

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**OCTOBER 14, 2008
8:00 P.M. EST 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 8:15 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Roman called the Roll:

Fred Bondi	Rev. Phyllis Bolden
Amanda Brown	Laurel Lindstrom
Michael Geake	Douglas Hempstead
Richard McQuaid	William Krummel
Douglas Sutton	Richard Bonenfant
Steven Serasis	

At Roll Call there were eleven (11) Councilmember present and four (4) absent: Mr. Conroy, Mr. Hilliard; Mr. Kydes and Ms. Straniti.

ACCEPTANCE OF MINUTES

September 9, 2008
September 23, 2008

**** MR. BONDI MOVED TO ACCEPT THE MINUTES OF SEPTEMBER 9, 2008 AND SEPTEMBER 23, 2008**

The following correction was made to the minutes of September 9th.

The resolution will be corrected to reflect Norwalk's numbers.

**** MOTION PASSED UNANIMOUSLY**

PUBLIC PARTICIPATION

Mr. Todd Bryant, Morgan Avenue, President of the Norwalk Preservation Trust spoke in support of all of the agenda items from Parks and Recreation that refer to Fodor Farm. He said that Fodor Farm's very successful community garden has been paid for mostly by grants. Mayor Moccia thanked Mr. Bryant and Parks and Recreation for bringing this all together.

There were no other speakers this evening.

MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: There were no resignations.

Appointments: There were no appointments.

Reappointments:

Vicky Su – Human Relations

**** MR. BONDI MOVED TO APPROVE THE REAPPOINTMENT OF VICKY SU TO THE HUMAN RELATIONS COMMISSION
** MOTION PASSED WITH ONE (1) ABSTENTION (MR. SUTTON)**

Jerome Klein - Transit District

**** MR. BONENFANT MOVED TO APPROVE THE REAPPOINTMENT OF JEROME KLEIN TO THE TRANSIT DISTRICT**

Mayor Moccia commented that Mr. Klein has been an active Commissioner for a long time and it is his pleasure to re-nominate him.

**** MOTION PASSED WITH ONE (1) ABSTENTION (MR. SUTTON)**

B. REMARKS

Mayor Moccia read Rev. Bolden's comments about her concerns regarding the Norwalk Emergency Shelter. He said that he will reach out to their Board of Directors to come up with a solution. He said that he wants to work with Rev. Bolden.

Mayor Moccia thanked everyone for their kind wishes on his recent nuptials.

COUNCIL PRESIDENT

GENERAL COUNCIL BUSINESS

Mr. Bondi did not have any comments this evening.

CONSENT CALENDAR

**** MR. BONDI MOVED THE FOLLOWING CONSENT CALENDAR:**

VI. AGENCIES, BOARDS & COMMISSIONS

A. BOARD OF ESTIMATE & TAXATION

RESOLVED, that a sum not to exceed \$35,247 be and the same is hereby transferred from Contingency to the Registrar of Voters to cover the cost of the August 12, 2008, Democratic Congressional Primary. (Account Various)

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

Authorize the Mayor, Richard A. Moccia to execute an agreement with the Connecticut DEMHS for the participation in the DEMHS Emergency Management Performance Grant. Grant award estimate is \$38,871.00, Federal Fiscal Year 2009. Account #01-31-60-4189.

Authorize the Mayor, Richard A. Moccia, to sign any and all documents from the U.S. Department of Justice relating to contracting, accepting funds and implementing the COPS 2008 Interoperability Grant, in the amount of \$222,134.00. No matching funds required.

B. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1a. Authorize the Mayor, Richard A. Moccia to execute any and all documents to apply for, receive and implement the terms and requirements of the grant requirements of Connecticut Commission on Culture and Tourism (Historic Preservation and Museum Division) Capital Improvement Grant Program. The grant request of \$200,000 is a 50/50 match with 50% coming from a special appropriation. The grant is for the property at 328 Flax Hill Road, Fodor Farm original homestead.

1b. Authorize the inclusion of a preservation easement in favor of the Connecticut Commission on Culture and Tourism.

