

Common Council Actions

COMMON COUNCIL

ACTION

DECEMBER 9, 2003

NORWALK, CONNECTICUT 8:00PM 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.

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, December 9, 2003, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut.

Mayor Knopp called the meeting to order at 8:05 p.m. and led the assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Betsy Bain
Bruce Kimmel

Kenneth Baker (absent)
Matthew Miklave

Fred Bondi
Jeanette Olmstead-Sawyer

Michael Coffey
Kevin Poruban

Carvin Hilliard
Douglas Sutton

Douglas Hempstead (absent)
Peter Wien

William Krummel
Leona Williams (absent)

Richard McQuaid

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

II. ACCEPTANCE OF THE MINUTES

A. Regular meeting of November 11, 2003

**** MR. BONDI MOVED APPROVAL OF THE MINUTES OF NOVEMBER 11, 2003 AS SUBMITTED.**

**** MOTION PASSED WITH NINE VOTES IN FAVOR, THREE ABSTENTIONS (MR. HILLIARD, MR. MCQUAID; MR. MIKLAVE) AND THREE ABSENTEES.**

B. Organizational Meeting of November 18, 2003

**** MS. BAIN MOVED APPROVAL OF THE MINUTES OF NOVEMBER 18, 2003 AS SUBMITTED.**

**** MOTION PASSED WITH TEN VOTES IN FAVOR, TWO ABSTENTIONS (MR. COFFEY, MR. HILLIARD) AND THREE ABSENTEES.**

C. Regular meeting of November 25, 2003

**** MR. COFFEY MOVED TO APPROVE THE MINUTES OF NOVEMBER 25, 2003 AS AMENDED.**

The following corrections were made:

Page 3, fourth paragraph, last sentence should be deleted and replaced with "Also included is Mr. Farstrup as Chairman of the Board of Estimate and Taxation."

Page 3, after the section on Facilities Construction Commission, add new heading entitled "Water Pollution Control Authority" and add statement that "Mr. Farstrup and Mr. Kimmel are members."

Page 4, fourth paragraph, second sentence, add the word "ex-officio" before the word "appointments."

Page 7, third paragraph, first sentence, there should be twelve modular classrooms, not eight.

Page 7, sixth paragraph, first sentence, strike the phrase "during the move from Brookside to Brien McMahon" and replace it with "while at Brookside"

Page 12, eighth paragraph, delete the first sentence. Add to the end of the paragraph "He also stated that contracts are not finalized until approved by the Common Council."

**** MOTION PASSED WITH TEN VOTES IN FAVOR, TWO ABSTENTIONS (MR. WIEN, MR. HILLIARD) AND THREE ABSENTEES.**

III. PUBLIC PARTICIPATION

Art Scialabba said that as it related to appointments made by the Mayor, the person's affiliation and whom they replace should be clearly stated. Regarding fees increases, Mr. Scialabba said that some are increased 20% and others as much as 250%. He asked that the record state that Republicans are opposed to any increase in fees. Lastly, Mr. Scialabba said that he was under the impression that the current administration had committed itself to funding the Master Plan, yet it appeared that projects were being planned and funded on a piece-meal basis. He said that it made little sense to pay \$50,000 for a professional service to perform research, when answers were already well known.

Myrtice Wilson spoke on behalf of the Reed Putnam project. She said that the media stated that 10% of the units would be made available as affordable housing and asked what the income bracket was to qualify. Mayor Knopp responded that he did not have a specific answer to her question. He suggested that she contact the agency responsible, or ask any of the Council members.

Lindsey Curtis, Rev. Grace Baptist Church and President of the NAACP, spoke in favor of the amendment to the Consent Decree. He said that since 1999 there have been ongoing good faith negotiations, and he was pleased that a final agreement had been reached. It was his belief that the agreement would serve the betterment of everyone who seeks low to moderate income housing, as well as 'right' discrimination. Pastor Curtis said that he hoped to see passage of the Decree, and said that history would be created and the past put behind.

