on the Norwalk Green.

4. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept grant funds from the Connecticut Department of Environmental Protection for an Inner City Forestry Grant Program not to exceed \$25, 000.00

5. Order(s) on existing DPW's contract with Deering Construction for site work for the new Basketball Court at Calf Pasture Beach for a total not to exceed \$33,555.00. Acct. # 09036030 5777 C0217

Mr. Kimmel moved consent to remove the following Item from the table.

### B. PUBLIC WORKS (Item tabled at July 13, 2004 meeting)

1. Authorize the Mayor, Alex A. Knopp, to execute a 2003 Annual Report concerning the exportation of hazardous waste from the site of the Police Department Building Project and any and all documents required in compliance with the Resource Conservation and Recovery Act 40 CFR Sections 262.56, 262.87(a).

\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

### B. OTHER GENERAL COUNCIL BUSINESS

There was none this evening.

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## VII. COMMON COUNCIL COMMITTEES

### A. RECREATION AND PARKS & CULTURAL AFFAIRS

1. Authorize the Mayor, Alex A. Knopp, to execute a lease agreement with Tyrone Martylewski for the use of the Caretaker's Cottage at Cranbury Park for a period to start July 1, 2004 through June 30, 2009 for the of \$828.88 for the first year and a 6% increase in each successive year.

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

\*\* MR. BONDI MOVED TO AMEND THE MOTION AS FOLLOWS: (LAST LINE) \$828.88 PER MONTH FOR THE FIRST YEAR AND A 6% INCREASE IN EACH SUCCESSIVE YEAR. ALL OTHER TERMS REMAIN THE SAME IN THE PAST AGREEMENT.

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

\*\* MAIN MOTION AS AMENDED PASSED UNANIMOUSLY BY VOICE VOTE.

## VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

### A. CORPORATION COUNSEL

2. Amend Resolution Creating a Charter Revision Commission to Consider a Change in the schedule of the adoption of Operating and Capital Budgets.

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

Mr. Kimmel read the following, including the changes.

#### AMENDED RESOLUTION CREATING A CHARTER REVISION COMMISSION

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT THE CHARTER REVISION RESOLUTION ADOPTED ON JULY 9, 2004 IS HEREBY AMENDED AS FOLLOWS:

1. A revision of Norwalk's Charter is hereby undertaken, pursuant to the C.G.S. Section 7-188;

2. A Charter Revision Commission is hereby appointed, pursuant to C.G.S. Section 7-190(a), consisting of the following EIGHT Norwalk citizens:

1. Randall Avery (R)
2. Richard Darling (R)
3. Thomas Flaherty (D)
4. Charles Pennington (D)

5. SUSAN WALLERSTEIN (D)
6. KELLY STRANITI (R)
7. GALEN WELLS (D)
8. RICHARD MOCCIA (R)

3. The Chairman of the Charter Revision Commission shall be THOMAS FLAHERTY.

4. Pursuant to C.G.S. Section 7-190(b), the Common Council hereby directs the Charter Revision Commission to consider the following REVISIONS to the Norwalk Charter:

(a) A change in the schedule for the adoption of the operating budget so that it occurs closer to the start of the fiscal year to enable the Finance Department, other city departments and members of the public an opportunity to obtain more definitive information on expenditure and revenue projections, and on State budget action, and to make such other conforming changes to the schedule for the adoption of the capital budget as may be necessary;

(b) CHANGE THE POSITION OF TOWN CLERK TO AN APPOINTED POSITION IN LIEU OF AN ELECTED POSITION AND DESIGNATE THE APPOINTING AUTHORITY, CONFIRMATION PROCESS AND TERM OF APPOINTMENT.

5. Pursuant to C.G.S. Section 7-190 (b), the Common Council hereby directs the Charter Revision Commission to complete and submit its draft report on this proposal to the Council no later than DECEMBER 15, 2004.

Mr. Kimmel indicated that he had already gone through his reasons why he considered this to be very important and said another issue that came up was that in dealing with what he considered to be a “hot button” item they should not be doing so during a municipal election as this would muddy the waters. In this case it will be voted upon during a municipal election and Mr. Kimmel said he would go along with this as both these issues are straightforward and technical. He added even though this is going to be voted on during a municipal election in general he did not see this as setting a precedent.

Mr. Hempstead said that this should be a focal point of a local election.

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

## VII. COMMON COUNCIL COMMITTEES

### B. PUBLIC WORKS

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

Mr. Poruban indicated that this is a report that has to go to the EPA that would cover the contaminated soil that was removed from the Police Station site. Since the material was exported out of the United States to Canada they have to file this as an exporter of contaminated material.

**\*\* MOTION PASSED NINE (9) VOTES IN FAVOR, ONE (1) VOTE OPPOSED (MR. BONDI) BY VOICE VOTE.**

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**VIII. RESOLUTIONS FROM COMMON COUNCIL**

There were none this evening.

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

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. HEMPSTEAD MOVED TO ADJOURN  
\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The meeting was adjourned at 8:45 pm.

ATTEST: \_\_\_\_\_  
Pam Stark, City Clerk