C. PUBLIC WORKS COMMITTEE

Approve the Report of Freeholders for the abandonment of that portion of Crescent Street as depicted on the Compilation Survey For Crescent Street Roadway Abandonment Prepared for 95/7 Ventures LLC and the City of Norwalk and the State of Connecticut Reed Putnam Project dated January 28, 2008, prepared by William W. Seymour & Associates, P.C.

Approve the following resolution:

Whereas, The United States Secretary of Transportation, through the Federal Highway Administration (FHWA), is authorized to make funds available for programs deemed high priority projects as enacted through the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), and;

Whereas, The West Avenue Corridor Transportation Improvement Project has been identified as such a high priority project, and;

Whereas, Federal funding in the amount of \$2.0 million has been earmarked for the design and construction of the West Avenue Corridor Transportation Improvement Project, and;

Whereas, The available amount of federal funds allocated for high priority projects from this authorization has been approximately \$1.8 million, and;

Whereas, The City of Norwalk share of the project cost is twenty percent (20%) or approximately \$450,000, and;

Whereas, The City of Norwalk agrees to maintain the West Avenue Corridor Transportation Improvements, and;

Whereas, The State requires a resolution from the Common Council indicating its endorsement and financial commitment to provide the local share of the total cost of the project as well as a maintenance commitment.

Now therefore be it resolved that the Mayor, Richard A. Moccia, is authorized to sign any and all documents from the Connecticut Department of Transportation related to the planning, design and/or construction of the West Avenue Corridor Transportation Improvements, and to take all other measures reasonably related thereto, and;

Be it further resolved, that the City of Norwalk shall fund its local share of the project, and;

Be it further resolved, that the City of Norwalk shall commit to maintaining the improvements.

Account No. 09030910-5777-C0277

3. Authorize the Mayor, Richard A. Moccia, to execute an amendment to the INTER-COMMUNITY AGREEMENT ESTABLISHING THE SOUTHWEST CONNECTICUT REGIONAL RECYCLING OPERATING COMMITTEE (SWEROC) that will allow the City to receive recycling rebates.

4. Authorize the Mayor, Richard A. Moccia, to execute an agreement with CRW Systems, Inc., to provide permit and project administration software, data conversion, training, technical support and implementation for a sum not to exceed \$200,000.

Account No. 03 0000 2602.

Consent to send to IT Committee

D. FINANCE COMMITTEE

Accept and approve the report of the Claims Committee dated: October 9, 2008
Accept

For informational purposes only: Monthly Tax Collector's Report dated: September 30, 2008.

Approve resolution, appropriating \$200,000 for Fodor Farmhouse Restoration (Account No. 09096030-5777-C0462). (For informational purposes only: The City is requesting a matching grant from the State of Connecticut. It is the City's intention to wait until matching funding is secured).

Authorize the Purchasing Agent to issue purchase orders to update the software application and equipment for the Police Department LEAS system (Law Enforcement Administration Systems plus Computer Aided Dispatch plus Police Records Management plus Mobile Data Access) for an amount not to exceed \$35,738.25, account # 09090600-5777-C0375 (budget IT Capital expense, no special appropriation required).

Authorized the Mayor, Richard A. Moccia to execute an amendment to the Agreement (City RFP Project 2426) between the City and Total Communications Inc. for the renewal of technical support and maintenance services for the telephone system for City Hall, Health Department, DPW Center, Animal Control and six Fire Department locations, for the period September 13, 2008 to September 12, 2009, for an amount not to exceed \$22,283.85, account 010600-5245 (budget operating expense, no special appropriation required).

Technical correction: Correction to the September 23, 2008 Common Council Action, item VII.A.4a.

Rescind original item:

4a. Authorize the Purchasing Agent to issue purchase orders to Total Communications Inc., a sole source provider, for the annual renewal of equipment and software update and support maintenance for the Citywide and Board of Education Voice Mail system and the critical telephone system components at the Police Department for the period September 13, 2008 – September 12, 2009, 24 x 7x 365 coverage, for an amount not to exceed \$51,407.08, account 010600-5245. Budgeted operating expense; no special appropriation required.