Diane Lauricella spoke in favor of the proposed Zoning Board of Appeals fee increases, saying that it is good management to increase fees. She said that Staff spends a great deal of time assisting applicants, and a fee increase is appropriate. She said that some of the fees charged by Norwalk are not as high as those in neighboring communities. Ms. Lauricella spoke in favor of selecting Chan Krieger & Associates to develop and update the City's Master Plan. She did not feel that by working with the firm it meant a piece-

meal approach to planning. She said that the Mid-Harbor neighborhood is an asset to the City that has been bypassed for many years. It has many sites and locations that offer great potential for public and private sector development to increase "uniqueness" to Norwalk. She said the money spent is a wise use of taxpayer money.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations:

Michael Coffey SWRPA

Sally Bird Marisco SWRPA

Mayor Knopp said that he received and accepted the resignation letters from Mr. Coffey and Ms. Marisco from their positions with the Southwest Regional Parking Authority.

Appointments:

Dept. of Public Works - Harold F. Alvord

Mayor Knopp said that 60 applicants applied for the Director of Public Works position, and he appointed an interview committee who then narrowed the search to three finalists. There was general consensus between those on the committee and Mayor Knopp that Mr. Alvord's credentials and expertise were not only impressive, but would be very beneficial to the City. Mayor Knopp thanked Richard Linnartz who served as Acting Director of the department after Mr. Grumman retired. Mr. Linnartz chose not to apply for the Director position but rather preferred to return to his duties as head of the DPW's engineering bureau.

**** COUNCIL MEMBER PORUBAN MOVED TO APPOINT HAROLD F. ALVORD AS DIRECTOR OF PUBLIC WORKS.**

Council member Poruban said that he met with Mr. Alvord and was pleased with his credentials. He also thanked Mr. Linnartz for stepping up to the plate during the interim period after Mr. Grumman retired.

Council member McQuaid said that one of the criteria for filling the position was that the person needed to be a registered professional engineer in the State of Connecticut, and Mr. Alvord's resume did not say that he was. Mayor Knopp responded that Mr. Alvord

had his license from another state and through reciprocity, would obtain his from Connecticut.

Mr. Coffey said that the Department was fortunate to have a man with credentials such as Mr. Alvord, and he wished him well.

**** MOTION PASSED WITH ELEVEN VOTES IN FAVOR,
ONE ABSTENTION (MR. MCQUAID) AND THREE ABSENTEES.**

Board of Police Commissioners: Re-appoint - Fran Collier
Clemmons, Appoint - Frank J. Morgan

Mayor Knopp put forward the name of Fran Clemmons for re-appointment and Frank Morgan for appointment to the Board of Police Commissioners, saying the City will be well served.

Fair Housing Advisory Commission: Re-appoint Lori Torrano

Mayor Knopp put forward the name of Lori Torrano for re-appointment to the Fair Housing Advisory Commission, adding that she served the commission well.

**** COUNCIL MEMBER BONDI MOVED THE FOLLOWING:**

**RE-APPOINTMENT OF FRAN COLLIER CLEMMONS TO THE
BOARD OF POLICE COMMISSIONERS,**

**APPOINTMENT OF FRANK MORGAN TO THE BOARD OF
POLICE COMMISSIONERS, AND**

**RE-APPOINTMENT OF LORI TORRANO TO THE FAIR
HOUSING ADVISORY COMMISSION.**

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

Library Board of Directors: Appoint - Mary Pugh

Mayor Knopp said that Mary Pugh has been very involved with helping children learn computers, long before they were common devices in schools and homes.

**** COUNCIL MEMBER PORUBAN MOVED TO APPOINT
MARY PUGH TO THE LIBRARY BOARD OF DIRECTORS.**

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

Parking Authority: Reappoint - Stephen Bentkover

Mayor Knopp put forth the name of Stephen Bentkover for re-appointment to the Parking Authority, saying Mr. Bentkover was one of the original members of the Authority, but with a shorter term than the others. The re-appointment would be for a full term. Mr. Bentkover is a financial advisor and past chairman of the Kiwanis Club.

