

Common Council Actions

OCTOBER 10, 2006

**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 8:10 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Roman called the Roll. At Roll Call there were fourteen (14) members present.

Michael Coffey Carvin Hilliard
Matthew Miklave Nicholas Kydes
Kevin Poruban Douglas Hempstead
Douglas Sutton Kelly Straniti
Herbert Grant Gwen Briggs
Richard McQuaid William Krummel
Rev. Phyllis Bolden Joanne Romano

II. ACCEPTANCE OF MINUTES

Regular meeting – September 26, 2006

**** MR. KRUMMEL MOVED TO ACCEPT THE MINUTES**

The following corrections were made to the minutes.

Addition of page numbers.

Page 1 – 21 Briar Street should be 28 Briar Street

Page 4, add Ms. Briggs to the Power Committee members

Page 8, fifth paragraph, last sentence should read – he said over the years, they have held spirited discussions over the length of various contracts and would be opposed to this contract.

Page 9, motion should read – Mr. Coffey moved the Briar Street item back to the next Common Council meeting. Next paragraph, last sentence should read – He said that he was satisfied with the answers he heard in committee.

Rev. Bolden was not in attendance during the vote.

** MOTION PASSED UNANIMOUSLY BY THOSE IN ATTENDANCE

III. PUBLIC PARTICIPATION

There were no members of the public who wished to speak.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: There were no resignations

Appointments:

Brenda Penn-Williams – Fair Rent Commission (Alternate)

** MR. MCQUAID MOVED TO APPROVE THE APPOINTMENT OF BRENDA PENN-WILLIAMS TO THE FAIR RENT COMMISSION

** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MIKLAVE) AND ONE (1) ABSTENTION (MR. PORUBAN)

Kathleen Nagle – Maritime Authority

Due to a potential conflict of interest, Mr. Coffey rescused himself and left the Council Chambers.

** MR. HILLIARD MOVED TO APPROVE THE APPOINTMENT OF KATHLEEN NAGLE TO THE MARITIME AQUARIUM AUTHORITY

** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MIKLAVE)

Mr. Coffey returned to the Council Chambers.

John Tobin – Zoning Board of Appeals (Alternate)

** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF JOHN TOBIN TO THE ZONING BOARD OF APPEALS

Mr. Kydes said that he had known Mr. Tobin for a number of years. He is a very dedicated individual.

** MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MIKLAVE)

Mayor Moccia thanked everyone who has agreed to serve on these boards.

Reappointment:

There were no reappointments.

B. REMARKS

Mayor Moccia recognized Emerson T. Straniti, the son of Councilmember Kelly Straniti and Mr. Artie Straniti. He was nominated by his 6th grade teachers at All Saints Catholic School, and chosen by the Congressional youth Leadership Council to attend its National Young Leaders Conference in Washington, DC.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Mr. Coffey said that the Council will be looking at the Reed Putnam plan tonight. He said that he hoped this would be a step in making Norwalk an even better City than it already is.

CONSENT CALENDAR

**** MR. COFFEY MOVED THE FOLLOWING CONSENT CALENDAR**

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

6A. Authorize the Purchasing Agent to issue a purchase order to Phone Tel Inc. of Wallingford, CT for the supply and installation of voice and data cabling at each fire station and the fire maintenance facility per specification of City RFP #2410, issued August 4, 2006 for an amount not to exceed \$16,686.24 account 09003110-5777-C0169

6B. Authorize the Director of Information Technology to issue change orders on purchase order for an amount not to exceed \$1,600.00

B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia, to execute an Easement Agreement with Briar Street, LLC for access, construction and maintenance of storm drainage for a portion of Lawn Street.