Replace with corrected item:

4a. Authorize the Mayor, Richard A. Moccia to execute an amendment to the Agreement (City RFP Project 2426) between the City and Total Communications Inc., a sole source provider, for the annual renewal of equipment and software update and support maintenance for the Citywide and Board of Education Voice Mail system and the critical telephone system components at the Police Department for the period September 13, 2008 – September 12, 2009, 24 x 7x 365 coverage, for an amount not to exceed \$51,407.08, account 010600-5245. Budgeted operating expense; no special appropriation required.

7. Authorize the Mayor, Richard A. Moccia to sign a contract for Pension and Other Post Employment Actuarial Consulting Services to Milliman, USA for the period of July 1, 2008 to June 30, 2011 and 2 additional option years through June 30, 2013 for a sum not to exceed \$435,800.00; \$72,900 for fiscal year 2008-09; \$99,200.00 for Fiscal Year 2009-10 and \$77,500.00 for Fiscal Year 200-11 with an option to renew for Fiscal Year 2011-12 for \$103,900.00 and Fiscal Year 2012-13 for \$82,300.00.

**** MOTION PASSED UNANIMOUSLY**

A. HEALTH, WELFARE & PUBLIC SAFETY COMMITTEE

**** MR. GEAKE MOVED THE FOLLOWING ITEM**

1a. Authorize the Purchasing Agent to execute a purchase order to Sig Sauer, Inc, on the behalf of the Norwalk Police Department, for the sole source purchase of one-hundred and eighty-eight (188) Sig Sauer P229R DA/SA, .40 Caliber handguns, S&W Night Sights; with three (3), twelve (12) Round Magazines, one (1) Plastic Storage Box and one (1) Manual for each handgun purchased, less trade-in value of \$375.00 each for old guns, for a total amount not to exceed \$ 46,692. Funds to be taken from Account # 09093010-5777-C0436.

Mr. Geake said that this request is to replace 10 year old guns.

**** MOTION PASSED UNANIMOUSLY**

**** MR. GEAKE MOVED THE FOLLOWING ITEM**

1b. Authorize the Purchasing Agent to execute a purchase order, on behalf of the Norwalk Police Department, for the purchase of 182 Safariland Holsters for the above handguns for an amount not to exceed \$23,308.00, subject to approval of Purchasing Agent as meeting the guidelines of lowest possible bidder. Funds to be taken from Account # 09093010-5777-C0436.

Mr. Krummel said that they need the name of the vendor.

Mr. Frank Favano explained that the vendor is yet to be determined. It is out to bid and will be done under the auspices of the Purchasing Department at a *not to exceed* amount. Ms. Brown suggested waiting to vote on this item until they get a vendor. Mr. Favano said that they want to get the bid process started. Ms. Brown said that they do not have any backup for this item, which makes it is difficult to vote. Mr. Bondi asked if delaying this vote would hold up the use of the guns. Mr. Favano said that it would; they would have new guns, but no holsters. He said

that the guns are useless without the holsters. Mr. Favano said that training takes place with the new weapons in the holsters. The holsters are a critical part of the weapon system.

Mayor Moccia said that Ms. Brown has a valid point, but they may have to look at the safety of the Officers. Mr. McQuaid said that they already approved the guns and he does not want to see the equipment held up, but it is difficult to be asked to approve something without backup. He suggested tabling this request for two weeks.

Mr. Favano said that if they wait for two weeks, they will then have to wait 10 days to order the holsters which will bring them up to 34 days until they receive the holsters. If this is approved today, they can order the holsters next week.

Ms. Lindstrom said that she was torn on this. During the Committee meeting they discussed their concerns about not having back up for the guns. Ms. Lindstrom noted that back up for the guns was included in tonight's materials and asked that complete information be available.

Mr. Bonenfant asked what the difference in prices will be. Officer Wrinn said that there is not going to be a large variety of vendors, therefore they expect the bids to come in as the stated amount or less. Mr. Bondi said that he understands that the ball was dropped by not bidding the guns and holsters together. He suggested approving both items at the same time so that the new equipment can be on the street as soon as possible.