**** COUNCIL MEMBER BAIN MOVED TO RE-APPOINT STEPHEN BENTKOVER TO THE PARKING AUTHORITY.**

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

Zoning Board of Appeals: Appoint: Patrick Geraghty (Alt.) & Anowar Shahjahan (Alt.)

Mayor Knopp put forth the name of Patrick Geraghty as an alternate to the Zoning Board of Appeals. As an attorney, Mayor Knopp said that Mr. Geraghty's expertise would be helpful to the ZBA. Mayor Knopp also put forth the name of Anowar Shahjahan, a Democrat, as an alternate to the Zoning Board of Appeals. He said that Mr. Shahjahan is Vice Chair of the Golden Hill Association.

**** COUNCIL MEMBER COFFEY MOVED TO APPOINT PATRICK GERAGHTY AND ANOWAR SHAHJAHAN AS ALTERNATES TO THE ZONING BOARD OF APPEALS.**

Council member Kimmel thanked Mayor Knopp for his excellent choices and commended him once again for continuing the bipartisan approach to appointments.

Mayor Knopp.

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

B. REMARKS

Mayor Knopp announced that on December 8, 2003 the agreement between Diageo, the State, and Norwalk became official. He said that this is a terrific benefit to the City for many reasons. The firm is relocating from Westchester County, New York and Stamford, Connecticut to Norwalk. It is anticipated that they will bring in \$21.5 million of new property tax revenue over the next ten years. He said that the relocation sends a message that Norwalk carries first-class distinction to be home for a corporate headquarters. Norwalk offers an excellent quality of life, access to transportation and a government that supports new regional development. Mayor Knopp thanked the State and those Staff members who worked to negotiate and finalize the agreement. He said that he is pleased, as Mayor, that this became finalized yesterday and committed that Norwalk will work with the developer of the property on Glover Avenue, which will become Daigo's corporate headquarters.

V. COUNCIL PRESIDENT

**** COUNCIL MEMBER KIMMEL MOVED THE CONSENT CALENDAR AS PRESENTED:**

V. B. OTHER COUNCIL

1. Resolution to cancel Common Council meeting of December 23, 2003.

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$92,669 be and the same is hereby transferred from Contingency to the Combined Dispatch and Emergency Preparedness Planning Department to pay for an expected shortfall in the overtime wage account.

Acct. # 's 01-3620-5120 & 01-3630-5120

2. RESOLVED, that a sum not to exceed \$5,600 be and the same is hereby transferred from Contingency to the Combined Dispatch and Emergency Preparedness Planning Department to pay for a maintenance contract for a telephone and radio communications recorder.

Acct. # 01-3610-5263

4. RESOLVED, that a sum not to exceed \$12,988 be and the same is hereby transferred from Contingency to the Legal Department to pay for the Facilitator and Energy Expert for Phase II of the United Illuminated/Northeast Utilities Transmission Line Project.

Acct. # 01-0300-5258

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

1. Authorize the Acting Director of Public Works, Richard Linnartz, to issue Orders on Contract to FBG Construction for Project No. 4R 2003-1, Proposed 4R Pavement Management Project in connection with the

installation of a fence at the Flax Hill Road Condo, for a sum not to exceed \$10,000.

Acct. # 09 04 4021 5777 C0021

1. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Almstead Tree & Shrub Care Company to provide Tree Removal, Trimming and Christmas Tree Collection Services, for a sum not to exceed \$70,000 per year for a 3 year term.

Acct. #'s 01 40 29 5298 & 01 40 42 5299

2. **Technical Correction to the Common Council Action on June 26, 2001.**

Authorize the Mayor, Alex A. Knopp, to execute an Agreement with 25 Glover Partners, LLC, 35 Glover Partners, LLC., and 45 Glover Partners, LLC., to assign a right of way and temporary working easement over and across a section of Glover Avenue for the purposes of constructing, maintaining, repairing and replacing a flyover structure to extend from Main Avenue to the development known as the Towers at Merritt River

4. Authorize the Acting Director of Public Works to issue Orders on Contract to Realife Land Improvements, Inc., for the Proposed Wetland Restoration at Wilson Cover, for a sum not to exceed \$6,000.