Change to:

a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the Westmere Avenue Bridge Over Farm Creek for a sum not to exceed \$74,215 which includes \$57,490 for design fees, \$11,725 for maximum reimbursable and \$5,000 for extra work. (20% of the total amount shall be paid by the City of Norwalk, account number 0904 4021 5777 C0306; 80% of the total amount shall be funded through a grant from the State of Connecticut, Federal Local Bridge Program, F.A.P. No. BHZ-6102(4), State of Connecticut Project No. 102-315, Rehabilitation of Bridge No. 04440).

b. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the James Street Bridge over the Silvermine River for a sum not to exceed \$195,350, which includes \$172,880 for design

fees, \$5,400 for maximum reimbursables and \$17,070 for extra work. (20% of the total amount shall be paid by the City of Norwalk, Account No. 0906 4071 5777 C0350; 80% of the total shall be funded through a grant from the State of Connecticut, Federal Local Bridge Program, F.A.P. No. BHZ-6102(12), State of Connecticut Project No. 102-320, Rehabilitation of Bridge No. 04989).

c. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the Perry Avenue Bridge Over the Norwalk River for a sum not to exceed \$253,079. (20% of the total amount shall be paid by the City of Norwalk, Account No. 0906 4071 5777 C0350; 80% of the total amount shall be funded through a grant from the State of Connecticut, Federal Local Bridge Program, F.A.P. No. BHZ-6102(__), State of Connecticut Project No. 102-__.

1. Authorize the Purchasing Agent to purchase Storm Water Inlet Filters from Transpo Industries, Inc., in connection with the National Fish and Wildlife Grant Project, for a sum not to exceed \$30,000. Account No. 35 4076 5573

2. Authorize the Mayor, Richard A. Moccia, to execute an Amendment to the Agreement with Kohler Rohan, LLC, to provide additional scope of services at the Public Works Center in connection with the garage fire suppression system, for a sum not to exceed \$3,000. Account No. 0907 4071 5777 C0387

5a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Darien Asphalt Paving, Inc., for Project No. 2006-1, Norwalk Landfill, Additional Landfill Cap, for a sum not to exceed \$255,869.

5b. Authorize the Director of Public Works to issue Orders on Contract to Darien Asphalt Paving, Inc., for Project No. DPW 2006-1, Norwalk Landfill, Additional Landfill Cap, for a sum not to exceed \$25,000. Account No. SA 01-02
DECD Project No. 2003103001

6. Authorize the Purchasing Agent to issue a Purchase Order to W.I. Clark Co., for one (1) John Deere Loader 624J with optional JRB Coupler System, JRB Female Attaching Brackets, 3.5 CY Bucket, Whelan Front and Rear Strobe Light Kits in the amount of \$140,775.

Account No. 0906 4010 5777 C0377 (\$73,187)
0907 4031 5777 C0313 (\$67,588)

C. PLANNING COMMITTEE

1. Approval of the proposed scope of services and budget as described in Reed Putnam Roadway Improvements Proposal for Contract Amendment #8 in an amount not to exceed \$147,000 and \$14,000 for surveyor dated August 24, 2006, to amend the existing contract between the City of Norwalk and Tighe & Bond Consulting Engineers. (Funding Source: Special Act Grant 01-02-Sec. 9(d)(2)- Design Consultant Engineer)

2. Authorize the Mayor, Richard A. Moccia to execute all necessary documents to effect the amendment of the existing contract between the City and Tighe & Bond Consulting Engineers, as described in Reed Putnam Roadway Improvements Proposal for Contract Amendment #8 dated August 24, 2006.

3. Consideration of the report entitled Fiscal Impact of the Proposed Reed Putnam Urban Renewal Plan in Norwalk, Connecticut dated September 13, 2006, as prepared by RKG Associates, Inc.

D. RECREATION, PARKS, & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Richard A. Moccia to enter into an agreement with Allphase Construction for project #2417, Construction-Renovations to Shady Beach Bath House for a sum not to exceed \$297,500. Account numbers are as follows: 09076030-5777-C0365; 09056030-577-C0319; 09026030-5777-C0069

** MOTION PASSED UNANIMOUSLY

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

REV. BOLDEN MOVED TO APPROVE THE FOLLOWING ITEMS

1. Authorize the Purchasing Agent to issue a purchase order to Rex Dive Center for SCUBA equipment for the Norwalk Fire Department for a sum not to exceed \$12,000.00. Account no. 013153-5790.