Chief Harry Rilling said that they need the weapons. He said that the estimate they got for the trade in of the old guns was good for 30 days; after that the value in the weapons can go down. He said that they need to order the guns and there are only several manufacturers who make the holsters. Ms. Brown said that they do not have the back up information and it is difficult to do this on the fly. She pointed out that she wants the Police to be safe.

Chief Rilling apologized that the holster did not go out to bid at the same time as the weapons, but said that they are only talking about \$23,000. He said that they won't get anything for much less than that amount.

Mayor Moccia said that this speaks to the safety of the people on the street. He suggested that once the bid is received and immediately upon receipt of that bid, that Chief Rilling e-mail each member of the Common Council with the name and amount of the bid. He said that there are very few people who make the holsters.

Mr. Geake noted that the Police were ordering 188 weapons and only 182 holsters. Chief Rilling said that they have to have extra weapons on hand.

Mr. Hempstead asked Chief Rilling if they were limited in the number of bidders. Chief Rilling said that they are asking for a specific high security holsters; they can't take anything lower.

**** MR. HEMPSTEAD MOVED THE FOLLOWING AMENDMENT:**

MOVED TO APPROVE AUTHORIZATION SUBJECT TO THE APPROVAL OF THE PURCHASING DIRECTOR AND MUST MEET THE GUIDELINES OF THE LOWEST RESPONSIBLE BIDDER. THE VENDOR AND AMOUNT MUST BE COMMUNICATED TO ALL COMMON COUNCIL MEMBERS

**** MOTION PASSED UNANIMOUSLY**

**** MAIN MOTION AS AMENDED PASSED BY ROLL CALL VOTE AS FOLLOWS:**

NINE (9) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; MR. SERASIS; REV. BOLDEN; MS. LINDSTROM; MR. HAMPSTEAD; MR. KRUMMEL AND TWO (2) ABSTENTIONS (MS. BROWN AND MR. SUTTON)

**** MR. GEAKE MOVED THE FOLLOWING ITEM:**

3. Technical Correction: Authorize the following technical *changes* to the February 12, 2008 Common Council Action, item no. VII. A.2. to reflect (a) a change in the term of the grant from October 1, 2007 through September 30, 2008 to October 1, 2007 through September 30, 2009, and (b) a change in the amount of \$202,500 for the one year grant to \$405,000 to reflect the two year period.

Rescind original item:

2. Authorize the Mayor, Richard A. Moccia, to execute any and all applications, agreements, documents, instruments, or amendments as may be necessary to apply for and accept grant funds and implement the Women Infants and children's Program with the City of Stamford for the period October 1, 2007 through September 30, 2008 for the amount of \$202,500.

Corrected Changed item to read as follows:

2. Authorize the Mayor, Richard A. Moccia, to execute any and all applications, agreements, documents, instruments, or amendments as may be necessary to apply for and accept grant funds and implement the Women Infants and children's Program with the City of Stamford for the period October 1, 2007 through September 30, 2009 for the amount of \$405,000.

Mr. Geake explained that this motion rescinds the original motion.

**** MOTION PASSED UNANIMOUSLY**

**** MR. BONDI MOVED THE FOLLOWING ITEM:**

B. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

Authorize the Mayor, Richard A. Moccia to enter into an agreement with Silver/Petrucci & Associates for Architectural Design Services for the rehabilitation of the Fodor Farm Homestead

dwelling for the design development phase for a sum not to exceed \$12,300.00. Account# 09096030-5777-C0447 & Account#0 90840310-5777-C0432

Ms. Brown said that there was no back up information for this item in the packet. Mr. Mocciae explained that they just finished interviewing four architects on Friday, which was when the decision was made. Silver/Petrucci & Associates are not necessarily the lowest bidder, but have served the City the best. Mr. Foly, Mr. Bryant, Mr. Lo and Mr. Mocciae were on the Committee.

**** MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. BROWN AND MR. SUTTON)**

RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening

SUSPENSION OF THE RULES

There were none this evening

ADJOURNMENT

**** MR. BONDI MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

The meeting was unanimously adjourned at 8:55 p.m.

ATTEST: _____

Mary Roman, City Clerk