Acct. # 09 03 4031 5777 C0082

A. **PLANNING COMMITTEE**

2. Approve a License Agreement between the City of Norwalk and Maritime Place LLC for the purpose of access to Development Parcel 3 in the Reed Putnam Urban Renewal Project area in order to undertake certain due diligence activities including but not limited to environmental testing and geotechnical borings to assess site conditions

3. Authorize the Mayor, Alex A. Knopp, to execute a License Agreement on behalf of the City with Maritime Place LLC for the purpose of access to Development Parcel

3 in the Reed Putnam Urban Renewal Project area in order to undertake certain due diligence activities including but not limited to environmental testing and geotechnical borings to assess site conditions.

5a. Approve the Proposed Amendment (roadway improvements) to the City of Norwalk contract with Tighe & Bond Consulting Engineers as set forth in the attached proposal dated October 27, 2003.

5b. Authorize the reservation of funds in an amount not to exceed \$169,300 from the State DECD Grant for Reed Putnam for the additional services.

6a. Approve the Proposed Amendment (drainage improvements) to the City of Norwalk contract with Tighe & Bond Consulting Engineers as set forth in the attached proposal dated November 24, 2003.

6b. Authorize the reservation of funds in an amount not to exceed \$69,500 from the State DECD Grant for Reed Putnam, with reimbursement from French Norwalk LLC and Maritime Place LLC for their respective share of the cost for the additional services.

7. Authorize the Mayor, Alex A. Knopp, to execute any and all documents associated with amendments to the existing Agreement between the City of Norwalk and Tighe & Bond Consulting Engineers for engineering services in the Reed Putnam Urban Renewal Project area.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

A. PUBLIC WORKS COMMITTEE *Tabled from the meeting of November 25, 2003*

1. Authorize the Acting Director of Public Works to issue Orders on Contract to FGB Construction for Project No. 4R 2003-1, Proposed 4R Pavement Management Project, for a sum not to exceed \$29,000.00 in connection with the removal and replacement of the driveway on Singing Woods Court and paving of a portion of Brenner Road.

Council member McQuaid requested that VI.A.5 be removed from the consent calendar.

Council member Poruban requested that IX.A.1 be removed from the consent calendar.

** **MOTION PASSED UNANIMOUSLY AS AMENDED.**

V. B. OTHER COUNCIL

**1. Recommendation from Zoning Board of Appeals
for New Application Fee Schedule.**

Council member Kimmel said that under their charter, the ZBA has asked for adoption of a new fee schedule. They have done due diligence, and held public hearings.

Mr. Greene, Director of Planning & Zoning said that the last time fees were increased was in the late 1980s or 1990s, or since 1992 at minimum. In some areas, increases are being proposed, in others, none, and the intent is not to penalize homeowners. He said that the ZBA feels that commercial owners already pay a great deal; hence there is no increase for signs. He said that the proposed increases will bring in an additional \$15,000 - \$17,000 to the City. Council member Kimmel said that some fees have been at their existing level for many years. If an increase is not approved, he asked where the additional money would come from. Mr. Greene said that it would be taken from the operating budget. Council member McQuaid felt that some of the proposed increases were too high, and asked if there was another way to generate the money. Mr. Greene said that comparables were done with local cities and towns, and briefly read some of the fees charged by Westport, Stamford, etc. Council member Kimmel asked if another City agency could initiate the process of increasing fees. Mr. Greene responded that a joint approval is needed between the agency and the Common Council. No motion was made by the Council.

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$28,000 be and the same is hereby transferred from Contingency to the Combined Dispatch and Emergency Preparedness Planning Department to pay for various equipment needed to form a Combined Dispatch Unit.

Acct. #s 01-3630-5267, 01-3630-5741; 01-3630-5743 and
01-3610-5250

Council member Poruban recused himself from discussion of this item.