2. Authorize the Purchasing Agent to issue purchase orders to high Tech Fire & Safety Equipment to supply the Norwalk Fire Department with turnout gear (firefighting coats and pants) as needed for a sum not to exceed \$74,294.00. Account no. 013120-5271

3. Authorize the Mayor to enter into a contract with Occupational Health Services, 520 West Avenue to provide Firefighter OSHA physicals for a price not to exceed \$51,300.00. Account no. 013120-5251

4. Authorize the fire Chief to execute change orders for Firefighter OSHA physicals for a sum not to exceed \$6,750.00. Account no. 013120-5251

5. Authorize the Mayor to amend the agreement with Jacques Personnel (to conduct a Fire Department entry level examination) for the purpose of including a Fire Lieutenant's Promotional Examination, for an additional sum not to exceed \$8,995.00. Account no. 013140-5258

Mr. Gilden explained that two of the accounts have less money than the amount being requested. He said that the resolution needs to be modified.

**** MR. MIKLAVE OFFERED A FRIENDLY AMENDMENT THAT ITEM 2 WILL READ NOT TO EXCEED \$50,849 AND ITEM 5 WILL READ NOT TO EXCEED \$8,810.00**

Chief McCarthy explained that the amounts requested were submitted in error.

**** THE AMENDMENT PASSED UNANIMOUSLY**

**** MOTION AS AMENDED PASSED UNANIMOUSLY**

B. PUBLIC WORKS COMMITTEE

Due to a potential conflict of interest, Mr. Coffey rescused himself and left the Council Chambers.

**** MR. KRUMMEL MOVED THE FOLLOWING ITEMS**

Mr. Krummel explained that these are three bridges which the state is reimbursing at 80%. The correction is needed to reflect the state's approval of the design.

3. Corrections to Common Council approvals of September 12, 2006:

Original Approval:

a. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the Westmere Avenue Bridge Over Farm Creek for a sum not to exceed \$11,118 (20% of the approved design fees of \$55,590). Account No. 0904 4021 5777 C0306

b. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the James Street Bridge Over the Silvermine River for a sum not to exceed \$39,070 (20% of the approved design fees of \$195,350) Account No. 0906 4071 5777 C0350

c. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with URS, Inc., to provide design consulting services in connection with the Perry Avenue Bridge over the Norwalk River for a sum not to exceed \$50,616 (20% of the approved design fees of \$253,079). Account No. 0906 4071 5777 C0350

**** MOTION PASSED UNANIMOUSLY**

Mr. Coffey returned to the Council Chambers.

PLANNING COMMITTEE

**** MR. MIKLAVE MOVED THE FOLLOWING ITEM**

Approval in principle, of the ranges of development for Parcels 1, 2, & 4 of the Reed Putnam Urban Renewal Project as recommended by the Redevelopment Agency at its meeting of September 13, 2006.

Mr. Miklave said that he was pleased to move this item. He said that this is one of several projects that will come before the Common Council in the next six months.

Mr. Miklave said that this is a significant portion of this project and represents substantial redevelopment in our community. Mr. Miklave described the history of the project. He said that if this is approved tonight it would authorize modifying the land disposition agreement. The Planning Committee has taken time to study the issues and Mr. Miklave said that he believed that it was time well spent.

Mr. Miklave said that the office portion should dominate the project. Knowledge based jobs are the kind of jobs we want to attract to Norwalk. He said that the more office space the better Norwalk will be able to offer jobs for the 21st century. He said that a mixed use development is clearly appropriate for this area.

Mr. Miklave said that he was pleased that the plan reflects an appropriate target for their goals of providing housing for workforce families. It was determined that a hotel component would be feasible and a select hotel would serve the office development staff. The hotel would probably be built last. If it turns out that the hotel is not feasible, the 80,000 sq. ft. would revert to office space.