**** COUNCIL MEMBER KIMMEL MOVED APPROVAL OF THE ITEM.**

**** MOTION PASSED WITH ELEVEN VOTES IN FAVOR AND ONE RECUSAL (COUNCIL MEMBER PORUBAN).**

5. Amend the following Resolution (previously approved 9/2000).

RESOLVED, that a sum not to exceed \$154,000 be and the same is hereby transferred from Contingency to the Law Department to pay for expenses associated with defending tax appeals:

The new Resolution to read:

RESOLVED, that a sum not to exceed \$154,000 be and the same is hereby transferred from Contingency to the Law Department to pay for expenses associated with defending tax appeal and other legal professional services.

Council member McQuaid asked what other legal professional services were involved, since this Resolution was approved in 2000. Mayor Knopp said that it would provide for attorney fees and the like.

**** COUNCIL MEMBER KIMMEL MOVED APPROVAL OF THE ITEM.**

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

B. CORPORATION COUNSEL

1. Proposed Amended Consent Decree Re: NAACP vs. City of Norwalk

**** COUNCIL MEMBER KIMMEL MOVED APPROVAL OF THE ITEM.**

Council members Hilliard, Sutton and Sawyer-Olmstead recused themselves from discussion of this item. Mayor Knopp thanked them for maintaining their ethical standards in this regard.

**** COUNCIL MEMBER MCQUAID MOVED TO TABLE THIS ITEM UNTIL THE NEXT MEEING.**

Council member McQuaid said that he received the final document only a few days prior and did not have sufficient opportunity to review it. He added that he was pleased the item "made it to the floor" but felt strongly that additional time was needed for review.

**** MOTION TO TABLE FAILED WITH ONE VOTE IN FAVOR, EIGHT VOTES IN OPPOSITION, THREE RECUSALS AND THREE ABSENTEES.**

Council member Kimmel said that he participated in numerous discussions on this item over the last five to six years and was very pleased to see the final document. He said it was a difficult and complicated negotiation process but the document should be satisfactory to everyone as it was a good compromise. He urged the City to move forward on the item.

Mayor Knopp said that Corporation Counsel has been in contact with the court and is looking forward to receiving the resolution. He said that the decree is not a final action since the appeal remains pending, but the decree will resolve the matter. He said that he would prepare a revision to the ordinance and the Council would have an opportunity to act on this matter again when the ordinance is amended.

**** MOTION PASSED WITH EIGHT VOTES IN FAVOR, ONE ABSTENTION (COUNCIL MEMBER MCQUAID), THREE RECUSALS AND THREE ABSENTEES.**

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

C. NORWALK FACILITIES CONSTRUCTION COMMISSION

- 1.** Authorize the NFCC to approve Proposed Change Order #59 to the Fusco Corporation's contract for Brookside School Replacement Project for an amount not to exceed \$41,042 as an increase to the Guaranteed Maximum Price (GMP). Board of Education shall proceed with Special Appropriation Process for the above amount.

**** COUNCIL MEMBER KRUMMEL MOVED APPROVAL OF THE ITEM.**

Council member Krummel said that the change order was approved by the Ad Hoc Committee, the architect, the construction manager, and by Mr. Hawley, the City's program manager for these types of projects. He said that Mr. Hawley felt the changes should be an addition to the GMP because they were out of the scope of the original contract. Mr. Hawley said that the initial amount of the change order was about \$12,000

but he was able to negotiate the price down after meeting with Fusco Corporation. Additional masonry work was needed.

**** MOTION PASSED WITH ONE VOTE IN OPPOSITION
(COUNCIL MEMBER BONDI).**

2. Authorize the Purchasing Department to issue a Purchase Order to SBC-SNET for the purchase and installation of one 911 Call Taking Position for a total not to exceed \$23,083.06. This position will be relocated to the new Police Station.

Acct. #09034031-5777-C0137

Council member Poruban recused himself from discussion of this item.