Mr. Miklave said that 2 – 4% of the space will be reserved for cultural activities. Mr. Miklave said that he was concerned about having 150,000 sq. ft. for retail space. He said that he would like to propose an amendment to the retail portion of the plan. He suggested reducing the retail space from 75,000 – 150,000 sq. ft. to 75,000 – 125,000 sq. ft. In addition he proposed increasing the office component to 625,000 sq. ft. Mr. Miklave said that with the amendment, he would like the Redevelopment Agency to know that should there be a compelling need to increase the retail space they would be prepared to consider a request. Mr. Miklave said that he wants to ensure that there will be no big box stores in South Norwalk.

Mr. Kydes said that as a member of the Planning Committee he implored all Councilmembers to vote to approve this project. He said that they are at the threshold of a renaissance if Norwalk and what they are going to pass tonight is a stepping stone to a better Norwalk. He said that he wholly supports the amended plan and is eager to move forward on it.

Mr. Hempstead said that he never thought this would happen in his lifetime. It is a pleasure to vote on this after 21 years. He said that many people need to be commended for this project. Mr. Hempstead said that this is an appropriate mixed use project and is a great part of a great puzzle that is going on. Mr. Hempstead said that he whole heartedly supported this project and complimented the staff.

Mr. Grant said that he endorsed this plan and said that it complements the West Avenue and Wall Street areas. Mr. Grant urged the Council to move forward on this project.

Mr. Krummel said that he applauded the flexibility in having the range of numbers. He said that Costco on Connecticut Avenue is 80,000 sq. ft. and that 125,000 sq. ft. is the maximum amount allowed for retail use. He said that he is opposed to using any of that space for big box retail activity. He said that they are looking for retail establishments that will strengthen the retail area in the City.

Mr. Krummel reminded the Council that in 1983, they felt that they should look for 20% affordable housing. He said that they are falling short from the original goal. Mr. Krummel said that they need to do more than look at the median region income. He suggested looking at the wages of the hospital workers and support staff. He said that he wants to particularly target those workers who support the City. Mr. Krummel said that they must do something for the vital workers. Mr. Krummel said that he supports the inclusion of a cultural area.

Mr. Coffey commended the Redevelopment Agency. He said that after reviewing the reports, feels that a blend of office and retail space will have a better final product for the City. He said that this is a very good step and is glad to move it forward.

Mayor Moccia expressed his appreciation to Mr. Miklave, the Planning Committee and the Common Council. He added that he was please about including an arts and cultural aspect to the plan.

**** MR. MIKLAVE MOVED AN AMENDMENT THAT THE RETAIL SPACE WILL BE REDUCED TO 125,000 SQ. FT. WITH THE OPTION OF CONSIDERING A REQUEST FROM A RETAILER FOR IN INCREASE IN SPACE AND THAT THE OFFICE SPACE WILL BE INCREASED TO 625,000 SQ. FT.**

**** MOTION PASSED UNANIMOUSLY**

Mr. Miklave said that there is still a lot of hard work ahead.

**** MAIN MOTION AS AMENDED PASSED UNANIMOUSLY**

**** MR. COFFEY MOVED THE FOLLOWING ITEM**

A. CORPORATION COUNSEL

1. Updating Settlement Resolution.

Mr. Nolin explained that they did not need to go into Executive Session to hear this item. He said that some of it is codification of what they have been doing. He said that this gives settlement authority to the Law Department for small items.

Mr. Coffey asked why the authority would stay with the Zoning Inspector and not the Zoning Committee. Mr. Nolin explained that that is the office that issues the violations. Mr. Miklave asked if they could get a monthly report of what is being done under this item.

** MR. MIKLAVE MOVED TO REQUEST A REPORT EVERY THIRTY (30) DAYS
** MOTION PASSED UNANIMOUSLY

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none.

X. SUSPENSION OF THE RULES

There were none.

XI. ADJOURNMENT

Mayor Moccia recognized Mr. Iannaccone whose family suffered a tragic loss recently. Mayor Moccia offered the condolences of the City and from himself.

Mr. McQuaid said that Mr. and Mrs. Iannaccone established a music scholarship at Norwalk High School in their son's name.

** MR. COFFEY MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY

There was no further business and the meeting was unanimously adjourned at 9:10 p.m.

ATTEST: _____
Mary Roman, City Clerk