**** COUNCIL MEMBER KRUMMEL MOVED APPROVAL OF
THE ITEM.**

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

VII. COMMON COUNCIL COMMITTEES

B. PLANNING COMMITTEE

1a. Approve the selection of Chan Krieger & Associates to develop the Norwalk Mid-Harbor Planning and Urban Design Study for the purpose of updating the City's Master Plan of Development.

1b. Authorize the Mayor, Alex A. Knopp, to execute a contract with Chan Krieger & Associates in the amount of \$50,000 for the development of the Norwalk Mid-Harbor Planning and Urban Design Study.

**** COUNCIL MEMBER MIKLAVE MOVED APPROVAL OF THE
ITEMS.**

Council member Miklave commended the Mayor and his administration for developing an executive staff to reassess and fund development of one of Norwalk's vital areas ... the Harbor and surrounding area. Council member Kimmel agreed with his colleague said that Norwalk cannot ignore its urban areas; they must be addressed. It was his hope that within a year or two Norwalk would be able to create a state-of-the-art plan which he felt was desperately needed. He said that personally, he took the harbor areas for granted

until he realized how much of an asset they are to the City and how much potential they offer. Council member Kimmel said he hoped that the same approach would be used when looking at rural areas because they, too, are changing rapidly. To delay action might certainly mean that Norwalk would find itself in an unfortunate situation. He said that the money was targeted for the Master Plan and is being used on a regular basis, and the City is continuing to move forward.

Council member McQuaid felt this was a pocket plan approach, and that the former procedure was a better one. He said that funds were made available to the Planning Commission to develop the Master Plan and felt strongly they should be the ones to pursue the development, etc.

Council member Coffey felt the choice of Chan Krieger was an excellent one because he said they have worked on many world-class projects and he personally couldn't wait to see the plans they would develop for Norwalk. Council member Kimmel said that the original Master Plan was too general, not clear enough about exactly what the City wanted. It was not focused on addressing specific areas, and as a result, less progress was made than could have been. He said that public input is necessary and good, but often public hearings turn into complaint sessions which are not productive. The Planning Commission did not take an active role in the public hearings that were held in the past. He said that this new approach put Norwalk on a path that is more sophisticated. Council member McQuaid said that in principal he agreed, but that it was the responsibility of the Planning Commission to develop a master plan. It was his opinion that the Commission would have done a better job had they received more guidance and that even today, they should be allowed to do their job.

Council member Miklave disagreed with Council member McQuaid. He said that 12 years have passed, and the City is finally making progress. He said that the Wall Street project was a disaster, and that kind of urban planning is a mistake. It was his opinion that Norwalk needs to bring in high level, world-class talent on the projects who will focus their attention on one plan at a time, rather than throwing all the projects into the mix.

Mayor Knopp said that years ago funds were made available to update the Master Plan and for two years running the former administration refused the money to do so. He said that the Planning Commission agrees with the proposed approach. He said that Mr. Greene, his staff and the Planning Commission have worked out an agreement about how the funds for the master plan update should be spent. He reiterated that nothing in the Master Plan will change without approval from the Council and the Planning Commission. There will be future public hearings held. Mayor Knopp said that the City has established a better way to involve the public at each step along the way of planning. Former 'gripe' sessions cannot continue as they are not productive. He said that he asked the Planning Commission to see the proposals they had received, and was pleased to see that there were all elements of development activity.

**

MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

4. Approve the proposed Conceptual Site Plan for Development Parcel 3 within the Reed Putnam Urban Renewal Project as prepared and presented by Maritime Place, LLC in accordance with the requirements of the Land Disposition Agreement dated March 13, 2002.

**** COUNCIL MEMBER MIKLAVE MOVED APPROVAL OF THE ITEM.**

Council member Miklave said that he commended the Spinnaker Group for the patience they showed during the meetings and for complying with all requests for additional information. They assured that all information was made available to the public. He said that the site plan required extensive detail in terms of size, mass and scope of the project and descriptive side setbacks, number of units and their market rate, etc. They paid close attention to all the groups that presented to them and tried to incorporate as many of the requirements as they could. Further public hearings will be held. Council member Hilliard agreed with his colleague. He said this is very important step for the City of Norwalk. All parties actually cooperated with one another regarding affordable housing, and this is a good example of people coming together. He said that the proposed development is a first step and a window into the future that is very positive for the City.

**** MOTION PASSED WITH ONE VOTE IN OPPOSITION (COUNCIL MEMBER MCQUAID).**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

A. PUBLIC WORKS COMMITTEE

1. Authorize the Acting Director of Public Works to issue Orders on Contract to FGB Construction for Project No. 4R 2003-1, Proposed 4R Pavement Management Project, for a sum not to exceed \$29,000 in connection with the removal and replacement of the driveway on Singing Woods Court and paving of a portion of Brenner Road.

Acct. #0903-4021-5777-C0021

**** COUNCIL MEMBER PORUBAN MOVED APPROVAL OF THE ITEM.**

Mr. Linnartz said that the item should be amended slightly. The amount of \$29,000 is inaccurate; it should be \$19,000. Also, paving of a portion of Brenner Road did not take place; that should be removed from the item. He said that work on the driveway was approved by the Committee, and the funds were in the account. The work needed to be

completed by Thanksgiving. He said that it is not normal procedure to have the work done and then appropriate the funds, but in this case the paving was already completed before he was informed. It was an "end of the season" situation, and the issue was a long standing one since the 1960s. He said that several meetings were held and that further work would continue once warmer weather is upon us. Council member McQuaid asked why the Council wasn't told about the work before the item was put on the agenda. Council member Poruban said that the Committee met in October but there was no quorum, so the item could be voted to the Council's agenda. Due to time constraints and impending inclement weather, timing was an issue. Council member Kimmel said that procedurally, the process followed was not the right one but having the work completed was the right thing to do. He said that the City owed the family to have the work done.

**** COUNCIL MEMBER KIMMEL MOVED TO AMEND THE ITEM BY CHANGING THE AMOUNT TO \$19,000 AND DELETING THE PHRASE REFERRING TO PAVING OF A PORTION OF BRENNER ROAD.**

**** MOTION TO AMEND PASSED UNANIMOUSLY.**

**** MOTION PASSED UNANIMOUSLY.**

X. SUSPENSION OF THE RULES

There was no suspension of the rules.

Mr. Hilliard thanked Corporation Counsel for their quick response to his question, but said he was not pleased with what the answer was.

XI. ADJOURNMENT

**** COUNCIL MEMBER BONDI MOVED TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Carol A. Wiggins for

Telesco Secretarial Services

APPOINTMENTS

DEPARTMENT OF PUBLIC WORKS

M/C Nwlk. Charter § 90-2

HAROLD F. ALVORD

2 Heritage Drive

Danbury, Ct. 06811

BOARD OF POLICE COMMISSIONERS

M Nwlk. Charter §1-297

COLLIER-CLEMMONS, FRAN (D)

11/18/03- 11/22/05

19 Adamson Avenue

Norwalk, Ct. 06851

MORGAN, FRANK J. (R)

11/18/03 - 11/22/05

3 Hickory Road

Norwalk, Ct. 06851

FAIR HOUSING ADVISORY COMMISSION

M/C Nwlk. Code §59-A

TORRANO, LORI (R)

09/01/06

104 Dry Hill Road

Norwalk, Ct. 06851

LIBRARY BOARD OF DIRECTORS

M/C

PUGH, MARY

(D)

12/31/06

9 Outer Road

Norwalk, Ct. 06854

PARKING AUTHORITY

M/C

Nwlk. Code §73A

BENTKOVER, STEPHEN (U)

03/31/08

71 Aiken Street #K4

Norwalk, Ct. 06851

ZONING BOARD OF APPEALS

M/C

Nwlk. Code §116

GERAGHTY, PATRICK (R)

11/01/05

15 Pershing Street

Norwalk, Ct. 06851

SHAHJAHAN, ANOWAR

11/01/08

75 Taylor Avenue

